

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1977 Session of
1991

INTRODUCED BY CARONE, MURPHY, LaGROTTA, STEIGHNER, FARGO,
BELARDI, BROUJOS, VEON, SURRA, GEORGE, TOMLINSON, RICHARDSON,
MELIO, JOSEPHS, TRELLO, DALEY, HARPER AND GIGLIOTTI,
AUGUST 3, 1991

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, AUGUST 3, 1991

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, requiring electric utilities to
3 provide compensation to certain owners of property near high
4 voltage electric transmission lines; and providing for a
5 public health survey of the population near high voltage
6 transmission lines.

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

9 Section 1. Title 66 of the Pennsylvania Consolidated
10 Statutes is amended by adding a chapter to read:

11 CHAPTER 28

12 ELECTRIC UTILITIES

13 Sec.

14 2801. Declaration of policy.

15 2802. Definitions.

16 2803. Tax payments.

17 2804. Property purchase program.

18 2805. Public health survey.

19 2806. Effect on rate base.

1 § 2801. Declaration of policy.

2 The General Assembly finds and declares that it is the policy
3 of this Commonwealth to further regulate electric utilities to
4 protect the health and safety of the citizens of this
5 Commonwealth from the effects of exposure to electric magnetic
6 fields and to provide compensation for property owners along the
7 right-of-way of electric transmission lines for the loss of
8 property value due to the presence of electric transmission
9 lines.

10 § 2802. Definitions.

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

14 "Department." The Department of Health of the Commonwealth.

15 "Electric transmission line." Any electric supply line with
16 a design voltage greater than 100,000 volts.

17 § 2803. Tax payments.

18 (a) General rule.--The owner of an electric transmission
19 line shall pay, during the operational life of the transmission
20 line, the school district and municipal property taxes for
21 individuals whose primary residence is within one-half mile of
22 the electric transmission line right-of-way.

23 (b) Proration of tax payments.--Payments under this section
24 shall be prorated based on the assessed value of property
25 located within one-half mile of the electric transmission line.

26 (c) Definition.--As used in this section, the term "primary
27 residence" means the property in which an individual resides for
28 at least nine months of each year.

29 § 2804. Property purchase program.

30 (a) Program description.--The owner of an electric

1 transmission line shall provide a property purchase program for
2 any landowner, guaranteeing the sale of his property or purchase
3 by the owner of the electric transmission line at property
4 values immediately prior to the time the electric transmission
5 line owner applied for the certificate of public convenience
6 from the commission, plus any subsequent improvements since that
7 date, if the real property and improvements are located within
8 the boundary of the right-of-way of the electric transmission
9 line.

10 (b) Length of program.--The program under subsection (a)
11 shall be in effect for a two-year period, the period to begin on
12 the date of issuance of the commission's certificate of public
13 convenience to the owner or operator of the electric
14 transmission line.

15 § 2805. Public health survey.

16 (a) Survey data.--Prior to the energizing of an electric
17 transmission line, and every three years thereafter, the owner
18 or operator of the electric transmission line shall provide
19 updated information for a public health survey related to
20 cancer, birth defects and such other disease rates as the
21 department may require, for the population within a two-mile
22 radius of the electric transmission line. All data shall be
23 provided to any requesting individual with a full explanation of
24 the results and copies made available to any affected
25 municipality and the department.

26 (b) Role of department.--Any health tests done, other than
27 health tests done in conjunction with subsection (a), shall also
28 be made available to the public, subject to the approval of the
29 department. The department or its designee shall conduct the
30 public health survey required by this section, and the owner of

1 the electric transmission line shall compensate the department
2 for the actual costs of that survey. The department shall retain
3 copies of all records provided to it.

4 § 2806. Effect on rate base.

5 If the energy transmitted by an electric transmission line is
6 derived from excess generating capacity beyond what is needed
7 for use by the customers in the generating area, then the costs
8 of compliance with this chapter shall not be added to the
9 electric transmission line owner's or operator's rate base.

10 Section 2. This act shall take effect immediately.