

## No. 229

## AN ACT

## SB 830

Amending the act of March 31, 1949 (P.L.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," empowering The General State Authority to act in the capacity of agent in the construction of certain projects for the Commonwealth of Pennsylvania and providing that projects may be leased when no more proceeds of bonds of the Authority are to be expended thereon and further providing for conveyance of projects to the Commonwealth of Pennsylvania.

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

Section 1. The act of March 31, 1949 (P.L.372), known as "The General State Authority Act of one thousand nine hundred forty-nine," is amended by adding after section 4.1, a new section to read:

**Section 4.2. General State Authority as Agent for Commonwealth.** *The Authority shall also have power to act as agent for the Commonwealth, when requested by the Governor, in the acquisition, construction, improvement, equipping, furnishing or maintenance of any project now or hereafter specifically itemized in a capital budget, including the acquisition by purchase, or pursuant to the power of eminent domain conferred by this act, in the name of and on behalf of the Commonwealth of Pennsylvania of any property, real, personal, or mixed deemed necessary or advisable in connection with any project in which it acts as agent for the Commonwealth, provided, however, the powers herein granted shall not cover any project upon which any proceeds of any bonds issued by the Authority have been or may hereafter be expended.*

*It shall not be necessary for the Authority to lease to the Commonwealth any such projects in which it has so acted as agent nor to hold title to such projects or properties.*

Section 2. Section 9.1 of the act, amended September 26, 1951 (P.L.1509), is amended to read:

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, 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, *or at the time if earlier, when the Authority has determined that no further proceeds of any of its bonds are to be expended on such project or projects*, the department shall have power and authority, with the approval of the Governor, to lease as lessee any or all of the projects for a term, with respect to each project leased, not exceeding thirty (30) years, *from date of completion or occupancy*, at such rental or rentals as may be determined by the Authority *to be paid by the department in such installments and at such times as may be provided in the lease of the project*. 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. *Any lease hereafter executed may provide and existing leases may be amended to provide for the conveyance to the Commonwealth upon final payment of all rentals due under such lease by the department, of all of the Authority's right, title and interest in and to the leased project.*

APPROVED—The 25th day of November, A. D. 1970.

RAYMOND P. SHAFER

The foregoing is a true and correct copy of Act of the General Assembly No. 229.

  
Secretary of the Commonwealth.