

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 910 Session of  
2003

INTRODUCED BY GEORGE, BAKER, BEBKO-JONES, BELARDI, BELFANTI,  
CAWLEY, CORRIGAN, COSTA, COY, CURRY, DeLUCA, DeWEESE, EACHUS,  
FABRIZIO, FAIRCHILD, FREEMAN, GOODMAN, GORDNER, GRUCELA,  
HALUSKA, HARHAI, HERMAN, HORSEY, JAMES, JOSEPHS, KOTIK,  
LAUGHLIN, LEACH, LEVDANSKY, MANDERINO, McCALL, MUNDY,  
O'NEILL, PETRARCA, ROSS, RUBLEY, SAINATO, SATHER, SCRIMENTI,  
SHANER, SOLOBAY, STERN, R. STEVENSON, SURRA, THOMAS, TIGUE,  
WALKO, WASHINGTON, WOJNAROSKI, YUDICHAK AND FRANKEL,  
MARCH 19, 2003

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,  
MARCH 19, 2003

AN ACT

1 Amending the act of March 1, 1988 (P.L.82, No.16), entitled "An  
2 act providing for the establishment, implementation and  
3 administration of the Pennsylvania Infrastructure Investment  
4 Authority; imposing powers and duties on a board of trustees;  
5 transferring the rights, powers, duties and obligations of  
6 the Water Facilities Loan Board to the Pennsylvania  
7 Infrastructure Investment Authority; providing for the  
8 issuance of notes and bonds; providing for financial  
9 assistance and for a comprehensive water facilities plan;  
10 authorizing a referendum to incur indebtedness; making an  
11 appropriation; and making repeals," further providing for  
12 financial assistance.

13 The General Assembly of the Commonwealth of Pennsylvania  
14 hereby enacts as follows:

15 Section 1. Section 10(d) of the act of March 1, 1988  
16 (P.L.82, No.16), known as the Pennsylvania Infrastructure  
17 Investment Authority Act, amended December 16, 1992 (P.L.1137,  
18 No.149), is amended to read:

19 Section 10. Financial assistance.

\* \* \*

(d) Small projects.--

(1) The board shall establish a program of assistance to water supply and sewage disposal systems serving communities with a population of 12,000 people or less or systems having hookups of 1,000 or less.

(2) The board shall establish a program to financially assist storm water projects by municipalities with a population of 12,000 people or less. In addition to other factors which the board in its discretion may consider in assigning priorities under this program, preference shall be given where the municipality undertaking the project:

(i) has no natural watercourse within its boundaries;

(ii) relies on methods of storm water control which do not comply with Federal or State rules, regulations or standards; or

(iii) has been found to be subject to karst sinkhole development or other geologic condition which poses a danger to person or property and which may be aggravated by uncontrolled storm water flows.

(3) (i) The board shall establish a small water/sewer project loan fund for municipalities with a population of 10,000 people or less and shall issue loans from the fund not to exceed \$200,000 or 75% of eligible project costs for each loan, whichever is less. The borrower shall provide a local share in the form of matching funds or in-kind services at a minimum of 25% of the total project costs. The loan shall be for ten years at an interest rate of 2%.

1           (ii) Loans under this paragraph shall be used for  
2 the following purposes:

3           (A) Drinking water facilities including  
4 construction, rehabilitation, alteration, expansion  
5 or improvement of water facilities.

6           (B) Pumping stations, distribution and treatment  
7 facilities and reservoir rehabilitation projects.

8           (C) Sanitary sewage disposal facilities,  
9 including all facilities related to collection lines  
10 and sewage treatment facilities and excluding storm  
11 sewers.

12           (D) Access roads to serve a public water or  
13 sanitary sewer facility.

14 (4) (i) The board shall administer the Community  
15 Facilities Grant Program, which is hereby established.  
16 The program shall provide supplemental financial  
17 assistance in the form of grants for needed public  
18 facilities to strengthen income-producing capability,  
19 improve health and safety and alleviate financial  
20 hardship of the community.

21           (ii) Grants may be awarded under this paragraph from  
22 moneys available under 27 Pa.C.S. (relating to  
23 Environmental Resources) and shall not exceed \$100,000  
24 for each grant. Certain eligible economically distressed  
25 communities, as determined under the act of July 10, 1987  
26 (P.L.246, No.47), known as the Municipalities Financial  
27 Recovery Act, may receive not more than \$125,000 for each  
28 grant.

29           (iii) Any borough, township or city with a  
30 population of 10,000 or less and municipal and county

1 authorities serving such places is eligible for a grant  
2 under this paragraph. For projects serving more than one  
3 municipality, the population served may not exceed  
4 10,000.

5 (iv) Grants under this paragraph shall be used for  
6 the following purposes:

7 (A) Drinking water facilities including  
8 construction, rehabilitation, alteration, expansion  
9 or improvement of water facilities.

10 (B) Pumping stations, distribution and treatment  
11 facilities and reservoir rehabilitation projects.

12 (C) Sanitary sewage disposal facilities,  
13 including all facilities related to collection lines  
14 and sewage treatment facilities and excluding storm  
15 sewers.

16 (D) Access roads to serve a public water or  
17 sanitary sewer facility.

18 (v) The board shall promulgate regulations to  
19 implement this paragraph.

20 (5) The board shall annually expend not more than  
21 \$15,000,000 from any funds available to the authority for the  
22 purpose of implementing paragraph (3).

23 \* \* \*

24 Section 2. The functions, powers and duties of the  
25 Department of Commerce with regard to the community facilities  
26 program as provided for in 13 Pa. Code Ch. 11 (relating to  
27 community facilities) are transferred to and shall be exercised  
28 by the authority, and all records, files and property now being  
29 used in connection with such functions, powers and duties and  
30 the unexpended balances of appropriations, allocations and other

1 funds available or to be made available for use in connection  
2 with such functions, powers and duties are transferred to the  
3 authority.

4 Section 3. Each rule and regulation of the Department of  
5 Commerce relating to the Community Facilities Grant Program in  
6 effect on the effective date of this act shall remain in effect  
7 after such date until repealed or amended by the board or until  
8 it terminates in accordance with its own terms.

9 Section 4. All acts and parts of acts are repealed insofar  
10 as they are inconsistent with this act.

11 Section 5. This act shall take effect in 60 days.