

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 868 Session of  
2005

INTRODUCED BY SCARNATI, GORDNER, CORMAN, MADIGAN, RAFFERTY,  
D. WHITE, PIPPY, LEMMOND, COSTA, WOZNIAK, RHOADES AND  
ROBBINS, SEPTEMBER 26, 2005

SENATOR M. WHITE, ENVIRONMENTAL RESOURCES AND ENERGY, AS  
AMENDED, NOVEMBER 1, 2005

## AN ACT

1 Amending the act of May 17, 1929 (P.L.1798, No.591), entitled  
2 "An act providing a fixed charge, payable by the  
3 Commonwealth, on lands acquired by the State and the Federal  
4 Government for forest reserves, or for the purpose of  
5 preserving and perpetuating a portion of the original forests  
6 of Pennsylvania, and preserving and maintaining the same as  
7 public places and parks; and the distribution of the same for  
8 county, school, township, and road purposes in the counties,  
9 school districts, and townships where such forests are  
10 located; and making an appropriation," ~~further providing for~~ <—  
11 INCREASING distribution of annual charge; and making an <—  
12 ~~editorial change.~~ EDITORIAL CHANGES. <—

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

15 Section 1. Section 1 of the act of May 17, 1929 (P.L.1798,  
16 No.591), referred to as the Forest Reserves Municipal Financial  
17 Relief Law, amended July 6, 1995 (P.L.320, No.49), is amended to  
18 read:

19 Section 1. Be it enacted, &c., That (a) from and after the  
20 passage of this act, all lands heretofore or hereafter acquired  
21 by the Commonwealth, or by the Government of the United States,  
22 for forest reserves or for the purpose of preserving and

1 perpetuating any portion of the original forests of Pennsylvania  
2 and preserving and maintaining the same as public places and  
3 parks, and which, by existing laws, are now exempt from  
4 taxation, and all lands and property heretofore or hereafter  
5 acquired for the purpose of conservation of water, or to prevent  
6 flood conditions, upon which a tax is imposed by existing laws  
7 payable by the Commonwealth, shall hereafter be subject to an  
8 annual charge of [forty] one dollar and twenty cents per acre,  
9 for the benefit of the county in which said lands are located,  
10 [forty] one dollar and twenty cents per acre for the benefit of  
11 the schools in the respective school districts in which such  
12 lands are located, and [forty] one dollar and twenty cents per  
13 acre for the benefit of the township where such lands are  
14 located, which charge shall be payable by the Commonwealth. (b)  
15 Except as hereinafter provided, the annual charge payable by the  
16 Commonwealth on land acquired by the Government of the United  
17 States for forest reserves is to continue only until the  
18 receipts of money by treasurers and township supervisors of the  
19 said counties and school districts and townships in which  
20 national forest reserves are located, provided for in act of  
21 April twenty-seventh, one thousand nine hundred twenty-five,  
22 Pamphlet Laws, three hundred twenty-four, shall equal or exceed  
23 the amount paid by the Commonwealth in lieu of taxes. This  
24 subsection shall not apply to the annual charge per acre for the  
25 benefit of the county in which the land acquired by the  
26 Government of the United States for forest reserves is located  
27 for the years one thousand nine hundred fifty-three, one  
28 thousand nine hundred fifty-four, one thousand nine hundred  
29 fifty-five, one thousand nine hundred fifty-six, and this  
30 subsection shall not apply to two and one-half cents of the

1 annual charge per acre for the benefit of the county in which  
2 the land acquired by the Government of the United States for  
3 forest reserves is located for any year thereafter. The charges  
4 for the benefit of the county for these years shall be paid by  
5 the Commonwealth. All charges payable by the Commonwealth under  
6 the provisions of this act shall be paid on or before the first  
7 day of September of each year.

8 Section 2. Section 2 of the act is amended to read:

9 Section 2. The Secretary of [Forests and Waters]  
10 Conservation and Natural Resources shall certify to the  
11 respective counties, school districts, and townships throughout  
12 the Commonwealth, in which such lands are located, the number of  
13 acres owned by the Commonwealth and the United States Government  
14 in each county, school district, or township, upon application  
15 of the treasurer or [road] TOWNSHIP supervisors of any of the <—  
16 said counties, school districts, or townships, and the charge  
17 against the same; and shall furthermore certify to the State  
18 Treasurer the number of acres as aforesaid, and the charge  
19 against the same in favor of the respective counties, school  
20 districts and townships. The State Treasurer shall, upon  
21 requisition of the Secretary of [Forests and Waters]  
22 Conservation and Natural Resources, and the warrant of the  
23 Auditor General, pay to the several counties, school districts,  
24 and townships the amounts due the same from the Commonwealth,  
25 and derived under this act, upon due application therefor made  
26 by the treasurers or [road] TOWNSHIP supervisors of the said <—  
27 counties, school districts and townships.

28 Section 3. This act shall take effect ~~in 60 days~~ JULY 1, <—  
29 2006.