

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 648 Session of  
1989

INTRODUCED BY LEMMOND, SHUMAKER, PECORA, JONES, SALVATORE,  
REIBMAN, BELL, MUSTO, O'PAKE, WILT, ANDREZESKI AND HELFRICK,  
MARCH 6, 1989

SENATE AMENDMENTS TO HOUSE AMENDMENTS, APRIL 3, 1990

## AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled  
2 "An act providing for and reorganizing the conduct of the  
3 executive and administrative work of the Commonwealth by the  
4 Executive Department thereof and the administrative  
5 departments, boards, commissions, and officers thereof,  
6 including the boards of trustees of State Normal Schools, or  
7 Teachers Colleges; abolishing, creating, reorganizing or  
8 authorizing the reorganization of certain administrative  
9 departments, boards, and commissions; defining the powers and  
10 duties of the Governor and other executive and administrative  
11 officers, and of the several administrative departments,  
12 boards, commissions, and officers; fixing the salaries of the  
13 Governor, Lieutenant Governor, and certain other executive  
14 and administrative officers; providing for the appointment of  
15 certain administrative officers, and of all deputies and  
16 other assistants and employes in certain departments, boards,  
17 and commissions; and prescribing the manner in which the  
18 number and compensation of the deputies and all other  
19 assistants and employes of certain departments, boards and  
20 commissions shall be determined," authorizing the Department  
21 of Corrections to enter into contracts with the Federal  
22 Government for the housing of State prisoners in Federal  
23 correctional facilities; and requiring CERTAIN State heating <—  
24 systems to be fueled by coal.

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

27 Section 1. The act of April 9, 1929 (P.L.177, No.175), known  
28 as The Administrative Code of 1929, is amended by adding

1 sections to read:

2 Section 902-B. Power to Contract.--The Department of  
3 Corrections may contract with the Federal Government for the  
4 housing of inmates in Federal correctional facilities.

5 Section 2420. State Heating Systems to be Fueled by Coal.--  
6 (a) The following words and phrases when used in this article  
7 shall have, unless the context clearly indicates otherwise, the  
8 meanings given to them in this section:

9 "Coal." Coal produced from mines in Pennsylvania or any  
10 mixture or synthetic derived, in whole or in part, from coal  
11 produced from mines in Pennsylvania.

12 "Mixture derived, in whole or in part, from coal." Includes,  
13 but is not limited to, both the intermittent and the  
14 simultaneous burning of natural gas with coal or a coal  
15 derivative if the intermittent or simultaneous burning of  
16 natural gas would:

17 (1) lower the cost of using coal or a coal derivative  
18 produced from mines in Pennsylvania; or

19 (2) enable coal or a coal derivative produced from mines in  
20 Pennsylvania to be burned in compliance with present and  
21 reasonably anticipated environmental laws and regulations.

22 (b) Any heating system or heating unit installed in a  
23 facility owned by the State ~~or by a State related university on~~ <—  
24 or after the effective date of this act shall be fueled by coal.

25 (c) Any heating system or heating unit shall be exempt from  
26 the requirement of subsection (b) if the Secretary of General  
27 Services determines that:

28 (1) using coal as the fuel for that heating system or  
29 heating unit would violate existing or reasonably anticipated  
30 environmental laws or regulations;

1     (2) using coal as the fuel for that heating system or  
2 heating unit would not be cost effective when compared to using  
3 other forms of energy;

4     (3) USING ELECTRICITY GENERATED PRIMARILY FROM THE <—  
5 COMBUSTION OF COAL WOULD BE MORE COST EFFECTIVE WHEN COMPARED TO  
6 USING COAL AS THE FUEL FOR THAT HEATING SYSTEM OR HEATING UNIT;

7     ~~(3)~~ (4) the principal fuel for that heating system or <—  
8 heating unit would be natural gas from wells located in  
9 Pennsylvania or wood from forests located in Pennsylvania, IF <—  
10 SUCH FUEL WERE AT LEAST AS COST EFFECTIVE AS USING COAL AS THE  
11 FUEL; or

12     ~~(4)~~ (5) that heating system or heating unit was in or beyond <—  
13 the design stage prior to the effective date of this act.

14     (d) In determining cost effectiveness under elause ~~(2)~~ <—  
15 CLAUSES (2), (3) AND (4) of subsection (c), the Secretary of <—  
16 General Services shall perform a life cycle cost analysis.

17     (e) The Secretary of General Services shall report to the  
18 Appropriations Committees of the House of Representatives and  
19 the Senate the basis for any determination that a heating system  
20 or heating unit shall be exempt from the requirement of  
21 subsection (b).

22     ~~Section 2. This act shall take effect in 60 days.~~ <—

23     SECTION 2. THIS ACT SHALL TAKE EFFECT AS FOLLOWS: <—

24             (1) SECTION 1 (SECTION 2420) OF THIS ACT SHALL TAKE  
25 EFFECT IN 60 DAYS.

26             (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT  
27 IMMEDIATELY.