
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2020 Session of
2011

INTRODUCED BY KNOWLES, GEIST, HEFFLEY, EVANKOVICH, BEAR,
BENNINGHOFF, BLOOM, CHRISTIANA, CREIGHTON, DAY, EMRICK,
EVERETT, FLECK, GABLER, GILLEN, GINGRICH, GROVE, HELM,
M. K. KELLER, KILLION, MAJOR, MALONEY, METCALFE, MILLER,
MOUL, MURT, OBERLANDER, PERRY, QUIGLEY, REICHLEY, ROCK,
SAYLOR, TALLMAN, TOBASH, TOEPEL, TRUITT AND VEREB,
OCTOBER 12, 2011

REFERRED TO COMMITTEE ON TRANSPORTATION, OCTOBER 12, 2011

AN ACT

1 Establishing the Infrastructure Future Fund and the
2 Infrastructure Future Restricted Receipts Account; and
3 providing for funding for transportation infrastructure
4 projects.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the
9 Infrastructure Future Fund Act.

10 Section 2. Definitions.

11 The following words and phrases when used in this act shall
12 have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 "Account." The Infrastructure Future Restricted Receipts
15 Account established by this act.

16 "Board." The Pennsylvania Liquor Control Board.

1 "Construction costs." Any of the following expenses incurred
2 for a project:

3 (1) Expenses for the acquisition, construction,
4 reconstruction, expansion, extension, demolition, improvement
5 or rehabilitation of a project.

6 (2) Expenses for the remediation of existing
7 environmental hazards on land where the project is or will be
8 located.

9 (3) Costs and expenses of professional services,
10 including the costs of engineering and legal services,
11 rendered in completing the project.

12 (4) Costs and expenses associated with the preparation
13 of plans, specifications, studies and surveys necessary or
14 incidental to constructing the project.

15 "Constructs." The acquisition, construction, reconstruction,
16 expansion, extension, demolition, improvement or rehabilitation
17 of a project.

18 "Fund." The Infrastructure Future Fund established by this
19 act.

20 "Liquor." As that term is defined in the act of April 12,
21 1951 (P.L.90, No.21), known as the Liquor Code.

22 "Liquor Code." The act of April 12, 1951 (P.L.90, No.21),
23 known as the Liquor Code.

24 "Pennsylvania liquor stores." The stores established,
25 operated and maintained by the Pennsylvania Liquor Control Board
26 under Article III of the act of April 12, 1951 (P.L.90, No.21),
27 known as the Liquor Code.

28 "Transportation infrastructure project." A project which
29 constructs any of the following:

30 (1) A bridge, tunnel or culvert owned or to be owned by

1 the Commonwealth.

2 (2) A portion of a limited access highway as that term
3 is defined in section 1 of the act of May 29, 1945 (P.L.1108,
4 No.402), referred to as the Limited Access Highway Law.

5 (3) A portion of a highway as that term is used in the
6 act of June 1, 1945 (P.L.1242, No.428), known as the State
7 Highway Law.

8 "Wine." As that term is defined in section 102 of the act of
9 April 12, 1951 (P.L.90, No.21), known as the Liquor Code.

10 Section 3. Infrastructure Future Fund.

11 (a) Establishment.--The Infrastructure Future Fund is
12 established in the State Treasury.

13 (b) Deposits.--The following sums shall be deposited into
14 the fund:

15 (1) The net proceeds from the privatization of the
16 retail wine and liquor operations of the Pennsylvania liquor
17 stores.

18 (2) The net proceeds from the privatization of the
19 wholesale wine and liquor operations of the Pennsylvania
20 liquor stores.

21 (3) The net proceeds from the sale of any wine or liquor
22 inventory owned or maintained by the board or by the
23 Pennsylvania liquor stores.

24 (c) Investment.--

25 (1) The State Treasurer shall have exclusive control and
26 authority to manage, invest and reinvest money in the fund,
27 subject, however, to the exercise of that degree of judgment,
28 skill and care under the circumstances then prevailing that
29 persons of prudence, discretion and intelligence, who are
30 familiar with investment matters, exercise in the management

1 of their own affairs, not in regard to speculation but in
2 regard to permanent disposition of the funds, considering the
3 probable income to be derived from the investments and the
4 probable safety of their capital.

5 (2) The State Treasurer may hold, purchase, sell, lend,
6 assign, transfer or dispose of any securities and
7 investments, including equity securities, in which money in
8 the fund has been invested and of the proceeds of the
9 investments, including any directed commissions that have
10 accrued to the benefit of the fund as a consequence of the
11 investments, and of money belonging to the fund subject to
12 the standard of prudence in this section.

13 Section 4. Infrastructure Future Restricted Receipts Account.

14 (a) Establishment.--The Infrastructure Future Restricted
15 Receipts Account is established as a restricted receipts account
16 in the fund.

17 (b) Deposits.--Earning derived from the investment of the
18 money in the fund, after deduction of investment expenses, shall
19 be deposited into the account.

20 (c) Use.--Moneys in the account shall be used to pay for
21 construction costs of transportation infrastructure projects
22 authorized under section 5.

23 Section 5. Funding for transportation infrastructure projects.

24 (a) General rule.--Annually, and as part of the proposed
25 operating budget for the ensuing fiscal year, the Governor shall
26 submit an itemization of transportation infrastructure projects
27 to be funded by this act. The itemization shall specifically
28 itemize each transportation infrastructure project by a brief
29 identifying description and estimate financial cost.

30 (b) Limitation.--In no year may the aggregate construction

1 costs of transportation infrastructure projects authorized by
2 the General Assembly exceed the sum of:

3 (1) twenty percent of the balance of the fund in the
4 first year; and

5 (2) the balance of the account on the date the
6 itemization is submitted for the ensuing year.

7 Section 6. Effective date.

8 This act shall take effect in 60 days.