

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1897 Session of
2011

INTRODUCED BY PETRI, OCTOBER 18, 2011

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
OCTOBER 18, 2011

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 for lease auctions; 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

21 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. Section 1 of the act is amended to read:

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, 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 the purposes authorized under section (1.1).

(b) Appropriation.--

(1) All moneys from time to time paid into the "Oil and Gas Lease Fund" are appropriated on a continuing basis to the Department of Conservation and Natural Resources to carry out the purposes of this act.

(2) The Department of Conservation and Natural Resources shall utilize annually at least 75% but no more than \$100,000,000 of the rents and royalties received under subsection (a) for ongoing operation and maintenance projects within the State forest system.

Section 3. The act is amended by adding sections to read:

Section 1.1. Transfer.

On July 1, 2012, and each July 1 thereafter, an amount equal to \$50,000,000 of the rents and royalties received under section

1 1(a) shall be transferred to the Pennsylvania Historical and
2 Museum Commission and allocated as follows:

3 (1) Seventy-five percent to be used for infrastructure
4 improvements to sites operated by the Pennsylvania Historical
5 and Museum Commission.

6 (2) Twenty-five percent to be available for grants for
7 historical preservation and museum assistance.

8 Section 1.2. Lease auctions.

9 The Department of Conservation and Natural Resources shall
10 not enter into any new auctions for the leasing of oil and gas
11 development on land owned by the Commonwealth for five years
12 from the effective date of this section.

13 Section 4. Sections 2 and 3 of the act are amended to read:

14 Section 2. Duties of the Secretary of Conservation and Natural
15 Resources.

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

23 Section 3. Use of fund.

24 [All] Except as otherwise provided under section 1.1, the
25 moneys from time to time paid into the "Oil and Gas Lease Fund"
26 are specifically appropriated to the Department of [Forests and
27 Waters] Conservation and Natural Resources to carry out the
28 purposes of this act.

29 Section 5. This act shall take effect in 60 days.