

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2015 Session of
2009

INTRODUCED BY HUTCHINSON, BAKER, BARRAR, BENNINGHOFF, CAUSER,
CLYMER, CREIGHTON, EVERETT, FLECK, GABLER, GEIST, GINGRICH,
GOODMAN, GROVE, HENNESSEY, HESS, MILLER, MURT, OBERLANDER,
PEIFER, PYLE, RAPP, REED, REICHLEY, SCAVELLO, STERN,
STEVENSON, TALLMAN AND VULAKOVICH, OCTOBER 1, 2009

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
OCTOBER 1, 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; providing for reallocation of moneys in
9 fund; and making editorial changes.

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

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

AN ACT

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

[Section 1.]

Section 1. Oil and Gas Lease Fund.

(a) Establishment.--All rents and royalties from oil and gas leases of any land owned by the Commonwealth, except rents and royalties received from game and fish lands and from lands owned by independent agencies, 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], for matching any Federal grants which may be made for any of the aforementioned purposes or for the purposes authorized under section 4.

(b) Funds for independent agencies.--All rents and royalties from oil and gas leases of any land owned by an independent agency shall be placed in a special fund which shall be exclusively used for any purpose authorized by law for such independent agency and the moneys of such fund are hereby appropriated to such independent agency for such purpose.

[Section 2.]

Section 2. Duties of Secretary of Conservation and Natural Resources.

1 It shall be within the discretion of the Secretary of
2 [Forests and Waters] Conservation and Natural Resources to
3 determine the need for and the location of any project
4 authorized by this act. The Secretary of [Forests and Waters]
5 Conservation and Natural Resources shall have the power to
6 acquire in the name of the Commonwealth by purchase,
7 condemnation or otherwise such lands as may be needed.

8 [Section 3. All]

9 Section 3. Use of fund.

10 Except as otherwise provided under section 4, the moneys from
11 time to time paid into the "Oil and Gas Lease Fund" are
12 specifically appropriated to the Department of [Forests and
13 Waters] Conservation and Natural Resources to carry out the
14 purposes of this act.

15 Section 3. The act is amended by adding a section to read:

16 Section 4. Reallocation of moneys in fund.

17 The Governor shall determine whether moneys paid into the
18 "Oil and Gas Lease Fund" are from lands used or occupied by an
19 agency under the jurisdiction of the Governor, other than the
20 Department of Conservation and Natural Resources, and such
21 moneys shall be used by such agency to carry out the purposes of
22 any law that provides for the powers and duties of or any
23 program administered by such agency and such moneys are hereby
24 appropriated to such agency.

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