

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1916 Session of 2011

INTRODUCED BY MILLARD, ADOLPH, BAKER, BOBACK, CALTAGIRONE, CARROLL, EVERETT, FARRY, FLECK, GINGRICH, HESS, HORNAMAN, KNOWLES, MAJOR, MICOZZIE, MOUL, MULLERY, MUNDY, MYERS, PICKETT, SCAVELLO, CULVER, TAYLOR, TOOHIL, YOUNGBLOOD, GEIST AND TOBASH, NOVEMBER 9, 2011

AS REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 26, 2012

AN ACT

~~Itemizing public improvement projects for flood protection and flood damage repair to be constructed by the Department of General Services, together with their estimated financial costs; stating the estimated useful life of the projects; making an appropriation; and providing for the adoption of specific disaster mitigation or assistance projects to be financed from debt incurred under clause (1) of subsection (a) of section 7 of Article VIII of the Constitution of Pennsylvania.~~



ITEMIZING PUBLIC IMPROVEMENT PROJECTS FOR FLOOD PROTECTION AND FLOOD DAMAGE REPAIR TO BE CONSTRUCTED BY THE DEPARTMENT OF GENERAL SERVICES, TOGETHER WITH THEIR ESTIMATED FINANCIAL COSTS; PROVIDING FOR THE ADOPTION OF SPECIFIC DISASTER MITIGATION OR ASSISTANCE PROJECTS OR FLOOD ASSISTANCE PROJECTS, TOGETHER WITH THEIR ESTIMATED FINANCIAL COSTS; AUTHORIZING THE USE OF INTEREST EARNINGS HELD BY THE COMMONWEALTH FINANCING AUTHORITY FOR FUNDING THE PROJECTS; AND MAKING APPROPRIATIONS.



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

CHAPTER 1



GENERAL PROVISIONS

Section 101. Short title.

~~This act shall be known and may be cited as the Flood Control and Disaster Mitigation Itemization Act of 2011.~~

~~CHAPTER 3~~

~~DISASTER CAPITAL BUDGET PROJECT ITEMIZATIONS~~

~~Section 301. Scope.~~

~~This chapter relates to disaster capital budget project itemizations in 2011.~~

~~Section 302. Total authorization.~~

~~The total authorization for the capital projects in the category of public improvement projects itemized in section 3 and to be constructed by the Department of General Services, its successors or assigns, and to be financed from debt incurred under clause (1) of subsection (a) of section 7 of Article VIII of the Constitution of Pennsylvania shall be \$90,000,000.~~

~~Section 303. Itemization of public improvement projects.~~

~~Additional capital projects in the category of public improvement projects to be constructed by the Department of General Services, its successors or assigns, and to be financed from debt incurred under clause (1) of subsection (a) of section 7 of Article VIII of the Constitution of Pennsylvania are hereby itemized, together with their respective estimated financial costs, as follows:~~

~~(Reserved).~~

~~Section 304. Estimated useful life and term of debt.~~

~~The General Assembly states that the estimated useful life of the public improvement projects and flood control projects itemized in this chapter is 30 years.~~

~~Section 305. Federal funds.~~

~~All moneys received from the Federal Government for the projects specifically itemized in this chapter are also hereby~~

1 ~~appropriated for those projects.~~

2 ~~Section 306. Construction.~~

3 ~~(a) Funding. Amounts contained in this chapter for any~~
4 ~~project shall not supplant or replace any Federal funds~~
5 ~~authorized by any Federal law or regulation. Funding from this~~
6 ~~chapter for any project is available only to the extent that~~
7 ~~Federal funds are not available for such project.~~

8 ~~(b) Flood mitigation projects. Projects that are itemized~~
9 ~~in this chapter are deemed to be flood mitigation projects for~~
10 ~~purposes of and funding under Chapter 5 to the extent that the~~
11 ~~projects qualify under The Robert T. Stafford Disaster Relief~~
12 ~~and Emergency Assistance Act (Public Law 93-288, 88 Stat. 143).~~

13 ~~CHAPTER 5~~

14 ~~DISASTER MITIGATION AND ASSISTANCE PROJECTS~~

15 ~~Section 501. Scope.~~

16 ~~This chapter relates to disaster mitigation and assistance~~
17 ~~projects itemization in 2011.~~

18 ~~Section 502. Definitions.~~

19 ~~The following words and phrases when used in this chapter~~
20 ~~shall have the meanings given to them in this section unless the~~
21 ~~context clearly indicates otherwise:~~

22 ~~"Disaster." The period of time in calendar year 2011~~
23 ~~relating to Hurricane Irene and Tropical Storm Lee that was the~~
24 ~~subject of a Presidential declaration of an emergency under The~~
25 ~~Robert T. Stafford Disaster Relief and Emergency Assistance Act~~
26 ~~(Public Law 93-288, 88 Stat. 143).~~

27 ~~Section 503. Total authorization.~~

28 ~~The total authorization for disaster mitigation projects or~~
29 ~~public assistance projects as defined in The Robert T. Stafford~~
30 ~~Disaster Relief and Emergency Assistance Act (Public Law 93-288,~~

1 ~~88 Stat. 143) and to be financed in part with grants limited to~~
2 ~~the required match for the Federal share of the costs made to~~
3 ~~local political subdivisions or nonprofit organizations where~~
4 ~~applicable as itemized in this chapter is \$8,000,000. Projects~~
5 ~~for which no Federal funds are received shall not receive~~
6 ~~funding under this chapter.~~

7 ~~Section 504. Itemization of disaster mitigation or assistance~~
8 ~~projects.~~

9 ~~The individual disaster mitigation or assistance projects to~~
10 ~~be financed from current revenues or debt are hereby itemized,~~
11 ~~together with their respective estimated financial costs, in~~
12 ~~this chapter.~~

13 ~~Section 572. Funds.~~

14 ~~The projects itemized in this chapter shall be funded from~~
15 ~~debt incurred under the provisions of clause (1) of subsection~~
16 ~~(a) of section 7 of Article VIII of the Constitution of~~
17 ~~Pennsylvania.~~

18 ~~Section 573. State and local participation levels.~~

19 ~~(a) Public assistance. The required non Federal~~
20 ~~contribution of 25% necessary to secure Federal public~~
21 ~~assistance funding shall be divided between the State and the~~
22 ~~affected local political subdivision or nonprofit organization~~
23 ~~where applicable. The State share will be 22%, and the political~~
24 ~~subdivision or nonprofit organization share will be 3%.~~

25 ~~(b) Local waiver. The Commonwealth may reduce the share of~~
26 ~~an affected political subdivision if the tax base of that~~
27 ~~political subdivision was substantially reduced as a direct~~
28 ~~result of Hurricane Irene or Tropical Storm Lee or if payment of~~
29 ~~the local share exceeds 40% of the most recently adopted annual~~
30 ~~budget of the political subdivision. The Commonwealth may~~

1 ~~require the adoption of appropriate flood control or storm water~~
2 ~~management plans as a condition of the waiver if the adoption of~~
3 ~~the plan does not present additional financial hardship.~~

4 ~~Section 574. Federal funds.~~

5 ~~All moneys received from the Federal Government for the~~
6 ~~projects specifically itemized in this chapter are also hereby~~
7 ~~appropriated for those projects.~~

8 ~~Section 575. Construction.~~

9 ~~Amounts contained in this chapter for any project shall not~~
10 ~~supplant or replace any Federal funds authorized by any Federal~~
11 ~~law or regulation. Funding from this chapter for any project is~~
12 ~~available only to the extent that Federal funds are not~~
13 ~~available for such project.~~

14 ~~CHAPTER 7~~

15 ~~MISCELLANEOUS PROVISIONS~~

16 ~~Section 701. Constitutional construction.~~

17 ~~The provisions of this act shall be severable and, if any of~~
18 ~~the provisions of this act shall be held unconstitutional, such~~
19 ~~decisions shall not affect the validity of any of the remaining~~
20 ~~provisions of this act. It is hereby declared as the legislative~~
21 ~~intent that this act would have been adopted had such~~
22 ~~unconstitutional provisions not been included in this act.~~

23 ~~Section 702. Effective date.~~

24 ~~This act shall take effect immediately.~~

25 ~~CHAPTER 1~~

26 ~~GENERAL PROVISIONS~~

27 ~~SECTION 101. SHORT TITLE.~~

28 ~~THIS ACT SHALL BE KNOWN AND MAY BE CITED AS THE FLOOD CONTROL~~
29 ~~AND DISASTER MITIGATION ITEMIZATION ACT OF 2012.~~

30 ~~CHAPTER 3~~



1 DISASTER CAPITAL BUDGET PROJECT ITEMIZATIONS

2 SECTION 301. SCOPE.

3 THIS CHAPTER RELATES TO DISASTER CAPITAL BUDGET PROJECT
4 ITEMIZATIONS IN 2012.

5 SECTION 302. CONSTRUCTION OF CHAPTER.

6 FOR PURPOSES OF THIS ACT, THE PROJECTS ITEMIZED IN THIS
7 CHAPTER SHALL BE CONSIDERED PUBLIC IMPROVEMENT PROJECTS UNDER
8 THE PROVISIONS OF THE ACT OF FEBRUARY 9, 1999 (P.L.1, NO.1),
9 KNOWN AS THE CAPITAL FACILITIES DEBT ENABLING ACT, FOR THE
10 PURPOSES OF THE ADMINISTRATION AND PROCUREMENT.

11 SECTION 303. TOTAL AUTHORIZATION.

12 THE TOTAL AUTHORIZATION FOR THE CAPITAL PROJECTS IN THE
13 CATEGORY OF PUBLIC IMPROVEMENT PROJECTS ITEMIZED IN SECTION 304
14 AND TO BE CONSTRUCTED BY THE DEPARTMENT OF GENERAL SERVICES, ITS
15 SUCCESSORS OR ASSIGNS AND TO BE FUNDED AS SPECIFIED IN SECTION
16 305.

17 SECTION 304. ITEMIZATION OF PUBLIC IMPROVEMENT PROJECTS.

18 ADDITIONAL CAPITAL PROJECTS IN THE CATEGORY OF PUBLIC
19 IMPROVEMENT PROJECTS TO BE CONSTRUCTED BY THE DEPARTMENT OF
20 GENERAL SERVICES, ITS SUCCESSORS OR ASSIGNS AND TO BE FUNDED AS
21 SPECIFIED IN SECTION 305, TOGETHER WITH THEIR RESPECTIVE
22 ESTIMATED FINANCIAL COSTS, AS FOLLOWS:

23 (A) DEPARTMENT OF CONSERVATION AND NATURAL
24 RESOURCES.

25 (1) BUCKS COUNTY

26 (I) STATE FOREST DISTRICT NUMBER 17,
27 JOHNSON TRACT ADJACENT TO SR
28 0033, STREAMBANK STABILIZATION AND
29 RESTORATION

30 PROJECT ALLOCATION 500,000

1	(II) RALPH STOVER STATE PARK, ROCK	
2	DITCHES, LOT/TRAIL WASH,	
3	PEDESTRIAN BRIDGES, REPAIR GENERAL	
4	PARK DAMAGE	
5	PROJECT ALLOCATION	100,000
6	(III) TYLER STATE PARK, MILL DAM,	
7	REPAIR DAMAGE TO COMFORT STATION	
8	ROOF	
9	PROJECT ALLOCATION	15,000
10	(IV) DELAWARE CANAL STATE PARK,	
11	ODETTES BULKHEAD, SMITHTOWN WASTE	
12	GATE, REPAIR GENERAL DAMAGE	
13	PROJECT ALLOCATION	600,000
14	(V) DELAWARE CANAL STATE PARK,	
15	REPAIR GENERAL CANAL PRISM DAMAGES	
16	PROJECT ALLOCATION	330,000
17	(2) CHESTER COUNTY	
18	(I) WHITE CLAY CREEK STATE PARK,	
19	PELTIER ROAD, REPAIR WASHOUTS TO	
20	ROAD	
21	PROJECT ALLOCATION	20,000
22	(3) DAUPHIN COUNTY	
23	(I) FOREST DISTRICT NUMBER 18, RADAR	
24	ROAD, REPAIR ROAD	
25	PROJECT ALLOCATION	14,000
26	(4) DELAWARE COUNTY	
27	(I) RIDLEY CREEK STATE PARK, MULTI-	
28	USE TRAIL, REPAIR CULVERT PIPE	
29	SEPARATED AND PUSHED OUT, ROAD BED	
30	EROSION	

1	PROJECT ALLOCATION	200,000
2	(5) LEBANON COUNTY	
3	(I) MEMORIAL LAKE STATE PARK,	
4	WOODLAND TRAIL, REPAIR/REPLACE	
5	BRIDGES/ABUTMENTS, REPLENISH TRAIL	
6	TREAD, DEBRIS REMOVAL, REPLACE	
7	PICNIC SPOTS	
8	PROJECT ALLOCATION	23,000
9	(II) SWATARA STATE PARK, RAIL TRAIL	
10	BETWEEN AT AND INWOOD BRIDGES,	
11	REPAIR/REBUILD TRAIL INCLUDING	
12	SUBBASE AND TREAD	
13	PROJECT ALLOCATION	26,000
14	(III) SWATARA STATE PARK, WATERVILLE	
15	BRIDGE, REMOVE DEBRIS FROM	
16	UNDERSIDE OF DECKING, REPAIR	
17	ABUTMENT, REMOVE TREES, REPAIR	
18	BRIDGE RAILING	
19	PROJECT ALLOCATION	16,000
20	(IV) SWATARA STATE PARK, OLD STATE	
21	ROAD AT ROARING RUN, REMOVE	
22	DEBRIS, REPLACE CULVERT, REBUILD	
23	ROADWAY	
24	PROJECT ALLOCATION	13,000
25	(V) SWATARA STATE PARK, OLD STATE	
26	ROAD AT WATERVILLE BRIDGE, REMOVE	
27	AND REPAVE LIFTED ROADWAY	
28	PROJECT ALLOCATION	10,000
29	(VI) SWATARA STATE PARK, OLD STATE	
30	ROAD AT BORDNER'S TRIBUTARY,	

1	REPLACE CULVERT, REGRADE/REBUILD	
2	ROADWAY	
3	PROJECT ALLOCATION	11,000
4	(6) LUZERNE COUNTY	
5	(I) RICKETTS GLENN STATE PARK, FALLS	
6	TRAIL, ROAD/TRAIL/CAMPSITE REPAIRS	
7	PROJECT ALLOCATION	230,000
8	(II) RICKETTS GLEN STATE PARK, BEACH	
9	EROSION, BEACH SAND REPLACEMENT	
10	PROJECT ALLOCATION	10,000
11	(7) LYCOMING COUNTY	
12	(I) FOREST DISTRICT NUMBER 20, ARCH	
13	CULVERT NEAR PLEASANT	
14	STREAM/HILLSGROVE ROAD, REPAIR	
15	ROAD AND CULVERT	
16	PROJECT ALLOCATION	10,000
17	(II) FOREST DISTRICT NUMBER 20, DRY	
18	RUN ROAD, REBUILD ROAD AND CLEAN	
19	CULVERTS	
20	PROJECT ALLOCATION	300,000
21	(III) FOREST DISTRICT NUMBER 20,	
22	ALONG LITTLE BEAR ROAD, REPAIR	
23	ROAD BASE/FOUNDATION	
24	PROJECT ALLOCATION	85,000
25	(IV) FOREST DISTRICT NUMBER 20, BIG	
26	HOLLOW ROAD, ROAD REPAIR, CLEAN	
27	CULVERT, DEBRIS REMOVAL	
28	PROJECT ALLOCATION	29,000
29	(V) FOREST DISTRICT NUMBER 20, BIG	
30	HOLLOW ROAD BRIDGE, STABILIZE BANK	

1	AND REPAIR BRIDGE	
2	PROJECT ALLOCATION	25,000
3	(VI) FOREST DISTRICT NUMBER 20, WEST	
4	END ROD AND GUN CLUB, DEBRIS	
5	REMOVAL AND CLEAN CULVERT	
6	PROJECT ALLOCATION	75,000
7	(VII) FOREST DISTRICT NUMBER 20, DRY	
8	RUN PICNIC AREA, BANK	
9	STABILIZATION	
10	PROJECT ALLOCATION	37,000
11	(VIII) FOREST DISTRICT NUMBER 20,	
12	HILLSGROVE MAINTENANCE BUILDING	
13	PARKING LOT, BANK STABILIZATION	
14	AND DEBRIS REMOVAL	
15	PROJECT ALLOCATION	62,000
16	(IX) FOREST DISTRICT NUMBER 20,	
17	ALONG LITTLE BEAR ROAD, REPLACE	
18	BRIDGE OVER RED RUN	
19	PROJECT ALLOCATION	300,000
20	(X) FOREST DISTRICT NUMBER 20, ALONG	
21	LITTLE BEAR ROAD, REPLACE BRIDGE	
22	TO FOREST DISTRICT STORAGE AREA	
23	PROJECT ALLOCATION	300,000
24	(XI) FOREST DISTRICT NUMBER 20,	
25	LOWER PLEASANT STREAM ROAD, REPAIR	
26	MAJOR ROAD WASHOUT	
27	PROJECT ALLOCATION	175,000
28	(XII) FOREST DISTRICT NUMBER 20,	
29	LOWER PLEASANT STREAM ROAD, REPAIR	
30	BANK AND ROAD WASHOUT DOWNSTREAM	

1	OF MAJOR WASHOUT	
2	PROJECT ALLOCATION	75,000
3	(8) MONTGOMERY COUNTY	
4	(I) EVANSBURG STATE PARK, REPAIR TO	
5	ROADWAY, ABUTMENTS, PARKING LOT	
6	PROJECT ALLOCATION	25,000
7	(II) EVANSBURG STATE PARK, GOLF	
8	COURSE, REPAIR BRIDGES AND CART	
9	PATH	
10	PROJECT ALLOCATION	20,000
11	(III) EVANSBURG STATE PARK, TRAIL	
12	SYSTEM, REPAIR TRAIL, BRIDGE	
13	REPAIR, TREE REMOVAL	
14	PROJECT ALLOCATION	20,000
15	(IV) EVANSBURG STATE PARK, PROPERTY	
16	MANAGEMENT, REPAIR BASEMENTS,	
17	WATER HEATER, HEATERS/PUMPS	
18	PROJECT ALLOCATION	50,000
19	(9) NORTHAMPTON COUNTY	
20	(I) DELAWARE CANAL STATE PARK,	
21	REPAIR GENERAL DAMAGE	
22	PROJECT ALLOCATION	300,000
23	(II) DELAWARE CANAL STATE PARK,	
24	REPAIR GENERAL CANAL PRISM DAMAGES	
25	PROJECT ALLOCATION	215,000
26	(III) DELAWARE CANAL STATE PARK,	
27	WY-HIT-TUK MITRE GATE, MITRE GATE	
28	RECONSTRUCTION AND PLACEMENT	
29	PROJECT ALLOCATION	45,000
30	(IV) DELAWARE CANAL STATE PARK, STP	

1	TO WY-HIT-TUK, WALL COLLAPSE	
2	REPAIR	
3	PROJECT ALLOCATION	89,000
4	(V) DELAWARE CANAL STATE PARK,	
5	EASTON FISH LADDER, REPAIR	
6	EROSION/FENCING/CONCRETE/CLEAN OUT	
7	FISH CHAMBERS, SIGNAGE	
8	PROJECT ALLOCATION	50,000
9	(10) NORTHUMBERLAND COUNTY	
10	(I) SHIKELLAMY STATE PARK, DOCKS,	
11	REPAIR STIFF ARMS AND GANGWAYS	
12	PROJECT ALLOCATION	201,000
13	(II) SHIKELLAMY STATE PARK, CLEANUP,	
14	DEBRIS CLEANUP	
15	PROJECT ALLOCATION	12,000
16	(11) SULLIVAN COUNTY	
17	(I) FOREST DISTRICT NUMBER 20, ROCK	
18	RUN ROAD, REPAIR ROADWAY, CLEAN	
19	TWO LARGE CULVERTS	
20	PROJECT ALLOCATION	10,000
21	(II) FOREST DISTRICT NUMBER 20, SAND	
22	STONE ROAD, REPAIR ROADWAY	
23	PROJECT ALLOCATION	10,000
24	(III) FOREST DISTRICT NUMBER 20,	
25	ROCK RUN BRIDGE, REPAIR BROKEN	
26	CROSS BRACE ON THRU-TRUSS BRIDGE	
27	PROJECT ALLOCATION	10,000
28	(IV) FOREST DISTRICT NUMBER 20, ROCK	
29	RUN BRIDGE OVER LOYALSOCK CREEK,	
30	REPAIR TO THRU-TRUSS BRIDGE, OUT	

1	OF ALIGNMENT IN ONE BAY	
2	PROJECT ALLOCATION	150,000
3	(V) WORLDS END STATE PARK, CABIN	
4	BRIDGE ROAD, REPAIR/REPLACEMENT OF	
5	ROAD SECTION	
6	PROJECT ALLOCATION	150,000
7	(VI) FOREST DISTRICT NUMBER 20,	
8	SONES POND DAM - LOW HAZARD,	
9	STREAMBANK STABILIZATION AND	
10	REPAIR DAM	
11	PROJECT ALLOCATION	112,000
12	(VII) FOREST DISTRICT NUMBER 20,	
13	ALONG ROCK RUN ROAD, REPAIR ROAD	
14	SURFACE	
15	PROJECT ALLOCATION	28,000
16	(VIII) FOREST DISTRICT NUMBER 20,	
17	ALONG SANDSTONE LANE, ROAD SURFACE	
18	REPAIR	
19	PROJECT ALLOCATION	16,000
20	(IX) FOREST DISTRICT NUMBER 20, MILL	
21	CREEK ROAD BOX CULVERT, REBUILD	
22	ROAD, DEBRIS REMOVAL, REPAIR	
23	CULVERT	
24	PROJECT ALLOCATION	53,000
25	(X) FOREST DISTRICT NUMBER 20, MILL	
26	CREEK ROAD, ROAD AND DITCH REPAIR	
27	PROJECT ALLOCATION	53,000
28	(XI) FOREST DISTRICT NUMBER 20, MILL	
29	CREEK, STREAMBANK STABILIZATION	
30	PROJECT ALLOCATION	11,000

1	(XII) FOREST DISTRICT NUMBER 20,	
2	MILL CREEK ROAD, STREAM CHANNEL	
3	REALIGNMENT AND STABILIZATION,	
4	REBUILD ROAD, CLEAN CULVERTS	
5	PROJECT ALLOCATION	68,000
6	(XIII) FOREST DISTRICT NUMBER 20,	
7	ALONG ROCK RUN ROAD, REPAIR CAMP	
8	95 BRIDGE	
9	PROJECT ALLOCATION	150,000
10	(XIV) FOREST DISTRICT NUMBER 20,	
11	ALONG SHANERBURG ROAD, REPAIR ROAD	
12	SURFACE	
13	PROJECT ALLOCATION	24,000
14	(XV) FOREST DISTRICT NUMBER 20,	
15	ALONG SHANERBURG ROAD, REPAIR	
16	ROADBASE	
17	PROJECT ALLOCATION	32,000
18	(XVI) FOREST DISTRICT NUMBER 20,	
19	ALONG SHANERBURG ROAD, REMOVE	
20	SLIDE ACROSS ROAD	
21	PROJECT ALLOCATION	21,000
22	(XVII) WORLDS END STATE PARK, CABIN	
23	BRIDGE, GRAVEL BAR AND TREE	
24	REMOVAL	
25	PROJECT ALLOCATION	100,000
26	(XVIII) WORLDS END STATE PARK, CABIN	
27	BRIDGE, BRIDGE AND CABIN ROAD	
28	REPLACEMENT	
29	PROJECT ALLOCATION	250,000
30	(XIX) WORLDS END STATE PARK, BEACH	

1 AREA, GRAVEL BAR, DEBRIS AND TREE
2 REMOVAL, DREDGING
3 PROJECT ALLOCATION 150,000
4 (XX) WORLDS END STATE PARK, BEACH
5 AREA, REPAIR/REPLACE BUOYS, SAFETY
6 LINE, STATIONS AND SIGNS
7 PROJECT ALLOCATION 20,000
8 (XXI) WORLDS END STATE PARK, SNACK
9 BAR AREA, REPAIR ERODED AREA
10 ADJACENT TO SNACK BAR
11 PROJECT ALLOCATION 15,000
12 (XXII) WORLDS END STATE PARK, DAY
13 USE AREA, SIDEWALK REPLACEMENT AND
14 RAILING REPLACEMENT, GRAVEL FOR
15 LOTS
16 PROJECT ALLOCATION 20,000
17 (12) SUSQUEHANNA COUNTY
18 (I) SALT SPRINGS STATE PARK, FALL
19 BROOK AND SILVER CREEK, REMOVE
20 DEBRIS AND REPAIR UNDERMINING AND
21 STONE WALL ALONG FALL BROOK
22 PROJECT ALLOCATION 100,000
23 (B) (RESERVED).

24 SECTION 305. FUNDING OF PROJECTS.

25 THE PROJECTS ITEMIZED IN THIS CHAPTER SHALL BE FUNDED FROM A
26 PORTION OF EXISTING INTEREST EARNINGS HELD BY THE COMMONWEALTH
27 FINANCING AUTHORITY ESTABLISHED UNDER 64 PA.C.S. CH. 15
28 (RELATING TO COMMONWEALTH FINANCING AUTHORITY).

29 SECTION 306. TRANSFER AND APPROPRIATIONS.

30 NOTWITHSTANDING THE PROVISIONS OF 64 PA.C.S. CH. 15 SUBCHS. B

1 (RELATING TO STRUCTURE AND POWERS) AND C (RELATING TO BONDS),
2 INTEREST EARNINGS HELD BY THE COMMONWEALTH FINANCING AUTHORITY
3 IN AN AMOUNT NOT EXCEEDING \$6,171,000 SHALL BE TRANSFERRED TO
4 THE CAPITAL FACILITIES FUND AND APPROPRIATED TO THE DEPARTMENT
5 OF GENERAL SERVICES TO BE USED BY IT EXCLUSIVELY TO DEFRAY THE
6 FINANCIAL COST OF THE PROJECTS SPECIFICALLY ITEMIZED IN THIS
7 CHAPTER.

8 SECTION 307. FEDERAL FUNDS.

9 ALL MONEYS RECEIVED FROM THE FEDERAL GOVERNMENT FOR THE
10 PROJECTS SPECIFICALLY ITEMIZED IN THIS CHAPTER ARE ALSO HEREBY
11 APPROPRIATED FOR THOSE PROJECTS.

12 SECTION 308. CONSTRUCTION.

13 (A) AMOUNTS CONTAINED IN THIS CHAPTER FOR ANY PROJECT SHALL
14 NOT SUPPLANT OR REPLACE ANY FEDERAL FUNDS AUTHORIZED BY ANY
15 FEDERAL LAW OR REGULATION. FUNDING FROM THIS CHAPTER FOR ANY
16 PROJECT IS AVAILABLE ONLY TO THE EXTENT THAT FEDERAL FUNDS ARE
17 NOT AVAILABLE FOR SUCH PROJECT.

18 (B) PROJECTS WHICH ARE ITEMIZED IN THIS CHAPTER ARE DEEMED
19 TO BE FLOOD MITIGATION PROJECTS FOR PURPOSES OF AND FUNDING
20 UNDER CHAPTER 5 TO THE EXTENT THAT THE PROJECTS QUALIFY UNDER
21 THE ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ASSISTANCE
22 ACT (PUBLIC LAW 93-288, 88 STAT. 143).

23 CHAPTER 5

24 DISASTER MITIGATION AND ASSISTANCE PROJECTS

25 SECTION 501. SCOPE.

26 THIS CHAPTER RELATES TO DISASTER MITIGATION AND ASSISTANCE
27 PROJECTS ITEMIZATION IN 2012.

28 SECTION 502. DEFINITIONS.

29 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER
30 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE

1 CONTEXT CLEARLY INDICATES OTHERWISE:

2 "DISASTER." THE PERIOD OF TIME IN CALENDAR YEAR 2011
3 RELATING TO HURRICANE IRENE AND TROPICAL STORM LEE THAT WAS THE
4 SUBJECT OF A PRESIDENTIAL DECLARATION OF AN EMERGENCY UNDER THE
5 ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ASSISTANCE ACT
6 (PUBLIC LAW 93-288, 88 STAT. 143).

7 SECTION 503. TOTAL AUTHORIZATION.

8 THE TOTAL AUTHORIZATION FOR DISASTER MITIGATION PROJECTS OR
9 PUBLIC ASSISTANCE PROJECTS AS DEFINED IN THE ROBERT T. STAFFORD
10 DISASTER RELIEF AND EMERGENCY ASSISTANCE ACT (PUBLIC LAW 93-288,
11 88 STAT. 143) OR AS A PROJECT QUALIFYING FOR ASSISTANCE BY THE
12 UNITED STATES ARMY CORPS OF ENGINEERS AND TO BE FINANCED IN PART
13 WITH GRANTS LIMITED TO THE REQUIRED MATCH FOR THE FEDERAL SHARE
14 OF THE COSTS MADE TO LOCAL POLITICAL SUBDIVISIONS OR NONPROFIT
15 ORGANIZATIONS WHERE APPLICABLE AS ITEMIZED IN THIS CHAPTER IS
16 \$61,743,000. PROJECTS FOR WHICH NO FEDERAL FUNDS ARE RECEIVED
17 SHALL NOT RECEIVE FUNDING UNDER THIS CHAPTER.

18 SECTION 504. ITEMIZATION OF DISASTER MITIGATION OR ASSISTANCE
19 PROJECTS.

20 THE INDIVIDUAL DISASTER MITIGATION OR ASSISTANCE PROJECTS TO
21 BE FUNDED AS SPECIFIED IN SECTION 516 ARE HEREBY ITEMIZED,
22 TOGETHER WITH THEIR RESPECTIVE ESTIMATED FINANCIAL COSTS, IN
23 THIS CHAPTER.

24 SECTION 505. BEDFORD COUNTY.

25 (A) HYNDMAN FLOOD CONTROL PROJECT

26 PROJECT ALLOCATION 100,000

27 SECTION 506. BLAIR COUNTY.

28 (A) BEAVERDAM BRANCH FLOOD CONTROL PROJECT

29 PROJECT ALLOCATION 12,500,000

30 (B) TYRONE FLOOD CONTROL PROJECT

1	PROJECT ALLOCATION	20,000,000
2	SECTION 507. BRADFORD COUNTY.	
3	(A) VALLEY JOINT SEWER AUTHORITY, REPAIR OR	
4	REPLACEMENT	
5	PROJECT ALLOCATION	40,000
6	(B) BOROUGH OF TOWANDA, RESTORATION PROJECT	
7	PROJECT ALLOCATION	1,170,000
8	(C) BOROUGH OF NEW ALBANY, RESTORATION	
9	PROJECT	
10	PROJECT ALLOCATION	62,000
11	(D) BURLINGTON TOWNSHIP, RESTORATION PROJECT	
12	PROJECT ALLOCATION	10,000
13	(E) BOROUGH OF CANTON, RESTORATION PROJECT	
14	PROJECT ALLOCATION	344,000
15	SECTION 508. COLUMBIA COUNTY.	
16	(A) TOWN OF BLOOMSBURG, FLOOD PROTECTION	
17	PROJECT	
18	PROJECT ALLOCATION	20,000,000
19	(B) TOWN OF BLOOMSBURG, SANITARY SEWER FLOOD	
20	DAMAGE	
21	PROJECT ALLOCATION	3,500,000
22	SECTION 509. LYCOMING COUNTY.	
23	(A) MUNCY BOROUGH MUNICIPAL AUTHORITY,	
24	REPAIR OR REPLACEMENT	
25	PROJECT ALLOCATION	2,000
26	(B) CITY OF WILLIAMSPORT, FLOOD CONTROL	
27	PROJECT	
28	PROJECT ALLOCATION	105,000
29	(C) LYCOMING COUNTY WATER & SEWER AUTHORITY,	
30	FLOOD DAMAGE TO AUTHORITY	

1	PROJECT ALLOCATION	329,000
2	(D) MUNCY CREEK TOWNSHIP SEWER AUTHORITY,	
3	REPAIR OR REPLACEMENT	
4	PROJECT ALLOCATION	76,000
5	(E) HUGHESVILLE BOROUGH WATER AUTHORITY,	
6	REPAIR OR REPLACEMENT	
7	PROJECT ALLOCATION	37,000
8	(F) BOROUGH OF MONTOURSVILLE, FLOOD CONTROL	
9	PROJECT	
10	PROJECT ALLOCATION	1,732,000
11	(G) BOROUGH OF SOUTH WILLIAMSPORT, FLOOD	
12	CONTROL PROJECT	
13	PROJECT ALLOCATION	1,000
14	(H) WILLIAMSPORT MUNICIPAL AIRPORT, FLOOD	
15	CONTROL PROJECT AND REPAIR OR REPLACEMENT	
16	PROJECT ALLOCATION	985,000
17	(I) BOROUGH OF JERSEY SHORE, FLOOD CONTROL	
18	PROJECT	
19	PROJECT ALLOCATION	106,000
20	SECTION 510. SULLIVAN COUNTY.	
21	(A) BOROUGH OF DUSHORE, FLOOD CONTROL	
22	PROJECT	
23	PROJECT ALLOCATION	12,000
24	(B) BOROUGH OF EAGLES MERE, FLOOD CONTROL	
25	PROJECT	
26	PROJECT ALLOCATION	5,000
27	(C) BOROUGH OF LAPORTE, FLOOD CONTROL	
28	PROJECT	
29	PROJECT ALLOCATION	35,000
30	(D) DUSHORE SEWER AUTHORITY, REPAIR OR	

1	REPLACEMENT	
2	PROJECT ALLOCATION	5,000
3	(E) DUSHORE WATER AUTHORITY, REPAIR OR	
4	REPLACEMENT	
5	PROJECT ALLOCATION	5,000
6	(F) DAVIDSON TOWNSHIP SEWER AUTHORITY,	
7	REPAIR OR REPLACEMENT	
8	PROJECT ALLOCATION	423,000
9	SECTION 511. SUSQUEHANNA COUNTY.	
10	(A) BOROUGH OF NEW MILFORD, RESTORATION	
11	PROJECT	
12	PROJECT ALLOCATION	15,000
13	(B) BOROUGH OF LITTLE MEADOWS, RESTORATION	
14	PROJECT	
15	PROJECT ALLOCATION	7,000
16	SECTION 512. UNION COUNTY.	
17	(A) BOROUGH OF LEWISBURG, FLOOD CONTROL	
18	PROJECT	
19	PROJECT ALLOCATION	137,000
20	SECTION 513. FUNDS.	
21	THE PROJECTS ITEMIZED IN THIS CHAPTER SHALL BE FUNDED AS	
22	SPECIFIED IN SECTION 516 IN AN AMOUNT NOT TO EXCEED \$15,500,000	
23	IN THE AGGREGATE.	
24	SECTION 514. STATE AND LOCAL PARTICIPATION LEVELS.	
25	(A) PUBLIC ASSISTANCE.--THE REQUIRED NON-FEDERAL	
26	CONTRIBUTION OF 25% OR 20%, AS APPROPRIATE, NECESSARY TO SECURE	
27	FEDERAL PUBLIC ASSISTANCE FUNDING SHALL BE DIVIDED BETWEEN THE	
28	STATE AND THE AFFECTED LOCAL POLITICAL SUBDIVISION OR NONPROFIT	
29	ORGANIZATION WHERE APPLICABLE. THE STATE SHARE SHALL NOT EXCEED	
30	22% OF THE TOTAL COST OF THE PROJECTS.	

1 (B) LOCAL WAIVER.--THE COMMONWEALTH MAY REDUCE THE SHARE OF
2 AN AFFECTED POLITICAL SUBDIVISION IF THE TAX BASE OF THAT
3 POLITICAL SUBDIVISION WAS SUBSTANTIALLY REDUCED AS A DIRECT
4 RESULT OF HURRICANE IRENE OR TROPICAL STORM LEE OR IF PAYMENT OF
5 THE LOCAL SHARE EXCEEDS 40% OF THE MOST RECENTLY ADOPTED ANNUAL
6 BUDGET OF THE POLITICAL SUBDIVISION. THE COMMONWEALTH MAY
7 REQUIRE THE ADOPTION OF APPROPRIATE FLOOD CONTROL OR STORM WATER
8 MANAGEMENT PLANS AS A CONDITION OF THE WAIVER IF THE ADOPTION OF
9 THE PLAN DOES NOT PRESENT ADDITIONAL FINANCIAL HARDSHIP.

10 SECTION 515. FEDERAL FUNDS.

11 ALL MONEYS RECEIVED FROM THE FEDERAL GOVERNMENT FOR THE
12 PROJECTS SPECIFICALLY ITEMIZED IN THIS CHAPTER ARE ALSO HEREBY
13 APPROPRIATED FOR THOSE PROJECTS.

14 SECTION 516. STATE FUNDS.

15 THE STATE SHARE OF FUNDING FOR PROJECTS ITEMIZED IN THIS
16 CHAPTER SHALL BE FUNDED FROM A PORTION OF EXISTING INTEREST
17 EARNINGS HELD BY THE COMMONWEALTH FINANCING AUTHORITY
18 ESTABLISHED UNDER 64 PA.C.S. CH. 15 (RELATING TO COMMONWEALTH
19 FINANCING AUTHORITY).

20 SECTION 517. TRANSFER AND APPROPRIATION.

21 NOTWITHSTANDING THE PROVISIONS OF 64 PA.C.S. CH. 15, SUBCHS.
22 B (RELATING TO STRUCTURE AND POWERS) AND C (RELATING TO BONDS),
23 INTEREST EARNINGS HELD BY THE COMMONWEALTH FINANCING AUTHORITY
24 IN AN AMOUNT NOT EXCEEDING \$15,500,000 SHALL BE TRANSFERRED TO
25 THE CAPITAL FACILITIES FUND AND APPROPRIATED TO THE DEPARTMENT
26 OF ENVIRONMENTAL PROTECTION TO BE USED BY IT EXCLUSIVELY TO
27 DEFRAY THE FINANCIAL COST OF THE PROJECTS SPECIFICALLY ITEMIZED
28 IN THIS CHAPTER.

29 SECTION 518. CONSTRUCTION.

30 AMOUNTS CONTAINED IN THIS CHAPTER FOR ANY PROJECT SHALL NOT

1 SUPPLANT OR REPLACE ANY FEDERAL FUNDS AUTHORIZED BY ANY FEDERAL
2 LAW OR REGULATION. FUNDING FROM THIS CHAPTER FOR ANY PROJECT IS
3 AVAILABLE ONLY TO THE EXTENT THAT FEDERAL FUNDS ARE NOT
4 AVAILABLE FOR SUCH PROJECT.

5 CHAPTER 7

6 MISCELLANEOUS PROVISIONS

7 SECTION 701. CONSTITUTIONAL CONSTRUCTION.

8 THE PROVISIONS OF THIS ACT SHALL BE SEVERABLE AND, IF ANY OF
9 THE PROVISIONS OF THIS ACT SHALL BE HELD UNCONSTITUTIONAL, SUCH
10 DECISIONS SHALL NOT AFFECT THE VALIDITY OF ANY OF THE REMAINING
11 PROVISIONS OF THIS ACT. IT IS HEREBY DECLARED AS THE LEGISLATIVE
12 INTENT THAT THIS ACT WOULD HAVE BEEN ADOPTED HAD SUCH
13 UNCONSTITUTIONAL PROVISIONS NOT BEEN INCLUDED IN THIS ACT.

14 SECTION 702. EFFECTIVE DATE.

15 THIS ACT SHALL TAKE EFFECT IMMEDIATELY.