

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1839 Session of
2003

INTRODUCED BY DeWEESE, GEORGE, R. STEVENSON, YUDICHAK, PHILLIPS,
SOLOBAY, GODSHALL, BELFANTI, DALEY, CAPPELLI, GRUCELA,
HORSEY, JOSEPHS, KIRKLAND, ROONEY, WALKO, YOUNGBLOOD,
FABRIZIO, HARHAI, JAMES, KELLER, PRESTON, RUBLEY AND
WOJNAROSKI, JULY 9, 2003

REFERRED TO COMMITTEE ON GAME AND FISHERIES, JULY 9, 2003

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated
2 Statutes, further providing for exchange or sale, for
3 disposition of timber, minerals and other products, for
4 rights-of-way, easements and licenses and for leases.

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

7 Section 1. Sections 723, 724, 725(b) and 726 of Title 34 of
8 the Pennsylvania Consolidated Statutes are amended to read:

9 § 723. Exchange or sale.

10 The commission may, by resolution adopted by a majority of
11 the members present and voting at a public meeting:

12 (1) Authorize the exchange of all or part, including
13 improvements and appurtenances, of any lands, waters or
14 buildings to which title has been acquired in return for
15 lands, waters or buildings having an equal or greater value
16 when the exchange is in the best interests of the commission.
17 When the exchange is for the benefit of remining and

1 reclamation operations or acid mine drainage treatment
2 projects, the exchange shall be made in return for lands,
3 waters or buildings having no more than equal value.

4 (2) Exchange timber, minerals, oil or gas to which the
5 commission holds title for suitable lands having an equal or
6 greater value[.], unless the exchange is related to a
7 remining or reclamation operation or acid mine drainage
8 treatment project, in which case the value of lands exchanged
9 shall be of no more than value equal to the timber, minerals,
10 oil or gas owned by the commission.

11 (3) [Sell] Donate or sell lands to the Department of
12 Environmental Protection or the Department of Conservation
13 and Natural Resources for State forests or for the benefit of
14 remining and reclamation operations or acid mine drainage
15 treatment projects, or to the Federal Government for National
16 Forests or National Wildlife Refuges when in the best
17 interests of game or wildlife[.] or the environment that
18 benefits game or wildlife. If land is sold by the commission
19 pursuant to this paragraph, the land shall be sold at no more
20 than its assessed value.

21 § 724. Disposition of timber, minerals and other products.

22 The commission may dispose of, by lease, sale or otherwise,
23 timber, buildings, other appurtenances, minerals, oil and gas,
24 or rights therein, including natural gas storage, or any other
25 product, on or under lands to which it has title. Special
26 consideration shall be extended to dispositions related to
27 remining and reclamation operations or acid mine drainage
28 treatment projects, so that the environment may benefit from
29 these operations and projects at a reasonable cost to the
30 sponsors of these operations or projects.

1 § 725. Rights-of-way, easements and licenses.

2 * * *

3 (b) Charges.--The commission may charge for these grants
4 remuneration and damages as it deems the conditions and
5 circumstances warrant[.], unless the grants are for the benefit
6 of remining and reclamation operations or acid mine drainage
7 treatment projects, in which case the charges shall be reduced
8 insofar as possible or waived to promote the environmental
9 benefits of these operations and projects.

10 * * *

11 § 726. Leases.

12 Notwithstanding any other provision of law, the director,
13 with the approval of the commission, may lease any land or
14 interests in land over which the commission exercises title or
15 control for a term not to exceed 25 years when the commission
16 determines the lease will promote public hunting or furtaking or
17 benefit the game or wildlife resource or will otherwise further
18 the interests of the commission. Special consideration shall be
19 extended to leases related to remining and reclamation
20 operations or acid mine drainage treatment projects, so that the
21 environment may benefit from the operations and projects at a
22 reasonable cost to the sponsors of the operations or projects.

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