

**Remarks** – Rep. Scott E. Hutchinson, Chairman  
Joint Legislative Air and Water Pollution Control and Conservation Committee  
PA Senate Intergovernmental Operations Committee  
Senate Bill 1080  
May 25, 2011

Good Morning Chairman Smucker and members of the Committee. Thank you for the opportunity to talk to you today. I am Representative Scott Hutchinson, Chairman of the Joint Legislative Air and Water Pollution Control and Conservation Committee. I have been a member of this Legislative Service Agency for 16 years. For ten of those years, I have been Chairman.

In response to the invitation to testify in regard to Senate Bill 1080, allow me first of all to continue to express my opposition to the legislation as written, and to the inclusion of the Joint Legislative Air and Water Pollution Control and Conservation Committee and its staff as part of the “Legislative Research and Policy Development Office” that would be created in Senate Bill 1080. I did so first with a letter to Senator Greenleaf on April 12<sup>th</sup> of this year. As structured, inclusion of the Committee as part of the consolidated agency proposed in the legislation would not be beneficial to either the General Assembly or the citizens of Pennsylvania.

The invitation to testify asked that we speak to how we will make this consolidation work, and asked for suggestions on how to make the proposal more cost-efficient. I do have several suggestions in response to the latter request. With regard to my original letter to Senator Greenleaf, please let me explain why I do not believe the consolidation, as written, will work or make sense with regard to my Committee. This will provide context for my suggestions as to effectiveness and cost efficiency.

The merits of this particular Committee, and some others, I feel dictates that some level of autonomy remain in order to maintain the

functions for which it was created. Unlike some of the other legislative service agencies, this Committee was established by individual statute for very specific purposes and functions. Many of the issues undertaken by the Committee are driven by its members, in response to locally-initiated issues that often have statewide impact, rather than a broad-brush approach affecting large-scale governmental issues of a general nature, which is the approach of Senate Bill 1080.

While the proposal mentions the continuation of the general environmental mission of the Committee, it is largely undefined and for all intents and purposes diminishes the importance of the Committee's role and function. For example, many of the issues that come before this Committee are questions of science, rather than questions of legislative or government procedure and structure that many of the other legislative service agencies deal with.

As written, Senate Bill 1080 is open to widespread interpretation with no guarantee for the preservation of the Committee's purpose, mission or uniqueness. Under a large umbrella organization, like the kind Senate Bill 1080 proposes, the Committee would lose its focus, and its mission would be diluted. The General Assembly would lose the Committee's flexibility and responsiveness in serving its legislative members in regard to what are diverse problems and requests for assistance. In short, the proposal put forth to consolidate the legislative service agencies would destroy the unique nature of what the Committee has stood for in the past and continues to stand for today.

Another of the unique and positive features of this Committee is the voice it furnishes to rank and file members of the General Assembly. It provides an informal, easy-to-approach structure for the rank and file members of both parties and both House and Senate. I believe this is a useful and practical function that would be lost to these members as part of a larger agency. As the proposal is written, it would appear to be directly under the control of legislative caucus leadership. How do we

maintain bipartisan integrity when it appears that consolidation under Senate Bill 1080 as written really means homogenization, a blending of unlike elements? What happens to the voice of the rank and file seeking bipartisan or non-partisan research and information for constituents?

I would suggest several options with regard to SB. 1080. First, create specific offices or departments within SB 1080, detailing the functions as outlined in each agency's original statutes. Second, assign budgets to each office or department to carry out the specific functions of each. This would serve to preserve the integrity and mission of the agencies as originally intended.

Third, if it is truly consolidation – and not elimination – that Senate Bill 1080 is seeking, then let's pursue consolidation where it makes sense: in equipment; in office space; in clerical and support staff; in purchasing; in duplicative services. But we should not pursue consolidation in the governance of the individual Committees and their individual, unique missions.

Another reason for my opposition to Senate Bill 1080 is our Committee's widespread use of a number of issue-oriented task forces. The Committee's Legislative Forestry Task Force has been in existence since 1997 and has a long-standing history of solving problems within the forest products industry. Individuals and organizations from diverse backgrounds serve on the task force and work closely with the Committee and its staff. Such a structure, which has proven to be very beneficial, would be difficult to maintain if the Committee, as presently constituted, was to cease to exist.

Our Committee's mission and structure are well defined. Consolidation from several diverse agencies to one larger agency needs to be well defined, too. I believe we are putting the cart before the horse in considering Senate Bill 1080. Issues such as employee consolidation, health benefits, equipment contracts, leases and billing schedules are all

issues that need to be addressed in a consolidation *before* consolidation legislation is passed.

I am concerned that due diligence in addressing such issues has not been done to this point and needs to be done before even considering a transition of the magnitude as proposed in Senate Bill 1080. This requires more time and more advance work. Are we really clear on how the transition would work? Are we to assume actual cost savings? I think it is premature to consider consolidating, without actual numbers and specifics on cost savings and effectiveness in consolidation.

Our Committee is very proud of its accomplishments, particularly in light of very limited resources and a small staff. Those resources have become ever more limited, and we have continuously tightened our belts. While that has made operations more difficult, I feel I am justified in stating that we have not allowed responsiveness to members' needs or effectiveness in meeting them to suffer. I'm not sure I could say the same if this consolidation plan proceeds.

Accordingly, I continue to oppose the inclusion of the Committee as part of the Legislative Research and Policy Development Office as written. If we are to pursue consolidation as proposed, we need to do it right, with a well thought-out plan first, a better definition of what services lend themselves to consolidation, a detailed examination of the effects on employees and contractual obligations and the like, and most importantly – whether consolidation would truly benefit Pennsylvania citizens while improving the efficiency and effectiveness of some of the General Assembly's most distinctive service agencies.

Thank you for this opportunity. I would be happy to entertain any questions.

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