
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,
MADIGAN AND WASHINGTON, MARCH 5, 2007

AS REPORTED FROM COMMITTEE ON ENVIRONMENTAL RESOURCES AND
ENERGY, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 6, 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

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

6 Section 2. Declaration of policy.

7 The General Assembly finds and declares as follows:

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

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

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

1 interrelationships and interdependence of natural and human
2 systems, the development of environmental problem solving and
3 management skills and knowledge of and appropriate uses of
4 energy.

5 (4) The Department of Environmental [Resources has a
6 responsibility to help the public understand the
7 environmental laws as well as the roles of individuals,
8 groups, institutions, industry and government in finding
9 solutions to this Commonwealth's environmental problems and
10 the prevention of new problems.] Protection and the
11 Department of Conservation and Natural Resources have
12 responsibility for adult and nonformal environmental
13 education and a support role in basic and higher education.

14 The Department of Environmental Protection shall provide
15 environmental education support to adults, businesses, local
16 officials and farmers, emphasizing environmental stewardship
17 related to environmental laws, pollution reduction and
18 prevention, sustainable energy issues and environmental
19 problem solving.

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

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

29 (7) It is the policy of this Commonwealth that
30 environmental education is critically important to encourage

1 a citizenry which has the ability to help promote a healthy
2 environment and an understanding of the functioning of the
3 natural world and the necessity for environmental protection
4 and sound resource management.]

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

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

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

20 Section 3. Legislative purpose.

21 It is the purpose of this act to:

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

29 (2) encourage the environmental education efforts of
30 other agencies where appropriate, including, but not limited

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

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

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

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

16 Section 3.1. Pennsylvania Center for Environmental Education.

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

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

25 (1) To promote the formation of partnerships with formal
26 and nonformal educators, schools, agencies, public officials,
27 county conservation districts, business, industry, nonprofit
28 citizen and environmental education organizations. The
29 partnership shall:

30 (i) Assist with the dissemination of existing

1 environmental education materials, program and training
2 opportunities to agencies, organizations, educators and
3 the public.

4 (ii) Provide preservice and nonformal educator
5 programs related to environmental education and support
6 efforts to disseminate materials to meet those needs.

7 (iii) Assist in evaluating the effectiveness of
8 nonformal environmental education programs.

9 (iv) Help to facilitate the active implementation of
10 the environment and ecology standards adopted by the
11 State Board of Education.

12 (v) Promote both Statewide and regional solutions to
13 environmental education needs to maximize the effective
14 use of existing resources.

15 (vi) Work with State agencies in the development of
16 new educational tools where environmental education needs
17 are identified.

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

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

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

30 (c) Personnel.--The State System of Higher Education may, in

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

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

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

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

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

30 Representatives, upon expiration of their term, shall

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

5 (III) A REPRESENTATIVE OF THE PENNSYLVANIA ←
6 ASSOCIATION OF CONSERVATION DISTRICTS APPOINTED BY THE
7 SECRETARY OF AGRICULTURE.

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

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

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

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

20 The Department of Education shall have the following powers
21 and duties:

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

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

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

1 (4) To identify the need for the development of new
2 curriculum, preservice and continuing teacher professional
3 development and education programs related to environmental
4 education and to support efforts to develop programs and
5 materials to meet those needs in collaboration with other
6 agencies, environmental organizations or associations.

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

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

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

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

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

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

29 (1) To provide such grants as the Secretary of
30 Environmental Protection, after consultation with the

1 Secretary of Education, shall, in the Secretary of
2 Environmental Protection's discretion, approve to the
3 following: public and private schools, conservation and
4 education organizations and institutions, businesses and
5 nonprofit organizations and associations, county conservation
6 districts and the Department of Conservation and Natural
7 Resources for the purposes of providing environmental
8 education.

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

14 Section 6. Environmental Education Report.

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

23 Section 7. The Advisory Council on Environmental Education.

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

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

1 education activities.

2 (2) Advise and assist the Secretary of Education, the
3 Secretary of Conservation and Natural Resources and the
4 Secretary of Environmental [Resources] Protection in carrying
5 out environmental education activities.

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

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

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

21 (b) Composition.--Council membership shall consist of [13]
22 16 members as follows:

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

24 (2) the Secretary of Environmental [Resources]
25 Protection or his designee;

26 (2.1) the Secretary of Conservation and Natural
27 Resources or his designee;

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

29 (4) [ten] twelve members appointed as follows:

30 (i) Three members representing Statewide or regional

1 environmental organizations appointed by the Secretary of
2 Environmental [Resources] Protection.

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

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

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

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

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

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

29 (d) Officers and bylaws.--The council shall convene at least
30 [biannually] semiannually, shall elect a chairperson and a vice-

1 chairperson to serve a one-year term and shall adopt bylaws for
2 governing its operations.

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

5 Section 8. Environmental Education Fund.

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

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

1 Section 4. The addition of section 3.1 of the act shall
2 expire in seven years.

3 Section 5. This act shall take effect immediately.