

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2529

Session of
2002

INTRODUCED BY FLEAGLE, APRIL 8, 2002

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
MAY 1, 2002

AN ACT

1 Providing for the capital budget for the fiscal year 2002-2003
2 AND FOR THE ESTABLISHMENT OF A CAPITAL PROJECTS OVERSIGHT
3 BOARD. <—

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

7 CHAPTER 1 <—

8 CAPITAL BUDGET ACT OF 2002-2003

9 Section ~~±~~ 101. Short title and construction. <—

10 (a) Short title.--This ~~act~~ CHAPTER shall be known and may be <—
11 cited as the Capital Budget Act of 2002-2003.

12 (b) Supplements.--A reference to this ~~act~~ CHAPTER shall be <—
13 deemed to include a reference to the supplements to this ~~act~~ <—
14 CHAPTER. <—

15 (c) Capital Facilities Debt Enabling Act.--The provisions
16 and definitions of Chapter 3 of the act of February 9, 1999
17 (P.L.1, No.1), known as The Capital Facilities Debt Enabling
18 Act, shall apply to this ~~act~~ CHAPTER to the extent they are not <—
19 inconsistent with this ~~act~~ CHAPTER. <—

20 Section ~~±~~ 102. Overall limitations on debt to be incurred for <—
21 capital projects.

22 The maximum principal amount of additional debt to be
23 incurred during the 2002-2003 fiscal year, for capital projects
24 specifically itemized in a capital budget pursuant to section
25 7(a)(4) of Article VIII of the Constitution of Pennsylvania, and
26 the fund to be charged with the repayment of such debt, shall,
27 with respect to each category of capital projects, be as
28 follows:

29	Category	Amount	Fund
30	(1) Public Improvement		

1	Projects:		
2	(i) Buildings and		General Fund or
3	Structures	\$250,000,000	Special Fund as
4			applicable
5	(ii) Furniture and		
6	Equipment	40,000,000	
7	(2) Transportation		
8	Assistance Projects	150,000,000	General Fund
9	(3) Redevelopment		
10	Assistance Projects	260,000,000	General Fund
11	(4) Flood Control		
12	Projects	6,000,000	General Fund
13	Total	\$706,000,000	

14 CHAPTER 3 ←

15 CAPITAL PROJECTS OVERSIGHT

16 SECTION 301. SHORT TITLE OF CHAPTER.

17 THIS CHAPTER SHALL BE KNOWN AND MAY BE CITED AS THE CAPITAL
18 PROJECTS OVERSIGHT ACT.

19 SECTION 302. DEFINITIONS.

20 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER
21 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
22 CONTEXT CLEARLY INDICATES OTHERWISE:

23 "BOARD." THE CAPITAL PROJECTS OVERSIGHT BOARD ESTABLISHED IN
24 SECTION 303.

25 SECTION 303. ESTABLISHMENT.

26 THE CAPITAL PROJECTS OVERSIGHT BOARD IS ESTABLISHED IN ORDER
27 TO PROVIDE REVIEW AND OVERSIGHT OF CAPITAL PROJECTS. THE BOARD
28 SHALL ALSO ASSIST IN PROVIDING INFORMATION RELATING TO WAYS EACH
29 SPECIFIC PROJECT BENEFITS THE COMMUNITY AT LARGE.

30 SECTION 304. MEMBERSHIP.

1 THE BOARD SHALL CONSIST OF NINE MEMBERS. THE BOARD SHALL
2 REFLECT THE RACIAL AND ETHNIC DIVERSITY OF THIS COMMONWEALTH.
3 THE GOVERNOR SHALL DESIGNATE ONE OF THE APPOINTED MEMBERS AS
4 CHAIRPERSON OF THE BOARD. THE FOLLOWING SHALL SERVE ON THE
5 BOARD:

6 (1) ONE MEMBER APPOINTED BY THE PRESIDENT PRO TEMPORE OF
7 THE SENATE.

8 (2) ONE MEMBER APPOINTED BY THE MINORITY LEADER OF THE
9 SENATE.

10 (3) ONE MEMBER APPOINTED BY THE SPEAKER OF THE HOUSE OF
11 REPRESENTATIVES.

12 (4) ONE MEMBER APPOINTED BY THE MINORITY LEADER OF THE
13 HOUSE OF REPRESENTATIVES.

14 (5) FIVE MEMBERS FROM ACROSS THIS COMMONWEALTH APPOINTED
15 BY THE GOVERNOR.

16 SECTION 305. TERM OF OFFICE.

17 THE TERMS OF OFFICE FOR APPOINTED BOARD MEMBERS SHALL BE TWO
18 YEARS AND UNTIL THEIR SUCCESSORS HAVE BEEN APPOINTED, BUT NO
19 MEMBER SHALL SERVE MORE THAN SIX MONTHS BEYOND THE EXPIRATION OF
20 THE MEMBER'S TERM UNLESS REAPPOINTED. IN NO EVENT SHALL A MEMBER
21 SERVE MORE THAN TWO TERMS. TERMS OF OFFICE OF MEMBERS SHALL
22 EXPIRE ON THE THIRD TUESDAY OF JANUARY OF EACH ODD-NUMBERED
23 YEAR. IN THE CASE OF A VACANCY IN A POSITION FILLED BY
24 APPOINTMENT OF THE GOVERNOR, THE GOVERNOR SHALL MAKE AN
25 APPOINTMENT FOR THE UNEXPIRED PORTION OF THE TERM. IN THE CASE
26 OF A VACANCY IN A POSITION FILLED BY APPOINTMENT OF A
27 LEGISLATIVE LEADER, THAT LEGISLATIVE LEADER SHALL MAKE AN
28 APPOINTMENT FOR THE UNEXPIRED PORTION OF THE TERM.

29 SECTION 306. QUORUM AND MEETINGS.

30 THE BOARD SHALL MEET LEAST TWICE PER YEAR, AS WELL AS AT THE

1 CALL OF THE GOVERNOR. A MAJORITY OF THE MEMBERS OF THE BOARD
2 SHALL CONSTITUTE A QUORUM.

3 SECTION 307. COMPENSATION AND EXPENSES.

4 (A) COMPENSATION.--THE MEMBERS OF THE BOARD SHALL SERVE
5 WITHOUT COMPENSATION. HOWEVER, MEMBERS OTHER THAN THE GOVERNOR
6 SHALL BE ENTITLED TO RECEIVE TRAVELING AND OTHER REASONABLE
7 EXPENSES INCURRED IN THE DISCHARGE OF THEIR OFFICIAL DUTIES.

8 (B) EXPENSES.--THE EXPENSES OF THE BOARD PROVIDED FOR IN
9 THIS SECTION SHALL BE BORNE BY THE EXECUTIVE OFFICE OF THE
10 GOVERNOR.

11 SECTION 308. PUBLICATION OF PROJECTS ON INTERNET.

12 THE BOARD, WITHIN 120 DAYS OF THE FINAL APPOINTMENT TO THE
13 INITIAL BOARD, SHALL ELECTRONICALLY PUBLISH ON THE INTERNET, A
14 LIST OF THE PROJECTS FOR WHICH THE BOARD HAS OVERSIGHT AS WELL
15 AS THE TIMES AND DATES OF ALL BOARD MEETINGS.

16 SECTION 309. ANNUAL REPORT.

17 THE BOARD SHALL, NO LATER THAN JULY 1 OF EACH YEAR, PREPARE A
18 COMPREHENSIVE ANNUAL REPORT DETAILING ITS REVIEW OF EACH CAPITAL
19 PROJECT.

20 SECTION 310. APPLICABILITY.

21 THIS CHAPTER SHALL ONLY APPLY TO CAPITAL PROJECTS:

22 (1) INVOLVING EXPENDITURES OVER \$5,000,000.

23 (2) UNDER CHAPTER 1.

24 CHAPTER 7

25 MISCELLANEOUS PROVISIONS

26 Section 3 701. Effective date.

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27 This act shall take effect July 1, 2002, or immediately,
28 whichever is later.