

## No. 1998-125

## AN ACT

## HB 1020

Providing for the removal of waste illegally deposited on State forest and State park lands or abutting lands, for the closure of disposal sites, for the prevention of unauthorized waste disposal on State forest and State park lands or abutting lands and for grant programs; and establishing the Forest Lands Beautification Restricted Account.

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

**Section 1. Short title.**

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

**Section 2. Legislative findings.**

The General Assembly finds and declares as follows:

(1) State forest lands comprise more than 2.1 million acres, owned by the Commonwealth for the benefit of its citizens, which are available for public use and which are increasingly important to the Commonwealth's travel and tourism industry.

(2) The illegal disposal of household trash, tires, used appliances and other waste material is a growing problem which can adversely affect health and safety, degrade environmental resources and detract from the scenic and recreational quality of State forest and State park lands.

(3) The Department of Conservation and Natural Resources does not have the financial and other resources needed to adequately address the problem of the illegal disposal of waste on State forest and State park lands.

**Section 3. Purpose.**

It is the purpose of this act:

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

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

(3) To provide for the removal, recycling or proper disposal of waste illegally disposed of on State forest and State park lands.

(4) To develop cooperative programs with local communities for preventing the illegal disposal of waste on State forest and State park lands or abutting lands.

#### Section 4. Definitions.

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

“Abutting land.” Land which is contiguous, joined at a border or boundary of State forest or State park lands, and where no other land intervenes.

“Commonwealth agency.” The Commonwealth and its departments, boards, commissions and agencies, Commonwealth-owned universities and any authority now in existence or hereafter created or organized by the Commonwealth.

“Department.” The Department of Conservation and Natural Resources of the Commonwealth.

“Local agency.” A political subdivision, school district, conservation district or municipal authority of the Commonwealth.

#### Section 5. Authority of department.

The department is authorized:

(1) To collect and remove waste illegally deposited on State forest and State park lands or abutting lands and to ensure the proper disposal of these materials.

(2) To eliminate, in accordance with applicable statutes, rules and regulations, unauthorized waste disposal sites which have been created by the illegal disposal of waste on State forest and State park lands or abutting lands, in cooperation with the owners of those properties, when the conditions on such properties are likely to affect the State lands.

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

(4) To place waste receptacles in appropriate places on State forest and State park lands or abutting lands and to arrange for the proper disposal and recycling of their contents.

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

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

#### Section 6. Funds.

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

**Section 7. Grants and contracts.**

The department is authorized:

(1) To make grants to local agencies and nonprofit organizations to establish and administer programs to prevent the unauthorized disposal of waste on State forest and State park lands or abutting lands, to encourage the proper disposal of waste in areas in which such lands are located, to encourage recycling and reduction of waste in those areas and to increase public awareness of proper waste disposal methods.

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

**Section 8. Effective date.**

This act shall take effect immediately.

APPROVED—The 3rd day of December, A.D. 1998.

THOMAS J. RIDGE