

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL**No. 738**Session of
1975

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

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
JULY 1, 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 subject to the
8 approval of the Secretary of the Department of Community Affairs
9 for lands acquired under section 16.4, the Secretary of the
10 Department of Environmental Resources for lands acquired under
11 section 16.1, the Executive Director of the Fish Commission for
12 lands acquired under section 16.3, and the Executive Director of ←
13 the Game Commission for lands acquired under section 16.2,
14 PROVIDED THAT EVERY SUCH EXCHANGE BY THE GAME COMMISSION SHALL ←
15 BE CONSUMMATED ONLY IN ACCORDANCE WITH THE PROVISIONS OF SECTION
16 904 OF THE ACT OF JUNE 3, 1937 (P.L.1225, NO.316), KNOWN AS "THE
17 GAME LAW." The original Project 70 lands to be replaced, shall
18 be free of the restrictions on use and alienation prescribed by
19 section 20, upon:

- 20 (1) written approval of the exchange from the appropriate
21 State agency secretary or executive director; and
- 22 (2) acquisition of the replacement land; and
- 23 (3) execution and filing of a document of transfer and
24 release, citing such acquisition and transfer, and release of
25 the original land from the restrictions on use and alienation
26 prescribed by section 20(b). The replacement land shall be
27 reserved for perpetual public park, recreation, conservation
28 and/or historical purposes, and said reservation shall be so
29 recorded in the deed referencing this land as replacement land
30 for lands acquired with Project 70 funds. The document of

1 transfer and release in such cases shall, upon such exchange, be
2 filed in the office of the recorder of deeds of the county in
3 which said lands are located.

4 * * *

5 Section 2. This act shall take effect immediately.