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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 1276** Session of  
2008

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INTRODUCED BY STERN, GEIST, HESS, PHILLIPS, CALTAGIRONE, ROCK,  
GODSHALL, CREIGHTON, MAJOR, SAYLOR, REICHLEY, SWANGER,  
SIPTROTH, KORTZ, HENNESSEY, M. KELLER, HARHAI, MURT AND  
EVERETT, SEPTEMBER 15, 2008

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REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,  
SEPTEMBER 15, 2008

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AN ACT

1 Amending the act of June 28, 1995 (P.L.89, No.18), entitled "An  
2 act creating the Department of Conservation and Natural  
3 Resources consisting of certain functions of the Department  
4 of Environmental Resources and the Department of Community  
5 Affairs; renaming the Department of Environmental Resources  
6 as the Department of Environmental Protection; defining the  
7 role of the Environmental Quality Board in the Department of  
8 Environmental Protection; making changes to responsibilities  
9 of the State Conservation Commission and the Department of  
10 Agriculture; transferring certain powers and duties to the  
11 Department of Health; and repealing inconsistent acts,"  
12 further providing for contracts and agreements.

13 The General Assembly of the Commonwealth of Pennsylvania  
14 hereby enacts as follows:

15 Section 1. Section 318(c) of the act of June 28, 1995  
16 (P.L.89, No.18), known as the Conservation and Natural Resources  
17 Act, is amended to read:

18 Section 318. Contracts and agreements.

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20 (c) Rights-of-way.--The department shall have the power to  
21 lease rights-of-way for a period of not more than [35] 50 years,

1 on terms and conditions as it may consider reasonable, to owners  
2 of real property abutting State lands under the jurisdiction of  
3 the department.

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