
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1327 Session of
2015

INTRODUCED BY PEIFER, PICKETT, DUNBAR, DRISCOLL, R. BROWN,
W. KELLER, BARRAR, MILLARD, THOMAS, A. HARRIS, ROZZI,
D. COSTA, COHEN, MILNE, BRADFORD, MARSICO, MAJOR, MULLERY,
WHITE, DeLUCA AND OBERLANDER, JUNE 11, 2015

AMENDMENTS TO SENATE AMENDMENTS, HOUSE OF REPRESENTATIVES,
DECEMBER 22, 2015

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,"

1 in cigarette sales and licensing, further providing for
2 definitions, for retention of records and for violations and
3 penalties and providing for preemption;
4 in financially distressed municipalities, providing for
5 financial recovery;
6 in oil and gas wells, providing for the Environmental
7 Stewardship Fund;
8 in special funds, further providing for funding, for
9 State Workers' Insurance Board, for expiration and for other
10 grants;
11 in additional special funds, further providing for use of
12 the Tobacco Settlement Fund and for distributions from the
13 Pennsylvania Race Horse Development Fund and providing for
14 miscellaneous limitations and transfers and for the Natural
15 Gas Infrastructure Development Fund;
16 in general budget implementation, further providing for
17 the Department of Community and Economic Development, for the
18 Department of Education, for the Department of Environmental
19 Protection, for the Department of General Services, for the
20 Department of Public Welfare, for the Pennsylvania State
21 Police, for the Environmental Quality Board and for the
22 Pennsylvania Housing Finance Agency and providing for the
23 Commonwealth Financing Authority;
24 providing for 2015-2016 budget implementation;
25 making related repeals; and
26 making editorial changes.

27 The General Assembly of the Commonwealth of Pennsylvania
28 hereby enacts as follows:

29 Section 1. The General Assembly finds and declares as
30 follows:

31 (1) The intent of this act is to provide for the
32 implementation of the 2015-2016 Commonwealth budget.

33 (2) The Constitution of Pennsylvania confers numerous
34 express duties upon the General Assembly, including the
35 passage of a balanced budget for the Commonwealth.

36 (3) Section 24 of Article III of the Constitution of
37 Pennsylvania requires the General Assembly to adopt all
38 appropriations for the operation of government in the
39 Commonwealth, regardless of their source. The Supreme Court
40 has repeatedly affirmed that, "It is fundamental within

1 Pennsylvania's tripartite system that the General Assembly
2 enacts the legislation establishing those programs which the
3 state provides for its citizens and appropriates the funds
4 necessary for their operation."

5 (4) Pursuant to section 13 of Article VIII of the
6 Constitution of Pennsylvania, the General Assembly is
7 explicitly required to adopt a balanced Commonwealth budget.
8 Given the unpredictability and potential insufficiency of
9 revenue collections, various changes in State law relating to
10 sources of revenue, the collection of revenue and the
11 implementation of statutes which impact revenue may be
12 required to discharge this constitutional obligation.

13 (5) Section 11 of Article III of the Constitution of
14 Pennsylvania requires the adoption of a general appropriation
15 act that embraces "nothing but appropriations." While actual
16 items of appropriation can be contained in a General
17 Appropriations Act, the achievement and implementation of a
18 comprehensive budget involves more than subjects of
19 appropriations and dollar amounts. Ultimately, the budget has
20 to be balanced under section 13 of Article VIII of the
21 Constitution of Pennsylvania. This may necessitate changes to
22 sources of funding and enactment of statutes to achieve full
23 compliance with these constitutional provisions.

24 (6) For the reasons set forth in paragraphs (1), (2),
25 (3), (4) and (5), it is the intent of the General Assembly
26 through this act to provide for the implementation of the
27 2015-2016 Commonwealth budget.

28 (7) Every provision of this act relates to the
29 implementation of the operating budget of the Commonwealth
30 for this fiscal year, addressing in various ways the fiscal

1 operations, revenues and potential liabilities of the
2 Commonwealth. To that end, this act is intended to implement
3 the 2015-2016 Commonwealth budget without specifically
4 appropriating public money from the General Fund. This act
5 provides accountability for spending and makes transfers or
6 other changes necessary to impact the availability of revenue
7 in order to meet the requirements of section 13 of Article
8 VIII of the Constitution of Pennsylvania and to implement the
9 act of , 2015 (P.L., No. A), known as the General
10 Appropriation Act of 2015.

11 Section 1.1. The definition of "cost of the retailer" in
12 section 202-A of the act of April 9, 1929 (P.L.343, No.176),
13 known as The Fiscal Code, added July 2, 1993 (P.L.250, No.46),
14 is amended to read:

15 Section 202-A. Definitions.--As used in this article--

16 * * *

17 "Cost of the Retailer" shall mean the basic cost of
18 cigarettes to the retailer plus the cost of doing business by
19 the retailer in excess of the basic cost of cigarettes,
20 expressed as a percentage and applied to the basic cost of
21 cigarettes. In the absence of filing of satisfactory proof of a
22 lesser or higher cost of doing business by the retailer making
23 the sale, the cost of doing business by the retailer shall be
24 presumed to be [six] seven per centum of the basic cost of
25 cigarettes to the retailer. When a retailer establishes a lesser
26 cost of doing business than the presumptive [six] seven per
27 centum cost of doing business, such lesser cost of doing
28 business may be used to compute the cost of the retailer for a
29 period of time no greater than twelve months, at the end of
30 which time the cost to the retailer shall be computed using the

1 presumptive [six] seven per centum cost of doing business,
2 unless the retailer again establishes a lesser cost of doing
3 business. Any fractional part of a cent in such cost per carton
4 shall be rounded off to the next higher cent. In the case of any
5 person who purchases cigarettes for sale at retail from any
6 manufacturer of cigarettes without resort to a wholesaler as
7 such, such person shall be deemed, for the purposes of this
8 article, to be engaged in the sale of cigarettes as a stamping
9 agent, wholesaler and retailer and as such shall be subject to
10 all mark-up provisions of this article in the order named.

11 * * *

12 Section 1.2. Section 214-A of the act, added July 2, 1993
13 (P.L.250, No.46), is amended to read:

14 Section 214-A. [Retention of] Required Records.--(a) Every
15 licensed dealer shall keep and maintain for a period of four
16 years such records in such form as the department shall by
17 regulation prescribe. The records shall be maintained at the
18 location for which the license is issued.

19 (b) A contract of sale complying with the provisions of this
20 article shall be signed by the parties to a sale of cigarettes
21 and shall be kept on file by each party at the location for
22 which the license is issued. In the case of a dealer having more
23 than one location under common ownership, the contract of sale
24 shall be kept at the business or corporate headquarters. A
25 contract of sale shall include, but not be limited to, an actual
26 document or Internet or electronic evidence indicating that a
27 transaction for the sale of cigarettes has taken place.

28 Section 1.3. Section 229-A of the act is amended by adding a
29 subsection to read:

30 Section 229-A. Violations and Penalties.--* * *

1 (g) A licensee who fails to pay for cigarettes in full upon
2 delivery by cash, check or electronic fund transfer or according
3 to the contract of sale, requiring full payment no later than
4 fourteen days after delivery, in addition to any other
5 violations provided by law, shall be in violation of this
6 article.

7 Section 1.4. The act is amended by adding a section to read:

8 Section 232-A. Preemption.--(a) All powers and jurisdiction
9 over dealers licensed under this article, and regarding or
10 affecting the sale of tobacco products by dealers licensed under
11 this article, shall reside in the Commonwealth unless any such
12 power or jurisdiction is specifically granted to a political
13 subdivision.

14 (b) Nonapplicability.--This section shall not apply to a
15 city of the first class.

16 (c) As used in this section, the term "tobacco product"
17 shall have the same meaning as defined in 18 Pa.C.S. § 6305(k)
18 (relating to sale of tobacco).

19 Section 2. (Reserved).

20 Section 3. The act is amended by adding sections to read:

21 Section 1602-D.1. Financial recovery.

22 As of the date of the termination of distressed status under
23 the provisions of the act of July 10, 1987 (P.L.246, No.47),
24 known as the Municipalities Financial Recovery Act, a city of
25 the second class A that is levying, or had been authorized to
26 levy within the previous three fiscal years, a local services
27 tax in excess of \$52 in accordance with the Municipalities
28 Financial Recovery Act, may, upon the termination of distressed
29 status, levy, without court approval, the local services tax at
30 a rate which does not exceed \$156 per year, if a pension system

1 of the municipality is in moderate distress or severe distress
2 as defined by section 503(d) of the act of December 18, 1984
3 (P.L.1005, No.205), known as the Municipal Pension Plan Funding
4 Standard and Recovery Act, and the amount in excess of \$52 is
5 used solely to defray the municipality's unfunded actuarial
6 accrued pension liability. A local services tax in excess of \$52
7 may not be levied in the same year that the income of
8 nonresidents is subject to a tax above maximum rates as provided
9 in section 607(f) of the Municipal Pension Plan Funding Standard
10 and Recovery Act.

11 Section 1608-E. Environmental Stewardship Fund.

12 (a) Transfer.--Notwithstanding 58 Pa.C.S. § 2505(b)(1)(ii)
13 (relating to funds), the amount transferred from the fund to the
14 Marcellus Legacy Fund for distribution to the Environmental
15 Stewardship Fund in fiscal year 2015-2016 shall be \$20,000,000.

16 (b) Allocation of appropriation.--Money appropriated from
17 the Environmental Stewardship Fund under 27 Pa.C.S. § 6104(c)
18 (relating to fund) in fiscal year 2015-2016 shall be allocated
19 as follows:

20 (1) 23% to the department.

21 (2) 35.7% to the Department of Environmental Protection.

22 (3) 18.7% to the Department of Agriculture.

23 (4) 22.6% to the Pennsylvania Infrastructure Investment
24 Authority.

25 (c) Debt payments.--Nothing in this section shall affect
26 payments authorized under 27 Pa.C.S. § 6115 (relating to
27 Commonwealth indebtedness).

28 Section 4. (Reserved).

29 Section 5. Section 1702-A of the act, amended July 10, 2014
30 (P.L.1053, No.126), is amended to read:

1 Section 1702-A. Funding.

2 (a) Intent.--It is hereby declared as the intent and goal of
3 the General Assembly to create a stabilization reserve in an
4 eventual amount of 6% of the revenues of the General Fund of the
5 Commonwealth.

6 (b) Transfer of portion of surplus.--

7 (1) Except as may be provided in paragraph (2), for
8 fiscal years beginning after June 30, 2002, the following
9 apply:

10 (i) Except as set forth in this paragraph, if the
11 Secretary of the Budget certifies that there is a surplus
12 in the General Fund for a specific fiscal year, 25% of
13 the surplus shall be deposited by the end of the next
14 succeeding quarter into the Budget Stabilization Reserve
15 Fund.

16 (ii) If the Secretary of the Budget certifies, after
17 June 30, 2005, that there is a surplus in the General
18 Fund for the fiscal year 2004-2005, 15% of the surplus
19 shall be deposited by the end of the next succeeding
20 quarter into the Budget Stabilization Reserve Fund.

21 (iii) No amount of the surplus in the General Fund
22 for fiscal year 2007-2008 may be deposited into the
23 Budget Stabilization Reserve Fund.

24 (iv) No amount of the surplus in the General Fund
25 for fiscal year 2010-2011 may be deposited into the
26 Budget Stabilization Reserve Fund.

27 (v) No amount of the surplus in the General Fund for
28 fiscal year 2011-2012 may be deposited into the Budget
29 Stabilization Reserve Fund.

30 (vi) No amount of the surplus in the General Fund

1 for fiscal year 2012-2013 may be deposited into the
2 Budget Stabilization Reserve Fund.

3 (vii) No amount of the surplus in the General Fund
4 for fiscal year 2013-2014 may be deposited into the
5 Budget Stabilization Reserve Fund.

6 (viii) No amount of the surplus in the General Fund
7 for fiscal year 2014-2015 may be deposited into the
8 Budget Stabilization Reserve Fund.

9 (2) If, at the end of any fiscal year, the ending
10 balance of the Budget Stabilization Reserve Fund equals or
11 exceeds 6% of the actual General Fund revenues received for
12 the fiscal year in which the surplus occurs, 10% of the
13 surplus shall be deposited by the end of the next succeeding
14 quarter into the Budget Reserve Stabilization Fund.

15 (c) Appropriated funds.--The General Assembly may at any
16 time provide additional amounts from any funds available to this
17 Commonwealth as an appropriation to the Budget Stabilization
18 Reserve Fund.

19 Section 6. The heading of Subarticle D of Article XVII-A of
20 the act, reenacted June 30, 2011 (P.L.159, No.26), is reenacted
21 to read:

22 SUBARTICLE D

23 INVESTMENTS

24 Section 7. Sections 1731-A and 1732-A of the act, reenacted
25 and amended June 30, 2011 (P.L.159, No.26), are reenacted and
26 amended to read:

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

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

1 30, 1965 (P.L.847, No.356), known as the Banking Code of 1965,
2 [section 922 of the act of December 14, 1967 (P.L.746, No.345),
3 known as the Savings Association Code of 1967,] and any other
4 law of this Commonwealth, the power of the State Workers'
5 Insurance Board to invest money shall include the power to hold,
6 purchase, sell, assign, transfer and dispose of securities,
7 including common stock with the following restrictions:

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

10 (i) 15% of the State Workers' Insurance Fund's
11 assets; or

12 (ii) the State Workers' Insurance Fund's statutory
13 surplus after discount, except that, notwithstanding the
14 statutory surplus, the State Workers' Insurance Fund is
15 authorized to invest up to 7 1/2% of the book value of
16 its assets in equities.

17 (1.1) Investments in equities shall be made subject to
18 the prudent investor rule as provided for under 20 Pa.C.S. §
19 7203 (relating to prudent investor rule).

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

24 Section 1732-A. Expiration.

25 This subarticle shall expire June 30, [2015] 2018.

26 Section 8. Section 1774.1-A of the act, added July 18, 2013
27 (P.L.574, No.71), is amended to read:

28 Section 1774.1-A. Other grants.

29 (a) Water and sewer.--For [fiscal year 2013-2014] the
30 specified fiscal years, from funds available to the authority

1 under this act or under 58 Pa.C.S. § 2315(a.1)(4) (relating to <--
2 Statewide initiatives), that are unrelated to indebtedness
3 incurred for the program, the following apply:

4 (1) For fiscal year 2013-2014, the sum of \$3,000,000
5 shall be available for water and sewer projects with a cost
6 of not less than \$50,000 and not more than \$150,000.

7 (2) For fiscal year 2015-2016, the sum of \$22,000,000
8 shall be available for distribution or reimbursement for
9 water and sewer projects with a cost of not less than \$30,000
10 and not more than \$500,000.

11 (b) Guidelines.--The authority shall adopt guidelines for
12 the approval of applications under this section and shall ensure
13 that grants are made available to all geographic areas of this
14 Commonwealth.

15 Section 9. Sections 1713-A.1 and 1723-A.1 of the act,
16 amended July 10, 2014 (P.L.1053, No.126), are amended to read:
17 Section 1713-A.1. Use of fund.

18 (a) Annual report.--The Governor shall report on the fund in
19 the annual budget which shall include the amounts appropriated
20 to each program.

21 (b) Appropriations.--

22 (1) Except as otherwise provided in paragraphs (1.1)[,
23 (1.2) and (1.3)] through (1.5), the General Assembly
24 appropriates moneys in the fund in accordance with the
25 following percentages based on the annual payment received in
26 each year:

27 (i) Thirteen percent for home and community-based
28 services pursuant to Chapter 5 of the Tobacco Settlement
29 Act.

30 (ii) Four and five-tenths percent for tobacco use

1 prevention and cessation programs pursuant to Chapter 7
2 of the Tobacco Settlement Act.

3 (iii) Twelve and six-tenths percent for health and
4 related research pursuant to section 906 of the Tobacco
5 Settlement Act.

6 (iv) One percent for health and related research
7 pursuant to section 909 of the Tobacco Settlement Act.

8 (v) Eight and eighteen one-hundredths percent for
9 the uncompensated care payment program pursuant to
10 Chapter 11 of the Tobacco Settlement Act.

11 (vi) Thirty percent for the purchase of Medicaid
12 benefits for workers with disabilities pursuant to
13 Chapter 15 of the Tobacco Settlement Act.

14 (vii) Eight percent for the expansion of the PACENET
15 program pursuant to Chapter 23 of the Tobacco Settlement
16 Act.

17 (viii) Twenty-two and seventy-two one-hundredths
18 percent shall remain in the fund to be separately
19 appropriated for health-related purposes.

20 (1.1) For fiscal year 2013-2014, the General Assembly
21 appropriates money in the fund in accordance with the
22 following percentage based on the annual payment received
23 each year:

24 (i) Thirteen percent for home-based and community-
25 based services under Chapter 5 of the Tobacco Settlement
26 Act.

27 (ii) Two and ninety-three [hundreths] hundredths
28 percent for tobacco use prevention and cessation programs
29 under Chapter 7 of the Tobacco Settlement Act.

30 (iii) Six and three-tenths percent for health and

1 related research under section 906 of the Tobacco
2 Settlement Act.

3 (iv) One-half percent for health and related
4 research under section 909 of the Tobacco Settlement Act.

5 (v) Four and nine-hundredths percent for the
6 uncompensated care payment program under Chapter 11 of
7 the Tobacco Settlement Act.

8 (vi) Thirty percent for the purchase of Medicaid
9 benefits for workers with disabilities under Chapter 15
10 of the Tobacco Settlement Act.

11 (vii) Forty-three and eighteen hundredths percent
12 shall remain in the fund to be separately appropriated
13 for health-related purposes.

14 (1.2) For fiscal year 2014-2015, money in the fund from
15 a payment received due to the recalculation of a prior annual
16 payment shall remain in the fund to be separately
17 appropriated for health-related purposes.

18 (1.3) For fiscal year 2014-2015, the General Assembly
19 appropriates money in the fund in accordance with the
20 following percentages based on the annual payment received
21 each year:

22 (i) Thirteen percent for home-based and community-
23 based services under Chapter 5 of the Tobacco Settlement
24 Act.

25 (ii) Four and five-tenths percent for tobacco use
26 prevention and cessation programs under Chapter 7 of the
27 Tobacco Settlement Act.

28 (iii) Twelve and six-tenths percent for health and
29 related research under section 906 of the Tobacco
30 Settlement Act.

1 (iv) One percent for health and related research
2 under section 909 of the Tobacco Settlement Act.

3 (v) Eight and eighteen hundredths percent for the
4 uncompensated care payment program under Chapter 11 of
5 the Tobacco Settlement Act.

6 (vi) Fifteen and twelve hundredths percent for the
7 purchase of Medicaid benefits for workers with
8 disabilities under Chapter 15 of the Tobacco Settlement
9 Act.

10 (vii) Forty-five and six-tenths percent shall remain
11 in the fund to be separately appropriated for health-
12 related purposes.

13 (1.4) For fiscal year 2015-2016, money in the fund from
14 a payment received due to the recalculation of a prior annual
15 payment shall remain in the fund to be separately
16 appropriated for health-related purposes.

17 (1.5) For fiscal year 2015-2016, the General Assembly
18 appropriates money in the fund in accordance with the
19 following percentages based on the annual payment received
20 each year:

21 (i) Thirteen percent for home-based and community-
22 based services under Chapter 5 of the Tobacco Settlement
23 Act.

24 (ii) Four and five-tenths percent for tobacco use
25 prevention and cessation programs under Chapter 7 of the
26 Tobacco Settlement Act.

27 (iii) Twelve and six-tenths percent for health and
28 related research under section 906 of the Tobacco
29 Settlement Act.

30 (iv) One percent for health and related research

1 under section 909 of the Tobacco Settlement Act.

2 (v) Eight and eighteen hundredths percent for the
3 uncompensated care payment program under Chapter 11 of
4 the Tobacco Settlement Act.

5 (vi) Thirty percent for the purchase of Medicaid
6 benefits for workers with disabilities under Chapter 15
7 of the Tobacco Settlement Act.

8 (vii) Thirty and seventy-two hundredths percent
9 shall remain in the fund to be separately appropriated
10 for health-related purposes.

11 (2) In addition, any Federal funds received for any of
12 these programs are specifically appropriated to those
13 programs.

14 (3) All other payments and revenue received in the fund
15 other than the annual payment shall remain in the fund and
16 are available to be appropriated for health-related purposes.

17 (c) Lapses.--Lapses shall remain in the fund except that
18 lapses from money provided for the home and community-based care
19 services shall be reallocated to the home and community-based
20 care program for use in succeeding years.

21 (d) Lobbying restrictions.--No money derived from
22 appropriations made by the General Assembly from the fund may be
23 used for the lobbying of any State public official.

24 (f) Allocation of local program funding.--

25 (1) Funding for local programs under section 708(b) of
26 the Tobacco Settlement Act shall be allocated as follows:

27 (i) Thirty percent of grant funding to primary
28 contractors for local programs shall be allocated equally
29 among each of the 67 counties.

30 (ii) The remaining 70% of the grant funding to

1 primary contractors for local programs shall be allocated
2 on a per capita basis of each county with a population
3 greater than 60,000. The per capita formula shall be
4 applied only to that portion of the population that is
5 greater than 60,000 for each county.

6 (2) Budgets shall be developed by each primary
7 contractor to reflect service planning and expenditures in
8 each county. Each primary contractor shall ensure that
9 services are available to residents of each county and must
10 expend the allocated funds on a per-county basis pursuant to
11 paragraph (1) and this paragraph.

12 (3) The Department of Health shall compile a detailed
13 annual report of expenditures per county and the specific
14 programs offered in each region. This report shall be made
15 available on the Department of Health's publicly available
16 Internet website within 60 days following the close of each
17 fiscal year.

18 (4) During the third quarter of the fiscal year, funds
19 which have not been spent within a service area may be
20 reallocated to support programming in the same region.

21 (g) Transfer.--The strategic contribution payment received
22 in fiscal year 2012-2013, and all assets and cash in the Health
23 Account, shall be transferred to the fund by August 1, 2013.

24 Section 1723-A.1. Distributions from Pennsylvania Race Horse
25 Development Fund.

26 Funds in the fund are appropriated to the department on a
27 continuing basis for the purposes set forth in this subsection
28 and shall be distributed to each active and operating Category 1
29 licensee conducting live racing as follows:

30 (1) An amount equal to 18% of the daily gross terminal

1 revenue of each Category 1 licensee shall be distributed to
2 each active and operating Category 1 licensee conducting live
3 racing unless the daily assessments are affected by the daily
4 assessment cap provided for in 4 Pa.C.S. § 1405(c) (relating
5 to Pennsylvania Race Horse Development Fund). In cases in
6 which the daily assessment cap affects daily assessments, the
7 distribution to each active and operating Category 1 licensee
8 conducting live racing for that day shall be a percentage of
9 the total daily assessments paid into the fund for that day
10 equal to the gross terminal revenue of each active and
11 operating Category 1 licensee conducting live racing for that
12 day divided by the total gross terminal revenue of all active
13 and operating Category 1 licensees conducting live racing for
14 that day. Except as provided in paragraphs (2) and (2.1), the
15 distributions to licensed racing entities from the fund shall
16 be allocated as follows:

17 (i) Eighty percent shall be deposited weekly into a
18 separate, interest-bearing purse account to be
19 established by and for the benefit of the horsemen. The
20 earned interest on the account shall be credited to the
21 purse account. Licensees shall combine these funds with
22 revenues from existing purse agreements to fund purses
23 for live races consistent with those agreements with the
24 advice and consent of the horsemen.

25 (ii) For thoroughbred tracks, 16% shall be deposited
26 on a monthly basis into the Pennsylvania Breeding Fund as
27 defined in section 223 of the Race Horse Industry Reform
28 Act. For standardbred tracks, 8% shall be deposited on a
29 monthly basis in the Pennsylvania Sire Stakes Fund as
30 defined in section 224 of the Race Horse Industry Reform

1 Act, and 8% shall be deposited on a monthly basis into a
2 restricted account in the State Racing Fund to be known
3 as the Pennsylvania Standardbred Breeders Development
4 Fund. The State Harness Racing Commission shall, in
5 consultation with the Secretary of Agriculture, by rule
6 or by regulation, adopt a standardbred breeders program
7 that will include the administration of the Pennsylvania
8 Stallion Award, the Pennsylvania Bred Award and the
9 Pennsylvania Sired and Bred Award.

10 (iii) Four percent shall be used to fund health and
11 pension benefits for the members of the horsemen's
12 organizations representing the owners and trainers at the
13 racetrack at which the licensed racing entity operates
14 for the benefit of the organization's members, their
15 families, employees and others in accordance with the
16 rules and eligibility requirements of the organization,
17 as approved by the State Horse Racing Commission or the
18 State Harness Racing Commission. This amount shall be
19 deposited within five business days of the end of each
20 month into a separate account to be established by each
21 respective horsemen's organization at a banking
22 institution of its choice. Of this amount, \$250,000 shall
23 be paid annually by the horsemen's organization to the
24 thoroughbred jockeys or standardbred drivers organization
25 at the racetrack at which the licensed racing entity
26 operates for health insurance, life insurance or other
27 benefits to active and disabled thoroughbred jockeys or
28 standardbred drivers in accordance with the rules and
29 eligibility requirements of that organization.

30 (2) Distributions from the fund shall be allocated as

1 follows:

2 (i) For fiscal years 2013-2014 and 2014-2015, each
3 week, \$802,682 in the fund shall be transferred to the
4 account. This transfer shall not exceed \$17,659,000
5 annually.

6 (i.1) In addition to the transfer under subparagraph
7 (i), for a total of 14 weeks from the effective date of
8 this subparagraph, each week, \$300,000 shall be
9 transferred from the fund, for a total amount of
10 \$4,200,000, to the State Racing Fund to be used
11 exclusively for the enforcement of the act of December
12 17, 1981 (P.L.435, No.135), known as the Race Horse
13 Industry Reform Act. Moneys transferred pursuant to this
14 subparagraph shall not be transferred subsequently to any
15 other State fund or account for any purpose.

16 (i.2) For fiscal year 2015-2016, each week for 20
17 weeks, beginning on the effective date of this
18 subparagraph, \$1,300,000 in the fund shall be transferred
19 to the account. The transfer shall not exceed \$25,759,000
20 annually.

21 (ii) Each week, the money remaining in the fund
22 after any transfer under subparagraphs (i) [and], (i.1)
23 and (i.2) shall be distributed to each active and
24 operating Category 1 licensee conducting live racing in
25 accordance with the following formula:

26 (A) Divide:

27 (I) the total daily assessments paid, by
28 each active and operating Category 1 licensee
29 conducting live racing, into the fund for that
30 week; by

1 (II) the total daily assessments paid, by
2 all active and operating Category 1 licensees
3 conducting live racing, into the fund for that
4 week.

5 (B) Multiply the quotient under clause (A) by
6 the amount to be distributed under this subparagraph.

7 (iii) The distribution under subparagraph (ii) shall
8 be allocated as follows:

9 (A) The greater of 4% of the amount to be
10 distributed under subparagraph (ii) or \$220,000 shall
11 be used to fund health and pension benefits for the
12 members of the horsemen's organizations representing
13 the owners and trainers at the racetrack at which the
14 licensed racing entity operates for the benefit of
15 the organization's members, their families, employees
16 and others in accordance with the rules and
17 eligibility requirements of the organization, as
18 approved by the State Horse Racing Commission or the
19 State Harness Racing Commission. This amount shall be
20 deposited within five business days of the end of
21 each week into a separate account to be established
22 by each respective horsemen's organization at a
23 banking institution of its choice. Of this amount, a
24 minimum of \$250,000 shall be paid annually by the
25 horsemen's organization to the thoroughbred jockeys
26 or standardbred drivers organization at the racetrack
27 at which the licensed racing entity operates for
28 health insurance, life insurance or other benefits to
29 active and disabled thoroughbred jockeys or
30 standardbred drivers in accordance with the rules and

1 eligibility requirements of that organization. The
2 total distribution under this clause in any fiscal
3 year shall not exceed \$11,400,000.

4 (B) Of the money remaining to be distributed
5 under subparagraph (ii) after application of clause
6 (A), the following disbursements shall be made:

7 (I) Eighty-three and one-third percent of
8 the money to be distributed under this clause
9 shall be deposited on a weekly basis into a
10 separate, interest-bearing purse account to be
11 established by and for the benefit of the
12 horsemen. The earned interest on the account
13 shall be credited to the purse account. Licensees
14 shall combine these funds with revenues from
15 existing purse agreements to fund purses for live
16 races consistent with those agreements with the
17 advice and consent of the horsemen.

18 (II) For thoroughbred tracks, 16 and 2/3% of
19 the money to be distributed under this clause
20 shall be deposited on a weekly basis into the
21 Pennsylvania Breeding Fund established in section
22 223 of the Race Horse Industry Reform Act. For
23 standardbred tracks, 8 and 1/3% of the money to
24 be distributed under this clause shall be
25 deposited on a weekly basis into the Pennsylvania
26 Sire Stakes Fund as defined in section 224 of the
27 Race Horse Industry Reform Act; and 8 and 1/3% of
28 the money to be distributed under this clause
29 shall be deposited on a weekly basis into a
30 restricted account in the State Racing Fund to be

1 known as the Pennsylvania Standardbred Breeders
2 Development Fund. The State Harness Racing
3 Commission shall, in consultation with the
4 Secretary of Agriculture, promulgate regulations
5 adopting a standardbred breeders program that
6 will include the administration of the
7 Pennsylvania Stallion Award, the Pennsylvania
8 Bred Award and the Pennsylvania Sired and Bred
9 Award.

10 Section 10. Article XVII-A.1 of the act is amended by adding
11 subarticles to read:

12 SUBARTICLE D

13 MISCELLANEOUS limitations and TRANSFERS

14 Section 1731-A.1. (Reserved).

15 Section 1732-A.1. (Reserved).

16 Section 1733-A.1. Workmen's Compensation Administration Fund.

17 Within 30 days of the effective date of this section,
18 \$3,100,000 shall be transferred from the Workmen's Compensation
19 Administration Fund to the Uninsured Employers Guarantee Fund.

20 Section 1734-A.1. Dormitory sprinklers.

21 By June 1, 2016, \$4,500,000 shall be transferred from the
22 account established in section 3(b) of the act of December 20,
23 2001 (P.L.969, No.116), known as the Dormitory Sprinkler System
24 Act to the General Fund.

25 Section 1735-A.1. Drug and Alcohol Programs.

26 For fiscal year 2015-2016, \$2,500,000 from the sale of liquor
27 and alcohol shall be transferred to the ~~Office~~ DEPARTMENT of <--
28 Drug and Alcohol Programs for the purposes set forth in section
29 802(c) of the Liquor Code.

30 SUBARTICLE E

1 NATURAL GAS INFRASTRUCTURE DEVELOPMENT FUND

2 Section 1741-A.1. Definitions.

3 The following words and phrases when used in this subarticle
4 shall have the meanings given to them in this section unless the
5 context clearly indicates otherwise:

6 "Authority." The Commonwealth Financing Authority.

7 "Fund." The Natural Gas Infrastructure Development Fund.

8 "Marcellus Legacy Fund." ~~The fund established in 58 Pa.C.S. <--~~
9 ~~§ 2315 (relating to Statewide initiatives).~~

10 Section 1742-A.1. Natural Gas Infrastructure Development Fund.

11 The Natural Gas Infrastructure Development Fund is
12 established in the State Treasury.

13 Section 1743-A.1. Transfer of funds.

14 The sum of \$12,000,000 allocated under section 307(c) of the
15 act of July 9, 2008 (1st Sp.Sess., P.L.1873, No.1), known as the
16 Alternative Energy Investment Act, shall be transferred to the
17 fund for use by the authority.

18 Section 1744-A.1. Use of funds.

19 (a) Grants.--The authority shall use the fund to provide
20 grants to obtain access to natural gas to any of the following:

21 (1) Hospitals.

22 (2) Businesses.

23 (3) Economic development organizations.

24 (4) Municipalities.

25 (5) Counties.

26 (6) School districts.

27 (b) Eligible uses.--Grants awarded under this section may be
28 used for projects which expand access to natural gas
29 infrastructure, including costs associated with limiting
30 environmental impacts and protecting public lands.

1 (c) Guidelines.--The authority shall develop guidelines for
2 the following:

3 (1) Selecting eligible projects to receive grants.

4 (2) Use of money by applicants that receive grants.

5 Section 1745-A.1. Amount of grant.

6 The authority may provide a grant for not more than the
7 lesser of:

8 (1) 50% of the cost of a project; or

9 (2) \$1,000,000.

10 Section 1746-A.1. Guidelines for applications.

11 The authority shall:

12 (1) develop guidelines for submitting applications for a
13 grant; and

14 (2) give priority to applications that will result in
15 adjoining residential and nonresidential properties obtaining
16 natural gas.

17 Section 11. Section 1719-E of the act, added July 17, 2007
18 (P.L.141, No.42), is amended to read:

19 Section 1719-E. Department of Community and Economic
20 Development.

21 (a) Appropriations.--The following shall apply to
22 appropriations for the Department of Community and Economic
23 Development:

24 (1) No more than 20% of funds appropriated for grants
25 under the act of May 20, 1949 (P.L.1633, No.493), known as
26 the Housing and Redevelopment Assistance Law, shall be
27 allocated to any one political subdivision.

28 (2) (Reserved).

29 (b) Limitation.--The Secretary of Community and Economic
30 Development is prohibited from certifying that the

1 Intergovernmental Cooperation Authority is no longer necessary
2 under section 204 of the act of February 12, 2004 (P.L.73,
3 No.11), known as the Intergovernmental Cooperation Authority Act
4 for Cities of the Second Class, until oversight is terminated
5 pursuant to the act of July 10, 1987 (P.L.246, No.47), known as
6 the Municipalities Financial Recovery Act.

7 Section 12. Sections 1722-E and 1723-E of the act, amended
8 October 9, 2009 (P.L.537, No.50), are amended to read:

9 Section 1722-E. Department of Education.

10 (a) General rule.--For the 2010-2011 school year and every
11 school year thereafter, payments under section 1376.1(b.2) of
12 the act of March 10, 1949 (P.L.30, No.14), known as the Public
13 School Code of 1949, for a chartered school that establishes a
14 satellite campus with the approval of the department for the
15 purpose of enrolling students previously enrolled in a school
16 for the deaf formerly operated by the Commonwealth shall, in
17 addition to any amount otherwise calculated under section
18 1376.1(b.2), include the amount provided in fiscal year 2009-
19 2010 pursuant to section 1722-J(10)(ii). The total shall be
20 subject to the annual adjustment under section 1376.1(b.2)(1) of
21 the Public School Code of 1949.

22 (b) Additional funding.--For the 2010-2011 and 2011-2012
23 school years, in addition to any other funds provided to it, the
24 department shall provide to a chartered school that establishes
25 a satellite campus with approval of the department for the
26 purpose of enrolling students previously enrolled in a school
27 for the deaf formerly operated by the Commonwealth, out of funds
28 appropriated to the department, an amount equal to \$500,000
29 annually to the extent appropriated by the General Assembly.

30 (c) Public School Employees' Retirement Contribution

1 Restricted Account.--

2 (1) The Public School Employees' Retirement Contribution
3 Restricted Account is established in the General Fund.

4 (2) Money deposited in the account, including the return
5 on the money, is appropriated to the department for the
6 annual payment of the Commonwealth's obligation under 24
7 Pa.C.S. § 8326 (relating to contributions by the
8 Commonwealth).

9 Section 1723-E. Department of Environmental Protection.

10 (a) Fee.--The Department of Environmental Protection may
11 assess a fee to applicants who apply for funds under section 306
12 of the act of July 9, 2008 (1st Sp.Sess., P.L.1873, No.1), known
13 as the Alternative Energy Investment Act. The department shall
14 publish the fee on its publicly accessible Internet website.
15 Proceeds from the fee shall be used to administer the provision
16 of loans, grants, reimbursements or rebates under section 306 of
17 the Alternative Energy Investment Act. No fee authorized under
18 this section may exceed \$150 for commercial applicants and \$100
19 for residential applicants.

20 (b) Submission of State plan for greenhouse gas
21 regulation.--This subsection is intended to address changes in
22 State plan submission deadlines adopted by the EPA which occur
23 in fiscal year 2015-2016 in order to allow the General Assembly
24 adequate time to respond to the State plan by coordinating this
25 article and Articles XVII-L and XVII-M with the act of October
26 22, 2014 (P.L.2873, No.175), known as the Pennsylvania
27 Greenhouse Gas Regulation Implementation Act. The following
28 apply:

29 (1) Not less than 180 days prior to the department
30 submitting the State plan to the EPA for approval, the

1 department shall transmit the plan to the General Assembly
2 for approval.

3 (2) Upon transmission under paragraph (1), the State
4 plan shall be:

5 (i) proposed as a resolution in each chamber;

6 (ii) placed on the calendar of each chamber for the
7 next legislative day following transmission; and

8 (iii) considered by each chamber within 20 days
9 after placement under subparagraph (ii).

10 (3) If each chamber of the General Assembly adopts the
11 resolution under paragraph (2), the department may submit the
12 State plan to the EPA for consideration.

13 (4) If either chamber of the General Assembly
14 disapproves the resolution under paragraph (2), the
15 department may not submit the State plan to the EPA for
16 consideration. The department shall do all of the following:

17 (i) Determine the reasons for disapproval and modify
18 the State plan.

19 (ii) Cause the State plan to be resubmitted to the
20 General Assembly utilizing the process delineated under
21 paragraph (2) within 60 days of the disapproval.

22 (iii) If necessary, request an extension of time
23 from the EPA by submitting an initial State plan by
24 September 6, 2016, that meets the minimum requirements
25 for an initial State plan, as specified in the plan
26 guidelines published by the EPA. The department shall
27 transmit the following message with its submittal under
28 this subparagraph:

29 Be advised that the State plan submitted by the
30 Pennsylvania Department of Environmental

1 Protection has not yet met the requirements of
2 the Pennsylvania Greenhouse Gas Regulation
3 Implementation Act requiring affirmative approval
4 of the General Assembly. It is the intention of
5 the Commonwealth of Pennsylvania to submit a
6 State plan which conforms to this rulemaking.
7 Under section 111(d) of the Clean Air Act, states
8 must be given an opportunity to meet Federal
9 environmental standards set forth by the
10 Environmental Protection Agency. The Commonwealth
11 of Pennsylvania hereby invokes the authority
12 provided to it under section 111(d) of the Clean
13 Air Act, and, in accordance with the Pennsylvania
14 Greenhouse Gas Implementation Act, will be making
15 a further filing with the agency.

16 (5) If no vote is taken by either chamber of the General
17 Assembly to approve or disapprove the resolution under
18 paragraph (2) before August 22, 2016, the State plan shall be
19 deemed approved and shall be submitted to the EPA
20 immediately.

21 (6) If either chamber of the General Assembly fails to
22 approve a resubmitted plan under paragraph (4)(ii) within 60
23 days of the extension deadline under 40 CFR § 60.5760
24 (relating to timing requirements for plan submission), the
25 resubmitted plan shall be deemed approved.

26 (c) Definitions.--As used in this section, the following
27 words and phrases shall have the meanings given to them in this
28 subsection unless the context clearly indicates otherwise:

29 "EPA." The Environmental Protection Agency or the
30 Administrator of the Environmental Protection Agency.

1 "Clean Power Plan." The EPA regulatory package entitled
2 "Carbon Pollution Emission Guidelines for Existing Stationary
3 Sources: Electric Utility Generating Units," published at 80 FR
4 64662-01 (October 23, 2015).

5 "State plan." The state plan authorized by the Clean Power
6 Plan under docket EPA-HQ-OAR-2013-0602-36051.

7 Section 13. Section 1724-E of the act, added July 17, 2007
8 (P.L.141, No.42), is amended to read:

9 Section 1724-E. Department of General Services [(Reserved)].

10 The General Assembly shall provide annual appropriations to
11 support the provision of fire services to the Capitol Complex in
12 the City of Harrisburg.

13 Section 14. Section 1729-E of the act, amended or added July
14 17, 2007 (P.L.141, No.42) and July 2, 2012 (P.L.823, No.87), is
15 amended to read:

16 Section 1729-E. Department of [Public Welfare] Human Services.

17 The following shall apply to appropriations for the
18 Department of [Public Welfare] Human Services:

19 (1) Any rule, regulation or policy for the Federal or
20 State appropriations for the cash assistance, outpatient,
21 inpatient, capitation, behavioral health, long-term care and
22 Supplemental Grants to the Aged, Blind and Disabled, Child
23 Care and Attendant Care programs adopted by the Secretary of
24 Public Welfare during the fiscal year which adds to the cost
25 of any public assistance program shall be effective only from
26 and after the date upon which it is approved as to the
27 availability of funds by the Governor.

28 (2) Federal and State medical assistance payments. The
29 following shall apply:

30 (i) No funds appropriated for approved capitation

1 plans shall be used to pay a provider who fails to supply
2 information in a form required by the department in order
3 to facilitate claims for Federal financial participation
4 for services rendered to general assistance clients.

5 (ii) (Reserved).

6 (iii) (Reserved).

7 (iv) (Reserved).

8 (v) (Reserved).

9 (vi) (Reserved).

10 (vii) The following shall apply to eligibility
11 determinations for services under medical assistance:

12 (A) Unless the custodial parent or legally
13 responsible adult has provided to the department, at
14 application or redetermination, information required
15 by the department for inclusion in the annual report
16 under clause (B), no funds from an appropriation for
17 medical assistance shall be used to pay for medical
18 assistance services for a child under 21 years of
19 age:

20 (I) who has a Supplemental Security Income
21 (SSI) level of disability; and

22 (II) whose parental income is not currently
23 considered in the eligibility determination
24 process.

25 (B) The department shall submit to the Public
26 Health and Welfare Committee of the Senate and the
27 Health Committee and Human Services Committee of the
28 House of Representatives an annual report including
29 the following data:

30 (I) Family size.

- 1 (II) Household income.
- 2 (III) County of residence.
- 3 (IV) Length of residence in this
4 Commonwealth.
- 5 (V) Third-party insurance information.
- 6 (VI) Diagnosis and type and cost of services
7 paid for by the medical assistance program on
8 behalf of each eligible and enrolled child
9 described in clause (A).

10 (3) The following shall apply:

11 (i) If, in any fiscal year, the annual appropriation
12 for payments to counties under section 704.1(a) of the
13 act of June 13, 1967 (P.L.31, No.21), known as the Public
14 Welfare Code, has not been enacted by September 1, an
15 amount shall be appropriated as of September 1 to the
16 Department of Human Services for the purpose of making
17 payments to counties under section 704.1(g) (5) and (g.1)
18 of the Public Welfare Code that is equal to the
19 difference between:

20 (A) the amount of funds specified as the
21 aggregate child welfare needs-based budget allocation
22 by the General Assembly under section 709.3(c.1) of
23 the Public Welfare Code in the general appropriation
24 act for the immediately preceding fiscal year as
25 necessary to fund child welfare services provided for
26 that fiscal year; and

27 (B) the amount of funds actually provided for
28 reimbursement to counties during that fiscal year.

29 (ii) The department may adjust any payment to a
30 county under section 704.1(g) of the Public Welfare Code

1 based on the amount of funds actually appropriated by the
2 General Assembly.

3 (iii) Within five days of executing the authority
4 granted in this paragraph and weekly thereafter, the
5 Secretary of the Budget shall inform the chairperson and
6 minority chairperson of the Appropriations Committee of
7 the Senate and the chairperson and minority chairperson
8 of the Appropriations Committee of the House of
9 Representatives of the amount of payments made to each
10 county under this section.

11 (4) Sufficient money has been appropriated to the
12 department to conduct a study, in consultation with the
13 Department of Education, to determine how the Commonwealth
14 may better coordinate the delivery of education and social
15 services. The study shall include information on research-
16 based child outcomes of initiatives which coordinate the
17 delivery of education and social services in this
18 Commonwealth and other states. The department shall request
19 public input for consideration. Within 180 days of the
20 effective date of this paragraph, the department shall submit
21 a report to the Education Committee of the Senate, the Public
22 Health and Welfare Committee of the Senate, the Education
23 Committee of the House of Representatives and the Health
24 Committee of the House of Representatives, stating the
25 findings of the study and making recommendations for a pilot
26 program in a school setting.

27 Section 15. Section 1733-E of the act, amended October 9,
28 2009 (P.L.537, No.50), is amended to read:

29 Section 1733-E. Pennsylvania State Police.

30 The following shall apply to appropriations for the

1 Pennsylvania State Police:

2 (1) The Pennsylvania State Police may not close a
3 barracks until the Pennsylvania State Police conducts a
4 public hearing and provides 30 days' notice, which shall be
5 published in the Pennsylvania Bulletin and in at least two
6 local newspapers.

7 (2) [(Reserved).] Payments made to municipalities under
8 53 Pa.C.S. § 2170 (relating to reimbursement of expenses)
9 shall be limited to money available. If money is not
10 available to make full payments, the Municipal Police
11 Officers' Education and Training Commission shall make
12 payments on a pro rata basis.

13 Section 16. Section 1741.1-E of the act, added July 10, 2014
14 (P.L.1053, No.126), is amended to read:

15 Section 1741.1-E. Environmental Quality Board.

16 (a) Regulations.--From funds appropriated to the
17 Environmental Quality Board, the board shall promulgate proposed
18 regulations and regulations under 58 Pa.C.S. (relating to oil
19 and gas) or other laws of this Commonwealth relating to
20 conventional oil and gas wells separately from proposed
21 regulations and regulations relating to unconventional gas
22 wells. All regulations under 58 Pa.C.S. shall differentiate
23 between conventional oil and gas wells and unconventional gas
24 wells. [Regulations promulgated under this section] This
25 subsection shall apply to regulations promulgated on or after
26 the effective date of this [section] subsection.

27 (b) Rulemaking prohibition.--

28 (1) The board may not adopt or promulgate:

29 (i) a revision of 25 Pa. Code Ch. 78 (relating to
30 oil and gas wells) applicable to the operation of

1 conventional oil and gas wells which was formulated or
2 proposed in any form prior to the effective date of this
3 subsection; or

4 (ii) a regulation applicable to the operation of
5 conventional oil and gas wells which was formulated or
6 proposed in any form prior to the effective date of this
7 subsection.

8 (2) As to any rulemaking procedure concerning
9 conventional oil and gas wells which was published for the
10 board or the Department of Environmental Protection in the
11 Pennsylvania Bulletin after November 30, 2013, and before the
12 effective date of this paragraph, the General Assembly finds
13 and declares that, as to conventional oil and gas wells:

14 (i) The rulemaking procedure is invalid as not in
15 compliance with the rulemaking standards of the act of
16 June 25, 1982 (P.L.633, No.181), known as the Regulatory
17 Review Act.

18 (ii) Regulations promulgated under the rulemaking
19 procedure are abrogated. This subparagraph applies
20 regardless of the date of publication of final-form
21 rulemaking in the Pennsylvania Bulletin.

22 (c) Future rulemaking.--After the effective date of this
23 subsection, the board may initiate the formulation, adoption or
24 promulgation of regulations for operation of conventional oil
25 and gas wells in accordance with law. The formulation, adoption
26 or promulgation shall be accompanied by the submission of a
27 regulatory analysis form which is prepared following the
28 effective date of this paragraph.

29 [(b)] (d) Definitions.--As used in this section, the
30 following words and phrases shall have the meanings given to

1 them in this subsection unless the context clearly indicates
2 otherwise:

3 "Conventional oil and gas well." A bore hole drilled for the
4 purpose of producing oil or gas from a conventional formation.

5 The term includes any of the following:

6 (1) A well drilled to produce oil.

7 (2) A well drilled to produce natural gas from
8 formations other than shale formations.

9 (3) A well drilled to produce natural gas from shale
10 formations located above the base of the Elk Group or its
11 stratigraphic equivalent.

12 (4) A well drilled to produce natural gas from shale
13 formations located below the base of the Elk Group where
14 natural gas can be produced at economic flow rates or in
15 economic volumes without the use of vertical or nonvertical
16 well bores stimulated by hydraulic fracture treatments or by
17 using multilateral well bores or other techniques to expose
18 more of the formation to the well bore.

19 (5) Irrespective of formation, a well drilled for
20 collateral purposes, such as monitoring, geologic logging,
21 secondary and tertiary recovery or disposal injection.

22 "Unconventional gas well." As defined in 58 Pa.C.S. § 2301
23 (relating to definitions).

24 Section 16.1. Section 1750-E of the act, added July 17, 2007
25 (P.L.141, No.42), is amended to read:

26 Section 1750-E. Pennsylvania Housing Finance Agency

27 [(Reserved)].

28 (a) Establishment.--The Homeownership Assistance Program is
29 established and shall be administered by the agency in
30 coordination with the department.

1 (b) Award.--The agency may award financial assistance to an
2 applicant who is a first-time homebuyer under this subsection.
3 Financial assistance may include either of the following:

4 (1) Down payment on the purchase of a primary residence.
5 Down payment assistance shall equal the lesser of the
6 following:

7 (i) Twenty percent of the sale price of the home.

8 (ii) Ten thousand dollars.

9 (2) Closing costs on the purchase of a primary
10 residence, which shall equal 5% of the sale price of the home
11 and may not exceed the lesser of the following:

12 (i) The total amount of closing costs due.

13 (ii) Ten thousand dollars.

14 (c) Types.--The agency may award financial assistance in any
15 of the following forms and manners based on review of the
16 applicant's personal finances:

17 (1) A grant.

18 (2) A no-interest, forgivable loan. A loan awarded under
19 this paragraph shall be reduced by 20% per year over five
20 years beginning on the date of closing. An applicant who
21 sells the home prior to the expiration of five years or who
22 ceases to use the home as the applicant's primary residence
23 prior to the expiration of the five-year forgiveness period
24 shall repay any remaining principal amount of loan to the
25 agency in a time and manner determined by the agency.

26 (3) A deferred loan repayable upon the sale of the
27 property. A loan under this paragraph must be repaid upon the
28 sale of the home by the applicant. The amount of the
29 repayment shall equal 105% of the total amount of the loan
30 awarded and shall be payable to the agency in a time and

1 manner determined by the agency.

2 (d) Application.--An applicant may apply for financial
3 assistance in a form and manner prescribed by the agency. The
4 application shall state whether the applicant is seeking down
5 payment assistance or closing cost assistance.

6 (e) Review.--Prior to awarding financial assistance under
7 this section, the agency shall review the application to
8 determine whether the applicant is eligible to receive financial
9 assistance. The following shall apply:

10 (1) The agency may not impose a means test or make a
11 determination of need regarding an applicant.

12 (2) An applicant's financial circumstances may only be
13 used to assess the type of financial assistance to be
14 awarded.

15 (f) Verification.--The department shall, in conjunction with
16 the agency, verify the status and eligibility of a veteran
17 submitting an application for financial assistance under this
18 section.

19 (g) Guidelines.--The agency, in consultation with the
20 department, shall promulgate guidelines governing the
21 Homeownership Assistance Program.

22 (h) Definitions.--The following words and phrases when used
23 in this section shall have the meanings given to them in this
24 subsection unless the context clearly indicates otherwise:

25 "Agency." The Pennsylvania Housing Financing Agency.

26 "Applicant." A veteran or a veteran's spouse.

27 "Department." The Department of Military and Veterans
28 Affairs of the Commonwealth.

29 "Financial assistance." Down payment or closing costs
30 assistance authorized under this section.

1 "Primary residence." A dwelling that is used as the primary
2 domicile of the owner.

3 "Veteran." A person who served on active duty in the United
4 States Armed Forces, including any of the following:

5 (1) A reservist or member of the National Guard who was
6 discharged or released from the service under honorable
7 conditions.

8 (2) A reservist or member of the National Guard who
9 completed an initial term of enlistment or qualifying period
10 of service.

11 (3) A reservist or member of the National Guard who was
12 disabled in the line of duty during training.

13 "Veteran's spouse." The unmarried surviving spouse of a
14 veteran who was killed in action while on active duty in the
15 United States Armed Forces.

16 Section 17. The act is amended by adding a section to read:
17 Section 1753-E. Commonwealth Financing Authority.

18 The following shall apply to the restricted receipts account
19 of the Commonwealth Financing Authority established under 4
20 Pa.C.S. § 1403(c)(2)(i)(D)(I) (relating to establishment of
21 State Gaming Fund and net slot machine revenue distribution):

22 (1) In addition to municipalities that are eligible to
23 receive grant funding under 4 Pa.C.S. § 1403(c)(2)(i)(D)(I),
24 a county redevelopment authority within the county shall also
25 be eligible to receive grant funding to be used exclusively
26 for economic development projects or infrastructure. A county
27 redevelopment authority shall not be eligible to receive more
28 than 10% of the total grant funds awarded.

29 (2) Notwithstanding the act of February 9, 1999 (P.L.1,
30 No.1), known as the Capital Facilities Debt Enabling Act,

1 grants made under 4 Pa.C.S. § 1403(c)(2)(i)(D)(I) may be
2 utilized as local matching funds for other grants or loans
3 from the Commonwealth.

4 Section 18. Repeals are as follows:

5 (1) The General Assembly finds and declares as follows:

6 (i) Each year, articles on budget implementation are
7 added to the act.

8 (ii) These articles are temporary in nature but are
9 placed permanently into the act, utilizing article
10 numbers and section numbers.

11 (iii) Reusing article numbers and section numbers
12 will keep the text of the act more concise.

13 (iv) The repeals under paragraph (2) are necessary
14 to effectuate subparagraph (iii).

15 (2) Articles XVII-L and XVII-M of the act, added July 6,
16 2010 (P.L.279, No.46), are repealed.

17 Section 19. The act is amended by adding articles to read:

18 ARTICLE XVII-L

19 2015-2016 BUDGET IMPLEMENTATION

20 SUBARTICLE A

21 PRELIMINARY PROVISIONS

22 Section 1701-L. Applicability.

23 Except as specifically provided in this article, this article
24 applies to the General Appropriation Act and all other
25 appropriation acts of 2015.

26 Section 1702-L. Definitions.

27 (a) Definitions.--The following words and phrases when used
28 in this article shall have the meanings given to them in this
29 section unless the context clearly indicates otherwise:

30 "General Appropriation Act." The act of , 2015 (P.L. ,

1 No.), known as the General Appropriation Act of 2015.

2 "Public School Code of 1949." The act of March 10, 1949
3 (P.L.30, No.14), known as the Public School Code of 1949.

4 "Public Welfare Code." The act of June 13, 1967 (P.L.31,
5 No.21), known as the Public Welfare Code.

6 "Secretary." The Secretary of the Budget of the
7 Commonwealth.

8 (b) Abbreviations.--The following abbreviations when used in
9 this article shall have the meanings given to them in this
10 section:

11 "AIDS." Acquired Immune Deficiency Syndrome.

12 "ARRA." The American Recovery and Reinvestment Act of 2009
13 (Public Law 111-5, 123 Stat. 115).

14 "CCDFBG." Child Care and Development Fund Block Grant.

15 "CSBG." Community Services Block Grant.

16 "DCSI." Drug Control and Systems Improvement Formula Grant
17 Program.

18 "DFSC." The Safe and Drug-Free Schools and Communities Act
19 (Public Law 107-110, 20 U.S.C. § 7101 et seq.).

20 "DOE." Department of Energy.

21 "EEOC." Equal Employment Opportunity Commission.

22 "EPA." Environmental Protection Agency.

23 "ESEA." The Elementary and Secondary Education Act of 1965
24 (Public Law 89-10, 20 U.S.C. § 6301 et seq.).

25 "FEMA." Federal Emergency Management Agency.

26 "FTA." Federal Transit Administration.

27 "HUD." Department of Housing and Urban Development.

28 "LIHEABG." Low-Income Home Energy Assistance Block Grant.

29 "LSTA." The Library Services and Technology Act (Public Law
30 104-208, 20 U.S.C. § 9101 et seq.).

1 "MCHSBG." Maternal and Child Health Services Block Grant.
2 "MHSBG." Mental Health Services Block Grant.
3 "PAFE." Pennsylvania Agricultural Food Exposition.
4 "PHHSBG." Preventive Health and Health Services Block Grant.
5 "RSAT." Residential Substance Abuse Treatment.
6 "SABG." Substance Abuse Block Grant.
7 "SCDBG." Small Communities Development Block Grant.
8 "SDA." Service Delivery Area.
9 "SSBG." Social Services Block Grant.
10 "TANF." Temporary Assistance for Needy Families.
11 "TANFBG." Temporary Assistance for Needy Families Block
12 Grant.
13 "TEFAP." Temporary Emergency Food Assistance Program.
14 "WIA." The Workforce Investment Act of 1998 (Public Law 105-
15 220, 112 Stat. 936).
16 "WIC." Women, Infants and Children Program.

17 SUBARTICLE B

18 EXECUTIVE DEPARTMENTS

19 Section 1711-L. Governor (Reserved).

20 Section 1712-L. Executive offices.

21 The following apply:

22 (1) Funds appropriated to the Pennsylvania Commission on
23 Crime and Delinquency for intermediate punishment treatment
24 programs shall be distributed competitively to counties for
25 offenders sentenced to intermediate punishment programs. The
26 portion of funds for drug and alcohol treatment programs
27 shall be based on national statistics that identify the
28 percentage of incarcerated individuals that are in need of
29 treatment for substance issues but in no case shall be less
30 than 80% of the amount appropriated.

1 (2) From funds appropriated to the commission, at least
2 \$285,000 shall be used to support the Statewide Automated
3 Victim Information and Notification System (SAVIN) to provide
4 offender information through county jails, \$200,000 shall be
5 used for a residential treatment community facility for at-
6 risk youth located in a county of the fifth class, \$100,000
7 shall be used for an innovative police data sharing pointer
8 index system that will allow participating law enforcement
9 agencies access to incident report data, and \$200,000 shall
10 be used for a diversion program for first time nonviolent
11 offenders facing prison sentences. The diversion program must
12 include education and employment services, case management
13 and mentoring.

14 (3) From funds appropriated for violence prevention
15 programs, at least \$250,000 shall be used for programs in a
16 city of the second class, and at least \$450,000 shall be used
17 for blueprint mentoring programs that address reducing youth
18 violence in a city of the CITIES OF THE FIRST, second and <--
19 third class.

20 Section 1712.1-L. Office of the Budget.

21 (a) Interest reimbursement.--From money appropriated to the
22 office for making interest reimbursements for fiscal year 2015-
23 2016, the office shall make interest reimbursement payments to
24 applicants that are approved under this section.

25 (b) Application.--To receive the reimbursement payment, an
26 applicant must submit a completed application to the office in
27 the format required by the office within 60 days of the
28 effective date of this section. The application must include all
29 of the following:

30 (1) Name, address and telephone number of the applicant

1 and the name of an appropriate contact person.

2 (2) The amount of interest by program area incurred by
3 the applicant as a direct result of the budget impasse.

4 (3) Information and documentation which establishes that
5 the applicant has incurred the interest as a direct result of
6 the budget impasse and has not been reimbursed, nor claimed
7 reimbursement for, the interest charges from a funding source <--
8 other than the Commonwealth. Nothing in this paragraph shall
9 prohibit the office from requesting and accepting additional
10 documents or information or clarification from an applicant
11 nonprofit organization after the due date for filing the
12 application.

13 (4) A verification signed by the applicant's chief
14 administrative officer, subject to 18 Pa.C.S. § 4904
15 (relating to unsworn falsification to authorities) that all
16 of the documentation and information submitted to the office
17 is true and correct.

18 (5) Any other information or documents required by the
19 office.

20 (c) Notification.--By June 30, 2016, the office shall notify
21 the applicant in writing whether the office has approved or
22 denied the application.

23 (d) Payment.--Except as set forth in subsection (e), the
24 office shall make one payment to each approved applicant for the
25 reimbursement of interest incurred during the budget impasse.

26 (e) Basic education.--The interest reimbursement for an
27 applicant that is a school district shall be calculated as
28 follows:

29 (1) Multiply:

30 (i) the net amount of basic education funding for

1 the 2014-2015 school year under ~~sections 2502.13 and~~ <--
2 ~~2502.41~~ SECTION 2502.54 of the Public School Code of <--
3 1949, which would have been paid in August 2015, October
4 2015 and December 2015; by

5 (ii) an interest rate established by the Department
6 of Education to ensure that the money allocated under
7 this section does not exceed the money appropriated for
8 reimbursement.

9 (2) Multiply:

10 (i) the product under paragraph (1); by

11 (ii) the number of days respectively that the August
12 2015 and October 2015 payments were late.

13 (3) Divide:

14 (i) the product under paragraph (2); by

15 (ii) 365.

16 (4) The quotient under paragraph (3), expressed as a
17 percentage is the total interest reimbursement.

18 (f) Proration.--If the total amount of all payments approved
19 by the office under this section FOR APPLICANTS OTHER THAN <--
20 CHARTER SCHOOLS exceeds the amount appropriated to the office
21 for paying interest reimbursements for fiscal year 2015-2016
22 LESS THE AMOUNT UNDER SUBSECTION (F.1)(1), the office shall <--
23 prorate the amount paid to the approved applicants.

24 (F.1) CHARTER SCHOOL REIMBURSEMENT ALLOCATION.--THE <--
25 FOLLOWING APPLY:

26 (1) OF THE AMOUNT APPROPRIATED TO THE OFFICE FOR PAYING
27 INTEREST REIMBURSEMENTS FOR FISCAL YEAR 2015-2016, \$700,000
28 SHALL BE USED TO PROVIDE INTEREST REIMBURSEMENT PAYMENTS TO
29 APPLICANTS WHICH ARE CHARTER SCHOOLS.

30 (2) IF THE TOTAL AMOUNT OF ALL PAYMENTS APPROVED BY THE

1 OFFICE UNDER THIS SECTION EXCEEDS THE AMOUNT UNDER PARAGRAPH
2 (1), THE OFFICE SHALL PRORATE THE AMOUNT PAID TO THE APPROVED
3 APPLICANTS.

4 (g) Definitions.--As used in this section, the following
5 words and phrases shall have the meanings given to them in this
6 subsection unless the context clearly indicates otherwise:

7 "Applicant." Any county, city, borough, incorporated town,
8 township, school district or nonprofit organization.

9 "Budget impasse." The situation which occurred when a
10 general appropriation act for fiscal year 2015-2016 was not
11 enacted into law by July 1, 2015.

12 "CHARTER SCHOOL." AN ENTITY WHICH IS A CHARTER SCHOOL, <--
13 REGIONAL CHARTER SCHOOL OR CYBER CHARTER SCHOOL AS DEFINED IN
14 SECTION 1703-A OF THE PUBLIC SCHOOL CODE OF 1949.

15 "Nonprofit organization." An entity that:

16 (1) is a tax-exempt nonprofit organization under section
17 501(c)(3) of the Internal Revenue Code of 1986 (Public Law
18 99-514, 26 U.S.C. § 501(c)(3));

19 (2) has its own board and administrative structure which
20 is independent of any other public or private for-profit or
21 nonprofit entity;

22 (3) employs no more than 100 individuals;

23 (4) is not a subsidiary or affiliate of either a public
24 or private for-profit or nonprofit entity that employs,
25 itself or through its subsidiaries or affiliates, more than
26 100 individuals in total;

27 (5) has a contract with or a grant from the Commonwealth
28 or a county that receives and passes State grant program
29 funding through to the nonprofit organization; ~~or~~ AND <--

30 (6) receives more than 50% of its annual operating

1 revenue from contracts and grants under paragraph (5).
2 "Office." The Office of the Budget of the Commonwealth.
3 Section 1713-L. Lieutenant Governor (Reserved).
4 Section 1714-L. Attorney General (Reserved).
5 Section 1715-L. Auditor General (Reserved).
6 Section 1716-L. Treasury Department (Reserved).
7 Section 1717-L. Department of Aging (Reserved).
8 Section 1718-L. Department of Agriculture.

9 The following apply:

10 (1) From funds appropriated for agricultural research,
11 at least:

12 (i) six hundred thousand dollars shall be used for
13 agricultural resource centers in conjunction with a land-
14 grant university, which includes \$150,000 for an
15 agricultural law research program addressing energy
16 development; and

17 (ii) eight hundred thousand dollars shall be used
18 for an animal diagnostic laboratory affiliated with a
19 university located in a city of the first class to
20 increase the capacity to address avian flu and other
21 animal disease outbreaks.

22 (2) At least 80% of the funds appropriated for hardwoods
23 research and promotion shall be equally distributed among the
24 hardwood utilization groups of this Commonwealth established
25 prior to the effective date of this section.

26 (3) From funds appropriated for general government
27 operations, \$250,000 shall be transferred to the Dog Law
28 Restricted Account.

29 (4) From funds appropriated for transfer to agricultural
30 college land scrip fund, at least \$2,000,000 shall be used to

1 address ongoing biosecurity issues, including avian
2 influenza, in this Commonwealth.

3 Section 1719-L. Department of Community and Economic
4 Development.

5 The following shall apply to appropriations for the
6 Department of Community and Economic Development:

7 (1) From funds appropriated for general government
8 operations, \$250,000 shall be used for the creation of an
9 institute in a city of the second class to research and
10 develop healthy building products and ~~\$150,000~~ \$300,000 shall <--
11 be used for independent research by a not-for-profit entity
12 which partners with higher education institutions, to
13 identify, characterize and manage issues related to the
14 economic and environmental impact of Pennsylvania Marcellus
15 Shale development.

16 (2) The sum of \$6,525,000 of the funds appropriated for
17 marketing to attract tourists includes an allocation to plan
18 and market a biennial arts and cultural activity which
19 generates Statewide and regional economic impact, allocations
20 to promote annual arts and cultural activities and an
21 allocation of \$800,000 for two annual Statewide competitions
22 servicing approximately 3,000 athletes with intellectual
23 disabilities from across this Commonwealth to be held in a
24 county of the fourth class and a HOME RULE COUNTY WHICH WAS <--
25 FORMERLY A county of the second class A. <--

26 (3) From funds appropriated for Keystone Communities,
27 the following shall apply:

28 (i) Four hundred fifty thousand dollars shall be
29 distributed to a multimunicipal revitalization
30 organization in a county of the sixth class with a

1 population, based on the most recent Federal decennial
2 census, of at least 68,000 but not more than 70,000 for
3 sidewalks and repairs associated with downtown
4 revitalization.

5 (ii) Five hundred thousand dollars shall be used for
6 a veterans' homeowner assistance program.

7 (iii) Remaining funds include an allocation for the
8 Main Street and Elm Street programs which are distributed
9 in the same proportion as amounts allocated in fiscal
10 year 2012-2013.

11 ~~(4) Money appropriated for regional event security shall <--~~
12 ~~be disbursed as follows:~~

13 ~~(i) Fifty percent shall be disbursed as~~
14 ~~reimbursement for costs incurred as a result of the 2015~~
15 ~~Papal visit to a city of the first class, to a county~~
16 ~~contiguous to a city of the first class, to a~~
17 ~~municipality in a county contiguous to a city of the~~
18 ~~first class and to the Pennsylvania Convention Center~~
19 ~~Authority. No more than 50% of the amount under this~~
20 ~~subparagraph shall be disbursed to a city of the first~~
21 ~~class.~~

22 ~~(ii) Fifty percent shall be disbursed as grants or~~
23 ~~reimbursements for local costs incurred for a national~~
24 ~~convention and conference.~~

25 ~~(4) MONEY APPROPRIATED FOR REGIONAL EVENT SECURITY SHALL <--~~
26 ~~BE DISBURSED AS FOLLOWS:~~

27 ~~(I) FIFTY PERCENT SHALL BE DISBURSED AS~~
28 ~~REIMBURSEMENT FOR COSTS INCURRED AS A RESULT OF THE 2015~~
29 ~~PAPAL VISIT. OF THAT AMOUNT, \$4,000,000 SHALL BE~~
30 ~~DISTRIBUTED TO THE PHILADELPHIA CONVENTION AND VISITORS~~

1 BUREAU AND \$1,000,000 SHALL BE DISTRIBUTED TO COUNTIES
2 CONTIGUOUS TO A CITY OF THE FIRST CLASS AND
3 MUNICIPALITIES IN A COUNTY CONTIGUOUS TO A CITY OF THE
4 FIRST CLASS.

5 (II) FIFTY PERCENT SHALL BE DISBURSED AS GRANTS OR
6 REIMBURSEMENTS FOR LOCAL COSTS INCURRED FOR A NATIONAL
7 CONVENTION AND CONFERENCE.

8 Section 1720-L. Department of Conservation and Natural
9 Resources.

10 The following shall apply to appropriations for the
11 Department of Conservation and Natural Resources:

12 (1) From funds appropriated for State parks operations,
13 \$2,250,000 shall be used for the operation and maintenance of
14 the Washington Crossing Historical Park.

15 (2) (Reserved).

16 Section 1721-L. Department of Drug and Alcohol Programs.

17 The following shall apply to appropriations for the
18 Department of Drug and Alcohol Programs:

19 ~~(1) From funds appropriated for general government~~ <--
20 ~~operations, at least \$750,000 shall be used for programs~~
21 ~~providing treatment for posttraumatic stress disorder for~~
22 ~~veterans (RESERVED).~~ <--

23 (2) (Reserved).

24 Section 1722-L. Department of Education.

25 The following shall apply to appropriations for the
26 Department of Education:

27 (1) From an appropriation for adult and family literacy
28 programs, summer reading programs and the adult high school
29 diplomas program, \$400,000 shall be allocated for an after-
30 school learning program servicing low-income students located

1 in a county of the sixth class with a population, based on
2 the most recent Federal decennial census, of at least 60,000
3 but not more than 70,000.

4 (1.1) From an appropriation for adult and family
5 literacy programs, summer reading programs and the adult high
6 school diplomas program, \$750,000 shall be allocated for an
7 after-school learning program servicing low-income students
8 located in a county of the third class with a population,
9 based on the most recent Federal decennial census, of at
10 least 320,000 but not more than 321,000.

11 (2) From funds appropriated for mobile science and
12 mathematics education programs, \$50,000 shall be allocated
13 for a mathematics education program that targets middle
14 school students, \$150,000 shall be allocated to a nautical
15 science center in a county of the second class, \$14,000 shall
16 be allocated for a mathematics laboratory in a school
17 district in a city of the third class located in a county of
18 the third class, \$500,000 shall be allocated for a regional
19 science, technology, engineering and mathematics center
20 servicing sixth through twelfth grade students located in a
21 township of the first class in a county of the third class
22 and \$100,000 shall be allocated for a research and
23 development center associated with the Commonwealth's land
24 grant institution located in a county of the sixth class for
25 the promotion of economic development.

26 (3) Notwithstanding any other provision of law, funds
27 appropriated for community education councils shall be
28 distributed as follows:

29 (i) Each community education council which received
30 funding in fiscal year 2014-2015 shall receive an amount

1 equal to the amount it received in that fiscal year. NO <--
2 LESS THAN 5% GREATER THAN THE AMOUNT RECEIVED IN FISCAL
3 YEAR 2014-2015.

4 (ii) No less than \$605,000 for an education
5 consortium serving Cameron, Clarion, Clearfield,
6 Crawford, Elk, Forest, Jefferson, McKean, Potter, Venango
7 and Warren Counties.

8 (4) From funds appropriated for regional community
9 college services, \$600,000 shall be distributed to a
10 community college in a county of the fourth class with a
11 population, based on the most recent Federal decennial
12 census, of at least 175,000 but not more than 190,000,
13 \$750,000 for a dual enrollment program at a community college
14 in a city of the first class and \$1,200,000 shall be
15 distributed to a nonprofit organization authorized under
16 section 1705-E.1 establishing a rural regional college
17 serving nine rural counties.

18 (5) From funds appropriated for Pennsylvania Charter
19 Schools for the Deaf and Blind, \$1,100,000 shall be
20 distributed pro rata based on each school's increased share
21 of required contributions for public school employees'
22 retirement.

23 (6) From funds appropriated for Approved Private
24 Schools, \$2,400,000 shall be used for payments to an approved
25 private school in a county of the fourth class that was
26 approved in calendar year 2014 but has not received payments.

27 (6.1) Notwithstanding any other provision of law, funds
28 from the set-aside under section ~~2509.8(e)~~ 2509.8(F) of the <--
29 Public School Code of 1949 shall be allocated to each
30 approved private school with a day tuition rate determined to

1 be less than \$32,000 during the 2010-2011 school year. The
2 allocation shall be determined as follows:

3 (A) Subtract:

4 (I) the approved private school's 2010-2011
5 school year day tuition rate; from

6 (II) \$38,072.

7 (B) Multiply:

8 (I) the difference under clause (A); by

9 (II) the number of approved students
10 enrolled in the approved private school during
11 the 2010-2011 school year.

12 (7) Notwithstanding section 1724-A of the Public School
13 Code of 1949 or 24 Pa.C.S. § 8329 (relating to payments on
14 account of social security deductions from appropriations),
15 no payments shall be made to charter schools or cyber charter
16 schools authorized under Article XVII-A of the Public School
17 Code of 1949 from funds appropriated for school employees'
18 Social Security.

19 (8) Notwithstanding section 1724-A of the Public School
20 Code of 1949 or 24 Pa.C.S. §§ 8326 (relating to contributions
21 by the Commonwealth) and 8535 (relating to payments to school
22 entities by Commonwealth), no payments shall be made to
23 charter schools or cyber charter schools authorized under
24 Article XVII-A of the Public School Code of 1949 from funds
25 appropriated for payment of required contributions for public
26 school employees' retirement.

27 (9) From funds appropriated for payment of required
28 contribution for public school employee's social security,
29 each employer shall submit a report to the department
30 documenting all wages for which payments are calculated under

1 24 Pa.C.S. § 8329 for each month no later than the first
2 Tuesday of the second subsequent month. The department shall
3 process and submit a payment requisition to the State
4 Treasurer in order to make a payment to each employer that
5 submitted a timely report no later than 14 business days from
6 the required submission date. An employer that submits an
7 untimely report shall be paid for the amount due by the
8 department in a timely manner after the required
9 documentation has been submitted. The department shall make a
10 report each month detailing the wages reported by each
11 employer and the payments made to the employer from the
12 appropriation and provide an electronic copy to the
13 chairperson of the Appropriations Committee of the Senate and
14 the chairperson of the Appropriations Committee of the House
15 of Representatives.

16 Section 1723-L. Department of Environmental Protection.

17 The following shall apply to appropriations for the
18 Department of Environmental Protection:

19 (1) Notwithstanding section 502 of the act of July 9,
20 2008 (1st Sp.Sess., P.L.1873, No.1), known as the Alternative
21 Energy Investment Act, in fiscal year 2015-2016, no funds
22 shall be appropriated from the General Fund to the department
23 for the Consumer Energy Program. Any appropriation for fiscal
24 year 2015-2016 is revoked.

25 (2) From funds appropriated for general government
26 operations, \$400,000 shall be used for a project to improve
27 infrastructure to provide clean drinking water in a county of
28 the fourth class with a population, based on the most recent
29 Federal decennial census, of at least 150,000 but not more
30 than 155,000.

1 (3) From funds appropriated for sewage facilities
2 grants, \$500,000 shall be distributed for upgrades at an
3 existing wastewater pumping station operated by a joint sewer
4 authority serving a third class city in a county of the fifth
5 class.

6 (4) Not later than 60 days after the effective date of
7 this section, the department shall pay or transfer \$6,810,223
8 of the unexpended Alternative Energy Series 2010B proceeds
9 allocated to the department under section 304(a) of the
10 Alternative Energy Investment Act to the Commonwealth
11 Financing Authority for the payment of interest due during
12 fiscal year 2015-2016 on the authority's alternative energy
13 tax-exempt bond issues.

14 (5) FROM FUNDS APPROPRIATED FOR TRANSFER TO THE O&M <--
15 TRUST ACCOUNT, SUFFICIENT FUNDS ARE PROVIDED TO ENSURE THAT,
16 FOR THE PURPOSE OF 25 PA. CODE § 86.17(E) (3) (RELATING TO
17 PERMIT AND RECLAMATION FEES), THE ACCOUNT MAINTAINS A BALANCE
18 OF AT LEAST \$3,000,000 FOR THE 2015-2016 FISCAL YEAR.

19 Section 1724-L. Department of General Services (Reserved).

20 Section 1725-L. Department of Health.

21 The following apply:

22 (1) From funds appropriated for general government
23 operations, sufficient funds are included for the
24 coordination of donated dental services and \$100,000 is
25 included for outreach for Charcot-Marie-Tooth syndrome.

26 (2) From funds appropriated for newborn screening,
27 \$250,000 shall be allocated to operate a referral center for
28 abnormal metabolic screenings at a children's hospital in a
29 county of the eighth class.

30 (3) From funds appropriated for adult cystic fibrosis

1 and other chronic respiratory illnesses, at least \$204,000
2 shall be used for a program promoting cystic fibrosis
3 research in a county of the second class, and \$102,000 shall
4 be used for research related to childhood cystic fibrosis in
5 a city of the first class with a hospital that is nationally
6 accredited as a cystic fibrosis treatment center and
7 specializes in the treatment of children.

8 (4) Funds appropriated for lupus programs shall be
9 distributed in the same proportion as distributed in fiscal
10 year 2014-2015.

11 (5) Funds appropriated for biotechnology research
12 include allocations for regenerative medicine research, for
13 regenerative medicine medical technology, for hepatitis and
14 viral research, for drug research and clinical trials related
15 to cancer, for genetic and molecular research for disease
16 identification and eradication, for a study related to
17 nanotechnology, for the commercialization of applied research
18 and for a National Cancer Institute certified cancer center
19 that is exempt from the Federal Prospective Payment System
20 and is located in a city of the first class.

21 Section 1726-L. Insurance Department (Reserved).

22 Section 1727-L. Department of Labor and Industry.

23 The following shall apply to appropriations for the
24 Department of Labor and Industry:

25 (1) The appropriation for payment to the Vocational
26 Rehabilitation Fund for work of the State Board of Vocational
27 Rehabilitation Services includes:

28 (i) Two million three hundred fifty-two thousand
29 dollars for a Statewide professional service provider
30 association for the blind to provide specialized services

1 and prevention of blindness services, which includes
2 \$200,000 for independent living services for older
3 individuals who are blind.

4 (ii) Four hundred ~~thirty one~~ FIFTY-ONE thousand <--
5 dollars to provide specialized services and prevention of
6 blindness services in cities of the first class.

7 (2) FROM FUNDS APPROPRIATED TO THE DEPARTMENT FOR <--
8 TRANSFER TO THE VOCATIONAL REHABILITATION FUND, THE
9 DEPARTMENT SHALL ALLOCATE MONEY TO A PROGRAM THAT PROVIDES
10 FOR WORK-BASED LEARNING EXPERIENCES WHICH TAKE PLACE IN
11 COMPETITIVE INTEGRATED WORKPLACES, AS PART OF THE
12 PREEMPLOYMENT TRANSITION SERVICES PROVIDED TO HIGH SCHOOL
13 STUDENTS WITH DISABILITIES.

14 ~~(2)~~ (3) From funds appropriated for Industry <--
15 Partnerships, \$200,000 shall be allocated for a work force
16 development program that links veterans with employment in a
17 home rule county that was formerly a county of the second
18 class A.

19 Section 1728-L. Department of Military and Veterans Affairs
20 (Reserved).

21 Section 1729-L. Department of Human Services.

22 The following shall apply to appropriations for the
23 Department of Human Services:

24 (1) Authorized transfers for child-care services. The
25 following shall apply:

26 (i) The department, upon approval of the secretary,
27 may transfer Federal funds appropriated for TANFBG Child
28 Care Assistance to the CCDFBG Child Care Services
29 appropriation to provide child-care services to
30 additional low-income families if the transfer of funds

1 will not result in a deficit in the appropriation. The
2 secretary shall provide notice 10 days prior to a
3 transfer under this subparagraph to the chairperson and
4 minority chairperson of the Appropriations Committee of
5 the Senate and the chairperson and minority chairperson
6 of the Appropriations Committee of the House of
7 Representatives.

8 (ii) The department, upon approval of the secretary,
9 may transfer Federal funds appropriated for CCDFBG Child
10 Care Assistance to the CCDFBG Child Care Services
11 appropriation to provide child-care services to
12 additional low-income families, provided that the
13 transfer of funds will not result in a deficit in the
14 appropriation. The secretary shall provide notice 10 days
15 prior to a transfer under this subparagraph to the
16 chairperson and minority chairperson of the
17 Appropriations Committee of the Senate and the
18 chairperson and minority chairperson of the
19 Appropriations Committee of the House of Representatives.

20 (2) Federal and State medical assistance payments. The
21 following shall apply:

22 (i) For fiscal year 2015-2016, payments to hospitals
23 for Community Access Fund grants shall be distributed
24 under the formulas utilized for these grants in fiscal
25 year 2014-2015. If the total funding available under this
26 subparagraph is less than that available in fiscal year
27 2014-2015, payments shall be made on a pro rata basis.

28 (ii) Funds appropriated for medical assistance
29 transportation shall only be utilized as a payment of
30 last resort for transportation for eligible medical

1 assistance recipients.

2 (iii) Amounts allocated from funds appropriated for
3 fee-for-service used for the Select Plan for Women's
4 Preventive Health Services shall be used for women's
5 medical services, including noninvasive contraception
6 supplies.

7 (iv) Federal or State funds appropriated under the
8 General Appropriation Act in accordance with Article
9 VIII-H of the Public Welfare Code not used to make
10 payments to hospitals qualifying as Level III trauma
11 centers or seeking accreditation as Level III trauma
12 centers shall be used to make payments to hospitals
13 qualifying as Levels I and II trauma centers.

14 (v) Qualifying university-affiliated physician
15 practice plans which received funds for fiscal year 2011-
16 2012 shall not receive any less than the State
17 appropriation made available to those university-
18 affiliated physician practice plans during fiscal year
19 2011-2012. In addition, the following shall be
20 distributed from funds appropriated for physician
21 practice plans:

22 (A) Two million dollars shall be distributed to
23 an acute care hospital affiliated with an academic
24 medical center located in a city of the second class.

25 (B) Three million five hundred thousand dollars
26 shall be distributed to an academic medical center
27 with a regional campus located in a county of the
28 fourth class.

29 (vi) (A) Except for an academic medical center
30 receiving funds under clause (B), qualifying academic

1 medical centers which received funds for fiscal year
2 2014-2015 shall not receive any less than the State
3 appropriation made available to those academic
4 medical centers during fiscal year 2014-2015.

5 (B) In addition to the funds under subparagraph
6 (v)(B), a qualifying academic medical center with a
7 regional campus located in a county of the fourth
8 class that received funds in fiscal year 2014-2015
9 shall receive \$2,992,000.

10 (C) In addition to the funds under clause (A),
11 the following shall apply:

12 (I) A qualifying academic medical center
13 located in a county of the third class with a
14 population between 210,000 and 215,000 under the
15 2010 Federal decennial census shall receive an
16 additional \$1,850,000.

17 (II) A qualifying academic medical center
18 located in a county of the third class with a
19 population between 279,000 and 282,000 under the
20 2010 Federal decennial census shall receive an
21 additional \$1,700,000.

22 (III) A qualifying academic medical center
23 located in a city of the first class that did not
24 receive funding during fiscal year 2010-2011
25 shall receive an additional \$1,200,000.

26 (vii) Notwithstanding any other law, funds
27 appropriated for medical assistance payments for fee-for-
28 service care, exclusive of inpatient services provided
29 through capitation plans, shall include sufficient funds
30 for two separate All Patient Refined Diagnostic Related

1 Group payments for inpatient acute care general hospital
2 stays for:

3 (A) normal newborn care; and

4 (B) mothers' obstetrical delivery.

5 (viii) From funds appropriated for medical
6 assistance payments for fee-for-service care, \$150,000
7 shall be used for treatment of cleft palates and other
8 craniofacial anomalies.

9 (ix) From funds appropriated for medical assistance
10 fee-for-service care as follows:

11 (A) Eight hundred thousand dollars shall be
12 distributed to a health system for clinical
13 ophthalmologic services located in a city of the
14 first class.

15 (B) Three hundred thousand dollars shall be
16 distributed for improvements to an intensive care
17 facility in an acute care hospital located in a city
18 of the first class.

19 (C) Five million dollars shall be distributed to
20 a hospital in a city of the third class in a home
21 rule county that was formerly a county of the second
22 class A.

23 (D) One million five hundred thousand dollars
24 shall be distributed to an acute care hospital
25 serving a health system located in a city of the
26 first class and a contiguous county of the second
27 class A which received funding under subparagraph (v)
28 during fiscal year 2014-2015.

29 (E) One million five hundred thousand dollars
30 shall be distributed to an acute care hospital

1 affiliated with an academic medical center located in
2 a city of the second class.

3 (x) From funds appropriated for medical assistance
4 capitation, \$150,000 shall be used for prevention and
5 treatment of depression and its complications in older
6 Pennsylvanians in a county of the second class, AND <--
7 SUFFICIENT FUNDS ARE PROVIDED FOR MANAGED CARE
8 ORGANIZATIONS TO PROVIDE A \$5 PER HOUR INCREASE IN THE
9 REIMBURSEMENT RATES FOR PEDIATRIC SHIFT NURSING SERVICES
10 PROVIDED IN A HOME CARE SETTING EFFECTIVE JANUARY 1,
11 2016.

12 (xi) From funds appropriated for medical assistance
13 long-term care, \$2,000,000 shall be distributed to a
14 county nursing home located in a home rule county that
15 was formerly a county of the second class A which has a
16 medical assistance occupancy rate of at least 85%.

17 (xii) From funds appropriated for medical assistance
18 LONG-TERM CARE, \$2,000,000 shall be distributed to a <--
19 nonpublic nursing home located in a county of the first
20 class with more than 395 beds and a Medicaid acuity at
21 1.19 as of August 1, 2015, to ensure access to necessary
22 nursing care in that county.

23 (xiii) From funds appropriated for medical
24 assistance long-term care, \$4,000,000 shall be
25 distributed to a nonpublic nursing home located in a
26 county of the eighth class with more than 119 beds and a
27 Medicaid acuity of 1.14 as of August 1, 2015, to ensure
28 access to necessary nursing home care in that county.

29 (3) Breast cancer screening. The following shall apply:

30 (i) Funds appropriated for breast cancer screening

1 may be used for women's medical services, including
2 noninvasive contraception supplies.

3 (ii) (Reserved).

4 (4) Women's service programs. The following shall apply:

5 (i) Funds appropriated for women's service programs
6 grants to nonprofit agencies whose primary function is to
7 promote childbirth and provide alternatives to abortion
8 shall be expended to provide services to women until
9 childbirth and for up to 12 months thereafter, including
10 food, shelter, clothing, health care, counseling,
11 adoption services, parenting classes, assistance for
12 postdelivery stress and other supportive programs and
13 services and for related outreach programs. Agencies may
14 subcontract with other nonprofit entities which operate
15 projects designed specifically to provide all or a
16 portion of these services. Projects receiving funds
17 referred to in this subparagraph shall not promote, refer
18 for or perform abortions or engage in any counseling
19 which is inconsistent with the appropriation referred to
20 in this subparagraph and shall be physically and
21 financially separate from any component of any legal
22 entity engaging in such activities.

23 (ii) Federal funds appropriated for TANFBG
24 Alternatives to Abortion shall be utilized solely for
25 services to women whose gross family income is below 185%
26 of the Federal poverty guidelines.

27 (5) The provisions of 8 U.S.C. §§ 1611 (relating to
28 aliens who are not qualified aliens ineligible for Federal
29 public benefits), 1612 (relating to limited eligibility of
30 qualified aliens for certain Federal programs) and 1642

1 (relating to verification of eligibility for Federal public
2 benefits) shall apply to payments and providers.

3 (6) From funds appropriated for autism intervention and
4 services, \$450,000 shall be distributed to a behavioral
5 health facility located in a fifth class county with a
6 population between 130,000 and 135,000 under the 2010 Federal
7 decennial census that operates a center for autism and
8 developmental disabilities, \$240,000 shall be distributed to
9 an institution of higher education which provides autism
10 education and diagnostic curriculum located in a city of the
11 first class that operates a center for autism in a county of
12 the second class A, \$240,000 shall be distributed to an
13 institution of higher education which provides autism
14 education and diagnostic curriculum and is located in a
15 county of the second class, and \$200,000 shall be allocated
16 to programs to promote the health and fitness of persons with
17 developmental disabilities located in a city of the first
18 class.

19 (7) Community-based family centers. Funds appropriated
20 for community-based family centers may not be considered as
21 part of the base for calculation of the county child welfare
22 needs-based budget for a fiscal year.

23 (8) From funds appropriated for mental health services
24 or from Federal funds, \$580,000 shall be used for the
25 following:

26 (i) The operation and maintenance of a network of
27 web portals that provide comprehensive referral services,
28 support and information relating to early intervention,
29 prevention and support for individuals with mental health
30 or substance abuse issues, county mental health offices,

1 providers and others that provide mental and behavioral
2 health treatment and related services.

3 (ii) The expansion of the existing web portals,
4 including services and resources for military veterans
5 and their families, including comprehensive referral
6 services for transitional, temporary and permanent
7 housing, job placement and career counseling and other
8 services for military veterans returning to civilian
9 life.

10 (9) To supplement the funds appropriated to the
11 department for medical assistance for workers with
12 disabilities, in addition to the monthly premium established
13 under section 1503(b) (1) of the act of June 26, 2001
14 (P.L.755, No.77), known as the Tobacco Settlement Act, the
15 department may adjust the percentage of the premium upon
16 approval of the Centers for Medicaid Services as authorized
17 under Federal requirements. Failure to make payments in
18 accordance with this paragraph or section 1503(b) (1) of the
19 Tobacco Settlement Act shall result in the termination of
20 medical assistance coverage.

21 Section 1730-L. Department of Revenue.

22 The following shall apply to appropriations for the
23 Department of Revenue:

24 (1) The Enhanced Revenue Collection Account shall
25 continue through fiscal year 2019-2020. Revenues collected
26 and the amount of refunds avoided as a result of expanded tax
27 return reviews and tax collection activities shall be
28 deposited into the account. The following shall apply:

29 (i) Of the funds in the account, for each of the
30 fiscal years 2015-2016 through 2019-2020, up to

1 \$25,000,000 is appropriated to the department to fund the
2 costs associated with increased tax collection
3 enforcement and reduction in tax refund errors. The
4 balance of the funds in the account on June 15, 2014, and
5 each June 15 thereafter, shall be transferred to the
6 General Fund.

7 (ii) The department shall issue a report to the
8 Governor, the chairperson and the minority chairperson of
9 the Appropriations Committee of the Senate and the
10 chairperson and minority chairperson of the
11 Appropriations Committee of the House of Representatives
12 by June 1, 2016, and by each June 1 thereafter, with the
13 following information:

14 (A) A detailed breakdown of the department's
15 administrative costs in implementing the activities
16 described under this section.

17 (B) The amount of revenue collected and the
18 amount of refunds avoided as a result of the
19 activities under this paragraph, including the type
20 of tax generating the revenue and avoided refunds.

21 (2) (Reserved).

22 Section 1731-L. Department of State (Reserved).

23 Section 1732-L. Department of Transportation.

24 The following shall apply to appropriations for the
25 Department of Transportation:

26 (1) From amounts appropriated or any other funds used by
27 the department during the 2015-2016 fiscal year, the
28 department may not use direct mail inserts in mailings from
29 the department. As used in this paragraph, the term "direct
30 mail inserts" include coupons for commercial services,

1 advertising materials for a private commercial entity and
2 departmental documents which are sponsored by a private
3 commercial entity.

4 (2) (Reserved).

5 Section 1733-L. Pennsylvania State Police (Reserved).

6 Section 1734-L. (Reserved).

7 Section 1735-L. Pennsylvania Emergency Management Agency.

8 The following shall apply to appropriations for the
9 Pennsylvania Emergency Management Agency:

10 (1) From funds appropriated for local municipal
11 emergency relief, \$3,000,000 shall be used for a State
12 program to provide assistance to individuals and political
13 subdivisions directly affected by natural and man-made
14 disasters or public safety emergencies. State assistance will
15 be limited to grants for projects that do not qualify for
16 Federal assistance to help repair damages to primary
17 residences, personal property and public facilities. Grants
18 will be made available for reimbursement in a disaster or
19 emergency area only when a Presidential disaster declaration
20 is not covering the area or when the agency determines that a
21 public safety emergency has occurred.

22 (2) Funds appropriated for search and rescue programs
23 shall be used to support programs related to training working
24 service dogs focusing on rescue and public safety at a center
25 located in a city of the first class.

26 Section 1736-L. Pennsylvania Fish and Boat Commission

27 (Reserved).

28 Section 1737-L. State System of Higher Education (Reserved).

29 Section 1737.1-L. State-related institutions (Reserved).

30 Section 1738-L. Pennsylvania Higher Education Assistance Agency

1 (Reserved).

2 Section 1739-L. Pennsylvania Historical and Museum Commission

3 (Reserved).

4 Section 1740-L. Pennsylvania Infrastructure Investment

5 Authority (Reserved).

6 Section 1741-L. Environmental Hearing Board (Reserved).

7 Section 1742-L. Pennsylvania Board of Probation and Parole

8 (Reserved).

9 Section 1743-L. Pennsylvania Gaming Control Board.

10 (1) Notwithstanding 4 Pa.C.S. Pt. II (relating to
11 gaming) or any other provision of law to the contrary, any
12 payment of a slot machine license fee under 4 Pa.C.S. § 1209
13 (relating to slot machine license fee) received by the
14 Pennsylvania Gaming Control Board after June 30, 2014, shall
15 be deposited in and credited to the General Fund.

16 (2) (Reserved).

17 Section 1744-L. (Reserved).

18 Section 1745-L. (Reserved).

19 Section 1746-L. (Reserved).

20 Section 1747-L. (Reserved).

21 Section 1748-L. Commonwealth Financing Authority (Reserved).

22 Section 1749-L. Thaddeus Stevens College of Technology

23 (Reserved).

24 Section 1750-L. Pennsylvania Housing Finance Agency (Reserved).

25 Section 1751-L. LIHEABG (Reserved).

26 SUBARTICLE C

27 STATE GOVERNMENT SUPPORT AGENCIES

28 Section 1761-L. Health Care Cost Containment Council

29 (Reserved).

30 Section 1762-L. State Ethics Commission (Reserved).

1 Section 1763-L. Legislative Reference Bureau (Reserved).
2 Section 1764-L. Legislative Budget and Finance Committee
3 (Reserved).
4 Section 1765-L. Legislative Data Processing Committee
5 (Reserved).
6 Section 1766-L. Joint State Government Commission (Reserved).
7 Section 1767-L. Joint Legislative Air and Water Pollution
8 Control and Conservation Committee (Reserved).
9 Section 1768-L. Legislative Audit Advisory Commission
10 (Reserved).
11 Section 1769-L. Independent Regulatory Review Commission
12 (Reserved).
13 Section 1770-L. Capitol Preservation Committee (Reserved).
14 Section 1771-L. Pennsylvania Commission on Sentencing
15 (Reserved).
16 Section 1772-L. Center for Rural Pennsylvania (Reserved).
17 Section 1773-L. Commonwealth Mail Processing Center (Reserved).
18 Section 1774-L. Transfers (Reserved).
19 SUBARTICLE D
20 JUDICIAL DEPARTMENT
21 Section 1781-L. Supreme Court (Reserved).
22 Section 1782-L. Superior Court (Reserved).
23 Section 1783-L. Commonwealth Court (Reserved).
24 Section 1784-L. Courts of common pleas (Reserved).
25 Section 1785-L. Community courts; magisterial district judges
26 (Reserved).
27 Section 1786-L. Philadelphia Traffic Court (Reserved).
28 Section 1787-L. Philadelphia Municipal Court (Reserved).
29 Section 1788-L. Judicial Conduct Board (Reserved).
30 Section 1789-L. Court of Judicial Discipline (Reserved).

1 Section 1790-L. Juror cost reimbursement (Reserved).
2 Section 1791-L. County court reimbursement (Reserved).
3 Section 1792-L. Senior judges (Reserved).
4 Section 1793-L. Transfer of funds by Supreme Court (Reserved).

5 SUBARTICLE E

6 GENERAL ASSEMBLY

7 (RESERVED)

8 ARTICLE XVII-M

9 2015-2016 RESTRICTIONS ON APPROPRIATIONS

10 FOR FUNDS AND ACCOUNTS

11 Section 1701-M. Applicability.

12 Except as specifically provided in this article, this article
13 applies to the act of _____, 2015 (P.L. _____, No. _____), known as
14 the General Appropriation Act of 2015, and all other
15 appropriation acts of 2015.

16 Section 1702-M. State Lottery Fund.

17 The following apply:

18 (1) Funds appropriated for PENNCARE shall not be
19 utilized for administrative costs by the Department of Aging.

20 (2) (Reserved).

21 Section 1703-M. Energy Conservation and Assistance Fund

22 (Reserved).

23 Section 1704-M. Judicial Computer System Augmentation Account

24 (Reserved).

25 Section 1704.1-M. Access to Justice Account (Reserved).

26 Section 1705-M. Emergency Medical Services Operating Fund

27 (Reserved).

28 Section 1706-M. The State Stores Fund (Reserved).

29 Section 1707-M. Motor License Fund (Reserved).

30 Section 1708-M. Hazardous Material Response Fund (Reserved).

1 Section 1709-M. Milk Marketing Fund (Reserved).
2 Section 1710-M. HOME Investment Trust Fund (Reserved).
3 Section 1711-M. Tuition Payment Fund (Reserved).
4 Section 1712-M. Banking Fund (Reserved).
5 Section 1713-M. Firearm Records Check Fund (Reserved).
6 Section 1714-M. Ben Franklin Technology Development Authority
7 Fund (Reserved).
8 Section 1715-M. Tobacco Settlement Fund (Reserved).
9 Section 1716-M. (Reserved).

10 Section 1717-M. 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) Land and Water Conservation Fund Act of 1965 (Public
24 Law 88-578, 16 U.S.C. § 4601-4 et seq.).

25 (3) National Forest Reserve Allotment.

26 (d) Department of Education.--The following restricted
27 receipt accounts may be established for the Department of
28 Education:

29 (1) Education of the Disabled - Part C.

30 (2) LSTA - Library Grants.

- 1 (3) The Pennsylvania State University Federal Aid.
- 2 (4) Emergency Immigration Education Assistance.
- 3 (5) Education of the Disabled - Part D.
- 4 (6) Homeless Adult Assistance Program.
- 5 (7) Severely Handicapped.
- 6 (8) Medical Assistance Reimbursements to Local Education
- 7 Agencies.

8 (e) Department of Environmental Protection.--The following
9 restricted receipt accounts may be established for the
10 Department of Environmental Protection:

- 11 (1) Federal Water Resources Planning Act.
- 12 (2) Flood Control Payments.
- 13 (3) Soil and Water Conservation Act - Inventory of
- 14 Programs.

15 (f) Department of Drug and Alcohol Programs.--The following
16 restricted receipt accounts may be established for the
17 Department of Drug and Alcohol Programs:

- 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 (4) Early Retiree Reinsurance Program.

14 Section 1718.1-M. Gaming Economic Development and Tourism Fund
15 (Reserved).

16 Section 1719-M. Veterans' Trust Fund (Reserved).

17 Section 1720-M. State Farm Products Show Fund (Reserved).

18 Section 1721-M. Pennsylvania Race Horse Development Fund
19 (Reserved).

20 Section 20. Article XVIII of the act is renumbered to read:

21 ARTICLE [XVIII] C

22 INTERPRETATION, EFFECTIVE DATE, AND REPEALER

23 Section [1801] 10001. Constitutionality.--It is the
24 intention of the General Assembly that if this act cannot take
25 effect in its entirety, because of the judgment of any court of
26 competent jurisdiction holding unconstitutional any part or
27 parts thereof, the remaining provisions of the act shall be
28 given full force and effect as completely as if the part or
29 parts held unconstitutional had not been included herein.

30 It is the intention of the General Assembly that, if any

1 court of competent jurisdiction shall hold unconstitutional any
2 provisions of this act transferring to a department, board,
3 commission, or officer, the powers and duties heretofore
4 exercised and performed by another department, board,
5 commission, or officer, the provisions transferring such powers
6 and duties shall thereby become inoperative, and that, in such
7 event, the department, board, commission, or officer, heretofore
8 exercising such powers and performing such duties shall continue
9 to exercise and perform them. The remaining provisions of this
10 act shall, in any such case, be given full force and effect.

11 Section [1802] 10002. Continuance of Existing Laws.--The
12 provisions of this act, as far as they are the same as those of
13 existing laws, shall be construed as a continuation of such
14 laws, and not as new enactments.

15 Section [1803] 10003. Enumeration of Powers of Departments,
16 Boards, and Commissions.--Whenever in this act the powers and
17 duties of a department, board, commission, or officer are
18 enumerated and defined, such enumeration and definition shall
19 not be construed to be in derogation or limitation of the powers
20 and duties heretofore exercised and performed by such
21 department, board, commission, or officer unless,

22 (a) Any power or duty, as enumerated and defined, is clearly
23 inconsistent with the exercise of a power or the performance of
24 a duty heretofore exercised or performed; or

25 (b) There is a specific statement that a power or a duty
26 heretofore exercised or performed shall be exercised or
27 performed by another department, board, commission or officer,
28 or that such power or duty shall be exercised or performed in a
29 different manner.

30 Section [1804] 10004. Effective Date.--Article V of this act

1 shall take effect on the first day of June, one thousand nine
2 hundred and twenty-nine, but in all other respects this act
3 shall become effective on the first day of July of said year,
4 except that any licenses and tags or buttons issued prior to the
5 effective date of this act shall remain in full force and effect
6 for the period for which they shall have been issued, and any
7 forms of license and tags or buttons prepared for issuance or
8 for the preparation of which contracts shall have been executed
9 prior to such effective date, may be used by the Department of
10 Revenue during the remainder of the year one thousand nine
11 hundred and twenty-nine, notwithstanding they bear the name of a
12 department, board or commission other than the Department of
13 Revenue.

14 Section [1805] 10005. Repealer.--

15 (a) All acts and parts of acts supplied by this act are
16 hereby repealed, but this act is not intended to repeal any act
17 or part of an act relating to the settlement, assessment,
18 collection, or lien of any State tax, bonus, or license fee, if
19 the effect of such repeal would be to relieve any person,
20 association, or corporation of any tax, bonus, or license fee
21 now payable by such person, association, or corporation.

22 If any court of competent jurisdiction shall hold that any
23 tax, bonus, license fee, or other money payable to the
24 Commonwealth, or any officer or agency thereof, cannot be
25 settled, assessed, or collected under the procedure provided by
26 this act, such tax, bonus, license fee, or other money shall
27 continue to be settled or assessed and collected under the laws
28 in force prior to the passage of this act.

29 (b) The following acts and parts of acts are hereby
30 specifically repealed:

1 Sections one, two, three, five, nine, eleven, twelve,
2 thirteen, fourteen, sixteen, twenty-six, thirty-one, thirty-two,
3 thirty-three, thirty-four, thirty-six, and fifty-one, of the
4 act, approved the thirtieth day of March, one thousand eight
5 hundred eleven (Pamphlet Laws, one hundred forty-five), entitled
6 "An act to amend and consolidate the several acts relating to
7 the settlement of the public accounts and the payment of the
8 public monies and for other purposes."

9 Sections forty-nine and fifty-nine of the act, approved the
10 fifteenth day of April, one thousand eight hundred thirty-four
11 (Pamphlet Laws, five hundred thirty-seven), entitled "An act
12 relating to counties and townships, and county and townships
13 officers."

14 Section ten of the act, approved the twenty-first day of
15 April, one thousand eight hundred forty-six (Pamphlet Laws, four
16 hundred thirteen), entitled "A supplement to the law relating to
17 defaulting public officers."

18 The act approved the fifteenth day of March, one thousand
19 eight hundred forty-seven (Pamphlet Laws, three hundred fifty-
20 four), entitled "A further supplement to the law relating to
21 defaulting public officers."

22 Section eight of the act, approved the tenth day of April,
23 one thousand eight hundred forty-nine (Pamphlet Laws, six
24 hundred thirty-one), entitled "An act to provide for the
25 ordinary expenses of the government, the repair of the canals
26 and railroads of the Commonwealth, and the payment of other
27 claims due by the same."

28 In so far as inconsistent with the provisions of this act,
29 requiring monthly reports and payments to the Department of
30 Revenue by county officers, section three of the act, approved

1 the second day of April, one thousand eight hundred thirty
2 (Pamphlet Laws, one hundred forty-seven), entitled "An act for
3 regulating hawkers and pedlars," and section nine of the act,
4 approved the seventh day of April, one thousand eight hundred
5 thirty (Pamphlet Laws, three hundred eighty-seven), entitled "An
6 act graduating the duties upon wholesale dealers and retailers
7 of merchandise, and prescribing the mode of issuing licenses and
8 collecting said duties."

9 Section 21. Repeals are as follows:

10 (1) The General Assembly declares that the repeal under
11 paragraph (2) is necessary to effectuate the addition of
12 section 1723-E(b) of the act.

13 (2) Section 4 of the act of October 22, 2014 (P.L.2873,
14 No.175), known as the Pennsylvania Greenhouse Gas Regulation
15 Implementation Act, is repealed.

16 Section 22. This act shall apply as follows:

17 ~~(1) The addition of section 1702-A(b)(1)(viii) of the~~ <--
18 ~~act shall apply retroactively to July 1, 2015.~~ THE FOLLOWING <--
19 PROVISIONS SHALL APPLY RETROACTIVELY TO JULY 1, 2015:

20 (I) THE AMENDMENT OR ADDITION OF THE FOLLOWING
21 PROVISIONS OF THE ACT:

22 (A) SECTION 1702-A(B)(1)(VIII).

23 (B) SECTION 1733-E.

24 (C) ARTICLE XVII-L.

25 (D) ARTICLE XVII-M.

26 (II) SECTION 18 OF THIS ACT.

27 (2) The reenactment and amendment of Article XVII-A
28 Subarticle D heading and sections 1731-A and 1732-A of the
29 act shall apply retroactively to June 30, 2015.

30 Section 23. This act shall take effect immediately.