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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2866 Session of  
2022

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INTRODUCED BY RABB, ZABEL, HILL-EVANS, N. NELSON, STURLA,  
SCHLOSSBERG, SANCHEZ, HOHENSTEIN, GUENST, MADDEN, INNAMORATO,  
PARKER, FRANKEL, ISAACSON, OTTEN AND LEE, OCTOBER 3, 2022

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REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,  
OCTOBER 3, 2022

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AN ACT

1 Establishing the Environmental Justice Policy Center and the  
2 Environmental Justice Policy Fund; and making an  
3 appropriation.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Environmental  
8 Justice Policy Act.

9 Section 2. Findings and declarations.

10 The General Assembly finds and declares that the  
11 Environmental Justice Policy Center should be established as an  
12 independent, autonomous authority to conduct research, develop  
13 and promote recommendations and serve as a clearinghouse for  
14 information regarding environmental justice and which functions  
15 should be performed collaboratively with communities,  
16 organizations and governmental entities across this  
17 Commonwealth.

1 Section 3. Definitions.

2 The following words and phrases when used in this act shall  
3 have the meanings given to them in this section unless the  
4 context clearly indicates otherwise:

5 "Board." The Environmental Justice Policy Board of Directors  
6 established under section 5.

7 "Center." The Environmental Justice Policy Center  
8 established under section 4.

9 "Environmental justice." The fair treatment and meaningful  
10 involvement of individuals, regardless of age, race, color,  
11 national origin, ethnicity, religion, creed, gender, gender  
12 identity or expression, sexual orientation, disability,  
13 predisposing genetic characteristics, military status, marital  
14 status, familial status, income, geographic representation or  
15 status as a victim, regarding the development, implementation  
16 and enforcement of environmental laws, regulations, policies and  
17 practices that achieve climate, environmental, health and  
18 economic justice for the residents of this Commonwealth.

19 "Fund." The Environmental Justice Policy Fund established  
20 under section 6.

21 Section 4. Center.

22 (a) Establishment.--The Environmental Justice Policy Center  
23 is established as a public authority and instrumentality of the  
24 Commonwealth.

25 (b) Administration.--

26 (1) The center shall be a body corporate and politic and  
27 exercise the powers of the Commonwealth as an agency of the  
28 Commonwealth.

29 (2) The center shall be governed by the board, which  
30 shall exercise the powers and duties of the center.

1 (c) Powers and duties.--The center shall have the following  
2 powers and duties:

3 (1) Establish general policies and promulgate any  
4 necessary rules and regulations to administer this act.

5 (2) Appoint committees, subcommittees or advisory  
6 committees to advise and assist the board, subject to the  
7 compensation and expense requirements under section 5(1).

8 (3) Conduct research, develop and promote  
9 recommendations and serve as a clearinghouse for information  
10 regarding environmental justice. In performing these  
11 functions, the center shall work collaboratively with  
12 communities, organizations and governmental entities across  
13 this Commonwealth to:

14 (i) Develop a Statewide environmental justice agenda  
15 to include the following:

16 (A) Environmental justice policy recommendations  
17 for State and local governments.

18 (B) Proposed environmental justice legislation.

19 (C) A public-facing dashboard on the center's  
20 publicly accessible Internet website for tracking  
21 work and impact regarding environmental justice.

22 (D) Political action and advocacy campaigns.

23 (E) Outreach, engagement, education and  
24 communications strategies.

25 (ii) Assist in building capacity and participating  
26 in the development and implementation of environmental  
27 justice measures at the State and local government levels  
28 to establish the following:

29 (A) Meaningful and effective public  
30 participation in governmental decision making.

1 (B) Healthful outcomes, including the reduction  
2 of toxins and greenhouse gases.

3 (C) Economic justice and just transitions.

4 (iii) Coordinate research regarding environmental  
5 justice, to:

6 (A) Serve as a clearinghouse and information  
7 repository for the collection, preparation and  
8 dissemination of information on environmental  
9 justice.

10 (B) Collect systematically the data obtained  
11 from studies, research and empirical evidence  
12 regarding environmental justice.

13 (C) Develop and analyze existing environmental,  
14 health and economic data regarding environmental  
15 justice and address conditions in communities that  
16 have been historically under-resourced and  
17 overburdened.

18 (D) Complete research papers and projects about  
19 environmental justice, environmental racism and  
20 environmental harms.

21 (E) Create a venue for disseminating outside  
22 environmental justice policy research and best  
23 practices.

24 (F) Publish data and otherwise disseminate  
25 information regarding environmental justice.

26 (4) Coordinate efforts to identify and pursue Federal,  
27 State and other funding opportunities for programs and  
28 services regarding environmental justice.

29 (5) Solicit and raise money from public and private  
30 sources for programs and services regarding environmental

1 justice.

2 (6) Accept money on behalf of the Commonwealth from  
3 various sources, including Federal money, gifts, grants,  
4 donations, legacies from individuals, organizations, public  
5 or private corporations and other similar entities.

6 (7) Enter into or make any contract, agreement, lease,  
7 understanding or other transaction as may be necessary to  
8 conduct the business of the center.

9 (8) Bring and defend legal actions in any court.

10 (9) Establish accounts necessary or desirable to carry  
11 out the purposes of this act.

12 (10) Employ staff, including an executive director. The  
13 following apply:

14 (i) An individual employed by the center shall be an  
15 employee of the Commonwealth.

16 (ii) The center may contract with persons, including  
17 legal counsel, consultants, advisors, agents,  
18 accountants, auditors, financial experts or service  
19 providers, as deemed necessary and at the discretion of  
20 the center.

21 (11) Pay or satisfy obligations of the center.

22 (12) Commence any action necessary to protect or enforce  
23 a right conferred upon the center by law, contract or  
24 otherwise.

25 (13) Perform any other function as may be necessary to  
26 carry out the purposes of this act.

27 Section 5. Board.

28 (a) Establishment.--The Environmental Justice Policy Board  
29 of Directors is established to exercise the powers and duties of  
30 the center.

1 (b) Membership.--The board shall consist of nine members  
2 appointed in accordance with this section.

3 (c) Potential appointees.--The following individuals shall  
4 recommend three individuals as potential appointees to the  
5 board:

6 (1) The Secretary of Agriculture or a designee.

7 (2) The Secretary of Community and Economic Development  
8 or a designee.

9 (3) The Secretary of Conservation and Natural Resources  
10 or a designee.

11 (4) A representative of the Office of Environmental  
12 Justice, appointed by the Secretary of Environmental  
13 Protection.

14 (5) A representative of the Office of Health Equity,  
15 appointed by the Secretary of Health.

16 (6) A representative of the Bureau of Child and Family  
17 Services, appointed by the Secretary of Human Services.

18 (7) The Secretary of Labor and Industry or a designee.

19 (8) The State Inspector General or a designee.

20 (9) A representative of the Pennsylvania Human Relations  
21 Commission, appointed by the chair of the Pennsylvania Human  
22 Relations Commission.

23 (d) List of potential appointees.--The individuals specified  
24 under subsection (c) shall develop a list of all the potential  
25 appointees developed under subsection (c) and provide the list  
26 to:

27 (1) The President pro tempore of the Senate.

28 (2) The Minority Leader of the Senate.

29 (3) The Speaker of the House of Representatives.

30 (4) The Minority Leader of the House of Representatives.

1 (e) Selection process.--

2 (1) Upon receiving the list of potential appointees  
3 under subsection (d), the legislative officers specified  
4 under subsection (d) shall:

5 (i) Review the list and denote their preferred  
6 choices for appointees.

7 (ii) Choose one appointee from the three potential  
8 appointees recommended by each of the nine individuals  
9 specified under subsection (c), based on the results of  
10 their review and their preferred choices.

11 (2) In the event of a tie vote regarding the selection  
12 of an individual as an appointee under paragraph (1)(ii),  
13 another vote shall be taken on the selection, with the  
14 following individuals making the determination:

15 (i) The legislative leaders under subsection (d).

16 (ii) The chairperson of the Environmental Resources  
17 and Energy Committee of the Senate.

18 (iii) The minority chairperson of the Environmental  
19 Resources and Energy Committee of the Senate.

20 (iv) The chairperson of the Environmental Resources  
21 and Energy Committee of the House of Representatives.

22 (v) The minority chairperson of the Environmental  
23 Resources and Energy Committee of the House of  
24 Representatives.

25 (f) Terms.--

26 (1) The term of each member of the board shall be three  
27 years.

28 (2) At the expiration of a board member's term, the  
29 board member may be reappointed for an additional term or a  
30 new board member may be appointed for the subsequent term, in

1 the same manner as the original appointment.

2 (3) An individual may not serve for more than three  
3 successive terms as a member of the board.

4 (g) Vacancies.--A vacancy on the board shall be filled for  
5 the unexpired term in the same manner as the original  
6 appointment.

7 (h) Chairperson and vice chairperson.--The members of the  
8 board shall annually elect a chairperson and vice chairperson of  
9 the board. The vice chairperson shall serve as chairperson in  
10 the absence of the chairperson.

11 (i) Quorum.--A majority of the members of the board shall  
12 constitute a quorum to conduct business.

13 (j) Transacting business.--Action may only be taken by the  
14 board at a meeting upon an affirmative vote of a majority of the  
15 members of the board who are present in person at the meeting or  
16 who are participating during the meeting through electronic  
17 means.

18 (k) Meetings.--

19 (1) Within 90 days of the effective date of this  
20 subsection, the board shall hold its initial meeting.

21 (2) The board shall meet at least once quarterly and  
22 shall hold other meetings as the board deems necessary.

23 (l) Compensation and expenses.--Members of the board shall  
24 not be entitled to compensation for their services as members  
25 but shall be entitled to reimbursement for actual and necessary  
26 expenses incurred in the discharge of official duties as members  
27 of the board.

28 (m) Records.--Meetings of the board shall be subject to the  
29 requirements of 65 Pa.C.S. Ch. 7 (relating to open meetings).  
30 Section 6. Environmental Justice Policy Fund.



1 The Environmental Justice Policy Fund is established in the  
2 State Treasury. Money in the fund shall be used for the purposes  
3 specified in this act.

4 Section 7. Transfers.

5 The sum of \$10,000,000 shall be transferred from the General  
6 Fund to the fund. Money transferred to the fund is appropriated  
7 on a continuing basis to the center for the purposes specified  
8 in this act.

9 Section 8. Reports.

10 (a) Requirement.--The center shall submit an annual report  
11 specifying the activities of the center and detailing the  
12 following:

13 (1) The budget of the center.

14 (2) Individual projects and activities of the center  
15 during the preceding fiscal year.

16 (3) The progress of the center in achieving the goals  
17 and objectives under this act.

18 (b) Submittal.--The center shall submit each annual report  
19 to the Governor and the General Assembly.

20 (c) Posting.--The center shall post each annual report on  
21 its publicly accessible Internet website.

22 Section 9. Audits.

23 The Auditor General shall examine and audit on an annual  
24 basis the accounts and books of the center.

25 Section 10. Effective date.

26 This act shall take effect in 60 days.