

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE RESOLUTION

No. 373 Session of 2018

INTRODUCED BY RAFFERTY, DINNIMAN, McGARRIGLE, KILLION, FOLMER, COSTA, SCHWANK, BREWSTER, MENSCH AND AUMENT, MAY 30, 2018

SENATOR YAW, ENVIRONMENTAL RESOURCES AND ENERGY, AS AMENDED, JUNE 12, 2018

A CONCURRENT RESOLUTION

1 Establishing a special bipartisan, bicameral legislative
2 commission to recommend safety, oversight and interagency
3 coordination improvements for the transport of oil, natural
4 gas and other hazardous liquids through pipelines in this
5 Commonwealth and develop and promote legislation in
6 furtherance of its recommendations.

7 WHEREAS, The residents of this Commonwealth have a right to
8 safe communities and benefit from regulations and laws which are
9 established to enhance their safety and protect the environment;
10 and

11 WHEREAS, Natural gas and oil extraction have increased
12 dramatically over the last decade in this Commonwealth,
13 resulting in the construction of new pipeline infrastructure to
14 transport hazardous liquids, gases and byproducts in large
15 quantities through the most sensitive areas of this
16 Commonwealth; and

17 WHEREAS, While the construction and operation of any pipeline
18 carries some measure of risk, the public safety and
19 environmental risks associated with the construction and

1 transport of volatile chemicals are compounded dramatically when
2 high volume pipelines operating under high pressure are situated
3 in close proximity to homes, schools and population centers; and

4 WHEREAS, The construction of pipelines throughout this
5 Commonwealth has resulted in hundreds of environmental and
6 safety violations that have negatively impacted the residents of
7 this Commonwealth, resulting in the contamination of private
8 wells and public waterways and demonstrating the need for
9 exploring measures that will result in improved management,
10 increased safety and more comprehensive oversight of pipeline
11 construction and operation; therefore be it

12 RESOLVED (the House of Representatives concurring), That the
13 General Assembly establish a special bipartisan, bicameral
14 legislative commission to recommend improvements to the process
15 of regulating pipeline construction and operation in this
16 Commonwealth and develop and promote legislation in furtherance
17 of its recommendations; and be it further

18 RESOLVED, That the commission consist of the following
19 members:

20 (1) The chairperson and minority chairperson of the
21 Environmental Resources and Energy Committee of the Senate or
22 designees.

23 (2) The chairperson and minority chairperson of the
24 Environmental Resources and Energy Committee of the House of
25 Representatives or designees.

26 (3) The ~~Director of Regulatory Affairs~~ CHIEF COUNSEL OF <--
27 THE LAW BUREAU of the Pennsylvania Public Utility Commission
28 or a designee.

29 (4) The Director of the Bureau of Investigations and
30 Enforcement of the Pennsylvania Public Utility Commission or

1 a designee.

2 (5) The Director of the Environmental Emergency Response
3 Program of the Department of Environmental Protection or a
4 designee.

5 (6) The Deputy Secretary for Oil and Gas Management of
6 the Department of Environmental Protection or a designee.

7 (7) The president of the Marcellus Shale Coalition or a
8 designee.

9 (8) The executive director of the Pipeline Safety
10 Coalition or a designee.

11 (9) The president of the Pennsylvania Municipal League
12 or a designee.

13 (10) The president of the Pennsylvania State Association
14 of Boroughs or a designee.

15 (11) The president of the Pennsylvania State Association
16 of Township Commissioners or a designee.

17 (12) The president of the Pennsylvania State Association
18 of Township Supervisors or a designee.

19 (13) The president of the Pennsylvania Association of
20 Hazardous Materials Technicians or a designee.

21 (14) Two fire chiefs of volunteer fire companies in this
22 Commonwealth, one of whom shall be selected by the President
23 pro tempore of the Senate and one of whom shall be selected
24 by the Speaker of the House of Representatives.

25 (15) Two fire chiefs of municipal fire companies in this
26 Commonwealth, one of whom shall be selected by the President
27 pro tempore of the Senate and one of whom shall be selected
28 by the Speaker of the House of Representatives.

29 (16) Four fire or emergency medical services members at-
30 large, two of whom shall be selected by the President pro

1 tempore of the Senate and two of whom shall be selected by
2 the Speaker of the House of Representatives. <--

3 (17) THE DIRECTOR OF THE PENNSYLVANIA EMERGENCY
4 MANAGEMENT AGENCY OR A DESIGNEE.

5 (18) THE STATE FIRE COMMISSIONER OR A DESIGNEE.

6 (19) THE EXECUTIVE DIRECTOR OF THE COUNTY COMMISSIONERS
7 ASSOCIATION OF PENNSYLVANIA OR A DESIGNEE.

8 (20) THE PRESIDENT OF THE PENNSYLVANIA INDEPENDENT OIL
9 AND GAS ASSOCIATION OR A DESIGNEE;

10 and be it further

11 RESOLVED, That the commission elect a chair from its
12 membership; and be it further

13 RESOLVED, That the commission shall develop and recommend
14 legislation to improve the safety, oversight and interagency
15 coordination for pipelines in this Commonwealth; and be it
16 further

17 RESOLVED, That the commission may hold hearings, AND take <--
18 testimony ~~and make investigations~~ at such places as it deems <--
19 necessary in this Commonwealth; and be it further

20 RESOLVED, That the Legislative Budget and Finance Committee
21 provide staff support to the commission and assist with the
22 final report; and be it further

23 RESOLVED, That the commission make a final report of all
24 legislative recommendations by ~~January~~ JULY 1, 2019, which shall <--
25 be submitted to the chairperson of the Environmental Resources
26 and Energy Committee of the Senate and the chairperson of the
27 Environmental Resources and Energy Committee of the House of
28 Representatives; and be it further

29 RESOLVED, That the members of the commission shall serve
30 without compensation, but shall be reimbursed for all necessary

1 and reasonable expenses incurred in the performance of their
2 duties; and be it further

3 RESOLVED, That reasonable expenses incurred by the commission
4 be equally divided between the Senate and the House of
5 Representatives; and be it further

6 RESOLVED, That the approval of the chairperson and minority
7 chairperson of the Environmental Resources and Energy Committee
8 of the Senate and the chairperson and minority chairperson of
9 the Environmental Resources and Energy Committee of the House of
10 Representatives, by action of a majority of members of the
11 committees, shall be required to preauthorize all proposed
12 actions of the commission which will entail the expenditure of
13 State funds and shall also be required to approve all
14 expenditures, including expense reimbursement requests of
15 commission members, prior to payment.