

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2895 Session of
1980

INTRODUCED BY McCLATCHY, PIEVSKY, PERZEL, RAPPAPORT, SALVATORE,
L. E. SMITH, GEIST, CESSAR, ZORD, SIRIANNI, WASS, SWEET,
SEVENTY, LESCOVITZ, MURPHY, STAIRS, LEVIN, WACHOB,
CUNNINGHAM, PETRARCA, PETERSON, GLADECK AND TELEK,
SEPTEMBER 15, 1980

REFERRED TO COMMITTEE ON APPROPRIATIONS, SEPTEMBER 15, 1980

A SUPPLEMENT

1 To the act of _____, entitled "An act providing for the
2 capital budget for the fiscal year 1980-1981," itemizing a
3 public improvement project to be acquired and constructed by
4 the Department of General Services together with its
5 estimated financial cost; authorizing the incurring of debt
6 without the approval of the electors for the purpose of
7 financing the project, stating the estimated useful life of
8 the project, authorizing the acquisition of property, the
9 leasing of the project to Conrail, the transfer of the
10 completed project to Conrail, and making an appropriation.

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

13 Section 1. Itemization and authorization of project.

14 An additional capital project in the category of public
15 improvement projects to be acquired and constructed by the
16 Department of General Services, its successors or assigns, and
17 to be financed by the incurring of debt, is hereby itemized,
18 together with the respective estimated financial costs and the
19 total additional amount authorized for the public improvement
20 project as follows:

1	A.	Total authorization.....			\$22,612,000
2	B.	Itemization of Public Improvement Project:			
3		Project	Base	Contin-	Total
4			Project	gencies	Project
5			Allocation		Allocation
6	I.	Department of			
7		Commerce	\$20,556,000	\$2,056,000	\$22,612,000
8	(a)	Port of			
9		Philadelphia			
10	(1)	Pier 124 -			
11		Modernization			
12		and Rehabil-			
13		itation	20,556,000	2,056,000	22,612,000

14 Section 2. Debt authorization.

15 The Governor, Auditor General and State Treasurer are hereby
16 authorized and directed to borrow, from time to time, in
17 addition to any authorization heretofore or hereafter enacted,
18 on the credit of the Commonwealth, subject to the limitations
19 provided in the current capital budget, money not exceeding in
20 the aggregate the sum of \$22,612,000 as may be found necessary
21 to carry out the acquisition and construction of the public
22 improvement projects specifically itemized in a capital budget.

23 Section 3. Issue of bonds.

24 The indebtedness herein authorized shall be incurred from
25 time to time and shall be evidenced by one or more series of
26 general obligation bonds of the Commonwealth in such aggregate
27 principal amount for each series as the Governor, Auditor
28 General and State Treasurer shall determine, but the latest
29 stated maturity date shall not exceed 20 years from the date of
30 the bond first issued for each such series.

1 Section 4. Estimated useful life of project.

2 The General Assembly states the estimated useful life of the
3 public improvement project heretofore itemized is not less than
4 20 years from the date of completion thereof, which period is
5 hereby stated to be the maximum term of the debt to be incurred.

6 Section 5. Appropriation.

7 The net proceeds of the sale of the obligations herein
8 authorized are hereby appropriated from the Capital Facilities
9 Fund to the Department of General Services in the maximum amount
10 of \$22,612,000 to be used by it exclusively to defray the
11 financial cost of the public improvement projects specifically
12 itemized in a capital budget. After reserving or paying the
13 expenses of the sale of the obligation, the State Treasurer
14 shall pay to the Department of General Services the moneys as
15 required and certified by it to be legally due and payable.

16 Section 6. Federal funds.

17 In addition to those funds appropriated in section 5, all
18 moneys received from the Federal Government if any, for the
19 construction of the public improvement project specifically
20 itemized herein are also hereby appropriated for this project.

21 Section 7. Allocation of funds.

22 Whenever as determined by the Department of General Services
23 the full estimated financial cost of the public improvement
24 project itemized in section 1 hereof is not necessary for the
25 proper design, acquisition or construction of the project, the
26 excess funds no longer required may be allocated to increase the
27 estimated cost of any one or more of the public improvement
28 projects specifically itemized in a capital budget.

29 Section 8. Lease of project.

30 Within 90 days of the enactment of this bill, the Department

1 of Commerce and Conrail its successors or assigns, shall enter
2 into an agreement to lease the project. The department shall
3 negotiate the terms of both maintenance and lease arrangements
4 with Conrail which shall include the following: maintenance of
5 the improved facility during the lease period shall be the
6 responsibility of Conrail. The lease arrangement shall be a
7 multi-year agreement and provide for rental payments sufficient
8 to cover the debt service requirements on the bond issue
9 involved, plus construction inspection and administrative costs
10 of the project. Such rentals paid to the Commonwealth shall be
11 deposited in the General Fund as part of general revenues. The
12 term of the lease shall coincide with the retirement of the bond
13 issue involved.

14 Section 9. Transfer of property.

15 Upon completion of the project and satisfaction of the lease
16 involved, the Commonwealth shall transfer the improved facility
17 to Conrail, its successors or assigns, for a nominal
18 consideration.

19 Section 10. Effective date.

20 This act shall take effect immediately.