

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2154 Session of
1980

INTRODUCED BY PITTS, RAPPAPORT, ROCKS, HOEFFEL, MICOZZIE,
NAHILL AND WHITE, JANUARY 22, 1980

REFERRED TO COMMITTEE ON TRANSPORTATION, JANUARY 22, 1980

AN ACT

1 Amending the act of July 20, 1968 (P.L.550, No.217), entitled
2 "An act implementing the provisions of clause (4) of
3 subsection (a) of section 7 of Article VIII of the
4 Constitution of Pennsylvania authorizing and restricting the
5 incurring of certain debt; providing for a capital budget
6 bill; imposing duties upon the Governor, the Auditor General
7 and the State Treasurer; prescribing procedures for the
8 issuance, sale and payment of certain general obligation
9 bonds, the disposition of the proceeds therefrom, and the
10 funding of debt and refunding of bonds; exempting said bonds
11 from State and local taxation; creating certain funds; and
12 providing for certain appropriations," further providing for
13 transportation assistance projects and providing for a
14 transportation assistance capital budget bill and debt
15 authorizing legislation.

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

18 Section 1. The definition of "Transportation Assistance
19 Projects" in clause (1) of section 2, act of July 20, 1968
20 (P.L.550, No.217), known as the "Capital Facilities Debt
21 Enabling Act," amended July 9, 1976 (P.L.967, No.190), is
22 amended to read:

23 Section 2. Definitions.--As used in this act--

24 (1) * * *

1 "Transportation Assistance Projects," means and includes
2 [projects of a type which the Pennsylvania Transportation
3 Assistance Authority is authorized to construct, improve, equip,
4 furnish, maintain, acquire, or operate under the provisions of
5 the act of January 22, 1968 (P.L.27, No.7), known as "The
6 Pennsylvania Transportation Assistance Authority Act of 1967,"]
7 capital projects which the Department of Transportation is
8 authorized to construct, improve, equip, furnish, maintain,
9 acquire or operate under the provisions of the act of January
10 22, 1968 (P.L.42, No.8), known as the "Pennsylvania Urban Mass
11 Transportation Assistance Law of 1967," and also capital
12 projects which the Department of Transportation is authorized to
13 construct, improve, equip or furnish, under the provisions of
14 the act of February 11, 1976 (P.L.14, No.10), known as the
15 "Pennsylvania Rural and Intercity Common Carrier Surface
16 Transportation Assistance Act," including the acquisition of
17 property therein authorized.

18 * * *

19 Section 2. The act is amended by adding a section to read:

20 Section 3.1. Procedures for Transportation Assistance
21 Capital Budget Bill and Debt Authorizing Legislation. (a) A
22 transportation assistance capital budget prepared in accordance
23 with this act shall be submitted each fiscal year by the
24 Governor to the General Assembly in the form of a bill and shall
25 thereafter proceed to consideration as provided in Article III
26 of the Constitution of Pennsylvania.

27 (b) Each local transportation organization and
28 transportation company shall submit annually to the Department
29 of Transportation between September 15 and October 15 a proposed
30 six-year capital program for the fiscal year beginning July 1

1 and for the next succeeding five fiscal years. The proposed six-
2 year capital program shall be specifically itemized by brief
3 identifying description and estimated financial cost. The fiscal
4 year beginning July 1 and the following three fiscal years shall
5 be the budget years and the next two fiscal years shall be the
6 budget projection years.

7 (c) The transportation assistance capital budget shall
8 specifically itemize by brief identifying description and
9 estimated financial cost, the transportation assistance capital
10 projects to be financed from general revenue appropriations or
11 from the proceeds of obligations of the Commonwealth for each of
12 the four budget years except where such itemization is contained
13 in or approved by prior legislation referred to in the
14 transportation assistance capital budget bill or except where
15 such itemization is included in one or more supplemental
16 transportation assistance capital budget bills. Such projects
17 shall be listed in separate categories, as well as according to
18 the fund to be charged with the repayment of the obligations to
19 be incurred. The transportation assistance capital budget bill
20 shall state the maximum amount of such obligations which may be
21 incurred in each of the four ensuing fiscal years to provide
22 funds for and toward the financial costs of each category of
23 transportation assistance capital projects, which shall be by
24 the issue of general obligations of the Commonwealth.

25 (d) On or before March 1, 1981 and in each succeeding year,
26 the Governor shall submit to the General Assembly the proposed
27 six-year capital programs of each of the several local
28 transportation organizations and transportation companies
29 together with the recommendations of approval or disapproval by
30 the Department of Transportation and a transportation assistance

1 capital budget bill for the ensuing four fiscal years. Each
2 local transportation organization or transportation company
3 shall be prepared to appear before the General Assembly to
4 justify its proposed six-year capital program.

5 (e) At the time the Governor submits the transportation
6 assistance capital budget bill, or a supplement thereto as
7 aforesaid, he shall, to the extent the debt to be incurred is
8 not within the limits of the legislation then in force
9 authorizing the expenditure of appropriated funds or the
10 incurring of debt, submit additional bills for each category of
11 transportation assistance capital projects, authorizing the
12 appropriation of general revenues or the incurring of debt to
13 provide funds for and toward the payment of the financial costs
14 of transportation assistance capital projects in such category
15 which have been specifically itemized in a transportation
16 assistance capital budget for the same or any prior year.

17 (f) Each debt authorizing bill shall state the category of
18 transportation assistance capital projects to be financed by the
19 debt so authorized, but need not enumerate the capital projects
20 to be financed, shall authorize the fiscal year in which the
21 debt is to be incurred, shall authorize the incurring of debt in
22 not less than the amount of financial cost of all transportation
23 assistance capital projects in such category not covered by a
24 previous debt authorization or general revenue appropriation,
25 including any allowance for contingencies, shall state the
26 estimated useful lives of the transportation assistance capital
27 projects to be financed in such detail as may be required where
28 transportation assistance projects of varying useful lives are
29 to be combined for financing purposes, and shall state the
30 maximum term of the debt to be incurred.

1 Section 3. Subsection (a) of section 10 of the act, amended
2 July 24, 1969 (P.L.183, No.75), is amended to read:

3 Section 10. Disposition and Use of Proceeds.--(a) The
4 proceeds of all general revenue appropriations made pursuant to
5 the provisions of section 3.1 of this act, the proceeds of all
6 temporary borrowings made pursuant to the provisions of section
7 6 of this act, and the proceeds from the sale of bonds, other
8 than funding bonds, issued pursuant to the provisions of section
9 7 of this act, shall be paid to the State Treasurer and be held
10 by him in a separate fund and, shall be deposited in such
11 depositories as may be selected by him to the credit of such
12 fund, which fund shall be known as the "Capital Facilities
13 Fund," which shall have such separate accounts therein as may be
14 deemed desirable by the issuing officials, but not less than one
15 separate account for each category of capital projects.

16 * * *

17 Section 4. This act shall take effect immediately.