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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 1931** Session of  
1995

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INTRODUCED BY DERMODY, MARKOSEK AND DeLUCA, JUNE 29, 1995

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REFERRED TO COMMITTEE ON TRANSPORTATION, JUNE 29, 1995

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AN ACT

A SUPPLEMENT

1 To the act of December 8, 1982 (P.L.848, No.235), entitled "An  
2 act providing for the adoption of capital projects related to  
3 the repair, rehabilitation or replacement of highway bridges  
4 to be financed from current revenue or by the incurring of  
5 debt and capital projects related to highway and safety  
6 improvement projects to be financed from current revenue of  
7 the Motor License Fund," itemizing a local bridge project.

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

10 Section 1. Short title.

11 This act shall be known and may be cited as the Highway-  
12 Railroad and Highway Bridge Capital Budget Supplemental Act for  
13 1995-1996.

14 Section 2. Definitions.

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

18 "Account." The Highway Bridge Improvement Restricted Account  
19 within the Motor License Fund.

1 "Capital project." A capital project as defined in section  
2 1602-B of the act of April 9, 1929 (P.L.343, No.176), known as  
3 The Fiscal Code, and shall include a county or municipal bridge  
4 rehabilitation, replacement or improvement project as set forth  
5 in this act.

6 "Department." The Department of Transportation of the  
7 Commonwealth.

8 "Secretary." The Secretary of Transportation of the  
9 Commonwealth.

10 Section 3. Total authorization for bridge projects.

11 (a) Total projects.--The total authorization for the costs  
12 of the projects itemized pursuant to this act and to be financed  
13 from current revenue or by the incurring of debt shall be  
14 \$630,000.

15 (b) State projects.--The authorization for capital projects  
16 in the category of highway projects to be constructed by the  
17 Department of Transportation, its successors or assigns, and to  
18 be financed by the incurring of debt or from the highway  
19 account, itemized in this act under the category of State  
20 bridges, shall be \$000,000,000.

21 (c) Non-State projects.--The authorization for non-State  
22 highway bridge projects to be constructed by municipalities and  
23 to be financed in part with grants not exceeding 80% of the non-  
24 Federal share of the costs made to the local government  
25 municipalities by the department from revenues deposited in the  
26 account itemized in this act under the category of local  
27 bridges, shall be \$630,000.

28 Section 4. Itemization of bridge projects.

29 The individual capital projects in the category of highway  
30 projects to be constructed by the Department of Transportation,

1 its successors or assigns, and to be financed from current  
2 revenue or by the incurring of debt are hereby itemized,  
3 together with their estimated financial costs, in the following  
4 sections.

5 Section 5. Adams County (Reserved).

6 Section 6. Allegheny County.

7 (a) Local Bridges

8 (1) Plum Borough, Mary Street Bridge over

9 Plum Creek, Bridge Replacement 630,000

10 (Base Construction Allocation -

11 \$400,000)

12 (Land Allocation - \$50,000)

13 (Design and Contingencies - \$180,000)

14 (b) State Bridges (Reserved)

15 Section 7. Armstrong County (Reserved).

16 Section 8. Beaver County (Reserved).

17 Section 9. Bedford County (Reserved).

18 Section 10. Berks County (Reserved).

19 Section 11. Blair County (Reserved).

20 Section 12. Bradford County (Reserved).

21 Section 13. Bucks County (Reserved).

22 Section 14. Butler County (Reserved).

23 Section 15. Cambria County (Reserved).

24 Section 16. Cameron County (Reserved).

25 Section 17. Carbon County (Reserved).

26 Section 18. Centre County (Reserved).

27 Section 19. Chester County (Reserved).

28 Section 20. Clarion County (Reserved).

29 Section 21. Clearfield County (Reserved).

30 Section 22. Clinton County (Reserved).

- 1 Section 23. Columbia County (Reserved).
- 2 Section 24. Crawford County (Reserved).
- 3 Section 25. Cumberland County (Reserved).
- 4 Section 26. Dauphin County (Reserved).
- 5 Section 27. Delaware County (Reserved).
- 6 Section 28. Elk County (Reserved).
- 7 Section 29. Erie County (Reserved).
- 8 Section 30. Fayette County (Reserved).
- 9 Section 31. Forest County (Reserved).
- 10 Section 32. Franklin County (Reserved).
- 11 Section 33. Fulton County (Reserved).
- 12 Section 34. Greene County (Reserved).
- 13 Section 35. Huntingdon County (Reserved).
- 14 Section 36. Indiana County (Reserved).
- 15 Section 37. Jefferson County (Reserved).
- 16 Section 38. Juniata County (Reserved).
- 17 Section 39. Lackawanna County (Reserved).
- 18 Section 40. Lancaster County (Reserved).
- 19 Section 41. Lawrence County (Reserved).
- 20 Section 42. Lebanon County (Reserved).
- 21 Section 43. Lehigh County (Reserved).
- 22 Section 44. Luzerne County (Reserved).
- 23 Section 45. Lycoming County (Reserved).
- 24 Section 46. McKean County (Reserved).
- 25 Section 47. Mercer County (Reserved).
- 26 Section 48. Mifflin County (Reserved).
- 27 Section 49. Monroe County (Reserved).
- 28 Section 50. Montgomery County (Reserved).
- 29 Section 51. Montour County (Reserved).
- 30 Section 52. Northampton County (Reserved).

- 1 Section 53. Northumberland County (Reserved).
- 2 Section 54. Perry County (Reserved).
- 3 Section 55. Philadelphia County (Reserved).
- 4 Section 56. Pike County (Reserved).
- 5 Section 57. Potter County (Reserved).
- 6 Section 58. Schuylkill County (Reserved).
- 7 Section 59. Snyder County (Reserved).
- 8 Section 60. Somerset County (Reserved).
- 9 Section 61. Sullivan County (Reserved).
- 10 Section 62. Susquehanna County (Reserved).
- 11 Section 63. Tioga County (Reserved).
- 12 Section 64. Union County (Reserved).
- 13 Section 65. Venango County (Reserved).
- 14 Section 66. Warren County (Reserved).
- 15 Section 67. Washington County (Reserved).
- 16 Section 68. Wayne County (Reserved).
- 17 Section 69. Westmoreland County (Reserved).
- 18 Section 70. Wyoming County (Reserved).
- 19 Section 71. York County (Reserved).
- 20 Section 72. Limitation on expenditure of funds.

21 Any moneys derived from the incurring of debt shall be used  
22 solely for effecting the rehabilitation, replacement or removal  
23 of bridges located on State highways. All other bridge  
24 rehabilitation, replacement or removal shall be financed and  
25 State bridge rehabilitation, replacement or removal may also be  
26 financed from current revenue.

27 Section 73. Debt authorization.

28 The Governor, Auditor General and State Treasurer are hereby  
29 authorized and directed to borrow from time to time, in addition  
30 to any authorization heretofore or hereafter enacted, on the

1 credit of the Commonwealth, subject to the limitations provided  
2 in the current capital budget, money not exceeding in the  
3 aggregate the sum of \$000,000,000 as may be found necessary to  
4 carry out the acquisition and construction of the State highway  
5 projects specifically itemized in this act.

6 Section 74. Issue of bonds.

7 The indebtedness authorized in this act shall be incurred  
8 from time to time and shall be evidenced by one or more series  
9 of general obligation bonds of the Commonwealth in such  
10 aggregate principal amount for each series as the Governor,  
11 Auditor General and State Treasurer shall determine, but the  
12 latest stated maturity date shall not exceed 30 years from the  
13 date of the bond first issued for each series.

14 Section 75. Estimated useful life of projects.

15 The General Assembly states the estimated useful life of the  
16 projects itemized in this act as 30 years.

17 Section 76. Appropriation.

18 The net proceeds of the sale of the obligations authorized in  
19 this act are hereby appropriated from the Capital Facilities  
20 Fund to the department in the maximum amount of \$000,000,000 to  
21 be used by it exclusively to defray the financial costs of the  
22 State projects specifically itemized in this capital budget.  
23 After reserving or paying the expenses of the sale of the  
24 obligation, the State Treasurer shall pay out to the department  
25 the moneys as required and certified by it to be legally due and  
26 payable.

27 Section 77. Federal funds.

28 In addition to those funds appropriated in section 76, all  
29 moneys received from the Federal Government for the public  
30 improvement projects specifically itemized in this act are also

1 hereby appropriated for those projects.

2 Section 78. Allocation of funds.

3 (a) General rule.--Whenever the department determines that  
4 the full estimated financial costs of the projects itemized in  
5 this act are not necessary for the proper design, acquisition or  
6 construction of such projects, the excess funds no longer  
7 required may be allocated by the department to increase the  
8 estimated costs of any one or more of the projects specifically  
9 itemized in a capital budget.

10 (b) Reimbursement of municipal expenditures.--Moneys raised  
11 or expended by municipalities after the effective date of this  
12 act, in anticipation of receipt of funds authorized for projects  
13 itemized by this act, may be reimbursable to those  
14 municipalities.

15 Section 79. Policy on jobs and materials.

16 (a) Jobs.--It is the declared policy of the Commonwealth  
17 that the construction projects authorized in this act be used,  
18 to the greatest extent possible, to provide for the creation of  
19 jobs and the rehiring of the unemployed in this Commonwealth. In  
20 order to reach this goal, firms with Commonwealth-based  
21 facilities shall be actively solicited to make bids on contracts  
22 to furnish products and materials, including, but not limited  
23 to, steel and steel products, to be used in these projects.

24 (b) Materials.--Every contract document entered into to  
25 undertake a project contained in this act shall provide that any  
26 steel or other products to be used or supplied in the  
27 performance of this contract shall be required to be  
28 manufactured by plants in the United States unless the secretary  
29 determines, on a contract by contract basis, that certain  
30 required products are not produced in the United States in

1 sufficient quantities to meet the requirements of the contract.  
2 Such a determination and the reasons therefor shall be published  
3 in the Pennsylvania Bulletin. Decisions made under this  
4 subsection shall not be inconsistent with the general provisions  
5 of the act of March 3, 1978 (P.L.6, No.3), known as the Steel  
6 Products Procurement Act.

7 (c) Minorities and women.--It is also the declared policy of  
8 the Commonwealth to require and encourage substantial  
9 participation by minorities and women in the construction  
10 projects authorized by this act.

11 Section 80. Payment of capital debt service.

12 The repayment of any debt incurred pursuant to this act shall  
13 be made from the account and such repayment shall have first  
14 claim on the revenues of the account.

15 Section 81. Authorization and debt cumulation.

16 The additional authorization and debt allowance provided for  
17 in this act shall be added to the total authorizations and debt  
18 incurred pursuant to the act of December 8, 1982 (P.L.848,  
19 No.235), known as the Highway-Railroad and Highway Bridge  
20 Capital Budget Act for 1982-1983, as amended and supplemented.

21 Section 82. Effective date.

22 This act shall take effect immediately.