

MEMORANDUM

To: All House Members

From: Representative Jesse White

Date: August 24, 2012

Subject: Legislation Providing for the replacement of Secretary of the Pennsylvania Department of Environmental Protection with an independently elected Commissioner of Environmental Protection and to change the title from Secretary to Commissioner

In the near future, I plan to introduce two pieces of legislation that would make the Secretary of the Pennsylvania Department of Environmental Protection (DEP) an independently elected position such as the Treasurer, Attorney General and Auditor General. The second piece of legislation would amend the Pennsylvania Administrative Code to change the title of the position from Secretary to Commissioner.

Specifically, this legislation would amend Article IV of the Pennsylvania Constitution providing for an elective process by which the DEP Commissioner would be chosen. This legislation would replace the current process in which the Governor appoints the Secretary of DEP.

Recent events have forced me to question whether DEP has allowed political considerations to overtake pursuing policies to strike a fair and reasonable balance between protecting and developing our natural resources. I personally have been denied access to air quality test results conducted by DEP in my own district, even after I filed a Right to Know Request. The DEP stated there was a greater interest in keeping the test results confidential instead of releasing them to the public. This implies an unacceptable lack of transparency and political motivation to protect the interests of people or entities deemed more important to the DEP and the Corbett administration than the people of Pennsylvania.

Through this legislation, voters of the Commonwealth would have the opportunity to elect the candidate who they feel is most qualified to serve and protect the health and safety of Pennsylvania's citizens and environment. The elected secretary would hold office for a term of four years and would not be eligible to serve continuously for more than two successive terms.

Because the stewardship of Pennsylvania's environment is of paramount importance, I feel that it is incumbent that the Commissioner of DEP be elected through a fair and impartial process and chosen by the citizens of the Commonwealth.

If you would like to co-sponsor this measure, please contact Dominic Lemmon at 717-783-6437 or dlemmon@pahouse.net.