

CAPITAL BUDGET ACT OF 1998-1999 - OMNIBUS AMENDMENTS

Act of Dec. 21, 1998, P.L. 1301, No. 172

Cl. 86

Session of 1998

No. 1998-172

HB 2354

AN ACT

Amending the act of May 7, 1998 (P.L.343, No.52), entitled "An act providing for the capital budget for the fiscal year 1998-1999," increasing the debt limitation for public improvement projects; itemizing public improvement projects to be designed, engineered, managed, constructed, acquired or assisted by the Department of General Services, together with their estimated financial costs; incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed, acquired or assisted by the Department of General Services; stating the useful life of the projects; authorizing certain contract provisions; clarifying the utilization of certain capital funds for Temple University Hospital; making appropriations; and making repeals.

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

Section 1. The title and section 2 of the act of May 7, 1998 (P.L.343, No.52), known as the Capital Budget Act of 1998-1999, is amended to read:

AN ACT

Providing for the capital budget for the fiscal year 1998-1999[.]; **itemizing public improvement projects to be designed, engineered, managed, constructed, acquired or assisted by the Department of General Services, together with their estimated financial costs; incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed, acquired or assisted by the Department of General Services; stating the useful life of the projects; authorizing certain contract provisions; clarifying the utilization of certain capital funds; making appropriations; and making repeals.**

Section 2. Overall limitations on debt to be incurred for capital projects.

The maximum principal amount of additional debt to be incurred during the 1998-1999 fiscal year, and thereafter until the enactment of the 1999-2000 capital budget specifying the maximum debt for the 1999-2000 fiscal year, for capital projects specifically itemized in a capital budget pursuant to section 7(a)(4) of Article VIII of the Constitution of Pennsylvania, and the fund to be charged with the repayment of such debt, shall, with respect to each category of capital projects, be as follows:

Category	Amount	Fund
(1) Public Improvement Projects:		
(i) Buildings and Structures	\$400,000,000	General Fund or Special Fund as applicable
<b>Structures</b>	<b>\$670,000,000</b>	

(ii) Furniture and Equipment	6,000,000	
(2) Transportation Assistance Projects	150,000,000	General Fund
(3) Redevelopment Assistance Projects	70,000,000	General Fund
(4) Flood Control Projects	12,000,000	General Fund
[Total	\$638,000,000]	
<b>Total</b>	<b>908,000,000</b>	

Section 2. The act is amended by adding sections to read:

**Section 3. Total authorization.**

The total authorization for the additional capital projects in the category of public improvement projects itemized in section 4 and to be constructed or acquired by the Department of General Services, its successors or assigns and to be financed by the incurring of debt shall be \$150,000.

**Section 4. Itemization of public improvement projects.**

The additional capital projects in the category of public improvement projects to be constructed or acquired by the Department of General Services, its successors or assigns and to be financed by the incurring of debt are hereby itemized, together with estimated financial costs, as follows:

Project	Total Project Allocation
(1) Historical and Museum Commission	\$150,000
(i) Somerset Historical Center	
(A) Additional funds for DGS 990-2 for construction of an on-lot sewage treatment facility	150,000

**Section 5. Debt authorization.**

The Governor, Auditor General and State Treasurer are hereby authorized and directed to borrow from time to time in addition to any authorization heretofore or hereafter enacted, on the credit of the Commonwealth, subject to the limitations provided in the current capital budget, money not exceeding in the aggregate the sum of \$150,000 as may be found necessary to carry out the acquisition and construction of the public improvement projects specifically itemized in a capital budget.

**Section 6. Issue of bonds.**

The indebtedness authorized in this act shall be incurred from time to time and shall be evidenced by one or more series of general obligation bonds of the Commonwealth in such aggregate principal amount for each series as the Governor, the Auditor General and the State Treasurer shall determine, but the latest stated maturity date shall not exceed the estimated useful life of the projects being financed as stated in section 7.

**Section 7. Estimated useful life and term of debt.**

(a) Estimated useful life.--The General Assembly states that the estimated useful life of the public improvement projects itemized in this act is 30 years.

(b) Term of debt.--The maximum term of the debt authorized to be incurred under this act is 30 years.

**Section 8. Appropriations.**

The net proceeds of the sale of the obligations authorized in this act are hereby appropriated from the Capital Facilities Fund to the Department of General Services in the maximum amount of \$150,000 to be used by it exclusively to defray the financial cost of the public improvement projects specifically itemized in a capital budget. After reserving or paying the expenses of

the sale of the obligation, the State Treasurer shall pay to the Department of General Services the moneys as required and certified by it to be legally due and payable.

Section 9. Utilization of certain capital funds.

Notwithstanding any provision of law to the contrary, funds authorized for the public improvement project itemized in section 3(2)(v)(H) of the act of July 2, 1993 (P.L.265, No.47), known as the Capital Budget Project Itemization Act for 1993-1994, may be used for the construction of an open magnetic resonance imaging suite at Temple University Hospital for use by pediatric and other hospital patients.

Section 10. Special contract provisions.

(a) Combining of projects previously authorized.--The projects authorized in sections 3(4)(x)(A) and 3(7)(vii) of the act of October 10, 1997 (P.L.392, No.47), known as the Capital Budget Project Itemization Act for 1996-1997, may be combined for design and bid to allow both projects to be constructed at the same location.

(b) Single project for laboratory purposes.--The projects authorized in sections 3(6)(ii)(C) and 3(13)(ii)(A) of the act of October 21, 1988 (P.L.851, No.113), known as the Capital Budget Project Itemization Act for 1987-1988, and in sections 3(7)(vi)(A) and 3(14)(xiii)(A) of the act of October 10, 1997 (P.L.392, No.47), known as the Capital Budget Project Itemization Act for 1996-1997, may be combined into a single project for laboratory services.

(c) Construction management services.--Notwithstanding any provisions of law to the contrary, the Department of General Services may, to facilitate project management, conflict resolution and timely project completion, contract for construction management services for the construction of DGS 1103-48, a Convocation/Events Center at the University of Pittsburgh, Oakland Campus, authorized in section 3(5)(ii)(A)(III) of the Capital Budget Project Itemization Act for 1996-1997.

(d) Change in use of funds.--Funds authorized under section 3(2)(vi)(A) of the act of July 8, 1994 (P.L.444, No.74), known as the Capital Budget Project Itemization Act for 1994-1995, for the incinerator may be used for a biological disposal facility.

Section 11. Trevese Station siting change.

Notwithstanding provisions of any other act, funds authorized for the public improvement project itemized in section 3(12)(i)(A) of the act of October 10, 1997 (P.L.392, No.47), known as the Capital Budget Project Itemization Act for 1996-1997, may be used for construction of the Trevese Station in Bucks County on an alternative site.

Section 12. Repeal.

Section 3(8)(V)(A) of the act of October 10, 1997 (P.L.392, No.47), known as the Capital Budget Project Itemization Act for 1996-1997, is repealed.

Section 13. Editorial changes.

In editing and preparing this act for printing following the final enactment, the Legislative Reference Bureau shall insert or revise letters or numbers for projects where the letters or numbers are missing or require revision. The bureau shall also revise the total monetary amounts for the total authorization, debt authorization, appropriations and departmental totals as necessary to agree with the total monetary amounts of the projects.

Section 3. Section 3 heading of the act is amended to read:  
Section [3] 14. Effective date.

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Section 4. This act shall take effect immediately.

APPROVED--The 21st day of December, A. D. 1998.

THOMAS J. RIDGE