

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1338

 Session of 1993

INTRODUCED BY DERMODY, TRELLO, DeLUCA AND ITKIN, APRIL 21, 1993

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
JUNE 20, 1994

AN ACT

1 Amending ~~Title~~ TITLES 74 (TRANSPORTATION) AND 75 (Vehicles) of <—
2 the Pennsylvania Consolidated Statutes, further providing AN <—
3 EXEMPTION FROM THE MOTOR VEHICLE LEASE ADDITIONAL TAX;
4 DEFINING "PUBLIC OFFICIAL" AND "QUALIFIED MAJORITY"; FURTHER
5 PROVIDING FOR THE BOARD, FOR THE GENERAL MANAGER, FOR LEGAL
6 COUNSEL, FOR CONTRACTS FOR PROFESSIONAL SERVICES, FOR WILD
7 RESOURCE CONSERVATION PLATES AND for extensions and
8 improvements to the Pennsylvania Turnpike; AND MAKING <—
9 REPEALS.

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

12 ~~Section 1. Section 8912 of Title 75 of the Pennsylvania~~ <—
13 ~~Consolidated Statutes is amended to read:~~

14 SECTION 1. SECTION 1314(E) OF TITLE 74 OF THE PENNSYLVANIA <—
15 CONSOLIDATED STATUTES IS AMENDED TO READ:

16 § 1314. PUBLIC TRANSPORTATION ASSISTANCE FUND.

17 * * *

18 (E) MOTOR VEHICLE LEASE ADDITIONAL TAX.--THERE IS HEREBY
19 IMPOSED ON EACH LEASE OF A MOTOR VEHICLE SUBJECT TO TAX UNDER
20 ARTICLE II OF THE TAX REFORM CODE OF 1971 AN ADDITIONAL TAX OF
21 3% OF THE TOTAL LEASE PRICE CHARGED. AS USED IN THIS SUBSECTION,

1 THE TERM "MOTOR VEHICLE" DOES NOT INCLUDE TRUCKS IN CLASS 4 OR
2 HIGHER AS DEFINED IN 75 PA.C.S. § 1916(A)(1) (RELATING TO TRUCKS
3 AND TRUCK TRACTORS).

4 * * *

5 SECTION 2. SECTION 1701 OF TITLE 74 IS AMENDED BY ADDING
6 DEFINITIONS TO READ:

7 § 1701. DEFINITIONS.

8 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER
9 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
10 CONTEXT CLEARLY INDICATES OTHERWISE:

11 * * *

12 "PUBLIC OFFICIAL." AN ELECTED OFFICIAL IN THE EXECUTIVE,
13 LEGISLATIVE OR JUDICIAL BRANCH OF THE COMMONWEALTH OR ANY
14 POLITICAL SUBDIVISION THEREOF, PROVIDED THAT IT SHALL NOT
15 INCLUDE MEMBERS OF ADVISORY BOARDS THAT HAVE NO AUTHORITY TO
16 EXPEND PUBLIC FUNDS OTHER THAN REIMBURSEMENT FOR PERSONAL
17 EXPENSES, OR TO OTHERWISE EXERCISE THE POWER OF THE COMMONWEALTH
18 OR ANY POLITICAL SUBDIVISION THEREOF.

19 * * *

20 "QUALIFIED MAJORITY." A MAJORITY OF THE GOVERNING BODY OF AN
21 AUTHORITY WHICH MUST ONLY INCLUDE FOUR OF THE FIVE MEMBERS
22 APPOINTED UNDER SECTION 1713(A)(1) AND (2) (RELATING TO
23 APPOINTMENT OF BOARD MEMBERS).

24 * * *

25 SECTION 3. SECTION 1712 OF TITLE 74 IS AMENDED BY ADDING A
26 SUBSECTION TO READ:

27 § 1712. GOVERNING AND POLICYMAKING BODY.

28 * * *

29 (C) PUBLIC OFFICIALS PROHIBITED.--NO MEMBER APPOINTED TO THE
30 BOARD SUBSEQUENT TO THE EFFECTIVE DATE OF THIS SUBSECTION SHALL

BE A PUBLIC OFFICIAL. ANY PUBLIC OFFICIAL CURRENTLY SERVING AS A
MEMBER OF THE BOARD ON THE EFFECTIVE DATE OF THIS SUBSECTION
SHALL BE EXEMPT FROM THIS PROHIBITION.

SECTION 4. SECTION 1713(A) OF TITLE 74 IS AMENDED AND THE
SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

§ 1713. APPOINTMENT OF BOARD MEMBERS.

(A) APPOINTMENT.--EXCEPT AS PROVIDED IN SUBSECTION (D) WITH
RESPECT TO THE CONTINUATION IN OFFICE OF MEMBERS OF THE BOARD OF
ANY AUTHORITY ESTABLISHED UNDER THE FORMER PROVISIONS OF ARTICLE
III OF THE ACT OF JANUARY 22, 1968 (P.L.42, NO.8), KNOWN AS THE
PENNSYLVANIA URBAN MASS TRANSPORTATION LAW, OR THE FORMER
PROVISIONS OF CHAPTER 15 (RELATING TO METROPOLITAN
TRANSPORTATION AUTHORITIES), AT ANY TIME AFTER THE EFFECTIVE
DATE OF THIS CHAPTER:

(1) THE GOVERNOR MAY APPOINT AS A MEMBER OF THE BOARD
ONE PERSON WHO MAY BE AN EX OFFICIO APPOINTEE FROM AMONG THE
VARIOUS OFFICIALS IN THIS COMMONWEALTH AND WHOSE TERM AS A
BOARD MEMBER SHALL RUN CONCURRENTLY WITH THAT OF HIS
COMMONWEALTH POSITION, IF ANY, OR THE TERM OF THE APPOINTING
GOVERNOR, WHICHEVER IS SHORTER.

(2) THE MAJORITY LEADER AND THE MINORITY LEADER OF THE
SENATE AND THE MAJORITY LEADER AND THE MINORITY LEADER OF THE
HOUSE OF REPRESENTATIVES MAY EACH APPOINT ONE PERSON TO SERVE
AS A BOARD MEMBER, WHOSE TERM SHALL BE CONCURRENT WITH THE
TERM AND WHO SHALL SERVE AT THE PLEASURE OF THE APPOINTING
LEGISLATIVE LEADER.

(3) [THE COUNTY COMMISSIONERS OR THE COUNTY COUNCIL IN
EACH COUNTY AND, IN ANY COUNTY OF THE FIRST CLASS CONTAINING
A CITY OF THE FIRST CLASS, THE MAYOR, WITH THE APPROVAL OF
THE CITY COUNCIL, MAY APPOINT TWO PERSONS FROM EACH COUNTY TO

1 SERVE AS BOARD MEMBERS.] THE CHAIRMAN OF THE COUNTY
2 COMMISSIONERS OR THE COUNTY COUNCIL IN EACH COUNTY AND, IN
3 ANY COUNTY OF THE FIRST CLASS CONTAINING A CITY OF THE FIRST
4 CLASS, THE MAYOR MAY APPOINT TWO PERSONS FROM EACH COUNTY TO
5 SERVE AS BOARD MEMBERS.

6 * * *

7 (E) EXPIRATION OF TERMS OF CURRENT MEMBERS.--THIRTY DAYS
8 FROM THE EFFECTIVE DATE OF THIS SUBSECTION, THE TERMS OF ALL
9 BOARD MEMBERS CURRENTLY SERVING UNDER SUBSECTION (A)(3) SHALL
10 EXPIRE. AFTER THAT DATE, APPOINTMENTS MAY BE MADE TO THE BOARD
11 UNDER SUBSECTION (A)(3).

12 SECTION 5. SECTIONS 1719, 1721 AND 1722 OF TITLE 74 ARE
13 AMENDED TO READ:

14 § 1719. GENERAL MANAGER.

15 [THE BOARD SHALL APPOINT A GENERAL MANAGER, WHO SHALL BE THE]
16 THE BOARD SHALL, UPON THE APPROVAL OF A QUALIFIED MAJORITY,
17 APPOINT A GENERAL MANAGER, WHO SHALL SERVE AT THE PLEASURE OF
18 THE BOARD FOR A TERM ENDING 60 DAYS BEYOND THE CURRENT TERM OF
19 OFFICE OF THE APPOINTING AUTHORITIES FROM THE HOUSE OF
20 REPRESENTATIVES OR UNTIL HIS SUCCESSOR IS RETAINED PURSUANT TO
21 THIS SECTION, WHICHEVER SHALL FIRST OCCUR, WHO SHALL BE THE
22 CHIEF OPERATIONS OFFICER OF THE AUTHORITY AND WHO SHALL HAVE
23 DEMONSTRATED THAT HE IS COMPETENT AND EXPERIENCED IN THE AREA OF
24 TRANSIT MANAGEMENT, AND SHALL FIX HIS COMPENSATION. THE GENERAL
25 MANAGER SHALL HAVE THE POWER AND DUTY TO:

26 (1) MANAGE THE PROPERTIES OF THE AUTHORITY.

27 (2) ATTEND TO THE DAY-TO-DAY ADMINISTRATION, FISCAL
28 MANAGEMENT AND OPERATION OF THE AUTHORITY'S BUSINESS.

29 (3) APPOINT SUCH EMPLOYEES AS HE DEEMS NECESSARY TO
30 CONDUCT THE AFFAIRS OF HIS OFFICE, SUBJECT TO THE PROVISIONS

1 OF THIS CHAPTER.

2 (4) IMPLEMENT AND ENFORCE ALL RESOLUTIONS, RULES AND
3 REGULATIONS OF THE BOARD.

4 (5) SUBMIT TO THE BOARD, ACCORDING TO A SCHEDULE
5 ESTABLISHED BY IT, PERIODIC REPORTS SHOWING THE OVERALL STATE
6 OR CONDITION OF THE TRANSPORTATION SYSTEM ACCORDING TO
7 ESTABLISHED INDUSTRY PERFORMANCE STANDARDS. THESE REPORTS
8 SHALL BE CONSIDERED PUBLIC RECORDS.

9 (6) IMPLEMENT POLICIES ESTABLISHED BY THE BOARD.

10 § 1721. COUNSEL TO THE BOARD.

11 THE BOARD SHALL, UPON THE APPROVAL OF A QUALIFIED MAJORITY,
12 APPOINT A COUNSEL TO THE BOARD, WHO SHALL BE AN ATTORNEY AT LAW
13 ADMITTED TO PRACTICE BEFORE THE SUPREME COURT OF PENNSYLVANIA
14 AND WHO SHALL BE APPOINTED BY THE BOARD TO SERVE AT ITS
15 DISCRETION. THE BOARD SHALL PAY THE COUNSEL TO THE BOARD
16 REASONABLE COMPENSATION FOR SERVICES ACTUALLY PERFORMED. THE
17 COUNSEL TO THE BOARD SHALL ADVISE THE BOARD IN ALL MATTERS
18 RELATING TO ITS OFFICIAL DUTIES AND SHALL, NOTWITHSTANDING ANY
19 OTHER PROVISION OF THIS CHAPTER, APPROVE ALL MATTERS RELATING TO
20 BONDS AND INDENTURES.

21 § 1722. LEGAL DIVISION AND GENERAL COUNSEL.

22 [(A) LEGAL DIVISION.--THE GENERAL MANAGER SHALL ESTABLISH A
23 LEGAL DIVISION WHICH SHALL BE ADMINISTERED BY A FULL-TIME
24 GENERAL COUNSEL, WHO SHALL BE AN ATTORNEY AT LAW ADMITTED TO
25 PRACTICE BEFORE THE SUPREME COURT OF PENNSYLVANIA AND WHO SHALL
26 BE APPOINTED BY THE GENERAL MANAGER TO SERVE AT HIS OR HER
27 PLEASURE. THE LEGAL DIVISION, IN ADDITION TO THE GENERAL
28 COUNSEL, SHALL CONSIST OF THOSE ATTORNEYS AND OTHER EMPLOYEES AS
29 THE GENERAL COUNSEL SHALL, FROM TIME TO TIME, DETERMINE TO BE
30 NECESSARY AND WHO SHALL BE APPOINTED BY THE GENERAL MANAGER.

1 EXCEPT AS PROVIDED IN SECTION 1721 (RELATING TO COUNSEL TO THE
2 BOARD), THE LEGAL DIVISION SHALL ADMINISTER THE LEGAL AFFAIRS OF
3 THE AUTHORITY, SHALL PROSECUTE AND DEFEND, SETTLE OR COMPROMISE
4 ALL SUITS OR CLAIMS FOR AND ON BEHALF OF THE AUTHORITY AND SHALL
5 ADVISE THE GENERAL MANAGER IN ALL MATTERS RELATING TO HIS OR HER
6 OFFICIAL DUTIES. THE AUTHORITY SHALL NOT BE CONSIDERED EITHER AN
7 EXECUTIVE AGENCY OR AN INDEPENDENT AGENCY FOR THE PURPOSE OF THE
8 ACT OF OCTOBER 15, 1980 (P.L.950, NO.164), KNOWN AS THE
9 COMMONWEALTH ATTORNEYS ACT, BUT SHALL POSSESS THE SAME STATUS
10 FOR SUCH PURPOSE AS THE AUDITOR GENERAL, THE STATE TREASURER AND
11 THE PENNSYLVANIA PUBLIC UTILITY COMMISSION, EXCEPT THAT THE
12 PROVISIONS OF SECTION 204(B) AND (F) OF THE COMMONWEALTH
13 ATTORNEYS ACT SHALL NOT APPLY TO THE AUTHORITY AND,
14 NOTWITHSTANDING THE PROVISIONS OF 42 PA.C.S. § 8525 (RELATING TO
15 LEGAL ASSISTANCE), THE AUTHORITY THROUGH ITS COUNSEL SHALL
16 DEFEND ACTIONS BROUGHT AGAINST THE AUTHORITY AND ITS OFFICERS
17 AND EMPLOYEES WHEN ACTING WITHIN THE SCOPE OF THEIR OFFICIAL
18 DUTIES.

19 (B) OTHER COUNSEL.--THE GENERAL COUNSEL MAY, FROM TIME TO
20 TIME, WITH THE APPROVAL OF THE GENERAL MANAGER, RETAIN SUCH
21 OTHER LEGAL COUNSEL ON SUCH TERMS AND FOR SUCH PURPOSES AS SHALL
22 BE DEEMED BY THE GENERAL MANAGER TO BE NECESSARY OR IN CASES
23 WHERE THE NEEDS OF THE AUTHORITY WOULD BE BETTER SERVED. NOTHING
24 IN THIS SECTION OR IN SECTION 1721 SHALL BE CONSTRUED SO AS TO
25 LIMIT THE POWER OF THE LEGAL OR OTHER OFFICERS OF THE COUNTIES
26 AND MUNICIPALITIES COMPRISING THE METROPOLITAN AREA TO ACT IN
27 BEHALF OF THE GENERAL MANAGER IN THEIR OFFICIAL CAPACITIES WHEN
28 REQUESTED TO DO SO BY THE GENERAL MANAGER.]

29 (A) ESTABLISHMENT AND OPERATION.--THE BOARD SHALL, UPON THE
30 APPROVAL OF A QUALIFIED MAJORITY, APPOINT A FULL-TIME GENERAL

1 COUNSEL WHO SHALL SERVE AT THE PLEASURE OF THE APPOINTING
2 AUTHORITY FOR A TERM EXTENDING NOT MORE THAN 60 DAYS BEYOND THE
3 CURRENT TERM OF OFFICE OF THE APPOINTING AUTHORITIES FROM THE
4 HOUSE OF REPRESENTATIVES OR UNTIL A SUCCESSOR IS APPOINTED
5 PURSUANT TO THIS SECTION, WHICHEVER SHALL FIRST OCCUR, AND WHO
6 SHALL BE AN ATTORNEY ADMITTED TO PRACTICE BEFORE THE SUPREME
7 COURT OF PENNSYLVANIA. THE GENERAL MANAGER SHALL, UPON THE
8 APPROVAL OF A QUALIFIED MAJORITY, ESTABLISH A LEGAL DIVISION
9 ADMINISTERED BY THE GENERAL COUNSEL AND CONSISTING OF SUCH
10 ATTORNEYS AND OTHER EMPLOYEES AS THE GENERAL COUNSEL FROM TIME
11 TO TIME SHALL DETERMINE TO BE NECESSARY TO ADMINISTER THE LEGAL
12 AFFAIRS OF THE AUTHORITY, EXCEPT AS PROVIDED IN SECTION 1721
13 (RELATING TO COUNSEL TO THE BOARD). THE LEGAL DIVISION SHALL
14 PROSECUTE AND DEFEND, SETTLE OR COMPROMISE ALL SUITS OR CLAIMS
15 FOR AND ON BEHALF OF THE AUTHORITY AND SHALL ADVISE THE GENERAL
16 MANAGER IN ALL MATTERS RELATING TO THE OFFICIAL DUTIES OF THE
17 GENERAL MANAGER. THE AUTHORITY SHALL NOT BE CONSIDERED EITHER AN
18 EXECUTIVE AGENCY OR AN INDEPENDENT AGENCY FOR PURPOSES OF THE
19 ACT OF OCTOBER 15, 1980 (P.L.950, NO.164), KNOWN AS THE
20 COMMONWEALTH ATTORNEYS ACT, BUT SHALL POSSESS THE SAME STATUS
21 FOR SUCH PURPOSE AS THE AUDITOR GENERAL, STATE TREASURER AND THE
22 PENNSYLVANIA PUBLIC UTILITY COMMISSION, EXCEPT THAT THE
23 PROVISIONS OF SECTION 204(B) AND (F) OF THE COMMONWEALTH
24 ATTORNEYS ACT SHALL NOT APPLY TO THE AUTHORITY AND,
25 NOTWITHSTANDING THE PROVISIONS OF 42 PA.C.S. § 8525 (RELATING TO
26 LEGAL ASSISTANCE), THE AUTHORITY THROUGH ITS COUNSEL SHALL
27 DEFEND ACTIONS BROUGHT AGAINST THE AUTHORITY AND ITS OFFICERS
28 AND EMPLOYEES WHEN ACTING WITHIN THE SCOPE OF THEIR OFFICIAL
29 DUTIES.

30 (B) OTHER COUNSEL.--THE GENERAL COUNSEL MAY, FROM TIME TO

1 TIME, WITH THE APPROVAL OF A QUALIFIED MAJORITY, RETAIN SUCH
2 OTHER LEGAL COUNSEL ON SUCH TERMS AND FOR SUCH PURPOSES AS SHALL
3 BE DEEMED NECESSARY. NOTHING IN THIS SECTION OR IN SECTION 1721
4 SHALL BE CONSTRUED SO AS TO LIMIT THE POWER OF THE LEGAL OR
5 OTHER OFFICERS OF THE COUNTIES AND MUNICIPALITIES COMPRISING THE
6 METROPOLITAN AREA TO ACT IN BEHALF OF THE GENERAL MANAGER IN
7 THEIR OFFICIAL CAPACITIES WHEN REQUESTED TO DO SO BY THE GENERAL
8 MANAGER.

9 SECTION 6. SECTION 1750 OF TITLE 74 IS AMENDED BY ADDING A
10 SUBSECTION TO READ:

11 § 1750. CONTRACTS, PROCUREMENT AND SALE OF PROPERTY.

12 * * *

13 (L) PROFESSIONAL SERVICES.--NOTHING IN THIS SECTION OR ANY
14 LAW OF THIS COMMONWEALTH SHALL REQUIRE THE AUTHORITY TO
15 COMPETITIVELY BID ARCHITECTURAL DESIGN, ENGINEERING,
16 CONSTRUCTION MANAGEMENT, ACCOUNTING, FINANCIAL, LEGAL OR OTHER
17 PROFESSIONAL SERVICES REQUIRED BY THE AUTHORITY. NEVERTHELESS,
18 ALL CONTRACTS NOT COMPETITIVELY BID SHALL BE SUBJECT TO THE
19 APPROVAL OF A QUALIFIED MAJORITY.

20 SECTION 7. SECTIONS 1352, 8912 AND 8914 OF TITLE 75 ARE
21 AMENDED TO READ:

22 § 1352. WILD RESOURCE CONSERVATION PLATE.

23 THE DEPARTMENT, IN CONSULTATION WITH THE WILD RESOURCE
24 CONSERVATION BOARD, SHALL DESIGN A SPECIAL WILD RESOURCE
25 CONSERVATION REGISTRATION PLATE. UPON APPLICATION OF ANY PERSON,
26 ACCOMPANIED BY A FEE OF \$35 WHICH SHALL BE IN ADDITION TO THE
27 ANNUAL REGISTRATION FEE, THE DEPARTMENT SHALL ISSUE THE PLATE
28 FOR A PASSENGER CAR, MOTOR HOME, TRAILER OR [OTHER VEHICLE]
29 TRUCK WITH A REGISTERED GROSS WEIGHT OF NOT MORE THAN 9,000
30 POUNDS. THE WILD RESOURCE CONSERVATION FUND SHALL RECEIVE \$15 OF

1 EACH ADDITIONAL FEE FOR THIS PLATE.

2 § 8912. Subsequent extension authorizations.

3 The commission is also hereby authorized and empowered to
4 construct, operate and maintain further extensions and
5 improvements of the turnpike at such specific locations and
6 according to such schedules as shall be deemed feasible and
7 which shall be approved by the commission, subject to the waiver
8 of the Federal toll prohibition provisions where applicable, as
9 follows:

10 (1) From an interchange with Interstate Route 70 between
11 existing interchanges at Lover and Speers extending northerly
12 to an interchange with Interstate Route 376 in Pittsburgh
13 extending northwesterly along the Washington/Allegheny Line
14 toward the Midfield Terminal, Greater Pittsburgh Airport,
15 Southern Beltway, Extension of the Findlay Connector along
16 Interstate 79, and also extending southerly connecting with
17 the existing interchange between U.S. Route 40 and the Mon
18 Valley Expressway (L.R.1125).

19 (2) From a point at or near the existing interchange
20 between U.S. Route 40 and the Mon Valley Expressway
21 (L.R.1125) in Fayette County southeasterly along U.S. Route
22 40 to Uniontown and continuing southerly along Pa. Route 857
23 to the West Virginia border.

24 (2.1) From a point at or near the eastern end of the
25 Kiski Valley Expressway (State Route 356) southerly generally
26 following and coincident where feasible with State Route 66
27 to the interchange of Toll 66 and U.S. Route 22 at Delmont.

28 (2.2) FROM A POINT AT THE INTERSECTION OF ROUTE 28 AND
29 ROUTE 422 IN KITTANNING, ARMSTRONG COUNTY, NORTHERLY TO
30 BROOKVILLE, JEFFERSON COUNTY, TO A POINT AT THE INTERSECTION

<—

1 WITH INTERSTATE ROUTE 80.

2 ~~(2.2)~~ (2.3) From an interchange with Pa. Route 60 in the <—
3 vicinity of the White Swan and Montour Interchanges
4 northeasterly to an interchange with Pa. Route 51 in the
5 vicinity of McKees Rocks and extending across the Ohio River
6 over Brunot Island to an interchange with Pa. Route 65 (Ohio
7 River Boulevard).

8 ~~(2.3) Construct an interchange on the Northeast~~ <—
9 ~~Extension of the Pennsylvania Turnpike System between the~~
10 ~~Lansdale and Quakertown Interchanges.~~

11 (3) From an interchange with the turnpike at or near
12 Interchange 10 extending northerly generally following and
13 coincident where feasible with existing U.S. Route 219 to an
14 interchange with Interstate Route 80 at or near Interchange
15 16.

16 (4) Construction of an interchange for access to the
17 International Distribution Center at the Wilkes-Barre-
18 Scranton International Airport in Luzerne County on the
19 Northeast Extension of the Pennsylvania Turnpike System.

20 (5) From a point at or near Turnpike Interchange 10
21 southerly generally along U.S. Route 219 to the Maryland
22 border.

23 (6) From a point at or near Interstate Route 80
24 Interchange 16 northerly generally along U.S. Route 219 to a
25 connection with the existing U.S. Route 219 Expressway south
26 of Bradford in McKean County.

27 ~~Section 2. This act shall take effect in 60 days.~~ <—

28 § 8914. FURTHER SUBSEQUENT AUTHORIZATIONS. <—

29 UPON COMPLETION OF THE TURNPIKE EXTENSIONS AND IMPROVEMENTS
30 SET FORTH IN SECTIONS 8911 (RELATING TO IMPROVEMENT AND

1 EXTENSION AUTHORIZATIONS), 8912 (RELATING TO SUBSEQUENT
2 EXTENSION AUTHORIZATIONS) AND 8913 (RELATING TO ADDITIONAL
3 SUBSEQUENT EXTENSION AUTHORIZATIONS), THE COMMISSION IS HEREBY
4 AUTHORIZED AND EMPOWERED TO CONSTRUCT, OPERATE AND MAINTAIN
5 FURTHER EXTENSIONS AND IMPROVEMENTS OF THE TURNPIKE AT SUCH
6 SPECIFIC LOCATIONS AND ACCORDING TO SUCH SCHEDULES AS SHALL BE
7 DEEMED FEASIBLE AND WHICH SHALL BE APPROVED BY THE COMMISSION,
8 SUBJECT TO THE WAIVER OF THE FEDERAL TOLL PROHIBITION PROVISIONS
9 WHERE APPLICABLE, AS FOLLOWS:

10 (1) FROM A POINT AT OR NEAR THE INTERSECTION OF STATE
11 ROUTE 65 AND CROWS RUN ROAD IN BEAVER COUNTY, IN A
12 SOUTHEASTERLY DIRECTION TO A POINT AT OR NEAR THE PERRY
13 HIGHWAY INTERCHANGE OF THE PENNSYLVANIA TURNPIKE.

14 [(2) FROM A POINT AT OR NEAR EXIT 5 OF THE TURNPIKE
15 NORTHERLY TO BROOKVILLE, JEFFERSON COUNTY, TO A POINT AT THE
16 INTERSECTION WITH INTERSTATE ROUTE 80.]

17 (3) FROM A POINT AT OR NEAR THE PENNSYLVANIA TURNPIKE
18 SYSTEM INTO VARIOUS AREAS OF BERKS COUNTY IN ORDER TO
19 COMPLETE THE CONSTRUCTION OF THE INNER LOOP SYSTEM AND OUTER
20 LOOP SYSTEM OF HIGHWAYS SURROUNDING THE CITY OF READING AND
21 TO COMPLETE THE MISSING LINKS ON ROUTES 222 TO 422 TO 1035.

22 (4) FROM A POINT AT OR NEAR THE INTERSECTIONS OF
23 INTERSTATE ROUTE 70, INTERSTATE ROUTE 76 AND T.R.119 IN THE
24 BOROUGH OF YOUNGWOOD, WESTMORELAND COUNTY, IN A NORTHERLY
25 DIRECTION ALONG T.R.119 AND T.R.66 TO THE INTERSECTION OF
26 T.R.22 WITH A BYPASS AROUND THE CITY OF GREENSBURG,
27 WESTMORELAND COUNTY; THENCE NORTH ON T.R.66 TO T.R.356;
28 THENCE NORTH ON T.R.356 TO THE INTERSECTION WITH T.R.28.

29 (5) FROM A POINT AT OR NEAR THE INTERSECTION OF T.R.66
30 AND T.R.22 IN SALEM TOWNSHIP, WESTMORELAND COUNTY; THENCE IN

1 A WESTERLY DIRECTION PARALLELING T.R.22 TO EXIT 6 OF
2 INTERSTATE 76.

3 SECTION 8. THE FOLLOWING ACTS AND PARTS OF ACTS ARE
4 REPEALED:

5 ARTICLE XXIII OF THE ACT OF MARCH 4, 1971 (P.L.6, NO.2),
6 KNOWN AS THE TAX REFORM CODE OF 1971.

7 AS MUCH OF SECTION 42(A) AS RELATES TO THE REPEAL OF 74
8 PA.C.S. § 1314 UNDER THE ACT OF JUNE 16, 1994 (P.L. , NO.48),
9 ENTITLED "AN ACT AMENDING THE ACT OF MARCH 4, 1971 (P.L.6,
10 NO.2), ENTITLED 'AN ACT RELATING TO TAX REFORM AND STATE
11 TAXATION BY CODIFYING AND ENUMERATING CERTAIN SUBJECTS OF
12 TAXATION AND IMPOSING TAXES THEREON; PROVIDING PROCEDURES FOR
13 THE PAYMENT, COLLECTION, ADMINISTRATION AND ENFORCEMENT THEREOF;
14 PROVIDING FOR TAX CREDITS IN CERTAIN CASES; CONFERRING POWERS
15 AND IMPOSING DUTIES UPON THE DEPARTMENT OF REVENUE, CERTAIN
16 EMPLOYERS, FIDUCIARIES, INDIVIDUALS, PERSONS, CORPORATIONS AND
17 OTHER ENTITIES; PRESCRIBING CRIMES, OFFENSES AND PENALTIES, '
18 FURTHER DEFINING "MANUFACTURE" FOR SALES TAX PURPOSES; EXCLUDING
19 MAGAZINE SUBSCRIPTIONS AND CERTAIN OFFICE BUILDING CLEANING
20 SERVICES FROM SALES AND USE TAX; PROVIDING SPECIFIC SITUS
21 PROVISIONS FOR LOCAL SALES TAX COLLECTION; FURTHER PROVIDING FOR
22 SPECIAL TAX PROVISIONS FOR POVERTY AND FOR PENNSYLVANIA S
23 CORPORATIONS; REQUIRING ALL EMPLOYERS TO WITHHOLD WAGE TAXES
24 LEVIED BY CITIES OF THE FIRST CLASS; FURTHER PROVIDING FOR THE
25 TAXATION OF BUSINESS TRUSTS, FOR LOSS CARRYFORWARD AND FOR THE
26 RATE OF CORPORATE NET INCOME TAX; REPEALING CORPORATE NET INCOME
27 TAX REVENUE ALLOCATIONS TO THE INDUSTRIAL DEVELOPMENT FUND;
28 FURTHER DEFINING 'CAPITAL STOCK VALUE' FOR CAPITAL STOCK AND
29 FRANCHISE TAX PURPOSES; FURTHER PROVIDING FOR THE BANK SHARES
30 TAX, FOR THE ALTERNATIVE BANK SHARES TAX AND FOR THE TAX ON

1 TITLE INSURANCE COMPANIES; PROVIDING FOR THE DISCLOSURE OF
2 CERTAIN GROSS RECEIPTS TAXES; EXCLUDING TRANSFERS TO FAMILY FARM
3 PARTNERSHIPS; PROVIDING FOR THE IMPOSITION OF A TAX ON THE GROSS
4 RECEIPTS OF VEHICLE RENTAL COMPANIES RENTING PRIVATE PASSENGER
5 MOTOR VEHICLES AND FOR THE COLLECTION AND DISPOSITION OF THE TAX
6 REVENUES; PROVIDING A TAX CREDIT TO CERTAIN BUSINESS FIRMS WHO
7 CONTRIBUTE TO NEIGHBORHOOD ORGANIZATIONS AND WHOSE ACTIVITIES
8 TEND TO UPGRADE IMPOVERISHED AREAS; FURTHER PROVIDING FOR MALT
9 BEVERAGE LIMITED TAX CREDIT; EXEMPTING SPOUSAL TRANSFERS FROM
10 INHERITANCE TAXATION; PROVIDING FOR THE TAXATION OF CERTAIN
11 SPOUSAL TRUSTS; PROVIDING FOR A TRANSPORTATION ASSISTANCE FUND;
12 IMPOSING ADDITIONAL POWERS AND DUTIES ON THE DEPARTMENT OF
13 REVENUE; AND MAKING REPEALS."

14 SECTION 9. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

15 (1) THE AMENDMENT OF 74 PA.C.S. § 1314(E) SHALL TAKE
16 EFFECT APRIL 1, 1995.

17 (2) THE AMENDMENT OF 75 PA.C.S. §§ 1352, 8912 AND 8914
18 SHALL TAKE EFFECT IN 60 DAYS.

19 (3) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT
20 IMMEDIATELY.