

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 490 Session of 2009

INTRODUCED BY M. WHITE, PILEGGI, ERICKSON, VANCE, WOZNIAK, ALLOWAY, WONDERLING, EARLL, D. WHITE, SMUCKER AND BRUBAKER, MARCH 5, 2009

SENATOR CORMAN, APPROPRIATIONS, RE-REPORTED AS AMENDED, MARCH 23, 2009

AN ACT

1 Amending the act of December 15, 1955 (P.L.865, No.256),
2 entitled "An act requiring rents and royalties from oil and
3 gas leases of Commonwealth land to be placed in a special
4 fund to be used for conservation, recreation, dams, and flood
5 control; authorizing the Secretary of Forests and Waters to
6 determine the need for and location of such projects and to
7 acquire the necessary land," providing for AN INTERFUND
8 TRANSFER; MAKING appropriations from the Oil and Gas Lease
9 Fund; AUTHORIZING AN EXPENDITURE; and making editorial
10 changes.



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

13 Section 1. The title of the act of December 15, 1955
14 (P.L.865, No.256), entitled "An act requiring rents and
15 royalties from oil and gas leases of Commonwealth land to be
16 placed in a special fund to be used for conservation,
17 recreation, dams, and flood control; authorizing the Secretary
18 of Forests and Waters to determine the need for and location of
19 such projects and to acquire the necessary land," is amended to
20 read:

AN ACT

21

1 Requiring rents and royalties from oil and gas leases of  
2 Commonwealth land to be placed in a special fund to be used  
3 for conservation, recreation, dams, and flood control;  
4 authorizing the Secretary of [Forests and Waters]  
5 Conservation and Natural Resources to determine the need for  
6 and location of such projects and to acquire the necessary  
7 land.

8 Section 2. Sections 2 and 3 of the act are amended to read:

9 Section 2. It shall be within the discretion of the  
10 Secretary of [Forests and Waters] Conservation and Natural  
11 Resources to determine the need for and the location of any  
12 project authorized by this act. The Secretary of [Forests and  
13 Waters] Conservation and Natural Resources shall have the power  
14 to acquire in the name of the Commonwealth by purchase,  
15 condemnation or otherwise such lands as may be needed.

16 Section 3. All the moneys from time to time paid into the  
17 "Oil and Gas Lease Fund" are specifically appropriated to the  
18 Department of [Forests and Waters] Conservation and Natural  
19 Resources to carry out the purposes of this act.

20 ~~Section 3. The act is amended by adding a section to read:~~ ←

21 ~~Section 4. Notwithstanding any other provisions of this act,~~ ←  
22 ~~the following amounts are hereby appropriated from the "Oil and~~  
23 ~~Gas Lease Fund":~~

24 ~~(1) The sum of \$174,000,000 to the General Fund.~~

25 ~~(2) The sum of \$5,000,000 to the Department of~~  
26 ~~Environmental Protection for the review and processing of oil~~  
27 ~~and gas permit applications and to conduct inspections of~~  
28 ~~permitted oil and gas sites.~~

29 ~~(3) The sum of \$3,500,000 to the Department of~~  
30 ~~Environmental Protection for implementation of a nutrient~~

1 ~~credit trading program as provided by law.~~

2 ~~(4) The sum of \$1,000,000 to the Department of~~  
3 ~~Conservation and Natural Resources for the administration of~~  
4 ~~the Pennsylvania Natural Heritage Program and for the~~  
5 ~~processing of online environmental review applications~~  
6 ~~submitted under the Pennsylvania Natural Diversity Inventory.~~

7 ~~(5) The sum of \$500,000 to the Pennsylvania Fish and~~  
8 ~~Boat Commission for the administration of environmental~~  
9 ~~reviews received under the Pennsylvania Natural Diversity~~  
10 ~~Inventory.~~

11 ~~(6) The sum of \$500,000 to the Pennsylvania Game~~  
12 ~~Commission for the administration of environmental reviews~~  
13 ~~received under the Pennsylvania Natural Diversity Inventory.~~

14 Section 4. This act shall take effect in 60 days.

15 SECTION 3. THE ACT IS AMENDED BY ADDING A SECTION TO READ: ←

16 SECTION 4. NOTWITHSTANDING ANY OTHER PROVISION OF THIS ACT  
17 OR OTHER LAW TO THE CONTRARY, FOR FISCAL YEAR 2009-2010:

18 (1) THE SUM OF \$174,000,000 SHALL BE IMMEDIATELY  
19 TRANSFERRED FROM THE OIL AND GAS LEASE FUND TO THE GENERAL  
20 FUND.

21 (2) THE FOLLOWING AMOUNTS ARE HEREBY APPROPRIATED FROM  
22 THE OIL AND GAS LEASE FUND:

23 (I) THE SUM OF \$1,000,000 TO THE DEPARTMENT OF  
24 ENVIRONMENTAL PROTECTION FOR DISTRIBUTION TO COUNTY  
25 CONSERVATION DISTRICTS THAT HAVE RESPONSIBILITIES RELATED  
26 TO OIL AND GAS DEVELOPMENT ACTIVITIES REGULATED BY THE  
27 DEPARTMENT AND TO CONDUCT INSPECTIONS OF PERMITTED OIL  
28 AND GAS SITES.

29 (II) THE SUM OF \$3,500,000 TO THE DEPARTMENT OF  
30 ENVIRONMENTAL PROTECTION FOR IMPLEMENTATION OF A NUTRIENT

1 CREDIT TRADING PROGRAM AS PROVIDED BY LAW.

2 (III) THE SUM OF \$1,000,000 TO THE DEPARTMENT OF  
3 CONSERVATION AND NATURAL RESOURCES FOR THE ADMINISTRATION  
4 OF THE PENNSYLVANIA NATURAL HERITAGE PROGRAM AND FOR THE  
5 PROCESSING OF ONLINE ENVIRONMENTAL REVIEW APPLICATIONS  
6 SUBMITTED UNDER THE PENNSYLVANIA NATURAL DIVERSITY  
7 INVENTORY.

8 (IV) THE SUM OF \$500,000 TO THE PENNSYLVANIA FISH  
9 AND BOAT COMMISSION FOR THE ADMINISTRATION OF  
10 ENVIRONMENTAL REVIEWS RECEIVED UNDER THE PENNSYLVANIA  
11 NATURAL DIVERSITY INVENTORY.

12 (V) THE SUM OF \$500,000 TO THE PENNSYLVANIA GAME  
13 COMMISSION FOR THE ADMINISTRATION OF ENVIRONMENTAL  
14 REVIEWS RECEIVED UNDER THE PENNSYLVANIA NATURAL DIVERSITY  
15 INVENTORY.

16 SECTION 4. THE DEPARTMENT OF CONSERVATION AND NATURAL  
17 RESOURCES IS AUTHORIZED TO EXPEND UP TO \$2,000,000 FROM THE OIL  
18 AND GAS LEASE FUND FOR THE PILOT PROJECT AUTHORIZED UNDER 66  
19 PA.C.S. § 2815(C) (2) .

20 SECTION 5. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.