

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2354 Session of 1998

INTRODUCED BY BARLEY, MARCH 11, 1998

AMENDMENTS TO SENATE AMENDMENTS, HOUSE OF REPRESENTATIVES, NOVEMBER 24, 1998

AN ACT

1 Amending the act of May 7, 1998 (P.L.343, No.52), entitled "An
2 act providing for the capital budget for the fiscal year
3 1998-1999," increasing the debt limitation for public
4 improvement projects; ITEMIZING PUBLIC IMPROVEMENT PROJECTS
5 TO BE DESIGNED, ENGINEERED, MANAGED, CONSTRUCTED, ACQUIRED OR
6 ASSISTED BY THE DEPARTMENT OF GENERAL SERVICES, TOGETHER WITH
7 THEIR ESTIMATED FINANCIAL COSTS; INCURRING OF DEBT WITHOUT
8 THE APPROVAL OF THE ELECTORS FOR THE PURPOSE OF FINANCING THE
9 PROJECTS TO BE CONSTRUCTED, ACQUIRED OR ASSISTED BY THE
10 DEPARTMENT OF GENERAL SERVICES; STATING THE USEFUL LIFE OF
11 THE PROJECTS; AUTHORIZING CERTAIN CONTRACT PROVISIONS;
12 CLARIFYING THE UTILIZATION OF CERTAIN CAPITAL FUNDS FOR
13 TEMPLE UNIVERSITY HOSPITAL; MAKING APPROPRIATIONS; AND MAKING
14 REPEALS.

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

17 ~~Section 1. Section 2 of the act of May 7, 1998 (P.L.343,~~
18 ~~No.52), known as the Capital Budget Act of 1998-1999, is amended~~
19 ~~to read:~~

20 SECTION 1. THE TITLE AND SECTION 2 OF THE ACT OF MAY 7, 1998
21 (P.L.343, NO.52), KNOWN AS THE CAPITAL BUDGET ACT OF 1998-1999,
22 IS AMENDED TO READ:

AN ACT

1 PROVIDING FOR THE CAPITAL BUDGET FOR THE FISCAL YEAR 1998-
 2 1999[.]; ITEMIZING PUBLIC IMPROVEMENT PROJECTS TO BE
 3 DESIGNED, ENGINEERED, MANAGED, CONSTRUCTED, ACQUIRED OR
 4 ASSISTED BY THE DEPARTMENT OF GENERAL SERVICES, TOGETHER WITH
 5 THEIR ESTIMATED FINANCIAL COSTS; INCURRING OF DEBT WITHOUT
 6 THE APPROVAL OF THE ELECTORS FOR THE PURPOSE OF FINANCING THE
 7 PROJECTS TO BE CONSTRUCTED, ACQUIRED OR ASSISTED BY THE
 8 DEPARTMENT OF GENERAL SERVICES; STATING THE USEFUL LIFE OF
 9 THE PROJECTS; AUTHORIZING CERTAIN CONTRACT PROVISIONS;
 10 CLARIFYING THE UTILIZATION OF CERTAIN CAPITAL FUNDS; MAKING
 11 APPROPRIATIONS; AND MAKING REPEALS.

12 Section 2. Overall limitations on debt to be incurred for
 13 capital projects.

14 The maximum principal amount of additional debt to be
 15 incurred during the 1998-1999 fiscal year, and thereafter until
 16 the enactment of the 1999-2000 capital budget specifying the
 17 maximum debt for the 1999-2000 fiscal year, for capital projects
 18 specifically itemized in a capital budget pursuant to section
 19 7(a)(4) of Article VIII of the Constitution of Pennsylvania, and
 20 the fund to be charged with the repayment of such debt, shall,
 21 with respect to each category of capital projects, be as
 22 follows:

23	Category	Amount	Fund
24	(1) Public Improvement		
25	Projects:		
26	(i) Buildings and		General Fund or
27	[Structures	\$400,000,000]	
28	<u>Structures</u>	<u>\$670,000,000</u>	Special Fund as
29	(ii) Furniture and		applicable
30	Equipment	6,000,000	

1	(2) Transportation		
2	Assistance Projects	150,000,000	General Fund
3	(3) Redevelopment		
4	Assistance Projects	70,000,000	General Fund
5	(4) Flood Control		
6	Projects	12,000,000	General Fund
7	[Total	\$638,000,000]	
8	<u>Total</u>	<u>\$908,000,000</u>	

9 SECTION 2. THE ACT IS AMENDED BY ADDING SECTIONS TO READ: ←

10 SECTION 3. TOTAL AUTHORIZATION.

11 THE TOTAL AUTHORIZATION FOR THE ADDITIONAL CAPITAL PROJECTS
12 IN THE CATEGORY OF PUBLIC IMPROVEMENT PROJECTS ITEMIZED IN
13 SECTION 4 AND TO BE CONSTRUCTED OR ACQUIRED BY THE DEPARTMENT OF
14 GENERAL SERVICES, ITS SUCCESSORS OR ASSIGNS AND TO BE FINANCED
15 BY THE INCURRING OF DEBT SHALL BE \$150,000.

16 SECTION 4. ITEMIZATION OF PUBLIC IMPROVEMENT PROJECTS.

17 THE ADDITIONAL CAPITAL PROJECTS IN THE CATEGORY OF PUBLIC
18 IMPROVEMENT PROJECTS TO BE CONSTRUCTED OR ACQUIRED BY THE
19 DEPARTMENT OF GENERAL SERVICES, IT SUCCESSORS OR ASSIGNS AND TO
20 BE FINANCED BY THE INCURRING OF DEBT ARE HEREBY ITEMIZED,
21 TOGETHER WITH ESTIMATED FINANCIAL COSTS, AS FOLLOWS:

22		<u>TOTAL</u>
23		<u>PROJECT</u>
24	<u>PROJECT</u>	<u>ALLOCATION</u>
25	<u>(1) HISTORICAL AND MUSEUM COMMISSION</u>	<u>\$150,000</u>
26	<u>(I) SOMERSET HISTORICAL CENTER</u>	
27	<u>(A) ADDITIONAL FUNDS FOR DGS 990-2 FOR</u>	
28	<u>CONSTRUCTION OF AN ON-LOT SEWAGE</u>	
29	<u>TREATMENT FACILITY</u>	<u>150,000</u>

30 SECTION 5. DEBT AUTHORIZATION.

1 THE GOVERNOR, AUDITOR GENERAL AND STATE TREASURER ARE HEREBY
2 AUTHORIZED AND DIRECTED TO BORROW FROM TIME TO TIME IN ADDITION
3 TO ANY AUTHORIZATION HERETOFORE OR HEREAFTER ENACTED, ON THE
4 CREDIT OF THE COMMONWEALTH, SUBJECT TO THE LIMITATIONS PROVIDED
5 IN THE CURRENT CAPITAL BUDGET, MONEY NOT EXCEEDING IN THE
6 AGGREGATE THE SUM OF \$150,000 AS MAY BE FOUND NECESSARY TO CARRY
7 OUT THE ACQUISITION AND CONSTRUCTION OF THE PUBLIC IMPROVEMENT
8 PROJECTS SPECIFICALLY ITEMIZED IN A CAPITAL BUDGET.
9 SECTION 6. ISSUE OF BONDS.

10 THE INDEBTEDNESS AUTHORIZED IN THIS ACT SHALL BE INCURRED,
11 FROM TIME TO TIME, AND SHALL BE EVIDENCED BY ONE OR MORE SERIES
12 OF GENERAL OBLIGATION BONDS OF THE COMMONWEALTH IN SUCH
13 AGGREGATE PRINCIPAL AMOUNT FOR EACH SERIES AS THE GOVERNOR, THE
14 AUDITOR GENERAL AND THE STATE TREASURER SHALL DETERMINE, BUT THE
15 LATEST STATED MATURITY DATE SHALL NOT EXCEED THE ESTIMATED
16 USEFUL LIFE OF THE PROJECTS BEING FINANCED AS STATED IN SECTION
17 7.

18 SECTION 7. ESTIMATED USEFUL LIFE AND TERM OF DEBT.

19 (A) ESTIMATED USEFUL LIFE.--THE GENERAL ASSEMBLY STATES THAT
20 THE ESTIMATED USEFUL LIFE OF THE PUBLIC IMPROVEMENT PROJECTS
21 ITEMIZED IN THIS ACT IS 30 YEARS.

22 (B) TERM OF DEBT.--THE MAXIMUM TERM OF THE DEBT AUTHORIZED
23 TO BE INCURRED UNDER THIS ACT IS 30 YEARS.

24 SECTION 8. APPROPRIATIONS.

25 THE NET PROCEEDS OF THE SALE OF THE OBLIGATIONS AUTHORIZED IN
26 THIS ACT ARE HEREBY APPROPRIATED FROM THE CAPITAL FACILITIES
27 FUND TO THE DEPARTMENT OF GENERAL SERVICES IN THE MAXIMUM AMOUNT
28 OF \$150,000 TO BE USED BY IT EXCLUSIVELY TO DEFRAY THE FINANCIAL
29 COST OF THE PUBLIC IMPROVEMENT PROJECTS SPECIFICALLY ITEMIZED IN
30 A CAPITAL BUDGET. AFTER RESERVING OR PAYING THE EXPENSES OF THE

1 SALE OF THE OBLIGATION, THE STATE TREASURER SHALL PAY TO THE
2 DEPARTMENT OF GENERAL SERVICES THE MONEYS AS REQUIRED AND
3 CERTIFIED BY IT TO BE LEGALLY DUE AND PAYABLE.

4 SECTION 9. UTILIZATION OF CERTAIN CAPITAL FUNDS.

5 NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, FUNDS
6 AUTHORIZED FOR THE PUBLIC IMPROVEMENT PROJECT ITEMIZED IN
7 SECTION 3(2)(V)(H) OF THE ACT OF JULY 2, 1993 (P.L.265, NO 47),
8 KNOWN AS THE CAPITAL BUDGET PROJECT ITEMIZATION ACT FOR 1993-
9 1994, MAY BE USED FOR THE CONSTRUCTION OF AN OPEN MAGNETIC
10 RESONANCE IMAGING SUITE AT TEMPLE UNIVERSITY HOSPITAL FOR USE BY
11 PEDIATRIC AND OTHER HOSPITAL PATIENTS.

12 SECTION 10. SPECIAL CONTRACT PROVISIONS.

13 (A) COMBINING OF PROJECTS PREVIOUSLY AUTHORIZED.--THE
14 PROJECTS AUTHORIZED IN SECTIONS 3(4)(X)(A) AND 3(7)(VII) OF THE
15 ACT OF OCTOBER 10, 1997 (P.L.392, NO.47), MAY BE COMBINED FOR
16 DESIGN AND BID TO ALLOW BOTH PROJECTS TO BE CONSTRUCTED AT THE
17 SAME LOCATION.

18 (B) SINGLE PROJECT FOR LABORATORY PURPOSES.--THE PROJECTS
19 AUTHORIZED IN SECTIONS 3(6)(II)(C) AND 3(13)(II)(A) OF THE ACT
20 OF OCTOBER 21, 1988 (P.L.851, NO.113), KNOWN AS THE CAPITAL
21 BUDGET PROJECT ITEMIZATION ACT FOR 1987-1988, AND IN SECTIONS
22 3(7)(VI)(A) AND 3(14)(XIII)(A) OF THE ACT OF OCTOBER 10, 1997
23 (P.L.392, NO.47), KNOWN AS THE CAPITAL BUDGET PROJECT
24 ITEMIZATION ACT FOR 1996-1997, MAY BE COMBINED INTO A SINGLE
25 PROJECT FOR LABORATORY SERVICES.

26 (C) CONSTRUCTION MANAGEMENT SERVICES.--NOTWITHSTANDING ANY
27 PROVISIONS OF LAW TO THE CONTRARY, THE DEPARTMENT OF GENERAL
28 SERVICES MAY TO FACILITATE PROJECT MANAGEMENT, CONFLICT
29 RESOLUTION AND TIMELY PROJECT COMPLETION, CONTRACT FOR
30 CONSTRUCTION MANAGEMENT SERVICES FOR THE CONSTRUCTION OF DGS

1 1103-48, A CONVOCATION/EVENTS CENTER AT THE UNIVERSITY OF
2 PITTSBURGH, OAKLAND CAMPUS, AUTHORIZED IN SECTION
3 3(5)(II)(A)(III) OF THE CAPITAL BUDGET PROJECT ITEMIZATION ACT
4 FOR 1996-1997.

5 (D) CHANGE IN USE OF FUNDS.--FUNDS AUTHORIZED UNDER SECTION
6 3(2)(VI)(A) OF THE ACT OF JULY 8, 1994 (P.L.444, NO.74), KNOWN
7 AS THE CAPITAL BUDGET PROJECT ITEMIZATION ACT FOR 1994-1995, FOR
8 THE INCINERATOR MAY BE USED FOR A BIOLOGICAL DISPOSAL FACILITY.
9 SECTION 11. TREVOSE STATION SITING CHANGE.

10 NOTWITHSTANDING PROVISIONS OF ANY OTHER ACT, FUNDS AUTHORIZED
11 FOR THE PUBLIC IMPROVEMENT PROJECT ITEMIZED IN SECTION
12 3(12)(I)(A) OF THE ACT OF OCTOBER 10, 1997, (P.L.392, NO.47)
13 KNOWN AS THE CAPITAL BUDGET PROJECT ITEMIZATION ACT FOR 1996-
14 1997 MAY BE USED FOR CONSTRUCTION OF THE TREVOSE STATION IN
15 BUCKS COUNTY ON AN ALTERNATIVE SITE.

16 SECTION 12. REPEAL.

17 SECTION 3(8)(V)(A) OF THE ACT OF OCTOBER 10, 1997 (P.L.392,
18 NO.47), KNOWN AS THE CAPITAL BUDGET PROJECT ITEMIZATION ACT FOR
19 1996-1997, IS REPEALED.

20 SECTION 13. EDITORIAL CHANGES.

21 IN EDITING AND PREPARING THIS ACT FOR PRINTING FOLLOWING THE
22 FINAL ENACTMENT, THE LEGISLATIVE REFERENCE BUREAU SHALL INSERT
23 OR REVISE LETTERS OR NUMBERS FOR PROJECTS WHERE THE LETTERS OR
24 NUMBERS ARE MISSING OR REQUIRE REVISION. THE BUREAU SHALL ALSO
25 REVISE THE TOTAL MONETARY AMOUNTS FOR THE TOTAL AUTHORIZATION,
26 DEBT AUTHORIZATION, APPROPRIATIONS AND DEPARTMENTAL TOTALS AS
27 NECESSARY TO AGREE WITH THE TOTAL MONETARY AMOUNTS OF THE
28 PROJECTS.

29 SECTION 3. SECTION 3 HEADING OF THE ACT IS AMENDED TO READ:
30 SECTION [3] 14. EFFECTIVE DATE.

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2 Section ~~2~~ 4. This act shall take effect immediately.

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