

No. 2003-2

AN ACT

SB 582

Providing for the capital budget for the fiscal year 2002-2003, itemizing public improvement and redevelopment assistance projects to be constructed or acquired or assisted by the Department of General Services and the Department of Community and Economic Development, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed or acquired or assisted by the Department of General Services and the Department of Community and Economic Development; stating the estimated useful life of the projects; providing an exemption; and making appropriations.

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

Section 1. Short title.

This act shall be known and may be cited as the Capital Budget Project Itemization Act for 2002-2003.

Section 2. Total authorizations.

(a) Public improvements.—The total authorization for the additional capital projects in the category of public improvement projects itemized in section 2.1 and to be acquired or constructed by the Department of General Services, its successors or assigns and to be financed by the incurring of debt shall be \$6,000,000.

(b) Redevelopment assistance.—The total authorization for the additional capital projects in the category of redevelopment assistance projects itemized in section 3 and to be acquired or constructed by the Department of Community and Economic Development, its successors or assigns and to be financed by the incurring of debt shall be \$25,000,000.

Section 2.1. Itemization of public improvement projects.

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 their respective estimated financial costs, as follows:

Project	Total Project Allocation
(1) Department of Education	
(i) State Library	
(A) Improvements and renovations to the State Library of Pennsylvania for the Rare Books Collection, including necessary structural	

supports, ventilation, temperature and humidity controls. \$6,000,000

Section 3. Itemization of redevelopment assistance projects.

Additional capital projects in the category of redevelopment assistance projects for capital grants by the Department of Community and Economic Development, 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 respective estimated financial costs, as follows:

Project	Total Project Allocation
(1) Department of Community and Economic Development	
(i) Bradford County - North Towanda Township	
(A) DuPont Company's Imaging Technologies, for construction and improvements of existing facility.	\$15,000,000
(ii) Clearfield County	
(A) Construction of ethanol plant to use waste coal.	10,000,000

Section 4. 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 \$6,000,000 as may be found necessary to carry out the acquisition and construction of the public improvement projects specifically itemized in a capital budget.

(b) Redevelopment assistance.—Subject to the limitation in section 317(b) of the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, 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 \$25,000,000 as may be found necessary to carry out the redevelopment assistance and the redevelopment assistance capital projects specifically itemized in a capital budget.

Section 5. 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 6.

Section 6. 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.
- (3) Transportation assistance projects:
 - (i) Rolling stock, 15 years.
 - (ii) Passenger buses, 12 years.
 - (iii) Furniture and equipment, 10 years.
 - (iv) All others, 30 years.

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

Section 7. 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 \$6,000,000 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 expense 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) **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 and Economic Development in the maximum amount of \$25,000,000 to be used by it exclusively to defray the financial cost of the redevelopment assistance and redevelopment assistance capital 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 and Economic Development the moneys as required and certified by it to be legally due and payable.

Section 8. Federal funds.

In addition to those funds appropriated in section 7, all moneys received from the Federal Government for the projects specifically itemized in this act are also hereby appropriated for those projects.

Section 9. Expiration of authorization and appropriation.

The authorization and appropriation for the additional capital projects itemized in sections 2.1 and 3 for which grant agreements have not been executed within four years of the effective date of this act shall expire upon such date and shall be considered repealed. The Secretary of the Budget may extend an expired project for up to one year upon written notification of the majority chairman and minority chairman of the Appropriations

Committee of the Senate and the majority chairman and minority chairman of the Appropriations Committee of the House of Representatives. Upon expiration of the extension period, an extended project may not be subsequently extended.

Section 10. Exemption from certain procurement limitations.

Notwithstanding any other provision of law to the contrary, the project itemized in section 6(6)(i)(C) of the act of October 30, 2002 (P.L.891, No.131), known as the Capital Budget Project Itemization Act of 2001-2002, is exempt from 62 Pa.C.S. Chs. 5 (relating to source selection and contract formation) and 9 (relating to procurement of construction and design professional services) and from section 404.1 of the act of June 1, 1945 (P.L.1242, No.428), known as the State Highway Law, relating to prequalification of bidders.

Section 11. 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 12. Effective date.

This act shall take effect immediately.

APPROVED—The 19th day of May, A.D. 2003.

EDWARD G. RENDELL