
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, ROBBINS
AND KASUNIC, SEPTEMBER 26, 2005

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
JUNE 29, 2006

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," increasing
11 distribution of annual charge; and making editorial changes.

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

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

18 Section 1. Be it enacted, &c., That (a) from and after the
19 passage of this act, all lands heretofore or hereafter acquired
20 by the Commonwealth, or by the Government of the United States,
21 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 ANNUAL CHARGE OF FORTY CENTS PER ACRE PLUS EIGHTY CENTS PER ACRE <—
16 AS A SUPPLEMENT, FOR THE BENEFIT OF THE COUNTY IN WHICH SAID
17 LANDS ARE LOCATED, FORTY CENTS PER ACRE PLUS EIGHTY CENTS PER
18 ACRE AS A SUPPLEMENT FOR THE BENEFIT OF THE SCHOOLS IN THE
19 RESPECTIVE SCHOOL DISTRICTS IN WHICH SUCH LANDS ARE LOCATED, AND
20 FORTY CENTS PER ACRE PLUS EIGHTY CENTS PER ACRE AS A SUPPLEMENT
21 FOR THE BENEFIT OF THE TOWNSHIP WHERE SUCH LANDS ARE LOCATED,
22 WHICH CHARGE SHALL BE PAYABLE BY THE COMMONWEALTH, SUBJECT TO
23 THE AVAILABILITY OF FUNDS PURSUANT TO SECTION 2(B)(2). (B)

24 Except as hereinafter provided, the annual charge payable by the
25 Commonwealth on land acquired by the Government of the United
26 States for forest reserves is to continue only until the
27 receipts of money by treasurers and township supervisors of the
28 said counties and school districts and townships in which
29 national forest reserves are located, provided for in act of
30 April twenty-seventh, one thousand nine hundred twenty-five,

1 Pamphlet Laws, three hundred twenty-four, shall equal or exceed
2 the amount paid by the Commonwealth in lieu of taxes. This
3 subsection shall not apply to the annual charge per acre for the
4 benefit of the county in which the land acquired by the
5 Government of the United States for forest reserves is located
6 for the years one thousand nine hundred fifty-three, one
7 thousand nine hundred fifty-four, one thousand nine hundred
8 fifty-five, one thousand nine hundred fifty-six, and this
9 subsection shall not apply to two and one-half cents of the
10 annual charge per acre for the benefit of the county in which
11 the land acquired by the Government of the United States for
12 forest reserves is located for any year thereafter. The charges
13 for the benefit of the county for these years shall be paid by
14 the Commonwealth. All charges payable by the Commonwealth under
15 the provisions of this act shall be paid on or before the first
16 day of September of each year.

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

18 Section 2. (A) The Secretary of [Forests and Waters] <—
19 Conservation and Natural Resources shall certify to the
20 respective counties, school districts, and townships throughout
21 the Commonwealth, in which such lands are located, the number of
22 acres owned by the Commonwealth and the United States Government
23 in each county, school district, or township, upon application
24 of the treasurer or [road] township supervisors of any of the
25 said counties, school districts, or townships, and the charge
26 against the same; and shall furthermore certify to the State
27 Treasurer the number of acres as aforesaid, and the charge
28 against the same in favor of the respective counties, school
29 ~~districts and townships. The State Treasurer shall, upon~~ <—
30 DISTRICTS AND TOWNSHIPS. <—

1 (B) (1) THE STATE TREASURER SHALL, UPON requisition of the
2 Secretary of [Forests and Waters] Conservation and Natural
3 Resources, [and the warrant of the Auditor General,] pay to the
4 several counties, school districts, and townships the amounts
5 due the same from the Commonwealth, and derived under this act,
6 upon due application therefor made by the treasurers or [road]
7 township supervisors of the said counties, school districts and
8 townships.

9 (2) EIGHTY CENTS PER ACRE OF THE CHARGE IMPOSED UNDER <—
10 SECTION 1 SHALL BE PAID BY THE STATE TREASURER TO THE SEVERAL
11 COUNTIES, SCHOOL DISTRICTS AND TOWNSHIPS FROM THE STATE GAMING
12 FUND ESTABLISHED AND COLLECTED UNDER 4 PA.C.S. § 1403 (RELATING
13 TO ESTABLISHMENT OF STATE GAMING FUND AND NET SLOT MACHINE
14 REVENUE DISTRIBUTION), FOR EACH ACRE OF LAND OWNED BY THE
15 DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES, ON BEHALF OF
16 THE COMMONWEALTH, AND FOR EACH ACRE OF LAND OWNED BY THE
17 PENNSYLVANIA GAME COMMISSION AND THE PENNSYLVANIA FISH AND BOAT
18 COMMISSION WHEN FUNDS ARE AVAILABLE IN THE STATE GAMING FUND.

19 Section 3. This act shall take effect July 1, 2006, or
20 immediately, whichever is later.