
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1

Special Session No. 2 of
1995-1996

INTRODUCED BY JUBELIRER, FUMO, LEMMOND, MELLOW, ANDREZESKI,
DELP, BELAN, PUNT, BODACK, WENGER, HUGHES, FISHER, KASUNIC,
SALVATORE, LAVALLE, LOEPER, CORMAN, MUSTO, MADIGAN,
PORTERFIELD, GERLACH, STAPLETON, MOWERY, STEWART, PICCOLA,
STOUT, THOMPSON, TARTAGLIONE, PETERSON, HELFRICK, TOMLINSON,
O'PAKE AND AFFLERBACH, MARCH 12, 1996

SENATE AMENDMENTS TO HOUSE AMENDMENTS, JUNE 28, 1996

AN ACT

1 Implementing the provisions of clause (1) of subsection (a) of
2 section 7 of Article VIII of the Constitution of the
3 Commonwealth of Pennsylvania authorizing the incurring of
4 debt for the rehabilitation of areas affected by the blizzard
5 of January 1996 or the resulting flood emergency; imposing
6 duties upon the Governor, the Auditor General and State
7 Treasurer; prescribing the procedures for the issuance, sale
8 and payment of general obligations bonds, the funding of debt
9 and refunding of bonds; exempting said bonds from State and
10 local taxation; creating certain funds; providing for
11 allocation of proceeds and for a legislative disaster
12 oversight committee; and making appropriations.

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

15 Section 1. Borrowing of money authorized.

16 Pursuant to the provisions of clause (1) of subsection (a) of
17 section 7 of Article VIII of the Constitution of Pennsylvania,
18 the Commonwealth is hereby authorized and directed to borrow,
19 from time to time, money not exceeding in the aggregate the sum
20 of ~~\$100,000,000~~ \$110,000,000, not including money borrowed to

<—

1 refund outstanding bonds, notes or replacement notes, as may be
2 found necessary to carry out the rehabilitation of areas
3 affected by the blizzard of January 1996 or the resulting flood
4 emergency.

5 Section 2. General obligation bonds authorized.

6 The indebtedness herein authorized shall be incurred from
7 time to time and shall be evidenced by one or more series of
8 general obligation bonds or notes of the Commonwealth in such
9 aggregate principal amount for each series as the Governor,
10 Auditor General and State Treasurer shall determine, but the
11 latest stated maturity date shall not exceed 20 years from the
12 date of the bond first issued for each such series.

13 Section 3. Disposition and use of proceeds.

14 (a) Deposit.--The proceeds from the sale of bonds and notes,
15 except refunding bonds and replacement notes, issued pursuant to
16 the provisions of this act shall be paid to the State Treasurer
17 and be held in a separate fund to be known as the Disaster
18 Relief Fund.

19 (b) Dedication of funds.--The moneys in the Disaster Relief
20 Fund are hereby specifically dedicated to meeting the costs of
21 the rehabilitation of areas affected by the blizzard of January
22 1996 or the resulting flood emergency, including, but not
23 limited to, public assistance and disaster mitigation as defined
24 in or authorized by The Robert T. Stafford Disaster Relief and
25 Emergency Assistance Act (Public Law 93-288, 88 Stat. 143) and
26 paying the costs and expenses of issuing bonds and notes.

27 (c) Interest earnings.--Pending their application to the
28 purposes authorized, moneys held or deposited by the State
29 Treasurer may be invested and reinvested as are other funds in
30 the custody of the State Treasurer in the manner provided by

1 law. All earnings received from the investment or deposit of
2 such funds shall be paid into the State Treasury to the credit
3 of the Disaster Relief Fund.

4 (d) Allocation of proceeds.--Subject to the total limit of
5 ~~\$100,000,000~~ \$110,000,000, the funds authorized to be borrowed <—
6 by section 1 shall be allocated as follows:

7 (1) No more than ~~\$95,000,000~~ \$105,000,000 of the funds <—
8 authorized to be borrowed under this act shall be used to
9 provide for the State's share of all public assistance costs,
10 including costs for highways and bridges, except State-
11 designated highways and bridges, and disaster mitigation
12 costs provided by the Federal Government under The Robert T.
13 Stafford Disaster Relief and Emergency Assistance Act (Public
14 Law 93-288, 88 Stat. 143).

15 (2) (i) No more than 5% of the funds borrowed under
16 this act shall be used for the cost of the following
17 projects pursuant to the disaster proclamation:

18 (A) Public assistance projects for the
19 rehabilitation, construction, reconstruction, repair,
20 other than normal maintenance, or the replacement of
21 any public facility of a political subdivision in
22 counties declared as disaster areas which are not
23 funded by the Federal Government or which are funded
24 by the Federal Government at a level insufficient to
25 meet current codes and standards.

26 (B) Public assistance projects for the
27 rehabilitation, construction, reconstruction, repair,
28 other than normal maintenance, or the replacement of
29 any nonprofit facility owned and operated by a
30 nonprofit organization in counties declared as

1 disaster areas which are not funded by the Federal
2 Government or which are funded at a level
3 insufficient to meet current codes and standards.

4 (C) Public assistance projects for the
5 rehabilitation, construction, reconstruction, repair,
6 other than normal maintenance, or the replacement of
7 a public facility or nonprofit facility in counties
8 not declared as disaster areas by the Federal
9 Government.

10 (D) Hazard mitigation projects in counties not
11 declared as disaster areas by the Federal Government.

12 (ii) If the funding for projects under this
13 paragraph is insufficient to provide assistance for all
14 eligible projects, the Commonwealth shall prioritize
15 projects by considering the following factors:

16 (A) The severity of disaster-related damages to
17 be rectified by the project.

18 (B) Whether the project will improve the health,
19 safety and welfare of the affected population.

20 (C) Whether the project will lead to an
21 effective solution to the problem to be addressed.

22 (D) The consistency of the project with other
23 State and regional resource management and economic
24 development plans.

25 (E) The financial condition of the applicant,
26 including revenues, expenses, debt structure, equity
27 position and available collateral.

28 (F) The economic and financial condition of the
29 community to be served, including the tax base,
30 annual budget, and percentage of low-income and

1 moderate-income residents.

2 (G) The inability of the applicant to secure
3 funding from other sources.

4 (iii) Any remaining funds under this paragraph shall
5 be transferred to the Pennsylvania Infrastructure
6 Investment Authority established under the act of March
7 1, 1988 (P.L.82, No.16), known as the Pennsylvania
8 Infrastructure Investment Authority Act to provide funds
9 for authority projects which were damaged by the blizzard
10 of January 1996 or the resulting flood emergency.

11 (iv) No project shall receive more than \$100,000 of
12 the total funds available under this paragraph, except as
13 defined in section 14(b)(2).

14 (v) No project shall be funded under subparagraph
15 (i)(A) or (B) unless the Commonwealth determines that
16 there was an adequate appeal of the denial of Federal
17 funding or of the inadequate level of Federal funding.

18 (e) Transfer of unused funds.--Moneys in the Disaster Relief
19 Fund not necessary to pay unexpired contracts or to pay
20 potential legal obligations shall be transferred by the State
21 Treasurer, with the approval of the Governor, to the Disaster
22 Relief Redemption Fund and shall be used to pay debt service on
23 the existing disaster relief bonds.

24 Section 4. Issuance of bonds; interest; maturity;~~bond~~
25 ~~services.~~

<—

26 (a) Series and issues.--When bonds are issued from time to
27 time, the bonds of each issue shall constitute a separate series
28 to be designated by the issuing officials or may be combined for
29 sale as one series with other general obligation bonds of the
30 Commonwealth. Each series of bonds shall bear such rate or rates

1 of interest as may be determined by the issuing officials. Such
2 bonds shall be issued in such denominations and in such form or
3 forms, whether coupon or registered as to both principal and
4 interest, and with or without such provisions for
5 interchangeability as the issuing officials may determine. In
6 case interest coupons are attached, they shall contain the
7 facsimile signature of the State Treasurer.

8 (b) Terms.--Except as otherwise set forth in the provisions
9 of this act, the terms and conditions of issue, redemption and
10 maturity, and time of payment of interest, shall be as the
11 issuing officials shall specify. The issuing officials shall
12 provide for the amortization of the bonds in substantial and
13 regular amounts over the term of the debt. The first retirement
14 of principal shall be stated to mature prior to the expiration
15 of a period of time equal to one-tenth of the time from the date
16 of the first obligation issued to evidence such debt to the date
17 of the expiration of the term of the debt. Retirements of
18 principal shall be regular and substantial if made in annual or
19 semiannual amounts whether by stated serial maturities or by
20 mandatory sinking fund retirements computed in accordance with
21 either a level annual debt service plan, as nearly as may be, or
22 upon the equal annual maturities plan. The issuing officials are
23 hereby authorized to carry out the provisions of this act
24 relating to the issuance of bonds and shall determine all
25 matters in connection therewith subject to the provisions
26 hereof.

27 (c) Signatures.--All bonds issued under the authority of
28 this act shall bear the facsimile signatures of the issuing
29 officials and a facsimile of the Great Seal of the Commonwealth
30 of Pennsylvania, and shall be countersigned by a duly authorized

1 officer of a duly authorized loan and transfer agent of the
2 Commonwealth.

3 ~~(d) Bond services.~~ <—

4 ~~(1) Any and all bond service required by this act which~~
5 ~~cannot be performed by employees of this Commonwealth shall~~
6 ~~be contracted with and performed by the bond service provider~~
7 ~~submitting the lowest responsible bid.~~

8 ~~(2) For each bond service required by this act, the~~
9 ~~issuing authority shall distribute a request for proposal~~
10 ~~requiring a written response.~~

11 ~~(3) After each bond service provider is selected, the~~
12 ~~issuing authority shall issue a written report of the~~
13 ~~selection of the service provider and the basis therefor. A~~
14 ~~copy of the request for proposal and the responses thereto~~
15 ~~shall be made a part of the report. This report shall be made~~
16 ~~available to the public.~~

17 ~~(4) Definitions. As used in this subsection, the~~
18 ~~following words and phrases shall have the meanings given to~~
19 ~~them in this paragraph:~~

20 ~~"Bond service provider." Any bond counsel, financial~~
21 ~~adviser, underwriter, loan and transfer agent, verification~~
22 ~~agent or printer who provides bond services pursuant to this~~
23 ~~act.~~

24 ~~"Bond services." Legal, financial and other services~~
25 ~~rendered in conjunction with any bonds issued pursuant to~~
26 ~~this act.~~

27 Section 5. Direct obligations, exemption from taxation; means
28 of payment.

29 All bonds issued in accordance with the provisions of this
30 act shall be direct obligations of the Commonwealth, and the

1 full faith and credit of the Commonwealth are hereby pledged for
2 the payment of the interest thereon as the same shall become due
3 and the payment of the principal thereof at maturity. All bonds
4 issued under the provisions of this act shall be exempt from
5 taxation for State and local purposes, except as provided under
6 Article XXIX of the act of March 4, 1971 (P.L.6, No.2), known as
7 the Tax Reform Code of 1971. The principal of and interest on
8 such bonds shall be payable in lawful money of the United
9 States.

10 Section 6. Sale of bonds.

11 (a) Requirements.--Whenever bonds are issued in accordance
12 with this act, they shall be offered for sale at not less than
13 98% of the principal amount thereof and accrued interest and
14 shall be sold by the issuing officials to the highest and best
15 bidder or bidders after due public advertisement on such terms
16 and conditions and upon such open competitive bidding as the
17 issuing officials shall direct. The manner and times of
18 advertising shall be prescribed by the issuing officials.

19 (b) Private sale.--Any portion of any bond issue so offered
20 and not sold or subscribed for may be disposed of by private
21 sale by the issuing officials in such manner and at such prices,
22 not less than 98% of the principal amount thereof and accrued
23 interest, as the Governor shall direct. No commission shall be
24 allowed or paid for the sale of any bonds issued under the
25 authority of this act.

26 (c) Temporary bonds.--Until permanent bonds can be prepared,
27 the issuing officials may in their discretion issue in lieu of
28 such permanent bonds, temporary bonds in such form and with such
29 privileges as to registration and exchange for permanent bonds
30 as may be determined by the issuing officials.

1 Section 7. Temporary financing authorization.

2 (a) Temporary borrowing.--Pending the issuance of bonds of
3 the Commonwealth as authorized, the issuing officials are hereby
4 authorized, in accordance with the provisions of this act and on
5 the credit of the Commonwealth, to make temporary borrowings,
6 through public or private sale, not to exceed three years in
7 anticipation to the issue of bonds in order to provide funds in
8 such amounts as may from time to time be deemed advisable prior
9 to the issue of bonds. In order to provide for and in connection
10 with such temporary borrowings, the issuing officials are hereby
11 authorized in the name and on behalf of the Commonwealth to
12 enter into any purchase, loan or credit agreement, or
13 agreements, or other agreement or agreements with any banks or
14 trust companies or other lending institutions, investment
15 banking firms or persons in the United States having power to
16 enter into the same, which agreements may contain such
17 provisions not inconsistent with the provisions of this act as
18 may be authorized by the issuing officials.

19 (b) Evidence of debt.--All temporary borrowings made under
20 the authorization of this section shall be evidenced by notes of
21 the Commonwealth, which shall be issued from time to time for
22 such amounts not exceeding in the aggregate the applicable
23 statutory and constitutional debt limitation, in such form and
24 in such denominations and subject to terms and condition of sale
25 and issue, prepayment or redemption and maturity, rate or rates
26 of interest and time of payment of interest as the issuing
27 officials shall authorize and direct and in accordance with this
28 act. Such authorization and direction may provide for the
29 subsequent issuance of replacement notes to refund outstanding
30 notes or replacement notes, which replacement notes shall, upon

1 issuance thereof, evidence such borrowing, and may specify such
2 other terms and conditions with respect to the notes and
3 replacement notes thereby authorized for issuance as the issuing
4 officials may determine and direct.

5 (c) Replacement notes.--When the authorization and direction
6 of the issuing officials provide for the issuance of replacement
7 notes, the issuing officials are hereby authorized in the name
8 and on behalf of the Commonwealth to issue, enter into or
9 authorize and direct the State Treasurer to enter into
10 agreements with any banks, trust companies, investment banking
11 firms or other institutions or persons in the United States
12 having the power to enter the same:

13 (1) To purchase or underwrite an issue or series of
14 issues of notes.

15 (2) To credit, to enter into any purchase, loan or
16 credit agreements, to draw moneys pursuant to any such
17 agreements on the terms and conditions set forth therein and
18 to issue notes as evidence of borrowings made under any such
19 agreements.

20 (3) To appoint as issuing and paying agent or agents
21 with respect to notes.

22 (4) To do such other acts as may be necessary or
23 appropriate to provide for the payment, when due, of the
24 interest on and the principal of such notes.

25 Such agreements may provide for the compensation of any
26 purchasers or underwriters of notes or replacement notes by
27 discounting the purchase price of the notes or by payment of a
28 fixed fee or commission at the time of issuance thereof, and all
29 other costs and expenses, including fees for agreements related
30 to the notes, issuing and paying agent costs and costs and

1 expenses of issuance may be paid from the proceeds of the notes.

2 (d) Duties of State Treasurer.--When the authorization and
3 direction of the issuing officials provide for the issuance of
4 replacement notes, the State Treasurer shall, at or prior to the
5 time of delivery of these notes or replacement notes, determine
6 the principal amounts, dates of issue, interest rate or rates
7 (or procedures for establishing such rates from time to time),
8 rates of discount, denominations and all other terms and
9 conditions relating to the issuance and shall perform all acts
10 and things necessary to pay or cause to be paid, when due, all
11 principal of and interest on the notes being refunded by
12 replacement notes and to assure that the same may draw upon any
13 moneys available for that purpose pursuant to any purchase, loan
14 or credit agreements established with respect thereto, all
15 subject to the authorization and direction of the issuing
16 officials.

17 (e) Retirement of outstanding notes.--Outstanding notes
18 evidencing such borrowings may be funded and retired by the
19 issuance and sale of the bonds of the Commonwealth as
20 hereinafter authorized. The refunding bonds must be issued and
21 sold not later than a date three years after the date of
22 issuance of the first notes evidencing such borrowings to the
23 extent that payment of such notes has not otherwise been made or
24 provided for by sources other than proceeds of replacement
25 notes.

26 (f) Disposition of proceeds.--The proceeds of all such
27 temporary borrowing shall be paid to the State Treasurer to be
28 held and disposed of in accordance with the provisions of this
29 act.

30 Section 8. Disaster Relief Redemption Fund.

1 (a) Establishment.--All bonds issued under the authority of
2 this act shall be paid at maturity and all interest due from
3 time to time on such bonds and on all notes issued under the
4 provisions of this act shall be paid from the Disaster Relief
5 Redemption Fund. The General Assembly shall appropriate annually
6 the moneys necessary to pay the aforesaid interest on said bonds
7 and notes and the principal of said bonds and notes at maturity
8 for which other provision is not made. All moneys so
9 appropriated shall be paid into the Disaster Relief Redemption
10 Fund by the State Treasurer. All of such moneys so received
11 prior to the date for disbursement thereof shall be invested by
12 the State Treasurer pending disbursement in such securities as
13 are provided by law for the investment of surplus moneys of the
14 Commonwealth.

15 (b) Use of fund.--The investment of such moneys and the
16 accumulations thereon in the Disaster Relief Redemption Fund
17 shall be devoted to and be used exclusively for the payment of
18 the interest accruing on such bonds and notes and for the
19 redemption of such bonds and notes at maturity or upon the
20 redemption date, if called for prior redemption. The State
21 Treasurer, with the approval of the Governor, is authorized at
22 any time to use any of such funds for the purchase and
23 retirement of all or any part of the bonds issued under the
24 provisions of this act. No purchase shall be made which will
25 reduce the moneys in the Disaster Relief Redemption Fund below
26 the amount necessary to pay all principal and interest still to
27 become due in the fiscal year of such purchase. In the event
28 that all or any part of said bonds shall be purchased by the
29 Commonwealth, they shall be canceled and returned to the State
30 Treasurer, as canceled and paid bonds and thereafter all

1 payments of interest thereon shall cease and the canceled bonds
2 and coupons shall be destroyed as promptly as possible after
3 cancellation but not later than two years after cancellation. A
4 certificate evidencing the destruction of the canceled bonds,
5 notes and coupons shall be provided by the loan and transfer
6 agent to the issuing officials. All canceled bonds, notes and
7 coupons shall be so mutilated as to make the canceled bonds,
8 notes and coupons nonnegotiable.

9 Section 9. Refunding bonds.

10 The issuing officials are authorized to provide by
11 resolution, for the issuance of refunding bonds for the purpose
12 of refunding any debt issued under the provisions of this act
13 and then outstanding, either by voluntary exchange with the
14 holders of the outstanding debt or to provide funds to redeem
15 and retire the outstanding debt with accrued interest, any
16 premium payable thereon and the costs of issuance and retirement
17 of the debt, at maturity or at any call date. The issuance of
18 the refunding bonds, the maturities and other details thereof,
19 the rights of the holders thereof and the duties of the issuing
20 officials in respect thereto shall be governed by the provisions
21 of this section, insofar as they may be applicable. Refunding
22 bonds which are not subject to the aggregate limitation of
23 ~~\$100,000,000~~ \$110,000,000 of debt to be issued pursuant to this <—
24 act may be issued by the issuing officials to refund debt
25 originally issued or to refund bonds previously issued for
26 refunding purposes.

27 Section 10. Reporting requirements.

28 The State Treasurer shall determine and report to the
29 Secretary of the Budget by November of each year the amount of
30 money necessary for the payment of interest on outstanding

1 obligations and the principal of such obligations, if any, for
2 the following fiscal year and the times and amounts of such
3 payments.

4 Section 11. Registration of bonds.

5 The Auditor General shall prepare the necessary registry
6 books to be kept in the office of the duly authorized loan and
7 transfer agent of the Commonwealth for the registration of any
8 bonds of the Commonwealth at the request of the owner thereof
9 according to the terms and conditions of issue specified by the
10 issuing officials. All bonds which are issued without interest
11 coupons attached shall be registered in the registry books kept
12 by the duly authorized loan and transfer agent of the
13 Commonwealth.

14 Section 12. Voting requirements.

15 Whenever in this act any action is to be taken or decision
16 made by the issuing officials, and the three officers shall not
17 be able to agree unanimously, the action or decision of the
18 Governor and either the Auditor General or State Treasurer shall
19 be binding and final.

20 Section 13. Appropriation.

21 (a) Appropriation to Governor.--The net proceeds, less the
22 costs and expenses of issuing such obligations, of the sale of
23 the ~~\$100,000,000~~ \$110,000,000 of obligations herein authorized <—
24 are hereby appropriated from the Disaster Relief Fund to the
25 Governor for allocation by the Secretary of the Budget as
26 provided in section 3(d) to the Pennsylvania Emergency
27 Management Agency for public assistance to non-State and other
28 eligible entities and to the Pennsylvania Emergency Management
29 Agency and to other State agencies for public assistance costs
30 incurred by those agencies and to the Department of

1 Environmental Protection or other State agencies as deemed
2 appropriate for hazard mitigation.

3 (b) Appropriation to State Treasurer.--There is hereby
4 appropriated to the State Treasurer from the fund as much money
5 as may be necessary for all costs and expenses in connection
6 with the issue of and sale and registration of the bonds and
7 notes in connection with this act and the payment of interest
8 arbitrage rebates on proceeds of such bonds and notes.

9 Section 14. State and local participation levels.

10 (a) Public assistance.--The required non-Federal
11 contribution of 25% necessary to secure Federal public
12 assistance funding, including costs for highways and bridges,
13 except State-designated highways and bridges, shall be divided
14 between the State and the affected local political subdivision
15 or nonprofit organization where applicable. The State share will
16 be 22% and the political subdivision or nonprofit organization
17 share will be 3%.

18 (b) Additional public assistance.--The State contribution to
19 any political subdivision or nonprofit organization seeking
20 additional public assistance for projects qualifying under
21 section 3(d)(2)(i) shall be as follows:

22 (1) If the project is located in a county that was
23 declared as a disaster area by the Federal Government, and
24 the project is not eligible for Federal funding or receives
25 funding at an inadequate level, the Commonwealth shall
26 contribute 22% of the amount not eligible for Federal
27 funding, and the political subdivision or nonprofit
28 organization shall contribute 78% of the amount not eligible
29 for Federal funding.

30 (2) If the project is located in a county that was not

1 declared as a disaster area by the Federal Government, and
2 the project would have been eligible for Federal funding if
3 located in a county declared as a disaster area by the
4 Federal Government, the Commonwealth shall contribute 22% of
5 the cost of the project, and the political subdivision or
6 nonprofit organization shall contribute 78% of the cost of
7 the project.

8 (3) If the project is located in a county that was not
9 declared as a disaster area by the Federal Government, and
10 the project would not have been eligible for Federal funding
11 or would have received funding at an inadequate level if
12 located in a county declared as a disaster area by the
13 Federal Government, the Commonwealth shall contribute 22% of
14 the amount not eligible for Federal funding, and the
15 political subdivision or nonprofit organization shall
16 contribute 78% of the amount not eligible for Federal
17 funding.

18 (c) Local waiver.--The Commonwealth may reduce the share of
19 an affected political subdivision if the tax base of that
20 political subdivision was substantially reduced as a direct
21 result of the blizzard of January 1996 or the resulting flood
22 emergency or if payment of the local share exceeds 40% of the
23 most recently adopted annual budget of the political
24 subdivision. The Commonwealth may require the adoption of
25 appropriate flood control or storm water management plans as a
26 condition of the waiver if the adoption of the plan does not
27 present additional financial hardship.

28 (d) Definition.--As used in this act, the term "political
29 subdivision" means any county, city, borough, incorporated town,
30 township, school district, vocational school district, county

1 institution district or municipal authority.

2 Section 15. Legislative Disaster Oversight Committee.

3 (a) Establishment.--There is hereby created a special
4 legislative committee to be known as the Legislative Disaster
5 Oversight Committee which shall be composed of the following:

6 (1) The Majority Leader of the Senate.

7 (2) The Majority Leader of the House of Representatives.

8 (3) The Minority Leader of the Senate.

9 (4) The Minority Leader of the House of Representatives.

10 (5) The Executive Director of the Pennsylvania Emergency
11 Management Agency.

12 (b) Powers and duties.--The Legislative Disaster Oversight
13 Committee may recommend policies for implementation of this act
14 to the Pennsylvania Emergency Management Agency and may inquire
15 into delays and issues related to distribution of public
16 assistance and other grants authorized under this act.

17 Section 16. Constitutional construction.

18 The provisions of this act shall be severable and, if any of
19 the provisions thereof shall be held unconstitutional, such
20 decisions shall not affect the validity of any of the remaining
21 provisions of this act. It is hereby declared as the legislative
22 intent that this act would have been adopted had such
23 unconstitutional provisions not been included therein.

24 Section 17. Effective date.

25 This act shall take effect immediately.