

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2743 Session of
2006

INTRODUCED BY HERSHEY AND McCALL, JUNE 12, 2006

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
JUNE 12, 2006

AN ACT

1 Amending the act of May 15, 1945 (P.L.547, No.217), entitled, as
2 amended, "An act relating to the conservation of soil, water
3 and related natural resources and land use practices
4 contributing to soil wastage and soil erosion; providing for
5 the organization of the various counties into conservation
6 districts; the appointment of their officers and employees;
7 and prescribing their powers and duties; creating the State
8 Conservation Commission in the Department of Environmental
9 Resources and fixing its powers and duties relative to the
10 administration of this act; providing financial and legal
11 assistance to such conservation districts and the commission;
12 and authorizing county governing bodies to make
13 appropriations thereto; providing for disposition and
14 operation of existing districts; and repealing existing
15 laws," further providing for Commonwealth appropriations.

16 The General Assembly of the Commonwealth of Pennsylvania
17 hereby enacts as follows:

18 Section 1. Section 14 of the act of May 15, 1945 (P.L.547,
19 No.217), known as the Conservation District Law, reenacted and
20 amended December 19, 1984 (P.L.1125, No.221), is amended to
21 read:

22 Section 14. [Commonwealth Appropriations.--] Funding.--(a)
23 The General Assembly of the Commonwealth shall appropriate from
24 time to time as may be necessary, moneys out of the General Fund

1 [to the State Conservation Commission for its use in
2 administering] to administer the provisions of this act.

3 (b) There is created a special non-lapsing fund in the State
4 Treasury to be known as the Conservation District Fund. State
5 funds appropriated to any agency of the Commonwealth for
6 assistance to local conservation districts shall be placed in
7 the fund. All money placed in the fund and the interest it
8 accrues are appropriated to the commission on a continuing basis
9 for allocation to the conservation districts for activities
10 necessary to meet the requirements of this act.

11 (c) The fund may be supplemented by moneys received from the
12 following sources:

13 (1) State funds appropriated to conservation districts or
14 the commission.

15 (2) Federal funds appropriated to conservation districts,
16 the commission or other agencies of the Commonwealth.

17 (3) Programs delegated to or contracted to conservation
18 districts by any agency of the Commonwealth.

19 (4) Proceeds from the sale of any bonds made available to
20 the commission.

21 (5) Gifts and other contributions from public and private
22 sources.

23 (6) Fees.

24 (d) The commission shall have the duty and authority to do
25 all of the following:

26 (1) Adopt criteria and procedures for the allocation of
27 moneys in the fund.

28 (2) Create accounts within the fund for the purposes of
29 providing funding for the programs authorized by this act.

30 (3) Provide for provisions to make advance payments and

1 reimbursements to conservation districts for approved purposes.

2 (4) Make payments to conservation districts or any agency
3 designated by the commission in accordance with the requirements
4 of the funding agency.

5 (e) Funds allocated to conservation districts shall be used
6 only for costs associated with implementing programs delegated
7 or contracted by the Commonwealth, environmental education or
8 programs to protect the environment approved by the commission.

9 (f) For the purposes of this section, a conservation
10 district shall be exempt from State contracting guidelines and
11 eligible for advances and expedited funding.

12 (g) The fund shall not be subject to 42 Pa.C.S. Ch. 37
13 Subch. C (relating to judicial computer system).

14 (h) No administrative action by an agency of the
15 Commonwealth shall prevent the deposit of moneys into the fund
16 in the fiscal year in which they are appropriated for that
17 purpose and funds appropriated shall only be used for the
18 purposes authorized by this act and shall not be transferred or
19 diverted to any other purpose.

20 Section 2. This act shall take effect in 60 days.