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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1256 Session of  
2017

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INTRODUCED BY ZIMMERMAN, MENTZER, FEE, HICKERNELL, GREINER,  
CUTLER, B. MILLER, GODSHALL, JAMES, IRVIN, MILLARD, WARD,  
DIAMOND, TOPPER, ORTITAY, ROTHMAN, GROVE, RAPP, KEEFER,  
WHEELAND, BLOOM, PICKETT, M. K. KELLER, SAYLOR, HEFFLEY, COX,  
RADER, MALONEY, SCHEMEL AND FRITZ, APRIL 20, 2017

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REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,  
APRIL 20, 2017

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AN ACT

1 Amending the act of May 15, 1945 (P.L.547, No.217), entitled "An  
2 act relating to the conservation of soil, water and related  
3 natural resources and land use practices contributing to soil  
4 wastage and soil erosion; providing for the organization of  
5 the various counties into conservation districts; the  
6 appointment of their officers and employes; and prescribing  
7 their powers and duties; creating the State Conservation  
8 Commission in the Department of Environmental Resources and  
9 fixing its powers and duties relative to the administration  
10 of this act; providing financial and legal assistance to such  
11 conservation districts and the commission; and authorizing  
12 county governing bodies to make appropriations thereto;  
13 providing for disposition and operation of existing  
14 districts; and repealing existing laws," further providing  
15 for Commonwealth agency cooperation.

16 The General Assembly of the Commonwealth of Pennsylvania  
17 hereby enacts as follows:

18 Section 1. Section 11(2) of the act of May 15, 1945  
19 (P.L.547, No.217), known as the Conservation District Law, is  
20 amended to read:

21 Section 11. Commonwealth Agencies to Cooperate.--\* \* \*

22 (2) (a) In accordance with regulations adopted by the

1 Environmental Quality Board, the department may, by agreement,  
2 delegate to a district one or more of its regulatory and  
3 enforcement functions, including, but not limited to, the act of  
4 June 22, 1937 (P.L.1987, No.394), known as "The Clean Streams  
5 Law," and the rules and regulations adopted thereunder; the act  
6 of May 31, 1945 (P.L.1198, No.418), known as the "Surface Mining  
7 Conservation and Reclamation Act;" the act of October 4, 1978  
8 (P.L.851, No.166), known as the "Flood Plain Management Act,"  
9 and the rules and regulations adopted thereunder; the act of  
10 November 26, 1978 (P.L.1375, No.325), known as the "Dam Safety  
11 and Encroachments Act," and the rules and regulations adopted  
12 thereunder; and the act of July 7, 1980 (P.L.380, No.97), known  
13 as the "Solid Waste Management Act," and the rules and  
14 regulations adopted thereunder.

15 (a.1) Notwithstanding subparagraph (a), beginning on the  
16 effective date of this subparagraph, each of the regulatory and  
17 enforcement functions of the department under the following laws  
18 that are conducted by the department on normal agricultural  
19 operations, as defined in the act of June 10, 1982 (P.L.454,  
20 No.133), referred to as the Right-to-Farm Law, shall by  
21 agreement be delegated to the commission:

22 (i) "The Clean Streams Law" and the rules and regulations  
23 adopted thereunder.

24 (ii) The "Flood Plain Management Act" and the rules and  
25 regulations adopted thereunder.

26 (iii) The "Dam Safety and Encroachments Act" and the rules  
27 and regulations adopted thereunder.

28 (iv) The "Solid Waste Management Act" and the rules and  
29 regulations adopted thereunder.

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1 Section 2. This act shall take effect in 60 days.