

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 1444 Session of  
1991

INTRODUCED BY MUSTO, REIBMAN, BRIGHTBILL, MELLOW, JONES,  
SALVATORE, O'PAKE, BELAN, STAPLETON, SCHWARTZ, PORTERFIELD,  
WENGER, HART, BODACK, GREENWOOD, FISHER AND ANDREZESKI,  
NOVEMBER 22, 1991

SENATOR BRIGHTBILL, ENVIRONMENTAL RESOURCES AND ENERGY, AS  
AMENDED, DECEMBER 10, 1991

## AN ACT

1 Providing for environmental education programs; providing for  
2 further duties of the Department of Education and the  
3 Department of Environmental Resources; and providing for the  
4 disposition of a portion of certain fines and penalties.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the Environmental  
9 Education Act.

10 Section 2. Declaration of policy.

11 The General Assembly finds and declares as follows:

12 (1) Section 27 of Article I of the Constitution of  
13 Pennsylvania states that: "The people have a right to clean  
14 air, pure water, and to the preservation of the natural,  
15 scenic, historic and esthetic values of the environment.  
16 Pennsylvania's public natural resources are the common  
17 property of all the people, including generations yet to

1       come. As trustee of these resources, the Commonwealth shall  
2       conserve and maintain them for the benefit of all the  
3       people."

4           (2) The State Board of Education has recognized the  
5       study of the environment as an essential component of basic  
6       education for graduating students. The regulations of the  
7       board which pertain to curriculum identify the knowledge and  
8       understanding of the environment as one of the goals of a  
9       quality education.

10          (3) A quality education should provide each student with  
11       knowledge of natural and human resources, an understanding of  
12       geographic environments, knowledge of the interrelationships  
13       and interdependence of natural and human systems, the  
14       development of personal environmental attitudes and values,  
15       the development of environmental problem solving and  
16       management skills and knowledge of and appropriate uses of  
17       energy.

18          (4) The Department of Environmental Resources has been  
19       given the charge of steward and protector of this  
20       Commonwealth's natural resources. Consequently, the  
21       department has a responsibility to help the public understand  
22       the environmental laws as well as the roles of individuals,  
23       groups, institutions, industry and government in finding  
24       solutions to this Commonwealth's environmental problems and  
25       the prevention of new problems.

26          (5) The third week of October is recognized each year as  
27       "Pennsylvania Environmental Education Week" as a means to  
28       promote environmental education.

29          (6) The 20th Anniversary celebration of "Earth Day"  
30       heralded the 1990's as the "Decade of the Environment." In

1 order to meet the challenges of this decade, citizens of this  
2 Commonwealth will need the background, values and skills to  
3 make informed decisions as consumers and voters to help  
4 protect the environment and prevent pollution.

5 (7) It is the policy of this Commonwealth that  
6 environmental education is critically important to promote a  
7 citizenry which has the ability to make personal lifestyle  
8 choices to help promote a healthy environment and an  
9 understanding of the functioning of the natural world and the  
10 necessity for environmental protection and sound resource  
11 management.

12 Section 3. Legislative purpose.

13 It is the purpose of this act to:

14 (1) authorize and require the Department of Education  
15 and the Department of Environmental Resources to develop and  
16 implement environmental education programs for the citizens  
17 of this Commonwealth;

18 (2) encourage the environmental education efforts of  
19 other agencies where appropriate, including, but not limited  
20 to, those of the county conservation districts, the Fish  
21 Commission and the Game Commission, the Pennsylvania Energy  
22 Office, and the Department of Commerce, the Department of  
23 Community Affairs, the Department of General Services and the  
24 Department of Transportation; and

25 (3) create and establish the Advisory Council on  
26 Environmental Education within the Department of Education.

27 Section 4. Powers and duties of Department of Education.

28 The Department of Education shall have the following powers  
29 and duties:

30 (1) To conduct a periodic assessment of school-based

environmental education in this Commonwealth.

(2) To provide assistance, support and resource information to educators and public and private education agencies and organizations on environmental education programs.

(3) To identify, recognize and establish awards for exemplary environmental education curricula developed in Commonwealth schools.

(4) To ensure that schools develop mechanisms for assessing the learning outcomes for the Environmental Goal of Quality Education (in accordance with 22 Pa. Code Ch. 5 (relating to curriculum requirements)).

#### Section 5. Powers and duties of Department of Environmental Resources.

The Department of Environmental Resources shall have the following powers and duties:

(1) To conduct a periodic assessment of the status of environmental education taking place in the nonformal sector (outside of the classroom) in this Commonwealth.

(2) To maintain an inventory of environmental education materials, programs and resources available in Commonwealth agencies.

(3) To use the department's environmental education centers as outreach facilities to bring youth and adult education programs into communities and schools, focusing on environmental issues of importance to the Commonwealth.

(4) To provide such grants as the Secretary of ~~Education~~ ENVIRONMENTAL RESOURCES shall, in his discretion, approve to the following: public and private schools for youth environmental education; conservation and education

1 organizations and institutions for the purposes of providing  
2 environmental education training to teachers; county <—  
3 conservation districts; and Bureau of State Parks <—  
4 Environmental Education Program.

5 (5) To prepare a guidance document, in consultation with  
6 the Secretary of Education, for administering the grants.

7 ~~This document shall be published~~ THE DEPARTMENT SHALL MAKE <—  
8 THE DOCUMENT AVAILABLE FOR PUBLIC REVIEW AND COMMENT BY  
9 PUBLICATION in the Pennsylvania Bulletin.

10 Section 6. Environmental Education Report.

11 The Secretary of Education and the Secretary of Environmental  
12 Resources shall prepare a periodic report to the Governor and  
13 the General Assembly outlining environmental education programs  
14 and achievements, highlighting new initiatives and recommending  
15 future program needs.

16 Section 7. The Advisory Council on Environmental Education.

17 (a) Duties.--There is hereby created an Advisory Council on  
18 Environmental Education within the Department of Education. The  
19 advisory council shall:

20 (1) Make recommendations to the Secretary of Education  
21 and the Secretary of Environmental Resources with respect to  
22 the use of any funds used to support environmental education  
23 activities.

24 (2) Advise and assist the Secretary of Education and the  
25 Secretary of Environmental Resources in carrying out  
26 environmental education activities.

27 (3) Advise and assist the Secretary of Education and the  
28 Secretary of Environmental Resources in conducting a  
29 continual assessment of the trends and needs in environmental  
30 education.

1           (4) Make recommendations to the Secretary of Education  
2           and the Secretary of Environmental Resources to help foster  
3           environmental education programs.

4           (5) Make recommendations to the Secretary of  
5           Environmental Resources on the distribution of available  
6           grant moneys.

7           (b) Composition.--Council membership shall consist of 13  
8           persons, six appointed by the Secretary of Education, six  
9           appointed by the Secretary of Environmental Resources and one  
10          appointed by the Chancellor of the State System of Higher  
11          Education, and shall represent a diversity of backgrounds,  
12          including basic and higher education, industry ~~and~~, resource       <—  
13          management, CITIZENS AND PUBLIC INTEREST ORGANIZATIONS.       <—

14          (c) Appointment, terms and expenses.--The 13 council members  
15          shall be appointed for five-year terms. The initial term of four  
16          of the council members shall be for one year, the initial term  
17          of four members shall be for three years, and the initial term  
18          of the remainder shall be for five years. A member may be  
19          appointed for more than one term and shall serve until a  
20          successor has been appointed. Members shall not be compensated  
21          but shall be reimbursed for actual expenses in accordance with  
22          the rules of the Executive Board.

23          (d) Officers and bylaws.--The council shall convene at least  
24          biannually, shall elect a chairperson and a vice-chairperson to  
25          serve a one-year term, and shall adopt bylaws for governing its  
26          operations.

27          (e) Staff.--The Secretary of Education shall designate such  
28          staff as may be necessary for the operation of the council.

29          Section 8. Funding.

30          ~~An amount, not to exceed 5% of the moneys collected annually~~       <—

1 ~~from fines and penalties deposited in special funds or~~  
2 ~~restricted revenue accounts administered by the Department of~~  
3 ~~Environmental Resources, is hereby allocated, with the approval~~  
4 ~~of the Governor, to the Department of Environmental Resources to~~  
5 ~~promote environmental education as provided in this act. This~~  
6 ~~annual allocation amount shall be based upon the amounts~~  
7 ~~collected in the previous fiscal year.~~

8       THERE IS HEREBY CREATED A SPECIAL NONLAPSING FUND IN THE       <—  
9       STATE TREASURY TO BE KNOWN AS THE ENVIRONMENTAL EDUCATION FUND.  
10       AN AMOUNT NOT TO EXCEED 5% OF THE MONEYS COLLECTED ANNUALLY FROM  
11       FINES AND PENALTIES DEPOSITED IN SPECIAL FUNDS OR RESTRICTED  
12       REVENUE ACCOUNTS ADMINISTERED BY THE DEPARTMENT OF ENVIRONMENTAL  
13       RESOURCES SHALL BE DEPOSITED IN THIS FUND. THIS ANNUAL  
14       ALLOCATION AMOUNT SHALL BE BASED UPON THE AMOUNTS COLLECTED IN  
15       THE PREVIOUS FISCAL YEAR. ALL MONEYS PLACED IN THE FUND AND THE  
16       INTEREST IT ACCRUES ARE HEREBY APPROPRIATED, UPON AUTHORIZATION  
17       BY THE GOVERNOR, TO THE DEPARTMENT TO ACCOMPLISH THE PURPOSES OF  
18       THIS ACT. BEGINNING IN FISCAL YEAR 1991-1992, AND EACH YEAR  
19       THEREAFTER, MONEYS APPROPRIATED TO THE DEPARTMENT UNDER THIS  
20       SECTION SHALL NOT AFFECT AND ARE IN ADDITION TO FUNDING FOR  
21       ENVIRONMENTAL EDUCATION PROGRAMS ADMINISTERED BY THE DEPARTMENT  
22       AND THE DEPARTMENT OF EDUCATION THAT ARE IN EXISTENCE PRIOR TO  
23       PASSAGE OF THIS ACT.

24       Section 9.   Effective date.

25       This act shall take effect immediately.