

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 1020 Session of  
1997

INTRODUCED BY REBER, GEORGE, TIGUE, GRUPPO, D. W. SNYDER, BAKER, FICHTER, FARGO, BELARDI, COY, CALTAGIRONE, SAYLOR, FAIRCHILD, MCGEEHAN, SATHER, LYNCH, RUBLEY, READSHAW, WALKO, HERSHEY, HASAY, B. SMITH, HENNESSEY, HERMAN, CIVERA, ARGALL, BUNT, STABACK, ITKIN, CLYMER, PHILLIPS, STEELMAN, YOUNGBLOOD, FEESE, BOSCOLA, L. I. COHEN, OLASZ, WAUGH, TRELLO, HALUSKA, E. Z. TAYLOR, MELIO, STERN, JOSEPHS, SEMMEL, PISTELLA, SURRA, GLADECK, BENNINGHOFF, RAMOS AND WASHINGTON, MARCH 19, 1997

AS AMENDED ON THIRD CONSIDERATION, IN SENATE,  
NOVEMBER 16, 1998

## AN ACT

1 Providing for the removal of waste illegally deposited on ~~or~~ <—  
 2 ~~adjacent to State forests~~ STATE FOREST AND STATE PARK LANDS <—  
 3 OR ABUTTING LANDS, for the closure of disposal sites, for the  
 4 prevention of unauthorized waste disposal on State ~~forests~~ <—  
 5 FOREST AND STATE PARK LANDS OR ABUTTING LANDS and for grant <—  
 6 programs; and establishing the Forest Lands Beautification  
 7 Restricted Account.

8 The General Assembly of the Commonwealth of Pennsylvania

9 hereby enacts as follows:

10 Section 1. Short title.

11 This act shall be known and may be cited as the Forest Lands  
 12 Beautification Act.

13 Section 2. Legislative findings.

14 The General Assembly finds and declares as follows:

15 (1) State forest lands comprise more than 2.1 million  
 16 acres, owned by the Commonwealth for the benefit of its

1 citizens, which are available for public use and which are  
2 increasingly important to the Commonwealth's travel and  
3 tourism industry.

4 (2) The illegal disposal of household trash, tires, used  
5 appliances and other waste material is a growing problem  
6 which can adversely affect health and safety, degrade  
7 environmental resources and detract from the scenic and  
8 recreational quality of State forest AND STATE PARK lands. <—

9 (3) The Department of Conservation and Natural Resources  
10 does not have the financial and other resources needed to  
11 adequately address the problem of the illegal disposal of  
12 waste on State forest AND STATE PARK lands. <—

13 Section 3. Purpose.

14 It is the purpose of this act:

15 (1) To deter illegal waste disposal practices on State  
16 forest and State park lands and to ensure that waste is  
17 recycled or disposed of properly.

18 (2) To provide for the abatement of illegal waste  
19 disposal sites on State forest and State parks lands and the  
20 threats to public health, safety and the environment which  
21 are associated with such sites.

22 (3) To provide for the removal, recycling or proper  
23 disposal of waste illegally disposed of on State forest and  
24 State ~~parks~~ PARK lands. <—

25 (4) To develop cooperative programs with local  
26 communities for preventing the illegal disposal of waste on  
27 ~~or adjacent to State forests and State parks.~~ STATE FOREST <—  
28 AND STATE PARK LANDS OR ABUTTING LANDS.

29 Section 4. Definitions.

30 The following words and phrases when used in this act shall

1 have the meanings given to them in this section unless the  
2 context clearly indicates otherwise:

3 "ABUTTING LAND." LAND WHICH IS CONTIGUOUS, JOINED AT A <—  
4 BORDER OR BOUNDARY OF STATE FOREST OR STATE PARK LANDS, AND  
5 WHERE NO OTHER LAND INTERVENES.

6 "Commonwealth agency." The Commonwealth and its departments,  
7 boards, commissions and agencies, Commonwealth-owned  
8 universities and any authority now in existence or hereafter  
9 created or organized by the Commonwealth.

10 "Department." The Department of Conservation and Natural  
11 Resources of the Commonwealth.

12 "Local agency." A political subdivision, school district,  
13 conservation district or municipal authority of the  
14 Commonwealth.

15 Section 5. Authority of department.

16 The department is authorized:

17 (1) To collect and remove waste illegally deposited on  
18 ~~or adjacent to~~ State forest and State park lands OR ABUTTING <—  
19 LANDS and to ensure the proper disposal of these materials.

20 (2) To eliminate, in accordance with applicable  
21 statutes, rules and regulations, unauthorized waste disposal  
22 sites which have been created by the illegal disposal of  
23 waste on State forest and State park lands or ~~on adjacent~~ <—  
24 ~~properties~~ ABUTTING LANDS, in cooperation with the owners of <—  
25 those properties, when the conditions on such properties are  
26 likely to affect the State lands.

27 (3) To recycle, whenever practical, materials found in  
28 the course of waste collection and removal.

29 (4) To place waste receptacles in appropriate places on  
30 ~~or adjacent to State forests and State parks and to arrange~~ <—

1 STATE FOREST AND STATE PARK LANDS OR ABUTTING LANDS AND TO <—  
2 ARRANGE for the proper disposal and recycling of their  
3 contents.

4 (5) To enforce laws and regulations which prohibit  
5 unauthorized waste disposal and to cooperate with other  
6 Commonwealth agencies and local agencies to enforce such laws  
7 and regulations.

8 (6) To establish educational programs to increase public  
9 awareness of the problem of unauthorized waste disposal and  
10 to encourage recycling, waste reduction and proper waste  
11 disposal.

12 Section 6. Funds.

13 There is hereby established in the General Fund a restricted  
14 account to be known as the Forest Lands Beautification  
15 Restricted Account. For a period of five years from the  
16 effective date of this act, this account may receive up to  
17 \$1,500,000 annually, upon approval of the Governor, from the  
18 Recycling Fund created by section 706 act of July 28, 1988  
19 (P.L.556, No.101), known as the Municipal Waste Planning,  
20 Recycling and Waste Reduction Act. Moneys in the restricted  
21 account are hereby appropriated to the department to carry out  
22 the purposes of this act.

23 Section 7. Grants and contracts.

24 The department is authorized:

25 (1) To make grants to local agencies and nonprofit  
26 organizations to establish and administer programs to prevent  
27 the unauthorized disposal of waste on ~~or adjacent to~~ State <—  
28 forest and State park lands OR ABUTTING LANDS, to encourage <—  
29 the proper disposal of waste in areas in which such lands are  
30 located, to encourage recycling and reduction of waste in

1 those areas and to increase public awareness of proper waste  
2 disposal methods.

3 (2) To enter into contracts and agreements with  
4 Commonwealth agencies, local agencies, corporations,  
5 partnerships, associations or other organizations to carry  
6 out the purposes of this act.

7 Section 8. Effective date.

8 This act shall take effect immediately.