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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**

**No. 798**      Session of  
2007

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INTRODUCED BY ARMSTRONG, APRIL 24, 2007

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AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF  
REPRESENTATIVES, AS AMENDED, JUNE 26, 2007

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AN ACT

1 Providing for the capital budget for the fiscal year 2007-2008;      <—  
2 ITEMIZING PUBLIC IMPROVEMENT PROJECTS AND FURNITURE AND  
3 EQUIPMENT PROJECTS TO BE CONSTRUCTED OR ACQUIRED OR ASSISTED  
4 BY THE DEPARTMENT OF GENERAL SERVICES, TOGETHER WITH THEIR  
5 ESTIMATED FINANCIAL COSTS; AUTHORIZING THE INCURRING OF DEBT  
6 WITHOUT THE APPROVAL OF THE ELECTORS FOR THE PURPOSE OF  
7 FINANCING THE PROJECTS TO BE CONSTRUCTED, ACQUIRED OR  
8 ASSISTED BY THE DEPARTMENT OF GENERAL SERVICES; STATING THE  
9 ESTIMATED USEFUL LIFE OF THE PROJECTS; PROVIDING FOR SPECIAL  
10 PROVISIONS FOR CERTAIN PROJECTS; AND MAKING APPROPRIATIONS.

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

13 Section 1. Short title and construction.

14 (a) Short title.--This act shall be known and may be cited  
15 as the Capital Budget AUTHORIZATION AND PUBLIC IMPROVEMENT      <—  
16 PROJECT ITEMIZATION Act of 2007-2008.

17 (b) Supplements.--A reference to this act shall be deemed to  
18 include a reference to the supplements to this act.

19 (c) Capital Facilities Debt Enabling Act.--The provisions  
20 and definitions of Chapter 3 of the act of February 9, 1999

1 (P.L.1, No.1), known as ~~The~~ THE Capital Facilities Debt Enabling ←  
2 Act, shall apply to this act to the extent they are not  
3 inconsistent with this act.

4 Section 2. Overall limitations on debt to be incurred for  
5 capital projects.

6 The maximum principal amount of additional debt to be  
7 incurred during the 2007-2008 fiscal year, AND THEREAFTER UNTIL ←  
8 THE ENACTMENT OF THE 2008-2009 CAPITAL BUDGET SPECIFYING THE  
9 MAXIMUM DEBT FOR THE 2008-2009 FISCAL YEAR, for capital projects  
10 specifically itemized in a capital budget pursuant to section  
11 7(a)(4) of Article VIII of the Constitution of Pennsylvania, and  
12 the fund to be charged with the repayment of such debt, shall,  
13 with respect to each category of capital projects, be as  
14 follows:

15	Category	Amount	Fund
16	(1) Public Improvement		
17	Projects:		
18	(i) Buildings and		General Fund or
19	Structures	\$320,000,000	Special Fund as
20			applicable
21	(2) Furniture and		General Fund or
22	Equipment	25,000,000	Special Fund as
23			applicable
24	(3) Transportation		
25	Assistance Projects	150,000,000	General Fund
26	(4) Redevelopment		
27	Assistance Projects	250,000,000	General Fund
28	(5) Flood Control		
29	Projects	7,000,000	General Fund
30	Total	\$752,000,000	

1 Section 3. Payment of settlement or awards of claims.

2 Notwithstanding the provisions of 62 Pa.C.S. § 1726 (relating  
3 to payment of awards and costs), for fiscal year 2007-2008 the  
4 settlement or award of claims arising from construction  
5 contracts for public improvement projects may be paid by the  
6 Department of General Services from available funds in accounts  
7 within the Capital Facilities Fund that include funds no longer  
8 required for the design, acquisition or construction of any  
9 approved capital project.

10 SECTION 4. TOTAL AUTHORIZATIONS. ←

11 (A) PUBLIC IMPROVEMENTS.--THE TOTAL AUTHORIZATION FOR THE  
12 ADDITIONAL CAPITAL PROJECTS IN THE CATEGORY OF PUBLIC  
13 IMPROVEMENT PROJECTS ITEMIZED IN SECTION 5 AND TO BE ACQUIRED OR  
14 CONSTRUCTED BY THE DEPARTMENT OF GENERAL SERVICES, ITS  
15 SUCCESSORS OR ASSIGNS AND TO BE FINANCED BY THE INCURRING OF  
16 DEBT SHALL BE \$681,500,000.

17 (B) FURNITURE AND EQUIPMENT.--THE TOTAL AUTHORIZATION FOR  
18 THE ADDITIONAL CAPITAL PROJECTS IN THE CATEGORY OF PUBLIC  
19 IMPROVEMENT PROJECTS CONSISTING OF THE ACQUISITION OF ORIGINAL  
20 MOVABLE FURNITURE AND EQUIPMENT TO COMPLETE PUBLIC IMPROVEMENT  
21 PROJECTS ITEMIZED IN SECTION 6 AND TO BE ACQUIRED BY THE  
22 DEPARTMENT OF GENERAL SERVICES, ITS SUCCESSORS OR ASSIGNS AND TO  
23 BE FINANCED BY THE INCURRING OF DEBT SHALL BE \$19,500,000.

24 (C) GENERAL FUND CURRENT REVENUE PROJECTS.--THE TOTAL  
25 AUTHORIZATION FOR THE CAPITAL PROJECTS IN THE CATEGORY OF PUBLIC  
26 IMPROVEMENT PROJECTS ITEMIZED IN SECTION 7 AND TO BE DEVELOPED  
27 OR CONSTRUCTED BY THE DEPARTMENT OF GENERAL SERVICES, ITS  
28 SUCCESSORS OR ASSIGNS AND TO BE FINANCED FROM CURRENT REVENUES  
29 IN THE GENERAL FUND SHALL BE \$25,500,000.

30 SECTION 5. ITEMIZATION OF PUBLIC IMPROVEMENT CAPITAL PROJECTS.

1        ADDITIONAL CAPITAL PROJECTS IN THE CATEGORY OF PUBLIC  
 2        IMPROVEMENT PROJECTS TO BE CONSTRUCTED OR ACQUIRED BY THE  
 3        DEPARTMENT OF GENERAL SERVICES, ITS SUCCESSORS OR ASSIGNS, AND  
 4        TO BE FINANCED BY THE INCURRING OF DEBT, ARE HEREBY ITEMIZED,  
 5        TOGETHER WITH THEIR RESPECTIVE ESTIMATED FINANCIAL COSTS, AS  
 6        FOLLOWS:

PROJECT	TOTAL PROJECT ALLOCATION
(1) DEPARTMENT OF CORRECTIONS	
(I) STATE CORRECTIONAL INSTITUTION AT CAMBRIDGE SPRINGS	
(A) CONSTRUCT A NEW 128-CELL L-3 CLOSE SECURITY HOUSING UNIT WITH 230-BED CAPACITY WITH INFRASTRUCTURE AND KITCHEN UPGRADES	16,800,000
(BASE PROJECT ALLOCATION - \$13,500,000)	
(DESIGN AND CONTINGENCIES - \$3,300,000)	
(II) STATE CORRECTIONAL INSTITUTION AT COAL TOWNSHIP	
(A) CONSTRUCT A NEW 128-CELL L-3 CLOSE SECURITY HOUSING UNIT WITH 230-BED CAPACITY WITH INFRASTRUCTURE UPGRADE	14,500,000
(BASE PROJECT ALLOCATION - \$11,600,000)	
(DESIGN AND CONTINGENCIES - \$2,900,000)	
(III) STATE CORRECTIONAL INSTITUTION AT FOREST	
(A) CONSTRUCT A NEW 128-CELL L-5 CLOSE SECURITY HOUSING UNIT WITH INFRASTRUCTURE UPGRADE	16,500,000
(BASE PROJECT ALLOCATION - \$13,200,000)	

1 (DESIGN AND CONTINGENCIES - \$3,300,000)

2 (IV) STATE CORRECTIONAL INSTITUTION AT

3 GRATERFORD

4 (A) CONSTRUCT A NEW 2,300-BED L-3 MEDIUM  
5 SECURITY PRISON ON THE GROUNDS OF SCI  
6 GRATERFORD INCLUDING INFRASTRUCTURE AND  
7 ROAD WORK TO INCORPORATE THE TWO  
8 FACILITIES AT THIS SITE

200,000,000

9 (BASE PROJECT ALLOCATION -

10 \$160,000,000)

11 (DESIGN AND CONTINGENCIES -

12 \$40,000,000)

13 (V) STATE CORRECTIONAL INSTITUTION AT

14 HUNTINGDON

15 (A) CONSTRUCT A NEW 2,000-BED L-3 MEDIUM  
16 SECURITY PRISON ON THE GROUNDS OF SCI  
17 HUNTINGDON INCLUDING INFRASTRUCTURE AND  
18 ROAD WORK TO INCORPORATE THE TWO  
19 FACILITIES AT THIS SITE

200,000,000

20 (BASE PROJECT ALLOCATION -

21 \$160,000,000)

22 (DESIGN AND CONTINGENCIES -

23 \$40,000,000)

24 (VI) STATE CORRECTIONAL INSTITUTION AT LAUREL

25 HIGHLANDS

26 (A) ADDITIONAL FUNDS FOR DGS PROJECT 376-  
27 5, CONSTRUCT A NEW 230-BED CAPACITY  
28 FACILITY AND UPGRADE INFRASTRUCTURE AND  
29 SECURITY

1,500,000

30 (BASE PROJECT ALLOCATION - \$1,200,000)

1 (DESIGN AND CONTINGENCIES - \$300,000)

2 (VII) STATE REGIONAL CORRECTIONAL FACILITY AT

3 MERCER

4 (A) ADDITIONAL FUNDS FOR DGS PROJECT 1572-

5 10, CONSTRUCT A NEW 230-BED CAPACITY

6 FACILITY AND UPGRADE INFRASTRUCTURE AND

7 SECURITY 4,000,000

8 (BASE PROJECT ALLOCATION - \$3,200,000)

9 (DESIGN AND CONTINGENCIES - \$800,000)

10 (VIII) STATE CORRECTIONAL INSTITUTION AT MUNCY

11 (A) ADDITIONAL FUNDS FOR DGS PROJECT 574-

12 26, ADDITION OF TWO NEW CELL BLOCKS FOR

13 CLOSE SECURITY, EXPANSION OF INFIRMARY,

14 OUTSIDE WAREHOUSE, ELECTRICAL AND

15 BOILER UPGRADES, INCLUDING FUNDS FOR

16 UTILITY UPGRADES AND KITCHEN AND DINING

17 ROOM EXPANSION 7,200,000

18 (BASE PROJECT ALLOCATION - \$5,800,000)

19 (DESIGN AND CONTINGENCIES - \$1,400,000)

20 (IX) STATE CORRECTIONAL INSTITUTION AT PINE

21 GROVE

22 (A) CONSTRUCT A NEW 128-CELL L-3 CLOSE

23 SECURITY HOUSING UNIT WITH 230-BED

24 CAPACITY WITH INFRASTRUCTURE UPGRADE 14,500,000

25 (BASE PROJECT ALLOCATION - \$11,600,000)

26 (DESIGN AND CONTINGENCIES - \$2,900,000)

27 (X) STATE CORRECTIONAL INSTITUTION AT ROCKVIEW

28 (A) CONSTRUCT A NEW 2,000-BED L-3 MEDIUM

29 SECURITY PRISON ON THE GROUNDS OF SCI

30 ROCKVIEW INCLUDING INFRASTRUCTURE AND

1 ROAD WORK TO INCORPORATE THE TWO  
 2 FACILITIES AT THIS SITE 200,000,000  
 3 (BASE PROJECT ALLOCATION -  
 4 \$160,000,000)  
 5 (DESIGN AND CONTINGENCIES -  
 6 \$40,000,000)

7 (XI) STATE CORRECTIONAL INSTITUTION AT  
 8 SMITHFIELD

9 (A) ADDITIONAL FUNDS FOR DGS PROJECT 1573-  
 10 7, EXPAND KITCHEN AND DINING FACILITY 2,500,000  
 11 (BASE PROJECT ALLOCATION - \$2,000,000)  
 12 (DESIGN AND CONTINGENCIES - \$500,000)

13 (B) ADDITIONAL FUNDS FOR DGS PROJECT 1573-  
 14 9, CONSTRUCT A NEW 230-BED CAPACITY  
 15 FACILITY AND UPGRADE INFRASTRUCTURE AND  
 16 SECURITY 4,000,000  
 17 (BASE PROJECT ALLOCATION - \$3,200,000)  
 18 (DESIGN AND CONTINGENCIES - \$800,000)

19 SECTION 6. ITEMIZATION OF FURNITURE AND EQUIPMENT PROJECTS.

20 ADDITIONAL CAPITAL PROJECTS IN THE CATEGORY OF PUBLIC  
 21 IMPROVEMENT PROJECTS CONSISTING OF THE ACQUISITION OF MOVABLE  
 22 FURNITURE AND EQUIPMENT TO COMPLETE PUBLIC IMPROVEMENT PROJECTS  
 23 AND TO BE PURCHASED BY THE DEPARTMENT OF GENERAL SERVICES, ITS  
 24 SUCCESSORS OR ASSIGNS AND TO BE FINANCED BY THE INCURRING OF  
 25 DEBT ARE HEREBY ITEMIZED, TOGETHER WITH THEIR RESPECTIVE  
 26 ESTIMATED FINANCIAL COSTS, AS FOLLOWS:

	TOTAL
	PROJECT
PROJECT	ALLOCATION

30 (1) DEPARTMENT OF CORRECTIONS

1 (I) STATE CORRECTIONAL INSTITUTION AT  
2 GRATERFORD  
3 (A) ORIGINAL FURNITURE AND EQUIPMENT FOR  
4 THE NEW INSTITUTION 6,500,000  
5 (II) STATE CORRECTIONAL INSTITUTION AT  
6 HUNTINGDON  
7 (A) ORIGINAL FURNITURE AND EQUIPMENT FOR  
8 THE NEW INSTITUTION 6,500,000  
9 (III) STATE CORRECTIONAL INSTITUTION AT  
10 ROCKVIEW  
11 (A) ORIGINAL FURNITURE AND EQUIPMENT FOR  
12 THE NEW INSTITUTION 6,500,000

13 SECTION 7. ITEMIZATION OF GENERAL FUND CURRENT REVENUE  
14 PROJECTS.

15 THE INDIVIDUAL CAPITAL PROJECTS IN THE CATEGORY OF PUBLIC  
16 IMPROVEMENT PROJECTS TO BE CONSTRUCTED OR ACQUIRED BY THE  
17 DEPARTMENT OF GENERAL SERVICES, ITS SUCCESSORS OR ASSIGNS, AND  
18 TO BE FINANCED FROM GENERAL FUND CURRENT REVENUES, ARE HEREBY  
19 ITEMIZED, TOGETHER WITH THEIR RESPECTIVE ESTIMATED FINANCIAL  
20 COSTS, AS FOLLOWS:

	TOTAL
	PROJECT
PROJECT	ALLOCATION
24 (1) DEPARTMENT OF CORRECTIONS	
25 (I) STATE CORRECTIONAL INSTITUTION AT ALBION	
26 (A) LEASE AND/OR PURCHASE AN EMERGENCY	
27 HOUSING FACILITY ALONG WITH RELATED	
28 INFRASTRUCTURE IMPROVEMENTS	2,000,000
29 (BASE PROJECT ALLOCATION - \$2,000,000)	
30 (II) STATE CORRECTIONAL INSTITUTION AT	

1 CAMBRIDGE SPRINGS

2 (A) LEASE AND/OR PURCHASE AN EMERGENCY

3 HOUSING FACILITY ALONG WITH RELATED

4 INFRASTRUCTURE IMPROVEMENTS 2,000,000

5 (III) STATE CORRECTIONAL INSTITUTION AT

6 GREENSBURG

7 (A) LEASE AND/OR PURCHASE AN EMERGENCY

8 HOUSING FACILITY ALONG WITH RELATED

9 INFRASTRUCTURE IMPROVEMENTS 2,000,000

10 (BASE PROJECT ALLOCATION - \$2,000,000)

11 (IV) STATE CORRECTIONAL INSTITUTION AT

12 HOUTZDALE

13 (A) LEASE AND/OR PURCHASE AN EMERGENCY

14 HOUSING FACILITY ALONG WITH RELATED

15 INFRASTRUCTURE IMPROVEMENTS 2,000,000

16 (BASE PROJECT ALLOCATION - \$2,000,000)

17 (V) STATE CORRECTIONAL INSTITUTION AT LAUREL

18 HIGHLANDS

19 (A) LEASE AND/OR PURCHASE TWO SEPARATE

20 EMERGENCY HOUSING FACILITIES ALONG WITH

21 RELATED INFRASTRUCTURE IMPROVEMENTS 4,000,000

22 (BASE PROJECT ALLOCATION - \$4,000,000)

23 (VI) STATE CORRECTIONAL INSTITUTION AT MAHANAY

24 (A) LEASE AND/OR PURCHASE AN EMERGENCY

25 HOUSING FACILITY ALONG WITH RELATED

26 INFRASTRUCTURE IMPROVEMENTS 2,000,000

27 (BASE PROJECT ALLOCATION - \$2,000,000)

28 (VII) STATE CORRECTIONAL INSTITUTION AT MUNCY

29 (A) LEASE AND/OR PURCHASE TWO SEPARATE

30 EMERGENCY HOUSING FACILITIES ALONG WITH

1 RELATED INFRASTRUCTURE IMPROVEMENTS 4,000,000  
2 (BASE PROJECT ALLOCATION - \$4,000,000)  
3 (VIII) STATE CORRECTIONAL INSTITUTION AT PINE  
4 GROVE  
5 (A) LEASE AND/OR PURCHASE AN EMERGENCY  
6 HOUSING FACILITY ALONG WITH RELATED  
7 INFRASTRUCTURE IMPROVEMENTS 2,000,000  
8 (BASE PROJECT ALLOCATION - \$2,000,000)  
9 (IX) STATE CORRECTIONAL INSTITUTION AT RETREAT  
10 (A) LEASE AND/OR PURCHASE AN EMERGENCY  
11 HOUSING FACILITY ALONG WITH RELATED  
12 INFRASTRUCTURE IMPROVEMENTS 3,500,000  
13 (BASE PROJECT ALLOCATION - \$3,500,000)  
14 (X) STATE CORRECTIONAL INSTITUTION AT ROCKVIEW  
15 (A) LEASE AND/OR PURCHASE AN EMERGENCY  
16 HOUSING FACILITY ALONG WITH RELATED  
17 INFRASTRUCTURE IMPROVEMENTS 2,000,000  
18 (BASE PROJECT ALLOCATION - \$2,000,000)

19 SECTION 8. DEBT AUTHORIZATION.

20 (A) PUBLIC IMPROVEMENTS.--THE GOVERNOR, AUDITOR GENERAL AND  
21 STATE TREASURER ARE HEREBY AUTHORIZED AND DIRECTED TO BORROW  
22 FROM TIME TO TIME IN ADDITION TO ANY AUTHORIZATION HERETOFORE OR  
23 HEREAFTER ENACTED, ON THE CREDIT OF THE COMMONWEALTH, SUBJECT TO  
24 THE LIMITATIONS PROVIDED IN THE CURRENT CAPITAL BUDGET, MONEY  
25 NOT EXCEEDING IN THE AGGREGATE THE SUM OF \$681,500,000 AS MAY BE  
26 FOUND NECESSARY TO CARRY OUT THE ACQUISITION AND CONSTRUCTION OF  
27 THE PUBLIC IMPROVEMENT PROJECTS SPECIFICALLY ITEMIZED IN A  
28 CAPITAL BUDGET.

29 (B) FURNITURE AND EQUIPMENT.--THE GOVERNOR, AUDITOR GENERAL  
30 AND STATE TREASURER ARE HEREBY AUTHORIZED AND DIRECTED TO BORROW

1 FROM TIME TO TIME IN ADDITION TO ANY AUTHORIZATION HERETOFORE OR  
2 HEREAFTER ENACTED, ON THE CREDIT OF THE COMMONWEALTH, SUBJECT TO  
3 THE LIMITATIONS PROVIDED IN THE CURRENT CAPITAL BUDGET, MONEY  
4 NOT EXCEEDING IN THE AGGREGATE THE SUM OF \$19,500,000 AS MAY BE  
5 FOUND NECESSARY TO CARRY OUT THE ACQUISITION AND CONSTRUCTION OF  
6 THE PUBLIC IMPROVEMENT PROJECTS CONSISTING OF THE ACQUISITION OF  
7 ORIGINAL MOVABLE FURNITURE AND EQUIPMENT SPECIFICALLY ITEMIZED  
8 IN A CAPITAL BUDGET.

9 SECTION 9. ISSUE OF BONDS.

10 THE INDEBTEDNESS AUTHORIZED IN THIS ACT SHALL BE INCURRED  
11 FROM TIME TO TIME AND SHALL BE EVIDENCED BY ONE OR MORE SERIES  
12 OF GENERAL OBLIGATION BONDS OF THE COMMONWEALTH IN SUCH  
13 AGGREGATE PRINCIPAL AMOUNT FOR EACH SERIES AS THE GOVERNOR, THE  
14 AUDITOR GENERAL AND THE STATE TREASURER SHALL DETERMINE, BUT THE  
15 LATEST STATED MATURITY DATE SHALL NOT EXCEED THE ESTIMATED  
16 USEFUL LIFE OF THE PROJECTS BEING FINANCED AS STATED IN SECTION  
17 10.

18 SECTION 10. ESTIMATED USEFUL LIFE AND TERM OF DEBT.

19 (A) ESTIMATED USEFUL LIFE.--THE GENERAL ASSEMBLY STATES THAT  
20 THE ESTIMATED USEFUL LIFE OF THE PUBLIC IMPROVEMENT PROJECTS  
21 ITEMIZED IN THIS ACT IS AS FOLLOWS:

- 22 (1) PUBLIC IMPROVEMENT PROJECTS, 30 YEARS.
- 23 (2) FURNITURE AND EQUIPMENT PROJECTS, 10 YEARS.
- 24 (3) TRANSPORTATION ASSISTANCE PROJECTS:
  - 25 (I) ROLLING STOCK, 15 YEARS.
  - 26 (II) PASSENGER BUSES, 12 YEARS.
  - 27 (III) FURNITURE AND EQUIPMENT, 10 YEARS.
  - 28 (IV) ALL OTHERS, 30 YEARS.

29 (B) TERM OF DEBT.--THE MAXIMUM TERM OF THE DEBT AUTHORIZED  
30 TO BE INCURRED UNDER THIS ACT IS 30 YEARS.

1 SECTION 11. APPROPRIATIONS.

2 (A) PUBLIC IMPROVEMENTS.--THE NET PROCEEDS OF THE SALE OF  
3 THE OBLIGATIONS AUTHORIZED IN THIS ACT ARE HEREBY APPROPRIATED  
4 FROM THE CAPITAL FACILITIES FUND TO THE DEPARTMENT OF GENERAL  
5 SERVICES IN THE MAXIMUM AMOUNT OF \$681,500,000 TO BE USED BY IT  
6 EXCLUSIVELY TO DEFRAY THE FINANCIAL COST OF THE PUBLIC  
7 IMPROVEMENT PROJECTS SPECIFICALLY ITEMIZED IN A CAPITAL BUDGET.  
8 AFTER RESERVING OR PAYING THE EXPENSES OF THE SALE OF THE  
9 OBLIGATION, THE STATE TREASURER SHALL PAY TO THE DEPARTMENT OF  
10 GENERAL SERVICES THE MONEYS AS REQUIRED AND CERTIFIED BY IT TO  
11 BE LEGALLY DUE AND PAYABLE.

12 (B) FURNITURE AND EQUIPMENT.--THE NET PROCEEDS OF THE SALE  
13 OF THE OBLIGATIONS AUTHORIZED IN THIS ACT ARE HEREBY  
14 APPROPRIATED FROM THE CAPITAL FACILITIES FUND TO THE DEPARTMENT  
15 OF GENERAL SERVICES IN THE MAXIMUM AMOUNT OF \$19,500,000 TO BE  
16 USED BY IT EXCLUSIVELY TO DEFRAY THE FINANCIAL COST OF THE  
17 PUBLIC IMPROVEMENT PROJECTS CONSISTING OF THE ACQUISITION OF  
18 ORIGINAL MOVABLE FURNITURE AND EQUIPMENT SPECIFICALLY ITEMIZED  
19 IN A CAPITAL BUDGET. AFTER RESERVING OR PAYING THE EXPENSES OF  
20 THE SALE OF THE OBLIGATION, THE STATE TREASURER SHALL PAY TO THE  
21 DEPARTMENT OF GENERAL SERVICES THE MONEYS AS REQUIRED AND  
22 CERTIFIED BY IT TO BE LEGALLY DUE AND PAYABLE.

23 SECTION 12. FEDERAL FUNDS.

24 IN ADDITION TO THOSE FUNDS APPROPRIATED IN SECTION 11, ALL  
25 MONEYS RECEIVED FROM THE FEDERAL GOVERNMENT FOR THE PROJECTS  
26 SPECIFICALLY ITEMIZED IN THIS ACT ARE ALSO HEREBY APPROPRIATED  
27 FOR THOSE PROJECTS.

28 SECTION 13. DEPARTMENT OF CORRECTIONS FACILITIES.

29 (A) PREEMPTION OF LOCAL ORDINANCES.--CAPITAL PROJECTS IN THE  
30 CATEGORY OF PUBLIC IMPROVEMENT PROJECTS SPECIFICALLY ITEMIZED

1 FOR THE DEPARTMENT OF CORRECTIONS IN SECTION 5(1)(I), (IV),  
2 (VI), (VII), (VIII), (IX), (X), (XI) AND (XII) ARE HEREBY  
3 AUTHORIZED TO BE CONSTRUCTED, ERECTED OR ACQUIRED BY THE  
4 DEPARTMENT OF GENERAL SERVICES, ITS SUCCESSORS OR ASSIGNS, OF  
5 THE DEPARTMENT OF CORRECTIONS, NOTWITHSTANDING ANY ZONING  
6 ORDINANCE, LAND USE ORDINANCE, BUILDING CODE OR OTHER REGULATION  
7 ADOPTED OR ENACTED BY A POLITICAL SUBDIVISION UNDER THE  
8 AUTHORITY OF ANY STATUTE OR UNDER THE AUTHORITY OF ANY HOME RULE  
9 CHARTER AUTHORIZED AND ADOPTED UNDER ANY STATUTE OR THE  
10 CONSTITUTION OF PENNSYLVANIA.

11 (B) PREEMPTION OF LOCAL ORDINANCES FOR 2005-2006 PROJECTS.--  
12 CAPITAL PROJECTS IN THE CATEGORY OF PUBLIC IMPROVEMENT PROJECTS  
13 SPECIFICALLY ITEMIZED FOR THE DEPARTMENT OF CORRECTIONS IN  
14 SECTION 3(5)(IV.2)(A), (IV.4)(A) AND (V.1)(A) OF THE ACT OF JULY  
15 7, 2006 (P.L.390, NO.83), KNOWN AS THE CAPITAL BUDGET PROJECT  
16 ITEMIZATION ACT OF 2005-2006, ARE HEREBY AUTHORIZED TO BE  
17 CONSTRUCTED, ERECTED OR ACQUIRED BY THE DEPARTMENT OF GENERAL  
18 SERVICES, ITS SUCCESSORS OR ASSIGNS, OF THE DEPARTMENT OF  
19 CORRECTIONS, NOTWITHSTANDING ANY ZONING ORDINANCE, LAND USE  
20 ORDINANCE, BUILDING CODE OR OTHER REGULATION ADOPTED OR ENACTED  
21 BY A POLITICAL SUBDIVISION UNDER THE AUTHORITY OF ANY STATUTE OR  
22 UNDER THE AUTHORITY OF ANY HOME RULE CHARTER AUTHORIZED AND  
23 ADOPTED UNDER ANY STATUTE OR THE CONSTITUTION OF PENNSYLVANIA.

24 (C) PREEMPTION OF LOCAL ORDINANCES FOR 2001-2002 PROJECTS.--  
25 THE CAPITAL PROJECTS IN THE CATEGORY OF PUBLIC IMPROVEMENT  
26 PROJECTS SPECIFICALLY ITEMIZED FOR THE DEPARTMENT OF CORRECTIONS  
27 IN SECTION 3(4)(XI)(A) OF THE ACT OF OCTOBER 30, 2002 (P.L.891,  
28 NO.131), KNOWN AS THE CAPITAL BUDGET PROJECT ITEMIZATION ACT OF  
29 2001-2002, ARE HEREBY AUTHORIZED TO BE CONSTRUCTED, ERECTED OR  
30 ACQUIRED BY THE DEPARTMENT OF GENERAL SERVICES, ITS SUCCESSORS

1 OR ASSIGNS, OF THE DEPARTMENT OF CORRECTIONS, NOTWITHSTANDING  
2 ANY ZONING ORDINANCE, LAND USE ORDINANCE, BUILDING CODE OR OTHER  
3 REGULATION ADOPTED OR ENACTED BY A POLITICAL SUBDIVISION UNDER  
4 THE AUTHORITY OF ANY STATUTE OR UNDER THE AUTHORITY OF ANY HOME  
5 RULE CHARTER AUTHORIZED AND ADOPTED UNDER ANY STATUTE OR THE  
6 CONSTITUTION OF PENNSYLVANIA.

7 SECTION 14. SPECIAL CONTRACT PROVISIONS FOR DEPARTMENT OF  
8 CORRECTIONS PROJECTS.

9 THE DEPARTMENT OF GENERAL SERVICES SHALL USE THE COMPETITIVE  
10 SEALED PROPOSAL METHOD OF SOURCE SELECTION TO ENTER INTO A  
11 DESIGN/BUILD CONTRACT FOR THE PROJECTS WHICH ARE AUTHORIZED IN  
12 SECTIONS 5 AND 7. NOTWITHSTANDING THE PROVISIONS OF 62 PA.C.S. §  
13 322(6) (RELATING TO SPECIFIC CONSTRUCTION POWERS, DUTIES AND  
14 PROCEDURES), THE DEPARTMENT OF GENERAL SERVICES, UPON APPROVAL  
15 OF THE SECRETARY OF THE BUDGET, MAY COMPLY WITH THE PROVISIONS  
16 OF THE ACT OF MAY 1, 1913 (P.L.155, NO.104), REFERRED TO AS THE  
17 SEPARATIONS ACT, BY ENTERING INTO A DESIGN/BUILD CONTRACT WHICH  
18 REQUIRES THAT THE DESIGN/BUILD CONTRACTOR COMPLY WITH THE  
19 REQUIREMENTS OF THE SEPARATIONS ACT. ANY DEPARTMENT OF  
20 CORRECTIONS PROJECT WHICH IS AUTHORIZED IN SECTION 5 OR 7 SHALL  
21 BE EXEMPT FROM THE PROVISIONS OF THE ACT OF MARCH 3, 1978  
22 (P.L.6, NO.3), KNOWN AS THE STEEL PRODUCTS PROCUREMENT ACT. THE  
23 SECRETARY OF THE BUDGET SHALL GIVE NOTIFICATION OF ANY SUCH  
24 DESIGN/BUILD CONTRACTS TO THE CHAIRMAN AND MINORITY CHAIRMAN OF  
25 THE APPROPRIATIONS COMMITTEE OF THE SENATE AND THE CHAIRMAN AND  
26 MINORITY CHAIRMAN OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE  
27 OF REPRESENTATIVES TEN DAYS PRIOR TO ADVERTISING FOR A  
28 DEVELOPER.

29 SECTION 15. EDITORIAL CHANGES.

30 IN EDITING AND PREPARING THIS ACT FOR PRINTING FOLLOWING THE

1 FINAL ENACTMENT, THE LEGISLATIVE REFERENCE BUREAU SHALL INSERT  
2 OR REVISE LETTERS OR NUMBERS FOR PROJECTS WHERE THE LETTERS OR  
3 NUMBERS ARE MISSING OR REQUIRE REVISION. THE BUREAU SHALL ALSO  
4 REVISE THE TOTAL MONETARY AMOUNTS FOR THE TOTAL AUTHORIZATION,  
5 DEBT AUTHORIZATION, APPROPRIATIONS AND DEPARTMENTAL TOTALS AS  
6 NECESSARY TO AGREE WITH THE TOTAL MONETARY AMOUNTS OF THE  
7 PROJECTS.

8 Section 4 16. Effective date.

←

9 This act shall take effect July 1, 2007, or immediately,  
10 whichever is later.