

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1155 Session of 2013

INTRODUCED BY SCARNATI, YAW, KASUNIC, MENSCH, VULAKOVICH, WHITE, ALLOWAY, YUDICHAK, SOLOBAY AND COSTA, OCTOBER 25, 2013

SENATOR YAW, ENVIRONMENTAL RESOURCES AND ENERGY, AS AMENDED, MARCH 11, 2014

AN ACT

1 Amending the act of May 31, 1945 (P.L.1198, No.418), entitled,
2 as amended, "An Act providing for the conservation and
3 improvement of land affected in connection with surface
4 mining; regulating such mining; providing for the
5 establishment of an Emergency Bond Fund for anthracite deep
6 mine operators; and providing penalties," establishing the
7 Aggregate Advisory Board.

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

10 Section 1. Section 18 of the act of May 31, 1945 (P.L.1198,
11 No.418), known as the Surface Mining Conservation and
12 Reclamation Act, is amended by adding a subsection to read:

13 Section 18. Surface Mining Conservation and Reclamation
14 Fund; Remining Environmental Enhancement Fund; Remining
15 Financial Assurance Fund; Department Authority for Awarding of
16 Grants.--* * *

17 (g.1) There is hereby created an Aggregate Advisory Board to
18 assist the secretary to expend the funds for the purposes
19 provided by this act SECTION 17 OF THE ACT OF DECEMBER 19, 1984 <--
20 (P.L.1093, NO.219), KNOWN AS THE "NONCOAL SURFACE MINING

1 CONSERVATION AND RECLAMATION ACT," and to advise the secretary
2 on all matters pertaining to SURFACE mining, AS DEFINED IN <--
3 SECTION 3 OF THE "NONCOAL SURFACE MINING CONSERVATION AND
4 RECLAMATION ACT," which shall include, but not be limited to
5 experimental practices, alternate methods of backfilling,
6 obligations for preexisting pollution liability, alteration of
7 reclamation plans, reclamation fees and bonding rates and
8 methods. The board shall function as follows:

9 (1) The board shall be comprised of THE SECRETARY; three <--
10 (3) aggregate SURFACE mining operators; four (4) public <--
11 members from the Citizens Advisory Council, who shall be
12 appointed by the council; one (1) member from the County
13 Conservation Districts, who shall be appointed by the State
14 Conservation ~~District~~ Commission; four (4) members of the <--
15 General Assembly, two (2) from the Senate, one (1) member
16 from the majority party and one (1) member from the minority
17 party, who shall be appointed by the President pro tempore,
18 and two (2) from the House of Representatives, one (1) from
19 the majority party and one (1) from the minority party, who
20 shall be appointed by the Speaker of the House of
21 Representatives.

22 (2) The secretary shall chair the Aggregate Advisory
23 Board and appoint the members from the aggregate industry.

24 (3) All members shall be appointed for a term of two (2)
25 years, except that one-half of the initial members shall
26 serve for three (3) years.

27 (4) All actions of the board shall be by majority vote.
28 The board shall meet upon the call of the secretary, but not
29 less than quarterly, to carry out its duties under this act.
30 The board shall select from among its members a chairperson

1 and such other officers as it deems appropriate.

2 (5) The board shall prepare ~~and~~ AN annual report on its <--
3 activities and submit the report to the Senate Environmental
4 Resources and Energy Committee and the House Conservation <--
5 ENVIRONMENTAL RESOURCES AND ENERGY Committee. <--

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