

**CAPITAL BUDGET AND PROJECT ITEMIZATION ACT OF 2010-2011 -
ENACTMENT**

Act of Jul. 7, 2010, P.L. 320, No. 47

Cl. 84

AN ACT

Providing for the capital budget for the fiscal year 2010-2011; itemizing public improvement projects, transportation assistance projects and redevelopment assistance capital projects to be constructed or acquired or assisted by the Department of General Services, the Department of Community and Economic Development and the Department of Transportation, together with their estimated financial costs; authorizing the 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, the Department of Community and Economic Development or the Department of Transportation; stating the estimated useful life of the projects; providing an exemption; providing for limitation on certain capital projects and for delegation of duties relating to a capital budget project to the University of Pennsylvania; and making appropriations.

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

Section 1. Short title and construction.

(a) Short title.--This act shall be known and may be cited as the Capital Budget and Project Itemization Act of 2010-2011.

(b) Supplements.--A reference to this act shall be deemed to include a reference to the supplements to this act.

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

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

The maximum principal amount of additional debt to be incurred during the 2010-2011 fiscal year, and thereafter until the enactment of the 2011-2012 capital budget specifying the maximum debt for the 2011-2012 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	\$890,000,000	General Fund or Special Fund as applicable
(2) Furniture and Equipment	25,000,000	General Fund or Special Fund as applicable
(3) Transportation Assistance Projects	212,000,000	General Fund
(4) Redevelopment Assistance Projects	225,000,000	General Fund

(5) Flood Control Projects	35,000,000	General Fund
(6) Bridge Projects	200,000,000	General Fund or Motor License Fund
Total	\$1,587,000,000	

Section 3. Total authorizations.

(a) Public improvements.--The total authorization for the additional capital projects in the category of public improvement projects itemized in section 4 and to be acquired or constructed by the Department of General Services, its successors or assigns and to be financed by the incurring of debt shall be \$28,060,000.

(b) Transportation assistance.--The total authorization for the capital projects in the category of transportation assistance projects itemized in section 5 with respect to which an interest is to be acquired in or constructed by the Department of Transportation, its successors or assigns and to be financed by the incurring of debt shall be \$9,559,000.

(c) Redevelopment assistance.--The total authorization for the additional capital projects in the category of redevelopment assistance capital projects itemized in section 6 for capital grants by the Department of Community and Economic Development, its successors or assigns and to be financed by the incurring of debt shall be \$298,250,000.

Section 4. Itemization of public improvement capital projects.

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 their respective estimated financial costs, as follows:

Project	Total Project Allocation
(1) Department of Military and Veterans Affairs	
(i) Honesdale Readiness Center, Wayne County	
(A) Renovate existing Honesdale Readiness Center and upgrade antiterrorism protection measures	
Project Allocation	4,560,000
(Base Project Allocation - \$4,000,000)	
(Design and Contingencies - \$560,000)	
(2) State System of Higher Education	
(i) Millersville University	
(A) Pennsylvania Academy of Music property acquisition and building modifications	
Project Allocation	13,500,000
(Base Project Allocation - \$13,500,000)	
(3) Pennsylvania Industrial Development Authority	
(i) Westmoreland County	
(A) Construction, infrastructure, rehabilitation and other related costs at the Sony plant site	
Project Allocation	10,000,000

Section 5. Itemization of transportation assistance projects.

(a) Rural and intercity rail.--Additional capital projects in the category of transportation assistance projects for rural and intercity rail service projects to be constructed or with respect to which an interest is to be acquired by the Department of Transportation, its successors or assigns and to be financed

by the incurring of debt are hereby itemized, together with their respective estimated financial costs, as follows:

	Project	Total Project Allocation
(1)	Adams County	
	(i) Gettysburg & Northern Railroad Co.	
	(A) Construct 775 linear feet of track which will extend two turnouts	
	Project Allocation	250,000
	(ii) Temple Inland	
	(A) Rehabilitate existing line and road crossing and construct new track	
	Project Allocation	120,000
(2)	Allegheny County	
	(i) Leetsdale Industrial	
	(A) Track rehabilitation and new construction at various locations throughout the industrial park	
	Project Allocation	625,000
	(ii) Mol-Dok, Inc.	
	(A) Rehabilitate track and turnouts and rebuild several internal grade crossings	
	Project Allocation	300,000
	(iii) Pittsburgh, Allegheny & McKees Rocks Railroad Company	
	(A) Rehabilitate and construct track at McKees Rocks yard	
	Project Allocation	285,000
(3)	Beaver County	
	(i) Colona Transfer LP	
	(A) Rehabilitate tracks and turnouts within existing yard	
	Project Allocation	700,000
	(ii) Horsehead Corporation	
	(A) Rehabilitate tracks and grade crossing within the Monaca facility	
	Project Allocation	140,000
(4)	Berks County	
	(i) Dyer Quarry Incorporated	
	(A) Rehabilitate track and extend former tail track	
	Project Allocation	335,000
(5)	Bucks County	
	(i) Junell Corporation/Adv. Lube	
	(A) Rehabilitate track and install unloading equipment	
	Project Allocation	340,000
(6)	Clinton County	
	(i) South Avis Realty	
	(A) Construct 2,363 feet of new track and three turnouts and track rehabilitation	
	Project Allocation	505,000
(7)	Crawford County	
	(i) JM Eagle	
	(A) Construct two 200-foot industrial rail spurs and rehabilitate 400 feet of existing track	
	Project Allocation	130,000
(8)	Erie County	
	(i) Greater Erie Industrial Development Corporation	

	(A) Rehabilitate track and turnouts	
	Project Allocation	560,000
(9)	Lackawanna County	
	(i) Delaware Lackawanna Railroad	
	(A) Rehabilitate bridges, including	
	timbers; replace 3,000 cross ties and	
	one mile of rail; and raise, line and	
	surface five miles	
	Project Allocation	345,000
(10)	Lancaster County	
	(i) Lancaster Propane	
	(A) Construct track, including turnout,	
	on Norfolk Southern mainline	
	Project Allocation	250,000
(11)	Luzerne County	
	(i) Hazleton Creek Properties, LLC	
	(A) Construct track	
	Project Allocation	250,000
	(ii) Redevelopment Authority of Luzerne County	
	(A) Rehabilitation on the Wilkes-Barre	
	secondary and Kingston Branch, including	
	ties and resurfacing	
	Project Allocation	205,000
(12)	Lycoming County	
	(i) Glen O. Hawbaker, Inc.	
	(A) Construct track to extend existing	
	siding across public road onto Hawbaker	
	property	
	Project Allocation	390,000
	(ii) Lundy Industrial Realty, LP	
	(A) Construct track for loading and	
	unloading operations	
	Project Allocation	250,000
(13)	Mercer County	
	(i) Performance Processing Ventures, LLC	
	(A) Install mainline turnout and build new	
	400-foot siding with a derail and	
	bumping post	
	Project Allocation	195,000
(14)	Mifflin County	
	(i) Standard Steel, LLC	
	(A) Rehabilitate 1,200 feet of track and	
	turnouts	
	Project Allocation	210,000
(15)	Northumberland County	
	(i) ConAgra Foods	
	(A) Construct track at Milton, PA,	
	distribution center	
	Project Allocation	250,000
(16)	Schuylkill County	
	(i) Carbon County Railroad Commission	
	(A) Rehabilitate Hometown High Bridge,	
	including bridge timber, ties, bridge	
	approach surfacings, rail, hand railings	
	and walkways and other repairs as	
	necessary	
	Project Allocation	700,000
	(ii) Premium Fine Coal	
	(A) Construct 600-foot siding	
	Project Allocation	220,000
(17)	Somerset County	
	(i) PBS Coals, Inc.	

	(A) Rehabilitate ten miles of track on the Cambria Branch	
	Project Allocation	694,000
(18)	Tioga County	
	(i) Wellsboro & Corning Railway Co.	
	(A) Track rehabilitation and maintenance, including installation of cross ties, raise, line and surface track	
	Project Allocation	180,000
(19)	Westmoreland County	
	(i) Three Rivers Marine and Rail Terminal LP	
	(A) Replace bridge ties and rehabilitate 1,350 feet of track	
	Project Allocation	200,000
(20)	Multiple Counties	
	(i) Bradford and Wyoming Counties	
	(A) Rehabilitate rail infrastructure, including ties, on Lehigh Railway	
	Project Allocation	230,000
	(ii) Cameron, Luzerne, McKean and Tioga Counties	
	(A) Construct new transloading facility, including upgrade of existing track, installation of truck scales, horizontal and vertical conveying systems and new track with unloading pits at D and I Silica	
	Project Allocation	700,000

Section 6. Itemization of redevelopment assistance projects.

Additional capital projects in the category of redevelopment assistance projects for capital grants by the Department of Community and Economic Development, its successors or assigns authorized under the provisions of the act of May 20, 1949 (P.L.1633, No.493), known as the Housing and Redevelopment Assistance Law, and redevelopment assistance capital projects and to be financed by the incurring of debt are hereby itemized, together with their respective estimated financial costs, as follows:

	Project	Total Project Allocation
(1)	Allegheny County	
	(i) County projects	
	(A) Acquisition, construction, infrastructure and other related costs for a state-of-the-art biologics manufacturing facility	
	Project Allocation	30,000,000
	(B) Additional capital for infrastructure improvements and construction, Southwestern Pennsylvania Economic Conversion Center for green products and applied research as authorized in Act 83 of 2006	
	Project Allocation	8,000,000
(2)	Beaver County	
	(i) Borough of Ambridge	
	(A) Construction, infrastructure and other related costs for mixed-use development in the downtown corridor	
	Project Allocation	5,000,000

(3)	Berks County	
(i)	City of Reading	
(A)	Acquisition, construction, infrastructure and other related costs for the expansion of a food processing facility	
	Project Allocation	3,000,000
(4)	Bradford County	
(i)	Borough of Towanda	
(A)	Construction, infrastructure and other related costs for mixed-use development in the downtown corridor	
	Project Allocation	5,000,000
(B)	Construction, renovations, infrastructure and other related costs for the expansion of a manufacturing facility and company headquarters	
	Project Allocation	2,500,000
(5)	Bucks County	
(i)	Bristol Township	
(A)	Construction, renovations and infrastructure improvements in the Bucks County Enterprise Zone	
	Project Allocation	5,000,000
(ii)	Falls Township	
(A)	Construction, infrastructure and other related costs at the Keystone Industrial Port Complex	
	Project Allocation	15,000,000
(6)	Cambria County	
(i)	Borough of Cresson	
(A)	Acquisition, construction, infrastructure and other related costs for the Mount Aloysius College Convocation Center	
	Project Allocation	10,000,000
(ii)	City of Johnstown	
(A)	Acquisition, construction, infrastructure and other related costs for the John P. Murtha Center for Public Policy	
	Project Allocation	10,000,000
(7)	Cumberland County	
(i)	East Pennsboro Township	
(A)	Acquisition, renovations and construction of a new facility for Highmark Blue Shield	
	Project Allocation	4,000,000
(8)	Dauphin County	
(i)	City of Harrisburg	
(A)	Redevelopment of the Furlow Building on North Third Street in the Midtown section of Harrisburg	
	Project Allocation	4,000,000
(9)	Delaware County	
(i)	City of Chester	
(A)	Rehabilitation and enhancement of the Union Square Neighborhood Revitalization District, including blight removal, streetscape, remediation and new construction	
	Project Allocation	10,000,000

(ii)	Upper Darby Township	
	(A) Acquisition, construction, infrastructure and other related costs for the retail development of a 35-acre site in Upper Darby Project Allocation	5,000,000
(10)	Elk County	
	(i) City of St. Marys	
	(A) Acquisition, construction, infrastructure and other related costs for a hotel Project Allocation	3,000,000
(11)	Erie County	
	(i) City of Erie	
	(A) Acquisition, construction, infrastructure, redevelopment and other related costs for the Rexam Warehouse Facility expansion project Project Allocation	3,000,000
(12)	Franklin County	
	(i) Antrim Township	
	(A) Construction, renovations and infrastructure improvements for an industrial facility Project Allocation	2,000,000
(13)	Lackawanna County	
	(i) City of Scranton	
	(A) Construction and other related costs for the redevelopment of a vacant former junior high school building on Quincy Street in the Hill section of the city Project Allocation	5,000,000
(14)	Lancaster County	
	(i) City of Lancaster	
	(A) Construction and other related costs of a commercial/retail development at College Hill at North Charlotte Street and Harrisburg Pike Project Allocation	2,500,000
(15)	Lawrence County	
	(i) City of New Castle	
	(A) Construction, renovations and other related costs for the expansion of industrial operations Project Allocation	2,000,000
(16)	Lehigh County	
	(i) City of Allentown	
	(A) Infrastructure, construction and other related costs for a waste-to-energy facility Project Allocation	2,500,000
	(ii) Upper Saucon Township	
	(A) Construction, renovations, infrastructure and other related costs for a headquarters facility for a Fortune 100 global company Project Allocation	10,000,000
(17)	Luzerne County	
	(i) Borough of Dallas	
	(A) Construction and other related costs for the redevelopment of an abandoned	

	historic former school house on Church Street	
	Project Allocation	5,000,000
(ii)	City of Hazleton	
	(A) Acquisition, construction, infrastructure and other related costs for a 20-megawatt frequency regulation plant	
	Project Allocation	5,000,000
(iii)	City of Wilkes-Barre	
	(A) Acquisition, construction and other related costs for an indoor recreational facility at King's College	
	Project Allocation	3,000,000
(18)	Mercer County	
	(i) City of Hermitage	
	(A) Construction, renovations and infrastructure improvements for an industrial facility	
	Project Allocation	4,000,000
	(ii) City of Sharon	
	(A) Expansion of the Sharon Regional Medical Center, including construction of a parking garage	
	Project Allocation	10,000,000
(19)	Montgomery County	
	(i) County projects	
	(A) Construction, renovations and infrastructure improvements for an industrial facility	
	Project Allocation	1,500,000
	(ii) Borough of Norristown	
	(A) Acquisition, construction and other related costs for a mixed-use commercial/retail development within the boundary of Fornance, Wood and Locust Streets	
	Project Allocation	7,500,000
(20)	Northampton County	
	(i) City of Bethlehem	
	(A) Renovations, construction and other related costs for property located at Polk and Third Streets	
	Project Allocation	1,500,000
	(ii) Borough of Wilson and City of Easton	
	(A) Renovations, construction and other related costs for the former Dixie Cup Corporation manufacturing facility	
	Project Allocation	4,500,000
(21)	Philadelphia County	
	(i) City of Philadelphia	
	(A) Construction, infrastructure and other related costs for mixed-use development on Gray's Ferry Corridor	
	Project Allocation	5,000,000
	(B) Construction of a Comprehensive Applied Research/Educational facility at Drexel University, including related costs	
	Project Allocation	10,000,000
	(C) Acquisition, infrastructure, construction and other related costs	

	for Norris Square Civic Association's mixed-use complex	
	Project Allocation	5,000,000
(D)	Acquisition, infrastructure, construction and other related costs for the American Revolution Center	
	Project Allocation	20,000,000
(E)	Infrastructure, construction and other related costs for an inpatient specialty hospital at the Wills Eye Institute	
	Project Allocation	1,000,000
(F)	Acquisition, infrastructure, construction and other related costs for a facility at the Philadelphia Navy Yard for commercial, industrial or multipurpose use	
	Project Allocation	7,500,000
(G)	Acquisition, infrastructure, construction and other related costs for development by ASPIRA, Inc., of Philadelphia at the Cardinal Dougherty High School	
	Project Allocation	5,000,000
(H)	Acquisition, infrastructure, construction and other related costs for redevelopment of the Tasty Baking Company facility at Fox and Roberts Streets, including adjacent areas	
	Project Allocation	15,000,000
(I)	Infrastructure, construction, renovation and other related costs for the Independence Visitor Center	
	Project Allocation	5,000,000
(J)	Construction, demolition, land acquisition, infrastructure, redevelopment and other related costs for Philadelphia University, including the Arlen Specter Library	
	Project Allocation	10,000,000
(K)	Land acquisition, site preparation, renovation, demolition, construction, infrastructure and other related costs for campus expansion and facility improvements at the Philadelphia College of Osteopathic Medicine	
	Project Allocation	750,000
(L)	Construction and other related costs for mixed-use retail and hotel project at Fourth and Race Streets	
	Project Allocation	10,000,000
(M)	Construction, infrastructure, redevelopment and other related costs for a new Community Legal Services building	
	Project Allocation	3,000,000
(22)	Washington County	
(i)	Borough of California	
(A)	Acquisition, infrastructure, construction and other related costs for a hotel by California University of Pennsylvania	
	Project Allocation	5,000,000

(23) Multiple Counties

(i) County projects

- (A) Acquisition, construction,
infrastructure and other related costs
for and development of 45 acres located
along Broad Street and State Road 113
and County Line Road in Hilltown, Bucks
County, and Souderton, Montgomery County
Project Allocation 7,500,000

Section 7. Debt authorization.

(a) Public improvements.--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 \$28,060,000 as may be found necessary to carry out the acquisition and construction of the public improvement projects specifically itemized in a capital budget.

(b) Transportation assistance.--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 \$9,559,000 as may be found necessary to carry out the acquisition and construction of the transportation assistance projects specifically itemized in a capital budget.

(c) Redevelopment assistance.--Subject to the limitation in section 317(b) of the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, 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 \$298,250,000 as may be found necessary to carry out the redevelopment assistance capital projects specifically itemized in a capital budget.

Section 8. 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 9.

Section 9. 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 as follows:

- (1) Public improvement projects, 30 years.
- (2) Transportation assistance projects:
 - (i) Rolling stock, 15 years.
 - (ii) Passenger buses, 12 years.
 - (iii) Furniture and equipment, 10 years.
 - (iv) All others, 30 years.

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

Section 10. Appropriations.

(a) Public improvements.--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 \$28,060,000 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.

(b) Transportation assistance.--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 Transportation in the maximum amount of \$9,559,000 to be used by it exclusively to defray the financial cost of the transportation assistance 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 Transportation the moneys as required and certified by it to be legally due and payable.

(c) Redevelopment assistance.--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 Community and Economic Development in the maximum amount of \$298,250,000 to be used by it exclusively to defray the financial cost of redevelopment assistance capital 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 Community and Economic Development the moneys as required and certified by it to be legally due and payable.

Section 11. Federal funds.

In addition to those funds appropriated in section 10, all moneys received from the Federal Government for the projects specifically itemized in this act are also hereby appropriated for those projects.

Section 12. Delegation.

Notwithstanding any provision of law to the contrary, the Department of General Services may delegate the design and construction of the project contained in section 3(5)(iii)(A) of the act of July 4, 2008 (P.L.329, No.41), known as the Capital Budget Project Itemization Act of 2007-2008, to the University of Pennsylvania.

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 14. Effective date.

This act shall take effect immediately.