

No. 2006-152

AN ACT

SB 1166

Providing for the capital budget for the fiscal year 2006-2007 and itemizing public improvement, transportation assistance and redevelopment assistance capital projects to be constructed or acquired or assisted by the Department of General Services, the Department of Community and Economic Development and the Department of Transportation, 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, the Department of Community and Economic Development and the Department of Transportation; stating the estimated useful life of the projects; and making appropriations.

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 and Project Itemization Act of 2006-2007.

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

(c) Capital Facilities Debt Enabling Act.—The provisions and definitions of Chapter 3 of the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, 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 2006-2007 fiscal year, and thereafter until the enactment of the 2007-2008 capital budget specifying the maximum debt for the 2007-2008 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	\$445,000,000	General Fund or Special Fund as applicable
(2) Furniture and Equipment	5,000,000	General Fund or Special Fund as applicable

(3) Transportation		
Assistance Projects	155,000,000	General Fund
(4) Redevelopment		
Assistance Capital Projects	400,000,000	General Fund
(5) Flood Control		
Projects	10,000,000	General Fund
Total	\$1,015,000,000	

Section 3. Total authorizations.

(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 acquired or constructed by the Department of General Services, its successors or assigns and to be financed by the incurring of debt shall be \$38,134,000.

(b) Transportation assistance.—The total authorization for the capital projects in the category of transportation assistance projects itemized in section 5 with respect to which an interest is to be acquired in or constructed by the Department of Transportation, its successors or assigns and to be financed by the incurring of debt shall be \$10,500,000.

(c) Redevelopment assistance.—The total authorization for additional capital projects in the category of redevelopment assistance capital projects itemized in section 6 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 \$126,250,000.

Section 4. 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 respected estimated financial costs as follows:

Project	Total Project Allocation
(1) Department of Corrections	
(i) Forest County - State Correctional Institution	
(A) Additional funds for DGS 377-1, construction of a 1,000-cell facility	13,134,000
(2) 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	10,000,000
(3) Department of General Services	
(i) Capitol Complex	

- (A) Additional funds for the renovation, restoration and rehabilitation of the North Office Building, including, but not limited to, life safety code, HVAC, security and telecommunication improvements and enhancements 15,000,000

Section 5. Itemization of transportation assistance projects.

Additional capital projects in the category of transportation assistance projects for air transportation service to which an interest is to be acquired by the Department of Transportation, 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) Allegheny County	
(i) Allegheny County Airport Authority	
(A) Construction, infrastructure and other costs for a de-icing stormwater treatment facility	10,000,000
(2) Centre County	
(i) Centre County Airport Authority	
(A) Construction of a tower facility for air traffic control and airport operations including infrastructure improvements and equipment	500,000

Section 6. Itemization of redevelopment assistance capital projects.

Additional capital projects in the category of redevelopment assistance capital projects for capital grants by the Department of Community and Economic Development, its successors and 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 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) Adams County (Reserved)	
(2) Allegheny County	
(i) City of Pittsburgh	
(A) Veteran's Place Service Center, construction of service center for veterans for clinical, educational and vocation programs	500,000
(ii) Monroeville	
(A) Cedars Community Hospice, expansion construction	1,000,000
(iii) Plum Borough	

(A) Wellness Center at Boyce Park, construction of activities and life skills center for senior citizens	2,000,000
(iv) Stowe Township	
(A) Acquisition, infrastructure improvements and site remediation for manufacturing site, Nichol Avenue	5,000,000
(9) Bucks County	
(i) East Rockhill and West Rockhill Townships	
(A) Construction, infrastructure and other related costs for municipal facilities	5,000,000
(10) Butler County	
(i) City of Butler	
(A) Construction of a minor league baseball facility and sports complex	11,000,000
(17) Clearfield County	
(i) Lawrence Township	
(A) Construction, infrastructure and other related costs to develop a public safety training complex	1,000,000
(18) Clinton County	
(i) City of Lock Haven	
(A) Construction, infrastructure and other related costs for a pedestrian mall	5,750,000
(B) Construction, infrastructure and other related costs for a business district improvement and university improvement project	500,000
(C) Construction, infrastructure and other related costs for an alternative energy facility	4,000,000
(D) Acquisition, construction, infrastructure and other related costs for an alumni center	4,000,000
(33) Jefferson County	
(i) Brookville Borough	
(A) Construction of a diagnostic center at the Brookville Hospital, including infrastructure improvements and equipment	2,000,000
(39) Lehigh County	
(i) Lehigh Valley Economic Development Corporation	
(A) Construction of a high-tech cold storage distribution facility for Amgen, Inc., to be located in Upper Macungie Township, including land acquisition	30,000,000
(41) Lycoming County	
(i) County projects	
(A) Acquisition of a large service facility to serve MH/MR clients	2,000,000
(48) Northampton County	

- (i) Lehigh Valley Economic Development Corporation
 - (A) Construction of a high-tech cold storage distribution facility for Amgen, Inc., to be located in Hanover Township, including land acquisition 30,000,000
- (51) Philadelphia County
 - (i) County projects
 - (A) Construction, infrastructure and other related costs for the International House 6,500,000
 - (B) Construction, infrastructure and other related costs for the Ronald McDonald House in conjunction with Saint Christopher's Children's Hospital 1,000,000
 - (C) Roxborough YMCA, construction of addition 3,000,000
 - (D) Allens Lane Art Center, construction, infrastructure and other related costs 500,000
- (56) Somerset County
 - (i) County projects
 - (A) Allegheny College of Maryland, Somerset Campus, construction of a Somerset County agricultural services center to include classrooms, laboratories and offices for agricultural service agencies 1,000,000
- (63) Washington County
 - (i) County projects
 - (A) Construction, infrastructure and other related costs for stadium project 500,000
- (68) Multiple county projects
 - (i) Philadelphia and Montgomery Counties
 - (A) City Avenue Special Services District Streetscape Improvements 10,000,000

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 sum of \$38,134,000 as may be found necessary to carry out the acquisition and construction of the public improvement projects specifically itemized in a capital budget.

(b) Transportation assistance.—The Governor, the Auditor General and the 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 \$10,500,000 as may be found necessary to carry out the acquisition and

construction of the transportation assistance projects specifically itemized in a capital budget.

(c) 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, the Auditor General and the 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 \$126,250,000 as may be found necessary to carry out the redevelopment assistance capital 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.
- (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 10. Appropriations.

(a) Public improvement.—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 \$38,134,000 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) Transportation 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 Transportation in the maximum amount of \$10,500,000 to be used by it exclusively to defray the financial cost of the transportation assistance 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 Transportation 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 and Economic Development in the maximum amount of \$126,250,000 to be used by it exclusively to defray the financial cost of the 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 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. Payment of settlement or awards of claims.

Notwithstanding the provisions of 62 Pa.C.S. § 1726 (relating to payment of awards and costs), for fiscal year 2006-2007 the settlement or award of claims arising from construction contracts for public improvement projects may be paid by the Department of General Services from available funds in accounts within the Capital Facilities Fund that include funds no longer required for the design, acquisition or construction of any approved capital project.

Section 13. Limitation on certain capital projects.

Notwithstanding any other provision of law to the contrary, the projects itemized in sections 3(10)(v)(A) and 6(51)(i)(DD) of the act of July 7, 2006 (P.L.390, No.83), known as the Capital Budget Project Itemization Act of 2005-2006, for the construction, infrastructure and other related costs to modernize a publicly owned natural gas utilities system in cities of the first class shall not be released for design or construction and the Commonwealth shall not execute a grant or delegation agreement for said projects until such time as the General Assembly enacts specific legislation authorizing a publicly owned natural gas utility system in a city of the first class to undertake the project.

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 immediately.

APPROVED—The 22nd day of November, A.D. 2006.

EDWARD G. RENDELL