

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 278 Session of 2013

INTRODUCED BY BAKER, GINGRICH, PICKETT, M. K. KELLER, MAJOR, O'NEILL, STERN, CAUSER, RAPP, CUTLER, TAYLOR, HESS, C. HARRIS, SWANGER, FLECK, DENLINGER, MURT, GRELL, QUINN, CLYMER AND EVERETT, JANUARY 23, 2013

AMENDMENTS TO SENATE AMENDMENTS, HOUSE OF REPRESENTATIVES, JULY 1, 2014

AN ACT

1 Amending the act of April 9, 1929 (P.L.343, No.176), entitled,
 2 as amended, "An act relating to the finances of the State
 3 government; providing for the settlement, assessment,
 4 collection, and lien of taxes, bonus, and all other accounts
 5 due the Commonwealth, the collection and recovery of fees and
 6 other money or property due or belonging to the Commonwealth,
 7 or any agency thereof, including escheated property and the
 8 proceeds of its sale, the custody and disbursement or other
 9 disposition of funds and securities belonging to or in the
 10 possession of the Commonwealth, and the settlement of claims
 11 against the Commonwealth, the resettlement of accounts and
 12 appeals to the courts, refunds of moneys erroneously paid to
 13 the Commonwealth, auditing the accounts of the Commonwealth
 14 and all agencies thereof, of all public officers collecting
 15 moneys payable to the Commonwealth, or any agency thereof,
 16 and all receipts of appropriations from the Commonwealth,
 17 authorizing the Commonwealth to issue tax anticipation notes
 18 to defray current expenses, implementing the provisions of
 19 section 7(a) of Article VIII of the Constitution of
 20 Pennsylvania authorizing and restricting the incurring of
 21 certain debt and imposing penalties; affecting every
 22 department, board, commission, and officer of the State
 23 government, every political subdivision of the State, and
 24 certain officers of such subdivisions, every person,
 25 association, and corporation required to pay, assess, or
 26 collect taxes, or to make returns or reports under the laws
 27 imposing taxes for State purposes, or to pay license fees or
 28 other moneys to the Commonwealth, or any agency thereof,
 29 every State depository and every debtor or creditor of the
 30 Commonwealth," ~~in Department of Revenue, providing for bank~~ <--
 31 ~~shares tax surcharge;~~ in Treasury Department, further

1 providing for investment of money MONEYS; in resettlement of <--
2 accounts, review and appeal, providing for exclusive appeal
3 procedure for shares taxes; in disposition of abandoned and
4 unclaimed property, further providing for definitions, for
5 property held by financial institutions, for property held by
6 insurers, for property held by utilities, for property held
7 by business associations, for property held by fiduciaries,
8 for property held by courts and public officers and agencies,
9 for miscellaneous property held for or owing to another and
10 for report of property subject to custody and control of the
11 Commonwealth, providing for certificate of finder
12 registration, for revocation of finder registration and for
13 appeals, further providing for examination of records, for
14 proceeding to compel reporting or delivery and for penalties,
15 and providing for relation to Electronic Signatures in Global
16 and National Commerce Act; in inquisitorial powers of fiscal
17 officers, further providing for examination and adjustment of
18 public accounts and the collection of amounts due the
19 Commonwealth; in oil and gas wells, providing for legislative
20 findings and further providing for appropriation, for the
21 Department of Conservation and Natural Resources and for
22 additional transfers; in special funds, further providing for
23 funding, establishing the H2O PA Account, and providing for
24 other grants; in additional special funds, further providing
25 for use of fund, providing for termination, for transfer to
26 Public School Employees' Retirement System, and further
27 providing for distributions from Pennsylvania Race Horse
28 Development Fund; in general budget implementation, further <--
29 providing for Department of Community and Economic
30 Development and providing for Environmental Quality Board;
31 further providing for State Civil Service Commission;
32 providing for ENVIRONMENTAL QUALITY BOARD, FOR surcharges and <--
33 for other agencies; providing for rural regional college for
34 underserved counties, for 2014-2015 budget implementation and
35 for 2014-2015 restrictions on appropriations for funds and
36 accounts; and making related repeals.

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

39 Section 1. The General Assembly finds and declares as
40 follows:

41 (1) The intent of this act is to provide for the
42 implementation of the 2014-2015 Commonwealth budget.

43 (2) The Constitution of Pennsylvania confers numerous
44 express duties upon the General Assembly, including the
45 passage of a balanced budget for the Commonwealth.

46 (3) Section 24 of Article III of the Constitution of
47 Pennsylvania requires the General Assembly to adopt all
48 appropriations for the operation of government in the

1 Commonwealth, regardless of their source. The Supreme Court
2 has repeatedly affirmed that, "It is fundamental within
3 Pennsylvania's tripartite system that the General Assembly
4 enacts the legislation establishing those programs which the
5 state provides for its citizens and appropriates the funds
6 necessary for their operation."

7 (4) Pursuant to section 13 of Article VIII of the
8 Constitution of Pennsylvania, the General Assembly is
9 explicitly required to adopt a balanced Commonwealth budget.
10 Given the unpredictability and potential insufficiency of
11 revenue collections, various changes in State law relating to
12 sources of revenue, the collection of revenue and the
13 implementation of statutes which impact revenue may be
14 required to discharge this constitutional obligation.

15 (5) Section 11 of Article III of the Constitution of
16 Pennsylvania requires the adoption of a general appropriation
17 bill that embraces "nothing but appropriations." While actual
18 appropriations can be contained in a General Appropriations
19 Act, the achievement and implementation of a comprehensive
20 budget involves more than appropriations. Ultimately, the
21 budget has to be balanced under section 13 of Article VIII of
22 the Constitution of Pennsylvania. This may necessitate
23 changes to sources of funding and enactment of statutes to
24 achieve full compliance with these constitutional provisions.

25 (6) For the reasons set forth in paragraphs (1), (2),
26 (3), (4) and (5), it is the intent of the General Assembly
27 through this act to provide for the implementation of the
28 2014-2015 Commonwealth budget.

29 (7) Every provision of this act relates to the
30 implementation of the operating budget of the Commonwealth

1 for this fiscal year, addressing in various ways the fiscal
2 operations, revenues and potential liabilities of the
3 Commonwealth. To that end, this act places conditions on
4 appropriations, provides for accountability for spending and
5 makes any necessary transfers or other changes necessary to
6 impact the availability of revenue or the fiscal conditions
7 of the Commonwealth, in order to meet the requirements of
8 section 13 of Article VIII of the Constitution of
9 Pennsylvania and to implement the act of _____, 2014
10 (P.L. _____, No. A), known as the General Appropriation Act of
11 2014.

12 ~~Section 1.1. The act is amended by adding a section to read: <--~~

13 ~~Section 215. Power and Duty of Department; Bank Shares Tax~~
14 ~~Surcharge; Temporary Regulations. (a) It is the intention of~~
15 ~~the General Assembly that the restructuring of the bank shares~~
16 ~~tax enacted by the act of July 9, 2013 (P.L.270, No.52),~~
17 ~~entitled "An act amending the act of March 4, 1971 (P.L.6,~~
18 ~~No.2), entitled 'An act relating to tax reform and State~~
19 ~~taxation by codifying and enumerating certain subjects of~~
20 ~~taxation and imposing taxes thereon; providing procedures for~~
21 ~~the payment, collection, administration and enforcement thereof;~~
22 ~~providing for tax credits in certain cases; conferring powers~~
23 ~~and imposing duties upon the Department of Revenue, certain~~
24 ~~employers, fiduciaries, individuals, persons, corporations and~~
25 ~~other entities; prescribing crimes, offenses and penalties, 'in~~
26 ~~tax for education, further providing for definitions, for~~
27 ~~exclusions from tax, for credit against tax, for licenses and~~
28 ~~for local receivers of use tax; providing for remote sales~~
29 ~~reports; providing for special taxing authority; in personal~~
30 ~~income tax, further providing for definitions, for classes of~~

~~1 income and for taxability of partners; providing for tax
2 treatment determined at partnership level and for tax imposed at
3 partnership level; further providing for income of a
4 Pennsylvania S corporation, for income taxes imposed by other
5 states and for operational provisions; providing for
6 contributions for the Children's Trust Fund and for
7 contributions for American Red Cross; further providing for
8 general rule, for return of Pennsylvania S corporation, for
9 requirements concerning returns, notices, records and statements
10 and for additions, penalties and fees; providing for citation
11 authority; in corporate net income tax, further providing for
12 definitions and for reports and payment of tax; in capital stock
13 and franchise tax, further providing for imposition and for
14 expiration; in bank and trust company shares tax, further
15 providing for imposition of tax, for ascertainment of taxable
16 amount and exclusion of United States obligations, for
17 apportionment and for definitions; in realty transfer tax,
18 further providing for definitions, for imposition of tax, for
19 excluded transactions and for acquired company; providing for
20 nonlicensed corporation pari mutuel wagering tax; in film
21 production tax credit, further providing for definitions, for
22 credit for qualified film production expenses and for carryover,
23 carryback and assignment of credit; in educational opportunity
24 scholarship tax credit, further providing for scholarships;
25 repealing provisions relating to coal waste removal and
26 ultraclean fuels tax credit; in job creation tax credit, further
27 providing for tax credits; making an editorial change; providing
28 for city revitalization and improvement zones, for mobile
29 telecommunications broadband investment tax credit, for the
30 Innovate in PA Program, for neighborhood improvement zones and~~

~~1 for Keystone Special Development Zone program; in inheritance
2 tax, further providing for transfers not subject to tax, for
3 exemption for poverty, for liabilities and for deductions not
4 allowed; in procedure and administration, further providing for
5 definitions and for petition for reassessment; providing for the
6 Board of Finance and Revenue; further providing for review by
7 the Board of Finance and Revenue; providing for a report
8 concerning the significant changes in the structure and
9 regulatory environment within the banking industry; and making
10 related repeals," be accomplished in a manner that maintains
11 revenues received from the bank shares tax at no less than
12 historic levels plus reasonable rates of growth. This section is
13 necessary to provide stable and predictable tax revenues to the
14 Commonwealth and to ensure that the total amount of revenues
15 received by the Commonwealth from the bank shares tax do not
16 fall below the amounts necessary for general budget
17 implementation.~~

~~18 (b) By February 15, 2015, every institution subject to tax
19 under Article VII of the act of March 4, 1971 (P.L.6, No.2),
20 known as the "Tax Reform Code of 1971," as of January 1, 2014,
21 shall pay a tax surcharge for the 2014 calendar year determined
22 by multiplying:~~

~~23 (1) the institution's proportionate share of the total
24 taxable amount of shares as determined by the Department of
25 Revenue under subsection (d); by~~

~~26 (2) the total amount of the surcharge as determined by the
27 department under subsection (c).~~

~~28 (b.1) By February 15, 2016, every institution subject to tax
29 under Article VII of the act of March 4, 1971 (P.L.6, No.2),
30 known as the "Tax Reform Code of 1971," as of January 1, 2015,~~

1 ~~shall pay a tax surcharge for the 2015 calendar year determined~~
2 ~~by multiplying:~~

3 ~~(1) the institution's proportionate share of the total~~
4 ~~taxable amount of shares as determined by the department under~~
5 ~~subsection (d); by~~

6 ~~(2) the total amount of the surcharge as determined by the~~
7 ~~department under subsection (c.1).~~

8 ~~(c) The total amount of the surcharge for the 2014 calendar~~
9 ~~year shall be twenty million dollars (\$20,000,000). The~~
10 ~~secretary may waive or reduce the amount of the surcharge for~~
11 ~~the calendar year if the tax receipts under Article VII of the~~
12 ~~"Tax Reform Code of 1971" exceed the revenue estimates for~~
13 ~~fiscal year 2014-2015 under section 618 of the act of April 9,~~
14 ~~1929 (P.L.177, No.175), known as "The Administrative Code of~~
15 ~~1929."~~

16 ~~(c.1) The total amount of the surcharge for the 2015~~
17 ~~calendar year shall be twenty million dollars (\$20,000,000). The~~
18 ~~secretary may waive or reduce the amount of the surcharge for~~
19 ~~the calendar year if the tax receipts under Article VII of the~~
20 ~~"Tax Reform Code of 1971" exceed the revenue estimates for~~
21 ~~fiscal year 2015-2016 under section 618 of "The Administrative~~
22 ~~Code of 1929."~~

23 ~~(d) An institution's proportionate share of the total~~
24 ~~taxable amount of shares shall be determined as follows:~~

25 ~~(1) Divide:~~

26 ~~(i) the institution's taxable amount of shares as reported~~
27 ~~and any additional taxable amount of shares assessed under~~
28 ~~Article VII of the "Tax Reform Code of 1971" for the 2014~~
29 ~~calendar year; by~~

30 ~~(ii) the total taxable amount of shares of all institutions~~

1 ~~as reported and any additional taxable amount of shares assessed~~
2 ~~for the 2014 calendar year.~~

3 ~~(2) For purposes of the computation under paragraph (1), the~~
4 ~~taxable amount of shares shall be the combined taxable amount of~~
5 ~~shares apportioned to this Commonwealth for the 2014 calendar~~
6 ~~year by the institution, its predecessor and any institution~~
7 ~~acquired by, merged into or combined or consolidated with the~~
8 ~~institution for the tax imposed under Article VII of the "Tax~~
9 ~~Reform Code of 1971."~~

10 ~~(e) The department shall assess each institution subject to~~
11 ~~the surcharge under subsection (c) by January 1, 2015.~~

12 ~~(e.1) The department shall assess each institution subject~~
13 ~~to the surcharge under subsection (c.1) by January 15, 2016.~~

14 ~~(f) The department shall prescribe forms and procedures for~~
15 ~~filing and paying the tax surcharge amounts required by this~~
16 ~~section. Parts III, IV, V, VI and VII of Article IV of the "Tax~~
17 ~~Reform Code of 1971," are incorporated by reference into this~~
18 ~~section insofar as they are consistent with this section and~~
19 ~~applicable to the surcharge imposed under this section.~~

20 ~~(g) The department shall develop limited regulations~~
21 ~~necessary to implement this section and the amendments to~~
22 ~~Article VII of the "Tax Reform Code of 1971," enacted by the act~~
23 ~~of July 9, 2013 (P.L.270, No.52), as follows:~~

24 ~~(1) The limited regulations must be submitted to the~~
25 ~~Legislative Reference Bureau for publication within one hundred~~
26 ~~twenty (120) days of the effective date of this section.~~

27 ~~(2) The limited regulations shall not be subject to any of~~
28 ~~the following:~~

29 ~~(i) Sections 201, 202, 203, 204 or 205 of the act of July~~
30 ~~31, 1968 (P.L.769, No.240), referred to as the Commonwealth~~

1 ~~Documents Law.~~

2 ~~(ii) The act of June 25, 1982 (P.L.633, No.181), known as~~
3 ~~the "Regulatory Review Act."~~

4 ~~(iii) Section 204(b) of the act of October 15, 1980~~
5 ~~(P.L.950, No.164), known as the "Commonwealth Attorneys Act."~~

6 ~~(3) The limited regulations shall apply to the surcharge~~
7 ~~imposed under this section and the tax imposed for calendar~~
8 ~~years beginning after December 31, 2013, and ending before~~
9 ~~January 1, 2016, under Article VII of the "Tax Reform Code of~~
10 ~~1971."~~

11 ~~(h) Regulations initiated after the limited regulations~~
12 ~~under subsection (g) shall be promulgated as provided by law.~~

13 Section 1.2 1.1. Section 301.1(i)(2) of the act, amended <--
14 July 6, 2010 (P.L.279, No.46), is amended to read:

15 Section 301.1. Investment of Moneys.--* * *

16 (i) * * *

17 (2) The authority to invest or reinvest the moneys of any
18 fund pursuant to this subsection shall expire December 31,
19 [2014] 2019. The Treasury Department may maintain investments
20 pursuant to this subsection which are in existence on the
21 expiration date in this paragraph for not more than two years
22 following such expiration date.

23 ~~Section 1.3. The act is amended by adding a section to read: <--~~

24 ~~Section 1104.2. Exclusive Appeal Procedure; Shares Taxes.~~

25 ~~(a) This section applies to bank share payments.~~

26 ~~(b) An institution may file a petition for refund of a bank~~
27 ~~share payment with the Department of Revenue. The petition must~~
28 ~~be filed within two years of the date of the payment.~~

29 ~~(c) Notwithstanding any provision of this act or any other~~
30 ~~law to the contrary, the procedure set forth in this section~~

1 ~~shall constitute the exclusive method by which an appeal may be~~
2 ~~taken from the assessment of:~~

- 3 ~~(1) the tax surcharge imposed under section 215; or~~
4 ~~(2) the tax imposed for calendar years beginning after~~
5 ~~December 31, 2013, and ending before January 1, 2016, under~~
6 ~~Article VII of the act of March 4, 1971 (P.L.6, No.2), known as~~
7 ~~the "Tax Reform Code of 1971."~~

8 ~~(d) As used in this section, the term "bank share payment"~~
9 ~~means a payment of:~~

- 10 ~~(1) the tax surcharge imposed under section 215; or~~
11 ~~(2) the tax imposed for calendar years beginning after~~
12 ~~December 31, 2013, and ending before January 1, 2016, under~~
13 ~~Article VII of the "Tax Reform Code of 1971."~~

14 Section ~~1.4~~ 1.2. The definitions of "holder" and "owner" in <--
15 section 1301.1 of the act, amended or added December 9, 1982
16 (P.L.1057, No.248), June 29, 2002 (P.L.614, No.91) and December
17 23, 2003 (P.L.243, No.45), are amended and the section is
18 amended by adding definitions to read:

19 Section 1301.1. Definitions.--As used in this article,
20 unless the context otherwise requires:

21 * * *

22 "Electronic" shall mean relating to technology having
23 electrical, digital, magnetic, wireless, optical, electromagnet
24 or similar capabilities.

25 * * *

26 "Holder" shall mean a person obligated to hold for the
27 account of or deliver or pay to the owner, property which is
28 subject to this article and shall include any person in
29 possession of property subject to this article belonging to
30 another, or who is a trustee in case of a trust, or is indebted

1 to another on an obligation subject to this article [or any
2 financial institution which has paid amounts and sums to the
3 State Treasurer under subsection (c) of section 1301.13 of this
4 article] and the agent or legal representative of the person
5 obligated, the person in possession, the trustee or the debtor.

6 "Indicated an interest in property" shall mean any contact,
7 communication or transaction, related to property, from the
8 owner, or involving some affirmative action by the owner, which
9 is documented in a contemporaneous record prepared by or on
10 behalf of the holder or in the possession of the holder,
11 including:

12 (i) a written contact, communication or transaction;

13 (ii) a secure or password-protected electronic contact,
14 communication or transaction;

15 (iii) a verbal contact, communication or transaction, in
16 which the holder takes reasonable action to verify the identity
17 of the owner; or

18 (iv) a contact, communication or transaction, which is
19 evidenced by other criteria provided by the State Treasurer.

20 * * *

21 "Owner" shall mean a person that has a legal or equitable
22 interest in property subject to this article or a person whose
23 name appears on the record of a holder as the person entitled to
24 property held, issued or owing by the holder and shall include a
25 depositor in case of a deposit, a creditor, claimant or payee in
26 case of other choses in action[, or any other person having a
27 legal or equitable interest in property subject to this article,
28 or his] and a legal representative of the person with the
29 interest, the entitled person, the depositor, the creditor, the
30 claimant or the payee.

1 * * *

2 "Record" shall mean information that is inscribed on a
3 tangible medium or that is stored in an electronic or other
4 medium and is retrievable in perceivable form.

5 * * *

6 Section 2. Section 1301.3 of the act, amended June 29, 2002
7 (P.L.614, No.91) AND DECEMBER 23, 2003 (P.L.243, NO.45), is <--
8 amended to read:

9 Section 1301.3. Property Held by Financial Institutions.--
10 The following property held or owing by a financial institution
11 is presumed abandoned and unclaimed:

12 1. Any demand, saving or matured time deposit in a financial
13 institution, or any funds paid toward the purchase of shares or
14 other interest in a savings association, savings and loan or
15 building and loan association, excluding any charges that may
16 lawfully be withheld, unless within the preceding [five (5)]
17 three (3) years the owner has:

18 (i) Increased the amount of the deposit, shares or claim,
19 otherwise than by the crediting of accrued interest, or
20 decreased it, or presented to the holder evidence of the
21 deposit, shares or claim; or

22 (ii) Corresponded in writing with the holder concerning the
23 deposit, shares or claim; or

24 (ii.1) Affirmatively, in written or electronic
25 communication, changed or assented to a change in the terms and
26 conditions under which the deposit, shares or claim is held; or

27 (iii) Otherwise indicated an interest in the deposit, shares
28 or claim as evidenced by a writing on file with the holder; or

29 (iv) Received tax reports or regular statements of the
30 deposits, shares or claim by certified mail or other method of

1 communication that will provide the financial institution with a
2 record that such report or statement was transmitted and
3 received; or

4 (v) Owned other property held by the financial institution
5 to which subclause (i), (ii), (iii) or (iv) applies.

6 2. A deposit under clause 1 shall include any interest or
7 dividend which the financial institution would pay to the owner
8 upon claim therefor. The charges which may be excluded hereunder
9 shall not include any charge due to inactivity imposed, directly
10 or indirectly, after December 31, 1981 unless there is a valid
11 and enforceable written contract between the financial
12 institution and the owner of the deposit pursuant to which the
13 financial institution may impose said charge.

14 3. Any sum payable on checks or on written instruments
15 including, but not limited to, drafts, money orders and
16 travelers checks, on which a financial institution is directly
17 liable, and (i) which have been outstanding for more than [five
18 (5)] three (3) years, or in the case of travelers checks,
19 fifteen (15) years, or in the case of money orders, six (6)
20 years in calendar year 2003 and seven (7) years in calendar year
21 2004 and thereafter, from the date payable or from the date of
22 issuance if payable on demand; and (ii) the owner of which has
23 not written to the financial institution concerning it, nor
24 otherwise indicated an interest [as evidenced by a writing on
25 file with the financial institution]. An indication of interest
26 in a check or instrument on which a financial institution is
27 directly liable shall be recognized if it is made with respect
28 to the interests of the remitter, the payee or a person entitled
29 to enforce the instrument.

30 4. Any funds or other personal property, tangible or

1 intangible, removed from a safe deposit box or any other
2 safekeeping repository in the Commonwealth on which the lease or
3 rental period has expired due to nonpayment of rental charges or
4 other reason, or any surplus amounts arising from the sale
5 thereof pursuant to law, if the same has not been claimed by the
6 owner for more than [five (5)] three (3) years from the date on
7 which the rental period expired.

8 5. The following deposits described in clause 1 shall be
9 excluded from the presumption of being abandoned and unclaimed
10 only while the conditions described below are in effect:

11 (i) Deposits during any period when withdrawals may be made
12 only upon an order of a court of competent jurisdiction.

13 (ii) Deposits established under 20 Pa.C.S. Ch. 53 (relating
14 to Pennsylvania Uniform Transfers to Minors Act) or similar law
15 concerning transfers to minors while the custodianship has not
16 been terminated.

17 (iii) Burial reserve accounts and similar deposits
18 established under written agreements to provide for the funeral
19 and/or burial expenses of a person while the person is still
20 alive.

21 Section 3. Section 1301.4 of the act, amended December 23,
22 2003 (P.L.243, No.45), is amended to read:

23 Section 1301.4. Property Held by Insurers.--(a) In the case
24 of life insurance, the following property held or owing by an
25 insurer is presumed abandoned and unclaimed:

26 1. Any moneys held or owing by an insurer as established by
27 its records under any contract of annuity or policy of life
28 insurance including premiums returnable or dividends payable,
29 unclaimed and unpaid for more than [five (5)] three (3) years
30 after the moneys have or shall become due and payable under the

1 provisions of such contract of annuity or policy of insurance. A
2 life insurance policy not matured by actual proof of the death
3 of the insured is deemed to be matured and the proceeds thereof
4 are deemed to be due and payable if such policy was in force
5 when the insured attained the limiting age under the mortality
6 table on which the reserve is based, unless the person appearing
7 entitled thereto has within the preceding [five (5)] three (3)
8 years, (i) assigned, readjusted or paid premiums on the policy,
9 or subjected the policy to loan, or (ii) corresponded in writing
10 with the insurer concerning the policy.

11 2. If a person other than the insured or annuitant is
12 entitled to the funds and no address of such person is known to
13 the insurer or if it is not definite and certain from the
14 records of the insurer what person is entitled to the funds, it
15 is presumed that the last known address of the person entitled
16 to the funds is the same as the last known address of the
17 insured or annuitant according to the records of the insurer.

18 3. Moneys otherwise payable according to the records of the
19 insurer are deemed due and payable although the policy or
20 contract has not been surrendered as required.

21 4. Property distributable in the course of a demutualization
22 or related reorganization of an insurance company is deemed
23 abandoned two (2) years after the date of the demutualization or
24 reorganization if instruments or statements reflecting the
25 distribution are either mailed to the owner and returned by the
26 post office as undeliverable or not mailed to the owner because
27 of a known bad address on the books and records of the holder.

28 (b) In the case of insurance other than life insurance, the
29 following property held or owing by an insurer is presumed
30 abandoned and unclaimed:

1 1. Any moneys held or owing by an insurer as established by
2 its records under any contract of insurance other than annuity
3 or life insurance, including premiums or deposits returnable or
4 dividends payable to policy or contract holders or other persons
5 entitled thereto, unclaimed and unpaid for more than [five (5)]
6 three (3) years after the moneys have or shall become due and
7 payable under the provisions of such contracts of insurance.

8 2. If a person other than the insured, the principal or the
9 claimant is entitled to the funds and no address of such person
10 is known to the insurer or if it is not definite and certain
11 from the records of the insurer what person is entitled to the
12 funds, it is presumed that the last known address of the person
13 entitled to the funds is the same as the last known address of
14 the insured, the principal or the claimant according to the
15 records of the insurer.

16 Section 4. Section 1301.5 of the act, amended June 29, 2002
17 (P.L.614, No.91), is amended to read:

18 Section 1301.5. Property Held by Utilities.--The following
19 funds held or owing by any utility are presumed abandoned and
20 unclaimed:

21 1. Any customer advance, toll, deposit or collateral
22 security or any other property held by any utility if under the
23 terms of an agreement the advance, toll, deposit, collateral
24 security or other property is due to or demandable by the owner
25 and has remained unclaimed for [five (5)] three (3) years or
26 more from the date when it first became due to or demandable by
27 the owner under the agreement.

28 2. Any sum which a utility has been ordered to refund, less
29 any lawful deductions, and which has remained unclaimed by the
30 person appearing on the records of the utility entitled thereto

1 for two (2) years or more after the date it became payable in
2 accordance with the final order providing for the refund.

3 Section 5. Section 1301.6 of the act, amended JUNE 29, 2002 <--
4 (P.L.614, NO.91) AND November 9, 2006 (P.L.1335, No.138), is
5 amended to read:

6 Section 1301.6. Property Held by Business Associations.--The
7 following property held or owing by a business association is
8 presumed abandoned and unclaimed:

9 1. The consideration paid for a gift certificate or gift
10 card which has remained unredeemed for two (2) years or more
11 after its redemption period has expired or after the minimum
12 period specified in section 915(c) of the Consumer Credit
13 Protection Act (Public Law 90-321, 15 U.S.C. § 16931-1(c)),
14 whichever occurs later, or for [five (5)] three (3) years or
15 more from the date of issuance if no redemption period is
16 specified. The provisions of this clause shall not apply to a
17 qualified gift certificate.

18 2. Any certificate of stock or participating right in a
19 business association, for which a certificate has been issued or
20 is issuable but has not been delivered, whenever the owner
21 thereof has not claimed or indicated an interest in such
22 property[, or corresponded in writing with the business
23 association concerning it,] within [five (5)] three (3) years
24 after the date prescribed for delivery of the property to the
25 owner.

26 3. Any sum due as a dividend, profit, distribution, payment
27 or distributive share of principal held or owing by a business
28 association, whenever the owner has not claimed or indicated an
29 interest in such sum [or corresponded in writing with the
30 business association concerning it] within [five (5)] three (3)

1 years after the date prescribed for payment or delivery.

2 4. Any sum due as principal or interest on the business
3 association's bonds or debentures, or coupons attached thereto,
4 whenever the owner has not claimed or indicated an interest in
5 such sum [or corresponded in writing with the business
6 association concerning it] within [five (5)] three (3) years
7 after the date prescribed for payment.

8 5. Any sum or certificate or participating right due by a
9 cooperative to a participating patron, whenever the owner has
10 not claimed or indicated an interest in such property[, or
11 corresponded with the cooperative concerning the same] within
12 [five (5)] three (3) years after the date prescribed for payment
13 or delivery.

14 Section 6. Section 1301.8 of the act, amended June 29, 2002
15 (P.L.614, No.91), is amended to read:

16 Section 1301.8. Property Held by Fiduciaries.--The following
17 property held by fiduciaries is presumed abandoned and
18 unclaimed:

19 1. All property held in a fiduciary capacity for the benefit
20 of another person, unless the owner, within [five (5)] three (3)
21 years after it has or shall become payable or distributable, has
22 increased or decreased the principal, accepted payment of
23 principal or income[, corresponded in writing concerning the
24 property] or otherwise indicated an interest [therein as
25 evidenced by a writing on file with the fiduciary] in the
26 property or in other property of the owner in the possession,
27 custody or control of the holder.

28 2. For an individual retirement account, a retirement plan
29 for self-employed individuals or a similar account or plan
30 created pursuant to Federal internal revenue law or to the law

1 of this Commonwealth and not subject to a mandatory distribution
2 requirement, three (3) years after the owner has:

3 (i) attained seventy and one half (70.5) years of age; or

4 (ii) indicated an interest in the account or plan or in

5 other property of the owner in the possession, custody or

6 control of the holder.

7 Section 7. Section 1301.9 of the act, amended November 9,
8 2006 (P.L.1335, No.138), is amended to read:

9 Section 1301.9. Property Held by Courts and Public Officers
10 and Agencies.--The following property is presumed abandoned and
11 unclaimed:

12 1. Except as provided in clauses 2 and 2.1 or clause 6, all
13 property held for the owner by any court, public corporation,
14 public authority or instrumentality of the United States, the
15 Commonwealth, or any other state, or by a public officer or
16 political subdivision thereof, unclaimed by the owner for more
17 than [five (5)] three (3) years from the date it first became
18 demandable or distributable.

19 2. Bicycles held for the owner by a municipality unclaimed
20 by the owner for more than ninety (90) days from the date it
21 first became demandable or distributable.

22 2.1. All tangible property, other than bicycles, held for
23 the owner by a municipality unclaimed by the owner for more than
24 three (3) years from the date it first became demandable or
25 distributable.

26 3. The bicycles held pursuant to clause 2 and tangible
27 property held pursuant to clause 2.1 and which the State
28 Treasurer refuses in writing to accept may be disposed of by the
29 municipality to the highest bidder after due notice by
30 advertisement for bids or at public auction at such time and

1 place as may be designated by the municipality or the governing
2 body may, by resolution, donate the bicycles or such tangible
3 property to a charitable organization. Any proceeds from the
4 sale of the bicycles or such tangible property shall be retained
5 by the municipality and used for municipal purposes.

6 4. Bicycles held by or acquired by the Commonwealth for
7 ninety (90) days may be disposed of at public auction at such
8 time and place as may be designated by the State Treasurer.
9 Proceeds of such sale or sales shall be deposited in the General
10 Fund.

11 5. All property held by or subject to the control of any
12 court, public corporation, public authority or instrumentality
13 of the Commonwealth or by a public officer or political
14 subdivision thereof, which is without a rightful or lawful
15 owner, to the extent not otherwise provided for by law, held for
16 more than one year.

17 6. Restitution held for the owner by any court, public
18 corporation, public authority or instrumentality of the
19 Commonwealth, or by a public officer or political subdivision
20 thereof, unclaimed by the owner for more than [five (5)] three
21 (3) years from the date it first became demandable or
22 distributable.

23 Section 8. Section 1301.10 of the act, amended December 23,
24 2003 (P.L.243, No.45), is amended to read:

25 Section 1301.10. Miscellaneous Property Held for or Owing to
26 Another.--The following property, held or owing to any owner, is
27 presumed abandoned and unclaimed:

28 1. All property, not otherwise covered by this article,
29 [that] which is admitted in writing by the holder and
30 adjudicated to be due, [that] which is held or owing in the

1 ordinary course of the holder's business, [and that] which has
2 remained unclaimed by the owner for more than [five (5)] three
3 (3) years after it became payable or distributable and in which
4 the owner has not indicated an interest, is presumed abandoned
5 and unclaimed except for clause 2.

6 2. Wages or other compensation for personal services that
7 have remained unclaimed by the owner for more than two (2) years
8 after the wages or other compensation for personal services
9 become payable or are distributed are presumed abandoned and
10 unclaimed.

11 Section 8.1. Section 1301.11(g) of the act, amended June 29,
12 2002 (P.L.614, No.91), is amended to read:

13 Section 1301.11. Report of Property Subject to Custody and
14 Control of the Commonwealth under this Article.--* * *

15 (g) All agreements or powers of attorney to recover or
16 collect abandoned and unclaimed property contained in the
17 reports filed under this article shall be valid and enforceable
18 only if the agreements:

19 1. are in writing and duly signed and acknowledged by the
20 owner;

21 2. clearly state the fee or compensation to be paid, which
22 shall not exceed fifteen per centum of the value of the
23 abandoned and unclaimed property;

24 3. disclose the nature and value of the property; [and]

25 4. disclose the name and address of the holder and, if
26 known, whether the abandoned and unclaimed property has been
27 paid or delivered to the State Treasurer[.];

28 5. identify the name, address and telephone number of the
29 person assisting in the location, delivery or recovery of the
30 abandoned and unclaimed property; and

1 6. identify the valid certificate of registration number
2 assigned to the person assisting in the location, delivery or
3 recovery of the abandoned and unclaimed property under section
4 1301.11a.

5 * * *

6 Section 8.2. The act is amended by adding sections to read:

7 Section 1301.11a. Certificate of Finder Registration.--(a)

8 Except for a person who is admitted to practice law before a

9 court of a Federal or State jurisdiction or subject to section

10 1301.11(i), a person may not on behalf of another:

11 1. engage in an activity for the purpose of locating,
12 delivering, recovering or assisting in the recovery of abandoned
13 or unclaimed property; and

14 2. receive a fee, compensation, commission or other
15 remuneration for the activity under clause 1 without first
16 obtaining a certificate of registration from the State Treasurer
17 in accordance with this section.

18 (b) An application for a certificate of registration shall
19 be in writing and on the form prescribed by the State Treasurer
20 and accompanied by a recent full face color photograph of the
21 applicant. In addition to information that may be requested by
22 the State Treasurer, the application shall provide the
23 following:

24 1. the applicant's full name, telephone number, e-mail
25 address, home address and work address;

26 2. a statement that the applicant has not, during the ten-
27 year period immediately preceding the submission of the
28 application, violated a provision of this article or has been
29 convicted of a felony or an offense of:

30 (i) theft or other related offenses against property as

1 enumerated under 18 Pa.C.S. Ch. 39 (relating to theft and
2 related offenses) or its equivalent if committed in another
3 jurisdiction;

4 (ii) forgery or other fraudulent practices as enumerated in
5 18 Pa.C.S. Ch. 41 (relating to forgery and fraudulent practices)
6 or its equivalent if committed in another jurisdiction; or

7 (iii) perjury, false swearing, fraud or other offense, as
8 enumerated in 18 Pa.C.S. Ch. 49 Subch. A (relating to perjury
9 and falsification in official matters) or its equivalent if
10 committed in another jurisdiction;

11 3. A statement that, to the applicant's knowledge, the
12 applicant is not the subject of an ongoing investigation or
13 prosecution involving an alleged violation of a provision of
14 this article or an offense of:

15 (i) theft or other related offenses against property as
16 enumerated under 18 Pa.C.S. Ch. 39 or its equivalent if
17 committed in another jurisdiction;

18 (ii) forgery or other fraudulent practices as enumerated in
19 18 Pa.C.S. Ch. 41 or its equivalent if committed in another
20 jurisdiction; or

21 (iii) perjury, false swearing, fraud or other offense as
22 enumerated in 18 Pa.C.S. Ch. 49 Subch. A or its equivalent if
23 committed in another jurisdiction; and

24 4. The notarized signature of the applicant immediately
25 following an acknowledgment that a false or perjured statement
26 subjects the applicant to criminal liability.

27 (c) Upon the filing of the application, the State Treasurer
28 may investigate the applicant to verify the information provided
29 in the application and to determine the applicant's eligibility
30 for a certificate of registration under this section. False

1 information on an application is grounds for a denial,
2 nonrenewal, suspension or revocation of the applicant's
3 certificate of registration.

4 (d) A certificate of registration with a unique registration
5 number may be issued to an applicant if the following conditions
6 are met:

7 1. During the ten-year period immediately preceding the
8 submission of the application, the applicant has not violated a
9 provision of this article or has been convicted of a felony or
10 an offense of:

11 (i) theft or other related offenses against property as
12 enumerated under 18 Pa.C.S. Ch. 39 or its equivalent if
13 committed in another jurisdiction;

14 (ii) forgery or other fraudulent practices as enumerated in
15 18 Pa.C.S. Ch. 41 or its equivalent if committed in another
16 jurisdiction; or

17 (iii) perjury, false swearing, fraud or other offense as
18 enumerated in 18 Pa.C.S. Ch. 49 Subch. A or its equivalent if
19 committed in another jurisdiction; and

20 2. The applicant has executed a sworn statement that is a
21 commitment to conduct his actions as a finder of abandoned and
22 unclaimed property in compliance with this article and the
23 regulations promulgated under this article.

24 (e) The certificate of registration issued under this
25 section is for a period of two (2) years and may be renewed
26 every two (2) years if the following conditions are met:

27 1. The applicant submits a renewal application form
28 prescribed by the State Treasurer.

29 2. The applicant meets the conditions set forth under
30 subsection (d).

1 3. The applicant is not the subject of an ongoing
2 investigation or order of revocation by the State Treasurer or
3 the equivalent in another jurisdiction, or an ongoing
4 investigation or prosecution by a law enforcement agency
5 involving an offense enumerated under subsection (d)1.

6 Section 1301.11b. Revocation of Finder Registration.--(a)
7 After notice and an opportunity for a hearing, the State
8 Treasurer may revoke, suspend or refuse to issue or renew a
9 certificate of registration if the following are found:

10 1. The person violated a provision of this article, the
11 regulations promulgated under this article or has been convicted
12 of a felony or an offense of:

13 (i) theft or other related offenses against property as
14 enumerated under 18 Pa.C.S. Ch. 39 (relating to theft and
15 related offenses) or its equivalent if committed in another
16 jurisdiction;

17 (ii) forgery or other fraudulent practices as enumerated in
18 18 Pa.C.S. Ch. 41 (relating to forgery and fraudulent practices)
19 or its equivalent if committed in another jurisdiction; or

20 (iii) perjury, false swearing, fraud or other offense, as
21 enumerated in 18 Pa.C.S. Ch. 49 Subch. A (relating to perjury
22 and falsification in official matters) or its equivalent if
23 committed in another jurisdiction.

24 2. In the opinion of the State Treasurer, the person's
25 conduct as a finder of abandoned or unclaimed property
26 undermines the confidence of the public or warrants the belief
27 that the person's business will not be conducted honestly and
28 fairly.

29 (b) The State Treasurer may investigate an allegation or
30 complaint of misconduct involving an applicant for or a person

1 holding a certification of registration.

2 (c) In conducting an investigation under this section, the
3 State Treasurer may compel, by subpoena, witnesses to testify in
4 relation to any alleged misconduct or complaint and may require
5 the production of a book, record or other document pertaining to
6 that matter. If a person fails to file a statement or report,
7 obey a subpoena, give testimony, produce a book, record or other
8 document as required by a subpoena, or permit photocopying of a
9 book, record or other document subpoenaed, the Commonwealth
10 Court, upon application made to it by the State Treasurer, may
11 compel obedience by an attachment proceeding for contempt, as in
12 the case of disobedience of the requirements of a subpoena
13 issued by the court or a refusal to testify in the court.

14 (d) If a person is engaged in an activity that constitutes a
15 violation of this article or has attempted or committed an
16 offense identified under subsection (a)1, the State Treasurer
17 shall immediately revoke the certificate of registration of the
18 person.

19 Section 1301.11c. Appeals.--(a) The Commonwealth Court
20 shall be vested with exclusive appellate jurisdiction to
21 consider appeals of a final order, determination or decision of
22 the State Treasurer involving the issuance, nonissuance,
23 renewal, nonrenewal, revocation or suspension of a certification
24 of registration under this article.

25 (b) Notwithstanding law to the contrary, orders,
26 determinations or decisions of the State Treasurer involving the
27 issuance, nonissuance, renewal, nonrenewal, revocation or
28 suspension of a certification of registration under this article
29 shall be affirmed unless it is found that the State Treasurer
30 committed an error of law or that the order, determination or

1 decision was arbitrary and there was a capricious disregard of
2 the evidence.

3 Section 8.3. Section 1301.23 of the act, amended June 29,
4 2002 (P.L.614, No.91), is amended to read:

5 Section 1301.23. Examination of Records.--[(a) If the State
6 Treasurer has reason to believe that any holder has failed to
7 report property that should have been reported pursuant to this
8 article, the State Treasurer may, at reasonable times and upon
9 reasonable notice, examine the records of such person with
10 respect to such property.

11 (b) If a holder fails after the effective date of this
12 subsection to maintain the records required or the records of
13 the holder available for the periods subject to this act are
14 insufficient to permit the preparation of a report, the State
15 Treasurer may require the holder to report and pay the amount
16 the State Treasurer may reasonably estimate on the basis of any
17 available records of the holder or on the basis of any other
18 reasonable method of estimation that the State Treasurer may
19 select.]

20 (a) The State Treasurer may require a person who has not
21 filed a report, or a person who the State Treasurer believes has
22 filed an inaccurate, incomplete or false report, to file a
23 verified report in a form specified by the State Treasurer. The
24 report must state whether the holder, or agent thereof, is
25 holding property reportable under this article, describe
26 property not previously reported or as to which the State
27 Treasurer has made inquiry and specifically identify and state
28 the amounts of property that may be in issue.

29 (b) The State Treasurer, at reasonable times and upon
30 reasonable notice, may examine the records of any person or

1 agent thereof to determine whether the person has complied with
2 this article. The administrator may conduct the examination even
3 if the person believes it is not in possession of any property
4 that must be reported, paid or delivered under this article. The
5 State Treasurer may contract with any other person to conduct
6 the examination on behalf of the State Treasurer, the selection
7 of whom shall not be questioned.

8 (c) The State Treasurer at reasonable times may examine the
9 records of an agent, including a dividend disbursing agent or
10 transfer agent, of a business association or financial
11 association that is the holder of property presumed abandoned if
12 the administrator has given the notice required by subsection
13 (b) to both the association or organization and the agent at
14 least 90 days before the examination.

15 (d) Documents and working papers obtained or compiled by the
16 State Treasurer, or the State Treasurer's agents, employees or
17 designated representatives, in the course of conducting an
18 examination are confidential and are not public records, but the
19 documents and papers may be:

20 1. used by the State Treasurer in the course of an action to
21 collect unclaimed property or otherwise enforce this article;

22 2. used in joint examinations conducted with or pursuant to
23 an agreement with another state, the Federal Government or any
24 other governmental subdivision, agency or instrumentality;

25 3. produced pursuant to subpoena or court order; or

26 4. disclosed to the abandoned property office of another
27 state for that state's use in circumstances equivalent to those
28 described in this subdivision, if the other state is bound to
29 keep the documents and papers confidential.

30 (e) If an examination of the records of a holder results in

1 the disclosure of property reportable under this article, the
2 State Treasurer may assess the cost of the examination against
3 the holder at the rate of \$200 a day for each examiner, or a
4 greater amount that is reasonable and was incurred, but the
5 assessment may not exceed the value of the property found to be
6 reportable. The cost of an examination made pursuant to
7 subsection (c) may be assessed only against the business
8 association or financial institution.

9 (f) If, after the effective date of this section, a holder
10 does not maintain the adequate records and the records of the
11 holder that are available are insufficient to permit the
12 preparation of a report, the State Treasurer may require the
13 holder to report and pay to the State Treasurer the amount the
14 State Treasurer reasonably estimates, on the basis of any
15 available records of the holder or by any other reasonable
16 method of estimation that the State Treasurer may select.

17 Section 8.4. Sections 1301.24 and 1301.25 of the act are
18 amended by adding subsections to read:

19 Section 1301.24. Proceeding to Compel Reporting or
20 Delivery.--* * *

21 (c) If a holder fails, without proper cause, to report or to
22 pay and deliver to the State Treasurer property subject to
23 custody and control of the Commonwealth under this article, the
24 holder shall pay a penalty not to exceed one thousand dollars
25 (\$1,000) per day to the State Treasurer beginning with the day
26 after the report should have been filed and continuing each day
27 thereafter until a proper report is filed with the State
28 Treasurer. The State Treasurer may waive all or a portion of the
29 penalty for good cause.

30 Section 1301.25. Penalties.--* * *

1 (d) A person who is found to have violated section 1301.11
2 or 1301.11a, in addition to other sanctions under this article,
3 shall be guilty of a misdemeanor of the third degree and shall,
4 upon conviction, be sentenced to pay a fine not to exceed one
5 thousand dollars (\$1,000) for the first offense. A person who is
6 found guilty of a subsequent offense shall be subject to a fine
7 not to exceed five thousand dollars (\$5,000).

8 Section 8.5. The act is amended by adding a section to read:

9 Section 1301.28b. Relation to Electronic Signatures in
10 Global and National Commerce Act.--(a) Except as set forth in
11 subsection (b), this article modifies, limits and supersedes the
12 Electronic Signatures in Global and National Commerce Act
13 (Public Law 106-229, 15 U.S.C. § 7001 et seq.).

14 (b) This article does not:

15 1. modify, limit or supersede section 101(c) of the
16 Electronic Signatures in Global and National Commerce Act (15
17 U.S.C. § 7001(c)); or

18 2. authorize electronic delivery of the notice described in
19 section 103(b) of the Electronic Signatures in Global and
20 National Commerce Act (15 U.S.S. § 7003(b)).

21 Section 8.6. Section 1602(a) and (b) of the act are amended
22 to read:

23 Section 1602. In the Examination and Adjustment of Public
24 Accounts and the Collection of Amounts Due the Commonwealth.--

25 (a) To enable the Auditor General to examine and adjust the
26 public accounts, the State Treasurer to examine and revise the
27 same and abandoned and unclaimed property accounts, and the
28 Secretary of Revenue to settle or otherwise determine the amount
29 of and collect taxes, or collect other amounts due the
30 Commonwealth, each of said officers is severally hereby invested

1 with power to compel all persons, in the receipt or possession
2 of public moneys, to render to him their accounts, and to
3 enforce the attendance (in the manner hereinafter pointed out)
4 at his office of such persons, whether parties or witnesses,
5 whom he may deem necessary to examine in the investigation of
6 any public account, and to administer all necessary oaths or
7 affirmations; and each of said officers is hereby also invested
8 with power to compel the exhibition or delivery to him (as the
9 case may be), by any person possessing the same, in the manner
10 hereinafter pointed out, of all official or public books,
11 accounts, documents, or papers, which have any relation to or
12 connection with any public account or abandoned and unclaimed
13 property account, and which he may deem necessary in the
14 investigation, adjustment, or collection of the same: Provided,
15 however, That if by reason of the distance of residence from the
16 seat of government, or from any sufficient cause satisfactory to
17 the Auditor General, the State Treasurer, or the Secretary of
18 Revenue, as the case may be, if it be found impracticable or
19 difficult to procure the attendance of such person at the office
20 of such officer for the purpose of giving information respecting
21 any public account or abandoned and unclaimed property account,
22 it is hereby made the duty of such officer to procure the
23 testimony of all such persons to be taken before any judge of a
24 court of common pleas, or justice of the peace, on a commission,
25 with interrogatories annexed, issued under the hand and seal of
26 office of such officer.

27 (b) In order to procure the attendance of such persons as
28 the Auditor General, the State Treasurer, or the Secretary of
29 Revenue, may deem necessary in relation to any public account or
30 abandoned and unclaimed property account, already furnished or

1 to be furnished, he, the said Auditor General, State Treasurer,
2 or Secretary of Revenue, shall issue his writ, directed to and
3 commanding the sheriff of the county wherein such person or
4 persons reside, whom he may summon to cause the attendance at
5 the office of the Auditor General, the State Treasurer, or the
6 Secretary of Revenue, as the case may be, of such person or
7 persons; and, if, after thirty days from the time the said
8 person or persons ought to have appeared in the office of the
9 Auditor General, the State Treasurer, or the Secretary of
10 Revenue, agreeably to the said summons, such person or persons
11 neglect or refuse to appear, he, the said Auditor General, State
12 Treasurer, or Secretary of Revenue, may issue his writ of
13 attachment, commanding the sheriff to commit such person or
14 persons, so neglecting or refusing to appear, to the common jail
15 of the county, there to remain until he or they shall consent to
16 comply with this act or shall be discharged by due course of
17 law.

18 * * *

19 Section 8.7. The act is amended by adding a section to read:

20 Section 1601.1-E. Legislative findings.

21 The General Assembly finds and declares as follows:

22 (1) Revenue from the leasing of State land to extract
23 natural gas is necessary to obtain the revenue necessary to
24 effectuate the 2014-2015 General Appropriations Act.

25 (2) Leases utilized by the department include provisions
26 that are highly protective of the ecological integrity of
27 State forest lands and carefully crafted to minimize IMPACTS <--
28 TO rare and endangered plants, wildlife and their habitat and
29 the vast number of streams and watersheds that are part of
30 State forest and park lands.

1 (3) Leases utilized by the department for shale-gas
2 provide for enhanced environmental and surface protections,
3 including:

4 (i) Increased setback distances from critical
5 recreation infrastructure, streams and water features,
6 State parks and designated wild and natural areas.

7 (ii) Limiting the amount of surface area disturbed,
8 prohibiting shallow well drilling and authorizing the
9 application of strict forestry resource management
10 principles.

11 (iii) Limiting the number of well pads allowed to be
12 constructed on the lease tract; providing for deep
13 drilling insurance; and prohibiting the development of
14 the ecologically sensitive areas, including designated
15 wild and natural areas and areas of special
16 consideration, without the department's prior written
17 approval.

18 (4) The department continually updates and employs best
19 management practices when managing oil and gas activities on
20 State forest lands to ensure that shale-gas activities are
21 consistent with the recreational and ecological uses of State
22 forest.

23 (5) The department has implemented a Shale-Gas
24 Monitoring Program to monitor, evaluate and report any
25 impacts of shale-gas development on the State forest system.

26 (6) The fund is not a constitutional trust.

27 (7) Money in the fund has increased exponentially from
28 the extraction of shale gas and the implementation of new gas
29 extraction techniques.

30 (8) The Commonwealth's role as trustee of the public's

1 natural resources is broader and more comprehensive than just
2 conserving the State forest of parks.

3 (9) The General Assembly affirms its intent that:

4 (i) The department should continue the operation of
5 the shale-gas monitoring activities program to monitor,
6 evaluate and report the impacts of shale-gas activities
7 in State forest and, in consultation with the Governor's
8 Office, utilize data received from ongoing monitoring to
9 adjust its management planning and practices.

10 (ii) The department should consider the State forest
11 and park lands as one of the Commonwealth's interests
12 when considering whether or not to lease additional State
13 forest and park lands and determining what is in the best
14 interests of the Commonwealth. Interest involved in
15 decisions relating to leasing State forest and park lands
16 should not be made to the exclusion of all other
17 interests of the Commonwealth.

18 (iii) Notwithstanding any other law to the contrary,
19 it is in the best interest of the Commonwealth to lease
20 oil and gas rights in State forests and parks if the
21 department:

22 (A) in consultation with the Governor, continues
23 strong and effective lease protections, best
24 management practices and ongoing monitoring programs
25 on the impact of gas operations; and

26 (B) maintains a balance of money in the fund to
27 carry out the department's statutory obligation to
28 protect State forest and park land and other
29 environmental activities.

30 (10) If a balance in the funds is adequate to achieve

1 the purposes of paragraph (9), transfers to the General Fund
2 are permissible.

3 Section 8.8. Sections 1602-E and 1603-E of the act, added
4 October 9, 2009 (P.L.537, No.50), are amended to read:

5 Section 1602-E. Appropriation.

6 Notwithstanding any other provision of law and except as
7 provided in section 1603-E, no money in the fund from royalties
8 may be expended unless appropriated or transferred to the
9 General Fund by the General Assembly from the fund. In making
10 appropriations, the General Assembly shall consider the adoption
11 of an allocation to municipalities impacted by a Marcellus well.

12 Section 1603-E. Department of Conservation and Natural
13 Resources.

14 Subject to the availability of money in the fund following
15 transfers, up to \$50,000,000 from the fund from royalties shall
16 be appropriated annually to the department to carry out the
17 purposes set forth in the act of December 15, 1955 (P.L.865,
18 No.256), entitled "An act requiring rents and royalties from oil
19 and gas leases of Commonwealth land to be placed in a special
20 fund to be used for conservation, recreation, dams, and flood
21 control; authorizing the Secretary of Forests and Waters to
22 determine the need for and location of such projects and to
23 acquire the necessary land." The department shall give
24 preference to the operation and maintenance of State parks and
25 forests.

26 Section 8.9. Section 1605-E of the act, added July 6, 2010
27 P.L.279, No.46), is amended to read:.

28 Section 1605-E. Additional [transfer] transfers.

29 (a) Fiscal year 2010-2011.--Notwithstanding section 1603-E
30 or any other provision of law, in fiscal year 2010-2011, the

1 amount of \$180,000,000 shall be transferred from the fund to the
2 General Fund.

3 (b) Fiscal year 2014-2015.--Notwithstanding section 1603-E
4 or any other provision of law, in fiscal year 2014-2015, the
5 amount of \$95,000,000 shall be transferred from the fund to the
6 General Fund.

7 Section 9. Section 1702-A of the act, amended July 18, 2013
8 (P.L.574, No.71), is amended to read:

9 Section 1702-A. Funding.

10 (a) Intent.--It is hereby declared as the intent and goal of
11 the General Assembly to create a stabilization reserve in an
12 eventual amount of 6% of the revenues of the General Fund of the
13 Commonwealth.

14 (b) Transfer of portion of surplus.--

15 (1) Except as may be provided in paragraph (2), for
16 fiscal years beginning after June 30, 2002, the following
17 apply:

18 (i) Except as set forth in this paragraph, if the
19 Secretary of the Budget certifies that there is a surplus
20 in the General Fund for a specific fiscal year, 25% of
21 the surplus shall be deposited by the end of the next
22 succeeding quarter into the Budget Stabilization Reserve
23 Fund.

24 (ii) If the Secretary of the Budget certifies, after
25 June 30, 2005, that there is a surplus in the General
26 Fund for the fiscal year 2004-2005, 15% of the surplus
27 shall be deposited by the end of the next succeeding
28 quarter into the Budget Stabilization Reserve Fund.

29 (iii) No amount of the surplus in the General Fund
30 for fiscal year 2007-2008 may be deposited into the

1 Budget Stabilization Reserve Fund.

2 (iv) No amount of the surplus in the General Fund
3 for fiscal year 2010-2011 may be deposited into the
4 Budget Stabilization Reserve Fund.

5 (v) No amount of the surplus in the General Fund for
6 fiscal year 2011-2012 may be deposited into the Budget
7 Stabilization Reserve Fund.

8 (vi) No amount of the surplus in the General Fund
9 for fiscal year 2012-2013 may be deposited into the
10 Budget Stabilization Reserve Fund.

11 (vii) No amount of the surplus in the General Fund
12 for fiscal year 2013-2014 may be deposited into the
13 Budget Stabilization Reserve Fund.

14 (2) If, at the end of any fiscal year, the ending
15 balance of the Budget Stabilization Reserve Fund equals or
16 exceeds 6% of the actual General Fund revenues received for
17 the fiscal year in which the surplus occurs, 10% of the
18 surplus shall be deposited by the end of the next succeeding
19 quarter into the Budget Reserve Stabilization Fund.

20 (c) Appropriated funds.--The General Assembly may at any
21 time provide additional amounts from any funds available to this
22 Commonwealth as an appropriation to the Budget Stabilization
23 Reserve Fund.

24 Section 10. The act is amended by adding sections to read:
25 Section 1772.1-A. H2O PA Account.

26 (a) Establishment.--There is hereby established in the
27 Gaming Economic Development and Tourism Fund a restricted
28 account to be known as the H2O PA Account, which shall contain
29 the following:

30 (1) Moneys available from transfers under section 1772-A

1 and Ch. 5 of the act of July 9, 2008 (P.L.908, No.63), known
2 as the H2O PA Act.

3 (2) Moneys available from transfers under 58 Pa.C.S. §
4 2315(a.1)(4) (relating to Statewide initiatives).

5 (3) Other appropriations or transfers made to the
6 account.

7 (b) Purpose.--Money in the account shall be used for
8 payments of debt and grants made under the program.

9 (c) Nonlapse.--Money in the account is continuously
10 appropriated for debt service or grants in accordance with
11 section 1774.1-A and Chapter 5 of the H2O PA Act.

12 Section 1774.2-A. Other grants.

13 Money in the account may be used for grants awarded under
14 section 1774.1-A.

15 Section 11. Section 1713-A.1 of the act, added July 18, 2013
16 (P.L.574, No.71), is amended to read:

17 Section 1713-A.1. Use of fund.

18 (a) Annual report.--The Governor shall report on the fund in
19 the annual budget which shall include the amounts appropriated
20 to each program.

21 (b) Appropriations.--

22 (1) [The] Except as otherwise provided in paragraphs
23 (1.1), (1.2) and (1.3), the General Assembly appropriates
24 moneys in the fund in accordance with the following
25 percentages based on the annual payment received in each
26 year:

27 (i) Thirteen percent for home and community-based
28 services pursuant to Chapter 5 of the Tobacco Settlement
29 Act.

30 (ii) Four and five-tenths percent for tobacco use

1 prevention and cessation programs pursuant to Chapter 7
2 of the Tobacco Settlement Act.

3 (iii) Twelve and six-tenths percent for health and
4 related research pursuant to section 906 of the Tobacco
5 Settlement Act.

6 (iv) One percent for health and related research
7 pursuant to section 909 of the Tobacco Settlement Act.

8 (v) Eight and eighteen one-hundredths percent for
9 the uncompensated care payment program pursuant to
10 Chapter 11 of the Tobacco Settlement Act.

11 (vi) Thirty percent for the purchase of Medicaid
12 benefits for workers with disabilities pursuant to
13 Chapter 15 of the Tobacco Settlement Act.

14 (vii) Eight percent for the expansion of the PACENET
15 program pursuant to Chapter 23 of the Tobacco Settlement
16 Act.

17 (viii) Twenty-two and seventy-two one-hundredths
18 percent shall remain in the fund to be separately
19 appropriated for health-related purposes.

20 (1.1) For fiscal year 2013-2014, the General Assembly
21 appropriates money in the fund in accordance with the
22 following percentage based on the annual payment received
23 each year:

24 (i) Thirteen percent for home-based and community-
25 based services under Chapter 5 of the Tobacco Settlement
26 Act.

27 (ii) Two and ninety-three hundredths percent for
28 tobacco use prevention and cessation programs under
29 Chapter 7 of the Tobacco Settlement Act.

30 (iii) Six and three-tenths percent for health and

1 related research under section 906 of the Tobacco
2 Settlement Act.

3 (iv) One-half percent for health and related
4 research under section 909 of the Tobacco Settlement Act.

5 (v) Four and nine-hundredths percent for the
6 uncompensated care payment program under Chapter 11 of
7 the Tobacco Settlement Act.

8 (vi) Thirty percent for the purchase of Medicaid
9 benefits for workers with disabilities under Chapter 15
10 of the Tobacco Settlement Act.

11 (vii) Forty-three and eighteen hundredths percent
12 shall remain in the fund to be separately appropriated
13 for health-related purposes.

14 (1.2) For fiscal year 2014-2015, money in the fund from
15 a payment received due to the recalculation of a prior annual
16 payment shall remain in the fund to be separately
17 appropriated for health-related purposes.

18 (1.3) For fiscal year 2014-2015, the General Assembly
19 appropriates money in the fund in accordance with the
20 following percentages based on the annual payment received
21 each year:

22 (i) Thirteen percent for home-based and community-
23 based services under Chapter 5 of the Tobacco Settlement
24 Act.

25 (ii) Four and five-tenths percent for tobacco use
26 prevention and cessation programs under Chapter 7 of the
27 Tobacco Settlement Act.

28 (iii) Twelve and six-tenths percent for health and
29 related research under section 906 of the Tobacco
30 Settlement Act.

1 (iv) One percent for health and related research
2 under section 909 of the Tobacco Settlement Act.

3 (v) Eight and eighteen hundredths percent for the
4 uncompensated care payment program under Chapter 11 of
5 the Tobacco Settlement Act.

6 (vi) Fifteen and twelve hundredths percent for the
7 purchase of Medicaid benefits for workers with
8 disabilities under Chapter 15 of the Tobacco Settlement
9 Act.

10 (vii) Forty-five and six-tenths percent shall remain
11 in the fund to be separately appropriated for health-
12 related purposes.

13 (2) In addition, any Federal funds received for any of
14 these programs are specifically appropriated to those
15 programs.

16 (3) All other payments and revenue received in the fund
17 other than the annual payment shall remain in the fund and
18 are available to be appropriated for health-related purposes.

19 (c) Lapses.--Lapses shall remain in the fund except that
20 lapses from money provided for the home and community-based care
21 services shall be reallocated to the home and community-based
22 care program for use in succeeding years.

23 (d) Lobbying restrictions.--No money derived from
24 appropriations made by the General Assembly from the fund may be
25 used for the lobbying of any State public official.

26 [(e) Health venture investment account.--Notwithstanding
27 Chapter 3 of the Tobacco Settlement Act, all assets, nonliquid
28 investments, contractually obligated money, return on
29 investments and any other money or assets in the Health Venture
30 Investment Account shall be retained in that account. The

1 requirements for venture capital investments outlined in section
2 305(f) of the Tobacco Settlement Act shall be maintained. The
3 board shall not enter into any partnerships or long-term
4 investments through June 30, 2014.]

5 (f) Allocation of local program funding.--

6 (1) Funding for local programs under section 708(b) of
7 the Tobacco Settlement Act shall be allocated as follows:

8 (i) Thirty percent of grant funding to primary
9 contractors for local programs shall be allocated equally
10 among each of the 67 counties.

11 (ii) The remaining 70% of the grant funding to
12 primary contractors for local programs shall be allocated
13 on a per capita basis of each county with a population
14 greater than 60,000. The per capita formula shall be
15 applied only to that portion of the population that is
16 greater than 60,000 for each county.

17 (2) Budgets shall be developed by each primary
18 contractor to reflect service planning and expenditures in
19 each county. Each primary contractor shall ensure that
20 services are available to residents of each county and must
21 expend the allocated funds on a per-county basis pursuant to
22 paragraph (1) and this paragraph.

23 (3) The Department of Health shall compile a detailed
24 annual report of expenditures per county and the specific
25 programs offered in each region. This report shall be made
26 available on the Department of Health's publicly available
27 Internet website within 60 days following the close of each
28 fiscal year.

29 (4) During the third quarter of the fiscal year, funds
30 which have not been spent within a service area may be

1 reallocated to support programming in the same region.

2 (g) Transfer.--The strategic contribution payment received
3 in fiscal year 2012-2013, and all assets and cash in the Health
4 Account, shall be transferred to the fund by August 1, 2013.

5 Section 12. The act is amended by adding sections to read:

6 Section 1714-A.1. Termination.

7 (a) Termination.--The Health Endowment Account for Long-Term
8 Hope and Health Venture Investment Account shall terminate and
9 close January 1, 2015.

10 (b) Transfer of assets.--Notwithstanding Chapter 3 of the
11 Tobacco Settlement Act or other law to the contrary, all assets,
12 nonliquid investments, contractually obligated money, return on
13 investments and any other money or assets in the Health
14 Endowment Account for Long-Term Hope and the Health Venture
15 Investment Account shall be retained in the accounts until
16 distributed under section 1715-A.1.

17 (c) Investments.--Beginning July 1, 2014, the Tobacco
18 Settlement Investment Board shall not enter into any
19 partnerships or investments.

20 Section 1715-A.1. Transfer to Public School Employees'
21 Retirement System.

22 (a) Payments.--Notwithstanding 24 Pa.C.S. § 8326(c)
23 (relating to contributions by the Commonwealth), no later than
24 December 31, 2014, the Tobacco Settlement Investment Board shall
25 make each of the following one-time payments or transfers
26 directly to the Public School Employees' Retirement System to
27 pay amounts required to be contributed by the Commonwealth under
28 24 Pa.C.S. §§ 8328 (relating to actuarial cost method) and 8535
29 (relating to payments to school entities by Commonwealth) for
30 fiscal year 2014-2015:

1 (1) any and all assets, nonliquid investments,
2 contractually obligated money, return on investments and all
3 other money, cash or assets in the accounts.

4 (2) any and all nonliquid investments over which the
5 Tobacco Settlement Investment Board has management control or
6 authority that are in the Tobacco Settlement Fund; and

7 (3) the dollar amount of cash from the Tobacco
8 Settlement Fund which is the difference calculated by taking
9 \$225,000,000 and subtracting the following from that amount:

10 (i) the value of only the nonliquid investments
11 under paragraphs (1) and (2) valued as of the latest
12 valuation report received by the Tobacco Settlement
13 Investment Board prior to the date of the transfers under
14 paragraphs (1) and (2);

15 (ii) the dollar amount of cash transferred from the
16 Health Venture Investment Account under paragraph (1);
17 and

18 (iii) the dollar amount of cash transferred from the
19 Health Endowment Account under paragraph (1).

20 (b) Duty of board.--The Public School Employees' Retirement
21 Board shall:

22 (1) accept the transfer made under subsection (a);

23 (2) credit the value of the transfer under subsection
24 (a) to the system's State accumulation account; and

25 (3) apply the value of the transfer as a credit to the
26 system's employers on a pro rata basis, as the board deems
27 appropriate.

28 (c) Immunity.--Notwithstanding any other provision of law,
29 fiduciary requirement, actuarial standard of practice or other
30 requirement, members of the Public School Employees' Retirement

1 Board and its actuaries and employees may not be held liable or
2 in breach or violation of any law or standards as individuals,
3 in their official capacity or as a governmental or corporate
4 entity, for any action taken or calculation made under this
5 section.

6 (d) Report.--No later than 15 days after the transfer of
7 funds under subsection (a), the Secretary of the Budget shall
8 notify the chairman and minority chairman of the Appropriations
9 Committee of the Senate and the chairman and minority chairman
10 of the Appropriations Committee of the House of Representatives
11 of the date on which the transfers were made and a detailed
12 statement of the assets, nonliquid investments, contractually
13 obligated money, return on investments and any other money, cash
14 or assets transferred.

15 Section 13. Section 1723-A.1 of the act, amended or added
16 July 18, 2013 (P.L.574, No.71) and April 10, 2014 (P.L.408,
17 No.30), is amended to read:

18 Section 1723-A.1. Distributions from Pennsylvania Race Horse
19 Development Fund.

20 Funds in the fund are appropriated to the department on a
21 continuing basis for the purposes set forth in this subsection
22 and shall be distributed to each active and operating Category 1
23 licensee conducting live racing as follows:

24 (1) An amount equal to 18% of the daily gross terminal
25 revenue of each Category 1 licensee shall be distributed to
26 each active and operating Category 1 licensee conducting live
27 racing unless the daily assessments are affected by the daily
28 assessment cap provided for in 4 Pa.C.S. § 1405(c) (relating
29 to Pennsylvania Race Horse Development Fund). In cases in
30 which the daily assessment cap affects daily assessments, the

1 distribution to each active and operating Category 1 licensee
2 conducting live racing for that day shall be a percentage of
3 the total daily assessments paid into the fund for that day
4 equal to the gross terminal revenue of each active and
5 operating Category 1 licensee conducting live racing for that
6 day divided by the total gross terminal revenue of all active
7 and operating Category 1 licensees conducting live racing for
8 that day. Except as provided in paragraphs (2) and (2.1), the
9 distributions to licensed racing entities from the fund shall
10 be allocated as follows:

11 (i) Eighty percent shall be deposited weekly into a
12 separate, interest-bearing purse account to be
13 established by and for the benefit of the horsemen. The
14 earned interest on the account shall be credited to the
15 purse account. Licensees shall combine these funds with
16 revenues from existing purse agreements to fund purses
17 for live races consistent with those agreements with the
18 advice and consent of the horsemen.

19 (ii) For thoroughbred tracks, 16% shall be deposited
20 on a monthly basis into the Pennsylvania Breeding Fund as
21 defined in section 223 of the Race Horse Industry Reform
22 Act. For standardbred tracks, 8% shall be deposited on a
23 monthly basis in the Pennsylvania Sire Stakes Fund as
24 defined in section 224 of the Race Horse Industry Reform
25 Act, and 8% shall be deposited on a monthly basis into a
26 restricted account in the State Racing Fund to be known
27 as the Pennsylvania Standardbred Breeders Development
28 Fund. The State Harness Racing Commission shall, in
29 consultation with the Secretary of Agriculture, by rule
30 or by regulation, adopt a standardbred breeders program

1 that will include the administration of the Pennsylvania
2 Stallion Award, the Pennsylvania Bred Award and the
3 Pennsylvania Sired and Bred Award.

4 (iii) Four percent shall be used to fund health and
5 pension benefits for the members of the horsemen's
6 organizations representing the owners and trainers at the
7 racetrack at which the licensed racing entity operates
8 for the benefit of the organization's members, their
9 families, employees and others in accordance with the
10 rules and eligibility requirements of the organization,
11 as approved by the State Horse Racing Commission or the
12 State Harness Racing Commission. This amount shall be
13 deposited within five business days of the end of each
14 month into a separate account to be established by each
15 respective horsemen's organization at a banking
16 institution of its choice. Of this amount, \$250,000 shall
17 be paid annually by the horsemen's organization to the
18 thoroughbred jockeys or standardbred drivers organization
19 at the racetrack at which the licensed racing entity
20 operates for health insurance, life insurance or other
21 benefits to active and disabled thoroughbred jockeys or
22 standardbred drivers in accordance with the rules and
23 eligibility requirements of that organization.

24 (2) Distributions from the fund shall be allocated as
25 follows:

26 (i) For fiscal [year] years 2013-2014 and 2014-2015,
27 each week, \$802,682 in the fund shall be transferred to
28 the account. This transfer shall not exceed \$17,659,000
29 annually.

30 (i.1) In addition to the transfer under subparagraph

1 (i), for a total of 14 weeks from the effective date of
2 this subparagraph, each week, \$300,000 shall be
3 transferred from the fund, for a total amount of
4 \$4,200,000, to the State Racing Fund to be used
5 exclusively for the enforcement of the act of December
6 17, 1981 (P.L.435, No.135), known as the Race Horse
7 Industry Reform Act. Moneys transferred pursuant to this
8 subparagraph shall not be transferred subsequently to any
9 other State fund or account for any purpose.

10 (ii) [For fiscal year 2013-2014, each] Each week,
11 the money remaining in the fund after any transfer under
12 subparagraphs (i) and (i.1) shall be distributed to each
13 active and operating Category 1 licensee conducting live
14 racing in accordance with the following formula:

15 (A) Divide:

16 (I) the total daily assessments paid, by
17 each active and operating Category 1 licensee
18 conducting live racing, into the fund for that
19 week; by

20 (II) the total daily assessments paid, by
21 all active and operating Category 1 licensees
22 conducting live racing, into the fund for that
23 week.

24 (B) Multiply the quotient under clause (A) by
25 the amount to be distributed under this subparagraph.

26 (iii) The distribution under subparagraph (ii) shall
27 be allocated as follows:

28 (A) The greater of 4% of the amount to be
29 distributed under subparagraph (ii) or \$220,000 shall
30 be used to fund health and pension benefits for the

1 members of the horsemen's organizations representing
2 the owners and trainers at the racetrack at which the
3 licensed racing entity operates for the benefit of
4 the organization's members, their families, employees
5 and others in accordance with the rules and
6 eligibility requirements of the organization, as
7 approved by the State Horse Racing Commission or the
8 State Harness Racing Commission. This amount shall be
9 deposited within five business days of the end of
10 each week into a separate account to be established
11 by each respective horsemen's organization at a
12 banking institution of its choice. Of this amount, a
13 minimum of \$250,000 shall be paid annually by the
14 horsemen's organization to the thoroughbred jockeys
15 or standardbred drivers organization at the racetrack
16 at which the licensed racing entity operates for
17 health insurance, life insurance or other benefits to
18 active and disabled thoroughbred jockeys or
19 standardbred drivers in accordance with the rules and
20 eligibility requirements of that organization. The
21 total distribution under this clause in any fiscal
22 year shall not exceed \$11,400,000.

23 (B) Of the money remaining to be distributed
24 under subparagraph (ii) after application of clause
25 (A), the following disbursements shall be made:

26 (I) Eighty-three and one-third percent of
27 the money to be distributed under this clause
28 shall be deposited on a weekly basis into a
29 separate, interest-bearing purse account to be
30 established by and for the benefit of the

1 horsemen. The earned interest on the account
2 shall be credited to the purse account. Licensees
3 shall combine these funds with revenues from
4 existing purse agreements to fund purses for live
5 races consistent with those agreements with the
6 advice and consent of the horsemen.

7 (II) For thoroughbred tracks, 16 and 2/3% of
8 the money to be distributed under this clause
9 shall be deposited on a weekly basis into the
10 Pennsylvania Breeding Fund established in section
11 223 of the Race Horse Industry Reform Act. For
12 standardbred tracks, 8 and 1/3% of the money to
13 be distributed under this clause shall be
14 deposited on a weekly basis into the Pennsylvania
15 Sire Stakes Fund as defined in section 224 of the
16 Race Horse Industry Reform Act; and 8 and 1/3% of
17 the money to be distributed under this clause
18 shall be deposited on a weekly basis into a
19 restricted account in the State Racing Fund to be
20 known as the Pennsylvania Standardbred Breeders
21 Development Fund. The State Harness Racing
22 Commission shall, in consultation with the
23 Secretary of Agriculture, promulgate regulations
24 adopting a standardbred breeders program that
25 will include the administration of the
26 Pennsylvania Stallion Award, the Pennsylvania
27 Bred Award and the Pennsylvania Sired and Bred
28 Award.

29 ~~Section 13.1. Section 1719 E of the act, added July 17, 2007<--~~
30 ~~(P.L.141, No.42), is amended to read:~~

1 ~~Section 1719 E. Department of Community and Economic~~
2 ~~Development.~~

3 ~~The following shall apply to appropriations for the~~
4 ~~Department of Community and Economic Development:~~

5 ~~(1) No more than 20% of funds appropriated for grants~~
6 ~~under the act of May 20, 1949 (P.L.1633, No.493), known as~~
7 ~~the Housing and Redevelopment Assistance Law, shall be~~
8 ~~allocated to any one political subdivision.~~

9 ~~(2) [(Reserved).] For purposes of Article XVIII C of~~
10 ~~the act of March 4, 1971 (P.L.6, No.2), known as the Tax~~
11 ~~Reform Code of 1971, the term "contracting authority" shall~~
12 ~~include an authority that establishes a pilot zone in~~
13 ~~accordance with Article XVIII C of the Tax Reform Code of~~
14 ~~1971.~~

15 ~~(2.1) A township or borough or a group of townships or~~
16 ~~boroughs may establish a contracting authority to designate a~~
17 ~~pilot zone under Article XVIII C of the Tax Reform Code of~~
18 ~~1971.~~

19 ~~(3) A city revitalization and improvement zone may~~
20 ~~include up to 40 acres in a contiguous municipality as part~~
21 ~~of the 130 acre total.~~

22 ~~(4) In addition to city revitalization and improvement~~
23 ~~zones authorized under section 1804 C(c)(1) and (2) of the~~
24 ~~Tax Reform Code of 1971:~~

25 ~~(i) Three city revitalization and improvement zones~~
26 ~~and two pilot zones may be approved in 2014.~~

27 ~~(ii) Two city revitalization and improvement zones~~
28 ~~and two pilot zones may be approved in 2015.~~

29 ~~(iii) No additional zones may be approved after~~
30 ~~December 30, 2015.~~

~~(5) By June 1, 2017, the Independent Fiscal Office, the Department of Community and Economic Development and the Office of the Budget shall complete a review and analysis of all city revitalization and improvement zones, including any pilot zones.~~

Section ~~13.2~~ 13.1. Section 1734-E of the act, added July 17, <-- 2007 (P.L.141, No.42), is amended to read:

Section 1734-E. State Civil Service Commission.

(a) Appropriation.--Funds appropriated to the State Civil Service Commission shall include any funds collected by the commission for the administration of the merit system for employees under the act of August 5, 1941 (P.L.752, No.286), known as the Civil Service Act.

(b) Contracts.--From funds appropriated for the operation and administration of the State Civil Service Commission, the commission may enter into contracts for the production of physical copies of examinations or tests, including the questions or other material used in the examinations or tests. Contracts shall require the contractor to maintain security over the examinations or tests to prevent unauthorized persons from gaining access to them while in the contractor's possession.

(c) Agreements.--From funds appropriated for the operation of the commission, the commission may enter into cooperative agreements with departments, boards, commissions and other agencies to provide services, including budget preparation, fiscal oversight, human resources and personnel services, technology services, procurement, courier and mailing and other services. Notwithstanding 62 Pa.C.S. (relating to procurement), the commission may use the Department of General Services as its purchasing agency. The commission shall retain authority over

1 commission work under the cooperative agreement.

2 Section ~~13.3~~ 13.2. The act is amended by adding sections to <--
3 read:

4 Section 1741.1-E. Environmental Quality Board.

5 (a) Regulations.--From funds appropriated to the
6 Environmental Quality Board, the board shall promulgate proposed
7 regulations and regulations under 58 Pa.C.S. (relating to oil
8 and gas) or other laws of this Commonwealth relating to
9 conventional oil and gas wells separately from proposed
10 regulations and regulations relating to unconventional gas
11 wells. All regulations under 58 Pa.C.S. shall differentiate
12 between conventional oil and gas wells and unconventional gas
13 wells. Regulations promulgated under this section shall apply to
14 regulations promulgated on or after the effective date of this
15 section.

16 (b) Definitions.--As used in this section, the following
17 words and phrases shall have the meanings given to them in this
18 subsection unless the context clearly indicates otherwise:

19 "Conventional oil and gas well." A bore hole drilled for the
20 purpose of producing oil or gas from a conventional formation.
21 The term includes any of the following:

22 (1) A well drilled to produce oil.

23 (2) A well drilled to produce natural gas from
24 formations other than shale formations.

25 (3) A well drilled to produce natural gas from shale
26 formations located above the base of the Elk Group or its
27 stratigraphic equivalent.

28 (4) A well drilled to produce natural gas from shale
29 formations located below the base of the Elk Group where
30 natural gas can be produced at economic flow rates or in

1 economic volumes without the use of vertical or nonvertical
2 well bores stimulated by hydraulic fracture treatments or by
3 using multilateral well bores or other techniques to expose
4 more of the formation to the well bore.

5 (5) Irrespective of formation, a well drilled for
6 collateral purposes, such as monitoring, geologic logging,
7 secondary and tertiary recovery or disposal injection.

8 "Unconventional gas well." As defined in 58 Pa.C.S. § 2301
9 (relating to definitions).

10 Section 1795.1-E. Surcharges.

11 (a) Legislative finding.--Due to reductions in revenue
12 available to the Commonwealth, it is necessary to increase
13 certain fees or surcharges to adequately fund the Unified
14 Judicial System.

15 (b) Imposition.--In addition to the fee under 42 Pa.C.S. §
16 3733.1(a)(1) (relating to surcharge), an additional surcharge of
17 \$10 shall be charged and collected by a division of the Unified
18 Judicial System. This subsection shall expire December 31, 2017.

19 ~~Section 13.4~~ 13.3. Article XVII-E of the act is amended by <--
20 adding a subarticle to read:

21 SUBARTICLE F

22 OTHER AGENCIES

23 Section 1799.1-E. Pennsylvania Liquor Control Board.

24 In order to encourage applications for licensure for tavern
25 gaming, the Pennsylvania Liquor Control Board may reduce the
26 license fee under section 905(c) of the act of December 19, 1988
27 (P.L.1262, No.156), known as the Local Option Small Games of
28 Chance Act, to \$500 upon approval of the license.

29 Section 14. Repeals are as follows:

30 (1) The General Assembly finds and declares as follows:

1 (i) Each year, articles on budget implementation are
2 added to the act of April 9, 1929 (P.L.343, No.176),
3 known as The Fiscal Code.

4 (ii) These articles are temporary in nature but are
5 placed permanently into the act, utilizing article
6 numbers and section numbers.

7 (iii) Reusing article numbers and section numbers
8 will keep the text of the act more concise.

9 (iv) The repeals under paragraph (2) are necessary
10 to effectuate subparagraph (iii).

11 (2) Articles XVII-J and XVII-K of the act, added October
12 9, 2009 (P.L.537, No.50), are repealed.

13 Section 15. The act is amended by adding articles to read:

14 ARTICLE XVII-E.1

15 RURAL REGIONAL COLLEGE

16 FOR UNDERSERVED COUNTIES

17 Section 1701-E.1. Applicability.

18 This article applies to appropriations from every General
19 Appropriation Act.

20 Section 1702-E.1. Scope of article.

21 This article provides for the establishment of a rural
22 regional college in a multicounty rural area that is underserved
23 by comprehensive community college education and work force
24 development.

25 Section 1703-E.1. Definitions.

26 The following words and phrases when used in this article
27 shall have the meanings given to them in this section unless the
28 context clearly indicates otherwise:

29 "Annual." A 12-month period coterminous with the
30 Commonwealth's fiscal year beginning July 1 and ending June 30.

1 "Board of trustees." The board of trustees of a rural
2 regional college established under this article.

3 "County." Any county in this Commonwealth.

4 "Certified public accountant." A member of the American
5 Institute of Certified Public Accountants who has a minimum of
6 five years' verifiable experience in performing audits of
7 government funds for nonprofit organizations with a comparable
8 or larger annual budget.

9 "Middle States." The Middle States Association of Colleges
10 and Schools.

11 "Partner institution." One or more Middle States-accredited
12 institutions of higher education.

13 "Rural regional college." A public institution of higher
14 education which is established in a rural area and operated in
15 accordance with the provisions of this article as a college
16 which provides up to a two-year, postsecondary education not to
17 exceed the level of an associate of arts or sciences degree and
18 which is active in work force development.

19 "Rural regional college plan" or "plan." A plan for the
20 establishment and operation of a rural regional college under
21 this article.

22 "Secretary." The Secretary of Education of the Commonwealth
23 or such person as the secretary may designate to act on behalf
24 of the secretary with regard to any of the duties and
25 prerogatives imposed by this article.

26 "State Board." The State Board of Education.
27 Section 1704-E.1. Designations by secretary.

28 (a) Duties of secretary.--

29 (1) Within 30 days of the effective date of this
30 section, the secretary shall designate an established

1 nonprofit organization as defined under section 501(c)(3) of
2 the Internal Revenue Code of 1986 (Public Law 99-514, 26
3 U.S.C. § 501(c)(3)), which represents a rural multicounty
4 region underserved by a comprehensive community college
5 program, including work force development, to assist the
6 secretary with the designation under paragraph (2).

7 (2) Within 30 days of the designation under paragraph
8 (1), the secretary shall, in consultation with the nonprofit
9 organization, designate contiguous counties or parts of
10 contiguous counties to be served by establishment of a rural
11 regional college.

12 (b) Changes.--No sooner than four years after the effective
13 date of this section, the secretary, with approval of the board
14 of trustees, may add counties or parts of counties to be served
15 by the rural regional college.

16 Section 1705-E.1. Designation and board of trustees.

17 Within 60 days of the secretary's designation under section
18 1704-E.1(a)(2), a board of trustees shall be appointed to
19 establish a rural regional college. The board of trustees shall
20 consist of not fewer than seven members nor more than 15 members
21 appointed by the secretary in consultation and jointly with the
22 nonprofit organization designated under section 1704-E.1(a)(1).
23 The following shall apply to the board of trustees established
24 under this section:

25 (1) Members of the board of trustees shall be
26 representative of the area designated under section 1704-
27 E.1(a)(2) and may include school administrators, community
28 education council officials, business leaders and government
29 officials.

30 (2) Members of the board of trustees shall be appointed

1 for terms of three years each, except that those persons
2 initially appointed shall draw lots to determine which
3 trustees shall serve for a term of three years, which
4 trustees shall serve for a term of two years and which
5 trustees shall serve for a term of one year. To the extent
6 practicable, from those trustees initially appointed, an
7 equal number shall draw lots to serve for a term of three
8 years, for a term of two years and for a term of one year.
9 Thereafter, all members shall be appointed for terms of three
10 years each.

11 (3) Vacancies on the board shall be filled by the
12 existing board. A trustee may succeed himself, provided that
13 no member shall serve for longer than ten years.

14 (4) The secretary shall convene an initial meeting of
15 the board of trustees within 30 days of the secretary's
16 appointment of a board of trustees under this section. After
17 the initial meeting, the board of trustees shall meet at such
18 times each year as the board of trustees determines to be
19 necessary to satisfy the requirements of this article.

20 (5) The board of trustees shall adopt standing operating
21 rules and procedures, by laws and articles of incorporation.

22 (6) The board of trustees shall establish an advisory
23 council of presidents, or their designees, from institutions
24 with postsecondary education programs within the region
25 designated under section 1704-E.1(a)(2). The advisory council
26 shall meet quarterly to discuss employer and work force
27 needs, new educational offerings and general coordination of
28 service and facilities. One advisory council member
29 representing a community college and one advisory council
30 member that is a president of a college or university shall

1 serve as co-chairs.

2 (7) The board of trustees shall choose from among its
3 members a chairman, vice chairman and secretary.

4 (8) A majority of the members of the board of trustees
5 shall constitute a quorum.

6 (9) Trustees shall serve without compensation, except
7 that they shall be reimbursed by the rural regional college
8 for their actual and necessary expenses incurred in the
9 performance of their duties.

10 Section 1706-E.1. Establishment.

11 (a) General rule.--Within one year of its initial meeting,
12 the board of trustees appointed under section 1705-E.1 shall
13 submit to the secretary a proposed rural regional college plan
14 in such form and containing such information as the secretary
15 may require. In addition to other information which may be
16 required by the secretary, the plan shall include the following:

17 (1) A designation of the name of the proposed rural
18 regional college which shall be the "Rural Regional College
19 of _____ " or " _____ Rural Regional
20 College."

21 (2) A survey of the educational, vocational and
22 occupational needs of the area and the means by which the
23 proposed rural regional college will meet those needs, re-
24 engage high school dropouts to earn their secondary
25 credentials and postsecondary credentials or industry
26 certification, reduce unemployment and improve the employable
27 skills of residents of the area to be served by the rural
28 regional college.

29 (3) An operating and financial plan for the proposed
30 rural regional college, including a plan for the capital

1 needs and expenses of the proposed rural regional college.

2 (4) A plan by which the rural regional college shall
3 seek accreditation by an accrediting association which is
4 recognized by the United States Department of Education.

5 (b) Submission of plan.--Within 60 days of the submission of
6 the rural regional college plan to the secretary, the secretary
7 shall issue an approval or rejection of the plan. A rejection of
8 the plan shall be accompanied by a written statement of the
9 reasons for the rejection of the plan. If the plan is rejected,
10 the board of trustees shall submit a revised plan to the
11 secretary within 60 days of the plan's rejection.

12 (c) Plan approval.--Upon the approval of the plan by the
13 secretary, the rural regional college shall be considered
14 established.

15 Section 1707-E.1. Powers and duties of board of trustees.

16 (a) General rule.--The board of trustees appointed under
17 section 1705-E.1 shall administer and supervise the affairs of
18 the rural regional college established under this article.
19 Subject to any other law and to any regulations promulgated by
20 the State Board pertaining to rural regional colleges, the board
21 of trustees shall have the following powers and duties:

22 (1) To advance the mission of the rural regional
23 college in service to residents of the region designated
24 under section 1704-E.1(a)(2).

25 (2) To appoint and fix the salary of a president of the
26 rural regional college.

27 (3) To appoint and fix the salary of a chief financial
28 officer of the rural regional college.

29 (4) To hold, rent, lease, sell, purchase and improve
30 land, buildings, furnishings, equipment, materials, books and

1 supplies.

2 (5) To enter into contracts for services with community
3 education councils, schools, colleges or universities, or
4 with school districts or municipalities, and other applicable
5 or appropriate agencies and organizations, to effectuate the
6 purposes of this article.

7 (6) To accept and receive gifts of real and personal
8 property and Federal, State and local moneys, loans and
9 grants, and to expend the same.

10 (7) To make policies providing for the admission and
11 expulsion of students, the courses of instruction, the
12 tuition and fees to be charged and for all matters related to
13 the government and administration of the rural regional
14 college, provided that policies related to admission, tuition
15 and fees give preference to residents of the area designated
16 by the secretary pursuant to section 1704-E.1(a)(2).

17 (8) To submit to the secretary for approval proposed
18 amendments to the rural regional college plan.

19 (9) To enter into contracts for services to high schools
20 located in the area designated by the secretary under section
21 1704-E.1 to provide services, including area vocational-
22 technical education services.

23 (10) To approve an annual budget to be submitted to the
24 secretary for funding.

25 (11) To exercise such other powers and perform such
26 other duties as are necessary to effectuate the purposes of
27 this article.

28 (b) Duties of board.--The board of trustees shall enter into
29 contracts, hold property and take other actions in the name of
30 the rural regional college.

1 (c) Initial partnership.--

2 (1) The board of trustees shall select initially a
3 partner institution to develop and offer accredited courses
4 and programs of study at the approved sites of operation.

5 (2) The partner institution shall select programs only
6 with approval of the board of trustees and consistent with
7 the partner institution's accreditation and shall be
8 responsible for staffing and evaluation and provision of
9 other support services as may be required for students.

10 (3) The board of trustees may contract with other
11 colleges to provide curricula not available through the
12 partner institution.

13 (4) As the rural regional college is able to operate on
14 its own, a transition plan and budget shall be included in
15 the contract between the rural regional college and the
16 partner institution to efficiently expedite the transition.

17 (5) Nothing in this article shall be construed to
18 preclude the board of trustees from contracting for specific
19 services or programs following the transition from the
20 initial partner institution.

21 Section 1708-E.1. Officers of rural regional college.

22 (a) President.--The president shall be the chief executive
23 and administrative officer of the rural regional college and
24 shall perform all duties which the board of trustees may
25 prescribe. The president shall have the right to attend meetings
26 of the board of trustees and to be heard on all matters before
27 it, but shall have no right to vote on any matter.

28 (b) Chief financial officer.--The chief financial officer of
29 the rural regional college shall give a proper bond in such
30 amount and with such corporate surety as is approved by the

1 board of trustees. The chief financial officer shall file the
2 bond with the board of trustees. The account of the chief
3 financial officer shall be audited annually by a certified
4 public accountant or other qualified public accountant selected
5 by the board of trustees.

6 Section 1709-E.1. Students.

7 Any individual may apply for admission to the rural regional
8 college established under this article, provided that preference
9 in admissions, tuition and fees may be given to residents of the
10 multicounty area designated by the secretary pursuant to section
11 1704-E.1(a)(2). In considering applicants for admission, the
12 rural regional college shall not discriminate on the basis of
13 race, color, gender, marital status, ethnic group or religion.

14 Section 1710-E.1. Tuition.

15 The tuition and fees charged by the rural regional college
16 shall be an amount determined by the board of trustees, in
17 accordance with the budget submitted to the secretary. The board
18 of trustees shall annually establish a separate schedule of
19 tuition and fees for students that reside inside the region
20 designated under section 1704-E.1(a)(2) and students that reside
21 outside said region.

22 Section 1711-E.1. Dissolution and transition of rural regional
23 college.

24 The rural regional college established under this article may
25 not be dissolved without the approval of the secretary. Upon
26 dissolution of the rural regional college, the Commonwealth
27 shall assume all assets and liabilities of the rural regional
28 college, except that such assets that are the property of any
29 partner institution that may be operating for and within the
30 rural regional college shall remain the property of the partner

1 institution.

2 Section 1712-E.1. Degrees.

3 The rural regional college established under this article may
4 award any type of diploma, technical or career training
5 certificate or associate degrees in the arts, sciences,
6 technologies or general education upon successful completion of
7 programs authorized by the board of trustees. As long as the
8 partner institution provides the accredited curricula and
9 courses under contract to the rural regional college, the
10 requirements of the accrediting agency shall pertain to the
11 granting of such awards.

12 Section 1713-E.1. Funding.

13 The rural regional college established under this article
14 shall be funded by tuition and fees established by the board of
15 trustees, and may accept appropriations from the General
16 Assembly, grants from the Federal Government, grants from the
17 Commonwealth, grants from private foundations or any combination
18 thereof.

19 Section 1714-E.1. Financial aid.

20 (a) Initial partnership period.--During the rural regional
21 college's initial partnership with a partner institution, a
22 student enrolled in the rural regional college shall be eligible
23 for consideration for a Pennsylvania State Grant and other
24 Commonwealth-funded financial aid administered by the
25 Pennsylvania Higher Education Assistance Agency, provided that
26 the partner institution is an institution of higher education as
27 approved by and in accordance with rules and regulations of the
28 Pennsylvania Higher Education Assistance Agency.

29 (b) Post-transition period.--Upon the rural regional college
30 operating on its own without a partner institution, a student

1 shall only be eligible for consideration for a Pennsylvania
2 State Grant and any other Commonwealth-funded financial aid if
3 the rural regional college is approved by the Department of
4 Education and is accredited or a recognized candidate for
5 accreditation with an accrediting body recognized under rules
6 and regulations of the Pennsylvania Higher Education Assistance
7 Agency and satisfies any other institutional and administrative
8 program requirements as the Pennsylvania Higher Education
9 Assistance Agency may require.

10 Section 1715-E.1. Regulations.

11 The State Board may promulgate regulations pursuant to the
12 act of June 25, 1982 (P.L.633, No.181), known as the Regulatory
13 Review Act, as necessary to implement this article.

14 Section 1716-E.1. Reports.

15 The Legislative Budget and Finance Committee shall prepare
16 and submit to the General Assembly written interim and final
17 reports evaluating the operation of this article. The interim
18 report shall be submitted by June 30, 2018, and the final report
19 shall be submitted by June 30, 2022. Each report shall include,
20 but may not be limited to, the following:

21 (1) A review of the success of the rural regional
22 college established under this article in satisfying the
23 goals set forth in the rural regional college plan approved
24 by the secretary and in satisfying the needs of the
25 multicounty area the rural regional college was established
26 to serve.

27 (2) Demographic and program data, including the
28 following:

29 (i) Numbers of full-time and part-time faculty and
30 student enrollments, in total and within curricular

1 areas.

2 (ii) Dual enrollment participation.

3 (iii) Credit hours taught by faculty.

4 (iv) Distance learning courses offered.

5 (v) Articulation agreements with higher education
6 institutions.

7 (vi) Lists of courses with fewer than 20 students.

8 (vii) Lists of courses with more than 50 students.

9 Where available, student data shall be disaggregated by
10 categories, including gender, race and age.

11 (3) Student progress and achievement measures, including
12 the following:

13 (i) Retention rates related to student goals.

14 (ii) Graduation and completion rates after two,
15 three and four years.

16 (iii) Passing rates on certification and licensure
17 examinations.

18 (iv) Number of students employed within one year of
19 program completion.

20 (v) Placement into additional education or
21 employment in the student's field of study.

22 Where available, data shall be disaggregated by categories,
23 including gender, race and age.

24 (4) Economic and work force development measures,
25 including:

26 (i) Employer satisfaction.

27 (ii) Customized job training offerings.

28 (iii) Employment status.

29 (iv) Numbers of businesses and organizations served.

30 (5) Recommendations for future legislation.

1 Section 1717-E.1. Transfers of credits.

2 For purposes of facilitating the transfer of credits attained
3 by students of the rural regional college, the rural regional
4 college shall be considered a public institution of higher
5 education as defined in section 2001-C of the act of March 10,
6 1949 (P.L.30, No.14), known as the Public School Code of 1949,
7 and, upon the rural regional college being able to operate on
8 its own, shall be required to fulfill all the duties and obtain
9 for its students all the benefits of Article XX-C of the Public
10 School Code of 1949, within two years of operation of the
11 established rural regional college.

12 ARTICLE XVII-J

13 2014-2015 BUDGET IMPLEMENTATION

14 SUBARTICLE A

15 PRELIMINARY PROVISIONS

16 Section 1701-J. Applicability.

17 Except as specifically provided in this article, this article
18 applies to the General Appropriation Act and all other
19 appropriation acts of 2014.

20 Section 1702-J. Definitions.

21 (a) Definitions.--The following words and phrases when used
22 in this article shall have the meanings given to them in this
23 section unless the context clearly indicates otherwise:

24 "General Appropriation Act." The act of _____, 2014 (P.L. _____,
25 No. _____ A), known as the General Appropriation Act of 2014.

26 "Public School Code of 1949." The act of March 10, 1949
27 (P.L.30, No.14), known as the Public School Code of 1949.

28 "Secretary." The Secretary of the Budget of the
29 Commonwealth.

30 (b) Abbreviations.--The following abbreviations when used in

1 this article shall have the meanings given to them in this
2 section:

3 "AIDS." Acquired Immune Deficiency Syndrome.

4 "ARC." Appalachian Regional Commission.

5 "ARRA." The American Recovery and Reinvestment Act of 2009
6 (Public Law 111-5, 123 Stat. 115).

7 "BG." Block Grant.

8 "CCDFBG." Child Care and Development Fund Block Grant.

9 "CSBG." Community Services Block Grant.

10 "DCSI." Drug Control and Systems Improvement Formula Grant
11 Program.

12 "DFSC." The Safe and Drug-Free Schools and Communities Act
13 (Public Law 107-110, 20 U.S.C. § 7101 et seq.).

14 "DOE." Department of Energy.

15 "EEOC." Equal Employment Opportunity Commission.

16 "EPA." Environmental Protection Agency.

17 "ESEA." The Elementary and Secondary Education Act of 1965
18 (Public Law 89-10, 20 U.S.C. § 6301 et seq.).

19 "FEMA." Federal Emergency Management Agency.

20 "FTA." Federal Transit Administration.

21 "HUD." Department of Housing and Urban Development.

22 "ID." Intellectual Disability.

23 "LIHEABG." Low-Income Home Energy Assistance Block Grant.

24 "LSTA." The Library Services and Technology Act (Public Law
25 104-208, 20 U.S.C. § 9101 et seq.).

26 "MCHSBG." Maternal and Child Health Services Block Grant.

27 "MH SBG." Mental Health Services Block Grant.

28 "PAFE." Pennsylvania Agricultural Food Exposition.

29 "PHHSBG." Preventive Health and Health Services Block Grant.

30 "RSAT." Residential Substance Abuse Treatment.

1 "SABG." Substance Abuse Block Grant.
2 "SCDBG." Small Communities Development Block Grant.
3 "SDA." Service Delivery Area.
4 "SSBG." Social Services Block Grant.
5 "TANF." Temporary Assistance for Needy Families.
6 "TANFBG." Temporary Assistance for Needy Families Block
7 Grant.
8 "TEFAP." Temporary Emergency Food Assistance Program.
9 "WIA." The Workforce Investment Act of 1998 (Public Law 105-
10 220, 112 Stat. 936).
11 "WIC." Women, Infants and Children Program.

12 SUBARTICLE B

13 EXECUTIVE DEPARTMENTS

14 Section 1711-J. Governor (Reserved).

15 Section 1712-J. Executive offices.

16 (1) Funds appropriated to the Pennsylvania Commission on
17 Crime and Delinquency for intermediate punishment treatment
18 programs shall be distributed competitively to counties for
19 offenders sentenced to intermediate punishment programs. The
20 portion of funds for drug and alcohol treatment programs
21 shall be based on national statistics that identify the
22 percentage of incarcerated individuals that are in need of
23 treatment for substance issues but in no case shall be less
24 than 80% of the amount appropriated.

25 (2) From funds appropriated to the commission, at least
26 \$285,000 shall be used to support the Statewide Automated
27 Victim Information and Notification System (SAVIN) to provide
28 offender information through county jails and \$200,000 shall
29 be used for a residential treatment community facility for
30 at-risk youth located in a county of the fifth class.

1 (3) From funds appropriated for violence prevention
2 programs, at least \$250,000 shall be used for programs in a
3 city of the second class and at least \$450,000 shall be used
4 for a blueprint mentoring program that addresses reducing
5 youth violence in cities of the first, second and third
6 class.

7 (4) From funds appropriated for child advocacy centers,
8 \$250,000 shall be used for a mobile child advocacy center.

9 Section 1713-J. Lieutenant Governor (Reserved).

10 Section 1714-J. Attorney General (Reserved).

11 Section 1715-J. Auditor General (Reserved).

12 Section 1716-J. Treasury Department.

13 From funds appropriated for intergovernmental organizations,
14 \$45,000 shall be allocated for payment of dues for fiscal years
15 2013-2014 and 2014-2015 to a commission of the Atlantic coastal
16 states that coordinates the conservation and management of near-
17 shore fish species.

18 Section 1717-J. Department of Aging (Reserved).

19 Section 1718-J. Department of Agriculture.

20 (1) From funds appropriated for agricultural research,
21 at least \$300,000 shall be used for an agricultural resource
22 center in conjunction with a land-grant university.

23 (2) At least 80% of the funds appropriated for hardwoods
24 research and promotion shall be equally distributed among the
25 hardwood utilization groups of this Commonwealth established
26 prior to the effective date of this section.

27 (3) From funds appropriated for general government
28 operations, \$250,000 shall be transferred to the Dog Law
29 Restricted Account.

30 Section 1719-J. Department of Community and Economic

1 Development.

2 The following shall apply to appropriations for the
3 Department of Community and Economic Development:

4 (1) For fiscal year 2014-2015, \$250,000 of the funds
5 appropriated for Keystone Communities shall be used for the
6 restoration of a historic property to provide affordable
7 housing in a county of the fourth class with a population,
8 based on the most recent Federal decennial census, of at
9 least 150,000 but not more than 155,000 and \$500,000 shall be
10 used for a downtown revitalization project including
11 installation of new lighting systems, signal upgrade and
12 sidewalk replacements in a city of the third class in a
13 county of the fifth class. The remaining funds include an
14 allocation for the Main Street and Elm Street programs which
15 are distributed in the same proportion as amounts allocated
16 in fiscal year 2012-2013.

17 (2) The sum of \$4,700,000 of the funds appropriated for
18 marketing to attract tourists includes an allocation to plan
19 and market a biennial arts and cultural activity which
20 generates Statewide and regional economic impact, allocations
21 to promote annual arts and cultural activities and an
22 allocation of \$300,000 for an annual Statewide competition
23 serving approximately 2,000 athletes with intellectual
24 disabilities from across this Commonwealth to be held in a
25 county of the fourth class.

26 (3) From funds appropriated for intergovernmental
27 cooperation authority, \$300,000 to cities of the second class
28 for purposes determined by the board to be necessary to
29 achieve or sustain fiscal recovery.

30 Section 1720-J. Department of Conservation and Natural

1 Resources.

2 The following shall apply to appropriations from the
3 Department of Conservation and Natural Resources in the General
4 Appropriation Act:

5 (1) From funds appropriated for Heritage and other
6 parks, \$500,000 shall be used for the operation and
7 maintenance of the Washington Crossing Historical Park.

8 (2) (Reserved).

9 Section 1721-J. Department of Corrections (Reserved).

10 Section 1722-J. Department of Education.

11 The following shall apply to appropriations for the
12 Department of Education in the General Appropriation Act:

13 (1) From funds appropriated for general government
14 operations, \$50,000 shall be allocated to promote a national
15 veteran's education program.

16 (2) From an appropriation for adult and family literacy
17 programs, summer reading programs and the adult high school
18 diplomas program, \$400,000 shall be allocated for an after-
19 school learning program servicing low-income students located
20 in a county of the sixth class with a population, based on
21 the most recent Federal decennial census, of at least 60,000
22 but not more than 70,000.

23 (3) From funds appropriated for mobile science and math
24 education programs, \$50,000 shall be allocated for a math
25 education program that targets middle school students,
26 \$150,000 shall be allocated to a nautical science center in a
27 county of the second class, \$14,000 shall be allocated for a
28 math laboratory in a school district in a city of the third
29 class located in a county of the third class, \$500,000 shall
30 be allocated for the construction of a National Aeronautics

1 and Space Administration-sponsored science, technology,
2 engineering and mathematics center in a township of the
3 second class in a county of the sixth class, and \$500,000
4 shall be allocated for a regional science, technology,
5 engineering and mathematics center serving sixth through
6 twelfth grade students located in a township of the first
7 class in a county of the third class.

8 (4) Notwithstanding any other provision of law, funds
9 appropriated for community education councils shall be
10 distributed as follows:

11 (i) Each community education council which received
12 funding in fiscal year 2013-2014 shall receive an amount
13 equal to the amount it received in that fiscal year and a
14 pro rata share of \$50,000.

15 (ii) No less than \$480,000 for an education
16 consortium serving Cameron, Clarion, Clearfield,
17 Crawford, Elk, Forest, Jefferson, McKean, Potter, Venango
18 and Warren counties.

19 (5) From funds appropriated for regional community
20 college services, \$500,000 shall be distributed to a
21 community college in a county of the fourth class with a
22 population, based on the most recent Federal decennial
23 census, of at least 175,000, but not more than 190,000, and
24 \$1,200,000 shall be distributed to a rural regional college
25 serving multiple rural communities or parts of rural
26 communities.

27 (6) From funds appropriated for Pennsylvania Charter
28 Schools for the Deaf and Blind, \$1,100,000 shall be
29 distributed pro rata based on each school's increased share
30 of required contributions for public school employees'

1 retirement.

2 (7) Notwithstanding section 1724-A of the Public School
3 Code of 1949 or 24 Pa.C.S. § 8329 (relating to payments on
4 account of social security deductions from appropriations),
5 no payments shall be made to charter schools or cyber charter
6 schools authorized under Article XVII-A of the Public School
7 Code of 1949 from funds appropriated for school employees'
8 Social Security.

9 (8) Notwithstanding any other provision of law, the
10 following shall apply to school building construction and
11 reconstruction projects for which reimbursement from the
12 appropriation for payments on account of annual rental or
13 sinking fund charges on school buildings, or charter schools
14 is being sought:

15 (i) For a school district that has received approval
16 from the department for reimbursement, but fails to
17 submit all additional project documentation requested
18 within 90 days of the request, the department shall move
19 the project back in the reimbursement order until such
20 time as the school district complies with the information
21 request and shall move other projects up in the
22 reimbursement order.

23 (ii) The Secretary of Education may grant waivers to
24 school districts that fail to submit requested
25 documentation under subparagraph (i) and are in the
26 process of reconciling financial records, or are facing
27 litigation or bond refinancing delays.

28 (9) Notwithstanding section 1724-A of the Public School
29 Code of 1949 or 24 Pa.C.S. §§ 8326 (relating to contributions
30 by the Commonwealth) and 8535 (relating to payments to school

1 entities by Commonwealth), no payments shall be made to
2 charter schools or cyber charter schools authorized under
3 Article XVII-A of the Public School Code of 1949 from funds
4 appropriated for payment of required contributions for public
5 school employees' retirement.

6 (10) From the appropriation for payments on account of
7 special education for exceptional children, the amount of the
8 appropriation allocated for payments to school districts
9 shall be distributed as follows:

10 (i) Each school district shall receive an amount
11 equal to the amount paid during the 2013-2014 school year
12 under section 2509.5(aaa) of the Public School Code of
13 1949.

14 (ii) A student-based allocation to be calculated as
15 follows:

16 (A) Multiply the sum of the school district's
17 weighted special education student headcount and its
18 sparsity/size adjustment by its market value/income
19 aid ratio and its equalized millage multiplier.

20 (B) Multiply the product in clause (A) by
21 \$19,800,000.

22 (C) Divide the product from clause (B) by the
23 sum of the products in clause (A) for all school
24 districts.

25 (11) For the purposes of paragraph (10):

26 (i) The weighted special education student headcount
27 shall be calculated for each school district as follows:

28 (A) Multiply the number of special education
29 students who reside in the school district for which
30 the annual expenditure is less than \$25,000, which

1 shall be known as Category 1, by 1.51.

2 (B) Multiply the number of special education
3 students that reside in the school district for which
4 the annual expenditure is equal to or greater than
5 \$25,000 but less than \$50,000, which shall be known
6 as Category 2, by 3.77.

7 (C) Multiply the number of special education
8 students who reside in the school district for which
9 the annual expenditure is equal to or greater than
10 \$50,000, which shall be known as Category 3, by 7.46.

11 (D) Add the products in clauses (A), (B) and
12 (C).

13 The annual expenditure amount used to calculate funding
14 shall be based on the information reported to the
15 department under section 1372(8) of the Public School
16 Code of 1949.

17 (ii) The sparsity ratio shall be calculated for each
18 school district as follows:

19 (A) Divide the school district's average daily
20 membership per square mile by the State's average
21 daily membership per square mile.

22 (B) Multiply the quotient of clause (A) by 0.5.

23 (C) Subtract the product in clause (B) from 1.

24 (iii) The size ratio for each school district shall
25 be calculated as follows:

26 (A) Divide the school district's average daily
27 membership by the average of the average daily
28 membership of all school districts.

29 (B) Multiply the quotient of clause (A) by 0.5.

30 (C) Subtract the product in clause (B) from 1.

1 (iv) The sparsity/size ratio for each school
2 district shall be calculated by adding 40% of the
3 sparsity ratio and 60% of the size ratio.

4 (v) The sparsity/size adjustment for each school
5 district shall be calculated as follows:

6 (A) For a school district with a sparsity/size
7 ratio less than or equal to the sparsity/size ratio
8 that represents the 70th percentile of the
9 sparsity/size ratio of all school districts, the
10 school district's sparsity/size adjustment shall be
11 0.

12 (B) For a school district with a sparsity/size
13 ratio greater than the sparsity/size ratio that
14 represents the 70th percentile of the sparsity/size
15 ratio of all school districts, the school district's
16 sparsity/size adjustment shall be calculated as
17 follows:

18 (I) Divide the school district's
19 sparsity/size ratio by the sparsity/size ratio
20 that represents the 70th percentile of the
21 sparsity/size ratio of all school districts.

22 (II) Subtract 1 from the quotient in
23 subclause (I).

24 (III) Multiply the remainder in subclause
25 (II) by 0.5.

26 (IV) Multiply the product in subclause (III)
27 by the school district's weighted special
28 education student headcount.

29 (vi) The equalized millage multiplier for each
30 school district shall be calculated as follows:

1 (A) For a school district with an equalized
2 millage rate greater than or equal to the equalized
3 millage rate that represents the 70th percentile of
4 the equalized millage rate of all school districts,
5 the school district's equalized millage multiplier
6 shall be 1.

7 (B) For a school district with an equalized
8 millage rate less than the equalized millage rate
9 that represents the 70th percentile of the equalized
10 millage rate of all school districts, the school
11 district's equalized millage multiplier shall be
12 calculated as follows:

13 (I) Divide the school district's equalized
14 millage rate by the equalized millage rate that
15 represents the 70th percentile of the equalized
16 millage rate of all school districts.

17 (II) (Reserved).

18 (12) The data used to calculate the weighted special
19 education student headcount in paragraph (11)(i) shall be
20 based on information from the most recent year for which data
21 is available as determined by the department. The data used
22 to calculate the provisions in paragraph (11)(ii), (iii),
23 (iv), (v) and (vi) shall be averaged for the three most
24 recent years for which data is available as determined by the
25 department.

26 (13) From the appropriation for payments on account of
27 special education of exceptional children, the amount of the
28 appropriation allocated to intermediate units on account of
29 special education services shall remain the same as allocated
30 in fiscal year 2013-2014 under section 2509.1(c.1) of the

1 Public School Code of 1949 and shall be distributed as
2 follows:

3 (i) Thirty-five percent of the amount shall be
4 distributed to each intermediate unit equally among all
5 intermediate units.

6 (ii) The remaining 65% of the amount shall be
7 distributed on a pro rata basis to each intermediate unit
8 based on its component school districts' average daily
9 membership.

10 (14) (i) Notwithstanding any provisions contained in
11 section 2509.8 of the Public School Code of 1949, from
12 the appropriation for payments on account of special
13 education for exceptional children, 1% of the special
14 education appropriation shall be distributed to school
15 districts and charter schools for extraordinary expenses
16 incurred in providing a special education program or
17 service to one or more students with disabilities as
18 approved by the Secretary of Education. Such special
19 education program or service shall include, but not be
20 limited to, the transportation of students with
21 disabilities; services related to occupational therapy,
22 physical therapy, speech and language, hearing
23 impairments or visual impairments; or training in
24 orientation and mobility for children who are visually
25 impaired or blind.

26 (ii) Funds distributed to a school district or
27 charter school under this paragraph shall be allocated
28 for students for which expenses are incurred on an annual
29 basis that are equal to or greater than \$75,000 as
30 follows:

1 (A) For a student for whom expenses are equal to
2 or greater than \$75,000 and less than or equal to
3 \$100,000, subtract the State subsidies paid on behalf
4 of the student to the school district or, for a
5 student enrolled in a charter school, the charter
6 school payment received by the charter school where
7 the child is enrolled from the expense incurred for
8 the student and multiply the difference by the school
9 district's or charter school's market value/personal
10 income aid ratio.

11 (B) For a student for which expenses are greater
12 than \$100,000, subtract the State subsidies paid on
13 behalf of the student to the school district or, for
14 a student enrolled in a charter school, the charter
15 school payment received by the charter school where
16 the child is enrolled from the expense incurred for
17 the student.

18 (iii) No school district or charter school shall in
19 any school year receive an amount under subparagraph (i)
20 which exceeds the total amount of funding available
21 multiplied by the percentage equal to the greatest
22 percentage of the State's special education students
23 enrolled in a school district or charter school.

24 (15) Funds from the set-aside under paragraph (14) shall
25 be allocated to each approved private school with a day
26 tuition rate determined to be less than \$32,000 during the
27 2010-2011 school year. The allocation shall be determined as
28 follows:

29 (i) Subtract:

30 (A) the approved private school's 2010-2011

1 school year day tuition rate; from

2 (B) \$38,072.

3 (ii) Multiply:

4 (A) the difference under subparagraph (i); by

5 (B) the number of approved students enrolled in
6 the approved private school during the 2010-2011
7 school year.

8 (16) (i) Funds appropriated for basic education funding
9 to school districts shall be distributed to each school
10 district in an amount equal to the amount paid for the
11 2012-2013 school year under section 2502.52 of the Public
12 School Code of 1949.

13 (ii) Any funds remaining in the appropriation for
14 basic education funding to school districts after
15 distribution under subparagraph (i) shall be deposited in
16 the Financial Recovery School District Transitional Loan
17 Account.

18 (17) Notwithstanding any other provision of law, from
19 the appropriation for payment of approved operating expenses
20 for community colleges, each community college shall receive
21 an amount equal to the amount paid during the 2013-2014
22 fiscal year under section 1913-A(b)(1.6) of the Public School
23 Code of 1949 and a prorata share of \$3,500,000.

24 (18) Notwithstanding any other provision of law, the
25 following apply to libraries:

26 (i) Funds appropriated for libraries for the 2014-
27 2015 fiscal year shall be distributed to each library
28 under the following formula:

29 (A) Divide the amount of funding the library
30 received in fiscal year 2013-2014 under 24 Pa.C.S. §

1 9342(k) (relating to special rules for specific
2 fiscal years), by the total State aid subsidy for
3 fiscal year 2013-2014.

4 (B) Multiply the quotient under clause (A) by
5 the total State aid subsidy for fiscal year 2014-
6 2015.

7 (ii) Following the distribution of funds
8 appropriated for State aid to libraries under
9 subparagraph (i), any remaining funds may be distributed
10 to libraries at the discretion of the State Librarian.

11 (iii) If funds appropriated for State aid to
12 libraries in fiscal year 2014-2015 are less than funds
13 appropriated in fiscal year 2002-2003, the State
14 Librarian may waive standards as prescribed under 24
15 Pa.C.S. § 9332 (relating to waiver of standards).

16 (iv) (A) Each library receiving State aid under
17 this paragraph may distribute the local library share
18 of that aid in a manner as determined by the board of
19 directors of the library system.

20 (B) In the case of a library system that
21 contains a library operating in a city of the second
22 class, changes to the distribution of State aid to
23 the library shall be made by mutual agreement between
24 the library and the library system.

25 (v) In the event of a change in district library
26 center population prior to the effective date of this
27 section as a result of a city, borough, town, township,
28 school district or county moving from one library center
29 to another or a transfer of district library status to a
30 county library system, funding of district center aid

1 shall be paid based on the population of the newly
2 established or reconfigured district library center.

3 (19) The department may utilize up to \$4,500,000 of
4 undistributed funds not expended, encumbered or committed
5 from appropriations for grants and subsidies made to the
6 department to assist school districts declared to be in
7 financial recovery status under section 621-A of the Public
8 School Code of 1949 or identified for financial watch status
9 under section 611-A of the Public School Code of 1949. The
10 funds shall be transferred by the Secretary of the Budget to
11 a restricted account as necessary to make payments under this
12 paragraph and, when transferred, are hereby appropriated to
13 carry out the provisions of this paragraph.

14 (20) Notwithstanding any provision of law, in order to
15 supplement funds appropriated to the department for general
16 government operations and to defray the costs of
17 administration and oversight activities associated with
18 alternative education programs:

19 (i) A school district, combination of school
20 districts or charter school that makes an application to
21 establish an alternative education program under Article
22 XIX-C of the Public School Code of 1949 shall submit
23 initial and renewal applications along with a fee of \$400
24 as prescribed by the department.

25 (ii) A private alternative education institution
26 that makes an application for approval to operate under
27 Article XIX-E of the Public School Code of 1949 shall
28 submit initial and renewal applications along with a fee
29 of \$1,000 as prescribed by the department.

30 (iii) The funds collected in paragraphs (i) and (ii)

1 shall be deposited into a restricted account in the
2 General Fund to be known as the Alternative Education
3 Program Account and are hereby appropriated to the
4 department.

5 (21) From the appropriation for the Ready to Learn Block
6 Grant, funds shall be distributed to school entities as
7 follows:

8 (i) Each school entity shall receive an amount equal
9 to the amount paid during the 2013-2014 school year under
10 section 2599.2 of the Public School Code of 1949.

11 (ii) A Ready to Learn Block Grant subsidy as
12 follows:

13 (A) A base amount equal to \$231.

14 (B) A per-student factor equal to the base
15 amount multiplied by the product of a school entity's
16 average daily membership and its market value/income
17 aid ratio.

18 (C) An English language learner factor equal to:

19 (I) The base amount multiplied by 0.15.

20 (II) The product under subclause (I)
21 multiplied by the product of students in the
22 school entity identified as limited English
23 proficient and its market value/income aid ratio.

24 (D) A poverty factor equal to:

25 (I) The base amount multiplied by 0.25.

26 (II) The product under subclause (I)
27 multiplied by the product of students in the
28 school entity identified as economically
29 disadvantaged and its market value/income aid
30 ratio.

1 (E) The amounts under subclauses (B), (C) and
2 (D) shall be added.

3 (F) If insufficient or additional funds are
4 available to make Commonwealth payments under this
5 subparagraph, after distribution of funding under
6 subparagraph (i), the payments shall be made on a pro
7 rata basis.

8 (G) To determine the calculation contained in
9 this subparagraph, the department shall use the most
10 recent data available.

11 (iii) Funding received by a school entity under
12 subparagraph (i) shall be used in accordance with section
13 2599.2 of the Public School Code of 1949, or as allowed
14 under subparagraph (v).

15 (iv) To be eligible to receive funding under
16 subparagraph (ii), each school entity shall submit a plan
17 for approval to the department outlining how the funding
18 will be used to maintain and improve academic
19 performance.

20 (v) Funds distributed under subparagraph (ii) shall
21 be used for the following purposes:

22 (A) Prekindergarten through grade 3 curriculum
23 alignment with the current academic standards.

24 (B) Teacher training and professional
25 development opportunities aligned with the current
26 academic standards designed to improve early literacy
27 and STEM education in prekindergarten through grade 3
28 classes.

29 (C) Prekindergarten through grade 3 extended
30 learning opportunities that allow for additional

1 classroom instruction before, during and after
2 school.

3 (D) Establishing, maintaining or expanding a
4 quality prekindergarten program aligned with the
5 current academic standards.

6 (E) Establishing, maintaining or expanding a
7 quality full-day kindergarten program aligned with
8 current academic standards.

9 (F) Supplemental instruction and instructional
10 coaches for the current Keystone Exams.

11 (G) Implementation of the Pennsylvania
12 Comprehensive Literacy Plan.

13 (H) Efforts that improve student outcomes in
14 STEM education, including STEM training and
15 professional development for educators.

16 (I) Establishing, maintaining or expanding
17 hybrid learning models.

18 (J) Researching, establishing, maintaining or
19 expanding competency-based learning models.

20 (K) Uses allowed under section 2599.2 of the
21 Public School Code of 1949.

22 (L) Other uses as approved by the department.

23 (vi) For the purpose of this paragraph, a school
24 entity shall be a school district, charter school or
25 cyber charter school.

26 (22) Notwithstanding any provision of law to the
27 contrary, the revenues received by a school district under
28 paragraph (21) (ii) shall not be included in the school
29 district's budgeted total expenditure per average daily
30 membership used to calculate the amount to be paid to a

1 charter school under section 1725-A(a) (2) and (3) of the
2 Public School Code of 1949.

3 (23) From funds appropriated for vocational education
4 equipment, grants shall be distributed to each area
5 vocational-technical school and school district with an
6 approved vocational program that applies to and is approved
7 by the department for funding for the purchase of equipment
8 that meets industry standards as follows:

9 (i) A base amount of \$3,000.

10 (ii) A per-student amount calculated as follows:

11 (A) Multiply the 2013-2014 average daily
12 membership in approved vocational education programs
13 for each area vocational-technical school or school
14 district that has been approved for funding by the
15 department by the difference between \$3,000,000 and
16 the sum of the funding distributed under subparagraph
17 (i).

18 (B) Divide the product from clause (A) by the
19 sum of the 2013-2014 average daily membership in
20 approved vocational education programs for all
21 vocational-technical schools and school districts
22 that have been approved for funding by the
23 department.

24 (24) The following apply:

25 (i) For the purposes of paragraph (23), the
26 application to apply for funding shall be developed by
27 the department within 30 days of the effective date of
28 this section and only require the following, which may be
29 collected electronically:

30 (A) Name, address, e-mail address and telephone

1 number of the area vocational-technical school or
2 school district.

3 (B) Name, e-mail address and telephone number of
4 an employee of the area vocational-technical school
5 or school district who will be available to answer
6 questions regarding the funding application.

7 (C) Description of the equipment for which the
8 requested funding will be used, the career and
9 technical education program in which the equipment
10 will be used, the date on which the occupational
11 advisory committee recommended the purchase of the
12 equipment and verification that the equipment will be
13 used for technical classroom instruction. For
14 purposes of this subclause, "occupational advisory
15 committee" shall mean an occupational advisory
16 committee established pursuant to 22 Pa. Code Ch. 339
17 (relating to vocational education).

18 (ii) The department may not request and consider any
19 information other than the information provided in the
20 funding application.

21 (iii) Each area vocational-technical school or
22 school district with an approved vocational program that
23 submits a completed funding application shall receive
24 funding in the amount determined under paragraph (23).

25 ~~(25) From the appropriation for basic education formula~~ <--
26 ~~enhancements, funds shall be allocated as follows:~~

27 ~~(i) The amount of \$1,450,000 shall be paid to a~~
28 ~~school district that has a 2012-2013 market value/income~~
29 ~~aid ratio greater than 0.7500 and a 2012-2013 adjusted~~
30 ~~average daily membership greater than 18,250.~~

~~(ii) The provisions calculated under subparagraph
(i) shall be based on data available from the Department
of Education on June 26, 2014.~~

Section 1723-J. Department of Environmental Protection.

The following shall apply to appropriations for the
Department of Environmental Protection in the General
Appropriation Act:

(1) Notwithstanding section 502 of the act of July 9,
2008 (1st Sp. Sess., P.L.1873, No.1), known as the
Alternative Energy Investment Act, in fiscal year 2014-2015,
no funds shall be appropriated from the General Fund to the
department for the Consumer Energy Program. Any appropriation
for fiscal year 2014-2015 is revoked.

(2) From funds appropriated for sewage facilities
planning grants, up to \$35,600 shall be distributed for
reimbursement of costs incurred by a borough in a county of
the third class. Up to \$54,600 shall be distributed for
reimbursement of costs incurred by a township of the first
class in a county of the second class A. Five hundred
thousand dollars shall be distributed for upgrades at an
existing wastewater pumping station operated by a joint sewer
authority serving a third class city in a county of the fifth
class.

(3) Not later than 60 days after the effective date of
this section, the department shall pay or transfer \$8,672,845
of the unexpended Alternative Energy Series 2010B proceeds
allocated to the department under section 304(a) of the act
of July 9, 2008 (1st Sp.Sess., P.L.1873, No.1), known as the
Alternative Energy Investment Act, to the Commonwealth
Financing Authority for the payment of interest due during

1 fiscal year 2014-2015 on the authority's alternative energy
2 tax-exempt bond issues.

3 (4) From funds appropriated for environmental program
4 management, \$150,000 shall be used for independent research
5 of natural gas drilling.

6 ~~(5) The provisions of 25 Pa. Code § 94.11(a) (relating <--
7 to sewer extensions) shall not apply in a municipality that
8 is a signatory to the Administrative Consent Order dated
9 January 28, 2004, if the municipality is in compliance with
10 the provisions of the Administrative Consent Order.~~

11 (5) THE PROVISIONS OF 25 PA. CODE §§ 94.11 (RELATING TO <--
12 SEWER EXTENSIONS), 94.21 (RELATING TO EXISTING OVERLOAD),
13 94.22(2) (RELATING TO PROJECTED OVERLOAD), 94.31 (RELATING TO
14 ORGANIC OR HYDRAULIC OVERLOAD) AND 94.32 (RELATING TO
15 PUBLIC HEALTH HAZARD OR POLLUTION) SHALL NOT APPLY IN A
16 MUNICIPALITY THAT IS PARTY TO A 2004 ADMINISTRATIVE CONSENT
17 ORDER WITH A HEALTH DEPARTMENT LOCATED IN A COUNTY OF THE
18 SECOND CLASS. THE DEPARTMENT SHALL GRANT TO MUNICIPALITIES
19 THAT SIGNED THE ORDER EXCEPTIONS UNDER 25 PA. CODE § 94.51
20 (RELATING TO REQUEST FOR EXCEPTION) OR OTHERWISE REMOVE OTHER
21 BANS ISSUED DURING CALENDAR YEAR 2014 UNDER 25 PA. CODE CH.
22 94 (RELATING TO MUNICIPAL WASTELOAD MANAGEMENT).

23 Section 1724-J. Department of General Services.

24 From funds appropriated for rental, relocation and municipal
25 charges, \$2,500,000 shall be transferred to the Senate for
26 distribution upon approval of the President pro tempore of the
27 Senate and the Majority Leader of the Senate and \$2,500,000
28 shall be transferred to the House of Representatives for
29 distribution upon approval of the Speaker of the House of
30 Representatives and the Majority Leader of the House of

1 Representatives.

2 Section 1725-J. Department of Health.

3 (1) From funds appropriated for general government
4 operations, \$50,000 is included for outreach to identify
5 children in need of professional eye examination and eye
6 care; sufficient funds are included for the coordination of
7 donated dental services; and \$50,000 is included for outreach
8 Charcot-Marie-Tooth syndrome.

9 (2) From funds appropriated for newborn screening,
10 \$150,000 shall be allocated to establish a new referral
11 center for abnormal metabolic screenings at a children's
12 hospital in a county of the eighth class.

13 (3) From funds appropriated for adult cystic fibrosis
14 and other chronic respiratory illnesses, at least \$200,000
15 shall be used for a program promoting cystic fibrosis
16 research in a county of the second class; and \$100,000 shall
17 be used for research related to childhood cystic fibrosis in
18 a city of the first class with a hospital that is nationally
19 accredited as a cystic fibrosis treatment center and
20 specializes in the treatment of children.

21 (4) Funds appropriated for lupus programs shall be
22 distributed in the same proportion as distributed in fiscal
23 year 2013-2014.

24 (5) Funds appropriated for biotechnology research
25 include allocations for regenerative medicine research, for
26 regenerative medicine medical technology, for hepatitis and
27 viral research, for drug research and clinical trials related
28 to cancer, for genetic and molecular research for disease
29 identification and eradication, for a study related to
30 nanotechnology and for the commercialization of applied

1 research.

2 Section 1726-J. Insurance Department (Reserved).

3 Section 1727-J. Department of Labor and Industry.

4 The following shall apply to appropriations for the
5 Department of Labor and Industry from the General Appropriation
6 Act:

7 (1) From funds appropriated to the department for
8 general government operations, \$250,000 shall be used for the
9 purchase of transportation assistance for job retention, job
10 training and job search activities for displaced, unemployed
11 and disabled individuals and families in counties of the
12 second class.

13 (2) The appropriation for payment to the Vocational
14 Rehabilitation Fund for work of the State Board of Vocational
15 Rehabilitation includes \$2,153,000 for a Statewide
16 professional service provider association for the blind to
17 provide specialized services and prevention of blindness
18 services and \$431,000 to provide specialized services and
19 prevention of blindness services in cities of the first
20 class.

21 (3) From funds appropriated for Industry Partnerships,
22 \$200,000 shall be allocated for a work force development
23 program that links veterans with employment in a home rule
24 county that was formerly a county of the second class A.

25 (4) From funds appropriated for workforce development
26 services for displaced homemakers, single parents, low-income
27 heads of households and women in transition, a grantee or
28 subgrantee shall provide to the Department of Labor and
29 Industry all of the following information:

30 (i) A statistical report of the number of

1 participants served.

2 (ii) A financial statement.

3 (iii) A projected budget.

4 Section 1728-J. Department of Military and Veterans Affairs.

5 From funds appropriated for veterans outreach, at least
6 \$750,000 shall be used for programs providing treatment for
7 post-traumatic stress disorder for veterans.

8 Section 1729-J. Department of Public Welfare.

9 The following shall apply to appropriations for the
10 Department of Public Welfare from the General Appropriation Act:

11 (1) Authorized transfers for child-care services. The
12 following shall apply:

13 (i) The department, upon approval of the secretary,
14 may transfer Federal funds appropriated for TANFBG Child
15 Care Assistance to the CCDFBG Child Care Services
16 appropriation to provide child-care services to
17 additional low-income families if the transfer of funds
18 will not result in a deficit in the appropriation. The
19 secretary shall provide notice ten days prior to a
20 transfer under this subparagraph to the chairman and
21 minority chairman of the Appropriations Committee of the
22 Senate and the chairman and minority chairman of the
23 Appropriations Committee of the House of Representatives.

24 (ii) The department, upon approval of the secretary,
25 may transfer Federal funds appropriated for CCDFBG Child
26 Care Assistance to the CCDFBG Child Care Services
27 appropriation to provide child-care services to
28 additional low-income families, provided that the
29 transfer of funds will not result in a deficit in the
30 appropriation. The secretary shall provide notice ten

1 days prior to a transfer under this subparagraph to the
2 chairman and minority chairman of the Appropriations
3 Committee of the Senate and the chairman and minority
4 chairman of the Appropriations Committee of the House of
5 Representatives.

6 (2) Federal and State medical assistance payments. The
7 following shall apply:

8 (i) For fiscal year 2014-2015, payments to hospitals
9 for Community Access Fund grants shall be distributed
10 under the formulas utilized for these grants in fiscal
11 year 2013-2014. If the total funding available under this
12 subparagraph is less than that available in fiscal year
13 2013-2014, payments shall be made on a pro rata basis.

14 (ii) Funds appropriated for medical assistance
15 transportation shall only be utilized as a payment of
16 last resort for transportation for eligible medical
17 assistance recipients.

18 (iii) Amounts allocated from funds appropriated for
19 medical assistance outpatient services for the Select
20 Plan for Women Preventative Health Services shall be used
21 for women's medical services, including noninvasive
22 contraception supplies.

23 (iv) Federal or State funds appropriated under the
24 General Appropriation Act in accordance with Article
25 VIII-H of the act of June 13, 1967 (P.L.31, No.21), known
26 as the Public Welfare Code, not used to make payments to
27 hospitals qualifying as level III trauma centers or
28 seeking accreditation as level III trauma centers shall
29 be used to make payments to hospitals qualifying as
30 levels I and II trauma centers.

1 (v) Qualifying university-affiliated physician
2 practice plans which received funds for fiscal year 2013-
3 2014 shall not receive any less than the State
4 appropriation made available to those university-
5 affiliated physician practice plans during fiscal year
6 2013-2014. From funds appropriated for physician practice
7 plans:

8 (A) \$1,500,000 shall be distributed to a
9 physician practice plan serving a health system
10 located in a city of the first class and a contiguous
11 county of the second class A which did receive
12 funding during fiscal year 2013-2014;

13 (B) at least \$500,000 shall be distributed to a
14 physician practice plan serving a hospital located in
15 a county of the second class A which did receive
16 funding in fiscal year 2013-2014; and

17 (C) at least \$500,000 shall be distributed to a
18 physician practice plan serving a health system
19 located in a city of the first class and two
20 contiguous counties of the second class A, that has
21 an independent academic center which did receive
22 funding during fiscal year 2013-2014.

23 (vi) Qualifying academic medical centers which
24 received funds for fiscal year 2013-2014 shall not
25 receive any less than the State appropriation made
26 available to those academic medical centers during fiscal
27 year 2013-2014. From funds appropriated for qualifying
28 academic medical centers, a qualifying academic medical
29 center located in a third class county with a population
30 between 279,000 and 282,000 under the 2010 Federal

1 decennial census shall receive an additional \$300,000 and
2 an academic medical center located in a city of the first
3 class that did not receive funding during fiscal year
4 2010-2011 shall receive an additional \$300,000.

5 (vii) Notwithstanding any other law, funds
6 appropriated for medical assistance payments for
7 inpatient care, exclusive of inpatient services provided
8 through capitation plans, shall include sufficient funds
9 for two separate All Patient Refined Diagnostic Related
10 Group payments for inpatient acute care general hospital
11 stays for:

12 (A) normal newborn care; and

13 (B) mothers' obstetrical delivery.

14 (viii) From funds appropriated for medical
15 assistance payments for inpatient care, \$150,000 shall be
16 used for treatment of cleft palates and other
17 craniofacial anomalies.

18 (ix) From funds appropriated for medical assistance
19 inpatient care, \$1,000,000 shall be distributed to an
20 acute care hospital in a city of the third class in a
21 county of the sixth class, \$300,000 shall be distributed
22 for improvements to an intensive care facility in an
23 acute care hospital located in a city of the first class
24 and \$3,000,000 shall be distributed for a hospital in a
25 city of the third class in a home rule county of the
26 second class-A.

27 (x) From funds appropriated for medical assistance
28 capitation, \$150,000 shall be used for prevention and
29 treatment of depression and its complications in older
30 Pennsylvanians in a county of the second class.

1 (xi) From funds appropriated for medical assistance
2 long-term care, \$2,000,000 shall be distributed to county
3 nursing homes, located in a home rule county that was
4 formerly a county of the second class A, which have a
5 medical assistance occupancy rate of at least 85%.

6 (xii) Subject to Federal approval of necessary
7 amendments of the Title XIX State Plan; from funds
8 appropriated for medical assistance long-term care,
9 \$8,000,000 is allocated for quarterly medical assistance
10 day-one incentive payments to qualified nonpublic nursing
11 facilities under methodology and criteria under section
12 443.1(7)(v) of the Public Welfare Code.

13 (xiii) Money appropriated for critical access
14 hospitals shall be distributed for reimbursement in
15 accordance with a formula established by the department.

16 THE DEPARTMENT MAY CONSIDER THE FEASIBILITY OF <--
17 REIMBURSING A "CRITICAL ACCESS HOSPITAL," AS DEFINED IN
18 SECTION 1861(MM) (1) OF THE SOCIAL SECURITY ACT (49 STAT.
19 620, 42 U.S.C. § 1395X(MM) (1)), WHICH IS QUALIFIED TO
20 PARTICIPATE UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
21 (42 U.S.C. § 1396 ET SEQ.) AT 101% OF MEDICAL ASSISTANCE
22 ALLOWABLE COSTS FOR:

23 (A) "INPATIENT CRITICAL ACCESS HOSPITAL
24 SERVICES," AS DEFINED IN SECTION 1861(MM) (2) OF THE
25 SOCIAL SECURITY ACT (42 U.S.C. 1395X(MM) (2)),
26 PROVIDED TO A MEDICAL ASSISTANCE RECIPIENT.

27 (B) "OUTPATIENT CRITICAL ACCESS HOSPITAL
28 SERVICES," AS DEFINED IN SECTION 1861(MM) (3) OF THE
29 SOCIAL SECURITY ACT (42 U.S.C. § 1395X(MM) (3)),
30 PROVIDED TO A MEDICAL ASSISTANCE RECIPIENT.

1 (C) THE PAYMENTS TO THE CRITICAL ACCESS

2 HOSPITALS SHALL BE THE SUM OF THE DIFFERENCE BETWEEN
3 101% OF MEDICAL ASSISTANCE ALLOWABLE COST AND MEDICAL
4 ASSISTANCE PAYMENTS RECEIVED TOWARD THOSE COSTS AS
5 CALCULATED FOR EACH CRITICAL ACCESS HOSPITAL, IN THE
6 MOST RECENT YEAR FOR WHICH COMPLETE DATA ARE
7 AVAILABLE.

8 (3) Breast cancer screening. The following shall apply:

9 (i) Funds appropriated for breast cancer screening
10 may be used for women's medical services, including
11 noninvasive contraception supplies.

12 (ii) (Reserved).

13 (4) Women's service programs. The following shall apply:

14 (i) Funds appropriated for women's service programs
15 grants to nonprofit agencies whose primary function is to
16 promote childbirth and provide alternatives to abortion
17 shall be expended to provide services to women until
18 childbirth and for up to 12 months thereafter, including
19 food, shelter, clothing, health care, counseling,
20 adoption services, parenting classes, assistance for
21 postdelivery stress and other supportive programs and
22 services and for related outreach programs. Agencies may
23 subcontract with other nonprofit entities which operate
24 projects designed specifically to provide all or a
25 portion of these services. Projects receiving funds
26 referred to in this subparagraph shall not promote, refer
27 for or perform abortions or engage in any counseling
28 which is inconsistent with the appropriation referred to
29 in this subparagraph and shall be physically and
30 financially separate from any component of any legal

1 entity engaging in such activities.

2 (ii) Federal funds appropriated for TANFBG
3 Alternatives to Abortion shall be utilized solely for
4 services to women whose gross family income is below 185%
5 of the Federal poverty guidelines.

6 (5) The provisions of 8 U.S.C. §§ 1611 (relating to
7 aliens who are not qualified aliens ineligible for Federal
8 public benefits), 1612 (relating to limited eligibility of
9 qualified aliens for certain Federal programs) and 1642
10 (relating to verification of eligibility for Federal public
11 benefits) shall apply to payments and providers.

12 (6) From funds appropriated for autism intervention and
13 services, \$450,000 shall be distributed to a behavioral
14 health facility located in a fifth class county with a
15 population between 130,000 and 135,000 under the 2010 Federal
16 decennial census that operates a center for autism and
17 developmental disabilities, \$240,000 shall be distributed to
18 an institution of higher education which provides autism
19 education and diagnostic curriculum located in a city of the
20 first class that operates a center for autism in a county of
21 the second class A, \$240,000 shall be distributed to an
22 institution of higher education which provides autism
23 education and diagnostic curriculum and is located in a
24 county of the second class and \$200,000 shall be allocated to
25 programs to promote the health and fitness of persons with
26 developmental disabilities located in a city of the first
27 class.

28 (6.1) Community-based family centers. Funds appropriated
29 for community-based family centers may not be considered as
30 part of the base for calculation of the county child welfare

1 needs-based budget for a fiscal year.

2 (7) Child welfare services. For fiscal year 2014-2015, a
3 provider of 24-hour, out-of-home, community-based or
4 institutional care and supervision of a child, with the care
5 and supervision being paid for or provided by a county using
6 Federal or State funds disbursed under Article VII of the
7 Public Welfare Code, shall submit documentation to the
8 department of its costs of providing out-of-home placement
9 services. The department shall use such documentation, to the
10 extent necessary to support the department's claim for
11 Federal funding and for State reimbursement for allowable
12 direct and indirect costs incurred in the provision of out-
13 of-home placement services.

14 (8) From funds appropriated for mental health services
15 or from Federal funds, at least \$310,000 shall be used for
16 the continued operation and maintenance of the existing
17 network of web portals that provides comprehensive referral
18 services, support and information for early intervention,
19 prevention and support for those with mental illness or
20 substance abuse, their families, county mental health
21 offices, providers and others involved in mental health
22 treatment.

23 (9) A hospital in a county of the fourth class with a
24 population between 168,000 and 170,500 under the 2010 Federal
25 decennial census shall, for purposes of Medicare
26 reimbursement, be designated by the Commonwealth as a rural
27 hospital under section 1886(d)(8)(E)(ii)(II) of the Social
28 Security Act (42 U.S.C. § 1395 ww(d)(8)(E)(ii)(II)).

29 (10) To supplement the funds appropriated to the
30 department for medical assistance for workers with

1 disabilities, in addition to the monthly premium established
2 under section 1503(b) (1) of the act of June 26, 2001
3 (P.L.755, No.77), known as the Tobacco Settlement Act, the
4 department may adjust the percentage of the premium upon
5 approval of the Centers for Medicaid Services as authorized
6 under federal requirements. Failure to make payments in
7 accordance with this paragraph or section 1503(b) (1) of the
8 Tobacco Settlement Act shall result in the termination of
9 medical assistance coverage.

10 Section 1730-J. Department of Revenue.

11 The following shall apply to appropriations for the
12 Department of Revenue in the General Appropriation Act:

13 (1) The Enhanced Revenue Collection Account created
14 under section 1730-L for fiscal years 2010-2011 and 2011-2012
15 shall continue through fiscal year 2019-2020. Revenues
16 collected and the amount of refunds avoided as a result of
17 expanded tax return reviews and tax collection activities
18 shall be deposited into the account. The following shall
19 apply:

20 (i) Of the funds in the account, for each of the
21 fiscal years 2014-2015 through 2019-2020, up to
22 \$25,000,000 is appropriated to the department to fund the
23 costs associated with increased tax collection
24 enforcement and reduction in tax refund errors. The
25 balance of the funds in the account on June 15, 2014, and
26 each June 15 thereafter, shall be transferred to the
27 General Fund or another authorized fund.

28 (ii) The department shall issue a report to the
29 Governor, the chairman and the minority chairman of the
30 Appropriations Committee of the Senate and the chairman

1 and minority chairman of the Appropriations Committee of
2 the House of Representatives by June 1, 2015, and by each
3 June 1 thereafter, with the following information:

4 (A) A detailed breakdown of the department's
5 administrative costs in implementing the activities
6 described under this section.

7 (B) The amount of revenue collected and the
8 amount of refunds avoided as a result of the
9 activities described under this paragraph, including
10 details of the type of tax generating the revenue and
11 avoided refunds.

12 (2) (Reserved).

13 Section 1731-J. Department of State (Reserved).

14 Section 1732-J. Department of Transportation.

15 The following shall apply to appropriations for the
16 Department of Transportation in the General Appropriation Act:

17 (1) From funds available to the Department of
18 Transportation under 74 Pa.C.S. § 2104(a) (2) (relating to use
19 of money in fund), the match under 74 Pa.C.S. § 2106
20 (relating to local match) may be waived by the Secretary of
21 Transportation for good cause shown. This paragraph shall
22 expire in six months.

23 (2) (Reserved).

24 Section 1733-J. Pennsylvania State Police.

25 Payments made to municipalities under 53 Pa.C.S. § 2170
26 (relating to reimbursement of expenses) shall be limited to
27 money available. If money is not available to make full
28 payments, the Municipal Police Officers' Education and Training
29 Commission shall make payments on a pro rata basis.

30 Section 1734-J. (Reserved).

1 Section 1735-J. Pennsylvania Emergency Management Agency.

2 The following shall apply to appropriations for the
3 Pennsylvania Emergency Management Agency in the General
4 Appropriation Act:

5 (1) From funds appropriated for general government
6 operations, \$100,000 shall be distributed to a nonprofit
7 entity located in a county of the second class and in a
8 borough with a population based on the most recent Federal
9 decennial census of at least 4,000 but not more than 5,000
10 that provides emergency disaster services in a multicounty
11 region.

12 (2) From funds appropriated for local municipal
13 emergency relief, \$1,000,000 shall be appropriated to a
14 multicounty provider of emergency services that serves a
15 portion of a county of the second class A and portion of a
16 county of the third class.

17 (3) From funds appropriated for local municipal
18 emergency relief, \$2,000,000 shall be used to create a State
19 program to provide assistance to individuals and political
20 subdivisions directly affected by natural and man-made
21 disasters. State assistance will be limited to grants for
22 projects that do not qualify for Federal assistance to help
23 repair damages to primary residences, personal property and
24 public facilities. Grants will be made available in a
25 disaster emergency area only when a Presidential disaster
26 declaration is not covering the area.

27 (4) Funds appropriated for search and rescue programs
28 shall be used to support programs related to training working
29 service dogs focusing on rescue and public safety at a center
30 located in a city of the first class.

1 Section 1736-J. Pennsylvania Fish and Boat Commission

2 (Reserved).

3 Section 1737-J. State System of Higher Education (Reserved).

4 Section 1737.1-J. State-related institutions (Reserved).

5 Section 1738-J. Pennsylvania Higher Education Assistance

6 Agency.

7 (a) General rule.--The following shall apply to

8 appropriations for the Pennsylvania Higher Education Assistance

9 Agency in the General Appropriations Act:

10 (1) From funds appropriated for the Ready to Succeed
11 Scholarship Program, the Pennsylvania Higher Education
12 Assistance Agency shall develop a program in consultation
13 with the Department of Education to provide scholarships to
14 eligible resident students to defray the cost of attending a
15 State grant-approved institution of higher education that is
16 domiciled and headquartered with its principal location in
17 this Commonwealth.

18 (2) The eligibility criteria developed for the receipt
19 of a scholarship under paragraph (1) shall at a minimum
20 require the following:

21 (i) Total annual household income not to exceed
22 \$110,000.

23 (ii) At least half-time enrollment in an approved
24 course of study.

25 (iii) Demonstration of outstanding academic
26 achievement.

27 (iv) Compliance with all aspects of the State grant
28 program, except financial need.

29 (3) A student may be eligible to receive a scholarship
30 under paragraph (1) provided the scholarship award in

1 combination with a State grant award for the same academic
2 year does not exceed the annually established maximum amount
3 for the Ready to Succeed Scholarship Program as established
4 by the agency.

5 (4) The agency shall make all scholarship awards under
6 paragraph (1) in its sole discretion.

7 (b) Definitions.--As used in this section, "State grant"
8 shall mean a grant or scholarship awarded under the act of
9 January 25, 1966 (1965 P.L.1546, No.541), referred to as the
10 Higher Education Scholarship Law.

11 Section 1739-J. Pennsylvania Historical and Museum Commission.

12 The Department of Conservation and Natural Resources shall
13 commence its operation of the Washington Crossing Historic Park
14 within 60 days of the effective date of this section. The
15 Pennsylvania Historical and Museum Commission shall continue to
16 operate the visitor's center and oversee operations through
17 December 31, 2014, including conducting the annual Christmas Day
18 Crossing. Nothing in this section shall prohibit the Department
19 of Conservation and Natural Resources from entering into an
20 agreement for the visitor's center and adjacent historical
21 buildings with the Pennsylvania Historical and Museum
22 Commission, if deemed approved by the Department of Conservation
23 and Natural Resources, whereby the Pennsylvania Historical and
24 Museum Commission shall interpret the site. Management of the
25 visitor's center and adjoining buildings shall be the
26 responsibility of the Department of Conservation and Natural
27 Resources. The Pennsylvania Historical and Museum Commission
28 shall continue to consult with the Department of Conservation
29 and Natural Resources regarding historic interpretation and
30 preservation as mandated by 37 Pa.C.S. (relating to historical

1 and museums).

2 Section 1740-J. Pennsylvania Infrastructure Investment
3 Authority (Reserved).

4 Section 1741-J. Environmental Hearing Board (Reserved).

5 Section 1742-J. Pennsylvania Board of Probation and Parole
6 (Reserved).

7 Section 1743-J. Pennsylvania Gaming Control Board.

8 (1) Notwithstanding 4 Pa.C.S. Pt. II (relating to
9 gaming) or any other provision of law to the contrary, any
10 payment of a slot machine license fee under 4 Pa.C.S. § 1209
11 (relating to slot machine license fee) received by the
12 Pennsylvania Gaming Control Board after June 30, 2014, shall
13 be deposited in and credited to the General Fund.

14 (2) Within 90 days after the effective date of this <--
15 paragraph, the Pennsylvania Gaming Control Board shall
16 transfer the sum of \$8,000,000 from amounts previously
17 appropriated to the board pursuant to 4 Pa.C.S. § 1408(e)
18 (relating to transfers from State Gaming Fund) to the General
19 Fund. (RESERVED). <--

20 Section 1744-J. (Reserved).

21 Section 1745-J. (Reserved).

22 Section 1746-J. (Reserved).

23 Section 1747-J. (Reserved).

24 Section 1748-J. Commonwealth Financing Authority (Reserved).

25 Section 1749-J. Thaddeus Stevens College of Technology
26 (Reserved).

27 Section 1750-J. Pennsylvania Housing Finance Agency (Reserved).

28 Section 1751-J. LIHEABG (Reserved).

29 SUBARTICLE C

30 STATE GOVERNMENT SUPPORT AGENCIES

1 Section 1761-J. Health Care Cost Containment Council
2 (Reserved).
3 Section 1762-J. State Ethics Commission (Reserved).
4 Section 1763-J. Legislative Reference Bureau (Reserved).
5 Section 1764-J. Legislative Budget and Finance Committee
6 (Reserved).
7 Section 1765-J. Legislative Data Processing Committee
8 (Reserved).
9 Section 1766-J. Joint State Government Commission (Reserved).
10 Section 1767-J. Joint Legislative Air and Water Pollution
11 Control and Conservation Committee (Reserved).
12 Section 1768-J. Legislative Audit Advisory Commission
13 (Reserved).
14 Section 1769-J. Independent Regulatory Review Commission
15 (Reserved).
16 Section 1770-J. Capitol Preservation Committee (Reserved).
17 Section 1771-J. Pennsylvania Commission on Sentencing
18 (Reserved).
19 Section 1772-J. Center for Rural Pennsylvania (Reserved).
20 Section 1773-J. Commonwealth Mail Processing Center (Reserved).
21 Section 1774-J. Transfers (Reserved).
22 SUBARTICLE D
23 JUDICIAL DEPARTMENT
24 Section 1781-J. Supreme Court (Reserved).
25 Section 1782-J. Superior Court (Reserved).
26 Section 1783-J. Commonwealth Court (Reserved).
27 Section 1784-J. Courts of common pleas (Reserved).
28 Section 1785-J. Community courts; magisterial district judges
29 (Reserved).
30 Section 1786-J. Philadelphia Traffic Court (Reserved).

1 Section 1787-J. Philadelphia Municipal Court (Reserved).
2 Section 1788-J. Judicial Conduct Board (Reserved).
3 Section 1789-J. Court of Judicial Discipline (Reserved).
4 Section 1790-J. Juror cost reimbursement (Reserved).
5 Section 1791-J. County court reimbursement (Reserved).
6 Section 1792-J. Senior judges (Reserved).
7 Section 1793-J. Transfer of funds by Supreme Court (Reserved).

8 SUBARTICLE E

9 GENERAL ASSEMBLY

10 (Reserved)

11 ARTICLE XVII-K

12 2014-2015 RESTRICTIONS ON APPROPRIATIONS

13 FOR FUNDS AND ACCOUNTS

14 Section 1701-K. Applicability.

15 Except as specifically provided in this article, this article
16 applies to the act of , 2014 (P.L. No. A), known as the
17 General Appropriation Act of 2014, and all other appropriation
18 acts of 2014.

19 Section 1702-K. State Lottery Fund.

20 (1) Funds appropriated for PENNCARE shall not be
21 utilized for administrative costs by the Department of Aging.

22 (2) (Reserved).

23 Section 1703-K. Energy Conservation and Assistance Fund

24 (Reserved).

25 Section 1704-K. Judicial Computer System Augmentation Account

26 (Reserved).

27 Section 1704.1-K. Access to Justice Account (Reserved).

28 Section 1705-K. Emergency Medical Services Operating Fund

29 (Reserved).

30 Section 1706-K. The State Stores Fund (Reserved).

1 Section 1707-K. Motor License Fund (Reserved).
2 Section 1708-K. Hazardous Material Response Fund (Reserved).
3 Section 1709-K. Milk Marketing Fund (Reserved).
4 Section 1710-K. HOME Investment Trust Fund (Reserved).
5 Section 1711-K. Tuition Payment Fund (Reserved).
6 Section 1712-K. Banking Department Fund (Reserved).
7 Section 1713-K. Firearm Records Check Fund (Reserved).
8 Section 1714-K. Ben Franklin Technology Development Authority
9 Fund (Reserved).
10 Section 1715-K. Tobacco Settlement Fund (Reserved).
11 Section 1716-K. (Reserved).
12 Section 1717-K. Restricted receipt accounts.
13 (a) General provisions.--The secretary may create restricted
14 receipt accounts for the purpose of administering Federal grants
15 only for the purposes designated in this section.
16 (b) Department of Community and Economic Development.--The
17 following restricted receipt accounts may be established for the
18 Department of Community and Economic Development:
19 (1) ARC Housing Revolving Loan Program.
20 (2) (Reserved).
21 (c) Department of Conservation and Natural Resources.--The
22 following restricted receipt accounts may be established for the
23 Department of Conservation and Natural Resources:
24 (1) Federal Aid to Volunteer Fire Companies.
25 (2) Federal Land and Water Conservation Fund Act.
26 (3) National Forest Reserve Allotment.
27 (4) Federal Land and Water Conservation Fund Act -
28 Conservation and Natural Resources.
29 (d) Department of Education.--The following restricted
30 receipt accounts may be established for the Department of

1 Education:

2 (1) Education of the Disabled - Part C.

3 (2) LSTA - Library Grants.

4 (3) The Pennsylvania State University Federal Aid.

5 (4) Emergency Immigration Education Assistance.

6 (5) Education of the Disabled - Part D.

7 (6) Homeless Adult Assistance Program.

8 (7) Severely Handicapped.

9 (8) Medical Assistance Reimbursements to Local Education

10 Agencies.

11 (e) Department of Environmental Protection.--The following

12 restricted receipt accounts may be established for the

13 Department of Environmental Protection:

14 (1) Federal Water Resources Planning Act.

15 (2) Flood Control Payments.

16 (3) Soil and Water Conservation Act - Inventory of

17 Programs.

18 (f) Department of Drug and Alcohol Programs.--The following

19 restricted receipt accounts may be established for the

20 Department of Drug and Alcohol Programs:

21 (1) Share Loan Program.

22 (2) (Reserved).

23 (g) Department of Transportation.--The following restricted

24 receipt accounts may be established for the Department of

25 Transportation:

26 (1) Capital Assistance Elderly and Handicapped Programs.

27 (2) Railroad Rehabilitation and Improvement Assistance.

28 (3) Ridesharing/Van Pool Program - Acquisition.

29 (h) Pennsylvania Emergency Management Agency.--The following

30 restricted receipt accounts may be established for the

1 Pennsylvania Emergency Management Agency:

2 (1) Receipts from Federal Government - Disaster Relief -
3 Disaster Relief Assistance to State and Political
4 Subdivisions.

5 (2) (Reserved).

6 (i) Pennsylvania Historical and Museum Commission.--The
7 following restricted receipt accounts may be established for the
8 Pennsylvania Historical and Museum Commission:

9 (1) Federal Grant - National Historic Preservation Act.

10 (2) (Reserved).

11 (j) Executive Offices.--The following restricted receipt
12 accounts may be established for the Executive Offices:

13 (1) Retired Employees Medicare Part D.

14 (2) Justice Assistance.

15 (3) Juvenile Accountability Incentive.

16 (4) Early Retiree Reinsurance Program.

17 Section 1718.1-K. Gaming Economic Development and Tourism Fund.

18 Notwithstanding the provisions of 4 Pa.C.S. Pt. II (relating
19 to gaming) and the act of July 9, 2008 (P.L.908, No.63), known
20 as the H2O PA Act, \$5,676,000 is hereby appropriated from the
21 Gaming Economic Development and Tourism Fund to the Department
22 of General Services to meet additional payment obligations for
23 the project itemized in section 3(2)(i)(D) of the act of July
24 25, 2007 (P.L.342, No.53), known as the Pennsylvania Gaming
25 Economic Development and Tourism Fund Capital Budget Itemization
26 Act of 2007.

27 Section 1719-K. Veterans' Trust Fund (Reserved).

28 Section 1720-K. State Farm Products Show Fund (Reserved).

29 Section 1721-K. Pennsylvania Race Horse Development Fund
30 (Reserved).

1 Section 16. Repeals are as follows:

2 (1) The General Assembly declares that the repeals under
3 paragraph (2) are necessary to effectuate the addition of
4 ~~Subarticle D of Article XVII A.1~~ SECTIONS 1714-A.1 AND 1715- <--
5 A.1 of the act.

6 (2) Sections 304 and 305 of the act of June 26, 2001
7 (P.L.755, No.77), known as the Tobacco Settlement Act, are
8 repealed.

9 (3) The General Assembly finds that the repeal under
10 paragraph (4) is necessary to effectuate the addition of
11 section 1722-J(10) of the act.

12 (4) Section 2509.14 of the act of March 10, 1949
13 (P.L.30, No.14), known as the Public School Code of 1949, is
14 repealed.

15 ~~Section 17. The following provisions shall apply~~ <--
16 ~~retroactively to taxable years beginning after December 31,~~
17 ~~2013.~~

18 ~~(1) The addition of section 215 of the act.~~

19 ~~(2) The addition of section 1104.2 of the act.~~

20 Section 17. This act shall take effect as follows: <--

21 (1) The amendment of section 301.1(i)(2) of the act
22 shall take effect in 60 days.

23 (2) The amendment or addition of sections 1301.11(g),
24 1301.11a, 1301.11b and 1301.25 of the act shall take effect
25 in 180 days.

26 (3) Section 16(2) of this act shall take effect January
27 1, 2015.

28 (4) The remainder of this act shall take effect
29 immediately.