

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 661 Session of  
2007

INTRODUCED BY WOZNIAK, BOSCOLA, C. WILLIAMS, COSTA, FONTANA,  
MUSTO, ERICKSON, O'PAKE, WASHINGTON, STOUT, WONDERLING,  
MELLOW, FUMO, BROWNE, FERLO AND GORDNER, MARCH 22, 2007

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, MARCH 22, 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  
23 hereby enacts as follows:

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

1 Section 2801-C. Definitions.--The following words and  
2 phrases when used in this article shall have the meanings given  
3 to them in this section unless the context clearly indicates  
4 otherwise:

5 \* \* \*

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

9 (1) basic and applied research concerning energy use,  
10 renewable energy resources and energy extraction, transmission,  
11 storage or conversion;

12 (2) limited scale demonstration of innovative or  
13 commercially unproven technology to promote the production, use  
14 or conservation of energy; [or]

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

23 (4) activities designed to further the development or  
24 deployment of alternative energy sources, including those  
25 defined in the act of November 30, 2004 (P.L.1672, No.213),  
26 known as the "Alternative Energy Portfolio Standards Act";  
27 alternative fuels, including those defined in the act of  
28 November 29, 2004 (P.L.1376, No.178), known as the "Alternative  
29 Fuels Incentive Act"; energy efficiency technology and energy  
30 conservation measures.

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

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

\* \* \*

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

\* \* \*

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

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

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

(22) To enter into agreements with State departments, 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

1 activities and early stage capital.

2 (ii) Providing loans to venture capital partnerships.

3 (iii) Providing grants and loans for working capital,

4 equipment acquisition, construction and site preparation.

5 Section 3. Section 2807-C(a) of the act, amended December  
6 15, 1988 (P.L.1239, No.152), is amended to read:

7 Section 2807-C. Authority Indebtedness.--(a) The authority  
8 shall have the power and hereby is authorized from time to time,  
9 by resolution of the authority and subject to the written  
10 approval of the Governor, to issue its negotiable bonds in such  
11 principal amount as, in the opinion of the authority, shall be  
12 necessary to provide sufficient funds for any of its corporate  
13 purposes, the establishment of reserves to secure such bonds and  
14 all other expenditures of the authority incident to and  
15 necessary or convenient to carry out its corporate purposes and  
16 powers. The authority may issue its bonds to provide financial  
17 assistance for projects only after the authority has first  
18 identified and approved such projects. [The aggregate principal  
19 amount of bonds and notes of the authority shall not exceed  
20 \$300,000,000 outstanding at any one time.]

21 \* \* \*

22 Section 4. This act shall take effect immediately.