

AMENDMENTS TO SENATE BILL NO. 367

Sponsor: REPRESENTATIVE FRANKEL

Printer's No. 2209

1 Amend Bill, page 1, line 2, by striking out "and" where it
2 occurs the first time

3 Amend Bill, page 1, line 3, by inserting after "Education"
4 ; and providing for contractual and lease restrictions on
5 the use of waivers and variances

6 Amend Bill, page 5, by inserting between lines 17 and 18
7 Section 4.1. Contractual and lease restrictions on the use of
8 waivers and variances.

9 (a) State system land.--The department may not enter into a
10 contract or lease in the name of the Commonwealth under this act
11 unless it contains a provision that a lessee or its assignees
12 may not request a waiver or a variance from the Department of
13 Environmental Protection regarding a location restriction
14 provided in the law of this Commonwealth without explicit
15 written consent of the department, the system and the specific
16 system school. The Department of Environmental Protection shall
17 publish notice in the Pennsylvania Bulletin of the application
18 for a waiver or variance under this subsection.

19 (b) Certain land uses.--The department may not enter into a
20 contract or lease in the name of the Commonwealth under this act
21 unless it contains a provision that a lessee or its assignees
22 may not request a waiver or a variance from the Department of
23 Environmental Protection regarding a location restriction
24 provided in the law of this Commonwealth for a building that is
25 used as a residence, dormitory, student center, student health
26 center, hospital, athletic facility, classroom, laboratory,
27 auditorium, cafeteria, chapel or day care center.

28 (c) Certain water uses.--The department may not enter into a
29 contract or lease in the name of the Commonwealth under this act
30 unless it contains a provision that a lessee or its assignees
31 may not request a waiver or a variance from the Department of
32 Environmental Protection from a location restriction provided in
33 the law of this Commonwealth regarding an existing water well,
34 surface water intake, reservoir or other water supply extraction
35 point used by a water purveyor or solid blue lined stream,

- 1 spring or body of water as identified on the most current 7 1/2
- 2 minute topographic quadrangle map of the United States
- 3 Geological Survey.