

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1263 Session of 2011

INTRODUCED BY BROWNE, SEPTEMBER 28, 2011

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 29, 2012

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," ~~in general budget implementation, further~~
31 ~~providing for the Department of Labor and Industry. IN~~
32 GENERAL PROVISIONS, FURTHER PROVIDING FOR METHOD OF PAYMENT;
33 IN DEPARTMENT OF REVENUE, FURTHER PROVIDING FOR TRANSMISSION
34 OF MONEYS; IN TREASURY DEPARTMENT, FURTHER PROVIDING FOR



1 REPLACEMENT CHECKS; IN STATE TREASURY DISBURSEMENTS,
2 PROVIDING FOR SETTLEMENT AGREEMENTS AND ENFORCEMENT ACTIONS;
3 IN CAPITAL FACILITIES DEBT, FURTHER PROVIDING FOR
4 DEFINITIONS, FOR NEIGHBORHOOD IMPROVEMENT ZONE FUND, FOR
5 KEYSTONE OPPORTUNITY ZONE AND FOR COMMONWEALTH PLEDGES; IN
6 FINANCIALLY DISTRESSED MUNICIPALITIES, FURTHER PROVIDING FOR
7 ADMINISTRATIVE OVERSIGHT; IN OIL AND GAS WELLS, PROVIDING FOR
8 CONVENTIONAL GAS WELL BONDING AND FOR OIL AND GAS OPERATIONS
9 IN THE SOUTH NEWARK BASIN; IN KEYSTONE SPECIAL DEVELOPMENT
10 ZONES, FURTHER PROVIDING FOR DEFINITIONS; IN TAX CREDITS,
11 REPEALING PROVISIONS RELATING TO THE DEPARTMENT OF EDUCATION,
12 THE DEPARTMENT OF REVENUE AND THE DEPARTMENT OF COMMUNITY AND
13 ECONOMIC DEVELOPMENT; IN PERMIT EXTENSIONS, FURTHER PROVIDING
14 FOR DEFINITIONS; IN SPECIAL FUNDS, FURTHER PROVIDING FOR
15 FUNDING; IN GENERAL BUDGET IMPLEMENTATION, FURTHER PROVIDING
16 FOR AUDITOR GENERAL, FOR DEPARTMENT OF LABOR AND INDUSTRY AND
17 FOR DEPARTMENT OF PUBLIC WELFARE; PROVIDING FOR 2012-2013
18 BUDGET IMPLEMENTATION; PROVIDING FOR 2012-2013 APPROPRIATIONS
19 RESTRICTIONS; IN AUDITS, FURTHER PROVIDING FOR AUDITS OF RACE
20 HORSE DEVELOPMENT FUNDS; AND MAKING RELATED REPEALS.

21 The General Assembly of the Commonwealth of Pennsylvania
22 hereby enacts as follows:

23 ~~Section 1. Section 1727 E of the act of April 9, 1929~~ ←
24 ~~(P.L.343, No.176), known as The Fiscal Code, added July 17, 2007~~
25 ~~(P.L.141, No.42), is amended to read:~~

26 ~~Section 1727 E. Department of Labor and Industry [(Reserved)].~~

27 ~~For the "Reed Act Unemployment Insurance" and "Reed Act~~
28 ~~Employment Services and Unemployment Insurance" appropriations,~~
29 ~~the total amount which may be obligated shall not exceed the~~
30 ~~limitations under section 903 of the Social Security Act (49~~
31 ~~Stat. 620, 42 U.S.C. § 1103).~~

32 ~~Section 2. This act shall take effect immediately.~~

33 SECTION 1. SECTION 9 OF THE ACT OF APRIL 9, 1929 (P.L.343, ←
34 NO.176), KNOWN AS THE FISCAL CODE, ADDED NOVEMBER 21, 1990
35 (P.L.542, NO.134), IS AMENDED TO READ:

36 SECTION 9. METHOD OF PAYMENT.--(A) NOTWITHSTANDING ANY
37 OTHER PROVISIONS OF THIS ACT OR ANY OTHER ACTS, THE STATE
38 TREASURER AND THE SECRETARY OF REVENUE SHALL JOINTLY PRESCRIBE
39 BY REGULATION THE METHOD OF PAYMENT OF OBLIGATIONS DUE THE
40 COMMONWEALTH. SUCH REGULATIONS SHALL INCLUDE:

1 (1) REQUIRING PAYMENT BY ELECTRONIC FUNDS TRANSFERS (EFT)
2 WHICH INCLUDES AUTOMATED CLEARINGHOUSE DEBIT, AUTOMATED
3 CLEARINGHOUSE CREDIT, WIRE TRANSFER AND ANY OTHER MEANS THAT MAY
4 BE AVAILABLE TO OBTAIN FUNDS DUE THE COMMONWEALTH IN THE MOST
5 EXPEDITIOUS MANNER. THE PAYOR SHALL SELECT WHICH METHOD OF
6 ELECTRONIC FUNDS TRANSFER HE WISHES TO UTILIZE FROM AMONG THESE
7 OPTIONS.

8 (2) SETTING THE DATE ON WHICH A PAYMENT IS DEEMED TO HAVE
9 BEEN RECEIVED WHEN A METHOD OTHER THAN MAIL IS REQUIRED.

10 (3) ESTABLISHING PROCEDURES TO BE FOLLOWED WHEN A METHOD
11 OTHER THAN MAIL IS REQUIRED.

12 (4) ANY OTHER PROVISIONS NECESSARY TO ENSURE THE PROMPT
13 DEPOSIT OF FUNDS LEGALLY DUE THE COMMONWEALTH.

14 (5) AN OPTION PERMITTING PAYMENT BY CERTIFIED OR CASHIER'S
15 CHECK DELIVERED IN PERSON OR BY COURIER TO THE DEPARTMENT OF
16 REVENUE ON OR BEFORE THE DUE DATE OF THE OBLIGATION, IN LIEU OF
17 PAYMENT BY ELECTRONIC FUNDS TRANSFER.

18 (B) THE REGULATIONS SHALL NOT REQUIRE:

19 (1) ANY PAYMENT TO BE POSTED TO A COMMONWEALTH ACCOUNT PRIOR
20 TO THE DUE DATE, INCLUDING GRACE PERIODS, ESTABLISHED BY LAW OR
21 REGULATIONS.

22 (2) CHANGES TO THE METHOD OF PAYMENT FOR THOSE PAYMENTS MADE
23 BY INDIVIDUALS UNDER ARTICLE III OF THE ACT OF MARCH 4, 1971
24 (P.L.6, NO.2), KNOWN AS THE "TAX REFORM CODE OF 1971."

25 (3) CHANGES TO THE METHOD OF PAYMENT WHEN THE PAYMENT IS
26 LESS THAN [TWENTY THOUSAND DOLLARS (\$20,000)] TEN THOUSAND
27 DOLLARS (\$10,000).

28 (4) AUTOMATED CLEARINGHOUSE DEBIT AS THE SOLE AND EXCLUSIVE
29 MEANS OF COMPLYING WITH THIS ACT AND THE REGULATIONS PROMULGATED
30 PURSUANT TO THIS ACT.

1 SECTION 2. SECTION 209 OF THE ACT, AMENDED JUNE 1, 1931
2 (P.L.318, NO.143), IS AMENDED TO READ:

3 SECTION 209. TRANSMISSION OF MONEYS.--[ALL] (A) EXCEPT AS
4 PROVIDED IN SUBSECTION (B), ALL MONEYS RECEIVED BY THE
5 DEPARTMENT OF REVENUE DURING ANY DAY SHALL BE TRANSMITTED
6 PROMPTLY TO THE TREASURY DEPARTMENT, AND THE TREASURY DEPARTMENT
7 SHALL FORTHWITH ISSUE ITS RECEIPT TO THE DEPARTMENT OF REVENUE
8 FOR SUCH MONEYS, AND CREDIT THEM TO THE FUND AND ACCOUNT
9 DESIGNATED BY THE DEPARTMENT OF REVENUE.

10 DETAILED STATEMENTS OF ALL MONEYS RECEIVED SHALL BE FURNISHED
11 TO THE TREASURY DEPARTMENT AND THE DEPARTMENT OF THE AUDITOR
12 GENERAL CONTEMPORANEOUSLY WITH THE TRANSMISSION OF SUCH MONEYS
13 TO THE TREASURY DEPARTMENT.

14 (B) THE FOLLOWING APPLY TO CONTRACTS:

15 (1) THE DEPARTMENT OF REVENUE MAY ENTER INTO CONTRACTS
16 ALLOWING THE CONTRACTOR TO BE PAID FOR PRODUCTS PROVIDED OR
17 SERVICES RENDERED, ON A CONTINGENT FEE BASIS, FOR TAXES,
18 INTEREST, PENALTY OR FEES COLLECTED OR REFUNDS SAVED.

19 (2) THE MONEY COLLECTED UNDER PARAGRAPH (1) SHALL BE
20 DEPOSITED INTO A RESTRICTED RECEIPT ACCOUNT, OUT OF WHICH THE
21 CONTINGENT FEES SHALL BE PAID. BY THE LAST DAY OF EACH MONTH,
22 ALL MONEY REMAINING IN THE RESTRICTED RECEIPT ACCOUNT SHALL BE
23 TRANSFERRED TO THE GENERAL FUND.

24 (3) THE DEPARTMENT OF REVENUE SHALL SUBMIT AN ANNUAL REPORT
25 SETTING FORTH THE NUMBER OF CONTRACTS ENTERED INTO UNDER
26 PARAGRAPH (1), THE AMOUNT COLLECTED, AND THE PERCENTAGE OF THE
27 CONTINGENCY.

28 SECTION 3. SECTION 309 OF THE ACT, AMENDED OR ADDED JUNE 30,
29 1972 (P.L.717, NO.165) AND MAY 2, 1986 (P.L.145, NO.45), IS
30 AMENDED TO READ:

1 SECTION 309. REPLACEMENT CHECKS.-- (A) UPON PRESENTATION FOR
2 PAYMENT OF ANY CHECK TO THE TREASURY DEPARTMENT WHICH IS MORE
3 THAN [ONE YEAR AND NOT MORE THAN SEVEN YEARS] ONE HUNDRED AND
4 EIGHTY DAYS AND NOT MORE THAN ONE YEAR OLD, THE TREASURY
5 DEPARTMENT SHALL REQUISITION AND ISSUE A REPLACEMENT CHECK TO
6 THE PERSON ENTITLED THERETO [WHICH SHALL BE PAID FROM AN
7 EXECUTIVE AUTHORIZATION BY THE GOVERNOR MADE TO THE TREASURY
8 DEPARTMENT FOR SUCH PURPOSE] FROM EACH OF THE VARIOUS FUNDS. ALL
9 REPORTABLE COMMONWEALTH CHECKS WHICH HAVE NOT BEEN PRESENTED FOR
10 PAYMENT IN EXCESS OF ONE YEAR FROM THE DATE ISSUANCE SHALL BE
11 DELIVERED TO THE CUSTODIAL CONTROL OF THE STATE TREASURER AS
12 ABANDONED OR UNCLAIMED PROPERTY AND SHALL BE DISPOSED OF UNDER
13 ARTICLE XIII.1.

14 (B) THE TREASURY DEPARTMENT AS OF JANUARY 1, 1972, AND ON
15 EACH JULY 1 THEREAFTER, SHALL TAKE CREDIT ON ITS BOOKS AND
16 CALCULATE AS CASH TO THE CREDIT OF THE PROPER FUNDS ALL AMOUNTS
17 HELD IN STATE DEPOSITORIES OR OTHERWISE FOR THE PAYMENT OF
18 NONREPORTABLE CHECKS WHICH ON SAID DATES HAD BEEN ISSUED FOR A
19 PERIOD OF ONE YEAR OR MORE AND WHICH HAD NOT BEEN PRESENTED FOR
20 PAYMENT.

21 SECTION 3.1. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

22 SECTION 1507.1. SETTLEMENT AGREEMENTS; ENFORCEMENT
23 ACTIONS.-- (A) EXCEPT AS SET FORTH IN SUBSECTION (B), THE
24 FOLLOWING APPLY:

25 (1) UNLESS OTHERWISE PROVIDED BY THIS SECTION OR ANOTHER
26 PROVISION OF LAW, MONEY RECEIVED BY AN AGENCY AS A RESULT OF A
27 SETTLEMENT, LITIGATION OR AN ENFORCEMENT ACTION SHALL BE DEEMED
28 FUNDS OF THE COMMONWEALTH AND SHALL, UPON RECEIPT, BE DEPOSITED
29 INTO THE GENERAL FUND.

30 (2) IF MONEY TO PURSUE A SETTLEMENT, LITIGATION OR

1 ENFORCEMENT ACTION WAS EXPENDED BY THE AGENCY FROM THE GENERAL
2 FUND OR OTHER FUND OR ACCOUNT ESTABLISHED BY LAW, THOSE COSTS
3 RECOVERED SHALL BE CREDITED TO THE APPROPRIATION, FUND OR
4 ACCOUNT FROM WHICH THE ORIGINAL COSTS WERE EXPENDED AND USED AS
5 PROVIDED BY LAW AND SHALL BE AVAILABLE FOR EXPENDITURE IN
6 ACCORDANCE WITH THE LAW GOVERNING THE EXPENDITURE.

7 (3) AMOUNTS THAT EXCEED THE ACTUAL COSTS OF A SETTLEMENT,
8 LITIGATION OR ENFORCEMENT ACTION AND ARE DEPOSITED IN THE
9 GENERAL FUND MAY BE REDIRECTED TO THE AGENCY THAT WAS THE PARTY
10 TO THE SETTLEMENT, LITIGATION OR ENFORCEMENT ACTION TO
11 SUPPLEMENT THE ACTIVITIES OF THE AGENCY UPON REQUEST OF THE
12 AGENCY AND APPROVAL OF THE SECRETARY OF THE BUDGET.

13 (4) IF THERE IS A REDIRECTION UNDER PARAGRAPH (3), THE
14 SECRETARY SHALL PROVIDE NOTICE OF THE TRANSFER TO THE CHAIR OF
15 THE APPROPRIATIONS COMMITTEE OF THE SENATE AND THE CHAIR OF THE
16 APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND
17 INCLUDE A DETAILED DETERMINATION OF ACTUAL COSTS INCURRED BY THE
18 AGENCY AND THE IDENTIFICATION OF THE ASSOCIATED SETTLEMENT,
19 LITIGATION OR ENFORCEMENT ACTION.

20 (B) SUBSECTION (A) SHALL NOT APPLY AS FOLLOWS:

21 (1) THE RECOVERY OF FEDERAL MONEY SHALL BE DISPOSED OF IN
22 ACCORDANCE WITH THIS SECTION AND APPLICABLE FEDERAL OR STATE LAW
23 OR CONTRACT.

24 (2) NOTHING IN THIS SECTION SHALL SUPERSEDE ANY PAYMENTS,
25 INCLUDING RESTITUTION, ORDERED BY A COURT.

26 (C) DEFINITION.--AS USED IN THIS SECTION, THE TERM "AGENCY"
27 INCLUDES THE COMMONWEALTH AND AN AGENCY OR INSTRUMENTALITY OF
28 THE COMMONWEALTH.

29 SECTION 4. THE DEFINITIONS OF "CITY" AND "FUND" IN SECTION
30 1602-B OF THE ACT, ADDED OCTOBER 9, 2009 (P.L.537, NO.50), ARE

1 AMENDED AND THE SECTION IS AMENDED BY ADDING A DEFINITION TO
2 READ:

3 SECTION 1602-B. DEFINITIONS.

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

7 * * *

8 "CITY." A CITY OF THE THIRD CLASS WITH, [ON THE EFFECTIVE
9 DATE OF THIS SECTION] ON THE DATE OF THE DESIGNATION OF A
10 NEIGHBORHOOD IMPROVEMENT ZONE BY THE CONTRACTING AUTHORITY, A
11 POPULATION OF AT LEAST 106,000 [AND NOT MORE THAN 107,000],
12 BASED ON THE [2000] MOST RECENT FEDERAL DECENNIAL CENSUS.

13 * * *

14 "EARNED INCOME TAX." A TAX OR PORTION OF A TAX IMPOSED ON
15 EARNED INCOME WITHIN A NEIGHBORHOOD IMPROVEMENT ZONE UNDER THE
16 ACT OF DECEMBER 31, 1965 (P.L.1257, NO.511), KNOWN AS THE LOCAL
17 TAX ENABLING ACT, WHICH A CITY, OR A SCHOOL DISTRICT CONTAINED
18 ENTIRELY WITHIN THE BOUNDARIES OF OR COTERMINOUS WITH THE CITY,
19 IS ENTITLED TO RECEIVE.

20 * * *

21 "FUND." [THE] A NEIGHBORHOOD IMPROVEMENT ZONE FUND
22 ESTABLISHED UNDER SECTION 1604-B.

23 * * *

24 SECTION 5. SECTION 1604-B(A), (A.1)(3), (B) INTRODUCTORY
25 PARAGRAPH, (D), (E), (F) INTRODUCTORY PARAGRAPH AND (G)
26 INTRODUCTORY PARAGRAPH OF THE ACT, AMENDED OR ADDED OCTOBER 9,
27 2009 (P.L.537, NO.50) AND JUNE 30, 2011 (P.L.159, NO.26), ARE
28 AMENDED AND THE SECTION IS AMENDED BY ADDING A SUBSECTION TO
29 READ:

30 SECTION 1604-B. NEIGHBORHOOD IMPROVEMENT ZONE [FUND] FUNDS.

1 (A) SPECIAL [FUND] FUNDS.--[THERE IS ESTABLISHED A SPECIAL
2 FUND KNOWN AS THE NEIGHBORHOOD IMPROVEMENT ZONE FUND.] FOLLOWING
3 THE DESIGNATION OF A NEIGHBORHOOD IMPROVEMENT ZONE, THE
4 CONTRACTING AUTHORITY SHALL, WITHIN TEN DAYS OF MAKING THE
5 DESIGNATION OR, IN THE CASE OF A NEIGHBORHOOD IMPROVEMENT ZONE
6 DESIGNATED PRIOR TO JULY 1, 2012, WITHIN TEN DAYS OF THE
7 EFFECTIVE DATE OF THIS SUBSECTION, NOTIFY THE STATE TREASURER OF
8 THE DESIGNATION. UPON THE NOTICE, THE STATE TREASURER SHALL
9 ESTABLISH A SPECIAL FUND FOR THE BENEFIT OF EACH CONTRACTING
10 AUTHORITY TO BE KNOWN AS THE "NEIGHBORHOOD IMPROVEMENT ZONE
11 FUND." INTEREST INCOME DERIVED FROM INVESTMENT OF THE MONEY IN
12 [THE] EACH FUND SHALL BE CREDITED BY THE TREASURY DEPARTMENT TO
13 THE FUND.

14 (A.1) CERTIFICATION.--

15 * * *

16 (3) ANY PENALTY IMPOSED UNDER THIS SUBSECTION SHALL BE
17 IMPOSED, ASSESSED AND COLLECTED BY THE DEPARTMENT UNDER THE
18 PROVISIONS FOR IMPOSING, ASSESSING AND COLLECTING PENALTIES
19 UNDER ARTICLE II OF THE TAX REFORM CODE OF 1971. WHEN THE
20 PENALTY IS RECEIVED, THE MONEY SHALL BE TRANSFERRED FROM THE
21 GENERAL FUND TO THE FUND OF THE CONTRACTING AUTHORITY THAT
22 DESIGNATED THE NEIGHBORHOOD IMPROVEMENT ZONE IN WHICH THE
23 QUALIFYING BUSINESS IS LOCATED.

24 * * *

25 (A.2) TRANSITION.--

26 (1) SUBJECT TO PARAGRAPHS (3) AND (4), WITHIN 15 DAYS OF
27 THE EFFECTIVE DATE OF THIS SUBSECTION, THE STATE TREASURER
28 SHALL:

29 (I) DETERMINE THE AMOUNT OF MONEY IN THE
30 NEIGHBORHOOD IMPROVEMENT ZONE FUND EXISTING ON THE

1 EFFECTIVE DATE OF THIS SUBSECTION WHICH IS ATTRIBUTABLE
2 TO EACH NEIGHBORHOOD IMPROVEMENT ZONE; AND

3 (II) TRANSFER THE AMOUNT OF MONEY IN THE
4 NEIGHBORHOOD IMPROVEMENT ZONE FUND EXISTING ON THE
5 EFFECTIVE DATE OF THIS SUBSECTION TO THE FUND FOR EACH
6 CONTRACTING AUTHORITY FOR WHICH MONEY WAS DEPOSITED.

7 (2) AN ENTITY COLLECTING A LOCAL TAX THAT, ON THE
8 EFFECTIVE DATE OF THIS SUBSECTION, IS IN POSSESSION OF MONEY
9 ATTRIBUTABLE TO A LOCAL TAX NOT INCLUDED IN THE AMOUNT TO BE
10 CALCULATED AND CERTIFIED UNDER SUBSECTION (B) SHALL PROMPTLY
11 REMIT THAT MONEY TO THE LOCAL TAXING AUTHORITY ENTITLED TO
12 RECEIVE THE MONEY.

13 (3) TRANSFER AND REPAYMENT IS SUBJECT TO THE FOLLOWING:

14 (I) BEFORE MAKING THE TRANSFER UNDER PARAGRAPH (1),
15 THE STATE TREASURER SHALL:

16 (A) DETERMINE THE AMOUNT OF MONEY DEPOSITED IN
17 THE FUND WHICH WAS ATTRIBUTABLE TO EARNED INCOME
18 TAXES THAT A CONTRACTING AUTHORITY IS NOT ENTITLED TO
19 RECEIVE UNDER SUBSECTION (B); AND

20 (B) DEDUCT THE AMOUNT OF MONEY DETERMINED UNDER
21 CLAUSE (A) FROM THE MONEY TO BE TRANSFERRED UNDER
22 PARAGRAPH (1).

23 (II) IF ANY AMOUNT OF THE MONEY UNDER SUBPARAGRAPH
24 (I) (A) HAS ALREADY BEEN TRANSFERRED TO A CONTRACTING
25 AUTHORITY, THE STATE TREASURER SHALL TAKE ACTION AS
26 NECESSARY TO RECOVER THE MONEY FROM THE CONTRACTING
27 AUTHORITY, INCLUDING BY WAY OF SETOFF FROM MONEY TO BE
28 PAID TO THE CONTRACTING AUTHORITY UNDER PARAGRAPH (1).
29 THE CONTRACTING AUTHORITY SHALL COMPLY WITH A DEMAND MADE
30 BY THE STATE TREASURER FOR THE REPAYMENT OF MONEY UNDER

1 THIS PARAGRAPH.

2 (4) AS TO THE MONEY DEDUCTED OR RECOVERED UNDER
3 PARAGRAPH (3), THE STATE TREASURER SHALL:

4 (I) IDENTIFY THE LOCAL TAXING AUTHORITIES THAT WERE
5 ENTITLED TO RECEIVE THE MONEY WHICH WAS DEPOSITED IN THE
6 FUND;

7 (II) DETERMINE THE AMOUNT TO WHICH EACH LOCAL TAXING
8 AUTHORITY WAS ENTITLED; AND

9 (III) REMIT THE AMOUNT UNDER SUBPARAGRAPH (II) TO
10 THE PROPER LOCAL TAXING AUTHORITY.

11 (B) CALCULATION.--WITHIN 60 DAYS OF THE END OF EACH CALENDAR
12 YEAR, THE DEPARTMENT SHALL CERTIFY SEPARATELY FOR EACH
13 NEIGHBORHOOD IMPROVEMENT ZONE THE AMOUNTS OF STATE TAXES PAID,
14 LESS ANY STATE TAX REFUNDS RECEIVED, BY THE QUALIFIED BUSINESSES
15 FILING REPORTS UNDER SUBSECTION (A.1) (1) TO THE OFFICE OF THE
16 BUDGET. BEGINNING IN [2012] THE FIRST FULL CALENDAR YEAR
17 FOLLOWING THE DESIGNATION OF A NEIGHBORHOOD IMPROVEMENT ZONE AND
18 IN EACH CALENDAR YEAR THEREAFTER, BY NOVEMBER 1, THE DEPARTMENT
19 SHALL CALCULATE, IN ACCORDANCE WITH THIS SUBSECTION, AMOUNTS OF
20 STATE TAXES ACTUALLY RECEIVED BY THE COMMONWEALTH FROM EACH
21 QUALIFIED BUSINESS THAT FILED A REPORT UNDER SUBSECTION (A.1) (1)
22 IN THE PRIOR CALENDAR YEAR, AND THE DEPARTMENT SHALL CERTIFY THE
23 AMOUNTS RECEIVED TO THE OFFICE. AN ENTITY COLLECTING A LOCAL TAX
24 WITHIN THE NEIGHBORHOOD IMPROVEMENT ZONE SHALL, WITHIN 30 DAYS
25 OF THE END OF EACH CALENDAR YEAR, SUBMIT ALL OF THE LOCAL TAXES
26 THAT ARE TO BE CALCULATED UNDER THIS SUBSECTION AND WHICH WERE
27 PAID IN THE PRIOR CALENDAR YEAR, LESS ANY CERTIFIED LOCAL TAX
28 REFUNDS RECEIVED BY A QUALIFIED BUSINESS IN THE PRIOR CALENDAR
29 YEAR, TO THE STATE TREASURER TO BE DEPOSITED IN THE FUND UNDER
30 SUBSECTION (D) OF THE CONTRACTING AUTHORITY THAT ESTABLISHED THE

1 NEIGHBORHOOD IMPROVEMENT ZONE. THIS SUBSECTION SHALL NOT APPLY
2 TO ANY TAXES SUBJECT TO A VALID PLEDGE OR SECURITY INTEREST
3 ENTERED INTO IN ORDER TO SECURE DEBT SERVICE ON BONDS IF THE
4 PLEDGE OR SECURITY INTEREST WAS ENTERED INTO PRIOR TO MAY 1,
5 2011, OR IN THE CASE OF THE NEIGHBORHOOD IMPROVEMENT ZONE
6 DESIGNATED AFTER JULY 1, 2011, ON THE DATE OF THE DESIGNATION,
7 AND IS STILL IN EFFECT. THE FOLLOWING SHALL BE THE AMOUNTS
8 CALCULATED AND CERTIFIED SEPARATELY FOR EACH NEIGHBORHOOD
9 IMPROVEMENT ZONE:

10 * * *

11 (D) TRANSFERS.--

12 (1) WITHIN TEN DAYS OF RECEIVING CERTIFICATION UNDER
13 SUBSECTION (B), THE SECRETARY OF THE BUDGET SHALL DIRECT THE
14 STATE TREASURER TO, NOTWITHSTANDING ANY OTHER LAW, TRANSFER
15 THE AMOUNTS CERTIFIED UNDER SUBSECTION (B) FOR EACH
16 NEIGHBORHOOD IMPROVEMENT ZONE FROM THE GENERAL FUND TO THE
17 FUND OF THE CONTRACTING AUTHORITY THAT ESTABLISHED THE
18 NEIGHBORHOOD IMPROVEMENT ZONE. BEGINNING IN [2013] THE SECOND
19 CALENDAR YEAR FOLLOWING THE DESIGNATION OF A NEIGHBORHOOD
20 IMPROVEMENT ZONE AND IN EACH YEAR THEREAFTER, THE AMOUNTS
21 CERTIFIED BY THE SECRETARY TO THE STATE TREASURER AND THE
22 AMOUNTS TRANSFERRED BY THE STATE TREASURER TO THE FUND OF
23 EACH CONTRACTING AUTHORITY SHALL BE DETERMINED AS FOLLOWS:

24 (I) ADD AMOUNTS CERTIFIED BY THE DEPARTMENT UNDER
25 SUBSECTION (B) FOR THE PRIOR CALENDAR YEAR.

26 (II) SUBTRACT FROM THE SUM UNDER SUBPARAGRAPH (I)
27 ANY STATE TAX REFUNDS PAID AS CERTIFIED BY THE DEPARTMENT
28 UNDER SUBSECTION (B).

29 (III) ADD TO THE DIFFERENCE UNDER SUBPARAGRAPH (II)
30 ANY AMOUNTS CERTIFIED UNDER SUBSECTION (B) WITH RESPECT

1 TO THE SECOND PRIOR CALENDAR YEAR.

2 (IV) SUBTRACT FROM THE SUM UNDER SUBPARAGRAPH (III)
3 ANY AMOUNTS CERTIFIED UNDER SUBSECTION (B) WHICH ARE LESS
4 THAN THE AMOUNTS PREVIOUSLY CERTIFIED UNDER SUBSECTION
5 (B) WITH RESPECT TO THE SECOND PRIOR CALENDAR YEAR.

6 (2) THE STATE TREASURER SHALL PROVIDE AN ANNUAL TRANSFER
7 TO THE CONTRACTING AUTHORITY UNTIL THE BONDS ISSUED TO
8 FINANCE AND REFINANCE THE IMPROVEMENT AND DEVELOPMENT OF THE
9 NEIGHBORHOOD IMPROVEMENT ZONE AND THE CONSTRUCTION OF THE
10 FACILITY OR FACILITY COMPLEX ARE RETIRED. EACH ANNUAL
11 TRANSFER TO THE CONTRACTING AUTHORITY SHALL BE EQUAL TO THE
12 BALANCE OF THE FUND OF THE CONTRACTING AUTHORITY ON THE DATE
13 OF THE TRANSFER UNDER PARAGRAPH (1).

14 (E) RESTRICTION ON USE OF [FUNDS.--FUNDS] MONEY.--MONEY
15 TRANSFERRED UNDER SUBSECTION (D) IS SUBJECT TO THE FOLLOWING:

16 (1) [MAY] THE MONEY MAY ONLY BE UTILIZED [FOR] AS
17 FOLLOWS:

18 (I) FOR PAYMENT OF DEBT SERVICE, DIRECTLY OR
19 INDIRECTLY THROUGH A MULTITIERED OWNERSHIP STRUCTURE OR
20 OTHER STRUCTURE AUTHORIZED BY A CONTRACTING AUTHORITY TO
21 FACILITATE FINANCING MECHANISMS, ON BONDS, OR ON
22 REFINANCING LOANS USED TO REPAY BONDS, ISSUED [FOR] TO
23 FINANCE OR REFINANCE:

24 (A) THE IMPROVEMENT AND DEVELOPMENT OF ALL OR
25 ANY PART OF THE NEIGHBORHOOD IMPROVEMENT ZONE; AND

26 (B) THE [PURPOSE OF CONSTRUCTING] CONSTRUCTION
27 OF ALL OR PART OF A FACILITY OR FACILITY COMPLEX[,
28 FOR].

29 (II) FOR PAYMENT OF DEBT SERVICE ON BONDS ISSUED TO
30 REFUND THOSE BONDS [AND TO REPLENISH].

1 (III) FOR REPLENISHMENT OF AMOUNTS REQUIRED IN ANY
2 DEBT SERVICE RESERVE FUNDS ESTABLISHED TO PAY DEBT
3 SERVICE ON BONDS.

4 (1.1) THE TERM OF A BOND TO BE REFUNDED SHALL NOT EXCEED
5 THE MAXIMUM TERM PERMITTED FOR THE ORIGINAL BOND ISSUED FOR
6 THE IMPROVEMENT OR DEVELOPMENT OF THE NEIGHBORHOOD
7 IMPROVEMENT ZONE AND THE CONSTRUCTION OF A FACILITY OR
8 FACILITY COMPLEX.

9 (2) [MAY] THE MONEY MAY NOT BE UTILIZED FOR PURPOSES OF
10 RENOVATING OR REPAIRING A FACILITY OR FACILITY COMPLEX,
11 EXCEPT FOR CAPITAL MAINTENANCE AND IMPROVEMENT PROJECTS.

12 (F) TICKET SURCHARGE.--THE ENTITY OPERATING THE FACILITY MAY
13 COLLECT A CAPITAL REPAIR AND IMPROVEMENT TICKET SURCHARGE, THE
14 PROCEEDS OF WHICH SHALL BE DEPOSITED INTO THE FUND OF EACH
15 CONTRACTING AUTHORITY. THE [FUNDS] FUND OF EACH CONTRACTING
16 AUTHORITY SHALL BE MAINTAINED AND UTILIZED AS FOLLOWS:

17 * * *

18 (G) EXCESS MONEY.--WITHIN 30 DAYS OF THE END OF EACH
19 CALENDAR YEAR, ANY MONEY REMAINING IN THE FUND OF EACH
20 CONTRACTING AUTHORITY AT THE END OF THE PRIOR CALENDAR YEAR
21 AFTER THE REQUIRED PAYMENTS UNDER SUBSECTION (D) (2) WERE MADE IN
22 THE PRIOR CALENDAR YEAR SHALL BE REFUNDED IN THE FOLLOWING
23 MANNER:

24 * * *

25 SECTION 6. SECTIONS 1605-B, 1607-B AND 1601-D.1 OF THE ACT,
26 AMENDED OR ADDED JUNE 30, 2011 (P.L.159, NO.26), ARE AMENDED TO
27 READ:

28 SECTION 1605-B. KEYSTONE OPPORTUNITY ZONE.

29 [BEFORE SEPTEMBER 1, 2011, THE] WITHIN FOUR MONTHS FOLLOWING
30 THE DESIGNATION OF A NEIGHBORHOOD IMPROVEMENT ZONE, A CITY

1 [SHALL] MAY APPLY TO THE DEPARTMENT OF COMMUNITY AND ECONOMIC
2 DEVELOPMENT TO DECERTIFY AND REMOVE THE DESIGNATION OF ALL OR
3 PART OF THE KEYSTONE OPPORTUNITY ZONE ON BEHALF OF ALL POLITICAL
4 SUBDIVISIONS. THE PROVISIONS OF SECTION 309 OF THE ACT OF
5 OCTOBER 6, 1998 (P.L.705, NO.92), KNOWN AS THE KEYSTONE
6 OPPORTUNITY ZONE, KEYSTONE OPPORTUNITY EXPANSION ZONE AND
7 KEYSTONE OPPORTUNITY IMPROVEMENT ZONE ACT SHALL BE DEEMED
8 SATISFIED AS TO ALL POLITICAL SUBDIVISIONS. THE DEPARTMENT OF
9 COMMUNITY AND ECONOMIC DEVELOPMENT SHALL ACT ON THE APPLICATION
10 WITHIN 30 DAYS.

11 SECTION 1607-B. COMMONWEALTH PLEDGES.

12 IF AND TO THE EXTENT THAT THE CONTRACTING AUTHORITY PLEDGES
13 AMOUNTS REQUIRED TO BE TRANSFERRED TO THE FUND OF THE
14 CONTRACTING AUTHORITY UNDER SECTION 1604-B FOR THE PAYMENT OF
15 BONDS ISSUED BY THE CONTRACTING AUTHORITY, UNTIL ALL BONDS
16 SECURED BY THE PLEDGE OF THE CONTRACTING AUTHORITY, TOGETHER
17 WITH THE INTEREST ON THE BONDS, ARE FULLY PAID OR PROVIDED FOR,
18 THE COMMONWEALTH PLEDGES TO AND AGREES WITH ANY PERSON, FIRM,
19 CORPORATION OR GOVERNMENT AGENCY, WHETHER IN THIS COMMONWEALTH
20 OR ELSEWHERE, AND TO AND WITH ANY FEDERAL AGENCY SUBSCRIBING TO
21 OR ACQUIRING THE BONDS ISSUED BY THE CONTRACTING AUTHORITY THAT
22 THE COMMONWEALTH ITSELF WILL NOT, NOR WILL IT AUTHORIZE ANY
23 GOVERNMENT ENTITY TO, ABOLISH OR REDUCE THE SIZE OF THE
24 NEIGHBORHOOD IMPROVEMENT ZONE; TO AMEND OR REPEAL SECTION 1604-
25 B(A.1), (B) OR (D); TO LIMIT OR ALTER THE RIGHTS VESTED IN THE
26 CONTRACTING AUTHORITY IN A MANNER INCONSISTENT WITH THE
27 OBLIGATIONS OF THE CONTRACTING AUTHORITY WITH RESPECT TO THE
28 BONDS ISSUED BY THE CONTRACTING AUTHORITY; OR TO OTHERWISE
29 IMPAIR REVENUES TO BE PAID UNDER THIS ARTICLE TO THE CONTRACTING
30 AUTHORITY NECESSARY TO PAY DEBT SERVICE ON BONDS. NOTHING IN

1 THIS SECTION SHALL LIMIT THE AUTHORITY OF THE COMMONWEALTH OR
2 ANY GOVERNMENT ENTITY TO CHANGE THE RATE, TAX BASES OR ANY
3 SUBJECT OF ANY SPECIFIC TAX OR REPEALING OR ENACTING ANY TAX.
4 SECTION 1601-D.1. ADMINISTRATIVE OVERSIGHT.

5 (A) SCOPE OF ARTICLE.--THIS SECTION APPLIES TO A CITY OF THE
6 THIRD CLASS WHICH IS DETERMINED TO BE FINANCIALLY DISTRESSED
7 UNDER SECTION 203 OF THE ACT OF JULY 10, 1987 (P.L.246, NO.47),
8 KNOWN AS THE MUNICIPALITIES FINANCIAL RECOVERY ACT.

9 (B) LIMITATION ON BANKRUPTCY.--NOTWITHSTANDING ANY OTHER
10 PROVISION OF LAW, INCLUDING SECTION 261 OF THE MUNICIPALITIES
11 FINANCIAL RECOVERY ACT, NO DISTRESSED CITY MAY FILE A PETITION
12 FOR RELIEF UNDER 11 U.S.C. CH. 9 (RELATING TO ADJUSTMENT OF
13 DEBTS OF A MUNICIPALITY) OR ANY OTHER FEDERAL BANKRUPTCY LAW,
14 AND NO GOVERNMENT AGENCY MAY AUTHORIZE THE DISTRESSED CITY TO
15 BECOME A DEBTOR UNDER 11 U.S.C. CH. 9 OR ANY OTHER FEDERAL
16 BANKRUPTCY LAW.

17 (C) PENALTY.--IF A CITY SUBJECT TO THIS SECTION FAILS TO
18 COMPLY WITH SUBSECTION (B), ALL COMMONWEALTH FUNDING TO THE CITY
19 SHALL BE SUSPENDED.

20 (D) EXPIRATION.--THIS SECTION SHALL EXPIRE [JULY 1, 2012]
21 NOVEMBER 30, 2012.

22 SECTION 7. (RESERVED).

23 SECTION 8. (RESERVED).

24 SECTION 9. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:
25 SECTION 1606-E. CONVENTIONAL OIL AND GAS WELL BONDING.

26 (A) REQUIREMENT.--NOTWITHSTANDING 58 PA.C.S. § 3225(A)(1)
27 (RELATING TO BONDING), THE BOND AMOUNT FOR CONVENTIONAL OIL OR
28 GAS WELLS SHALL BE \$2,500 PER WELL OR A BLANKET BOND OF \$25,000.
29 THE ENVIRONMENTAL QUALITY BOARD SHALL UNDERTAKE A REVIEW OF THE
30 EXISTING BOND REQUIREMENTS FOR CONVENTIONAL OIL AND GAS WELLS.

1 NOTHING IN THIS SECTION SHALL BE CONSTRUED TO ALTER OR REPEAL
2 SECTION 1934-A OF THE ACT OF APRIL 9, 1929 (P.L.177, NO.175),
3 KNOWN AS THE ADMINISTRATIVE CODE OF 1929.

4 (B) DEFINITION.--AS USED IN THIS SECTION, THE TERM
5 "CONVENTIONAL OIL OR GAS WELL" MEANS ANY OIL OR GAS WELL WHICH
6 IS NOT AN UNCONVENTIONAL WELL AS DEFINED IN 58 PA.C.S. § 3203
7 (RELATING TO DEFINITIONS).

8 SECTION 1607-E. OIL AND GAS OPERATIONS IN THE SOUTH NEWARK
9 BASIN.

10 (A) LEGISLATIVE FINDINGS.--THE GENERAL ASSEMBLY FINDS AND
11 DECLARES THAT:

12 (1) THE UNITED STATES GEOLOGICAL SURVEY ISSUED A REPORT
13 IN JUNE OF 2012, ENTITLED "ASSESSMENT OF UNDISCOVERED OIL AND
14 GAS RESOURCES OF THE EAST COAST MESOZOIC BASINS OF THE
15 PIEDMONT, BLUE RIDGE THRUST BELT, ATLANTIC COASTAL PLAIN, AND
16 NEW ENGLAND PROVINCES, 2011."

17 (2) THE REPORT UNDER PARAGRAPH (1) REVEALED A MEAN
18 AVERAGE OF 876,000,000,000 CUBIC FEET OF TOTAL UNDISCOVERED
19 NATURAL GAS RESOURCES IN THE SOUTH NEWARK BASIN ASSESSMENT
20 UNIT.

21 (3) THE UNIQUE GEOLOGIC AND GEOCHEMICAL CHARACTERISTICS
22 OF THE SOUTH NEWARK BASIN EVALUATED IN THE REPORT UNDER
23 PARAGRAPH (1) HAVE NOT BEEN ADEQUATELY EVALUATED BY THE
24 COMMONWEALTH AND ARE DESERVING OF FURTHER STUDY.

25 (B) WELL PERMITS.--THE DEPARTMENT OF ENVIRONMENTAL
26 PROTECTION MAY NOT ISSUE WELL PERMITS UNDER 58 PA.C.S. CH. 32
27 (RELATING TO DEVELOPMENT) TO ENGAGE IN OIL AND GAS OPERATIONS
28 WITHIN THE GEOGRAPHIC BOUNDARIES OF THE SOUTH NEWARK BASIN, AS
29 DEFINED BY THE REPORT UNDER SUBSECTION (A), UNTIL ALL OF THE
30 FOLLOWING HAS OCCURRED:

1 (1) A STUDY IS COMPLETED BY THE DEPARTMENT OF
2 CONSERVATION AND NATURAL RESOURCES, IN CONSULTATION WITH THE
3 MUNICIPALITIES LOCATED IN THE SOUTH NEWARK BASIN, EVALUATING
4 THE PRACTICAL RESOURCE RECOVERY IMPLICATIONS OF THE REPORT
5 UNDER SUBSECTION (A) AND THE FISCAL IMPACT OF OIL AND GAS
6 OPERATIONS ON THE SOUTH NEWARK BASIN.

7 (2) LEGISLATION AUTHORIZES THE GOVERNING BODY OF A
8 COUNTY SITUATED IN WHOLE OR IN PART WITHIN THE SOUTH NEWARK
9 BASIN THAT HAS SPUD A GAS WELL LOCATED WITHIN ITS BORDERS TO
10 ELECT WHETHER TO IMPOSE A FEE ON GAS WELLS PURSUANT TO 58
11 PA.C.S. CH. 23 (RELATING TO UNCONVENTIONAL GAS WELL FEE).

12 (C) EXPIRATION.--THIS SECTION SHALL EXPIRE JANUARY 1, 2018.

13 SECTION 10. SECTION 1602-F OF THE ACT, ADDED JUNE 30, 2011
14 (P.L.159, NO.26), IS AMENDED TO READ:

15 SECTION 1602-F. DEFINITIONS.

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

19 "AFFILIATE." AS FOLLOWS:

20 (1) AN ENTITY WHICH IS PART OF THE SAME "AFFILIATED
21 GROUP," AS DEFINED IN SECTION 1504(A) OF THE INTERNAL REVENUE
22 CODE OF 1986 (PUBLIC LAW 99-514, 26 U.S.C. § 1504(A)), AS A
23 KEYSTONE SPECIAL DEVELOPMENT ZONE EMPLOYER; OR

24 (2) AN ENTITY THAT WOULD BE PART OF THE SAME "AFFILIATED
25 GROUP" EXCEPT THAT THE ENTITY OR THE KEYSTONE SPECIAL
26 DEVELOPMENT EMPLOYER IS NOT A CORPORATION.

27 "DEPARTMENT." THE DEPARTMENT OF COMMUNITY AND ECONOMIC
28 DEVELOPMENT OF THE COMMONWEALTH.

29 "EMPLOYEE." AN INDIVIDUAL WHO:

30 (1) IS EMPLOYED IN THIS COMMONWEALTH BY A KEYSTONE

1 SPECIAL DEVELOPMENT ZONE EMPLOYER, OR ITS PREDECESSOR, AFTER
2 THE EFFECTIVE DATE OF THIS ARTICLE;

3 (2) IS EMPLOYED FOR AT LEAST 35 HOURS PER WEEK BY A
4 KEYSTONE SPECIAL DEVELOPMENT ZONE EMPLOYER; AND

5 (3) SPENDS AT LEAST 90% OF HIS OR HER WORKING TIME FOR
6 THE KEYSTONE SPECIAL DEVELOPMENT ZONE EMPLOYER AT THE
7 KEYSTONE SPECIAL DEVELOPMENT ZONE LOCATION.

8 "FULL-TIME EQUIVALENT EMPLOYEE." THE WHOLE NUMBER OF
9 EMPLOYEES, ROUNDED DOWN, THAT EQUALS THE SUM OF:

10 (1) THE TOTAL PAID HOURS, INCLUDING PAID TIME OFF AND
11 FAMILY LEAVE UNDER THE FAMILY AND MEDICAL LEAVE ACT OF 1993
12 (PUBLIC LAW 103-3, 29 U.S.C. § 2601 ET SEQ.), OF ALL OF A
13 KEYSTONE SPECIAL DEVELOPMENT ZONE EMPLOYER'S EMPLOYEES
14 CLASSIFIED AS NONEXEMPT DURING THE KEYSTONE SPECIAL
15 DEVELOPMENT ZONE EMPLOYER'S TAX YEAR DIVIDED BY 2000; AND

16 (2) A TOTAL NUMBER ARRIVED AT BY ADDING, FOR EACH
17 KEYSTONE SPECIAL DEVELOPMENT ZONE EMPLOYER'S EMPLOYEE
18 CLASSIFIED AS EXEMPT SCHEDULED TO WORK AT LEAST 35 HOURS PER
19 WEEK, THE FRACTION EQUAL TO THE PORTION OF THE YEAR THE
20 EXEMPT EMPLOYEE WAS PAID BY THE KEYSTONE SPECIAL DEVELOPMENT
21 ZONE EMPLOYER. WHETHER AN EMPLOYEE SHALL BE CLASSIFIED AS
22 EXEMPT OR NONEXEMPT SHALL BE DETERMINED UNDER THE FAIR LABOR
23 STANDARDS ACT OF 1938 (52 STAT. 1060, 29 U.S.C. § 201 ET
24 SEQ.).

25 THE CALCULATION UNDER THIS DEFINITION EXCLUDES EMPLOYEES
26 PREVIOUSLY EMPLOYED BY AN AFFILIATE AND EMPLOYEES PREVIOUSLY
27 EMPLOYED BY THE KEYSTONE SPECIAL DEVELOPMENT ZONE EMPLOYER
28 OUTSIDE OF A KEYSTONE SPECIAL DEVELOPMENT ZONE.

29 "KEYSTONE SPECIAL DEVELOPMENT ZONE." A PARCEL OF REAL
30 PROPERTY THAT MEETS ALL OF THE FOLLOWING:

1 (1) ON JULY 1, 2011, WAS WITHIN A SPECIAL INDUSTRIAL
2 AREA, AS DESCRIBED IN SECTION 305(A) OF THE ACT OF MAY 19,
3 1995 (P.L.4, NO.2), KNOWN AS THE LAND RECYCLING AND
4 ENVIRONMENTAL REMEDIATION STANDARDS ACT, FOR WHICH THE
5 DEPARTMENT OF ENVIRONMENTAL PROTECTION HAS EXECUTED A SPECIAL
6 INDUSTRIAL AREA CONSENT ORDER AND AGREEMENT, AS PROVIDED
7 UNDER SECTION 502(A) OF THE LAND RECYCLING AND ENVIRONMENTAL
8 REMEDIATION STANDARDS ACT.

9 (2) ON JULY 1, 2011[,]:

10 (I) HAD NO PERMANENT VERTICAL STRUCTURES AFFIXED TO
11 IT; OR

12 (II) HAD A PERMANENT VERTICAL STRUCTURE AFFIXED TO
13 IT WHICH HAS BEEN DETERIORATED OR ABANDONED FOR AT LEAST
14 20 YEARS.

15 (3) IS CERTIFIED BY THE DEPARTMENT OF ENVIRONMENTAL
16 PROTECTION AS MEETING THE REQUIREMENTS OF PARAGRAPHS (1) AND
17 (2).

18 "KEYSTONE SPECIAL DEVELOPMENT ZONE EMPLOYER." A PERSON OR
19 ENTITY SUBJECT TO THE TAXES IMPOSED UNDER ARTICLE III, IV, VI,
20 VII, VIII OR XV OF THE ACT OF MARCH 4, 1971 (P.L.6, NO.2) KNOWN
21 AS THE TAX REFORM CODE OF 1971, WHO EMPLOYS ONE OR MORE
22 EMPLOYEES AT A KEYSTONE SPECIAL DEVELOPMENT ZONE. THE TERM SHALL
23 INCLUDE A PASS-THROUGH ENTITY. THE TERM SHALL NOT INCLUDE ANY OF
24 THE FOLLOWING:

25 (1) AN EMPLOYER WHO, AFTER JANUARY 1, 1990,
26 INTENTIONALLY OR NEGLIGENTLY CAUSED OR CONTRIBUTED TO, IN ANY
27 MATERIAL RESPECT, A LEVEL OF REGULATED SUBSTANCE ABOVE THE
28 CLEANUP STANDARDS IN THE ACT OF MAY 19, 1995 (P.L.4, NO.2),
29 KNOWN AS THE LAND RECYCLING AND ENVIRONMENTAL REMEDIATION
30 STANDARDS ACT, ON, IN OR UNDER THE KEYSTONE SPECIAL

1 DEVELOPMENT ZONE AT WHICH AN EMPLOYEE IS EMPLOYED.

2 (2) AN EMPLOYER ENGAGED IN CONSTRUCTION IMPROVEMENTS ON
3 A KEYSTONE SPECIAL DEVELOPMENT ZONE.

4 "PASS-THROUGH ENTITY." A PARTNERSHIP AS DEFINED IN SECTION
5 301(N.0) OF THE ACT OF MARCH 4, 1971 (P.L.6, NO.2), KNOWN AS THE
6 TAX REFORM CODE OF 1971, OR A PENNSYLVANIA S CORPORATION AS
7 DEFINED IN SECTION 301(N.1) OF THE TAX REFORM CODE OF 1971.

8 "QUALIFIED TAX LIABILITY." ANY TAX OWED BY A KEYSTONE
9 SPECIAL DEVELOPMENT ZONE EMPLOYER ATTRIBUTABLE TO A BUSINESS
10 ACTIVITY CONDUCTED WITHIN A KEYSTONE SPECIAL DEVELOPMENT ZONE
11 FOR A TAX YEAR UNDER ARTICLE III, IV, VI, VII, VIII OR XV OF THE
12 ACT OF MARCH 4, 1971 (P.L.6, NO.2), KNOWN AS THE TAX REFORM CODE
13 OF 1971.

14 SECTION 10.1. SECTION 1601-H OF THE ACT, ADDED JULY 6, 2010
15 (P.L.279, NO.46), IS REPEALED:

16 [SECTION 1601-H. DEPARTMENT OF EDUCATION.

17 (A) APPLICABILITY.--THIS SECTION SHALL APPLY TO EDUCATIONAL
18 IMPROVEMENT TAX CREDITS AWARDED IN FISCAL YEAR 2010-2011.

19 (B) RESTORATION.--NOTWITHSTANDING ARTICLES XVII-F AND XXIX-E
20 OF THE ACT OF MARCH 4, 1971 (P.L.6, NO.2), KNOWN AS THE TAX
21 REFORM CODE OF 1971, FOR THE TAX CREDIT ESTABLISHED UNDER
22 ARTICLE XVII-F OF THE TAX REFORM CODE OF 1971, THE AMOUNT
23 AVAILABLE TO BE AWARDED PURSUANT TO SECTION 1706-F(A) OF THE TAX
24 REFORM CODE OF 1971 SHALL BE \$60,000,000 IN FISCAL YEAR
25 2010-2011. THE AMOUNT AVAILABLE TO BE AWARDED UNDER SECTION
26 1706-F(A) (1) AND (2) OF THE TAX REFORM CODE OF 1971 SHALL BE AS
27 FOLLOWS:

28 (1) THE TOTAL AGGREGATE AMOUNT OF ALL TAX CREDITS
29 APPROVED SHALL NOT EXCEED \$53,604,000 IN FISCAL YEAR
30 2010-2011. NO LESS THAN \$40,202,400 OF THE TOTAL AGGREGATE

1 AMOUNT SHALL BE USED TO PROVIDE TAX CREDITS FOR CONTRIBUTIONS
2 FROM BUSINESS FIRMS TO SCHOLARSHIP ORGANIZATIONS. NO LESS
3 THAN \$13,401,600 OF THE TOTAL AGGREGATE AMOUNT SHALL BE USED
4 TO PROVIDE TAX CREDITS FOR CONTRIBUTIONS FROM BUSINESS FIRMS
5 TO EDUCATIONAL IMPROVEMENT ORGANIZATIONS.

6 (2) THE TOTAL AGGREGATE AMOUNT OF ALL TAX CREDITS
7 APPROVED FOR CONTRIBUTIONS FROM BUSINESS FIRMS TO
8 PREKINDERGARTEN SCHOLARSHIP PROGRAMS SHALL NOT EXCEED
9 \$6,396,000 IN FISCAL YEAR 2010-2011.]

10 SECTION 10.1A. SECTIONS 1602-H AND 1603-H, ADDED JUNE 30,
11 2011 (P.L.159, NO.26), ARE REPEALED:

12 [SECTION 1602-H. DEPARTMENT OF REVENUE.

13 FOR FISCAL YEAR 2011-2012 AND EACH FISCAL YEAR THEREAFTER AND
14 NOTWITHSTANDING SECTION 1709-B(A) OF THE ACT OF MARCH 4, 1971
15 (P.L.6, NO.2), KNOWN AS THE TAX REFORM CODE OF 1971, THE AMOUNT
16 OF CREDITS APPROVED BY THE DEPARTMENT OF REVENUE UNDER ARTICLE
17 XVII-B OF THE TAX REFORM CODE OF 1971 SHALL NOT EXCEED
18 \$55,000,000 IN A FISCAL YEAR, AND \$11,000,000 OF THAT AMOUNT
19 SHALL BE ALLOCATED EXCLUSIVELY FOR SMALL BUSINESS. AS USED IN
20 THIS SECTION, THE TERM "SMALL BUSINESS" HAS THE MEANING ASCRIBED
21 IN SECTION 1702-B OF THE TAX REFORM CODE OF 1971.

22 SECTION 1603-H. DEPARTMENT OF COMMUNITY AND ECONOMIC
23 DEVELOPMENT.

24 FOR FISCAL YEAR 2011-2012 AND EACH FISCAL YEAR THEREAFTER,
25 THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT MAY APPROVE
26 TAX CREDITS AS FOLLOWS:

27 (1) NOTWITHSTANDING SECTION 1707-D(A) OF THE ACT OF
28 MARCH 4, 1971 (P.L.6, NO.2), KNOWN AS THE TAX REFORM CODE OF
29 1971, THE AGGREGATE AMOUNT OF TAX CREDITS AWARDED UNDER
30 ARTICLE XVII-D OF THE TAX REFORM CODE OF 1971 SHALL NOT

1 EXCEED \$60,000,000 IN A FISCAL YEAR.

2 (2) NOTWITHSTANDING SECTION 1804-B(E) OF THE TAX REFORM
3 CODE OF 1971, AWARDS BY THE DEPARTMENT SHALL NOT EXCEED
4 \$10,100,000 IN TAX CREDITS UNDER ARTICLE XVIII-B OF THE TAX
5 REFORM CODE OF 1971.]

6 SECTION 10.2. THE DEFINITION OF "EXTENSION PERIOD" IN
7 SECTION 1602-I OF THE ACT, ADDED JULY 6, 2010 (P.L.279, NO.46),
8 IS AMENDED TO READ:

9 SECTION 1602-I. DEFINITIONS.

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

13 * * *

14 "EXTENSION PERIOD." THE PERIOD BEGINNING AFTER DECEMBER 31,
15 2008, AND ENDING BEFORE JULY 2, [2013] 2016.

16 * * *

17 SECTION 11. SECTIONS 1702-A AND 1715-E OF THE ACT, AMENDED
18 JUNE 30, 2011 (P.L.159, NO.26), ARE AMENDED TO READ:

19 SECTION 1702-A. FUNDING.

20 (A) INTENT.--IT IS HEREBY DECLARED AS THE INTENT AND GOAL OF
21 THE GENERAL ASSEMBLY TO CREATE A STABILIZATION RESERVE IN AN
22 EVENTUAL AMOUNT OF 6% OF THE REVENUES OF THE GENERAL FUND OF THE
23 COMMONWEALTH.

24 (B) TRANSFER OF PORTION OF SURPLUS.--

25 (1) EXCEPT AS MAY BE PROVIDED IN PARAGRAPH (2), FOR
26 FISCAL YEARS BEGINNING AFTER JUNE 30, 2002, THE FOLLOWING
27 APPLY:

28 (I) EXCEPT AS SET FORTH IN THIS PARAGRAPH, IF THE
29 SECRETARY OF THE BUDGET CERTIFIES THAT THERE IS A SURPLUS
30 IN THE GENERAL FUND FOR A SPECIFIC FISCAL YEAR, 25% OF

1 THE SURPLUS SHALL BE DEPOSITED BY THE END OF THE NEXT
2 SUCCEEDING QUARTER INTO THE BUDGET STABILIZATION RESERVE
3 FUND.

4 (II) IF THE SECRETARY OF THE BUDGET CERTIFIES, AFTER
5 JUNE 30, 2005, THAT THERE IS A SURPLUS IN THE GENERAL
6 FUND FOR THE FISCAL YEAR 2004-2005, 15% OF THE SURPLUS
7 SHALL BE DEPOSITED BY THE END OF THE NEXT SUCCEEDING
8 QUARTER INTO THE BUDGET STABILIZATION RESERVE FUND.

9 (III) NO AMOUNT OF THE SURPLUS IN THE GENERAL FUND
10 FOR FISCAL YEAR 2007-2008 MAY BE DEPOSITED INTO THE
11 BUDGET STABILIZATION RESERVE FUND.

12 (IV) NO AMOUNT OF THE SURPLUS IN THE GENERAL FUND
13 FOR FISCAL YEAR 2010-2011 MAY BE DEPOSITED INTO THE
14 BUDGET STABILIZATION RESERVE FUND.

15 (V) NO AMOUNT OF THE SURPLUS IN THE GENERAL FUND FOR
16 FISCAL YEAR 2011-2012 MAY BE DEPOSITED INTO THE BUDGET
17 STABILIZATION RESERVE FUND.

18 (2) IF, AT THE END OF ANY FISCAL YEAR, THE ENDING
19 BALANCE OF THE BUDGET STABILIZATION RESERVE FUND EQUALS OR
20 EXCEEDS 6% OF THE ACTUAL GENERAL FUND REVENUES RECEIVED FOR
21 THE FISCAL YEAR IN WHICH THE SURPLUS OCCURS, 10% OF THE
22 SURPLUS SHALL BE DEPOSITED BY THE END OF THE NEXT SUCCEEDING
23 QUARTER INTO THE BUDGET RESERVE STABILIZATION FUND.

24 (C) APPROPRIATED FUNDS.--THE GENERAL ASSEMBLY MAY AT ANY
25 TIME PROVIDE ADDITIONAL AMOUNTS FROM ANY FUNDS AVAILABLE TO THIS
26 COMMONWEALTH AS AN APPROPRIATION TO THE BUDGET STABILIZATION
27 RESERVE FUND.

28 SECTION 1715-E. AUDITOR GENERAL.

29 THE FOLLOWING SHALL APPLY TO APPROPRIATIONS TO THE AUDITOR
30 GENERAL:

1 (1) FUNDS APPROPRIATED TO THE DEPARTMENT OF THE AUDITOR
2 GENERAL SHALL BE FOR THE PURPOSE OF PERFORMING POSTAUDITS IN
3 ACCORDANCE WITH GENERALLY ACCEPTED GOVERNMENT AUDITING
4 STANDARDS.

5 (2) [IF] BY MARCH 31, THE AUDITOR GENERAL [FAILS TO]
6 SHALL DELIVER [AN] TO THE OFFICE OF THE BUDGET A COMPLETE
7 ANNUAL AUDIT OF COMMONWEALTH-MANAGED FEDERALLY FUNDED
8 PROGRAMS [BY MARCH 31, 2012, AND EACH MARCH 31 THEREAFTER,]
9 IN ACCORDANCE WITH THE SINGLE AUDIT ACT OF 1984 (PUBLIC LAW
10 98-502, 31 U.S.C. § 7501 ET SEQ.) AND RELATED GUIDANCE ISSUED
11 BY THE [UNITED STATES] OFFICE OF MANAGEMENT AND BUDGET; OR
12 THE AUDITOR GENERAL AND THE OFFICE OF THE BUDGET MUST AGREE
13 IN WRITING THAT EXTENUATING CIRCUMSTANCES PREVENT THE AUDITOR
14 GENERAL FROM COMPLETING THE AUDIT BY THE SPECIFIED DATE. IF
15 THERE IS NONCOMPLIANCE WITH THIS PARAGRAPH, THE STATE
16 TREASURER SHALL NOT AUTHORIZE THE RELEASE OF ANY FUNDS
17 APPROPRIATED TO THE AUDITOR GENERAL IN THE QUARTER FOLLOWING
18 THE FAILURE OF THE AUDITOR GENERAL TO DELIVER THE AUDIT UNTIL
19 THE AUDITOR GENERAL COMPLETES THE AUDIT AND DELIVERS IT TO
20 THE OFFICE OF THE BUDGET. THE AUDITOR GENERAL SHALL NOT BILL
21 ANY COMMONWEALTH AGENCY TO MAKE UP FOR ANY FUNDING DEFICIENCY
22 CAUSED BY THE STATE TREASURER WITHHOLDING PAYMENTS UNDER THIS
23 PARAGRAPH.

24 (3) THE AUDITOR GENERAL SHALL PROVIDE THE OFFICE OF THE
25 BUDGET A SINGLE AUDIT ENGAGEMENT LETTER, INCLUDING THE TOTAL
26 COST TO PERFORM THE AUDIT AND A TIMELINE EACH YEAR FOR ANNUAL
27 FUNDING APPROVAL.

28 SECTION 12. SECTIONS 1727-E AND 1729-E(2)(I) OF THE ACT,
29 ADDED JULY 17, 2007 (P.L.141, NO.42), ARE AMENDED TO READ:
30 SECTION 1727-E. DEPARTMENT OF LABOR AND INDUSTRY [(RESERVED)].

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

6 SECTION 1729-E. DEPARTMENT OF PUBLIC WELFARE.

7 THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE
8 DEPARTMENT OF PUBLIC WELFARE:

9 * * *

10 (2) FEDERAL AND STATE MEDICAL ASSISTANCE PAYMENTS. THE
11 FOLLOWING SHALL APPLY:

12 (I) [(RESERVED).] NO FUNDS APPROPRIATED FOR APPROVED
13 CAPITATION PLANS SHALL BE USED TO PAY A PROVIDER WHO
14 FAILS TO SUPPLY INFORMATION IN A FORM REQUIRED BY THE
15 DEPARTMENT IN ORDER TO FACILITATE CLAIMS FOR FEDERAL
16 FINANCIAL PARTICIPATION FOR SERVICES RENDERED TO GENERAL
17 ASSISTANCE CLIENTS.

18 * * *

19 SECTION 13. REPEALS ARE AS FOLLOWS:

20 (1) THE GENERAL ASSEMBLY FINDS AND DECLARES AS FOLLOWS:

21 (I) EACH YEAR, ARTICLES ON BUDGET IMPLEMENTATION ARE
22 ADDED TO THE ACT.

23 (II) THESE ARTICLES ARE TEMPORARY IN NATURE BUT ARE
24 PLACED PERMANENTLY INTO THE ACT, UTILIZING ARTICLE
25 NUMBERS AND SECTION NUMBERS.

26 (III) REUSING ARTICLE NUMBERS AND SECTION NUMBERS
27 WILL KEEP THE TEXT OF THE ACT MORE CONCISE.

28 (IV) THE REPEAL UNDER PARAGRAPH (2) IS NECESSARY TO
29 EFFECTUATE SUBPARAGRAPH (III).

30 (2) ARTICLES XVII-F AND XVII-G OF THE ACT, ADDED JULY

1 17, 2007 (P.L.141, NO.42), ARE REPEALED.

2 SECTION 14. THE ACT IS AMENDED BY ADDING ARTICLES TO READ:

3 ARTICLE XVII-F

4 2012-2013 BUDGET IMPLEMENTATION

5 SUBARTICLE A

6 PRELIMINARY PROVISIONS

7 SECTION 1701-F. APPLICABILITY.

8 EXCEPT AS SPECIFICALLY PROVIDED IN THIS ARTICLE, THIS ARTICLE
9 APPLIES TO THE GENERAL APPROPRIATION ACT AND ALL OTHER
10 APPROPRIATION ACTS OF 2012.

11 SECTION 1702-F. DEFINITIONS AND ABBREVIATIONS.

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

15 "GENERAL APPROPRIATION ACT." THE ACT OF _____, 2012 (P.L. _____,
16 NO. _____ A), KNOWN AS THE GENERAL APPROPRIATION ACT OF 2012.

17 "SECRETARY." THE SECRETARY OF THE BUDGET OF THE
18 COMMONWEALTH.

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

22 "AIDS." ACQUIRED IMMUNE DEFICIENCY SYNDROME.

23 "ARC." APPALACHIAN REGIONAL COMMISSION.

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

26 "BG." BLOCK GRANT.

27 "CCDFBG." CHILD CARE AND DEVELOPMENT FUND BLOCK GRANT.

28 "CSBG." COMMUNITY SERVICES BLOCK GRANT.

29 "DCSI." DRUG CONTROL AND SYSTEMS IMPROVEMENT FORMULA GRANT
30 PROGRAM.

1 "DFSC." THE SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES ACT
2 (PUBLIC LAW 107-110, 20 U.S.C. § 7101 ET SEQ.).
3 "DOE." DEPARTMENT OF ENERGY.
4 "EEOC." EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.
5 "EPA." ENVIRONMENTAL PROTECTION AGENCY.
6 "ESEA." THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965
7 (PUBLIC LAW 89-10, 20 U.S.C. § 6301 ET SEQ.).
8 "FEMA." FEDERAL EMERGENCY MANAGEMENT AGENCY.
9 "FTA." FEDERAL TRANSIT ADMINISTRATION.
10 "HUD." DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.
11 "ID." INTELLECTUAL DISABILITY.
12 "LIHEABG." LOW-INCOME HOME ENERGY ASSISTANCE BLOCK GRANT.
13 "LSTA." THE LIBRARY SERVICES AND TECHNOLOGY ACT (PUBLIC LAW
14 104-208, 20 U.S.C. § 9101 ET SEQ.).
15 "MCHSBG." MATERNAL AND CHILD HEALTH SERVICES BLOCK GRANT.
16 "MHSBG." MENTAL HEALTH SERVICES BLOCK GRANT.
17 "PAFE." PENNSYLVANIA AGRICULTURAL FOOD EXPOSITION.
18 "PHHSBG." PREVENTIVE HEALTH AND HEALTH SERVICES BLOCK GRANT.
19 "RSAT." RESIDENTIAL SUBSTANCE ABUSE TREATMENT.
20 "SABG." SUBSTANCE ABUSE BLOCK GRANT.
21 "SCDBG." SMALL COMMUNITIES DEVELOPMENT BLOCK GRANT.
22 "SDA." SERVICE DELIVERY AREA.
23 "SSBG." SOCIAL SERVICES BLOCK GRANT.
24 "TANF." TEMPORARY ASSISTANCE FOR NEEDY FAMILIES.
25 "TANFBG." TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
26 GRANT.
27 "TEFAP." TEMPORARY EMERGENCY FOOD ASSISTANCE PROGRAM.
28 "WIA." THE WORKFORCE INVESTMENT ACT OF 1998 (PUBLIC LAW
29 105-220, 112 STAT. 936).
30 "WIC." WOMEN, INFANTS AND CHILDREN PROGRAM.

1 SECTION 1719-F. DEPARTMENT OF COMMUNITY AND ECONOMIC
2 DEVELOPMENT.

3 THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE
4 DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT:

5 (1) FOR FISCAL YEAR 2012-2013, MONEY APPROPRIATED FOR
6 THE KEYSTONE COMMUNITIES SHALL INCLUDE ALLOCATIONS FOR THE
7 MAIN STREET AND ELM STREET PROGRAMS IN THE SAME PROPORTION AS
8 AMOUNTS ALLOCATED IN FISCAL YEAR 2011-2012.

9 (2) MONEY APPROPRIATED FOR PENNPORTS FOR FISCAL YEAR
10 2012-2013 SHALL BE ALLOCATED AS FOLLOWS:

11 (I) SIX AND NINETY-SEVEN HUNDREDTHS PERCENT FOR
12 PENNPORTS OPERATION.

13 (II) EIGHT PERCENT FOR THE PORT OF PITTSBURGH.

14 (III) TWENTY-THREE AND THREE HUNDREDTHS PERCENT FOR
15 THE PORT OF ERIE.

16 (IV) SIXTY-TWO PERCENT FOR THE OPERATING AND
17 ADMINISTRATIVE EXPENSES OF THE PHILADELPHIA REGIONAL PORT
18 AUTHORITY.

19 (3) MONEY APPROPRIATED FOR MARKETING TO ATTRACT TOURISTS
20 INCLUDES AN ALLOCATION TO MARKET A BIENNIAL ARTS AND CULTURAL
21 ACTIVITY WHICH GENERATES REGIONAL AND STATEWIDE ECONOMIC
22 IMPACT AND ALLOCATIONS TO PROMOTE ANNUAL ARTS AND CULTURAL
23 ACTIVITIES.

24 (4) FROM MONEY APPROPRIATED FOR PENNSYLVANIA FIRST,
25 \$800,000 SHALL BE DISTRIBUTED THROUGH A PILOT PROGRAM TO
26 PURCHASE MOBILE IMAGING AND CARDIOVASCULAR HOSPITAL
27 EQUIPMENT.

28 SECTION 1720-F. DEPARTMENT OF CONSERVATION AND NATURAL
29 RESOURCES (RESERVED).

30 SECTION 1721-F. DEPARTMENT OF CORRECTIONS (RESERVED).

1 SECTION 1722-F. DEPARTMENT OF EDUCATION.

2 THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE
3 DEPARTMENT OF EDUCATION IN THE GENERAL APPROPRIATION ACT:

4 (1) NOTWITHSTANDING SECTION 1905-D OF THE ACT OF MARCH
5 10, 1949 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF
6 1949, FUNDS APPROPRIATED FOR COMMUNITY EDUCATION COUNCILS
7 SHALL BE DISTRIBUTED AS FOLLOWS:

8 (I) EACH COMMUNITY EDUCATION COUNCIL WHICH RECEIVED
9 FUNDING IN FISCAL YEAR 2011-2012 SHALL RECEIVE AN AMOUNT
10 EQUAL TO THE AMOUNT IT RECEIVED IN THAT FISCAL YEAR AND A
11 PRO RATA SHARE OF \$170,000.

12 (II) IN ADDITION TO THE FUNDS RECEIVED UNDER
13 SUBPARAGRAPH (I), A GRANT IN AN AMOUNT NOT LESS THAN
14 \$100,000 SHALL BE AWARDED TO A COMMUNITY EDUCATION
15 COUNCIL LOCATED IN POTTER COUNTY.

16 (III) NO LESS THAN \$350,000 SHALL BE AWARDED TO AN
17 EDUCATION CONSORTIUM SERVING CAMERON, CLARION,
18 CLEARFIELD, CRAWFORD, ELK, FOREST, JEFFERSON, MCKEAN,
19 POTTER, VENANGO AND WARREN COUNTIES.

20 (IV) NO LESS THAN \$50,000 SHALL BE AWARDED TO AN
21 EDUCATION PARTNERSHIP LOCATED IN LACKAWANNA COUNTY THAT
22 PREVIOUSLY RECEIVED FUNDING FROM THE DEPARTMENT FOR A
23 POSTSECONDARY CAREER TRAINING GRANT AND IS CURRENTLY
24 PROVIDING COMMUNITY EDUCATION SERVICES WHICH SUPPORT
25 BUSINESS EDUCATION PARTNERSHIPS.

26 (V) NO LESS THAN \$50,000 SHALL BE AWARDED TO A
27 COMMUNITY EDUCATION COUNCIL LOCATED IN WAYNE COUNTY.

28 (2) FROM FUNDS APPROPRIATED FOR REGIONAL COMMUNITY
29 COLLEGE SERVICES, \$500,000 SHALL BE DISTRIBUTED TO A
30 COMMUNITY COLLEGE IN A COUNTY OF THE FOURTH CLASS WITH A

1 POPULATION, BASED ON THE MOST RECENT FEDERAL DECENNIAL
2 CENSUS, OF AT LEAST 165,000 BUT NOT MORE THAN 180,000.

3 (3) FROM FUNDS APPROPRIATED FOR APPROVED PRIVATE
4 SCHOOLS, \$700,000 SHALL BE ALLOCATED TO A SCHOOL WHICH HAS
5 RECEIVED APPROVAL FROM THE DEPARTMENT TO BEGIN SERVING
6 STUDENTS AS AN APPROVED PRIVATE SCHOOL FOR THE 2012-2013
7 SCHOOL YEAR.

8 (4) NOTWITHSTANDING 24 PA.C.S. § 8329(A) (RELATING TO
9 PAYMENTS ON ACCOUNT OF SOCIAL SECURITY DEDUCTIONS FROM
10 APPROPRIATIONS), WHEN CALCULATING PAYMENTS BY THE
11 COMMONWEALTH UNDER 24 PA.C.S. § 8329, THE DEPARTMENT SHALL
12 TREAT THE FOLLOWING AS COVERED WAGES WHICH ARE NOT FEDERALLY
13 FUNDED:

14 (I) WAGES PAID OUT OF THE ARRA STATE STABILIZATION
15 FUND.

16 (II) WAGES PAID OUT OF THE ARRA FUNDS APPROPRIATED
17 FOR INDIVIDUALS WITH DISABILITIES EDUCATION (PART B -
18 PRESCHOOL AGE 3-5).

19 (III) WAGES PAID OUT OF THE EDUCATION JOBS FUND
20 GRANT.

21 (5) FOR FEDERAL FUNDS REDISTRIBUTED TO THE DEPARTMENT
22 FROM THE ACT OF AUGUST 10, 2010 (PUBLIC LAW 111-226, 124
23 STAT. 2389), EACH DISTRICT SHALL RECEIVE A PRO RATA SHARE OF
24 THE FEDERAL EDUCATION JOB FUNDS BASED ON THE AMOUNT OF THE
25 ALLOCATION IT RECEIVED IN ACCORDANCE WITH SECTION 1722-L(14).
26 IF A DISTRICT NOTIFIES THE DEPARTMENT THAT IT WILL REFUSE ITS
27 PRO RATA SHARE OF THESE FUNDS, THE DEPARTMENT SHALL INCLUDE
28 THOSE REFUSED FUNDS IN THE PRO RATA DISTRIBUTION AMONG THE
29 REMAINING DISTRICTS. THIS SHALL APPLY TO APPROPRIATIONS MADE
30 TO THE DEPARTMENT UNDER PART XIX OF THE GENERAL APPROPRIATION

1 ACT.

2 (6) NOTWITHSTANDING SECTION 1724-A OF THE PUBLIC SCHOOL
3 CODE OF 1949 OR 24 PA.C.S. § 8329, NO PAYMENTS SHALL BE MADE
4 TO CHARTER SCHOOLS OR CYBER CHARTER SCHOOLS AUTHORIZED UNDER
5 ARTICLE XVII-A OF THE PUBLIC SCHOOL CODE OF 1949, FROM FUNDS
6 APPROPRIATED FOR SCHOOL EMPLOYEE'S SOCIAL SECURITY.

7 (7) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FUNDS
8 FROM THE SET-ASIDE UNDER SECTION 2509.8(E) OF THE PUBLIC
9 SCHOOL CODE OF 1949 SHALL BE ALLOCATED TO EACH APPROVED
10 PRIVATE SCHOOL WITH A DAY TUITION RATE DETERMINED TO BE LESS
11 THAN \$32,000 DURING THE 2010-2011 SCHOOL YEAR. THE ALLOCATION
12 SHALL BE DETERMINED AS FOLLOWS:

13 (I) SUBTRACT:

14 (A) THE APPROVED PRIVATE SCHOOL'S 2010-2011
15 SCHOOL YEAR DAY TUITION RATE; FROM

16 (B) \$38,072.

17 (II) MULTIPLY:

18 (A) THE DIFFERENCE UNDER SUBPARAGRAPH (I); BY

19 (B) THE NUMBER OF APPROVED STUDENTS ENROLLED IN
20 THE APPROVED PRIVATE SCHOOL DURING THE 2010-2011
21 SCHOOL YEAR.

22 (8) FROM FUNDS APPROPRIATED FOR PENNSYLVANIA CHARTER
23 SCHOOLS FOR THE DEAF AND BLIND, \$750,000 SHALL BE DISTRIBUTED
24 PRO RATA BASED ON EACH SCHOOL'S SHARE OF REQUIRED
25 CONTRIBUTIONS FOR PUBLIC SCHOOL EMPLOYEES' RETIREMENT.

26 (9) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE
27 DEPARTMENT MAY DIRECTLY DISTRIBUTE MONEY FROM FUNDS
28 APPROPRIATED IN PART XIX OF THE GENERAL APPROPRIATIONS ACT
29 FOR BASIC EDUCATION FORMULA ENHANCEMENT ON BEHALF OF A SCHOOL
30 DISTRICT LOCATED IN A HOME RULE COUNTY THAT WAS FORMERLY A

1 COUNTY OF THE SECOND CLASS A AND WHICH HAS, AS OF JUNE 30,
2 2012, OUTSTANDING STATUTORY AND ACCOUNTS PAYABLE OBLIGATIONS
3 FOR THE 2011-2012 FISCAL YEAR.

4 SECTION 1723-F. DEPARTMENT OF ENVIRONMENTAL PROTECTION.

5 THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE
6 DEPARTMENT OF ENVIRONMENTAL PROTECTION IN THE GENERAL
7 APPROPRIATION ACT:

8 (1) NOTWITHSTANDING SECTION 502 OF THE ACT OF JULY 9,
9 2008 (1ST SP.SESS., P.L.1873, NO.1), KNOWN AS THE ALTERNATIVE
10 ENERGY INVESTMENT ACT, IN FISCAL YEAR 2012-2013, NO FUNDS
11 SHALL BE APPROPRIATED FROM THE GENERAL FUND TO THE DEPARTMENT
12 FOR THE CONSUMER ENERGY PROGRAM. ANY APPROPRIATION FOR FISCAL
13 YEAR 2012-2013 IS REVOKED.

14 (2) (RESERVED).

15 SECTION 1724-F. DEPARTMENT OF GENERAL SERVICES (RESERVED).

16 SECTION 1725-F. DEPARTMENT OF HEALTH.

17 (1) FUNDS APPROPRIATED FOR LUPUS PROGRAMS SHALL BE
18 DISTRIBUTED IN THE SAME PROPORTION AS DISTRIBUTED IN FISCAL
19 YEAR 2011-2012.

20 (2) FUNDS APPROPRIATED FOR BIOTECHNOLOGY RESEARCH
21 INCLUDE ALLOCATIONS FOR REGENERATIVE MEDICINE RESEARCH; FOR
22 HEPATITIS AND VIRAL RESEARCH; FOR DRUG RESEARCH AND CLINICAL
23 TRIALS RELATED TO CANCER; AND FOR GENETIC AND MOLECULAR
24 RESEARCH FOR DISEASE IDENTIFICATION AND ERADICATION.

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

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

27 THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE
28 DEPARTMENT OF LABOR AND INDUSTRY FROM 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) FROM FUNDS APPROPRIATED TO THE DEPARTMENT FOR
9 GENERAL GOVERNMENT OPERATIONS, \$250,000 SHALL BE USED FOR THE
10 PURCHASE OF TRANSPORTATION ASSISTANCE FOR JOB RETENTION, JOB
11 TRAINING AND JOB SEARCH ACTIVITIES FOR DISPLACED, UNEMPLOYED
12 AND DISABLED INDIVIDUALS AND FAMILIES IN COUNTIES OF THE
13 SECOND CLASS.

14 SECTION 1728-F. DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
15 (RESERVED).

16 SECTION 1729-F. DEPARTMENT OF PUBLIC WELFARE.

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

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

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

1 APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

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

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

16 (I) FOR FISCAL YEAR 2012-2013, PAYMENTS TO HOSPITALS
17 FOR COMMUNITY ACCESS FUND GRANTS SHALL BE DISTRIBUTED
18 UNDER THE FORMULAS UTILIZED FOR THESE GRANTS IN FISCAL
19 YEAR 2011-2012. IF THE TOTAL FUNDING AVAILABLE UNDER THIS
20 SUBPARAGRAPH IS LESS THAN THAT AVAILABLE IN FISCAL YEAR
21 2011-2012, PAYMENTS SHALL BE MADE ON A PRO RATA BASIS.

22 (II) FUNDS APPROPRIATED FOR MEDICAL ASSISTANCE
23 TRANSPORTATION SHALL ONLY BE UTILIZED AS A PAYMENT OF
24 LAST RESORT FOR TRANSPORTATION FOR ELIGIBLE MEDICAL
25 ASSISTANCE RECIPIENTS.

26 (III) AMOUNTS ALLOCATED FROM FUNDS APPROPRIATED FOR
27 MEDICAL ASSISTANCE OUTPATIENT SERVICES FOR THE SELECT
28 PLAN FOR WOMEN PREVENTATIVE HEALTH SERVICES SHALL BE USED
29 FOR WOMEN'S MEDICAL SERVICES, INCLUDING NONINVASIVE
30 CONTRACEPTION SUPPLIES.

1 (IV) FEDERAL OR STATE FUNDS APPROPRIATED UNDER THE
2 GENERAL APPROPRIATION ACT IN ACCORDANCE WITH ARTICLE
3 VIII-H OF THE ACT OF JUNE 13, 1967 (P.L.31, NO.21), KNOWN
4 AS THE PUBLIC WELFARE CODE, NOT USED TO MAKE PAYMENTS TO
5 HOSPITALS QUALIFYING AS LEVEL III TRAUMA CENTERS OR
6 SEEKING ACCREDITATION AS LEVEL III TRAUMA CENTERS SHALL
7 BE USED TO MAKE PAYMENTS TO HOSPITALS QUALIFYING AS
8 LEVELS I AND II TRAUMA CENTERS.

9 (V) QUALIFYING UNIVERSITY-AFFILIATED PHYSICIAN
10 PRACTICE PLANS WHICH RECEIVED FUNDS FOR THE FISCAL YEAR
11 2011-2012 SHALL NOT RECEIVE ANY LESS THAN THE STATE
12 APPROPRIATION MADE AVAILABLE TO THOSE UNIVERSITY-
13 AFFILIATED PHYSICIAN PRACTICE PLANS DURING FISCAL YEAR
14 2011-2012. FROM FUNDS APPROPRIATED FOR PHYSICIAN PRACTICE
15 PLANS, \$1,500,000 SHALL BE DISTRIBUTED TO A PHYSICIAN
16 PRACTICE PLAN SERVING A HEALTH SYSTEM LOCATED IN A CITY
17 OF THE FIRST CLASS AND A CONTIGUOUS COUNTY OF THE SECOND
18 CLASS A WHICH DID NOT RECEIVE FUNDING DURING FISCAL YEAR
19 2011-2012.

20 (VI) QUALIFYING ACADEMIC MEDICAL CENTERS WHICH
21 RECEIVED FUNDS FOR THE FISCAL YEAR 2011-2012 SHALL NOT
22 RECEIVE ANY LESS THAN THE STATE APPROPRIATION MADE
23 AVAILABLE TO THOSE ACADEMIC MEDICAL CENTERS DURING FISCAL
24 YEAR 2011-2012. FROM FUNDS APPROPRIATED FOR QUALIFYING
25 ACADEMIC MEDICAL CENTERS:

26 (A) \$2,000,000 SHALL BE DISTRIBUTED TO AN
27 ACADEMIC MEDICAL CENTER LOCATED IN A THIRD CLASS
28 COUNTY WITH A POPULATION BETWEEN 210,000 AND 215,000
29 UNDER THE 2010 FEDERAL DECENNIAL CENSUS;

30 (B) \$500,000 SHALL BE DISTRIBUTED TO AN ACADEMIC

1 MEDICAL CENTER LOCATED IN A THIRD CLASS COUNTY WITH A
2 POPULATION BETWEEN 279,000 AND 282,000 UNDER THE 2010
3 FEDERAL DECENNIAL CENSUS; AND

4 (C) \$500,000 SHALL BE DISTRIBUTED TO AN ACADEMIC
5 MEDICAL CENTER LOCATED IN A CITY OF THE FIRST CLASS
6 THAT DID NOT RECEIVE FUNDING DURING FISCAL YEAR
7 2010-2011.

8 (VII) NOTWITHSTANDING ANY OTHER LAW, FUNDS
9 APPROPRIATED FOR MEDICAL ASSISTANCE PAYMENTS-INPATIENT,
10 EXCLUSIVE OF INPATIENT SERVICES PROVIDED THROUGH
11 CAPITATION PLANS, SHALL INCLUDE SUFFICIENT FUNDS FOR TWO
12 SEPARATE ALL PATIENT REFINED DIAGNOSTIC RELATED GROUP
13 PAYMENTS FOR INPATIENT ACUTE CARE GENERAL HOSPITAL STAYS
14 FOR:

15 (A) NORMAL NEWBORN CARE; AND

16 (B) MOTHERS OBSTETRICAL DELIVERY.

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

18 (I) FUNDS APPROPRIATED FOR BREAST CANCER SCREENING
19 MAY BE USED FOR WOMEN'S MEDICAL SERVICES, INCLUDING
20 NONINVASIVE CONTRACEPTION SUPPLIES.

21 (II) (RESERVED).

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

23 (I) FUNDS APPROPRIATED FOR WOMEN'S SERVICE PROGRAMS
24 GRANTS TO NONPROFIT AGENCIES WHOSE PRIMARY FUNCTION IS TO
25 PROMOTE CHILDBIRTH AND PROVIDE ALTERNATIVES TO ABORTION
26 SHALL BE EXPENDED TO PROVIDE SERVICES TO WOMEN UNTIL
27 CHILDBIRTH AND FOR UP TO 12 MONTHS THEREAFTER, INCLUDING
28 FOOD, SHELTER, CLOTHING, HEALTH CARE, COUNSELING,
29 ADOPTION SERVICES, PARENTING CLASSES, ASSISTANCE FOR
30 POSTDELIVERY STRESS AND OTHER SUPPORTIVE PROGRAMS AND

1 SERVICES AND FOR RELATED OUTREACH PROGRAMS. AGENCIES MAY
2 SUBCONTRACT WITH OTHER NONPROFIT ENTITIES WHICH OPERATE
3 PROJECTS DESIGNED SPECIFICALLY TO PROVIDE ALL OR A
4 PORTION OF THESE SERVICES. PROJECTS RECEIVING FUNDS
5 REFERRED TO IN THIS SUBPARAGRAPH SHALL NOT PROMOTE, REFER
6 FOR OR PERFORM ABORTIONS OR ENGAGE IN ANY COUNSELING
7 WHICH IS INCONSISTENT WITH THE APPROPRIATION REFERRED TO
8 IN THIS SUBPARAGRAPH AND SHALL BE PHYSICALLY AND
9 FINANCIALLY SEPARATE FROM ANY COMPONENT OF ANY LEGAL
10 ENTITY ENGAGING IN SUCH ACTIVITIES.

11 (II) FEDERAL FUNDS APPROPRIATED FOR TANFBG
12 ALTERNATIVES TO ABORTION SHALL BE UTILIZED SOLELY FOR
13 SERVICES TO WOMEN WHOSE GROSS FAMILY INCOME IS BELOW 185%
14 OF THE FEDERAL POVERTY GUIDELINES.

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

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

29 (II) REIMBURSEMENT FOR CHILDREN AND YOUTH SERVICES
30 MADE UNDER SECTION 704.1 OF THE PUBLIC WELFARE CODE SHALL

1 NOT EXCEED THE AMOUNT OF STATE FUNDS APPROPRIATED. IT IS
2 THE INTENT OF THE GENERAL ASSEMBLY THAT COUNTIES DO NOT
3 EXPERIENCE ANY ADVERSE FISCAL IMPACT DUE TO THE
4 DEPARTMENT'S MAXIMIZATION EFFORTS.

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

9 (7) THE PROVISIONS OF 8 U.S.C. §§ 1611 (RELATING TO
10 ALIENS WHO ARE NOT QUALIFIED ALIENS INELIGIBLE FOR FEDERAL
11 PUBLIC BENEFITS), 1612 (RELATING TO LIMITED ELIGIBILITY OF
12 QUALIFIED ALIENS FOR CERTAIN FEDERAL PROGRAMS) AND 1642
13 (RELATING TO VERIFICATION OF ELIGIBILITY FOR FEDERAL PUBLIC
14 BENEFITS) SHALL APPLY TO PAYMENTS AND PROVIDERS.

15 (8) TO SUPPLEMENT THE FUNDS APPROPRIATED TO THE
16 DEPARTMENT FOR MEDICAL ASSISTANCE FOR WORKERS WITH
17 DISABILITIES, IN ADDITION TO THE MONTHLY PREMIUM ESTABLISHED
18 IN SECTION 1503(B) (1) OF ACT OF JUNE 26, 2001 (P.L.755,
19 NO.77), KNOWN AS THE TOBACCO SETTLEMENT ACT, THE DEPARTMENT
20 MAY ADJUST THE PERCENTAGE OF THE PREMIUM, UPON APPROVAL OF
21 THE CENTERS FOR MEDICARE AND MEDICAID SERVICES AS AUTHORIZED
22 UNDER FEDERAL REQUIREMENTS. FAILURE TO MAKE PAYMENTS IN
23 ACCORDANCE WITH THIS PARAGRAPH OR SECTION 1503(B) (1) OF THE
24 TOBACCO SETTLEMENT ACT SHALL RESULT IN THE TERMINATION OF
25 MEDICAL ASSISTANCE COVERAGE.

26 (9) FROM FUNDS APPROPRIATED FOR AUTISM INTERVENTION AND
27 SERVICES, \$450,000 SHALL BE DISTRIBUTED TO A BEHAVIORAL
28 HEALTH FACILITY LOCATED IN A FIFTH CLASS COUNTY WITH A
29 POPULATION BETWEEN 130,000 AND 135,000 UNDER THE 2010 FEDERAL
30 DECENNIAL CENSUS THAT OPERATES A CENTER FOR AUTISM AND

1 DEVELOPMENTAL DISABILITIES AND \$240,000 SHALL BE DISTRIBUTED
2 TO AN INSTITUTION OF HIGHER EDUCATION WHICH PROVIDES AUTISM
3 EDUCATION AND DIAGNOSTIC CURRICULUM LOCATED IN A CITY OF THE
4 FIRST CLASS THAT OPERATES A CENTER FOR AUTISM IN A COUNTY OF
5 THE SECOND CLASS A.

6 (10) THE DEPARTMENT SHALL CONDUCT A STUDY TO ANALYZE THE
7 IMPACT OF THE CURRENT FUNDING FORMULA AND THE FACTORS
8 WEIGHTED TO DETERMINE STATEWIDE DISTRIBUTION OF FUNDING UNMET
9 NEEDS; ACCESS TO SEXUAL ASSAULT VICTIM SERVICES; AND THE
10 RELATIONSHIP OF THE FUNDING TO RURAL, URBAN AND SUBURBAN
11 REGIONS OF THIS COMMONWEALTH. THE STUDY SHALL INCLUDE INPUT
12 FROM A GEOGRAPHIC CROSS SECTION OF THE SUBGRANTEES OPERATING
13 THE RAPE CRISIS PROGRAMS AND PROVIDING DIRECT SERVICES,
14 INCLUDING PROGRAMS WHICH SERVE THE MAJORITY OF SEXUAL ASSAULT
15 VICTIMS. THE DEPARTMENT SHALL, BY JANUARY 31, 2013, REPORT
16 ITS FINDINGS, INCLUDING THE RATIONALE FOR THE CURRENT
17 WEIGHTED FORMULA AND ANY RECOMMENDATIONS FOR FORMULA CHANGES,
18 TO THE CHAIR OF THE APPROPRIATIONS COMMITTEE OF THE SENATE
19 AND THE CHAIR OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF
20 REPRESENTATIVES. THE PENNSYLVANIA COALITION AGAINST RAPE
21 SHALL PROVIDE DATA AND OTHERWISE COOPERATE WITH THE
22 DEPARTMENT TO CONDUCT THE STUDY.

23 (11) NOTWITHSTANDING ANY OTHER LAW, FOR FISCAL YEAR
24 2012-2013, THE DEPARTMENT MAY REALLOCATE STATE FUNDS
25 RESULTING FROM ANY UNSPENT FUNDS ALLOCATED TO COUNTIES FOR
26 FISCAL YEAR 2011-2012 FOR MENTAL HEALTH AND INTELLECTUAL
27 DISABILITY SERVICES UNDER THE ACT OF OCTOBER 20, 1966 (3RD
28 SP.SESS., P.L.96, NO.6), KNOWN AS THE MENTAL HEALTH AND
29 INTELLECTUAL DISABILITY ACT OF 1966, TO OTHER COUNTIES BASED
30 ON CRITERIA DETERMINED BY THE DEPARTMENT.

1 (12) THE DEPARTMENT SHALL CONDUCT A STUDY TO DEVELOP A
2 NEW COUNTY FUNDING FORMULA THAT PROVIDES A MORE EQUITABLE
3 DISTRIBUTION OF FUNDS AND CONSIDERS THE MOST RECENT
4 POPULATION DATA. BY JANUARY 1, 2013, THE DEPARTMENT SHALL
5 SUBMIT A REPORT INCLUDING THE NEW COUNTY FUNDING FORMULA, THE
6 FACTORS INVOLVED IN DEVELOPING THE FORMULA, THE IMPACT ON
7 COUNTY ALLOCATIONS AND RECOMMENDATIONS REGARDING
8 IMPLEMENTATION.

9 SECTION 1730-F. DEPARTMENT OF REVENUE.

10 THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE
11 DEPARTMENT OF REVENUE IN THE GENERAL APPROPRIATION ACT:

12 (1) THE ENHANCED REVENUE COLLECTION ACCOUNT CREATED
13 UNDER SECTION 1730-L FOR FISCAL YEARS 2010-2011 AND 2011-2012
14 SHALL CONTINUE THROUGH FISCAL YEAR 2016-2017. REVENUES
15 COLLECTED AND THE AMOUNT OF REFUNDS AVOIDED AS A RESULT OF
16 EXPANDED TAX RETURN REVIEWS AND TAX COLLECTION ACTIVITIES
17 SHALL BE DEPOSITED INTO THE ACCOUNT. THE FOLLOWING SHALL
18 APPLY:

19 (I) OF THE FUNDS IN THE ACCOUNT, FOR EACH OF THE
20 FISCAL YEARS 2012-2013 THROUGH FISCAL YEAR 2016-2017, UP
21 TO \$10,000,000 IS APPROPRIATED TO THE DEPARTMENT TO FUND
22 THE COSTS ASSOCIATED WITH INCREASED TAX COLLECTION
23 ENFORCEMENT AND REDUCTION IN TAX REFUND ERRORS. THE
24 BALANCE OF THE FUNDS IN THE ACCOUNT ON JUNE 15, 2012, AND
25 EACH JUNE 15 THEREAFTER SHALL BE TRANSFERRED TO THE
26 GENERAL FUND OR OTHER AUTHORIZED FUND.

27 (II) THE DEPARTMENT SHALL ISSUE A REPORT TO THE
28 GOVERNOR, THE MAJORITY CHAIR AND THE MINORITY CHAIR OF
29 THE APPROPRIATIONS COMMITTEE OF THE SENATE AND THE
30 MAJORITY CHAIR AND MINORITY CHAIR OF THE APPROPRIATIONS

1 COMMITTEE OF THE HOUSE OF REPRESENTATIVES BY JUNE 1,
2 2013, AND BY EACH JUNE 1, THEREAFTER, WITH THE FOLLOWING
3 INFORMATION:

4 (A) A DETAILED BREAKDOWN OF THE DEPARTMENT'S
5 ADMINISTRATIVE COSTS IN IMPLEMENTING THE ACTIVITIES
6 DESCRIBED UNDER THIS SECTION.

7 (B) THE AMOUNT OF REVENUE COLLECTED AND THE
8 AMOUNT OF REFUNDS AVOIDED AS A RESULT OF THE
9 ACTIVITIES DESCRIBED UNDER THIS PARAGRAPH, INCLUDING
10 DETAILS OF THE TYPE OF TAX GENERATING THE REVENUE AND
11 AVOIDED REFUNDS.

12 (2) (RESERVED).

13 SECTION 1731-F. DEPARTMENT OF STATE (RESERVED).

14 SECTION 1732-F. DEPARTMENT OF TRANSPORTATION (RESERVED).

15 SECTION 1733-F. PENNSYLVANIA STATE POLICE.

16 THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE
17 PENNSYLVANIA STATE POLICE FROM THE GENERAL APPROPRIATION ACT:

18 (1) PAYMENTS MADE TO MUNICIPALITIES UNDER 53 PA.C.S. §
19 2170 (RELATING TO REIMBURSEMENT OF EXPENSES) SHALL BE LIMITED
20 TO MONEY AVAILABLE. IF MONEY IS NOT AVAILABLE TO MAKE FULL
21 PAYMENTS, THE MUNICIPAL POLICE OFFICERS' EDUCATION AND
22 TRAINING COMMISSION SHALL MAKE PAYMENTS ON A PRO RATA BASIS.

23 (2) MONEY APPROPRIATED FOR GENERAL GOVERNMENT OPERATIONS
24 SHALL INCLUDE ADEQUATE FUNDING FOR THE RECRUITMENT, EDUCATION
25 AND TRAINING OF A CADET CLASS OF NOT LESS THAN 100
26 INDIVIDUALS.

27 SECTION 1734-F. (RESERVED).

28 SECTION 1735-F. PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY

29 (RESERVED).

30 SECTION 1736-F. PENNSYLVANIA FISH AND BOAT COMMISSION

1 (RESERVED) .

2 SECTION 1737-F. STATE SYSTEM OF HIGHER EDUCATION (RESERVED) .

3 SECTION 1737.1-F. STATE-RELATED INSTITUTIONS (RESERVED) .

4 SECTION 1738-F. PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY
5 (RESERVED) .

6 SECTION 1739-F. PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION
7 (RESERVED) .

8 SECTION 1740-F. PENNSYLVANIA INFRASTRUCTURE INVESTMENT
9 AUTHORITY (RESERVED) .

10 SECTION 1741-F. ENVIRONMENTAL HEARING BOARD (RESERVED) .

11 SECTION 1742-F. PENNSYLVANIA BOARD OF PROBATION AND PAROLE
12 (RESERVED) .

13 SECTION 1743-F. (RESERVED) .

14 SECTION 1744-F. (RESERVED) .

15 SECTION 1745-F. (RESERVED) .

16 SECTION 1746-F. (RESERVED) .

17 SECTION 1747-F. (RESERVED) .

18 SECTION 1748-F. COMMONWEALTH FINANCING AUTHORITY.

19 THE BOARD OF THE COMMONWEALTH FINANCING AUTHORITY SHALL USE
20 AT LEAST \$5,500,000 OF INTEREST EARNED FROM THE INVESTMENT OF
21 UNEXPENDED AUTHORITY BOND PROCEEDS TO PAY THE PRINCIPAL AND
22 INTEREST DUE TO BE PAID FOR AUTHORITY BONDS DURING FISCAL YEAR
23 2012-2013.

24 SECTION 1749-F. THADDEUS STEVENS COLLEGE OF TECHNOLOGY
25 (RESERVED) .

26 SECTION 1750-F. PENNSYLVANIA HOUSING FINANCE AGENCY (RESERVED) .

27 SECTION 1751-F. LIHEABG (RESERVED) .

28 SUBARTICLE C

29 STATE GOVERNMENT SUPPORT AGENCIES

30 SECTION 1761-F. HEALTH CARE COST CONTAINMENT COUNCIL.

1 THE HEALTH CARE COST CONTAINMENT COUNCIL SHALL SUBMIT A
2 REPORT TO THE CHAIRMAN AND MINORITY CHAIRMAN OF THE
3 APPROPRIATIONS COMMITTEE OF THE SENATE AND THE CHAIRMAN AND
4 MINORITY CHAIRMAN OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE
5 OF REPRESENTATIVES SPECIFYING THE AMOUNT AND SOURCE OF PROCEEDS
6 RECEIVED FROM THE SALE OF DATA BY THE COUNCIL. THE REPORT SHALL
7 SUPPLEMENT THE ANNUAL REPORT OF FINANCIAL EXPENDITURES REQUIRED
8 UNDER SECTION 17.1 OF THE ACT OF JULY 8, 1986 (P.L.408, NO.89),
9 KNOWN AS THE HEALTH CARE COST CONTAINMENT ACT. THE PROCEEDS
10 RECEIVED FROM THE SALE OF DATA MAY BE USED FOR THE OPERATIONS OF
11 THE COUNCIL.

12 SECTION 1762-F. STATE ETHICS COMMISSION (RESERVED).

13 SECTION 1763-F. LEGISLATIVE REFERENCE BUREAU (RESERVED).

14 SECTION 1764-F. LEGISLATIVE BUDGET AND FINANCE COMMITTEE.

15 (A) ENVIRONMENTAL STUDY.--

16 (1) THE LEGISLATIVE BUDGET AND FINANCE COMMITTEE, IN
17 CONSULTATION WITH THE PENNSYLVANIA INFRASTRUCTURE INVESTMENT
18 AUTHORITY, SHALL CONDUCT A STUDY OF HOW THE COMMONWEALTH CAN
19 MEET NUTRIENT REDUCTION PLANNING TARGETS CONTAINED IN ANY
20 WATERSHED IMPLEMENTATION PLAN.

21 (2) CONTENTS.--THE STUDY SHALL INCLUDE:

22 (I) A REVIEW OF THE COST, THE ENVIRONMENTAL,
23 RECREATIONAL AND PUBLIC HEALTH AND SAFETY IMPACT AND
24 OTHER BENEFITS REALIZED BY THE COMMONWEALTH AND
25 MUNICIPALITIES FROM REDUCTIONS OF WATER QUALITY
26 IMPAIRMENT FROM NUTRIENTS IN MAJOR WATERSHEDS.

27 (II) AN ASSESSMENT OF THE USE OF COMPETITIVE BIDDING
28 FOR LONG-TERM VERIFIED NUTRIENT CREDITS RATHER THAN
29 SECTOR ALLOCATION TARGETS IN ANY WATERSHED IMPLEMENTATION
30 PLAN.

1 (III) AN ANALYSIS OF FUNDING OPTIONS, INCLUDING USE
2 OF ANY AVAILABLE FEDERAL, STATE OR LOCAL FUNDS FOR THE
3 PURCHASE OF NUTRIENT CREDITS.

4 (3) RESULTS.--RESULTS OF THE STUDY SHALL BE PRESENTED BY
5 DECEMBER 30, 2012, TO ALL OF THE FOLLOWING:

6 (I) THE FOLLOWING COMMITTEES OF THE SENATE:

7 (A) AGRICULTURE AND RURAL AFFAIRS.

8 (B) ENVIRONMENTAL RESOURCES AND ENERGY.

9 (C) LOCAL GOVERNMENT.

10 (II) THE FOLLOWING COMMITTEES OF THE HOUSE OF
11 REPRESENTATIVES:

12 (A) AGRICULTURE AND RURAL AFFAIRS.

13 (B) ENVIRONMENTAL RESOURCES AND ENERGY.

14 (C) LOCAL GOVERNMENT.

15 (III) THE SECRETARY OF AGRICULTURE.

16 (IV) THE SECRETARY OF COMMUNITY AND ECONOMIC
17 DEVELOPMENT.

18 (V) THE SECRETARY OF ENVIRONMENTAL PROTECTION.

19 (B) (RESERVED).

20 SECTION 1765-F. LEGISLATIVE DATA PROCESSING COMMITTEE

21 (RESERVED).

22 SECTION 1766-F. JOINT STATE GOVERNMENT COMMISSION (RESERVED).

23 SECTION 1767-F. JOINT LEGISLATIVE AIR AND WATER POLLUTION

24 CONTROL AND CONSERVATION COMMITTEE (RESERVED).

25 SECTION 1768-F. LEGISLATIVE AUDIT ADVISORY COMMISSION

26 (RESERVED).

27 SECTION 1769-F. INDEPENDENT REGULATORY REVIEW COMMISSION

28 (RESERVED).

29 SECTION 1770-F. CAPITOL PRESERVATION COMMITTEE (RESERVED).

30 SECTION 1771-F. PENNSYLVANIA COMMISSION ON SENTENCING

1 (RESERVED).

2 SECTION 1772-F. CENTER FOR RURAL PENNSYLVANIA (RESERVED).

3 SECTION 1773-F. COMMONWEALTH MAIL PROCESSING CENTER (RESERVED).

4 SECTION 1774-F. TRANSFERS (RESERVED).

5 SUBARTICLE D

6 JUDICIAL DEPARTMENT

7 SECTION 1781-F. SUPREME COURT (RESERVED).

8 SECTION 1782-F. SUPERIOR COURT (RESERVED).

9 SECTION 1783-F. COMMONWEALTH COURT (RESERVED).

10 SECTION 1784-F. COURTS OF COMMON PLEAS.

11 (1) THE SUM OF \$1,100,000 IS APPROPRIATED FOR THE
12 OPERATIONS OF THE COURTS OF COMMON PLEAS, INCLUDING THE
13 SALARIES AND EXPENSES OF JUDGES. THIS AMOUNT SHALL BE IN
14 ADDITION TO FUNDS APPROPRIATED TO THE COURTS OF COMMON PLEAS
15 IN THE GENERAL APPROPRIATION ACT.

16 (2) FUNDS APPROPRIATED FOR COURT CONSOLIDATION GRANTS IN
17 COUNTIES OF THE SECOND CLASS MAY BE USED BY THE COUNTY FOR
18 JUDICIAL EXPENSES.

19 SECTION 1785-F. COMMUNITY COURTS; MAGISTERIAL DISTRICT JUDGES

20 (RESERVED).

21 SECTION 1786-F. PHILADELPHIA TRAFFIC COURT (RESERVED).

22 SECTION 1787-F. PHILADELPHIA MUNICIPAL COURT (RESERVED).

23 SECTION 1788-F. JUDICIAL CONDUCT BOARD (RESERVED).

24 SECTION 1789-F. COURT OF JUDICIAL DISCIPLINE (RESERVED).

25 SECTION 1790-F. JUROR COST REIMBURSEMENT (RESERVED).

26 SECTION 1791-F. COUNTY COURT REIMBURSEMENT (RESERVED).

27 SECTION 1792-F. SENIOR JUDGES (RESERVED).

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

29 SUBARTICLE E

30 GENERAL ASSEMBLY

1 (RESERVED)

2 ARTICLE XVII-G

3 2012-2013 RESTRICTIONS ON APPROPRIATIONS

4 FOR FUNDS AND ACCOUNTS

5 SECTION 1701-G. APPLICABILITY.

6 EXCEPT AS SPECIFICALLY PROVIDED IN THIS ARTICLE, THIS ARTICLE
7 APPLIES TO THE ACT OF , 2012 (P.L. NO. A), KNOWN AS THE
8 GENERAL APPROPRIATION ACT OF 2012 AND ALL OTHER APPROPRIATION
9 ACTS OF 2012.

10 SECTION 1702-G. STATE LOTTERY FUND.

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

13 (2) (RESERVED).

14 SECTION 1703-G. ENERGY CONSERVATION AND ASSISTANCE FUND

15 (RESERVED).

16 SECTION 1704-G. JUDICIAL COMPUTER SYSTEM AUGMENTATION ACCOUNT

17 (RESERVED).

18 SECTION 1704.1-G. ACCESS TO JUSTICE ACCOUNT (RESERVED).

19 SECTION 1705-G. EMERGENCY MEDICAL SERVICES OPERATING FUND

20 (RESERVED).

21 SECTION 1706-G. THE STATE STORES FUND (RESERVED).

22 SECTION 1707-G. MOTOR LICENSE FUND (RESERVED).

23 SECTION 1708-G. HAZARDOUS MATERIAL RESPONSE FUND (RESERVED).

24 SECTION 1709-G. MILK MARKETING FUND (RESERVED).

25 SECTION 1710-G. HOME INVESTMENT TRUST FUND (RESERVED).

26 SECTION 1711-G. TUITION PAYMENT FUND (RESERVED).

27 SECTION 1712-G. BANKING DEPARTMENT FUND (RESERVED)

28 SECTION 1713-G. FIREARM RECORDS CHECK FUND (RESERVED).

29 SECTION 1714-G. BEN FRANKLIN TECHNOLOGY DEVELOPMENT AUTHORITY

30 FUND (RESERVED).

1 SECTION 1715-G. TOBACCO SETTLEMENT FUND.

2 (A) DEPOSITS.--

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

6 (I) FOR FISCAL YEAR 2012-2013, THE STRATEGIC
7 CONTRIBUTION PAYMENTS RECEIVED IN FISCAL YEAR 2011-2012
8 UNDER THE MASTER SETTLEMENT AGREEMENT SHALL REMAIN IN THE
9 TOBACCO SETTLEMENT FUND.

10 (II) FOR FISCAL YEAR 2012-2013, THE FUNDS
11 APPROPRIATED UNDER SECTION 306(B)(1)(I) OF THE TOBACCO
12 SETTLEMENT ACT SHALL REMAIN IN THE TOBACCO SETTLEMENT
13 FUND.

14 (III) FOR FISCAL YEAR 2012-2013, 62.5% OF THE MONEY
15 APPROPRIATED UNDER SECTION 306(B)(1)(III) OF THE TOBACCO
16 SETTLEMENT ACT MAY NOT BE EXPENDED, TRANSFERRED OR LAPSED
17 BUT SHALL REMAIN IN THE TOBACCO SETTLEMENT FUND.

18 (IV) FOR FISCAL YEAR 2012-2013, 30% OF THE MONEY
19 APPROPRIATED UNDER SECTION 306(B)(1)(IV) OF THE TOBACCO
20 SETTLEMENT ACT FOR HEALTH-RELATED RESEARCH UNDER SECTION
21 906(2) AND (3) OF THE TOBACCO SETTLEMENT ACT MAY NOT BE
22 EXPENDED, TRANSFERRED OR LAPSED BUT SHALL REMAIN IN THE
23 TOBACCO SETTLEMENT FUND.

24 (V) FOR FISCAL YEAR 2012-2013, 18.2% OF THE MONEY
25 APPROPRIATED UNDER SECTION 306(B)(1)(V) OF THE TOBACCO
26 SETTLEMENT ACT MAY NOT BE EXPENDED, TRANSFERRED OR LAPSED
27 BUT SHALL REMAIN IN THE TOBACCO SETTLEMENT FUND.

28 (VI) FOR FISCAL YEAR 2012-2013, 33.3% OF THE MONEY
29 APPROPRIATED UNDER SECTION 306(B)(1)(VI) OF THE TOBACCO
30 SETTLEMENT ACT MAY NOT BE EXPENDED, TRANSFERRED OR LAPSED

1 BUT SHALL REMAIN IN THE TOBACCO SETTLEMENT FUND.

2 (2) MONEY DEPOSITED INTO THE FUND UNDER PARAGRAPH (1)
3 SHALL BE APPROPRIATED FOR HEALTH-RELATED PURPOSES. IF
4 APPLICABLE, THE AMOUNT APPROPRIATED UNDER THIS PARAGRAPH
5 SHALL BE MATCHED BY APPROPRIATED FEDERAL AUGMENTING FUNDS.

6 (B) USE OF FUNDS.--FUNDS DEPOSITED IN THE TOBACCO SETTLEMENT
7 FUND FROM PAYMENTS RECEIVED IN APRIL 2012 AND APRIL 2013 SHALL
8 BE USED TO MAKE APPROPRIATIONS UNDER THIS SECTION AND SECTION
9 306 OF THE TOBACCO SETTLEMENT ACT.

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

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

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

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

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

1 AVAILABLE ON THE DEPARTMENT'S PUBLICLY AVAILABLE INTERNET
2 WEBSITE WITHIN 60 DAYS FOLLOWING THE CLOSE OF EACH FISCAL
3 YEAR.

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

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

11 (E) HEALTH VENTURE INVESTMENT ACCOUNT INVESTMENTS.--
12 NOTWITHSTANDING CHAPTER 3 OF THE TOBACCO SETTLEMENT ACT, ALL
13 ASSETS, NONLIQUID INVESTMENTS, CONTRACTUALLY OBLIGATED MONEY,
14 RETURN ON INVESTMENTS AND ANY OTHER MONEY OR ASSETS IN THE
15 HEALTH VENTURE INVESTMENT ACCOUNT SHALL BE RETAINED IN THE
16 HEALTH VENTURE INVESTMENT ACCOUNT FOR CONTINUED INVESTMENT BY
17 THE TOBACCO SETTLEMENT INVESTMENT BOARD IN HEALTH CARE,
18 BIOTECHNOLOGY OR ANY OTHER HEALTH-RELATED BUSINESSES WHICH ARE
19 EXPECTED TO GROW SUBSTANTIALLY IN THE FUTURE. THE REQUIREMENTS
20 FOR VENTURE CAPITAL INVESTMENTS OUTLINED IN SECTION 305(F) OF
21 THE TOBACCO SETTLEMENT ACT SHALL BE MAINTAINED.

22 SECTION 1716-G. (RESERVED).

23 SECTION 1717-G. RESTRICTED RECEIPT ACCOUNTS.

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

27 (B) DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT.--THE
28 FOLLOWING RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE
29 DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT:

30 (1) ARC HOUSING REVOLVING LOAN PROGRAM.

1 (2) (RESERVED).

2 (C) DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES.--THE
3 FOLLOWING RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE
4 DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES:

5 (1) FEDERAL AID TO VOLUNTEER FIRE COMPANIES.

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

7 (3) NATIONAL FOREST RESERVE ALLOTMENT.

8 (4) FEDERAL LAND AND WATER CONSERVATION FUND ACT -
9 CONSERVATION AND NATURAL RESOURCES.

10 (D) DEPARTMENT OF EDUCATION.--THE FOLLOWING RESTRICTED
11 RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE DEPARTMENT OF
12 EDUCATION:

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

14 (2) LSTA - LIBRARY GRANTS.

15 (3) THE PENNSYLVANIA STATE UNIVERSITY FEDERAL AID.

16 (4) EMERGENCY IMMIGRATION EDUCATION ASSISTANCE.

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

18 (6) HOMELESS ADULT ASSISTANCE PROGRAM.

19 (7) SEVERELY HANDICAPPED.

20 (8) MEDICAL ASSISTANCE REIMBURSEMENTS TO LOCAL EDUCATION
21 AGENCIES.

22 (E) DEPARTMENT OF ENVIRONMENTAL PROTECTION.--THE FOLLOWING
23 RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE
24 DEPARTMENT OF ENVIRONMENTAL PROTECTION:

25 (1) FEDERAL WATER RESOURCES PLANNING ACT.

26 (2) FLOOD CONTROL PAYMENTS.

27 (3) SOIL AND WATER CONSERVATION ACT - INVENTORY OF
28 PROGRAMS.

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

1 (1) SHARE LOAN PROGRAM.

2 (2) (RESERVED).

3 (G) DEPARTMENT OF TRANSPORTATION.--THE FOLLOWING RESTRICTED
4 RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE DEPARTMENT OF
5 TRANSPORTATION:

6 (1) CAPITAL ASSISTANCE ELDERLY AND HANDICAPPED PROGRAMS.

7 (2) RAILROAD REHABILITATION AND IMPROVEMENT ASSISTANCE.

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

9 (H) PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY.--THE FOLLOWING
10 RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE
11 PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY:

12 (1) RECEIPTS FROM FEDERAL GOVERNMENT - DISASTER RELIEF -
13 DISASTER RELIEF ASSISTANCE TO STATE AND POLITICAL
14 SUBDIVISIONS.

15 (2) (RESERVED).

16 (I) PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION.--THE
17 FOLLOWING RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE
18 PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION:

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

20 (2) (RESERVED).

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

23 (1) RETIRED EMPLOYEES MEDICARE PART D.

24 (2) JUSTICE ASSISTANCE.

25 (3) JUVENILE ACCOUNTABILITY INCENTIVE.

26 (4) EARLY RETIREE REINSURANCE PROGRAM.

27 SECTION 1718-G. STATE GAMING FUND (RESERVED).

28 SECTION 1719-G. VETERANS' TRUST FUND.

29 THERE IS ESTABLISHED A VETERANS' TRUST FUND IN THE STATE
30 TREASURY. UPON THE SALE OF LANDS, BUILDINGS OR OTHER REAL ESTATE

1 USED FOR VETERANS SERVICES OR PROGRAMS UNDER THE JURISDICTION OF
2 THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS, \$1,700,000
3 SHALL BE TRANSFERRED FROM THE GENERAL FUND AND DEPOSITED INTO
4 THE VETERANS' TRUST FUND FOR VETERANS' SERVICES. THE SUM OF
5 \$700,000 IS APPROPRIATED TO THE DEPARTMENT OF MILITARY AND
6 VETERANS AFFAIRS FOR VETERANS' SERVICE ORGANIZATIONS.

7 SECTION 1720-G. STATE FARM PRODUCTS SHOW FUND.

8 FROM MONEY TRANSFERRED TO THE STATE FARM PRODUCTS SHOW FUND,
9 \$2,000,000 SHALL BE DISTRIBUTED TO COUNTY FAIRS.

10 SECTION 1721-G. PENNSYLVANIA RACE HORSE DEVELOPMENT FUND.

11 THE TRANSFER IN THE ACT OF , 2012 (P.L. NO. A), KNOWN
12 AS THE GENERAL APPROPRIATION ACT OF 2012, FROM THE PENNSYLVANIA
13 RACE HORSE DEVELOPMENT FUND TO THE STATE FARM PRODUCTS SHOW FUND
14 SHALL OCCUR IN FOUR EQUAL QUARTERLY PAYMENTS FOR THE FISCAL YEAR
15 2012-2013.

16 SECTION 15. SECTION 1701-O OF THE ACT, ADDED JUNE 30, 2011
17 (P.L.159, NO.26), IS AMENDED TO READ:

18 SECTION 1701-O. AUDITS OF RACE HORSE DEVELOPMENT FUNDS.

19 THE FOLLOWING SHALL APPLY:

20 (1) BY DECEMBER 31, 2011, AND EACH DECEMBER 31
21 THEREAFTER, THE [DEPARTMENT OF AGRICULTURE, IN CONJUNCTION
22 WITH THE] OFFICE OF THE BUDGET[,] SHALL CONDUCT A FINANCIAL
23 AUDIT OF ALL FUNDS DISTRIBUTED UNDER 4 PA.C.S. § [1406(A)]
24 1406 (RELATING TO DISTRIBUTIONS FROM PENNSYLVANIA RACE HORSE
25 DEVELOPMENT FUND) FOR THE PRIOR FISCAL YEAR. THE AUDIT SHALL
26 INCLUDE RECOMMENDATIONS FOR CHANGES RELATING TO THE
27 MAINTENANCE, USE OR ADMINISTRATION OF THESE FUNDS.

28 (2) THE AUDITS AND AUDITED FINANCIAL STATEMENTS REQUIRED
29 UNDER THIS SECTION [AND 4 PA.C.S. § 1406(E) FOR FISCAL YEARS
30 ENDING PRIOR TO JUNE 30, 2011,] SHALL BE OPEN [FOR] TO THE

1 PUBLIC [INSPECTION AND PROVIDED, WITHIN 60 DAYS OF THE
2 EFFECTIVE DATE OF THIS SECTION, TO THE PERSONS LISTED IN
3 PARAGRAPH (5)].

4 (3) THE FOLLOWING APPLY:

5 (I) [NOTWITHSTANDING 4 PA.C.S. § 1406(E), EACH] EACH
6 HORSEMEN'S ORGANIZATION SHALL, WITHIN 90 DAYS AFTER THE
7 END OF THE ORGANIZATION'S FISCAL YEAR, PREPARE ANNUAL
8 FINANCIAL STATEMENTS IN ACCORDANCE WITH GENERALLY
9 ACCEPTED ACCOUNTING PRINCIPLES FOR THE HORSEMEN'S
10 ORGANIZATION AND ALL OF ITS AFFILIATES.

11 (II) THE FINANCIAL STATEMENTS REQUIRED UNDER
12 SUBPARAGRAPH (I) SHALL BE PREPARED BEGINNING IN THE
13 HORSEMEN'S ORGANIZATION FISCAL YEAR ENDING PRIOR TO JUNE
14 30, 2011, AND FOR EACH FISCAL YEAR THEREAFTER.

15 (III) THE FINANCIAL STATEMENTS REQUIRED UNDER
16 SUBPARAGRAPH (I) SHALL INCLUDE ADDITIONAL INFORMATION AS
17 NECESSARY TO RECONCILE THE INFORMATION IN THE FINANCIAL
18 STATEMENT TO THE AMOUNTS RECEIVED BY THE HORSEMEN'S
19 ORGANIZATION DURING THE SAME FISCAL YEAR AND AS OTHERWISE
20 DIRECTED BY THE OFFICE OF THE BUDGET.

21 (4) THE [DEPARTMENT MAY] OFFICE SHALL ENGAGE INDEPENDENT
22 CERTIFIED PUBLIC ACCOUNTANTS OR ACTUARIES TO CONDUCT THE
23 AUDIT UNDER PARAGRAPH (1) AND TO AUDIT THE ANNUAL FINANCIAL
24 STATEMENTS AND ACCOMPANYING ADDITIONAL INFORMATION FILED
25 UNDER PARAGRAPH (3) FOR EACH FISCAL YEAR. THE [DEPARTMENT]
26 OFFICE SHALL PROVIDE COPIES OF EACH AUDIT TO THE PERSONS
27 LISTED IN PARAGRAPH (5) (II), (III), (IV) AND (V).

28 (5) [THE] WITHIN TEN DAYS OF COMPLETION OF THE AUDITS
29 UNDER PARAGRAPHS (1) AND (4), THE HORSEMEN'S ORGANIZATION
30 SHALL PROVIDE ALL FINANCIAL STATEMENTS, REPORTS AND

1 ADDITIONAL INFORMATION REQUIRED UNDER PARAGRAPH (3) TO ALL OF
2 THE FOLLOWING WITHIN 90 DAYS OF THE END OF THE ORGANIZATION'S
3 FISCAL YEAR:

4 (I) THE [DEPARTMENT] DEPARTMENT OF AGRICULTURE.

5 (II) THE CHAIRMAN AND MINORITY CHAIRMAN OF THE
6 COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT
7 COMMITTEE OF THE SENATE AND THE CHAIRMAN AND MINORITY
8 CHAIRMAN OF THE GAMING OVERSIGHT COMMITTEE OF THE HOUSE
9 OF REPRESENTATIVES.

10 (III) THE CHAIRMAN AND MINORITY CHAIRMAN OF THE
11 AGRICULTURE AND RURAL AFFAIRS COMMITTEE OF THE SENATE AND
12 THE CHAIRMAN AND MINORITY CHAIRMEN OF THE AGRICULTURE AND
13 RURAL AFFAIRS COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

14 (IV) THE PENNSYLVANIA GAMING CONTROL BOARD.

15 (V) THE STATE HORSE RACING COMMISSION AND THE STATE
16 HARNESS RACING COMMISSION.

17 (6) ALL DISTRIBUTIONS UNDER 4 PA.C.S. § 1406 SHALL BE
18 SUSPENDED FOR ANY HORSEMEN'S ORGANIZATION THAT THE
19 [DEPARTMENT] OFFICE CERTIFIES IS OUT OF COMPLIANCE WITH THE
20 REQUIREMENTS OF THIS SECTION.

21 (7) EACH HORSEMEN'S ORGANIZATION SHALL COOPERATE FULLY
22 WITH ALL AUDITS UNDER THIS SECTION AND SHALL REIMBURSE THE
23 [DEPARTMENT] OFFICE FOR ALL FEES AND COSTS TO ADMINISTER THIS
24 SECTION.

25 (8) FOR THE PURPOSES OF THIS SECTION, THE TERM
26 "HORSEMEN'S ORGANIZATION" SHALL HAVE THE SAME MEANING AS
27 DEFINED UNDER 4 PA.C.S. § 1103 (RELATING TO DEFINITIONS).

28 SECTION 16. THE ADDITION OF SECTION 1606-E OF THE ACT SHALL
29 APPLY RETROACTIVELY TO APRIL 16, 2012.

30 SECTION 17. REPEALS ARE AS FOLLOWS:

1 (1) THE GENERAL ASSEMBLY DECLARES THE REPEAL UNDER
2 PARAGRAPH (2) IS NECESSARY TO EFFECTUATE THE AMENDMENT OF
3 SECTION 1701-O OF THE ACT.

4 (2) THE PROVISIONS OF 4 PA.C.S. § 1406(E) ARE REPEALED.
5 SECTION 18. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.