

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 374 Session of 2019

INTRODUCED BY EVERETT, SOLOMON, PASHINSKI, STURLA, LONGIETTI, MILLARD, INNAMORATO, SAYLOR, DeLUCA, BARRAR, MENTZER, PICKETT, WHEELAND, RAVENSTAHL, SCHLOSSBERG, OTTEN, COMMITTA, KORTZ, GILLEN AND WEBSTER, FEBRUARY 5, 2019

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, JUNE 10, 2019

AN ACT

1 Amending Titles 27 (Environmental Resources) and 75 (Vehicles)
2 of the Pennsylvania Consolidated Statutes, providing for
3 Keystone Tree Fund RESTRICTED ACCOUNT; and, in registration <--
4 of vehicles, providing for contributions to the Keystone Tree
5 Fund RESTRICTED ACCOUNT. <--

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Title 27 of the Pennsylvania Consolidated
9 Statutes is amended by adding a chapter to read:

CHAPTER 66

11 KEYSTONE TREE FUND RESTRICTED ACCOUNT <--

12 Sec.

13 6601. Definitions.

14 6602. Establishment.

15 6603. Sources of revenue.

16 6604. Authorized purposes.

17 6605. Contributions.

18 6606. Statement of policy. <--

1 ~~6607.~~ Report.

2 § 6601. Definitions.

3 The following words and phrases when used in this chapter
4 shall have the meanings given to them in this section unless the
5 context clearly indicates otherwise:

6 "Department." The Department of Conservation and Natural
7 Resources of the Commonwealth.

8 ~~"Fund." The Keystone Tree Fund~~ "RESTRICTED ACCOUNT." THE <--
9 KEYSTONE TREE RESTRICTED ACCOUNT established under section 6602
10 (relating to establishment).

11 § 6602. Establishment.

12 ~~The Keystone Tree Fund is established in the State Treasury.~~ <--
13 ~~The money in the fund~~ RESTRICTED ACCOUNT IS ESTABLISHED AS A <--
14 RESTRICTED ACCOUNT WITHIN THE GENERAL FUND. THE MONEY IN THE
15 RESTRICTED ACCOUNT is appropriated on a continuing basis to the
16 department for the purposes specified in section 6604 (relating
17 to authorized purposes).

18 § 6603. Sources of revenue.

19 ~~The fund~~ RESTRICTED ACCOUNT shall include the following: <--

20 (1) Proceeds paid by the Department of Transportation
21 under 75 Pa.C.S. § 1322 (relating to contributions to
22 Keystone Tree Fund RESTRICTED ACCOUNT). <--

23 (2) Grants, gifts, donations and other payments from a
24 person or governmental entity to the fund RESTRICTED ACCOUNT. <--

25 (3) Money appropriated to the fund RESTRICTED ACCOUNT. <--

26 § 6604. Authorized purposes.

27 ~~The department may expend money from the fund~~ (A) PURPOSES <--
28 AND ALLOCATIONS.--EXCEPT AS PROVIDED UNDER 75 PA.C.S. § 1322 (E)
29 (RELATING TO CONTRIBUTIONS TO KEYSTONE TREE RESTRICTED ACCOUNT),
30 THE DEPARTMENT MAY EXPEND MONEY FROM THE RESTRICTED ACCOUNT for

1 the purposes and in the allocations as follows:

2 (1) A tree vitalize program, 40%.

3 (2) A riparian forest buffer grant program, 60%.

4 (B) PROHIBITIONS.--NO AMOUNT OF MONEY ALLOCATED UNDER <--
5 SUBSECTION (A) MAY BE USED FOR ADMINISTRATIVE COSTS OF THE
6 DEPARTMENT.

7 § 6605. Contributions.

8 The department may solicit and accept gifts, donations,
9 legacies and other money for deposit into the fund RESTRICTED <--
10 ACCOUNT from a person or a government entity on behalf of the
11 Commonwealth.

12 § 6606. Statement of policy. <--

13 The department shall adopt a statement of policy for the
14 maintenance and use the fund within 60 days of the effective
15 date of this section. The statement of policy shall be published
16 as a notice in the Pennsylvania Bulletin but shall not be
17 subject to review under section 205 of the act of July 31, 1968
18 (P.L.769, No.240), referred to as the Commonwealth Documents
19 Law, sections 204(b) and 301(10) of the act of October 15, 1980
20 (P.L.950, No.164), known as the Commonwealth Attorneys Act, or
21 the act of June 25, 1982 (P.L.633, No.181), known as the
22 Regulatory Review Act.

23 § 6607. Report.

24 By July 31, 2019 2020, and each year thereafter, the <--
25 department shall submit to the chairperson and minority
26 chairperson of the Environmental Resources and Energy Committee
27 of the Senate and the chairperson and minority chairperson of
28 the Environmental Resources and Energy Committee of the House of
29 Representatives a report detailing the fund RESTRICTED ACCOUNT <--
30 revenues and expenditures in the prior fiscal year and

1 describing the activities, programs and projects which received
2 money from the ~~fund~~ RESTRICTED ACCOUNT. <--

3 Section 2. Title 75 is amended by adding a section to read:
4 § 1322. Contributions to Keystone Tree ~~Fund~~ RESTRICTED ACCOUNT. <--

5 (a) General rule.--Within one year of the effective date of
6 this section the department shall provide for all of the
7 following:

8 (1) Ability of a person renewing a driver's license or
9 identification card electronically through the department's
10 publicly accessible Internet website to make a contribution
11 of \$3 to the Keystone Tree ~~Fund~~ RESTRICTED ACCOUNT <--
12 established by 27 Pa.C.S. § 6602 (relating to establishment).

13 (2) Ability of a person renewing a vehicle registration
14 electronically through the department's publicly accessible
15 Internet website to make a contribution of \$3 to the Keystone
16 Tree ~~Fund~~ RESTRICTED ACCOUNT. <--

17 (b) Implementation.--

18 (1) A contribution under subsection (a) shall be added,
19 as appropriate, to the regular fee for:

20 (i) A renewal of a driver's license or
21 identification card.

22 (ii) A renewal of a vehicle registration.

23 (2) One contribution under subsection (a) may be made
24 for:

25 (i) Each renewal of a driver's license or
26 identification card.

27 (ii) Each renewal of a vehicle registration.

28 (c) Use.--Contributions under subsection (a) shall be used
29 exclusively for purposes specified in 27 Pa.C.S. § 6604
30 (relating to authorized purposes).

1 ~~(d) Deposits.~~ <--

2 ~~(1) The department shall determine on a monthly basis~~
3 ~~the total amount collected under this section and report the~~
4 ~~amount to the Department of Revenue and the State Treasurer.~~

5 ~~(2) The State Treasurer shall transfer the amount from~~
6 ~~the Motor License Fund to the Keystone Tree Fund.~~

7 (D) DEPOSITS.--THE DEPARTMENT SHALL DETERMINE ON A MONTHLY <--
8 BASIS THE TOTAL AMOUNT COLLECTED UNDER THIS SECTION AND DIRECT
9 THE STATE TREASURER TO TRANSFER THE AMOUNT FROM THE MOTOR
10 LICENSE FUND TO THE KEYSTONE TREE RESTRICTED ACCOUNT BY THE 15TH
11 OF THE FOLLOWING MONTH.

12 (e) Reimbursement.--The Keystone Tree Fund RESTRICTED <--
13 ACCOUNT shall reimburse the Motor License Fund for the actual
14 costs incurred by the department in the administration of this
15 section.

16 Section 3. This act shall take effect in 60 days.