

## No. 1978-57

## AN ACT

## HB 1802

Amending the act of July 20, 1968 (P.L.652, No.220), entitled, "An act amending the act of March 31, 1949 (P.L.372, No.34), 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 Authority to construct and acquire projects for certain State-related universities; providing for the disposition of unused borrowing capacity which may become available through the operation of the Higher Education Facilities Act of 1963 or other Federal grants; harmonizing the language of certain existing amendments; allocating unused funds; providing for the interpretation of certain amendments to the act; further defining the powers and procedures of the board; regulating the leasing of projects constructed for State-aided institutions; amending the eminent domain powers and procedures of the Authority; specifically itemizing projects for capital budget purposes," to reduce the amount of unallocated funds available for allocation by the board to certain projects for cost-overrun, and to provide for additional projects necessitated by the Great Flood of July 1977.

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

Section 1. Clause XXVIII of section 7, act of July 20, 1968 (P.L.652, No.220), entitled "An act amending the act of March 31, 1949 (P.L.372, No.34), 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 Authority to construct and acquire projects for certain

State-related universities; providing for the disposition of unused borrowing capacity which may become available through the operation of the Higher Education Facilities Act of 1963 or other Federal grants; harmonizing the language of certain existing amendments; allocating unused funds; providing for the interpretation of certain amendments to the act; further defining the powers and procedures of the board; regulating the leasing of projects constructed for State-aided institutions; amending the eminent domain powers and procedures of the Authority; specifically itemizing projects for capital budget purposes," is amended and the section is amended by adding a clause to read:

Section 7. For capital budget purposes the following public improvement projects to be financed by the issuing of debt and to be constructed by The General State Authority, its successors or assigns, and which are in addition to those projects itemized in the "Capital Budget Act for the 1968-1969 Fiscal Year" are hereby specifically itemized, together with their respective estimated financial costs, as follows:

\* \* \*

**XXVIII.** Additional funds to be allocated by the board of the authority to such of the public improvement projects specifically itemized in a capital budget for constructions by the General State Authority as are not bid within the estimated financial costs specified in such capital budget but this amount shall not otherwise constitute unallocated funds of the General State Authority for any other purpose. . . . .

[46,899,342]  
24,643,342

**XXIX.** *Department of Environmental Resources . . . . .* 22,256,000  
*Additional Flood Control Projects arising from the Great Flood of July 1977 are as follows:*

**PROJECT LOCATION**

- (1) *Ben's Creek Flood Protection . . . . .* 715,000  
*Upper Yoder Township, Cambria County and Conemaugh Township, Somerset County (Base Construction Cost \$550,000)*
- (2) *Sam's Run Flood Protection . . . . .* 1,170,000  
*City of Johnstown, Lorraine Borough, Cambria County (Base Construction Cost \$900,000)*
- (3) *Elk Run Debris Dam - City of Johnstown, Lower Yoder Township, Cambria County . . . . .* 316,000  
*(Base Construction Cost \$243,000)*
- (4) *Solomon's Run Flood Protection . . . . .* 7,150,000  
*Stoney Creek Township, City of Johnstown and Dale Borough, Cambria County (Base Construction Cost \$5,500,000)*

- (5) *Little Conemaugh River, East Conemaugh Flood Protection* . . . . . **585,000**  
*Borough of East Conemaugh and East Taylor Township, Cambria County*  
*(Base Construction Cost \$450,000)*
- (6) *Black Lick Creek Flood Protection* . . . . . **1,560,000**  
*Nanty Glo Borough, Cambria County*  
*(Base Construction Cost \$1,200,000)*
- (7) *South Fork and Otto Run Flood Protection* . . . **1,170,000**  
*Adams Township and Croyle Township (Sidman), Cambria County*  
*(Base Construction Cost \$900,000)*
- (8) *South Branch of Black Lick Creek Flood Protection* **650,000**  
*Borough of Vintondale, Cambria and Indiana Counties*  
*(Base Construction Cost \$500,000)*
- (9) *Two Lick Creek and Dickson Run Flood Protection* **2,210,000**  
*Borough of Clymer, Indiana County*  
*(Base Construction Cost \$1,700,000)*
- (10) *Yellow Creek and Two Lick Creek Flood Protection* **3,250,000**  
*Borough of Homer City and Center Township, Indiana County*  
*(Base Construction Cost \$2,500,000)*
- (11) *Paint Creek Flood Protection* . . . . . **390,000**  
*Paint Township, Somerset County*  
*(Base Construction Cost \$300,000)*
- (12) *Paint Creek Improvements to Existing Flood Protection* . . . . . **780,000**  
*Borough of Windber, Somerset County*  
*(Base Construction Cost \$600,000)*
- (13) *West Branch of Susquehanna River Improvements to Existing Flood Protection* . . . . . **910,000**  
*Borough of Cherry Tree, Indiana, Clearfield and Cambria Counties*  
*(Base Construction Cost \$700,000)*
- (14) *Mill Run Creek Flood Protection* . . . . . **1,400,000**  
*City of Altoona, Logan and Allegheny Townships, Blair County*  
*(Base Construction Cost \$1,100,000)*

In order to expedite these projects, the Department of General Services shall assign the professional agreements for design and the construction supervision to the Department of Environmental Resources.

Section 2. This act shall take effect immediately.

APPROVED—The 1st day of June, A. D. 1978.

MILTON J. SHAPP