
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1269 Session of
2011

INTRODUCED BY YAW, BAKER, GORDNER, BLAKE, YUDICHAK, PILEGGI,
COSTA, ARGALL, BOSCOLA, ERICKSON, FARNESE, FONTANA,
GREENLEAF, PIPPY, MENSCH, RAFFERTY, SCHWANK, TARTAGLIONE,
WAUGH, BROWNE, VANCE, BREWSTER, DINNIMAN, FERLO, HUGHES,
KASUNIC, KITCHEN, LEACH, SOLOBAY, STACK, WASHINGTON, WILLIAMS
AND WOZNIAK, OCTOBER 4, 2011

REFERRED TO APPROPRIATIONS, OCTOBER 4, 2011

AN ACT

1 Providing for the adoption of capital projects related to the
2 repair, rehabilitation or replacement of highway bridges and
3 for the adoption of specific flood mitigation projects or
4 disaster assistance projects to be financed from debt
5 incurred under clause (1) of subsection (a) of section 7 of
6 Article VIII of the Constitution of Pennsylvania.

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

9 CHAPTER 1

10 PRELIMINARY PROVISIONS

11 Section 101. Short title.

12 This act shall be known and may be cited as the Disaster
13 Relief Act of 2011.

14 CHAPTER 3

15 BRIDGES

16 Section 301. Short title of chapter.

17 This chapter shall be known and may be cited as the Capital
18 Budget Act of 2011 for Highway-Railroad and Highway Bridges

1 Damaged by Hurricane Irene and Tropical Storm Lee.

2 Section 302. Definitions.

3 The following words and phrases when used in this chapter
4 shall have the meanings given to them in this section unless the
5 context clearly indicates otherwise:

6 "Capital project." A capital project as defined in section
7 302 of the act of February 9, 1999 (P.L.1, No.1), known as the
8 Capital Facilities Debt Enabling Act, and shall include county
9 or municipal bridge rehabilitation, replacement or improvement
10 projects as set forth in this chapter.

11 "Department." The Department of Transportation of the
12 Commonwealth.

13 "Secretary." The Secretary of Transportation of the
14 Commonwealth.

15 Section 303. Total authorization for bridge projects.

16 The total authorization for the projects itemized pursuant to
17 this chapter and to be financed from debt incurred under clause
18 (1) of subsection (a) of section 7 of Article VIII of the
19 Constitution of Pennsylvania is \$75,000,000.

20 Section 304. Itemization of bridge projects.

21 The individual capital projects in the category of highway
22 projects to be constructed by the department, its successors or
23 assigns, and to be financed from debt incurred under clause (1)
24 of subsection (a) of section 7 of Article VIII of the
25 Constitution of Pennsylvania are hereby itemized, together with
26 their respective estimated financial costs, in the following
27 sections.

28 Section 305. Adams County (Reserved).

29 Section 306. Berks County (Reserved).

30 Section 307. Bradford County (Reserved).

1 Section 308. Bucks County (Reserved).

2 Section 309. Chester County (Reserved).

3 Section 310. Columbia County (Reserved).

4 Section 311. Cumberland County (Reserved).

5 Section 312. Dauphin County (Reserved).

6 Section 313. Delaware County (Reserved).

7 Section 314. Lancaster County (Reserved).

8 Section 315. Lebanon County (Reserved).

9 Section 316. Lehigh County (Reserved).

10 Section 317. Luzerne County (Reserved).

11 Section 318. Lycoming County.

12 (1) SR 0973, Bridge over Loyalsock Creek,
13 Eldred and Upper Fairfield Townships,
14 Bridge Rehabilitation

15 Project Allocation	3,000,000
16 (Base Project Allocation - \$3,000,000)	

17 Section 319. Monroe County (Reserved).

18 Section 320. Montgomery County (Reserved).

19 Section 321. Montour County (Reserved).

20 Section 322. Northampton County (Reserved).

21 Section 323. Northumberland County (Reserved).

22 Section 324. Perry County (Reserved).

23 Section 325. Philadelphia County (Reserved).

24 Section 326. Schuylkill County (Reserved).

25 Section 327. Snyder County (Reserved).

26 Section 328. Sullivan County (Reserved).

27 Section 329. Susquehanna County (Reserved).

28 Section 330. Union County (Reserved).

29 Section 331. Wyoming County (Reserved).

30 Section 332. York County (Reserved).

1 Section 372. Estimated useful life of projects.

2 The General Assembly states the estimated useful life of the
3 projects itemized in this chapter is 30 years.

4 Section 373. Federal funds.

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

8 Section 374. Construction.

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

15 (b) Continuity with bridge supplementals.--The provisions of
16 this chapter shall be construed unless specifically provided
17 otherwise as a supplement to the act of December 8, 1982
18 (P.L.848, No.235), known as the Highway-Railroad and Highway
19 Bridge Capital Budget Act for 1982-1983.

20 Section 375. Allocation of funds.

21 Whenever the Department of Transportation determines that the
22 full estimated financial costs of the projects itemized in this
23 chapter are not necessary for the proper design, acquisition or
24 construction of such project, the excess funds no longer
25 required may be allocated by the department to increase the
26 estimated costs of any one or more of the projects specifically
27 itemized in a capital budget.

28 CHAPTER 5

29 RAILROAD DISASTER ASSISTANCE PROJECTS

30 Section 501. Short title of chapter.

1 This chapter shall be known and may be cited as the Railroad
2 Disaster Assistance Projects Itemization Act of 2011.

3 Section 502. Definitions.

4 The following words and phrases when used in this chapter
5 shall have the meanings given to them in this section unless the
6 context clearly indicates otherwise:

7 "Disaster." The period of time in calendar year 2011
8 relating to Hurricane Irene and Tropical Storm Lee that was the
9 subject of a presidential declaration of an emergency under The
10 Robert T. Stafford Disaster Relief and Emergency Assistance Act
11 (Public Law 93-288, 88 Stat. 143).

12 Section 503. Total authorization.

13 The total authorization for disaster assistance projects to
14 be financed in part with grants as itemized in this chapter is
15 \$2,000,000.

16 Section 504. Itemization of disaster mitigation or assistance
17 projects.

18 The individual disaster mitigation or assistance projects to
19 be financed from current revenues or debt are hereby itemized,
20 together with their respective estimated financial costs, as
21 follows:

22	Department of Transportation	\$2,000,000
23	(1) Lycoming Valley Railroad	\$1,000,000

24 Section 505. Funds.

25 The projects itemized in this chapter shall be funded from
26 debt incurred under the provisions of clause (1) of subsection
27 (a) of section 7 of Article VIII of the Constitution of
28 Pennsylvania.

29 Section 506. Federal funds.

30 All moneys received from the Federal Government for the

1 projects specifically itemized in this chapter are also hereby
2 appropriated for those projects.

3 Section 507. Construction.

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

9 CHAPTER 7

10 MISCELLANEOUS PROVISIONS

11 Section 701. Constitutional construction.

12 The provisions of this act shall be severable and, if any of
13 the provisions of this act shall be held unconstitutional, such
14 decisions shall not affect the validity of any of the remaining
15 provisions of this act. It is hereby declared as the legislative
16 intent that this act would have been adopted had such
17 unconstitutional provisions not been included in this act.

18 Section 702. Effective date.

19 This act shall take effect immediately.