

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1941 Session of
1991

INTRODUCED BY HANNA, COLAIZZO, BROUJOS, STISH, SALOOM,
CAPPABIANCA, KRUSZEWSKI, COY, KOSINSKI, JOSEPHS, BISHOP,
STEIGHNER, FAJT, DALEY, VEON, FAIRCHILD, SERAFINI, TRELLO,
LEVANSKY, CARONE, DERMODY, MELIO, RUDY, PISTELLA, STABACK,
SURRA AND RICHARDSON, JULY 24, 1991

REFERRED TO COMMITTEE ON CONSERVATION, JULY 24, 1991

AN ACT

1 Requiring the Department of Environmental Resources to hold
2 public hearings before permitting any experimental process to
3 be conducted on State forest or game lands.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Environmental
8 Testing Public Hearing Act.

9 Section 2. Purpose.

10 In enacting this act, the General Assembly recognizes:

11 (1) The need to balance the interests of the environment
12 with the public health and welfare of the citizenry.

13 (2) The need to properly notify citizens of this
14 Commonwealth whenever the Department of Environmental
15 Resources, or any entity of the Commonwealth, conducts an
16 experimental process which can affect the quality of the
17 environment in which they live.

1 (3) The need for government to acquire expert testimony
2 from both within and outside the government in order to insure
3 that any experimental process being conducted by the Department
4 of Environmental Resources will be conducted in a manner which
5 respects environmental and public health interests of this
6 Commonwealth.

7 Section 3. Definitions.

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

11 "Department." The Department of Environmental Resources of
12 the Commonwealth.

13 "Experimentation process." A process by which an act or
14 operation is carried out under conditions determined by the
15 experimenter in order to discover some unknown effect upon a
16 State forest or game land.

17 "State forest or game land." A parcel of property owned by
18 the Commonwealth and operated under the specifications
19 established in Commonwealth law.

20 Section 4. Public hearings.

21 The department shall require that public hearings be held in
22 areas of this Commonwealth which contain State forest or game
23 lands and which are the subject of an experimental process being
24 conducted by the department or any other entity in this
25 Commonwealth.

26 Section 5. Hearing procedures.

27 The department shall require a series of not less than three
28 public hearings in the geographic areas subject to the
29 experimental testing in a manner which insures that the citizens
30 who reside in or near the geographic areas have reasonable

1 access to attend such hearings and voice their concerns. Each
2 public hearing shall be conducted under the provisions of the
3 act of July 3, 1986 (P.L.388, No.84), known as the Sunshine Act,
4 and shall be conducted in a structure which is a public
5 facility.

6 Section 6. Effective date.

7 This act shall take effect in 180 days.