
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 188

Session of
1987

INTRODUCED BY SCHEETZ, MORRIS, KUKOVICH, FOSTER, ROBBINS,
CLYMER, SCHULER, DORR, HALUSKA, HERMAN, BELFANTI, GEIST,
D. W. SNYDER, WOGAN, BUNT, JACKSON, BATTISTO, J. TAYLOR,
HERSHEY, BARLEY, MERRY, CARLSON, FARGO, LANGTRY, BOWSER,
JOHNSON, CHADWICK, DISTLER, HONAMAN, MOEHLMANN, FISCHER,
SIRIANNI, E. Z. TAYLOR, BURD, TRUMAN, WOZNIAK, NOYE, PETRONE
AND ITKIN, FEBRUARY 3, 1987

SENATOR TILGHMAN, APPROPRIATIONS, IN SENATE, RE-REPORTED AS
AMENDED, JUNE 29, 1988

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 Executive Department thereof and the administrative
5 departments, boards, commissions, and officers thereof,
6 including the boards of trustees of State Normal Schools, or
7 Teachers Colleges; abolishing, creating, reorganizing or
8 authorizing the reorganization of certain administrative
9 departments, boards, and commissions; defining the powers and
10 duties of the Governor and other executive and administrative
11 officers, and of the several administrative departments,
12 boards, commissions, and officers; fixing the salaries of the
13 Governor, Lieutenant Governor, and certain other executive
14 and administrative officers; providing for the appointment of
15 certain administrative officers, and of all deputies and
16 other assistants and employes in certain departments, boards,
17 and commissions; and prescribing the manner in which the
18 number and compensation of the deputies and all other
19 assistants and employes of certain departments, boards and
20 commissions shall be determined," REQUIRING THE AUDITOR <—
21 GENERAL TO PERIODICALLY AUDIT THE AFFAIRS OF THE PENNSYLVANIA
22 TURNPIKE COMMISSION; further providing for powers and duties
23 of the Department of Agriculture RELATIVE TO THE MANUFACTURE <—
24 AND USE OF ETHYL ALCOHOL AND THE TRANSPORTATION OF POULTRY,
25 AND FOR LEASES OF LANDS AND OFFICES BY NONPROFIT CORPORATIONS
26 TO THE COMMONWEALTH; MAKING AN EDITORIAL CHANGE; PROVIDING

1 FOR THE EXEMPTION FROM TAXES OF THE LEASE UPON THE EASTERN
2 PENNSYLVANIA PSYCHIATRIC INSTITUTE; AUTHORIZING AND DIRECTING
3 THE GENERAL STATE AUTHORITY AND THE DEPARTMENT OF GENERAL
4 SERVICES TO REMOVE ALL RESTRICTIONS OR ENCUMBRANCES ON
5 CERTAIN LAND SITUATE IN PHILADELPHIA; ESTABLISHING THE
6 HARDWOODS COUNCIL AND PROVIDING FOR ITS POWERS AND DUTIES;
7 AUTHORIZING AND DIRECTING THE DEPARTMENT OF GENERAL SERVICES,
8 WITH THE APPROVAL OF THE GOVERNOR AND THE DEPARTMENT OF
9 ENVIRONMENTAL RESOURCES, TO CONVEY CERTAIN EASEMENTS AND
10 PARCELS OF LAND SITUATE IN THE BOROUGH OF NEW HOPE, BUCKS
11 COUNTY, PENNSYLVANIA, TO THE RIVER ROAD DEVELOPMENT
12 CORPORATION, AND TO ACCEPT THE CONVEYANCE TO THE COMMONWEALTH
13 OF CERTAIN PARCELS OF LAND IN THE SAME BOROUGH; AUTHORIZING
14 THE DEPARTMENT OF ENVIRONMENTAL RESOURCES TO ACCEPT THE
15 CONVEYANCE OF AN EASEMENT IN THE SAME BOROUGH; and making a
16 repeal.

17 The General Assembly of the Commonwealth of Pennsylvania
18 hereby enacts as follows:

19 SECTION 1. SECTION 706 OF THE ACT OF APRIL 9, 1929 (P.L.177, <—
20 NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929, IS AMENDED TO
21 READ:

22 SECTION 706. AUDITOR GENERAL.--(A) THE AUDITOR GENERAL
23 SHALL EXERCISE SUCH POWERS AND PERFORM SUCH DUTIES AS MAY NOW OR
24 HEREAFTER BE VESTED IN AND IMPOSED UPON HIM BY THE CONSTITUTION
25 AND THE LAWS OF THIS COMMONWEALTH.

26 (B) IN ADDITION TO ANY OTHER DUTIES IMPOSED BY LAW, THE
27 AUDITOR GENERAL SHALL, ON A QUADRENNIAL BASIS, CONDUCT A
28 FINANCIAL AUDIT AND A COMPLIANCE AUDIT OF THE AFFAIRS AND
29 ACTIVITIES OF THE PENNSYLVANIA TURNPIKE COMMISSION.

30 (C) THE AUDITOR GENERAL SHALL SUBMIT TO THE CHAIRPERSONS OF
31 THE SENATE COMMITTEE ON TRANSPORTATION AND THE HOUSE OF
32 REPRESENTATIVES COMMITTEE ON TRANSPORTATION COPIES OF THE
33 COMPLETED QUADRENNIAL AUDITS OF THE PENNSYLVANIA TURNPIKE
34 COMMISSION.

35 (D) ALL COST INCURRED BY THE AUDITOR GENERAL IN THE
36 PERFORMANCE OF THE QUADRENNIAL AUDITS OF THE PENNSYLVANIA
37 TURNPIKE COMMISSION SHALL BE PAID BY THE PENNSYLVANIA TURNPIKE

1 COMMISSION.

2 Section ~~±~~ 2. The act of ~~April 9, 1929 (P.L.177, No.175),~~ <—
3 ~~known as The Administrative Code of 1929,~~ is amended by adding a <—
4 ~~section~~ SECTIONS to read: <—

5 Section 1712. On-Farm Produced Denatured Ethyl Alcohol.--The
6 Department of Agriculture shall have the power, and its duty
7 shall be:

8 (a) To encourage and promote the manufacture and use of
9 Pennsylvania agricultural product-derived denatured ethyl
10 alcohol;

11 (b) To regulate the manufacture, use and sale of on-farm
12 produced denatured ethyl alcohol;

13 (c) To establish a licensing system for denatured ethyl
14 alcohol on-farm producers and to enforce such system so as to
15 prevent fraud and deception in the licensing process;

16 (d) To collect a fee from denatured ethyl alcohol on-farm
17 producers at a minimum of twenty-five dollars (\$25), with a
18 sliding scale fee schedule based upon volume produced;

19 (e) To make such rules and regulations as shall be deemed
20 necessary for enforcement of the laws of this Commonwealth
21 relating to denatured ethyl alcohol and denatured ethyl alcohol
22 on-farm producers;

23 (f) To provide for the inspection of denatured ethyl alcohol
24 on-farm production facilities in order to ensure compliance with
25 the law;

26 (g) To gather and make available information concerning the
27 supply, demand, prevailing prices and applicable use of
28 denatured ethyl alcohol and its by-products;

29 (h) To secure, in the performance of the duties herein
30 prescribed, the cooperation and assistance of other appropriate

1 agencies.

2 SECTION 1713. LICENSING OF POULTRY DEALERS AND
3 TRANSPORTERS.--(A) AFTER DECEMBER 31 OF THE YEAR IN WHICH THIS
4 SECTION TAKES EFFECT, IT SHALL BE UNLAWFUL FOR ANY PERSON,
5 WHETHER OR NOT CONTRACTED BY ANOTHER PARTY, INCLUDING, BUT NOT
6 LIMITED TO, THE OWNERS OR LESSEES OF EACH CONVEYANCE, TO ENGAGE
7 IN THE BUSINESS OF TRANSPORTATION OF POULTRY INTO, WITHIN OR
8 FROM THIS COMMONWEALTH, UNLESS HE SHALL HOLD A LICENSE ISSUED BY
9 THE DEPARTMENT FOR EACH CONVEYANCE AS PROVIDED IN THIS SECTION.

10 (B) IT SHALL BE UNLAWFUL, AFTER DECEMBER 31 OF THE YEAR IN
11 WHICH THIS SECTION TAKES EFFECT, FOR ANY POULTRY DEALER TO
12 ENGAGE IN BUSINESS TRANSACTIONS WITHIN THIS COMMONWEALTH, UNLESS
13 HE SHALL HOLD A LICENSE ISSUED BY THE DEPARTMENT AS PROVIDED IN
14 THIS SECTION.

15 (C) EVERY PERSON REQUIRED TO HOLD A LICENSE AS PROVIDED FOR
16 IN SUBSECTIONS (A) AND (B) SHALL ANNUALLY, ON OR BEFORE DECEMBER
17 31, FILE AN APPLICATION FOR A LICENSE WITH THE DEPARTMENT. THE
18 APPLICATION SHALL BE ON A FORM FURNISHED BY THE DEPARTMENT AND
19 SHALL CONTAIN ANY INFORMATION AS THE DEPARTMENT MAY REQUIRE.

20 (D) UNLESS THE DEPARTMENT REFUSES THE APPLICATION ON ONE OR
21 MORE GROUNDS AS PROVIDED IN THIS SECTION, IT SHALL ISSUE TO AN
22 APPLICANT, UPON THE PAYMENT OF PROPER FEES, A LICENSE ENTITLING
23 THE APPLICANT TO CONDUCT TRANSPORTATION OF POULTRY OR TO ACT AS
24 A DEALER IN POULTRY UNTIL DECEMBER 31 OF THE YEAR NEXT
25 FOLLOWING. THE FEE FOR EACH LICENSE SHALL BE \$25 FOR EACH
26 DEALER'S LICENSE ISSUED AND \$25 FOR EACH VEHICLE USED FOR
27 PURPOSES OF TRANSPORTING POULTRY.

28 (E) EVERY OWNER OR LESSEE OF A CONVEYANCE USED TO HAUL
29 POULTRY SHALL KEEP A RECORD FOR AT LEAST ONE YEAR OF ALL
30 PREMISES WHERE RECEIPT OR DELIVERY OF POULTRY WAS MADE; THE

1 QUANTITY, TYPE AND SPECIES OF POULTRY RECEIVED OR DELIVERED; THE
2 DATE RECEIVED OR DELIVERED; AND ANY OTHER INFORMATION WHICH THE
3 DEPARTMENT BY REGULATION SHALL REQUIRE.

4 (F) EVERY DEALER OF POULTRY SHALL KEEP A RECORD FOR AT LEAST
5 ONE YEAR OF ALL TRANSACTIONS CONDUCTED, INCLUDING NAME AND
6 ADDRESS OF EACH BUYER AND SELLER; THE QUANTITY AND DESCRIPTION
7 OF GOODS PURCHASED OR SOLD; THE DATE OF EACH TRANSACTION; THE
8 NATURE OR CONDITION OF GOODS TRANSACTED; AND ANY OTHER
9 INFORMATION WHICH THE DEPARTMENT BY REGULATION SHALL REQUIRE.

10 (G) THE DEPARTMENT MAY REFUSE TO GRANT A LICENSE OR MAY
11 SUSPEND OR REVOKE A LICENSE ALREADY GRANTED UNDER THIS SECTION
12 IF IT IS SATISFIED THAT THE APPLICANT OR LICENSEE HAS:

13 (1) FAILED TO MAINTAIN ADEQUATE RECORDS OF POULTRY HAULAGE
14 OR TRANSACTIONS OR OTHER INFORMATION REQUIRED UNDER THIS SECTION
15 OR REGULATIONS ISSUED PURSUANT THERETO.

16 (2) FAILED TO MEET THE MINIMUM STANDARDS OF SANITATION FOR
17 CONVEYANCES AND ACCESSORIES USED FOR TRANSPORTING POULTRY IN
18 ACCORDANCE WITH REGULATIONS ADOPTED BY THE DEPARTMENT.

19 (3) MADE ANY FALSE STATEMENT OR STATEMENTS OR KEPT ANY FALSE
20 RECORDS RELATIVE TO THE DESTINATION, DATES OF VISIT, QUANTITY
21 AND CONDITION OF BIRDS RECEIVED OR DELIVERED, OR ANY OTHER
22 INFORMATION REQUIRED UNDER THIS SECTION OR REGULATIONS OF THE
23 DEPARTMENT.

24 (4) MADE ANY FALSE STATEMENT IN THE APPLICATION FOR OR
25 ATTEMPT TO PROCURE ANY LICENSE PERMITTED TO BE ISSUED UNDER THIS
26 SECTION.

27 (H) (1) WITHIN SIX MONTHS OF THE EFFECTIVE DATE OF THIS
28 SECTION, THE DEPARTMENT SHALL PROMULGATE AND PUBLISH REGULATIONS
29 FOR STANDARDS OF RECORDKEEPING, CLEANLINESS AND OPERATION FOR
30 ALL DEALER PREMISES AND CONVEYANCES USED IN THE TRANSPORTATION

1 OF POULTRY AND FOR ALL CRATES, COOPS, CAGES OR OTHER
2 ACCESSORIES, WHETHER OR NOT CONSTRUCTED OF PERMEABLE MATERIAL,
3 USED ON DEALER PREMISES AND CONVEYANCES FOR POULTRY
4 TRANSPORTATION OR STORAGE.

5 (2) THE DEPARTMENT SHALL CONDUCT PERIODIC INSPECTIONS OF
6 DEALER PREMISES AND CONVEYANCES AND ACCESSORIES USED IN HAULING
7 OR STORING POULTRY AND ASCERTAIN THAT SANITATION REQUIREMENTS
8 ARE BEING FULFILLED.

9 (I) (1) BEFORE THE DEPARTMENT SHALL REFUSE, SUSPEND OR
10 REVOKE ANY LICENSE, IT SHALL CONDUCT A HEARING ON THE MATTER AND
11 SHALL NOTIFY THE APPLICANT OR LICENSEE, IN WRITING, WITHIN FIVE
12 DAYS OF ITS DETERMINATION.

13 (2) HEARINGS UNDER THIS SECTION AND APPEALS FROM DECISIONS
14 OF THE DEPARTMENT SHALL BE CONDUCTED IN THE MANNER PROVIDED IN
15 TITLE 2 OF THE PENNSYLVANIA CONSOLIDATED STATUTES (RELATING TO
16 ADMINISTRATIVE LAW AND PROCEDURE) AND BY THE RULES OF APPELLATE
17 PROCEDURE.

18 (J) ANY OWNER OR LESSEE OF A CONVEYANCE OR ANY POULTRY
19 DEALER WHO VIOLATES THE PROVISIONS OF SUBSECTION (A) OR (B) OR
20 INTERFERES WITH AN AGENT OF THE DEPARTMENT IN THE ENFORCEMENT OF
21 THIS SECTION:

22 (1) FOR A FIRST OFFENSE, COMMITS A SUMMARY OFFENSE AND
23 SHALL, UPON CONVICTION, BE SENTENCED TO PAY A FINE OF NOT LESS
24 THAN \$100 NOR MORE THAN \$300 AND COSTS OF PROSECUTION.

25 (2) FOR A SUBSEQUENT OFFENSE, COMMITS A MISDEMEANOR OF THE
26 THIRD DEGREE AND SHALL, UPON CONVICTION, BE SENTENCED TO PAY A
27 FINE OF NOT LESS THAN \$500 NOR MORE THAN \$2,500 OR TO
28 IMPRISONMENT NOT EXCEEDING ONE YEAR OR BOTH.

29 (K) THE ATTORNEY GENERAL, AT THE REQUEST OF THE DEPARTMENT,
30 MAY, IN THE NAME OF THE COMMONWEALTH, INSTITUTE PROCEEDINGS IN

EQUITY IN THE COMMONWEALTH COURT FOR THE PURPOSE OF ENJOINING
THE CONDUCT OF BUSINESS IN THIS COMMONWEALTH CONTRARY TO THE
PROVISIONS OF THIS SECTION.

(L) THE DEPARTMENT SHALL, IN THE MANNER PROVIDED BY LAW,
PROMULGATE AND ENFORCE THE RULES AND REGULATIONS DEEMED
NECESSARY TO CARRY OUT THIS SECTION.

(M) ALL MONEYS RECEIVED FROM LICENSE FEES AND FINES
COLLECTED UNDER THIS SECTION SHALL BE IMMEDIATELY PAID BY THE
DEPARTMENT INTO THE STATE TREASURY AND CREDITED TO A RESTRICTED
RECEIPTS ACCOUNT, TO BE KNOWN AS THE POULTRY INSPECTION ACCOUNT,
TO BE USED FOR PAYMENT OF COSTS TO ISSUE LICENSES AND PROVIDE
FOR INSPECTIONS PURSUANT TO SECTION 4 THIS SECTION. ALL MONEYS
IN THIS ACCOUNT ARE HEREBY APPROPRIATED TO THE DEPARTMENT ON A
CONTINUING BASIS FOR THIS PURPOSE.

(N) AS USED IN THIS SECTION:

"CONVEYANCE," MEANS ANY AUTOMOBILE, TRUCK, TRAILER, WAGON OR
OTHER VEHICLE USED IN THE TRANSPORTATION OF LIVE POULTRY ON
PUBLIC HIGHWAYS OF THIS COMMONWEALTH. THE TERM SHALL NOT INCLUDE
ANY VEHICLE USED BY A PRODUCER EXCLUSIVELY ON A FARM OR ON
CONTIGUOUS FARMS OPERATED AS PART OF A SINGLE AGRICULTURAL
OPERATION.

"DEALER" OR "POULTRY DEALER," MEANS ANY PERSON ENGAGED IN THE
BUSINESS OF BUYING, RECEIVING, SELLING, EXCHANGING, NEGOTIATING
OR SOLICITING THE SALE, RESALE, EXCHANGE OR TRANSFER OF LIVE
POULTRY. THE TERM DOES NOT INCLUDE ANY POULTRY PRODUCER OR ANY
BUTCHER OR PROCESSOR WHO RECEIVES LIVE POULTRY SOLELY FOR
IMMEDIATE SLAUGHTER.

"DEPARTMENT," MEANS THE DEPARTMENT OF AGRICULTURE OF THE
COMMONWEALTH.

"PERSON," MEANS A NATURAL PERSON, CORPORATION, PARTNERSHIP OR

1 ASSOCIATION.

2 "POULTRY," MEANS ANY CHICKENS, DUCKS, GEESE, TURKEYS,
3 PIGEONS, CHUKARS, GUINEAS, EXOTIC FOWL AND GAME BIRDS RAISED IN
4 CAPTIVITY.

5 "PRODUCER" OR "POULTRY PRODUCER," MEANS ANY PERSON ENGAGED IN
6 THE BUSINESS OF GROWING OR KEEPING POULTRY FOR MARKET. THIS TERM
7 SHALL NOT INCLUDE A PERSON WHO, BY CONTRACT, EMPLOYS ANOTHER
8 PERSON TO EXCLUSIVELY PERFORM THE ACTUAL BREEDING, GROWING OR
9 RAISING ACTIVITIES RELATING TO THE POULTRY, REGARDLESS OF
10 WHETHER OR NOT SUCH EMPLOYER HAS TITLE IN THE POULTRY.

11 "SECRETARY," MEANS THE SECRETARY OF AGRICULTURE OF THE
12 COMMONWEALTH.

13 SECTION 3. SECTION 2402(D) OF THE ACT, AMENDED JUNE 21, 1937
14 (P.L.1865, NO.373), IS AMENDED TO READ:

15 SECTION 2402. GROUNDS, BUILDINGS AND MONUMENTS IN GENERAL.--
16 THE DEPARTMENT OF GENERAL SERVICES SHALL HAVE THE POWER, AND ITS
17 DUTY SHALL BE:

18 * * *

19 (D) TO CONTRACT IN WRITING FOR AND RENT PROPER AND ADEQUATE
20 OFFICES, ROOMS, OR OTHER ACCOMMODATIONS, OUTSIDE OF THE CAPITOL
21 BUILDINGS, FOR ANY DEPARTMENT, BOARD, OR COMMISSION, WHICH
22 CANNOT BE PROPERLY AND ADEQUATELY ACCOMMODATED WITH OFFICES,
23 ROOMS, AND ACCOMMODATIONS IN THE CAPITOL BUILDINGS; AND, IN ALL
24 CASES IN WHICH THE HEAD OF A DEPARTMENT, FOR SUCH DEPARTMENT OR
25 FOR A DEPARTMENTAL ADMINISTRATIVE BOARD OR COMMISSION WITHIN
26 SUCH DEPARTMENT, OR AN INDEPENDENT ADMINISTRATIVE BOARD OR
27 COMMISSION, WITH THE APPROVAL OF THE EXECUTIVE BOARD, HAS
28 ESTABLISHED OR IS ABOUT TO ESTABLISH A BRANCH OFFICE IN ANY CITY
29 OR PLACE OUTSIDE OF THE CAPITAL CITY, WITH THE APPROVAL OF THE
30 BOARD OF COMMISSIONERS OF PUBLIC GROUNDS AND BUILDINGS, TO

1 CONTRACT IN WRITING FOR AND RENT SUCH OFFICES, ROOMS, AND OTHER
2 ACCOMMODATIONS, AS SHALL BE PROPER AND ADEQUATE FOR SUCH
3 DEPARTMENT, BOARD, OR COMMISSION. THE DEPARTMENT SHALL RENT SUCH
4 GARAGES OR CONTRACT FOR SUCH GARAGE SPACE AS MAY BE NECESSARY
5 FOR THE ACCOMMODATION OF STATE-OWNED AUTOMOBILES, EITHER IN OR
6 OUTSIDE OF THE CAPITAL CITY, AT SUCH RENTALS OR RATES AS IT
7 SHALL DEEM REASONABLE. THE DEPARTMENT MAY ALSO, IF THE GENERAL
8 ASSEMBLY SHALL HAVE APPROPRIATED FUNDS THEREFOR, LEASE ANY LANDS
9 WHICH MAY BE NECESSARY FOR USE BY ANY DEPARTMENT, BOARD, OR
10 COMMISSION IN THE EXERCISE OF ITS POWERS OR THE PERFORMANCE OF
11 ITS DUTIES. IT SHALL BE UNLAWFUL FOR ANY OTHER DEPARTMENT,
12 BOARD, COMMISSION, OR AGENCY OF THE STATE GOVERNMENT TO ENTER
13 INTO ANY LEASES, BUT THE DEPARTMENT OF [PROPERTY AND SUPPLIES]
14 GENERAL SERVICES SHALL ACT ONLY AS AGENT IN EXECUTING LEASES FOR
15 DEPARTMENTS, BOARDS, AND COMMISSIONS, THE EXPENSES OF WHICH ARE
16 PAID WHOLLY OR MAINLY OUT OF SPECIAL FUNDS, AND, IN SUCH CASES,
17 THE RENTALS SHALL BE PAID OUT OF SUCH SPECIAL FUNDS. ANY
18 NONPROFIT CORPORATION WHICH LEASES LANDS, OFFICES OR
19 ACCOMMODATIONS TO THE COMMONWEALTH FOR ANY DEPARTMENT, BOARD,
20 COMMISSION OR AGENCY SHALL BE DEEMED AN AGENCY AS DEFINED BY THE
21 ACT OF JULY 3, 1986 (P.L.388, NO.84), KNOWN AS THE "SUNSHINE
22 ACT," AND THE ACT OF JUNE 21, 1957 (P.L.390, NO.212), REFERRED
23 TO AS THE RIGHT-TO-KNOW LAW, AND ANY SUCH NONPROFIT CORPORATION
24 SHALL BE SUBJECT TO AND GOVERNED BY THE PROVISIONS OF THE
25 "SUNSHINE ACT" AND THE RIGHT-TO-KNOW LAW.

26 * * *

27 SECTION 4. THE ACT IS AMENDED BY ADDING SECTIONS AND AN
28 ARTICLE TO READ:

29 SECTION 2418.1. EXEMPTION FROM TAXATION.--THE LEASE
30 AUTHORIZED BY SECTION 2418 SHALL BE EXEMPT FROM TAXES, IMPOSTS

1 OR OTHER FEES AND COSTS TO THE EXTENT THAT SUCH TAXES, IMPOSTS
2 OR FEES AND COSTS ARE IMPOSED BY A TAXING AUTHORITY.

3 SECTION 2419. RETIREMENT OF CERTAIN DEBT.--(A) THE GENERAL
4 STATE AUTHORITY SHALL RETIRE, AS SOON AS THE GOVERNOR'S BUDGET
5 OFFICE CERTIFIES THAT FUNDS TO DO SO ARE AVAILABLE FROM THE
6 COMMONWEALTH'S APPROPRIATION FOR DEBT SERVICE IN THE GENERAL
7 FUND BUDGET, THE EXISTING PRINCIPAL DEBT OUTSTANDING ON GENERAL
8 STATE AUTHORITY BONDS WHICH FUNDED CERTAIN FORMER COMMONWEALTH
9 PROJECTS ON PROPERTY DESCRIBED IN SUBSECTION (C).

10 (B) THE PAYMENT DIRECTED IN SUBSECTION (A) SHALL BE DEEMED
11 TO SATISFY THE RESTRICTION CONTAINED IN SECTION 6 OF THE ACT OF
12 DECEMBER 22, 1975 (P.L.606, NO.175), ENTITLED "AN ACT
13 AUTHORIZING AND DIRECTING THE DEPARTMENT OF GENERAL SERVICES, OR
14 SUCH DEPARTMENT AND THE GENERAL STATE AUTHORITY, TO CONVEY TO
15 PHILADELPHIA OR TRANSFER JURISDICTION WITHIN THE STATE
16 GOVERNMENT OF CERTAIN TRACTS OF COMMONWEALTH REAL PROPERTY
17 ACQUIRED UNDER THE ACT OF SEPTEMBER 29, 1938 (SP. SESS., P.L.53,
18 NO.21), ENTITLED, AS AMENDED, 'AN ACT RELATING TO INSTITUTIONS
19 OF COUNTIES, CITIES, WARDS, BOROUGHs, TOWNSHIPS, INSTITUTION
20 DISTRICTS AND OTHER POLITICAL SUBDIVISIONS, FOR THE CARE,
21 MAINTENANCE, AND TREATMENT OF MENTAL PATIENTS; PROVIDING FOR THE
22 TRANSFER TO THE COMMONWEALTH FOR THE CARE, MAINTENANCE AND
23 TREATMENT OF MENTAL PATIENTS OF SUCH INSTITUTIONS, AND ALL
24 GROUNDs, LANDs, BUILDINGs AND PERSONAL PROPERTY OF SUCH
25 POLITICAL SUBDIVISIONS USED FOR THE CARE AND MAINTENANCE OF
26 INDIGENT PERSONS CONNECTED WITH SUCH MENTAL INSTITUTIONS;
27 PROVIDING FOR THE MANAGEMENT AND OPERATION OR CLOSING AND
28 ABANDONMENT THEREOF; AND THE MAINTENANCE OF MENTAL PATIENTS
29 THEREIN; INCLUDING THE COLLECTION OF MAINTENANCE IN CERTAIN
30 CASES; PROVIDING FOR THE RETRANSFER OF CERTAIN PROPERTY TO

1 COUNTIES, CITIES, WARDS, BOROUGHs, TOWNSHIPS, INSTITUTION
2 DISTRICTS AND OTHER POLITICAL SUBDIVISIONS UNDER CERTAIN
3 CIRCUMSTANCES; CONFERRING AND IMPOSING UPON THE GOVERNOR, THE
4 DEPARTMENT OF WELFARE, THE COURTS OF COMMON PLEAS AND COUNTIES,
5 CITIES, WARDS, BOROUGHs, TOWNSHIPS, INSTITUTION DISTRICTS AND
6 OTHER POLITICAL SUBDIVISIONS CERTAIN POWERS AND DUTIES;
7 PROHIBITING CITIES, COUNTIES, WARDS, BOROUGHs, TOWNSHIPS,
8 INSTITUTION DISTRICTS AND OTHER POLITICAL SUBDIVISIONS FROM
9 MAINTAINING AND OPERATING INSTITUTIONS, IN WHOLE OR IN PART, FOR
10 THE CARE AND TREATMENT OF MENTAL PATIENTS; AND REPEALING
11 INCONSISTENT LAWS, ' IMPOSING POWERS AND DUTIES ON THE DEPARTMENT
12 OF ENVIRONMENTAL RESOURCES IN CONNECTION WITH ONE SUCH TRACT,
13 AND PROVIDING FOR USE OF LAND CONVEYED TO THE CITY OF
14 PHILADELPHIA."

15 (C) THE DEPARTMENT OF GENERAL SERVICES AND THE GENERAL STATE
16 AUTHORITY SHALL CONVEY TO THE CITY OF PHILADELPHIA ANY REMAINING
17 INTEREST THE COMMONWEALTH MAY HAVE IN THE PROPERTY CONVEYED BY
18 THE COMMONWEALTH OF PENNSYLVANIA, THROUGH THE DEPARTMENT OF
19 GENERAL SERVICES, TO THE CITY OF PHILADELPHIA BY DEED DATED
20 NOVEMBER 15, 1983, RECORDED IN THE OFFICE OF THE RECORDER OF
21 DEEDS OF PHILADELPHIA AT DEED BOOK ALO VOL. 120, PAGE 405, WHICH
22 CONVEYANCE WAS SUBJECT TO THE RESTRICTION REFERENCED IN
23 SUBSECTION (B).

24 (D) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE
25 COMMONWEALTH WILL FUND THE DEMOLITION OF ABANDONED BUILDINGS
26 FORMERLY ERECTED AND MAINTAINED BY THE COMMONWEALTH, WHICH
27 BUILDINGS ARE LOCATED ON THE PROPERTY DESCRIBED IN THIS SECTION,
28 THROUGH EXISTING COMMONWEALTH GRANT PROGRAMS.

29 ARTICLE XXVIII-D
30 HARDWOODS COUNCIL

1 SECTION 2801-D. DECLARATION OF POLICY.--THE GENERAL ASSEMBLY
2 FINDS AND DECLARES AS FOLLOWS:

3 (1) THE HARDWOOD FOREST INDUSTRY PLAYS A KEY ROLE IN THE
4 CONTINUING ECONOMIC REVITALIZATION OF THIS COMMONWEALTH.

5 (2) FIFTY-FIVE PERCENT OF THE LAND IN THIS COMMONWEALTH IS
6 CLASSIFIED AS COMMERCIAL FOREST LAND. THIS REPRESENTS
7 APPROXIMATELY 16,000,000 ACRES OF TIMBER RESOURCES, WHICH ARE
8 CAPABLE OF PROVIDING ESSENTIAL RAW MATERIALS FOR AN ECONOMICALLY
9 SOUND AND EXPANDING FOREST INDUSTRY.

10 (3) THIS COMMONWEALTH IS UNIQUELY ENDOWED WITH AN ABUNDANCE
11 OF TIMBER RESOURCES. THIS HERITAGE, UTILIZING PROPER MULTIUSE
12 MANAGEMENT BY PROFESSIONAL FORESTERS AND PRIVATE INTERESTS, WILL
13 PROVIDE A VITAL SOURCE OF RAW MATERIALS AND JOBS FOR PRESENT AND
14 FUTURE GENERATIONS. HOWEVER, THE COMMONWEALTH HAS NOT MADE THE
15 MOST OF THIS UNIQUE OPPORTUNITY. MOST OF THE MARKETABLE
16 HARDWOODS ARE BEING SHIPPED OUTSIDE THIS COMMONWEALTH AND OUT OF
17 THE COUNTRY, WHERE THEY ARE TRANSFORMED INTO VALUE-ADDED
18 HARDWOOD PRODUCTS, INSTEAD OF BEING PROCESSED IN THIS
19 COMMONWEALTH.

20 (4) THE COMMONWEALTH, IN AN EFFORT TO PROMOTE ECONOMIC
21 DEVELOPMENT, SHOULD TAKE THE INITIATIVE BY ENCOURAGING THE
22 HARDWOOD INDUSTRY TO FURTHER DEVELOP THE SECONDARY MANUFACTURING
23 PROCESS OF HARDWOOD. THIS WILL MAKE FULL USE OF THE VALUABLE AND
24 RENEWABLE TIMBER RESOURCE AND CREATE VITAL JOBS.

25 (5) IT IS THE POLICY OF THE COMMONWEALTH TO ESTABLISH THE
26 COUNCIL FOR THE PURPOSE OF EXPANDING AND PROMOTING THE
27 DEVELOPMENT AND EFFICIENT USAGE OF HARDWOOD TIMBER RESOURCES
28 LOCATED IN THIS COMMONWEALTH.

29 SECTION 2802-D. DEFINITIONS.--THE FOLLOWING WORDS AND
30 PHRASES WHEN USED IN THIS ARTICLE SHALL HAVE THE MEANINGS GIVEN

TO THEM IN THIS SECTION UNLESS THE CONTEXT CLEARLY INDICATES
OTHERWISE:

"COUNCIL" MEANS THE HARDWOODS COUNCIL OF THE COMMONWEALTH
ESTABLISHED UNDER SECTION 2803-D.

"DEPARTMENT" MEANS THE DEPARTMENT OF COMMERCE OF THE
COMMONWEALTH.

SECTION 2803-D. COUNCIL.--(A) THE HARDWOODS COUNCIL IS
ESTABLISHED WITHIN THE DEPARTMENT. THE COUNCIL SHALL BE COMPOSED
OF TWENTY-ONE MEMBERS:

(1) FOUR MEMBERS:

(I) THE SECRETARY OF AGRICULTURE.

(II) THE SECRETARY OF COMMERCE.

(III) THE SECRETARY OF ENVIRONMENTAL RESOURCES.

(IV) THE STATE FORESTER.

(2) FOUR LEGISLATIVE MEMBERS:

(I) TWO SENATORS, ONE APPOINTED BY THE PRESIDENT PRO TEMPORE
OF THE SENATE AND ONE APPOINTED BY THE MINORITY LEADER OF THE
SENATE.

(II) TWO REPRESENTATIVES, ONE APPOINTED BY THE SPEAKER OF
THE HOUSE OF REPRESENTATIVES AND ONE APPOINTED BY THE MINORITY
LEADER OF THE HOUSE OF REPRESENTATIVES.

(3) THIRTEEN PUBLIC MEMBERS APPOINTED BY THE GOVERNOR:

(I) ONE REPRESENTATIVE OF AN AGRICULTURAL COLLEGE FROM A
STATE-RELATED UNIVERSITY.

(II) ONE REPRESENTATIVE OF THE FOREST SERVICE OF THE FEDERAL
DEPARTMENT OF AGRICULTURE.

(III) ONE REPRESENTATIVE OF FURNITURE MANUFACTURERS.

(IV) ONE REPRESENTATIVE OF VENEER MANUFACTURERS

(V) TWO REPRESENTATIVES OF HARDWOOD PROCESSORS.

(VI) TWO REPRESENTATIVES OF NONPROFIT CORPORATIONS WHICH

1 HAVE THE PURPOSE TO PROMOTE AND ENHANCE THE HARDWOOD INDUSTRY IN
2 THIS COMMONWEALTH.

3 (VII) ONE REPRESENTATIVE OF THE PENNSYLVANIA CHAMBER OF
4 BUSINESS AND INDUSTRY.

5 (VIII) ONE REPRESENTATIVE OF THE PENNSYLVANIA FORESTRY
6 ASSOCIATION.

7 (IX) ONE REPRESENTATIVE OF THE PENNSYLVANIA HARDWOOD LUMBER
8 MANUFACTURING ASSOCIATION.

9 (X) ONE REPRESENTATIVE OF PULP AND PAPER MANUFACTURERS.

10 (XI) ONE REPRESENTATIVE OF THE SAW MILL OPERATORS

11 (B) (1) MEMBERS UNDER SUBSECTION (A)(1) SHALL SERVE AS LONG
12 AS THEY ARE IN OFFICE.

13 (2) LEGISLATIVE MEMBERS UNDER SUBSECTION (A)(2) SHALL SERVE
14 TERMS OF TWO YEARS.

15 (3) PUBLIC MEMBERS UNDER SUBSECTION (A)(3) SHALL SERVE THE
16 FOLLOWING TERMS:

17 (I) PUBLIC MEMBERS UNDER SUBSECTION (A)(3)(VI) THROUGH (IX)
18 SHALL SERVE TERMS OF TWO YEARS.

19 (II) PUBLIC MEMBERS UNDER SUBSECTION (A)(3)(III) THROUGH
20 (V), (X) AND (XI) SHALL SERVE TERMS OF THREE YEARS.

21 (III) PUBLIC MEMBERS UNDER SUBSECTION (A)(3)(I) AND (II)
22 SHALL SERVE TERMS OF FOUR YEARS.

23 (C) MEMBERS UNDER SUBSECTION (A)(1) AND LEGISLATIVE MEMBERS
24 UNDER SUBSECTION (A)(2) MAY APPOINT DESIGNEES TO SERVE ON THE
25 COUNCIL.

26 (D) VACANCIES IN OFFICE SHALL BE FILLED BY THE APPOINTING
27 AUTHORITY WHO MADE THE ORIGINAL APPOINTMENT.

28 (E) THE COUNCIL SHALL ELECT ONE OF ITS MEMBERS TO BE
29 CHAIRPERSON AND MAY ELECT OTHER OFFICERS AS IT DEEMS NECESSARY.

30 (F) THE COUNCIL SHALL MEET QUARTERLY AND SHALL HOLD SPECIAL

1 MEETINGS AT THE CALL OF THE CHAIRPERSON. ELEVEN MEMBERS
2 CONSTITUTE A QUORUM.

3 (G) MEMBERS OF THE COUNCIL SHALL SERVE WITHOUT COMPENSATION.
4 THEY SHALL BE ENTITLED TO REIMBURSEMENT FOR NECESSARY AND
5 REASONABLE EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES.

6 SECTION 2804-D. FUNCTIONS AND OBJECTIVES.--THE COUNCIL SHALL
7 BE RESPONSIBLE FOR THE DEVELOPMENT, EXPANSION AND PROMOTION OF
8 THE HARDWOOD INDUSTRY IN THIS COMMONWEALTH. THE COUNCIL SHALL
9 SEEK TO MEET THE FOLLOWING OBJECTIVES:

10 (1) TO EXPAND THE HARDWOOD INDUSTRIAL JOB BASE IN THIS
11 COMMONWEALTH. THIS CLAUSE INCLUDES EXPANSION OF EXISTING
12 HARDWOOD JOBS AND RECRUITMENT OF COMPLEMENTARY NEW HARDWOOD
13 MANUFACTURING PROCESS COMPANIES. THE OBJECTIVE STATED IN THIS
14 CLAUSE SHALL LEAD TO RETENTION, EXPANSION AND CREATION OF JOBS,
15 AND THE FOSTERING OF CAPITAL INVESTMENTS IN THE HARDWOOD
16 INDUSTRY IN THIS COMMONWEALTH.

17 (2) TO PROMOTE BETTER EFFICIENCIES OF THE EXISTING HARDWOOD
18 INDUSTRIES TO INCLUDE TECHNOLOGY TRANSFER AND INVESTMENT IN
19 EQUIPMENT NECESSARY TO ENHANCE THE HARDWOOD INDUSTRY.

20 (3) TO PROMOTE BASIC AND LONG-TERM RESEARCH IN WOOD
21 CHARACTERISTICS AND NEW PRODUCT DEVELOPMENT. THIS SHALL INCLUDE
22 RESEARCH AIMED AT ALL SPECIES AND GRADES OF WOODS, INCLUDING
23 THOSE SPECIES THAT ARE UNDERUTILIZED.

24 (4) TO PROVIDE INSTITUTIONAL SUPPORT FOR THE HARDWOOD
25 INDUSTRY OF THIS COMMONWEALTH BY INSURING EFFECTIVE COOPERATION
26 AND COMMUNICATION AMONG GOVERNMENTAL AGENCIES, THE ACADEMIC AND
27 RESEARCH COMMUNITY AND THE HARDWOOD INDUSTRY. THIS CLAUSE
28 INCLUDES INTERNATIONAL ACTIVITY.

29 (5) TO ESTABLISH INFORMATION TRANSFER THROUGH A COMMON DATA
30 BASE AND KNOWLEDGEABLE PERSONNEL TO FURTHER DEVELOP AND ENHANCE

1 THE HARDWOOD INDUSTRY.

2 (6) TO ENCOURAGE LONG-RANGE HARDWOOD DEVELOPMENT IN WAYS
3 WHICH ARE SUSTAINABLE AND ENVIRONMENTALLY SOUND. THIS CLAUSE
4 INCLUDES EDUCATIONAL PROGRAMS PROVIDING KNOWLEDGE IN THE AREA OF
5 FOREST MANAGEMENT AND MARKETING METHODS AND EFFECTIVE PLANNING
6 AND DEVELOPMENT TO PRESERVE TIMBER, A RENEWABLE RESOURCE, FOR
7 MULTIUSE IN A DIVERSIFIED REGIONAL ECONOMY.

8 SECTION 2805-D. POWERS AND DUTIES OF COUNCIL.--THE COUNCIL
9 HAS THE FOLLOWING POWERS AND DUTIES:

10 (1) TO UNDERTAKE AND IMPLEMENT APPROPRIATE MEASURES RELATING
11 TO THE PROMOTION OF THE INDUSTRIAL POTENTIAL OF THE HARDWOOD
12 INDUSTRY IN THIS COMMONWEALTH.

13 (2) TO CREATE PLANS FOR ECONOMIC DEVELOPMENT AND EXPANSION
14 OF THE COMMONWEALTH'S HARDWOOD INDUSTRY.

15 (3) TO DEVELOP A NATIONAL AND INTERNATIONAL MARKETING
16 PROGRAM TO PROMOTE PENNSYLVANIA HARDWOODS AS THE WORLD'S FINEST
17 AND TO ASSIST PENNSYLVANIA'S HARDWOOD MANUFACTURERS AND
18 PROCESSORS IN DEVELOPING NATIONAL AND FOREIGN MARKETS.

19 (4) TO ENCOURAGE COOPERATION AND COORDINATION AMONG FEDERAL,
20 STATE AND LOCAL PROGRAMS. THIS CLAUSE INCLUDES PUBLIC-SECTOR AND
21 PRIVATE-SECTOR PROGRAMS. THIS CLAUSE INCLUDES ACCESS TO THE DATA
22 OF ADMINISTRATIVE AGENCIES UNLESS THE ACCESS IS PROHIBITED BY
23 LAW.

24 (5) TO RECOMMEND TO THE GOVERNOR AND THE GENERAL ASSEMBLY
25 STRUCTURAL CHANGES AND THE UPDATING OF ECONOMIC DELIVERY TOOLS
26 OF STATE GOVERNMENT THAT MAY PROVE BENEFICIAL TO THE HARDWOOD
27 INDUSTRY.

28 (6) TO UNDERTAKE RESEARCH. THIS CLAUSE INCLUDES THE
29 UTILIZATION OF CONSULTANTS RELEVANT TO THE DEVELOPMENT,
30 EXPANSION AND PROMOTION OF THE HARDWOOD INDUSTRY IN THIS

1 COMMONWEALTH.

2 (7) TO MAINTAIN LIAISON WITH, AND PROVIDE NECESSARY
3 FINANCIAL ASSISTANCE IN THE FORMS OF LOANS AND GRANTS TO,
4 APPROPRIATE REGIONAL ORGANIZATIONS WHOSE PRIMARY RULE IS TO
5 PROMOTE THE HARDWOOD INDUSTRY.

6 (8) TO ENTER INTO CONTRACTS TO FULFILL THE FUNCTIONS AND
7 OBJECTIVES OF THE COUNCIL.

8 (9) TO APPOINT FIXED COMPENSATION AND PRESCRIBE DUTIES OF AN
9 EXECUTIVE DIRECTOR, WITH THE APPROVAL OF THE SECRETARY OF
10 COMMERCE, AS IS DEEMED NECESSARY TO ACCOMPLISH THE PURPOSES OF
11 THIS ARTICLE. OTHER PERSONNEL SHALL BE PROVIDED BY THE
12 DEPARTMENT OF COMMERCE.

13 (10) TO ACCEPT GRANTS FROM PUBLIC AND PRIVATE SOURCES.

14 SECTION 2806-D. REPORTS.--THE COUNCIL SHALL MAKE A BIENNIAL
15 WRITTEN REPORT TO THE GOVERNOR AND THE GENERAL ASSEMBLY ON THE
16 STATUS OF THE HARDWOOD INDUSTRY IN THIS COMMONWEALTH. THE FIRST
17 REPORT IS DUE WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS
18 ARTICLE. THE REPORT SHALL INCLUDE:

19 (1) THE EXTENT TO WHICH THE HARDWOOD INDUSTRY HAS PROVIDED
20 EMPLOYMENT AND INCOME FOR THE RESIDENTS OF THIS COMMONWEALTH.

21 (2) THE ACTIONS TAKEN TO ENHANCE THE PERFORMANCE OF THE
22 HARDWOOD INDUSTRY.

23 (3) RECOMMENDATIONS FOR REVISIONS IN POLICIES, PROGRAMS AND
24 PROCEDURES AND FOR PROPOSED LEGISLATION THAT WILL ENHANCE THE
25 ECONOMIC PERFORMANCE OF THE HARDWOOD INDUSTRY IN THIS
26 COMMONWEALTH.

27 SECTION 5. (A) THE DEPARTMENT OF GENERAL SERVICES, WITH THE
28 APPROVAL OF THE GOVERNOR AND THE DEPARTMENT OF ENVIRONMENTAL
29 RESOURCES, IS HEREBY AUTHORIZED AND DIRECTED, ON BEHALF OF THE
30 COMMONWEALTH OF PENNSYLVANIA, TO GRANT AND CONVEY TO THE RIVER

1 ROAD DEVELOPMENT CORPORATION, EASEMENTS ACROSS CERTAIN LANDS OF
2 ROOSEVELT STATE PARK IN THE BOROUGH OF NEW HOPE, FOR A PERIOD
3 NOT TO EXCEED 99 YEARS AND FOR SUCH CONSIDERATION AND SUBJECT TO
4 SUCH TERMS AND CONDITIONS AS THE DEPARTMENT OF ENVIRONMENTAL
5 RESOURCES MAY REASONABLY REQUIRE, FOR THE PURPOSE OF ACCESS TO
6 AND FROM LANDS OF SAID GRANTEE ADJACENT TO SAID PARK AND ALSO
7 FOR THE PURPOSE OF ACCESS TO AND FROM LANDS OF SAID GRANTEE FOR
8 THE PURPOSE OF WATER SUPPLY, SEWAGE DISPOSAL, ELECTIVE SERVICES
9 AND OTHER UTILITIES. THE EASEMENTS TO BE CONVEYED ARE DESCRIBED
10 AS FOLLOWS:

11 (1) AN EASEMENT OF USE OVER A VEHICULAR BRIDGE AND
12 APPURTENANCES THERETO CROSSING THE DELAWARE DIVISION OF THE
13 PENNSYLVANIA CANAL AT MILEPOST 23.840, AND APPROACHES TO AND
14 FROM THE SAME, FOR THE PURPOSE OF PASSAGE AND ATTACHMENT OF
15 WATER, SEWER AND ELECTRIC LINES, CABLES, AND OTHER UTILITIES.

16 (2) AN EASEMENT OF PASSAGE OVER A PEDESTRIAN BRIDGE CROSSING
17 THE DELAWARE DIVISION OF THE PENNSYLVANIA CANAL AT MILEPOST
18 23.812, AND APPROACHES TO AND FROM THE SAME.

19 (3) AN EASEMENT OF USE OVER A VEHICULAR BRIDGE AND
20 APPURTENANCES THERETO CROSSING THE DELAWARE DIVISION OF THE
21 PENNSYLVANIA CANAL AT MILEPOST 23.742, AND APPROACHES TO AND
22 FROM THE SAME FOR THE PURPOSE OF PASSAGE AND ATTACHMENT OF
23 WATER, SEWER AND ELECTRIC LINES, CABLES, AND OTHER UTILITIES.

24 (4) AN EASEMENT OF USE OVER A VEHICULAR BRIDGE AND
25 APPURTENANCES THERETO CROSSING THE DELAWARE DIVISION OF THE
26 PENNSYLVANIA CANAL AT MILEPOST 23.7, AND APPROACHES TO AND FROM
27 THE SAME FOR THE PURPOSE OF PASSAGE AND ATTACHMENT OF WATER,
28 SEWER AND ELECTRIC LINES, CABLES, AND OTHER UTILITIES.

29 (5) AN EASEMENT OF USE UNDER AND THROUGH THE BED AND WATERS
30 OF THE DELAWARE DIVISION OF THE PENNSYLVANIA CANAL, FOR A

1 CERTAIN EXISTING EIGHT (8) INCH WATER PIPE, OR ITS REPLACEMENTS,
2 LOCATED APPROXIMATELY SEVENTY-FIVE (75) FEET SOUTH OF THE UNION
3 MILLS LOCK.

4 (B) THE DEPARTMENT OF GENERAL SERVICES, WITH THE APPROVAL OF
5 THE GOVERNOR AND THE DEPARTMENT OF ENVIRONMENTAL RESOURCES, IS
6 HEREBY AUTHORIZED AND DIRECTED, ON BEHALF OF THE COMMONWEALTH OF
7 PENNSYLVANIA, TO GRANT AND CONVEY TO THE RIVER ROAD DEVELOPMENT
8 CORPORATION, IN EXCHANGE FOR THE CONVEYANCES DESCRIBED IN
9 SUBSECTIONS (C) AND (D), THE TRACTS OF LAND DESCRIBED AS
10 FOLLOWS:

11 (1) ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND, SITUATE
12 IN THE BOROUGH OF NEW HOPE, BUCKS COUNTY, PENNSYLVANIA, AS SHOWN
13 ON A PLAN ENTITLED, "CERTIFIED SITE SURVEY OF TAX MAP PARCELS
14 27-9-6, 27-9-5 AND 27-9-4", PREPARED BY J. G. PARK ASSOCIATES,
15 INC., AND BEING LAST REVISED JUNE 3, 1987, SAID PARCEL BEING
16 IDENTIFIED AS DETAIL "A" ON SAID PLAN AND MORE PARTICULARLY
17 BOUNDED AND DESCRIBED AS FOLLOWS:

18 BEGINNING AT A POINT ON THE EXTREME NORTHWEST CORNER OF AN
19 EXISTING BUILDING; THENCE:

20 (I) EXTENDING FROM SAID POINT OF BEGINNING IN A NORTHERLY
21 DIRECTION PARALLEL TO THE WESTERLY FACE OF THE EXISTING
22 BUILDING, NORTH 02 DEGREES 23 MINUTES 01 SECOND WEST, A DISTANCE
23 OF 13.00 FEET TO A POINT ALONG THE WESTERLY PROPERTY LINE AND
24 EASTERLY SIDE OF THE DELAWARE DIVISION OF THE PENNSYLVANIA
25 CANAL, THENCE;

26 (II) CONTINUING ALONG THE EASTERLY SIDE OF THE DELAWARE
27 DIVISION OF THE PENNSYLVANIA CANAL, NORTH 34 DEGREES 47 MINUTES
28 16 SECONDS EAST, A DISTANCE OF 47.29 FEET TO A POINT, THENCE;

29 (III) LEAVING SAID EASTERLY SIDE OF SAID CANAL AND EXTENDING
30 INTO THE NORTHERLY SIDE OF THE EXISTING BUILDING, SOUTH 04

1 DEGREES 36 MINUTES 06 SECONDS WEST, A DISTANCE OF 51.0613 FEET
2 TO A POINT, THENCE;

3 (IV) EXTENDING THROUGH THE AFOREMENTIONED BUILDING, SOUTH 18
4 DEGREES 42 MINUTES 05 SECONDS WEST, A DISTANCE OF 62.1619 FEET
5 TO A POINT, ON THE WESTERLY FACE OF THE AFOREMENTIONED BUILDING,
6 THENCE;

7 (V) EXTENDING ALONG THE WESTERLY FACE OF THE AFOREMENTIONED
8 BUILDING, NORTH 02 DEGREES 23 MINUTES 01 SECONDS WEST, A
9 DISTANCE OF 58.00 FEET TO A POINT AND FIRST MENTIONED POINT OF
10 BEGINNING.

11 CONSISTING OF 1,400 SQUARE FEET, MORE OR LESS.

12 (2) ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATE IN
13 THE BOROUGH OF NEW HOPE, BUCKS COUNTY, PENNSYLVANIA, AS SHOWN ON
14 A PLAN ENTITLED, "CERTIFIED SITE SURVEY OF TAX MAP PARCELS 27-9-
15 6, 27-9-5 AND 27-9-4", PREPARED BY J. G. PARK ASSOCIATES, INC.,
16 AND BEING LAST REVISED JUNE 3, 1987, SAID PARCEL BEING
17 IDENTIFIED AS DETAIL "B" ON SAID PLAN AND MORE PARTICULARLY
18 BOUNDED AND DESCRIBED AS FOLLOWS:

19 BEGINNING AT A POINT IN THE WESTERLY FACE OF THE EXISTING
20 TWO-STORY BRICK MILL BUILDING AS SHOWN ON THE AFOREMENTIONED
21 SURVEY PLAN AND EXTENDING FROM SAID POINT:

22 (I) NORTH 87 DEGREES 38 MINUTES 41 SECONDS EAST, ALONG THE
23 NORTHERLY FACE OF THIS OFFSET OF THE BUILDING, A DISTANCE OF
24 3.30 FEET TO A POINT, THENCE;

25 (II) EXTENDING THROUGH A PORTION OF THE BUILDING, SOUTH 02
26 DEGREES 21 MINUTES 19 SECONDS EAST, A DISTANCE OF 147.52 FEET,
27 TO A POINT OF INTERSECTION OF ANOTHER OFFSET IN SAID BUILDING,
28 SAID POINT ALSO BEING A POINT IN THE SOUTHERLY FACE OF THE
29 BUILDING, THENCE;

30 (III) EXTENDING THROUGH SAID BUILDING, SOUTH 85 DEGREES 20

1 MINUTES 46 SECONDS WEST, A DISTANCE OF 3.30 FEET TO A POINT IN
2 THE WESTERLY FACE OF SAID BUILDING, THENCE;

3 (IV) EXTENDING ALONG THE WESTERLY FACE OF SAID BUILDING,
4 NORTH 02 DEGREES 21 MINUTES 19 SECONDS WEST, A DISTANCE OF
5 147.52 FEET TO THE POINT OF BEGINNING.

6 CONSISTING OF 486.4 SQUARE FEET, MORE OR LESS.

7 (C) IN EXCHANGE FOR THE CONVEYANCES DESCRIBED IN SUBSECTIONS
8 (A) AND (B), THE DEPARTMENT OF GENERAL SERVICES IS HEREBY
9 AUTHORIZED AND DIRECTED, ON BEHALF OF THE COMMONWEALTH OF
10 PENNSYLVANIA, TO ACCEPT FROM THE RIVER ROAD DEVELOPMENT
11 CORPORATION, AFTER MUNICIPAL APPROVAL OF SUBDIVISION AS MAY BE
12 REQUIRED A QUITCLAIM OF ANY AND ALL INTEREST IN THE PARCELS OF
13 LAND SITUATE IN THE BOROUGH OF NEW HOPE, BUCKS COUNTY,
14 PENNSYLVANIA, DESCRIBED AS FOLLOWS, SAID LANDS TO BE
15 ADMINISTERED BY THE DEPARTMENT OF ENVIRONMENTAL RESOURCES AS
16 PART OF ROOSEVELT STATE PARK:

17 (1) ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATE IN
18 THE BOROUGH OF NEW HOPE, BUCKS COUNTY, PENNSYLVANIA, AS SHOWN ON
19 A PLAN TITLED, "CERTIFIED SITE SURVEY OF TAX MAP PARCELS 27-9-6,
20 27-9-5 AND 27-9-4", PREPARED BY J. G. PARK ASSOCIATES, INC., AND
21 BEING LAST REVISED JUNE 3, 1987, SAID PARCEL BEING MORE
22 PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

23 BEGINNING AT A POINT, SAID POINT BEING MEASURED THE THREE (3)
24 FOLLOWING COURSES AND DISTANCES FROM A CONCRETE MONUMENT FOUND
25 IN THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH MAIN STREET (L.R.326)
26 (60.00 FEET WIDE), SAID MONUMENT ALSO BEING THE SOUTHERLY
27 PROPERTY CORNER OF TAX MAP PARCEL 27-9-5, NOW OR FORMERLY OF
28 IRENE, HAROLD AND WILLIAM GARDNER:

29 (I) SOUTH 83 DEGREES 37 MINUTES 26 SECONDS WEST, 46.40 FEET,
30 THENCE;

1 (II) NORTH 00 DEGREES 27 MINUTES 13 SECONDS EAST, 480.48
2 FEET, THENCE;
3 (III) NORTH 83 DEGREES 08 MINUTES 09 SECONDS EAST, 83.62
4 FEET; AND THENCE FROM SAID POINT OF BEGINNING:
5 (A) NORTH 01 DEGREES 50 MINUTES 59 SECONDS EAST, 219.14
6 FEET, THENCE;
7 (B) NORTH 13 DEGREES 03 MINUTES 47 SECONDS WEST, 38.03 FEET,
8 THENCE;
9 (C) NORTH 14 DEGREES 29 MINUTES 52 SECONDS EAST, 80.37 FEET,
10 THENCE;
11 (D) SOUTH 77 DEGREES 16 MINUTES 23 SECONDS EAST, 38.33 FEET,
12 TO A POINT IN THE WESTERLY EDGE OF WATER OF THE DELAWARE RIVER,
13 THENCE RUNNING ALONG THE EDGE OF WATER OF THE DELAWARE RIVER;
14 (E) SOUTH 03 DEGREES 33 MINUTES 45 SECONDS WEST, 34.21 FEET,
15 STILL ALONG THE SAME TO A POINT, THENCE;
16 (F) SOUTH 66 DEGREES 58 MINUTES 23 SECONDS WEST, 9.33 FEET,
17 STILL ALONG THE SAME TO A POINT, THENCE;
18 (G) SOUTH 04 DEGREES 47 MINUTES 14 SECONDS WEST, 63.55 FEET,
19 STILL ALONG THE SAME TO A POINT, THENCE;
20 (H) SOUTH 01 DEGREES 23 MINUTES 46 SECONDS EAST, 109.10
21 FEET, STILL ALONG THE SAME TO A POINT, THENCE;
22 (I) SOUTH 00 DEGREES 28 MINUTES 35 SECONDS WEST, 113.81
23 FEET, STILL ALONG THE SAME TO A POINT, THENCE, LEAVING SAID EDGE
24 OF WATER;
25 (J) SOUTH 88 DEGREES 00 MINUTES 48 SECONDS WEST, 41.71 FEET
26 TO THE FIRST MENTIONED POINT OF BEGINNING.
27 CONSISTING OF 0.2952 ACRES, MORE OR LESS.

28 (2) ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATE IN
29 THE BOROUGH OF NEW HOPE, BUCKS COUNTY, PENNSYLVANIA, AS SHOWN ON
30 A PLAN ENTITLED, "CERTIFIED SITE SURVEY OF TAX MAP PARCELS 27-9-

1 6, 27-9-5 AND 27-9-4", PREPARED BY J. G. PARK ASSOCIATES, INC.,
2 AND LAST REVISED JUNE 3, 1987, AND BEING MORE PARTICULARLY
3 BOUNDED AND DESCRIBED AS FOLLOWS:

4 BEGINNING AT A POINT ON THE EASTERLY FACE OF AN EXISTING 1.5
5 FOOT WIDE STONE WALL OF THE DELAWARE DIVISION OF THE
6 PENNSYLVANIA CANAL, SAID POINT BEING THE TWO (2) FOLLOWING
7 COURSES AND DISTANCES FROM A CONCRETE MONUMENT ON THE EASTERLY
8 RIGHT-OF-WAY LINE OF SOUTH MAIN STREET:

9 (I) NORTH 04 DEGREES 17 MINUTES 29 SECONDS WEST, A DISTANCE
10 OF 170.00 FEET, THENCE;

11 (II) NORTH 86 DEGREES 44 MINUTES 10 SECONDS EAST, A DISTANCE
12 OF 51.35 FEET; AND THENCE FROM SAID POINT OF BEGINNING:

13 (A) ALONG THE SOUTHERLY PROPERTY LINE OF TAX MAP PARCEL 27-
14 11-5, NOW OR FORMERLY OF R. DOUGLAS AND KAREN GREENE, NORTH 86
15 DEGREES 44 MINUTES 10 SECONDS EAST, A DISTANCE OF 8.92 FEET TO A
16 POINT IN SAID CANAL, THENCE;

17 (B) THROUGH THE DELAWARE DIVISION OF THE PENNSYLVANIA CANAL,
18 SOUTH 00 DEGREES 27 MINUTES 13 SECONDS WEST, A DISTANCE OF
19 133.27 FEET TO A POINT ON THE EASTERLY FACE OF THE
20 AFOREMENTIONED STONE WALL, THENCE;

21 (C) ALONG SAID FACE OF WALL, NORTH 04 DEGREES 41 MINUTES 48
22 SECONDS WEST, A DISTANCE OF 113.71 FEET TO AN ANGLE POINT IN
23 SAID WALL, THENCE;

24 (D) STILL ALONG SAID WALL, NORTH 04 DEGREES 18 MINUTES 22
25 SECONDS EAST, A DISTANCE OF 19.48 FEET TO THE POINT AND PLACE OF
26 BEGINNING.

27 CONSISTING OF 766 SQUARE FEET, MORE OR LESS.

28 (D) IN FURTHER EXCHANGE FOR THE CONVEYANCES DESCRIBED IN
29 SUBSECTIONS (A) AND (B), THE DEPARTMENT OF ENVIRONMENTAL
30 RESOURCES IS HEREBY AUTHORIZED AND DIRECTED, ON BEHALF OF THE

1 COMMONWEALTH OF PENNSYLVANIA, TO ACCEPT FROM THE RIVER ROAD
2 DEVELOPMENT CORPORATION, AN EASEMENT OF PASSAGE OVER LANDS OF
3 THE GRANTOR IN THE BOROUGH OF NEW HOPE, BUCKS COUNTY,
4 PENNSYLVANIA, AT A LOCATION AND UPON TERMS SATISFACTORY TO THE
5 DEPARTMENT OF ENVIRONMENTAL RESOURCES, SAID EASEMENT TO PROVIDE
6 VEHICULAR ACCESS TO AND FROM THE TOWPATH OF THE DELAWARE
7 DIVISION OF THE PENNSYLVANIA CANAL FOR THE PURPOSE OF
8 ADMINISTRATION AND MAINTENANCE OF SAID TOWPATH AND CANAL.

9 (E) THE DEEDS OF GRANT OR CONVEYANCE DESCRIBED IN
10 SUBSECTIONS (A) AND (B) SHALL BE APPROVED AS REQUIRED BY LAW AND
11 SHALL BE EXECUTED BY THE SECRETARY OF GENERAL SERVICES IN THE
12 NAME OF THE COMMONWEALTH OF PENNSYLVANIA.

13 (F) COSTS AND FEES INCIDENTAL TO THE CONVEYANCES DESCRIBED
14 IN THIS ACT SHALL BE BORNE BY THE RIVER ROAD DEVELOPMENT
15 CORPORATION.

16 (G) THE RIGHTS OF THE RIVER ROAD DEVELOPMENT CORPORATION
17 SHALL INURE TO IT, ITS SUCCESSORS, ASSIGNS AND LICENSEES.

18 Section ~~2~~ 6. Section 502.1 of the act of April 12, 1951 <—
19 (P.L.90, No.21), known as the Liquor Code, is repealed.

20 Section ~~3~~ 7. This act shall take effect ~~in 120 days~~. AS <—
21 FOLLOWS:

22 (1) THE AMENDMENT TO SECTION 706 SHALL TAKE EFFECT
23 IMMEDIATELY.

24 ~~(1)~~ (2) SECTION 1712, AS ADDED BY THIS AMENDATORY ACT, <—
25 AND SECTION ~~2~~ 6 OF THIS AMENDATORY ACT, SHALL TAKE EFFECT IN <—
26 120 DAYS.

27 ~~(2)~~ ~~SECTION 1713, AS ADDED~~ (3) SECTIONS 1713 AND <—
28 2402(D), AS ADDED OR AMENDED BY THIS AMENDATORY ACT, SHALL
29 TAKE EFFECT IN 60 DAYS.

30 ~~(3)~~ (4) SECTION 4 (ARTICLE XXVIII-D) SHALL TAKE EFFECT <—

1 JULY 1, 1988, OR IMMEDIATELY, WHICHEVER IS LATER.

2 ~~(4)~~ (5) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT

<—

3 IMMEDIATELY.