

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 801

Session of
1985

INTRODUCED BY COWELL, IRVIS, PISTELLA, TRELLO, GAMBLE, PRESTON,
MICHLOVIC, OLASZ, PETRONE, DeLUCA, ITKIN, MARKOSEK AND
SEVENTY, APRIL 9, 1985

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, APRIL 9, 1985

AN ACT

1 Amending the act of July 28, 1953 (P.L.723, No.230), entitled,
2 as amended, "An act relating to counties of the second class
3 and second class A; amending, revising, consolidating and
4 changing the laws relating thereto," further providing for
5 hydroelectric generating facilities.

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

8 Section 1. Sections 2101-A, 2104-A and 2106-A of the act of
9 July 28, 1953 (P.L.723, No.230), known as the Second Class
10 County Code, added December 7, 1982 (P.L.778, No.224), are
11 amended to read:

12 Section 2101-A. Manufacture and Sale of [Electricity]
13 Electric Power.--Any county of the second class may [manufacture
14 electricity] develop, transmit, utilize or distribute electric
15 power by means of a hydroelectric generating facility owned [or
16 operated by the county], operated and developed as a qualifying
17 cogeneration, low-head hydroelectric generation or a small power
18 production facility pursuant to and in accordance with the
19 Public Utility Regulatory Policies Act of 1978 (Public Law 95-

1 617, 16 U.S.C. §§ 796 and 824 a-3). Any county of the second
2 class owning or operating a hydroelectric generating facility
3 may make contracts for the sale of [electricity] electric power
4 to persons engaged in the business of the manufacture or sale of
5 electricity.

6 Section 2104-A. Construction or Purchase of Hydroelectric
7 Generation Facilities.--Any county of the second class may
8 construct or purchase facilities or real estate for the purpose
9 of [manufacturing electricity] developing, transmitting,
10 utilizing or distributing electric power by hydroelectric
11 generation. Any county of the second class may purchase a
12 hydroelectric generating facility at such price as may be agreed
13 upon by the county and the person, copartnership or a majority
14 of the stockholders of a corporation that owns such facility.

15 Section 2106-A. Authority Compliance.--A county of the
16 second class desiring to construct, or purchase, or operate, or
17 sell a hydroelectric facility, as a municipal body, may
18 authorize an existing authority or establish a new authority to
19 construct, operate, generate or sell the power from the
20 authority's hydroelectric facilities under the laws of the
21 Commonwealth authorizing the creation and jurisdiction of
22 municipal authorities.

23 Section 2. This act shall take effect in 60 days.