

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 344 Session of  
1995

INTRODUCED BY GEORGE, LAUGHLIN, TRELLO, STEELMAN, HALUSKA,  
BATTISTO, TIGUE, PESCI, FAIRCHILD, OLASZ, THOMAS, SAYLOR,  
CAPPABIANCA AND SURRA, JANUARY 26, 1995

AS REPORTED FROM COMMITTEE ON ENVIRONMENTAL RESOURCES AND  
ENERGY, HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 18, 1995

## AN ACT

1 Amending the act of July 13, 1988 (P.L.530, No.94), entitled "An  
2 act establishing the Environmental Hearing Board as an  
3 independent, quasi-judicial agency; providing for the  
4 membership and staff, the powers and duties, the seats and  
5 the existing members of the board; transferring certain  
6 funds; and making repeals," further providing FOR THE <—  
7 COMPENSATION OF MEMBERS OF THE BOARD AND for adjudication of  
8 the board; AND MAKING REPEALS. <—

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

11 ~~Section 1. Section 4 of the act of July 13, 1988 (P.L.530,~~ <—  
12 ~~No.94), known as the Environmental Hearing Board Act, is amended~~  
13 ~~by adding subsections to read:~~

14 SECTION 1. SECTION 3(G) OF THE ACT OF JULY 13, 1988 <—  
15 (P.L.530, NO.94), KNOWN AS THE ENVIRONMENTAL HEARING BOARD ACT,  
16 IS REENACTED TO READ:

17 SECTION 3. BOARD.

18 \* \* \*

19 (G) SALARY.--MEMBERS OF THE BOARD AND THE CHAIRPERSON SHALL  
20 RECEIVE THE SAME SALARIES, RESPECTIVELY, AS THE COMMISSIONERS

1 AND THE CHAIRMAN OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION.

2 SECTION 2. SECTION 4 OF THE ACT IS AMENDED BY ADDING  
3 SUBSECTIONS TO READ:

4 Section 4. Jurisdiction.

5 \* \* \*

6 (i) Adjudication.--The Environmental Hearing Board shall  
7 issue an adjudication within 18 months of the close of the  
8 record and the filing of posthearing briefs by the parties,  
9 except in those instances where the proceedings involve the  
10 issuance of a permit for the construction or expansion of a  
11 facility regulated under the act of July 7, 1980 (P.L.380,  
12 No.97), known as the Solid Waste Management Act, the act of July  
13 28, 1988 (P.L.556, No.101), known as the Municipal Waste  
14 Planning, Recycling and Waste Reduction Act, or the act of  
15 October 18, 1988 (P.L.756, No.108), known as the Hazardous Sites  
16 Cleanup Act, the board shall render a decision within 12 months  
17 after the close of the record and the filing of posthearing  
18 briefs.

19 (j) Report.--Whenever the board fails to meet the  
20 requirements of subsection (i), the board shall issue a detailed  
21 report setting forth the reasons for the board's failure to  
22 comply with subsection (i). This report shall be made in writing  
23 to the Chairman of the Environmental Resources and Energy  
24 Committee of the Senate and the Chairman of the Conservation  
25 Committee of the House of Representatives.

26 SECTION 3. (A) THE LAST SENTENCE OF SECTION 3(D) OF THE ACT <—  
27 OF SEPTEMBER 30, 1983 (P.L.160, NO.39), KNOWN AS THE PUBLIC  
28 OFFICIAL COMPENSATION LAW, IS REPEALED.

29 (B) SECTION 2 OF THE ACT OF JUNE 23, 1993 (P.L.132, NO.30),  
30 ENTITLED "AN ACT AMENDING THE ACT OF SEPTEMBER 30, 1983

1 (P.L.160, NO.39), ENTITLED 'AN ACT ESTABLISHING SALARIES AND  
2 COMPENSATION OF CERTAIN PUBLIC OFFICIALS INCLUDING JUSTICES AND  
3 JUDGES OF STATEWIDE COURTS, JUDGES OF COURTS OF COMMON PLEAS,  
4 JUDGES OF THE PHILADELPHIA MUNICIPAL COURT, JUDGES OF THE  
5 PHILADELPHIA TRAFFIC COURT, DISTRICT JUSTICES AND THE GOVERNOR,  
6 THE LIEUTENANT GOVERNOR, THE STATE TREASURER, THE AUDITOR  
7 GENERAL, THE ATTORNEY GENERAL AND CERTAIN OTHER STATE OFFICERS  
8 AND THE SALARY AND CERTAIN EXPENSES OF THE MEMBERS OF THE  
9 GENERAL ASSEMBLY; AND REPEALING CERTAIN INCONSISTENT ACTS, '  
10 PROVIDING FOR THE SALARIES OF MEMBERS OF THE PENNSYLVANIA PUBLIC  
11 UTILITY COMMISSION; AND MAKING REPEALS," IS REPEALED INsofar AS  
12 IT RELATES TO THE COMPENSATION OF THE ENVIRONMENTAL HEARING  
13 BOARD.

14 SECTION 4. THE ADDITIONAL COMPENSATION AUTHORIZED UNDER THIS  
15 ACT SHALL BE PAYABLE WHEN CONSTITUTIONALLY PERMISSIBLE.

16 Section ~~2~~ 5. This act shall take effect in 60 days.

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