

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1728 Session of
2007

INTRODUCED BY REICHLEY, BAKER, BEAR, BOYD, CAPPELLI, CLYMER,
CREIGHTON, CUTLER, DALLY, DENLINGER, EVERETT, GEIST,
GINGRICH, GRELL, HENNESSEY, HUTCHINSON, MACKERETH,
McILHATTAN, MILNE, PICKETT, QUINN, RAPP, ROSS, RUBLEY,
SONNEY, THOMAS, VULAKOVICH, WALKO AND WATSON, JULY 13, 2007

REFERRED TO COMMITTEE ON FINANCE, JULY 13, 2007

AN ACT

1 Amending the act of April 9, 1929 (P.L.343, No.176), entitled,
2 as amended, "An act relating to the finances of the State
3 government; providing for the settlement, assessment,
4 collection, and lien of taxes, bonus, and all other accounts
5 due the Commonwealth, the collection and recovery of fees and
6 other money or property due or belonging to the Commonwealth,
7 or any agency thereof, including escheated property and the
8 proceeds of its sale, the custody and disbursement or other
9 disposition of funds and securities belonging to or in the
10 possession of the Commonwealth, and the settlement of claims
11 against the Commonwealth, the resettlement of accounts and
12 appeals to the courts, refunds of moneys erroneously paid to
13 the Commonwealth, auditing the accounts of the Commonwealth
14 and all agencies thereof, of all public officers collecting
15 moneys payable to the Commonwealth, or any agency thereof,
16 and all receipts of appropriations from the Commonwealth,
17 authorizing the Commonwealth to issue tax anticipation notes
18 to defray current expenses, implementing the provisions of
19 section 7(a) of Article VIII of the Constitution of
20 Pennsylvania authorizing and restricting the incurring of
21 certain debt and imposing penalties; affecting every
22 department, board, commission, and officer of the State
23 government, every political subdivision of the State, and
24 certain officers of such subdivisions, every person,
25 association, and corporation required to pay, assess, or
26 collect taxes, or to make returns or reports under the laws
27 imposing taxes for State purposes, or to pay license fees or
28 other moneys to the Commonwealth, or any agency thereof,
29 every State depository and every debtor or creditor of the
30 Commonwealth," further providing for disposition of the
31 Budget Stabilization Reserve Fund.

1 The General Assembly of the Commonwealth of Pennsylvania
2 hereby enacts as follows:

3 Section 1. Section 1703-A of the act of April 9, 1929
4 (P.L.343, No.176), known as The Fiscal Code, added June 29, 2002
5 (P.L.614, No.91), is amended to read:

6 Section 1703-A. Disposition of Budget Stabilization Reserve
7 Fund.

8 (a) Purpose.--It is the intent of the General Assembly that:

9 (1) Money from the Budget Stabilization Reserve Fund be
10 appropriated only when emergencies involving the health,
11 safety or welfare of the residents of this Commonwealth or
12 downturns in the economy resulting in significant
13 unanticipated revenue shortfalls cannot be dealt with through
14 the normal budget process.

15 (2) Money in the Budget Stabilization Reserve Fund shall
16 not be used primarily to begin new programs but to provide
17 for the continuation of vital public programs in danger of
18 being eliminated or severely reduced due to financial
19 problems resulting from the economy.

20 (b) Appropriation.--[Whenever]

21 (1) Except as provided in paragraph (2), whenever the
22 Governor determines that an appropriation from the Budget
23 Stabilization Reserve Fund is necessary to meet emergencies
24 involving the health, safety or welfare of the residents of
25 this Commonwealth or to counterbalance downturns of the
26 economy which result in significant unanticipated revenue
27 shortfalls, the Governor shall present a request for an
28 appropriation along with the specifics of the proposal and
29 suggested ancillary and substantive legislation as may be
30 necessary to the chairman of Appropriations Committee of the

1 Senate and the chairman of the Appropriations Committee of
2 the House of Representatives. The General Assembly may then
3 through approval of a separate appropriation bill by a vote
4 of two-thirds of the members elected to the Senate and the
5 House of Representatives appropriate money from the Budget
6 Stabilization Reserve Fund to meet the needs identified in
7 the Governor's proposal. Any money appropriated according to
8 this section which has then lapsed shall be returned to the
9 Budget Stabilization Reserve Fund.

10 (2) Within ten days of the creation of the Disease
11 Management Tax Credit Fund, the amount of \$20,000,000 shall
12 be transferred from the Budget Stabilization Reserve Fund to
13 the Disease Management Tax Credit Fund.

14 Section 2. This act shall take effect in 60 days.