

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

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY,
SEPTEMBER 26, 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 distribution of annual charge; and making an editorial
12 change.

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 supervisors of any of the said
16 counties, school districts, or townships, and the charge against
17 the same; and shall furthermore certify to the State Treasurer
18 the number of acres as aforesaid, and the charge against the
19 same in favor of the respective counties, school districts and
20 townships. The State Treasurer shall, upon requisition of the
21 Secretary of [Forests and Waters] Conservation and Natural
22 Resources, and the warrant of the Auditor General, pay to the
23 several counties, school districts, and townships the amounts
24 due the same from the Commonwealth, and derived under this act,
25 upon due application therefor made by the treasurers or road
26 supervisors of the said counties, school districts and
27 townships.

28 Section 3. This act shall take effect in 60 days.