

PA Environment Digest

An Update On Environmental Issues In PA

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Marcellus Shale Bill Apparently Headed To Formal Conference Committee

After 2 hours of sometimes animated debate and voting on more than half dozen amendments by Senate Democrats, the Senate Wednesday voted 28 to 22 to send [House Bill 1950](#) (Ellis-R-Butler), the Marcellus Shale legislation, back to the House where it sits in the House Rules Committee awaiting an uncertain future.

But the bill is not the same one the House passed. Last week, Senate Republicans gutted the bill in Committee and added the language from [Senate Bill 1100](#) (Scarnati-R-Jefferson) passed earlier by the Senate.

Sen. Scarnati said during the debate the intent is to have the House vote to nonconcur in the Senate amendments and send the bill to a formal conference committee.

Gov. Corbett issued a statement welcoming the movement of the Marcellus bill.

"I thank Sen. Scarnati and his colleagues for their strong leadership on this issue," Corbett said. "This is a significant step forward toward finalizing a strong and sensible Marcellus Shale legislative package."

"While productive discussions are ongoing and continue to resolve the various issues related to Marcellus Shale, today's action reaffirms the strong commitment of the Senate to achieve our common goals of safe and responsible natural gas development in Pennsylvania," Corbett said.

In response to this week's events on Marcellus and other issues, House Majority Leader Mike Turzai (R-Allegheny) was quoted as saying, "Marcellus has never been our issue. School reform has never been our issue. We didn't campaign on it."

In fact, Rep. Turzai's [Week Ahead memo](#) outlining the bills likely to be voted on next week does not include House Bill 1950.

Guess we know where House GOP Leadership stands.

Senate Democrats, lead by Sen. John Yudichak (D-Luzerne), Minority Chair of the Senate Environmental Resources and Energy Committee, offered more than half a dozen

amendments to increase the drilling impact fee, increase bonding levels and setbacks from streams, remove the limits on local government regulation of drilling as a land use, adoption of a moratorium on additional leasing of State Forest lands for drilling and provisions related to the award of attorney's fees related to appeals.

The amendment raising the impact fee caused a significant controversy after the Senate floor vote reached a tie at 25 - 25. Lt. Gov. Cawley, the presiding officer of the Senate, closed voting while one Senator was seeking recognition to change his vote to yes.

Sen. Yudichak also tried to amend the bill with a similar impact fee increases in the Senate Appropriations Committee prior to the floor debate.

The Senate-amended House Bill 1950 is in the House Rules Committee for now awaiting further action next week when the House will be in voting session for two days.

What's A Conference Committee?

This maneuvering simply means difficult negotiations will continue between the Senate and House Republicans and the Governor's Office to come to some sort of compromise on a workable Marcellus Shale drilling fee proposal and a laundry list of environmental protection measures.

A conference committee consists of six members-- three from the House and three from the Senate. Two members from each chamber are from the majority party and one from each chamber from the minority party. Four votes are needed to approve a conference committee report.

If an agreement is approved by the committee, the conference committee report is presented to the Senate and House for an up or down vote. Amendments are not allowed unless the rules of each chamber are suspended by a two-thirds vote.

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