
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 3022 Session of
1990

INTRODUCED BY LLOYD, TIGUE, PESCI, PETRARCA, JACKSON,
D. R. WRIGHT, BILLOW, HALUSKA, JOSEPHS, LAUGHLIN, STEIGHNER,
TANGRETTI, STABACK, PISTELLA, GIGLIOTTI AND TRELLO,
NOVEMBER 19, 1990

REFERRED TO COMMITTEE ON CONSERVATION, NOVEMBER 19, 1990

AN ACT

1 Establishing a special fund to provide grants to certain
2 universities to provide residential property owners with
3 technical expertise to evaluate claims that surface coal
4 mining has caused damage or affected water supplies; imposing
5 a surcharge on certain fines and permits; and providing for
6 awarding of grants.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Short title.

10 This act shall be known and may be cited as the Coal Mining
11 Damage Assessment Act.

12 Section 2. Definitions.

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

16 "Council." The Citizens Advisory Council of the Department
17 of Environmental Resources.

18 "Department." The Department of Environmental Resources of
19 the Commonwealth.

1 "Fund." The Coal Mining Damage Assessment Fund established
2 by this act.

3 "University." Any State-owned or State-related university.
4 Section 3. Fund.

5 (a) Creation.--There is hereby created a special fund in the
6 Treasury Department to be known as the Coal Mining Damage
7 Assessment Fund to which shall be credited all surcharges
8 imposed by subsection (b) and any appropriations made by the
9 General Assembly or grants from other sources.

10 (b) Surcharge on fines and fees.--A surcharge in the amount
11 of 20% is hereby imposed on all fines levied by the department
12 for violations of statutes and regulations governing surface
13 coal mining. A surcharge in the amount of 20% is hereby imposed
14 on all fees collected by the department for permits and licenses
15 under the act of May 31, 1945 (P.L.1198, No.418), known as the
16 Surface Mining Conservation and Reclamation Act.

17 Section 4. Grants to universities.

18 (a) Purpose of grants.--The council shall award grants to
19 universities for the purpose of providing residential property
20 owners with access to technical expertise to evaluate claims
21 that surface coal mining has caused, or may cause, structural
22 damage to residences or the diminution of the quality or
23 quantity of residential water supplies. The council may
24 establish a competitive system for selecting grant recipients,
25 provided that the council shall assure that at least one
26 university in each of the department's surface coal mining
27 districts is obligated to provide technical expertise to
28 residential property owners under this act.

29 (b) Conditions of grants.--A university which receives a
30 grant under this act shall, as a condition of receipt, agree, at

1 the request of a residential property owner, to do the
2 following:

3 (1) To review a surface coal mining permit application
4 in order to determine the likelihood that the proposed mining
5 would cause structural damage to the owner's residence or
6 would diminish the quality or quantity of the owner's
7 residential water supply.

8 (2) To review a claim of structural damage to the
9 owner's residence or of diminution of the quality or quantity
10 of the owner's residential water supply to determine the
11 likelihood that the damage or diminution was caused by
12 surface coal mining.

13 (3) To provide a report of its determination under
14 paragraph (1) or (2) to the owner who requested the review.

15 (c) Requisition from fund.--The council shall requisition
16 from the fund such amounts as shall be necessary for the grants
17 awarded under this act.

18 Section 5. Annual report.

19 The council shall annually submit a report to the General
20 Assembly regarding grants awarded under this act and the
21 services provided by universities pursuant to those grants.

22 Section 6. Regulations.

23 The council may promulgate regulations to administer this
24 act.

25 Section 7. Effective date.

26 This act shall take effect in 60 days.