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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 97 Session of  
2019

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INTRODUCED BY HUTCHINSON AND PHILLIPS-HILL, JANUARY 24, 2019

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REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, JANUARY 24, 2019

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AN ACT

1 Amending the act of March 1, 1988 (P.L.82, No.16), entitled "An  
2 act providing for the establishment, implementation and  
3 administration of the Pennsylvania Infrastructure Investment  
4 Authority; imposing powers and duties on a board of trustees;  
5 transferring the rights, powers, duties and obligations of  
6 the Water Facilities Loan Board to the Pennsylvania  
7 Infrastructure Investment Authority; providing for the  
8 issuance of notes and bonds; providing for financial  
9 assistance and for a comprehensive water facilities plan;  
10 authorizing a referendum to incur indebtedness; making an  
11 appropriation; and making repeals," further providing for  
12 definitions and for financial assistance.

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

15 Section 1. The definition of "project" in section 3 of the  
16 act of March 1, 1988 (P.L.82, No.16), known as the Pennsylvania  
17 Infrastructure Investment Authority Act, is amended to read:

18 Section 3. Definitions.

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

22 \* \* \*

23 "Project." The eligible costs associated with the

1 acquisition, construction, improvement, expansion, extension,  
2 repair, rehabilitation or security measures of all or part of  
3 any facility or system, whether publicly or privately owned:

4 (1) for the collection, treatment or disposal of  
5 wastewater, including industrial waste;

6 (2) for the supply, treatment, storage or distribution  
7 of drinking water;

8 (3) for the control of pollution associated with storm  
9 water, which may include, but need not be limited to, the  
10 transport, storage and the infiltration of storm water; or

11 (4) for the best management practices to address  
12 pollution, including innovative techniques developed to  
13 comply with the act of June 22, 1937 (P.L.1987, No.394),  
14 known as The Clean Streams Law, or identified in the county-  
15 prepared watershed plans pursuant to the act of October 4,  
16 1978 (P.L.864, No.167), known as the Storm Water Management  
17 Act[, or as identified in Pennsylvania's Nonpoint Source  
18 Management Program Update, as required under section 319(b)  
19 of the Federal Water Pollution Control Act (62 Stat. 1155, 33  
20 U.S.C. § 1329(b))].

21 \* \* \*

22 Section 2. Section 10(b.2) and (m) of the act are amended to  
23 read:

24 Section 10. Financial assistance.

25 \* \* \*

26 [(b.2) Nonpoint source management program projects.--A  
27 project that is consistent with Pennsylvania's Nonpoint Source  
28 Management Program Update, as required under section 319(b) of  
29 the Federal Water Pollution Control Act (62 Stat. 1155, 33  
30 U.S.C. § 1329(b)), that has a water quality benefit as

1 determined by the department, shall be eligible for funding.]

2 \* \* \*

3 (m) Refinancing limitation.--Financial assistance shall not  
4 be available under this act for refinancing of any project  
5 undertaken by a nongovernmental entity except that the Water  
6 Pollution Control Revolving Fund may be used to the extent  
7 authorized by the Water Quality Act of 1987 (Public Law 100-4,  
8 101 Stat. 7) for projects commenced after March 7, 1985.

9 Financial assistance shall be available for refinancing of any  
10 project under paragraph (1) or (2) of the definition of  
11 "project" in section 3 undertaken by a governmental unit.

12 \* \* \*

13 Section 3. This act shall take effect in 60 days.