

No. 1996-101

AN ACT

SB 1496

Providing for the capital budget for the fiscal year 1996-1997; itemizing public improvement projects and furniture and equipment projects and redevelopment assistance projects to be constructed, acquired or assisted by the Department of General Services, together with their estimated financial costs; incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed, acquired or assisted by the Department of General Services; stating the useful life of the projects; authorizing certain contract provisions; making appropriations; and making repeals.

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

Section 1. Short title and construction.

(a) Short title.—This act shall be known and may be cited as the Capital Budget Act of 1996-1997.

(b) Supplements.—A reference to this act shall be deemed to include a reference to the supplements to this act.

(c) Fiscal Code.—The provisions and definitions of Article XVI-B of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, shall apply to this act to the extent they are not inconsistent with this act.

Section 2. Overall limitations on debt to be incurred for capital projects.

The maximum principal amount of additional debt to be incurred during the 1996-1997 fiscal year, and thereafter until the enactment of the 1997-1998 capital budget specifying the maximum debt for the 1997-1998 fiscal year, for capital projects specifically itemized in a capital budget pursuant to section 7(a)(4) of Article VIII of the Constitution of Pennsylvania, and the fund to be charged with the repayment of such debt, shall, with respect to each category of capital projects, be as follows:

| Category                              | Amount        | Fund                                       |
|---------------------------------------|---------------|--|
| (1) Public Improvement Projects:      |               |  |
| (i) Buildings and Structures          | \$170,000,000 | General Fund or Special Fund as applicable |
| (ii) Furniture and Equipment          | 19,000,000    |  |
| (2) Transportation Assistance Project | 140,000,000   | General Fund                               |
| (3) Redevelopment Assistance Projects | 90,000,000    | General Fund                               |

|                   |               |                       |
|-------------------|---------------|-----------------------|
| (4) Flood Control |               |                       |
| Projects          | 13,000,000    | General Fund          |
| (5) Highway       |               |                       |
| Projects          | 85,000,000    | Motor License<br>Fund |
| Total             | \$517,000,000 |                       |

Section 3. Total authorization.

(a) Public improvements.—The total authorization for the additional capital projects in the category of public improvement projects itemized in section 4 and to be constructed or acquired by the Department of General Services, its successors or assigns and to be financed by the incurring of debt shall be \$352,641,000.

(b) Furniture and equipment.—The total authorization for the additional capital projects in the category of public improvement projects consisting of the acquisition of original movable furniture and equipment to complete public improvement projects itemized in section 5 and to be acquired by the Department of General Services, its successors or assigns and to be financed by the incurring of debt shall be \$919,000.

(c) Redevelopment assistance.—The total authorization for the additional capital projects in the category of redevelopment assistance and redevelopment assistance capital projects itemized in section 6 for capital grants by the Department of Community Affairs, its successors or assigns and to be financed by the incurring of debt shall be \$10,000,000.

Section 4. Itemization of public improvement projects.

The additional capital projects in the category of public improvement projects to be constructed or acquired by the Department of General Services, its successors or assigns and to be financed by the incurring of debt are hereby itemized, together with estimated financial costs, as follows:

| Project  | Total<br>Project<br>Allocation |
|--|--------------------------------|
| (1) Department of Conservation and Natural Resources   | \$125,000                      |
| (i) Tyler State Park   |                                |
| (A) Repair and reconstruction of Schofield Ford<br>Covered Bridge                                  | 125,000                        |
| (2) Department of Corrections  | \$123,091,000                  |
| (i) State Correctional Institution - Frackville,<br>Schuylkill County                              |                                |
| (A) Construction of up to 24 additional high-security<br>cells for the restricted housing facility | 1,570,000                      |
| (Base Project Allocation - \$1,308,000)<br>(Design and Contingencies - \$262,000)                  |                                |
| (ii) State Correctional Institution - Muncy, Lycoming County                                       |                                |
| (A) Construction of up to 96 additional high-security cells<br>for the restricted housing facility | 4,990,000                      |

|       |   |               |
|-------|---|---------------|
|       | (Base Project Allocation - \$4,158,000)   |               |
|       | (Design and Contingencies - \$832,000)  |               |
| (iii) | Somerset State Hospital - Somerset County   |               |
|       | (A) Conversion of a hospital to a State correctional institution, including the renovation of existing administration, housing, dietary and laundry facilities, along with the electrical, heating and central energy infrastructure, and new construction, including a warehouse, restricted housing and recreational buildings along with perimeter fencing and electronic detection system | 25,279,000    |
|       | (Base Project Allocation - \$21,066,000)  |               |
|       | (Design and Contingencies - \$4,213,000)  |               |
| (iv)  | State Correctional Institution - Forest County  |               |
|       | (A) Construction of a prototypical 1,000-cell medium security correctional facility   | 91,252,000    |
|       | (Base Project Allocation - \$78,480,000)  |               |
|       | (Land Allocation - \$1,000,000)   |               |
|       | (Design and Contingencies - \$11,772,000)   |               |
| (3)   | Department of Environmental Resources   | \$500,000     |
|       | (i) Ridley Park Borough   |               |
|       | (A) Replacement of East Lake Dam  | 500,000       |
| (4)   | Department of General Services  | \$227,145,000 |
|       | (i) Capitol Complex   |               |
|       | (A) Demolition of the Transportation and Safety Building and plaza area and construction of a new office complex with underground parking   | 218,400,000   |
|       | (Base Project Allocation - \$168,000,000)   |               |
|       | (Design and Contingencies - \$50,400,000)   |               |
|       | (B) Additional funds for DGS 946-2, renovation and conversion of Old Museum Building for legislative offices, including restoration of all masonry, windows and doors and a partial roof reconstruction plus complete interior restoration and renovation   | 8,745,000     |
|       | (Base Project Allocation - \$7,506,000)   |               |
|       | (Design and Contingencies - \$1,239,000)  |               |
| (5)   | Historical and Museum Commission  | \$1,000,000   |
|       | (i) Old Bedford Village, Bedford County   |               |
|       | (A) Rehabilitation  | 1,000,000     |
|       | (Base Project Allocation - \$1,000,000)   |               |
| (6)   | Pennsylvania State Police   | \$780,000     |
|       | (i) Deoxyribonucleic Acid (DNA) Laboratory, Westmoreland County   |               |
|       | (A) Construction of a modular building for collecting, analyzing and storing DNA samples in response to   |               |

the DNA Detection of Sexual and Violent Offenders  
Act of 1995 780,000  
(Base Project Allocation - \$650,000)  
(Design and Contingencies - \$130,000)

**Section 5. Itemization of furniture and equipment projects.**

Additional capital projects in the category of public improvement projects consisting of the acquisition of movable furniture and equipment to complete public improvement projects and to be purchased by the Department of General Services, its successors or assigns and to be financed by the incurring of debt are hereby itemized, together with their respective estimated financial costs, as follows:

| Project   | Total<br>Project<br>Allocation |
|---|--------------------------------|
| (1) Department of Public Welfare  | \$821,000                      |
| (i) Youth Detection Facility at Trough Creek  |                                |
| (A) Original furniture and equipment for the new<br>Education Building at the Trough Creek maximum<br>security youth detention facility DGS 594-1 | 224,000                        |
| (ii) Youth Detention Facility at Danville   |                                |
| (A) Original furniture and equipment for maximum<br>security youth detention facility for central<br>Pennsylvania DGS 503-17                      | 597,000                        |
| (2) Pennsylvania State Police   | \$98,000                       |
| (i) Deoxyribonucleic Acid (DNA) Laboratory -<br>Westmoreland County   |                                |
| (A) Original furniture and equipment for the new DNA<br>laboratory  | 98,000                         |

**Section 6. Itemization of redevelopment assistance projects.**

Additional capital projects in the category of redevelopment assistance projects for capital grants by the Department of Community Affairs, its successors or assigns, authorized under the provisions of the act of May 20, 1949 (P.L.1633, No.493), known as the Housing and Redevelopment Assistance Law, and redevelopment assistance capital projects and to be financed by the incurring of debt are hereby itemized, together with their estimated financial costs, as follows:

| Project  | Total<br>Project<br>Allocation |
|--|--------------------------------|
| (1) Allegheny County   |                                |
| (i) Site preparation, environmental cleanup and<br>infrastructure development for the expansion of the<br>Pittsburgh Technology Center across from the<br>Monongahela River to the former LTV site on the<br>Southside | 2,500,000                      |

|   |           |
|---|-----------|
| (ii) Development of technology business incubators in proximity to research institutions in the Oakland area of Pittsburgh                          | 2,500,000 |
| (iii) Redevelopment of the site and buildings and environmental cleanup of the old airport terminal at the Greater Pittsburgh International Airport | 1,000,000 |
| (iv) Redevelopment of the Pipe Mill building on the site of the former USX National Works in McKeesport   | 1,500,000 |
| (v) Completion of the development of the Senator John Heinz Pittsburgh Regional History Center  | 1,000,000 |
| (vi) Distance Education Network, University of Pittsburgh   | 1,500,000 |

#### Section 7. Debt authorization.

(a) Public improvements.—The Governor, Auditor General and State Treasurer are hereby authorized and directed to borrow from time to time in addition to any authorization heretofore or hereafter enacted, on the credit of the Commonwealth, subject to the limitations provided in the current capital budget, money not exceeding in the aggregate the sum of \$352,641,000 as may be found necessary to carry out the acquisition and construction of the public improvement projects specifically itemized in a capital budget.

(b) Furniture and equipment.—The Governor, Auditor General and State Treasurer are hereby authorized and directed to borrow from time to time in addition to any authorization heretofore or hereafter enacted, on the credit of the Commonwealth, subject to the limitations provided in the current capital budget, money not exceeding in the aggregate the sum of \$919,000 as may be found necessary to carry out the public improvement projects consisting of the acquisition of original movable furniture and equipment specifically itemized in a capital budget.

(c) Redevelopment assistance.—Subject to the limitation in section 1616.1-B(b) of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, the Governor, Auditor General and State Treasurer are hereby authorized and directed to borrow from time to time in addition to any authorization heretofore or hereafter enacted, on the credit of the Commonwealth, subject to the limitations provided in the current capital budget, money not exceeding in the aggregate the sum of \$10,000,000 as may be found necessary to carry out the redevelopment assistance and the redevelopment capital assistance projects specifically itemized in a capital budget.

#### Section 8. Issue of bonds.

The indebtedness authorized in this act shall be incurred, from time to time, and shall be evidenced by one or more series of general obligation bonds of the Commonwealth in such aggregate principal amount for each series as the Governor, the Auditor General and the State Treasurer shall determine, but the latest stated maturity date shall not exceed the estimated useful life of the projects being financed as stated in section 9.

Section 9. Estimated useful life and term of debt.

(a) Estimated useful life.—The General Assembly states that the estimated useful life of the public improvement projects itemized in this act is as follows:

- (1) Public improvement projects, 30 years.
- (2) Furniture and equipment projects, 10 years.

(b) Term of debt.—The maximum term of the debt authorized to be incurred under this act is 30 years.

Section 10. Appropriations.

(a) Public improvements.—The net proceeds of the sale of the obligations authorized in this act are hereby appropriated from the Capital Facilities Fund to the Department of General Services in the maximum amount of \$352,641,000 to be used by it exclusively to defray the financial cost of the public improvement projects specifically itemized in a capital budget. After reserving or paying the expenses of the sale of the obligation, the State Treasurer shall pay to the Department of General Services the moneys as required and certified by it to be legally due and payable.

(b) Furniture and equipment.—The net proceeds of the sale of the obligations authorized in this act are hereby appropriated from the Capital Facilities Fund to the Department of General Services in the maximum amount of \$919,000 to be used by it exclusively to defray the financial cost of the public improvement projects consisting of the acquisition of original movable furniture and equipment specifically itemized in a capital budget. After reserving or paying the expenses of the sale of the obligation, the State Treasurer shall pay to the Department of General Services the moneys as required and certified by it to be legally due and payable.

(c) Redevelopment assistance.—The net proceeds of the sale of the obligations authorized in this act are hereby appropriated from the Capital Facilities Fund to the Department of Community Affairs in the maximum amount of \$10,000,000 to be used by it exclusively to defray the financial cost of the redevelopment assistance and redevelopment capital assistance projects specifically itemized in a capital budget. After reserving or paying the expenses of the sale of the obligation, the State Treasurer shall pay to the Department of Community Affairs the moneys as required and certified by it to be legally due and payable.

Section 11. Federal funds.

In addition to those funds appropriated in section 10, all moneys received from the Federal Government for the projects specifically itemized in this act are also hereby appropriated for those projects.

Section 12. Special contract provisions.

(a) Abatement of hazardous materials.—Notwithstanding any provisions of law to the contrary, the Department of General Services may through a request for proposals award a contract for the design and administration of the abatement of hazardous materials from the Transportation and Safety Building, as itemized in section 4. The contract may be awarded on the basis

of the best interest of the Commonwealth to a responsive and responsible proposer. Although cost shall be considered as a factor, it need not be the determining factor.

(b) Demolition design and administration.—Notwithstanding any provisions of law to the contrary, the Department of General Services may through a request for proposals award a contract for the design and administration of the demolition of the Transportation and Safety Building, as itemized in section 4. The contract may be awarded on the basis of the best interest of the Commonwealth to a responsive and responsible proposer. Although cost shall be considered a factor, it need not be the determining factor.

(c) Construction management services.—The Department of General Services may, to facilitate project management, conflict resolution and timely project completion, contract for construction management services for the abatement of hazardous materials, demolition and reconstruction of the Transportation and Safety Building, as itemized in section 4.

(d) Project management services.—The Department of General Services may, to assure that projects are completed quickly, contract for project management services for four projects being undertaken simultaneously at the Capitol complex in Harrisburg.

#### Section 13. Repeals.

The following parts of acts are repealed:

Section 3(4)(i)(A) and (ii)(E) of the act of July 8, 1994 (P.L.444, No.74), known as the Capital Budget Project Itemization Act for 1994-1995.

Section 3(1)(v)(A) and (x)(A) of the act of July 6, 1995 (1st Sp.Sess., P.L.1051, No.19), known as the 1995 Special Session Corrections and Secure Facilities Capital Budget Project Itemization Act.

Section 3(1)(i)(A) of the act of November 17, 1995 (1st Sp.Sess., P.L.1136, No.34), known as the 1995 Special Session Somerset Hospital Conversion Security and Quehanna Boot Camp Project Itemization Act.

#### Section 14. Editorial changes.

In editing and preparing this act for printing following the final enactment, the Legislative Reference Bureau shall insert or revise letters or numbers for projects where the letters or numbers are missing or require revision. The bureau shall also revise the total monetary amounts for the total authorization, debt authorization, appropriations and departmental totals as necessary to agree with the total monetary amounts of the projects.

#### Section 15. Effective date.

This act shall take effect July 1, 1996, or immediately, whichever is later.

APPROVED—The 11th day of July, A.D. 1996.

THOMAS J. RIDGE