

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 589 Session of
1993

INTRODUCED BY EVANS, DeWEESE, LINTON, KASUNIC, CAPPABIANCA,
BATTISTO, DeLUCA, FLICK, KUKOVICH, SANTONI, LLOYD, WOZNIAK,
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JOSEPHS, HUGHES, STEELMAN, GERLACH, VEON AND RITTER,
MARCH 15, 1993

SENATOR TILGHMAN, APPROPRIATIONS, IN SENATE, AS AMENDED,
JUNE 15, 1994

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 Executive Department thereof and the administrative
5 departments, boards, commissions, and officers thereof,
6 including the boards of trustees of State Normal Schools, or
7 Teachers Colleges; abolishing, creating, reorganizing or
8 authorizing the reorganization of certain administrative
9 departments, boards, and commissions; defining the powers and
10 duties of the Governor and other executive and administrative
11 officers, and of the several administrative departments,
12 boards, commissions, and officers; fixing the salaries of the
13 Governor, Lieutenant Governor, and certain other executive
14 and administrative officers; providing for the appointment of
15 certain administrative officers, and of all deputies and
16 other assistants and employes in certain departments, boards,
17 and commissions; and prescribing the manner in which the
18 number and compensation of the deputies and all other
19 assistants and employes of certain departments, boards and
20 commissions shall determined," ~~further imposing additional~~
21 ~~budgetary duties and responsibilities on the Governor and the~~
22 ~~Secretary of the Budget; requiring the Auditor General and~~
23 ~~State Treasurer to furnish lists of employees and requiring~~
24 ~~monthly updates of employee lists to be furnished to the~~
25 ~~Legislative Data Processing Center; creating an independent~~

<—

~~advisory board to be known as the Independent Revenue
Forecasting Board, providing for the appointment of its
members, and defining its powers and duties; establishing an
Economic Advisory Council; and providing for duties of the
Governor, the Secretary of Public Welfare and the Secretary
of Revenue.~~ FURTHER PROVIDING FOR ANNUAL LIQUOR LICENSE FEES; <—
GRANTING EXCEPTIONS TO THE CERTIFICATE OF NEED PROVISIONS FOR
A CERTAIN HOSPITAL; AND MAKING A REPEAL.

THE GENERAL ASSEMBLY FINDS AND DECLARES AS FOLLOWS:

(1) TEMPLE UNIVERSITY OF THE COMMONWEALTH SYSTEM OF
HIGHER EDUCATION, AN INSTRUMENTALITY OF THE COMMONWEALTH
SERVING AS A STATE-RELATED INSTITUTION IN THE STATE SYSTEM OF
HIGHER EDUCATION, AND SHRINERS HOSPITAL FOR CRIPPLED
CHILDREN, A CHARITABLE HOSPITAL SPECIALIZING IN PEDIATRIC
ORTHOPEDIC AND REHABILITATION SERVICES, HAVE ENTERED INTO A
JOINT PROJECT, WHEREBY TEMPLE UNIVERSITY INTENDS TO CONSTRUCT
A PEDIATRIC UNIT OF ITS TEMPLE UNIVERSITY HOSPITAL SITE; AND
THE SHRINERS HOSPITAL FOR CRIPPLED CHILDREN WILL ALSO CONDUCT
ITS SPECIALTY HOSPITAL AT THE SITE OF THE TEMPLE UNIVERSITY
HOSPITAL AND WILL RELOCATE FROM ITS PRESENT SITE IN NORTHEAST
PHILADELPHIA.

(2) THROUGH THE ADOPTION OF SECTION 3(2)(V)(H) OF THE
ACT OF JULY 2, 1993 (P.L.265, NO.47), KNOWN AS THE CAPITAL
PROJECT ITEMIZATION ACT FOR 1993-1994, THE GENERAL ASSEMBLY
PREVIOUSLY RECOGNIZED THE NEED FOR THE CONSTRUCTION OF A
PEDIATRIC HOSPITAL IN PHILADELPHIA BY TEMPLE UNIVERSITY AND
THE NEED FOR THE RELOCATION AND REPLACEMENT OF THE SHRINERS
HOSPITAL FOR CRIPPLED CHILDREN. THE RECOGNITION OF THAT NEED
IS HEREBY REAFFIRMED.

(3) TEMPLE UNIVERSITY HOSPITAL OFFERS A LESS COSTLY
HEALTH CARE SERVICE THAN OTHER UNIVERSITY TEACHING HOSPITALS
IN PHILADELPHIA.

(4) THE SHRINERS HOSPITAL FOR CRIPPLED CHILDREN PROVIDES

1 SPECIALTY MEDICAL CARE COMPLETELY FREE TO THOSE INDIVIDUALS
2 UNABLE TO PAY FOR THESE SERVICES, WITHOUT ANY REIMBURSEMENT
3 FROM INSURERS OR GOVERNMENTAL ENTITIES.

4 (5) TEMPLE UNIVERSITY IS THE SINGLE LARGEST PROVIDER OF
5 MEDICAL ASSISTANCE SERVICES IN THIS COMMONWEALTH.

6 (6) THE CHILDREN OF NORTH PHILADELPHIA, WHERE TEMPLE
7 UNIVERSITY HOSPITAL IS LOCATED, DO NOT HAVE INPATIENT
8 PEDIATRIC SERVICES AVAILABLE WITHIN A 30-MINUTE TRAVEL TIME.
9 THE RELATIVE INACCESSIBILITY AND UNAVAILABILITY OF MEDICAL
10 CARE PRESENTS A BARRIER TO ADEQUATE HEALTH CARE FOR THE
11 RESIDENTS OF NORTH PHILADELPHIA.

12 (7) TEMPLE UNIVERSITY HOSPITAL IS A FULLY ACCREDITED
13 TEACHING HOSPITAL, OFFERING A VARIETY OF MEDICAL EDUCATION
14 CURRICULA. THE PROPOSED JOINT PROJECT WILL SERVE THE INTEREST
15 OF THIS COMMONWEALTH BY ENHANCING THE MEDICAL EDUCATION
16 OPPORTUNITIES PROVIDED BY TEMPLE UNIVERSITY AND THE SHRINERS
17 HOSPITAL FOR CRIPPLED CHILDREN.

18 (8) BASED UPON THESE FINDINGS, THE GENERAL ASSEMBLY HAS
19 DETERMINED THAT THE JOINT PROJECT FOR A PEDIATRIC UNIT AT
20 TEMPLE UNIVERSITY HOSPITAL AND FOR RELOCATION AND REPLACEMENT
21 OF THE SHRINERS HOSPITAL FOR CRIPPLED CHILDREN SHALL NOT BE
22 SUBJECT TO THE REQUIREMENTS OF THE ACT OF JULY 19, 1979
23 (P.L.130, NO.48), KNOWN AS THE HEALTH CARE FACILITIES ACT,
24 AND HEREBY ENACTS SECTION 2125 OF ACT OF APRIL 9, 1929
25 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929.

26 (9) THE GENERAL ASSEMBLY ALSO FINDS THAT THIS ACT AND
27 SECTION 3(2)(V)(H) OF THE CAPITAL BUDGET PROJECT ITEMIZATION
28 ACT FOR 1993-1994 MEET THE OBLIGATIONS OF THE COMMONWEALTH TO
29 ITS STATE-RELATED INSTITUTION, SERVE THE INTEREST OF THE
30 COMMONWEALTH IN ASSURING A CONTINUUM OF MEDICAL CARE FOR

1 INDIVIDUALS UNABLE TO AFFORD SUCH CARE, THUS ELIMINATING
2 COSTS WHICH WOULD OTHERWISE BE BORNE BY THE COMMONWEALTH,
3 SERVE THE INTEREST OF THE COMMONWEALTH IN ENHANCING THE
4 QUALITY OF MEDICAL CARE FOR THE CITIZENS OF THIS
5 COMMONWEALTH, AND SERVE THE INTEREST OF THE COMMONWEALTH BY
6 ENHANCING THE MEDICAL EDUCATION OPPORTUNITIES PROVIDED BY
7 TEMPLE UNIVERSITY.

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

10 ~~Section 1. Section 613 of the act of April 9, 1929 (P.L.177, <—~~
11 ~~No.175), known as The Administrative Code of 1929, is amended by~~
12 ~~adding a clause to read:~~

13 ~~Section 613. Submission of Budget to General Assembly. As~~
14 ~~soon as possible after the organization of the General Assembly,~~
15 ~~but not later than the first full week in February of each year,~~
16 ~~except in the case where a Governor has been elected for his~~
17 ~~first term of office and then no later than the first full week~~
18 ~~in March, the Governor shall submit to the General Assembly~~
19 ~~copies of original agency budget requests and all subsequent~~
20 ~~revised agency budget requests and a State budget and program~~
21 ~~and financial plan embracing:~~

22 * * *

23 ~~(5) No later than thirty days following the submission of~~
24 ~~the budget to the General Assembly, the Governor must submit~~
25 ~~copies of all proposed legislation necessary for the~~
26 ~~implementation of his proposed budget for the ensuing fiscal~~
27 ~~year.~~

28 ~~Section 2. Section 614 of the act, amended August 14, 1991~~
29 ~~(P.L.331, No.35), is amended to read:~~

30 ~~Section 614. List of Employees to be Furnished to Certain~~

~~State Officers. (a) (1) All administrative departments, boards, and commissions and the Attorney General shall on July 15 of each year, transmit to the Auditor General, the State Treasurer and Secretary of the Budget a complete list, and to the Legislative Data Processing Center a computer tape of such list, as of July 1 preceding, of the names of all persons, except day laborers, entitled to receive compensation from the Commonwealth for services rendered in or to the department, board, or commission, as the case may be. [Such list]~~

~~(2) The Auditor General shall on July 15 of each year transmit to the State Treasurer and the Secretary of the Budget a complete list, and to the Legislative Data Processing Center a computer tape of such list, as of July 1 preceding, of the names of all persons, except day laborers, entitled to receive compensation from the Commonwealth for services rendered in or to the Auditor General.~~

~~(3) The State Treasurer shall on July 15 of each year transmit to the Auditor General and the Secretary of the Budget a complete list, and to the Legislative Data Processing Center a computer tape of such list, as of July 1 preceding, of the names of all persons, except day laborers, entitled to receive compensation from the Commonwealth for services rendered in or to the State Treasurer.~~

~~(4) The lists under clauses (1), (2) and (3) shall show the position occupied by each such person, the date of birth and voting residence of such person, the salary at which or other basis upon which such person is entitled to be paid, the date when such person entered the service of the Commonwealth, whether such person has been continuously employed by the Commonwealth since that date, and all periods of service and~~

~~positions held as an employee of the Commonwealth, or such part of such information as the Governor may prescribe.~~

~~(b) (1) No later than the 15th of each month thereafter, the Attorney General, the heads of the several administrative departments, and the several independent administrative boards and commissions, shall certify to the Auditor General, the State Treasurer and the Secretary of the Budget any changes in the annual list of employees last transmitted to them which shall have occurred during the preceding month [and shall provide to the Legislative Data Processing Center a computer tape of such changes.]~~

~~(2) Each month thereafter, the Auditor General shall certify to the State Treasurer and the Secretary of the Budget any changes in the annual list of employees last transmitted to them which shall have occurred during the preceding month.~~

~~(3) Each month thereafter, the State Treasurer shall certify to the Auditor General and the Secretary of the Budget any changes in the annual list of employees last transmitted to them which shall have occurred during the preceding month.~~

~~(4) Each month thereafter, all administrative departments, boards and commissions, the Attorney General, the Auditor General and the State Treasurer shall transmit a computer tape of the changes under clauses (1), (2) and (3) to the Legislative Data Processing Center.~~

~~(c) The information received by the Auditor General, the State Treasurer and the Secretary of the Budget, under this section, shall be public information.~~

~~Section 3. Section 615(a) and (d) of the act, added September 27, 1978 (P.L.775, No.149) and August 14, 1991 (P.L.331, No.35), are amended to read:~~

~~Section 615. Estimates of Current Expenditures by
Departments, Boards and Commissions. (a) Each administrative
department, board and commission, except the departments of
which the Auditor General, the State Treasurer and the Attorney
General are respectively the heads, shall from time to time, as
requested by the Governor, prepare and submit to the Secretary
of the Budget, for approval or disapproval, an estimate of the
amount of money required and the levels of activity and
accomplishment for each program carried on by each department,
board or commission, during the ensuing month, quarter, or such
other period as the Governor shall prescribe. All available
Federal funds and funds from other sources shall be
characterized as such and shall be included in the estimated
expenditures which must be submitted to the Secretary of the
Budget before any expenditures therefrom may be made. If such
estimates do not meet with the approval of the Secretary of the
Budget, it shall be revised as necessary and resubmitted for
approval. The approved rebudget for each administrative
department, board and commission subject to this section shall
be submitted to the General Assembly within ninety (90) days
following enactment of the budget for the current fiscal year.
The Secretary of the Budget may establish an authorized
personnel complement level in conjunction with the approved
expenditure estimate.~~

~~* * *~~

~~(d) The Secretary of the Budget shall not, under his
authority pursuant to this section, reserve, disapprove or
reduce any amount appropriated by the General Assembly for
grants and subsidies without giving ten (10) days' prior notice
to the Majority and Minority [Chairmen] Chairs of the~~

1 ~~Appropriations Committees of the Senate and the House of~~
2 ~~Representatives, for their review and comment. Such notice shall~~
3 ~~include the amount of the appropriation to be reduced or~~
4 ~~disapproved, the reasons why the appropriation should be reduced~~
5 ~~or disapproved and the estimated impact of such reduction or~~
6 ~~disapproval on the programs, services or purposes for which the~~
7 ~~appropriation is provided.~~

8 ~~Section 4. Sections 618, 619 and 620 of the act, added~~
9 ~~September 27, 1978 (P.L.775, No.149), are amended to read:~~

10 ~~Section 618. Revenue Estimates. (a) The Department of~~
11 ~~Revenue in conjunction with the Secretary of the Budget shall~~
12 ~~make revenue estimates for the use of the Governor in preparing~~
13 ~~the budget with periodic revisions until the final estimate is~~
14 ~~signed by the Governor not later than the time he signs the~~
15 ~~general appropriation bill. The revenue estimates used to sign~~
16 ~~any appropriation bill shall show separately State revenues,~~
17 ~~Federal funds, and, if specifically appropriated, funds from~~
18 ~~other sources. The Governor shall item veto any part of any~~
19 ~~appropriation bill that causes total appropriations to exceed~~
20 ~~the official estimate plus any unappropriated surplus. No~~
21 ~~changes in the revenue estimates shall be made thereafter unless~~
22 ~~changes in statutes affecting revenues and receipts are enacted.~~

23 ~~(b) The revenue estimates shall be prepared in a way that~~
24 ~~they are subject to complete and thorough oversight by the~~
25 ~~Appropriations Committees of the Senate and the House of~~
26 ~~Representatives and the Independent Revenue Forecasting Board~~
27 ~~with full knowledge of all data, assumptions, and econometric~~
28 ~~models which were used to develop the projections and any~~
29 ~~subsequent revisions of these projections.~~

30 ~~(c) A committee consisting of the Governor, the Secretary of~~

1 ~~the Budget, the Secretary of Revenue [and the Chairmen], the~~
2 ~~Chairs of the Appropriations Committees of the Senate and the~~
3 ~~House of Representatives and the Chair of the Independent~~
4 ~~Revenue Forecasting Board is hereby established to oversee the~~
5 ~~development, maintenance and/or use of econometric models which~~
6 ~~may be applied in the forecasting of State revenues. A model or~~
7 ~~models shall be developed for this purpose in the event that one~~
8 ~~does not currently exist. The Governor's Office shall maintain~~
9 ~~and update the model or models or appoint an appropriate agency~~
10 ~~or agencies to perform this responsibility. The Governor's~~
11 ~~Office shall inform the Oversight Committee of any changes to be~~
12 ~~made to the model or models to keep it updated. The equations of~~
13 ~~the model or models and any historic data bases related thereto~~
14 ~~shall be available to any member of the Oversight Committee or~~
15 ~~to the Minority [Chairman] Chair of the Appropriations Committee~~
16 ~~of the Senate or House of Representatives upon request at any~~
17 ~~time for any reason. Members of the Oversight Committee or the~~
18 ~~Minority [Chairman] Chair of the Appropriations Committee of the~~
19 ~~Senate or the House of Representatives may request the~~
20 ~~Governor's Office or the appropriate agency to run the model or~~
21 ~~models for any purpose including the testing of new equations~~
22 ~~and to produce forecasts. Forecasts produced by the model or~~
23 ~~models and any forecasted data bases related thereto shall be~~
24 ~~kept confidential by the Governor's Office and the appropriate~~
25 ~~agency or agencies producing these forecasts until or unless the~~
26 ~~individual requesting such forecast shall release them from this~~
27 ~~requirement. In no way shall this confidentiality provision be~~
28 ~~construed to prevent access by the Appropriations Committees of~~
29 ~~the Senate or House of Representatives or the Independent~~
30 ~~Revenue Forecasting Board to forecasts used in the preparation~~

~~of the Governor's revenue estimates after the presentation of the budget as required in section 619(b).~~

~~Section 619. Transmission of Budget Information to the General Assembly. (a) In December of each year, the Governor shall meet with the Majority and Minority [Chairmen] Chairs of the Appropriations Committees and the officers of the General Assembly to brief the legislative leadership on the issues he can foresee as being imminent in the budget for the next fiscal year and exchange views with them on issues on the budget before it is formally submitted to the General Assembly. The Governor's briefing shall include:~~

~~(1) Major anticipated increases or decreases in programs.~~

~~(2) The results or anticipated results of employee union negotiations for salaries, wages and other benefits.~~

~~(3) The statistics involved in preliminary forecasts of the major programs mandated by statute such as education subsidies, all public assistance programs, debt service and forecasts of revenue.~~

~~(4) Other appropriate budget information.~~

~~The legislative officers shall also inform the Governor of financial matters which should be considered in the budget.~~

~~(a.1) At the same time that the Governor presents the budget to the General Assembly, the Governor shall, as provided in section 2808 D, present a documented revenue forecast as defined in section 2801 D.~~

~~(b) In the year the Governor is inaugurated, the Governor shall present the budget to the General Assembly no later than the first full week in March and in other years, no later than the first full week in February.~~

~~(c) The budget shall include the results of any program~~

~~evaluation report completed by the Budget Office in the fiscal year preceding the year in which the budget request is made. The results of the evaluation report and its recommendations shall be summarized and included in the budget documentation.~~

~~(d) The Governor and each department or agency of the Commonwealth, upon request of the [Chairman] Chair of the Appropriations Committees of either the Senate or the House of Representatives, shall provide documentation of any budget request, including revenue estimates upon which the Governor's budget estimate is based.~~

~~Section 620. Budget Implementation Data. (a) The Governor shall make monthly expenditure data available to the Majority and Minority [Chairmen] Chairs of the Appropriations Committees of the Senate and the House of Representatives. Monthly data shall be provided within fifteen (15) days after the end of each month. The monthly data shall be prepared in such a way that the last monthly submission is a summary inclusive of the preceding months of the fiscal year and shall be usable to establish a history of expenditure file. This data, at the discretion of the Majority and Minority [Chairmen] Chairs of the Appropriations Committees of the Senate and the House of Representatives may be provided either in finished reports or on computer tapes. The data shall be provided by fund, by appropriation, by department and by organization within each department and shall include:~~

~~(1) Number of filled personnel positions and their cost.~~

~~(2) Itemized personnel vacancies and their cost.~~

~~(3) New positions created and their cost.~~

~~(4) Wage and overtime costs.~~

~~(5) Allotments and expenditures for itemized personnel expenses.~~

~~(6) Allotments and expenditures for itemized operating expenses.~~

~~(7) Allotments and expenditures for itemized fixed assets.~~

~~(8) The rate of expenditures in appropriations for major subsidy and grant programs during the month.~~

~~In addition to the above specified budgetary data, the Governor shall make available any other budgetary data as may be requested from time to time by the Majority and Minority [Chairmen] Chairs of the Appropriations Committees of the Senate and the House of Representatives.~~

~~(b) The Governor shall make monthly revenue reports to the Majority and Minority [Chairmen] Chairs of the Appropriations Committees of the Senate and the House of Representatives and the Independent Revenue Forecasting Board. The revenue reports shall show the actual collection of revenue itemized by source and a comparison of the actual collections with estimated collections for each month. The comparison shall be accompanied by an analysis which would indicate any change in collection patterns which will cause a shortfall or overrun on the annual estimates of more than one per centum (1%).~~

~~(c) The Governor shall cause to be prepared any other revenue data as may be requested from time to time by the Majority or Minority [Chairmen] Chairs of the Appropriations Committees of the Senate or the House of Representatives and to the Chair of the Independent Revenue Forecasting Board.~~

~~Section 5. Section 620.1 of the act, added August 14, 1991 (P.L.331, No.35), is amended to read:~~

~~Section 620.1. Electronic Access of Information. Except for confidential information, the Majority and Minority [Chairmen] Chairs of the Appropriations Committees of the Senate and House~~

~~of Representatives and the Chair of the Independent Revenue
Forecasting Board shall have access to all information available
on inquiry only screens through the Integrated Central System.~~

~~Section 6. The act is amended by adding an article to read:~~

~~ARTICLE XXVIII D~~

~~POWERS AND DUTIES OF THE INDEPENDENT REVENUE~~

~~FORECASTING BOARD~~

~~Section 2801 D. Definitions. The following words and
phrases when used in this article shall have the meanings given
to them in this section unless the context clearly indicates
otherwise:~~

~~"Board" means the Independent Revenue Forecasting Board.~~

~~"Cash grant" means cash assistance grants as provided under
the act of June 13, 1967 (P.L.31, No.21), known as the "Public
Welfare Code."~~

~~"Chairs of the Appropriations Committees" means the Majority
Chair and the Minority Chair of the Appropriations Committee of
the Senate and the Majority Chair and the Minority Chair of the
Appropriations Committee of the House of Representatives.~~

~~"Council" means the Economic Advisory Council.~~

~~"Documented revenue forecast" means revenue estimates for the
current and succeeding two fiscal years accompanied by
supporting documentation which is sufficient for an individual
to independently replicate and verify the forecast. Supporting
documentation includes, but is not limited to:~~

~~(1) All reference and data sources used to prepare the
revenue forecast.~~

~~(2) Economic growth assumptions accompanied with supporting
rationale.~~

~~(3) A printout of all historical and forecast data used,~~

~~including the effective rate of taxes.~~

~~(4) A printout of all adjustments to historical and forecast data accompanied with supporting rationale where the rationale includes, but is not limited to, a discussion of adjustments due to statutory changes, litigation, and administrative practices.~~

~~(5) All models used, including econometric, structural and cash flow models.~~

~~(6) All formulas and calculations used to be accompanied with supporting rationale.~~

~~"Medical assistance" means medical assistance as provided under the act of June 13, 1967 (P.L.31, No.21), known as the "Public Welfare Code."~~

~~"Official estimate" means the official estimate as required under section 618(a) for General Fund revenue.~~

~~"Revenue" means the income sources for the General Fund.~~

~~Section 2802 D. Creation of Board. The Independent Revenue Forecasting Board is hereby created as an independent advisory board.~~

~~Section 2803 D. Purpose of Board. The board shall prepare periodic advisory revenue estimates and reports and act as an advisor to the Governor, the General Assembly and the public concerning the following:~~

~~(1) Revenue forecasts.~~

~~(2) Economic conditions in this Commonwealth.~~

~~(3) Trends in medical assistance and cash grant caseloads due to economic conditions.~~

~~(4) Other information or analysis which the Governor or the Chairs of the Appropriations Committees may request or as may be required by law.~~

~~Section 2804 D. Board Membership. (a) (1) The board shall~~

1 ~~consist of nine members.~~

2 ~~(2) The Governor shall appoint one member of the board and~~
3 ~~each of the Chairs of the Appropriations Committees shall~~
4 ~~appoint one member of the board. The appointments under this~~
5 ~~clause shall be made within sixty (60) days of the effective~~
6 ~~date of this section.~~

7 ~~(3) The five appointments under clause (2) shall appoint~~
8 ~~four additional members to the board. The five board~~
9 ~~appointments must unanimously approve each of the four~~
10 ~~additional members. The additional four board members shall be~~
11 ~~appointed within one hundred twenty (120) days of the effective~~
12 ~~date of this section.~~

13 ~~(4) The board shall by a vote of six of the nine members~~
14 ~~elect one of the four additional members to serve as chair of~~
15 ~~the board.~~

16 ~~(5) Whenever a vacancy occurs on the board, whether prior to~~
17 ~~or at the expiration of a term, the vacancy shall be filled~~
18 ~~within sixty (60) days. All successors shall be appointed by the~~
19 ~~same appointing authority as the members whom they are~~
20 ~~replacing.~~

21 ~~(b) (1) All members of the board shall have at least a~~
22 ~~four year degree from a college or university, experience in tax~~
23 ~~policy, and at least five years' experience in statistics,~~
24 ~~economics or accounting. At least three members of the board~~
25 ~~shall hold a Ph.D. in economics and have a minimum of five~~
26 ~~years' professional economic forecasting experience. At least~~
27 ~~one member shall be a certified public accountant with ten years~~
28 ~~of professional accounting experience which includes at least~~
29 ~~five years of corporate tax accounting experience. At least one~~
30 ~~member shall be a certified public accountant with ten years of~~

~~accounting experience which includes at least five years'~~
~~personal income tax accounting experience.~~

~~(2) A member of the board may not be a lobbyist as defined~~
~~under the act of September 30, 1961 (P.L.1778, No.72), known as~~
~~the "Lobbying Registration and Regulation Act."~~

~~(3) A board member may not be an employe of the executive,~~
~~legislative or judicial branch of State government.~~

~~(4) The board members shall not seek or hold a position as~~
~~any other public official within this Commonwealth or as a party~~
~~officer while a member of the board. The board members shall not~~
~~seek election as public officials or party officers for one year~~
~~after their service with the board. The board members may serve~~
~~as appointed public officials any time after their period of~~
~~service with the board.~~

~~(c) Except as otherwise provided, the board members shall~~
~~serve a four year term. Of the nine initial appointments, two~~
~~shall be appointed for a term of two years, three for a term of~~
~~three years and four for a term of four years. The chair of the~~
~~board, whose initial term shall be for four years, shall have~~
~~the other appointees draw lots to determine which length of~~
~~initial term each of them shall serve. Any person appointed to~~
~~fill a vacancy occurring prior to the expiration of a term shall~~
~~serve the unexpired term. A board member may be reappointed to~~
~~serve subsequent terms. If the chair shall become vacant, the~~
~~board shall elect a new chair as provided in subsection (a)(4).~~

~~Section 2805 D. Compensation and Expenses of Board~~
~~Members. The members of the board shall receive reimbursement~~
~~for actual and necessary expenses incurred while performing the~~
~~business of the board.~~

~~Section 2806 D. Powers and Duties of Board. (a) The board~~

~~may expend such appropriated funds as are necessary to perform the function provided for in this article.~~

~~(b) The board shall meet as frequently as it deems appropriate, but at least once during each quarter of the fiscal year. Except as otherwise provided by law, the chair shall be responsible for calling meetings of the board and shall set a date, time and place for such meetings. The member appointed by the Governor shall set a date, time and place for the initial organizational meetings of the board within ten (10) days after the completion of the initial five appointments and within ten (10) days after the completion of the remaining four appointments. In addition the chair shall call a meeting of the board if a request for such meeting is submitted to the chairperson by at least three members of the board.~~

~~(c) (1) The chair shall, when present, preside at all meetings. In the chair's absence, a member designated by the board shall preside. Any actions of the chair are subject in every case to majority approval of the board.~~

~~(2) Five of the members who compose the board shall constitute a quorum for the purpose of conducting the business of the board and for all other purposes except as otherwise provided.~~

~~(d) The board shall hire an executive director to aid in carrying out the powers and duties of the board. The chair shall, upon the approval of a majority of the members who compose the board, delegate to the executive director such powers of the board as the chair shall deem necessary to carry out the purposes of the board, subject in every case to the supervision and control of the board. The initial appointment of the executive director shall take place within sixty (60) days~~

1 ~~after all initial appointments to the board. The executive~~
2 ~~director shall not seek or hold a position as any other public~~
3 ~~official within this Commonwealth or as a party officer while~~
4 ~~filling the position of executive director. The executive~~
5 ~~director shall not seek election as a public official or party~~
6 ~~officer for one year after service with the board. The executive~~
7 ~~director may serve as an appointed public official any time~~
8 ~~after his period of service with the board. The executive~~
9 ~~director shall hire support staff as deemed necessary to carry~~
10 ~~out the duties and requests of the board. The initial chair of~~
11 ~~the board shall use the staff of the Governor's Office until the~~
12 ~~executive director has hired necessary support staff.~~

13 ~~(c) The board shall prepare a documented revenue forecast~~
14 ~~and an analysis of how that documented revenue forecast compares~~
15 ~~with the official estimate. Part of the analysis shall include a~~
16 ~~comparison of the documented revenue forecast with the monthly~~
17 ~~breakout of the official estimate as required under section~~
18 ~~620(b). In addition, the board shall also provide to the public~~
19 ~~a summary of such information presented in a manner which a lay~~
20 ~~person can understand. The board shall meet to approve such~~
21 ~~information by a majority vote before the information is~~
22 ~~released. Except as otherwise provided, the board shall make~~
23 ~~such information available in printed form to the Governor,~~
24 ~~Chairs of the Appropriations Committees and the public by the~~
25 ~~following dates: July 15, October 15, January 15, April 15, June~~
26 ~~15 and at any other time that the board deems necessary. For~~
27 ~~purposes of this subsection, publication in the Pennsylvania~~
28 ~~Bulletin within one week of the due date shall be sufficient to~~
29 ~~meet the public reporting requirement. The board shall make the~~
30 ~~initial report on such information available within one hundred~~

~~fifty (150) days following the appointment of the executive director. The board shall analyze the documented revenue forecasts which the Governor and Chairs of the Appropriations Committees submit to the board as required under section 2808 D. The board shall insure that the documented revenue forecasts are a matter of public record. The board shall act in an advisory capacity and provide responses in confidence to individual requests concerning revenue forecasts, revenue proposals or revenue analysis upon the request of the Governor or the Chairs of the Appropriations Committees. The board must keep answers to such requests confidential until the individual requesting such responses shall release the board from this confidentiality requirement.~~

~~(f) (1) The board shall project and analyze caseloads in and utilization of medical assistance and caseloads in cash grant programs based on economic trends. The board shall meet to approve all such information by a majority vote before the information is released. The board shall report such information in printed form including supporting rationale and documentation to the Governor, Chairs of the Appropriations Committees and the public by the following dates: July 15, October 15, January 15, April 15, June 15 and at any other time that the board deems necessary. For purposes of this subsection, publication in the Pennsylvania Bulletin within one week of the due date shall be sufficient to meet the public reporting requirement.~~

~~(2) The board shall act in an advisory capacity and provide confidential responses to individual requests concerning caseloads in and utilization of Medical Assistance and caseloads in cash grant programs upon the request of the Governor or the Chairs of the Appropriations Committees. The board must keep~~

~~answers to such requests confidential until the individual requesting such responses shall release the board from this confidentiality requirement.~~

~~Section 2807 D. Economic Advisory Council. (a) The Economic Advisory Council is established to act in an advisory capacity to the board concerning economic conditions in this Commonwealth and revenue forecasts whenever the board calls upon them to do so. The council shall meet with the board at least once during each quarter of the fiscal year.~~

~~(b) The council shall consist of seven members. The board shall appoint each member for a two year term based upon a majority vote. Whenever a vacancy occurs on the council, whether prior to or at the expiration of a term, the vacancy shall be filled within sixty (60) days. Any person appointed to fill a vacancy occurring prior to the expiration of a term shall serve the unexpired term. The council shall consist of a representative from each of the following sectors: labor, manufacturing, banking, nonbanking financial services, retail, public utilities and one other area which the board deems appropriate. Each representative must be a practitioner of economics, statistics or accounting in their respective sector.~~

~~(c) Members of the council shall not seek or hold a position as any other public official within this Commonwealth or as a party officer while a member of the council. The council members shall not seek election as public officials or party officers for one year after their service with the council. The council members may serve as appointed public officials any time after their period of service with the council. A member of the council may not be a lobbyist as defined under the act of September 30, 1961 (P.L.1778, No.712), known as the "Lobbying~~

~~Registration and Regulation Act." A board member of the council
may not be an employe of the executive, legislative or judicial
branch of State government.~~

~~Section 2808 D. Duties of the Governor, Secretary of
Revenue, Secretary of Public Welfare and Chairs of the
Appropriations Committees. (a) The Governor shall submit to
the board a documented revenue forecast with the submission of
the Executive Budget as required under section 613. The Chairs
of the Appropriations Committees shall submit to the board a
documented revenue forecast when their respective budgets are
introduced as required under the act of _____, 1993 (P.L.
, No. _____) known as the "Budget Reform Act."~~

~~(b) In order to facilitate the board in carrying out its
duties under section 2806 D(e) the Secretary of Budget and
Secretary of Revenue shall make available to the board all
information and reports used for generating revenue forecasts.
In order to facilitate the board in carrying out its duties
under section 2806 D(f) the Secretary of the Budget and the
Secretary of Public Welfare shall make available to the board
all information and reports used for analysis of Medical
Assistance and cash grants including caseload, utilization and
payment data.~~

~~Section 7. This act shall take effect immediately.~~

SECTION 1. SECTION 614-A OF THE ACT OF APRIL 9, 1929
(P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929,
AMENDED JULY 1, 1990 (P.L.277, NO.67), IS AMENDED TO READ:

SECTION 614-A. LIQUOR CONTROL BOARD.--THE PENNSYLVANIA
LIQUOR CONTROL BOARD IS AUTHORIZED TO CHARGE FEES FOR THE
FOLLOWING PURPOSES AND IN THE FOLLOWING AMOUNTS:

(1) HOTEL, RESTAURANT LIQUOR LICENSES:

1	(I) APPLICATION FILING FEE.....	\$700.00
2	(II) RENEWAL/ <u>VALIDATION</u> FILING FEE.....	30.00
3	(III) [LICENSE] <u>ANNUAL LICENSE</u> FEE:	
4	(A) MUNICIPALITIES, POPULATION LESS	
5	THAN 1,500.....	250.00
6	(B) MUNICIPALITIES, EXCEPT TOWNSHIPS,	
7	POPULATION 1,500 - 9,999.....	300.00
8	(C) MUNICIPALITIES, TOWNSHIPS, POPU-	
9	LATION 1,500 - 11,999.....	300.00
10	(D) MUNICIPALITIES, EXCEPT TOWNSHIPS,	
11	POPULATION 10,000 - 49,999.....	400.00
12	(E) MUNICIPALITIES, TOWNSHIPS, POPU-	
13	LATION 12,000 - 49,999.....	400.00
14	(F) MUNICIPALITIES, POPULATION 50,000 -	
15	99,999.....	500.00
16	(G) MUNICIPALITIES, POPULATION 100,000	
17	- 149,999.....	600.00
18	(H) MUNICIPALITIES, POPULATION 150,000	
19	OR MORE.....	700.00
20	(IV) TRANSFER FEE:	
21	(A) PERSON TO PERSON.....	650.00
22	(B) PLACE TO PLACE.....	550.00
23	(C) DOUBLE TRANSFER.....	700.00
24	(2) HOTEL OR RETAIL DISPENSER - EATING PLACE	
25	MALT OR BREWED BEVERAGE LICENSES:	
26	(I) APPLICATION FILING FEE.....	700.00
27	(II) RENEWAL/ <u>VALIDATION</u> FILING FEE.....	30.00
28	(III) [LICENSE] <u>ANNUAL LICENSE</u> FEE:	
29	(A) MUNICIPALITIES, POPULATION LESS	
30	THAN 10,000.....	200.00

1	(B)	MUNICIPALITIES, POPULATION 10,000	
2		- 49,999.....	250.00
3	(C)	MUNICIPALITIES, POPULATION 50,000	
4		- 99,999.....	300.00
5	(D)	MUNICIPALITIES, POPULATION 100,000	
6		- 149,999.....	350.00
7	(E)	MUNICIPALITIES, POPULATION 150,000	
8		OR MORE.....	400.00
9	(IV)	TRANSFER FEE:	
10	(A)	PERSON TO PERSON.....	650.00
11	(B)	PLACE TO PLACE.....	550.00
12	(C)	DOUBLE TRANSFER.....	700.00
13	(3)	CLUBS (EXCEPT CATERING) LIQUOR LICENSES:	
14	(I)	APPLICATION FILING FEE.....	700.00
15	(II)	RENEWAL/ <u>VALIDATION</u> FILING FEE.....	30.00
16	(III)	[LICENSE] <u>ANNUAL LICENSE</u> FEE.....	150.00
17	(IV)	TRANSFER FEE:	
18	(A)	PERSON TO PERSON.....	650.00
19	(B)	PLACE TO PLACE.....	550.00
20	(C)	DOUBLE TRANSFER.....	700.00
21	(4)	CLUB MALT OR BREWED BEVERAGE LICENSES:	
22	(I)	APPLICATION FILING FEE.....	700.00
23	(II)	RENEWAL/ <u>VALIDATION</u> FILING FEE.....	30.00
24	(III)	[LICENSE] <u>ANNUAL LICENSE</u> FEE.....	125.00
25	(IV)	TRANSFER FEE:	
26	(A)	PERSON TO PERSON.....	650.00
27	(B)	PLACE TO PLACE.....	550.00
28	(C)	DOUBLE TRANSFER.....	700.00
29	(5)	REGISTRATION OF AGENTS; DISTILLERY CERTIFI-	
30		CATE BROKER:	

1	(I) APPLICATION FILING FEE.....	65.00
2	(II) RENEWAL/ <u>VALIDATION</u> FILING FEE.....	65.00
3	(6) AMUSEMENT PERMIT LIQUOR:	
4	(I) [PERMIT] <u>ANNUAL PERMIT</u> FEE.....	1/5 ANNUAL
5		LICENSE FEE
6	(7) AMUSEMENT PERMIT MALT BEVERAGE:	
7	(I) [PERMIT] <u>ANNUAL PERMIT</u> FEE.....	1/5 ANNUAL
8		LICENSE FEE
9	(8) BAILEE FOR HIRE:	
10	(I) APPLICATION FILING FEE.....	700.00
11	(II) RENEWAL/ <u>VALIDATION</u> FILING FEE.....	30.00
12	(III) [LICENSE] <u>ANNUAL LICENSE</u> FEE	
13	(PRORATED QUARTERLY).....	265.00
14	(9) BONDED WAREHOUSE:	
15	(I) APPLICATION FILING FEE.....	700.00
16	(II) RENEWAL/ <u>VALIDATION</u> FILING FEE.....	30.00
17	(III) [LICENSE] <u>ANNUAL LICENSE</u> FEE	
18	(PRORATED QUARTERLY).....	265.00
19	(10) BREWERY LICENSE:	
20	(I) APPLICATION FILING FEE.....	700.00
21	(II) RENEWAL/ <u>VALIDATION</u> FILING FEE.....	30.00
22	(III) [LICENSE] <u>ANNUAL LICENSE</u> FEE	
23	(PRORATED QUARTERLY).....	1,425.00
24	(IV) TRANSFER FEE:	
25	(A) PERSON TO PERSON.....	650.00
26	(B) PLACE TO PLACE.....	550.00
27	(C) DOUBLE TRANSFER.....	700.00
28	(11) DISTILLERY LICENSE:	
29	(I) APPLICATION FILING FEE.....	700.00
30	(II) RENEWAL/ <u>VALIDATION</u> FILING FEE.....	30.00

1	(III) [LICENSE] <u>ANNUAL LICENSE</u> FEE	
2	(PRORATED QUARTERLY ON VOLUME).....	5,400.00
3	(12) DISTILLERY CERTIFICATE BROKER PERMIT:	
4	(I) APPLICATION FILING FEE.....	700.00
5	(II) RENEWAL/ <u>VALIDATION</u> FILING FEE.....	30.00
6	(III) [PERMIT] <u>ANNUAL PERMIT</u> FEE...	175.00
7	(13) DISTILLERY OF HISTORICAL SIGNIFICANCE:	
8	(I) APPLICATION FILING FEE.....	700.00
9	(II) RENEWAL/ <u>VALIDATION</u> FILING FEE.....	30.00
10	(III) [LICENSE] <u>ANNUAL LICENSE</u> FEE	
11	(PRORATED QUARTERLY).....	5,400.00
12	(14) IMPORTER'S LIQUOR LICENSE:	
13	(I) APPLICATION FILING FEE.....	700.00
14	(II) RENEWAL/ <u>VALIDATION</u> FILING FEE.....	30.00
15	(III) [LICENSE] <u>ANNUAL LICENSE</u> FEE.....	265.00
16	(IV) TRANSFER FEE:	
17	(A) PERSON TO PERSON.....	650.00
18	(B) PLACE TO PLACE.....	550.00
19	(C) DOUBLE TRANSFER.....	700.00
20	(15) IMPORTER'S WAREHOUSE LICENSE:	
21	(I) APPLICATION FILING FEE, EACH	
22	WAREHOUSE.....	700.00
23	(II) RENEWAL/ <u>VALIDATION</u> FILING FEE,	
24	EACH WAREHOUSE.....	30.00
25	(III) [LICENSE] <u>ANNUAL LICENSE</u> FEE,	
26	EACH WAREHOUSE.....	65.00
27	(16) LIMITED WINERY:	
28	(I) APPLICATION FILING FEE.....	700.00
29	(II) RENEWAL/ <u>VALIDATION</u> FILING FEE.....	30.00
30	(III) [LICENSE] <u>ANNUAL LICENSE</u> FEE	

1	(PRORATED QUARTERLY).....	385.00
2	(17) MALT BEVERAGE DISTRIBUTOR:	
3	(I) APPLICATION FILING FEE.....	700.00
4	(II) RENEWAL/ <u>VALIDATION</u> FILING FEE.....	30.00
5	(III) [LICENSE] <u>ANNUAL LICENSE</u> FEE.....	600.00
6	(IV) TRANSFER FEE:	
7	(A) PERSON TO PERSON.....	650.00
8	(B) PLACE TO PLACE.....	550.00
9	(C) DOUBLE TRANSFER.....	700.00
10	(18) MALT BEVERAGE IMPORTING DISTRIBUTOR:	
11	(I) APPLICATION FILING FEE.....	700.00
12	(II) RENEWAL/ <u>VALIDATION</u> FILING FEE.....	30.00
13	(III) [LICENSE] <u>ANNUAL LICENSE</u> FEE.....	1,350.00
14	(IV) TRANSFER FEE:	
15	(A) PERSON TO PERSON.....	650.00
16	(B) PLACE TO PLACE.....	550.00
17	(C) DOUBLE TRANSFER.....	700.00
18	(19) PERFORMING ARTS FACILITY LICENSE:	
19	(I) APPLICATION FILING FEE.....	700.00
20	(II) RENEWAL/ <u>VALIDATION</u> FILING FEE.....	30.00
21	(III) [LICENSE] <u>ANNUAL LICENSE</u> FEE.....	675.00
22	(20) PUBLIC SERVICE LIQUOR LICENSE:	
23	(I) APPLICATION FILING FEE.....	700.00
24	(II) RENEWAL/ <u>VALIDATION</u> FILING FEE.....	40.00
25	(III) [LICENSE] <u>ANNUAL LICENSE</u> FEE,	
26	RAILROAD CARS, PER CAR.....	65.00
27	(IV) [LICENSE] <u>ANNUAL LICENSE</u> FEE,	
28	STEAMSHIP OR VESSEL, PER VESSEL.....	260.00
29	(V) [LICENSE] <u>ANNUAL LICENSE</u> FEE,	
30	PER AIR CARRIER.....	260.00

1	(VI) TRANSFER FEE, RAILROAD CAR, STEAMSHIP	
2	OR VESSEL OR PER AIR CARRIER.....	55.00
3	(21) PUBLIC SERVICE LICENSE MALT BEVERAGE:	
4	(I) APPLICATION FILING FEE.....	700.00
5	(II) RENEWAL/ <u>VALIDATION</u> FILING FEE.....	40.00
6	(III) [LICENSE] <u>ANNUAL LICENSE</u> FEE,	
7	RAILROAD CARS, PER CAR.....	40.00
8	(IV) [LICENSE] <u>ANNUAL LICENSE</u> FEE,	
9	STEAMSHIP OR VESSEL, PER VESSEL.....	160.00
10	(V) [LICENSE] <u>ANNUAL LICENSE</u> FEE,	
11	PER AIR CARRIER.....	55.00
12	(VI) TRANSFER FEE, RAILROAD CAR, STEAMSHIP	
13	OR VESSEL OR PER AIR CARRIER.....	55.00
14	(22) SACRAMENTAL WINE LICENSE:	
15	(I) APPLICATION FILING FEE.....	700.00
16	(II) RENEWAL/ <u>VALIDATION</u> FILING FEE.....	30.00
17	(III) [LICENSE] <u>ANNUAL LICENSE</u> FEE.....	265.00
18	(IV) TRANSFER FEE.....	45.00
19	(23) SALES PERMIT; RECIPROCAL:	
20	(I) [PERMIT] <u>ANNUAL PERMIT</u> FEE.....	TO BE SET BY
21		BOARD NOT TO
22		EXCEED
23		5,000.00
24	(24) SPECIAL OCCASION PERMIT:	
25	(I) [PERMIT] <u>ANNUAL PERMIT</u> FEE,	
26	LIQUOR OR MALT OR BREWED	
27	BEVERAGES, PER DAY:	
28	(A) NO INVESTIGATION.....	30.00
29	(B) INVESTIGATION.....	85.00
30	(25) STADIUM RESTAURANT LIQUOR LICENSE:	

1	(I) APPLICATION FILING FEE.....	700.00
2	(II) RENEWAL/ <u>VALIDATION</u> FILING FEE.....	30.00
3	(III) [LICENSE] <u>ANNUAL LICENSE</u> FEE.....	700.00
4	(26) STADIUM AND ARENA MALT BEVERAGE	
5	LICENSE:	
6	(I) APPLICATION FILING FEE.....	700.00
7	(II) RENEWAL/ <u>VALIDATION</u> FILING FEE.....	30.00
8	(III) [LICENSE] <u>ANNUAL LICENSE</u> FEE.....	150.00
9	(27) SUNDAY SALES LIQUOR:	
10	(I) [PERMIT] <u>ANNUAL PERMIT</u> FEE.....	300.00
11	(28) SUNDAY SALES MALT BEVERAGE:	
12	(I) [PERMIT] <u>ANNUAL PERMIT</u> FEE.....	300.00
13	(29) TRADE SHOW AND CONVENTION LIQUOR LICENSE:	
14	(I) APPLICATION FILING FEE.....	700.00
15	(II) RENEWAL/ <u>VALIDATION</u> FILING FEE.....	30.00
16	(III) [LICENSE] <u>ANNUAL LICENSE</u> FEE.....	675.00
17	(IV) TRANSFER FEE:	
18	(A) PERSON TO PERSON.....	650.00
19	(B) PLACE TO PLACE.....	550.00
20	(C) DOUBLE TRANSFER.....	700.00
21	(30) TRANSPORTER FOR HIRE; CLASS A AND C:	
22	(I) APPLICATION FILING FEE.....	700.00
23	(II) RENEWAL/ <u>VALIDATION</u> FILING FEE.....	30.00
24	(III) [LICENSE] <u>ANNUAL LICENSE</u> FEE.....	265.00
25	(31) TRANSPORTER FOR HIRE; CLASS B:	
26	(I) APPLICATION FILING FEE.....	700.00
27	(II) RENEWAL/ <u>VALIDATION</u> FILING FEE.....	30.00
28	(III) [LICENSE] <u>ANNUAL LICENSE</u> FEE.....	160.00
29	(32) VENDOR'S PERMIT:	
30	(I) APPLICATION FILING FEE.....	700.00

1	(II) RENEWAL/ <u>VALIDATION</u> FILING FEE.....	30.00
2	(III) [PERMIT] <u>ANNUAL PERMIT</u> FEE.....	265.00
3	(33) WINERY:	
4	(I) APPLICATION FILING FEE.....	700.00
5	(II) RENEWAL/ <u>VALIDATION</u> FILING FEE.....	30.00
6	(III) [LICENSE] <u>ANNUAL LICENSE</u> FEE	
7	(PRORATED QUARTERLY).....	385.00
8	(34) TO BE CREDITED TO THE STATE STORES FUND	
9	FROM EACH OF THE FEES COLLECTED FOR HOTEL,	
10	RESTAURANT AND CLUB LIQUOR LICENSES AND	
11	RETAIL DISPENSERS' LICENSES BOTH MALT AND	
12	BREWED BEVERAGES.....	100.00
13	(35) MALT OR BREWED BEVERAGE BRAND	
14	REGISTRATION:	
15	(I) [FILING] <u>ANNUAL FILING</u> FEE	
16	(PER BRAND).....	75.00

17 SECTION 2. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

18 SECTION 2125. FURTHER EXCEPTIONS TO CERTIFICATE OF NEED.--

19 NOTWITHSTANDING THE PROVISIONS OF THE ACT OF JULY 19, 1979

20 (P.L.130, NO.48), KNOWN AS THE "HEALTH CARE FACILITIES ACT," IN

21 1993 THE GENERAL ASSEMBLY FOUND THERE WAS A NEED FOR THE

22 CONSTRUCTION OF A PEDIATRIC HOSPITAL IN PHILADELPHIA BY TEMPLE

23 UNIVERSITY, A STATE-RELATED INSTITUTION OF HIGHER EDUCATION, TO

24 INCLUDE THE RELOCATION AND REPLACEMENT OF A CHILDREN'S HOSPITAL

25 IN PHILADELPHIA KNOWN AS THE SHRINERS HOSPITAL FOR CRIPPLED

26 CHILDREN. THE DEPARTMENT OF HEALTH SHALL NOT REQUIRE A

27 CERTIFICATE OF NEED FOR THE PEDIATRIC UNIT CONSTRUCTION PROJECT

28 AUTHORIZED IN SECTION 3(2)(V)(H) OF THE ACT OF JULY 2, 1993

29 (P.L.265, NO.47), KNOWN AS THE "CAPITAL PROJECT ITEMIZATION ACT

30 FOR 1993-1994," NOR SHALL THE DEPARTMENT OF HEALTH REQUIRE A

1 CERTIFICATE OF NEED FOR THE RELOCATION AND REPLACEMENT PROJECT
2 OF THE SHRINERS HOSPITAL FOR CRIPPLED CHILDREN, AND BOTH
3 PROJECTS SHALL BE EXEMPT FROM THE CERTIFICATE OF NEED PROVISIONS
4 OF THE "HEALTH CARE FACILITIES ACT."

5 SECTION 3. SECTION 2204-B(2)(III) OF THE ACT IS REPEALED.

6 SECTION 4. THE ACT OF JULY 19, 1979 (P.L.130, NO.48), KNOWN
7 AS THE HEALTH CARE FACILITIES ACT, IS REPEALED INsofar AS IT IS
8 INCONSISTENT WITH THIS ACT.

9 SECTION 5. THIS ACT SHALL TAKE EFFECT IN 60 DAYS.