
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 356 Session of
2007

INTRODUCED BY M. WHITE, MUSTO, BOSCOLA, STOUT, TOMLINSON,
BRUBAKER, FONTANA, KITCHEN, ERICKSON, WONDERLING, KASUNIC,
GREENLEAF, COSTA, RHOADES, O'PAKE, GORDNER, FERLO, BROWNE AND
MADIGAN, MARCH 5, 2007

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, MARCH 5, 2007

AN ACT

1 Amending the act of June 22, 1993 (P.L.105, No.24), entitled "An
2 act providing for environmental education programs; providing
3 for further duties of the Department of Education and the
4 Department of Environmental Resources; creating the
5 Environmental Education Fund; and providing for the
6 disposition of a portion of certain fines and penalties,"
7 providing for the establishment of the Pennsylvania Center
8 for Environmental Education and the Pennsylvania Center for
9 Environmental Education Board; and making editorial changes.

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

12 Section 1. The title and sections 2 and 3 of the act of June
13 22, 1993 (P.L.105, No.24), known as the Environmental Education
14 Act, are amended to read:

15 AN ACT

16 Providing for environmental education programs; providing for
17 the establishment of the Pennsylvania Center for
18 Environmental Education and the Pennsylvania Center for
19 Environmental Education Board and for further duties of the
20 Department of Education, the Department of Conservation and

1 Natural Resources and the Department of Environmental
2 [Resources] Protection; creating the Environmental Education
3 Fund; and providing for the disposition of a portion of
4 certain fines and penalties.

5 Section 2. Declaration of policy.

6 The General Assembly finds and declares as follows:

7 (1) Section 27 of Article I of the Constitution of
8 Pennsylvania states that: "The people have a right to clean
9 air, pure water, and to the preservation of the natural,
10 scenic, historic and esthetic values of the environment.
11 Pennsylvania's public natural resources are the common
12 property of all the people, including generations yet to
13 come. As trustee of these resources, the Commonwealth shall
14 conserve and maintain them for the benefit of all the
15 people."

16 (2) [The State Board of Education has recognized the
17 study of the environment as an essential component of basic
18 education for graduating students. The regulations of the
19 board which pertain to curriculum identify the knowledge and
20 understanding of the environment as one of the goals of a
21 quality education.] The State Board of Education has adopted
22 environment and ecology curriculum standards identifying the
23 concepts and understanding that students in kindergarten
24 through grade 12 must attain at each level.

25 (3) The Department of Education has primary
26 responsibility for formal environmental education within this
27 Commonwealth's schools. A quality education should provide
28 each student with knowledge of natural and human resources,
29 an understanding of geographic environments, knowledge of the
30 interrelationships and interdependence of natural and human

1 systems, the development of environmental problem solving and
2 management skills and knowledge of and appropriate uses of
3 energy.

4 (4) The Department of Environmental [Resources has a
5 responsibility to help the public understand the
6 environmental laws as well as the roles of individuals,
7 groups, institutions, industry and government in finding
8 solutions to this Commonwealth's environmental problems and
9 the prevention of new problems.] Protection and the
10 Department of Conservation and Natural Resources have
11 responsibility for adult and nonformal environmental
12 education and a support role in basic and higher education.
13 The Department of Environmental Protection shall provide
14 environmental education support to adults, businesses, local
15 officials and farmers, emphasizing environmental stewardship
16 related to environmental laws, pollution reduction and
17 prevention, sustainable energy issues and environmental
18 problem solving.

19 [(5) The third week of October is recognized each year
20 as "Pennsylvania Environmental Education Week" as a means to
21 promote environmental education.

22 (6) The 20th Anniversary celebration of "Earth Day"
23 heralded the 1990's as the "Decade of the Environment." In
24 order to meet the challenges of this decade, citizens of this
25 Commonwealth will need the knowledge and skills to make
26 informed decisions as consumers and voters to help protect
27 the environment and prevent pollution.

28 (7) It is the policy of this Commonwealth that
29 environmental education is critically important to encourage
30 a citizenry which has the ability to help promote a healthy

1 environment and an understanding of the functioning of the
2 natural world and the necessity for environmental protection
3 and sound resource management.]

4 (5) The annual celebration of Earth Day is an
5 opportunity for every citizen in this Commonwealth to reflect
6 on our accomplishments in protecting the environment and on
7 the challenges we face in creating an environmentally aware
8 citizenry and sustainable communities.

9 (6) Environmental education is critical to promoting a
10 healthy environment and citizenry, sustainable communities
11 and to the growth of Pennsylvania's economy.

12 (7) A Pennsylvania Center for Environmental Education is
13 an essential component to help to identify the resources and
14 products needed to comply with the environment and ecology
15 standards, to assess the environmental knowledge and
16 understanding of the public, to avoid duplication in the
17 creation and delivery of environmental education programs to
18 create an informed citizenry and sustainable communities.

19 Section 3. Legislative purpose.

20 It is the purpose of this act to:

21 (1) authorize and require the Department of Education,
22 the Department of Conservation and Natural Resources and the
23 Department of Environmental [Resources] Protection to develop
24 and implement environmental education programs for the
25 citizens of this Commonwealth[;] and to provide leadership,
26 services, funding and accountability for environmental
27 education;

28 (2) encourage the environmental education efforts of
29 other agencies where appropriate, including, but not limited
30 to, those of the county conservation districts, the

1 Pennsylvania Fish and Boat Commission, the Game Commission,
2 [the Pennsylvania Energy Office,] the Department of
3 Agriculture, the Department of [Commerce, the Department of
4 Community Affairs,] Community and Economic Development, the
5 Department of General Services and the Department of
6 Transportation; [and]

7 (3) create and establish the Advisory Council on
8 Environmental Education within the Department of
9 Education[.]; and

10 (4) establish the Pennsylvania Center for Environmental
11 Education to support the environmental education efforts of
12 State agencies, county conservation districts, formal and
13 nonformal educators and nonprofit organizations.

14 Section 2. The act is amended by adding a section to read:

15 Section 3.1. Pennsylvania Center for Environmental Education.

16 (a) Establishment.--There is hereby established the
17 Pennsylvania Center for Environmental Education within the State
18 System of Higher Education which will help to identify the needs
19 for environmental education, promote research and development of
20 programs for nonformal educators and involve stakeholders.

21 (b) Duties.--The Pennsylvania Center for Environmental
22 Education shall have the following duties:

23 (1) To promote the formation of partnerships with formal
24 and nonformal educators, schools, agencies, public officials,
25 county conservation districts, business, industry, nonprofit
26 citizen and environmental education organizations the purpose
27 of which is:

28 (i) To assist with the dissemination of existing
29 environmental education materials, program and training
30 opportunities to agencies, organizations, educators and

1 the public.

2 (ii) To provide preservice and nonformal educator
3 programs related to environmental education and support
4 efforts to disseminate materials to meet those needs.

5 (iii) To assist in evaluating the effectiveness of
6 nonformal environmental education programs.

7 (iv) To help to facilitate the active implementation
8 of the environment and ecology standards adopted by the
9 State Board of Education.

10 (v) To promote both Statewide and regional solutions
11 to environmental education needs to maximize the
12 effective use of existing resources.

13 (vi) To work with State agencies in the development
14 of new educational tools where environmental education
15 needs are identified.

16 (2) To inventory, disseminate and generate environmental
17 education-related research, including an environmental
18 readiness assessment of public knowledge, attitudes and
19 behaviors related to environmental concerns and concepts
20 every five years to help determine educational needs.

21 (3) To establish an Internet-based resources network to
22 make environmental information available and to provide
23 training and education opportunities for educators and
24 Pennsylvania's citizenry.

25 (4) To actively seek public and private sources of
26 funding to help support activities by the Pennsylvania Center
27 for Environmental Education and its project partners.

28 (c) Organization.--

29 (1) The Pennsylvania Center for Environmental Education
30 is established within the State System of Higher Education.

1 (2) The State System of Higher Education may, in
2 consultation with the Pennsylvania Center for Environmental
3 Education Board, hire such employees and contract with other
4 entities as it determines to undertake its responsibilities
5 to the extent available funds allow. All staff hiring,
6 firing, staff and program evaluations and fiscal
7 accountability will follow State System of Higher Education
8 procedures and practices.

9 (d) Pennsylvania Center for Environmental Education Board
10 established.--

11 (1) To oversee and assess the operations of the
12 Pennsylvania Center for Environmental Education in performing
13 its duties, a Pennsylvania Center for Environmental Education
14 Board is hereby established. The board shall consist of the
15 following nine representatives:

16 (i) The secretary or his designee from each of the
17 following: the Department of Environmental Protection,
18 the Department of Conservation and Natural Resources and
19 the Department of Education.

20 (ii) Six representatives appointed by the Chancellor
21 of the State System of Higher Education. These
22 representatives shall be chosen from among the business,
23 agricultural, environmental, conservation, basic and
24 higher education communities or from among any community
25 which the appointing authority deems will further the
26 purposes of environmental education in this Commonwealth.
27 Representatives selected shall serve terms of four years.
28 Of the representatives first appointed by the appointing
29 authority, three shall serve for terms of two years and
30 three shall serve for terms of four years.

1 Representatives, upon expiration of their term, shall
2 continue to serve until a successor is appointed.
3 Vacancies shall be filled for the remainder of an
4 unexpired term in the same manner as original
5 appointments.

6 (2) The board shall meet at least semiannually to
7 establish priorities, adopt an annual work plan and annual
8 budget, and review and approve activities of the center, and
9 shall elect a chairperson.

10 (3) Expenses of the board and the operation of the
11 Pennsylvania Center for Environmental Education shall be paid
12 by the State System of Higher Education from funds
13 appropriated by the General Assembly for the Pennsylvania
14 Center for Environmental Education.

15 Section 3. Sections 4, 5, 6, 7 and 8 of the act are amended
16 to read:

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

18 The Department of Education shall have the following powers
19 and duties:

20 (1) To conduct a periodic evaluation of school-based
21 environmental education in this Commonwealth.

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

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

29 (4) To identify the need for the development of new
30 curriculum, preservice and continuing teacher professional

1 development and education programs related to environmental
2 education and to support efforts to develop programs and
3 materials to meet those needs in collaboration with other
4 agencies, environmental organizations or associations.

5 Section 5. Powers and duties of Department of Environmental
6 [Resources] Protection.

7 The Department of Environmental [Resources] Protection shall
8 have the following powers and duties:

9 [(1) To conduct a periodic evaluation of the status of
10 environmental education taking place in the nonformal sector
11 (outside of the classroom) in this Commonwealth.

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

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

19 (4) To provide such grants as the Secretary of
20 Environmental Resources after consultation with the Secretary
21 of Education shall, in his discretion, approve to the
22 following: public and private schools for youth environmental
23 education, conservation and education organizations and
24 institutions for the purposes of providing environmental
25 education training to teachers, county conservation districts
26 and Bureau of State Parks Environmental Education Program.]

27 (1) To provide such grants as the Secretary of
28 Environmental Protection, after consultation with the
29 Secretary of Education, shall, in the Secretary of
30 Environmental Protection's discretion, approve to the

1 following: public and private schools, conservation and
2 education organizations and institutions, businesses and
3 nonprofit organizations and associations, county conservation
4 districts and the Department of Conservation and Natural
5 Resources for the purposes of providing environmental
6 education.

7 [(5)] (2) To prepare a guidance document, in
8 consultation with the Secretary of Education, for
9 administering the grants. [The department shall make the
10 document available for public review and comment by
11 publication in the Pennsylvania Bulletin.]

12 Section 6. Environmental Education Report.

13 The Secretary of Education and the Secretary of Environmental
14 [Resources] Protection, with input from the Advisory Council on
15 Environmental Education and the Pennsylvania Center for
16 Environmental Education Board, shall prepare a [periodic]
17 biennial report to the Governor and the General Assembly
18 outlining environmental education programs and achievements,
19 highlighting new initiatives and recommending future program
20 needs.

21 Section 7. The Advisory Council on Environmental Education.

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

25 (1) Make recommendations to the Secretary of Education,
26 the Secretary of Conservation and Natural Resources and the
27 Secretary of Environmental [Resources] Protection with
28 respect to the use of any funds used to support environmental
29 education activities.

30 (2) Advise and assist the Secretary of Education, the

1 Secretary of Conservation and Natural Resources and the
2 Secretary of Environmental [Resources] Protection in carrying
3 out environmental education activities.

4 (3) Advise and assist the Secretary of Education, the
5 Secretary of Conservation and Natural Resources and the
6 Secretary of Environmental [Resources] Protection in
7 conducting a continual evaluation of the trends and needs in
8 environmental education.

9 (4) Make recommendations to the Secretary of Education,
10 the Secretary of Conservation and Natural Resources [and the
11 Secretary of Environmental Resources], the Secretary of
12 Environmental Protection and the Pennsylvania Center for
13 Environmental Education Board to help foster environmental
14 education programs.

15 (5) Make recommendations to the Secretary of
16 Conservation and Natural Resources and the Secretary of
17 Environmental [Resources] Protection on the distribution of
18 available grant moneys.

19 (b) Composition.--Council membership shall consist of [13]
20 16 members as follows:

21 (1) the Secretary of Education or his designee;

22 (2) the Secretary of Environmental [Resources]
23 Protection or his designee;

24 (2.1) the Secretary of Conservation and Natural
25 Resources or his designee;

26 (3) the Secretary of Agriculture or his designee; and

27 (4) [ten] 12 members appointed as follows:

28 (i) Three members representing Statewide or regional
29 environmental organizations appointed by the Secretary of
30 Environmental [Resources] Protection.

1 (ii) Two members representing Statewide or regional
2 business, industry or landowners' organizations appointed
3 by the Secretary of [Commerce] Community and Economic
4 Development.

5 (iii) Three members representing basic education
6 appointed by the Secretary of Education, one of which is
7 a vocational agricultural teacher appointed by the
8 Secretary of Education.

9 (iv) One member representing higher education
10 appointed by the Chancellor of the State System of Higher
11 Education.

12 (v) One member representing a Statewide or regional
13 general agricultural organization appointed by the
14 Secretary of Agriculture.

15 (vi) Two members representing conservation and
16 natural resource interests appointed by the Secretary of
17 Conservation and Natural Resources.

18 (c) Appointment, terms and expenses.--The [ten] 12 council
19 members shall be appointed for five-year terms. The initial term
20 of four of the council members shall be for one year, the
21 initial term of four members shall be for three years, and the
22 initial term of the remainder shall be for five years. A member
23 may be appointed for more than one term and shall serve until a
24 successor has been appointed. Members shall not be compensated
25 but shall be reimbursed for actual expenses in accordance with
26 the rules of the Executive Board.

27 (d) Officers and bylaws.--The council shall convene at least
28 [biannually] semiannually, shall elect a chairperson and a vice-
29 chairperson to serve a one-year term and shall adopt bylaws for
30 governing its operations.

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

3 Section 8. Environmental Education Fund.

4 [(a) Establishment.--]There is hereby created a special
5 nonlapsing fund in the State Treasury to be known as the
6 Environmental Education Fund. An amount equal to 5% of the
7 moneys collected annually from fines, natural resource damage
8 settlements and penalties deposited in special funds or
9 restricted revenue accounts administered by the Department of
10 Environmental [Resources] Protection shall be deposited in this
11 fund. This annual allocation amount shall be based upon the
12 amounts collected in the previous fiscal year. All moneys placed
13 in the fund and the interest it accrues are hereby appropriated,
14 upon authorization by the Governor, to the Department of
15 Environmental [Resources] Protection and the Department of
16 Conservation and Natural Resources to accomplish the purposes of
17 this act. [Beginning in fiscal year 1992-1993, and each year
18 thereafter, moneys appropriated to the department under this
19 section shall not affect and are in addition to funding for
20 environmental education programs administered by the department
21 and the Department of Education that are in existence prior to
22 passage of this act.

23 (b) Return of certain moneys.--On June 30 of each fiscal
24 year any funds in the Environmental Education Fund in excess of
25 an amount equal to twice the average of expenditures for the
26 three prior fiscal years from the Environmental Education Fund
27 shall be returned to the special funds or restricted revenue
28 accounts from which those funds were originally transferred.]

29 Section 4. The addition of section 3.1 of the act shall
30 expire in seven years.

1 Section 5. This act shall take effect immediately.