

PA Environment Digest

An Update On Environmental Issues In PA

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Environmental Bills In Play As Legislative Session Ends

The Senate and House are scheduled to end consideration of legislation on October 18 after which all legislation that didn't make it to the Governor's Desk will have to start over in January.

Lots of issues remain on the table, however, and with only eight voting days left, only a few, if any, pending environmental bills will be considered.

Two big issues-- transportation funding and paying for damage caused by Hurricane Irene and Tropical Storm Lee in 2011-- are still awaiting action.

But beyond that, there are lots of other environmental bills still waiting for action. Here's a quick rundown on legislation that might be in play as the General Assembly winds down the session. (Of course, there will always be surprises.)

-- **Paying For Flood Damages:** Hurricane Irene and Tropical Storm Lee roared through Pennsylvania causing hundreds of millions of dollars in property damage and at least seven deaths in September 2011. It also caused yet another budget problem for the Commonwealth because the state is responsible for paying 25 percent of at least the public infrastructure cost of [Federal Disaster Assistance](#) in the 27 counties declared a disaster area.

Senate Action

Last November the Senate passed a package of eight flood recovery bills sponsored by Senators John Gordner (R-Columbia), Gene Yaw (R-Bradford), Lisa Baker (R-Luzerne), John Blake (D-Lackawanna) and John Yudichak (D-Luzerne). The bills included:

-- [Senate Bill 1264](#) (Baker-R-Luzerne) enacting the Flood Relief Act for September 2011 making an appropriation of \$20 million for individual assistance is now in the House Veterans Affairs and Emergency Preparedness Committee. A summary and [Senate Fiscal Note](#) are available.

-- [Senate Bill 1266](#) (Gordner-R-Columbia) authorizing the incurring of \$150 million in debt to fund flood damage recovery projects is now in the House Appropriations Committee. A summary [Senate Fiscal Note](#) are available.

- [Senate Bill 1267](#) (Blake-D-Lackawanna) authorizing real estate tax abatement as a result of Hurricane Irene and Tropical Storm Lee is in the House Finance Committee. A summary and [Senate Fiscal Note](#) are available.
- [Senate Bill 1268](#) (Gordner-R-Columbia) authorizing the incurring of debt to repair flood damaged highways is in the House Appropriations Committee.
- [Senate Bill 1269](#) (Yaw-R-Bradford) adoption of capital projects to repair or replace flood damaged highways and bridges is in the House Appropriations Committee.
- [Senate Bill 1271](#) (Yudichak-D-Luzerne) an itemized list of flood damaged highway and bridge repair projects is in the House Appropriations Committee.
- [Senate Bill 1297](#) (Baker-R-Luzerne) establishing a \$10 million Small Business Flood Relief Program of 2011 is in the House Appropriations Committee; and
- [Senate Bill 1323](#) (Yaw-R-Bradford) establishing the Agriculture Disaster Recovery Program to provide disaster assistance to agricultural operations is in the House Agriculture and Rural Affairs Committee. A summary and [Senate Fiscal Note](#) are available.

House Action

In April, the House passed its own package of flood recovery bills which are now in the Senate--

- [House Bill 2242](#) (Baker-R-Tioga) to provide \$67.7 million for the repair of Commonwealth highways damaged by Hurricane Irene and Tropical Storm Lee in 2011 is in the Senate Appropriations Committee. A summary and [House Fiscal Note](#) are available.
- [House Bill 2245](#) (Bobak-R-Columbia) establishing the Flood Disaster Railroad Assistance Project List totaling \$2.6 million is in the Senate Transportation Committee. A summary and [House Fiscal Note](#) are available.
- [House Bill 2077](#) (Masser-R-Columbia) establishing a \$15 million small business flood relief program is in the Senate Community, Economic and Recreational Development Committee. A summary and [House Fiscal Note](#) are available.
- [House Bill 2244](#) (Major-R-Susquehanna) establishing the Watershed Disaster Reconstruction Account with \$1.3 million for the payment of the state's share to secure NRCS funding for stream restoration is in the Senate Environmental Resources and Energy Committee. A summary and [House Fiscal Note](#) are available.
- [House Bill 1916](#) (Millard-R-Columbia) providing for an itemized list of public improvement projects for flood protection and flood damage repair is in the House Rules Committee.

-- **Transportation Funding:** The Governor's [Transportation Commission](#) issued a report in August 2011 detailing a list of recommendations for closing the more than \$2 billion funding gap for highways, bridges and transit in the state.

Although the [Senate and House Transportation Committees](#) have had a series of joint hearings on the report, the Corbett Administration has yet to say what it supports in the recommendations. Everyone had listed transportation funding on their priority list for last Fall, but of course it did not get done.

Sen. Jake Corman (R-Centre), Majority Chair of the Senate Appropriations Committee, put together his own [transportation funding package](#) and floated it out for comments in late October of last year.

In their latest comments, both Gov. Corbett and Budget Secretary Charles Zogby said the stubbornly weak economy will have a significant impact on the timing of any transportation funding proposal.

Bills Pending In the Senate

Nominations: The nomination of [Steven C. Beckman](#) to the Environmental Hearing Board may be considered by the Senate before adjournment.

Stream Clearance: [House Bill 2359](#) (Causer-R-Cameron) further providing for emergency removal of flood debris from streams and is in the Senate Environmental Resources and Energy Committee. A summary and [House Fiscal Note](#) are available.

Leaf Waste: [House Bill 1691](#) (Godshall-R-Montgomery) further dealing with leaf waste under Act 101 and is in the Senate Environmental Resources and Energy Committee. A summary and [House Fiscal Note](#) are available.

Anthracite Mining Reclamation: [House Bill 1813](#) (Tobash-R-Berks) amending the surface mining act to further providing for anthracite reclamation financial guarantees and is in the Senate Appropriations Committee. A summary and [House Fiscal Note](#) are available.

Conservation Corps: [House Bill 1683](#) (Culver-R-Northumberland) transferring the PA Conservation Corps Program from the Department of Labor and Industry to the Department of Conservation and Natural Resources and was Tabled in the Senate prior to summer recess. A summary and [Senate Fiscal Note](#) are available.

DEP Fund Reporting: [House Bill 1416](#) (Evankovich-R-Armstrong) requiring additional reports on expenditures from the Clean Water, Solid Waste Abatement and Clean Air Fund administered by DEP and is in the Senate Environmental Resources and Energy Committee. A summary and [House Fiscal Note](#) are available.

Land Banks: [House Bill 1682](#) (Taylor-R-Philadelphia) providing for the creation of land banks and was Tabled going into summer recess in the Senate. A summary and [Senate Fiscal Note](#) are available.

Disposition Of Municipal Property: [House Bill 2224](#) (Cutler-R-Lancaster) further providing for the disposition of unused municipal property which is not limited by covenants for public use. A summary and [House Fiscal Note](#) are available. *(The Senate Appropriations Committee is scheduled to consider this bill on September 24.)*

Permitting Portal: [House Bill 2022](#) (Peifer-R-Monroe) providing for a PA Business Permitting Portal within DCED and is in the Senate Appropriations Committee.

Flammable Liquids: [House Bill 728](#) (Barrar-R-Bucks) setting new standards for emergency shut-off values for facilities dispensing flammable liquids was Tabled going into summer recess in the Senate.

Emissions Inspection: [Senate Bill 1532](#) (Vogel-R-Beaver) exempting certain vehicles from the vehicle emissions inspection program and is in the Senate Appropriations Committee.

Renewable Energy Projects: [Senate Bill 1544](#) (Wozniak-D-Cambria) further providing for the leasing of state lands for wind, solar and other renewable energy projects and is in the Senate Appropriations Committee.

Bills Pending In the House

Drilling On Other State Lands: [Senate Bill 367](#) (D.White-R-Indiana) authorizing the leasing of mineral rights on other state lands and depositing the proceeds in the Environmental Stewardship Fund. The bill in the House for a concurrence vote.

The bill was returned to the House with changes to distribute any drilling royalties, except from the State System of Higher Education schools, to: 60 percent to the Oil and Gas Lease Fund; 25 percent to the PA Infrastructure Investment Authority with language authorizing the funding of non-point source best management practices to implement the Chesapeake Bay Watershed Implementation Plan or TMDL watershed plans; and 15 percent to the drilling agency.

Gas Lease Payments: [Senate Bill 460](#) (Yaw-R-Bradford) requiring when payment is made for oil or gas production to an interest owner, itemized deduction information will be included on the check stub or an attachment to the form payment. The bill is in the House Environmental Resources and Energy Committee.

Stormwater Management: [Senate Bill 1261](#) (Erickson-R- Delaware) further providing for stormwater management by municipal authorities and is in the House Local Government Committee. A summary and [Senate Fiscal Note](#) are available.

Hazardous Sites Cleanup: [Senate Bill 303](#) (MJ White-R-Venango) further providing for reports under the Hazardous Sites Cleanup Act was Tabled in the House.

Trail Liability: [Senate Bill 469](#) (Argall-R-Schuylkill) allows walking, jogging, bicycling, exercising and horseback riding on nature trails as a recreational purpose by limiting liability and is in the House Rules Committee.

Uniform Permit Reviews: [House Bill 1659](#) (Pyle-R-Armstrong) providing for a uniform permit review and consideration process within DEP and is on the House Calendar for action. A summary and [House Fiscal Note](#) are available.