

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 1802

Session of  
1977

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

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AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
MARCH 15, 1978

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## 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,"

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

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

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

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

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

14 \* \* \*

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

24 24,643,342

25 XXIX. Department of Environmental Resources.. 22,256,000]

26 Additional Flood Control Projects  
27 arising from the Great Flood of July 1977  
28 are as follows:

29 PROJECT LOCATION

30 (1) Ben's Creek Flood Protection..... 715,000

1	<u>City of Johnstown, Cambria County</u>	<—
2	<u>UPPER YODER TOWNSHIP, CAMBRIA</u>	<—
3	<u>COUNTY AND CONEMAUGH TOWNSHIP,</u>	
4	<u>SOMERSET COUNTY</u>	
5	<u>(Base Construction Cost \$550,000)</u>	
6	(2) <u>Sam's Run Flood Protection.....</u>	<u>1,170,000</u>
7	<u>City of Johnstown, Lorraine Borough,</u>	
8	<u>Cambria County</u>	
9	<u>(Base Construction Cost \$900,000)</u>	
10	(3) <u>Elk Run Debris Dam - City of Johnstown,</u>	
11	<u>Lower Yoder Township, Cambria County.....</u>	<u>316,000</u>
12	<u>(Base Construction Cost \$243,000)</u>	
13	(4) <u>Solomon's Run Flood Protection.....</u>	<u>7,150,000</u>
14	<u>Stoney Creek Township, City of Johnstown</u>	
15	<u>AND DALE BOROUGH, Cambria County</u>	<—
16	<u>(Base Construction Cost, \$5,500,000)</u>	
17	(5) <u>Little Conemaugh River, East Conemaugh</u>	
18	<u>Flood Protection.....</u>	<u>585,000</u>
19	<u>Borough of East Conemaugh AND</u>	<—
20	<u>EAST TAYLOR TOWNSHIP,</u>	
21	<u>Cambria County</u>	
22	<u>(Base Construction Cost \$450,000)</u>	
23	(6) <u>Black Lick Creek Flood Protection.....</u>	<u>1,560,000</u>
24	<u>Nanty Glo BOROUGH, Cambria County</u>	<—
25	<u>(Base Construction Cost \$1,200,000)</u>	
26	(7) <u>South Fork and Otto Run Flood Protection.</u>	<u>1,170,000</u>
27	<u>ADAMS TOWNSHIP AND Croyle Township (Sidman)</u>	<—
28	<u>Cambria County</u>	
29	<u>(Base Construction Cost \$900,000)</u>	
30	(8) <u>South Branch of Black Lick Creek</u>	

1	<u>Flood Protection.....</u>	<u>650,000</u>	
2	<u>Borough of Vintondale</u>		
3	<u>Cambria and Indiana Counties</u>		
4	<u>(Base Construction Cost \$500,000)</u>		
5	<u>(9) Two Lick Creek and Dickson Run Flood</u>		
6	<u>Protection.....</u>	<u>2,210,000</u>	
7	<u>Borough of Clymer</u>		
8	<u>Indiana County</u>		
9	<u>(Base Construction Cost \$1,700,000)</u>		
10	<u>(10) Yellow Creek and Two Lick Creek Flood</u>		
11	<u>Protection.....</u>	<u>3,250,000</u>	
12	<u>Borough of Homer City AND CENTER TOWNSHIP,</u>		<—
13	<u>Indiana County</u>		
14	<u>(Base Construction Cost \$2,500,000)</u>		
15	<u>(11) Paint Creek Flood Protection.....</u>	<u>390,000</u>	
16	<u>Paint Township</u>		
17	<u>Somerset County</u>		
18	<u>(Base Construction Cost \$300,000)</u>		
19	<u>(12) Paint Creek Improvements to Existing Flood</u>		
20	<u>Protection.....</u>	<u>780,000</u>	
21	<u>Borough of Windber</u>		
22	<u>Somerset County</u>		
23	<u>(Base Construction Cost \$600,000)</u>		
24	<u>(13) West Branch of Susquehanna River</u>		
25	<u>Improvements to Existing Flood</u>		
26	<u>Protection.....</u>	<u>910,000</u>	
27	<u>Borough of Cherry Tree</u>		
28	<u>Indiana, Clearfield and Cambria</u>		
29	<u>Counties</u>		
30	<u>(Base Construction Cost \$700,000)</u>		

1    (14) Mill Run Creek Flood  
2           Protection.....           1,400,000  
3           City of Altoona, Logan and  
4           Allegheny Townships,  
5           Blair County  
6           (Base Construction Cost \$1,100,000)

7       In order to expedite these projects, the Department of  
8   General Services shall assign the professional agreements for  
9   design and the construction supervision to the Department of  
10 Environmental Resources.

11       Section 2. This act shall take effect immediately.