
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1027

Session of
1997

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MARCH 19, 1997

AMENDMENTS TO SENATE AMENDMENTS, HOUSE OF REPRESENTATIVES,
OCTOBER 28, 1997

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 employees 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 employees of certain departments, boards and
20 commissions shall be determined," further providing for
21 Commonwealth agencies, for gubernatorial appointments, for
22 boards of trustees of State institutions, for definitions
23 relating to crime victim's compensation, for the lapsing of
24 funds and for public members of licensing boards; modifying
25 and increasing the powers of the executive board; limiting
26 collective bargaining for school administrators employed by
27 cities of the first class; prohibiting certain fees for the

1 use of State property for the purpose of making commercial
2 motion pictures; imposing additional duties on the Auditor
3 General, the State Treasurer and the Attorney General;
4 authorizing the Department of Corrections to assess and
5 collect certain payments from prisoners; providing for bonds
6 for certain oil and gas wells, for timetable for the review
7 of municipal waste landfill and resource recovery facility
8 permit applications, FOR MUNICIPAL WASTE RECYCLING and for <—
9 the powers of certain campus police; authorizing the
10 establishment of the Pennsylvania Infrastructure Bank in the
11 Department of Transportation; further providing for workers'
12 compensation assessments; ~~RESTRICTING CERTAIN DRUG~~ <—
13 ~~SUBSTITUTIONS~~; repealing provisions relating to gasoline
14 dispensing facilities and certain reports under the Health
15 Care Services Malpractice Act; and making other repeals.

16 The General Assembly of the Commonwealth of Pennsylvania
17 hereby enacts as follows:

18 Section 1. As much as relates to the Department of Education
19 in section 202 of the act of April 9, 1929 (P.L.177, No.175),
20 known as The Administrative Code of 1929, amended July 11, 1996
21 (P.L.618, No.105), is amended to read:

22 Section 202. Departmental Administrative Boards,
23 Commissions, and Offices.--The following boards, commissions,
24 and offices are hereby placed and made departmental
25 administrative boards, commissions, or offices, as the case may
26 be, in the respective administrative departments mentioned in
27 the preceding section, as follows:

28 * * *

29 In the Department of Education,

30 Board of Trustees of Thaddeus Stevens

31 [State School] College of Technology,

32 Board of Trustees of Scranton State School for the Deaf,

33 Public Service Institute Board,

34 State Board of Private Academic Schools,

35 State Board of Private Licensed Schools,

36 State Board of Education.

37 * * *

1 Section 2. Section 207.1(d)(4) of the act, amended or added
2 November 8, 1976 (P.L.1109, No.227) and February 17, 1984
3 (P.L.75, No.14), is amended to read:

4 Section 207.1. Gubernatorial Appointments.--* * *

5 (d) The Governor shall nominate in accordance with the
6 provisions of the Constitution of the Commonwealth of
7 Pennsylvania and, by and with the advice and consent of a
8 majority of the members elected to the Senate appoint persons to
9 fill the following positions:

10 * * *

11 (4) Those members which he is authorized to appoint to the
12 Delaware Valley Regional Planning Commission, the Pennsylvania
13 Public Television Network Commission, [the State Council of
14 Civil Defense,] the State Farm Products Commission, the
15 Pennsylvania Housing Finance Agency, the Board of Trustees of
16 each State College and University, the Board of Trustees of
17 Scotland School for Veterans' Children, the Board of Trustees of
18 Thaddeus Stevens [State School] College of Technology, the State
19 Conservation Commission, the Commonwealth of Pennsylvania
20 Council on the Arts, the State Planning Board, the Pennsylvania
21 Drug, Device and Cosmetic Board, the County Board of Assistance
22 in each county, the State Board of Public Welfare, the Boards of
23 Trustees of Centers, the Board of Trustees of each Restoration
24 Center, the Board of Trustees of each State General Hospital,
25 the Board of Trustees of each State School and Hospital, the
26 Board of Trustees of each State Hospital, the State Dental
27 Council and Examining Board, the State Real Estate Commission,
28 the State Registration Board for Professional Engineers, the
29 State Boards of Examiners of Architects, Auctioneers, Nursing
30 Home Administrators and Public Accountants, the State Boards of

1 Barber Examiners, Chiropractic Examiners, Cosmetology, Funeral
2 Directors, Medical Education and Licensure, Nurse Examiners,
3 Optometrical Examiners, Osteopathic Examiners, Pharmacy,
4 Physical Therapy Examiners, Podiatry Examiners, Veterinary
5 Medical Examiners, Landscape Architects and Motor Vehicle
6 Manufacturers, Dealers and Salesmen, the Pennsylvania Board of
7 Psychologist Examiners, the State Athletic Commission, [the
8 Hazardous Substance Transportation Board,] the Pennsylvania
9 Higher Education Assistance Agency, the Pennsylvania Historical
10 and Museum Commission, the State Tax Equalization Board, the
11 Public School Employees' Retirement Board, the State Employees'
12 Retirement Board, the Municipal Police Officers' Education and
13 Training Commission, [the Pennsylvania Nursing Home Loan Agency,
14 the Crime Victims Compensation Board,] the Consumer Advocate,
15 and the Pennsylvania Minority Business Development Authority.

16 * * *

17 Section 3. Section 401 of the act, amended July 9, 1986
18 (P.L.547, No.97), is amended to read:

19 Section 401. Boards of Trustees of State Institutions.--(a)
20 The boards of trustees of each of the State institutions
21 hereinafter mentioned shall consist of nine members, and the
22 head of the department having supervision over the institution
23 ex officio.

24 (b) The terms of each member of each such board shall be six
25 years, and until his successor is appointed and qualified.

26 (c) All members of all boards, appointed to succeed members
27 who have served six year terms, shall be appointed for terms of
28 six years from the date of the expiration of the preceding term.
29 Vacancies happening before the expiration of a term shall be
30 filled for the unexpired term.

1 (d) Five members of any such board shall constitute a
2 quorum.

3 (e) Each such board shall annually elect a president and
4 vice-president from among its members, and a secretary and
5 treasurer who need not be members of the board. The secretary
6 and treasurer may be the same person.

7 (f) This section shall apply to:

8 Board of Trustees of Thaddeus Stevens [State School] College
9 of Technology,

10 Board of Trustees of Scranton State School for the Deaf,

11 Board of Trustees of Scotland School for Veterans' Children,

12 Board of Trustees of Pennsylvania Soldiers' and Sailors'

13 Home,

14 Board of Trustees of State Industrial Home for Women,

15 Board of Trustees of the Western Youth Development Centers,

16 Board of Trustees of the Central Youth Development Centers,

17 Board of Trustees of the Eastern Youth Development Centers,

18 Board of Trustees of Allentown State Hospital,

19 Board of Trustees of Clarks Summit State Hospital,

20 Board of Trustees of Danville State Hospital,

21 Board of Trustees of Embreeville Center,

22 Board of Trustees of Farview State Hospital,

23 Board of Trustees of Harrisburg State Hospital,

24 Board of Trustees of Mayview State Hospital,

25 Board of Trustees of Norristown State Hospital,

26 Board of Trustees of Philadelphia State Hospital,

27 Board of Trustees of Somerset State Hospital,

28 Board of Trustees of Warren State Hospital,

29 Board of Trustees of Wernersville State Hospital,

30 Board of Trustees of Woodville State Hospital,

1 Board of Trustees of Torrance State Hospital,
2 Board of Trustees of Haverford State Hospital,
3 Board of Trustees of Ashland State General Hospital,
4 Board of Trustees of Coaldale State General Hospital,
5 Board of Trustees of Nanticoke State General Hospital,
6 Board of Trustees of Philipsburg State General Hospital,
7 Board of Trustees of Scranton State General Hospital,
8 Board of Trustees of Shamokin State General Hospital,
9 Board of Trustees of Ebensburg Center,
10 Board of Trustees of Eastern State School and Hospital,
11 Board of Trustees of Laurelton Center,
12 Board of Trustees of Pennhurst Center,
13 Board of Trustees of Polk Center,
14 Board of Trustees of Selinsgrove Center,
15 Board of Trustees of Hamburg Center,
16 Board of Trustees of Western Center,
17 Board of Trustees of White Haven Center,
18 Board of Trustees of Woodhaven Center,
19 Board of Trustees of the South Mountain Restoration Centers.

20 Section 4. The definition of "crime" in section 477 of the
21 act, amended November 17, 1995 (1st Sp.Sess., P.L.1093, No.27),
22 is amended and the section is amended by adding a definition to
23 read:

24 Section 477. Definitions.--So far as it relates to the crime
25 victim's compensation provisions, the following terms shall be
26 defined as:

27 * * *

28 "Crime" means an act, including an act resulting in injury
29 intentionally inflicted through the use of a motor vehicle,
30 which was committed:

(1) In Pennsylvania by a person without regard to legal exemption or defense and which would constitute a crime only as defined in, proscribed by or enumerated in:

(i) 18 Pa.C.S. (relating to crimes and offenses), 30 Pa.C.S. § 5502 (relating to operating watercraft under influence of alcohol or controlled substance) or 5502.1 (relating to homicide by watercraft while operating under influence) and 75 Pa.C.S. § 3731 (relating to driving under influence of alcohol or controlled substance) or 3735 (relating to homicide by vehicle while driving under influence);

(ii) the act of April 14, 1972 (P.L.233, No.64), known as "The Controlled Substance, Drug, Device and Cosmetic Act"; or

(iii) the laws of the United States.

(2) Against a resident of Pennsylvania which would be a crime under clause (1) but for its occurrence in a state other than Pennsylvania.

(3) Against a resident of Pennsylvania which is an act of international terrorism.

* * *

"International terrorism" means activities that:

(1) Involve violent acts or acts dangerous to human life that are a violation of the criminal laws of the United States or of any state, or that would be a criminal violation if committed within the jurisdiction of the United States or of any state.

(2) Appear to be intended:

(i) to intimidate or coerce a civilian population;

(ii) to influence the policy of a government by intimidation or coercion; or

(iii) to affect the conduct of a government by assassination

1 or kidnapping.

2 (3) Occur primarily outside of the territorial jurisdiction
3 of the United States, or transcend national boundaries in terms
4 of the means by which they are accomplished, the persons they
5 appear intended to intimidate or coerce, or the locale in which
6 their perpetrators operate or seek asylum.

7 * * *

8 Section 5. Section 614 of the act, amended August 14, 1991
9 (P.L.331, No.35), is amended to read:

10 Section 614. List of Employees to be Furnished to Certain
11 State Officers.--(a) All administrative departments, boards,
12 and commissions and the Attorney General shall on July 15 of
13 each year, transmit to the Auditor General, the State Treasurer
14 and Secretary of the Budget a complete list, and to the
15 Legislative Data Processing Center a computer tape of such list,
16 as of July 1 preceding, of the names of all persons, except day-
17 laborers, entitled to receive compensation from the Commonwealth
18 for services rendered in or to the department, board, or
19 commission, as the case may be. Such list shall show the
20 position occupied by each such person, the date of birth and
21 voting residence of such person, the salary at which or other
22 basis upon which such person is entitled to be paid, the date
23 when such person entered the service of the Commonwealth,
24 whether such person has been continuously employed by the
25 Commonwealth since that date, and all periods of service and
26 positions held as an employe of the Commonwealth, or such part
27 of such information as the Governor may prescribe.

28 (a.1) The Auditor General and the State Treasurer shall on
29 July 15 of each year transmit to the Secretary of the Budget a
30 complete list, and to the Legislative Data Processing Center a

1 computer tape of such list, as of July 1 preceding, of the names
2 of all persons, except day-laborers, entitled to receive
3 compensation from the Commonwealth for services rendered in or
4 to the Auditor General or the State Treasurer, as the case may
5 be. Such list shall show the position occupied by each such
6 person, the date of birth and voting residence of such person,
7 the salary at which or other basis upon which such person is
8 entitled to be paid, the date when such person entered the
9 service of the Commonwealth, whether such person has been
10 continuously employed by the Commonwealth since that date, and
11 all periods of service and positions held as an employe of the
12 Commonwealth.

13 (b) No later than the 15th of each month thereafter, the
14 Attorney General, the heads of the several administrative
15 departments, and the several independent administrative boards
16 and commissions, shall certify to the Auditor General, the State
17 Treasurer and the Secretary of the Budget any changes in the
18 annual list of employes last transmitted to them which shall
19 have occurred during the preceding month and shall provide to
20 the Legislative Data Processing Center a computer tape of such
21 changes.

22 (b.1) No later than the fifteenth of each month thereafter,
23 the Auditor General and the State Treasurer shall certify to the
24 Secretary of the Budget any changes in the annual list of
25 employes last transmitted to them which shall have occurred
26 during the preceding month and shall provide to the Legislative
27 Data Processing Center a computer tape of such changes.

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

1 Section 6. Section 620 of the act, amended September 27,
2 1978 (P.L.775, No.149), is amended to read:

3 Section 620. Budget Implementation Data.--(a) The Governor,
4 the Auditor General, the State Treasurer and the Attorney
5 General shall make monthly expenditure data available to the
6 Majority and Minority Chairmen of the Appropriations Committees
7 of the Senate and the House of Representatives. Monthly data
8 shall be provided within fifteen (15) days after the end of each
9 month. The monthly data shall be prepared in such a way that the
10 last monthly submission is a summary inclusive of the preceding
11 months of the fiscal year and shall be usable to establish a
12 history of expenditure file. This data, at the discretion of the
13 Majority and Minority Chairmen of the Appropriations Committees
14 of the Senate and the House of Representatives may be provided
15 either in finished reports or on computer tapes. The data shall
16 be provided by fund, by appropriation, by department and by
17 organization within each department and shall include:

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

19 (2) Itemized personnel vacancies and their cost.

20 (3) New positions created and their cost.

21 (4) Wage and overtime costs.

22 (5) Allotments and expenditures for itemized personnel
23 expenses.

24 (6) Allotments and expenditures for itemized operating
25 expenses.

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

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

29 In addition to the above specified budgetary data, the Governor,
30 the Auditor General, the State Treasurer and the Attorney

1 General shall make available any other budgetary data as may be
2 requested from time to time by the Majority and Minority
3 Chairmen of the Appropriations Committees of the Senate and the
4 House of Representatives.

5 (b) The Governor shall make monthly revenue reports to the
6 Majority and Minority Chairmen of the Appropriations Committees
7 of the Senate and the House of Representatives. The revenue
8 reports shall show the actual collection of revenue itemized by
9 source and a comparison of the actual collections with estimated
10 collections for each month. The comparison shall be accompanied
11 by an analysis which would indicate any change in collection
12 patterns which will cause a shortfall or overrun on the annual
13 estimates of more than one per centum (1%).

14 (c) The Governor, the Auditor General, the State Treasurer,
15 and the Attorney General shall cause to be prepared any other
16 revenue data as may be requested from time to time by the
17 Majority or Minority Chairmen of the Appropriations Committees
18 of the Senate or the House of Representatives.

19 Section 7. Section 621 of the act, amended or added October
20 8, 1980 (P.L.785, No.146) and July 1, 1990 (P.L.277, No.67), is
21 amended to read:

22 Section 621. Lapsing of Funds.--(a) As used in this
23 section:

24 "Contingent commitment." An authorization made by proper
25 authority for [a spending] an agency to commit [moneys] funds
26 from an appropriation which has not [as] yet been made by the
27 General Assembly. It is contingent upon the eventual passage of
28 an appropriation for the purpose [and money may not be paid out
29 or]. Neither goods or services can be delivered nor funds
30 expended until such an appropriation has been made.

1 "Contracted repairs." All [contracted] repairs to buildings,
2 grounds, roads, fixed and movable equipment and furniture,
3 excluding maintenance and repair work performed by State
4 employees. Repairs are defined as costs which will restore the
5 asset to that condition which will permit the effective use of
6 the asset up to but not beyond its previously determined useful
7 life.

8 "Economic development." Programs to maximize employment
9 opportunities, economic growth and development of communities
10 and the overall economic development of the Commonwealth through
11 industrial development, employability development, community
12 development, resource development, labor-management relations
13 and job training.

14 "Emergency." A situation or circumstance that threatens the
15 continued operation of government or the health, safety or lives
16 of the citizens of the Commonwealth.

17 "Encumbrance." Obligation or commitment in the form of
18 purchase orders, field purchase orders, contracts, grant
19 agreements or other authorizing documents related to unperformed
20 contracts for goods and services which are chargeable to an
21 appropriation and for which a part of the appropriation is
22 reserved.

23 "Fixed assets." Includes as machinery, equipment or
24 furniture those articles which meet the following two general
25 criteria:

26 (1) Those items that can be expected to have a useful life
27 of more than one year.

28 (2) Those items that can be used repeatedly without
29 materially changing or impairing their physical condition and
30 that can be kept in serviceable condition by normal repair,

1 maintenance or replacement of components.

2 Also included in this major category of expenditure are:
3 livestock, game and poultry purchased primarily for farm stock,
4 breeding or similar use, land acquisitions, acquisitions of
5 buildings and structures, capital improvements to buildings and
6 structures and nonstructural improvements.

7 "Grants and subsidies." Includes all payments made by the
8 State to political subdivisions, individuals, institutions and
9 organizations for which no direct services are rendered to the
10 State. Also included are: awards, bounties and indemnities.

11 "Litigation." Any pending, proposed or current action or
12 matter, including arbitration and audits, subject to appeal
13 before a court of law or administrative adjudicative body, the
14 decision of which body may be appealed to a court of law.

15 "Major categories of expenditure." [Fixed assets,
16 operational expenses and personnel services] Includes personnel
17 services, operational expenses, fixed assets, grants and
18 subsidies, debt service, and fixed charges and nonexpense items.

19 "Operational expenses." Includes the cost of commodities,
20 substances or manufactured articles which are used or consumed
21 in current operation or processed in the construction or
22 manufacture of articles. [Supplies also include minor] Also
23 includes equipment, expendable tools and other articles not
24 meeting the criteria for machinery and equipment set forth in
25 the definition of "fixed assets." [This major category of
26 expenditure also] In addition, includes services performed by
27 State or outside agencies which may include the use of equipment
28 or the furnishing of commodities in connection with these
29 services under express or implied contracts.

30 "Personnel services." The cost of salaries and wages,

1 [including the State's] State share of payroll taxes and employe
2 benefits[,] paid to or on behalf of State officials and employes
3 for services rendered and for State annuitants. Includes among
4 other things, the State share of unemployment compensation,
5 employe training and annual and sick leave payouts.

6 ["Purchase order." A written] "Procurement document." A
7 document authorizing delivery of specified items or the
8 rendering of certain services and the incurrence of a charge for
9 them. Includes purchase orders, field purchase orders, leases,
10 contracts and other authorizing documents.

11 "Purchase requisition." A written or electronic request to
12 the [purchasing officer, usually of a] central [supply]
13 purchasing agency[,] for the purchase [or delivery] of specified
14 items [or services].

15 (b) All actions relating to the encumbering of funds shall
16 be supported by complete documentation [including a detailing of
17 methods used to estimate a year-end encumbrance. Purchase
18 orders]. Procurement documents shall have a specified delivery
19 date. [Delivery of goods and services encumbered in one fiscal
20 year shall be made by August 31 of the following fiscal year,
21 except as otherwise herein provided.] Encumbrances shall be
22 expended as herein provided.

23 (c) Payments for personnel services shall be charged to the
24 fiscal year in which the expense was incurred or the liability
25 accrued.

26 (d) Payments for operational expenses and grants and
27 subsidies shall be charged as follows:

28 (1) Purchases of supplies [and services other than
29 specifically provided herein] shall be charged to the fiscal
30 year in which the actual expenses or commitment to purchase was

1 incurred. [Contracted services, consultant fees]

2 (1.1) Contracted services and rentals, excluding General
3 State Authority rentals, shall be [prorated between fiscal
4 years] charged to the fiscal year in which the service was
5 provided or rental occurred.

6 (2) [Payment of the cost of contracted] Contracted repairs
7 shall be charged to the fiscal year in which [the obligation was
8 incurred] an encumbrance was created.

9 (3) [Payments of grants] Grants and subsidies [and
10 reimbursements for services provided or costs incurred by other
11 government units, institutions, and individuals] shall be
12 charged to the fiscal year in which funds were appropriated,
13 allocated for the purpose by the Budget Secretary [and
14 obligated] and/or encumbered.

15 (4) Except as hereinafter provided, no encumbrance for
16 operational expenses and grants or subsidies shall be made after
17 May 31 in the fiscal year to which the encumbrance is charged.

18 (5) Encumbrances for operational expenses and grants and
19 subsidies made because of purchase orders issued from purchase
20 requisitions or because of an emergency [that threatens the
21 continued operation of government or the health, safety or lives
22 of the citizens of the Commonwealth] may be created subsequent
23 to May 31[. If a purchase order is executed subsequent to June
24 15, a contingent commitment shall be established to insure the
25 payment of the bill] but not later than June 30.

26 [(6) Outstanding prior year encumbrances charged to
27 operational expenses or subsidies and grants shall be reviewed
28 not later than August 31 of the current fiscal year. At that
29 time they shall be cancelled and the funds shall lapse unless
30 extended because of the material shortages, delays in production

1 schedules, strikes, arbitration, inspections, audits, acts of
2 nature, or litigation upon complete justification of the agency
3 with the concurrence of the agency controller.]

4 (7) Encumbrances for economic development grants or projects
5 may be retained until the close of the second fiscal year
6 following the fiscal year in which the original grants or
7 projects were encumbered.

8 (e) Fixed assets shall be charged as follows:

9 (1) Purchase or cost of fixed assets shall be charged to the
10 fiscal year in which [funds for this purpose are allocated by
11 the Budget Secretary] an encumbrance was created.

12 (2) Except as hereinafter provided, no encumbrance for fixed
13 assets shall be made after [February 28] May 31 in the fiscal
14 year to which the encumbrance is charged.

15 (3) Encumbrances for fixed assets made because of purchase
16 orders issued from purchase requisitions or because of an
17 emergency [that threatens the continued operation of government,
18 or the health, safety, or lives of the citizens of the
19 Commonwealth] may be created subsequent to [February 28. If a
20 purchase order is executed subsequent to April 30, a contingent
21 commitment shall be established to insure the payment of the
22 bill unless delivery is expected prior to] May 31 but not later
23 than June 30.

24 [(4) Encumbrances for fixed assets made because of a
25 purchase order subsequent to April 30 shall be automatically
26 cancelled and the funds lapsed if delivery is not made prior to
27 June 30.

28 (5) Outstanding prior year encumbrances charged to fixed
29 assets shall be reviewed not later than September 30 of the
30 current fiscal year. At that time they shall be cancelled and

1 the funds lapsed unless extended because of material shortages,
2 delays in production schedules, strikes, arbitration,
3 inspections, audits, acts of nature, or litigation upon complete
4 justification of the agency with the concurrence of the agency
5 controller.]

6 (f) Outstanding prior year encumbrances [extended in
7 accordance with the provisions of this act shall be
8 automatically] shall be cancelled as of October 31, excepting
9 encumbrances for [items being litigated or arbitrated.]:
10 construction, repairs and improvements and items being
11 litigated. In addition, a prior year encumbrance may remain
12 encumbered beyond October 31 provided the agency comptroller has
13 evidence that either the goods were provided on or before
14 October 31 or the services were provided by June 30 of the
15 previous fiscal year.

16 (g) Nothing shall preclude an agency from either encumbering
17 funds [from] against or direct charging expenditures to the
18 current fiscal year to pay for a prior year's encumbrance which
19 was cancelled under subsection (c), (d), (e) or (f).

20 (h) [Balances due to] Available balances created by the
21 liquidation or cancellation of prior year encumbrances shall be
22 lapsed. These [funds] balances shall not be transferred [to any
23 other major or minor category] between major categories of
24 expenditure and may not be used to create any new obligation.

25 (i) [Moneys from liquidation or cancellation of prior year
26 encumbrances shall be lapsed by the end of the subsequent month
27 in which the encumbrance was liquidated or cancelled, or earlier
28 at the discretion of the Budget Secretary.] Except as a result
29 of litigation, in no case shall an encumbrance be held for more
30 than the next complete [subsequent] fiscal year.

(j) In no case shall there be a transfer of funds from an encumbrance in one major category of expenditure to an encumbrance in another major category of expenditure.

(k) All deadlines for creating encumbrances shall be extended when the encumbrances apply to an appropriation received after the deadlines stated herein.

(l) In no case shall an encumbrance be created after June 30 of the fiscal year in which the moneys were appropriated.

(m) The Secretary of the Budget shall have the power to waive any of the provisions included in section 621 upon written request of an agency justifying an exception to these provisions which is in the best interests of the Commonwealth. When the Secretary of the Budget decides to approve an agency request for a waiver of these provisions, he shall submit the agency request along with his own written analysis and justification for the waiver of these provisions to the respective Chairmen of the Majority and Minority Appropriations Committees in the House of Representatives and the Senate allowing a reasonable time for their review and comment.

[(n) During the first ten (10) days of the fiscal period beginning July 1, 1990, the Comptroller of the House of Representatives shall forward lapse documents to the State Treasurer for at least twenty-seven million dollars (\$27,000,000) of prior year continuing appropriations of the House of Representatives. This subsection shall expire September 30, 1990.]

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

Section 625-A. Fees Prohibited.--Except for extraordinary activities, no department or agency of the Commonwealth may charge a fee or other cost, except the actual costs incurred by

1 the affected department or agency, for the use of State-owned
2 property for the purpose of making commercial motion pictures.
3 For purposes of this section, the term "extraordinary" shall
4 mean an activity outside the normal course of business of an
5 agency or department of this Commonwealth, including, but not
6 limited to, demolition or construction projects, or any
7 combination thereof, having a total cost in excess of one
8 million dollars (\$1,000,000).

9 Section 9. Section 709 of the act, amended April 23, 1941
10 (P.L.21, No.13), July 20, 1968 (P.L.457, No.215), December 18,
11 1968 (P.L.1232, No.390), October 7, 1974 (P.L.673, No.225) and
12 repealed in part July 13, 1988 (P.L.530, No.94), is amended to
13 read:

14 Section 709. Executive Board.--Subject to the provisions of
15 this act, the Executive Board shall have the power:

16 (a) To standardize the qualifications for employment, and
17 all titles, salaries, and wages, of persons employed by the
18 administrative departments, boards, and commissions, except the
19 Office of Attorney General, the Department of the Auditor
20 General and the Treasury Department. In establishing such
21 standards the board may:

22 (1) Take into consideration the location of the work and the
23 conditions under which the service is rendered,

24 (2) Establish different standards for different kinds,
25 grades and classes of similar work or service;

26 (b) To approve or disapprove the establishment of bureaus
27 and divisions by the administrative departments, other than the
28 Office of Attorney General, the Department of the Auditor
29 General and the Treasury Department, and by the independent
30 administrative boards and commissions, and to investigate

1 duplication of work of the several administrative departments,
2 boards, and commissions, and the efficiency of the organization
3 and administration thereof, and the better coordination of such
4 departments, boards, and commissions;

5 (c) To approve or disapprove, as provided by this act, the
6 payment of extra compensation to employes of administrative
7 departments, boards, or commissions, who are employed at fixed
8 compensation;

9 (d) To determine, from time to time, the hours when the
10 administrative offices of the State Government shall open and
11 close;

12 (e) To establish regulations concerning the entitlement to
13 leaves of absence, with pay, for employes of administrative
14 departments, boards or commissions;

15 (e.1) To determine the holidays on which the administrative
16 offices of State Government shall be closed for the purpose of
17 transacting public business;

18 (f) To make rules and regulations [defining the] providing
19 for travel, lodging and other expenses for which all officers
20 and employes of the executive branch of the State Government may
21 be reimbursed;

22 (f.1) To establish rates of per diem compensation for
23 members of departmental boards and commissions for which no
24 annual rate of compensation has been established;

25 (g) To determine by what members of independent
26 administrative boards and commissions fidelity bonds shall be
27 given, to approve or disapprove recommendations of department
28 heads, or of independent administrative boards or commissions,
29 for the bonding of officers or employes of their departments, or
30 members or officers or employes of departmental administrative

1 boards or commissions, or officers or employes of independent
2 administrative boards or commissions, to fix the amounts of the
3 bonds of all such members, officers, or employes required to
4 give bond, and to require any bond or bonds to be executed by a
5 surety or sureties, even though the Commonwealth may have
6 established its own indemnity fund, as elsewhere in this act
7 provided;

8 (h) To approve or disapprove the establishment of branch
9 offices outside of the Capital city by or for administrative
10 departments, boards, or commissions;

11 (i) From time to time to determine within what limits the
12 Department of [Property and Supplies] General Services shall
13 procure liability insurance covering claims for damages against
14 the Commonwealth, and State officers and employes, arising out
15 of the operation of State automobiles or the performance of any
16 other assigned duties and responsibilities by such officers and
17 employes;

18 (j) From time to time to determine the number and type of
19 automobiles to be purchased by the Department of [Property and
20 Supplies] General Services, acting either on its own behalf or
21 as purchasing agency for any other department, except the Office
22 of Attorney General, the Department of the Auditor General and
23 the Treasury Department, or for any board or commission, and to
24 make rules and regulations for the use of State automobiles by
25 State officers and employes, except the Office of Attorney
26 General, the Department of the Auditor General and the Treasury
27 Department.

28 (k) To approve or disapprove requests for and to direct the
29 disposal of files of correspondence, reports, records or other
30 papers which are not needed for the current or anticipated

1 future operations of any administrative department, board or
2 commission, and which date back a period of four years or more.

3 (1) To report to the General Assembly on an annual basis,
4 beginning May 1, 1975 and each May 1 thereafter, on all changes
5 approved or negotiated by the Executive Board in relation to
6 matters covered in sections 222(b), 222(c), 709(e) and 709(e.1),
7 the estimated costs under the existing rules and provisions and
8 the estimated costs under the new rules and provisions for the
9 next five years.

10 Section 10. Section 813(f) of the act, added March 21, 1986
11 (P.L.62, No.18), is amended to read:

12 Section 813. Public Members of Licensing Boards and
13 Commissions.

14 * * *

15 (f) A public member who fails to attend two consecutive
16 conferences conducted pursuant to subsection (e) shall forfeit
17 his seat on the board or commission of which he is a public
18 member unless the Commissioner of Professional and Occupational
19 Affairs, upon written request from the public member, finds that
20 the public member should be excused from a conference because of
21 illness [or], the death of a family member or a conflict with
22 the public member's business or work schedule.

23 * * *

24 Section 11. The act is amended by adding a section to read:

25 Section 904-B. Powers to Assess and Collect Costs.--(a)
26 When the Department of Corrections determines that there has
27 been a financial loss or cost as a result of a violation of a
28 written rule governing inmate behavior, including, but not
29 limited to, property loss or damage or use of a controlled
30 substance, the department may require the prisoner to pay to the

1 department or to the person whose property has been lost or
2 damaged, the value of the property or the costs incurred in the
3 investigation and administrative review of the behavior.

4 (b) The department shall develop written procedures relating
5 to the determination, assessment and collection of the costs of
6 losses due to inmate misconduct. When the procedures have been
7 adopted by the department, the provisions of 2 Pa.C.S. Ch. 5
8 Subch. A (relating to practice and procedure of Commonwealth
9 agencies) shall not apply to proceedings conducted by the
10 department under this section.

11 (c) The department may deduct from an inmate's institutional
12 account the amount of any judgment, court-ordered costs or
13 assessments against the inmate under subsection (a). Notice of
14 the deduction shall be provided to the inmate by certified mail
15 or personal notice.

16 Section 12. Section 1321(a) of the act, added July 11, 1996
17 (P.L.619, N0.105), is amended to read:

18 Section 1321. Collective Bargaining.--(a) School
19 administrators employed by a city of the first class shall,
20 through labor organizations or other representatives designated
21 by fifty per centum (50%) or more of such school administrators,
22 have the right to bargain collectively with their public
23 employers concerning the terms and conditions of their
24 employment, including compensation, hours, working conditions[,
25 retirement, pension] and other benefits, and shall have the
26 right to an adjustment or settlement of their grievances or
27 disputes in accordance with the terms of this section.

28 * * *

29 Section 13. The act is amended by adding sections to read:

30 Section 1934-A. Bonds for Certain Wells.--No bond or bond

1 substitute shall be required for any well drilled prior to April
2 18, 1985, where such well would have otherwise been subject to
3 the bonding requirements of section 215 or 603.1 of the act of
4 December 19, 1984 (P.L.1140, No.223), known as the "Oil and Gas
5 Act."

6 Section 1935-A. Timetable for Review of Municipal Waste
7 Landfill and Resource Recovery Facility Permit Applications.--
8 Upon the request of an applicant, the Department of
9 Environmental Protection shall establish a timetable in which
10 the department shall review and approve or deny any permit
11 application for a municipal waste landfill or resource recovery
12 facility. The department shall establish a reasonable timetable
13 for the approval or denial of the permit application in
14 consultation with the permit applicant and the governing body of
15 any county and other municipality within which the facility is
16 located and shall publish a notice regarding the timetable in
17 the Pennsylvania Bulletin.

18 SECTION 1936-A. RECYCLING ADVISORY COMMITTEE.--(A) THE
19 ANNUAL EXPENDITURE PLAN RECOMMENDED BY THE RECYCLING FUND
20 ADVISORY COMMITTEE SHALL BE SUBMITTED BY THE GOVERNOR TO THE
21 GENERAL ASSEMBLY AS PART OF THE GOVERNOR'S ANNUAL BUDGET
22 SUBMISSION. THE RECYCLING FUND EXPENDITURE PLAN SHALL BE OPEN
23 FOR REVIEW AND COMMENT BY THE MEMBERS OF THE GENERAL ASSEMBLY.
24 THE RECOMMENDED RECYCLING FUND EXPENDITURE PLAN SUBMITTED BY THE
25 GOVERNOR AS PART OF THE ANNUAL BUDGET SUBMISSION SHALL INCLUDE A
26 DETAILED LISTING OF THE TYPES OF PROGRAMS FOR THE ACTUAL YEAR,
27 CURRENT YEAR AND PROPOSED BUDGET YEAR WHICH WILL RECEIVE A
28 HIGHER FUNDING RECOMMENDATION FOR THE COMING FISCAL YEAR.

29 (B) NO FEE SHALL BE IMPOSED UNDER SECTION 701 OF THE ACT OF
30 JULY 28, 1988 (P.L.556, NO.101), KNOWN AS THE "MUNICIPAL WASTE

1 PLANNING, RECYCLING AND WASTE REDUCTION ACT," ON AND AFTER
2 OCTOBER 25, 2003.

3 SECTION 1937-A. MUNICIPAL RECYCLING GRANTS.--(A) THE
4 DEPARTMENT OF ENVIRONMENTAL PROTECTION SHALL NOT AWARD ANY GRANT
5 UNDER SECTION 902 OF THE ACT OF JULY 28, 1988 (P.L.556, NO.101),
6 KNOWN AS THE "MUNICIPAL WASTE PLANNING, RECYCLING AND WASTE
7 REDUCTION ACT," UNLESS IT IS DEMONSTRATED TO THE DEPARTMENT'S
8 SATISFACTION THAT:

9 (1) THE APPLICATION IS COMPLETE AND ACCURATE.

10 (2) THE RECYCLING PROGRAM FOR WHICH THE GRANT IS SOUGHT DOES
11 NOT DUPLICATE ANY OTHER RECYCLING PROGRAMS, PRIVATE OR
12 MUNICIPALLY OPERATED, OPERATING WITHIN THE COUNTY. THIS
13 RESTRICTION APPLIES TO A GRANT APPLICATION FOR A RECYCLING
14 PROGRAM OPERATED BY A MUNICIPALITY REGARDLESS OF WHETHER IT WILL
15 BE OPERATED SOLELY BY THE MUNICIPALITY, OR BY THE MUNICIPALITY
16 CONTRACTING WITH A PRIVATE ENTITY, PASSING ALL OR A PORTION OF
17 THE GRANT MONIES THROUGH TO A PRIVATE ENTITY, OTHERWISE FUNDING
18 A PRIVATE ENTITY OR IN ANY OTHER MANNER PARTNERING WITH A
19 PRIVATE ENTITY. ACCEPTABLE PROOF THAT A NEWLY PROPOSED RECYCLING
20 PROJECT FOR WHICH A GRANT IS BEING SOUGHT WILL NOT DUPLICATE ANY
21 OTHER EXISTING MUNICIPALLY OR PRIVATELY OPERATED PROGRAM SHALL
22 INCLUDE, BUT NOT BE LIMITED TO:

23 (I) A STATEMENT FROM THE COUNTY RECYCLING COORDINATOR THAT
24 THE APPLICANT HAS SECURED A LIST OF KNOWN RECYCLING ENTERPRISES
25 OPERATING WITHIN THE COUNTY.

26 (II) FOR GRANT APPLICATIONS IN EXCESS OF THIRTY THOUSAND
27 DOLLARS (\$30,000), NOTIFICATION OF SUCH A GRANT APPLICATION, IN
28 SUFFICIENT DETAIL TO DESCRIBE WHAT WILL BE ACCOMPLISHED WITH THE
29 GRANT, IN A NEWSPAPER OF GENERAL CIRCULATION WHICH SHALL BE
30 PUBLISHED ONCE A WEEK FOR FOUR CONSECUTIVE WEEKS.

1 (III) COPIES OF ALL WRITTEN RESPONSES RECEIVED AS A RESULT
2 OF NOTIFICATION UNDER SUBPARAGRAPH (II).

3 (3) THE DEPARTMENT WILL DENY A GRANT APPLICATION THAT DOES
4 NOT SUBMIT PROOF OF PUBLICATION AND A LIST OF KNOWN RECYCLING
5 ENTERPRISES.

6 (4) IF THE MUNICIPALITY PROPOSES TO USE SOME OR ALL OF THE
7 GRANT FUNDS TO PURCHASE MECHANICAL PROCESSING EQUIPMENT, THE
8 EQUIPMENT IS NOT AVAILABLE TO THE PROGRAM IN THE PRIVATE SECTOR.
9 BEFORE SUBMITTING THE APPLICATION TO THE DEPARTMENT, THE
10 MUNICIPALITY SHALL OBTAIN A WRITTEN STATEMENT FROM THE
11 APPROPRIATE COUNTY RECYCLING COORDINATOR THAT THE APPLICANT HAS
12 SECURED A LIST OF KNOWN RECYCLING ENTERPRISES OPERATING WITHIN
13 THE COUNTY AND PUBLISH IN A NEWSPAPER OF GENERAL CIRCULATION A
14 NOTICE DESCRIBING IN REASONABLE DETAIL THE EQUIPMENT WHICH THE
15 MUNICIPALITY PROPOSES TO PURCHASE AND THE PROPOSED USES OF THE
16 EQUIPMENT, AND ALLOW 30 DAYS FOR WRITTEN RESPONSE FROM ANY
17 INTERESTED PERSONS. THE APPLICATION SHALL DESCRIBE THE RESPONSES
18 RECEIVED AND SHALL EXPLAIN WHY THE MUNICIPALITY HAS CONCLUDED
19 THAT SUCH EQUIPMENT IS NOT AVAILABLE FROM THE PRIVATE SECTOR.
20 GRANTS AWARDED UNDER THIS SECTION FOR THE PURCHASE OF EQUIPMENT
21 WILL BE PRORATED IF IT IS DETERMINED THAT THE EQUIPMENT PROPOSED
22 TO BE PURCHASED BY THE MUNICIPALITY WITH FUNDS FROM A GRANT
23 AWARDED UNDER THIS SECTION WILL NOT BE USED EXCLUSIVELY FOR THE
24 PURPOSES STATED ON THE RECYCLING GRANT APPLICATION.

25 (B) (1) THE DEPARTMENT MAY NOT AWARD ANY GRANT UNDER THE
26 "MUNICIPAL WASTE PLANNING, RECYCLING AND WASTE REDUCTION ACT" TO
27 ANY COUNTY OR MUNICIPALITY THAT HAS FAILED TO COMPLY WITH THE
28 CONDITION SET FORTH IN PREVIOUSLY AWARDED GRANTS UNDER THAT ACT,
29 THE REQUIREMENTS OF THAT ACT, THIS SECTION AND ANY REGULATIONS
30 PROMULGATED PURSUANT THERETO.

1 (2) THE DEPARTMENT MAY MAKE AN EXCEPTION FOR A COUNTY OR
2 MUNICIPALITY WHICH PROPOSES TO PARTNER WITH A NOT-FOR-PROFIT
3 AGENCY WHICH WILL UTILIZE THE GRANT TO FUND THE PROCESSING OF
4 RECYCLED MATERIALS IDENTIFIED IN SECTION 1501(C)(1)(I) OF THE
5 "MUNICIPAL WASTE PLANNING, RECYCLING AND WASTE REDUCTION ACT,"
6 OR THE MANUFACTURING OF PRODUCTS MADE FROM THOSE MATERIALS.

7 (C) (1) THIS SECTION SHALL NOT APPLY IF THE RECYCLING NEEDS <—
8 OF ALL THE CITIZENS OF THE COUNTY CANNOT BE MET.

9 (2) THIS SECTION SHALL NOT APPLY TO ANY MUNICIPALITY THAT
10 HAS RECEIVED ANY GRANT UNDER SECTION 902 OF THE ACT OF JULY 28,
11 1988 (P.L.556, NO.101), KNOWN AS THE "MUNICIPAL WASTE PLANNING,
12 RECYCLING AND WASTE REDUCTION ACT," PRIOR TO THE EFFECTIVE DATE
13 OF THIS SECTION.

14 Section 2015. Pennsylvania Infrastructure Bank.--(a) There
15 is hereby established a special fund in the Department of
16 Transportation to be known as the Pennsylvania Infrastructure
17 Bank. The fund shall be administered by the Department of
18 Transportation and the State Treasurer shall be the treasurer-
19 custodian of the fund. All moneys in the fund are hereby
20 appropriated to the Department of Transportation for the
21 purposes specified in this section. The State Treasurer is
22 authorized to hold and to disburse in accordance with this
23 section all Federal and State money deposited in the fund. The
24 Department of Transportation is also authorized to use money in
25 the Highway and Safety Improvements appropriation in the Motor
26 License Fund to provide payments as authorized by Federal law,
27 including matching funds, for the Pennsylvania Infrastructure
28 Bank.

29 (b) The Department of Transportation is authorized to:

30 (1) make loans to or enter into leases with qualified

borrowers to finance the costs of qualified projects and to
acquire, hold and sell borrower obligations evidencing the
loans;

(2) enter into guaranties secured solely by or purchase
insurance or other credit enhancement through amounts on deposit
in the fund;

(3) enter into contracts, arrangements and agreements to
provide assistance through amounts on deposit in the fund. The
Department of Transportation shall determine the form and
content of any borrower obligation, including the terms and rate
of interest on any loans or leases;

(4) enter into contracts, arrangements and agreements with
other persons and execute and deliver all trust agreements, loan
agreements and other instruments necessary or convenient to the
exercise of the powers granted by this section;

(5) enter into grant cooperative, operating and other
agreements with the United States relating to the fund;

(6) establish and collect fees, charges and interest;

(7) establish fiscal controls and accounting procedures for
the fund;

(8) adopt regulations, procedures or guidelines for the bank
and for accounting procedures by qualified borrowers for
financial assistance and projects; and

(9) establish accounts and subaccounts in the fund as
necessary and invest moneys held in the fund.

(c) The Department of Transportation is authorized to take
any actions required by Federal law or regulation in order to
qualify as a State Infrastructure Bank and to receive Federal
funds made available to State Infrastructure Banks.

(d) The Department of Transportation shall not be authorized

1 to be a bank, trust company, insurance company or dealer in
2 securities subject to any Federal or State banking or insurance
3 regulating agency or any securities, securities exchange or
4 securities dealers' law.

5 Section 2218. Workers' Compensation Assessment.--Effective
6 July 1, 1998, the assessments for the maintenance of the
7 Subsequent Injury Fund, the Workmen's Compensation Supersedeas
8 Fund and the Workmen's Compensation Administration Fund under
9 sections 306.2, 443 and 446 of the act of June 2, 1915 (P.L.736,
10 No.338), known as the "Workers' Compensation Act," shall no
11 longer be imposed on insurers but shall be imposed, collected
12 and remitted through insurers in accordance with regulations
13 promulgated by the Department of Labor and Industry.

14 Section 2416.1. Campus Police Powers and Duties.--(a)
15 Campus police shall have the power and their duty shall be:

16 (1) to enforce good order on the grounds and in the
17 buildings of the college or university;

18 (2) to protect the grounds and buildings of the college or
19 university;

20 (3) to exclude all disorderly persons from the grounds and
21 buildings of the college or university;

22 (4) to adopt whatever means may be necessary for the
23 performance of their duties;

24 (5) to exercise the same powers as are now or may hereafter
25 be exercised under authority of law or ordinance by the police
26 of the municipalities wherein the college or university is
27 located, including, but not limited to, those powers conferred
28 pursuant to 42 Pa.C.S. Ch. 89 Subch. D (relating to municipal
29 police jurisdiction);

30 (6) to prevent crime, investigate criminal acts, apprehend,

1 arrest and charge criminal offenders and issue summary citations
2 for acts committed on the grounds and in the buildings of the
3 college or university and carry the offender before the proper
4 alderman, justice of the peace, magistrate or bail commissioner
5 and prefer charges against him under the laws of this
6 Commonwealth. Except when acting pursuant to 42 Pa.C.S. Ch. 89
7 Subch. D, campus police shall exercise these powers and perform
8 these duties only on the grounds or within 500 yards of the
9 grounds of the college or university. For the purposes of
10 applying the provisions of 42 Pa.C.S. Ch. 89 Subch. D, the
11 grounds and within 500 yards of the grounds of the college or
12 university shall constitute the primary jurisdiction of the
13 campus police;

14 (7) to order off the grounds and out of the buildings of the
15 college or university all vagrants, loafers, trespassers and
16 persons under the influence of liquor and, if necessary, remove
17 them by force and, in case of resistance, carry such offenders
18 before an alderman, justice of the peace, bail commissioner or
19 magistrate; and

20 (8) to arrest any person who damages, mutilates or destroys
21 the trees, plants, shrubbery, turf, grass plots, benches,
22 buildings and structures or commits any other offense on the
23 grounds and in the buildings of the college or university and
24 carry the offender before the proper alderman, justice of the
25 peace, bail commissioner or magistrate and prefer charges
26 against him under the laws of this Commonwealth.

27 (b) Campus police and municipalities are authorized to enter
28 into an agreement with the municipality wherein the college or
29 university is located to exercise concurrently those powers and
30 to perform those duties conferred pursuant to a cooperative

police service agreement in accordance with 42 Pa.C.S. § 8953
(relating to Statewide municipal police jurisdiction). When so
acting, the campus police of the college or university shall
have the same powers, immunities and benefits granted to police
officers in 42 Pa.C.S. Ch. 89 Subch. D.

(c) When acting within the scope of the authority of this
section, campus police are at all times employes of the college
or university and shall be entitled to all of the rights and
benefits accruing therefrom.

(d) As used in this section:

"Campus police" means all law enforcement personnel employed
by a State-aided or State-related college or university who have
successfully completed a campus police course of training
approved under 53 Pa.C.S. Ch. 21 Subch. D (relating to municipal
police education and training).

"College" or "university" means all State-aided or State-
related colleges and universities.

"Grounds" means all lands and buildings owned, controlled,
leased or managed by a college or university.

Section 14. A statutory reference to the Thaddeus Stevens
State School of Technology shall be deemed to be a reference to
the Thaddeus Stevens College of Technology.

Section 15. (a) The following acts and parts of acts are
repealed:

Section 6.7(a), (b), (c), (d), (e), (f) and (g) of the act of
January 8, 1960 (1959 P.L.2119, No.787), known as the Air
Pollution Control Act.

The first two sentences of section 841-A(c) of the act of
October 15, 1975 (P.L.390, No.111), known as the Health Care
Services Malpractice Act.

1 Section 512(b) of the act of July 28, 1988 (P.L.556, No.101),
2 known as the Municipal Waste Planning, Recycling and Waste
3 Reduction Act.

4 (b) The following acts and parts of acts are repealed to the
5 extent specified:

6 Act of June 2, 1915 (P.L.736, No.338), known as the Workers'
7 Compensation Act insofar as it is inconsistent with section 2218
8 of the act.

9 Section 2416 of the act of April 9, 1929 (P.L.177, No.175),
10 known as The Administrative Code of 1929, insofar as it is
11 inconsistent with section 2416.1 of the act.

12 SECTIONS 701, 706, 902 AND 905 OF THE ACT OF JULY 28, 1988 <—
13 (P.L.556, NO.101), KNOWN AS THE MUNICIPAL WASTE PLANNING,
14 RECYCLING AND WASTE REDUCTION ACT, INSO FAR AS THEY ARE
15 INCONSISTENT WITH THIS ACT.

16 (c) All other acts and parts of acts are repealed insofar as
17 they are inconsistent with this act.

18 ~~SECTION 16. THE DEPARTMENT OF HEALTH SHALL, WITHIN 30 DAYS <—~~
19 ~~AFTER THE EFFECTIVE DATE OF THIS ACT, PREPARE AND PUBLISH IN THE~~
20 ~~PENNSYLVANIA BULLETIN A LIST OF DRUG PRODUCTS THAT HAVE A NARROW~~
21 ~~THERAPEUTIC RANGE, WHICH REQUIRE CAREFUL PATIENT TITRATION AND~~
22 ~~MONITORING FOR SAFE AND EFFECTIVE USE. NO SUBSTITUTION OR~~
23 ~~INTERCHANGE OF THESE DRUG FORMULATIONS SHALL BE MADE WITHOUT~~
24 ~~WRITTEN OR APPROPRIATELY DOCUMENTED ORAL OR ELECTRONIC~~
25 ~~CONCURRENCE OF THE PRESCRIBER.~~

26 Section ~~16-17~~ 16. This act shall take effect immediately. <—