

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1614 Session of
2009

INTRODUCED BY BELFANTI, GERGELY, GOODMAN, MENSCH, BRENNAN,
SIPTROTH, HORNAMAN, CALTAGIRONE, PASHINSKI, DeLUCA, GEORGE,
HALUSKA, GRUCELA, FRANKEL, MURPHY, KORTZ, FABRIZIO, CARROLL,
K. SMITH, MAHONEY, MURT, MELIO AND YOUNGBLOOD, JUNE 5, 2009

SENATOR TOMLINSON, APPROPRIATIONS, IN SENATE, RE-REPORTED AS
AMENDED, OCTOBER 8, 2009

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," PROVIDING FOR METHOD OF FILING; FURTHER



1 PROVIDING FOR THE DEFINITION OF "CIGARETTES"; PROVIDING FOR
2 THE DEFINITION OF "LITTLE CIGARS"; ESTABLISHING THE
3 INDEPENDENT FISCAL OFFICE; FURTHER PROVIDING FOR NOTICE AND
4 PUBLICATION OF LISTS OF PROPERTY SUBJECT TO CUSTODY AND
5 CONTROL OF THE COMMONWEALTH; PROVIDING FOR BORROWING FOR
6 CAPITAL FACILITIES AND FOR OIL AND GAS WELLS; further
7 providing for the State Workers' Insurance Board and for
8 sunset provisions relating to State Workers' Insurance Fund
9 investment authority; PROVIDING FOR PENNSYLVANIA GAMING
10 ECONOMIC DEVELOPMENT AND TOURISM FUND AND FOR WATER AND SEWER
11 SYSTEM ASSISTANCE BOND FUND; FURTHER PROVIDING FOR DEPARTMENT
12 OF CORRECTIONS, FOR DEPARTMENT OF EDUCATION, FOR DEPARTMENT
13 OF ENVIRONMENTAL PROTECTION, FOR PENNSYLVANIA STATE POLICE
14 AND FOR PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY; PROVIDING
15 FOR 2009-2010 BUDGET IMPLEMENTATION AND FOR 2009-2010
16 RESTRICTIONS ON APPROPRIATIONS FOR FUNDS AND ACCOUNTS;
17 ABOLISHING THE BOARD OF TRUSTEES OF THE SCRANTON STATE SCHOOL
18 FOR THE DEAF; AND MAKING RELATED REPEALS.

19 The General Assembly of the Commonwealth of Pennsylvania
20 hereby enacts as follows:

21 ~~Section 1. Sections 1731 A and 1732 A of the act of April 9,~~
22 ~~1929 (P.L.343, No.176), known as The Fiscal Code, added July 7,~~
23 ~~2005 (P.L.174, No.41), are reenacted and amended to read:~~

24 SECTION 1. THE ACT OF APRIL 9, 1929 (P.L.343, NO.176), KNOWN
25 AS THE FISCAL CODE, IS AMENDED BY ADDING A SECTION TO READ:

26 SECTION 10. METHOD OF FILING.--(A) THE DEPARTMENT OF
27 REVENUE MAY REQUIRE ANY RETURN, REPORT OR OTHER DOCUMENT
28 REQUIRED TO BE FILED FOR A TAX ADMINISTERED BY THE DEPARTMENT
29 PREPARED BY A THIRD PARTY WHO SUBMITS FIFTY OR MORE RETURNS PER
30 YEAR TO BE FILED BY ANY METHOD PRESCRIBED BY THE DEPARTMENT
31 INCLUDING BY TELEPHONIC, ELECTRONIC OR OTHER METHOD. NOTICE OF
32 THE METHOD OF FILING SHALL BE PUBLISHED IN THE PENNSYLVANIA
33 BULLETIN AND ON THE DEPARTMENT OF REVENUE'S INTERNET WEBSITE AT
34 LEAST SIXTY DAYS PRIOR TO THE DUE DATE OF THE RETURN, REPORT OR
35 OTHER DOCUMENT REQUIRED TO BE FILED BY TELEPHONIC, ELECTRONIC OR
36 OTHER METHOD. THE NOTICE SHALL REFER TO THIS SECTION.

37 (B) FAILURE TO FILE A RETURN, REPORT OR OTHER DOCUMENT BY
38 THE METHOD REQUIRED UNDER SUBSECTION (A) SHALL SUBJECT THE TAX
39 PREPARER TO A PENALTY OF ONE PERCENT OF THE TAX DUE ON THE

1 RETURN, REPORT OR OTHER DOCUMENT UP TO A MAXIMUM OF FIVE HUNDRED
2 DOLLARS (\$500), BUT NOT LESS THAN TEN DOLLARS (\$10). THIS
3 PENALTY SHALL BE ASSESSED AND COLLECTED IN THE MANNER PROVIDED
4 BY THE ACT OF MARCH 4, 1971 (P.L.6, NO.2), KNOWN AS THE "TAX
5 REFORM CODE OF 1971." THIS PENALTY SHALL BE IN ADDITION TO ANY
6 CIVIL PENALTY IMPOSED IN THE APPLICABLE ARTICLE OF THE "TAX
7 REFORM CODE OF 1971" FOR FAILURE TO FILE A RETURN, REPORT OR
8 OTHER DOCUMENT. THE CRIMINAL PENALTY FOR FAILURE TO FILE A
9 RETURN, REPORT OR OTHER DOCUMENT BY THE METHOD REQUIRED UNDER
10 SUBSECTION (A) SHALL BE THE SAME AS THE CRIMINAL PENALTY FOR
11 FAILURE TO FILE A RETURN, REPORT OR OTHER DOCUMENT UNDER THE
12 APPLICABLE ARTICLE OF THE "TAX REFORM CODE OF 1971."

13 (C) (1) THE DEPARTMENT OF REVENUE MAY WAIVE THE REQUIREMENT
14 TO FILE BY THE METHOD REQUIRED UNDER SUBSECTION (A) WHEN THE
15 DEPARTMENT DETERMINES THAT ANY OF THE FOLLOWING APPLY:

16 (I) THE PRESCRIBED FILING METHOD CAUSES AN UNDUE HARDSHIP.

17 (II) THE PREPARER OR TAXPAYER REQUESTS A WAIVER IN WRITING
18 THAT CLEARLY STATES WHY THE FILING METHOD CAUSES AN UNDUE
19 HARDSHIP.

20 (2) IN DETERMINING WHETHER FILING BY THE METHOD REQUIRED
21 UNDER SUBSECTION (A) CAUSES AN UNDUE HARDSHIP, THE DEPARTMENT OF
22 REVENUE MAY CONSIDER UNUSUAL CIRCUMSTANCES THAT MAY PREVENT THE
23 PERSON FROM FILING BY THE PRESCRIBED METHOD OR ANY OTHER FACTOR
24 THAT THE DEPARTMENT DETERMINES IS RELEVANT.

25 SECTION 1.1. THE DEFINITION OF "CIGARETTES" IN SECTION 202-A
26 OF THE ACT, ADDED JULY 2, 1993 (P.L.250, NO.46), IS AMENDED AND
27 THE SECTION IS AMENDED BY ADDING A DEFINITION TO READ:

28 SECTION 202-A. DEFINITIONS.--AS USED IN THIS ARTICLE--

29 * * *

30 "CIGARETTES" SHALL MEAN AND INCLUDE ANY ROLL FOR SMOKING MADE

1 WHOLLY OR IN PART OF TOBACCO, IRRESPECTIVE OF SIZE OR SHAPE, AND
2 WHETHER OR NOT SUCH TOBACCO IS FLAVORED, ADULTERATED OR MIXED
3 WITH ANY OTHER INGREDIENT, THE WRAPPER OR COVER OF WHICH IS MADE
4 OF PAPER OR ANY OTHER SUBSTANCE OR MATERIAL, EXCEPTING TOBACCO,
5 AND SHALL NOT INCLUDE CIGARS. FOR PURPOSES OF LICENSING UNDER
6 THIS ARTICLE ONLY, THE TERM SHALL INCLUDE LITTLE CIGARS.

7 * * *

8 "LITTLE CIGARS" SHALL MEAN ANY ROLL FOR SMOKING THAT WEIGHS
9 NOT MORE THAN FOUR POUNDS PER THOUSAND, WHERE THE WRAPPER OR
10 COVER IS MADE OF NATURAL LEAF TOBACCO OR OF ANY SUBSTANCE
11 CONTAINING TOBACCO.

12 * * *

13 SECTION 1.2. THE ACT IS AMENDED BY ADDING AN ARTICLE TO
14 READ:

15 ARTICLE V-A

16 INDEPENDENT FISCAL OFFICE

17 SECTION 501-A. SHORT TITLE.

18 THIS ARTICLE RELATES TO INDEPENDENCE IN FISCAL MATTERS.

19 SECTION 502-A. DEFINITIONS.

20 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
21 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
22 CONTEXT CLEARLY INDICATES OTHERWISE:

23 "BASELINE BUDGET." A DRAFT BUDGET USING CURRENT DOLLAR
24 VALUES THAT PROJECTS CURRENT YEAR LEVELS OF BUDGET AUTHORITY,
25 OUTLAYS AND REVENUES AND THE DEFICIT OR SURPLUS INTO THE NEW
26 BUDGET YEAR AND OUT YEARS ON THE BASIS OF CURRENT LAWS AND
27 POLICIES.

28 "COMMITTEE." THE INDEPENDENT FISCAL OFFICE SELECTION
29 COMMITTEE.

30 "COMMONWEALTH AGENCY." ANY OFFICE, DEPARTMENT, AUTHORITY,

1 BOARD, MULTISTATE AGENCY OR COMMISSION OF THE EXECUTIVE BRANCH.

2 THE TERM INCLUDES:

3 (1) THE OFFICE OF THE GOVERNOR.

4 (2) THE OFFICE OF ATTORNEY GENERAL, THE DEPARTMENT OF
5 THE AUDITOR GENERAL AND THE TREASURY DEPARTMENT.

6 (3) AN INDEPENDENT AGENCY, AS DEFINED IN THE ACT OF
7 FEBRUARY 14, 2008 (P.L.6, NO.3), KNOWN AS THE RIGHT-TO-KNOW
8 LAW.

9 (4) A STATE-AFFILIATED ENTITY, AS DEFINED IN THE RIGHT-
10 TO-KNOW LAW.

11 (5) THE GENERAL ASSEMBLY.

12 (6) THE JUDICIARY.

13 "DIRECTOR." THE DIRECTOR OF THE INDEPENDENT FISCAL OFFICE.

14 "OFFICE." THE INDEPENDENT FISCAL OFFICE ESTABLISHED IN
15 SECTION 503-A.

16 SECTION 503-A. OFFICE ESTABLISHED.

17 THERE IS ESTABLISHED A NONPARTISAN INDEPENDENT FISCAL OFFICE
18 AS AN INDEPENDENT AGENCY.

19 SECTION 504-A. DUTIES OF OFFICE.

20 THE OFFICE SHALL:

21 (1) PREPARE REVENUE ESTIMATES TO INCLUDE FEDERAL FUNDS,
22 STATE REVENUES AND FUNDS FROM OTHER RESOURCES, INCLUDING ANY
23 PROJECTED REVENUE SURPLUS OR DEFICIT FOR A GIVEN FISCAL YEAR,
24 AS PROVIDED UNDER SECTION 505-A.

25 (2) BY JANUARY 1, PROVIDE A BASELINE BUDGET THAT
26 INCLUDES LEVELS OF SPENDING NECESSARY TO RETAIN THE CURRENT
27 PROGRAM AND STATUTORY REQUIREMENTS.

28 (3) PROVIDE AN ANALYSIS OF THE EXECUTIVE BUDGET,
29 INCLUDING BUDGETARY PROJECTIONS, ECONOMIC OUTLOOK, ECONOMIC
30 IMPACT AND AN ANALYSIS OF ALL RELATED TAX AND REVENUE

1 PROPOSALS. THE BUDGET ANALYSIS MAY INCLUDE PERFORMANCE
2 RECOMMENDATIONS TO SECURE GREATER EFFICIENCY AND ECONOMY.

3 (4) DEVELOP AND USE ECONOMETRIC MODELS TO ANNUALLY
4 FORECAST STATE REVENUES AND UPDATE THE MODELS. THE OFFICE
5 SHALL MAKE THE EQUATIONS OF A MODEL AND ANY HISTORIC
6 DATABASES RELATED TO THE MODEL AVAILABLE TO THE
7 APPROPRIATIONS COMMITTEE OF THE SENATE, THE APPROPRIATIONS
8 COMMITTEE OF THE HOUSE OF REPRESENTATIVES, THE MAJORITY
9 LEADER AND MINORITY LEADER OF THE SENATE AND THE MAJORITY
10 LEADER AND MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES.

11 (5) BY NOVEMBER 15 OF EACH YEAR, PROVIDE AN ASSESSMENT
12 OF THE STATE'S CURRENT FISCAL CONDITION AND A PROJECTION OF
13 WHAT THE FISCAL CONDITION WILL BE DURING THE NEXT FIVE YEARS.
14 THE ASSESSMENT SHALL TAKE INTO ACCOUNT THE STATE OF THE
15 ECONOMY, DEMOGRAPHICS, REVENUES AND EXPENDITURES.

16 (6) MONITOR STATE TAXES AND OTHER RECEIPTS.

17 (7) DEVELOP PERFORMANCE MEASURES FOR EXECUTIVE-LEVEL
18 PROGRAMS AND DEPARTMENTS AND EVALUATE PERFORMANCE MEASURES
19 AND RESULTS AS PROMULGATED AND REPORTED BY EXECUTIVE-LEVEL
20 DEPARTMENTS. PERFORMANCE MEASUREMENTS SHALL BE OUTCOMES-BASED
21 AND INCLUDE ACTIVITY COST ANALYSIS, MEASURES OF STATUS
22 IMPROVEMENT OF RECIPIENT POPULATIONS, ECONOMIC OUTCOMES AND
23 PERFORMANCE BENCHMARKS AGAINST SIMILAR STATE PROGRAMS.

24 (8) ESTABLISH AN INTERNET WEBSITE.

25 SECTION 505-A. REVENUE ESTIMATES.

26 (A) INITIAL REVENUE ESTIMATE.--BY THE SECOND WEEK OF
27 FEBRUARY, THE OFFICE SHALL SUBMIT TO THE GENERAL ASSEMBLY AN
28 INITIAL REVENUE ESTIMATE FOR THE NEXT FISCAL YEAR.

29 (B) OFFICIAL REVENUE ESTIMATE.--

30 (1) BY JUNE 15 OF EACH YEAR, THE OFFICE SHALL SUBMIT TO

1 THE GENERAL ASSEMBLY AN OFFICIAL FINAL BINDING REVENUE
2 ESTIMATE FOR THE NEXT FISCAL YEAR. IF THE GENERAL
3 APPROPRIATION ACT IS NOT ENACTED BY JULY 1, THE OFFICE SHALL
4 PREPARE A REVISED REVENUE ESTIMATE BY THE 15TH OF EACH
5 SUCCEEDING MONTH UNTIL SUCH TIME AS THE GENERAL APPROPRIATION
6 ACT IS ENACTED. THE REVISED REVENUE ESTIMATE PREPARED
7 IMMEDIATELY PRECEDING ENACTMENT SHALL BE BINDING.

8 (2) THE REVENUE ESTIMATE SUBMITTED UNDER THIS SECTION
9 SHALL ESTABLISH THE MAXIMUM AMOUNT OF TAX REVENUE WHICH MAY
10 BE CONSIDERED FOR THE GENERAL APPROPRIATION ACT FOR THE
11 ENSUING FISCAL YEAR. NO CHANGES IN THE REVENUE ESTIMATES
12 SHALL BE MADE BY THE OFFICE AFTER SUBMISSION UNDER PARAGRAPH
13 (1) UNLESS SIGNIFICANT CHANGES IN ECONOMIC ASSUMPTIONS OR
14 CHANGES IN STATUTES AFFECTING REVENUES AND RECEIPTS ARE
15 ENACTED.

16 (3) THE OFFICE SHALL PUBLISH THE METHODOLOGY USED TO
17 DEVELOP REVENUE ESTIMATES.

18 (4) FOLLOWING THE ADOPTION OF A GENERAL APPROPRIATION
19 ACT OR SUPPLEMENTAL APPROPRIATION ACT BY THE GENERAL
20 ASSEMBLY, THE GOVERNOR SHALL CERTIFY THAT THE BUDGET
21 APPROPRIATIONS MADE BY THE GENERAL ASSEMBLY DO NOT EXCEED THE
22 ACTUAL AND ESTIMATED REVENUE AND SURPLUS AVAILABLE ACCORDING
23 TO THE OFFICIAL FINAL BINDING REVENUE ESTIMATE UNDER
24 PARAGRAPH (1).

25 (C) INFORMATION.--THE OFFICE SHALL PROVIDE THE
26 APPROPRIATIONS COMMITTEE OF THE SENATE, THE APPROPRIATIONS
27 COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE SECRETARY OF
28 THE BUDGET ALL DATA, ASSUMPTIONS AND ECONOMETRIC MODELS USED TO
29 DEVELOP PROJECTIONS AND REVENUE ESTIMATES.

30 (D) REQUIRED INFORMATION.--

1 (1) A REVENUE ESTIMATE SUBMITTED BY THE OFFICE UNDER
2 THIS SUBSECTION SHALL INCLUDE ALL OF THE FOLLOWING:

3 (I) AN ASSESSMENT OF THE PENNSYLVANIA ECONOMY AND
4 THE NATIONAL ECONOMY AND THE IMPACT OF THE EXISTING OR
5 EMERGING STATE OR NATIONAL ECONOMIC TRENDS ON REVENUE
6 PERFORMANCE FOR THE CURRENT YEAR AND THE FORECASTED OR
7 PROJECTED REVENUE COLLECTIONS FOR THE BUDGET YEAR AND THE
8 SUCCEEDING YEAR.

9 (II) A SUMMARY OF CURRENT YEAR-TO-DATE REVENUE
10 COLLECTIONS BY SPECIFIC TAX OR REVENUE SOURCE, INCLUDING
11 FEDERAL FUNDS, THE GENERAL FUND, THE LOTTERY FUND AND THE
12 MOTOR LICENSE FUND AND A DETAILED EXPLANATION OF ANY
13 NEGATIVE OR POSITIVE VARIATION FROM THE PRIOR YEAR'S
14 OFFICIAL REVENUE ESTIMATE, INCLUDING THE REASONS OR
15 EVENTS CONTRIBUTING TO THE VARIATION.

16 (III) ANY PROJECTED REVENUE SURPLUS OR DEFICIT FOR
17 THE CURRENT BUDGET YEAR.

18 (2) A REVENUE ESTIMATE SHALL BE BASED ON EXISTING
19 STATUTES AND TAX POLICY AND EXISTING OR EMERGING STATE OR
20 NATIONAL ECONOMIC TRENDS.

21 (3) THE OFFICE SHALL PREPARE A REVENUE ESTIMATE OF ANY
22 CHANGE IN STATE TAX LAW PROPOSED AS PART OF THE ANNUAL STATE
23 BUDGET. IF THE PROPOSED CHANGE IN STATE TAX LAW WILL HAVE A
24 FISCAL IMPACT IN EXCESS OF \$10,000,000 IN ANY FISCAL YEAR,
25 THE ESTIMATE SHALL BE PREPARED ON THE BASIS OF ASSUMPTIONS
26 THAT ESTIMATE THE PROBABLE BEHAVIORAL RESPONSES OF TAXPAYERS,
27 BUSINESSES AND OTHER PERSONS TO THE PROPOSED CHANGES AND
28 SHALL INCLUDE A STATEMENT IDENTIFYING THOSE ASSUMPTIONS.

29 (E) DEPARTMENT OF REVENUE.--THE DEPARTMENT OF REVENUE IN
30 CONJUNCTION WITH THE SECRETARY OF THE BUDGET SHALL MAKE REVENUE

1 ESTIMATES FOR THE USE OF THE GOVERNOR IN PREPARING THE BUDGET.

2 SECTION 506-A. BUDGET INFORMATION.

3 THE OFFICE SHALL BE NOTIFIED AND SHALL ATTEND ANY BRIEFINGS
4 PROVIDED BY THE GOVERNOR OR THE SECRETARY OF THE BUDGET UNDER
5 SECTION 619 OF THE ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN
6 AS THE ADMINISTRATIVE CODE OF 1929.

7 SECTION 507-A. EXPENDITURES.

8 (A) EXPENDITURE REPORTS.--COMMONWEALTH AGENCIES SHALL MAKE
9 MONTHLY EXPENDITURE DATA AVAILABLE TO THE OFFICE. THE DATA SHALL
10 BE PROVIDED WITHIN SEVEN DAYS AFTER THE END OF EACH MONTH. THE
11 MONTHLY DATA SHALL INCLUDE A SUMMARY OF THE LAST MONTHLY
12 SUBMISSION. THE DATA SHALL BE PROVIDED IN FINISHED REPORTS OR
13 ELECTRONICALLY, AS DETERMINED BY THE OFFICE. THE DATA SHALL BE
14 PROVIDED BY FUND, BY APPROPRIATION, BY DEPARTMENT AND BY
15 ORGANIZATION WITHIN EACH DEPARTMENT AND SHALL INCLUDE:

16 (1) NUMBER OF FILLED PERSONNEL POSITIONS AND THEIR COST.

17 (2) ITEMIZED PERSONNEL VACANCIES AND THEIR COST.

18 (3) NEW POSITIONS CREATED AND THEIR COST.

19 (4) WAGE AND OVERTIME COSTS.

20 (5) ALLOTMENTS AND EXPENDITURES FOR ITEMIZED PERSONNEL
21 EXPENSES.

22 (6) ALLOTMENTS AND EXPENDITURES FOR ITEMIZED OPERATING
23 EXPENSES.

24 (7) ALLOTMENT AND EXPENDITURES FOR ITEMIZED FIXED
25 ASSETS.

26 (8) THE RATE OF EXPENDITURES IN APPROPRIATIONS FOR MAJOR
27 SUBSIDY AND GRANT PROGRAMS DURING THE MONTH.

28 (B) BUDGET REQUESTS.--COMMONWEALTH AGENCIES SHALL SUBMIT
29 THEIR AGENCY BUDGET REQUESTS TO THE OFFICE AND THE OFFICE OF THE
30 BUDGET. THE COMMONWEALTH AGENCY BUDGET REQUESTS SHALL BE

1 SUBMITTED TO BOTH OFFICES AT THE SAME TIME.

2 (C) REVENUE REPORTS.--THE GOVERNOR SHALL MAKE MONTHLY
3 REVENUE REPORTS TO THE OFFICE. THE REVENUE REPORTS SHALL SHOW
4 THE ACTUAL COLLECTION OF REVENUE ITEMIZED BY SOURCE AND A
5 COMPARISON OF THE ACTUAL COLLECTIONS WITH ESTIMATED COLLECTIONS
6 FOR EACH MONTH. THE COMPARISON SHALL INCLUDE AN ANALYSIS OF ANY
7 CHANGE IN COLLECTION PATTERNS WHICH WILL CAUSE A SHORTFALL OR
8 OVERRUN ON ANNUAL ESTIMATES OF MORE THAN 1%.

9 (D) OTHER REVENUE DATA.--COMMONWEALTH AGENCIES SHALL CAUSE
10 TO BE PREPARED ANY OTHER REVENUE DATA AS MAY BE REQUESTED FROM
11 TIME TO TIME BY THE OFFICE.

12 (E) ELECTRONIC ACCESS.--EXCEPT FOR INFORMATION THAT IS
13 CONFIDENTIAL PURSUANT TO STATUTE, THE OFFICE SHALL HAVE ACCESS
14 TO ALL INFORMATION AVAILABLE UNDER THIS SECTION ON INQUIRY-ONLY
15 SCREENS THROUGH AN INTEGRATED CENTRAL COMPUTER SYSTEM.
16 SECTION 508-A. REVENUE CONFERENCE.

17 BY JANUARY 31 OF EACH YEAR, THE OFFICE SHALL CONVENE A
18 MEETING WITH THE SECRETARY OF THE BUDGET AND THE CHAIRMAN AND
19 MINORITY CHAIRMAN OF THE APPROPRIATIONS COMMITTEE OF THE SENATE
20 AND THE CHAIRMAN AND MINORITY CHAIRMAN OF THE APPROPRIATIONS
21 COMMITTEE OF THE HOUSE OF REPRESENTATIVES TO DISCUSS THE
22 FOLLOWING:

23 (1) AN ASSESSMENT OF THE PENNSYLVANIA ECONOMY AND THE
24 NATIONAL ECONOMY AND THE IMPACT OF THE ECONOMIC TRENDS ON
25 REVENUE PERFORMANCE FOR THE BUDGET YEAR AND THE SUCCEEDING
26 YEAR.

27 (2) RECOMMENDED CHANGES TO REVENUE FORECASTING AND
28 ECONOMETRIC MODELS BEING CONSIDERED BY THE OFFICE.

29 (3) CURRENT YEAR-TO-DATE REVENUE COLLECTIONS BY SPECIFIC
30 TAX OR REVENUE SOURCE, INCLUDING FEDERAL FUNDS, THE GENERAL

1 FUND, THE LOTTERY FUND AND THE MOTOR LICENSE FUND AND
2 VARIATIONS THAT MAY BE OCCURRING IN THE REVENUE ESTIMATE
3 SUBMITTED UNDER SECTION 505-A(A).

4 (4) ANY STATUTORY OR TAX POLICY CHANGES THAT MAY BE
5 RECOMMENDED BY THE GOVERNOR OR THE GENERAL ASSEMBLY FOR THE
6 NEXT SUCCEEDING FISCAL YEAR.

7 SECTION 509-A. ACCESS TO INFORMATION.

8 (A) AGENCIES.--THE DIRECTOR IS AUTHORIZED TO SECURE
9 INFORMATION, DATA, EXPENSE INFORMATION, ESTIMATES AND STATISTICS
10 DIRECTLY FROM A COMMONWEALTH AGENCY OR A POLITICAL SUBDIVISION.
11 ALL COMMONWEALTH AGENCIES AND POLITICAL SUBDIVISIONS SHALL
12 FURNISH THE DIRECTOR WITH ALL REPORTS OF EXPENDITURE FOR EACH
13 AGENCY AND ANY OTHER AVAILABLE MATERIAL OR DATA WHICH THE
14 DIRECTOR DETERMINES TO BE NECESSARY IN THE PERFORMANCE OF THE
15 DUTIES OF THE OFFICE, OTHER THAN MATERIAL THE DISCLOSURE OF
16 WHICH WOULD BE A VIOLATION OF LAW. THE DIRECTOR IS ALSO
17 AUTHORIZED, UPON AGREEMENT WITH THE HEAD OF ANY COMMONWEALTH
18 AGENCY OR POLITICAL SUBDIVISION, TO UTILIZE THE SERVICES,
19 FACILITIES AND PERSONNEL OF THE AGENCY WITH OR WITHOUT
20 REIMBURSEMENT.

21 (B) OFFICE OF THE BUDGET.--IN CARRYING OUT THE DUTIES AND
22 FUNCTIONS OF THE OFFICE, THE DIRECTOR IS AUTHORIZED TO OBTAIN
23 INFORMATION, DATA, ESTIMATES AND STATISTICS DEVELOPED BY THE
24 OFFICE OF THE BUDGET AND ALL COMMONWEALTH AGENCIES. THE GOVERNOR
25 SHALL SUBMIT TO THE OFFICE COPIES OF FINAL AGENCY BUDGET
26 REQUESTS.

27 (C) COMPUTER DATABASE.--IN ORDER TO CARRY OUT ITS DUTIES
28 UNDER THIS ARTICLE, THE OFFICE SHALL HAVE ACCESS TO THE
29 COMPUTERIZED DATABASE OF A STATE AGENCY THAT IS REQUIRED TO AID
30 THE OFFICE IN THE PERFORMANCE OF ITS DUTIES UNDER SECTIONS 504-A

1 AND 505-A, EXCEPT THAT ANY STATUTORY REQUIREMENTS REGARDING
2 PRIVACY OF INDIVIDUALS' RECORDS SHALL BE OBSERVED IN PROVIDING
3 ACCESS.

4 (D) DAILY REVENUE DATA.--

5 (1) THE SECRETARY OF REVENUE AND THE SECRETARY OF THE
6 BUDGET SHALL POST REVENUE COLLECTION DATA FOR EACH DEPOSIT
7 DAY AND MAKE THE INFORMATION AVAILABLE TO THE OFFICE AND THE
8 CHAIRMAN AND MINORITY CHAIRMAN OF THE APPROPRIATIONS
9 COMMITTEE OF THE SENATE AND THE CHAIRMAN AND MINORITY
10 CHAIRMAN OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF
11 REPRESENTATIVES.

12 (2) THE DAILY REVENUE DATA SHALL BE PRESENTED IN A
13 MANNER SIMILAR TO AND CONSISTENT WITH THE DAILY REVENUE DATA
14 PROVIDED ON JUNE 30, 2007. IN NO CASE SHALL EACH DEPOSIT DAY
15 CONTAIN LESS INFORMATION THAN WAS ACCESSIBLE DURING THE
16 2006-2007 FISCAL YEAR AS A RESULT OF CHANGES IN REPORTING
17 PROCEDURES, ACCOUNTING SYSTEMS OR COMPUTER SYSTEMS.

18 (3) THE GOVERNOR, THE ATTORNEY GENERAL, THE AUDITOR
19 GENERAL AND THE STATE TREASURER SHALL CAUSE TO BE PREPARED
20 ANY OTHER REVENUE DATA AS MAY BE REQUESTED BY THE OFFICE.

21 (E) CIVIL ACTION.--IF INFORMATION IS NOT MADE AVAILABLE BY A
22 COMMONWEALTH AGENCY OR POLITICAL SUBDIVISION WITHIN A REASONABLE
23 TIME, THE DIRECTOR MAY MAKE A WRITTEN REQUEST TO THE AGENCY
24 HEAD, STATING THE AUTHORITY TO RECEIVE THE INFORMATION. THE
25 AGENCY HEAD SHALL HAVE TEN DAYS TO RESPOND. IF THE INFORMATION
26 IS NOT PROVIDED WITHIN TEN DAYS OF THE RECEIPT OF THE AGENCY
27 RESPONSE, THE DIRECTOR MAY BRING A CIVIL ACTION TO REQUIRE THE
28 AGENCY HEAD TO PROVIDE THE INFORMATION.

29 SECTION 510-A. SELECTION AND ORGANIZATION COMMITTEE.

30 (A) SELECTION AND ORGANIZATION COMMITTEE.--THERE IS

1 ESTABLISHED A COMMITTEE TO ORGANIZE THE OFFICE AND SELECT THE
2 DIRECTOR OF THE OFFICE CONSISTING OF THE FOLLOWING:

3 (1) THE CHAIRMAN AND MINORITY CHAIRMAN OF THE
4 APPROPRIATIONS COMMITTEE OF THE SENATE AND THE CHAIRMAN AND
5 MINORITY CHAIRMAN OF THE APPROPRIATIONS COMMITTEE OF THE
6 HOUSE OF REPRESENTATIVES.

7 (2) THE MAJORITY LEADER AND THE MINORITY LEADER OF THE
8 SENATE AND THE MAJORITY LEADER AND THE MINORITY LEADER OF THE
9 HOUSE OF REPRESENTATIVES.

10 (3) THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE
11 SPEAKER OF THE HOUSE OF REPRESENTATIVES.

12 (4) THE GOVERNOR.

13 (B) DUTIES OF COMMITTEE.--THE FOLLOWING SHALL APPLY:

14 (1) BY AUGUST 31, 2010, THE SELECTION AND ORGANIZATION
15 COMMITTEE SHALL DELIBERATE THE FOLLOWING:

16 (I) THE ORGANIZATIONAL STRUCTURE OF THE OFFICE.

17 (II) THE PROCEDURES TO BE ADOPTED TO SELECT THE
18 DIRECTOR OF THE OFFICE.

19 (III) THE OPERATIONAL BUDGET FOR THE OFFICE.

20 (2) BY OCTOBER 31, 2010, THE SELECTION AND ORGANIZATION
21 COMMITTEE SHALL SUBMIT A REPORT TO THE SECRETARY OF THE
22 BUDGET, THE CHAIRMAN AND MINORITY CHAIRMAN OF THE
23 APPROPRIATIONS COMMITTEE AND THE CHAIRMAN AND MINORITY
24 CHAIRMAN OF THE FINANCE COMMITTEE OF THE SENATE AND THE
25 CHAIRMAN AND MINORITY CHAIRMAN OF THE APPROPRIATIONS
26 COMMITTEE AND THE CHAIRMAN AND MINORITY CHAIRMAN OF THE
27 FINANCE COMMITTEE OF THE HOUSE OF REPRESENTATIVES SETTING
28 FORTH A PLAN TO ESTABLISH THE OFFICE, INCLUDING AN
29 OPERATIONAL BUDGET, AND TO SELECT THE DIRECTOR OF THE OFFICE.

30 SECTION 511-A. APPOINTMENT.

1 (A) DIRECTOR.--THE OFFICE SHALL BE HEADED BY A DIRECTOR
2 APPOINTED BY THE SELECTION COMMITTEE UNDER SECTION 510-A. THE
3 APPOINTMENT SHALL BE MADE WITHOUT REGARD TO POLITICAL
4 AFFILIATION AND SOLELY ON THE BASIS OF FITNESS TO PERFORM THE
5 DUTIES OF THE OFFICE BASED ON QUALIFICATIONS PUBLISHED BY THE
6 SELECTION COMMITTEE.

7 (B) DEPUTY DIRECTOR.--THE DIRECTOR SHALL APPOINT A DEPUTY
8 DIRECTOR WHO SHALL PERFORM SUCH DUTIES AS ASSIGNED BY THE
9 DIRECTOR AND WHO SHALL DURING THE ABSENCE OR INCAPACITY OF THE
10 DIRECTOR OR A VACANCY ACT AS THE DIRECTOR.

11 (C) TERM.--THE TERM OF OFFICE OF THE DIRECTOR SHALL BE SIX
12 YEARS. AN INDIVIDUAL APPOINTED AS DIRECTOR TO FILL A VACANCY
13 PRIOR TO THE EXPIRATION OF A TERM SHALL SERVE ONLY FOR THE
14 UNEXPIRED PORTION OF THAT TERM. AN INDIVIDUAL SERVING AS
15 DIRECTOR AT THE EXPIRATION OF A TERM MAY CONTINUE TO SERVE UNTIL
16 A SUCCESSOR IS APPOINTED.

17 (D) REMOVAL.--THE DIRECTOR MAY BE REMOVED BY A CONCURRENT
18 RESOLUTION PASSED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES
19 AND APPROVAL OF THE GOVERNOR.

20 SECTION 512-A. POWERS AND DUTIES OF DIRECTOR.

21 (A) PERSONNEL.--THE DIRECTOR SHALL APPOINT AND FIX THE
22 COMPENSATION OF PERSONNEL NECESSARY TO CARRY OUT THE DUTIES AND
23 FUNCTIONS OF THE OFFICE. ALL PERSONNEL SHALL BE APPOINTED
24 WITHOUT REGARD TO POLITICAL AFFILIATION AND SOLELY ON THE BASIS
25 OF THEIR FITNESS TO PERFORM THEIR DUTIES.

26 (B) EXPERTS AND CONSULTANTS.--IN CARRYING OUT THE DUTIES AND
27 FUNCTIONS OF THE OFFICE, THE DIRECTOR MAY PROCURE THE TEMPORARY
28 OR INTERMITTENT SERVICES OF EXPERTS OR CONSULTANTS BY CONTRACT.

29 SECTION 2. SECTION 1301.12(C) AND (D) OF THE ACT, AMENDED
30 JUNE 29, 2002 (P.L.614, NO.91), ARE AMENDED TO READ:

SECTION 1301.12. NOTICE AND PUBLICATION OF LISTS OF PROPERTY
SUBJECT TO CUSTODY AND CONTROL OF THE COMMONWEALTH UNDER THIS
ARTICLE.--* * *

(C) THE STATE TREASURER IS NOT REQUIRED TO [PUBLISH IN SUCH
NOTICE] INCLUDE IN SUCH NOTICE PUBLISHED IN AN ENGLISH LANGUAGE
NEWSPAPER OF GENERAL CIRCULATION ANY ITEM OF LESS THAN [ONE
HUNDRED DOLLARS (\$100)] TWO HUNDRED FIFTY DOLLARS (\$250) OR TO
INCLUDE IN SUCH NOTICE PUBLISHED IN A LEGAL NEWSPAPER ANY ITEM
OF LESS THAN TWO HUNDRED FIFTY DOLLARS (\$250), UNLESS THE STATE
TREASURER, IN EITHER INSTANCE, DEEMS SUCH PUBLICATION TO BE IN
THE PUBLIC INTEREST.

(D) WITHIN NINE (9) MONTHS FROM THE RECEIPT OF THE REPORT
REQUIRED BY SECTION 1301.11, THE STATE TREASURER SHALL MAIL A
NOTICE TO EACH PERSON HAVING AN ADDRESS LISTED WHO APPEARS TO BE
ENTITLED TO PROPERTY OF THE VALUE OF [ONE HUNDRED DOLLARS
(\$100)] TWO HUNDRED FIFTY DOLLARS (\$250) OR MORE SUBJECT TO
CUSTODY AND CONTROL OF THE COMMONWEALTH UNDER THIS ARTICLE. THE
MAILED NOTICE SHALL CONTAIN:

1. A STATEMENT THAT, ACCORDING TO A REPORT FILED WITH THE
STATE TREASURER, PROPERTY IS BEING HELD TO WHICH THE ADDRESSEE
APPEARS ENTITLED;

2. THE NAME AND ADDRESS OF THE HOLDER OF THE PROPERTY AND
ANY NECESSARY INFORMATION REGARDING CHANGES OF NAME AND ADDRESS
OF THE HOLDER;

3. A STATEMENT THAT, IF SATISFACTORY PROOF OF CLAIM IS NOT
PRESENTED BY THE OWNER TO THE HOLDER BY THE DATE SPECIFIED IN
THE PUBLISHED NOTICE, CLAIMS SHOULD THEREAFTER BE FILED WITH THE
STATE TREASURER.

* * *

SECTION 3. THE ACT IS AMENDED BY ADDING ARTICLES TO READ:

1 ARTICLE XVI-B

2 BORROWING FOR CAPITAL FACILITIES

3 SECTION 1601-B. SCOPE.

4 THIS ARTICLE RELATES TO NEIGHBORHOOD IMPROVEMENT ZONES.

5 SECTION 1602-B. DEFINITIONS.

6 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
7 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
8 CONTEXT CLEARLY INDICATES OTHERWISE:

9 "CAPITAL FACILITIES DEBT ENABLING ACT." THE ACT OF FEBRUARY
10 9, 1999 (P.L.1, NO.1), KNOWN AS THE CAPITAL FACILITIES DEBT
11 ENABLING ACT.

12 "CITY." A CITY OF THE THIRD CLASS WITH, ON THE EFFECTIVE
13 DATE OF THIS SECTION, A POPULATION OF AT LEAST 106,000 AND NOT
14 MORE THAN 107,000, BASED ON THE 2000 FEDERAL DECENNIAL CENSUS.

15 "CONTRACTING AUTHORITY." AN AUTHORITY CREATED UNDER 53
16 PA.C.S. CH. 56 (RELATING TO MUNICIPAL AUTHORITIES) FOR THE
17 PURPOSE OF DESIGNATING A NEIGHBORHOOD IMPROVEMENT ZONE AND
18 CONSTRUCTING A FACILITY OR OTHER AUTHORITY CREATED UNDER THE
19 LAWS OF THIS COMMONWEALTH WHICH IS ELIGIBLE TO APPLY FOR AND
20 RECEIVE REDEVELOPMENT ASSISTANCE CAPITAL GRANTS UNDER CHAPTER 3
21 OF THE ACT OF FEBRUARY 9, 1999 (P.L.1, NO.1), KNOWN AS THE
22 CAPITAL FACILITIES DEBT ENABLING ACT, AND WHICH IS UNDER A
23 CONTRACT WITH THE OFFICE OF THE BUDGET TO RECEIVE THOSE GRANTS.

24 "FACILITY." A STADIUM, ARENA OR OTHER STRUCTURE OWNED OR
25 LEASED BY PROFESSIONAL SPORTS ORGANIZATION AT WHICH PROFESSIONAL
26 ATHLETIC EVENTS ARE CONDUCTED IN THE PRESENCE OF INDIVIDUALS WHO
27 PAY ADMISSION TO VIEW THE EVENT CONSTRUCTED OR OPERATED BY THE
28 CONTRACTING AUTHORITY.

29 "FACILITY COMPLEX." A DEVELOPMENT OR COMPLEX OF RESIDENTIAL,
30 COMMERCIAL, EXHIBITION, HOSPITALITY, CONFERENCE, RETAIL AND

1 COMMUNITY USES WHICH INCLUDES A STADIUM ARENA OR OTHER PLACE
2 OWNED, LEASED OR UTILIZED BY A PROFESSIONAL SPORTS ORGANIZATION
3 AT WHICH A PROFESSIONAL ATHLETIC EVENT OR OTHER EVENTS ARE
4 CONDUCTED IN THE PRESENCE OF INDIVIDUALS WHO PAY ADMISSION TO
5 VIEW THE EVENT.

6 "FUND." THE NEIGHBORHOOD IMPROVEMENT ZONE FUND ESTABLISHED
7 UNDER SECTION 1604-B.

8 "NEIGHBORHOOD IMPROVEMENT ZONE." A NEIGHBORHOOD IMPROVEMENT
9 ZONE DESIGNATED BY THE CONTRACTING AUTHORITY FOR THE PURPOSES OF
10 NEIGHBORHOOD IMPROVEMENT AND DEVELOPMENT WITHIN A CITY.

11 "PROFESSIONAL SPORTS ORGANIZATION." A SOLE PROPRIETORSHIP,
12 CORPORATION, LIMITED LIABILITY COMPANY, PARTNERSHIP OR
13 ASSOCIATION THAT MEETS ALL OF THE FOLLOWING:

14 (1) OWNS A PROFESSIONAL SPORTS FRANCHISE.

15 (2) CONDUCTS PROFESSIONAL ATHLETIC EVENTS OF THE SPORTS
16 FRANCHISE AT A FACILITY.

17 "QUALIFIED BUSINESS." AN ENTITY AUTHORIZED TO CONDUCT
18 BUSINESS IN THIS COMMONWEALTH WHICH IS LOCATED OR PARTIALLY
19 LOCATED WITHIN A NEIGHBORHOOD IMPROVEMENT ZONE AND IS ENGAGED IN
20 THE ACTIVE CONDUCT OF A TRADE OR BUSINESS FOR THE TAXABLE YEAR.
21 AN AGENT, BROKER OR REPRESENTATIVE OF A BUSINESS SHALL NOT BE
22 CONSIDERED TO BE IN THE ACTIVE CONDUCT OF TRADE OR BUSINESS FOR
23 THE BUSINESS.

24 SECTION 1603-B. FACILITY.

25 THE CONTRACTING AUTHORITY MAY DESIGNATE A NEIGHBORHOOD
26 IMPROVEMENT ZONE OF NOT GREATER THAN 130 ACRES, IN WHICH A
27 FACILITY OR FACILITY COMPLEX MAY BE CONSTRUCTED, AND MAY BORROW
28 FUNDS FOR THE PURPOSE OF IMPROVEMENT AND DEVELOPMENT WITHIN THE
29 NEIGHBORHOOD IMPROVEMENT ZONE AND CONSTRUCTION OF A FACILITY OR
30 FACILITY COMPLEX WITHIN THE ZONE.

1 SECTION 1604-B. NEIGHBORHOOD IMPROVEMENT ZONE FUND.

2 (A) SPECIAL FUND.--THERE IS ESTABLISHED A SPECIAL FUND KNOWN
3 AS THE NEIGHBORHOOD IMPROVEMENT ZONE FUND. INTEREST INCOME
4 DERIVED FROM INVESTMENT OF THE MONEY IN THE FUND SHALL BE
5 CREDITED BY THE TREASURY DEPARTMENT TO THE FUND.

6 (B) CALCULATION.--WITHIN 60 DAYS OF THE END OF EACH QUARTER,
7 THE DEPARTMENT OF REVENUE SHALL CALCULATE THE AMOUNTS UNDER THIS
8 SUBSECTION FOR IMPROVEMENT AND DEVELOPMENT IN THE NEIGHBORHOOD
9 IMPROVEMENT ZONE, THE FACILITY COMPLEX AND THE FACILITY. THE
10 CONTRACTING AUTHORITY SHALL PROVIDE GOOD FAITH ESTIMATES OF
11 QUARTERLY AMOUNTS TO BE CALCULATED IN A FORM AND MANNER REQUIRED
12 BY THE DEPARTMENT OF REVENUE. THE DEPARTMENT OF REVENUE SHALL
13 ESTIMATE THE QUARTERLY AMOUNTS, SUBJECT TO AN ANNUAL
14 RECONCILIATION, AND SHALL CERTIFY THE AMOUNTS TO THE OFFICE OF
15 THE BUDGET WITHIN 90 DAYS OF THE END OF A FISCAL QUARTER. AN
16 ENTITY COLLECTING A LOCAL TAX WITHIN THE NEIGHBORHOOD
17 IMPROVEMENT ZONE SHALL, WITHIN 30 DAYS OF THE END OF A FISCAL
18 QUARTER, SUBMIT ALL OF THE LOCAL TAXES COLLECTED THAT ARE TO BE
19 CALCULATED UNDER THIS SUBSECTION TO THE STATE TREASURER FOR
20 TRANSFER TO THE FUND UNDER SUBSECTION (D). THE FOLLOWING SHALL
21 BE THE AMOUNTS CALCULATED:

22 (1) AN AMOUNT EQUAL TO ALL CORPORATE NET INCOME TAX,
23 CAPITAL STOCK AND FRANCHISE TAX, PERSONAL INCOME TAX,
24 BUSINESS PRIVILEGE TAX, BUSINESS PRIVILEGE LICENSING FEES AND
25 EARNED INCOME TAX RELATED TO THE OWNERSHIP AND OPERATION OF A
26 PROFESSIONAL SPORTS ORGANIZATION CONDUCTING PROFESSIONAL
27 ATHLETIC EVENTS AT THE FACILITY OR FACILITY COMPLEX.

28 (2) AN AMOUNT EQUAL TO ALL OF THE FOLLOWING:

29 (I) ALL PERSONAL INCOME TAX, EARNED INCOME TAX AND
30 LOCAL SERVICES TAX WITHHELD FROM ITS EMPLOYEES BY A

1 PROFESSIONAL SPORTS ORGANIZATION CONDUCTING PROFESSIONAL
2 ATHLETIC EVENTS AT THE FACILITY OR FACILITY COMPLEX.

3 (II) ALL PERSONAL INCOME TAX, EARNED INCOME TAX AND
4 LOCAL SERVICES TAX WITHHELD FROM THE EMPLOYEES OF ANY
5 PROVIDER OF EVENTS AT OR SERVICES TO, OR ANY OPERATOR OF
6 AN ENTERPRISE IN, THE FACILITY OR FACILITY COMPLEX.

7 (III) ALL PERSONAL INCOME TAX, EARNED INCOME TAX AND
8 LOCAL SERVICES TAX TO WHICH THE COMMONWEALTH WOULD BE
9 ENTITLED FROM PERFORMERS OR OTHER PARTICIPANTS, INCLUDING
10 VISITING TEAMS, AT AN EVENT OR ACTIVITY AT THE FACILITY
11 OR FACILITY COMPLEX.

12 (3) AN AMOUNT EQUAL TO ALL SALES AND USE TAX RELATED TO
13 THE OPERATION OF THE PROFESSIONAL SPORTS ORGANIZATION AND THE
14 FACILITY AND ENTERPRISES DEVELOPED AS PART OF THE FACILITY
15 COMPLEX. THIS PARAGRAPH SHALL INCLUDE SALES AND USE TAX PAID
16 BY ANY PROVIDER OF EVENTS OR ACTIVITIES AT OR SERVICES TO THE
17 FACILITY OR FACILITY COMPLEX, INCLUDING SALES AND USE TAX
18 PAID BY VENDORS AND CONCESSIONAIRES AND CONTRACTORS AT THE
19 FACILITY OR FACILITY COMPLEX.

20 (4) AN AMOUNT EQUAL TO ALL TAX PAID TO THE COMMONWEALTH
21 RELATED TO THE SALE OF ANY LIQUOR, WINE OR MALT OR BREWED
22 BEVERAGE IN THE FACILITY OR FACILITY COMPLEX.

23 (5) THE AMOUNT PAID BY THE PROFESSIONAL SPORTS
24 ORGANIZATION OR BY ANY PROVIDER OF EVENTS OR ACTIVITIES AT OR
25 SERVICES TO THE FACILITY OR FACILITY COMPLEX OF ANY NEW TAX
26 ENACTED BY THE COMMONWEALTH FOLLOWING THE EFFECTIVE DATE OF
27 THIS SECTION.

28 (6) AN AMOUNT EQUAL TO ALL PERSONAL INCOME TAX, EARNED
29 INCOME TAX AND LOCAL SERVICES TAX WITHHELD FROM PERSONNEL BY
30 THE PROFESSIONAL SPORTS ORGANIZATION OR BY A CONTRACTOR OR

1 OTHER ENTITY INVOLVED IN THE CONSTRUCTION OF THE FACILITY OR
2 FACILITY COMPLEX.

3 (7) AN AMOUNT EQUAL TO ALL SALES AND USE TAX PAID ON
4 MATERIALS AND OTHER CONSTRUCTION COSTS, WHETHER WITHHELD OR
5 PAID BY THE PROFESSIONAL SPORTS ORGANIZATION OR OTHER ENTITY,
6 DIRECTLY RELATED TO THE CONSTRUCTION OF THE FACILITY OR
7 FACILITY COMPLEX.

8 (8) AN AMOUNT EQUAL TO ALL OF THE FOLLOWING:

9 (I) ALL CORPORATE NET INCOME TAX, CAPITAL STOCK AND
10 FRANCHISE TAX, PERSONAL INCOME TAX, BUSINESS PRIVILEGE
11 TAX, BUSINESS PRIVILEGE LICENSING FEES AND EARNED INCOME
12 TAX RELATED TO THE OWNERSHIP AND OPERATION OF ANY
13 QUALIFIED BUSINESS WITHIN THE NEIGHBORHOOD IMPROVEMENT
14 ZONE.

15 (II) ALL PERSONAL INCOME TAX, EARNED INCOME TAX AND
16 LOCAL SERVICES TAX WITHHELD FROM ITS EMPLOYEES BY A
17 QUALIFIED BUSINESS WITHIN THE NEIGHBORHOOD IMPROVEMENT
18 ZONE.

19 (III) ALL PERSONAL INCOME TAX, EARNED INCOME TAX AND
20 LOCAL SERVICES TAX WITHHELD FROM THE EMPLOYEES OF A
21 QUALIFIED BUSINESS THAT PROVIDES EVENTS, ACTIVITIES OR
22 SERVICES IN THE NEIGHBORHOOD IMPROVEMENT ZONE.

23 (IV) ALL PERSONAL INCOME TAX, EARNED INCOME TAX AND
24 LOCAL SERVICES TAX TO WHICH THE COMMONWEALTH WOULD BE
25 ENTITLED FROM PERFORMERS OR OTHER PARTICIPANTS AT AN
26 EVENT OR ACTIVITY IN THE NEIGHBORHOOD IMPROVEMENT ZONE.

27 (V) ALL SALES AND USE TAX RELATED TO THE OPERATION
28 OF A QUALIFIED BUSINESS WITHIN THE NEIGHBORHOOD
29 IMPROVEMENT ZONE. THIS SUBPARAGRAPH SHALL INCLUDE SALES
30 AND USE TAX PAID BY A QUALIFIED BUSINESS THAT PROVIDES

1 EVENTS, ACTIVITIES OR SERVICES IN THE NEIGHBORHOOD
2 IMPROVEMENT ZONE.

3 (VI) ALL TAX PAID BY A QUALIFIED BUSINESS TO THE
4 COMMONWEALTH RELATED TO THE SALE OF ANY LIQUOR, WINE OR
5 MALT OR BREWED BEVERAGE WITHIN THE NEIGHBORHOOD
6 IMPROVEMENT ZONE.

7 (VII) THE AMOUNT PAID A QUALIFIED BUSINESS WITHIN
8 THE NEIGHBORHOOD IMPROVEMENT ZONE OF ANY NEW TAX ENACTED
9 BY THE COMMONWEALTH FOLLOWING THE EFFECTIVE DATE OF THIS
10 SECTION.

11 (VIII) ALL PERSONAL INCOME TAX, EARNED INCOME TAX
12 AND LOCAL SERVICES TAX WITHHELD FROM PERSONNEL BY A
13 QUALIFIED BUSINESS INVOLVED IN THE IMPROVEMENT,
14 DEVELOPMENT OR CONSTRUCTION OF THE NEIGHBORHOOD
15 IMPROVEMENT ZONE.

16 (IX) ALL SALES AND USE TAX PAID ON MATERIALS AND
17 OTHER CONSTRUCTION COSTS, WHETHER WITHHELD OR PAID BY THE
18 PROFESSIONAL SPORTS ORGANIZATION OR OTHER QUALIFIED
19 BUSINESS, DIRECTLY RELATED TO THE IMPROVEMENT,
20 DEVELOPMENT OR CONSTRUCTION OF THE NEIGHBORHOOD
21 IMPROVEMENT ZONE.

22 (X) AN AMOUNT EQUAL TO ANY AMUSEMENT TAX PAID BY A
23 QUALIFIED BUSINESS OPERATING IN THE NEIGHBORHOOD
24 IMPROVEMENT ZONE. NO POLITICAL SUBDIVISION OR OTHER
25 ENTITY AUTHORIZED TO COLLECT AMUSEMENT TAXES MAY IMPOSE
26 OR INCREASE THE RATE OF ANY TAX ON ADMISSIONS TO PLACES
27 OF ENTERTAINMENT, EXHIBITION, AMUSEMENT OR UPON ATHLETIC
28 EVENTS IN THE NEIGHBORHOOD IMPROVEMENT ZONE WHICH ARE NOT
29 IN EFFECT ON THE DATE THE NEIGHBORHOOD IMPROVEMENT ZONE
30 IS DESIGNATED BY THE CONTRACTING AUTHORITY.

1 (9) EXCEPT FOR A TAX LEVIED AGAINST REAL PROPERTY, AN
2 AMOUNT EQUAL TO ANY TAX IMPOSED BY THE COMMONWEALTH OR ANY OF
3 ITS POLITICAL SUBDIVISIONS ON A QUALIFIED BUSINESS ENGAGED IN
4 AN ACTIVITY WITHIN THE NEIGHBORHOOD IMPROVEMENT ZONE.

5 (C) INCOME APPORTIONMENT.--FOR THE PURPOSE OF MAKING THE
6 CALCULATIONS UNDER SUBSECTION (B), THE TAXABLE INCOME OF A
7 CORPORATION THAT IS A QUALIFIED BUSINESS SHALL BE APPORTIONED TO
8 THE NEIGHBORHOOD IMPROVEMENT ZONE BY MULTIPLYING THE
9 PENNSYLVANIA TAXABLE INCOME BY A FRACTION, THE NUMERATOR OF
10 WHICH IS THE PROPERTY FACTOR PLUS THE PAYROLL FACTOR PLUS THE
11 SALES FACTOR AND THE DENOMINATOR OF WHICH IS THREE, IN
12 ACCORDANCE WITH THE FOLLOWING:

13 (1) THE PROPERTY FACTOR IS A FRACTION, THE NUMERATOR OF
14 WHICH IS THE AVERAGE VALUE OF THE TAXPAYER'S REAL AND
15 TANGIBLE PERSONAL PROPERTY OWNED OR RENTED AND USED IN THE
16 NEIGHBORHOOD IMPROVEMENT ZONE DURING THE TAX PERIOD AND THE
17 DENOMINATOR OF WHICH IS THE AVERAGE VALUE OF ALL THE
18 TAXPAYER'S REAL AND TANGIBLE PERSONAL PROPERTY OWNED OR
19 RENTED AND USED IN THIS COMMONWEALTH DURING THE TAX PERIOD
20 BUT SHALL NOT INCLUDE THE SECURITY INTEREST OF ANY
21 CORPORATION AS SELLER OR LESSOR IN PERSONAL PROPERTY SOLD OR
22 LEASED UNDER A CONDITIONAL SALE, BAILMENT LEASE, CHATTEL
23 MORTGAGE OR OTHER CONTRACT PROVIDING FOR THE RETENTION OF A
24 LIEN OR TITLE AS SECURITY FOR THE SALES PRICE OF THE
25 PROPERTY.

26 (2) THE FOLLOWING APPLY:

27 (I) THE PAYROLL FACTOR IS A FRACTION, THE NUMERATOR
28 OF WHICH IS THE TOTAL AMOUNT PAID IN THE NEIGHBORHOOD
29 IMPROVEMENT ZONE DURING THE TAX PERIOD BY THE TAXPAYER
30 FOR COMPENSATION AND THE DENOMINATOR OF WHICH IS THE

1 TOTAL COMPENSATION PAID IN THIS COMMONWEALTH DURING THE
2 TAX PERIOD.

3 (II) COMPENSATION IS PAID IN THE NEIGHBORHOOD
4 IMPROVEMENT ZONE IF:

5 (A) THE PERSON'S SERVICE IS PERFORMED ENTIRELY
6 WITHIN THE NEIGHBORHOOD IMPROVEMENT ZONE;

7 (B) THE PERSON'S SERVICE IS PERFORMED BOTH
8 WITHIN AND WITHOUT THE NEIGHBORHOOD IMPROVEMENT ZONE,
9 BUT THE SERVICE PERFORMED WITHOUT THE NEIGHBORHOOD
10 IMPROVEMENT ZONE IS INCIDENTAL TO THE PERSON'S
11 SERVICE WITHIN THE NEIGHBORHOOD IMPROVEMENT ZONE; OR

12 (C) SOME OF THE SERVICE IS PERFORMED IN THE
13 NEIGHBORHOOD IMPROVEMENT ZONE AND THE BASE OF
14 OPERATIONS OR, IF THERE IS NO BASE OF OPERATIONS, THE
15 PLACE FROM WHICH THE SERVICE IS DIRECTED OR
16 CONTROLLED IS IN THE NEIGHBORHOOD IMPROVEMENT ZONE,
17 OR THE BASE OF OPERATIONS OR THE PLACE FROM WHICH THE
18 SERVICE IS DIRECTED OR CONTROLLED IS NOT IN ANY
19 LOCATION IN WHICH SOME PART OF THE SERVICE IS
20 PERFORMED, BUT THE PERSON'S RESIDENCE IS IN THE
21 NEIGHBORHOOD IMPROVEMENT ZONE.

22 (3) THE SALES FACTOR IS A FRACTION, THE NUMERATOR OF
23 WHICH IS THE TOTAL SALES OF THE TAXPAYER IN THE NEIGHBORHOOD
24 IMPROVEMENT ZONE DURING THE TAX PERIOD AND THE DENOMINATOR OF
25 WHICH IS THE TOTAL SALES OF THE TAXPAYER IN THIS COMMONWEALTH
26 DURING THE TAX PERIOD.

27 (I) SALES OF TANGIBLE PERSONAL PROPERTY ARE IN THE
28 NEIGHBORHOOD IMPROVEMENT ZONE IF THE PROPERTY IS
29 DELIVERED OR SHIPPED TO A PURCHASER THAT TAKES POSSESSION
30 WITHIN THE NEIGHBORHOOD IMPROVEMENT ZONE REGARDLESS OF

1 THE F.O.B. POINT OR OTHER CONDITIONS OF THE SALE.

2 (II) SALES OTHER THAN SALES OF TANGIBLE PERSONAL
3 PROPERTY ARE IN THE NEIGHBORHOOD IMPROVEMENT ZONE IF:

4 (A) THE INCOME-PRODUCING ACTIVITY IS PERFORMED
5 IN THE NEIGHBORHOOD IMPROVEMENT ZONE; OR

6 (B) THE INCOME-PRODUCING ACTIVITY IS PERFORMED
7 BOTH WITHIN AND WITHOUT THE NEIGHBORHOOD IMPROVEMENT
8 ZONE AND A GREATER PROPORTION OF THE INCOME-PRODUCING
9 ACTIVITY IS PERFORMED IN THE NEIGHBORHOOD IMPROVEMENT
10 ZONE THAN IN ANY OTHER LOCATION, BASED ON COSTS OF
11 PERFORMANCE.

12 (D) TRANSFERS.--

13 (1) WITHIN TEN DAYS OF RECEIVING NOTIFICATION UNDER
14 SUBSECTION (B), THE SECRETARY OF THE BUDGET SHALL DIRECT THE
15 STATE TREASURER TO, NOTWITHSTANDING ANY OTHER LAW, TRANSFER
16 THE AMOUNTS CALCULATED UNDER SUBSECTION (B) FROM THE GENERAL
17 FUND TO THE FUND.

18 (2) THE STATE TREASURER SHALL PROVIDE QUARTERLY PAYMENTS
19 TO THE CONTRACTING AUTHORITY UNTIL THE BONDS ISSUED TO
20 FINANCE THE IMPROVEMENT AND DEVELOPMENT OF THE NEIGHBORHOOD
21 IMPROVEMENT ZONE AND THE CONSTRUCTION OF THE CONTRACTED
22 FACILITY OR FACILITY COMPLEX ARE RETIRED. THE PAYMENT IN EACH
23 QUARTER SHALL BE EQUAL TO THE BALANCE OF THE FUND ON THE LAST
24 DAY OF THE PRIOR CALENDAR QUARTER.

25 (E) RESTRICTION ON USE OF FUNDS.--FUNDS TRANSFERRED UNDER
26 SUBSECTION (D):

27 (1) MAY ONLY BE UTILIZED FOR PAYMENT OF DEBT SERVICE ON
28 BONDS ISSUED FOR THE IMPROVEMENT AND DEVELOPMENT OF ALL OR
29 ANY PART OF THE NEIGHBORHOOD IMPROVEMENT ZONE AND THE PURPOSE
30 OF CONSTRUCTING A FACILITY OR FACILITY COMPLEX.

1 (2) MAY NOT BE UTILIZED FOR PURPOSES OF RENOVATING OR
2 REPAIRING A FACILITY OR FACILITY COMPLEX, EXCEPT FOR CAPITAL
3 MAINTENANCE AND IMPROVEMENT PROJECTS.

4 (F) TICKET SURCHARGE.--THE ENTITY OPERATING THE FACILITY MAY
5 COLLECT A CAPITAL REPAIR AND IMPROVEMENT TICKET SURCHARGE, THE
6 PROCEEDS OF WHICH SHALL BE DEPOSITED INTO THE FUND. THE FUNDS
7 SHALL BE MAINTAINED AND UTILIZED AS FOLLOWS:

8 (1) THE MONEY DEPOSITED UNDER THIS SUBSECTION MAY NOT BE
9 ENCUMBERED FOR ANY REASON AND SHALL BE TRANSFERRED TO THE
10 ENTITY FOR CAPITAL REPAIR AND IMPROVEMENT PROJECTS UPON
11 REQUEST FROM THE ENTITY.

12 (2) UPON THE EXPIRATION OF THE NEIGHBORHOOD IMPROVEMENT
13 ZONE UNDER SECTION 1606-B, ANY AND ALL PORTIONS OF THE FUND
14 ATTRIBUTABLE TO THE TICKET SURCHARGE SHALL BE IMMEDIATELY
15 TRANSFERRED TO THE CONTRACTING AUTHORITY TO BE HELD IN ESCROW
16 WHERE THEY SHALL BE UNENCUMBERED AND MAINTAINED BY THE
17 CONTRACTING AUTHORITY IN THE SAME MANNER AS THE FUND. UPON
18 THE TRANSFER, ANY TICKET SURCHARGE COLLECTED BY THE OPERATING
19 ENTITY SHALL THEREAFTER BE DEPOSITED IN THE ACCOUNT
20 MAINTAINED BY THE CONTRACTING AUTHORITY AND DISPERSED FOR A
21 CAPITAL REPAIR AND IMPROVEMENT PROJECT UPON REQUEST BY THE
22 OPERATING ENTITY.

23 SECTION 1605-B. KEYSTONE OPPORTUNITY ZONE.

24 WITHIN 30 DAYS OF THE EFFECTIVE DATE OF THIS SECTION, THE
25 CITY SHALL APPLY TO THE DEPARTMENT TO DECERTIFY AND REMOVE THE
26 DESIGNATION OF ALL OR PART OF THE KEYSTONE OPPORTUNITY ZONE IN
27 ACCORDANCE WITH SECTION 309 OF THE ACT OF OCTOBER 6, 1998
28 (P.L.705, NO.92), KNOWN AS THE KEYSTONE OPPORTUNITY ZONE,
29 KEYSTONE OPPORTUNITY EXPANSION ZONE AND KEYSTONE OPPORTUNITY
30 IMPROVEMENT ZONE ACT. THE DEPARTMENT SHALL ACT ON THE

1 APPLICATION WITHIN 30 DAYS.

2 SECTION 1606-B. DURATION.

3 THE NEIGHBORHOOD IMPROVEMENT ZONE SHALL BE IN EFFECT FOR A
4 PERIOD EQUAL TO THE LENGTH OF TIME OF THE BONDS THAT ARE
5 INITIALLY ISSUED.

6 ARTICLE XVI-E

7 OIL AND GAS WELLS

8 SUBARTICLE A

9 PRELIMINARY PROVISIONS

10 SECTION 1601-E. DEFINITIONS.

11 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
12 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBARTICLE UNLESS
13 THE CONTEXT CLEARLY INDICATES OTHERWISE:

14 "DEPARTMENT." THE DEPARTMENT OF CONSERVATION AND NATURAL
15 RESOURCES.

16 "FUND." THE OIL AND GAS LEASE FUND ESTABLISHED UNDER THE ACT
17 OF DECEMBER 15, 1955 (P.L.865, NO.256), ENTITLED, "AN ACT
18 REQUIRING RENTS AND ROYALTIES FROM OIL AND GAS LEASES OF
19 COMMONWEALTH LAND TO BE PLACED IN A SPECIAL FUND TO BE USED FOR
20 CONSERVATION, RECREATION, DAMS, AND FLOOD CONTROL; AUTHORIZING
21 THE SECRETARY OF FORESTS AND WATERS TO DETERMINE THE NEED FOR
22 AND LOCATION OF SUCH PROJECTS AND TO ACQUIRE THE NECESSARY
23 LAND."

24 "MARCELLUS WELL." AN ACTIVE PRODUCTION WELL CERTIFIED BY THE
25 DEPARTMENT OF ENVIRONMENTAL PROTECTION AS A WELL FROM WHICH GAS
26 FROM THE MARCELLUS SHALE FORMATION AS DETERMINED BY THE UNITED
27 STATES GEOLOGICAL SURVEY WAS EXTRACTED DURING THE FISCAL YEAR,
28 INCLUDING WELLS ON COMMONWEALTH AND NON-COMMONWEALTH LAND.

29 SECTION 1602-E. APPROPRIATION.

30 NOTWITHSTANDING ANY OTHER PROVISION OF LAW AND EXCEPT AS

1 PROVIDED IN SECTION 1603-E, NO MONEY IN THE FUND FROM ROYALTIES
2 MAY BE EXPENDED UNLESS APPROPRIATED BY THE GENERAL ASSEMBLY. IN
3 MAKING APPROPRIATIONS, THE GENERAL ASSEMBLY SHALL CONSIDER THE
4 ADOPTION OF AN ALLOCATION TO MUNICIPALITIES IMPACTED BY A
5 MARCELLUS WELL.

6 SECTION 1603-E. DEPARTMENT OF CONSERVATION AND NATURAL
7 RESOURCES.

8 SUBJECT TO THE AVAILABILITY OF MONEY IN THE FUND, UP TO
9 \$50,000,000 FROM THE FUND FROM ROYALTIES SHALL BE APPROPRIATED
10 ANNUALLY TO THE DEPARTMENT TO CARRY OUT THE PURPOSES SET FORTH
11 IN THE ACT OF DECEMBER 15, 1955 (P.L.865, NO.256), ENTITLED "AN
12 ACT REQUIRING RENTS AND ROYALTIES FROM OIL AND GAS LEASES OF
13 COMMONWEALTH LAND TO BE PLACED IN A SPECIAL FUND TO BE USED FOR
14 CONSERVATION, RECREATION, DAMS, AND FLOOD CONTROL; AUTHORIZING
15 THE SECRETARY OF FORESTS AND WATERS TO DETERMINE THE NEED FOR
16 AND LOCATION OF SUCH PROJECTS AND TO ACQUIRE THE NECESSARY
17 LAND." THE DEPARTMENT SHALL GIVE PREFERENCE TO THE OPERATION AND
18 MAINTENANCE OF STATE PARKS AND FORESTS.

19 SECTION 1604-E. TRANSFER.

20 NOTWITHSTANDING SECTION 1603-E OR ANY OTHER PROVISION OF LAW,
21 IN FISCAL YEAR 2009-2010 THE AMOUNT OF \$60,000,000 SHALL BE
22 TRANSFERRED FROM THE FUND TO THE GENERAL FUND.

23 SECTION 3.1. SECTIONS 1731-A AND 1732-A OF THE ACT, ADDED
24 JULY 7, 2005 (P.L.174, NO.41), ARE REENACTED AND AMENDED TO
25 READ:

26 Section 1731-A. State Workers' Insurance Board.

27 Notwithstanding any inconsistent provisions of section 1512
28 of the act of June 2, 1915 (P.L.736, No.338), known as the
29 Workers' Compensation Act, section 504 of the act of November
30 30, 1965 (P.L.847, No.356), known as the Banking Code of 1965,

1 section 922 of the act of December 14, 1967 (P.L.746, No.345),
2 known as the Savings Association Code of 1967, and any other law
3 of this Commonwealth, the power of the State Workers' Insurance
4 Board to invest money shall include the power to hold, purchase,
5 sell, assign, transfer and dispose of securities, including
6 common stock with the following restrictions:

7 (1) Investments in equities may not exceed the lesser
8 of:

9 (i) 20% of the State Workers' Insurance Fund's
10 assets; or

11 (ii) the State Workers' Insurance Fund's statutory
12 surplus after discount, except that in the event that the
13 statutory surplus is less than 7 1/2% of the book value
14 of the assets of the State Workers' Insurance Fund, the
15 investment in equities may not exceed the percentage set
16 forth in the provisions applicable to savings banks in
17 section 504 of the Banking Code of 1965.

18 (1.1) Investments in equities shall be made subject to
19 the prudent man rule of section 504(c) of the Banking Code of
20 1965.

21 (2) The State Workers' Insurance Board shall establish a
22 policy for investments and shall meet at least annually to
23 develop a schedule for rebalancing its investments in
24 securities to meet the restriction of paragraph (1).

25 Section 1732-A. Expiration.

26 This subarticle shall expire June 30, [2009] ~~2014~~ 2010. ←

27 ~~Section 2. The reenactment and amendment of sections 1731 A~~ ←
28 ~~and 1732 A shall apply retroactively to June 30, 2009.~~

29 ~~Section 3. This act shall take effect immediately.~~

30 SECTION 3.2. ARTICLE XVII-A OF THE ACT IS AMENDED BY ADDING ←

SUBARTICLES TO READ:

SUBARTICLE H

PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT

AND TOURISM FUND

SECTION 1771-A. DEFINITIONS.

THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS SUBARTICLE
SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
CONTEXT CLEARLY INDICATES OTHERWISE:

"AFFILIATED ENTITY." ANY OF THE FOLLOWING:

(1) A SUBSIDIARY OR HOLDING COMPANY OF A LOBBYING FIRM
OR OTHER BUSINESS ENTITY OWNED IN WHOLE OR IN PART BY A
LOBBYING FIRM.

(2) AN ORGANIZATION RECOGNIZED BY THE INTERNAL REVENUE
SERVICE AS A TAX-EXEMPT ORGANIZATION UNDER SECTION 501(C) OF
THE INTERNAL REVENUE CODE OF 1986 (PUBLIC LAW 99-514, 26
U.S.C. § 501(C)) ESTABLISHED BY A LOBBYIST OR LOBBYING FIRM
OR AN AFFILIATED ENTITY.

"AUTHORITY." THE COMMONWEALTH FINANCING AUTHORITY.

"ELIGIBLE APPLICANT." AS DEFINED IN THE H2O PA ACT.

"H2O PA ACT." THE ACT OF JULY 9, 2008 (P.L.908, NO.63),
KNOWN AS THE H2O PA ACT.

"HIGH HAZARD UNSAFE DAM." AS DEFINED IN THE H2O PA ACT.

"LOBBYING." THE TERM SHALL HAVE THE MEANING GIVEN TO IT IN
65 PA.C.S. § 13A03 (RELATING TO DEFINITIONS). THE TERM SHALL
ALSO INCLUDE AN EFFORT TO INFLUENCE THE ACTION OF THE AUTHORITY
OR THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT RELATING
TO THE APPROVAL, AWARD, RECEIPT OR DENIAL OF A GRANT UNDER THE
H2O PA ACT.

"PROJECT." AS DEFINED IN THE H2O PA ACT.

SECTION 1772-A. CERTIFICATION OF FUNDS.

1 ON OR BEFORE JANUARY 1 OF EACH YEAR, THE SECRETARY OF THE
2 BUDGET SHALL CERTIFY TO THE AUTHORITY AND THE STATE TREASURER
3 THE AMOUNT OF FUNDS AVAILABLE FOR TRANSFER FROM THE GAMING
4 ECONOMIC DEVELOPMENT AND TOURISM FUND UNDER THE PROVISIONS OF
5 SECTION 301 OF THE H2O PA ACT, FOR THE NEXT FISCAL YEAR.

6 SECTION 1773-A. REQUEST FOR APPROPRIATION.

7 IF INADEQUATE FUNDS ARE AVAILABLE TO THE AUTHORITY TO PAY ALL
8 THE COSTS RELATED TO INDEBTEDNESS INCURRED TO FUND PROJECTS
9 UNDER THE H2O PA ACT AFTER THE TRANSFER OF FUNDS FROM THE GAMING
10 ECONOMIC DEVELOPMENT AND TOURISM FUND UNDER SECTION 301 OF THE
11 H2O PA ACT, THE SECRETARY OF THE BUDGET ON BEHALF OF THE
12 AUTHORITY SHALL SEEK AN APPROPRIATION FROM THE GENERAL FUND TO
13 FULLY PAY THE COSTS.

14 SECTION 1774-A. AMOUNT OF GRANTS.

15 NOTWITHSTANDING THE PROVISIONS OF SECTION 501(D) OF THE H2O
16 PA ACT, GRANTS SHALL BE MADE AS FOLLOWS:

17 (1) A MINIMUM OF \$85,000,000 SHALL BE AWARDED TO FLOOD
18 CONTROL PROJECTS.

19 (2) A MINIMUM OF \$50,000,000 SHALL BE AWARDED TO HIGH-
20 HAZARD UNSAFE DAM PROJECTS. NO MORE THAN \$20,000,000 MAY GO
21 TO AN ELIGIBLE APPLICANT THAT IS THE COMMONWEALTH OR AN
22 INDEPENDENT AGENCY.

23 SECTION 1775-A. ELIGIBLE APPLICANTS.

24 NOTWITHSTANDING ANY OTHER PROVISION OF THE H2O PA ACT TO THE
25 CONTRARY, A NOT-FOR-PROFIT ORGANIZATION THAT OWNS A HIGH-HAZARD
26 UNSAFE DAM AND HAS FILED WITH THE AUTHORITY AN APPLICATION FOR A
27 GRANT UNDER SECTION 502(A) (3) OF THE H2O PA ACT PRIOR TO THE
28 EFFECTIVE DATE OF THIS SECTION SHALL BE AN ELIGIBLE APPLICANT
29 FOR A GRANT UNDER SECTION 502(A) (3) OF THE H2O PA ACT.

30 SECTION 1776-A. PROHIBITED ACTIVITIES.

1 (A) LIMITATION ON GIVING COMPENSATION.--A PERSON OR ITS
2 AFFILIATED ENTITY MAY NOT COMPENSATE OR INCUR AN OBLIGATION TO
3 COMPENSATE A PERSON TO ENGAGE IN LOBBYING FOR COMPENSATION
4 CONTINGENT IN WHOLE OR IN PART UPON THE APPROVAL, AWARD, RECEIPT
5 OR DENIAL OF A GRANT UNDER CHAPTERS 1 THROUGH 7 OF THE H2O PA
6 ACT.

7 (B) LIMITATION ON RECEIVING COMPENSATION.--A PERSON OR ITS
8 AFFILIATED ENTITY MAY NOT ENGAGE IN OR AGREE TO ENGAGE IN
9 LOBBYING FOR COMPENSATION CONTINGENT IN WHOLE OR IN PART UPON
10 THE APPROVAL, AWARD, RECEIPT OR DENIAL OF ANY GRANT UNDER
11 CHAPTERS 1 THROUGH 7 OF THE H2O PA ACT.

12 (C) INAPPLICABILITY.--THE PROVISIONS OF THIS SECTION SHALL
13 NOT APPLY TO AN ELIGIBLE APPLICANT THAT COMPENSATES A PERSON TO
14 PREPARE OR ASSIST IN THE PREPARATION OF A GRANT APPLICATION AND
15 RELATED MATERIALS FOR SUBMISSION TO THE AUTHORITY UNDER THE H2O
16 PA ACT IF THE FOLLOWING REQUIREMENTS ARE MET:

17 (1) THE PERSON IS NOT IDENTIFIED IN THE SUBMITTED
18 APPLICATION.

19 (2) THE PERSON HAS NO DIRECT CONTACT WITH THE AUTHORITY,
20 UNLESS THE PERSON IS RESPONDING TO REQUESTS FOR ADDITIONAL
21 INFORMATION OR CLARIFICATION.

22 (3) THE PERSON IS PAID A FIXED FEE FOR THE PREPARATION
23 OR ASSISTANCE OR A PERCENTAGE OF THE AMOUNT OF ANY GRANT
24 APPROVED, AWARDED OR RECEIVED OF UP TO .5%.

25 (D) VIOLATION.--A VIOLATION OF THIS SECTION SHALL BE
26 CONSIDERED AN INTENTIONAL VIOLATION OF 65 PA.C.S. § 13A09(E)
27 (RELATING TO PENALTIES).

28 SUBARTICLE I

29 WATER AND SEWER SYSTEMS

30 ASSISTANCE BOND FUND

1 SECTION 1781-A. DEFINITIONS.

2 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS SUBARTICLE
3 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
4 CONTEXT CLEARLY INDICATES OTHERWISE:

5 "ASSISTANCE ACT." THE ACT OF JULY 9, 2008 (P.L.915, NO.64),
6 KNOWN AS THE WATER AND SEWER SYSTEMS ASSISTANCE ACT.

7 "FUND." THE WATER AND SEWER SYSTEMS ASSISTANCE BOND FUND.

8 "ISSUING OFFICIALS." THE GOVERNOR, THE AUDITOR GENERAL AND
9 THE STATE TREASURER.

10 "NUTRIENT CREDIT." AS DEFINED IN THE ASSISTANCE ACT.

11 "PROJECT." AS DEFINED IN THE ASSISTANCE ACT.

12 "MUNICIPALITY." AS DEFINED IN THE ASSISTANCE ACT.

13 SECTION 1782-A. WATER AND SEWER SYSTEMS ASSISTANCE BOND FUND.

14 (A) ESTABLISHMENT.--THE WATER AND SEWER SYSTEMS ASSISTANCE
15 BOND FUND, WHICH IS CREATED IN THE STATE TREASURY, SHALL BE THE
16 SOURCE FROM WHICH ALL PAYMENTS ARE AUTHORIZED, WITH THE APPROVAL
17 OF THE GOVERNOR, TO CARRY OUT THE PURPOSES OF THIS SECTION AND
18 AS OTHERWISE PROVIDED FOR IN THE ASSISTANCE ACT.

19 (B) PURPOSE OF FUND.--THE MONEY IN THE FUND SHALL ONLY BE
20 UTILIZED IN ACCORDANCE WITH THE PROVISIONS OF THE ASSISTANCE ACT
21 FOR GRANTS AND LOANS TO MUNICIPALITIES, PUBLIC UTILITIES AND
22 OTHER ENTITIES IMPLEMENTING ELIGIBLE PROJECTS AND FOR THE
23 PURCHASE OR TRADING OF NUTRIENT CREDITS.

24 (C) EXEMPTION.--MONEY IN THE FUND IS EXEMPT AND NOT TO BE
25 CONSIDERED UNDER THE LIMITATIONS OF SECTION 5(C)(2) OF THE ACT
26 OF MARCH 1, 1988 (P.L.82, NO.16), KNOWN AS THE PENNSYLVANIA
27 INFRASTRUCTURE INVESTMENT AUTHORITY ACT.

28 SECTION 1783-A. COMMONWEALTH INDEBTEDNESS.

29 (A) BORROWING AUTHORIZED.--

30 (1) IF THE ELECTORATE APPROVES A REFERENDUM QUESTION, IN

1 ACCORDANCE WITH THE PROVISIONS OF THE ASSISTANCE ACT, FOR
2 INCURRING INDEBTEDNESS IN THE AMOUNT AND FOR THE PURPOSES
3 PRESCRIBED IN THE ASSISTANCE ACT AND THIS ARTICLE, THE
4 ISSUING OFFICIALS, PURSUANT TO THE PROVISIONS OF SECTION 7(A)
5 (3) OF ARTICLE VIII OF THE CONSTITUTION OF PENNSYLVANIA, ARE
6 AUTHORIZED AND DIRECTED TO BORROW, ON THE CREDIT OF THE
7 COMMONWEALTH, MONEY NOT EXCEEDING IN THE AGGREGATE THE SUM OF
8 \$400,000,000, IN INCREMENTS OF NOT MORE THAN \$150,000,000
9 EVERY YEAR OVER A THREE-YEAR PERIOD AFTER THE EFFECTIVE DATE
10 OF THIS SECTION, NOT INCLUDING MONEY BORROWED TO REFUND
11 OUTSTANDING BONDS, NOTES OR REPLACEMENT NOTES, AS MAY BE
12 FOUND NECESSARY TO CARRY OUT THE PURPOSES OF THE ASSISTANCE
13 ACT.

14 (2) AS EVIDENCE OF THE INDEBTEDNESS, GENERAL OBLIGATION
15 BONDS OF THE COMMONWEALTH SHALL BE ISSUED TO PROVIDE MONEY
16 NECESSARY TO CARRY OUT THE PURPOSES OF THE ASSISTANCE ACT FOR
17 THE TOTAL AMOUNTS, IN THE FORM, IN THE DENOMINATIONS AND
18 SUBJECT TO THE TERMS AND CONDITIONS OF ISSUE, REDEMPTION AND
19 MATURITY, RATE OF INTEREST AND TIME OF PAYMENT OF INTEREST,
20 AS THE ISSUING OFFICIALS DIRECT, EXCEPT THAT THE LATEST
21 STATED MATURITY DATE SHALL NOT EXCEED 20 YEARS FROM THE DATE
22 OF THE FIRST OBLIGATION ISSUED TO EVIDENCE THE DEBT.

23 (3) ALL BONDS AND NOTES ISSUED UNDER THE AUTHORITY OF
24 THE ASSISTANCE ACT MUST BEAR FACSIMILE SIGNATURES OF THE
25 ISSUING OFFICIALS AND A FACSIMILE OF THE GREAT SEAL OF THE
26 COMMONWEALTH AND MUST BE COUNTERSIGNED BY AN AUTHORIZED
27 OFFICER OF AN AUTHORIZED LOAN AND TRANSFER AGENT OF THE
28 COMMONWEALTH.

29 (4) ALL BONDS AND NOTES ISSUED IN ACCORDANCE WITH THE
30 PROVISIONS OF THIS SECTION SHALL BE DIRECT OBLIGATIONS OF THE

1 COMMONWEALTH, AND THE FULL FAITH AND CREDIT OF THE
2 COMMONWEALTH IS PLEDGED FOR THE PAYMENT OF THE INTEREST ON
3 THEM, AS IT BECOMES DUE, AND FOR THE PAYMENT OF THE PRINCIPAL
4 AT MATURITY. THE PRINCIPAL OF AND INTEREST ON THE BONDS AND
5 NOTES SHALL BE PAYABLE IN LAWFUL MONEY OF THE UNITED STATES.

6 (5) ALL BONDS AND NOTES ISSUED UNDER THE PROVISIONS OF
7 THIS SECTION SHALL BE EXEMPT FROM TAXATION FOR STATE AND
8 LOCAL PURPOSES.

9 (6) THE BONDS MAY BE ISSUED AS COUPON BONDS OR
10 REGISTERED AS TO BOTH PRINCIPAL AND INTEREST AS THE ISSUING
11 OFFICIALS DETERMINE. IF INTEREST COUPONS ARE ATTACHED, THEY
12 SHALL CONTAIN THE FACSIMILE SIGNATURE OF THE STATE TREASURER.

13 (7) THE ISSUING OFFICIALS SHALL PROVIDE FOR AMORTIZATION
14 OF THE BONDS IN SUBSTANTIAL AND REGULAR AMOUNTS OVER THE TERM
15 OF THE DEBT SO THAT THE BONDS OF EACH ISSUE ALLOCATED TO THE
16 PROJECT TO BE FUNDED FROM THE BOND ISSUE SHALL MATURE WITHIN
17 A PERIOD NOT TO EXCEED THE APPROPRIATE AMORTIZATION PERIOD
18 FOR EACH PROJECT AS SPECIFIED BY THE ISSUING OFFICIALS, BUT
19 IN NO CASE IN EXCESS OF 20 YEARS. THE FIRST RETIREMENT OF
20 PRINCIPAL SHALL BE STATED TO MATURE PRIOR TO THE EXPIRATION
21 OF A PERIOD OF TIME EQUAL TO ONE-TENTH OF THE TIME FROM THE
22 DATE OF THE FIRST OBLIGATION ISSUED TO EVIDENCE THE DEBT TO
23 THE DATE OF THE EXPIRATION OF THE TERM OF THE DEBT.

24 RETIREMENTS OF PRINCIPAL SHALL BE REGULAR AND SUBSTANTIAL IF
25 MADE IN ANNUAL OR SEMIANNUAL AMOUNTS, WHETHER BY STATED
26 SERIAL MATURITIES OR BY MANDATORY SINKING FUND RETIREMENTS.

27 (8) THE ISSUING OFFICIALS ARE AUTHORIZED TO PROVIDE BY
28 RESOLUTION FOR THE ISSUANCE OF REFUNDING BONDS FOR THE
29 PURPOSE OF REFUNDING ANY DEBT ISSUED UNDER THE PROVISIONS OF
30 THE ASSISTANCE ACT AND THIS ARTICLE AND OUTSTANDING, EITHER

1 BY VOLUNTARY EXCHANGE WITH THE HOLDERS OF THE OUTSTANDING
2 DEBT OR BY PROVIDING FUNDS TO REDEEM AND RETIRE THE
3 OUTSTANDING DEBT WITH ACCRUED INTEREST, ANY PREMIUM PAYABLE
4 ON THE DEBT AND THE COSTS OF ISSUANCE AND RETIREMENT OF THE
5 DEBT, AT MATURITY OR AT ANY CALL DATE. THE ISSUANCE OF THE
6 REFUNDING BONDS, THE MATURITIES AND OTHER DETAILS OF THE
7 REFUNDING BONDS, THE RIGHTS OF THE HOLDERS OF THE REFUNDING
8 BONDS AND THE DUTIES OF THE ISSUING OFFICIAL IN RESPECT TO
9 THE REFUNDING BONDS SHALL BE GOVERNED BY THE APPLICABLE
10 PROVISIONS OF THIS SECTION. REFUNDING BONDS, WHICH ARE NOT
11 SUBJECT TO THE AGGREGATE LIMITATION OF \$400,000,000 OF DEBT
12 TO BE ISSUED UNDER THE ASSISTANCE ACT, MAY BE ISSUED BY THE
13 ISSUING OFFICIALS TO REFUND DEBT ORIGINALLY ISSUED OR TO
14 REFUND BONDS PREVIOUSLY ISSUED FOR REFUNDING PURPOSES.

15 (9) IF ACTION IS TO BE TAKEN OR DECISION MADE BY THE
16 ISSUING OFFICIALS AND THE ISSUING OFFICIALS ARE NOT ABLE
17 UNANIMOUSLY TO AGREE, THE ACTION OR DECISION OF THE GOVERNOR
18 AND EITHER THE AUDITOR GENERAL OR THE STATE TREASURER SHALL
19 BE BINDING AND FINAL.

20 (B) SALE OF BONDS.--

21 (1) WHEN BONDS ARE ISSUED, THEY SHALL BE OFFERED FOR
22 SALE AT NOT LESS THAN 98% OF THE PRINCIPAL AMOUNT AND ACCRUED
23 INTEREST AND SHALL BE SOLD BY THE ISSUING OFFICIALS TO THE
24 HIGHEST AND BEST BIDDER OR BIDDERS AFTER DUE PUBLIC
25 ADVERTISEMENT ON THE TERMS AND CONDITIONS AND UPON OPEN
26 COMPETITIVE BIDDING AS THE ISSUING OFFICIALS DIRECT. THE
27 MANNER AND CHARACTER OF THE ADVERTISEMENT AND THE TIME OF
28 ADVERTISING SHALL BE PRESCRIBED BY THE ISSUING OFFICIALS. NO
29 COMMISSION SHALL BE ALLOWED OR PAID FOR THE SALE OF ANY BONDS
30 ISSUED UNDER THE AUTHORITY OF THE ASSISTANCE ACT AND THIS

1 ARTICLE.

2 (2) ANY PORTION OF ANY BOND ISSUE SO OFFERED AND NOT
3 SOLD OR SUBSCRIBED FOR AT PUBLIC SALE MAY BE DISPOSED OF BY
4 PRIVATE SALE BY THE ISSUING OFFICIALS IN THE MANNER AND AT
5 PRICES, NOT LESS THAN 98% OF THE PRINCIPAL AMOUNT AND ACCRUED
6 INTEREST, AS THE GOVERNOR DIRECTS. NO COMMISSION SHALL BE
7 ALLOWED OR PAID FOR THE SALE OF ANY BONDS ISSUED UNDER THE
8 AUTHORITY OF THE ASSISTANCE ACT.

9 (3) WHEN BONDS ARE ISSUED, THE BONDS OF EACH ISSUE SHALL
10 CONSTITUTE A SEPARATE SERIES TO BE DESIGNATED BY THE ISSUING
11 OFFICIALS OR MAY BE COMBINED FOR SALE AS ONE SERIES WITH
12 OTHER GENERAL OBLIGATION BONDS OF THE COMMONWEALTH.

13 (4) UNTIL PERMANENT BONDS CAN BE PREPARED, THE ISSUING
14 OFFICIALS MAY ISSUE, IN LIEU OF PERMANENT BONDS, TEMPORARY
15 BONDS IN THE FORM AND WITH THE PRIVILEGES AS TO REGISTRATION
16 AND EXCHANGE FOR PERMANENT BONDS AS DETERMINED BY THE ISSUING
17 OFFICIALS.

18 (5) THE PROCEEDS REALIZED FROM THE SALE OF BONDS AND
19 NOTES, EXCEPT REFUNDING BONDS AND REPLACEMENT NOTES, UNDER
20 THE PROVISIONS OF THE ASSISTANCE ACT AND THIS ARTICLE SHALL
21 BE PAID INTO THE FUND. THE PROCEEDS SHALL BE PAID BY THE
22 STATE TREASURER PERIODICALLY TO THOSE COMMONWEALTH OFFICERS
23 AND COMMONWEALTH AGENCIES AUTHORIZED TO EXPEND THEM AT THE
24 TIMES AND IN THE AMOUNTS NECESSARY TO SATISFY THE FUNDING
25 NEEDS OF THOSE COMMONWEALTH AGENCIES. THE PROCEEDS OF THE
26 SALE OF REFUNDING BONDS AND REPLACEMENT NOTES SHALL BE PAID
27 TO THE STATE TREASURER AND APPLIED TO THE PAYMENT OF
28 PRINCIPAL, ANY ACCRUED INTEREST AND PREMIUM AND THE COST OF
29 REDEMPTION OF THE BONDS AND NOTES FOR WHICH THE OBLIGATIONS
30 SHALL HAVE BEEN ISSUED.

1 (6) PENDING APPLICATION FOR THE PURPOSES AUTHORIZED,
2 MONEY HELD OR DEPOSITED BY THE STATE TREASURER MAY BE
3 INVESTED OR REINVESTED AS ARE OTHER FUNDS IN THE CUSTODY OF
4 THE STATE TREASURER IN THE MANNER PROVIDED BY LAW. ALL
5 EARNINGS RECEIVED FROM THE INVESTMENT OR DEPOSIT OF THE FUNDS
6 SHALL BE PAID INTO THE STATE TREASURY TO THE CREDIT OF THE
7 FUND. THE EARNINGS IN EXCESS OF BOND DISCOUNTS ALLOWED,
8 EXPENSES PAID FOR THE ISSUANCE OF BONDS AND NOTES AND
9 INTEREST ARBITRAGE REBATES DUE TO THE FEDERAL GOVERNMENT
10 SHALL BE TRANSFERRED ANNUALLY TO THE FUND. ANY INTEREST OR
11 INVESTMENT INCOME SHALL BE APPLIED TO ASSIST IN THE PAYMENT
12 OF THE DEBT SERVICE INCURRED IN CONNECTION WITH THE
13 ASSISTANCE ACT AND THIS ARTICLE.

14 (7) THE AUDITOR GENERAL SHALL PREPARE THE NECESSARY
15 REGISTRY BOOK TO BE KEPT IN THE OFFICE OF THE AUTHORIZED LOAN
16 AND TRANSFER AGENT OF THE COMMONWEALTH FOR THE REGISTRATION
17 OF ANY BONDS, AT THE REQUEST OF OWNERS OF THE BONDS,
18 ACCORDING TO THE TERMS AND CONDITIONS OF ISSUE DIRECTED BY
19 THE ISSUING OFFICIALS.

20 (8) THERE IS APPROPRIATED TO THE STATE TREASURER FROM
21 THE FUND AS MUCH MONEY AS MAY BE NECESSARY FOR ALL COSTS AND
22 EXPENSES IN CONNECTION WITH THE ISSUE OF AND SALE AND
23 REGISTRATION OF THE BONDS AND NOTES IN CONNECTION WITH THE
24 ASSISTANCE ACT AND THIS ARTICLE AND THE PAYMENT OF INTEREST
25 ARBITRAGE REBATES OR PROCEEDS OF THE BONDS AND NOTES.

26 (C) TEMPORARY FINANCING AUTHORIZATION.--

27 (1) PENDING THE AUTHORIZED ISSUANCE OF BONDS OF THE
28 COMMONWEALTH, THE ISSUING OFFICIALS ARE AUTHORIZED, IN
29 ACCORDANCE WITH THE PROVISIONS OF THE ASSISTANCE ACT AND THIS
30 ARTICLE AND ON THE CREDIT OF THE COMMONWEALTH, TO MAKE

1 TEMPORARY BORROWINGS NOT TO EXCEED THREE YEARS IN
2 ANTICIPATION OF THE ISSUE OF BONDS IN ORDER TO PROVIDE FUNDS
3 IN THE AMOUNTS DEEMED ADVISABLE PRIOR TO THE ISSUE OF BONDS.
4 IN ORDER TO PROVIDE FOR AND IN CONNECTION WITH THE TEMPORARY
5 BORROWINGS, THE ISSUING OFFICIALS ARE AUTHORIZED IN THE NAME
6 AND ON BEHALF OF THE COMMONWEALTH TO ENTER INTO ANY PURCHASE,
7 LOAN OR CREDIT AGREEMENT OR OTHER AGREEMENT WITH ANY BANK,
8 TRUST COMPANY OR OTHER LENDING INSTITUTION, INVESTMENT
9 BANKING FIRM OR PERSON, IN THE UNITED STATES HAVING POWER TO
10 ENTER INTO THE AGREEMENT. THE AGREEMENT MAY CONTAIN
11 PROVISIONS WHICH ARE NOT INCONSISTENT WITH THE PROVISIONS OF
12 THE ASSISTANCE ACT OR THIS ARTICLE AND AUTHORIZED BY THE
13 ISSUING OFFICIALS.

14 (2) ALL TEMPORARY BORROWINGS MADE UNDER THIS SECTION
15 SHALL BE EVIDENCED BY NOTES OF THE COMMONWEALTH, WHICH SHALL
16 BE ISSUED FOR AMOUNTS NOT EXCEEDING IN THE AGGREGATE THE
17 APPLICABLE STATUTORY AND CONSTITUTIONAL DEBT LIMITATION IN
18 THE FORM AND DENOMINATIONS AND SUBJECT TO TERMS AND
19 CONDITIONS OF SALE AND ISSUE, PREPAYMENT OR REDEMPTION AND
20 MATURITY, RATE OF INTEREST AND TIME OF PAYMENT OF INTEREST AS
21 THE ISSUING OFFICIALS AUTHORIZE AND DIRECT IN ACCORDANCE WITH
22 THE ASSISTANCE ACT AND THIS ARTICLE. THE AUTHORIZATION AND
23 DIRECTION MAY PROVIDE FOR THE SUBSEQUENT ISSUANCE OF
24 REPLACEMENT NOTES TO REFUND OUTSTANDING NOTES OR REPLACEMENT
25 NOTES. THE REPLACEMENT NOTES SHALL, UPON ISSUANCE, EVIDENCE
26 THE BORROWING AND MAY SPECIFY OTHER TERMS AND CONDITIONS WITH
27 RESPECT TO THE NOTES AND REPLACEMENT NOTES AS THE ISSUING
28 OFFICIALS DETERMINE AND DIRECT.

29 (3) IF THE AUTHORIZATION AND DIRECTION OF THE ISSUING
30 OFFICIALS PROVIDE FOR THE ISSUANCE OF REPLACEMENT NOTES, THE

1 FOLLOWING SHALL APPLY:

2 (I) THE ISSUING OFFICIALS MAY, ON BEHALF OF THE
3 COMMONWEALTH, ISSUE, ENTER INTO OR AUTHORIZE AND DIRECT
4 THE STATE TREASURER TO ENTER INTO AN AGREEMENT WITH ANY
5 BANK, TRUST COMPANY, INVESTMENT BANKING FIRM OR OTHER
6 INSTITUTION OR PERSON, IN THE UNITED STATES HAVING THE
7 POWER TO ENTER THE AGREEMENT:

8 (A) TO PURCHASE OR UNDERWRITE AN ISSUE OR SERIES
9 OF ISSUES OR NOTES.

10 (B) TO CREDIT, ENTER INTO A PURCHASE, LOAN OR
11 CREDIT AGREEMENT, DRAW MONEY PURSUANT TO THE
12 AGREEMENT ON THE TERMS AND CONDITIONS SET FORTH IN
13 THE AGREEMENT AND ISSUE NOTES AS EVIDENCE OF
14 BORROWINGS MADE UNDER THE AGREEMENTS.

15 (C) TO APPOINT AN ISSUING AND PAYMENT AGENT OR
16 AGENTS WITH RESPECT TO THE NOTES.

17 (D) TO DO OTHER ACTS NECESSARY OR APPROPRIATE TO
18 PROVIDE FOR THE PAYMENT, WHEN DUE, OF THE INTEREST ON
19 AND THE PRINCIPAL OF THE NOTES.

20 (II) THE AGREEMENTS MAY PROVIDE FOR THE COMPENSATION
21 OF PURCHASERS OR UNDERWRITERS OF NOTES OR REPLACEMENT
22 NOTES BY DISCOUNTING THE PURCHASE PRICE OF THE NOTES OR
23 BY PAYMENT OF A FIXED FEE OR COMMISSION AT THE TIME OF
24 ISSUANCE. ALL OTHER COSTS AND EXPENSES, INCLUDING FEES
25 FOR AGREEMENTS RELATED TO THE NOTES, ISSUING AND PAYING
26 AGENT COSTS AND COSTS AND EXPENSES OF ISSUANCE, MAY BE
27 PAID FROM THE PROCEEDS OF THE NOTES.

28 (4) IF THE ISSUING OFFICIALS PROVIDE FOR THE ISSUANCE OF
29 REPLACEMENT NOTES ALL SUBJECT TO THE AUTHORIZATION AND
30 DIRECTION OF THE ISSUING OFFICIALS, THE FOLLOWING APPLY:

1 (I) AT OR PRIOR TO THE TIME OF DELIVERY OF THE NOTES
2 OR REPLACEMENT NOTES, THE STATE TREASURER SHALL DETERMINE
3 THE PRINCIPAL AMOUNT, DATE OF ISSUE, INTEREST RATE OR
4 PROCEDURE FOR ESTABLISHING INTEREST RATE, RATE OF
5 DISCOUNT, DENOMINATIONS AND ALL OTHER TERMS AND
6 CONDITIONS RELATING TO THE ISSUANCE.

7 (II) THE STATE TREASURER SHALL PERFORM ALL ACTS
8 NECESSARY TO PAY OR CAUSE TO BE PAID, WHEN DUE, ALL
9 PRINCIPAL OF AND INTEREST ON THE NOTES BEING REFUNDED BY
10 REPLACEMENT NOTES AND TO ASSURE THAT THE REPLACEMENT
11 NOTES MAY DRAW UPON ANY MONEY AVAILABLE FOR THAT PURPOSE
12 PURSUANT TO ANY PURCHASE, LOAN OR CREDIT AGREEMENT
13 ESTABLISHED WITH RESPECT TO THE REPLACEMENT NOTES.

14 (5) OUTSTANDING NOTES EVIDENCING THE BORROWINGS MAY BE
15 FUNDED AND RETIRED BY THE ISSUANCE AND SALE OF THE BONDS OF
16 THE COMMONWEALTH AS AUTHORIZED IN THIS SUBARTICLE. THE
17 REFUNDING BONDS SHALL BE ISSUED AND SOLD NO LATER THAN A DATE
18 THREE YEARS AFTER THE DATE OF ISSUANCE OF THE FIRST NOTES
19 EVIDENCING THE BORROWINGS TO THE EXTENT THAT PAYMENT OF THE
20 NOTES HAS NOT OTHERWISE BEEN MADE OR PROVIDED FOR BY SOURCES
21 OTHER THAN PROCEEDS OF REPLACEMENT NOTES.

22 (6) THE PROCEEDS OF ALL THE TEMPORARY BORROWING SHALL BE
23 PAID TO THE STATE TREASURER TO BE HELD AND DISPOSED OF IN
24 ACCORDANCE WITH THE PROVISIONS OF THE ASSISTANCE ACT AND THIS
25 ARTICLE.

26 (D) DEBT RETIREMENT.--

27 (1) ALL BONDS ISSUED UNDER THE ASSISTANCE ACT AND THIS
28 ARTICLE SHALL BE REDEEMED AT MATURITY, TOGETHER WITH ALL
29 INTEREST DUE ON THE BONDS; AND THESE PRINCIPAL AND INTEREST
30 PAYMENTS SHALL BE PAID FROM THE WATER AND SEWER SYSTEMS

1 ASSISTANCE BOND SINKING FUND, WHICH IS CREATED. FOR THE
2 SPECIFIC PURPOSE OF REDEEMING THE BONDS AT MATURITY AND
3 PAYING ALL INTEREST ON THE BONDS IN ACCORDANCE WITH THE
4 INFORMATION RECEIVED FROM THE GOVERNOR, THE GENERAL ASSEMBLY
5 SHALL APPROPRIATE MONEY TO THE WATER AND SEWER SYSTEMS
6 ASSISTANCE BOND SINKING FUND FOR THE PAYMENT OF INTEREST ON
7 THE BONDS AND NOTES AND THEIR PRINCIPAL AT MATURITY. ALL
8 MONEY PAID INTO THE WATER AND SEWER SYSTEMS ASSISTANCE BOND
9 SINKING FUND AND ALL OF THE MONEY NOT NECESSARY TO PAY
10 ACCRUING INTEREST SHALL BE INVESTED BY THE STATE TREASURER IN
11 THE SECURITIES AS ARE PROVIDED BY LAW FOR THE INVESTMENT OF
12 THE SINKING FUNDS OF THE COMMONWEALTH.

13 (2) THE STATE TREASURER, WITH THE APPROVAL OF THE
14 GOVERNOR, MAY USE ANY OF THE MONEY IN THE FUND NOT NECESSARY
15 TO CONDUCT THE REFERENDUM AUTHORIZING THE INDEBTEDNESS
16 NECESSARY TO CARRY OUT THE ASSISTANCE ACT AND THIS ARTICLE TO
17 PURCHASE AND RETIRE OF ALL OR PART OF THE BONDS AND NOTES
18 ISSUED PURSUANT TO THE ASSISTANCE ACT AND THIS ARTICLE. IF
19 ALL OR PART OF THE BONDS AND NOTES ARE PURCHASED, THEY SHALL
20 BE CANCELED AND RETURNED TO THE LOAN AND TRANSFER AGENT AS
21 CANCELED AND PAID BONDS AND NOTES. FOLLOWING THE PURCHASE,
22 ALL PAYMENTS OF INTEREST ON THE BONDS AND NOTES SHALL CEASE.
23 THE CANCELED BONDS, NOTES AND COUPONS, TOGETHER WITH ANY
24 OTHER CANCELED BONDS, NOTES AND COUPONS, SHALL BE DESTROYED
25 AS PROMPTLY AS POSSIBLE, BUT NO LATER THAN TWO YEARS AFTER
26 CANCELLATION. A CERTIFICATION EVIDENCING THE DESTRUCTION OF
27 THE CANCELED BONDS, NOTES AND COUPONS SHALL BE PROVIDED BY
28 THE LOAN AND TRANSFER AGENT TO THE ISSUING OFFICIALS. ALL
29 CANCELED BONDS, NOTES AND COUPONS SHALL BE MARKED TO MAKE THE
30 CANCELED BONDS, NOTES AND COUPONS NONNEGOTIABLE.

1 (3) THE STATE TREASURER SHALL DETERMINE AND REPORT TO
2 THE SECRETARY OF THE BUDGET BY NOVEMBER 1 OF EACH YEAR THE
3 AMOUNT OF MONEY NECESSARY FOR THE PAYMENT OF INTEREST ON
4 OUTSTANDING OBLIGATIONS AND THE PRINCIPAL OF THE OBLIGATIONS,
5 IF ANY, FOR THE FOLLOWING FISCAL YEAR AND THE TIMES AND
6 AMOUNTS OF THE PAYMENTS. THE GOVERNOR SHALL INCLUDE IN EVERY
7 BUDGET SUBMITTED TO THE GENERAL ASSEMBLY FULL INFORMATION
8 RELATING TO THE ISSUANCE OF BONDS AND NOTES UNDER THE
9 ASSISTANCE ACT AND THIS ARTICLE AND THE STATUS OF THE WATER
10 AND SEWER SYSTEMS ASSISTANCE BOND SINKING FUND FOR THE
11 PAYMENT OF INTEREST ON THE BONDS AND NOTES AND THEIR
12 PRINCIPAL AT MATURITY.

13 (4) THE GENERAL ASSEMBLY SHALL APPROPRIATE AN AMOUNT
14 EQUAL TO THE SUMS NECESSARY TO MEET REPAYMENT OBLIGATIONS FOR
15 PRINCIPAL AND INTEREST FOR DEPOSIT INTO THE WATER AND SEWER
16 SYSTEMS ASSISTANCE BOND SINKING FUND.

17 (E) EXPIRATION.--AUTHORIZATION TO ISSUE BONDS AND NOTES, NOT
18 INCLUDING REFUNDING BONDS AND REPLACEMENT NOTES, FOR THE PURPOSE
19 OF THE ASSISTANCE ACT AND THIS ARTICLE SHALL EXPIRE TEN YEARS
20 FROM THE EFFECTIVE DATE OF THIS SECTION.

21 SECTION 4. SECTIONS 1721-E, 1722-E, 1723-E, 1733-E AND 1735-
22 E OF THE ACT, ADDED JULY 17, 2007 (P.L.141, NO.42), ARE AMENDED
23 TO READ:

24 SECTION 1721-E. DEPARTMENT OF CORRECTIONS [(RESERVED)].

25 THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE
26 DEPARTMENT OF CORRECTIONS:

27 (1) WHEN MAKING EXPENDITURES FROM APPROPRIATIONS FOR THE
28 OPERATION OF STATE CORRECTIONAL INSTITUTIONS, THE DEPARTMENT
29 OF CORRECTIONS SHALL GIVE CONSIDERATION TO MINIMUM RELIEF
30 FACTOR VALUES CALCULATED WHEN DETERMINING STAFFING LEVELS FOR

1 CORRECTIONS OFFICERS AND FOOD SERVICE INSTRUCTORS AT EACH
2 STATE CORRECTIONAL INSTITUTION.

3 (2) (RESERVED).

4 SECTION 1722-E. DEPARTMENT OF EDUCATION [(RESERVED)].

5 (A) GENERAL RULE.--FOR THE 2010-2011 SCHOOL YEAR AND EVERY
6 SCHOOL YEAR THEREAFTER, PAYMENTS UNDER SECTION 1376.1(B.2) OF
7 THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), KNOWN AS THE PUBLIC
8 SCHOOL CODE OF 1949, FOR A CHARTERED SCHOOL THAT ESTABLISHES A
9 SATELLITE CAMPUS WITH THE APPROVAL OF THE DEPARTMENT FOR THE
10 PURPOSE OF ENROLLING STUDENTS PREVIOUSLY ENROLLED IN A SCHOOL
11 FOR THE DEAF FORMERLY OPERATED BY THE COMMONWEALTH SHALL, IN
12 ADDITION TO ANY AMOUNT OTHERWISE CALCULATED UNDER SECTION
13 1376.1(B.2), INCLUDE THE AMOUNT PROVIDED IN FISCAL YEAR
14 2009-2010 PURSUANT TO SECTION 1722-J(10)(II). THE TOTAL SHALL BE
15 SUBJECT TO THE ANNUAL ADJUSTMENT UNDER SECTION 1376.1(B.2)(1) OF
16 THE PUBLIC SCHOOL CODE OF 1949.

17 (B) ADDITIONAL FUNDING.--FOR THE 2010-2011 AND 2011-2012
18 SCHOOL YEARS, IN ADDITION TO ANY OTHER FUNDS PROVIDED TO IT, THE
19 DEPARTMENT SHALL PROVIDE TO A CHARTERED SCHOOL THAT ESTABLISHES
20 A SATELLITE CAMPUS WITH APPROVAL OF THE DEPARTMENT FOR THE
21 PURPOSE OF ENROLLING STUDENTS PREVIOUSLY ENROLLED IN A SCHOOL
22 FOR THE DEAF FORMERLY OPERATED BY THE COMMONWEALTH, OUT OF FUNDS
23 APPROPRIATED TO THE DEPARTMENT, AN AMOUNT EQUAL TO \$500,000
24 ANNUALLY TO THE EXTENT APPROPRIATED BY THE GENERAL ASSEMBLY.

25 SECTION 1723-E. DEPARTMENT OF ENVIRONMENTAL PROTECTION

26 [(RESERVED)].

27 THE DEPARTMENT OF ENVIRONMENTAL PROTECTION MAY ASSESS A FEE
28 TO APPLICANTS WHO APPLY FOR FUNDS UNDER SECTION 306 OF THE ACT
29 OF JULY 9, 2008 (1ST SP.SESS., P.L.1873, NO.1), KNOWN AS THE
30 ALTERNATIVE ENERGY INVESTMENT ACT. THE DEPARTMENT SHALL PUBLISH

1 THE FEE ON ITS PUBLICLY ACCESSIBLE INTERNET WEBSITE. PROCEEDS
2 FROM THE FEE SHALL BE USED TO ADMINISTER THE PROVISION OF LOANS,
3 GRANTS, REIMBURSEMENTS OR REBATES UNDER SECTION 306 OF THE
4 ALTERNATIVE ENERGY INVESTMENT ACT. NO FEE AUTHORIZED UNDER THIS
5 SECTION MAY EXCEED \$150 FOR COMMERCIAL APPLICANTS AND \$100 FOR
6 RESIDENTIAL APPLICANTS.

7 SECTION 1733-E. PENNSYLVANIA STATE POLICE [(RESERVED)].

8 THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE
9 PENNSYLVANIA STATE POLICE:

10 (1) THE PENNSYLVANIA STATE POLICE MAY NOT CLOSE A
11 BARRACKS UNTIL THE PENNSYLVANIA STATE POLICE CONDUCTS A
12 PUBLIC HEARING AND PROVIDES 30 DAYS' NOTICE, WHICH SHALL BE
13 PUBLISHED IN THE PENNSYLVANIA BULLETIN AND IN AT LEAST TWO
14 LOCAL NEWSPAPERS.

15 (2) (RESERVED).

16 SECTION 1735-E. PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY

17 [(RESERVED)].

18 THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY SHALL PROVIDE
19 SEMIANNUAL REPORTS OF ALL GRANTS AWARDED BY THE PENNSYLVANIA
20 EMERGENCY MANAGEMENT AGENCY FROM FEDERAL DISASTER ASSISTANCE OR
21 RELIEF FUNDS, HOMELAND SECURITY AND DEFENSE FUNDS, AVIAN
22 FLU/PANDEMIC PREPAREDNESS OR OTHER PUBLIC HEALTH EMERGENCY FUNDS
23 TO THE CHAIRMAN AND MINORITY CHAIRMAN OF THE APPROPRIATIONS
24 COMMITTEE OF THE SENATE AND THE CHAIRMAN AND MINORITY CHAIRMAN
25 OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES.
26 THE REPORTS SHALL INCLUDE INFORMATION RELATING TO THE ENTITY
27 RECEIVING GRANT MONEY FROM THE AGENCY, INCLUDING THE NAME AND
28 ADDRESS OF THE ENTITY, THE AMOUNT OF THE GRANT, THE DATE OF
29 ISSUANCE AND THE PURPOSE OF THE GRANT. REPORTS SHALL BE
30 SUBMITTED BY AUGUST 15 FOR GRANTS AWARDED DURING THE PERIOD FROM

JANUARY 1 THROUGH JUNE 30 AND BY FEBRUARY 15 FOR GRANTS AWARDED
DURING THE PERIOD FROM JULY 1 THROUGH DECEMBER 31.

SECTION 5. THE ACT IS AMENDED BY ADDING ARTICLES TO READ:

ARTICLE XVII-J

2009-2010 BUDGET IMPLEMENTATION

SUBARTICLE A

PRELIMINARY PROVISIONS

SECTION 1701-J. APPLICABILITY.

EXCEPT AS SPECIFICALLY PROVIDED IN THIS ARTICLE, THIS ARTICLE
APPLIES TO THE GENERAL APPROPRIATION ACT OF 2009, THE
SUPPLEMENTAL APPROPRIATION ACT OF 2009 AND, AS APPROPRIATE, ALL
OTHER APPROPRIATION ACTS OF 2009.

SECTION 1702-J. DEFINITIONS AND ABBREVIATIONS.

(A) DEFINITIONS.--THE FOLLOWING WORDS AND PHRASES WHEN USED
IN THIS ARTICLE SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
SECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

"GENERAL APPROPRIATION ACT." THE ACT OF AUGUST 5, 2009 (P.L.
, NO.1A), KNOWN AS THE GENERAL APPROPRIATION ACT OF 2009, AND
THE ACT OF , 2009 (P.L. , NO.), KNOWN AS THE
SUPPLEMENTAL APPROPRIATION ACT OF 2009.

"SECRETARY." THE SECRETARY OF THE BUDGET OF THE
COMMONWEALTH.

(B) ABBREVIATIONS.--THE FOLLOWING ABBREVIATIONS WHEN USED IN
THIS ARTICLE SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
SECTION:

"AIDS." ACQUIRED IMMUNE DEFICIENCY SYNDROME.

"ARC." APPALACHIAN REGIONAL COMMISSION.

"ARRA." THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
(PUBLIC LAW 111-5, 123 STAT. 115).

"BG." BLOCK GRANT.

1 "CCDFBG." CHILD CARE AND DEVELOPMENT FUND BLOCK GRANT.
2 "CHARTERED SCHOOL." A SCHOOL CHARTERED BY THE COMMONWEALTH.
3 "CSBG." COMMUNITY SERVICES BLOCK GRANT.
4 "DCSI." DRUG CONTROL AND SYSTEMS IMPROVEMENT FORMULA GRANT
5 PROGRAM.
6 "DFSC." THE SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES ACT
7 (PUBLIC LAW 107-110, 20 U.S.C. § 7101 ET SEQ.).
8 "DOE." DEPARTMENT OF ENERGY.
9 "EEOC." EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.
10 "EPA." ENVIRONMENTAL PROTECTION AGENCY.
11 "ESEA." THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965
12 (PUBLIC LAW 89-10, 20 U.S.C. § 6301 ET SEQ.).
13 "FEMA." FEDERAL EMERGENCY MANAGEMENT AGENCY.
14 "FTA." FEDERAL TRANSIT ADMINISTRATION.
15 "HUD." DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.
16 "LIHEABG." LOW-INCOME HOME ENERGY ASSISTANCE BLOCK GRANT.
17 "LSTA." THE LIBRARY SERVICES AND TECHNOLOGY ACT (PUBLIC LAW
18 104-208, 20 U.S.C. § 9101 ET SEQ.).
19 "MCHSBG." MATERNAL AND CHILD HEALTH SERVICES BLOCK GRANT.
20 "MHSBG." MENTAL HEALTH SERVICES BLOCK GRANT.
21 "MR." MENTAL RETARDATION.
22 "PAFE." PENNSYLVANIA AGRICULTURAL FOOD EXPOSITION.
23 "PHHSBG." PREVENTIVE HEALTH AND HEALTH SERVICES BLOCK GRANT.
24 "RSAT." RESIDENTIAL SUBSTANCE ABUSE TREATMENT.
25 "SABG." SUBSTANCE ABUSE BLOCK GRANT.
26 "SCDBG." SMALL COMMUNITIES DEVELOPMENT BLOCK GRANT.
27 "SDA." SERVICE DELIVERY AREA.
28 "SSBG." SOCIAL SERVICES BLOCK GRANT.
29 "TANF." TEMPORARY ASSISTANCE FOR NEEDY FAMILIES.
30 "TANFBG." TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK

GRANT.

"TEFAP." TEMPORARY EMERGENCY FOOD ASSISTANCE PROGRAM.

"WIA." THE WORKFORCE INVESTMENT ACT OF 1998 (PUBLIC LAW
105-220, 112 STAT. 936).

"WIC." WOMEN, INFANTS AND CHILDREN PROGRAM.

SECTION 1703-J. WARRANTS (RESERVED).

SUBARTICLE B

EXECUTIVE DEPARTMENT

SECTION 1711-J. GOVERNOR (RESERVED).

SECTION 1712-J. EXECUTIVE OFFICES.

THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE EXECUTIVE
OFFICES:

(1) FUNDS APPROPRIATED FOR PUBLIC TELEVISION STATION
GRANTS SHALL BE PAID IN AN AMOUNT EQUAL TO THE FORMULA AWARD
AMOUNT DETERMINED BY THE PENNSYLVANIA PUBLIC TELEVISION
COMMISSION FOR FISCAL YEAR 2008-2009. IF INSUFFICIENT FUNDS
ARE APPROPRIATED, SUCH PAYMENTS SHALL BE PAID ON A PRO RATA
BASIS.

(2) (RESERVED).

SECTION 1713-J. LIEUTENANT GOVERNOR (RESERVED).

SECTION 1714-J. ATTORNEY GENERAL (RESERVED).

SECTION 1715-J. AUDITOR GENERAL (RESERVED).

SECTION 1716-J. TREASURY DEPARTMENT (RESERVED).

SECTION 1717-J. DEPARTMENT OF AGING (RESERVED).

SECTION 1718-J. DEPARTMENT OF AGRICULTURE (RESERVED).

SECTION 1719-J. DEPARTMENT OF COMMUNITY AND ECONOMIC

DEVELOPMENT.

THE SUM OF \$12,000,000 SHALL BE TRANSFERRED FROM THE SMALL
BUSINESS FIRST FUND TO THE MACHINERY AND EQUIPMENT LOAN FUND TO
BE USED IN ACCORDANCE WITH 12 PA.C.S. § 2905 (RELATING TO

1 ELIGIBILITY FOR LOANS; TERMS AND CONDITIONS).

2 SECTION 1720-J. DEPARTMENT OF CONSERVATION AND NATURAL
3 RESOURCES (RESERVED).

4 SECTION 1721-J. DEPARTMENT OF CORRECTIONS (RESERVED).

5 SECTION 1722-J. DEPARTMENT OF EDUCATION.

6 THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE
7 DEPARTMENT OF EDUCATION FROM THE GENERAL APPROPRIATION ACT:

8 (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FUNDS
9 RECEIVED UNDER THE ARRA SHALL BE SPENT IN ACCORDANCE WITH THE
10 ARRA AND APPLICABLE RULES AND GUIDELINES DEVELOPED BY THE
11 FEDERAL GOVERNMENT.

12 (2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A BOARD
13 OF SCHOOL DIRECTORS OF A SCHOOL DISTRICT MAY REOPEN ITS
14 2009-2010 BUDGET TO REFLECT FEDERAL AND STATE ALLOCATIONS FOR
15 FISCAL YEAR 2009-2010 PROVIDED BY THE GENERAL APPROPRIATION
16 ACT.

17 (3) ANNUAL PAYMENTS FROM THE APPROPRIATION TO
18 INSTITUTIONS OF HIGHER LEARNING FOR DEFRAYING THE EXPENSES OF
19 HEARING-IMPAIRED OR SIGHT-IMPAIRED STUDENTS SHALL NOT EXCEED
20 \$500 PER STUDENT.

21 (4) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FEDERAL
22 AND STATE FUNDS SHALL BE DISTRIBUTED TO EACH COMMUNITY
23 COLLEGE IN AN AMOUNT EQUAL TO THE AMOUNT PAID UNDER SECTION
24 1913-A(B) (1.6) OF THE ACT OF MARCH 10, 1949 (P.L.30, NO.14),
25 KNOWN AS THE PUBLIC SCHOOL CODE OF 1949, DURING THE 2008-2009
26 FISCAL YEAR. IF INSUFFICIENT FUNDS ARE APPROPRIATED, THE
27 PAYMENTS SHALL BE MADE ON A PRO RATA BASIS.

28 (5) FUNDS APPROPRIATED FOR SPECIAL EDUCATION PAYMENTS TO
29 SCHOOL DISTRICTS SHALL BE DISTRIBUTED TO EACH SCHOOL DISTRICT
30 IN AN AMOUNT EQUAL TO THE AMOUNT PAID DURING THE 2008-2009

1 SCHOOL YEAR UNDER SECTION 2509.5(ZZ) OF THE PUBLIC SCHOOL
2 CODE OF 1949. IF INSUFFICIENT FUNDS ARE APPROPRIATED, THE
3 PAYMENTS SHALL BE MADE ON A PRO RATA BASIS.

4 (6) (I) FUNDS APPROPRIATED FOR THE EDUCATIONAL
5 ASSISTANCE PROGRAM SHALL BE DISTRIBUTED TO EACH SCHOOL
6 ENTITY IN AN AMOUNT EQUAL TO THE AMOUNT PAID DURING THE
7 2008-2009 SCHOOL YEAR. IF INSUFFICIENT FUNDS ARE
8 APPROPRIATED, THE PAYMENTS SHALL BE MADE ON A PRO RATA
9 BASIS.

10 (II) FOR PURPOSES OF THE EDUCATIONAL ASSISTANCE
11 PROGRAM ESTABLISHED IN SECTION 1502-C OF THE PUBLIC
12 SCHOOL CODE OF 1949 AND THIS PARAGRAPH, "SCHOOL ENTITY"
13 SHALL MEAN ANY OF THE FOLLOWING LOCATED IN THIS
14 COMMONWEALTH: A SCHOOL DISTRICT, JOINT SCHOOL DISTRICT,
15 AREA VOCATIONAL-TECHNICAL SCHOOL OR INDEPENDENT SCHOOL.

16 (7) FUNDS APPROPRIATED FOR PENNSYLVANIA ACCOUNTABILITY
17 GRANTS SHALL BE DISTRIBUTED TO EACH SCHOOL DISTRICT IN AN
18 AMOUNT EQUAL TO THE AMOUNT PAID DURING THE 2008-2009 SCHOOL
19 YEAR. IF INSUFFICIENT FUNDS ARE APPROPRIATED, THE PAYMENTS
20 SHALL BE MADE ON A PRO RATA BASIS.

21 (8) THE FOLLOWING SHALL APPLY TO PROFESSIONAL AND
22 TEMPORARY PROFESSIONAL EMPLOYEES OF A SCHOOL FORMERLY
23 OPERATED BY THE COMMONWEALTH:

24 (I) THE COMMONWEALTH SHALL CREATE A POOL FOR EACH
25 SCHOOL COMPRISED OF THE PROFESSIONAL AND TEMPORARY
26 PROFESSIONAL EMPLOYEES WHO HAVE RECEIVED FORMAL NOTICE OF
27 SUSPENSION FROM THE COMMONWEALTH AS A RESULT OF THE
28 COMMONWEALTH'S DECISION TO CEASE COMMONWEALTH OPERATION
29 OF THE SCHOOL.

30 (II) FOR THE THREE SCHOOL YEARS IMMEDIATELY

1 FOLLOWING THE FORMAL NOTICE OF SUSPENSION FROM THE
2 COMMONWEALTH, EMPLOYEES IN A POOL CREATED UNDER
3 SUBPARAGRAPH (I) SHALL BE OFFERED EMPLOYMENT BY EACH
4 ELIGIBLE SCHOOL ENTITY AS DETERMINED UNDER SUBPARAGRAPH
5 (IV) ASSOCIATED WITH THE APPLICABLE POOL CREATED UNDER
6 SUBPARAGRAPH (I), WHEN THAT ELIGIBLE SCHOOL ENTITY HAS A
7 VACANCY FOR A POSITION THAT AN EMPLOYEE IN THE APPLICABLE
8 POOL IS PROPERLY CERTIFIED TO FILL, PROVIDED THAT NO
9 EMPLOYEE OF THE ELIGIBLE SCHOOL ENTITY IN WHICH THE
10 VACANCY EXISTS, INCLUDING A SUSPENDED OR DEMOTED
11 EMPLOYEE, HAS A RIGHT TO THE VACANCY UNDER THE PUBLIC
12 SCHOOL CODE OF 1949 OR THE COLLECTIVE BARGAINING
13 AGREEMENT OF THE RESPECTIVE ELIGIBLE SCHOOL ENTITY.

14 (III) FOR THE THREE SCHOOL YEARS IMMEDIATELY
15 FOLLOWING THE FORMAL NOTICE OF SUSPENSION FROM THE
16 COMMONWEALTH, NO NEW EMPLOYEE SHALL BE HIRED BY AN
17 ELIGIBLE SCHOOL ENTITY AS DETERMINED UNDER SUBPARAGRAPH
18 (IV) ASSOCIATED WITH THE APPLICABLE POOL CREATED UNDER
19 SUBPARAGRAPH (I), UNTIL THE POSITION HAS BEEN OFFERED, IN
20 ORDER OF SENIORITY, TO ALL PROPERLY CERTIFIED MEMBERS OF
21 THE APPLICABLE POOL CREATED UNDER SUBPARAGRAPH (I).

22 (IV) FOR THE PURPOSE OF SUBPARAGRAPHS (II) AND
23 (III), AN "ELIGIBLE SCHOOL ENTITY" SHALL BE DETERMINED AS
24 FOLLOWS:

25 (A) A SCHOOL DISTRICT, VOCATIONAL-TECHNICAL
26 SCHOOL OR INTERMEDIATE UNIT, THE ADMINISTRATION
27 BUILDING OF WHICH IS 17 MILES OR LESS FROM THE
28 ADMINISTRATION BUILDING OF A SCHOOL FORMERLY OPERATED
29 BY THE COMMONWEALTH OR A SCHOOL DISTRICT WHICH IS
30 ADJACENT TO THE SCHOOL DISTRICT IN WHICH A SCHOOL

1 FORMERLY OPERATED BY THE COMMONWEALTH WAS SITUATE; OR

2 (B) A SCHOOL DISTRICT WITH AVERAGE DAILY
3 MEMBERSHIP GREATER THAN OR EQUAL TO 8,000, THE
4 ADMINISTRATION BUILDING OF WHICH IS 45 MILES OR LESS
5 FROM THE ADMINISTRATION BUILDING OF A SCHOOL FORMERLY
6 OPERATED BY THE COMMONWEALTH, AND WHICH RELIES ON
7 STATE REVENUE FOR NO LESS THAN 50% OF THE SCHOOL
8 DISTRICT'S TOTAL BUDGET IN THE MOST RECENT YEAR FOR
9 WHICH DATA HAS BEEN PUBLISHED ON THE DEPARTMENT OF
10 EDUCATION'S PUBLIC INTERNET WEBSITE.

11 (9) (I) EMPLOYEES HIRED FROM A POOL UNDER PARAGRAPH (8)
12 AND FORMER EMPLOYEES OF A SCHOOL FORMERLY OPERATED BY THE
13 COMMONWEALTH WHO RESIGNED FROM A SCHOOL FORMERLY OPERATED
14 BY THE COMMONWEALTH WITHIN THE SIX MONTHS PRIOR TO THE
15 EFFECTIVE DATE OF AN ACT OF THE GENERAL ASSEMBLY
16 DECLINING TO FUND THE SCHOOL AND WHO ACCEPTED EMPLOYMENT
17 AT A SCHOOL DISTRICT, INTERMEDIATE UNIT OR VOCATIONAL-
18 TECHNICAL SCHOOL SHALL BE CREDITED BY THE HIRING SCHOOL
19 DISTRICT, INTERMEDIATE UNIT OR VOCATIONAL-TECHNICAL
20 SCHOOL FOR ALL SICK LEAVE ACCUMULATED IN THE SCHOOL AND
21 SHALL BE CREDITED FOR YEARS OF SERVICE IN THE SCHOOL FOR
22 PURPOSES OF SALARY SCHEDULE PLACEMENT. EMPLOYEES SHALL
23 FURTHER BE CREDITED FOR THEIR YEARS OF SERVICE IN THE
24 SCHOOL FOR PURPOSES OF SABBATICAL LEAVE ELIGIBILITY,
25 SUSPENSION AND REALIGNMENT RIGHTS AND ELIGIBILITY FOR ANY
26 RETIREMENT INCENTIVES OR SEVERANCE PAYMENTS IN A HIRING
27 SCHOOL DISTRICT, INTERMEDIATE UNIT OR VOCATIONAL-
28 TECHNICAL SCHOOL.

29 (II) NOTHING IN THIS PARAGRAPH SHALL BE CONSTRUED TO
30 SUPERSEDE OR PREEMPT ANY PROVISION OF AN INDIVIDUAL

1 EMPLOYMENT AGREEMENT BETWEEN A SCHOOL DISTRICT,
2 INTERMEDIATE UNIT OR VOCATIONAL-TECHNICAL SCHOOL AND AN
3 EMPLOYEE ENTERED INTO PRIOR TO THE EFFECTIVE DATE OF THIS
4 PARAGRAPH, OR ANY PROVISION OF A COLLECTIVE BARGAINING
5 AGREEMENT IN EFFECT AS OF THE EFFECTIVE DATE OF THIS
6 PARAGRAPH AND NEGOTIATED BY A SCHOOL ENTITY AND AN
7 EXCLUSIVE REPRESENTATIVE OF THE EMPLOYEES IN ACCORDANCE
8 WITH THE ACT OF JULY 23, 1970 (P.L.563, NO.195), KNOWN AS
9 THE PUBLIC EMPLOYE RELATIONS ACT.

10 (10) THE APPROPRIATION FOR THE SCRANTON STATE SCHOOL FOR
11 THE DEAF - TRANSITION FUNDING SHALL BE DISTRIBUTED AS
12 FOLLOWS:

13 (I) IN ADDITION TO ANY OTHER FUNDING PROVIDED
14 PURSUANT TO SECTION 1376.1(B.2) OF THE PUBLIC SCHOOL CODE
15 OF 1949, THE DEPARTMENT OF EDUCATION SHALL PROVIDE TO
16 EACH CHARTERED SCHOOL IN THE 2009-2010 SCHOOL YEAR FOR
17 ENROLLMENT DURING THE 2009-2010 SCHOOL YEAR FOR ONE OR
18 MORE STUDENTS WHO WERE ENROLLED AS OF MAY 1, 2009, IN A
19 SCHOOL FOR THE DEAF FORMERLY OPERATED BY THE
20 COMMONWEALTH, AN AMOUNT EQUAL TO THE PRODUCT OF THE
21 FOLLOWING:

22 (A) THE NUMBER OF STUDENTS ENROLLED IN THE
23 CHARTERED SCHOOL AS OF OCTOBER 1, 2009, WHO WERE
24 ENROLLED AS OF MAY 1, 2009, IN A SCHOOL FOR THE DEAF
25 FORMERLY OPERATED BY THE COMMONWEALTH, DIVIDED BY THE
26 TOTAL NUMBER OF SUCH STUDENTS ENROLLED IN ALL
27 CHARTERED SCHOOLS AS OF OCTOBER 1, 2009, WHO WERE
28 ENROLLED AS OF MAY 1, 2009, IN A SCHOOL FOR THE DEAF
29 FORMERLY OPERATED BY THE COMMONWEALTH.

30 (B) THREE MILLION THREE HUNDRED THOUSAND

1 DOLLARS.

2 (II) IN ADDITION TO ANY OTHER FUNDS PROVIDED TO A
3 CHARTERED SCHOOL UNDER SUBPARAGRAPH (I), THE DEPARTMENT
4 SHALL PROVIDE TO EACH CHARTERED SCHOOL THAT ESTABLISHES A
5 SATELLITE CAMPUS WITH APPROVAL OF THE DEPARTMENT FOR THE
6 PURPOSE OF ENROLLING STUDENTS PREVIOUSLY ENROLLED IN A
7 SCHOOL FOR THE DEAF FORMERLY OPERATED BY THE
8 COMMONWEALTH, THE AMOUNT OF \$27,273 MULTIPLIED BY THE
9 NUMBER OF STUDENTS ENROLLED IN THE CHARTERED SCHOOL AS OF
10 OCTOBER 1, 2009, WHO WERE ENROLLED AS OF MAY 1, 2009, IN
11 A SCHOOL FOR THE DEAF FORMERLY OPERATED BY THE
12 COMMONWEALTH, PROVIDED THAT THE TOTAL AMOUNT UNDER THIS
13 SUBPARAGRAPH SHALL NOT EXCEED \$2,100,000.

14 (11) THE DEPARTMENT OF EDUCATION, WITH ASSISTANCE FROM
15 THE DEPARTMENT OF PUBLIC WELFARE AND THE JUVENILE COURT
16 JUDGES COMMISSION, SHALL SUBMIT A REPORT TO THE GENERAL
17 ASSEMBLY BY JUNE 1, 2010, DETAILING THE COSTS TO SCHOOL
18 DISTRICTS AND THE COMMONWEALTH TO PROVIDE EDUCATIONAL
19 SERVICES TO CHILDREN WHO ARE ADJUDICATED DELINQUENT AND
20 COMMITTED TO NONPUBLIC RESIDENTIAL FACILITIES PURSUANT TO 42
21 PA.C.S. § 6352 (RELATING TO DISPOSITION OF DELINQUENT CHILD)
22 FOR THE 2008-2009 SCHOOL YEAR. THE REPORT SHALL IDENTIFY THE
23 FOLLOWING INFORMATION RELATING TO EACH FACILITY:

24 (I) FACILITY LOCATION.

25 (II) SCHOOL DISTRICT WHERE EACH FACILITY IS LOCATED.

26 (III) PROVIDER OF EDUCATIONAL SERVICES AT EACH
27 FACILITY, INCLUDING WHETHER THOSE SERVICES ARE UNDER
28 CONTRACT OR PROVIDED BY AN ENTITY OTHER THAN THE
29 FACILITY.

30 (IV) DEPARTMENT OF EDUCATION'S CLASSIFICATION OF THE

1 EDUCATION PROGRAM AT EACH FACILITY.

2 (V) NUMBER OF STUDENTS COMMITTED BY THE COURT
3 RECEIVING EDUCATIONAL SERVICES AT EACH FACILITY.

4 (VI) SCHOOL DISTRICT OF RESIDENCE FOR EACH STUDENT
5 COMMITTED BY THE COURT AT EACH FACILITY.

6 (VII) TUITION FEE CHARGED BY THE EDUCATIONAL
7 SERVICES PROVIDER PER STUDENT COMMITTED BY THE COURT AT
8 EACH FACILITY.

9 (VIII) ENTITY RESPONSIBLE FOR EACH TUITION PAYMENT
10 FOR EACH STUDENT COMMITTED BY THE COURT AT EACH FACILITY.

11 THE TERM "FACILITY" SHALL MEAN ANY NONPUBLIC PROGRAM
12 SUPERVISED OR LICENSED PURSUANT TO THE ACT OF JUNE 13, 1967
13 (P.L.31, NO.21), KNOWN AS THE PUBLIC WELFARE CODE, THAT
14 PROVIDES OUT-OF-HOME, RESIDENTIAL SERVICES TO A CHILD WHO IS
15 ADJUDICATED DELINQUENT.

16 (12) (I) EACH SCHOOL DISTRICT SHALL TAKE SUCH STEPS AS
17 NECESSARY DURING FISCAL YEAR 2009-2010 IN ORDER TO HAVE
18 OR MAINTAIN A CERTIFIED SAFETY COMMITTEE BY DECEMBER 31,
19 2010, FOR THE PURPOSES OF SECTION 1002(B) OF THE ACT OF
20 JUNE 2, 1915 (P.L.736, NO.338), KNOWN AS THE WORKERS'
21 COMPENSATION ACT. THE DEPARTMENT OF LABOR AND INDUSTRY
22 SHALL PROVIDE THE DEPARTMENT OF EDUCATION WITH THE LIST
23 OF SCHOOL DISTRICTS WHO HAVE A CERTIFIED SAFETY
24 COMMITTEE. IN THE CASE OF A SCHOOL DISTRICT THAT DOES NOT
25 SUBMIT EVIDENCE TO THE DEPARTMENT OF EDUCATION THAT
26 COMPLIES WITH THIS PARAGRAPH, THE DEPARTMENT OF EDUCATION
27 SHALL DEDUCT FROM ANY ALLOCATION FROM THE COMMONWEALTH TO
28 WHICH THE SCHOOL DISTRICT IS ENTITLED THE AMOUNT OF THE
29 DISCOUNT THE SCHOOL DISTRICT WOULD OTHERWISE RECEIVE
30 UNDER SECTION 1002(B) OF THE WORKERS' COMPENSATION ACT.

1 (II) SUBPARAGRAPH (I) SHALL NOT APPLY TO A SCHOOL
2 DISTRICT THAT CANNOT RECEIVE A PREMIUM DISCOUNT UNDER
3 SECTION 1002(B) OF THE WORKERS' COMPENSATION ACT, OR AN
4 EQUIVALENT REDUCTION IN CONTRIBUTION RATES, BY
5 ESTABLISHING AND MAINTAINING A CERTIFIED SAFETY COMMITTEE
6 BECAUSE IT IS AUTHORIZED TO SELF-INSURE ITS LIABILITIES
7 UNDER SECTION 305 OF THE WORKERS' COMPENSATION ACT OR
8 POOL ITS LIABILITIES UNDER SECTION 802 OF THE WORKERS'
9 COMPENSATION ACT.

10 (13) NOTWITHSTANDING THE PROVISIONS OF 24 PA.C.S. §
11 8329(A) (RELATING TO PAYMENTS ON ACCOUNT OF SOCIAL SECURITY
12 DEDUCTIONS FROM APPROPRIATIONS) WHEN CALCULATING PAYMENTS BY
13 THE COMMONWEALTH UNDER 24 PA.C.S. § 8329, THE DEPARTMENT OF
14 EDUCATION SHALL TREAT WAGES PAID OUT OF THE ARRA STATE
15 STABILIZATION FUND OR OUT OF ARRA FUNDS APPROPRIATED FOR
16 INDIVIDUAL WITH DISABILITIES EDUCATION (PART B - PRESCHOOL -
17 AGE 3-5) AS COVERED WAGES WHICH ARE NOT FEDERALLY FUNDED.

18 (14) THE FOLLOWING APPLY TO LIBRARIES:

19 (I) FUNDS APPROPRIATED FOR LIBRARIES SHALL BE
20 DISTRIBUTED TO EACH LIBRARY UNDER THE FOLLOWING FORMULA:

21 (A) DIVIDE THE SUM OF THE AMOUNT OF FUNDING THAT
22 THE LIBRARY RECEIVED IN FISCAL YEAR 2007-2008 UNDER
23 SECTION 2316 OF THE PUBLIC SCHOOL CODE OF 1949 BY THE
24 TOTAL STATE-AID SUBSIDY FOR FISCAL YEAR 2007-2008.

25 (B) MULTIPLY THE QUOTIENT UNDER CLAUSE (A) BY
26 THE TOTAL STATE-AID SUBSIDY FOR 2009-2010.

27 (II) FOLLOWING DISTRIBUTION OF FUNDS APPROPRIATED
28 FOR STATE AID TO LIBRARIES, ANY REMAINING FUNDS MAY BE
29 DISTRIBUTED AT THE DISCRETION OF THE STATE LIBRARIAN.

30 (III) IF FUNDS APPROPRIATED FOR STATE AID TO

LIBRARIES IN FISCAL YEAR 2009-2010 ARE LESS THAN FUNDS
APPROPRIATED IN FISCAL YEAR 2002-2003, THE STATE
LIBRARIAN MAY WAIVE STANDARDS AS PRESCRIBED IN SECTION
103 OF THE ACT OF JUNE 14, 1961 (P.L.324, NO.188), KNOWN
AS THE LIBRARY CODE, RELATING TO HOURS OF OPERATION,
CONTINUING PROFESSIONAL DEVELOPMENT, COLLECTIONS,
EXPENDITURES AND OTHER ASPECTS OF LIBRARY OPERATION.

(IV) (A) EACH LIBRARY SYSTEM RECEIVING STATE AID
UNDER THIS SUBSECTION MAY DISTRIBUTE THE LOCAL
LIBRARY SHARE OF THAT AID IN A MANNER AS DETERMINED
BY THE BOARD OF DIRECTORS OF THE LIBRARY SYSTEM.

(B) THIS SUBPARAGRAPH SHALL NOT APPLY TO A
LIBRARY SYSTEM OPERATING IN A COUNTY OF THE SECOND
CLASS.

(15) (I) THE DEPARTMENT OF EDUCATION MAY UTILIZE UP TO
\$4,500,000 OF UNDISTRIBUTED FUNDS NOT EXPENDED,
ENCUMBERED OR COMMITTED FROM APPROPRIATIONS FOR GRANTS
AND SUBSIDIES MADE TO THE DEPARTMENT TO ASSIST SCHOOL
DISTRICTS CERTIFIED AS AN EDUCATION EMPOWERMENT DISTRICT
UNDER SECTION 1705-B(H) (3) OF THE PUBLIC SCHOOL CODE OF
1949.

(II) THERE IS HEREBY ESTABLISHED A RESTRICTED
ACCOUNT IN THE STATE TREASURY FROM WHICH PAYMENTS UNDER
THIS PARAGRAPH SHALL BE PAID. FUNDS SHALL BE TRANSFERRED
BY THE SECRETARY OF THE BUDGET TO THE RESTRICTED ACCOUNT
TO THE EXTENT NECESSARY TO MAKE PAYMENTS UNDER THIS
PARAGRAPH. FUNDS IN THE RESTRICTED ACCOUNT ARE HEREBY
APPROPRIATED TO CARRY OUT THE PURPOSES OF THIS PARAGRAPH.
THE SUBSIDY PAYMENT FROM THIS RESTRICTED ACCOUNT SHALL BE
UTILIZED TO SUPPLEMENT THE OPERATIONAL BUDGET OF THE

1 ELIGIBLE SCHOOL DISTRICTS.

2 (16) NOTWITHSTANDING SECTION 2510.1 OF THE PUBLIC SCHOOL
3 CODE OF 1949, PAYMENTS MADE TO SCHOOL DISTRICTS FOR THE
4 INSTRUCTION OF HOMEBOUND CHILDREN SHALL ONLY BE MADE TO THE
5 EXTENT FUNDS ARE APPROPRIATED FOR THIS PURPOSE.

6 (17) THE APPROPRIATION FOR BASIC EDUCATION FUNDING SHALL
7 BE DISTRIBUTED AS FOLLOWS:

8 (I) THE COMMONWEALTH SHALL PAY TO EACH SCHOOL
9 DISTRICT A BASIC EDUCATION FUNDING ALLOCATION FOR THE
10 2008-2009 SCHOOL YEAR WHICH SHALL CONSIST OF THE SUM OF
11 THE FOLLOWING:

12 (A) AN AMOUNT EQUAL TO THE ALLOCATIONS RECEIVED
13 BY THE SCHOOL DISTRICT FOR THE 2007-2008 SCHOOL YEAR
14 UNDER SECTION 2502.48(D) (1) AND (2) AND (E) OF THE
15 PUBLIC SCHOOL CODE OF 1949.

16 (B) IF A SCHOOL DISTRICT HAS BEEN DECLARED A
17 COMMONWEALTH PARTNERSHIP SCHOOL DISTRICT UNDER
18 ARTICLE XVII-B OF THE PUBLIC SCHOOL CODE OF 1949, AN
19 AMOUNT EQUAL TO \$2,000,000.

20 (C) (I) FOR A SCHOOL DISTRICT SUBJECT TO
21 SECTION 2502.48(D) (3) (I) OF THE PUBLIC SCHOOL
22 CODE OF 1949, 27.82% OF THE AMOUNT DETERMINED
23 UNDER SECTION 2502.48(C) (1) OF THE PUBLIC SCHOOL
24 CODE OF 1949.

25 (II) FOR A SCHOOL DISTRICT SUBJECT TO
26 SECTION 2502.48(D) (3) (II) OF THE PUBLIC SCHOOL
27 CODE OF 1949, 21.4% OF THE AMOUNT DETERMINED
28 UNDER SECTION 2502.48(C) (1) OF THE PUBLIC SCHOOL
29 CODE OF 1949.

30 (III) ANY ADDITIONAL AMOUNT REQUIRED SO THAT

1 THE TOTAL AMOUNT PROVIDED UNDER CLAUSE (A) AND
2 THIS CLAUSE EQUALS 2% GREATER THAN THE AMOUNT
3 PROVIDED UNDER SECTION 2502.48 (D) AND (E) OF THE
4 PUBLIC SCHOOL CODE OF 1949.

5 (II) FOR THE PURPOSE OF THE CALCULATION UNDER
6 SECTION 2502.48 (C) (1) OF THE PUBLIC SCHOOL CODE OF 1949,
7 FOR PAYMENTS MADE UNDER THIS SUBSECTION:

8 (A) THE AMOUNT PER STUDENT UNDER SECTION
9 2502.48 (A) OF THE PUBLIC SCHOOL CODE OF 1949 SHALL BE
10 INCREASED BY THE INDEX FOR THE SCHOOL YEAR IN WHICH
11 FUNDING WILL BE PAID. THE TERM "INDEX" SHALL HAVE THE
12 MEANING GIVEN TO IT UNDER SECTION 2501 OF THE PUBLIC
13 SCHOOL CODE OF 1949.

14 (B) THE NUMBER USED FOR THE PURPOSE OF EACH
15 SCHOOL DISTRICT'S CALCULATION UNDER SECTION
16 2502.48 (B) (5) (II) (B) OF THE PUBLIC SCHOOL CODE OF
17 1949 SHALL NOT BE LESS THAN ONE.

18 (III) ANY INCREASE IN BASIC EDUCATION FUNDING UNDER
19 THIS SUBSECTION SHALL QUALIFY AS AN INCREASE IN BASIC
20 EDUCATION FUNDING FOR THE PURPOSE OF SECTION 2502.49 OF
21 THE PUBLIC SCHOOL CODE OF 1949. THE DEPARTMENT OF
22 EDUCATION MAY GRANT A WAIVER FOR THE USE OF UP TO 25% OF
23 THE FUNDS SUBJECT TO SECTION 2502.49 (A) (1) OF THE PUBLIC
24 SCHOOL CODE OF 1949 IF ALL OF THE FOLLOWING APPLY:

25 (A) THE SCHOOL DISTRICT WOULD OTHERWISE BE
26 REQUIRED TO REDUCE OR ELIMINATE ONE OR MORE OF THE
27 PROGRAMS LISTED UNDER SECTION 2502.49 (A) (1) OF THE
28 PUBLIC SCHOOL CODE OF 1949 DUE TO A PROJECTED BUDGET
29 SHORTFALL.

30 (B) THE FUNDS SUBJECT TO THE WAIVER WILL BE USED

1 TO MAINTAIN ONE OR MORE EXISTING PROGRAMS LISTED
2 UNDER SECTION 2502.49(A) (1) OF THE PUBLIC SCHOOL CODE
3 OF 1949.

4 (C) THE SCHOOL DISTRICT HAS, IN THE
5 DETERMINATION OF THE DEPARTMENT OF EDUCATION, PURSUED
6 ALTERNATIVE OPPORTUNITIES FOR GREATER EFFICIENCY AND
7 INTERNAL SAVINGS IN ORDER TO FUND THE PROGRAM OR
8 PROGRAMS WITHOUT NEED FOR A WAIVER.

9 (D) THE PROGRAM TO BE MAINTAINED ADDRESSES A
10 SIGNIFICANT NEED OF THE SCHOOL DISTRICT'S STUDENTS
11 AND HAS DEMONSTRATED EFFECTIVENESS AT INCREASING
12 STUDENT ACHIEVEMENT IN THE SCHOOL DISTRICT, IN THE
13 DETERMINATION OF THE DEPARTMENT OF EDUCATION.

14 (IV) THE DECISION TO GRANT A WAIVER SHALL BE AT THE
15 SOLE DISCRETION OF THE DEPARTMENT OF EDUCATION AND SHALL
16 NOT BE SUBJECT TO APPEAL.

17 (18) COMMUNITY COLLEGES SHALL COMPLY WITH THE PROVISIONS
18 OF SECTION 1737-J.

19 (B) DEFINITIONS.--THE WORDS AND PHRASES USED IN THIS SECTION
20 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THE PUBLIC SCHOOL CODE
21 OF 1949.

22 SECTION 1723-J. DEPARTMENT OF ENVIRONMENTAL PROTECTION.

23 THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE
24 DEPARTMENT OF ENVIRONMENTAL PROTECTION IN THE GENERAL
25 APPROPRIATION ACT:

26 (1) APPROPRIATIONS INCLUDE FUNDS FOR THE WATER RESOURCES
27 TECHNICAL ASSISTANCE CENTER IN AN AMOUNT TO BE DETERMINED BY
28 THE DEPARTMENT IN COOPERATION WITH THE WATER CONSERVATION
29 SUBCOMMITTEE OF THE STATEWIDE WATER RESOURCES COMMITTEE.

30 (2) NOTWITHSTANDING THE PROVISIONS OF SECTION 502 OF THE

1 ACT OF JULY 9, 2008 (1ST SP.SESS., P.L.1873, NO.1), KNOWN AS
2 THE ALTERNATIVE ENERGY INVESTMENT ACT, IN FISCAL YEAR
3 2009-2010, NO FUNDS SHALL BE APPROPRIATED FROM THE GENERAL
4 FUND TO THE DEPARTMENT FOR THE CONSUMER ENERGY PROGRAM. THE
5 APPROPRIATION FOR FISCAL YEAR 2009-2010 IS REVOKED.

6 SECTION 1724-J. DEPARTMENT OF GENERAL SERVICES (RESERVED).

7 SECTION 1725-J. DEPARTMENT OF HEALTH.

8 THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE
9 DEPARTMENT OF HEALTH IN THE GENERAL APPROPRIATION ACT:

10 (1) FUNDS APPROPRIATED FOR LUPUS PROGRAMS SHALL BE
11 DISTRIBUTED IN THE SAME PROPORTION AS DISTRIBUTED IN FISCAL
12 YEAR 2008-2009.

13 (2) FUNDS APPROPRIATED FOR ARTHRITIS OUTREACH AND
14 EDUCATION SHALL BE EQUITABLY DISTRIBUTED AMONG THE CENTRAL,
15 WESTERN AND EASTERN REGIONS OF THIS COMMONWEALTH BASED ON THE
16 RATIO OF POPULATION SERVED IN EACH REGION TO THE TOTAL
17 POPULATION SERVED IN THIS COMMONWEALTH.

18 (3) FUNDS APPROPRIATED FOR BIOTECHNOLOGY RESEARCH
19 INCLUDE \$1,100,000 FOR A REGENERATIVE MEDICINE CENTER LOCATED
20 IN A COUNTY OF THE SECOND CLASS AND \$1,500,000 FOR AN
21 INSTITUTION FOR HEPATITIS AND VIRUS RESEARCH LOCATED IN
22 COUNTY OF THE SECOND CLASS-A, WHICH CONDUCTS RESEARCH RELATED
23 TO DEVELOPING NEW THERAPIES FOR VIRAL HEPATITIS AND LIVER
24 CANCER.

25 SECTION 1726-J. INSURANCE DEPARTMENT (RESERVED).

26 SECTION 1727-J. DEPARTMENT OF LABOR AND INDUSTRY.

27 THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE
28 DEPARTMENT OF LABOR AND INDUSTRY IN THE GENERAL APPROPRIATION
29 ACT:

30 (1) THE APPROPRIATION FOR PAYMENT TO THE VOCATIONAL

1 REHABILITATION FUND FOR WORK OF THE STATE BOARD OF VOCATIONAL
2 REHABILITATION INCLUDES \$2,153,000 FOR A STATEWIDE
3 PROFESSIONAL SERVICE PROVIDER ASSOCIATION FOR THE BLIND TO
4 PROVIDE SPECIALIZED SERVICES AND PREVENTION OF BLINDNESS
5 SERVICES AND \$431,000 TO PROVIDE SPECIALIZED SERVICES AND
6 PREVENTION OF BLINDNESS SERVICES IN CITIES OF THE FIRST
7 CLASS.

8 (2) FOR THE "REED ACT-UNEMPLOYMENT INSURANCE" AND "REED
9 ACT-EMPLOYMENT SERVICES AND UNEMPLOYMENT INSURANCE"
10 APPROPRIATIONS, THE TOTAL AMOUNT WHICH MAY BE OBLIGATED SHALL
11 NOT EXCEED THE LIMITATIONS UNDER SECTION 903 OF THE SOCIAL
12 SECURITY ACT (49 STAT. 620, 42 U.S.C. § 1103).

13 SECTION 1728-J. DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
14 (RESERVED).

15 SECTION 1729-J. DEPARTMENT OF PUBLIC WELFARE.

16 THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE
17 DEPARTMENT OF PUBLIC WELFARE FROM THE GENERAL APPROPRIATION ACT:

18 (1) AUTHORIZED TRANSFERS FOR CHILD-CARE SERVICES. THE
19 FOLLOWING SHALL APPLY:

20 (I) THE DEPARTMENT, UPON APPROVAL OF THE SECRETARY,
21 MAY TRANSFER FEDERAL FUNDS APPROPRIATED FOR TANFBG CHILD
22 CARE ASSISTANCE TO THE CCDFBG CHILD CARE SERVICES
23 APPROPRIATION TO PROVIDE CHILD-CARE SERVICES TO
24 ADDITIONAL LOW-INCOME FAMILIES IF THE TRANSFER OF FUNDS
25 WILL NOT RESULT IN A DEFICIT IN THE APPROPRIATION. THE
26 SECRETARY SHALL PROVIDE NOTICE TEN DAYS PRIOR TO A
27 TRANSFER UNDER THIS SUBPARAGRAPH TO THE CHAIRMAN AND
28 MINORITY CHAIRMAN OF THE APPROPRIATIONS COMMITTEE OF THE
29 SENATE AND THE CHAIRMAN AND MINORITY CHAIRMAN OF THE
30 APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

1 (II) THE DEPARTMENT, UPON APPROVAL OF THE SECRETARY,
2 MAY TRANSFER FEDERAL FUNDS APPROPRIATED FOR CCDFBG CHILD
3 CARE ASSISTANCE TO THE CCDFBG CHILD CARE SERVICES
4 APPROPRIATION TO PROVIDE CHILD-CARE SERVICES TO
5 ADDITIONAL LOW-INCOME FAMILIES PROVIDED THAT THE TRANSFER
6 OF FUNDS WILL NOT RESULT IN A DEFICIT IN THE
7 APPROPRIATION. THE SECRETARY SHALL PROVIDE NOTICE TEN
8 DAYS PRIOR TO A TRANSFER UNDER THIS SUBPARAGRAPH TO THE
9 CHAIRMAN AND MINORITY CHAIRMAN OF THE APPROPRIATIONS
10 COMMITTEE OF THE SENATE AND THE CHAIRMAN AND MINORITY
11 CHAIRMAN OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF
12 REPRESENTATIVES.

13 (2) FEDERAL AND STATE MEDICAL ASSISTANCE PAYMENTS. THE
14 FOLLOWING SHALL APPLY:

15 (I) WHEN MAKING PAYMENTS FOR MEDICAL ASSISTANCE
16 OUTPATIENT OR CAPITATION SERVICES, THE DEPARTMENT SHALL
17 NOT REQUIRE A RECIPIENT TO OBTAIN A PHYSICIAN REFERRAL IN
18 ORDER TO RECEIVE CHIROPRACTIC SERVICES.

19 (II) NO FUNDS APPROPRIATED FOR APPROVED CAPITATION
20 PLANS SHALL BE USED TO PAY A PROVIDER WHO FAILS TO SUPPLY
21 INFORMATION IN A FORM REQUIRED BY THE DEPARTMENT IN ORDER
22 TO FACILITATE CLAIMS FOR FEDERAL FINANCIAL PARTICIPATION
23 FOR SERVICES RENDERED TO GENERAL ASSISTANCE CLIENTS.

24 (III) FOR FISCAL YEAR 2009-2010, ADDITIONAL FEDERAL
25 AND STATE INPATIENT FUNDING IS INCLUDED TO PROVIDE FOR
26 COMMUNITY ACCESS FUND PAYMENTS. PAYMENTS TO HOSPITALS FOR
27 COMMUNITY ACCESS FUND GRANTS SHALL BE DISTRIBUTED UNDER
28 THE FORMULAS UTILIZED FOR THESE GRANTS IN FISCAL YEAR
29 2008-2009. IF THE TOTAL FUNDING AVAILABLE FOR COMMUNITY
30 ACCESS FUND PAYMENTS IN FISCAL YEAR 2009-2010 IS LESS

1 THAN THAT AVAILABLE IN FISCAL YEAR 2008-2009, PAYMENTS
2 SHALL BE MADE ON A PRO RATA BASIS.

3 (IV) QUALIFYING STATE-RELATED ACADEMIC MEDICAL
4 CENTERS SHALL NOT RECEIVE ANY LESS FUNDING THAN RECEIVED
5 FOR THE FISCAL YEAR 2004-2005 STATE APPROPRIATION LEVEL
6 IF FEDERAL FUNDING FOR ACADEMIC MEDICAL CENTERS IS NOT
7 MADE AVAILABLE TO THOSE ACADEMIC MEDICAL CENTERS DURING
8 FISCAL YEAR 2009-2010.

9 (V) IF SUPPLEMENTAL FEDERAL FUNDING FOR PHYSICIAN
10 PRACTICE PLANS IS NOT MADE AVAILABLE DURING FISCAL YEAR
11 2009-2010, QUALIFYING UNIVERSITIES AND AFFILIATED
12 PHYSICIAN PRACTICE PLANS SHALL NOT RECEIVE ANY LESS
13 FUNDING THAN THE AMOUNT RECEIVED FOR THE FISCAL YEAR
14 2007-2008 STATE APPROPRIATION LEVEL.

15 (VI) FUNDS APPROPRIATED FOR MEDICAL ASSISTANCE
16 TRANSPORTATION SHALL ONLY BE UTILIZED AS A PAYMENT OF
17 LAST RESORT FOR TRANSPORTATION FOR ELIGIBLE MEDICAL
18 ASSISTANCE RECIPIENTS.

19 (VII) THE DEPARTMENT SHALL CONSIDER PHARMACEUTICAL
20 SERVICES A COVERED BENEFIT FOR RECIPIENTS WHO ARE
21 ELIGIBLE FOR SUCH SERVICES AND WHOSE CARE IS MANAGED
22 THROUGH CONTRACTS BETWEEN THE DEPARTMENT AND MANAGED CARE
23 CONTRACTORS. PHARMACEUTICAL BENEFITS SHALL REMAIN A
24 COVERED BENEFIT IN THE CONTRACTS BETWEEN THE DEPARTMENT
25 AND MANAGED CARE CONTRACTORS FOR FISCAL YEARS 2008-2009
26 AND 2009-2010. IF THE DEPARTMENT ELECTS TO BID A CONTRACT
27 FOR FISCAL YEAR 2010-2011 THAT DOES NOT INCLUDE
28 PHARMACEUTICAL SERVICES AS A COVERED BENEFIT FOR
29 RECIPIENTS WHOSE CARE IS MANAGED THROUGH CONTRACTS
30 BETWEEN THE DEPARTMENT AND MANAGED CARE CONTRACTORS, THE

1 SECRETARY OF PUBLIC WELFARE SHALL DO ALL OF THE
2 FOLLOWING:

3 (A) BY MARCH 30, NOTIFY IN WRITING THE CHAIR AND
4 MINORITY CHAIR OF THE APPROPRIATIONS COMMITTEE OF THE
5 SENATE, THE CHAIR AND MINORITY CHAIR OF THE
6 APPROPRIATIONS COMMITTEE OF THE HOUSE OF
7 REPRESENTATIVES, THE CHAIR AND MINORITY CHAIR OF THE
8 PUBLIC HEALTH AND WELFARE COMMITTEE OF THE SENATE AND
9 THE CHAIR AND MINORITY CHAIR OF THE HEALTH AND HUMAN
10 SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

11 (B) ADDITIONALLY BID A CONTRACT FOR FISCAL YEAR
12 2010-2011 THAT DOES INCLUDE PHARMACEUTICAL SERVICES
13 AS A COVERED BENEFIT FOR RECIPIENTS WHO ARE ELIGIBLE
14 FOR SUCH SERVICES AND WHOSE CARE IS MANAGED THROUGH
15 CONTRACTS BETWEEN THE DEPARTMENT AND MANAGED CARE
16 CONTRACTORS.

17 (C) CONDUCT ANY PROCUREMENT FOR EXISTING OR NEW
18 ZONES IN A PUBLIC MANNER, INCLUDING PUBLICATION OF
19 ANY REQUEST FOR PROPOSAL ON THE DEPARTMENT OF PUBLIC
20 WELFARE'S PUBLICLY ACCESSIBLE INTERNET WEBSITE.

21 (VIII) AMOUNTS ALLOCATED FROM FUNDS APPROPRIATED FOR
22 MEDICAL ASSISTANCE OUTPATIENT SERVICES FOR THE SELECT
23 PLAN FOR WOMEN PREVENTATIVE HEALTH SERVICES SHALL BE USED
24 FOR WOMEN'S MEDICAL SERVICES, INCLUDING NONINVASIVE
25 CONTRACEPTION SUPPLIES.

26 (IX) FEDERAL OR STATE FUNDS APPROPRIATED UNDER THE
27 GENERAL APPROPRIATION ACT IN ACCORDANCE WITH THE ACT OF
28 MARCH 24, 2004 (P.L.148, NO.15), KNOWN AS THE
29 PENNSYLVANIA TRAUMA SYSTEMS STABILIZATION ACT, NOT USED
30 TO MAKE PAYMENTS TO HOSPITALS QUALIFYING AS LEVEL III

1 TRAUMA CENTERS SHALL BE USED TO MAKE PAYMENTS TO
2 HOSPITALS QUALIFYING AS LEVEL I AND II TRAUMA CENTERS.

3 (3) BREAST CANCER SCREENING. THE FOLLOWING SHALL APPLY:

4 (I) FUNDS APPROPRIATED FOR BREAST CANCER SCREENING
5 MAY BE USED FOR WOMEN'S MEDICAL SERVICES, INCLUDING
6 NONINVASIVE CONTRACEPTION SUPPLIES.

7 (II) (RESERVED).

8 (4) WOMEN'S SERVICE PROGRAMS. THE FOLLOWING SHALL APPLY:

9 (I) FUNDS APPROPRIATED FOR WOMEN'S SERVICE PROGRAMS
10 GRANTS TO NONPROFIT AGENCIES WHOSE PRIMARY FUNCTION IS TO
11 PROVIDE ALTERNATIVES TO ABORTION SHALL BE EXPENDED TO
12 PROVIDE SERVICES TO WOMEN UNTIL CHILDBIRTH AND FOR UP TO
13 12 MONTHS THEREAFTER, INCLUDING FOOD, SHELTER, CLOTHING,
14 HEALTH CARE, COUNSELING, ADOPTION SERVICES, PARENTING
15 CLASSES, ASSISTANCE FOR POSTDELIVERY STRESS AND OTHER
16 SUPPORTIVE PROGRAMS AND SERVICES AND FOR RELATED OUTREACH
17 PROGRAMS. AGENCIES MAY SUBCONTRACT WITH OTHER NONPROFIT
18 ENTITIES WHICH OPERATE PROJECTS DESIGNED SPECIFICALLY TO
19 PROVIDE ALL OR A PORTION OF THESE SERVICES. PROJECTS
20 RECEIVING FUNDS REFERRED TO IN THIS SUBPARAGRAPH SHALL
21 NOT PROMOTE, REFER OR PERFORM ABORTIONS OR ENGAGE IN ANY
22 COUNSELING WHICH IS INCONSISTENT WITH THE APPROPRIATION
23 REFERRED TO IN THIS SUBPARAGRAPH AND SHALL BE PHYSICALLY
24 AND FINANCIALLY SEPARATE FROM ANY COMPONENT OF ANY LEGAL
25 ENTITY ENGAGING IN SUCH ACTIVITIES.

26 (II) FUNDS APPROPRIATED FOR WOMEN'S SERVICE PROGRAMS
27 SHALL BE USED FOR WOMEN'S MEDICAL SERVICES, INCLUDING
28 NONINVASIVE CONTRACEPTION SUPPLIES.

29 (III) FEDERAL FUNDS APPROPRIATED FOR TANFBG
30 ALTERNATIVES TO ABORTION SHALL BE UTILIZED SOLELY FOR

SERVICES TO WOMEN WHOSE GROSS FAMILY INCOME IS BELOW 185%
OF THE FEDERAL POVERTY GUIDELINES.

(5) COUNTY CHILDREN AND YOUTH PROGRAMS. THE FOLLOWING
SHALL APPLY:

(I) NO MORE THAN 50% OF FUNDS ALLOCATED FROM THE
STATE APPROPRIATION FOR COUNTY CHILDREN AND YOUTH
PROGRAMS TO EACH COUNTY SHALL BE EXPENDED UNTIL EACH
COUNTY SUBMITS TO THE DEPARTMENT DATA FOR THE PRIOR STATE
FISCAL YEAR, AND UPDATED QUARTERLY, ON THE UNDUPLICATED
CASELOADS, UNDUPLICATED SERVICES AND NUMBER OF
CASEWORKERS BY COUNTY PROGRAM. DATA SHALL BE SUBMITTED IN
A FORM ACCEPTABLE TO THE DEPARTMENT. A COPY OF THE DATA
SHALL BE SENT TO THE CHAIRMAN AND MINORITY CHAIRMAN OF
THE APPROPRIATIONS COMMITTEE OF THE SENATE AND TO THE
CHAIRMAN AND THE MINORITY CHAIRMAN OF THE APPROPRIATIONS
COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

(II) REIMBURSEMENT FOR CHILDREN AND YOUTH SERVICES
MADE PURSUANT TO SECTION 704.1 OF THE ACT OF JUNE 13,
1967 (P.L.31, NO.21), KNOWN AS THE PUBLIC WELFARE CODE,
SHALL NOT EXCEED THE AMOUNT OF STATE FUNDS APPROPRIATED.
IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT COUNTIES DO
NOT EXPERIENCE ANY ADVERSE FISCAL IMPACT DUE TO THE
DEPARTMENT'S MAXIMIZATION EFFORTS.

(6) COMMUNITY-BASED FAMILY CENTERS. NO FUNDS
APPROPRIATED FOR COMMUNITY-BASED FAMILY CENTERS MAY BE
CONSIDERED AS PART OF THE BASE FOR CALCULATION OF THE COUNTY
CHILD WELFARE NEEDS-BASED BUDGET FOR A FISCAL YEAR.

SECTION 1730-J. DEPARTMENT OF REVENUE (RESERVED).

SECTION 1731-J. DEPARTMENT OF STATE (RESERVED).

SECTION 1732-J. DEPARTMENT OF TRANSPORTATION (RESERVED).

1 SECTION 1733-J. PENNSYLVANIA STATE POLICE.

2 THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE
3 PENNSYLVANIA STATE POLICE FROM THE GENERAL APPROPRIATION ACT:

4 (1) PAYMENTS MADE TO MUNICIPALITIES UNDER 53 PA.C.S. §
5 2170 (RELATING TO REIMBURSEMENT OF EXPENSES) SHALL BE LIMITED
6 TO FUNDS AVAILABLE. IF FUNDS ARE NOT AVAILABLE TO MAKE FULL
7 PAYMENTS, THE MUNICIPAL POLICE OFFICERS' EDUCATION AND
8 TRAINING COMMISSION SHALL MAKE PAYMENTS ON A PRO RATA BASIS.

9 (2) (RESERVED).

10 SECTION 1734-J. STATE CIVIL SERVICE COMMISSION (RESERVED).

11 SECTION 1735-J. PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY
12 (RESERVED).

13 SECTION 1736-J. PENNSYLVANIA FISH AND BOAT COMMISSION
14 (RESERVED).

15 SECTION 1737-J. STATE SYSTEM OF HIGHER EDUCATION.

16 THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE STATE
17 SYSTEM OF HIGHER EDUCATION FROM THE GENERAL APPROPRIATION ACT:

18 (1) EACH PUBLIC INSTITUTION OF HIGHER EDUCATION AS
19 DEFINED IN ARTICLE XX-C OF THE PUBLIC SCHOOL CODE OF 1949
20 SHALL DO ALL OF THE FOLLOWING:

21 (I) AGREE TO ACCEPT WITH FULL JUNIOR STANDING THE
22 ASSOCIATE OF ARTS OR ASSOCIATE OF SCIENCE DEGREE INTO A
23 PARALLEL BACCALAUREATE PROGRAM AS OUTLINED IN
24 SUBPARAGRAPH (III) BY THE TIMELINES ESTABLISHED BY THE
25 TRANSFER AND ARTICULATION OVERSIGHT COMMITTEE BUT NO
26 LATER THAN DECEMBER 31, 2011. FOR PURPOSES OF THIS
27 PARAGRAPH, AN ASSOCIATE OF ARTS OR ASSOCIATE OF SCIENCE
28 DEGREE IS A DEGREE DESIGNED PRIMARILY FOR TRANSFER TO A
29 BACCALAUREATE INSTITUTION AND MUST CONTAIN A MINIMUM OF
30 60 CREDITS.

1 (II) SUBMIT TO THE DEPARTMENT OF EDUCATION INTERIM
2 REPORTS OUTLINING THE ACTIONS THAT THE PUBLIC INSTITUTION
3 OF HIGHER EDUCATION HAS UNDERTAKEN OR INTENDS TO
4 UNDERTAKE TO COMPLY WITH SUBPARAGRAPH (I), WHICH SHALL BE
5 FILED BY DECEMBER 31, 2009, JUNE 30, 2010, AND DECEMBER
6 31, 2010.

7 (III) AS A MEMBER OF THE TRANSFER AND ARTICULATION
8 OVERSIGHT COMMITTEE ESTABLISHED IN SECTION 2004-C OF THE
9 PUBLIC SCHOOL CODE OF 1949:

10 (A) BY DECEMBER 1, 2009, CONSULT WITH THE
11 DEPARTMENT OF EDUCATION ON A PROCESS AND TIMELINE,
12 SUBJECT TO APPROVAL BY THE DEPARTMENT, TO IDENTIFY
13 THE ASSOCIATE OF ARTS OR ASSOCIATE OF SCIENCE DEGREE
14 ALIGNED WITH THE GRADUATION REQUIREMENTS OF THE
15 PARALLEL BACCALAUREATE DEGREE IN ALL PUBLIC
16 INSTITUTIONS OF HIGHER EDUCATION IN CONSULTATION WITH
17 FACULTY AND PERSONNEL.

18 (B) IDENTIFY ASSOCIATE OF ARTS OR ASSOCIATE OF
19 SCIENCE DEGREE PROGRAMS FOR TRANSFER WITH FULL JUNIOR
20 STANDING INTO A PARALLEL BACCALAUREATE DEGREE IN
21 CONSULTATION WITH FACULTY AND PERSONNEL IN THOSE
22 DEGREE PROGRAMS BY DECEMBER 31, 2011.

23 (C) IDENTIFY MODIFICATIONS THAT MAY BE REQUIRED
24 IN EXISTING ASSOCIATE OR BACCALAUREATE DEGREES TO
25 SATISFY EXTERNAL ACCREDITATION OR LICENSURE
26 REQUIREMENTS IN CONSULTATION WITH FACULTY AND
27 PERSONNEL. APPROVED MODIFICATIONS SHALL RECOGNIZE ALL
28 COMPETENCIES ATTAINED WITHIN EITHER THE ASSOCIATE OR
29 BACCALAUREATE PROGRAMS.

30 (D) DEFINE REQUIREMENTS, IN CONSULTATION WITH

1 FACULTY AND PERSONNEL, FOR EDUCATION DEGREES,
2 INCLUDING EARLY CHILDHOOD EDUCATION DEGREES, LEADING
3 TO CERTIFICATION TO BE INCLUDED IN AN ASSOCIATE
4 DEGREE AND TO BE ACCEPTED FOR TRANSFER WITH FULL
5 JUNIOR STANDING INTO A PARALLEL BACCALAUREATE DEGREE
6 PROGRAM.

7 (2) (RESERVED).

8 SECTION 1737.1-J. STATE-RELATED INSTITUTIONS.

9 THE FOLLOWING SHALL APPLY TO STATE-RELATED INSTITUTIONS:

10 (1) (I) NO LATER THAN JUNE 15, 2010, EACH STATE-RELATED
11 INSTITUTION SHALL IDENTIFY 30 CREDIT HOURS OF COURSE
12 CONTENT FROM EQUIVALENT COURSES IDENTIFIED UNDER ARTICLE
13 XX-C OF THE PUBLIC SCHOOL CODE OF 1949 THAT IT WILL
14 ACCEPT FROM A STUDENT ACCEPTED FOR TRANSFER FROM AN
15 INSTITUTION OF HIGHER EDUCATION PARTICIPATING IN ARTICLE
16 XX-C OF THE PUBLIC SCHOOL CODE OF 1949. A STATE-RELATED
17 INSTITUTION SHALL COUNT A COURSE IN THE SAME MANNER THAT
18 IT WOULD COUNT THE SAME OR EQUIVALENT COURSE IF TAKEN BY
19 A STUDENT AT THE STATE-RELATED INSTITUTION.

20 (II) EACH STATE-RELATED INSTITUTION SHALL MAKE THE
21 INFORMATION IDENTIFIED IN SUBPARAGRAPH (I) AVAILABLE TO
22 THE DEPARTMENT OF EDUCATION FOR POSTING ON THE
23 DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET WEBSITE.

24 (III) NOTHING IN THIS PARAGRAPH SHALL BE CONSTRUED
25 TO:

26 (A) REQUIRE A STATE-RELATED INSTITUTION TO APPLY
27 A COURSE TO GRADUATION OR DEGREE REQUIREMENTS IF THAT
28 COURSE OR ITS EQUIVALENT COURSE WOULD NOT BE APPLIED
29 TO GRADUATION OR DEGREE REQUIREMENTS IF TAKEN AT THE
30 STATE-RELATED INSTITUTION.

1 (B) INFRINGE ON A STATE-RELATED INSTITUTION'S
2 SOLE AUTHORITY TO ACCEPT A STUDENT FOR TRANSFER, TO
3 DETERMINE ACCEPTANCE INTO A MAJOR, TO DETERMINE THE
4 CAMPUS ASSIGNMENT OF SUCH STUDENT OR TO DETERMINE HOW
5 MANY AND WHICH CREDIT HOURS SHALL APPLY FOR THE
6 TRANSFER STUDENT TOWARD THE COMPLETION OF A DEGREE.
7 THE MANNER IN WHICH ACCEPTED COURSES APPLY TOWARD
8 COMPLETION OF A DEGREE AND WHETHER THEY ARE COUNTED
9 FOR GENERAL EDUCATION, MAJOR OR FREE ELECTIVE CREDIT
10 SHALL BE SUBJECT TO THE REQUIREMENTS ESTABLISHED BY
11 THE ACCEPTING STATE-RELATED INSTITUTION FOR EACH
12 INDIVIDUAL MAJOR OR PROGRAM OF STUDY.

13 (C) PROHIBIT A STATE-RELATED INSTITUTION'S
14 ABILITY TO ENTER INTO DISCUSSIONS WITH THE DEPARTMENT
15 OF EDUCATION TO INCREASE THE NUMBER OF CREDITS
16 PURSUANT TO SUBPARAGRAPH (I).

17 (IV) FOR THE PURPOSE OF THIS PARAGRAPH, "STATE-
18 RELATED INSTITUTION" SHALL HAVE THE MEANING GIVEN TO IT
19 IN ARTICLE XX-C OF THE PUBLIC SCHOOL CODE OF 1949.

20 (2) (RESERVED).

21 SECTION 1738-J. PENNSYLVANIA HIGHER EDUCATION ASSISTANCE
22 AGENCY.

23 THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE
24 PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY FROM THE GENERAL
25 APPROPRIATION ACT:

26 (1) MAXIMIZATION OF FUNDS. THE PENNSYLVANIA HIGHER
27 EDUCATION ASSISTANCE AGENCY SHALL USE FUNDS APPROPRIATED FOR
28 MATCHING PAYMENTS FOR STUDENT AID FUNDS TO MAXIMIZE THE
29 RECEIPT OF FEDERAL FUNDS TO THE FULLEST EXTENT POSSIBLE.

30 (2) LIMITATION. NO COLLEGE, UNIVERSITY OR INSTITUTION

1 RECEIVING A DIRECT APPROPRIATION FROM THE COMMONWEALTH SHALL
2 BE ELIGIBLE TO PARTICIPATE IN THE INSTITUTIONAL ASSISTANCE
3 GRANTS PROGRAM.

4 (3) AGRICULTURAL LOAN FORGIVENESS. IN DISTRIBUTING FUNDS
5 APPROPRIATED FOR AGRICULTURAL LOAN FORGIVENESS, THE AGENCY
6 SHALL GIVE PREFERENCE TO RENEWAL APPLICANTS.

7 SECTION 1739-J. PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION
8 (RESERVED).

9 SECTION 1740-J. PENNSYLVANIA INFRASTRUCTURE INVESTMENT
10 AUTHORITY (RESERVED).

11 SECTION 1741-J. ENVIRONMENTAL HEARING BOARD (RESERVED).

12 SECTION 1742-J. PENNSYLVANIA BOARD OF PROBATION AND PAROLE
13 (RESERVED).

14 SECTION 1743-J. PENNSYLVANIA PUBLIC TELEVISION NETWORK
15 COMMISSION (RESERVED).

16 SECTION 1744-J. PENNSYLVANIA SECURITIES COMMISSION (RESERVED).

17 SECTION 1745-J. STATE TAX EQUALIZATION BOARD (RESERVED).

18 SECTION 1746-J. HEALTH CARE COST CONTAINMENT COUNCIL.

19 (1) THE HEALTH CARE COST CONTAINMENT COUNCIL SHALL
20 SUBMIT A REPORT TO THE CHAIRMAN AND MINORITY CHAIRMAN OF THE
21 APPROPRIATIONS COMMITTEE OF THE SENATE AND THE CHAIRMAN AND
22 MINORITY CHAIRMAN OF THE APPROPRIATIONS COMMITTEE OF THE
23 HOUSE OF REPRESENTATIVES SPECIFYING THE AMOUNT AND SOURCE OF
24 PROCEEDS RECEIVED FROM THE SALE OF DATA BY THE COUNCIL. THE
25 REPORT SHALL SUPPLEMENT THE ANNUAL REPORT OF FINANCIAL
26 EXPENDITURES REQUIRED UNDER SECTION 17.1 OF THE ACT OF JULY
27 8, 1986 (P.L.408, NO.89), KNOWN AS THE HEALTH CARE COST
28 CONTAINMENT ACT. TWENTY-FIVE PERCENT OF THE PROCEEDS RECEIVED
29 FROM THE SALE OF DATA MAY BE USED FOR THE OPERATIONS OF THE
30 COUNCIL. THE REMAINDER OF THE PROCEEDS SHALL BE DEPOSITED IN

1 THE GENERAL FUND AND SHALL NOT BE EXPENDED UNLESS

2 APPROPRIATED BY THE GENERAL ASSEMBLY.

3 (2) THE SUM OF \$2,300,000 IS TRANSFERRED FROM THE HEALTH
4 CARE COST CONTAINMENT COUNCIL TO THE GENERAL FUND, TO INCLUDE
5 MONEY APPROPRIATED TO OR RECEIVED BY THE COUNCIL PRIOR TO
6 2008-2009 THAT IS UNSPENT OR UNCOMMITTED.

7 SECTION 1747-J. STATE ETHICS COMMISSION (RESERVED).

8 SECTION 1748-J. STATE EMPLOYEES' RETIREMENT SYSTEM (RESERVED).

9 SECTION 1749-J. THADDEUS STEVENS COLLEGE OF TECHNOLOGY

10 (RESERVED).

11 SECTION 1750-J. PENNSYLVANIA HOUSING FINANCE AGENCY (RESERVED).

12 SECTION 1751-J. LIHEABG (RESERVED).

13 SECTION 1752-J. BUDGET STABILIZATION RESERVE FUND (RESERVED).

14 SUBARTICLE C

15 LEGISLATIVE DEPARTMENT

16 (RESERVED)

17 SUBARTICLE D

18 JUDICIAL DEPARTMENT

19 SECTION 1781-J. SUPREME COURT (RESERVED).

20 SECTION 1782-J. SUPERIOR COURT (RESERVED).

21 SECTION 1783-J. COMMONWEALTH COURT (RESERVED).

22 SECTION 1784-J. COURTS OF COMMON PLEAS (RESERVED).

23 SECTION 1785-J. COMMUNITY COURTS; MAGISTERIAL DISTRICT JUDGES

24 (RESERVED).

25 SECTION 1786-J. PHILADELPHIA TRAFFIC COURT (RESERVED).

26 SECTION 1787-J. PHILADELPHIA MUNICIPAL COURT (RESERVED).

27 SECTION 1788-J. JUDICIAL CONDUCT BOARD (RESERVED).

28 SECTION 1789-J. COURT OF JUDICIAL DISCIPLINE (RESERVED).

29 SECTION 1790-J. JUROR COST REIMBURSEMENT (RESERVED).

30 SECTION 1791-J. COUNTY COURT REIMBURSEMENT (RESERVED).

SECTION 1792-J. SENIOR JUDGES (RESERVED).

SECTION 1793-J. TRANSFER OF FUNDS BY SUPREME COURT (RESERVED).

ARTICLE XVII-K

2009-2010 RESTRICTIONS ON APPROPRIATIONS

FOR FUNDS AND ACCOUNTS

SECTION 1701-K. APPLICABILITY.

EXCEPT AS SPECIFICALLY PROVIDED IN THIS ARTICLE, THIS ARTICLE
APPLIES TO THE ACT OF AUGUST 5, 2009 (P.L. , NO.1A), KNOWN AS
THE GENERAL APPROPRIATION ACT OF 2009, THE ACT OF , 2009
(P.L. , NO.), KNOWN AS THE SUPPLEMENTAL APPROPRIATION ACT
OF 2009, AND AS APPROPRIATE, ALL OTHER APPROPRIATION ACTS OF
2009.

SECTION 1702-K. STATE LOTTERY FUND.

(1) FUNDS APPROPRIATED FOR PENNCARE SHALL NOT BE
UTILIZED FOR ADMINISTRATIVE COSTS BY THE DEPARTMENT OF AGING.

(2) (RESERVED).

SECTION 1703-K. ENERGY CONSERVATION AND ASSISTANCE FUND

(RESERVED).

SECTION 1704-K. JUDICIAL COMPUTER SYSTEM AUGMENTATION ACCOUNT.

THE SUPREME COURT AND THE COURT ADMINISTRATOR OF PENNSYLVANIA
ARE PROHIBITED FROM AUGMENTING THE AMOUNT APPROPRIATED TO THE
JUDICIAL COMPUTER SYSTEM AUGMENTATION ACCOUNT BY BILLINGS TO
OTHER APPROPRIATIONS TO THE JUDICIAL BRANCH FOR THE STATEWIDE
JUDICIAL COMPUTER SYSTEM OR FOR ANY OTHER PURPOSE.

SECTION 1704.1-K. ACCESS TO JUSTICE ACCOUNT.

NOTWITHSTANDING 42 PA.C.S. § 4906 (RELATING TO DISTRIBUTION
OF FUNDS), MONEYS IN THE ACCESS TO JUSTICE ACCOUNT MAY BE
DISTRIBUTED AT ANY TIME UPON REQUISITION OF THE COURT
ADMINISTRATOR OF PENNSYLVANIA TO THE PENNSYLVANIA INTEREST ON
LAWYERS TRUST ACCOUNT BOARD.

1 SECTION 1705-K. EMERGENCY MEDICAL SERVICES OPERATING FUND

2 (RESERVED).

3 SECTION 1706-K. STATE STORES FUND (RESERVED).

4 SECTION 1707-K. MOTOR LICENSE FUND (RESERVED).

5 SECTION 1708-K. HAZARDOUS MATERIAL RESPONSE FUND (RESERVED).

6 SECTION 1709-K. MILK MARKETING FUND (RESERVED).

7 SECTION 1710-K. HOME INVESTMENT TRUST FUND (RESERVED).

8 SECTION 1711-K. TUITION PAYMENT FUND (RESERVED).

9 SECTION 1712-K. BANKING DEPARTMENT FUND (RESERVED).

10 SECTION 1713-K. FIREARM RECORDS CHECK FUND (RESERVED).

11 SECTION 1714-K. BEN FRANKLIN TECHNOLOGY DEVELOPMENT AUTHORITY
12 FUND (RESERVED).

13 SECTION 1715-K. TOBACCO SETTLEMENT FUND.

14 (A) DEPOSITS.--

15 (1) NOTWITHSTANDING SECTIONS 303(B)(2), (3) AND (4) AND
16 306 OF THE ACT OF JUNE 26, 2001 (P.L.755, NO.77), KNOWN AS
17 THE TOBACCO SETTLEMENT ACT, THE FOLLOWING SHALL APPLY:

18 (I) FOR FISCAL YEAR 2009-2010, THE STRATEGIC
19 CONTRIBUTION PAYMENTS RECEIVED IN FISCAL YEAR 2008-2009
20 PURSUANT TO THE MASTER SETTLEMENT AGREEMENT SHALL BE
21 DEPOSITED IN THE TOBACCO SETTLEMENT FUND.

22 (II) FOR FISCAL YEAR 2009-2010, \$15,000,000 OF THE
23 FUNDS DERIVED UNDER SECTION 303(B)(3) OF THE TOBACCO
24 SETTLEMENT ACT SHALL BE DEPOSITED INTO THE TOBACCO
25 SETTLEMENT FUND.

26 (III) FOR FISCAL YEAR 2009-2010, \$10,000,000 OF THE
27 FUNDS DERIVED UNDER SECTION 303(B)(4) OF THE TOBACCO
28 SETTLEMENT ACT SHALL BE DEPOSITED INTO THE TOBACCO
29 SETTLEMENT FUND.

30 (IV) FOR FISCAL YEAR 2009-2010, 25% OF THE MONEY

1 APPROPRIATED UNDER SECTION 306(B)(1)(III) OF THE TOBACCO
2 SETTLEMENT ACT MAY NOT BE EXPENDED, TRANSFERRED OR LAPSED
3 BUT SHALL REMAIN IN THE TOBACCO SETTLEMENT FUND.

4 (V) FOR FISCAL YEAR 2009-2010, 33.3% OF THE MONEY
5 APPROPRIATED UNDER SECTION 306(B)(1)(VI) OF THE TOBACCO
6 SETTLEMENT ACT MAY NOT BE EXPENDED, TRANSFERRED OR LAPSED
7 BUT SHALL REMAIN IN THE TOBACCO SETTLEMENT FUND.

8 (2) MONEY DEPOSITED INTO THE FUND UNDER PARAGRAPH (1)
9 SHALL BE APPROPRIATED FOR HEALTH-RELATED PURPOSES. IF
10 APPLICABLE, THE AMOUNT APPROPRIATED IN ACCORDANCE WITH THIS
11 PARAGRAPH SHALL BE MATCHED BY APPROPRIATED FEDERAL AUGMENTING
12 FUNDS.

13 (B) TRANSFERS.--

14 (1) NOTWITHSTANDING SECTIONS 306 AND 307 OF THE TOBACCO
15 SETTLEMENT ACT, THE FOLLOWING SHALL APPLY.

16 (I) FOR FISCAL YEAR 2009-2010, 37.5% OF THE MONEY
17 APPROPRIATED UNDER SECTION 306(B)(1)(III) OF THE TOBACCO
18 SETTLEMENT ACT IS TRANSFERRED FROM THE TOBACCO SETTLEMENT
19 FUND TO THE GENERAL FUND.

20 (II) FOR FISCAL YEAR 2010-2011, 37.5% OF THE MONEY
21 APPROPRIATED UNDER SECTION 306(B)(1)(III) OF THE TOBACCO
22 SETTLEMENT ACT IS TRANSFERRED FROM THE TOBACCO SETTLEMENT
23 FUND TO THE GENERAL FUND.

24 (III) FOR FISCAL YEAR 2009-2010, 100% OF THE MONEY
25 RECEIVED IN FISCAL YEAR 2008-2009 APPROPRIATED UNDER
26 SECTION 306(B)(1)(I) OF THE TOBACCO SETTLEMENT ACT SHALL
27 BE TRANSFERRED FROM THE TOBACCO ENDOWMENT ACCOUNT FOR
28 LONG-TERM HOPE TO THE TOBACCO SETTLEMENT FUND.

29 (IV) FOR FISCAL YEAR 2009-2010, \$150,000,000 IS
30 TRANSFERRED FROM THE TOBACCO ENDOWMENT ACCOUNT FOR LONG-

1 TERM HOPE TO THE GENERAL FUND.

2 (V) FOR FISCAL YEAR 2010-2011, \$250,000,000 IS
3 TRANSFERRED FROM THE TOBACCO ENDOWMENT ACCOUNT FOR LONG-
4 TERM HOPE TO THE GENERAL FUND.

5 (2) MONEY TRANSFERRED UNDER PARAGRAPH (1) (III) SHALL BE
6 APPROPRIATED FOR HEALTH-RELATED PURPOSES. IF APPLICABLE, THE
7 AMOUNT APPROPRIATED IN ACCORDANCE WITH THIS PARAGRAPH SHALL
8 BE MATCHED BY APPROPRIATED FEDERAL AUGMENTING FUNDS.

9 (C) ALLOCATION.--FUNDING FOR LOCAL PROGRAMS UNDER SECTION
10 708(B) OF THE TOBACCO SETTLEMENT ACT SHALL BE ALLOCATED AS
11 FOLLOWS:

12 (1) THIRTY PERCENT OF GRANT FUNDING TO PRIMARY
13 CONTRACTORS FOR LOCAL PROGRAMS SHALL BE ALLOCATED EQUALLY
14 AMONG EACH OF THE 67 COUNTIES.

15 (2) THE REMAINING 70% OF GRANT FUNDING TO PRIMARY
16 CONTRACTORS FOR LOCAL PROGRAMS SHALL BE ALLOCATED ON A PER
17 CAPITA BASIS OF EACH COUNTY WITH A POPULATION GREATER THAN
18 60,000. THE PER CAPITA FORMULA SHALL BE APPLIED ONLY TO THAT
19 PORTION OF THE POPULATION THAT IS GREATER THAN 60,000 FOR
20 EACH COUNTY.

21 (3) BUDGETS SHALL BE DEVELOPED BY EACH PRIMARY
22 CONTRACTOR TO REFLECT SERVICE PLANNING AND EXPENDITURES IN
23 EACH COUNTY. EACH PRIMARY CONTRACTOR WILL ENSURE THAT
24 SERVICES ARE AVAILABLE TO RESIDENTS OF EACH COUNTY AND MUST
25 EXPEND THE ALLOCATED FUNDS ON A PER-COUNTY BASIS PURSUANT TO
26 PARAGRAPHS (1) AND (2).

27 (4) THE DEPARTMENT OF HEALTH SHALL COMPILE A DETAILED
28 ANNUAL REPORT OF EXPENDITURES PER COUNTY AND THE SPECIFIC
29 PROGRAMS OFFERED IN EACH REGION. THIS REPORT SHALL BE MADE
30 AVAILABLE ON THE DEPARTMENT OF HEALTH'S PUBLICLY AVAILABLE

INTERNET WEBSITE 60 DAYS FOLLOWING THE CLOSE OF EACH FISCAL YEAR.

(5) DURING THE THIRD QUARTER OF THE FISCAL YEAR, FUNDS WHICH HAVE NOT BEEN SPENT WITHIN A SERVICE AREA MAY BE REALLOCATED TO SUPPORT PROGRAMMING IN THE SAME REGION.

(D) USE OF MONEY FOR LOBBYING PROHIBITED.--NO MONEY DERIVED FROM AN APPROPRIATION BY THE GENERAL ASSEMBLY FROM THE TOBACCO SETTLEMENT FUND MAY BE USED FOR THE LOBBYING OF ANY STATE PUBLIC OFFICIAL.

SECTION 1716-K. COMMUNITY HEALTH REINVESTMENT RESTRICTED ACCOUNT.

(A) ESTABLISHMENT.--THERE IS ESTABLISHED IN THE STATE TREASURY A RESTRICTED RECEIPTS ACCOUNT IN THE TOBACCO SETTLEMENT FUND TO BE KNOWN AS THE COMMUNITY HEALTH REINVESTMENT RESTRICTED ACCOUNT. INTEREST EARNED ON MONEY IN THE ACCOUNT SHALL REMAIN IN THE ACCOUNT.

(B) AGREEMENT ON COMMUNITY HEALTH REINVESTMENT.--EACH CALENDAR YEAR, A CORPORATION UNDER 40 PA.C.S. CH. 61 (RELATING TO HOSPITAL PLAN CORPORATIONS) OR 63 (RELATING TO PROFESSIONAL HEALTH SERVICES PLAN CORPORATIONS) THAT IS A PARTY TO THE AGREEMENT ON COMMUNITY HEALTH REINVESTMENT ENTERED INTO FEBRUARY 2, 2005, BY THE INSURANCE DEPARTMENT AND THE CAPITAL BLUE CROSS, HIGHMARK, INC., HOSPITAL SERVICE ASSOCIATION OF NORTHEASTERN PENNSYLVANIA AND INDEPENDENCE BLUE CROSS, AND PUBLISHED IN THE PENNSYLVANIA BULLETIN AT 35 PA.B. 4155 (JULY 23, 2005), SHALL PAY TO THE ACCOUNT THE AMOUNT CALCULATED FOR SUCH CALENDAR YEAR IN SECTION 5 OF THE AGREEMENT, PUBLISHED AT 35 PA.B. 4156.

(C) APPROPRIATION.--THE MONEY IN THE ACCOUNT, INCLUDING ALL INTEREST EARNED, IS APPROPRIATED TO THE INSURANCE DEPARTMENT TO BE USED IN ACCORDANCE WITH THE AGREEMENT ON COMMUNITY HEALTH

1 REINVESTMENT DESCRIBED IN SUBSECTION (B).

2 SECTION 1717-K. HEALTH CARE PROVIDER RETENTION ACCOUNT.

3 THE SUM OF \$708,000,000 IS TRANSFERRED FROM THE HEALTH CARE
4 PROVIDER RETENTION ACCOUNT ESTABLISHED UNDER SECTION 1112(A) OF
5 THE ACT OF MARCH 20, 2002 (P.L.154, NO.13), KNOWN AS THE MEDICAL
6 CARE AVAILABILITY AND REDUCTION OF ERROR (MCARE) ACT, TO THE
7 GENERAL FUND.

8 SECTION 1717.1-K. MEDICAL CARE AVAILABILITY AND REDUCTION OF
9 ERROR FUND.

10 THE FOLLOWING SHALL APPLY:

11 (1) THE SUM OF \$100,000,000 IS TRANSFERRED FROM THE
12 MEDICAL CARE AVAILABILITY AND REDUCTION OF ERROR FUND
13 ESTABLISHED UNDER SECTION 712 OF THE ACT OF MARCH 20, 2002
14 (P.L.154, NO.13), KNOWN AS THE MEDICAL CARE AVAILABILITY AND
15 REDUCTION OF ERROR (MCARE) ACT, TO THE GENERAL FUND.

16 (2) NOTWITHSTANDING SECTION 712(M) OF THE ACT OF MARCH
17 20, 2002 (P.L.154, NO.13), KNOWN AS THE MEDICAL CARE
18 AVAILABILITY AND REDUCTION OF ERROR (MCARE) ACT, AND 75
19 PA.C.S. § 6506(B) (RELATING TO SURCHARGE), FOR FISCAL YEARS
20 2009-2010 AND 2010-2011, ALL SURCHARGES COLLECTED UNDER 75
21 PA.C.S. § 6506 BY ANY DIVISION OF THE UNIFIED JUDICIAL SYSTEM
22 SHALL BE DEPOSITED IN THE GENERAL FUND UPON RECEIPT.

23 SECTION 1718-K. BUDGET STABILIZATION RESERVE FUND.

24 (A) GENERAL PROVISIONS.--NOTWITHSTANDING SECTION 1703-A(B),
25 THE SUM OF \$755,000,000 IS TRANSFERRED FROM THE BUDGET
26 STABILIZATION RESERVE FUND TO THE GENERAL FUND.

27 (B) SURPLUS.--NO AMOUNT OF THE SURPLUS IN THE GENERAL FUND
28 IN FISCAL YEAR 2009-2010 SHALL BE DEPOSITED INTO THE BUDGET
29 STABILIZATION RESERVE FUND.

30 SECTION 1718.1-K. GAMING ECONOMIC DEVELOPMENT AND TOURISM FUND.

1 NOTWITHSTANDING THE PROVISIONS OF 4 PA.C.S. PART II (RELATING
2 TO GAMING) AND THE ACT OF JULY 9, 2008 (P.L.908, NO.63), KNOWN
3 AS THE H2O PA ACT, \$5,080,000 IS HEREBY APPROPRIATED FROM THE
4 GAMING ECONOMIC DEVELOPMENT AND TOURISM FUND TO THE DEPARTMENT
5 OF GENERAL SERVICES TO MEET ADDITIONAL PAYMENT OBLIGATIONS FOR
6 THE PROJECT ITEMIZED IN SECTION 3(2)(I)(D) OF THE ACT OF JULY
7 25, 2007 (P.L.342, NO.53), KNOWN AS THE PENNSYLVANIA GAMING
8 ECONOMIC DEVELOPMENT AND TOURISM FUND CAPITAL BUDGET ITEMIZATION
9 ACT OF 2007.

10 SECTION 1719-K. RESTRICTED RECEIPT ACCOUNTS.

11 (A) GENERAL PROVISIONS.--THE SECRETARY MAY CREATE RESTRICTED
12 RECEIPT ACCOUNTS FOR THE PURPOSE OF ADMINISTERING FEDERAL GRANTS
13 ONLY FOR THE PURPOSES DESIGNATED IN THIS SECTION.

14 (B) DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT.--THE
15 FOLLOWING RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE
16 DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT:

17 (1) ARC HOUSING REVOLVING LOAN PROGRAM.

18 (2) (RESERVED).

19 (C) DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES.--THE
20 FOLLOWING RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE
21 DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES:

22 (1) FEDERAL AID TO VOLUNTEER FIRE COMPANIES.

23 (2) FEDERAL LAND AND WATER CONSERVATION FUND ACT.

24 (3) NATIONAL FOREST RESERVE ALLOTMENT.

25 (4) FEDERAL LAND AND WATER CONSERVATION FUND ACT -

26 CONSERVATION AND NATURAL RESOURCES.

27 (D) DEPARTMENT OF EDUCATION.--THE FOLLOWING RESTRICTED
28 RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE DEPARTMENT OF
29 EDUCATION:

30 (1) EDUCATION OF THE DISABLED - PART C.

1 (2) LSTA - LIBRARY GRANTS.

2 (3) THE PENNSYLVANIA STATE UNIVERSITY FEDERAL AID.

3 (4) EMERGENCY IMMIGRATION EDUCATION ASSISTANCE.

4 (5) EDUCATION OF THE DISABLED - PART D.

5 (6) HOMELESS ADULT ASSISTANCE PROGRAM.

6 (7) SEVERELY HANDICAPPED.

7 (8) MEDICAL ASSISTANCE REIMBURSEMENTS TO LOCAL EDUCATION
8 AGENCIES.

9 (E) DEPARTMENT OF ENVIRONMENTAL PROTECTION.--THE FOLLOWING
10 RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE
11 DEPARTMENT OF ENVIRONMENTAL PROTECTION:

12 (1) FEDERAL WATER RESOURCES PLANNING ACT.

13 (2) FLOOD CONTROL PAYMENTS.

14 (3) SOIL AND WATER CONSERVATION ACT - INVENTORY OF
15 PROGRAMS.

16 (F) DEPARTMENT OF HEALTH.--THE FOLLOWING RESTRICTED RECEIPT
17 ACCOUNTS MAY BE ESTABLISHED FOR THE DEPARTMENT OF HEALTH:

18 (1) SHARE LOAN PROGRAM.

19 (2) (RESERVED).

20 (G) DEPARTMENT OF TRANSPORTATION.--THE FOLLOWING RESTRICTED
21 RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE DEPARTMENT OF
22 TRANSPORTATION:

23 (1) CAPITAL ASSISTANCE ELDERLY AND HANDICAPPED PROGRAMS.

24 (2) RAILROAD REHABILITATION AND IMPROVEMENT ASSISTANCE.

25 (3) RIDESHARING/VAN POOL PROGRAM - ACQUISITION.

26 (H) PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY.--THE FOLLOWING
27 RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE
28 PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY:

29 (1) RECEIPTS FROM FEDERAL GOVERNMENT - DISASTER RELIEF -
30 DISASTER RELIEF ASSISTANCE TO STATE AND POLITICAL

1 SUBDIVISIONS.

2 (2) (RESERVED).

3 (I) PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION.--THE
4 FOLLOWING RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE
5 PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION:

6 (1) FEDERAL GRANT - NATIONAL HISTORIC PRESERVATION ACT.

7 (2) (RESERVED).

8 (J) EXECUTIVE OFFICES.--THE FOLLOWING RESTRICTED RECEIPT
9 ACCOUNTS MAY BE ESTABLISHED FOR THE EXECUTIVE OFFICES:

10 (1) RETIRED EMPLOYEES MEDICARE PART D.

11 (2) JUSTICE ASSISTANCE.

12 (3) JUVENILE ACCOUNTABILITY INCENTIVE.

13 SECTION 1720-K. STATE GAMING FUND.

14 (A) DEDUCTION OF CERTAIN APPROPRIATIONS.--NOTWITHSTANDING
15 THE PROVISIONS OF SECTION 504(C) (1) OF THE ACT OF JUNE 27, 2006
16 (1ST SP.SESS., P.L.1873, NO.1), KNOWN AS THE TAXPAYER RELIEF
17 ACT, FUNDS APPROPRIATED TO THE PENNSYLVANIA GAMING CONTROL BOARD
18 FROM THE STATE GAMING FUND SHALL BE DEDUCTED FROM THE AMOUNT
19 TRANSFERRED TO THE PROPERTY TAX RELIEF RESERVE FUND UNDER
20 SECTION 504(B) OF THE TAXPAYER RELIEF ACT AND LOANED TO THE
21 PENNSYLVANIA GAMING CONTROL BOARD FOR PAYMENT OF THE BOARD'S
22 ADMINISTRATIVE AND OPERATING EXPENSES FOR THE FISCAL YEAR
23 COMMENCING JULY 1, 2009. FUNDS LOANED TO THE BOARD UNDER THIS
24 SECTION AND SECTIONS 1720-G AND 1720-I SHALL BE REPAYED FROM THE
25 ACCOUNTS ESTABLISHED UNDER 4 PA.C.S. § 1401 (RELATING TO SLOT
26 MACHINE LICENSEE DEPOSITS) IN ACCORDANCE WITH SUBSECTION (B).

27 (B) ASSESSMENT FOR REPAYMENT.--NOTWITHSTANDING THE
28 PROVISIONS OF 4 PA.C.S. § 1901.1 (RELATING TO REPAYMENTS TO
29 STATE GAMING FUND), THE PENNSYLVANIA GAMING CONTROL BOARD SHALL
30 ASSESS SLOT MACHINE LICENSEES FOR REPAYMENT OF FUNDS TRANSFERRED

1 AND LOANED TO THE BOARD UNDER SUBSECTION (A) FROM THE STATE
2 GAMING FUND IN ACCORDANCE WITH 4 PA.C.S. § 1402 (RELATING TO
3 GROSS TERMINAL REVENUE DEDUCTIONS) FOR REPAYMENT TO THE PROPERTY
4 TAX RELIEF RESERVE FUND AT SUCH TIME AS AT LEAST 11 SLOT MACHINE
5 LICENSES HAVE BEEN ISSUED AND 11 LICENSED GAMING ENTITIES HAVE
6 COMMENCED THE OPERATION OF SLOT MACHINES. THE BOARD SHALL ADOPT
7 A REPAYMENT SCHEDULE THAT ASSESSES TO EACH SLOT MACHINE LICENSEE
8 COSTS FOR THE REPAYMENT OF AMOUNTS APPROPRIATED UNDER THIS
9 SECTION IN AN AMOUNT THAT IS PROPORTIONAL TO EACH SLOT MACHINE
10 LICENSEE'S GROSS TERMINAL REVENUE.

11 (C) PROPERTY TAX RELIEF.--

12 (1) NOTWITHSTANDING THE PROVISIONS OF SECTION 504 OF THE
13 TAXPAYER RELIEF ACT, UNTIL THE LOAN TO THE PENNSYLVANIA
14 GAMING CONTROL BOARD UNDER SUBSECTION (A) IS REPAYED, THE
15 SECRETARY OF THE BUDGET IS AUTHORIZED TO PROVIDE FOR PROPERTY
16 TAX RELIEF UNDER SECTION 503(D) OF THE TAXPAYER RELIEF ACT,
17 REGARDLESS OF WHETHER THE AMOUNT DEPOSITED IN THE PROPERTY
18 TAX RELIEF RESERVE FUND IS LESS THAN REQUIRED BY SECTION 504
19 OF THE TAXPAYER RELIEF ACT.

20 (2) NOTWITHSTANDING THE PROVISIONS OF 4 PA.C.S. §
21 1901.1, BEGINNING JANUARY 1, 2011, IF THE SECRETARY OF THE
22 BUDGET DETERMINES THAT THE MONEYS IN THE PROPERTY TAX RELIEF
23 RESERVE FUND ARE NEEDED FOR PROPERTY TAX RELIEF, THE
24 SECRETARY SHALL NOTIFY THE PENNSYLVANIA GAMING CONTROL BOARD
25 AND UPON NOTIFICATION, THE BOARD SHALL IMMEDIATELY ASSESS
26 EACH SLOT MACHINE LICENSEE FOR THE REPAYMENT OF THE LOAN IN
27 AN AMOUNT THAT IS PROPORTIONAL TO EACH SLOT MACHINE
28 LICENSEE'S GROSS TERMINAL REVENUE.

29 (D) OTHER APPROPRIATIONS SOLELY FROM ASSESSMENT.--

30 (1) ALL FUNDS FOR THE OPERATION OF THE PENNSYLVANIA

1 STATE POLICE, DEPARTMENT OF REVENUE AND ATTORNEY GENERAL ARE
2 APPROPRIATED SOLELY FROM AN ASSESSMENT ON GROSS TERMINAL
3 REVENUE FROM ACCOUNTS UNDER 4 PA.C.S. § 1401 IN AN AMOUNT
4 EQUAL TO THAT APPROPRIATED BY THE GENERAL ASSEMBLY FOR FISCAL
5 YEAR 2009-2010. THE PENNSYLVANIA STATE POLICE, ATTORNEY
6 GENERAL OR DEPARTMENT OF REVENUE SHALL NOT ASSESS ANY CHARGE,
7 FEE, COST OF OPERATIONS OR OTHER PAYMENT FROM A LICENSED
8 GAMING ENTITY IN EXCESS OF AMOUNTS APPROPRIATED FOR FISCAL
9 YEAR 2009-2010, UNLESS SPECIFICALLY AUTHORIZED BY LAW.

10 (2) THIS SUBSECTION SHALL NOT APPLY TO ANY VOLUNTARY
11 PAYMENT MADE BY A NEW SLOT MACHINE LICENSEE IN ACCORDANCE
12 WITH SIMILAR PAYMENTS VOLUNTARILY MADE BY EXISTING LICENSEES.

13 SECTION 1721-K. PENNSYLVANIA RACEHORSE DEVELOPMENT FUND.

14 (RESERVED).

15 SECTION 1722-K. STRAW PURCHASE PREVENTION EDUCATION FUND.

16 NOTWITHSTANDING THE PROVISIONS OF 18 PA.C.S. § 6187 (RELATING
17 TO TRANSFER FOR INITIAL FUNDING), IN FISCAL YEAR 2009-2010, NO
18 FUNDS SHALL BE TRANSFERRED FROM THE GENERAL FUND TO THE STRAW
19 PURCHASE PREVENTION EDUCATION FUND ESTABLISHED IN 18 PA.C.S. §
20 6186 (RELATING TO STRAW PURCHASE PREVENTION EDUCATION FUND).

21 SECTION 6. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE
22 SCRANTON STATE SCHOOL FOR THE DEAF AND THE BOARD OF TRUSTEES OF
23 THE SCRANTON STATE SCHOOL FOR THE DEAF ARE ABOLISHED.

24 SECTION 7. REPEALS ARE AS FOLLOWS:

25 (1) THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER
26 PARAGRAPH (2) IS NECESSARY TO EFFECTUATE THE ADDITION OF
27 ARTICLE V-A OF THE ACT.

28 (2) SECTIONS 618 AND 618.1 OF THE ACT OF APRIL 9, 1929
29 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929,
30 ARE REPEALED.

1 (3) THE GENERAL ASSEMBLY DECLARES THAT THE REPEALS UNDER
2 PARAGRAPH (4) ARE NECESSARY TO EFFECTUATE THE ADDITION OF
3 SECTION 1722-J(8), (9) AND (10) OF THE ACT.

4 (4) THE FOLLOWING ACTS OR PARTS OF ACTS ARE REPEALED
5 INsofar AS THEY ARE INCONSISTENT WITH THIS ACT:

6 (I) SECTIONS 3 AND 4 OF THE ACT OF MAY 8, 1913
7 (P.L.163, NO.112), ENTITLED "AN ACT PROVIDING FOR AN
8 EXAMINATION OF THE PENNSYLVANIA ORAL SCHOOL FOR THE DEAF,
9 AT SCRANTON, LACKAWANNA COUNTY, PENNSYLVANIA; PROVIDING
10 FOR THE TRANSFER, UNDER CERTAIN CONDITIONS, OF THE SAID
11 ORAL SCHOOL FOR THE DEAF TO THE COMMONWEALTH; REGULATING
12 SAID SCHOOL IN THE EVENT OF SUCH TRANSFER; AND MAKING AN
13 APPROPRIATION TO CARRY OUT THE PURPOSES OF THIS ACT."

14 (II) SECTIONS 2 AND 202 OF THE ACT OF JUNE 7, 1923
15 (P.L. 498, NO. 274), KNOWN AS THE ADMINISTRATIVE CODE.

16 (III) SECTIONS 202, 401 AND 1311 OF THE ACT OF APRIL
17 9, 1929 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE
18 CODE OF 1929.

19 (IV) SECTION 5.1 OF THE ACT OF JULY 8, 1957
20 (P.L.579, NO.321), ENTITLED, "AN ACT ESTABLISHING MINIMUM
21 COMPENSATION AND INCREMENTS FOR MEMBERS OF THE FACULTY
22 AND ADMINISTRATION OF THE THADDEUS STEVENS STATE SCHOOL
23 OF TECHNOLOGY, THE SCOTLAND SCHOOL FOR VETERANS'
24 CHILDREN, AND THE SCRANTON STATE SCHOOL FOR THE DEAF,
25 PROVIDING LEAVE OF ABSENCE WITH PAY FOR FACULTY MEMBERS
26 AND THE SUPERINTENDENT OF SCHOOLS AND IMPOSING DUTIES ON
27 THE BOARD OF TRUSTEES OF SUCH SCHOOLS AND THE SECRETARY
28 OF EDUCATION."

29 (V) SECTION 1.2 OF THE ACT OF DECEMBER 12, 1973
30 (P.L.397, NO.141), KNOWN AS THE PROFESSIONAL EDUCATOR

DISCIPLINE ACT.

(VI) 24 PA.C.S. §§ 8102 AND 8327.

(4.1) THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER PARAGRAPH (5) IS NECESSARY TO EFFECTUATE THE ADDITION OF SECTION 1717.1-K OF THE ACT.

(5) CHAPTER 11 OF THE ACT OF MARCH 20, 2002 (P.L.154, NO.13), KNOWN AS THE MEDICAL CARE AVAILABILITY AND REDUCTION OF ERROR (MCARE) ACT, IS REPEALED.

(6) THE ACT OF JULY 9, 2008 (P.L.908, NO.63), KNOWN AS THE H2O PA ACT, IS REPEALED INsofar AS IT IS INCONSISTENT WITH THIS ACT.

(7) ALL OTHER ACTS AND PARTS OF ACTS ARE REPEALED INsofar AS THEY ARE INCONSISTENT WITH THIS ACT.

(8) THE FOLLOWING APPROPRIATIONS IN THE ACT OF AUGUST 5, 2009 (P.L. , NO.1A), KNOWN AS THE GENERAL APPROPRIATION ACT OF 2009, VETOED IN PART, ARE REPEALED:

(I) THE STATE APPROPRIATION FOR SMOKE FREE PENNSYLVANIA ENFORCEMENT IN SECTION 215 OF THE ACT IS REPEALED.

(II) THE STATE APPROPRIATION FOR A SEPARATE STATE-FUNDED VOCATIONAL REHABILITATION PROGRAM TO PROVIDE VOCATIONAL REHABILITATION SERVICES LEADING TO COMPETITIVE EMPLOYMENT FOR OVR-ELIGIBLE PERSONS WITH DISABILITIES UNABLE TO RECEIVE SERVICES THROUGH THE FEDERAL VOCATIONAL REHABILITATION PROGRAM IN SECTION 217 OF THE ACT IS REPEALED.

(III) THE FEDERAL APPROPRIATION FOR "HOME VISITATION TO PREVENT CHILD MALTREATMENT" IN SECTION 219 OF THE ACT IS REPEALED.

(IV) THE FEDERAL APPROPRIATION FOR "EMERGENCY FOOD

1 ASSISTANCE" IN SECTION 1712 OF THE ACT IS REPEALED.

2 (V) THE FEDERAL AND STATE APPROPRIATIONS FOR
3 PAYMENTS FOR EARLY INTERVENTION SERVICES, FOR
4 "INDIVIDUALS WITH DISABILITIES EDUCATION," FOR "FOOD AND
5 NUTRITION - LOCAL," FOR "ESEA - TITLE I - LOCAL" AND FOR
6 "ARRA - EDUCATION FOR HOMELESS CHILDREN AND YOUTH" IN
7 SECTION 1714 OF THE ACT ARE REPEALED.

8 (VI) THE FEDERAL APPROPRIATIONS FOR "SURVEY STUDIES"
9 AND "STATE ENERGY PROGRAM (SEP)" IN SECTION 1715 OF THE
10 ACT ARE REPEALED.

11 (VII) THE FEDERAL APPROPRIATIONS FOR "PROGRAMS FOR
12 THE AGING - TITLE III," AND "PROGRAMS FOR THE AGING -
13 TITLE V" IN SECTION 1731 OF THE ACT ARE REPEALED.

14 SECTION 8. THE PROVISIONS OF THIS ACT ARE SEVERABLE. IF ANY
15 PROVISION OF THIS ACT OR ITS APPLICATION TO ANY PERSON OR
16 CIRCUMSTANCE IS HELD INVALID, THE INVALIDITY SHALL NOT AFFECT
17 OTHER PROVISIONS OR APPLICATIONS OF THIS ACT WHICH CAN BE GIVEN
18 EFFECT WITHOUT THE INVALID PROVISION OR APPLICATION.

19 SECTION 9. THIS ACT SHALL APPLY AS FOLLOWS:

20 (1) THE ADDITION OF SECTION 1776-A OF THE ACT SHALL
21 APPLY TO CONTRACTS ENTERED INTO ON OR AFTER THE EFFECTIVE
22 DATE OF THIS PARAGRAPH.

23 (1.1) THE FOLLOWING PROVISIONS SHALL APPLY RETROACTIVELY
24 TO JULY 1, 2009:

25 (I) THE AMENDMENT OF SECTION 1721-E OF THE ACT.

26 (II) THE AMENDMENT OF SECTION 1722-E OF THE ACT.

27 (III) THE AMENDMENT OF SECTION 1733-E OF THE ACT.

28 (IV) THE AMENDMENT OF SECTION 1735-E OF THE ACT.

29 (V) EXCEPT AS SET FORTH IN PARAGRAPH (3), THE
30 ADDITION OF ARTICLE XVII-J OF THE ACT.

1 (VI) THE ADDITION OF ARTICLE XVII-K OF THE ACT.

2 (2) THE AMENDMENT OF SECTION 1723-E OF THE ACT SHALL
3 APPLY RETROACTIVELY TO MAY 1, 2009.

4 (3) PARAGRAPH (1.1) (V) DOES NOT APPLY TO THE ADDITION OF
5 SECTION 1722-J(8) AND (9) OF THE ACT.

6 (4) THE REENACTMENT AND AMENDMENT OF SECTIONS 1731-A AND
7 1732-A SHALL APPLY RETROACTIVELY TO JUNE 30, 2009.

8 SECTION 10. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

9 (1) NOTWITHSTANDING PARAGRAPH (2) (I), THE ADDITION OF
10 SECTION 510-A OF THE ACT SHALL TAKE EFFECT JULY 1, 2010, OR
11 IMMEDIATELY, WHICHEVER IS LATER.

12 (2) THE FOLLOWING PROVISIONS SHALL TAKE EFFECT NOVEMBER
13 30, 2010:

14 (I) EXCEPT AS SET FORTH IN PARAGRAPH (1), THE
15 ADDITION OF ARTICLE V-A OF THE ACT.

16 (II) SECTION 7(1) AND (2) OF THIS ACT.

17 (3) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT
18 IMMEDIATELY.