

No. 1988-116

AN ACT

SB 945

Establishing the Hardwoods Development Council; conferring powers and duties upon the council; and making an appropriation.

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

Section 1. Short title.

This act shall be known and may be cited as the Hardwoods Development Council Act.

Section 2. Declaration of policy.

The General Assembly finds and declares as follows:

(1) The hardwood forest industry plays a key role in the continuing economic revitalization of this Commonwealth.

(2) Fifty-five percent of the land in this Commonwealth is classified as commercial forest land. This represents approximately 16,000,000 acres of timber resources, which are capable of providing essential raw materials for an economically sound and expanding forest industry.

(3) This Commonwealth is uniquely endowed with an abundance of timber resources. This heritage, utilizing proper multiuse management by professional foresters and private interests, will provide a vital source of raw materials and jobs for present and future generations. However, the Commonwealth has not made the most of this unique opportunity. Most of the marketable hardwoods are being shipped outside this Commonwealth and out of the country, where they are transformed into value-added hardwood products, instead of being processed in this Commonwealth.

(4) The Commonwealth, in an effort to promote economic development, should take the initiative by encouraging the hardwood industry to further develop the secondary manufacturing process of hardwood. This will make full use of the valuable and renewable timber resource and create vital jobs.

(5) It is the policy of the Commonwealth to establish the council for the purpose of expanding and promoting the development and efficient usage of forest product resources located in this Commonwealth.

Section 3. Definitions.

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

“Council.” The Hardwoods Development Council of the Commonwealth established under section 4.

“Department.” The Department of Commerce of the Commonwealth.

Section 4. Council.

(a) **Composition.**—The Hardwoods Development Council is established within the department. The council shall include, but not be limited to, the following 21 members:

(1) Four members:

- (i) The Secretary of Agriculture.
- (ii) The Secretary of Commerce.
- (iii) The Secretary of Environmental Resources.
- (iv) The State Forester.

(2) Four legislative members:

- (i) Two senators, one appointed by the President pro tempore of the Senate and one appointed by the Minority Leader of the Senate.
- (ii) Two representatives, one appointed by the Speaker of the House of Representatives and one appointed by the Minority Leader of the House of Representatives.

(3) Thirteen public members appointed by the Governor:

- (i) One representative of an agricultural college from a State-related university.
- (ii) One representative of the Forest Service of the Federal Department of Agriculture.
- (iii) One representative of furniture manufacturers.
- (iv) One representative of veneer manufacturers.
- (v) Two representatives of secondary processors.
- (vi) Two representatives of nonprofit corporations which have the purpose to promote and enhance the hardwood industry in this Commonwealth.
- (vii) One representative of the Pennsylvania Chamber of Business and Industry.
- (viii) One representative of the Pennsylvania Forestry Association.
- (ix) One representative of the Pennsylvania Hardwood Lumber Manufacturing Association.
- (x) One representative of pulp and paper manufacturers.
- (xi) One representative of the saw mill operators.

(b) **Term of office.**—

(1) Members under subsection (a)(1) shall serve as long as they are in office.

(2) Legislative members under subsection (a)(2) shall serve terms of two years.

(3) Public members under subsection (a)(3) shall serve the following terms:

(i) Public members under subsection (a)(3)(vi) through (ix) shall serve terms of two years.

(ii) Public members under subsection (a)(3)(iii) through (v), (x) and (xi) shall serve terms of three years.

(iii) Public members under subsection (a)(3)(i) and (ii) shall serve terms of four years.

(c) **Designees.**—Members under subsection (a)(1) and legislative members under subsection (a)(2) may appoint designees to serve on the council.

(d) **Vacancies.**—Vacancies in office shall be filled by the appointing authority who made the original appointment.

(e) **Officers.**—The Secretary of Commerce or his designee shall serve as the chairperson, and the council shall elect other officers as it deems necessary.

(f) **Meetings.**—The council shall meet quarterly and shall hold special meetings at the call of the chairperson. A simple majority shall constitute a quorum.

(g) **Compensation.**—Members of the council shall serve without compensation.

Section 5. Functions and objectives.

The council shall be responsible for the development, expansion and promotion of the hardwood industry in this Commonwealth. The council shall seek to meet the following objectives:

(1) To expand the hardwood industrial job base in this Commonwealth. This paragraph includes expansion of existing hardwood jobs and recruitment of complementary new hardwood manufacturing process companies. The objective stated in this paragraph shall lead to retention, expansion and creation of jobs, and the fostering of capital investments in the hardwood industry in this Commonwealth.

(2) To promote better efficiencies of the existing hardwood industries to include technology transfer and investment in equipment necessary to enhance the hardwood industry.

(3) To promote basic and long-term research in wood characteristics and new product development. This shall include research aimed at all species and grades of woods, including those species that are under-utilized.

(4) To provide institutional support for the hardwood industry of this Commonwealth by insuring effective cooperation and communication among governmental agencies, the academic and research community and the hardwood industry. This paragraph includes international activity.

(5) To establish information transfer through a common data base and knowledgeable personnel to further develop and enhance the hardwood industry.

(6) To encourage long-range hardwood development in ways which are sustainable and environmentally sound. This paragraph includes educational programs providing knowledge in the area of forest management and marketing methods and effective planning and development to preserve timber, a renewable resource, for multiuse in a diversified regional economy.

Section 6. Powers and duties of council.

The council has the following powers and duties:

(1) To recommend appropriate measures relating to the promotion of the industrial potential of the hardwood industry in this Commonwealth.

(2) To propose plans for economic development and expansion of the Commonwealth's hardwood industry.

(3) To develop a national and international marketing program to promote Pennsylvania hardwoods as the world's finest and to assist Pennsylvania's hardwood manufacturers and processors in developing national and foreign markets.

(4) To encourage cooperation and coordination among Federal, State and local programs. This paragraph includes public-sector and private-sector programs. This paragraph includes access to the data of administrative agencies unless the access is prohibited by law.

(5) To recommend to the Governor, the Secretary of Commerce and the General Assembly the updating of economic delivery tools as well as to develop research initiatives which would lead to the promotion of the hardwood industry in this Commonwealth.

(6) To maintain liaison with and advise the Governor, the Secretary of Commerce and the General Assembly on programs and projects, including, but not limited to, research, marketing and promotion. These activities shall be carried out in conjunction with the department and the appropriate nonprofit organizations whose primary role is to promote the hardwood industry.

Section 7. Council staff and support personnel.

The department shall designate an appropriate number of people on a full-time basis, including, but not limited to, a full-time executive director to support the council's activities. The staff support is conditional upon the availability of funds designated to the council by the General Assembly.

Section 8. Reports.

The council shall make a biennial written report to the Governor and the General Assembly on the status of the hardwood industry in this Commonwealth. The first report is due within one year of the effective date of this act. The report shall include:

(1) The extent to which the hardwood industry has provided employment and income for the residents of this Commonwealth.

(2) The actions taken to enhance the performance of the hardwood industry.

(3) Recommendations for revisions in policies, programs and procedures and for proposed legislation that will enhance the economic performance of the hardwood industry in this Commonwealth.

Section 9. Expenditures.

The Hardwoods Development Council is granted the authority to spend any sum of moneys appropriated to carry out the provisions of this act, including, but not limited to, research, marketing, financial support of nonprofit regional organizations and administrative costs.

Section 10. Effective date.

This act shall take effect immediately.

APPROVED—The 21st day of October, A. D. 1988.

ROBERT P. CASEY