

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, WOZNIAK, BRUBAKER, SMUCKER AND EARLL, OCTOBER 4, 2011

SENATOR CORMAN, APPROPRIATIONS, AS AMENDED, NOVEMBER 14, 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) OR (4) of subsection (a) of section
6 7 of Article VIII of the Constitution of Pennsylvania.



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

CHAPTER 1

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.

CHAPTER 3

BRIDGES

16 Section 301. Short title of chapter.

17 This chapter shall be known and may be cited as the Capital

1 Budget Act of 2011 for Highway-Railroad and Highway Bridges
2 Damaged by Hurricane Irene and Tropical Storm Lee.
3 Section 302. 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 "Capital project." A capital project as defined in section
8 302 of the act of February 9, 1999 (P.L.1, No.1), known as the
9 Capital Facilities Debt Enabling Act, and shall include county
10 or municipal bridge rehabilitation, replacement or improvement
11 projects as set forth in this chapter.

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

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

16 Section 303. Total authorization for bridge projects.

17 The total authorization for the projects itemized pursuant to
18 this chapter and to be financed from debt incurred under clause
19 (1) of subsection (a) of section 7 of Article VIII of the
20 Constitution of Pennsylvania is ~~\$75,000,000~~ \$10,000,000. ←

21 Section 304. Itemization of bridge projects.

22 The individual capital projects in the category of ~~highway~~ ←
23 BRIDGE projects to be constructed by the department, its ←
24 successors or assigns, and to be financed from debt incurred
25 under clause (1) OR (4) of subsection (a) of section 7 of ←
26 Article VIII of the Constitution of Pennsylvania are hereby
27 itemized, together with their respective estimated financial
28 costs, in the following sections.

29 Section 305. Adams County (Reserved).

30 Section 306. Berks County (Reserved).

1 Section 307. Bradford County (Reserved).
2 ~~Section 308. Bucks County (Reserved).~~ ←
3 ~~Section 309. Chester County (Reserved).~~
4 SECTION 308. BUCKS COUNTY. ←
5 (1) BURNT HOUSEHILL ROAD OVER WATSON CREEK,
6 BUCKINGHAM TOWNSHIP, BRIDGE
7 REHABILITATION
8 PROJECT ALLOCATION 483,000
9 (BASE PROJECT ALLOCATION-\$483,000)
10 SECTION 309. CHESTER COUNTY.
11 (1) CREEK ROAD OVER BRANCH OF BRANDYWINE
12 CREEK, EAST BRANDYWINE TOWNSHIP, BRIDGE
13 REHABILITATION
14 PROJECT ALLOCATION 200,000
15 (BASE PROJECT ALLOCATION-\$200,000)
16 (2) US 1 BYPASS OVER EAST BRANCH OF RED
17 CLAY CREEK, KENNETT TOWNSHIP, BRIDGE
18 REHABILITATION
19 PROJECT ALLOCATION 200,000
20 (BASE PROJECT ALLOCATION-\$200,000)
21 (3) BALTIMORE PIKE OVER EAST BRANCH OF
22 WHITE CLAY CREEK, LONDON GROVE TOWNSHIP,
23 BRIDGE REHABILITATION
24 PROJECT ALLOCATION 200,000
25 (BASE PROJECT ALLOCATION-\$200,000)
26 (4) BALTIMORE PIKE OVER WEST BRANCH OF BIG
27 ELK CREEK, LOWER OXFORD TOWNSHIP, BRIDGE
28 REHABILITATION
29 PROJECT ALLOCATION 200,000
30 (BASE PROJECT ALLOCATION-\$200,000)

1 Section 315. Lebanon County (Reserved).

2 Section 316. Lehigh County (Reserved).

3 ~~Section 317. Luzerne County (Reserved).~~

4 SECTION 317. LUZERNE COUNTY. ←

5 (1) SR 0239-0000, PITTSTON TOWNSHIP, DEBRIS
6 REMOVAL AND BRIDGE REPAIR
7 PROJECT ALLOCATION 200,000

8 (BASE PROJECT ALLOCATION-\$200,000)

9 (2) NANTICOKE/WEST NANTICOKE BRIDGE,
10 PITTSTON TOWNSHIP, DEBRIS REMOVAL AND
11 BRIDGE REPAIR
12 PROJECT ALLOCATION 275,000

13 (BASE PROJECT ALLOCATION-\$275,000)

14 Section 318. Lycoming County.

15 (1) SR 0973, Bridge over Loyalsock Creek,
16 Eldred and Upper Fairfield Townships,
17 Bridge Rehabilitation
18 Project Allocation 3,000,000

19 (Base Project Allocation - \$3,000,000)

20 (2) SR 0087-0160/0400, PLUNKETTS CREEK ←
21 TOWNSHIP, BRIDGE SUBSTRUCTURE
22 REHABILITATION AND DEBRIS REMOVAL
23 PROJECT ALLOCATION 463,000

24 (BASE PROJECT ALLOCATION-\$463,000)

25 Section 319. Monroe County (Reserved).

26 ~~Section 320. Montgomery County (Reserved).~~ ←

27 SECTION 320. MONTGOMERY COUNTY. ←

28 (1) WATER STREET OVER BRANCH OF SKIPPACK
29 CREEK, SKIPPACK TOWNSHIP, BRIDGE
30 REHABILITATION

1 PROJECT ALLOCATION 200,000

2 (BASE PROJECT ALLOCATION-\$200,000)

3 Section 321. Montour County (Reserved).

4 Section 322. Northampton County (Reserved).

5 Section 323. Northumberland County (Reserved).

6 Section 324. Perry County (Reserved).

7 Section 325. Philadelphia County (Reserved).

8 SECTION 325.1. PIKE COUNTY (RESERVED). ←

9 Section 326. Schuylkill County (Reserved).

10 Section 327. Snyder County (Reserved).

11 Section 328. Sullivan County (Reserved).

12 Section 329. Susquehanna County (Reserved).

13 Section 330. Union County (Reserved).

14 ~~Section 331. Wyoming County (Reserved).~~ ←

15 ~~Section 332. York County (Reserved).~~

16 SECTION 331. WYOMING COUNTY. ←

17 (1) SR0029-0160/3660, MONROE TOWNSHIP AND

18 LEMON TOWNSHIP, REMOVE TREES IN RIVER

19 AND UNDER BRIDGE, REMOVE GRAVEL BARS,

20 REPAIR EMBANKMENTS AND PAVEMENT

21 PROJECT ALLOCATION 229,000

22 (BASE PROJECT ALLOCATION-\$229,000)

23 SECTION 332. YORK COUNTY.

24 (1) SR 1014-0110/0140, HELLAM TOWNSHIP,

25 BRIDGE REPAIR, STREAM BANK STABILIZATION

26 PROJECT ALLOCATION 151,000

27 (BASE PROJECT ALLOCATION-\$151,000)

28 Section 372. Estimated useful life of projects.

29 The General Assembly states the estimated useful life of the

30 projects itemized in this chapter is 30 years.

1 Section 373. Federal funds.

2 All moneys received from the Federal Government for the
3 highway and highway bridge projects specifically itemized in
4 this chapter are also hereby appropriated for those projects.

5 Section 374. Construction.

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

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

17 Section 375. Allocation of funds.

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

25 CHAPTER 5

26 RAILROAD DISASTER ASSISTANCE PROJECTS

27 Section 501. Short title of chapter.

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

30 Section 502. Definitions.

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

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

9 Section 503. Total authorization.

10 The total authorization for disaster assistance projects to
11 be financed in part with grants as itemized in this chapter is
12 \$2,000,000.

13 Section 504. Itemization of disaster mitigation or assistance
14 projects.

15 The individual disaster mitigation or assistance projects to
16 be financed from ~~current revenues or~~ debt are hereby itemized, ←
17 together with their respective estimated financial costs, as
18 follows:

19	Department of Transportation	\$2,000,000
20	(1) Lycoming Valley Railroad	\$1,000,000

21 Section 505. Funds.

22 The projects itemized in this chapter shall be funded from
23 debt incurred under the provisions of clause (1) OR (4) of ←
24 subsection (a) of section 7 of Article VIII of the Constitution
25 of Pennsylvania.

26 Section 506. Federal funds.

27 All moneys received from the Federal Government for the
28 projects specifically itemized in this chapter are also hereby
29 appropriated for those projects.

30 Section 507. Construction.

