

No. 1986-173

AN ACT

HB 2099

Amending the act of July 10, 1986 (P.L.1398, No.122), entitled "An act establishing a special fund for moneys received by the Commonwealth from resolution of oil overcharge matters; designating certain low-income energy conservation and assistance programs for funding from this special fund; and making appropriations," further providing for a limited grant program; and making an appropriation to the Department of Environmental Resources.

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

Section 1. The act of July 10, 1986 (P.L.1398, No.122), known as the Energy Conservation and Assistance Act, is amended by adding a section to read:

Section 8.1. Limited grants for resource recovery projects.

(a) General rule.—Pursuant to the programs set forth in section 3(1), there is hereby established within the Department of Environmental Resources a limited grant program as part of the State Energy Conservation Plan to assist municipalities in developing resource recovery projects. Consistent with Federal law and regulations, including those governing State energy conservation plans, and departmental regulations, the program shall provide grants which cover up to 75% of the following:

(1) Costs associated with feasibility studies.

(2) Costs associated with project development activity.

No grant funds shall be used to cover in any manner any construction costs incurred for resource recovery projects.

(b) Funding.—Money for the grant program shall be derived from the appropriation in section 9(c.1).

(c) Duration.—This grant program shall continue until June 30, 1988, at which time the program shall expire, and any unexpended funds shall lapse back to the Energy Conservation and Assistance Fund.

(d) Governor's Energy Council.—In administering this program, the Department of Environmental Resources shall comply with such procedures and restrictions and submit such reports as may be required by the Governor's Energy Council in order to fulfill its federally mandated responsibilities regarding the State Energy Conservation Plan.

Section 2. Section 9(c) and (d) of the act are amended and the section is amended by adding a subsection to read:

Section 9. Appropriations.

* * *

(c) Governor's Energy Council.—

(1) The sum of \$5,000,000, is hereby transferred from the fund to the Pennsylvania Solid Waste - Resource Recovery Development Fund for the fiscal year July 1, 1986, to June 30, 1987, to be used for recycling pro-

grams, solid waste disposal projects, waste-to-energy projects, including agricultural waste-to-energy projects and other projects permissible under State and Federal law.

(2)] The sum of \$5,000,000, or as much thereof as may be necessary, is hereby appropriated to the Governor's Energy Council for the fiscal year July 1, 1986, to June 30, 1987, for the programs set forth in section 7. At least 75% of these funds must be used to fund those programs listed as priorities in section 7(b).

(c.1) Department of Environmental Resources.—The sum of \$5,000,000 is hereby transferred to the Pennsylvania Solid Waste - Resource Recovery Development Fund for the fiscal period July 1, 1986, to June 30, 1988, to be used for grants under section 8.1. This transfer shall be for a two-year period of time ending on June 30, 1988.

(d) Lapse.—[Any] *Except as provided in subsection (c.1), any funds unexpended, uncommitted and unencumbered as of June 30, 1987, shall lapse and shall be available for appropriation from the fund for future fiscal years.*

Section 3. This act shall take effect immediately.

APPROVED—The 12th day of December, A. D. 1986.

DICK THORNBURGH