

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 555

Session of
1977

INTRODUCED BY MESSRS GOODMAN, B. F. O'BRIEN, TAYLOR, GATSKI,
GEORGE, ITKIN, McCALL, TRELLO, YAHNER, ABRAHAM, GAMBLE,
DeWEESE, SWEET, MUSTO, MISCEVICH, KLINGAMAN, BERLIN,
J. L. WRIGHT, STUBAN, ZITTERMAN, BITTINGER, STEWART,
LEHR, HELFRICK, DeMEDIO, COLE, MORRIS, SCHMITT AND GRAY,
MARCH 8, 1977

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
JUNE 15, 1977

AN ACT

1 Requiring certain public buildings to use a coal fired heating
2 system or be heated by a form of energy substantially
3 produced by the use of coal; establishing a State Board on
4 Public Heating; prohibiting certain conversions; granting
5 certain powers and duties.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Mandatory heating systems; conversion prohibited.

9 All ~~publically~~ PUBLICLY owned buildings constructed after the <—
10 effective date of this act shall use a coal fired heating system
11 or be heated by a form of energy substantially produced by the
12 use of coal unless a waiver is granted by the State Board on
13 Public Heating, and any conversion of said buildings from a coal
14 fired heating system or heating system using a form of energy
15 substantially produced by the use of coal to another system
16 shall be prohibited unless a waiver is granted by the State
17 Board on Public Heating. FOR PURPOSES OF THIS ACT, "PUBLICLY <—

1 OWNED BUILDING" MEANS ALL BUILDINGS OWNED BY THE COMMONWEALTH OF
2 PENNSYLVANIA, ANY OF ITS POLITICAL SUBDIVISIONS OR ANY AGENCY OR
3 AUTHORITY OF THE COMMONWEALTH OR ANY POLITICAL SUBDIVISION:
4 PROVIDED, HOWEVER, THAT THE PROVISIONS OF THIS BILL SHALL NOT
5 APPLY TO ANY TYPE OF RESIDENT HOUSING CONSTRUCTED IN WHOLE OR IN
6 PART WITH COMMONWEALTH OR POLITICAL SUBDIVISION FUNDS OR THROUGH
7 ANY LOANS GRANTED OR GUARANTEED BY THE COMMONWEALTH, POLITICAL
8 SUBDIVISION OR AGENCY THEREOF: AND, PROVIDED FURTHER, THAT THIS
9 DEFINITION SHALL NOT INCLUDE ANY BUILDING FINANCED IN WHOLE OR
10 IN PART WITH FEDERAL FUNDS.

11 Section 2. Conversion of existing heating systems prohibited.

12 Any building in compliance with the provisions of section 1
13 prior to its effective date shall not be converted from a coal
14 fired heating system or heating system using a form of energy
15 substantially produced by the use of coal to another system
16 unless a waiver is granted by the State Board on Public Heating.

17 Section 3. Creation of board; powers and duties.

18 (a) There is hereby created a State Board on Public Heating
19 which shall consist of the Secretary of Environmental Resources,
20 the Secretary of Commerce and the Secretary of Labor and
21 Industry.

22 (b) Said board may grant a waiver in certain instances if it
23 finds that the imposition of a heating system otherwise required
24 by this act is not possible because of environmental protection
25 restrictions which prohibit the use of coal fired heating
26 systems in such buildings or which prohibit the use of coal by
27 producers of such otherwise allowable forms of heating energy
28 for such buildings, or is not reasonable on account of economic
29 hardship in the construction or operation of such buildings. THE <—
30 BOARD SHALL GRANT AN AUTOMATIC WAIVER OF THE PROVISIONS OF THIS

1 ACT FOR ANY PUBLICLY OWNED BUILDING PROPOSED TO BE CONSTRUCTED
2 WHICH WILL USE A HEATING SYSTEM GENERATED BY THE USE OF SOLAR,
3 NUCLEAR OR HYDRO-ELECTRIC ENERGY OR ANY OTHER NON-FOSSIL FUEL
4 BURNING SYSTEM WHICH IS LESS EXPENSIVE TO INSTALL AND OPERATE
5 THAN A COAL BURNING SYSTEM.

6 (c) The Secretary of the Departments of Environmental
7 Resources, Commerce, or Labor and Industry may appoint a
8 designee to sit on the board in his stead.

9 (D) THE BOARD SHALL NOT HAVE THE POWER TO HIRE ANY
10 INDEPENDENT STAFF. ANY STAFF NECESSARY FOR THE OPERATION OF THE
11 BOARD SHALL BE OBTAINED FROM EXISTING STAFF RESOURCES SHARED
12 EQUALLY BY THE DEPARTMENTS OF ENVIRONMENTAL RESOURCES, COMMERCE
13 AND LABOR AND INDUSTRY.

14 Section 4. Effective date.

15 This act shall take effect immediately but shall not apply to
16 any contract awarded pursuant to an invitation for bid issued on
17 or before the effective date of this act and shall expire on a
18 date three years thereafter unless the General Assembly extends
19 its existence at least two months prior to such date.

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