

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 222 Session of 1991

INTRODUCED BY SHUMAKER, PUNT, JUBELIRER, WENGER, LEWIS, PORTERFIELD, JONES, HELFRICK, LAVALLE, SCANLON, BELL, BELAN, PECORA, SHAFFER, MUSTO, REIBMAN, AFFLERBACH, FISHER, LEMMOND, SALVATORE, ANDREZESKI, CORMAN, RHOADES, LYNCH AND HOPPER, JANUARY 29, 1991

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES, SEPTEMBER 29, 1992

AN ACT

1 ~~Designating the fountain in the plaza of the East Wing of the~~ <—
2 ~~Main Capitol Building in Harrisburg as the War Veterans'~~
3 ~~Memorial Fountain; and imposing duties upon the Department of~~
4 ~~General Services.~~
5 PROVIDING COMPENSATION TO PERSONS IN ACTIVE SERVICE IN <—
6 CONNECTION WITH THE PERSIAN GULF CONFLICT OR THEIR
7 BENEFICIARIES; AUTHORIZING THE INCURRING OF INDEBTEDNESS AND
8 THE ISSUE AND SALE OF BONDS BY THE COMMONWEALTH FOR THE
9 PAYMENT OF COMPENSATION AND THE DESIGN AND CONSTRUCTION OF A
10 MEMORIAL TO VETERANS OF THIS COMMONWEALTH, CONTINGENT UPON
11 ELECTORATE APPROVAL; CREATING A SPECIAL FUND IN THE STATE
12 TREASURY TO BE KNOWN AS THE PERSIAN GULF CONFLICT VETERANS'
13 COMPENSATION BOND FUND; DESIGNATING THE WAR VETERANS'
14 MEMORIAL FOUNTAIN; IMPOSING POWERS AND DUTIES ON THE
15 DEPARTMENT OF GENERAL SERVICES; AND MAKING APPROPRIATIONS.

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

15 ~~Section 1. Designation of fountain.~~ <—

16 ~~The fountain in the plaza of the East Wing of the Main~~
17 ~~Capitol Building in Harrisburg shall, on and after the effective~~
18 ~~date of this act, be known as the War Veterans' Memorial~~
19 ~~Fountain.~~

20 ~~Section 2. Duties of Department of General Services.~~

21 ~~The Department of General Services shall erect an appropriate~~
22 ~~monument to depict this designation to the general public.~~

23 ~~Section 3. Effective date.~~

24 ~~This act shall take effect immediately.~~

25 SECTION 1. SHORT TITLE. <—

26 THIS ACT SHALL BE KNOWN AND MAY BE CITED AS THE PERSIAN GULF
27 CONFLICT VETERANS' COMPENSATION AND BOND ACT.

28 SECTION 2. DEFINITIONS.

29 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ACT SHALL
30 HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE

1 CONTEXT CLEARLY INDICATES OTHERWISE:

2 "ACTIVE SERVICE." FOR A MEMBER OF A COMPONENT OF THE ARMED
3 FORCES OF THE UNITED STATES, THE TIME SERVED ON ACTIVE DUTY FOR
4 WHICH THE MEMBER HAS RECEIVED OR IS ELIGIBLE TO RECEIVE THE
5 SOUTHWEST ASIA SERVICE MEDAL FOR SERVICE RELATED TO THE PERSIAN
6 GULF CONFLICT THEATER, FOR A MEMBER OF THE PENNSYLVANIA NATIONAL
7 GUARD OR A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED
8 STATES, TIME SERVED ON ACTIVE DUTY FOR THE SUPPORT OF OPERATIONS
9 IN THE PERSIAN GULF CONFLICT THEATER WHETHER OR NOT THAT SERVICE
10 WAS IN THE THEATER. THE TERM INCLUDES TIME SPENT IN HOSPITALS AS
11 A RESULT OF SERVICE-CONNECTED WOUNDS, DISEASES OR INJURIES
12 SUSTAINED ON ACTIVE SERVICE. PROOF OF SUCH SERVICE SHALL BE THE
13 OFFICIAL MILITARY RECORDS OF THE UNITED STATES OR SUCH OTHER
14 EVIDENCE AS IS DEEMED SUFFICIENT BY THE ADJUTANT GENERAL. THE
15 TERM DOES NOT INCLUDE TIME SERVED ON ACTIVE DUTY FOR ANNUAL
16 TRAINING OR SCHOOLING, EXCEPT FOR TRAINING AND SCHOOLING IN
17 PREPARATION FOR ACTIVE DUTY IN THE PERSIAN GULF CONFLICT
18 THEATER.

19 "FUND." THE PERSIAN GULF CONFLICT VETERANS' COMPENSATION
20 BOND FUND.

21 "ISSUING OFFICIALS." THE GOVERNOR, THE AUDITOR GENERAL AND
22 THE STATE TREASURER.

23 "LEGAL RESIDENT OF THIS COMMONWEALTH." A MEMBER OF THE
24 UNITED STATES ARMED FORCES, THE RESERVE COMPONENT OF THE UNITED
25 STATES ARMED FORCES OR THE PENNSYLVANIA NATIONAL GUARD WHOSE
26 HOME OF RECORD AT THE TIME OF THE PERSIAN GULF CONFLICT WAS THIS
27 COMMONWEALTH OR ANY SPECIFIC PLACE IN THIS COMMONWEALTH WITHOUT
28 REGARD TO THE PLACE OF ENLISTMENT, COMMISSION OR INDUCTION. THE
29 PROOF OF SUCH RESIDENCE SHALL BE THE OFFICIAL RECORDS OF THE
30 UNITED STATES OR SUCH OTHER EVIDENCE AS IS DEEMED SUFFICIENT BY

1 THE ADJUTANT GENERAL.

2 "PERSIAN GULF CONFLICT THEATER." THE AREA DEFINED AS THE
3 PERSIAN GULF CONFLICT THEATER OF OPERATIONS AS ESTABLISHED BY
4 THE UNITED STATES DEPARTMENT OF DEFENSE FOR THE AWARDING OF THE
5 SOUTHWEST ASIA SERVICE MEDAL FOR THE PERIOD OF TIME FROM AUGUST
6 2, 1990, THROUGH AUGUST 31, 1991.

7 "VETERAN." A MEMBER OF A COMPONENT OF THE ARMED FORCES OF
8 THE UNITED STATES WHO HAD ACTIVE SERVICE IN THE PERSIAN GULF
9 CONFLICT THEATER OR A MEMBER OF THE PENNSYLVANIA NATIONAL GUARD
10 OR A RESERVE COMPONENT OF THE ARMED FORCES WHO HAD ACTIVE
11 SERVICE FOR THE SUPPORT OF OPERATIONS IN THE PERSIAN GULF
12 CONFLICT THEATER. THE TERM DOES NOT INCLUDE AN INDIVIDUAL WHO
13 WAS SEPARATED FROM THE ARMED FORCES UNDER OTHER THAN HONORABLE
14 CONDITIONS, HAD RENOUNCED HIS UNITED STATES CITIZENSHIP OR WAS
15 CALLED TO ACTIVE DUTY FOR THE PURPOSE OF ANNUAL TRAINING OR
16 SCHOOLING.

17 SECTION 3. COMPUTATION OF COMPENSATION.

18 (A) ELIGIBILITY.--COMPENSATION SHALL BE PAYABLE UNDER THIS
19 ACT ONLY TO EACH VETERAN WHO WAS A LEGAL RESIDENT OF THIS
20 COMMONWEALTH.

21 (B) COMPENSATION FOR SERVICE IN THE PERSIAN GULF.--
22 COMPENSATION SHALL BE PAYABLE ON THE BASIS OF \$75 FOR THE FIRST
23 MONTH OF ELIGIBILITY WITH A MINIMUM OF ONE DAY OF ACTIVE
24 SERVICE; THEREAFTER, IT SHALL BE COMPUTED ON THE BASIS OF \$75
25 FOR EACH MONTH OR MAJOR FRACTION THEREOF.

26 (C) COMPENSATION ON BEHALF OF DECEASED VETERAN.--IN ADDITION
27 TO ANY OTHER COMPENSATION AUTHORIZED UNDER THIS SECTION, THE
28 COMPENSATION ON BEHALF OF A VETERAN WHO DIED IN ACTIVE SERVICE
29 OR AS A RESULT OF SERVICE-CONNECTED WOUNDS, DISEASES OR INJURIES
30 SUSTAINED DURING ACTIVE SERVICE SHALL BE \$4,000.

1 (D) COMPENSATION OF PRISONER OF WAR.--IN ADDITION TO ANY
2 COMPENSATION UNDER THE OTHER PROVISIONS OF THIS SECTION, THE
3 COMPENSATION OF A VETERAN WHO WAS DECLARED A PRISONER OF WAR,
4 REGARDLESS OF THE LENGTH OF TIME SPENT AS A PRISONER OF WAR,
5 SHALL, UPON RETURN, BE \$4,000.

6 (E) TOTAL AMOUNT OF COMPENSATION.--THE COMPENSATION PROVIDED
7 FOR ACTIVE SERVICE UNDER SUBSECTION (B) SHALL BE NOT LESS THAN
8 \$75 AND NOT MORE THAN \$525.

9 (F) EXCLUSION FROM COMPENSATION.--ANY INDIVIDUAL WHO HAS
10 RECEIVED A BONUS, GRATUITY OR COMPENSATION OF A NATURE SIMILAR
11 TO THAT PROVIDED FOR BY THIS ACT FROM ANY OTHER STATE IN THE
12 UNITED STATES IS INELIGIBLE FOR COMPENSATION. THIS EXCLUSION
13 DOES NOT APPLY TO A SIMILAR BONUS, GRATUITY OR COMPENSATION FROM
14 THE FEDERAL GOVERNMENT.

15 SECTION 4. APPLICATION FOR COMPENSATION.

16 (A) APPLICATION TO ADJUTANT GENERAL.--APPLICATIONS SHALL BE
17 MADE BY A VETERAN, THE FACILITY ENTITLED UNDER SECTION 5(A) OR
18 THE BENEFICIARIES DESIGNATED UNDER SECTION 5(B). THE ADJUTANT
19 GENERAL SHALL ASCERTAIN THE APPLICANTS WHO ARE VETERANS AND, AS
20 TO EACH VETERAN, THE NUMBER OF MONTHS OF SERVICE FOR WHICH THE
21 VETERAN IS ENTITLED TO RECEIVE COMPENSATION.

22 (B) TIME FOR FILING APPLICATION.--THE ADJUTANT GENERAL SHALL
23 NOT ACCEPT OR CONSIDER ANY APPLICATION FILED AFTER AUGUST 31,
24 1995.

25 SECTION 5. PERSONS TO WHOM PAYMENTS SHALL BE MADE IN CASE OF
26 INCOMPETENCE OR DEATH.

27 (A) INCOMPETENCE.--IN A CASE WHERE THE VETERAN IS
28 INCOMPETENT, IF NO GUARDIAN HAS BEEN APPOINTED, PAYMENT SHALL BE
29 MADE FOR THE BENEFIT OF THE VETERAN TO THE PERSON WHO IS
30 ENTITLED TO PAYMENT UNDER SUBSECTION (B), OR, IN THE ABSENCE OF

1 ANY SUCH PERSON AND IF THE VETERAN IS IN A FACILITY, TO THE
2 PERSON IN CHARGE OF THE FACILITY TO BE EXPENDED FOR THE CLOTHING
3 AND INCIDENTAL NEEDS OF THE VETERAN. NO PART OF THE COMPENSATION
4 PAID TO ANY FACILITY SHALL BE USED FOR THE MAINTENANCE OF THE
5 VETERAN. A STATEMENT FROM THE PERSON IN CHARGE OF THE FACILITY
6 IN WHICH THE VETERAN RESIDES SHALL BE EVIDENCE TO DETERMINE THE
7 COMPETENCE OF THE VETERAN.

8 (B) DEATH.--IN THE CASE OF THE DEATH OF A VETERAN, PAYMENT
9 SHALL BE MADE, IN THE ORDER NAMED, TO THE:

10 (1) SURVIVING SPOUSE UNLESS THE SPOUSE WAS LIVING
11 SEPARATE AND APART FROM THE VETERAN AT THE TIME OF DEPARTURE
12 FOR ACTIVE SERVICE;

13 (2) SURVIVING CHILDREN, SHARE AND SHARE ALIKE; OR

14 (3) SURVIVING PARENTS.

15 (C) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
16 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
17 SUBSECTION:

18 "FACILITY." ANY MENTAL HEALTH ESTABLISHMENT, HOSPITAL,
19 CLINIC, INSTITUTION, CENTER, DAY-CARE CENTER, BASE SERVICE UNIT,
20 COMMUNITY MENTAL HEALTH CENTER OR OTHER ORGANIZATIONAL UNIT, OR
21 PART THEREOF, WHICH IS DEVOTED PRIMARILY TO THE DIAGNOSIS,
22 TREATMENT, CARE, REHABILITATION OR DETENTION OF MENTALLY
23 DISABLED PERSONS.

24 "PARENTS." INCLUDES PERSONS WHO, FOR A PERIOD OF NOT LESS
25 THAN ONE YEAR, ACTED IN THE CAPACITY OF A FOSTER PARENT TO THE
26 VETERAN IMMEDIATELY PRIOR TO THE VETERAN HAVING ATTAINED 18
27 YEARS OF AGE.

28 SECTION 6. APPLICANT TO DESIGNATE BENEFICIARIES.

29 EVERY PERSON MAKING APPLICATION FOR COMPENSATION SHALL SET
30 FORTH IN THE APPLICATION THE NAMES AND ADDRESSES OF ALL PERSONS

1 WHO, UNDER THIS ACT, WOULD BE ENTITLED TO RECEIVE COMPENSATION
2 IN THE EVENT OF THE DEATH OF THE APPLICANT. IF THE APPLICANT
3 DIES BEFORE THE PAYMENT OF THE COMPENSATION, THE APPLICATION
4 SHALL BE DEEMED TO INURE TO THE BENEFIT OF THE PERSON NEXT
5 ENTITLED TO COMPENSATION, AND PAYMENT SHALL BE MADE TO THE
6 PERSON UPON PROOF OF IDENTITY SATISFACTORY TO THE ADJUTANT
7 GENERAL. IF NO PERSON DESIGNATED IN THIS ACT AS BEING ENTITLED
8 TO COMPENSATION SURVIVES THE VETERAN, THE RIGHT TO THE
9 COMPENSATION SHALL CEASE.

10 SECTION 7. EXEMPTION FROM ATTACHMENT, ETC.

11 NO SUM PAYABLE UNDER THIS ACT TO A VETERAN OR TO ANY OTHER
12 PERSON UNDER THIS ACT SHALL BE SUBJECT TO ATTACHMENT, LEVY OR
13 SEIZURE UNDER ANY LEGAL OR EQUITABLE PROCESS AND SHALL BE EXEMPT
14 FROM ALL STATE TAXATION. NO RIGHT TO COMPENSATION UNDER THIS ACT
15 SHALL BE ASSIGNABLE, EXCEPT AS OTHERWISE PROVIDED IN THIS ACT,
16 OR SHALL SERVE AS A SECURITY FOR ANY LOAN. ANY ASSIGNMENT OR
17 LOAN MADE IN VIOLATION OF THIS SECTION SHALL BE VOID.

18 ASSIGNMENTS TO ANY INCORPORATED OR UNINCORPORATED ORGANIZATION
19 OF VETERANS, ANY NONPROFIT CORPORATION FORMED SOLELY FOR THE
20 PURPOSE OF AIDING DISABLED OR INCAPACITATED VETERANS AND THE
21 STATE VETERANS' COMMISSION SHALL BE VALID.

22 SECTION 8. PENALTY FOR CHARGING FEES FOR ASSISTING VETERANS.

23 A PERSON WHO CHARGES OR COLLECTS OR ATTEMPTS TO CHARGE OR
24 COLLECT, EITHER DIRECTLY OR INDIRECTLY, ANY FEE OR OTHER
25 COMPENSATION FOR ASSISTING, IN ANY MANNER, A VETERAN IN
26 OBTAINING ANY OF THE BENEFITS PROVIDED UNDER THIS ACT COMMITS A
27 MISDEMEANOR OF THE SECOND DEGREE.

28 SECTION 9. ADMINISTRATION OF COMPENSATION PROGRAM.

29 THE ADJUTANT GENERAL SHALL ADMINISTER THE COMPENSATION
30 PROGRAM. FOR THAT PURPOSE APPLICATION FORMS SHALL BE PREPARED

1 AND DISTRIBUTED, APPLICATIONS SHALL BE INVESTIGATED, AND, IF
2 SATISFIED OF THE PROOF OF AN APPLICATION, COMPENSATION SHALL BE
3 APPROVED AND PAYMENT OF COMPENSATION SHALL BE MADE. THE ADJUTANT
4 GENERAL SHALL PROMULGATE RULES AND REGULATIONS TO IMPLEMENT,
5 ADMINISTER AND ENFORCE THIS ACT. THE ADJUTANT GENERAL SHALL, AS
6 SOON AS PRACTICABLE AFTER THE EFFECTIVE DATE OF THIS ACT,
7 PREPARE AND DISTRIBUTE A DIGEST EXPLAINING THE PROVISIONS OF
8 THIS ACT TO ASSIST VETERANS IN FILING THEIR APPLICATIONS AND
9 SHALL, FROM TIME TO TIME, PREPARE AND DISTRIBUTE ADDITIONAL OR
10 SUPPLEMENTARY INFORMATION AS MAY BE FOUND NECESSARY. THE
11 ADJUTANT GENERAL SHALL ENLIST, AS FAR AS POSSIBLE, THE SERVICES
12 OF VETERAN ORGANIZATIONS IN THIS COMMONWEALTH IN THE
13 DISSEMINATION OF THE INFORMATION.

14 SECTION 10. PAYMENT OF COMPENSATION.

15 THE COMPENSATION PAYABLE UNDER THIS ACT SHALL, UPON
16 REQUISITION BY THE ADJUTANT GENERAL, BE PAID BY THE STATE
17 TREASURER FROM THE FUND, TO BE CREATED WITH FUNDS REALIZED FROM
18 A PROPOSED BOND ISSUE. PAYMENTS SHALL BE MADE AS SOON AS
19 POSSIBLE AFTER FUNDS ARE AVAILABLE.

20 SECTION 11. PERSIAN GULF CONFLICT VETERANS' COMPENSATION BOND
21 FUND.

22 (A) PURPOSE OF FUND.--THE PERSIAN GULF CONFLICT VETERANS'
23 COMPENSATION BOND FUND, WHICH IS HEREBY CREATED IN THE STATE
24 TREASURY, SHALL BE THE SOURCE FROM WHICH ALL PAYMENTS ARE
25 AUTHORIZED WITH THE APPROVAL OF THE GOVERNOR TO CARRY OUT THE
26 PURPOSES OF THIS ACT. THE MONEYS IN THE FUND SHALL ONLY BE
27 UTILIZED:

28 (1) FOR THE PURPOSE OF PROVIDING COMPENSATION TO
29 VETERANS IN ACCORDANCE WITH THE PROVISIONS OF THIS ACT.

30 (2) FOR PAYMENT OF THE COST OF DESIGNING AND

1 CONSTRUCTING A PATRIOTIC MONUMENT OR MEMORIAL IN APPRECIATION
2 OF VETERANS OF THIS COMMONWEALTH.

3 (3) FOR THE ADMINISTRATIVE COSTS INCURRED IN ANY OF THE
4 PURPOSES IN PARAGRAPH (1) OR (2), INCLUDING THE COSTS
5 INCURRED IN CONNECTION WITH THE ISSUANCE OF THE BONDS.

6 (B) INTERFUND TRANSFERS AUTHORIZED.--

7 (1) WHENEVER THE CASH BALANCE AND THE CURRENT ESTIMATED
8 RECEIPTS OF THE FUND SHALL BE INSUFFICIENT AT ANY TIME DURING
9 ANY STATE FISCAL YEAR TO MEET PROMPTLY THE OBLIGATIONS OF THE
10 COMMONWEALTH FROM SUCH FUND, THE STATE TREASURER IS HEREBY
11 AUTHORIZED AND DIRECTED, FROM TIME TO TIME DURING SUCH FISCAL
12 YEAR, TO TRANSFER FROM THE GENERAL FUND TO THE FUND SUCH SUMS
13 AS THE GOVERNOR DIRECTS, BUT IN NO CASE LESS THAN THE AMOUNT
14 NECESSARY TO MEET PROMPTLY THE OBLIGATIONS TO BE PAID FROM
15 THE FUND NOR MORE THAN AN AMOUNT WHICH IS THE SMALLEST OF:

16 (I) THE DIFFERENCE BETWEEN THE AMOUNT OF DEBT
17 AUTHORIZED TO BE ISSUED UNDER THE AUTHORITY OF THIS ACT
18 AND THE AGGREGATE PRINCIPAL AMOUNT OF BONDS AND NOTES
19 ISSUED, NOT INCLUDING REFUNDING BONDS AND REPLACEMENT
20 NOTES; AND

21 (II) THE DIFFERENCE BETWEEN THE AGGREGATE PRINCIPAL
22 AMOUNT OF BONDS AND NOTES TO BE ISSUED DURING A STATE
23 FISCAL YEAR AND THE AGGREGATE PRINCIPAL AMOUNT OF BONDS
24 AND NOTES, NOT INCLUDING REFUNDING BONDS AND REPLACEMENT
25 NOTES, ISSUED DURING SUCH STATE FISCAL YEAR.

26 ANY SUMS SO TRANSFERRED SHALL BE AVAILABLE ONLY FOR THE
27 PURPOSES FOR WHICH FUNDS ARE APPROPRIATED FROM THE FUND. THE
28 TRANSFERS SHALL BE MADE UNDER THIS SECTION UPON WARRANT OF
29 THE STATE TREASURER UPON REQUISITION OF THE GOVERNOR.

30 (2) IN ORDER TO REIMBURSE THE GENERAL FUND FOR MONEYS

1 TRANSFERRED FROM SUCH FUNDS UNDER PARAGRAPH (1), THERE SHALL
2 BE TRANSFERRED TO THE GENERAL FUND FROM THE FUND MONEYS FROM
3 THE PROCEEDS OBTAINED FROM BONDS AND NOTES ISSUED UNDER THE
4 AUTHORITY OF THIS ACT OR FROM OTHER AVAILABLE FUNDS IN SUCH
5 AMOUNTS AND AT SUCH TIMES AS THE GOVERNOR SHALL DIRECT. THE
6 RETRANSFERS SHALL BE MADE UPON WARRANT OF THE STATE TREASURER
7 UPON REQUISITION OF THE GOVERNOR.

8 SECTION 12. COMMONWEALTH INDEBTEDNESS.

9 (A) BORROWING AUTHORIZED.--

10 (1) IF AND WHEN THE ELECTORATE APPROVES A REFERENDUM
11 QUESTION FOR THE INCURRING OF INDEBTEDNESS IN THE AMOUNT AND
12 FOR THE PURPOSES PRESCRIBED IN THIS ACT, THE ISSUING
13 OFFICIALS, PURSUANT TO THE PROVISIONS OF SECTION 7(A)(3) OF
14 ARTICLE VIII OF THE CONSTITUTION OF PENNSYLVANIA, ARE
15 AUTHORIZED AND DIRECTED TO BORROW, ON THE CREDIT OF THE
16 COMMONWEALTH, MONEY NOT EXCEEDING IN THE AGGREGATE THE SUM OF
17 \$25,000,000, NOT INCLUDING MONEY BORROWED TO REFUND
18 OUTSTANDING BONDS, NOTES OR REPLACEMENT NOTES, AS MAY BE
19 FOUND NECESSARY TO CARRY OUT THE PURPOSES OF THIS ACT.

20 (2) AS EVIDENCE OF THE INDEBTEDNESS, GENERAL OBLIGATION
21 BONDS OF THE COMMONWEALTH SHALL BE ISSUED, FROM TIME TO TIME,
22 TO PROVIDE MONEYS NECESSARY TO CARRY OUT THE PURPOSES OF THIS
23 ACT FOR SUCH TOTAL AMOUNTS, IN SUCH FORM, IN SUCH
24 DENOMINATIONS AND SUBJECT TO SUCH TERMS AND CONDITIONS OF
25 ISSUE, REDEMPTION AND MATURITY, RATE OF INTEREST AND TIME OF
26 PAYMENT OF INTEREST AS THE ISSUING OFFICIALS DIRECT, EXCEPT
27 THAT THE LATEST STATED MATURITY DATE SHALL NOT EXCEED 20
28 YEARS FROM THE DATE OF THE FIRST OBLIGATION ISSUED TO
29 EVIDENCE THE DEBT.

30 (3) ALL BONDS AND NOTES ISSUED UNDER THE AUTHORITY OF

1 THIS ACT SHALL BEAR FACSIMILE SIGNATURES OF THE ISSUING
2 OFFICIALS AND A FACSIMILE OF THE GREAT SEAL OF THE
3 COMMONWEALTH AND SHALL BE COUNTERSIGNED BY A DULY AUTHORIZED
4 OFFICER OF A DULY AUTHORIZED LOAN AND TRANSFER AGENT OF THE
5 COMMONWEALTH.

6 (4) ALL BONDS AND NOTES ISSUED IN ACCORDANCE WITH THE
7 PROVISIONS OF THIS SECTION SHALL BE DIRECT OBLIGATIONS OF THE
8 COMMONWEALTH, AND THE FULL FAITH AND CREDIT OF THE
9 COMMONWEALTH IS HEREBY PLEDGED FOR THE PAYMENT OF THE
10 INTEREST THEREON, AS IT BECOMES DUE, AND THE PAYMENT OF THE
11 PRINCIPAL AT MATURITY. THE PRINCIPAL OF AND INTEREST ON THE
12 BONDS AND NOTES SHALL BE PAYABLE IN LAWFUL MONEY OF THE
13 UNITED STATES.

14 (5) ALL BONDS AND NOTES ISSUED UNDER THE PROVISIONS OF
15 THIS SECTION SHALL BE EXEMPT FROM TAXATION FOR STATE AND
16 LOCAL PURPOSES.

17 (6) THE BONDS MAY BE ISSUED AS COUPON BONDS OR
18 REGISTERED AS TO BOTH PRINCIPAL AND INTEREST AS THE ISSUING
19 OFFICIALS MAY DETERMINE. IF INTEREST COUPONS ARE ATTACHED,
20 THEY SHALL CONTAIN THE FACSIMILE SIGNATURE OF THE STATE
21 TREASURER.

22 (7) THE ISSUING OFFICIALS SHALL PROVIDE FOR THE
23 AMORTIZATION OF THE BONDS IN SUBSTANTIAL AND REGULAR AMOUNTS
24 OVER THE TERM OF THE DEBT SO THAT THE BONDS OF EACH ISSUE
25 ALLOCATED TO THE PROGRAMS TO BE FUNDED FROM THE BOND ISSUE
26 SHALL MATURE WITHIN A PERIOD NOT TO EXCEED THE APPROPRIATE
27 AMORTIZATION PERIOD FOR EACH PROGRAM AS SPECIFIED BY THE
28 ISSUING OFFICIALS BUT IN NO CASE IN EXCESS OF 20 YEARS. THE
29 FIRST RETIREMENT OF PRINCIPAL SHALL BE STATED TO MATURE PRIOR
30 TO THE EXPIRATION OF A PERIOD OF TIME EQUAL TO ONE-TENTH OF

1 THE TIME FROM THE DATE OF THE FIRST OBLIGATION ISSUED TO
2 EVIDENCE THE DEBT TO THE DATE OF THE EXPIRATION OF THE TERM
3 OF THE DEBT. RETIREMENTS OF PRINCIPAL SHALL BE REGULAR AND
4 SUBSTANTIAL IF MADE IN ANNUAL OR SEMIANNUAL AMOUNTS WHETHER
5 BY STATED SERIAL MATURITIES OR BY MANDATORY SINKING FUND
6 RETIREMENTS.

7 (8) THE ISSUING OFFICIALS ARE AUTHORIZED TO PROVIDE BY
8 RESOLUTION FOR THE ISSUANCE OF REFUNDING BONDS FOR THE
9 PURPOSE OF REFUNDING ANY DEBT ISSUED UNDER THE PROVISIONS OF
10 THIS ACT AND THEN OUTSTANDING, EITHER BY VOLUNTARY EXCHANGE
11 WITH THE HOLDERS OF THE OUTSTANDING DEBT OR PROVIDING FUNDS
12 TO REDEEM AND RETIRE THE OUTSTANDING DEBT WITH ACCRUED
13 INTEREST, ANY PREMIUM PAYABLE THEREON AND THE COSTS OF
14 ISSUANCE AND RETIREMENT OF THE DEBT, AT MATURITY OR AT ANY
15 CALL DATE. THE ISSUANCE OF THE REFUNDING BONDS, THE
16 MATURITIES AND OTHER DETAILS THEREOF, THE RIGHTS OF THE
17 HOLDERS THEREOF AND THE DUTIES OF THE ISSUING OFFICIAL IN
18 RESPECT THERETO SHALL BE GOVERNED BY THE PROVISIONS OF THIS
19 SECTION, INSOFAR AS THEY MAY BE APPLICABLE. REFUNDING BONDS,
20 WHICH ARE NOT SUBJECT TO THE AGGREGATE LIMITATION OF
21 \$25,000,000 OF DEBT TO BE ISSUED UNDER THIS ACT, MAY BE
22 ISSUED BY THE ISSUING OFFICIALS TO REFUND DEBT ORIGINALLY
23 ISSUED OR TO REFUND BONDS PREVIOUSLY ISSUED FOR REFUNDING
24 PURPOSES.

25 (9) WHENEVER ANY ACTION IS TO BE TAKEN OR DECISION MADE
26 BY THE GOVERNOR, THE AUDITOR GENERAL AND THE STATE TREASURER
27 ACTING AS ISSUING OFFICIALS AND THE THREE OFFICERS ARE NOT
28 ABLE UNANIMOUSLY TO AGREE, THE ACTION OR DECISION OF THE
29 GOVERNOR AND EITHER THE AUDITOR GENERAL OR THE STATE
30 TREASURER SHALL BE BINDING AND FINAL.

1 (B) SALE OF BONDS.--

2 (1) WHENEVER BONDS ARE ISSUED, THEY SHALL BE OFFERED FOR
3 SALE AT NOT LESS THAN 98% OF THE PRINCIPAL AMOUNT AND ACCRUED
4 INTEREST AND SHALL BE SOLD BY THE ISSUING OFFICIALS TO THE
5 HIGHEST AND BEST BIDDER OR BIDDERS AFTER DUE PUBLIC
6 ADVERTISEMENT ON THE TERMS AND CONDITIONS AND UPON SUCH OPEN
7 COMPETITIVE BIDDING AS THE ISSUING OFFICIALS SHALL DIRECT.
8 THE MANNER AND CHARACTER OF THE ADVERTISEMENT AND THE TIME OF
9 ADVERTISING SHALL BE PRESCRIBED BY THE ISSUING OFFICIALS. NO
10 COMMISSION SHALL BE ALLOWED OR PAID FOR THE SALE OF ANY BONDS
11 ISSUED UNDER THE AUTHORITY OF THIS ACT.

12 (2) ANY PORTION OF ANY BOND ISSUE SO OFFERED AND NOT
13 SOLD OR SUBSCRIBED FOR AT PUBLIC SALE MAY BE DISPOSED OF BY
14 PRIVATE SALE BY THE ISSUING OFFICIALS IN SUCH MANNER AND AT
15 SUCH PRICES, NOT LESS THAN 98% OF THE PRINCIPAL AMOUNT AND
16 ACCRUED INTEREST, AS THE GOVERNOR SHALL DIRECT. NO COMMISSION
17 SHALL BE ALLOWED OR PAID FOR THE SALE OF ANY BONDS ISSUED
18 UNDER THE AUTHORITY OF THIS ACT.

19 (3) WHEN BONDS ARE ISSUED FROM TIME TO TIME, THE BONDS
20 OF EACH ISSUE SHALL CONSTITUTE A SEPARATE SERIES TO BE
21 DESIGNATED BY THE ISSUING OFFICIALS OR MAY BE COMBINED FOR
22 SALE AS ONE SERIES WITH OTHER GENERAL OBLIGATION BONDS OF THE
23 COMMONWEALTH.

24 (4) UNTIL PERMANENT BONDS CAN BE PREPARED, THE ISSUING
25 OFFICIALS MAY IN THEIR DISCRETION ISSUE, IN LIEU OF PERMANENT
26 BONDS, TEMPORARY BONDS IN SUCH FORM AND WITH SUCH PRIVILEGES
27 AS TO REGISTRATION AND EXCHANGE FOR PERMANENT BONDS AS MAY BE
28 DETERMINED BY THE ISSUING OFFICIALS.

29 (5) THE PROCEEDS REALIZED FROM THE SALE OF BONDS AND
30 NOTES, EXCEPT REFUNDING BONDS AND REPLACEMENT NOTES, UNDER

1 THE PROVISIONS OF THIS ACT SHALL BE PAID INTO THE FUND. THE
2 PROCEEDS SHALL BE PAID BY THE STATE TREASURER PERIODICALLY TO
3 THOSE COMMONWEALTH OFFICERS AND COMMONWEALTH AGENCIES
4 AUTHORIZED TO EXPEND THEM AT SUCH TIMES AND IN SUCH AMOUNTS
5 AS MAY BE NECESSARY TO SATISFY THE FUNDING NEEDS THEREOF. THE
6 PROCEEDS OF THE SALE OF REFUNDING BONDS AND REPLACEMENT NOTES
7 SHALL BE PAID TO THE STATE TREASURER AND APPLIED TO THE
8 PAYMENT OF PRINCIPAL, THE ACCRUED INTEREST AND PREMIUM, IF
9 ANY, AND COST OF REDEMPTION OF THE BONDS AND NOTES FOR WHICH
10 THE OBLIGATIONS SHALL HAVE BEEN ISSUED.

11 (6) PENDING THEIR APPLICATION FOR THE PURPOSES
12 AUTHORIZED, MONEYS HELD OR DEPOSITED BY THE STATE TREASURER
13 MAY BE INVESTED OR REINVESTED AS ARE OTHER FUNDS IN THE
14 CUSTODY OF THE STATE TREASURER IN THE MANNER PROVIDED BY LAW.
15 ALL EARNINGS RECEIVED FROM THE INVESTMENT OR DEPOSIT OF THE
16 FUNDS SHALL BE PAID INTO THE STATE TREASURY TO THE CREDIT OF
17 THE FUND. THE EARNINGS IN EXCESS OF BOND DISCOUNTS ALLOWED,
18 EXPENSES PAID FOR THE ISSUANCE OF BONDS AND NOTES AND
19 INTEREST ARBITRAGE REBATES DUE TO THE FEDERAL GOVERNMENT
20 SHALL BE TRANSFERRED ANNUALLY TO THE FUND. ANY INTEREST OR
21 INVESTMENT INCOME SHALL BE APPLIED TO ASSIST IN THE PAYMENT
22 OF THE DEBT SERVICE INCURRED IN CONNECTION WITH THIS ACT.

23 (7) THE AUDITOR GENERAL SHALL PREPARE THE NECESSARY
24 REGISTRY BOOK TO BE KEPT IN THE OFFICE OF THE DULY AUTHORIZED
25 LOAN AND TRANSFER AGENT OF THE COMMONWEALTH FOR THE
26 REGISTRATION OF ANY BONDS, AT THE REQUEST OF OWNERS THEREOF,
27 ACCORDING TO THE TERMS AND CONDITIONS OF ISSUE DIRECTED BY
28 THE ISSUING OFFICIALS.

29 (8) THERE IS HEREBY APPROPRIATED TO THE STATE TREASURER
30 FROM THE FUND AS MUCH MONEY AS MAY BE NECESSARY FOR ALL COSTS

1 AND EXPENSES IN CONNECTION WITH THE ISSUE OF AND SALE AND
2 REGISTRATION OF THE BONDS AND NOTES IN CONNECTION WITH THIS
3 ACT AND THE PAYMENT OF INTEREST ARBITRAGE REBATES OR PROCEEDS
4 OF SUCH BONDS AND NOTES.

5 (C) TEMPORARY FINANCING AUTHORIZATION.--

6 (1) PENDING THE ISSUANCE OF BONDS OF THE COMMONWEALTH AS
7 AUTHORIZED, THE ISSUING OFFICIALS ARE HEREBY AUTHORIZED, IN
8 ACCORDANCE WITH THE PROVISIONS OF THIS ACT AND ON THE CREDIT
9 OF THE COMMONWEALTH, TO MAKE TEMPORARY BORROWINGS NOT TO
10 EXCEED THREE YEARS IN ANTICIPATION OF THE ISSUE OF BONDS IN
11 ORDER TO PROVIDE FUNDS IN SUCH AMOUNTS AS MAY, FROM TIME TO
12 TIME, BE DEEMED ADVISABLE PRIOR TO THE ISSUE OF BONDS. IN
13 ORDER TO PROVIDE FOR AND IN CONNECTION WITH THE TEMPORARY
14 BORROWINGS, THE ISSUING OFFICIALS ARE HEREBY AUTHORIZED IN
15 THE NAME AND ON BEHALF OF THE COMMONWEALTH TO ENTER INTO ANY
16 PURCHASE, LOAN OR CREDIT AGREEMENT OR AGREEMENTS, OR OTHER
17 AGREEMENT OR AGREEMENTS WITH ANY BANKS OR TRUST COMPANIES OR
18 OTHER LENDING INSTITUTIONS, INVESTMENT BANKING FIRMS OR
19 PERSONS IN THE UNITED STATES HAVING POWER TO ENTER INTO THE
20 SAME, WHICH AGREEMENTS MAY CONTAIN PROVISIONS NOT
21 INCONSISTENT WITH THE PROVISIONS OF THIS ACT AS MAY BE
22 AUTHORIZED BY THE ISSUING OFFICIALS.

23 (2) ALL TEMPORARY BORROWINGS MADE UNDER THE
24 AUTHORIZATION OF THIS SECTION SHALL BE EVIDENCED BY NOTES OF
25 THE COMMONWEALTH, WHICH SHALL BE ISSUED, FROM TIME TO TIME,
26 FOR AMOUNTS NOT EXCEEDING IN THE AGGREGATE THE APPLICABLE
27 STATUTORY AND CONSTITUTIONAL DEBT LIMITATION, IN THE FORM AND
28 IN THE DENOMINATIONS AND SUBJECT TO TERMS AND CONDITIONS OF
29 SALE AND ISSUE, PREPAYMENT OR REDEMPTION AND MATURITY, RATE
30 OR RATES OF INTEREST AND TIME OF PAYMENT OF INTEREST AS THE

1 ISSUING OFFICIALS SHALL AUTHORIZE AND DIRECT AND IN
2 ACCORDANCE WITH THIS ACT. THE AUTHORIZATION AND DIRECTION MAY
3 PROVIDE FOR THE SUBSEQUENT ISSUANCE OF REPLACEMENT NOTES TO
4 REFUND OUTSTANDING NOTES OR REPLACEMENT NOTES, WHICH
5 REPLACEMENT NOTES SHALL, UPON ISSUANCE THEREOF, EVIDENCE THE
6 BORROWING, AND MAY SPECIFY OTHER TERMS AND CONDITIONS WITH
7 RESPECT TO THE NOTES AND REPLACEMENT NOTES THEREBY AUTHORIZED
8 FOR ISSUANCE AS THE ISSUING OFFICIALS MAY DETERMINE AND
9 DIRECT.

10 (3) WHEN THE AUTHORIZATION AND DIRECTION OF THE ISSUING
11 OFFICIALS PROVIDE FOR THE ISSUANCE OF REPLACEMENT NOTES, THE
12 ISSUING OFFICIALS ARE HEREBY AUTHORIZED IN THE NAME AND ON
13 BEHALF OF THE COMMONWEALTH TO ISSUE, ENTER INTO OR AUTHORIZE
14 AND DIRECT THE STATE TREASURER TO ENTER INTO AGREEMENTS WITH
15 ANY BANKS, TRUST COMPANIES, INVESTMENT BANKING FIRMS OR OTHER
16 INSTITUTIONS OR PERSONS IN THE UNITED STATES HAVING THE POWER
17 TO ENTER THE SAME:

18 (I) TO PURCHASE OR UNDERWRITE AN ISSUE OR SERIES OF
19 ISSUES OR NOTES.

20 (II) TO CREDIT, TO ENTER INTO ANY PURCHASE, LOAN OR
21 CREDIT AGREEMENTS, TO DRAW MONEYS PURSUANT TO ANY SUCH
22 AGREEMENTS ON THE TERMS AND CONDITIONS SET FORTH THEREIN
23 AND TO ISSUE NOTES AS EVIDENCE OF BORROWINGS MADE UNDER
24 ANY SUCH AGREEMENTS.

25 (III) TO APPOINT AS ISSUING AND PAYMENT AGENT OR
26 AGENTS WITH RESPECT TO NOTES.

27 (IV) TO DO SUCH OTHER ACTS AS MAY BE NECESSARY OR
28 APPROPRIATE TO PROVIDE FOR THE PAYMENT, WHEN DUE, OF THE
29 INTEREST ON AND THE PRINCIPAL OF SUCH NOTES. SUCH
30 AGREEMENTS MAY PROVIDE FOR THE COMPENSATION OF ANY

1 PURCHASERS OR UNDERWRITERS OF NOTES OR REPLACEMENT NOTES
2 BY DISCOUNTING THE PURCHASE PRICE OF THE NOTES OR BY
3 PAYMENT OF A FIXED FEE OR COMMISSION AT THE TIME OF
4 ISSUANCE THEREOF, AND ALL OTHER COSTS AND EXPENSES,
5 INCLUDING FEES FOR AGREEMENTS RELATED TO THE NOTES,
6 ISSUING AND PAYING AGENT COSTS AND COSTS AND EXPENSES OF
7 ISSUANCE, MAY BE PAID FROM THE PROCEEDS OF THE NOTES.

8 (4) WHEN THE AUTHORIZATION AND DIRECTION OF THE ISSUING
9 OFFICIALS PROVIDE FOR THE ISSUANCE OF REPLACEMENT NOTES, THE
10 STATE TREASURER SHALL, AT OR PRIOR TO THE TIME OF DELIVERY OF
11 THESE NOTES OR REPLACEMENT NOTES, DETERMINE THE PRINCIPAL
12 AMOUNTS, DATES OF ISSUE, INTEREST RATE OR RATES, OR
13 PROCEDURES FOR ESTABLISHING SUCH RATES FROM TIME TO TIME,
14 RATES OF DISCOUNT, DENOMINATIONS AND ALL OTHER TERMS AND
15 CONDITIONS RELATING TO THE ISSUANCE AND SHALL PERFORM ALL
16 ACTS AND THINGS NECESSARY TO PAY OR CAUSE TO BE PAID, WHEN
17 DUE, ALL PRINCIPAL OF AND INTEREST ON THE NOTES BEING
18 REFUNDED BY REPLACEMENT NOTES AND TO ASSURE THAT THE SAME MAY
19 DRAW UPON ANY MONEYS AVAILABLE FOR THAT PURPOSE PURSUANT TO
20 ANY PURCHASE, LOAN OR CREDIT AGREEMENTS ESTABLISHED WITH
21 RESPECT THERETO, ALL SUBJECT TO THE AUTHORIZATION AND
22 DIRECTION OF THE ISSUING OFFICIALS.

23 (5) OUTSTANDING NOTES EVIDENCING SUCH BORROWINGS MAY BE
24 FUNDED AND RETIRED BY THE ISSUANCE AND SALE OF THE BONDS OF
25 THE COMMONWEALTH AS HEREINAFTER AUTHORIZED. THE REFUNDING
26 BONDS MUST BE ISSUED AND SOLD NOT LATER THAN A DATE THREE
27 YEARS AFTER THE DATE OF ISSUANCE OF THE FIRST NOTES
28 EVIDENCING THE BORROWINGS TO THE EXTENT THAT PAYMENT OF SUCH
29 NOTES HAS NOT OTHERWISE BEEN MADE OR PROVIDED FOR BY SOURCES
30 OTHER THAN PROCEEDS OF REPLACEMENT NOTES.

1 (6) THE PROCEEDS OF ALL SUCH TEMPORARY BORROWING SHALL
2 BE PAID TO THE STATE TREASURER TO BE HELD AND DISPOSED OF IN
3 ACCORDANCE WITH THE PROVISIONS OF THIS ACT.

4 (D) DEBT RETIREMENT.--

5 (1) ALL BONDS ISSUED UNDER THE AUTHORITY OF THIS ACT
6 SHALL BE REDEEMED AT MATURITY, TOGETHER WITH ALL INTEREST
7 DUE, FROM TIME TO TIME, ON THE BONDS, AND THESE PRINCIPAL AND
8 INTEREST PAYMENTS SHALL BE PAID FROM THE PERSIAN GULF
9 CONFLICT VETERANS' COMPENSATION BOND SINKING FUND, WHICH IS
10 HEREBY CREATED. FOR THE SPECIFIC PURPOSE OF REDEEMING THE
11 BONDS AT MATURITY AND PAYING ALL INTEREST THEREON IN
12 ACCORDANCE WITH THE INFORMATION RECEIVED FROM THE GOVERNOR,
13 THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEYS TO THE PERSIAN
14 GULF CONFLICT VETERANS' COMPENSATION BOND SINKING FUND FOR
15 THE PAYMENT OF INTEREST ON THE BONDS AND NOTES AND THE
16 PRINCIPAL THEREOF AT MATURITY. ALL MONEYS PAID INTO THE
17 PERSIAN GULF CONFLICT VETERANS' COMPENSATION BOND SINKING
18 FUND AND ALL OF THE MONEYS NOT NECESSARY TO PAY ACCRUING
19 INTEREST SHALL BE INVESTED BY THE STATE TREASURER IN SUCH
20 SECURITIES AS ARE PROVIDED BY LAW FOR THE INVESTMENT OF THE
21 SINKING FUNDS OF THE COMMONWEALTH.

22 (2) THE STATE TREASURER, WITH THE APPROVAL OF THE
23 GOVERNOR, IS AUTHORIZED AT ANY TIME TO USE ANY OF THE MONEYS
24 IN THE FUND NOT NECESSARY FOR THE PURPOSES OF THE REFERENDUM
25 AUTHORIZING THE INDEBTEDNESS NECESSARY TO CARRY OUT THIS ACT,
26 FOR THE PURCHASE AND RETIREMENT OF ALL OR ANY PART OF THE
27 BONDS AND NOTES ISSUED PURSUANT TO THE AUTHORIZATION OF THIS
28 ACT. IN THE EVENT THAT ALL OR ANY PART OF THE BONDS AND NOTES
29 ARE PURCHASED, THEY SHALL BE CANCELED AND RETURNED TO THE
30 LOAN AND TRANSFER AGENT AS CANCELED AND PAID BONDS AND NOTES,

1 AND THEREAFTER ALL PAYMENTS OF INTEREST THEREON SHALL CEASE.
2 THE CANCELED BONDS, NOTES AND COUPONS, TOGETHER WITH ANY
3 OTHER CANCELED BONDS, NOTES AND COUPONS, SHALL BE DESTROYED
4 AS PROMPTLY AS POSSIBLE AFTER CANCELLATION BUT NOT LATER THAN
5 TWO YEARS AFTER CANCELLATION. A CERTIFICATION EVIDENCING THE
6 DESTRUCTION OF THE CANCELED BONDS, NOTES AND COUPONS SHALL BE
7 PROVIDED BY THE LOAN AND TRANSFER AGENT TO THE ISSUING
8 OFFICIALS. ALL CANCELED BONDS, NOTES AND COUPONS SHALL BE SO
9 MARKED AS TO MAKE THE CANCELED BONDS, NOTES AND COUPONS
10 NONNEGOTIABLE.

11 (3) THE STATE TREASURER SHALL DETERMINE AND REPORT TO
12 THE SECRETARY OF THE BUDGET BY NOVEMBER 1 OF EACH YEAR, THE
13 AMOUNT OF MONEY NECESSARY FOR THE PAYMENT OF INTEREST ON
14 OUTSTANDING OBLIGATIONS AND THE PRINCIPAL OF THE OBLIGATIONS,
15 IF ANY, FOR THE FOLLOWING FISCAL YEAR AND THE TIMES AND
16 AMOUNTS OF THE PAYMENTS. IT SHALL BE THE DUTY OF THE GOVERNOR
17 TO INCLUDE IN EVERY BUDGET SUBMITTED TO THE GENERAL ASSEMBLY
18 FULL INFORMATION RELATING TO THE ISSUANCE OF BONDS AND NOTES
19 UNDER THE PROVISIONS OF THIS ACT AND THE STATUS OF THE
20 PERSIAN GULF CONFLICT VETERANS' COMPENSATION BOND SINKING
21 FUND OF THE COMMONWEALTH FOR THE PAYMENT OF INTEREST ON THE
22 BONDS AND NOTES AND THE PRINCIPAL THEREOF AT MATURITY.

23 (4) THE GENERAL ASSEMBLY SHALL APPROPRIATE AN AMOUNT
24 EQUAL TO THE SUMS AS MAY BE NECESSARY TO MEET REPAYMENT
25 OBLIGATIONS FOR PRINCIPAL AND INTEREST FOR DEPOSIT INTO THE
26 PERSIAN GULF CONFLICT VETERANS' COMPENSATION BOND SINKING
27 FUND.

28 (E) EXPIRATION.--AUTHORIZATION TO ISSUE BONDS AND NOTES, NOT
29 INCLUDING REFUNDING BONDS AND REPLACEMENT NOTES, FOR THE PURPOSE
30 OF THIS ACT SHALL EXPIRE TEN YEARS FROM THE EFFECTIVE DATE OF

1 THIS SECTION.

2 SECTION 13. QUESTION.

3 (A) SUBMISSION OF QUESTION TO ELECTORATE.--THE QUESTION OF
4 INCURRING INDEBTEDNESS OF UP TO \$25,000,000 FOR THE PURPOSES SET
5 FORTH IN THIS ACT SHALL BE SUBMITTED TO THE ELECTORS AT THE NEXT
6 PRIMARY, MUNICIPAL OR GENERAL ELECTION FOLLOWING ENACTMENT OF
7 THIS ACT.

8 (B) CERTIFICATION.--THE SECRETARY OF THE COMMONWEALTH SHALL
9 CERTIFY THE QUESTION TO THE COUNTY BOARDS OF ELECTIONS.

10 (C) FORM OF QUESTION.--THE QUESTION SHALL BE IN
11 SUBSTANTIALLY THE FOLLOWING FORM:

12 DO YOU FAVOR INDEBTEDNESS BY THE COMMONWEALTH OF UP TO
13 \$25,000,000 FOR THE PAYMENT OF COMPENSATION FOR SERVICE
14 IN THE PERSIAN GULF CONFLICT, INCLUDING \$1,500,000 FOR
15 THE COST OF DESIGNING AND CONSTRUCTING A PATRIOTIC
16 MONUMENT OR MEMORIAL IN APPRECIATION OF PENNSYLVANIA'S
17 VETERANS?

18 (D) ELECTION.--THE ELECTION SHALL BE CONDUCTED IN ACCORDANCE
19 WITH THE ACT OF JUNE 3, 1937 (P.L.1333, NO.320), KNOWN AS THE
20 PENNSYLVANIA ELECTION CODE, EXCEPT THAT THE TIME LIMITS FOR
21 ADVERTISEMENT OF NOTICE OF THE ELECTION MAY BE WAIVED AS TO THE
22 QUESTION.

23 (E) PROCEEDS.--PROCEEDS OF THE BORROWING SHALL BE USED FOR
24 THE PAYMENT OF COMPENSATION FOR SERVICE IN OR IN SUPPORT OF THE
25 PERSIAN GULF CONFLICT, INCLUDING \$1,500,000 FOR THE COST OF
26 DESIGNING AND CONSTRUCTING A PATRIOTIC MONUMENT OR MEMORIAL IN
27 APPRECIATION OF VETERANS OF THIS COMMONWEALTH.

28 SECTION 14. DESIGNATION OF FOUNTAIN.

29 (A) DESIGNATION.--THE FOUNTAIN IN THE PLAZA OF THE EAST WING
30 OF THE MAIN CAPITOL BUILDING IN HARRISBURG SHALL, ON AND AFTER

1 THE EFFECTIVE DATE OF THIS ACT, BE KNOWN AS THE WAR VETERANS'
2 MEMORIAL FOUNTAIN.

3 (B) MONUMENT.--THE DEPARTMENT OF GENERAL SERVICES SHALL
4 ERECT AN APPROPRIATE MONUMENT TO DEPICT THIS DESIGNATION TO THE
5 GENERAL PUBLIC.

6 SECTION 15. APPROPRIATIONS.

7 (A) COMPENSATION APPROPRIATION.--FOR THE PURPOSE OF PAYMENT
8 FOR THE COMPENSATION TO ELIGIBLE VETERANS, STAFF SERVICES,
9 POSTAGE AND OTHER NECESSARY EXPENSES INCURRED BY THE ADJUTANT
10 GENERAL IN THE ADMINISTRATION OF THIS COMPENSATION PROGRAM, SUCH
11 SUMS, OR AS MUCH THEREOF AS MAY BE NECESSARY, ARE SPECIFICALLY
12 APPROPRIATED TO THE ADJUTANT GENERAL OUT OF ANY MONEYS WHICH
13 HAVE BEEN DEPOSITED IN THE PERSIAN GULF CONFLICT VETERANS'
14 COMPENSATION BOND FUND.

15 (B) VETERANS' MEMORIAL.--FOR THE PURPOSE OF DESIGNING AND
16 CONSTRUCTING A PATRIOTIC MONUMENT OR MEMORIAL ON THE GROUNDS OF
17 INDIANTOWN GAP NATIONAL CEMETERY IN APPRECIATION OF VETERANS OF
18 THIS COMMONWEALTH AS AUTHORIZED BY 51 PA.C.S. CH. 19 (RELATING
19 TO PENNSYLVANIA VETERANS' MEMORIAL COMMISSION), A SUM NOT TO
20 EXCEED \$1,500,000 IS HEREBY APPROPRIATED TO THE ADJUTANT GENERAL
21 FROM THE FUND FOR TRANSFER AT SUCH TIMES AND IN SUCH AMOUNTS AS
22 THE ADJUTANT GENERAL DEEMS REASONABLE AND APPROPRIATE TO THE
23 VETERANS' MEMORIAL TRUST FUND.

24 (C) CONTINUING APPROPRIATIONS.--THE APPROPRIATIONS UNDER
25 SUBSECTIONS (A) AND (B) SHALL BE CONTINUING APPROPRIATIONS AND
26 SHALL NOT LAPSE.

27 SECTION 16. EFFECTIVE DATE.

28 THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

29 (1) SECTIONS 13(A), (B), (C) AND (D) AND 14 OF THIS ACT
30 SHALL TAKE EFFECT IMMEDIATELY.

1 (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT UPON THE
2 CERTIFICATION OF THE APPROVAL BY THE ELECTORATE TO INCUR THE
3 INDEBTEDNESS NECESSARY TO CARRY OUT THE PROVISIONS OF THIS
4 ACT.