

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 623 Session of 2009

INTRODUCED BY ROHRER, BOYD, BROOKS, CLYMER, CREIGHTON, CUTLER,  
FAIRCHILD, GROVE, HALUSKA, HELM, KAUFFMAN, MOUL, MURT,  
PICKETT, ROAE, ROCK, STERN, SWANGER, TRUE AND VULAKOVICH,  
FEBRUARY 26, 2009

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,  
FEBRUARY 26, 2009

AN ACT

1 Amending the act of December 15, 1955 (P.L.865, No.256),  
2 entitled "An act requiring rents and royalties from oil and  
3 gas leases of Commonwealth land to be placed in a special  
4 fund to be used for conservation, recreation, dams, and flood  
5 control; authorizing the Secretary of Forests and Waters to  
6 determine the need for and location of such projects and to  
7 acquire the necessary land," further providing for the Oil  
8 and Gas Lease Fund; and making editorial changes.

9 The General Assembly of the Commonwealth of Pennsylvania  
10 hereby enacts as follows:

11 Section 1. The title of the act of December 15, 1955 (P.L.  
12 865, No.256), entitled "An act requiring rents and royalties  
13 from oil and gas leases of Commonwealth land to be placed in a  
14 special fund to be used for conservation, recreation, dams, and  
15 flood control; authorizing the Secretary of Forests and Waters  
16 to determine the need for and location of such projects and to  
17 acquire the necessary land," is amended to read:

AN ACT

18  
19 Requiring rents and royalties from oil and gas leases of

Commonwealth land to be placed in a special fund to be used for conservation, recreation, dams, and flood control; authorizing the Secretary of [Forests and Waters] Conservation and Natural Resources to determine the need for and location of such projects and to acquire the necessary land.

Section 2. The act is amended by adding a section to read:

Section 1. The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Base royalty." The total amount of rents and royalties from oil and gas leases attributed to any parcel of land owned by the Commonwealth in fiscal year 2008-2009, except rents and royalties from game and fish lands.

Section 3. Sections 1, 2 and 3 of the act are amended to read:

[Section 1.]

Section 2. Oil and Gas Lease Fund.

(a) Base royalty.--All [rents and] base royalties from oil and gas leases of any land owned by the Commonwealth, except rents and royalties received from game and fish lands, shall be placed in a special fund to be known as the "Oil and Gas Lease Fund" which fund shall be exclusively used for conservation, recreation, dams, or flood control or to match any Federal grants which may be made for any of the aforementioned purposes.

(b) Additional royalty.--Except for rents and royalties from game and fish lands, any rent or royalty collected in addition to the base royalty shall be distributed annually as follows:

(1) Eighty percent shall be deposited in the Property Tax Relief Fund.

1           (2) Twenty percent shall be deposited in the Oil and Gas  
2           Lease Fund as provided under subsection (a).

3           (c) Game and fish lands.--All rents and royalties from oil  
4           and gas leases received from game and fish lands shall be  
5           distributed as provided under 30 Pa.C.S. § 747 (relating to  
6           proceeds from sales and grants) and 34 Pa.C.S. § 727 (relating  
7           to proceeds from sales and grants).

8           [Section 2.]

9           Section 3. Duties of Secretary of Conservation and Natural  
10           Resources.

11           It shall be within the discretion of the Secretary of  
12           [Forests and Waters] Conservation and Natural Resources to  
13           determine the need for and the location of any project  
14           authorized by this act. The Secretary of [Forests and Waters]  
15           Conservation and Natural Resources shall have the power to  
16           acquire in the name of the Commonwealth by purchase,  
17           condemnation or otherwise such lands as may be needed.

18           [Section 3. All]

19           Section 4. Use of fund.

20           Except as otherwise provided under section 2(b) and (c), the  
21           moneys from time to time paid into the "Oil and Gas Lease Fund"  
22           are specifically appropriated to the Department of [Forests and  
23           Waters] Conservation and Natural Resources to carry out the  
24           purposes of this act.

25           Section 4. This act shall take effect in 60 days.