
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2302

Session of
2002

INTRODUCED BY BUNT, DALEY, DeWEESE, S. MILLER, ADOLPH, ARGALL,
T. ARMSTRONG, M. BAKER, BASTIAN, BELFANTI, CAPPELLI, CLYMER,
M. COHEN, EGOLF, J. EVANS, FICHTER, FORCIER, GORDNER,
GRUCELA, HARHAI, HENNESSEY, HERMAN, HERSHEY, HESS, HORSEY,
HUTCHINSON, MAJOR, MCGILL, McILHATTAN, R. MILLER, NAILOR,
PALLONE, PHILLIPS, PICKETT, ROBERTS, ROSS, RUBLEY, SANTONI,
SATHER, SAYLOR, SEMMEL, SHANER, B. SMITH, SOLOBAY, STERN,
E. Z. TAYLOR, TIGUE, TRICH, WANSACZ, G. WRIGHT, YOUNGBLOOD
AND STEELMAN, JANUARY 24, 2002

SENATOR M. WHITE, ENVIRONMENTAL RESOURCES AND ENERGY, IN SENATE,
AS AMENDED, NOVEMBER 13, 2002

AN ACT

1 Amending the act of May 20, 1993 (P.L.38, No.11), entitled "An
2 act establishing the Agricultural Advisory Board in the
3 Department of Environmental Resources and prescribing its
4 powers; and providing for review by the board of certain
5 proposed rules and regulations," further providing for
6 establishment of board; and making editorial changes.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. The title and section 1 of the act of May 20,
10 1993 (P.L.38, No.11), known as the Department of Environmental
11 Resources Agricultural Advisory Board Act, are amended to read:

12 AN ACT

13 Establishing the Agricultural Advisory Board in the Department
14 of Environmental [Resources] Protection and prescribing its
15 powers; and providing for review by the board of certain

1 proposed rules and regulations.

2 Section 1. Short title.

3 This act shall be known and may be cited as the Department of
4 Environmental [Resources] Protection Agricultural Advisory Board
5 Act.

6 Section 2. The definitions of "department" and "secretary"
7 in section 2 of the act are amended to read:

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall
10 have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 * * *

13 "Department." The Department of Environmental [Resources]
14 Protection of the Commonwealth.

15 * * *

16 "Secretary." The Secretary of Environmental [Resources]
17 Protection of the Commonwealth.

18 * * *

19 Section 3. Section 3 of the act is amended to read:

20 Section 3. Establishment of board.

21 (a) Creation.--There is hereby established in the Department
22 of Environmental [Resources] Protection the Agricultural
23 Advisory Board.

24 (b) Members.--The following persons shall comprise the
25 board:

26 (1) Representatives of the Pennsylvania [Farmers
27 Association] Farm Bureau, the Pennsylvania State Grange,
28 PennAg Industries Association and the Pennsylvania Farmers
29 Union. Each of these organizations shall annually name one
30 person to represent it under this paragraph.

1 (2) A dairy producer, a livestock producer, a poultry
2 producer, a grain producer, a fruit producer, a vegetable
3 producer, a representative of the ornamental horticultural
4 industry, a producer engaged in sustainable agriculture, A <—
5 REPRESENTATIVE FROM THE AGRICULTURAL CHEMICAL MANUFACTURERS
6 INDUSTRY and a representative from the agri-business
7 industry. The Governor shall appoint these representatives to
8 sit for a three-year term. Representatives appointed under
9 this paragraph must receive a majority of their gross income
10 from the activity which they represent.

11 (3) Representatives of the Pennsylvania Association of
12 Conservation District Directors and The Pennsylvania State
13 University. Each of these organizations shall annually name
14 one person to represent it under this paragraph.

15 (4) Representatives of the Federal [Soil Conservation
16 Service] Farm Service Agency and the Federal [Agricultural
17 Stabilization and] Natural Resources Conservation Service.
18 Each of these organizations shall annually name one person to
19 represent it under this paragraph ex officio.

20 (5) Representatives of the Department of Agriculture and
21 the Department of Environmental [Resources] Protection. Each
22 department shall [annually name one person] name a deputy
23 secretary to represent it under this paragraph ex officio. If
24 a named deputy secretary is unable to serve on the board, the
25 deputy secretary must be replaced by another deputy secretary
26 or by the secretary of that same department.

27 (6) The chairman and the minority chairman of the
28 Agriculture and Rural Affairs Committee of the Senate or
29 their designees and the chairman and the minority chairman of
30 the Agriculture and Rural Affairs Committee of the House of

1 Representatives or their designees to represent the General
2 Assembly [ex officio].

3 (c) Chairman.--The board shall annually elect a board
4 chairman from among those members designated ~~under subsection~~ <—
5 ~~(b)(1)~~ OR APPOINTED UNDER SUBSECTION (B)(1) AND (2) [shall <—
6 annually rotate as board chairman], provided that no member
7 shall serve as chairman for more than two consecutive years.

8 (d) Staff.--The Department of Environmental [Resources]
9 Protection shall furnish the board with administrative support.

10 Section 4. This act shall take effect in 60 days.