

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1915 Session of  
2011

INTRODUCED BY BOBACK, BAKER, CALTAGIRONE, CARROLL, D. COSTA,  
EVERETT, FARRY, GINGRICH, MAJOR, MANN, MILLARD, MULLERY,  
MUNDY, MYERS, PICKETT, SCAVELLO, CULVER, TOOIL, VULAKOVICH  
AND YOUNGBLOOD, NOVEMBER 2, 2011

REFERRED TO COMMITTEE ON TRANSPORTATION, NOVEMBER 2, 2011

AN ACT

1 Providing for the adoption of capital projects related to the  
2 repair, rehabilitation or replacement of highway bridges and  
3 for the adoption of specific flood mitigation projects or  
4 disaster assistance projects to be financed from debt  
5 incurred under clause (1) of subsection (a) of section 7 of  
6 Article VIII of the Constitution of Pennsylvania.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 CHAPTER 1

10 PRELIMINARY PROVISIONS

11 Section 101. Short title.

12 This act shall be known and may be cited as the Disaster  
13 Relief Act of 2011.

14 CHAPTER 3

15 BRIDGES

16 Section 301. Short title of chapter.

17 This chapter relates to the Capital Budget 2011 for highway-  
18 railroad and highway bridges damaged by Hurricane Irene and  
19 Tropical Storm Lee.

1 Section 302. Definitions.

2 The following words and phrases when used in this chapter  
3 shall have the meanings given to them in this section unless the  
4 context clearly indicates otherwise:

5 "Capital project." A capital project as defined in section  
6 302 of the act of February 9, 1999 (P.L.1, No.1), known as the  
7 Capital Facilities Debt Enabling Act, and shall include county  
8 or municipal bridge rehabilitation, replacement or improvement  
9 projects as set forth in this chapter.

10 "Department." The Department of Transportation of the  
11 Commonwealth.

12 "Secretary." The Secretary of Transportation of the  
13 Commonwealth.

14 Section 303. Total authorization for bridge projects.

15 The total authorization for the projects itemized pursuant to  
16 this chapter and to be financed from debt incurred under clause  
17 (1) of subsection (a) of section 7 of Article VIII of the  
18 Constitution of Pennsylvania is \$75,000,000.

19 Section 304. Itemization of bridge projects.

20 The individual capital projects in the category of highway  
21 projects to be constructed by the department, its successors or  
22 assigns, and to be financed from debt incurred under clause (1)  
23 of subsection (a) of section 7 of Article VIII of the  
24 Constitution of Pennsylvania are hereby itemized, together with  
25 their respective estimated financial costs, in the following  
26 sections.

27 Section 305. Adams County (Reserved).

28 Section 306. Berks County (Reserved).

29 Section 307. Bradford County (Reserved).

30 Section 308. Bucks County (Reserved).

1 Section 309. Chester County (Reserved).  
2 Section 310. Columbia County (Reserved).  
3 Section 311. Cumberland County (Reserved).  
4 Section 312. Dauphin County (Reserved).  
5 Section 313. Delaware County (Reserved).  
6 Section 314. Lancaster County (Reserved).  
7 Section 315. Lebanon County (Reserved).  
8 Section 316. Lehigh County (Reserved).  
9 Section 317. Luzerne County (Reserved).  
10 Section 318. Lycoming County (Reserved).  
11 Section 319. Monroe County (Reserved).  
12 Section 320. Montgomery County (Reserved).  
13 Section 321. Montour County (Reserved).  
14 Section 322. Northampton County (Reserved).  
15 Section 323. Northumberland County (Reserved).  
16 Section 324. Perry County (Reserved).  
17 Section 325. Philadelphia County (Reserved).  
18 Section 326. Schuylkill County (Reserved).  
19 Section 327. Snyder County (Reserved).  
20 Section 328. Sullivan County (Reserved).  
21 Section 329. Susquehanna County (Reserved).  
22 Section 330. Union County (Reserved).  
23 Section 331. Wyoming County (Reserved).  
24 Section 332. York County (Reserved).  
25 Section 372. Estimated useful life of projects.

26 The General Assembly states the estimated useful life of the  
27 projects itemized in this chapter is 30 years.

28 Section 373. Federal funds.

29 All moneys received from the Federal Government for the  
30 highway and highway bridge projects specifically itemized in

1 this chapter are also hereby appropriated for those projects.

2 Section 374. Construction.

3 (a) Utilization of Federal funds.--Amounts contained in this  
4 chapter for any project shall not supplant or replace any  
5 Federal funds authorized by any Federal law or regulation.  
6 Funding from this chapter for any project is available only to  
7 the extent that Federal funds are not available for such  
8 project.

9 (b) Continuity with bridge supplementals.--The provisions of  
10 this chapter shall be construed unless specifically provided  
11 otherwise as a supplement to the act of December 8, 1982  
12 (P.L.848, No.235), known as the Highway-Railroad and Highway  
13 Bridge Capital Budget Act for 1982-1983.

14 Section 375. Allocation of funds.

15 Whenever the Department of Transportation determines that the  
16 full estimated financial costs of the projects itemized in this  
17 chapter are not necessary for the proper design, acquisition or  
18 construction of such project, the excess funds no longer  
19 required may be allocated by the department to increase the  
20 estimated costs of any one or more of the projects specifically  
21 itemized in a capital budget.

22 CHAPTER 5

23 RAILROAD DISASTER ASSISTANCE PROJECTS

24 Section 501. Short title of chapter.

25 This chapter relates to railroad disaster assistance projects  
26 itemization in 2011.

27 Section 502. Definitions.

28 The following words and phrases when used in this chapter  
29 shall have the meanings given to them in this section unless the  
30 context clearly indicates otherwise:

1 "Disaster." The period of time in calendar year 2011  
2 relating to Hurricane Irene and Tropical Storm Lee that was the  
3 subject of a presidential declaration of an emergency under The  
4 Robert T. Stafford Disaster Relief and Emergency Assistance Act  
5 (Public Law 93-288, 88 Stat. 143).

6 Section 503. Total authorization.

7 The total authorization for disaster assistance projects to  
8 be financed in part with grants as itemized in this chapter is  
9 \$2,000,000.

10 Section 504. Itemization of disaster mitigation or assistance  
11 projects.

12 The individual disaster mitigation or assistance projects to  
13 be financed from current revenues or debt are hereby itemized,  
14 together with their respective estimated financial costs, as  
15 follows:

16	Department of Transportation	\$2,000,000
17	(1) Lycoming Valley Railroad	\$1,000,000

18 Section 505. Funds.

19 The projects itemized in this chapter shall be funded from  
20 debt incurred under the provisions of clause (1) of subsection  
21 (a) of section 7 of Article VIII of the Constitution of  
22 Pennsylvania.

23 Section 506. Federal funds.

24 All moneys received from the Federal Government for the  
25 projects specifically itemized in this chapter are also hereby  
26 appropriated for those projects.

27 Section 507. Construction.

28 Amounts contained in this chapter for any project shall not  
29 supplant or replace any Federal funds authorized by any Federal  
30 law or regulation. Funding from this chapter for any project is

1 available only to the extent that Federal funds are not  
2 available for such project.

3 CHAPTER 20

4 MISCELLANEOUS PROVISIONS

5 Section 2001. Constitutional construction.

6 The provisions of this act shall be severable and, if any of  
7 the provisions of this act shall be held unconstitutional, such  
8 decisions shall not affect the validity of any of the remaining  
9 provisions of this act. It is hereby declared as the legislative  
10 intent that this act would have been adopted had such  
11 unconstitutional provisions not been included in this act.

12 Section 2002. Effective date.

13 This act shall take effect immediately.