

Meeting Minutes

PACD Legislative Committee Ramada Inn, State College, PA January 19, 2006

Chair: Larry Kehl, Berks Conservation District

In attendance:

Donald Baker, Director, Mifflin Conservation District
Donna Fisher, Manager, Blair Conservation District
Larry Kehl, Director, Chester Conservation District
Donald Koontz, Director, Mercer Conservation District
Harold Kulp, Director, Chester Conservation District
Ronald Rohall, Director, Westmoreland Conservation District
Paul Sell, Manager, Lehigh Conservation District
Patricia Sueck, Director, York Conservation District
John Torok, Commissioner Director, Potter Conservation District
Carl Urbanski, Director, Luzerne Conservation District

Welcome and Introductions - Larry Kehl

Chairman Larry Kehl welcomed everyone to the meeting and called the roll. Ten committee members were present, which represented a quorum.

It was moved by Harold Kulp and seconded by Don Baker to approve the minutes from the July 25, 2005 meeting. Motion carried.

Legislative Committee Listserve

Larry Kehl passed the Legislative Committee listserv sign-up sheet around and asked the committee how they would like to run the listserv. It was decided that non-members should be allowed to sign up to receive listserv messages, but they should not be able to send listserv messages out. If they have messages they would like to send out to the committee via the listserv, they should forward the message to a committee member to send out.

Introduction of New PACD Employee Brenda Shambaugh - Larry Kehl

Larry Kehl introduced Brenda Shambaugh, new Government Relations and Policy Specialist for PACD.

Brenda explained that she will be assisting the Association with legislative issues and will also take on some policy work. Among other things, she is currently working with the nutrient and sediment trading program. With regard to her background, Brenda explained to the committee that she worked for the Grange as Legislative Director for many years. She knows many members of the general assembly, and has notified them that she is now working for PACD. She is also familiar with many agency representatives and other people in the agriculture and conservation community in Pennsylvania.

Members of the committee noted that Brenda is well respected in Harrisburg and that they are very glad to see a policy person at PACD who can address these important policy issues facing the districts and the Association.

March 13, 2006 Capitol Day Agenda - Brenda Shambaugh

Brenda Shambaugh explained that there is a new one-day format for Capitol Day. The day will begin with workshops about how to develop and maintain personal relationships with legislators, with a Legislative Luncheon to follow. PACD has invited each Pennsylvania Representative and Senator to the Legislative Luncheon and is asking attendees to follow up by sending a personal invitation to their legislator, as well. Legislators like to know that their constituents are attending. This can make a big difference in legislator attendance.

Draft Position Paper Act 217 - Larry Kehl

Larry Kehl presented some background on the draft position paper on Act 217. The original paper was prepared in July of 2000. At the PACD Fall Meeting in October of 2003, it was decided by an act of the PACD Executive Council to reopen and revise the position paper, and a PACD sub-committee (the Act 217 Review Committee) was formed to make revisions. In the meantime, the Legislative Budget and Finance Committee (LBFC) undertook a review of the districts and released a report on the *Operation and Structure of County Conservation Districts*. The Act 217 Review Committee used the LBFC report to add strength and credence to the recommendations in the draft position paper.

Brenda Shambaugh presented a proposed policy statement to the committee, and briefed the committee on the current legislative environment. Pennsylvania is in the middle of a two year legislative session. If we want to move forward on this with the legislature, the time is now. If PACD moves on Act 217 recommendations now, we will have a year to work on it with the legislature, whereas if we wait until July, we will have very few legislative days to work with the legislature. In addition, many advocates for Pennsylvania agriculture in the legislature are not running for re-election. If we wait, we will likely not have the strong support we have now in the legislature. Currently, legislators are looking to back positive legislation such as this, legislation that will reflect well on them. The window of opportunity to move on Act 217 is this spring. If we do not take advantage of this opportunity now, we will probably not have the opportunity later.

There are a number of items in the draft position paper that benefit districts. Among these items is the proposed non-lapsing fund for districts. The LBFC report also suggests a non-lapsing fund, which lends additional weight to the proposal. The paper addresses a number of other issues, as well, including the extremely low per diem provided to the State Conservation Commission members.

Comment from the floor: In the past we have been afraid to open up the Act for revision, because we were afraid of what might happen. A comprehensive package like this is the

perfect thing to present to the legislature, particularly with the support of the LBFC report behind it.

It was moved by John Torok and seconded by Pat Sueck to adopt the Suggested Act 217 Policy Statement after changing the first paragraph by replacing "existing" with "necessary". Motion carried.

It was moved by Pat Sueck and seconded by Paul Sell to forward the Act 217 Position Paper to PACD Executive Council. Motion carried.

- Act 217 Policy Statement

PACD proposes amendments to Act 217 and will work with the PA General Assembly with the guidance of our Position Paper "Conservation District Law" to preserve and strengthen the conservation district system. The goal is to streamline the processes that districts use to develop and administer local, state and federal programs.

PACD recommends enhancing the necessary structure of the SCC to include consistent leadership, expanded membership, and a more formal assignment of necessary staff from the associated state departments.

Finally, PACD supports a special non-lapsing fund for conservation district support. This fund should allow for future changes in funding and programs and provide a framework for utilization of any dedicated funding should that become available.

New Draft Policy Positions for Review - Brenda Shambaugh

Brenda provided the draft policy position on Prevailing Wage for consideration by the committee.

It was moved by Pat Sueck and seconded by Malcolm Crooks to adopt the following Prevailing Wage policy statement:

PACD supports an increase in the threshold of the prevailing wage law. Because of the limited amount of funding available for conservation projects on farms, this increase will allow districts to work more effectively with the agricultural community.

Motion carried.

State Legislative Update - Brenda Shambaugh

Brenda explained that SB 410 has passed the Senate and came out of the House Committee. It was just taken off the table in the House.

- Legislation to keep in mind includes Protecting the Family Farmer and the Farmland Preservation Program.
- There is movement on legislation relating to alternate uses of manure and energy production. One of these legislative initiatives will create the Ag By-Product Management Board, which will discuss and develop new initiatives and pilot projects. The PACD Conservation Committee voted to support that package.
- With regard to manure hauling, there is Act 49, which was passed in June of 2004. There is controversy surrounding how the language in the new law is being interpreted. The intent of the legislation was that the hauler would need to be certified, not that all of his or her employees would have to be certified. However, the regulations are requiring that each employee be certified. With high turn-over rates in employment in this field, this is creating a significant problem for haulers. Conservation Districts have been mentioned as an entity that might be involved in the process. PACD's stand is that, if the districts are going to be a part of the process, they should be compensated for it. The PACD Conservation Committee voted to adopt a policy statement to that effect, and is forwarding that policy to the PACD Executive Council. The PACD Conservation Committee is also forwarding a policy on Nutrient and Sediment Trading to the PACD Executive Council.
- Regarding the budget, the Governor's Budget Office has requested funding priorities from PACD, which means that they are listening to our requests. The Governor presents his budget on February 7. Shortly after that, in March, the House and Senate will hold budget hearings. After this, the general assembly reconvenes. Sometime in June, the assembly will pass a budget. It is supposed to be in place June 30. Last year, they were still in session on the Fourth of July weekend.

Federal Legislative Update - Pat Sueck/Ron Rohall

Pat Sueck reminded everyone to read NACD e-Notes, which are forwarded to the PACD listserves. The NACD Northeast region is working on a work plan based on surveys taken of districts. The northeast has more legislators than the rest of the US combined. If we work together as a region, we will have a powerful voice. Krysta Harden is working hard and getting a great deal done. The NACD Legislative Conference is set for March 26-28, 2006 at the Washington Court Hotel in Washington DC. Pat said that she hopes to see many Pennsylvania folks in Houston for the NACD Annual Meeting.

Ron Rohall provided an update on Abandoned Mine Land (AML) legislation. The PA AML Campaign (a non partisan group made up of orgs in PA and surrounding states) has been working to re-authorize the Surface Mine Reclamation Act (SMCRA). We need something introduced in both the House and the Senate and members of this group are meeting with Representatives and Senators in Pennsylvania and surrounding states to reintroduce legislation to reauthorize the Act with an appropriate funding distribution. Ron noted that EPCAMR and WPCAMR are excellent sources for more information on abandoned mine lands in Pennsylvania, and what Pennsylvania can do with more funding. Ron will be updating districts and asking for support for the legislation when it hits the floor.

Date of Next Meeting

The next meeting is scheduled for Wednesday, July 26, 2006 from 6:45 to 8:45 pm, during the NACD NE Region Meeting and PACD/SCC Joint Annual Conference at The Penn Stater in State College, PA.

Adjournment

The meeting was adjourned at 7:58 PM