

No. 26

AN ACT

Amending the act of March 31, 1949 (P. L. 372), 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," authorizing the assistant secretary or the assistant treasurer to sign certain papers.

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

The General
State Authority
Act.

Section 1. Section 5, act of March 31, 1949 (P. L. 372), known as "The General State Authority Act of one thousand nine hundred and forty-nine," is amended to read:

Section 5, act of
March 31, 1949,
P. L. 372,
amended.

Section 5. Purposes and Powers; Bonds.—The bonds of the Authority, hereinabove referred to and authorized to be issued, shall be authorized by resolution of the board, and shall be of such series, bear such date or dates, mature at such time or times not exceeding thirty (30) years from their respective dates, bear interest at such rate or rates not exceeding six per centum (6%) per annum, payable semi-annually, be in such denominations, be in such form, either coupon or fully registered without coupons, carry such registration exchangeability and interchangeability privileges, be payable in such medium of payment and at such place or places, be subject to such terms of redemption at such prices not exceeding one hundred five per centum (105%) of the principal amount thereof, and be entitled to such priorities in the revenues, rentals, or receipts of such Authority as such resolution or resolutions may provide. The bonds shall bear the facsimile signatures of the Governor and of the President of the Authority, together with a facsimile of the corporate seal and the manual signature of the secretary or assistant secretary and treasurer or assistant treasurer in attestation thereof, and coupon bonds shall have attached thereto interest coupons bearing the

* "of Property" omitted in original.

facsimile signature of the treasurer of the Authority, all as may be prescribed in such resolution or resolutions. Any such bonds may be issued and delivered, notwithstanding that one or more of the officers signing such bonds, or whose facsimile signatures shall be upon such bonds, or the treasurer whose facsimile signature shall be upon the coupons or any thereof, shall have ceased to be such officer or officers at the time when such bonds shall actually be delivered.

Said bonds shall be sold to the highest responsible bidder or bidders, after public notice by advertisement once a week for three weeks, in not less than six (6) or more than twelve (12) newspapers of large general circulation, in different parts of the Commonwealth, the first advertisement to be published not less than fifteen (15) days before the day fixed for the opening of bids. The notice shall contain a general description of the bonds, the manner, place, and time of the sale, or the time limit for the receipt of proposals, the name of the officer to whom bids or proposals shall be delivered, and a statement of the terms and conditions of sale: Provided, That any of said bonds may be sold to the State Employees' Retirement Board, School Employees Retirement Board, or to any other custodial board or fund, or to the State Employees' Retirement Fund, without advertisement or competitive bidding. Pending the preparation of the definitive bonds, interim receipts or temporary bonds may be issued to the purchaser or purchasers of such bonds, and may contain such terms and conditions as the Authority may determine.

Any resolution or resolutions authorizing any bonds may contain provisions which shall be part of the contract with the holders thereof as to —(a) pledging the full faith and credit of the Authority (but not of the Commonwealth or any county or other political subdivision thereof) for such obligations, or restricting the same to all or any of the revenues, rentals, or receipts of the Authority from all or any projects or properties, (b) the construction, improvement, operation, extension, enlargement, equipping, furnishing, maintenance, and repair of any project or projects and the duties of the Authority with reference thereto, (c) the terms and provisions of the bonds, (d) limitations on the purposes to which the proceeds of the bonds then or thereafter to be issued, or of any loan or grant by the United States may be applied, (e) the rate of tolls, rentals, and other charges for use of the facilities of or for the services rendered by the Authority, including limitations upon the power of the Authority to modify any leases or other agreements pursuant to which any tolls, rentals, or other charges are payable, (f) the setting aside of

reserves or sinking funds and the regulation and disposition thereof, (g) limitations on the issuance of additional bonds, (h) the terms and provisions of any deed or trust or indenture securing the bonds or under which the same may be issued, and (i) any other or additional agreements with the holders of the bonds.

The Authority may enter into any deeds of trust, indentures or other agreements with any bank or trust company or other person or persons in the United States having power to enter into the same, including any Federal agency, as security for such bonds, and may assign and pledge all or any of the revenues, rentals, or receipts of the Authority thereunder. Such deed of trust, indenture or other agreement may contain such provisions as may be customary in such instruments or as the Authority may authorize, including (but without limitation) provisions as to—(i) the construction, improvement, operation, equipping, furnishing, maintenance, and repair of any project or projects and the duties of the Authority with reference thereto, (ii) the application of funds and the safeguarding of funds on hand or on deposit, (iii) the rights and remedies of said trustees and the holders of the bonds (which may include restrictions upon the individual right of action of such bondholders), and (iv) the terms and provisions of the bonds or the resolutions authorizing the issuance of the same.

Said bonds shall have all the qualities of negotiable instruments under the law merchant and the negotiable instruments law of the Commonwealth of Pennsylvania.

APPROVED—The 28th day of March, A. D. 1961.

DAVID L. LAWRENCE

No. 27

AN ACT

To commission posthumously John W. McLane in the Pennsylvania National Guard.

Whereas, John W. McLane organized one of Erie's first military organizations and later recruited and led with distinction the 83rd Pennsylvania Volunteers during the Civil War; and

Whereas, Colonel John W. McLane has been a traditional hero in Erie for over a hundred years and has always been referred to as General McLane; and

Preamble.