

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILLNo. 428 Session of
1981

Report of the Committee of Conference

To the Members of the House of Representatives and Senate:

We, the undersigned, Committee of Conference on the part of the House of Representatives and Senate for the purpose of considering House Bill No. 428, entitled:

"An act amending the act of June 1, 1956 (1955 P.L.1944, No.655), entitled 'An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities, boroughs, incorporated towns and townships, for their road, street and bridge purposes; conferring powers and imposing duties on local officers and the Department of Highways; and making an appropriation out of the Motor License Fund; and repealing existing legislation,' further providing for the use of the tax proceeds,"

respectfully submit the following bill as our report:

WALTER F. DeVERTER

FRED C. NOYE

SAMUEL W. MORRIS

(Committee on the part of the House of Representatives.)

FRANK J. O'CONNELL

J. DOYLE CORMAN, JR.

HENRY C. MESSINGER

(Committee on the part of the Senate.)

AN ACT

1 Amending the act of June 1, 1956 (1955 P.L.1944, No.655),
2 entitled "An act providing a permanent allocation of a part
3 of the fuels and liquids fuels tax proceeds to cities,
4 boroughs, incorporated towns and townships, for their road,
5 street and bridge purposes; conferring powers and imposing
6 duties on local officers and the Department of Highways; and
7 making an appropriation out of the Motor License Fund; and
8 repealing existing legislation," further providing for the
9 use of the tax proceeds by making certain repeals.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. Clauses (2) and (2.1) of section 4, act of June
13 1, 1956 (1955 P.L.1944, No.655), referred to as the Liquid Fuels
14 Tax Municipal Allocation Law, amended March 27, 1980 (P.L.53,
15 No.20), are amended to read:

16 Section 4. The money hereby appropriated to municipalities
17 shall be paid to the municipalities in accordance with the
18 following formula and subject to the provisions of this act:

19 * * *

20 [(2) Twenty-five per centum of all money allocated to each
21 municipality shall be used for construction, reconstruction or
22 widening of roads and streets, bridges and drainage structures
23 unless the governing authority of the municipality shall, by
24 unanimous vote of the members present, determine to use the
25 twenty-five per centum of moneys required to be used for road
26 and street improvement for the purposes of maintenance and
27 repair of existing roads, streets, bridges, drainage structures
28 and the lining of streams incidental to the drainage of
29 highways. The governing authority shall give notice by
30 advertisement in accordance with the act of July 19, 1974
31 (P.L.486, No.175), referred to as the Public Agency Open Meeting
32 Law, of its intention to adopt a resolution authorizing the said

1 twenty-five per centum of liquid fuels tax moneys set aside for
2 new construction for purposes of maintenance and repair and
3 shall provide opportunity for public comment at a hearing on the
4 resolution before action is taken.]

5 (2.1) [Notwithstanding any limitations hereinbefore set
6 forth, any] Any municipality which issues bonds or obligations
7 in accordance with Article VII-A of the act of June 25, 1941
8 (P.L.159), known as the "Municipal Borrowing Law," exclusively
9 for road or street improvement purposes may expend all or any
10 portion of the allocated money for interest and principal
11 payments and sinking fund charges becoming due on such bonds or
12 obligations.

13 * * *

14 Section 2. This act shall take effect immediately and shall
15 be retroactive to May 26, 1980.