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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1700 Session of  
2017

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INTRODUCED BY COMITTA, C. QUINN, KINSEY, V. BROWN, DEAN, BARRAR,  
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EVANS, HARPER, HAGGERTY, MILNE, ROE, LEWIS, RAVENSTAHL,  
SCHWEYER, HENNESSEY AND CORBIN, AUGUST 15, 2017

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REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,  
AUGUST 15, 2017

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AN ACT

1 Establishing the Pipeline Safety and Communication Board and  
2 providing for its powers and duties.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the Pipeline  
7 Safety and Communication Board Act.

8 Section 2. Definitions.

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

12 "Board." The Pipeline Safety and Communication Board  
13 established in section 3(a).

14 "Commonwealth agency." The term includes:

15 (1) The Pennsylvania Public Utility Commission.

16 (2) The Department of Environmental Protection.

- 1 (3) The Department of Health.
- 2 (4) The Department of Transportation.
- 3 (5) The Pennsylvania Emergency Management Agency.
- 4 (6) The Office of State Fire Commissioner.

5 "Pipeline." A pipeline used to transport oil, natural gas or  
6 nongas liquids in this Commonwealth.

7 Section 3. Pipeline Safety and Communication Board.

8 (a) Establishment.--The Pipeline Safety and Communication  
9 Board is established as an independent administrative board and  
10 shall consist of the following members:

11 (1) The following State officials:

- 12 (i) The chairperson of the Pennsylvania Public  
13 Utility Commission.
- 14 (ii) The Secretary of Environmental Protection.
- 15 (iii) The Secretary of Health.
- 16 (iv) The Secretary of Transportation.
- 17 (v) The Director of the Pennsylvania Emergency  
18 Management Agency.
- 19 (vi) The State Fire Commissioner.
- 20 (vii) The President pro tempore of the Senate.
- 21 (viii) The Majority Leader of the Senate.
- 22 (ix) The Majority Whip of the Senate.
- 23 (x) The Minority Leader of the Senate.
- 24 (xi) The Minority Whip of the Senate.
- 25 (xii) The Speaker of the House of Representatives.
- 26 (xiii) The Majority Leader of the House of  
27 Representatives.
- 28 (xiv) The Majority Whip of the House of  
29 Representatives.
- 30 (xv) The Minority Leader of the House of

1           Representatives.

2           (xvi) The Minority Whip of the House of  
3           Representatives.

4           (2) Six members to be appointed by the Governor, who  
5           shall be operators or owners of interstate or intrastate  
6           pipelines located or under construction in this Commonwealth.

7           (b) Designee.--A member of the board under subsection (a)(1)  
8           may appoint a designee who must be an employee of the same  
9           agency as the member to attend meetings.

10          (c) Term of office.--

11           (1) Except as provided under paragraph (2), members  
12           appointed by the Governor shall be appointed to terms of two  
13           years and are eligible for reappointment.

14           (2) The Governor shall make the initial appointments of  
15           members under subsection (a)(2) within 90 days of the  
16           effective date of this paragraph. Initial terms for members  
17           appointed by the Governor shall be divided between one-year  
18           and two-year terms.

19           (3) The Governor may remove an appointed member of the  
20           board for cause upon written notice to the board.

21           (4) A member's nonparticipation in three consecutive  
22           board meetings may be considered cause for removal.

23           (d) Organization.--The board shall elect a chairperson by  
24           majority vote and may adopt any bylaws or procedures it deems  
25           necessary to accomplish its purpose.

26           (e) Meetings.--The board shall meet at least once quarterly  
27           and shall hold other meetings as the board deems necessary. The  
28           board is authorized to establish rules of operation.

29           (f) Quorum.--A majority of the members of the board shall  
30           constitute a quorum for the transaction of business, and all

1 actions of the board shall be by the approval of a majority of  
2 all the members of the board.

3 (g) Compensation.--The members of the board shall serve  
4 without compensation but shall be reimbursed for their actual  
5 and necessary travel and other expenses in connection with  
6 attendance at meetings called by the chairperson.

7 (h) Records.--The board shall keep a record of all  
8 proceedings which shall be open to inspection by the public.

9 Section 4. Powers and duties of board.

10 Subject to section 5, the board shall have the following  
11 powers and duties:

12 (1) To collect and disseminate to the public information  
13 of Commonwealth agencies relative to the planning, siting,  
14 construction, operation, maintenance, management, inspection  
15 and safety of and emergency response procedures for  
16 pipelines.

17 (2) To coordinate communications relating to pipeline  
18 activities with Federal, State and local government agencies  
19 and regulatory authorities, pipeline companies and the  
20 public.

21 Section 5. Access to information and records.

22 (a) Interagency cooperation.--Commonwealth agencies that  
23 have information relating to pipelines shall cooperate in  
24 providing the information, upon request, to the board.

25 (b) Logging of information.--When the board collects  
26 information relating to pipelines from a Commonwealth agency,  
27 the board shall log in the information and the Commonwealth  
28 agency.

29 (c) Right-to-Know requests.--If the board receives a request  
30 under the act of February 14, 2008 (P.L.6, No.3), known as the

1 Right-to-Know Law, for information collected by the board from a  
2 Commonwealth agency, the board shall immediately forward the  
3 request to the Commonwealth agency for review and response,  
4 under the Right-to-Know Law, unless otherwise directed by the  
5 Commonwealth agency in writing to the board.

6 Section 6. Effective date.

7 This act shall take effect in 60 days.