

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 279 Session of 2015

INTRODUCED BY HUTCHINSON, SCARNATI, AUMENT, STEFANO, WARD,
WHITE, VOGEL, VULAKOVICH AND BROWNE, JANUARY 16, 2015

SENATOR BROWNE, APPROPRIATIONS, RE-REPORTED AS AMENDED,
FEBRUARY 17, 2015

AN ACT

1 Establishing the Pennsylvania Grade Crude Development Advisory
2 Council; and providing for duties of the Pennsylvania Grade
3 Crude Development Advisory Council and the Department of
4 Environmental Protection and for administrative support.

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 Pennsylvania
9 Grade Crude Development Advisory Council Act.

10 Section 2. Definitions.

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

14 "Council." The Pennsylvania Grade Crude Development Advisory
15 Council.

16 "Department." The Department of Environmental Protection of
17 the Commonwealth.

18 Section 3. Pennsylvania Grade Crude Development Advisory

1 Council.

2 (a) Establishment.--There is established the Pennsylvania
3 Grade Crude Development Advisory Council.

4 (b) Composition.--The council shall consist of the following
5 members:

6 (1) The Secretary of Community and Economic Development
7 or the secretary's designee.

8 (2) The Secretary of Environmental Protection or the
9 secretary's designee.

10 (3) One member of the Senate appointed by the President
11 pro tempore of the Senate.

12 (4) One member of the Senate appointed by the Minority
13 Leader of the Senate.

14 (5) One member of the House of Representatives appointed
15 by the Speaker of the House of Representatives.

16 (6) One member of the House of Representatives appointed
17 by the Minority Leader of the House of Representatives.

18 (7) The following members appointed by the Governor:

19 (i) Two representatives of the Pennsylvania
20 Independent Petroleum Producers.

21 (ii) Two representatives of the Pennsylvania
22 Independent Oil and Gas Association.

23 (iii) Two representatives of the Pennsylvania Grade
24 Crude Oil Coalition.

25 (iv) Two representatives of refineries of
26 Pennsylvania grade crude oil.

27 (v) One representative of a nonprofit corporation,
28 which has the purpose of promoting the history and
29 economic benefits of the conventional oil and gas
30 industry in this Commonwealth.

1 (vi) One representative of academia who is a
2 geologist with an expertise in petroleum geology.

3 (vii) One representative of academia who is a
4 hydrologist.

5 (c) Chairperson.--The council shall elect a chairperson from
6 among its members.

7 (d) Meetings.--The council shall meet upon the call of the
8 chairperson, but not less than semiannually. A simple majority
9 of the members shall constitute a quorum.

10 (e) Terms.--

11 (1) Except as set forth in paragraph (2), the
12 legislative members of the council shall serve two-year terms
13 commencing with the first Tuesday in January of odd-numbered
14 years and may be reappointed upon reelection to office.

15 (2) Of the initial members appointed by the President
16 pro tempore of the Senate, the Minority Leader of the Senate,
17 the Speaker of the House of Representatives and the Minority
18 Leader of the House of Representatives, members shall serve
19 until the first Tuesday in January of the first odd-numbered
20 year after the end of the year during which this section
21 takes effect.

22 (3) Of the initial members appointed by the Governor:

23 (i) Four members shall serve initial terms of one
24 year.

25 (ii) Four members shall serve initial terms of two
26 years.

27 (iii) Three members shall serve initial terms of
28 three years.

29 (4) After the initial terms, individuals appointed by
30 the Governor shall serve for a term of three years.

1 (5) Individuals appointed by the Governor may be
2 appointed to successive terms.

3 (f) Vacancies.--Vacancies shall be filled for the remainder
4 of an unexpired term in the same manner as original
5 appointments. A member, upon expiration of the term, shall
6 continue to hold office until a successor is appointed.

7 (g) Quorum.--A majority of the membership of the council
8 shall constitute a quorum for the transaction of business.
9 Action may be taken on a matter before the council by a majority
10 vote of the full membership of the council.

11 (h) Compensation.--Council members may not receive
12 compensation for their services, but shall be reimbursed for all
13 necessary travel and other reasonable expenses incurred in
14 connection with the performance of their duties as members.

15 Section 4. Duties of council.

16 (a) Duties.--The council shall:

17 (1) Examine and make recommendations regarding existing
18 technical regulations promulgated under 58 Pa.C.S. (relating
19 to oil and gas) and policies implemented by the department
20 that impact the conventional oil and gas industry of this
21 Commonwealth.

22 (2) Explore the development of a regulatory scheme that
23 provides for environmental oversight and enforcement
24 specifically applicable to the conventional oil and gas
25 industry.

26 (3) Promote the long-term viability of the conventional
27 oil and gas industry.

28 (4) Assist the Secretary of Environmental Protection
29 with and provide written comments on new departmental policy
30 that will impact the conventional oil and gas industry of

1 this Commonwealth, including economic consequences.

2 (5) Review and comment on the formulation and drafting
3 of all technical regulations proposed under 58 Pa.C.S.

4 (6) Provide institutional support for the conventional
5 oil and gas industry of this Commonwealth by ensuring
6 effective cooperation and communication among governmental
7 agencies and the academic and research community.

8 (7) Recommend appropriate measures relating to the
9 promotion and development of the conventional oil and gas
10 industry of this Commonwealth.

11 (8) Develop a plan to increase Pennsylvania grade crude
12 oil production in an environmentally responsible way to more
13 adequately supply the refineries which depend on Pennsylvania
14 grade crude oil.

15 (9) Develop a joint working group with the department to
16 explore and develop an environmentally responsible and
17 economically viable production water management option.

18 (10) Perform other duties as necessary or appropriate to
19 effect the intent and purposes of this act.

20 (b) Report.--The council shall annually issue a report of
21 its activities and recommendations under subsection (a) to all
22 of the following:

23 (1) The Governor.

24 (2) The President pro tempore of the Senate.

25 (3) The Minority Leader of the Senate.

26 (4) The chairperson and minority chairperson of the
27 Environmental Resources and Energy Committee of the Senate.

28 (5) The Speaker of the House of Representatives.

29 (6) The Minority Leader of the House of Representatives.

30 (7) The chairperson and minority chairperson of the

1 Environmental Resources and Energy Committee of the House of
2 Representatives.

3 (8) THE SECRETARY OF ENVIRONMENTAL PROTECTION. <--

4 Section 5. Duties of department.

5 The department shall have the following duties:

6 (1) To consult with the council on all policies and
7 technical regulations promulgated under 58 Pa.C.S. (relating
8 to oil and gas).

9 (2) To include any written comments of the council
10 received before the department's submission of a proposed
11 rulemaking package of technical regulations under 58 Pa.C.S.
12 to the Environmental Quality Board, as part of its submission
13 to the Environmental Quality Board.

14 (3) To provide technical assistance required by the
15 council to carry out its duties under this act.

16 Section 6. Administrative support.

17 The Department of Community and Economic Development shall
18 provide administrative support, office space and any other
19 technical assistance required by the council to carry out its
20 duties under this act.

21 Section 7. Effective date.

22 This act shall take effect immediately.