

105TH CONGRESS
2D SESSION

S. 1665

To reauthorize the Delaware and Lehigh Navigation Canal National Heritage Corridor Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 23, 1998

Mr. SPECTER (for himself and Mr. SANTORUM) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To reauthorize the Delaware and Lehigh Navigation Canal National Heritage Corridor Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Delaware and Lehigh
5 National Heritage Corridor Act Amendments of 1998”.

6 **SEC. 2. NAME CHANGE.**

7 The Delaware and Lehigh Navigation Canal National
8 Heritage Corridor Act of 1988 (Public Law 100–692; 102
9 Stat. 4552) is amended by striking “Delaware and Lehigh
10 Navigation Canal National Heritage Corridor” each place

1 it appears (except section 4(a)) and inserting “Delaware
2 and Lehigh National Heritage Corridor”.

3 **SEC. 3. PURPOSE.**

4 Section 3(b) of the Delaware and Lehigh National
5 Heritage Corridor Act of 1988 (Public Law 100–692; 102
6 Stat. 4552) is amended—

7 (1) by inserting after “subdivisions” the follow-
8 ing: “in enhancing economic development within the
9 context of preservation and”; and

10 (2) by striking “and surrounding the Delaware
11 and Lehigh Navigation Canal in the Common-
12 wealth” and inserting “the Corridor”.

13 **SEC. 4. CORRIDOR COMMISSION.**

14 (a) MEMBERSHIP.—Section 5(b) of the Delaware and
15 Lehigh National Heritage Corridor Act of 1988 (Public
16 Law 100–692; 102 Stat. 4553) is amended—

17 (1) in the matter preceding paragraph (1), by
18 striking “appointed not later than 6 months after
19 the date of enactment of this Act”;

20 (2) by striking paragraph (2) and inserting the
21 following:

22 “(2) 3 individuals appointed by the Secretary
23 from among individuals recommended by the Gov-
24 ernor, of whom—

1 “(A) 1 shall represent the Pennsylvania
2 Department of Conservation and Natural Re-
3 sources;

4 “(B) 1 shall represent the Pennsylvania
5 Department of Community and Economic De-
6 velopment; and

7 “(C) 1 shall represent the Pennsylvania
8 Historical and Museum Commission.”;

9 (3) in paragraph (3), by striking “the Sec-
10 retary, after receiving recommendations from the
11 Governor, of whom” and all that follows through
12 “Delaware Canal region” and inserting the follow-
13 ing: “the Secretary from among individuals rec-
14 ommended by the Governor, of whom—

15 “(A) 1 shall represent a city, 1 shall rep-
16 resent a borough, and 1 shall represent a town-
17 ship; and

18 “(B) 1 shall represent each of the 5 coun-
19 ties of Luzerne, Carbon, Lehigh, Northampton,
20 and Bucks in Pennsylvania”; and

21 (4) in paragraph (4)—

22 (A) by striking “8 individuals” and insert-
23 ing “9 individuals”; and

24 (B) by striking “the Secretary, after re-
25 ceiving recommendations from the Governor,

1 who shall have” and all that follows through
 2 “Canal region. A vacancy” and inserting the
 3 following: “the Secretary from among individ-
 4 uals recommended by the Governor, of whom—

5 “(A) 3 shall represent the northern region
 6 of the Corridor;

7 “(B) 3 shall represent the middle region of
 8 the Corridor; and

9 “(C) 3 shall represent the southern region
 10 of the Corridor.

11 A vacancy”.

12 (b) TERMS.—Section 5 of the Delaware and Lehigh
 13 National Heritage Corridor Act of 1988 (Public Law 100–
 14 692; 102 Stat. 4553) is amended by striking subsection
 15 (c) and inserting the following:

16 “(c) TERMS.—The following provisions shall apply to
 17 a member of the Commission appointed under paragraph
 18 (3) or (4) of subsection (b):

19 “(1) LENGTH OF TERM.—The member shall
 20 serve for a term of 3 years.

21 “(2) CARRYOVER.—The member shall serve
 22 until a successor is appointed by the Secretary.

23 “(3) REPLACEMENT.—If the member resigns or
 24 is unable to serve due to incapacity or death, the
 25 Secretary shall appoint, not later than 60 days after

1 receiving a nomination of the appointment from the
2 Governor, a new member to serve for the remainder
3 of the term.

4 “(4) TERM LIMITS.—A member may serve for
5 not more than 2 full terms starting after the date
6 of enactment of this paragraph.”.

7 (c) CONFIRMATION.—Section 5 of the Delaware and
8 Lehigh National Heritage Corridor Act of 1988 (Public
9 Law 100–692; 102 Stat. 4553) is amended by adding at
10 the end the following:

11 “(h) CONFIRMATION.—The Secretary shall accept or
12 reject an appointment under paragraph (3) or (4) of sub-
13 section (b) not later than 60 days after receiving a nomi-
14 nation of the appointment from the Governor.”.

15 **SEC. 5. POWERS OF THE COMMISSION.**

16 (a) CONVEYANCE OF REAL ESTATE.—Section
17 7(g)(3) of the Delaware and Lehigh National Heritage
18 Corridor Act of 1988 (Public Law 100–692; 102 Stat.
19 4555) is amended in the first sentence by inserting “or
20 nonprofit organization” after “appropriate public agency”.

21 (b) COOPERATIVE AGREEMENTS.—Section 7(h) of
22 the Delaware and Lehigh National Heritage Corridor Act
23 of 1988 (Public Law 100–692; 102 Stat. 4555) is amend-
24 ed—

1 (1) in the first sentence, by inserting “any non-
2 profit organization,” after “subdivision of the Com-
3 monwealth,”; and

4 (2) in the second sentence, by inserting “such
5 nonprofit organization,” after “such political sub-
6 division,”.

7 (c) GRANTS AND LOANS.—Section 7 of the Delaware
8 and Lehigh National Heritage Corridor Act of 1988 (Pub-
9 lic Law 100–692; 102 Stat. 4554) is amended—

10 (1) by redesignating subsection (i) as subsection
11 (j); and

12 (2) by inserting after subsection (h) the follow-
13 ing:

14 “(i) GRANTS AND LOANS.—The Commission may ad-
15 minister any grant or loan from amounts—

16 “(1) appropriated to the Commission for the
17 purpose of providing a grant or loan; or

18 “(2) donated or otherwise made available to the
19 Commission for the purpose of providing a grant or
20 loan.”.

21 **SEC. 6. DUTIES OF THE COMMISSION.**

22 Section 8(b) of the Delaware and Lehigh National
23 Heritage Corridor Act of 1988 (Public Law 100–692; 102
24 Stat. 4556) is amended in the matter preceding paragraph

1 (1) by inserting “, cultural, natural, recreational, and sce-
2 nic” after “interpret the historic”.

3 **SEC. 7. TERMINATION OF THE COMMISSION.**

4 Section 9(a) of the Delaware and Lehigh National
5 Heritage Corridor Act of 1988 (Public Law 100–692; 102
6 Stat. 4556) is amended by striking “5 years after the date
7 of enactment of this Act” and inserting “10 years after
8 the date of enactment of the Delaware and Lehigh Na-
9 tional Heritage Corridor Act Amendments of 1997”.

10 **SEC. 8. DUTIES OF OTHER FEDERAL ENTITIES.**

11 Section 11 of the Delaware and Lehigh National Her-
12 itage Corridor Act of 1988 (Public Law 100–692; 102
13 Stat. 4557) is amended in the matter preceding paragraph
14 (1) by striking “the flow of the Canal or the natural” and
15 inserting “the historic, cultural, natural, recreational, or
16 scenic”.

17 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

18 (a) COMMISSION.—Section 12(a) of the Delaware and
19 Lehigh National Heritage Corridor Act of 1988 (Public
20 Law 100–692; 102 Stat. 4558) is amended by striking
21 “\$350,000” and inserting “\$650,000”.

22 (b) MANAGEMENT ACTION PLAN.—Section 12 of the
23 Delaware and Lehigh National Heritage Corridor Act of
24 1988 (Public Law 100–692; 102 Stat. 4558) is amended
25 by adding at the end the following:

1 “(c) MANAGEMENT ACTION PLAN.—

2 “(1) IN GENERAL.—To implement the manage-
3 ment action plan created by the Commission, there
4 is authorized to be appropriated \$1,000,000 for each
5 of fiscal years 1998 through 2007.

6 “(2) LIMITATION ON EXPENDITURES.—
7 Amounts made available under paragraph (1) shall
8 not exceed 50 percent of the costs of implementing
9 the management action plan.”.

10 **SEC. 10. LOCAL AUTHORITY AND PRIVATE PROPERTY.**

11 The Delaware and Lehigh National Heritage Cor-
12 ridor Act of 1988 (Public Law 100–692; 102 Stat. 4552)
13 is amended—

14 (1) by redesignating section 13 as section 14;
15 and

16 (2) by inserting after section 12 the following:

17 **“SEC. 13. LOCAL AUTHORITY AND PRIVATE PROPERTY.**

18 “The Commission shall not interfere with—

19 “(1) the private property rights of any person;
20 or

21 “(2) any local zoning ordinance or land use
22 plan of the Commonwealth of Pennsylvania or any
23 political subdivision of Pennsylvania.”.

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