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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**  
**No. 66**

Session of  
1985

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INTRODUCED BY LLOYD, KUKOVICH, SWEET, HERMAN, PISTELLA, BROUJOS,  
DALEY, KOSINSKI, VAN HORNE, D. R. WRIGHT, GEIST, LETTERMAN,  
CAWLEY, FISCHER, HALUSKA, REINARD, DeWEESE, DeLUCA, WOZNIAK,  
BALDWIN, LESCOVITZ, MORRIS, BELARDI, RYBAK, BATTISTO, LUCYK,  
STABACK, PRESTON, STEVENS, KASUNIC, TELEK AND ARGALL,  
JANUARY 23, 1985

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SENATOR FISHER, ENVIRONMENTAL RESOURCES AND ENERGY, IN SENATE,  
AS AMENDED, DECEMBER 3, 1985

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AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled  
2 "An act providing for and reorganizing the conduct of the  
3 executive and administrative work of the Commonwealth by the  
4 Executive Department thereof and the administrative  
5 departments, boards, commissions, and officers thereof,  
6 including the boards of trustees of State Normal Schools, or  
7 Teachers Colleges; abolishing, creating, reorganizing or  
8 authorizing the reorganization of certain administrative  
9 departments, boards, and commissions; defining the powers and  
10 duties of the Governor and other executive and administrative  
11 officers, and of the several administrative departments,  
12 boards, commissions, and officers; fixing the salaries of the  
13 Governor, Lieutenant Governor, and certain other executive  
14 and administrative officers; providing for the appointment of  
15 certain administrative officers, and of all deputies and  
16 other assistants and employes in certain departments, boards,  
17 and commissions; and prescribing the manner in which the  
18 number and compensation of the deputies and all other  
19 assistants and employes of certain departments, boards and  
20 commissions shall be determined," converting State heating  
21 systems to the use of coal which has been produced in  
22 Pennsylvania.

23 The General Assembly of the Commonwealth of Pennsylvania  
24 hereby enacts as follows:

1       Section 1. The act of April 9, 1929 (P.L.177, No.175), known  
2 as The Administrative Code of 1929, is amended by adding a  
3 section to read:

4       Section 2402.1. Special Power; State Buildings.--(a) State  
5 heating systems to be fueled by coal.--Any heating system or  
6 heating unit installed in a facility owned by the State or by a  
7 State-related university on or after the effective date of this  
8 act shall be fueled by coal.

9       (b) Exception.--Any heating system shall be exempt from the  
10 requirement of subsection (a) if the Department of General  
11 Services determines that the application of subsection (a) to  
12 that heating system or heating unit would violate existing or  
13 reasonably anticipated environmental laws or regulations or  
14 would not be cost effective when compared to other forms of  
15 energy. The department shall report to the House Committee on  
16 Mines and Energy Management and the Senate Committee on  
17 Environmental Resources and Energy the basis for any  
18 determination that a heating system or heating unit shall be  
19 exempt from the requirement of subsection (a). Cogeneration  
20 systems using ~~Pennsylvania~~ natural gas shall be exempt from the <—  
21 requirement of subsection (a) if the systems are in or beyond  
22 the design stage prior to the effective date of this section.

23       (c) Definition.--For the purposes of this section, "coal"  
24 means coal produced from mines in Pennsylvania or any mixture or  
25 synthetic derived in whole or in part from coal produced from  
26 mines in Pennsylvania.

27       (d) Mixture with natural gas.--For the purposes of this  
28 section, the phrase "mixture derived in whole or in part from  
29 coal" includes, but is not limited to, both the intermittent and  
30 the simultaneous burning of natural gas with coal or a coal

1 derivative if the intermittent or simultaneous burning of  
2 natural gas would:

3 (1) lower the cost of using coal or a coal derivative  
4 produced from mines in Pennsylvania; or

5 (2) enable coal or a coal derivative produced from mines in  
6 Pennsylvania to be burned in compliance with present and  
7 reasonably anticipated environmental laws and regulations.

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