
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2470

Session of
1984

INTRODUCED BY FREEMAN, GRUPPO, RYBAK AND KOWALYSHYN,
SEPTEMBER 18, 1984

AS AMENDED ON SECOND CONSIDERATION, IN SENATE, NOVEMBER 28, 1984

AN ACT

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

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the Chain Dam
9 Hydroelectric Facility Leasing Act.

10 Section 2. Declaration of policy.

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

17 Section 3. Definitions.

18 The following words and phrases when used in this act shall

1 have the meanings given to them in this section unless the
2 context clearly indicates otherwise:

3 "Department." The Department of Environmental Resources.

4 "Hydroelectric facility." The hydroelectric facility located
5 at the Chain Dam, located in Northampton County on the Lehigh
6 River.

7 Section 4. Leasing of hydroelectric facilities by the
8 department.

9 (a) Authority of department.--The department shall have the
10 power to grant to any person, ON THE BASIS OF A COMPETITIVE BID <—
11 OR COMPETITIVE PROPOSAL PROCESS, a hydroelectric franchise and
12 any necessary right-of-way or lease for the construction,
13 operation and maintenance of a hydroelectric facility utilizing
14 the lands, water rights or facilities of the Commonwealth at
15 Chain Dam, Lehigh River, Northampton County. Any such grant
16 affecting lands or facilities of the City of Easton shall be
17 subject to the agreement and approval of the City of Easton. ANY <—
18 ROYALTIES OR LEASE PAYMENTS SHALL BE THE SUBJECT OF THE
19 COMPETITIVE BID OR COMPETITIVE PROPOSAL PROCESS AND ESTABLISHED
20 IN THE FRANCHISE CONTRACT OR AGREEMENT.

21 (b) Collections and deposit of charges, royalties, lease
22 payments, etc.--All charges, royalties, lease payments and other
23 revenues collected under the provisions of this section shall be
24 paid into the State Treasury and shall be deposited in a
25 restricted revenue account known as the Hydroelectric Resources
26 Account. Funds deposited in this account shall be used solely
27 for the planning, development, operation, maintenance, repair
28 and restoration of the Chain Dam facility and the reacquisition
29 of that facility following the expiration of the right granted
30 for development and operation of that facility. The deposited

- 1 funds are hereby appropriated for these purposes.
- 2 Section 5. Effective date.
- 3 This act shall take effect immediately.