

Meeting Minutes

PACD Legislative Committee Conference Call May 3, 2006

Chairman: Larry Kehl, Berks Conservation District

Committee Members in Attendance:

Don Baker, Mifflin Conservation District
Larry Kehl, Berks Conservation District
Ron Rohall, Westmoreland Conservation District
Paul Sell, Lehigh Conservation District

Non-Committee Members in Attendance:

Victor Cappucci, Wyoming Conservation District
Susan Marquart, PACD Executive Director
Brenda Shambaugh, PACD Government Relations/Policy Specialist
Molly Burns, PACD Administrative Assistant (note-taker)

A quorum was not present.

Update on Act 217 and Budget (Brenda Shambaugh)

Brenda Shambaugh said that she and Susan have been meeting with both the administration and Pennsylvania legislators about Act 217 and funding for districts in the 2006-2007 state budget. PACD has received a draft of a bill that would create a non-lapsing fund for districts. The draft bill proposes to transfer conservation district funds from any Department or Agency to a non-lapsing fund managed through the State Conservation Commission. This way, districts can retrieve funds from a single agency. In addition, the draft proposes that districts not be required to follow state contracting guidelines within that non-lapsing fund.

Brenda noted that, if everything moves forward as we hope, the proposed bill will probably go through with the budget at the middle or end of June. PACD's stated budget priorities are: to achieve a fifty percent cost share for managers and technicians; to restore funding for the Chapter 105 program; and the creation of a non-lapsing fund for districts. So far, PACD has achieved a significant commitment from members of the Pennsylvania House and Senate, and our efforts have the support of a number of other organizations, such as the Chesapeake Bay Commission, the Pennsylvania Environmental Council (PEC), the PA Farm Bureau, and the County Commissioners Association (CCAP).

Update on Current AML Legislation (Ron Rohall)

Ron Rohall provided an update on Abandoned Mine Land legislation. Senators Santorum and Specter have introduced Bill S2616 to reauthorize the AML fund. They want to introduce the bill as an amendment to the pension reform bill. Currently, the bill is waiting to be scored by the budget office. Ron explained that the bill has some good

points and some bad points. On the plus side, it reauthorizes the AML fund for fifteen years. It also takes AML funding off-budget, which means that we would not have to go through the appropriations process. Pennsylvania would get about three times the money it is receiving now for fifteen years. Another plus is that it increases the set-aside from 10% to 30% (currently, Pennsylvania can set aside 10% of the funds it receives each year into a non-lapsing fund that can be used for many types of AML reclamation projects). However, it also removes the "general welfare" clause that allows AML funds to be used for abandoned mine projects that further general welfare, such as water restoration projects associated with abandoned mines. If this bill passes, Pennsylvania can only use the set aside funds for specific, high-priority sites. This severely limits what the money can be used for. Another minus is that the bill reduces fees per ton mined coal by 10% in years 1-5 and 20% over the next 10 years.

In summary, Ron said that the AML campaign group is not opposing the current legislation, but is requesting that a number of changes be made. The Governor's office supports reauthorization, but wants to reduce fees. Rep. Peterson seems to be lagging in his support of reauthorization. Ron asked that anyone who has a good relationship with Peterson try to work with him to gain active support for the issue. Rep. Murtha is on the Appropriations Committee and this seems to be reducing his support, as well. In terms of the coal industry, the Bituminous Coal Miners Association seems to be mostly in favor of the bill. Big coal companies (like those in Wyoming) do not support the bill, largely because their state has no AML sites and the fees take money away from them.

Proposed Annual PACD Legislative Program

Brenda explained that the draft Annual PACD Legislative Program should be viewed as a suggestion or template for districts, and created the survey to send out to the districts so they can provide feedback. Districts know what is working for them, and can use this template to identify what they are not doing, or not doing well, and can adopt those aspects of the program that will fill in the gaps. Counties are encouraged to do other things, as well, and to change things around to accommodate their strengths.

Brenda noted that PACD will provide supporting materials to help districts with many aspects of the proposed program. She also noted that it is probably a good idea to spread out legislative breakfasts and other legislative activities. She explained that there are two times a year when a great deal of legislative activity takes place: in the Spring and the Fall. Since PACD has its big legislative event in the Spring, districts might want to arrange their legislative breakfasts and other big legislative activities in the Fall. Brenda noted that the legislative activity taking place in the Fall is different from that in the Spring. In the Spring, the legislature is mostly focused on the budget, while in the Fall, they are open to other issues.

One committee member offered that their district tends to 'mix things up' by organizing different events each year. This year, they had a bus tour so that legislators and aides could see completed projects. The only thing they do exactly the same every year is to attend Capitol Day and to meet regularly with their legislators. It was also noted that Conservation District Law gives district directors the responsibility to engage legislators

and to seek out funding for districts, which is a responsibility each director should actively take on.

Susan and Brenda will send the draft of the Annual PACD Legislative Program and the accompanying survey out to districts and will let them know that it hasn't officially been passed by the Legislative Committee but will probably be coming to Executive Council in July.

The call was adjourned.