
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 908 Session of
2015

INTRODUCED BY EVERETT, MILLARD, THOMAS, WHEELAND, ROZZI, O'BRIEN
AND MAJOR, MAY 24, 2016

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
MAY 24, 2016

A RESOLUTION

1 Directing the Legislative Budget and Finance Committee to
2 conduct a study of the establishment, implementation and
3 administration of fees for the use of water for the purpose
4 of creating a Water Quality Improvement Fund.

5 WHEREAS, Pennsylvania is a water-rich state and is estimated
6 to have 7% of the nation's waterways with more than 86,000 miles
7 of streams and rivers, nearly 4,000 lakes covering 161,455 acres
8 and 80 trillion gallons of groundwater; and

9 WHEREAS, Residents of this Commonwealth rely upon clean water
10 for drinking, a wealth of recreational activities, tourism and,
11 for many, their livelihood; and

12 WHEREAS, Preventing pollution of the waters of this
13 Commonwealth and reclaiming and restoring our waterways is
14 essential to these purposes; and

15 WHEREAS, Pennsylvania's ability to attract growing businesses
16 and to provide a healthy environment for residents requires the
17 prioritization of clean water infrastructure and funding to
18 ensure the protection of clean water sources for residents of

1 this Commonwealth; and

2 WHEREAS, Clean water provides greater health, stronger
3 communities and thriving economies in all regions of our
4 Commonwealth; and

5 WHEREAS, Article 1, section 27 of the Constitution of
6 Pennsylvania provides in part that, "Pennsylvania's public
7 natural resources are the common property of all the people...";
8 and

9 WHEREAS, The waters of Pennsylvania are one of these natural
10 resources owned jointly by the residents of this Commonwealth;
11 and

12 WHEREAS, The demand for water continues to grow with daily
13 withdrawals of billions of gallons of this Commonwealth's
14 surface water and groundwater; and

15 WHEREAS, Of the water withdrawn, some is consumed and not
16 returned to the watershed from which it came and more is used
17 and discharged to the environment in a degraded condition; and

18 WHEREAS, The Commonwealth receives no compensation for the
19 withdrawal and use of its water, whether for consumptive or
20 temporary use; and

21 WHEREAS, Article 1, section 27 of the Constitution of
22 Pennsylvania provides in part that, "The people have a right to
23 clean air, pure water..."; and

24 WHEREAS, This Commonwealth has approximately 19,000 miles of
25 rivers and streams that do not meet basic water quality
26 standards as a result of water pollution from a variety of
27 sources and has roughly 16% of the nation's impaired waters; and

28 WHEREAS, Pennsylvania faces many water quality challenges
29 including, but not limited to, Environmental Protection Agency
30 imposed Chesapeake Bay mandates, acid mine drainage, urban and

1 suburban storm water runoff, sewage and industrial discharges,
2 fertilizer and nutrient runoff from agricultural operations and
3 other nonpoint source discharges; and

4 WHEREAS, Pennsylvania currently has no dedicated funding
5 mechanism to address these water quality issues and instead
6 relies on its General Fund; and

7 WHEREAS, Variability of funding through the General Fund from
8 year-to-year and administration-to-administration and
9 availability of funds due to economic conditions make it
10 difficult to consistently and adequately fund water quality
11 programs; and

12 WHEREAS, To meet its constitutional, statutory and regulatory
13 obligations, Pennsylvania needs a dedicated source of revenue
14 for a Water Quality Improvement Fund; therefore be it

15 RESOLVED, That the House of Representatives direct the
16 Legislative Budget and Finance Committee to study the
17 establishment of a fee for both the consumptive use and the use
18 and return of water; and be it further

19 RESOLVED, That the study examine how other states assess fees
20 for the use of water; and be it further

21 RESOLVED, That the study examine how other states have
22 directed the establishment and use of a dedicated fund for
23 environmental and water quality protection to serve the regional
24 needs of its residents and resources; and be it further

25 RESOLVED, That the study include an evaluation of any
26 legislation introduced in the General Assembly that would impose
27 a water use fee; and be it further

28 RESOLVED, That the study determine the practicality of
29 assessing fees on water use by examining a fixed-fee scale
30 classification based on per-gallon withdrawal, per-gallon use

1 and other fee assessment methodologies; and be it further
2 RESOLVED, That the study identify whether a minimum threshold
3 or thresholds should apply to the assessment of a fee; and be it
4 further

5 RESOLVED, That the study recommend whether the Commonwealth
6 should consider any exemptions from the payment of the
7 assessment of withdrawal fees; and be it further

8 RESOLVED, That the study estimate the revenue generating
9 potential of various fee assessments and methodologies; and be
10 it further

11 RESOLVED, That the study evaluate how best to collect any
12 assessed fees; and be it further

13 RESOLVED, That the study recommend an appropriate
14 administrative entity, new or existing, to administer a Water
15 Quality Improvement Fund to receive and disburse revenue
16 generated from water use fees for the purposes of water quality
17 protection and restoration; and be it further

18 RESOLVED, That the Legislative Budget and Finance Committee
19 be authorized to seek and employ contractors or consultants to
20 assist in this study; and be it further

21 RESOLVED, That the Legislative Budget and Finance Committee
22 report all findings and conclusions on this issue to the House
23 of Representatives within 12 months of the adoption of this
24 resolution.