

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 487

Session of  
1987

INTRODUCED BY LETTERMAN, SIRIANNI, LIVENGOD, BATTISTO, RUDY,  
LLOYD, CARLSON, HERMAN, DeWEESE, SHOWERS, DISTLER AND  
MARKOSEK, FEBRUARY 25, 1987

AS REPORTED FROM COMMITTEE ON GAME AND FISHERIES, HOUSE OF  
REPRESENTATIVES, AS AMENDED, JANUARY 19, 1988

## AN ACT

1 Amending the act of December 15, 1955 (P.L.865, No.256),  
2 entitled "An act requiring rents and royalties from oil and  
3 gas leases of Commonwealth land to be placed in a special  
4 fund to be used for conservation, recreation, dams, and flood  
5 control; authorizing the Secretary of Forests and Waters to  
6 determine the need for and location of such projects and to  
7 acquire the necessary land," further providing for the  
8 appropriation and distribution of certain royalty and rental  
9 payments; and making editorial changes.

10 The General Assembly of the Commonwealth of Pennsylvania  
11 hereby enacts as follows:

12 Section 1. The title and the act of December 15, 1955  
13 (P.L.865, No.256), entitled "An act requiring rents and  
14 royalties from oil and gas leases of Commonwealth land to be  
15 placed in a special fund to be used for conservation,  
16 recreation, dams, and flood control; authorizing the Secretary  
17 of Forests and Waters to determine the need for and location of  
18 such projects and to acquire the necessary land," are amended to  
19 read:

20 AN ACT

1 Requiring rents and royalties from oil and gas leases of  
2 Commonwealth land to be placed in a special fund to be used  
3 for conservation, recreation, dams, and flood control;  
4 authorizing the Secretary of [Forests and Waters]  
5 Environmental Resources to determine the need for and  
6 location of such projects and to acquire the necessary land.

7 Section 1. Rents and Royalties.--(a) All rents and  
8 royalties from oil and gas leases of any land owned by the  
9 Commonwealth, except rents and royalties received from game and  
10 fish lands, shall be placed in a special fund to be known as the  
11 "Oil and Gas Lease [Fund" which] Fund." Except as provided in  
12 subsection (b), the fund shall be exclusively used for  
13 conservation, recreation, dams, or flood control or to match any  
14 Federal grants which may be made for any of the aforementioned  
15 purposes.

16 (b) ~~Twenty~~ THIRTY per centum of each rent or royalty payment <—  
17 to the Department of Environmental Resources from any oil or gas  
18 lease shall be set aside in a separate account within the "Oil  
19 and Gas Lease Fund" for annual distribution by the Department of  
20 Environmental Resources to the county, municipality and school  
21 district where the oil or gas lease is situated. The Department  
22 of Environmental Resources shall, on July 1 of each year and in  
23 cooperation with the Treasury Department and the Auditor  
24 General, distribute the proceeds of the separate account in the  
25 following amounts and for the following purposes:

26 (1) Ten per centum of each payment shall be returned to the  
27 county where it originated and shall be used, first, to plan and  
28 successfully implement a solid-waste disposal system and,  
29 second, to reduce county real estate taxes.

30 (2) Five per centum of each payment shall be returned to the

1 municipality where it originated and shall be used to reduce the  
2 municipal real estate taxes.

3 (3) Five per centum of each payment shall be returned to the  
4 school district where it originated and shall be used to reduce  
5 the school district real estate taxes.

6 (4) TEN PER CENTUM OF EACH PAYMENT SHALL BE PAID INTO THE <—  
7 WELL PLUGGING RESTRICTED REVENUE ACCOUNT ESTABLISHED PURSUANT TO  
8 THE ACT OF DECEMBER 19, 1984 (P.L.1140, NO.223), KNOWN AS THE  
9 "OIL AND GAS ACT," AND SHALL BE USED SOLELY FOR THE PLUGGING AND  
10 SEALING OF ABANDONED WELLS WHICH THREATEN THE HEALTH AND SAFETY  
11 OF PERSONS OR PROPERTY OR POLLUTION OF THE WATERS OF THIS  
12 COMMONWEALTH.

13 Section 2. Utilization.--It shall be within the discretion  
14 of the Secretary of [Forests and Waters] Environmental Resources  
15 to determine the need for and the location of any project  
16 authorized by this act. The Secretary of [Forests and Waters]  
17 Environmental Resources shall have the power to acquire in the  
18 name of the Commonwealth by purchase, condemnation or otherwise  
19 such lands as may be needed.

20 Section 3. Appropriation.--All the moneys from time to time  
21 paid into the "Oil and Gas Lease Fund" are specifically  
22 appropriated to the Department of [Forests and Waters]  
23 Environmental Resources to carry out the purposes of this act.

24 Section 2. This act shall take effect in 60 days.