

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 708 Session of  
1993

INTRODUCED BY HANNA, PESCI, CARONE, KASUNIC, TIGUE, PISTELLA,  
RUDY, FAIRCHILD, BROWN, KIRKLAND, TRELLO, FEE, STABACK,  
LEDERER AND MELIO, MARCH 22, 1993

REFERRED TO COMMITTEE ON CONSERVATION, MARCH 22, 1993

AN ACT

1 Requiring the Department of Environmental Resources to hold  
2 public hearings before permitting any experimental process to  
3 be conducted on State forest or game lands.

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 Testing Public Hearing Act.

9 Section 2. Purpose.

10 In enacting this act, the General Assembly recognizes:

11 (1) The need to balance the interests of the environment  
12 with the public health and welfare of the citizenry.

13 (2) The need to properly notify citizens of this  
14 Commonwealth whenever the Department of Environmental  
15 Resources, or any entity of the Commonwealth, conducts an  
16 experimental process which can affect the quality of the  
17 environment in which they live.

18 (3) The need for government to acquire expert testimony

1 from both within and outside the government in order to  
2 insure that any experimental process being conducted by the  
3 Department of Environmental Resources will be conducted in a  
4 manner which respects environmental and public health  
5 interests of this Commonwealth.

6 Section 3. Definitions.

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

10 "Department." The Department of Environmental Resources of  
11 the Commonwealth.

12 "Experimentation process." A process by which an act or  
13 operation is carried out under conditions determined by the  
14 experimenter in order to discover some unknown effect upon a  
15 State forest or game land.

16 "State forest or game land." A parcel of property owned by  
17 the Commonwealth and operated under the specifications  
18 established in Commonwealth law.

19 Section 4. Public hearings.

20 The department shall require that public hearings be held in  
21 areas of this Commonwealth which contain State forest or game  
22 lands and which are the subject of an experimental process being  
23 conducted by the department or any other entity in this  
24 Commonwealth.

25 Section 5. Hearing procedures.

26 The department shall require a series of not less than three  
27 public hearings in the geographic areas subject to the  
28 experimental testing in a manner which insures that the citizens  
29 who reside in or near the geographic areas have reasonable  
30 access to attend such hearings and voice their concerns. Each

1 public hearing shall be conducted under the provisions of the  
2 act of July 3, 1986 (P.L.388, No.84), known as the Sunshine Act,  
3 and shall be conducted in a structure which is a public  
4 facility.

5 Section 6. Effective date.

6 This act shall take effect in 180 days.