

No. 1984-222

AN ACT

HB 2470

Establishing the authority of the Department of Environmental Resources to lease the State-owned facility, known as the Chain Dam, located in Palmer Township (near the City of Easton) in Northampton County on the Lehigh River.

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 Chain Dam Hydroelectric Facility Leasing Act.

Section 2. Declaration of policy.

Because the Commonwealth currently is holding an exemption from the Federal Energy Regulatory Commission, which will expire before much broader legislation can be enacted, it is imperative that the Department of Environmental Resources be authorized to lease the hydroelectric facility located at Chain Dam on the Lehigh River.

Section 3. 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:

“Department.” The Department of Environmental Resources.

“Hydroelectric facility.” The hydroelectric facility located at the Chain Dam, located in Northampton County on the Lehigh River.

Section 4. Leasing of hydroelectric facilities by the department.

(a) Authority of department.—The department shall have the power to grant to any person a hydroelectric franchise and any necessary right-of-way or lease for the construction, operation and maintenance of a hydroelectric facility utilizing the lands, water rights or facilities of the Commonwealth at Chain Dam, Lehigh River, Northampton County. Any such grant affecting lands or facilities of the City of Easton shall be subject to the agreement and approval of the City of Easton.

(b) Collections and deposit of charges, royalties, lease payments, etc.—All charges, royalties, lease payments and other revenues collected under the provisions of this section shall be paid into the State Treasury and shall be deposited in a restricted revenue account known as the Hydroelectric Resources Account. Funds deposited in this account shall be used solely for the planning, development, operation, maintenance, repair and restoration of the Chain Dam facility and the reacquisition of that facility following the expiration of the right granted for development and operation of that facility. The deposited funds are hereby appropriated for these purposes.

Section 5. Effective date.

This act shall take effect immediately.

APPROVED—The 19th day of December, A. D. 1984.

DICK THORNBURGH