

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1200 Session of  
2007

INTRODUCED BY DePASQUALE, DALEY, GEORGE, GERBER, HORNAMAN, BELFANTI, BENNINGTON, BIANCUCCI, BLACKWELL, CALTAGIRONE, CARROLL, COHEN, CONKLIN, COSTA, CURRY, DERMODY, DeWEESE, EACHUS, FABRIZIO, FRANKEL, FREEMAN, GALLOWAY, GERGELY, GIBBONS, GOODMAN, GRUCELA, HALUSKA, HANNA, HARHAI, HARKINS, JAMES, JOSEPHS, W. KELLER, KESSLER, KING, KIRKLAND, KORTZ, KULA, LEACH, LENTZ, LEVDANSKY, MAHONEY, MANDERINO, MARKOSEK, McCALL, McGEEHAN, MELIO, MOUL, MUNDY, M. O'BRIEN, PASHINSKI, PAYTON, PRESTON, RAMALEY, ROEBUCK, SABATINA, SANTONI, SEIP, SHAPIRO, SHIMKUS, K. SMITH, M. SMITH, STABACK, STURLA, SURRA, TANGRETTI, THOMAS, VITALI, WAGNER, WALKO, WANSACZ, WILLIAMS, YEWICIC AND YUDICHAK, MAY 23, 2007

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,  
MAY 23, 2007

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," further providing for the  
21 powers of the Pennsylvania Energy Development Authority.

22 The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

2 Section 1. The definition of "project" in section 2801-C of  
3 the act of April 9, 1929 (P.L.177, No.175), known as The  
4 Administrative Code of 1929, added December 14, 1982 (P.L.1213,  
5 No.280), is amended to read:

6 Section 2801-C. Definitions.--The following words and  
7 phrases when used in this article shall have the meanings given  
8 to them in this section unless the context clearly indicates  
9 otherwise:

10 \* \* \*

11 "Project" means an activity, entirely or largely conducted in  
12 Pennsylvania, which cannot be effectively funded using privately  
13 available resources, relating to:

14 (1) basic and applied research concerning energy use,  
15 renewable energy resources and energy extraction, transmission,  
16 storage or conversion;

17 (2) limited scale demonstration of innovative or  
18 commercially unproven technology to promote the production, use  
19 or conservation of energy; [or]

20 (3) activities to promote or remove obstacles to the  
21 utilization and transportation of Pennsylvania energy resources,  
22 including but not limited to limited scale synthetic fuel  
23 facilities and the conversion or technological improvement of  
24 industrial, commercial or agricultural systems to utilize  
25 Pennsylvania coal or renewable energy resources: Provided, That  
26 no such facility unreasonably interferes with private waste  
27 recycling industries[.]; or

28 (4) activities designed to further the development or  
29 deployment of alternative energy sources, including those  
30 defined in the act of November 30, 2004 (P.L.1672, No.213),

1 known as the "Alternative Energy Portfolio Standards Act";  
2 alternative fuels, including those defined in the act of  
3 November 29, 2004 (P.L.1376, No.178), known as the "Alternative  
4 Fuels Incentive Act"; energy efficiency technology and energy  
5 conservation measures.

6 Section 2. Section 2806-C(14) of the act, added December 14,  
7 1982 (P.L.1213, No.280), is amended and the section is amended  
8 by adding paragraphs to read:

9 Section 2806-C. Powers and Duties.--The authority, as a  
10 public corporation and governmental instrumentality exercising  
11 public powers of the Commonwealth, is hereby granted and shall  
12 have and may exercise all powers necessary or appropriate to  
13 carry out and effectuate the purposes of this article, including  
14 the following powers, in addition to others herein granted:

15 \* \* \*

16 (14) To make grants to fund [research] projects.

17 \* \* \*

18 (19) To acquire and sell alternative energy credits as  
19 defined in the act of November 30, 2004 (P.L.1672, No.213),  
20 known as the "Alternative Energy Portfolio Standards Act."

21 (20) To establish rebate and incentive programs to help to  
22 defray the costs to persons associated with the purchase,  
23 manufacture or distribution of products which are used to  
24 generate alternative energy or which employ energy-efficient  
25 technology.

26 (21) To acquire, through purchase or otherwise, hold, sell,  
27 transfer and redistribute electric power, natural gas, liquid  
28 fuel, transportation fuel and any other energy commodity.

29 (22) To enter into agreements with State departments,  
30 authorities, boards and commissions to provide for the transfer

of funds from the Energy Development Fund or other funds under the control of the authority, to be used for energy-related activities, including the following:

(i) Supporting early-stage activities, including incubator support services, management support, translational research activities and early stage capital.

(ii) Providing loans to venture capital partnerships.

(iii) Providing grants and loans for working capital, equipment acquisition, construction and site preparation.

Section 3. Section 2807-C(a) of the act, amended December 15, 1988 (P.L.1239, No.152), is amended to read:

Section 2807-C. Authority Indebtedness.--(a) The authority shall have the power and hereby is authorized from time to time, by resolution of the authority and subject to the written approval of the Governor, to issue its negotiable bonds in such principal amount as, in the opinion of the authority, shall be necessary to provide sufficient funds for any of its corporate purposes, the establishment of reserves to secure such bonds and all other expenditures of the authority incident to and necessary or convenient to carry out its corporate purposes and powers. The authority may issue its bonds to provide financial assistance for projects only after the authority has first identified and approved such projects. [The aggregate principal amount of bonds and notes of the authority shall not exceed \$300,000,000 outstanding at any one time.]

\* \* \*

Section 4. This act shall take effect immediately.