

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

AS AMENDED ON SECOND CONSIDERATION, NOVEMBER 15, 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 disaster assistance projects to be financed from debt
4 incurred under clause (1) or (4) of subsection (a) of section
5 7 of Article VIII of the Constitution of Pennsylvania.

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

CHAPTER 1

PRELIMINARY PROVISIONS

10 Section 101. Short title.

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

CHAPTER 3

BRIDGES

15 Section 301. Short title of chapter.

16 This chapter shall be known and may be cited as the Capital
17 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) OR (4) of subsection (a) of section 7 of Article VIII of the ←
19 Constitution of Pennsylvania is ~~\$10,000,000~~ \$8,901,000. ←

20 Section 304. Itemization of bridge projects.

21 The individual capital projects in the category of bridge
22 projects to be constructed by the department, its successors or
23 assigns, and to be financed from debt incurred under clause (1)
24 or (4) 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.

2 (1) Burnt Househill Road over Watson Creek,
3 Buckingham Township, Bridge
4 Rehabilitation

5 Project Allocation 483,000

6 (Base Project Allocation-\$483,000)

7 Section 309. Chester County.

8 (1) Creek Road over Branch of Brandywine
9 Creek, East Brandywine Township, Bridge
10 Rehabilitation

11 Project Allocation 200,000

12 (Base Project Allocation-\$200,000)

13 (2) US 1 Bypass over East Branch of Red
14 Clay Creek, Kennett Township, Bridge
15 Rehabilitation

16 Project Allocation 200,000

17 (Base Project Allocation-\$200,000)

18 (3) Baltimore Pike over East Branch of
19 White Clay Creek, London Grove Township,
20 Bridge Rehabilitation

21 Project Allocation 200,000

22 (Base Project Allocation-\$200,000)

23 (4) Baltimore Pike over West Branch of Big
24 Elk Creek, Lower Oxford Township, Bridge
25 Rehabilitation

26 Project Allocation 200,000

27 (Base Project Allocation-\$200,000)

28 (5) Whitehorse Road over Crum Creek,
29 Willistown Township, Bridge
30 Rehabilitation

1	Project Allocation	200,000
2	(Base Project Allocation-\$200,000)	
3	Section 310. Columbia County (Reserved).	
4	Section 311. Cumberland County (Reserved).	
5	Section 312. Dauphin County.	
6	(1) SR 4002-0340, Lykens Township, Bridge	
7	Repair	
8	Project Allocation	1,500,000
9	(Base Project Allocation-\$1,500,000)	
10	Section 313. Delaware County.	
11	(1) Mill Road over East Branch of Naamans	
12	Creek, Upper Chichester Township, Bridge	
13	Rehabilitation	
14	Project Allocation	200,000
15	(Base Project Allocation-\$200,000)	
16	(2) Victory Avenue over Cobbs Creek, Upper	
17	Darby Township, Bridge Rehabilitation	
18	Project Allocation	200,000
19	(Base Project Allocation-\$200,000)	
20	Section 314. Lancaster County.	
21	(1) SR 0897-0590, West Cocalico Township,	
22	Bridge Replacement	
23	Project Allocation	1,000,000
24	(Base Project Allocation-\$1,000,000)	
25	Section 315. Lebanon County (Reserved).	
26	Section 316. Lehigh County (Reserved).	
27	Section 317. Luzerne County.	
28	(1) SR 0239-0000, Pittston Township, Debris	
29	Removal and Bridge Repair	
30	Project Allocation	200,000

1 (Base Project Allocation-\$200,000)

2 (2) Nanticoke/West Nanticoke Bridge,

3 Pittston Township, Debris Removal and

4 Bridge Repair

5 Project Allocation 275,000

6 (Base Project Allocation-\$275,000)

7 Section 318. Lycoming County.

8 (1) SR 0973, Bridge over Loyalsock Creek,

9 Eldred and Upper Fairfield Townships,

10 Bridge Rehabilitation

11 Project Allocation 3,000,000

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

13 (2) SR 0087-0160/0400, Plunketts Creek

14 Township, Bridge Substructure

15 Rehabilitation and Debris Removal

16 Project Allocation 463,000

17 (Base Project Allocation-\$463,000)

18 Section 319. Monroe County (Reserved).

19 Section 320. Montgomery County.

20 (1) Water Street over Branch of Skippack

21 Creek, Skippack Township, Bridge

22 Rehabilitation

23 Project Allocation 200,000

24 (Base Project Allocation-\$200,000)

25 Section 321. Montour County (Reserved).

26 Section 322. Northampton County (Reserved).

27 Section 323. Northumberland County (Reserved).

28 Section 324. Perry County (Reserved).

29 Section 325. Philadelphia County (Reserved).

30 Section 325.1. Pike County (Reserved).

1 Section 326. Schuylkill County (Reserved).

2 Section 327. Snyder County (Reserved).

3 Section 328. Sullivan County (Reserved).

4 Section 329. Susquehanna County (Reserved).

5 Section 330. Union County (Reserved).

6 Section 331. Wyoming County.

7 (1) SR0029-0160/3660, Monroe Township and

8 Lemon Township, Remove Trees in River

9 and Under Bridge, Remove Gravel Bars,

10 Repair Embankments and Pavement

11 Project Allocation 229,000

12 (Base Project Allocation-\$229,000)

13 Section 332. York County.

14 (1) SR 1014-0110/0140, Hellam Township,

15 Bridge Repair, Stream Bank Stabilization

16 Project Allocation 151,000

17 (Base Project Allocation-\$151,000)

18 Section 372. Estimated useful life of projects.

19 The General Assembly states the estimated useful life of the

20 projects itemized in this chapter is 30 years.

21 Section 373. Federal funds.

22 All moneys received from the Federal Government for the

23 highway and highway bridge projects specifically itemized in

24 this chapter are also hereby appropriated for those projects.

25 Section 374. Construction.

26 (a) Utilization of Federal funds.--Amounts contained in this

27 chapter for any project shall not supplant or replace any

28 Federal funds authorized by any Federal law or regulation.

29 Funding from this chapter for any project is available only to

30 the extent that Federal funds are not available for such

1 project.

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

7 Section 375. Allocation of funds.

8 Whenever the Department of Transportation determines that the
9 full estimated financial costs of the projects itemized in this
10 chapter are not necessary for the proper design, acquisition or
11 construction of such project, the excess funds no longer
12 required may be allocated by the department to increase the
13 estimated costs of any one or more of the projects specifically
14 itemized in a capital budget.

15 CHAPTER 5

16 RAILROAD DISASTER ASSISTANCE PROJECTS

17 Section 501. Short title of chapter.

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

20 Section 502. Definitions.

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

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

29 Section 503. Total authorization.

30 The total authorization for disaster assistance projects to

1 be financed in part with grants as itemized in this chapter is
2 ~~\$2,000,000~~ \$1,000,000.

3 Section 504. Itemization of disaster ~~mitigation or~~ assistance
4 projects.

5 The individual disaster ~~mitigation or~~ assistance projects to
6 be financed from debt are hereby itemized, together with their
7 respective estimated financial costs, as follows:

8 ~~Department of Transportation~~ ~~-----~~ ~~\$2,000,000~~

9 DEPARTMENT OF TRANSPORTATION \$1,000,000

10 (1) Lycoming Valley Railroad \$1,000,000

11 Section 505. Funds.

12 The projects itemized in this chapter shall be funded from
13 debt incurred under the provisions of clause (1) or (4) of
14 subsection (a) of section 7 of Article VIII of the Constitution
15 of Pennsylvania.

16 Section 506. Federal funds.

17 All moneys received from the Federal Government for the
18 projects specifically itemized in this chapter are also hereby
19 appropriated for those projects.

20 Section 507. Construction.

21 Amounts contained in this chapter for any project shall not
22 supplant or replace any Federal funds authorized by any Federal
23 law or regulation. Funding from this chapter for any project is
24 available only to the extent that Federal funds are not
25 available for such project.

26 CHAPTER 7

27 MISCELLANEOUS PROVISIONS

28 Section 701. Effective date.

29 This act shall take effect immediately.