

## No. 375

## AN ACT

To amend subsection (d) of section 4 and section 9.1 of the act, approved the thirty-first day of March, one thousand nine hundred forty-nine (Pamphlet Laws 372), entitled "An act to promote the welfare of the people of the Commonwealth; creating The General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds for said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; empowering The General State Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," by authorizing the leasing of wholly or partially completed projects of the General State Authority.

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

Section 1. Subsection (d) of section 4 and section 9.1 of the act, approved the thirty-first day of March, one thousand nine hundred forty-nine (Pamphlet Laws 372), entitled "An act to promote the welfare of the people of the Commonwealth; creating The General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds for said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; empowering The General State Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," are hereby amended to read as follows:

Section 4. Purposes and Powers; General.—The Authority is created for the purpose of constructing, improving, equipping, furnishing, maintaining, acquiring, and operating sewers, sewer systems, and sewage treat-

The General State Authority Act of 1949.

Subsection (d) of section 4 and section 9.1, act of March 31, 1949, P. L. 372, amended.

ment works for State institutions of every kind and character (heretofore or hereafter constructed), public buildings for the use of the Commonwealth, an official residence in the City of Harrisburg which shall thereafter be used as the official residence of the Governor of the Commonwealth, State arsenals, armories, and military reserves, State airports and landing fields, State institutions of every kind and character (heretofore or hereafter constructed), additions and improvements to land grant colleges, school buildings and the furnishings and equipment thereof for the use of the public schools, State highways, and bridges, toll bridges, tunnels, and traffic circles on State highways, swimming pools, and lakes on State land, low head dams, improvements to river embankments, desilting dams, impounding basins (any and all the foregoing being herein called "projects"): Provided, however, That the purpose and intent of this act being to benefit the people of the Commonwealth by, among other things, increasing their commerce and prosperity, and not to unnecessarily burden or interfere with existing business by the establishment of competitive enterprises, none of the powers granted hereby (other than for the construction, improvement and maintenance of bridges) shall be exercised in the construction, improvement, maintenance, extension or operation of any project or projects which, in whole or in part, shall duplicate or compete with existing enterprises serving substantially the same purposes, and the Authority is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purposes, including, but without limiting the generality of the foregoing, the following rights and powers:

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(d) To acquire, purchase, hold, and use any property, real, personal or mixed, tangible or intangible, or any interest therein necessary or desirable for carrying out the purposes of the Authority, and (without limitation of the foregoing) to lease as lessee, with the approval of the Governor, any property, real, personal or mixed, or any interest therein, for a term not exceeding ninety-nine (99) years at a nominal rental or at such annual rental as may be determined and, with the approval of the Governor, to lease as lessor to the Commonwealth of Pennsylvania and any city, county, school district, or other political subdivision, or any agency, department, or public body of the Commonwealth, or land grant college, any project at any time constructed by the Authority, *whether wholly or partially completed*, and any property, real, personal or mixed, tangible or intangible, or any interest therein, at any time acquired by the

Authority, *whether wholly or partially completed*, and with the approval of the Governor, to sell, transfer and convey to the Commonwealth of Pennsylvania, any project at any time constructed by the Authority, and any property, real, personal or mixed, tangible or intangible, or any interest therein, at any time acquired by the Authority.

Section 9.1. Contracts to Lease and Leases by Department from Authority.—The department shall have power and authority, with the approval of the Governor, to enter into contracts with the Authority, to lease as lessee from the Authority any or all of the projects undertaken by the Authority for a term, with respect to each project [constructed], not exceeding thirty (30) years, at such rental or rentals as may be determined by the Authority, and upon the completion of the said projects, *or when said projects are used or occupied by the Commonwealth*, the department shall have power and authority, with the approval of the Governor, to lease as lessee any or all of the projects [completed by the Authority] for a term, with respect to each project leased, not exceeding thirty (30) years, at such rental or rentals as may be determined by the Authority. *The use and occupancy by the Commonwealth of any project prior to its completion shall not be construed as a release to the Authority or its designated contractor from its duty to complete said project.*

The department shall also have power and authority, with the approval of the Governor, to lease as lessee any equipment and furnishings from the Authority required for the use and occupancy of any project previously leased by the department, where such prior lease did not include such equipment and furnishings.

APPROVED—The 26th day of September, A. D. 1951.

JOHN S. FINE

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No. 376

AN ACT

To amend section 412 of the act, approved the first day of June, one thousand nine hundred forty-five (Pamphlet Laws 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," by defining the estate of substitute rights of way for public service companies and requiring conveyance thereof.

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

"State Highway Law."