
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2466 Session of
2002

INTRODUCED BY G. WRIGHT, BEBKO-JONES, BELFANTI, BROWNE,
CREIGHTON, DALEY, DeLUCA, GEORGE, GRUCELA, HERMAN, HERSHEY,
HORSEY, JOSEPHS, KAISER, MARKOSEK, McGEEHAN, McILHATTAN,
McILHINNEY, MELIO, MUNDY, PETRARCA, PIPPY, PISTELLA, RUBLEY,
SATHER, SCRIMENTI, STEELMAN, SURRA, TANGRETTI, THOMAS AND
YOUNGBLOOD, MARCH 27, 2002

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
MARCH 27, 2002

AN ACT

1 Providing for a Fuel Cells Incentive Grant Fund to be
2 administered by the Department of Environmental Protection.

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 Fuel Cells
7 Incentive Grant Fund.

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 "Department." The Department of Environmental Protection of
13 the Commonwealth.

14 "Fuel cells." A device that produces electricity directly
15 from hydrogen or hydrocarbon fuel through a noncombustive

1 electro-chemical process.

2 "Fund." The Fuel Cells Incentive Grant Fund.

3 Section 3. Establishment and administration of fund.

4 There is established under the jurisdiction and control of
5 the department the Fuel Cells Incentive Grant Fund as a
6 permanent revolving fund of identifiable, renewable and
7 segregated capital to be used by the department in accordance
8 with this act. The department should hold fund money separate
9 and distinct from its other assets and other funds which it
10 administers.

11 Section 4. Source of fund.

12 The following shall be paid into the fund:

13 (1) Money appropriated by the General Assembly for
14 inclusion in the fund.

15 (2) Grants, donations, contributions or gifts from
16 public or private sources specifically earmarked for deposit
17 into the fund.

18 (3) Interest, dividends and pecuniary gains from
19 investment of money in the fund.

20 (4) Repayment of principal interest on loans provided
21 from the fund.

22 (5) Other revenue derived from the operation of the
23 fund.

24 Section 5. Use of fund.

25 Moneys in the fund shall be used to provide grants for the
26 use and/or development of fuel cells.

27 Section 6. Regulatory powers.

28 The department shall promulgate regulations necessary to
29 carry out the provisions of this act which shall include a
30 method by which grant applications will be prioritized

1 according, but not limited, to the following goals and/or
2 criteria:

3 (1) The improvement of this Commonwealth's air quality.

4 (2) The fulfillment of the Commonwealth's requirements
5 under the Clean Air Act (Public Law 95-95, 42 U.S.C. § 7401
6 et seq.).

7 (3) The protection of this Commonwealth's natural
8 environment, including land, water and wildlife.

9 (4) The advancement of economic development in this
10 Commonwealth and the promotion of this Commonwealth's
11 indigenous resources.

12 (5) The reduction of this Commonwealth's dependence on
13 imported crude oil and other petroleum products.

14 (6) The most cost-effective use of private and public
15 funding.

16 (7) The transfer and commercialization of innovative
17 energy technologies.

18 Section 7. Expenditures.

19 Moneys from the fund shall be expended as follows:

20 (1) The department shall provide grants to school
21 districts, municipal authorities, political subdivisions,
22 nonprofit entities and corporations or partnerships
23 incorporated or registered in this Commonwealth and to
24 residents in this Commonwealth.

25 (2) No more than 5% of the fund may be used to
26 administer the provisions of this act.

27 (3) No more than 10% of the fund may go to any one
28 school district, municipal authority, political subdivision,
29 nonprofit entity, corporation or partnership in any one year,
30 provided that the total amount of grants made to grant

1 recipients within a political subdivision in a year shall not
2 exceed 15% of the fund.

3 Section 8. Annual report.

4 The department shall annually make a report to the General
5 Assembly on the activities undertaken pursuant to this act
6 including the number of grants awarded and other expenditures
7 from the fund.

8 Section 9. Effective date.

9 This act shall take effect in 60 days.