

No. 1982-4

AN ACT

HB 428

Amending the act of June 1, 1956 (1955 P.L.1944, No.655), entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities, boroughs, incorporated towns and townships, for their road, street and bridge purposes; conferring powers and imposing duties on local officers and the Department of Highways; and making an appropriation out of the Motor License Fund; and repealing existing legislation," further providing for the use of the tax proceeds by making certain repeals.

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

Section 1. Clauses (2) and (2.1) of section 4, act of June 1, 1956 (1955 P.L.1944, No.655), referred to as the Liquid Fuels Tax Municipal Allocation Law, amended March 27, 1980 (P.L.53, No.20), are amended to read:

Section 4. The money hereby appropriated to municipalities shall be paid to the municipalities in accordance with the following formula and subject to the provisions of this act:

* * *

[(2) Twenty-five per centum of all money allocated to each municipality shall be used for construction, reconstruction or widening of roads and streets, bridges and drainage structures unless the governing authority of the municipality shall, by unanimous vote of the members present, determine to use the twenty-five per centum of moneys required to be used for road and street improvement for the purposes of maintenance and repair of existing roads, streets, bridges, drainage structures and the lining of streams incidental to the drainage of highways. The governing authority shall give notice by advertisement in accordance with the act of July 19, 1974 (P.L.486, No.175), referred to as the Public Agency Open Meeting Law, of its intention to adopt a resolution authorizing the said twenty-five per centum of liquid fuels tax moneys set aside for new construction for purposes of maintenance and repair and shall provide opportunity for public comment at a hearing on the resolution before action is taken.]

(2.1) [Notwithstanding any limitations hereinbefore set forth, any] *Any* municipality which issues bonds or obligations in accordance with Article VII-A of the act of June 25, 1941 (P.L.159), known as the "Municipal Borrowing Law," exclusively for road or street improvement purposes may expend all or any portion of the allocated money for interest and principal payments and sinking fund charges becoming due on such bonds or obligations.

* * *

Section 2. This act shall take effect immediately and shall be retroactive to May 26, 1980.

APPROVED—The 5th day of February, A. D. 1982.

DICK THORNBURGH