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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1568 Session of  
2019

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INTRODUCED BY COMITTA, QUINN, BARRAR, DERMODY, SAINATO, HILL-  
EVANS, MURT, FREEMAN, SAPPEY, CIRESI, OTTEN, HOWARD,  
McCLINTON, FITZGERALD, HANBIDGE, BRIGGS, SHUSTERMAN, KRUEGER,  
ULLMAN, RAVENSTAHL, RABB, KINSEY, DALEY, SCHWEYER, DeLUCA AND  
DAWKINS, JUNE 7, 2019

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REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY  
PREPAREDNESS, JUNE 7, 2019

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AN ACT

1 Establishing the Pipeline Safety and Communication Board and  
2 providing for its powers and duties; and making a related  
3 repeal.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Pipeline  
8 Safety and Communication Board Act.

9 Section 2. Definitions.

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

13 "Board." The Pipeline Safety and Communication Board  
14 established in section 3(a).

15 "Commonwealth agency." The term includes:

16 (1) The Pennsylvania Public Utility Commission.

- 1 (2) The Department of Environmental Protection.
- 2 (3) The Department of Health.
- 3 (4) The Department of Transportation.
- 4 (5) The Pennsylvania Emergency Management Agency.
- 5 (6) The Office of the State Fire Commissioner.

6 "Pipeline." A pipeline used to transport oil, natural gas or  
7 nongas liquids in this Commonwealth.

8 Section 3. Pipeline Safety and Communication Board.

9 (a) Establishment.--The Pipeline Safety and Communication  
10 Board is established as an independent administrative board and  
11 shall consist of the following members:

- 12 (1) The following State officials:
  - 13 (i) The chairperson of the Pennsylvania Public  
14 Utility Commission.
  - 15 (ii) The Secretary of Environmental Protection.
  - 16 (iii) The Secretary of Health.
  - 17 (iv) The Secretary of Transportation.
  - 18 (v) The Director of the Pennsylvania Emergency  
19 Management Agency.
  - 20 (vi) The State Fire Commissioner.
  - 21 (vii) The President pro tempore of the Senate.
  - 22 (viii) The Majority Leader of the Senate.
  - 23 (ix) The Majority Whip of the Senate.
  - 24 (x) The Minority Leader of the Senate.
  - 25 (xi) The Minority Whip of the Senate.
  - 26 (xii) The Speaker of the House of Representatives.
  - 27 (xiii) The Majority Leader of the House of  
28 Representatives.
  - 29 (xiv) The Majority Whip of the House of  
30 Representatives.

1           (xv) The Minority Leader of the House of  
2           Representatives.

3           (xvi) The Minority Whip of the House of  
4           Representatives.

5           (2) Six members to be appointed by the Governor, who  
6           shall be operators or owners of interstate or intrastate  
7           pipelines located or under construction in this Commonwealth.

8           (b) Designee.--A member of the board under subsection (a)(1)  
9           may appoint a designee who must be an employee of the same  
10          agency as the member to attend meetings.

11          (c) Term of office.--

12           (1) Except as provided under paragraph (2), members  
13           appointed by the Governor shall be appointed to terms of two  
14           years and are eligible for reappointment.

15           (2) The Governor shall make the initial appointments of  
16           members under subsection (a)(2) within 90 days of the  
17           effective date of this paragraph. Initial terms for members  
18           appointed by the Governor shall be divided between one-year  
19           and two-year terms.

20           (3) The Governor may remove an appointed member of the  
21           board for cause upon written notice to the board.

22           (4) A member's nonparticipation in three consecutive  
23           board meetings may be considered cause for removal.

24           (d) Organization.--The board shall elect a chairperson by  
25           majority vote and may adopt any bylaws or procedures it deems  
26           necessary to accomplish its purpose.

27           (e) Meetings.--The board shall meet at least once quarterly  
28           and shall hold other meetings as the board deems necessary. The  
29           board is authorized to establish rules of operation.

30           (f) Quorum.--A majority of the members of the board shall

1 constitute a quorum for the transaction of business, and all  
2 actions of the board shall be by the approval of a majority of  
3 all the members of the board.

4 (g) Compensation.--The members of the board shall serve  
5 without compensation but shall be reimbursed for their actual  
6 and necessary travel and other expenses in connection with  
7 attendance at meetings called by the chairperson.

8 (h) Records.--The board shall keep a record of all  
9 proceedings which shall be open to inspection by the public.

10 Section 4. Powers and duties of board.

11 Subject to section 5, the board shall have the following  
12 powers and duties:

13 (1) To collect and disseminate to the public information  
14 of Commonwealth agencies relative to the planning, siting,  
15 construction, operation, maintenance, management, inspection  
16 and safety of and emergency response procedures for  
17 pipelines.

18 (2) To coordinate communications relating to pipeline  
19 activities with Federal, State and local government agencies  
20 and regulatory authorities, pipeline companies and the  
21 public.

22 Section 5. Access to information and records.

23 (a) Interagency cooperation.--Commonwealth agencies that  
24 have information relating to pipelines shall cooperate in  
25 providing the information, upon request, to the board.

26 (b) Logging of information.--When the board collects  
27 information relating to pipelines from a Commonwealth agency,  
28 the board shall log the information and identify the  
29 Commonwealth agency providing the information.

30 (c) Right-to-Know requests.--If the board receives a request

1 under the act of February 14, 2008 (P.L.6, No.3), known as the  
2 Right-to-Know Law, for information collected by the board from a  
3 Commonwealth agency, the board shall immediately forward the  
4 request to the Commonwealth agency for review and response,  
5 under the Right-to-Know Law, unless otherwise directed by the  
6 Commonwealth agency in writing to the board.

7 Section 6. Repeal.

8 (1) The General Assembly declares that the repeal under  
9 paragraph (2) is necessary to effectuate this act.

10 (2) The act of November 29, 2006 (P.L.1435, No.156),  
11 known as the Public Utility Confidential Security Information  
12 Disclosure Protection Act, is repealed.

13 Section 7. Effective date.

14 This act shall take effect in 60 days.