

No. 2009-53

AN ACT

HB 1418

Providing for the capital budget for the fiscal year 2009-2010; itemizing transportation assistance projects to be constructed or acquired or assisted by the Department of General Services or 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, acquired or assisted by the Department of General Services or 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 2009-2010.

(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 2009-2010 fiscal year, and thereafter until the enactment of the 2010-2011 capital budget specifying the maximum debt for the 2010-2011 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	\$920,000,000	General Fund or Special Fund as applicable
(2) Furniture and Equipment	15,000,000	General Fund or Special Fund as applicable
(3) Transportation Assistance Projects	192,000,000	General Fund
(4) Redevelopment Assistance Projects	325,000,000	General Fund

(5) Flood Control		
Projects	30,000,000	General Fund
(6) Bridge		General Fund or
Projects	200,000,000	Motor License
		Fund
Total	\$1,682,000,000	

Section 3. Total authorizations.

The total authorization for the capital projects in the category of transportation assistance projects itemized in section 4 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 \$143,000,000.

Section 4. Itemization of transportation assistance projects.

Additional capital projects in the category of transportation assistance projects for rural and intercity rail service projects to be constructed or with respect 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) Cumberland County	
(i) Norfolk Southern Corporation	
(A) Crescent Corridor Project; extend second main track in Mt. Holly Springs, from MP LG15.6 to MP LG15.0, in Cumberland County	
Project Allocation	17,500,000
(Base Project Allocation - \$16,100,000)	
(Design and Contingencies - \$1,400,000)	
(2) Dauphin County	
(i) Norfolk Southern Corporation	
(A) Crescent Corridor Project; construct second main track in Harrisburg wye, from MP HP111.4 to MP LG0.5, in Dauphin County	
Project Allocation	7,000,000
(Base Project Allocation - \$6,440,000)	
(Design and Contingencies - \$560,000)	
(3) Franklin County	
(i) Norfolk Southern Corporation	
(A) Crescent Corridor Project; extend second main track in Greencastle, from MP HW60 to MP HW68, in Franklin County	
Project Allocation	15,500,000
(Base Project Allocation -\$14,260,000)	

(Design and Contingencies - \$1,240,000)

- (B) Crescent Corridor Project; construct new intermodal terminal yard in Greencastle, Franklin County

Project Allocation 98,000,000

(Base Project Allocation - \$90,160,000)

(Design and Contingencies - \$7,840,000)

- (4) Philadelphia County

- (i) Norfolk Southern Corporation

- (A) Crescent Corridor Project; construct addition to intermodal terminal at Navy Yard in Philadelphia County

Project Allocation 5,000,000

(Base Project Allocation - \$4,600,000)

(Design and Contingencies - \$400,000)

Section 5. Debt authorization.

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 \$143,000,000 as may be found necessary to carry out the acquisition and construction of the transportation assistance projects specifically itemized in a capital budget.

Section 6. 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 7.

Section 7. 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) 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 8. Appropriations.

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 \$143,000,000 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 expenses 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.

Section 9. Federal funds.

In addition to those funds appropriated in section 8, all moneys received from the Federal Government for the projects specifically itemized in this act are also hereby appropriated for those projects.

Section 10. 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 11. Effective date.

This act shall take effect immediately.

APPROVED—The 17th day of December, A.D. 2009.

EDWARD G. RENDELL