

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1802 Session of
1977

INTRODUCED BY STEWART, BITTINGER, ENGLEHART, GOODMAN, REED,
WASS, SHUPNIK, C. GEORGE, O'CONNELL, B. F. O'BRIEN,
HALVERSON, A. K. HUTCHINSON, PIEVSKY, MILLIRON, CASSIDY
AND STAIRS, OCTOBER 26, 1977

REFERRED TO COMMITTEE ON APPROPRIATIONS, OCTOBER 26, 1977

AN ACT

1 Amending the act of July 20, 1968 (P.L.652, No.220), entitled,
2 "An act amending the act of March 31, 1949 (P.L.372, No.34),
3 entitled 'An act to promote the welfare of the people of the
4 Commonwealth; creating The General State Authority as a body
5 corporate and politic with power to construct, improve,
6 equip, furnish, and operate projects, and to lease the same,
7 and to fix fees, rentals, and charges for the use thereof;
8 authorizing and regulating the issuance of bonds for said
9 Authority, and providing for the payment of such bonds, and
10 the rights of the holders thereof; and to enter into
11 agreements with the Government of the United States or any
12 Federal agency; and authorizing the Department of Property
13 and Supplies to grant, assign, convey, or lease to the
14 Authority lands of the Commonwealth and interests therein,
15 and to acquire lands therefor; granting the right of eminent
16 domain; empowering The General State Authority to sell and
17 convey projects and property to the Commonwealth; and
18 providing that no debt of the Commonwealth shall be incurred
19 in the exercise of any of the powers granted by this act,'
20 empowering the Authority to construct and acquire projects
21 for certain State-related universities, providing for the
22 disposition of unused borrowing capacity which may become
23 available through the operation of the Higher Education
24 Facilities Act of 1963 or other Federal grants; harmonizing
25 the language of certain existing amendments; allocating
26 unused funds; providing for the interpretation of certain
27 amendments to the act; further defining the powers and
28 procedures of the board; regulating the leasing of projects
29 constructed for State-aided institutions; amending the
30 eminent domain powers and procedures of the Authority;
31 specifically itemizing projects for capital budget purposes,"
32 to reduce the amount of unallocated funds available for

1 allocation by the board to certain projects for cost-overrun,
2 and to provide for additional projects necessitated by the
3 Great Flood of July 1977.

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

6 Section 1. Clause XXVIII of section 7, act of July 20, 1968
7 (P.L.652, No.220), entitled "An act amending the act of March
8 31, 1949 (P.L.372, No.34), entitled 'An act to promote the
9 welfare of the people of the Commonwealth; creating The General
10 State Authority as a body corporate and politic with power to
11 construct, improve, equip, furnish, and operate projects, and to
12 lease the same, and to fix fees, rentals, and charges for the
13 use thereof; authorizing and regulating the issuance of bonds
14 for said Authority, and providing for the payment of such bonds,
15 and the rights of the holders thereof; and to enter into
16 agreements with the Government of the United States or any
17 Federal agency; and authorizing the Department of Property and
18 Supplies to grant, assign, convey, or lease to the Authority
19 lands of the Commonwealth and interests therein, and to acquire
20 lands therefor; granting the right of eminent domain; empowering
21 The General State Authority to sell and convey projects and
22 property to the Commonwealth; and providing that no debt of the
23 Commonwealth shall be incurred in the exercise of any of the
24 powers granted by this act,' empowering the Authority to
25 construct and acquire projects for certain State-related
26 universities, providing for the disposition of unused borrowing
27 capacity which may become available through the operation of the
28 Higher Education Facilities Act of 1963 or other Federal grants;
29 harmonizing the language of certain existing amendments;
30 allocating unused funds; providing for the interpretation of
31 certain amendments to the act; further defining the powers and

1 procedures of the board; regulating the leasing of projects
2 constructed for State-aided institutions; amending the eminent
3 domain powers and procedures of the Authority; specifically
4 itemizing projects for capital budget purposes," is amended and
5 the section is amended by adding a clause to read:

6 Section 7. For capital budget purposes the following public
7 improvement projects to be financed by the issuing of debt and
8 to be constructed by The General State Authority, its successors
9 or assigns, and which are in addition to those projects itemized
10 in the "Capital Budget Act for the 1968-1969 Fiscal Year" are
11 hereby specifically itemized, together with their respective
12 estimated financial costs, as follows:

13 * * *

14 XXVIII. Additional funds to be allocated by the board
15 of the authority to such of the public improve-
16 ment projects specifically itemized in a capital
17 budget for constructions by the General State
18 Authority as are not bid within the estimated
19 financial costs specified in such capital budget
20 but this amount shall not otherwise constitute
21 unallocated funds of the General State Author-
22 ity for any other purpose..... [46,899,342]
23 26,873,374

24 XXIX. Department of Environmental Resources.. 20,025,968
25 Additional Flood Control Projects
26 arising from the Great Flood of July 1977
27 are as follows:

28 PROJECT LOCATION
29 (1) Ben's Creek Flood Protection..... 703,100
30 City of Johnstown, Cambria County

1	<u>(Base Construction Cost \$550,000)</u>	
2	<u>(2) Sam's Run Flood Protection.....</u>	<u>1,124,865</u>
3	<u>City of Johnstown, Lorraine Borough,</u>	
4	<u>Cambria County</u>	
5	<u>(Base Construction Cost \$900,000)</u>	
6	<u>(3) Elk Run Debris Dam - City of Johnstown,</u>	
7	<u>Lower Yoder Township, Cambria County...</u>	<u>300,000</u>
8	<u>(Base Construction Cost \$216,000)</u>	
9	<u>(4) Solomon's Run Flood Protection.....</u>	<u>6,751,829</u>
10	<u>Stoney Creek Township, City of Johnstown,</u>	
11	<u>Cambria County</u>	
12	<u>(Base Construction Cost, \$5,500,000)</u>	
13	<u>(5) Little Conemaugh River, East Conemaugh</u>	
14	<u>Flood Protection.....</u>	<u>579,513</u>
15	<u>Borough of East Conemaugh,</u>	
16	<u>Cambria County</u>	
17	<u>(Base Construction Cost \$450,000)</u>	
18	<u>(6) Black Lick Creek Flood Protection.....</u>	<u>1,507,399</u>
19	<u>Nanty Glo</u>	
20	<u>Cambria County</u>	
21	<u>(Base Construction Cost \$1,200,000)</u>	
22	<u>(7) South Fork and Otto Run Flood Protection</u>	<u>1,133,265</u>
23	<u>Croyle Township (Sidman)</u>	
24	<u>Cambria County</u>	
25	<u>(Base Construction Cost \$900,000)</u>	
26	<u>(8) South Branch of Black Lick Creek</u>	
27	<u>Flood Protection.....</u>	<u>641,334</u>
28	<u>Borough of Vintondale</u>	
29	<u>Cambria and Indiana Counties</u>	
30	<u>(Base Construction Cost \$500,000)</u>	

1	<u>(9) Two Lick Creek and Dickson Run Flood</u>	
2	<u>Protection.....</u>	<u>2,130,587</u>
3	<u>Borough of Clymer</u>	
4	<u>Indiana County</u>	
5	<u>(Base Construction Cost \$1,700,000)</u>	
6	<u>(10) Yellow Creek and Two Lick Creek Flood</u>	
7	<u>Protection.....</u>	<u>3,142,454</u>
8	<u>Borough of Homer City</u>	
9	<u>Indiana County</u>	
10	<u>(Base Construction Cost \$2,500,000)</u>	
11	<u>(11) Paint Creek Flood Protection.....</u>	<u>381,754</u>
12	<u>Paint Township</u>	
13	<u>Somerset County</u>	
14	<u>(Base Construction Cost \$300,000)</u>	
15	<u>(12) Paint Creek Improvements to Existing Flood</u>	
16	<u>Protection.....</u>	<u>752,252</u>
17	<u>Borough of Windber</u>	
18	<u>Somerset County</u>	
19	<u>(Base Construction Cost \$600,000)</u>	
20	<u>(13) West Branch of Susquehanna River</u>	
21	<u>Improvements to Existing Flood</u>	
22	<u>Protection.....</u>	<u>877,616</u>
23	<u>Borough of Cherry Tree</u>	
24	<u>Indiana, Clearfield and Cambria</u>	
25	<u>Counties</u>	
26	<u>(Base Construction Cost \$700,000)</u>	

27 In order to expedite these projects, the Department of
 28 General Services shall assign the professional agreements for
 29 design and the construction supervision to the Department of
 30 Environmental Resources.

1 Section 2. This act shall take effect immediately.