

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 738

Session of
1975

INTRODUCED BY MESSRS. RENWICK AND HALVERSON, MARCH 17, 1975

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF
REPRESENTATIVES, AS AMENDED, MAY 27, 1975

AN ACT

1 Amending the act of June 22, 1964 (Sp.Sess., P.L.131, No.8),
2 entitled "An act authorizing the creation and liquidation of
3 indebtedness of seventy million dollars for the acquisition
4 of lands for recreation, conservation and historical purposes
5 (Project 70); defining the powers and duties of certain
6 offices, agencies and political subdivisions; providing for
7 the allotment of proceeds hereunder including Commonwealth
8 grants; providing for payment in lieu of taxes; prescribing
9 standards and making appropriations," authorizing the
10 exchange of lands.

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

13 Section 1. Subsection (b) of section 20, act of June 22,
14 1964 (Sp.Sess., P.L.131, No.8), known as the "Project 70 Land
15 Acquisition and Borrowing Act," is amended to read:

16 Section 20. Restrictions on Use or Alienation.--* * *

17 (b) No lands acquired with funds made available under this
18 act shall be disposed of or used for purposes other than those
19 prescribed in this act without the express approval of the
20 General Assembly: Provided, That the Commonwealth or a political
21 subdivision, as the owner of such lands, may issue permits,
22 licenses or leases for the exploration, development, storage and

1 removal of oil, gas or other minerals, or for the installation
2 and use of water, gas, electric, telephone, telegraph, oil or
3 oil products lines, under reasonable regulations prescribed by
4 such owner consistent with the primary use of such lands for
5 "recreation, conservation and historical purposes": And,
6 provided further, That lands acquired with funds made available
7 under this act may be exchanged for other lands if the lands <—
8 acquired are used for the purposes prescribed in this act,
9 SUBJECT TO THE APPROVAL OF THE SECRETARY OF THE DEPARTMENT OF <—
10 COMMUNITY AFFAIRS FOR LANDS ACQUIRED UNDER SECTION 16.4, THE
11 SECRETARY OF THE DEPARTMENT OF ENVIRONMENTAL RESOURCES FOR LANDS
12 ACQUIRED UNDER SECTION 16.1, THE EXECUTIVE DIRECTOR OF THE FISH
13 COMMISSION FOR LANDS ACQUIRED UNDER SECTION 16.3, AND THE
14 EXECUTIVE DIRECTOR OF THE GAME COMMISSION FOR LANDS ACQUIRED
15 UNDER SECTION 16.2. THE ORIGINAL PROJECT 70 LANDS TO BE
16 REPLACED, SHALL BE FREE OF THE RESTRICTIONS ON USE AND
17 ALIENATION PRESCRIBED BY SECTION 20, UPON:

18 (1) WRITTEN APPROVAL OF THE EXCHANGE FROM THE APPROPRIATE
19 STATE AGENCY SECRETARY OR EXECUTIVE DIRECTOR; AND

20 (2) ACQUISITION OF THE REPLACEMENT LAND; AND

21 (3) EXECUTION AND FILING OF A DOCUMENT OF TRANSFER AND
22 RELEASE, CITING SUCH ACQUISITION AND TRANSFER, AND RELEASE OF
23 THE ORIGINAL LAND FROM THE RESTRICTIONS ON USE AND ALIENATION
24 PRESCRIBED BY SECTION 20(B). THE REPLACEMENT LAND SHALL BE
25 RESERVED FOR PERPETUAL PUBLIC PARK, RECREATION, CONSERVATION
26 AND/OR HISTORICAL PURPOSES, AND SAID RESERVATION SHALL BE SO
27 RECORDED IN THE DEED REFERENCING THIS LAND AS REPLACEMENT LAND
28 FOR LANDS ACQUIRED WITH PROJECT 70 FUNDS. THE DOCUMENT OF
29 TRANSFER AND RELEASE IN SUCH CASES SHALL, UPON SUCH EXCHANGE, BE
30 FILED IN THE OFFICE OF THE RECORDER OF DEEDS OF THE COUNTY IN

1 WHICH SAID LANDS ARE LOCATED.

2 * * *

3 Section 2. This act shall take effect immediately.