

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 2304

Session of  
1982

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INTRODUCED BY BRANDT, MARCH 2, 1982

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AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
JUNE 7, 1982

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## AN ACT

1 Providing for the establishment and maintenance of a center to  
2 provide ambulatory and inpatient services for the diagnosis,  
3 evaluation, treatment and rehabilitation of persons who have  
4 physical or neuro-developmental disabilities; providing for  
5 the transfer from the Commonwealth to the Pennsylvania State  
6 University of the functions and operations of the  
7 Elizabethtown Hospital for Children and Youth; making an  
8 appropriation to support the operation of the center;  
9 authorizing a capital budget project, to be constructed by  
10 the Department of General Services together with its  
11 estimated financial cost; authorizing the incurring of debt  
12 without the approval of the electors for the purpose of  
13 financing the project to be constructed by the Department of  
14 General Services, and making an appropriation to defray the  
15 cost of the capital budget project.

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

18 Section 1. Effective July 1, 1982, a center is hereby  
19 established to be managed and controlled by the Pennsylvania  
20 State University to provide comprehensive diagnostic and  
21 treatment services for persons with physical and neuro-  
22 developmental disabilities amenable to medical, surgical and  
23 rehabilitative treatment.

1       Section 2. The entire management and control of the affairs  
2 of the center, including, without limitation, services,  
3 administration, finances and personnel, is hereby vested in the  
4 Pennsylvania State University, which may exercise with respect  
5 to the center all of the powers and franchises vested by law in  
6 the university. The Pennsylvania State University shall, to the  
7 extent financially feasible, provide a reasonable volume of  
8 services to persons unable to pay therefor.

9       Section 3. Effective July 1, 1982, the functions and  
10 operation of the Commonwealth of Pennsylvania at the  
11 Elizabethtown Hospital for Children and Youth are hereby  
12 transferred to the Pennsylvania State University to be performed  
13 as a part of the functions and operations of the center  
14 established in section 1.

15       Section 4. All allocations, appropriations, agreements (not  
16 including collective bargaining agreements) to the extent  
17 assignable, leases and personal property of every nature of the  
18 Commonwealth which are used, employed or expended in connection  
19 with its duties, powers or functions relating to the  
20 Elizabethtown Hospital for Children and Youth are hereby  
21 transferred to the Pennsylvania State University. All moneys  
22 received by the university for services rendered by the  
23 Commonwealth at the Elizabethtown Hospital for Children and  
24 Youth prior to July 1, 1982, shall be remitted to the  
25 Commonwealth and all accounts payable arising from operations  
26 prior to July 1, 1982, shall be paid by the Commonwealth.  
27 Nothing contained herein shall impose upon the university any  
28 obligation, claim, demand or cause of action against the  
29 Commonwealth arising out of or in connection with the operation  
30 of the Elizabethtown Hospital for Children and Youth by the

1 Commonwealth.

2 Section 5. (a) The Department of General Services, with  
3 approval as provided by law, is hereby authorized on behalf of  
4 the Commonwealth of Pennsylvania to lease for \$1 to the  
5 Pennsylvania State University the remaining tracts of land as a  
6 unit, together with the improvements situate thereon, known as  
7 the Elizabethtown Hospital for Children and Youth, situate in  
8 the Township of Mount Joy, Lancaster County, in the Commonwealth  
9 of Pennsylvania:

10 All those four certain tracts of land situate in the Township  
11 of Mount Joy, Lancaster County, Pennsylvania, acquired by the  
12 Commonwealth of Pennsylvania under and by virtue of the act of  
13 May 14, 1925 (P.L.749, No.408), entitled, as amended, "An act  
14 providing for the establishing and maintenance of a State  
15 hospital and center to provide ambulatory and inpatient services  
16 for the diagnosis, evaluation, treatment and rehabilitation of  
17 children and youth under age twenty-one who have physical or  
18 neuro-developmental disabilities; and making an appropriation,"  
19 containing on the north side of Pennsylvania Route 230, 253.55  
20 acres, more or less, including parts thereof conveyed to the  
21 General State Authority and subject to the limitations on same  
22 totaling 3.828 acres for Projects No. GSA 304-1, 2, 3, 4, 5, 6,  
23 in the Main Hospital Complex.

24 Excepting thereout and therefrom three tracts of surplus land  
25 with buildings thereon submitted under Article XXIV-A of the act  
26 of April 9, 1929 (P.L.177, No.175), known as "The Administrative  
27 Code of 1929," for sale or disposition, No. 1 containing 9 acres  
28 and buildings on both sides of Cassell Road; No. 2 containing a  
29 lot, a residence and garage; No. 3 containing the  
30 Superintendent's Residence and the surrounding land.

1 (b) The lease shall contain a provision to the effect that  
2 the term thereof shall end not later than the date that the  
3 university informs the Department of General Services that the  
4 leased premises will no longer be in use to perform the  
5 functions and operations of the Elizabethtown Hospital for  
6 Children and Youth.

7 Section 6. The Commonwealth of Pennsylvania hereby pledges  
8 its financial support to the Pennsylvania State University for  
9 the operation of the center at the Elizabethtown Hospital for  
10 Children and Youth until the termination of the lease, as  
11 provided in section 5 hereof. ALL EMPLOYEES OF THE ELIZABETHTOWN <—  
12 HOSPITAL FOR CHILDREN AND YOUTH SHALL REMAIN EMPLOYEES OF THE  
13 COMMONWEALTH UNTIL THE TERMINATION OF THE LEASE. In the event  
14 that the Commonwealth of Pennsylvania does not make annual  
15 appropriations during the term of the lease to the university in  
16 amounts not less than the amount appropriated for fiscal year  
17 1981-1982 to the Department of Health for the operation of the  
18 Elizabethtown Hospital for Children and Youth, such amounts to  
19 escalate to reflect any annual increase in the General Fund  
20 Budget of the Commonwealth, the university may reduce or  
21 eliminate services of the center.

22 Section 7. (a) An additional capital budget project to be  
23 constructed by the Department of General Services, its  
24 successors or assigns, and to be financed by the incurring of  
25 debt, is hereby itemized, together with the respective estimated  
26 financial cost and the total additional amount authorized for  
27 the capital budget project as follows:

28 A. Total Authorization.....	\$29,600,000
29 B. Itemization of Capital Budget Project:	
30 I. Department of Education.....	\$29,600,000

A. The Pennsylvania State University, The  
Milton S. Hershey Medical Center:

(1) Hospital addition, including a center  
for rehabilitation, physical and neuro-  
developmental disabilities..... \$29,600,000  
(Base Construction - \$25,000,000;  
Design and Contingencies - \$4,600,000)

(b) 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 \$29,600,000 as may be found necessary  
to carry out the construction of the capital budget project  
specifically itemized in a capital budget.

(c) The indebtedness herein authorized 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,  
Auditor General and State Treasurer shall determine, but the  
latest stated maturity date shall not exceed 30 years from the  
date of the bond first issued for each such series.

(d) The net proceeds of the sale of the obligations herein  
authorized is hereby appropriated from the Capital Facilities  
Fund to the Department of General Services in the maximum amount  
of \$29,600,000 to be used by it exclusively to defray the  
financial cost of the capital budget project specifically  
itemized in a capital budget. After reserving or paying the  
expenses of the sale of the obligation, the State Treasurer  
shall pay out to the Department of General Services the moneys

1 as required and certified by it to be legally due and payable.

2 (e) Whenever as determined by the Department of General  
3 Services the full estimated financial cost of the capital budget  
4 project itemized in subsection (a) hereof is not necessary for  
5 the proper design or construction of the project, the excess  
6 fund no longer required may be allocated to increase the  
7 estimated cost of any one or more of the public improvement  
8 projects specifically itemized in a capital budget.

9 (f) In addition to those funds appropriated in subsection  
10 (d), all moneys received from the Federal Government for the  
11 construction of the capital budget project specifically itemized  
12 herein are also hereby appropriated for this project. Any  
13 Federal funds received for this project shall be used to offset  
14 State funds allocated for this project.

15 Section 8. Upon completion of the capital budget project  
16 itemized in subsection (a) hereof, the functions of the center  
17 performed by the Pennsylvania State University at the  
18 Elizabethtown Hospital for Children and Youth shall be  
19 transferred to the capital budget project.

20 Section 9. (a) Section 2113, act of April 9, 1929,  
21 (P.L.177, No.175), known as "The Administrative Code of 1929,"  
22 is repealed.

23 (b) All other acts are hereby repealed insofar as they are  
24 inconsistent herewith.

25 Section 10. This act shall take effect July 1, 1982, or if  
26 enacted subsequent to that date, immediately.