
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 963 Session of
2023

INTRODUCED BY RABB, KAZEEM, PROBST, HILL-EVANS, SANCHEZ,
ISAACSON, PARKER, MADDEN, KRAJEWSKI, CONKLIN, OTTEN, O'MARA
AND MAYES, APRIL 24, 2023

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
APRIL 24, 2023

AN ACT

1 Establishing the Environmental Justice Policy Center and the
2 Environmental Justice Policy Fund; and making a transfer.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the Environmental
7 Justice Policy Act.

8 Section 2. Findings and declarations.

9 The General Assembly finds and declares that the
10 Environmental Justice Policy Center should be established as an
11 independent, autonomous authority to conduct research, develop
12 and promote recommendations and serve as a clearinghouse for
13 information regarding environmental justice and which functions
14 should be performed collaboratively with communities,
15 organizations and governmental entities across this
16 Commonwealth.

17 Section 3. Definitions.

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

4 "Board." The Environmental Justice Policy Board of Directors
5 established under section 5.

6 "Center." The Environmental Justice Policy Center
7 established under section 4.

8 "Environmental justice." The fair treatment and meaningful
9 involvement of individuals, regardless of age, race, color,
10 national origin, ethnicity, religion, creed, gender, gender
11 identity or expression, sexual orientation, disability,
12 predisposing genetic characteristics, military status, marital
13 status, familial status, income, geographic representation or
14 status as a victim, regarding the development, implementation
15 and enforcement of environmental laws, regulations, policies and
16 practices that achieve climate, environmental, health and
17 economic justice for the residents of this Commonwealth.

18 "Fund." The Environmental Justice Policy Fund established
19 under section 6.

20 Section 4. Center.

21 (a) Establishment.--The Environmental Justice Policy Center
22 is established as a public authority and instrumentality of the
23 Commonwealth.

24 (b) Administration.--

25 (1) The center shall be a body corporate and politic and
26 exercise the powers of the Commonwealth as an agency of the
27 Commonwealth.

28 (2) The center shall be governed by the board, which
29 shall exercise the powers and duties of the center.

30 (c) Powers and duties.--The center shall have the following

1 powers and duties:

2 (1) Establish general policies and promulgate necessary
3 regulations to administer this act.

4 (2) Appoint committees, subcommittees or advisory
5 committees to advise and assist the board, subject to the
6 compensation and expense requirements under section 5(1).

7 (3) Conduct research, develop and promote
8 recommendations and serve as a clearinghouse for information
9 regarding environmental justice. In performing these
10 functions, the center shall work collaboratively with
11 communities, organizations and governmental entities across
12 this Commonwealth to:

13 (i) Develop a Statewide environmental justice agenda
14 to include the following:

15 (A) Environmental justice policy recommendations
16 for State and local governments.

17 (B) Proposed environmental justice legislation.

18 (C) A public-facing dashboard on the center's
19 publicly accessible Internet website for tracking
20 work and impact regarding environmental justice.

21 (D) Political action and advocacy campaigns.

22 (E) Outreach, engagement, education and
23 communications strategies.

24 (ii) Assist in building capacity and participating
25 in the development and implementation of environmental
26 justice measures at the State and local government levels
27 to establish the following:

28 (A) Meaningful and effective public
29 participation in governmental decision making.

30 (B) Healthful outcomes, including the reduction

1 of toxins and greenhouse gases.

2 (C) Economic justice and just transitions.

3 (iii) Coordinate research regarding environmental
4 justice, to:

5 (A) Serve as a clearinghouse and information
6 repository for the collection, preparation and
7 dissemination of information on environmental
8 justice.

9 (B) Collect systematically the data obtained
10 from studies, research and empirical evidence
11 regarding environmental justice.

12 (C) Develop and analyze existing environmental,
13 health and economic data regarding environmental
14 justice and address conditions in communities that
15 have been historically under-resourced and
16 overburdened.

17 (D) Complete research papers and projects about
18 environmental justice, environmental racism and
19 environmental harms.

20 (E) Create a venue for disseminating outside
21 environmental justice policy research and best
22 practices.

23 (F) Publish data and otherwise disseminate
24 information regarding environmental justice.

25 (4) Coordinate efforts to identify and pursue Federal,
26 State and other funding opportunities for programs and
27 services regarding environmental justice.

28 (5) Solicit and raise money from public and private
29 sources for programs and services regarding environmental
30 justice.

1 (6) Accept money on behalf of the Commonwealth from
2 various sources, including Federal money, gifts, grants,
3 donations, legacies from individuals, organizations, public
4 or private corporations and other similar entities.

5 (7) Enter into or make any contract, agreement, lease,
6 understanding or other transaction as may be necessary to
7 conduct the business of the center.

8 (8) Bring and defend legal actions in any court.

9 (9) Establish accounts necessary or desirable to carry
10 out the purposes of this act.

11 (10) Employ staff, including an executive director. The
12 following apply:

13 (i) An individual employed by the center shall be an
14 employee of the Commonwealth.

15 (ii) The center may contract with persons, including
16 legal counsel, consultants, advisors, agents,
17 accountants, auditors, financial experts or service
18 providers, as deemed necessary and at the discretion of
19 the center.

20 (11) Pay or satisfy obligations of the center.

21 (12) Commence any action necessary to protect or enforce
22 a right conferred upon the center by law, contract or
23 otherwise.

24 (13) Perform any other function as may be necessary to
25 carry out the purposes of this act.

26 Section 5. Board.

27 (a) Establishment.--The Environmental Justice Policy Board
28 of Directors is established to exercise the powers and duties of
29 the center.

30 (b) Membership.--The board shall consist of nine members

1 appointed in accordance with this section.

2 (c) Potential appointees.--The following individuals shall
3 recommend three individuals as potential appointees to the
4 board:

5 (1) The Secretary of Agriculture or a designee.

6 (2) The Secretary of Community and Economic Development
7 or a designee.

8 (3) The Secretary of Conservation and Natural Resources
9 or a designee.

10 (4) The Secretary of Labor and Industry or a designee.

11 (5) The State Inspector General or a designee.

12 (6) A representative of the Office of Environmental
13 Justice, appointed by the Secretary of Environmental
14 Protection.

15 (7) A representative of the Office of Health Equity,
16 appointed by the Secretary of Health.

17 (8) A representative of the Bureau of Child and Family
18 Services, appointed by the Secretary of Human Services.

19 (9) A representative of the Pennsylvania Human Relations
20 Commission, appointed by the chair of the Pennsylvania Human
21 Relations Commission.

22 (d) List of potential appointees.--The individuals specified
23 under subsection (c) shall develop a list of all the potential
24 appointees developed under subsection (c) and provide the list
25 to:

26 (1) The President pro tempore of the Senate.

27 (2) The Minority Leader of the Senate.

28 (3) The Speaker of the House of Representatives.

29 (4) The Minority Leader of the House of Representatives.

30 (e) Selection process.--

1 (1) Upon receiving the list of potential appointees
2 under subsection (d), the legislative officers specified
3 under subsection (d) shall:

4 (i) Review the list and denote their preferred
5 choices for appointees.

6 (ii) Choose one appointee from the three potential
7 appointees recommended by each of the nine individuals
8 specified under subsection (c), based on the results of
9 their review and their preferred choices.

10 (2) In the event of a tie vote regarding the selection
11 of an individual as an appointee under paragraph (1)(ii),
12 another vote shall be taken on the selection, with the
13 following individuals making the determination:

14 (i) The legislative leaders under subsection (d).

15 (ii) The chairperson of the Environmental Resources
16 and Energy Committee of the Senate.

17 (iii) The minority chairperson of the Environmental
18 Resources and Energy Committee of the Senate.

19 (iv) The chairperson of the Environmental Resources
20 and Energy Committee of the House of Representatives.

21 (v) The minority chairperson of the Environmental
22 Resources and Energy Committee of the House of
23 Representatives.

24 (f) Terms.--

25 (1) The term of each member of the board shall be three
26 years.

27 (2) At the expiration of a board member's term, the
28 board member may be reappointed for an additional term or a
29 new board member may be appointed for the subsequent term, in
30 the same manner as the original appointment.

1 (3) An individual may not serve for more than three
2 successive terms as a member of the board.

3 (g) Vacancies.--A vacancy on the board shall be filled for
4 the unexpired term in the same manner as the original
5 appointment.

6 (h) Chairperson and vice chairperson.--The members of the
7 board shall annually elect a chairperson and vice chairperson of
8 the board. The vice chairperson shall serve as chairperson in
9 the absence of the chairperson.

10 (i) Quorum.--A majority of the members of the board shall
11 constitute a quorum to conduct business.

12 (j) Transacting business.--Action may only be taken by the
13 board at a meeting upon an affirmative vote of a majority of the
14 members of the board who are present in person at the meeting or
15 who are participating during the meeting through electronic
16 means.

17 (k) Meetings.--

18 (1) Within 90 days of the effective date of this
19 subsection, the board shall hold its initial meeting.

20 (2) The board shall meet at least once quarterly and
21 shall hold other meetings as the board deems necessary.

22 (l) Compensation and expenses.--Members of the board shall
23 not be entitled to compensation for their services as members
24 but shall be entitled to reimbursement for actual and necessary
25 expenses incurred in the discharge of official duties as members
26 of the board.

27 (m) Records.--Meetings of the board shall be subject to the
28 requirements of 65 Pa.C.S. Ch. 7 (relating to open meetings).
29 Section 6. Environmental Justice Policy Fund.

30 (a) Establishment.--The Environmental Justice Policy Fund is

1 established in the State Treasury. Money in the fund shall be
2 used for the purposes specified under this act and providing
3 environmental justice grants in accordance with subsection (b)
4 not to exceed an aggregate amount of \$5,000,000 per budget year.

5 (b) Grant awards.--Environmental justice grants may be
6 awarded by the board in amounts not to exceed \$500,000 to an
7 applicant. The grants shall be used for the following purposes
8 that support and empower communities working on solutions to
9 local environmental and public health issues for low-income,
10 minority, unemployed and underemployed people living in areas
11 affected by environmental contamination or pollution:

12 (1) Assessment, cleanup, revolving loans and
13 environmental job training regarding brownfields.

14 (2) Providing skills to secure full-time, sustainable
15 employment in the environmental field, including assessment
16 and cleanup.

17 (3) Research, investigations, experiments, training,
18 surveys, studies and demonstrations that will advance the
19 restoration of waters by improving water quality through
20 activities that also support community revitalization.

21 (4) Cleanup of damage caused by high-pollutant
22 businesses no longer in use at the specified cite, or
23 economic decline or prevention of economic decline from the
24 closing of a high-pollutant business, including providing
25 skills and training needed to secure full-time, sustainable
26 employment other than that with a high-pollutant business.

27 (5) Implementation of clean diesel technology, including
28 emissions and idle control devices, aerodynamic equipment,
29 engine and vehicle replacements and alternative fuel options.

30 Section 7. Transfers.

1 The sum of \$10,000,000 shall be transferred from the General
2 Fund to the fund. Money in the fund is appropriated on a
3 continuing basis to the center for the purposes specified in
4 this act.

5 Section 8. Reports.

6 (a) Requirement.--The center shall submit an annual report
7 specifying the activities of the center and detailing the
8 following:

9 (1) The budget of the center.

10 (2) Individual projects and activities of the center
11 during the preceding fiscal year.

12 (3) The progress of the center in achieving the goals
13 and objectives under this act.

14 (b) Submittal.--The center shall submit each annual report
15 to the Governor and the General Assembly.

16 (c) Posting.--The center shall post each annual report on
17 its publicly accessible Internet website.

18 Section 9. Audits.

19 The Auditor General shall examine and audit on an annual
20 basis the accounts and books of the center.

21 Section 10. Effective date.

22 This act shall take effect in 60 days.