

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 672 Session of
1997INTRODUCED BY PRIME SPONSOR WITHDREW, CORMAN, THOMPSON, STOUT
AND AFFLERBACH, MARCH 12, 1997

SENATE AMENDMENTS TO HOUSE AMENDMENTS, NOVEMBER 24, 1998

AN ACT

1 Amending the act of April 9, 1929 (P.L.343, No.176), entitled,
2 as amended, "An act relating to the finances of the State
3 government; providing for the settlement, assessment,
4 collection, and lien of taxes, bonus, and all other accounts
5 due the Commonwealth, the collection and recovery of fees and
6 other money or property due or belonging to the Commonwealth,
7 or any agency thereof, including escheated property and the
8 proceeds of its sale, the custody and disbursement or other
9 disposition of funds and securities belonging to or in the
10 possession of the Commonwealth, and the settlement of claims
11 against the Commonwealth, the resettlement of accounts and
12 appeals to the courts, refunds of moneys erroneously paid to
13 the Commonwealth, auditing the accounts of the Commonwealth
14 and all agencies thereof, of all public officers collecting
15 moneys payable to the Commonwealth, or any agency thereof,
16 and all receipts of appropriations from the Commonwealth,
17 authorizing the Commonwealth to issue tax anticipation notes
18 to defray current expenses, implementing the provisions of
19 section 7(a) of Article VIII of the Constitution of
20 Pennsylvania authorizing and restricting the incurring of
21 certain debt and imposing penalties; affecting every
22 department, board, commission, and officer of the State
23 government, every political subdivision of the State, and
24 certain officers of such subdivisions, every person,
25 association, and corporation required to pay, assess, or
26 collect taxes, or to make returns or reports under the laws
27 imposing taxes for State purposes, or to pay license fees or
28 other moneys to the Commonwealth, or any agency thereof,
29 every State depository and every debtor or creditor of the
30 Commonwealth," ~~providing for disclosure of government~~
31 ~~contract awards; and further providing for reports to the~~
32 Secretary of Revenue AND FOR CAPITAL FACILITY BORROWING
33 DEFINITION AND FUNDING.

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1 The General Assembly of the Commonwealth of Pennsylvania
2 hereby enacts as follows:

3 ~~Section 1. The act of April 9, 1929 (P.L.343, No.176), known~~ <—
4 ~~as The Fiscal Code, is amended by adding a section to read:~~

5 ~~Section 215. Disclosure of Government Contract Documents.~~
6 ~~When a Commonwealth contract is awarded by a Commonwealth~~
7 ~~agency, funded by Commonwealth moneys, the Department of Revenue~~
8 ~~shall provide disclosure of and make available and public all~~
9 ~~information, including documents, upon which the award was~~
10 ~~based. Information to be disclosed, at the time the contract is~~
11 ~~awarded, shall include documents upon which the award was based,~~
12 ~~bids submitted, including those submitted by unsuccessful~~
13 ~~bidders, and supporting documents.~~

14 ~~Section 2. Section 901 of the act, amended December 2, 1976~~

15 SECTION 1. SECTION 901 OF THE ACT OF APRIL 9, 1929 (P.L.343, <—
16 NO.176), KNOWN AS THE FISCAL CODE, AMENDED DECEMBER 2, 1976
17 (P.L.1274, No.283) and repealed in part April 28, 1978 (P.L.202,
18 No.53), is amended to read:

19 Section 901. Reports to the Secretary of Revenue.--On the
20 fifth day of each month, [and] or at such times and with such
21 frequency as may be prescribed by the Secretary of Revenue, it
22 shall be the duty of each judicial officer of a court not of
23 record, city officer and county officer to render to the
24 Department of Revenue, under oath or affirmation, returns of all
25 moneys or as much as may be prescribed by the Secretary of
26 Revenue, received during the applicable period for the use of
27 the Commonwealth, designating, under proper headings, the source
28 from which such moneys were received, and to pay the same into
29 the State Treasury, through the Department of Revenue, less any
30 compensation and reimbursement for expenses allowable by law for

1 having made the collections.

2 SECTION 2. THE DEFINITION OF "REDEVELOPMENT ASSISTANCE
3 CAPITAL PROJECT" IN SECTION 1602-B OF THE ACT, AMENDED OR ADDED
4 JUNE 21, 1984 (P.L. 407, NO.83) AND OCTOBER 6, 1997 (P.L.387,
5 NO.46), IS AMENDED TO READ:

6 SECTION 1602-B. DEFINITIONS.--AS USED IN THIS ARTICLE--

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8 "REDEVELOPMENT ASSISTANCE CAPITAL PROJECT" SHALL MEAN THE
9 DESIGN AND CONSTRUCTION OF FACILITIES WHICH (I) ARE FACILITIES
10 OTHER THAN HOUSING UNITS, HIGHWAYS, BRIDGES, WASTE DISPOSAL
11 FACILITIES, SEWAGE SYSTEMS OR FACILITIES, OR WATER SYSTEMS OR
12 FACILITIES, AND ARE PROJECTS WHICH CANNOT OBTAIN FUNDING UNDER
13 OTHER STATE OR FEDERAL PROGRAMS; (II) ARE ECONOMIC DEVELOPMENT
14 PROJECTS WHICH GENERATE SUBSTANTIAL INCREASES IN EMPLOYMENT, TAX
15 REVENUES OR OTHER MEASURES OF ECONOMIC ACTIVITY, INCLUDING SUCH
16 PROJECTS WITH CULTURAL, HISTORICAL OR CIVIC SIGNIFICANCE; (III)
17 ARE FACILITIES WHICH HAVE A REGIONAL OR MULTIJURISDICTIONAL
18 IMPACT; (IV) ARE ELIGIBLE FOR TAX-EXEMPT BOND FUNDING UNDER
19 EXISTING FEDERAL LAW AND REGULATIONS; (V) HAVE A FIFTY PER
20 CENTUM NON-STATE PARTICIPATION DOCUMENTED AT THE TIME OF
21 APPLICATION, AT LEAST HALF OF WHICH IS SECURED FUNDING, [AND]
22 TOWARD WHICH THE ONLY NONCASH NON-STATE PARTICIPATION PERMITTED
23 IS LAND [DONATION] AND FIXED ASSETS WITH A SUBSTANTIAL USEFUL
24 LIFE AND DIRECTLY RELATED TO THE PROJECT AND TOWARD WHICH STATE
25 FUNDS FROM OTHER PROGRAMS MAY NOT BE USED, PROVIDED, HOWEVER,
26 THAT A PORTION OF ANY FUNDS RESERVED FOR THE FUTURE PHYSICAL
27 MAINTENANCE AND OPERATION OF THE FACILITIES MAY BE INCLUDED AS A
28 PART OF THE FIFTY PER CENTUM NON-STATE PARTICIPATION; AND (VI)
29 HAVE A TOTAL PROJECT COST OF FIVE MILLION DOLLARS (\$5,000,000)
30 OR MORE FOR PROJECTS IN FIRST AND SECOND CLASS COUNTIES AND

1 THREE MILLION DOLLARS (\$3,000,000) OR MORE FOR PROJECTS IN
2 SECOND CLASS A THROUGH EIGHTH CLASS COUNTIES, OR FOR SUCH
3 PROJECTS IN MUNICIPALITIES DESIGNATED AS "FINANCIALLY DISTRESSED
4 MUNICIPALITIES" UNDER THE PROVISIONS OF THE ACT OF JULY 10, 1987
5 (P.L.246, NO.47), KNOWN AS THE "MUNICIPALITIES FINANCIAL
6 RECOVERY ACT," OR MUNICIPALITIES THAT ARE IDENTIFIED AT THE TIME
7 OF APPLICATION BY THE DEPARTMENT OF COMMUNITY AND ECONOMIC
8 DEVELOPMENT, UNDER THE DEPARTMENT'S EARLY WARNING SYSTEM, AS
9 SCORING AT LEAST ONE-HALF STANDARD DEVIATION ABOVE THE MEAN
10 SCORE, OR MUNICIPALITIES THAT HAVE PART OR ALL OF AN ENTERPRISE
11 ZONE WITHIN THE MUNICIPAL BOUNDARIES, AND HAVE A TOTAL PROJECT
12 COST OF ONE MILLION DOLLARS (\$1,000,000) OR MORE; AND (VII) HAVE
13 A COOPERATION AGREEMENT BETWEEN THE APPLICANT AND A
14 REDEVELOPMENT AUTHORITY OR INDUSTRIAL DEVELOPMENT AUTHORITY OR
15 GENERAL PURPOSE UNIT OF LOCAL GOVERNMENT IF THE APPLICANT DOES
16 NOT ADMINISTER THE GRANT. APPLICANTS CAN BE REDEVELOPMENT
17 AUTHORITIES, INDUSTRIAL DEVELOPMENT AUTHORITIES OR GENERAL
18 PURPOSE UNITS OF LOCAL GOVERNMENT.

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20 SECTION 3. SECTION 1616.1-B OF THE ACT, AMENDED OCTOBER 6
21 1977 (P.L. 387, NO.46), IS AMENDED TO READ:

22 SECTION 1616.1-B. APPROPRIATION AND LIMITATION ON
23 REDEVELOPMENT ASSISTANCE CAPITAL PROJECTS.--(A) THE AMOUNT
24 NECESSARY TO PAY PRINCIPAL OF AND INTEREST ON ALL OBLIGATIONS
25 ISSUED TO PROVIDE FUNDS FOR REDEVELOPMENT ASSISTANCE CAPITAL
26 PROJECTS IS HEREBY APPROPRIATED FROM THE GENERAL FUND AND SHALL
27 BE TRANSFERRED TO THE CAPITAL DEBT FUND UPON AUTHORIZATION BY
28 THE GOVERNOR.

29 (B) THE MAXIMUM AMOUNT OF REDEVELOPMENT ASSISTANCE CAPITAL
30 PROJECTS UNDERTAKEN BY THE COMMONWEALTH FOR WHICH OBLIGATIONS

1 ARE [TO BE ISSUED] OUTSTANDING SHALL NOT EXCEED, IN AGGREGATE,
2 [EIGHT HUNDRED FIFTY MILLION DOLLARS (\$850,000,000)] ONE BILLION
3 DOLLARS (\$1,000,000,000).

4 Section 3 4. This act shall take effect immediately.

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