SENATE BILL
No. 1042 Session of 2009

INTRODUCED BY BROWNE, SCARNATI, PILEGGI AND CORMAN, JULY 19, 2009

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, AS AMENDED, JULY 2, 2010

AN ACT

Amending the act of April 9, 1929 (P.L.343, No.176), entitled, as amended, "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth, authorizing the Commonwealth to issue tax anticipation notes to defray current expenses, implementing the provisions of section 7(a) of Article VIII of the Constitution of Pennsylvania authorizing and restricting the incurring of certain debt and imposing penalties, affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," providing for method of filing; further providing for the definition of "cigarettes"; providing for...
independent fiscal office; further providing for notice and public
ation of lists of property subject to custody and con
rol of the Commonwealth; providing for borrowing for
capital facilities, for oil and gas wells and for Pennsyl
nia Gaming Economic Development and Tourism Fund and for Water and Sewer System Assistance Bond Fund; further providing for Department of Corrections, for Department of
Education, for Department of Environmental Protection, for Pennsylvania State Police and for Pennsylvania Emergency Management Agency; providing for 2009-2010 budget implementation and for 2009-2010 restrictions on appropriations for funds and accounts; abolishing the Board of Trustees of the Scranton State School for the Deaf; and making related repeals.

AMENDING THE ACT OF APRIL 9, 1929 (P.L.343, NO.176), ENTITLED, AS AMENDED, "AN ACT RELATING TO THE FINANCES OF THE STATE GOVERNMENT; PROVIDING FOR THE SETTLEMENT, ASSESSMENT, COLLECTION, AND LIEN OF TAXES, BONUS, AND ALL OTHER ACCOUNTS DUE THE COMMONWEALTH, THE COLLECTION AND RECOVERY OF FEES AND OTHER MONEY OR PROPERTY DUE OR BELONGING TO THE COMMONWEALTH, OR ANY AGENCY THEREOF, INCLUDING ESCHATED PROPERTY AND THE PROCEEDS OF ITS SALE, THE CUSTODY AND DISBURSEMENT OR OTHER DISPOSITION OF FUNDS AND SECURITIES BELONGING TO OR IN THE POSSESSION OF THE COMMONWEALTH, AND THE SETTLEMENT OF CLAIMS AGAINST THE COMMONWEALTH, THE RESETTLEMENT OF ACCOUNTS AND APPEALS TO THE COURTS, REFUNDS OF MONEYS ERRONEOUSLY PAID TO THE COMMONWEALTH, AUDITING THE ACCOUNTS OF THE COMMONWEALTH AND ALL AGENCIES THEREOF, OF ALL PUBLIC OFFICERS COLLECTING MONEYS PAYABLE TO THE COMMONWEALTH, OR ANY AGENCY THEREOF, AND ALL RECEIPTS OF APPROPRIATIONS FROM THE COMMONWEALTH, AUTHORIZING THE COMMONWEALTH TO ISSUE TAX ANTICIPATION NOTES TO DEFRAY CURRENT EXPENSES, IMPLEMENTING THE PROVISIONS OF SECTION 7(A) OF ARTICLE VIII OF THE CONSTITUTION OF PENNSYLVANIA AUTHORIZING AND RESTRICTING THE INCURRING OF CERTAIN DEBT AND IMPOSING PENALTIES; AFFECTING EVERY DEPARTMENT, BOARD, COMMISSION, AND OFFICER OF THE STATE GOVERNMENT, EVERY POLITICAL SUBDIVISION OF THE STATE, AND CERTAIN OFFICERS OF SUCH SUBDIVISIONS, EVERY PERSON, ASSOCIATION, AND CORPORATION REQUIRED TO PAY, ASSESS, OR COLLECT TAXES, OR TO MAKE RETURNS OR REPORTS UNDER THE LAWS IMPOSING TAXES FOR STATE PURPOSES, OR TO PAY LICENSE FEES OR OTHER MONEYS TO THE COMMONWEALTH, OR ANY AGENCY THEREOF, EVERY STATE DEPOSITORY AND EVERY DEBTOR OR CREDITOR OF THE COMMONWEALTH," FURTHER PROVIDING FOR INVESTMENT, FOR STATE DEPOSITORIES, FOR REQUISITIONS, FOR AUDIT OF REQUISITIONS AND ISSUANCE OF WARRANTS AND FOR PAYMENTS; PROVIDING FOR ADDITIONAL TRANSFER, FOR BONDS, FOR EDUCATIONAL TAX CREDITS, FOR PERMIT EXTENSIONS, FOR HERITAGE AREAS AND FOR SPECIAL PROVISIONS RELATING TO VICTIMS OF CRIME; FURTHER PROVIDING FOR THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY, FOR THE JUDICIAL COMPUTER SYSTEM AUGMENTATION ACCOUNT AND FOR THE ACCESS TO JUSTICE ACCOUNT; PROVIDING FOR THE STATE GAMING FUND; FURTHER PROVIDING FOR THE TOBACCO SETTLEMENT FUND; PROVIDING FOR 2010-2011 BUDGET IMPLEMENTATION, FOR 2010-2011 RESTRICTIONS ON APPROPRIATIONS FOR FUNDS AND ACCOUNTS AND FOR RETIREMENT; AND MAKING RELATED REPEALS.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:
Section 1. The act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, is amended by adding a section to read:

Section 10. Method of Filing. — (a) The Department of Revenue may require any return, report or other document required to be filed for a tax administered by the department prepared by a third party who submits fifty or more returns per year to be filed by any method prescribed by the department including by telephonic, electronic or other method. Notice of the method of filing shall be published in the Pennsylvania Bulletin and on the Department of Revenue’s Internet website at least sixty days prior to the due date of the return, report or other document required to be filed by telephonic, electronic or other method. The notice shall refer to this section.

(b) Failure to file a return, report or other document by the method required under subsection (a) shall subject the tax preparer to a penalty of one percent of the tax due on the return, report or other document up to a maximum of five hundred dollars ($500), but not less than ten dollars ($10). This penalty shall be assessed and collected in the manner provided by the act of March 4, 1971 (P.L.6, No.2), known as the "Tax Reform Code of 1971." This penalty shall be in addition to any civil penalty imposed in the applicable article of the "Tax Reform Code of 1971" for failure to file a return, report or other document. The criminal penalty for failure to file a return, report or other document by the method required under subsection (a) shall be the same as the criminal penalty for failure to file a return, report or other document under the applicable article of the "Tax Reform Code of 1971."

(c) (1) The Department of Revenue may waive the requirement to file by the method required under subsection (a) when the
department determines that any of the following apply:

(i) The prescribed filing method causes an undue hardship.

(ii) The preparer or taxpayer requests a waiver in writing that clearly states why the filing method causes an undue hardship.

(2) In determining whether filing by the method required under subsection (a) causes an undue hardship, the Department of Revenue may consider unusual circumstances that may prevent the person from filing by the prescribed method or any other factor that the department determines is relevant.

Section 1.1. The definition of "cigarettes" in section 202-A of the act, added July 2, 1993 (P.L.250, No.46), is amended and the section is amended by adding a definition to read:

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

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"Cigarettes" shall mean and include any roll for smoking made wholly or in part of tobacco, irrespective of size or shape, and whether or not such tobacco is flavored, adulterated or mixed with any other ingredient, the wrapper or cover of which is made of paper or any other substance or material, excepting tobacco, and shall not include cigars. For purposes of licensing under this article only, the term shall include little cigars.

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"Little cigars" shall mean any roll for smoking that weighs not more than four pounds per thousand, where the wrapper or cover is made of natural leaf tobacco or of any substance containing tobacco.

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Section 1.2. The act is amended by adding an article to read:
ARTICLE V-A
INDEPENDENT FISCAL OFFICE

Section 501-A. Short title.
This article relates to independence in fiscal matters.

Section 502-A. Definitions.
The following words and phrases when used in this article shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Baseline budget." A draft budget using current dollar values that projects current year levels of budget authority, outlays and revenues and the deficit or surplus into the new budget year and out years on the basis of current laws and policies.

"Committee." The Independent Fiscal Office Selection Committee.

"Commonwealth agency." Any office, department, authority, board, multistate agency or commission of the executive branch. The term includes:

(1) The Office of the Governor.
(2) The Office of Attorney General, the Department of the Auditor General and the Treasury Department.
(3) An independent agency, as defined in the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.
(4) A State-affiliated entity, as defined in the Right-to-Know Law.
(5) The General Assembly.
(6) The Judiciary.

"Director." The director of the Independent Fiscal Office.

"Office." The Independent Fiscal Office established in
Section 503-A.  Office established.

There is established a nonpartisan Independent Fiscal Office as an independent agency.

Section 504-A.  Duties of office.

The office shall:

1. Prepare revenue estimates to include Federal funds, State revenues and funds from other resources, including any projected revenue surplus or deficit for a given fiscal year, as provided under section 505-A.

2. By January 1, provide a baseline budget that includes levels of spending necessary to retain the current program and statutory requirements.

3. Provide an analysis of the executive budget, including budgetary projections, economic outlook, economic impact and an analysis of all related tax and revenue proposals. The budget analysis may include performance recommendations to secure greater efficiency and economy.

4. Develop and use econometric models to annually forecast State revenues and update the models. The office shall make the equations of a model and any historic databases related to the model available to the Appropriations Committee of the Senate, the Appropriations Committee of the House of Representatives, the Majority Leader and Minority Leader of the Senate and the Majority Leader and Minority Leader of the House of Representatives.

5. By November 15 of each year, provide an assessment of the State's current fiscal condition and a projection of what the fiscal condition will be during the next five years. The assessment shall take into account the state of the...
economy, demographics, revenues and expenditures.

(6) Monitor State taxes and other receipts.

(7) Develop performance measures for executive-level programs and departments and evaluate performance measures and results as promulgated and reported by executive level departments. Performance measurements shall be outcomes-based and include activity cost analysis, measures of status improvement of recipient populations, economic outcomes and performance benchmarks against similar State programs.

(8) Establish an Internet website.

Section 505-A. Revenue estimates.

(a) Initial revenue estimate. — By the second week of February, the office shall submit to the General Assembly an initial revenue estimate for the next fiscal year.

(b) Official revenue estimate. —

(1) By June 15 of each year, the office shall submit to the General Assembly an official final binding revenue estimate for the next fiscal year.

(2) The revenue estimate submitted under this section shall establish the maximum amount of tax revenue which may be considered for the General Appropriation Act for the ensuing fiscal year. No changes in the revenue estimates shall be made by the office after submission under paragraph (1) unless changes in statutes affecting revenues and receipts are enacted.

(3) The office shall publish the methodology used to develop revenue estimates.

(4) Following the adoption of a General Appropriation Act or Supplemental Appropriation Act by the General Assembly, the Governor shall certify that the budget
appropriations made by the General Assembly do not exceed the
actual and estimated revenue and surplus available according
to the official final binding revenue estimate under
paragraph (1).

(c) Information. The office shall provide the
Appropriations Committee of the Senate, the Appropriations
Committee of the House of Representatives and the Secretary of
the Budget all data, assumptions and econometric models used to
develop projections and revenue estimates.

(d) Required information.

(1) A revenue estimate submitted by the office under
this subsection shall include all of the following:

(i) An assessment of the Pennsylvania economy and
the national economy and the impact of the existing or
emerging State or national economic trends on revenue-
performance for the current year and the forecasted or-
projected revenue collections for the budget year and the-
succeeding year.

(ii) A summary of current year-to-date revenue-
collections by specific tax or revenue source, including-
Federal funds, the General Fund, the Lottery Fund and the-
Motor License Fund and a detailed explanation of any-
negative or positive variation from the prior year's-
official revenue estimate, including the reasons or-
events contributing to the variation.

(iii) Any projected revenue surplus or deficit for-
the current budget year.

(2) A revenue estimate shall be based on existing-
statutes and tax policy and existing or emerging State or-
national economic trends.
The office shall prepare a revenue estimate of any change in State tax law proposed as part of the annual State budget. If the proposed change in State tax law will have a fiscal impact in excess of $10,000,000 in any fiscal year, the estimate shall be prepared on the basis of assumptions that estimate the probable behavioral responses of taxpayers, businesses and other persons to the proposed changes and shall include a statement identifying those assumptions.

(c) Department of Revenue. The Department of Revenue in conjunction with the Secretary of the Budget shall make revenue estimates for the use of the Governor in preparing the budget.

(f) Governor. The Governor shall item veto any part of any appropriation bill that causes total appropriations to exceed the official revenue estimate under subsection (b) plus any unappropriated surplus.

Section 506-A. Budget information.

The office shall be notified and shall attend any briefings provided by the Governor or the Secretary of the Budget under section 619 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Section 507-A. Expenditures.

(a) Expenditure reports. Commonwealth agencies shall make monthly expenditure data available to the office. The data shall be provided within seven days after the end of each month. The monthly data shall include a summary of the last monthly submission. The data shall be provided in finished reports or electronically, as determined by the office. The data shall be provided by fund, by appropriation, by department and by organization within each department and shall include:

(1) Number of filled personnel positions and their cost.
(2) Itemized personnel vacancies and their cost.
(3) New positions created and their cost.
(4) Wage and overtime costs.
(5) Allotments and expenditures for itemized personnel expenses.
(6) Allotments and expenditures for itemized operating expenses.
(7) Allotment and expenditures for itemized fixed assets.
(8) The rate of expenditures in appropriations for major subsidy and grant programs during the month.

(b) Budget requests.--Commonwealth agencies shall submit their agency budget requests to the office and the Office of the Budget. The Commonwealth agency budget requests shall be submitted to both offices at the same time.

(c) Revenue reports.--The Governor shall make monthly revenue reports to the office. The revenue reports shall show the actual collection of revenue itemized by source and a comparison of the actual collections with estimated collections for each month. The comparison shall include an analysis of any change in collection patterns which will cause a shortfall or overrun on annual estimates of more than 1%.

(d) Other revenue data. Commonwealth agencies shall cause to be prepared any other revenue data as may be requested from time to time by the office.

(e) Electronic access. Except for information that is confidential pursuant to statute, the office shall have access to all information available under this section on inquiry-only screens through an integrated central computer system.

Section 508-A. Revenue conference.
By January 31 of each year, the office shall convene a meeting with the Secretary of the Budget and the chairman and minority chairman of the Appropriations Committee of the Senate and the chairman and minority chairman of the Appropriations Committee of the House of Representatives to discuss the following:

1. An assessment of the Pennsylvania economy and the national economy and the impact of the economic trends on revenue performance for the budget year and the succeeding year.

2. Recommended changes to revenue forecasting and econometric models being considered by the office.

3. Current year-to-date revenue collections by specific tax or revenue source, including Federal funds, the General Fund, the Lottery Fund and the Motor License Fund and variations that may be occurring in the revenue estimate submitted under section 505-A(a).

4. Any statutory or tax policy changes that may be recommended by the Governor or the General Assembly for the next succeeding fiscal year.

Section 509-A. Access to information.

(a) Agencies.—The director is authorized to secure information, data, expense information, estimates and statistics directly from a Commonwealth agency or a political subdivision. All Commonwealth agencies and political subdivisions shall furnish the director with all reports of expenditure for each agency and any other available material or data which the director determines to be necessary in the performance of the duties of the office, other than material the disclosure of which would be a violation of law. The director is also
authorized, upon agreement with the head of any Commonwealth
agency or political subdivision, to utilize the services,
facilities and personnel of the agency with or without
reimbursement.

(b) Office of the Budget. In carrying out the duties and
functions of the office, the director is authorized to obtain
information, data, estimates and statistics developed by the
Office of the Budget and all Commonwealth agencies. The Governor
shall submit to the office copies of final agency budget
requests.

(c) Computer database. -- In order to carry out its duties
under this article, the office shall have access to any
computerized database of a State agency that is required to aid
the office in the performance of its duties, except that any
statutory requirements regarding privacy of individuals' records
shall be observed in providing access.

(d) Daily revenue data. --

(1) The Secretary of Revenue and the Secretary of the
Budget shall post revenue collection data for each deposit
day and make the information available to the office and the
chairman and minority chairman of the Appropriations
Committee of the Senate and the chairman and minority
chairman of the Appropriations Committee of the House of
Representatives.

(2) The daily revenue data shall be presented in a
manner similar to and consistent with the daily revenue data
provided on June 30, 2007. In no case shall each deposit day
contain less information than was accessible during the
2006-2007 fiscal year as a result of changes in reporting
procedures, accounting systems or computer systems.
(3) The Governor, the Attorney General, the Auditor General and the State Treasurer shall cause to be prepared any other revenue data as may be requested by the office.

(e) Civil action.—If information is not made available by a Commonwealth agency or political subdivision within a reasonable time, the director may make a written request to the agency head, stating the authority to receive the information. The agency head shall have ten days to respond. If the information is not provided within ten days of the receipt of the agency response, the director may bring a civil action to require the agency head to provide the information.

Section 510-A. Selection and organization committee.

(a) Selection and organization committee.—There is established a committee to organize the office and select the director of the office consisting of the following:

(1) The chairman and minority chairman of the Appropriations Committee of the Senate and the chairman and minority chairman of the Appropriations Committee of the House of Representatives.

(2) The Majority Leader and the Minority Leader of the Senate and the Majority Leader and the Minority Leader of the House of Representatives.

(3) The President pro tempore of the Senate and the Speaker of the House of Representatives.

(4) The Governor.

(b) Duties of committee. The following shall apply:

(1) By August 31, 2010, the selection and organization committee shall deliberate the following:

(i) The organizational structure of the office.

(ii) The procedures to be adopted to select the
director of the office.

(iii) The operational budget for the office.

(2) By October 31, 2010, the selection and organization committee shall submit a report to the Secretary of the Budget, the chairman and minority chairman of the Appropriations Committee and the chairman and minority chairman of the Finance Committee of the Senate and the chairman and minority chairman of the Appropriations Committee and the chairman and minority chairman of the Finance Committee of the House of Representatives setting forth a plan to establish the office, including an operational budget, and to select the director of the office.

Section 511-A. Appointment.

(a) Director.--The office shall be headed by a director appointed by the selection committee under section 510-A. The appointment shall be made without regard to political affiliation and solely on the basis of fitness to perform the duties of the office based on qualifications published by the selection committee.

(b) Deputy director.--The director shall appoint a deputy director who shall perform such duties as assigned by the director and who shall during the absence or incapacity of the director or a vacancy act as the director.

(c) Term. The term of office of the director shall be six years. An individual appointed as director to fill a vacancy prior to the expiration of a term shall serve only for the unexpired portion of that term. An individual serving as director at the expiration of a term may continue to serve until a successor is appointed.

(d) Removal. The director may be removed by a concurrent...
resolution passed by the Senate and the House of Representatives.

Section 512-A. Powers and duties of director.

(a) Personnel. The director shall appoint and fix the compensation of personnel necessary to carry out the duties and functions of the office. All personnel shall be appointed without regard to political affiliation and solely on the basis of their fitness to perform their duties.

(b) Experts and consultants. In carrying out the duties and functions of the office, the director may procure the temporary or intermittent services of experts or consultants by contract.

Section 2. Section 1301.12(c) and (d) of the act, amended June 29, 2002 (P.L.614, No.91), are amended to read:

Section 1301.12. Notice and Publication of Lists of Property Subject to Custody and Control of the Commonwealth under this Article.

(c) The State Treasurer is not required to [publish in such notice] include in such notice published in an English language newspaper of general circulation any item of less than [one hundred dollars ($100)] two hundred fifty dollars ($250) or to include in such notice published in a legal newspaper any item of less than two hundred fifty dollars ($250), unless the State Treasurer, in either instance, deems such publication to be in the public interest.

(d) Within nine (9) months from the receipt of the report required by section 1301.11, the State Treasurer shall mail a notice to each person having an address listed who appears to be entitled to property of the value of [one hundred dollars ($100)] two hundred fifty dollars ($250) or more subject to custody and control of the Commonwealth under this article. The
mailed notice shall contain:

1. A statement that, according to a report filed with the State Treasurer, property is being held to which the addressee appears entitled;

2. The name and address of the holder of the property and any necessary information regarding changes of name and address of the holder;

3. A statement that, if satisfactory proof of claim is not presented by the owner to the holder by the date specified in the published notice, claims should thereafter be filed with the State Treasurer.

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

ARTICLE XVI-B
BORROWING FOR CAPITAL FACILITIES

Section 1601-B. Scope. This article relates to neighborhood improvement zones.

Section 1602-B. Definitions. The following words and phrases when used in this article shall have the meanings given to them in this section unless the context clearly indicates otherwise:


"City." A city of the third class with, on the effective date of this section, a population of at least 106,000 and not more than 107,000, based on the 2000 Federal decennial census.

"Contracting authority." An authority created under 53 Pa.C.S. Ch. 56 (relating to municipal authorities) for the purpose of designating a neighborhood improvement zone and
constructing a facility or other authority created under the
laws of this Commonwealth which is eligible to apply for and
receive redevelopment assistance capital grants under Chapter 3
of the act of February 9, 1999 (P.L.1, No.1), known as the
Capital Facilities Debt Enabling Act, and which is under a
contract with the Office of the Budget to receive those grants.

"Facility." A stadium, arena or other structure owned or
leased by professional sports organization at which professional
athletic events are conducted in the presence of individuals who
pay admission to view the event constructed or operated by the
contracting authority.

"Facility complex." A development or complex of residential,
commercial, exhibition, hospitality, conference, retail and
community uses which includes a stadium arena or other place
owned, leased or utilized by a professional sports organization
at which a professional athletic event or other events are
conducted in the presence of individuals who pay admission to
view the event.

"Fund." The Neighborhood Improvement Zone Fund established
under section 1604-B.

"Neighborhood improvement zone." A neighborhood improvement
zone designated by the contracting authority for the purposes of
neighborhood improvement and development within a city.

"Professional sports organization." A sole proprietorship,
corporation, limited liability company, partnership or
association that meets all of the following:

(1) Owns a professional sports franchise.

(2) Conducts professional athletic events of the sports
franchise at a facility.

"Qualified business." An entity authorized to conduct
business in this Commonwealth which is located or partially
located within a neighborhood improvement zone and is engaged in
the active conduct of a trade or business for the taxable year.
An agent, broker or representative of a business shall not be
considered to be in the active conduct of trade or business for
the business.

Section 1603-B. Facility.
The contracting authority may designate a neighborhood
improvement zone of not greater than 130 acres, in which a
facility or facility complex may be constructed, and may borrow
funds for the purpose of improvement and development within the
neighborhood improvement zone and construction of a facility or
facility complex within the zone.

Section 1604-B. Neighborhood Improvement Zone Fund.

(a) Special fund.—There is established a special fund known
as the Neighborhood Improvement Zone Fund. Interest income
derived from investment of the money in the fund shall be
ereded by the Treasury Department to the fund.

(b) Calculation.—Within 60 days of the end of each quarter,
the Department of Revenue shall calculate the amounts under this
subsection for improvement and development in the neighborhood
improvement zone, the facility complex and the facility. The
contracting authority shall provide good faith estimates of
quarterly amounts to be calculated. The Department of Revenue
shall estimate the quarterly amounts, subject to an annual
reconciliation, and shall certify the amounts to the Office of
the Budget within 90 days of the end of a fiscal quarter. An
entity collecting a local tax within the neighborhood
improvement zone shall, within 30 days of the end of a fiscal
quarter, submit all of the local taxes collected that are to be
calculated under this subsection to the State Treasurer for transfer to the fund under subsection (d). The following shall be the amounts calculated:

(1) An amount equal to all corporate net income tax, capital stock and franchise tax, personal income tax, business privilege tax, business privilege licensing fees and earned income tax related to the ownership and operation of a professional sports organization conducting professional athletic events at the facility or facility complex.

(2) An amount equal to all of the following:

(i) All personal income tax, earned income tax and local services tax withheld from its employees by a professional sports organization conducting professional athletic events at the facility or facility complex.

(ii) All personal income tax, earned income tax and local services tax withheld from the employees of any provider of events at or services to, or any operator of an enterprise in, the facility or facility complex.

(iii) All personal income tax, earned income tax and local services tax to which the Commonwealth would be entitled from performers or other participants, including visiting teams, at an event or activity at the facility or facility complex.

(3) An amount equal to all sales and use tax related to the operation of the professional sports organization and the facility and enterprises developed as part of the facility complex. This paragraph shall include sales and use tax paid by any provider of events or activities at or services to the facility or facility complex, including sales and use tax paid by vendors and concessionaires and contractors at the
facility or facility complex.

(4) An amount equal to all tax paid to the Commonwealth related to the sale of any liquor, wine or malt or brewed beverage in the facility or facility complex.

(5) The amount paid by the professional sports organization or by any provider of events or activities at or services to the facility or facility complex of any new tax enacted by the Commonwealth following the effective date of this section.

(6) An amount equal to all personal income tax, earned income tax and local services tax withheld from personnel by the professional sports organization or by a contractor or other entity involved in the construction of the facility or facility complex.

(7) An amount equal to all sales and use tax paid on materials and other construction costs, whether withheld or paid by the professional sports organization or other entity, directly related to the construction of the facility or facility complex.

(8) An amount equal to all of the following:

(i) All corporate net income tax, capital stock and franchise tax, personal income tax, business privilege tax, business privilege licensing fees and earned income tax related to the ownership and operation of any qualified business within the neighborhood improvement zone.

(ii) All personal income tax, earned income tax and local services tax withheld from its employees by a qualified business within the neighborhood improvement zone.
(iii) All personal income tax, earned income tax and local services tax withheld from the employees of a qualified business that provides events, activities or services in the neighborhood improvement zone.

(iv) All personal income tax, earned income tax and local services tax to which the Commonwealth would be entitled from performers or other participants at an event or activity in the neighborhood improvement zone.

(v) All sales and use tax related to the operation of a qualified business within the neighborhood improvement zone. This subparagraph shall include sales and use tax paid by a qualified business that provides events, activities or services in the neighborhood improvement zone.

(vi) All tax paid by a qualified business to the Commonwealth related to the sale of any liquor, wine or malt or brewed beverage within the neighborhood improvement zone.

(vii) The amount paid a qualified business within the neighborhood improvement zone of any new tax enacted by the Commonwealth following the effective date of this section.

(viii) All personal income tax, earned income tax and local services tax withheld from personnel by a qualified business involved in the improvement, development or construction of the neighborhood improvement zone.

(ix) All sales and use tax paid on materials and other construction costs, whether withheld or paid by the professional sports organization or other qualified
business, directly related to the improvement, development or construction of the neighborhood improvement zone.

(x) An amount equal to any amusement tax paid by a qualified business operating in the neighborhood improvement zone. No political subdivision or other entity authorized to collect amusement taxes may impose or increase the rate of any tax on admissions to places of entertainment, exhibition, amusement or upon athletic events in the neighborhood improvement zone which are not in effect on the date the neighborhood improvement zone is designated by the contracting authority.

(9) Except for a tax levied against real property, an amount equal to any tax imposed by the Commonwealth or any of its political subdivisions on a qualified business engaged in an activity within the neighborhood improvement zone.

(c) Income apportionment.--For the purpose of making the calculations under subsection (b), the taxable income of a corporation that is a qualified business shall be apportioned to the neighborhood improvement zone by multiplying the Pennsylvania taxable income by a fraction, the numerator of which is the property factor plus the payroll factor plus the sales factor and the denominator of which is three, in accordance with the following:

(1) The property factor is a fraction, the numerator of which is the average value of the taxpayer's real and tangible personal property owned or rented and used in the neighborhood improvement zone during the tax period and the denominator of which is the average value of all the taxpayer's real and tangible personal property owned or...
rented and used in this Commonwealth during the tax period but shall not include the security interest of any corporation as seller or lessor in personal property sold or leased under a conditional sale, bailment lease, chattel mortgage or other contract providing for the retention of a lien or title as security for the sales price of the property.

(2) The following apply:

(i) The payroll factor is a fraction, the numerator of which is the total amount paid in the neighborhood improvement zone during the tax period by the taxpayer for compensation and the denominator of which is the total compensation paid in this Commonwealth during the tax period.

(ii) Compensation is paid in the neighborhood improvement zone if:

(A) the person's service is performed entirely within the neighborhood improvement zone;

(B) the person's service is performed both within and without the neighborhood improvement zone, but the service performed without the neighborhood improvement zone is incidental to the person's service within the neighborhood improvement zone; or

(C) some of the service is performed in the neighborhood improvement zone and the base of operations or, if there is no base of operations, the place from which the service is directed or controlled is in the neighborhood improvement zone, or the base of operations or the place from which the service is directed or controlled is not in any
location in which some part of the service is performed, but the person's residence is in the neighborhood improvement zone.

(3) The sales factor is a fraction, the numerator of which is the total sales of the taxpayer in the neighborhood improvement zone during the tax period and the denominator of which is the total sales of the taxpayer in this Commonwealth during the tax period.

(i) Sales of tangible personal property are in the neighborhood improvement zone if the property is delivered or shipped to a purchaser that takes possession within the neighborhood improvement zone regardless of the F.O.B. point or other conditions of the sale.

(ii) Sales other than sales of tangible personal property are in the neighborhood improvement zone if:

(A) the income-producing activity is performed in the neighborhood improvement zone; or

(B) the income-producing activity is performed both within and without the neighborhood improvement zone and a greater proportion of the income-producing activity is performed in the neighborhood improvement zone than in any other location, based on costs of performance.

(d) Transfers.

(1) Within ten days of receiving notification under subsection (b), the Secretary of the Budget shall direct the State Treasurer to, notwithstanding any other law, transfer the amounts calculated under subsection (b) from the General Fund to the fund.

(2) The State Treasurer shall provide quarterly payments.
to the contracting authority until the bonds issued to finance the improvement and development of the neighborhood improvement zone and the construction of the contracted facility or facility complex are retired. The payment in each quarter shall be equal to the balance of the fund on the last day of the prior calendar quarter.

(e) Restriction on use of funds. Funds transferred under subsection (d):

(1) May only be utilized for payment of debt service on bonds issued for the improvement and development of all or any part of the neighborhood improvement zone and the purpose of constructing a facility or facility complex.

(2) May not be utilized for purposes of renovating or repairing a facility or facility complex, except for capital maintenance and improvement projects.

(f) Ticket surcharge. The entity operating the facility may collect a capital repair and improvement ticket surcharge, the proceeds of which shall be deposited into the fund. The funds shall be maintained and utilized as follows:

(1) The money deposited under this subsection may not be encumbered for any reason and shall be transferred to the entity for capital repair and improvement projects upon request from the entity.

(2) Upon the expiration of the neighborhood improvement zone under section 1606 B, any and all portions of the fund attributable to the ticket surcharge shall be immediately transferred to the contracting authority to be held in escrow where they shall be unencumbered and maintained by the contracting authority in the same manner as the fund. Upon the transfer, any ticket surcharge collected by the operating
entity shall thereafter be deposited in the account maintained by the contracting authority and dispersed for a capital repair and improvement project upon request by the operating entity.

Section 1605-B. Keystone Opportunity Zone.

Within 30 days of the effective date of this section, the city shall apply to the department to decertify and remove the designation of all or part of the Keystone Opportunity Zone in accordance with section 309 of the act of October 6, 1998 (P.L.705, No.92), known as the Keystone Opportunity Zone, Keystone Opportunity Expansion Zone and Keystone Opportunity Improvement Zone Act. The department shall act on the application within 30 days.

Section 1606-B. Duration.

The neighborhood improvement zone shall be in effect for a period equal to the length of time of the bonds that are initially issued.

ARTICLE XVI-E
OIL AND GAS WELLS
SUBARTICLE A
PRELIMINARY PROVISIONS

Section 1601-E. Definitions.

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

"Active production well." An oil, gas or coal bed methane well which is certified by the Department of Environmental Protection as a well from which oil, gas or coal bed methane was extracted during the fiscal year.

"Commonwealth lands." Land owned by the Commonwealth. The
term does not include land owned by the Commonwealth
administered by the Pennsylvania Game Commission or the
Pennsylvania Fish and Boat Commission.

"Department." The Department of Conservation and Natural
Resources.

"Fund." The Oil and Gas Lease Fund established under the act
of December 15, 1955 (P.L.865, No.256), entitled, "An act
requiring rents and royalties from oil and gas leases of
Commonwealth land to be placed in a special fund to be used for
conservation, recreation, dams, and flood control; authorizing
the Secretary of Forests and Waters to determine the need for
and location of such projects and to acquire the necessary
land."

"Marcellus well." An active production well certified by the
Department of Environmental Protection as a well from which gas
from the Marcellus Shale formation as determined by the United
States Geological Survey was extracted during the fiscal year,
including wells on Commonwealth and non-Commonwealth land.

"Responsible bidder." The term shall have the same meaning
as the term "responsible bidder" as defined in 62 Pa.C.S. § 103
(relating to definitions).

SUBARTICLE B
ADMINISTRATION

Section 1611 E. Contracts.

In fiscal year 2009-2010 and in fiscal year 2010-2011, the
department shall conduct a competitive public auction to lease
State forest land each year for the production of Marcellus
Shale gas reserves in an amount that generates the amount
required to be transferred to the General Fund under section
1615-E. The department shall advertise each auction of Marcellus
Shale gas reserves once a week for three weeks in at least two newspapers of general circulation published nearest to the locality of the State forest land to be leased and in the Pennsylvania Bulletin. The department may not accept a bid for the rights to explore and develop Marcellus Shale gas reserves unless the bid is in an amount that reflects a reasonable market price and maximizes revenues for the Commonwealth and is at least $2,500 per acre. A lease contract shall be awarded to the highest responsible bidder and shall require the posting of a bond and carry a primary term of ten years, which may be extended. Each lease contract shall reserve as royalty payable to the Commonwealth not less than 16% of the market value of all marketable gas produced at each wellhead. Nothing in this section shall prevent the department from establishing a higher minimum price or higher royalty in any request for or solicitation of bids. Lease and royalty payments received by the Commonwealth under a lease awarded under this paragraph shall be deposited into the fund.

Section 1611.1-E. Wellhead meter.

Each active production well leased under section 1611-E shall be equipped with a wellhead meter maintained according to industry standards and accessible to the department.

Section 1612-E. Reports.

By June 1 of each year, the department, in cooperation with the Department of Environmental Protection, shall certify to the State Treasurer the number of Marcellus wells located in each municipality on the first day of May of each year.

Section 1613-E. Fund.

Lease payments received by the Oil and Gas Lease Fund for the development or storage of oil and gas reserves shall be...
deposited into a separate lease account in the fund. Royalty payments received by the Oil and Gas Lease Fund from the production of oil and gas from active production wells on Commonwealth lands shall be deposited into a separate royalties account in the fund.

Section 1614-E. Appropriation.

Notwithstanding any other provision of law, beginning in fiscal year 2010-2011, all money in the royalties account may not be expended unless appropriated by the General Assembly. Beginning in fiscal year 2010-2011, the sum of $30,000,000 from the royalties account is appropriated annually to the department to carry out the purposes set forth in the act of December 15, 1955 (P.L.865, No.256), entitled "An act requiring rents and royalties from oil and gas leases of Commonwealth land to be placed in a special fund to be used for conservation, recreation, dams, and flood control, authorizing the Secretary of Forests and Waters to determine the need for and location of such projects and to acquire the necessary land."

Section 1615-E. Use.

(a) Local distribution. Notwithstanding any other provision of law, beginning in fiscal year 2012-2013, 15% of the money in the account for royalties in the fund, up to $50,000,000, shall be distributed annually to municipalities impacted by the operation of Marcellus wells in accordance with an allocation plan and procedures adopted in a statute by the General Assembly.

(b) Transfers from lease account. Notwithstanding any other provision of law, the following shall apply:

(1) In fiscal year 2009-2010, the amount of $60,000,000 shall be transferred from the lease account to the General
In fiscal year 2010-2011, the amount of $180,000,000 shall be transferred from the lease account to the General Fund.

Section 3.1. Article XVII A of the act is amended by adding subarticles to read:

SUBARTICLE H

PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT AND TOURISM FUND

Section 1771 A. Definitions.

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

"Affiliated entity." Any of the following:

(1) A subsidiary or holding company of a lobbying firm or other business entity owned in whole or in part by a lobbying firm.

(2) An organization recognized by the Internal Revenue Service as a tax-exempt organization under section 501(c) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 501(c)) established by a lobbyist or lobbying firm or an affiliated entity.

"Authority." The Commonwealth Financing Authority.

"Eligible applicant." As defined in the H2O PA Act.


"High hazard unsafe dam." As defined in the H2O PA Act.

"Lobbying." The term shall have the meaning given to it in 65 Pa.C.S. § 13A03 (relating to definitions). The term shall also include an effort to influence the action of the authority...
or the Department of Community and Economic Development relating to the approval, award, receipt or denial of a grant under the H2O PA Act.

"Project." As defined in the H2O PA Act.

Section 1772-A. Certification of funds.

On or before January 1 of each year, the Secretary of the Budget shall certify to the authority and the State Treasurer the amount of funds available for transfer from the Gaming Economic Development and Tourism Fund under the provisions of section 301 of the H2O PA Act, for the next fiscal year.

Section 1773-A. Request for appropriation.

If inadequate funds are available to the authority to pay all the costs related to indebtedness incurred to fund projects under the H2O PA Act after the transfer of funds from the Gaming Economic Development and Tourism Fund under section 301 of the H2O PA Act, the Secretary of the Budget on behalf of the authority shall seek an appropriation from the General Fund to fully pay the costs.

Section 1774-A. Amount of grants.

Notwithstanding the provisions of section 501(d) of the H2O PA Act, grants shall be made as follows:

(1) A minimum of $85,000,000 shall be awarded to flood control projects.

(2) A minimum of $50,000,000 shall be awarded to high-hazard unsafe dam projects. No more than $20,000,000 may go to an eligible applicant that is the Commonwealth or an independent agency.

Section 1775-A. Eligible applicants.

Notwithstanding any other provision of the H2O PA Act to the contrary, a not-for-profit organization that owns a high-hazard
unsafe dam and has filed with the authority an application for a
grant under section 502(a)(3) of the H2O PA Act prior to the
effective date of this section shall be an eligible applicant
for a grant under section 502(a)(3) of the H2O PA Act.

Section 1776-A. Prohibited activities.

(a) Limitation on giving compensation. A person or its
affiliated entity may not compensate or incur an obligation to
compensate a person to engage in lobbying for compensation
contingent in whole or in part upon the approval, award, receipt
or denial of a grant under Chapters 1 through 7 of the H2O PA
Act.

(b) Limitation on receiving compensation. A person or its
affiliated entity may not engage in or agree to engage in
lobbying for compensation contingent in whole or in part upon
the approval, award, receipt or denial of any grant under
Chapters 1 through 7 of the H2O PA Act.

(c) Inapplicability. The provisions of this section shall
not apply to an eligible applicant that compensates a person to
prepare or assist in the preparation of a grant application and
related materials for submission to the authority under the H2O
PA Act if the following requirements are met:

(1) The person is not identified in the submitted
application.

(2) The person has no direct contact with the authority,
unless the person is responding to requests for additional
information or clarification.

(3) The person is paid a fixed fee for the preparation
or assistance or a percentage of the amount of any grant
approved, awarded or received of up to .5%.

(d) Violation. A violation of this section shall be
considered an intentional violation of 65 Pa.C.S. § 13A09(e) (relating to penalties).

SUBARTICLE I

WATER AND SEWER SYSTEMS

ASSISTANCE BOND FUND

Section 1781 A. Definitions.

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

"Assistance Act." The act of July 9, 2008 (P.L.915, No.64), known as the Water and Sewer Systems Assistance Act.


"Issuing officials." The Governor, the Auditor General and the State Treasurer.

"Nutrient credit." As defined in the Assistance Act.

"Project." As defined in the Assistance Act.

"Municipality." As defined in the Assistance Act.

Section 1782 A. Water and Sewer Systems Assistance Bond Fund.

(a) Establishment.—The Water and Sewer Systems Assistance Bond Fund, which is created in the State Treasury, shall be the source from which all payments are authorized, with the approval of the Governor, to carry out the purposes of this section and as otherwise provided for in the Assistance Act.

(b) Purpose of fund. — The money in the fund shall only be utilized in accordance with the provisions of the Assistance Act for grants and loans to municipalities, public utilities and other entities implementing eligible projects and for the purchase or trading of nutrient credits.

(c) Exemption. — Money in the fund is exempt and not to be considered under the limitations of section 5(c)(2) of the act.
of March 1, 1988 (P.L.82, No.16), known as the Pennsylvania Infrastructure Investment Authority Act.

Section 1783-A. Commonwealth indebtedness.

(a) Borrowing authorized.--

(1) If the electorate approves a referendum question, in accordance with the provisions of the Assistance Act, for incurring indebtedness in the amount and for the purposes prescribed in the Assistance Act and this article, the issuing officials, pursuant to the provisions of section 7(a)(3) of Article VIII of the Constitution of Pennsylvania, are authorized and directed to borrow, on the credit of the Commonwealth, money not exceeding in the aggregate the sum of $400,000,000, in increments of not more than $150,000,000 every year over a three-year period after the effective date of this section, not including money borrowed to refund outstanding bonds, notes or replacement notes, as may be found necessary to carry out the purposes of the Assistance Act.

(2) As evidence of the indebtedness, general obligation bonds of the Commonwealth shall be issued to provide money necessary to carry out the purposes of the Assistance Act for the total amounts, in the form, in the denominations and subject to the terms and conditions of issue, redemption and maturity, rate of interest and time of payment of interest, as the issuing officials direct, except that the latest stated maturity date shall not exceed 20 years from the date of the first obligation issued to evidence the debt.

(3) All bonds and notes issued under the authority of the Assistance Act must bear facsimile signatures of the issuing officials and a facsimile of the Great Seal of the
Commonwealth and must be countersigned by an authorized
officer of an authorized loan and transfer agent of the
Commonwealth.

(4) All bonds and notes issued in accordance with the
provisions of this section shall be direct obligations of the
Commonwealth, and the full faith and credit of the
Commonwealth is pledged for the payment of the interest on
them, as it becomes due, and for the payment of the principal
at maturity. The principal of and interest on the bonds and
notes shall be payable in lawful money of the United States.

(5) All bonds and notes issued under the provisions of
this section shall be exempt from taxation for State and
local purposes.

(6) The bonds may be issued as coupon bonds or
registered as to both principal and interest as the issuing
officials determine. If interest coupons are attached, they
shall contain the facsimile signature of the State Treasurer.

(7) The issuing officials shall provide for amortization
of the bonds in substantial and regular amounts over the term
of the debt so that the bonds of each issue allocated to the
project to be funded from the bond issue shall mature within
a period not to exceed the appropriate amortization period
for each project as specified by the issuing officials, but
in no case in excess of 20 years. The first retirement of
principal shall be stated to mature prior to the expiration
of a period of time equal to one tenth of the time from the
date of the first obligation issued to evidence the debt to
the date of the expiration of the term of the debt.
Retirements of principal shall be regular and substantial if
made in annual or semiannual amounts, whether by stated
serial maturities or by mandatory sinking fund retirements.

(8) The issuing officials are authorized to provide by
resolution for the issuance of refunding bonds for the
purpose of refunding any debt issued under the provisions of
the Assistance Act and this article and outstanding, either
by voluntary exchange with the holders of the outstanding
debt or by providing funds to redeem and retire the
outstanding debt with accrued interest, any premium payable
on the debt and the costs of issuance and retirement of the
debt, at maturity or at any call date. The issuance of the
refunding bonds, the maturities and other details of the
refunding bonds, the rights of the holders of the refunding
bonds and the duties of the issuing official in respect to
the refunding bonds shall be governed by the applicable
provisions of this section. Refunding bonds, which are not
subject to the aggregate limitation of $400,000,000 of debt
to be issued under the Assistance Act, may be issued by the
issuing officials to refund debt originally issued or to
refund bonds previously issued for refunding purposes.

(9) If action is to be taken or decision made by the
issuing officials and the issuing officials are not able
unanimously to agree, the action or decision of the Governor
and either the Auditor General or the State Treasurer shall
be binding and final.

(b) Sale of bonds.

(1) When bonds are issued, they shall be offered for
sale at not less than 98% of the principal amount and accrued
interest and shall be sold by the issuing officials to the
highest and best bidder or bidders after due public
advertisement on the terms and conditions and upon open
competitive bidding as the issuing officials direct. The manner and character of the advertisement and the time of advertising shall be prescribed by the issuing officials. No commission shall be allowed or paid for the sale of any bonds issued under the authority of the Assistance Act and this article.

(2) Any portion of any bond issue so offered and not sold or subscribed for at public sale may be disposed of by private sale by the issuing officials in the manner and at prices, not less than 98% of the principal amount and accrued interest, as the Governor directs. No commission shall be allowed or paid for the sale of any bonds issued under the authority of the Assistance Act.

(3) When bonds are issued, the bonds of each issue shall constitute a separate series to be designated by the issuing officials or may be combined for sale as one series with other general obligation bonds of the Commonwealth.

(4) Until permanent bonds can be prepared, the issuing officials may issue, in lieu of permanent bonds, temporary bonds in the form and with the privileges as to registration and exchange for permanent bonds as determined by the issuing officials.

(5) The proceeds realized from the sale of bonds and notes, except refunding bonds and replacement notes, under the provisions of the Assistance Act and this article shall be paid into the fund. The proceeds shall be paid by the State Treasurer periodically to those Commonwealth officers and Commonwealth agencies authorized to expend them at the times and in the amounts necessary to satisfy the funding needs of those Commonwealth agencies. The proceeds of the
sale of refunding bonds and replacement notes shall be paid
to the State Treasurer and applied to the payment of
principal, any accrued interest and premium and the cost of
redemption of the bonds and notes for which the obligations
shall have been issued.

(6) Pending application for the purposes authorized,
money held or deposited by the State Treasurer may be
invested or reinvested as are other funds in the custody of
the State Treasurer in the manner provided by law. All
earnings received from the investment or deposit of the funds
shall be paid into the State Treasury to the credit of the
fund. The earnings in excess of bond discounts allowed,
expenses paid for the issuance of bonds and notes and
interest arbitrage rebates due to the Federal Government
shall be transferred annually to the fund. Any interest or
investment income shall be applied to assist in the payment
of the debt service incurred in connection with the
Assistance Act and this article.

(7) The Auditor General shall prepare the necessary
registry book to be kept in the office of the authorized loan
and transfer agent of the Commonwealth for the registration
of any bonds, at the request of owners of the bonds,
according to the terms and conditions of issue directed by
the issuing officials.

(8) There is appropriated to the State Treasurer from
the fund as much money as may be necessary for all costs and
expenses in connection with the issue of and sale and
registration of the bonds and notes in connection with the
Assistance Act and this article and the payment of interest
arbitrage rebates or proceeds of the bonds and notes.
(e) Temporary financing authorization.—

(1) Pending the authorized issuance of bonds of the Commonwealth, the issuing officials are authorized, in accordance with the provisions of the Assistance Act and this article and on the credit of the Commonwealth, to make temporary borrowings not to exceed three years in anticipation of the issue of bonds in order to provide funds in the amounts deemed advisable prior to the issue of bonds. In order to provide for and in connection with the temporary borrowings, the issuing officials are authorized in the name and on behalf of the Commonwealth to enter into any purchase, loan or credit agreement or other agreement with any bank, trust company or other lending institution, investment banking firm or person, in the United States having power to enter into the agreement. The agreement may contain provisions which are not inconsistent with the provisions of the Assistance Act or this article and authorized by the issuing officials.

(2) All temporary borrowings made under this section shall be evidenced by notes of the Commonwealth, which shall be issued for amounts not exceeding in the aggregate the applicable statutory and constitutional debt limitation in the form and denominations and subject to terms and conditions of sale and issue, prepayment or redemption and maturity, rate of interest and time of payment of interest as the issuing officials authorize and direct in accordance with the Assistance Act and this article. The authorization and direction may provide for the subsequent issuance of replacement notes to refund outstanding notes or replacement notes. The replacement notes shall, upon issuance, evidence
the borrowing and may specify other terms and conditions with
respect to the notes and replacement notes as the issuing
officials determine and direct.

(3) If the authorization and direction of the issuing
officials provide for the issuance of replacement notes, the
following shall apply:

(i) The issuing officials may, on behalf of the
Commonwealth, issue, enter into or authorize and direct
the State Treasurer to enter into an agreement with any
bank, trust company, investment banking firm or other
institution or person, in the United States having the
power to enter the agreement:

(A) To purchase or underwrite an issue or series
of issues or notes.

(B) To credit, enter into a purchase, loan or
credit agreement, draw money pursuant to the
agreement on the terms and conditions set forth in
the agreement and issue notes as evidence of
borrowings made under the agreements.

(C) To appoint an issuing and payment agent or
agents with respect to the notes.

(D) To do other acts necessary or appropriate to
provide for the payment, when due, of the interest on
and the principal of the notes.

(ii) The agreements may provide for the compensation
of purchasers or underwriters of notes or replacement
notes by discounting the purchase price of the notes or
by payment of a fixed fee or commission at the time of
issuance. All other costs and expenses, including fees
for agreements related to the notes, issuing and paying.
agent costs and costs and expenses of issuance, may be paid from the proceeds of the notes.

(4) If the issuing officials provide for the issuance of replacement notes all subject to the authorization and direction of the issuing officials, the following apply:

(i) At or prior to the time of delivery of the notes or replacement notes, the State Treasurer shall determine the principal amount, date of issue, interest rate or procedure for establishing interest rate, rate of discount, denominations and all other terms and conditions relating to the issuance.

(ii) The State Treasurer shall perform all acts necessary to pay or cause to be paid, when due, all principal of and interest on the notes being refunded by replacement notes and to assure that the replacement notes may draw upon any money available for that purpose pursuant to any purchase, loan or credit agreement established with respect to the replacement notes.

(5) Outstanding notes evidencing the borrowings may be funded and retired by the issuance and sale of the bonds of the Commonwealth as authorized in this subarticle. The refunding bonds shall be issued and sold no later than a date three years after the date of issuance of the first notes evidencing the borrowings to the extent that payment of the notes has not otherwise been made or provided for by sources other than proceeds of replacement notes.

(6) The proceeds of all the temporary borrowing shall be paid to the State Treasurer to be held and disposed of in accordance with the provisions of the Assistance Act and this article.
(d) Debt retirement.--

(1) All bonds issued under the Assistance Act and this article shall be redeemed at maturity, together with all interest due on the bonds; and these principal and interest payments shall be paid from the Water and Sewer Systems Assistance Bond Sinking Fund, which is created. For the specific purpose of redeeming the bonds at maturity and paying all interest on the bonds in accordance with the information received from the Governor, the General Assembly shall appropriate money to the Water and Sewer Systems Assistance Bond Sinking Fund for the payment of interest on the bonds and notes and their principal at maturity. All money paid into the Water and Sewer Systems Assistance Bond Sinking Fund and all of the money not necessary to pay accruing interest shall be invested by the State Treasurer in the securities as are provided by law for the investment of the sinking funds of the Commonwealth.

(2) The State Treasurer, with the approval of the Governor, may use any of the money in the fund not necessary to conduct the referendum authorizing the indebtedness necessary to carry out the Assistance Act and this article to purchase and retire of all or part of the bonds and notes issued pursuant to the Assistance Act and this article. If all or part of the bonds and notes are purchased, they shall be canceled and returned to the loan and transfer agent as canceled and paid bonds and notes. Following the purchase, all payments of interest on the bonds and notes shall cease. The canceled bonds, notes and coupons, together with any other canceled bonds, notes and coupons, shall be destroyed as promptly as possible, but no later than two years after.
cancellation. A certification evidencing the destruction of
the canceled bonds, notes and coupons shall be provided by
the loan and transfer agent to the issuing officials. All
canceled bonds, notes and coupons shall be marked to make the-
canceled bonds, notes and coupons nonnegotiable.

(3) The State Treasurer shall determine and report to
the Secretary of the Budget by November 1 of each year the
amount of money necessary for the payment of interest on
outstanding obligations and the principal of the obligations,
if any, for the following fiscal year and the times and
amounts of the payments. The Governor shall include in every
budget submitted to the General Assembly full information
relating to the issuance of bonds and notes under the
Assistance Act and this article and the status of the Water
and Sewer Systems Assistance Bond Sinking Fund for the
payment of interest on the bonds and notes and their
principal at maturity.

(4) The General Assembly shall appropriate an amount
equal to the sums necessary to meet repayment obligations for
principal and interest for deposit into the Water and Sewer
Systems Assistance Bond Sinking Fund.

(e) Expiration.—Authorization to issue bonds and notes, not-
including refunding bonds and replacement notes, for the purpose
of the Assistance Act and this article shall expire ten years
from the effective date of this section.

Section 4. Sections 1721 E, 1722 E, 1723 E, 1733 E and 1735–
E of the act, added July 17, 2007 (P.L.141, No.42), are amended
to read:

Section 1721 E. Department of Corrections [(Reserved)].
The following shall apply to appropriations for the
Department of Corrections:

(1) When making expenditures from appropriations for the operation of State correctional institutions, the Department of Corrections shall give consideration to minimum relief factor values calculated when determining staffing levels for corrections officers and food service instructors at each State correctional institution.

(2) (Reserved).

Section 1722-E. Department of Education [(Reserved)].

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

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

Section 1723-E. Department of Environmental Protection—
The Department of Environmental Protection may assess a fee to applicants who apply for funds under section 306 of the act of July 9, 2008 (1st Sp.Sess., P.L.1873, No.1), known as the Alternative Energy Investment Act. The department shall publish the fee on its publicly accessible Internet website. Proceeds from the fee shall be used to administer the provision of loans, grants, reimbursements or rebates under section 306 of the Alternative Energy Investment Act. No fee authorized under this section may exceed $150 for commercial applicants and $100 for residential applicants.

Section 1733-E. Pennsylvania State Police [(Reserved)].

The following shall apply to appropriations for the Pennsylvania State Police:

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

(2) [(Reserved)].

Section 1735-E. Pennsylvania Emergency Management Agency [(Reserved)].

The Pennsylvania Emergency Management Agency shall provide semiannual reports of all grants awarded by the Pennsylvania Emergency Management Agency from Federal disaster assistance or relief funds, homeland security and defense funds, avian flu/pandemic preparedness or other public health emergency funds to the chairman and minority chairman of the Appropriations Committee of the Senate and the chairman and minority chairman of the Appropriations Committee of the House of Representatives.
The reports shall include information relating to the entity receiving grant money from the agency, including the name and address of the entity, the amount of the grant, the date of issuance and the purpose of the grant. Reports shall be submitted by August 15 for grants awarded during the period from January 1 through June 30 and by February 15 for grants awarded during the period from July 1 through December 31.

Section 5. The act is amended by adding articles to read:

ARTICLE XVII-J

2009-2010 BUDGET IMPLEMENTATION

SUBARTICLE A

PRELIMINARY PROVISIONS

Section 1701-J. Applicability.
Except as specifically provided in this article, this article applies to the General Appropriation Act of 2009, the Supplemental Appropriation Act of 2009 and, as appropriate, all other appropriation acts of 2009.

Section 1702-J. Definitions and abbreviations.
(a) Definitions.—The following words and phrases when used in this article shall have the meanings given to them in this section unless the context clearly indicates otherwise:
"Secretary." The Secretary of the Budget of the Commonwealth.

(b) Abbreviations.—The following abbreviations when used in this article shall have the meanings given to them in this section:
"AIDS."  Acquired Immune Deficiency Syndrome.
"ARC."  Appalachian Regional Commission.
(Public Law 111-5, 123 Stat. 115).
"BG."  Block Grant.
"CCDFBG."  Child Care and Development Fund Block Grant.
"Chartered school."  A school chartered by the Commonwealth.
"CSBG."  Community Services Block Grant.
"DCSI."  Drug Control and Systems Improvement Formula Grant.
"DOE."  Department of Energy.
"EPA."  Environmental Protection Agency.
"ESEA."  The Elementary and Secondary Education Act of 1965
(Public Law 89-10, 20 U.S.C. § 6301 et seq.).
"FEMA."  Federal Emergency Management Agency.
"FTA."  Federal Transit Administration.
"HUD."  Department of Housing and Urban Development.
"LIHEABG."  Low-Income Home Energy Assistance Block Grant.
"LSTA."  The Library Services and Technology Act (Public Law
"MCHSBG."  Maternal and Child Health Services Block Grant.
"MHSBG."  Mental Health Services Block Grant.
"MR."  Mental Retardation.
"PAFE."  Pennsylvania Agricultural Food Exposition.
"PHHSBG."  Preventive Health and Health Services Block Grant.
"RSAT."  Residential Substance Abuse Treatment.
"SABG."  Substance Abuse Block Grant.
"SCDBG." Small Communities Development Block Grant.
"SDA." Service Delivery Area.
"SSBG." Social Services Block Grant.
"TANF." Temporary Assistance for Needy Families.
"TANFBG." Temporary Assistance for Needy Families Block Grant.
"TEFAP." Temporary Emergency Food Assistance Program.
"WIC." Women, Infants and Children Program.

Section 1703-J. Warrants (Reserved).

SUBARTICLE B

EXECUTIVE DEPARTMENT

Section 1711-J. Governor (Reserved).
Section 1712-J. Executive Offices.

The following shall apply to appropriations for the Executive Offices:

(1) Funds appropriated for public television station grants shall be paid in an amount equal to the formula award amount determined by the Pennsylvania Public Television Commission for fiscal year 2008-2009. If insufficient funds are appropriated, such payments shall be paid on a pro rata basis.

(2) (Reserved).

Section 1713-J. Lieutenant Governor (Reserved).
Section 1714-J. Attorney General (Reserved).
Section 1715-J. Auditor General (Reserved).
Section 1716-J. Treasury Department (Reserved).
Section 1717-J. Department of Aging (Reserved).
Section 1718-J. Department of Agriculture (Reserved).
Section 1719-J. Department of Community and Economic Development.

The sum of $12,000,000 shall be transferred from the Small Business First Fund to the Machinery and Equipment Loan Fund to be used in accordance with 12 Pa.C.S. § 2905 (relating to eligibility for loans; terms and conditions).

Section 1720-J. Department of Conservation and Natural Resources (Reserved).

Section 1721-J. Department of Corrections (Reserved).

Section 1722-J. Department of Education.

The following shall apply to appropriations for the Department of Education from the General Appropriation Act:

1. Notwithstanding any other provision of law, funds received under the ARRA shall be spent in accordance with the ARRA and applicable rules and guidelines developed by the Federal Government.

2. Notwithstanding any other provision of law, a board of school directors of a school district may reopen its 2009-2010 budget to reflect Federal and State allocations for fiscal year 2009-2010 provided by the General Appropriation Act.

3. Annual payments from the appropriation to institutions of higher learning for defraying the expenses of hearing impaired or sight impaired students shall not exceed $500 per student.

4. Notwithstanding any other provision of law, Federal and State funds shall be distributed to each community college in an amount equal to the amount paid under section 1913-A(b)(1.6) of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, during the 2008-2009.
fiscal year. If insufficient funds are appropriated, the payments shall be made on a pro rata basis.

(5) Funds appropriated for special education payments to school districts shall be distributed to each school district in an amount equal to the amount paid during the 2008-2009 school year under section 2509.5(zz) of the Public School Code of 1949. If insufficient funds are appropriated, the payments shall be made on a pro rata basis.

(6) (i) Funds appropriated for the Educational Assistance Program shall be distributed to each school entity in an amount equal to the amount paid during the 2008-2009 school year. If insufficient funds are appropriated, the payments shall be made on a pro rata basis.

(ii) For purposes of the Educational Assistance Program established in section 1502-C of the Public School Code of 1949 and this paragraph, "school entity" shall mean any of the following located in this Commonwealth: a school district, joint school district, area vocational-technical school or independent school.

(7) Funds appropriated for Pennsylvania accountability grants shall be distributed to each school district in an amount equal to the amount paid during the 2008-2009 school year. If insufficient funds are appropriated, the payments shall be made on a pro rata basis.

(8) The following shall apply to professional and temporary professional employees of a school formerly operated by the Commonwealth:

(i) The Commonwealth shall create a pool for each school comprised of the professional and temporary
professional employees who have received formal notice of suspension from the Commonwealth as a result of the Commonwealth's decision to cease Commonwealth operation of the school.

(ii) For the three school years immediately following the formal notice of suspension from the Commonwealth, employees in a pool created under subparagraph (i) shall be offered employment by each eligible school entity as determined under subparagraph (iv) associated with the applicable pool created under subparagraph (i), when that eligible school entity has a vacancy for a position that an employee in the applicable pool is properly certified to fill, provided that no employee of the eligible school entity in which the vacancy exists, including a suspended or demoted employee, has a right to the vacancy under the Public School Code of 1949 or the collective bargaining agreement of the respective eligible school entity.

(iii) For the three school years immediately following the formal notice of suspension from the Commonwealth, no new employee shall be hired by an eligible school entity as determined under subparagraph (iv) associated with the applicable pool created under subparagraph (i), until the position has been offered, in order of seniority, to all properly certified members of the applicable pool created under subparagraph (i).

(iv) For the purpose of subparagraphs (ii) and (iii), an "eligible school entity" shall be determined as follows:

(A) a school district, vocational-technical
school or intermediate unit, the administration
building of which is 17 miles or less from the
administration building of a school formerly operated
by the Commonwealth or which is adjacent to the
school district in which a school formerly operated
by the Commonwealth was situate; or

(B) a school district with average daily
membership greater than or equal to 8,000, the
administration building of which is 45 miles or less
from the administration building of a school formerly
operated by the Commonwealth, and which relies on
State revenue for no less than 50% of the school
district's total budget in the most recent year for
which data has been published on the Department of
Education's public Internet website.

(9) (i) Employees hired from a pool under paragraph (8)
and former employees of a school formerly operated by the
Commonwealth who resigned from a school formerly operated
by the Commonwealth within the six months prior to the
effective date of an act of the General Assembly
deciding to fund the school and who accepted employment
at a school district, intermediate unit or vocational-
technical school shall be credited by the hiring school
district, intermediate unit or vocational technical
school for all sick leave accumulated in the school and
shall be credited for years of service in the school for
purposes of salary schedule placement. Employees shall
further be credited for their years of service in the
school for purposes of sabbatical leave eligibility,
suspension and realignment rights and eligibility for any
retirement incentives or severance payments in a hiring school district, intermediate unit or vocational-technical school.

(ii) Nothing in this paragraph shall be construed to supersede or preempt any provision of an individual employment agreement between a school district, intermediate unit or vocational-technical school and an employee entered into prior to the effective date of this paragraph, or any provision of a collective bargaining agreement in effect as of the effective date of this paragraph and negotiated by a school entity and an exclusive representative of the employees in accordance with the act of July 23, 1970 (P.L.563, No.195), known as the Public Employe Relations Act.

(10) The appropriation for the Scranton State School for the Deaf - Transition funding shall be distributed as follows:

(i) In addition to any other funding provided pursuant to section 1376.1(b.2) of the Public School Code of 1949, the Department of Education shall provide to each chartered school in the 2009-2010 school year for enrollment during the 2009-2010 school year for one or more students who were enrolled as of May 1, 2009, in a school for the deaf formerly operated by the Commonwealth, an amount equal to the product of the following:

(A) The number of students enrolled in the chartered school as of October 1, 2009, who were enrolled as of May 1, 2009, in a school for the deaf formerly operated by the Commonwealth, divided by the
total number of such students enrolled in all chartered schools as of October 1, 2009, who were enrolled as of May 1, 2009, in a school for the deaf formerly operated by the Commonwealth.

(B) Three million three hundred thousand dollars.

(ii) In addition to any other funds provided to a chartered school under subparagraph (i), the department shall provide to each chartered school that establishes a satellite campus with approval of the department for the purpose of enrolling students previously enrolled in a school for the deaf formerly operated by the Commonwealth, the amount of $27,273 multiplied by the number of students enrolled in the chartered school as of October 1, 2009, who were enrolled as of May 1, 2009, in a school for the deaf formerly operated by the Commonwealth, provided that the total amount under this subparagraph shall not exceed $2,100,000.

(11) The Department of Education, with assistance from the Department of Public Welfare and the Juvenile Court Judges Commission, shall submit a report to the General Assembly by June 1, 2010, detailing the costs to school districts and the Commonwealth to provide educational services to children who are adjudicated delinquent and committed to nonpublic residential facilities pursuant to 42 Pa.C.S. § 6352 (relating to disposition of delinquent child) for the 2008-2009 school year. The report shall identify the following information relating to each facility:

(i) Facility location.

(ii) School district where each facility is located.
(iii) Provider of educational services at each facility, including whether those services are under contract or provided by an entity other than the facility.

(iv) Department of Education's classification of the education program at each facility.

(v) Number of students committed by the court receiving educational services at each facility.

(vi) School district of residence for each student committed by the court at each facility.

(vii) Tuition fee charged by the educational services provider per student committed by the court at each facility.

(viii) Entity responsible for each tuition payment for each student committed by the court at each facility.

The term "facility" shall mean any nonpublic program supervised or licensed pursuant to the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, that provides out-of-home, residential services to a child who is adjudicated delinquent.

(12) (i) Each school district shall take such steps as necessary during fiscal year 2009-2010 in order to have or maintain a certified safety committee by December 31, 2010, for the purposes of section 1002(b) of the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act. The Department of Labor and Industry shall provide the Department of Education with the list of school districts who have a certified safety committee. In the case of a school district that does not submit evidence to the Department of Education that...
complies with this paragraph, the Department of Education shall deduct from any allocation from the Commonwealth to which the school district is entitled the amount of the discount the school district would otherwise receive under section 1002(b) of the Workers' Compensation Act.

(ii) Subparagraph (i) shall not apply to a school district that cannot receive a premium discount under section 1002(b) of the Workers' Compensation Act, or an equivalent reduction in contribution rates, by establishing and maintaining a certified safety committee because it is authorized to self-insure its liabilities under section 305 of the Workers' Compensation Act or pool its liabilities under section 802 of the Workers' Compensation Act.

(13) Notwithstanding the provisions of 24 Pa.C.S. § 8329(a) (relating to payments on account of social security deductions from appropriations) when calculating payments by the Commonwealth under 24 Pa.C.S. § 8329, the Department of Education shall treat wages paid out of the ARRA State Stabilization Fund or out of ARRA funds appropriated for Individual with Disabilities Education (Part B - Preschool - Age 3-5) as covered wages which are not federally funded.

(14) The following apply to libraries:

(i) Funds appropriated for libraries shall be distributed to each library under the following formula:

(A) Divide the sum of the amount of funding that the library received in fiscal year 2007-2008 under section 2316 of the Public School Code of 1949 by the total State-aid subsidy for fiscal year 2007-2008.

(B) Multiply the quotient under clause (A) by
the total State-aid subsidy for 2009-2010.

(ii) Following distribution of funds appropriated for State aid to libraries, any remaining funds may be distributed at the discretion of the State Librarian.

(iii) If funds appropriated for State aid to libraries in fiscal year 2009-2010 are less than funds appropriated in fiscal year 2002-2003, the State Librarian may waive standards as prescribed in section 103 of the act of June 14, 1961 (P.L.324, No.188), known as The Library Code, relating to hours of operation, continuing professional development, collections, expenditures and other aspects of library operation.

(iv) (A) Each library system receiving State aid under this subsection may distribute the local library share of that aid in a manner as determined by the board of directors of the library system.

(B) This subparagraph shall not apply to a library system operating in a county of the second class.

(15) (i) The Department of Education may utilize up to $4,500,000 of undistributed funds not expended, encumbered or committed from appropriations for grants and subsidies made to the department to assist school districts certified as an education empowerment district under section 1705 B(h)(3) of the Public School Code of 1949.

(ii) There is hereby established a restricted account in the State Treasury from which payments under this paragraph shall be paid. Funds shall be transferred by the Secretary of the Budget to the restricted account.
to the extent necessary to make payments under this paragraph. Funds in the restricted account are hereby appropriated to carry out the purposes of this paragraph. The subsidy payment from this restricted account shall be utilized to supplement the operational budget of the eligible school districts.

(16) Notwithstanding section 2510.1 of the Public School Code of 1949, payments made to school districts for the instruction of homebound children shall only be made to the extent funds are appropriated for this purpose.

(17) The appropriation for basic education funding shall be distributed as follows:

(i) The Commonwealth shall pay to each school district a basic education funding allocation for the 2008-2009 school year which shall consist of the sum of the following:

(A) An amount equal to the allocations received by the school district for the 2007-2008 school year under section 2502.48(d)(1) and (2) and (c) of the Public School Code of 1949.

(B) If a school district has been declared a Commonwealth partnership school district under Article XVII-D of the Public School Code of 1949, an amount equal to $2,000,000.

(C) (I) For a school district subject to section 2502.48(d)(3)(i) of the Public School Code of 1949, 27.82% of the amount determined under section 2502.48(e)(1) of the Public School Code of 1949.

(II) For a school district subject to
section 2502.48(d)(3)(ii) of the Public School Code of 1949, 21.4% of the amount determined under section 2502.48(e)(1) of the Public School Code of 1949.

(III) Any additional amount required so that the total amount provided under clause (A) and this clause equals 2% greater than the amount provided under section 2502.48(d) and (e) of the Public School Code of 1949.

(ii) For the purpose of the calculation under section 2502.48(e)(1) of the Public School Code of 1949 for payments made under this subsection:

(A) The amount per student under section 2502.48(a) of the Public School Code of 1949 shall be increased by the index for the school year in which funding will be paid. The term "index" shall have the meaning given to it under section 2501 of the Public School Code of 1949.

(B) The number used for the purpose of each school district's calculation under section 2502.48(b)(5)(ii)(B) of the Public School Code of 1949 shall not be less than one.

(iii) Any increase in basic education funding under this subsection shall qualify as an increase in basic education funding for the purpose of section 2502.49 of the Public School Code of 1949. The Department of Education may grant a waiver for the use of up to 25% of the funds subject to section 2502.49(a)(1) of the Public School Code of 1949 if all of the following apply:

(A) The school district would otherwise be
required to reduce or eliminate one or more of the
programs listed under section 2502.49(a)(1) of the
Public School Code of 1949 due to a projected budget
shortfall.

(B) The funds subject to the waiver will be used
to maintain one or more existing programs listed
under section 2502.49(a)(1) of the Public School Code
of 1949.

(C) The school district has, in the
determination of the Department of Education, pursued
alternative opportunities for greater efficiency and
internal savings in order to fund the program or
programs without need for a waiver.

(D) The program to be maintained addresses a
significant need of the school district’s students
and has demonstrated effectiveness at increasing
student achievement in the school district, in the
determination of the Department of Education.

(iv) The decision to grant a waiver shall be at the
sole discretion of the Department of Education and shall
not be subject to appeal.

(18) Community colleges shall comply with the
provisions of section 1737-J.

(b) Definitions. The words and phrases used in this section
shall have the meanings given to them in the Public School Code
of 1949.

Section 1723-J. Department of Environmental Protection.
The following shall apply to appropriations for the
Department of Environmental Protection in the General
Appropriation Act.
(1) Appropriations include funds for the Water Resources Technical Assistance Center in an amount to be determined by the department in cooperation with the Water Conservation Subcommittee of the Statewide Water Resources Committee.

(2) Notwithstanding the provisions of section 502 of the act of July 9, 2008 (1st Sp.Sess., P.L.1873, No.1), known as the Alternative Energy Investment Act, in fiscal year 2009-2010, no funds shall be appropriated from the General Fund to the department for the Consumer Energy Program. The appropriation for fiscal year 2009-2010 is revoked.

Section 1724-J. Department of General Services (Reserved).

Section 1725-J. Department of Health.

The following shall apply to appropriations for the Department of Health in the General Appropriation Act:

(1) Funds appropriated for lupus programs shall be distributed in the same proportion as distributed in fiscal year 2007-2008.

(2) Funds appropriated for arthritis outreach and education shall be equitably distributed among the central, western and eastern regions of this Commonwealth based on the ratio of population served in each region to the total population served in this Commonwealth.

(3) Funds appropriated for biotechnology research include $1,100,000 for a regenerative medicine center located in a county of the second class and $1,500,000 for an institution for hepatitis and virus research located in county of the second class-A, which conducts research related to developing new therapies for viral hepatitis and liver cancer.

Section 1726-J. Insurance Department (Reserved).

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Section 1727-J. Department of Labor and Industry.

The following shall apply to appropriations for the Department of Labor and Industry in the General Appropriation Act:

(1) The appropriation for payment to the Vocational Rehabilitation Fund for work of the State Board of Vocational Rehabilitation includes $2,153,000 for a Statewide professional service provider association for the blind to provide specialized services and prevention of blindness services and $431,000 to provide specialized services and prevention of blindness services in cities of the first class.

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

Section 1728-J. Department of Military and Veterans Affairs.

(Reserved).

Section 1729-J. Department of Public Welfare.

The following shall apply to appropriations for the Department of Public Welfare from the General Appropriation Act:

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

   (i) The department, upon approval of the secretary, may transfer Federal funds appropriated for TANFDBG Child Care Assistance to the CCDBG Child Care Services appropriation to provide child-care services to additional low income families if the transfer of funds will not result in a deficit in the appropriation. The
secretary shall provide notice ten days prior to a
transfer under this subparagraph to the chairman and
minority chairman of the Appropriations Committee of the
Senate and the chairman and minority chairman of the
Appropriations Committee of the House of Representatives.

(ii) The department, upon approval of the secretary,
may transfer Federal funds appropriated for CCDFBG Child
Care Assistance to the CCDFBG Child Care Services
appropriation to provide child care services to
additional low income families provided that the transfer
of funds will not result in a deficit in the
appropriation. The secretary shall provide notice ten
days prior to a transfer under this subparagraph to the
chairman and minority chairman of the Appropriations
Committee of the Senate and the chairman and minority
chairman of the Appropriations Committee of the House of
Representatives.

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

(i) When making payments for medical assistance
outpatient or capitation services, the department shall
not require a recipient to obtain a physician referral in
order to receive chiropractic services.

(ii) No funds appropriated for approved capitation
plans shall be used to pay a provider who fails to supply
information in a form required by the department in order
to facilitate claims for Federal financial participation
for services rendered to general assistance clients.

(iii) For fiscal year 2009-2010, additional Federal
and State inpatient funding is included to provide for
Community Access Fund payments. Payments to hospitals for Community Access Fund grants shall be distributed under the formulas utilized for these grants in fiscal year 2008-2009. If the total funding available for Community Access Fund payments in fiscal year 2009-2010 is less than that available in fiscal year 2008-2009, payments shall be made on a pro rata basis.

(iv) Qualifying State-related academic medical centers shall not receive any less funding than received for the fiscal year 2004-2005 State appropriation level if Federal funding for academic medical centers is not made available to those academic medical centers during fiscal year 2009-2010.

(v) If supplemental Federal funding for physician practice plans is not made available during fiscal year 2009-2010, qualifying universities and affiliated physician practice plans shall not receive any less funding than the amount received for the fiscal year 2007-2008 State appropriation level.

(vi) Funds appropriated for medical assistance transportation shall only be utilized as a payment of last resort for transportation for eligible medical assistance recipients.

(vii) The department shall consider pharmaceutical services a covered benefit for recipients who are eligible for such services and whose care is managed through contracts between the department and managed care contractors. Pharmaceutical benefits shall remain a covered benefit in the contracts between the department and managed care contractors for fiscal years 2008-2009.
and 2009-2010. If the department elects to bid a contract for fiscal year 2010-2011 that does not include pharmaceutical services as a covered benefit for recipients whose care is managed through contracts between the department and managed care contractors, the Secretary of Public Welfare shall do all of the following:

(A) By March 30, notify in writing the chair and minority chair of the Appropriations Committee of the Senate, the chair and minority chair of the Appropriations Committee of the House of Representatives, the chair and minority chair of the Public Health and Welfare Committee of the Senate and the chair and minority chair of the Health and Human Services Committee of the House of Representatives.

(B) Additionally bid a contract for fiscal year 2010-2011 that does include pharmaceutical services as a covered benefit for recipients who are eligible for such services and whose care is managed through contracts between the department and managed care contractors.

(C) Conduct any procurement for existing or new zones in a public manner, including publication of any request for proposal on the Department of Public Welfare's publicly accessible Internet website.

(viii) Amounts allocated from funds appropriated for medical assistance outpatient services for the Select Plan for Women Preventative Health Services shall be used for women's medical services, including noninvasive contraception supplies.
(ix) Federal or State funds appropriated under the General Appropriation Act in accordance with the act of March 24, 2004 (P.L.148, No.15), known as the Pennsylvania Trauma Systems Stabilization Act, not used to make payments to hospitals qualifying as Level III trauma centers shall be used to make payments to hospitals qualifying as Level I and II trauma centers.

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

(i) Funds appropriated for breast cancer screening may be used for women's medical services, including noninvasive contraception supplies.

(ii) (Reserved).

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

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

Federal funds appropriated for TANF’s Alternatives to Abortion shall be utilized solely for services to women whose gross family income is below 185% of the Federal poverty guidelines.

County children and youth programs. The following shall apply:

(i) No more than 50% of funds allocated from the State appropriation for county children and youth programs to each county shall be expended until each county submits to the department data for the prior State fiscal year, and updated quarterly, on the unduplicated caseloads, unduplicated services and number of caseworkers by county program. Data shall be submitted in a form acceptable to the department. A copy of the data shall be sent to the chairman and minority chairman of the Appropriations Committee of the Senate and to the chairman and the minority chairman of the Appropriations Committee of the House of Representatives.

(ii) Reimbursement for children and youth services made pursuant to section 704.1 of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, shall not exceed the amount of State funds appropriated. It is the intent of the General Assembly that counties do not experience any adverse fiscal impact due to the department's maximization efforts.

(6) Community-based family centers. No funds appropriated for community-based family centers may be
considered as part of the base for calculation of the county
child welfare needs-based budget for a fiscal year.

Section 1730-J. Department of Revenue (Reserved).
Section 1731-J. Department of State (Reserved).
Section 1732 J. Department of Transportation (Reserved).
Section 1733 J. Pennsylvania State Police.

The following shall apply to appropriations for the
Pennsylvania State Police from the General Appropriation Act:

(1) Payments made to municipalities under 53 Pa.C.S. §
2170 (relating to reimbursement of expenses) shall be limited
to funds available. If funds are not available to make full
payments, the Municipal Police Officers' Education and
Training Commission shall make payments on a pro rata basis.

(2) (Reserved).

Section 1734-J. State Civil Service Commission (Reserved).
Section 1735-J. Pennsylvania Emergency Management Agency
(Reserved).
Section 1736 J. Pennsylvania Fish and Boat Commission
(Reserved).
Section 1737-J. State System of Higher Education.

The following shall apply to appropriations for the State
System of Higher Education from the General Appropriation Act:

(1) Each public institution of higher education as
defined in Article XX C of the Public School Code of 1949
shall do all of the following:

(i) Agree to accept with full junior standing the
Associate of Arts or Associate of Science degree into a
parallel baccalaureate program as outlined in
subparagraph (iii) by the timelines established by the
Transfer and Articulation Oversight Committee but no
later than December 31, 2011. For purposes of this paragraph, an Associate of Arts or Associate of Science degree is a degree designed primarily for transfer to a baccalaureate institution and must contain a minimum of 60 credits.

(ii) Submit to the Department of Education interim reports outlining the actions that the public institution of higher education has undertaken or intends to undertake to comply with subparagraph (i), which shall be filed by December 31, 2009, June 30, 2010, and December 31, 2010.

(iii) As a member of the Transfer and Articulation Oversight Committee established in section 2004-C of the Public School Code of 1949:

(A) By December 1, 2009, consult with the Department of Education on a process and timeline, subject to approval by the department, to identify the Associate of Arts or Associate of Science degree aligned with the graduation requirements of the parallel baccalaureate degree in all public institutions of higher education in consultation with faculty and personnel.

(B) Identify Associate of Arts or Associate of Science degree programs for transfer with full junior standing into a parallel baccalaureate degree in consultation with faculty and personnel in those degree programs by December 31, 2011.

(C) Identify modifications that may be required in existing associate or baccalaureate degrees to satisfy external accreditation or licensure.
requirements in consultation with faculty and personnel. Approved modifications shall recognize all competencies attained within either the associate or baccalaureate programs.

(D) Define requirements, in consultation with faculty and personnel, for education degrees, including Early Childhood Education degrees, leading to certification to be included in an associate degree and to be accepted for transfer with full junior standing into a parallel baccalaureate degree program.

(2) (Reserved).

Section 1737.1-J. State-related institutions.

The following shall apply to State-related institutions:

(1) (i) No later than June 15, 2010, each State-related institution shall identify 30 credit hours of course content from equivalent courses identified under Article XX-C of the Public School Code of 1949 that it will accept from a student accepted for transfer from an institution of higher education participating in Article XX-C of the Public School Code of 1949. A State-related institution shall count a course in the same manner that it would count the same or equivalent course if taken by a student at the State-related institution.

(ii) Each State-related institution shall make the information identified in subparagraph (i) available to the Department of Education for posting on the department’s publicly accessible Internet website.

(iii) Nothing in this paragraph shall be construed to...
(A) Require a State-related institution to apply a course to graduation or degree requirements if that course or its equivalent course would not be applied to graduation or degree requirements if taken at the State-related institution.

(B) Infringe on a State related institution's sole authority to accept a student for transfer, to determine acceptance into a major, to determine the campus assignment of such student or to determine how many and which credit hours shall apply for the transfer student toward the completion of a degree. The manner in which accepted courses apply toward completion of a degree and whether they are counted for general education, major or free elective credit shall be subject to the requirements established by the accepting State-related institution for each individual major or program of study.

(C) Prohibit a State-related institution's ability to enter into discussions with the Department of Education to increase the number of credits pursuant to subparagraph (i).

(iv) For the purpose of this paragraph, "State-related institution" shall have the meaning given to it in Article XX-C of the Public School Code of 1949.

(2) (Reserved).

Section 1738 J. Pennsylvania Higher Education Assistance Agency.

The following shall apply to appropriations for the Pennsylvania Higher Education Assistance Agency from the General Appropriation Act.
(1) Maximization of funds. The Pennsylvania Higher Education Assistance Agency shall use funds appropriated for matching payments for student aid funds to maximize the receipt of Federal funds to the fullest extent possible.

(2) Limitation. No college, university or institution receiving a direct appropriation from the Commonwealth shall be eligible to participate in the institutional assistance grants program.

(3) Agricultural loan forgiveness. In distributing funds appropriated for agricultural loan forgiveness, the agency shall give preference to renewal applicants.

Section 1739-J. Pennsylvania Historical and Museum Commission (Reserved).

Section 1740-J. Pennsylvania Infrastructure Investment Authority (Reserved).

Section 1741-J. Environmental Hearing Board (Reserved).

Section 1742-J. Pennsylvania Board of Probation and Parole (Reserved).

Section 1743-J. Pennsylvania Public Television Network Commission (Reserved).

Section 1744-J. Pennsylvania Securities Commission (Reserved).

Section 1745-J. State Tax Equalization Board (Reserved).

Section 1746-J. Health Care Cost Containment Council.

(1) The Health Care Cost Containment Council shall submit a report to the chairman and minority chairman of the Appropriations Committee of the Senate and the chairman and minority chairman of the Appropriations Committee of the House of Representatives, specifying the amount and source of proceeds received from the sale of data by the council. The report shall supplement the annual report of financial...
expenditures required under section 17.1 of the act of July 8, 1986 (P.L.408, No.89), known as the Health Care Cost Containment Act. Twenty-five percent of the proceeds received from the sale of data may be used for the operations of the council. The remainder of the proceeds shall be deposited in the General Fund and shall not be expended unless appropriated by the General Assembly.

(2) The sum of $2,300,000 is transferred from the Health Care Cost Containment Council to the General Fund, to include money appropriated to or received by the council prior to 2008-2009 that is unexpended or uncommitted.

Section 1747-J. State Ethics Commission (Reserved).
Section 1748-J. State Employees' Retirement System (Reserved).
Section 1749-J. Thaddeus Stevens College of Technology (Reserved).
Section 1750-J. Pennsylvania Housing Finance Agency (Reserved).
Section 1751-J. LIHEABG (Reserved).
Section 1752-J. Budget Stabilization Reserve Fund (Reserved).

SUBARTICLE C

LEGISLATIVE DEPARTMENT

(Reserved)

SUBARTICLE D

JUDICIAL DEPARTMENT

Section 1781-J. Supreme Court (Reserved).
Section 1782-J. Superior Court (Reserved).
Section 1783-J. Commonwealth Court (Reserved).
Section 1784-J. Courts of common pleas (Reserved).
Section 1785-J. Community courts; magisterial district judges (Reserved).
Section 1786-J. Philadelphia Traffic Court (Reserved).
Section 1787-J. Philadelphia Municipal Court (Reserved).
Section 1788-J. Judicial Conduct Board (Reserved).
Section 1789-J. Court of Judicial Discipline (Reserved).
Section 1790-J. Juror cost reimbursement (Reserved).
Section 1791-J. County court reimbursement (Reserved).
Section 1792-J. Senior judges (Reserved).
Section 1793-J. Transfer of funds by Supreme Court (Reserved).

ARTICLE XVII-K

2009-2010 RESTRICTIONS ON APPROPRIATIONS
FOR FUNDS AND ACCOUNTS

Section 1701-K. Applicability.

Except as specifically provided in this article, this article applies to the act of August 5, 2009 (P.L., No.1A), known as the General Appropriation Act of 2009, the act of , 2009 (P.L., No.), known as the Supplemental Appropriation Act of 2009, and as appropriate, all other appropriation acts of 2009.

Section 1702-K. State Lottery Fund.

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

(2) (Reserved).

Section 1703-K. Energy Conservation and Assistance Fund (Reserved).

Section 1704-K. Judicial Computer System Augmentation Account.

The Supreme Court and the Court Administrator of Pennsylvania are prohibited from augmenting the amount appropriated to the Judicial Computer System Augmentation Account by billings to other appropriations to the judicial branch for the Statewide Judicial Computer System or for any other purpose.

Section 1705-K. Emergency Medical Services Operating Fund

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(Reserved).
Section 1706-K. State Stores Fund (Reserved).
Section 1707-K. Motor License Fund (Reserved).
Section 1708-K. Hazardous Material Response Fund (Reserved).
Section 1709-K. Milk Marketing Fund (Reserved).
Section 1710-K. Home Investment Trust Fund (Reserved).
Section 1711-K. Tuition Payment Fund (Reserved).
Section 1712-K. Banking Department Fund (Reserved).
Section 1713-K. Firearm Records Check Fund (Reserved).
Section 1714-K. Ben Franklin Technology Development Authority Fund (Reserved).
Section 1715-K. Tobacco Settlement Fund.

(a) Deposits.—

(1) Notwithstanding sections 303(b)(2), (3) and (4) and 306 of the act of June 26, 2001 (P.L. 755, No. 77), known as the Tobacco Settlement Act, the following shall apply:

(i) For fiscal year 2009-2010, the strategic contribution payments received in fiscal year 2008-2009 pursuant to the Master Settlement Agreement shall be deposited in the Tobacco Settlement Fund.

(ii) For fiscal year 2009-2010, $15,000,000 of the funds derived under section 303(b)(3) of the Tobacco Settlement Act shall be deposited into the Tobacco Settlement Fund.

(iii) For fiscal year 2009-2010, $10,000,000 of the funds derived under section 303(b)(4) of the Tobacco Settlement Act shall be deposited into the Tobacco Settlement Fund.

(iv) For fiscal year 2009-2010, 25% of the money appropriated under section 306(b)(1)(ii) of the Tobacco Settlement Act shall be deposited into the Tobacco Settlement Fund.
Settlement Act may not be expended, transferred or lapsed but shall remain in the Tobacco Settlement Fund.

(v) For fiscal year 2009-2010, 33.3% of the money appropriated under section 306(b)(1)(vi) of the Tobacco Settlement Act may not be expended, transferred or lapsed but shall remain in the Tobacco Settlement Fund.

(2) Money deposited into the fund under paragraph (1) shall be appropriated for health related purposes. If applicable, the amount appropriated in accordance with this paragraph shall be matched by appropriated Federal augmenting funds.

(b) Transfers.

(1) Notwithstanding sections 306 and 307 of the Tobacco Settlement Act, the following shall apply.

(i) For fiscal year 2009-2010, 37.5% of the money appropriated under section 306(b)(1)(iii) of the Tobacco Settlement Act is transferred from the Tobacco Settlement Fund to the General Fund.

(ii) For fiscal year 2010-2011, 37.5% of the money appropriated under section 306(b)(1)(iii) of the Tobacco Settlement Fund is transferred from the Tobacco Settlement Fund to the General Fund.

(iii) For fiscal year 2009-2010, 100% of the money received in fiscal year 2008-2009 appropriated under section 306(b)(1)(i) of the Tobacco Settlement Act shall be transferred from the Tobacco Endowment Account for Long-Term Hope to the Tobacco Settlement Fund.

(iv) For fiscal year 2009-2010, $150,000,000 is transferred from the Tobacco Endowment Account for Long-Term Hope to the General Fund.
(v) For fiscal year 2010-2011, $250,000,000 is transferred from the Tobacco Endowment Account for Long-Term Hope to the General Fund.

(2) Money transferred under paragraph (1)(iii) shall be appropriated for health related purposes. If applicable, the amount appropriated in accordance with this paragraph shall be matched by appropriated Federal augmenting funds.

(c) Allocation. Funding for local programs under section 708(b) of the Tobacco Settlement Act shall be allocated as follows:

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

(2) The remaining 70% of grant funding to primary contractors for local programs shall be allocated on a per capita basis of each county with a population greater than 60,000. The per capita formula shall be applied only to that portion of the population that is greater than 60,000 for each county.

(3) Budgets shall be developed by each primary contractor to reflect service planning and expenditures in each county. Each primary contractor will ensure that services are available to residents of each county and must expend the allocated funds on a per county basis pursuant to paragraphs (1) and (2).

(4) The Department of Health shall compile a detailed annual report of expenditures per county and the specific programs offered in each region. This report shall be made available on the Department of Health's publicly available Internet website 60 days following the close of each fiscal year.
(5) During the third quarter of the fiscal year, funds which have not been spent within a service area may be reallocated to support programming in the same region.

(d) Use of money for lobbying prohibited. No money derived from an appropriation by the General Assembly from the Tobacco Settlement Fund may be used for the lobbying of any State public official.

Section 1716-K. Community Health Reinvestment Restricted Account.

(a) Establishment. There is established in the State Treasury a restricted receipts account in the Tobacco Settlement Fund to be known as the Community Health Reinvestment Restricted Account. Interest earned on money in the account shall remain in the account.

(b) Agreement on community health reinvestment. Each calendar year, a corporation under 40 Pa.C.S. Ch. 61 (relating to hospital plan corporations) or 63 (relating to professional health services plan corporations) that is a party to the Agreement on Community Health Reinvestment entered into February 2, 2005, by the Insurance Department and the Capital Blue Cross, Highmark, Inc., Hospital Service Association of Northeastern Pennsylvania and Independence Blue Cross, and published in the Pennsylvania Bulletin at 35 Pa.B. 4155 (July 23, 2005), shall pay to the account the amount calculated for such calendar year in section 5 of the agreement, published at 35 Pa.B. 4156.

(c) Appropriation. The money in the account, including all interest earned, is appropriated to the Insurance Department to be used in accordance with the agreement on community health reinvestment described in subsection (b).
Section 1717-K. Health Care Provider Retention Account.

The sum of $708,000,000 is transferred from the Health Care Provider Retention Account established under section 1112(a) of the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, to the General Fund.

Section 1717.1-K. Medical Care Availability and Reduction of Error Fund.

The sum of $100,000,000 is transferred from the Medical Care Availability and Reduction of Error Fund established under section 712 of the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, to the General Fund.

Section 1717.2-K. Catastrophic Loss Benefits Continuation Fund.

Notwithstanding any other law to the contrary, for fiscal years 2009-2010 and 2010-2011, all surcharges deposited in the Catastrophic Loss Benefits Continuation Fund under 75 Pa.C.S. § 6506 (relating to surecharge) shall be transferred to the General Fund.

Section 1718-K. Budget Stabilization Reserve Fund.

(a) General provisions.--Notwithstanding section 1703-A(b), the sum of $755,000,000 is transferred from the Budget Stabilization Reserve Fund to the General Fund.

(b) Surplus.--No amount of the surplus in the General Fund in fiscal year 2009-2010 shall be deposited into the Budget Stabilization Reserve Fund.

Section 1718.1-K. Gaming Economic Development and Tourism Fund.

Notwithstanding the provisions of 4 Pa.C.S. Part II (relating to gaming) and the act of July 9, 2008 (P.L.908, No.63), known as the H2O PA Act, $5,080,000 is hereby appropriated from the...

Section 1719-K. Restricted Receipt Accounts.

(a) General provisions. The secretary may create restricted receipt accounts for the purpose of administering Federal grants only for the purposes designated in this section.

(b) Department of Community and Economic Development. The following restricted receipt accounts may be established for the Department of Community and Economic Development:

(1) ARC Housing Revolving Loan Program.

(2) (Reserved).

(c) Department of Conservation and Natural Resources. The following restricted receipt accounts may be established for the Department of Conservation and Natural Resources:

(1) Federal Aid to Volunteer Fire Companies.


(3) National Forest Reserve Allotment.


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

(1) Education of the Disabled - Part C.

(2) LSTA - Library Grants.

(3) The Pennsylvania State University Federal Aid.

(4) Emergency Immigration Education Assistance.
(5) Education of the Disabled—Part D.
(6) Homeless Adult Assistance Program.
(7) Severely Handicapped.
(8) Medical Assistance Reimbursements to Local Education Agencies.

e) Department of Environmental Protection. The following restricted receipt accounts may be established for the Department of Environmental Protection:
(1) Federal Water Resources Planning Act.
(2) Flood Control Payments.
(3) Soil and Water Conservation Act—Inventory of Programs.

(f) Department of Health. The following restricted receipt accounts may be established for the Department of Health:
(1) Share Loan Program.
(2) (Reserved).

(g) Department of Transportation. The following restricted receipt accounts may be established for the Department of Transportation:
(1) Capital Assistance Elderly and Handicapped Programs.
(2) Railroad Rehabilitation and Improvement Assistance.
(3) Ridesharing/Van Pool Program—Acquisition.

(h) Pennsylvania Emergency Management Agency. The following restricted receipt accounts may be established for the Pennsylvania Emergency Management Agency:
(1) Receipts from Federal Government—Disaster Relief—Disaster Relief Assistance to State and Political Subdivisions.
(2) (Reserved).

(i) Pennsylvania Historical and Museum Commission. The—
following restricted receipt accounts may be established for the Pennsylvania Historical and Museum Commission:

(1) Federal Grant - National Historic Preservation Act.
(2) (Reserved).

(j) Executive Offices. The following restricted receipt accounts may be established for the Executive Offices:

(1) Retired Employees Medicare Part D.
(2) Justice Assistance.
(3) Juvenile Accountability Incentive.

Section 1720 K. State Gaming Fund.

(a) Deduction of certain appropriations. Notwithstanding the provisions of section 504(e)(1) of the act of June 27, 2006 (1st Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act, funds appropriated to the Pennsylvania Gaming Control Board from the State Gaming Fund shall be deducted from the amount transferred to the Property Tax Relief Reserve Fund under section 504(b) of the Taxpayer Relief Act and loaned to the Pennsylvania Gaming Control Board for payment of the board's administrative and operating expenses for the fiscal year commencing July 1, 2009. Funds loaned to the board under this section and sections 1720-G and 1720-I shall be repaid from the accounts established under 4 Pa.C.S. § 1401 (relating to slot machine licensee deposits) in accordance with subsection (b).

(b) Assessment for repayment. Notwithstanding the provisions of 4 Pa.C.S. § 1901.1 (relating to repayments to State Gaming Fund), the Pennsylvania Gaming Control Board shall assess slot machine licensees for repayment of funds transferred and loaned to the board under subsection (a) from the State Gaming Fund in accordance with 4 Pa.C.S. § 1402 (relating to gross terminal revenue deductions) for repayment to the Property...
Tax Relief Reserve Fund at such time as at least 11 slot machine licenses have been issued and 11 licensed gaming entities have commenced the operation of slot machines. The board shall adopt a repayment schedule that assesses to each slot machine licensee costs for the repayment of amounts appropriated under this section in an amount that is proportional to each slot machine licensee's gross terminal revenue.

(c) Property tax relief.

(1) Notwithstanding the provisions of section 504 of the Taxpayer Relief Act, until the loan to the Pennsylvania Gaming Control Board under subsection (a) is repaid, the Secretary of the Budget is authorized to provide for property tax relief under section 503(d) of the Taxpayer Relief Act, regardless of whether the amount deposited in the Property Tax Relief Reserve Fund is less than required by section 504 of the Taxpayer Relief Act.

(2) Notwithstanding the provisions of 4 Pa.C.S. § 1901.1, beginning January 1, 2011, if the Secretary of the Budget determines that the moneys in the Property Tax Relief Reserve Fund are needed for property tax relief, the secretary shall notify the Pennsylvania Gaming Control Board and upon notification, the board shall immediately assess each slot machine licensee for the repayment of the loan in an amount that is proportional to each slot machine licensee's gross terminal revenue.

(d) Other appropriations solely from assessment.

(1) All funds for the operation of the Pennsylvania State Police, Department of Revenue and Attorney General are appropriated solely from an assessment on gross terminal revenue from accounts under 4 Pa.C.S. § 1401 in an amount
equal to that appropriated by the General Assembly for fiscal
year 2009-2010. The Pennsylvania State Police, Attorney-
General or Department of Revenue shall not assess any charge,
fee, cost of operations or other payment from a licensed-
gaming entity in excess of amounts appropriated for fiscal-
year 2009-2010, unless specifically authorized by law.

(2) This subsection shall not apply to any voluntary-
payment made by a new slot machine licensee in accordance-
with similar payments voluntarily made by existing licensees.

Section 1721 K. Pennsylvania Racehorse Development Fund.

(Reserved).

Section 1722 K. Straw Purchase Prevention Education Fund.

Notwithstanding the provisions of 18 Pa.C.S. § 6187 (relating-
to transfer for initial funding), in fiscal year 2009-2010, no-
funds shall be transferred from the General Fund to the Straw-
Purchase Prevention Education Fund established in 18 Pa.C.S. §-
6186 (relating to Straw Purchase Prevention Education Fund).

Section 6. Notwithstanding any other provision of law, the-
Scranton State School for the Deaf and the Board of Trustees of-
the Scranton State School for the Deaf are abolished.

Section 7. Repeals are as follows:

(1) The General Assembly declares that the repeal under-
paragraph (2) is necessary to effectuate the addition of-
Article V-A of the act.

(2) Sections 618 and 618.1 of the act of April 9, 1929-
(P.L.177, No.175), known as The Administrative Code of 1929,-
are repealed.

(3) The General Assembly declares that the repeals under-
paragraph (4) are necessary to effectuate the addition of-
section 1722-J(11) of the act.
The following acts or parts of acts are repealed insofar as they are inconsistent with this act:

(i) Sections 3 and 4 of the act of May 8, 1913 (P.L. 163, No. 112), entitled "An act providing for an examination of the Pennsylvania Oral School for the Deaf, at Scranton, Lackawanna County, Pennsylvania; providing for the transfer, under certain conditions, of the said Oral School for the Deaf to the Commonwealth; regulating said school in the event of such transfer; and making an appropriation to carry out the purposes of this act."

(ii) Sections 2 and 202 of the act of June 7, 1923 (P.L. 498, No. 274), known as The Administrative Code.

(iii) Sections 202, 401 and 1311 of the act of April 9, 1929 (P.L. 177, No. 175), known as The Administrative Code of 1929.

(iv) Section 5.1 of the act of July 8, 1957 (P.L. 579, No. 321), entitled, "An act establishing minimum compensation and increments for members of the faculty and administration of the Thaddeus Stevens State School of Technology, the Scotland School for Veterans' Children, and the Scranton State School for the Deaf, providing leave of absence with pay for faculty members and the superintendent of schools and imposing duties on the Board of Trustees of such schools and the Secretary of Education."

(v) Section 1.2 of the act of December 12, 1973 (P.L. 397, No. 141), known as the Professional Educator Discipline Act.

(vi) 24 Pa.C.S. §§ 8102 and 8327.

(5) Chapter 11 of the act of March 20, 2002 (P.L. 154,
No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, is repealed.

(6) The act of July 9, 2008 (P.L.908, No.63), known as the H2O PA Act, is repealed insofar as it is inconsistent with this act.

(7) All other acts and parts of acts are repealed insofar as they are inconsistent with this act.

(8) The following appropriations in the act of August 5, 2009 (P.L. , No.1A), known as the General Appropriation Act of 2009, vetoed in part, are repealed:

(i) The State appropriation for smoke free Pennsylvania enforcement in section 215 of the act is repealed.

(ii) The State appropriation for a separate State-funded vocational rehabilitation program to provide vocational rehabilitation services leading to competitive employment for OVR-eligible persons with disabilities unable to receive services through the Federal Vocational Rehabilitation Program in section 217 of the act is repealed.

(iii) The Federal appropriation for "Home Visitation to Prevent Child Maltreatment" in section 219 of the act is repealed.

(iv) The Federal appropriation for "Emergency Food Assistance" in section 1712 of the act is repealed.

(v) The Federal and State appropriations for payments for early intervention services, for "Individuals with Disabilities Education," for "Food and Nutrition - Local," for "Esea - Title I - Local" and for "ARRA - Education for Homeless Children and Youth" in
section 1714 of the act are repealed.

(vi) The Federal appropriations for "Survey Studies" and "State Energy Program (SEP)" in section 1715 of the act are repealed.

(vii) The Federal appropriations for "Programs for the Aging -- Title III," and "Programs for the Aging -- Title V" in section 1731 of the act are repealed.

Section 8. The provisions of this act are severable. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application.

Section 9. This act shall apply as follows:

(1) The addition of section 1776-A of the act shall apply to contracts entered into on or after the effective date of this paragraph.

(1.1) The following provisions shall apply retroactively to July 1, 2009:

(i) The amendment of section 1721-E of the act.
(ii) The amendment of section 1722-E of the act.
(iii) The amendment of section 1733-E of the act.
(iv) The amendment of section 1735-E of the act.
(v) Except as set forth in paragraph (3), the addition of Article XVII-J of the act.
(vi) The addition of Article XVII-K of the act.

(2) The amendment of section 1723-E of the act shall apply retroactively to May 1, 2009.

(3) Paragraph (1.1)(v) does not apply to the addition of section 1722-J(8) and (9) of the act.

Section 10. This act shall take effect as follows:
(1) Notwithstanding paragraph (2)(i), the addition of section 510-A of the act shall take effect July 1, 2010, or immediately, whichever is later.

(2) The following provisions shall take effect November 30, 2010:

   (i) Except as set forth in paragraph (1), the addition of Article V-A of the act.

   (ii) Section 7(1) and (2) of this act.

(3) The remainder of this act shall take effect immediately.

SECTION 1. SECTION 301.1(I) OF THE ACT OF APRIL 9, 1929 (P.L.343, NO.176), KNOWN AS THE FISCAL CODE, AMENDED JULY 4, 2008 (P.L.629, NO.53), IS AMENDED TO READ:

SECTION 301.1. INVESTMENT OF MONEYS.--* * *

(I) (1) NOTWITHSTANDING SUBSECTIONS (A) THROUGH (H), THE TREASURY DEPARTMENT SHALL HAVE THE EXCLUSIVE MANAGEMENT AND FULL POWER TO INVEST AND REINVEST THE MONEYS OF ANY FUND AS SHALL BE ACCUMULATED BEYOND THE ORDINARY NEEDS OF THE VARIOUS FUNDS AND WHICH ARE NOT AUTHORIZED BY LAW TO BE INVESTED BY ANY BOARD, COMMISSION OR STATE OFFICER, SUBJECT, HOWEVER, TO THE PRUDENT INVESTOR STANDARD.

(1.1) WHEN INVESTING, REINVESTING, PURCHASING, ACQUIRING, EXCHANGING, SELLING OR MANAGING PUBLIC FUNDS, THE TREASURY DEPARTMENT SHALL ACT AS A FIDUCIARY WITH CARE, SKILL, PRUDENCE AND DILIGENCE UNDER THE CIRCUMSTANCES THEN PREVAILING, SPECIFICALLY INCLUDING, BUT NOT LIMITED TO, THE GENERAL ECONOMIC CONDITIONS AND THE ANTICIPATED NEEDS OF THE FUNDS, THAT A PRUDENT PERSON ACTING IN A LIKE CAPACITY AND WITH FAMILIARITY WITH THOSE MATTERS WOULD USE IN THE CONDUCT OF FUNDS OF A LIKE CHARACTER AND WITH LIKE OBJECTIVES. THE FOLLOWING SHALL APPLY:
(I) The primary objective of the Treasury Department shall be to safeguard the principal of the funds. The secondary objective shall be to meet the liquidity needs of the funds. The third objective shall be to achieve a return on the funds.

(II) The prudent investor standard embraces the duty of loyalty whereby actions must be in accordance with the sole purpose doctrine to accomplish the prudent investor objectives and not in pursuit of other objectives except as otherwise provided by statute.

(III) The prudent investor standard embraces the duty to monitor the ongoing circumstances of investments for ongoing appropriateness of investments to meet the prudent investor objectives.

(IV) The Treasury Department shall have the power and authority to invest in securities subject to the then prevailing standards that institutional investors employ in the context of investment decisions made with consideration of fiduciary standards.

(V) The Treasury Department shall maintain and publish a list of prohibited investments within its investment policy.

(2) The authority to invest or reinvest the moneys of any fund pursuant to this subsection shall expire December 31, [2010] 2014. The Treasury Department may maintain investments pursuant to this subsection which are in existence on the expiration date in this paragraph for not more than two years following such expiration date.

Section 2. Section 505(a) and (c) of the Act, amended June 28, 1951 (P.L. 601, No. 152), December 14, 1967 (P.L., 810, No. 347), December 1, 1971 (P.L. 581, No. 151) and July 11, 1980 (P.L. 554, No. 115), are amended to read:
SECTION 505. STATE DEPOSITORIES.--THE BOARD OF FINANCE AND REVENUE SHALL HAVE THE POWER, AND ITS DUTY SHALL BE,
(A) TO SELECT AND DESIGNATE, AS DEPOSITORIES FOR THE STATE MONEYS, BANKS, BANKING INSTITUTIONS, TRUST COMPANIES OR SAVINGS AND LOAN ASSOCIATIONS, WHICH ARE SUBJECT TO NATIONAL OR STATE SUPERVISION, AND THE ACCOUNTS OF WHICH ARE INSURED BY A CORPORATION ORGANIZED UNDER THE LAWS OF THE COMMONWEALTH, OR BY AN INSTRUMENTALITY OF THE FEDERAL GOVERNMENT, AND EACH OF WHICH,
2. SHALL, UPON THE RECEIPT OF NOTICE OF ITS SELECTION AS A DEPOSITORY OF STATE MONEYS, FURNISH A BOND TO SECURE PAYMENT OF DEPOSITS AND INTERESTS TO THE COMMONWEALTH OF PENNSYLVANIA, WITH A PROPER WARRANT OF ATTORNEY TO CONFESS JUDGMENT IN FAVOR OF THE COMMONWEALTH, SECURED BY A SURETY COMPANY OR INDIVIDUAL SURETIES TO BE APPROVED BY THE BOARD, IN THE AMOUNT OF THE DEPOSIT TO BE MADE. IF A CORPORATE BOND BE GIVEN, NO ONE SURETY COMPANY SHALL BE APPROVED IN AN AGGREGATE AMOUNT IN EXCESS OF FIVE TIMES ITS CAPITAL SURPLUS, AND RESERVE, AND, WHENEVER INDIVIDUAL SURETIES ARE PRESENTED FOR APPROVAL, THEY SHALL QUALIFY IN AN AGGREGATE
OVER AND ABOVE THEIR INDIVIDUAL LIABILITIES TO THREE TIMES THE 
AMOUNT OF THE DEPOSIT. NO ONE PERSON MAY QUALIFY FOR MORE THAN 
ONE-FOURTH OF THE TOTAL AMOUNT OF THE BOND REQUIRED: PROVIDED, 
THAT WHEN ANY DEPOSIT OF STATE MONEYS IS INSURED WITH THE 
FEDERAL DEPOSIT INSURANCE COMMISSIONER OR ANY OTHER CORPORATION 
HEREAFTER ORGANIZED BY THE UNITED STATES FOR THE PURPOSE OF 
INSURING DEPOSITS, SUCH DEPOSITORY SHALL NOT BE REQUIRED TO 
FURNISH BOND OR SECURITY TO COVER THE AMOUNT OF SUCH DEPOSIT SO 
INSURED: AND PROVIDED FURTHER, THAT, IN LIEU OF THE SURETY BONDS 
OF SURETY COMPANIES OR OF INDIVIDUALS AS AFORESAID, THE DEPOSIT 
OF STATE MONEYS MAY BE SECURED BY THE DEPOSIT WITH THE STATE 
TREASURER, WITH THE FEDERAL RESERVE BANK OF PHILADELPHIA OR 
PITTSBURGH, OR WITH ANY BANK OR BANK AND TRUST COMPANY ORGANIZED 
UNDER THE LAWS OF THIS COMMONWEALTH OR ANY NATIONAL ASSOCIATION 
LOCATED IN THIS COMMONWEALTH WHICH SHALL BE APPROVED BY THE 
STATE TREASURER, SUBJECT TO SUCH REGULATIONS AS MAY BE 
PREScribed BY THE BOARD OF FINANCE AND REVENUE OR THE STATE 
TREASURER, OR BOTH, AS THE CASE MAY BE, OF BONDS OR NOTES OF THE 
UNITED STATES, OR BONDS OR NOTES WHICH THE UNITED STATES FULLY 
GUARANTEES BOTH AS TO PRINCIPAL AND INTEREST, BONDS OF THE 
DELAWARE RIVER JOINT COMMISSIONS, BONDS OF THE PENNSYLVANIA 
TURNPIKE COMMISSION, BONDS OF THE STATE PUBLIC SCHOOL BUILDING 
AUTHORITY, BONDS OF THE GENERAL STATE AUTHORITY, BONDS OF THE 
STATE HIGHWAY AND BRIDGE AUTHORITY, BONDS OF THE PENNSYLVANIA 
HOUSING AGENCY, BONDS OR TAX ANTICIPATION NOTES OF THIS 
COMMONWEALTH, OR OF ANY MUNICIPAL SUBDIVISION, INSTITUTION 
DISTRICT, OR SCHOOL DISTRICT OR COUNTY THEREOF, TO BE APPROVED 
BY THE BOARD, IN AN AMOUNT MEASURED BY THEIR ACTUAL MARKET VALUE 
EQUAL TO THE AMOUNT OF DEPOSIT SO SECURED AND [TWENTY] TWO PER 
CENTUM IN ADDITION THERETO. SAID BONDS AND ANY ADDITIONS TO AND
SUBSTITUTIONS AND EXCHANGES THEREFOR SHALL BE SUBJECT TO PROPER
ASSIGNMENT, OR RIGHT TO SELL, OR POWER OF ATTORNEY TO TRANSFER
THE SAME, AND SAID TRUST DEPOSIT OF SECURITIES SHALL BE
MAINTAINED, ON REQUEST, AT THE AMOUNT AFORESAID, IN CASE OF ANY
DEPRECIATION IN THE VALUE THEREOF: PROVIDED, THAT NO BONDS, OR
OTHER SECURITY, SHALL BE REQUIRED OF STATE DEPOSITORIES FOR
STATE DEPOSITS TO THE EXTENT, THAT SUCH STATE DEPOSITS ARE
INSURED UNDER THE PROVISIONS OF SECTION 12 B OF THE FEDERAL
RESERVE ACT, APPROVED THE TWENTY-THIRD DAY OF DECEMBER, ONE
THOUSAND NINE HUNDRED AND THIRTEEN, ITS AMENDMENTS AND
SUPPLEMENTS.

3. SHALL AGREE TO PAY INTEREST UPON ALL STATE DEPOSITS, AT
THE RATE TO BE FIXED EVERY SIX MONTHS BY THE BOARD OF FINANCE
AND REVENUE, HAVING DUE REGARD TO THE THEN PREVAILING MONEY
MARKET: PROVIDED, THAT SUCH AGREEMENT IS NOT IN CONFLICT WITH
LAW OR ANY REGULATION OF THE COMPTROLLER OF THE CURRENCY, OR OF
THE FEDERAL RESERVE BOARD OF THE UNITED STATES. THE SAID BOARD
MAY FIX DIFFERENT RATES OF INTEREST FOR ACTIVE AND INACTIVE
DEPOSITORIES, NOT IN CONFLICT WITH LAW OR ANY REGULATION OF THE
COMPTROLLER OF THE CURRENCY, OR OF THE FEDERAL RESERVE BOARD OF
THE UNITED STATES, AND MAY ADOPT AND PROMULGATE RULES GOVERNING
THE TIME WHEN INTEREST SHALL BEGIN TO RUN ON DEPOSITS OF
UNCOLLECTED ITEMS. THE BOARD SHALL FIX THE SPECIFIC DAY ON WHICH
ANY CHANGE IN INTEREST RATE SHALL BECOME EFFECTIVE, AND SHALL
NOTIFY, IN WRITING, EVERY DEPOSITORY OF SUCH CHANGE AND THE
EFFECTIVE DATE THEREOF. PENDING ACTION BY THE BOARD THE INTEREST
RATES HERETOFORE FIXED BY LAW SHALL REMAIN IN FORCE. ALL
COLLECTIONS SHALL BE MADE FOR THE COMMONWEALTH WITHOUT COST OR
COMPENSATION.

* * *

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(C) TO DESIGNATE [TWO BANKS OR TRUST COMPANIES IN DAUPHIN
COUNTY, TWO BANKS OR TRUST COMPANIES IN ALLEGHENY COUNTY, TWO
BANKS OR TRUST COMPANIES IN PHILADELPHIA COUNTY, AND THIRTEEN]
AT LEAST EIGHT BANKS OR TRUST COMPANIES IN ANY PART OF THE
COMMONWEALTH, TO BE KNOWN AS ACTIVE DEPOSITORIES, IN WHICH SHALL
BE DEPOSITED A SUFFICIENT AMOUNT OF THE DAILY RECEIPTS OF THE
STATE TREASURY TO TRANSACT THE CURRENT BUSINESS OF THE
COMMONWEALTH. [THE BOARD MAY DESIGNATE NINE OTHER BANKS OR TRUST
COMPANIES, LOCATED ANYWHERE IN THE COMMONWEALTH, TO BE KNOWN AS
ACTIVE DEPOSITORIES, AND TO BE USED FOR THE PURPOSE ABOVE
MENTIONED.]

* * *

SECTION 2.1. SECTION 1501 OF THE ACT, AMENDED MARCH 18, 1971
(P.L.109, NO.4) AND JULY 26, 1973 (P.L.223, NO.56) AND REPEALED
IN PART APRIL 28, 1978 (P.L.202, NO.53), IS AMENDED TO READ:

SECTION 1501. REQUISITIONS.--NO MONEY SHALL BE PAID OUT OF
ANY FUND IN THE STATE TREASURY, EXCEPT (1) THE STATE WORKMEN'S
INSURANCE FUND, AND EXCEPT (2) THE SURPLUS COMMODITIES STAMP
FUND, UNTIL A REQUISITION THEREFOR SHALL HAVE BEEN PRESENTED TO
OR PREPARED BY THE STATE TREASURER.

FOR MONEY APPROPRIATED TO THE GOVERNOR OR TO THE EXECUTIVE
BOARD, THE GOVERNOR SHALL PREPARE REQUISITIONS AND PRESENT THEM
TO THE TREASURY DEPARTMENT.

FOR MONEY APPROPRIATED TO THE LIEUTENANT GOVERNOR HE SHALL
PREPARE REQUISITIONS AND PRESENT THEM TO THE TREASURY
DEPARTMENT.

FOR MONEY APPROPRIATED TO ADMINISTRATIVE DEPARTMENTS, OR TO
INDEPENDENT ADMINISTRATIVE BOARDS OR COMMISSIONS, THE RESPECTIVE
DEPARTMENTS,Boards,orCommissions,shallpreparetheir
REQUISITIONS, WITH THE WRITTEN APPROVAL OF THEIR RESPECTIVE
DEPARTMENT HEADS AND DEPARTMENTAL COMPTROLLERS NOTED THEREON, 
AND PRESENT THEM TO THE TREASURY DEPARTMENT.

REQUISITIONS FOR PAYMENT SHALL BE PRESENTED IN SUCH FORM,
WHETHER PAPER, ELECTRONIC OR OTHERWISE, IN ACCORDANCE WITH
GENERALLY COMMERCIALY ACCEPTED METHODS. REQUISITIONS FOR
PAYMENT MAY BE PRESENTED TO THE TREASURY DEPARTMENT BY
ELECTRONIC TRANSMISSION WHICH SHALL EVIDENCE THE APPROVAL OF THE
COMPTROLLER AND DEPARTMENT HEAD.

FOR MONEY APPROPRIATED TO DEPARTMENTAL ADMINISTRATIVE BOARDS 
OR COMMISSIONS, OR ADVISORY BOARDS OR COMMISSIONS, SUCH BOARDS 
OR COMMISSIONS SHALL PREPARE REQUISITIONS, AND FORWARD THEM TO 
THE DEPARTMENTS WITH WHICH THEY ARE RESPECTIVELY CONNECTED. SUCH 
DEPARTMENTS, IF THEY APPROVE THE REQUISITIONS, SHALL SO SIGNIFY 
IN WRITING, AND SHALL TRANSMIT THEM TO THE TREASURY DEPARTMENT.

NO REQUISITION OF A DEPARTMENTAL ADMINISTRATIVE BOARD OR 
COMMISSION, OR OF AN ADVISORY BOARD OR COMMISSION, SHALL BE 
VALID WITHOUT THE APPROVAL IN WRITING OF THE HEAD AND THE 
COMPTROLLER OF THE DEPARTMENT WITH WHICH SUCH BOARD OR 
COMMISSION IS CONNECTED.

FOR MONEY APPROPRIATED TO A PERSON, ASSOCIATION, CORPORATION,
OR AGENCY, NOT A PART OF THE EXECUTIVE BRANCH OF THE STATE 
GOVERNMENT, THE PERSON, ASSOCIATION, CORPORATION, OR AGENCY, TO 
WHOM OR TO WHICH THE APPROPRIATION WAS MADE, SHALL PREPARE 
REQUISITIONS AND PRESENT THEM TO THE TREASURY DEPARTMENT, BUT 
WHENEVER, IN ANY SUCH CASE, ANY OTHER ACT OF ASSEMBLY REQUIRES 
THE REQUISITION TO BE APPROVED BY AN ADMINISTRATIVE DEPARTMENT 
OF THE STATE GOVERNMENT, OTHER THAN THE TREASURY DEPARTMENT, IT 
SHALL BE FORWARD ED TO THE TREASURY DEPARTMENT THROUGH SUCH OTHER 
ADMINISTRATIVE DEPARTMENT.

FOR MONEY APPROPRIATED FOR A PURPOSE, WITHOUT DESIGNATION OF
THE EXPENDING AGENCY, THE TREASURY DEPARTMENT SHALL PREPARE
REQUISITIONS EXCEPT AS TO APPROPRIATIONS FOR THE PURPOSES OF THE
JUDICIARY FOR WHICH THE COURT ADMINISTRATOR OF PENNSYLVANIA
SHALL PREPARE, SUPERVISE OR DELEGATE PREPARATION OF REQUISITIONS
AND PRESENT THEM TO THE TREASURY DEPARTMENT. SUCH REQUISITIONS
SHALL INCLUDE THOSE FOR THE PAYMENT OF THE SALARIES,
COMPENSATIONS AND EXPENSES OF ALL JUSTICES, JUDGES, DISTRICT
JUSTICES, EMPLOYEES, BOARDS, COMMISSIONS AND OTHER AGENCIES OF
THE JUDICIAL DEPARTMENT WHO ARE PAID FROM COMMONWEALTH
APPROPRIATIONS.

SECTION 2.2. SECTION 1502 OF THE ACT, AMENDED NOVEMBER 17,
1982 (P.L.684, NO.195), IS AMENDED TO READ:

SECTION 1502. AUDIT OF REQUISITIONS AND ISSUANCE OF
WARRANTS.--REQUISITIONS SHALL BE AUDITED BY THE TREASURY
DEPARTMENT IN ACCORDANCE WITH GENERALLY ACCEPTED AUDITING
STANDARDS AND IF THEY APPEAR TO BE LAWFUL AND CORRECT, THE STATE
TREASURER SHALL ISSUE HIS WARRANT FOR THE PAYMENT THEREOF. THE
TREASURY DEPARTMENT SHALL AUDIT REQUISITIONS FOR PAYMENTS TO
CREDIT CARD PROCESSORS IN ACCORDANCE WITH GENERALLY ACCEPTED
AUDITING STANDARDS TO DETERMINE IF THEY APPEAR TO BE LAWFUL AND
CORRECT AFTER ISSUING A WARRANT FOR PAYMENT AND SHALL REFER ANY
ERROR TO THE SECRETARY OF BUDGET AND THE OFFICE OF ATTORNEY
GENERAL FOR RECOVERY OR COLLECTION. OTHERWISE, THEY SHALL BE
RETURNED TO THE SOURCE FROM WHICH THEY CAME FOR REVISION,
CORRECTION, OR CANCELLATION.

SECTION 2.3. SECTION 1503(A) OF THE ACT, AMENDED MAY 2, 1986
(P.L.145, NO.45), IS AMENDED TO READ:

SECTION 1503. PAYMENTS.--(A) ALL PAYMENTS OUT OF THE
SEVERAL FUNDS IN THE STATE TREASURY SHALL BE MADE BY A
COMMERCIALY ACCEPTED METHOD OF PAYMENT FROM THE TREASURY
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DEPARTMENT. THE STATE TREASURER SHALL DETERMINE THE FORM AND
METHOD OF ISSUING SUCH PAYMENTS. THE STATE TREASURER SHALL MAKE
AVAILABLE TO THE AGENCIES FOR WHICH THE TREASURY DEPARTMENT
MAKES PAYMENTS AS MANY OF SUCH PAYMENT METHODS AS THE TREASURY
DEPARTMENT DETERMINES TO BE COMMERCIALY ACCEPTED AND GENERALLY
USED. THE TREASURY DEPARTMENT SHALL ADMINISTER AND SUPPORT THE
PROVISIONING OF THESE PAYMENT METHODS.

* * *

SECTION 2.4. THE ACT IS AMENDED BY ADDING A SECTION TO READ:
SECTION 1605-E. ADDITIONAL TRANSFER.

NOTWITHSTANDING SECTION 1603-E OR ANY OTHER PROVISION OF LAW,
IN FISCAL YEAR 2010-2011 THE AMOUNT OF $180,000,000 SHALL BE
TRANSFERRED FROM THE FUND TO THE GENERAL FUND.

SECTION 2.5. THE ACT IS AMENDED BY ADDING ARTICLES TO READ:
ARTICLE XVI-F
(RESERVED)
ARTICLE XVI-G
BONDS

SECTION 1601-G. ISSUANCE OF CERTAIN REFUNDING BONDS.

(A) ISSUANCE OF BONDS.—NOTWITHSTANDING ANY OTHER PROVISION
OF LAW, ANY TRANSIT ENTITY MAY ISSUE BONDS TO REFUND OBLIGATIONS
ISSUED PRIOR TO JUNE 30, 2007, AND MAY PAY AND SECURE SUCH
REFUNDING BONDS WITH ALL OR PART OF THE SOURCES OF PAYMENT AND
SECURITY FOR THE OBLIGATIONS THAT ARE BEING REFUNDED, INCLUDING,
BUT NOT LIMITED TO, MONEY FROM THE FUND. REFUNDING BONDS ISSUED
PURSUANT TO THIS SECTION MAY INCLUDE BONDS ISSUED TO FUND COSTS
OF THE REFUNDING, INCLUDING, BUT NOT LIMITED TO, COSTS OF
ISSUANCE, FUNDING ONE OR MORE DEBT SERVICE RESERVE OR SIMILAR
FUNDS AND MAKING TERMINATION PAYMENTS ON INTEREST RATE EXCHANGE
AGREEMENTS RELATED TO THE OBLIGATIONS BEING REFUNDED. THE TERM

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OF ANY REFUNDING BONDS ISSUED UNDER THIS SECTION MAY NOT EXCEED
THE TERM OF THE OBLIGATIONS BEING REFUNDED AND THE TOTAL DEBT
SERVICE PAYABLE ON REFUNDING BONDS ISSUED UNDER THIS SECTION MAY
NOT EXCEED THE TOTAL DEBT SERVICE PAYABLE ON THE OBLIGATIONS
BEING REFUNDED BY THE REFUNDING.

(B) COMMONWEALTH PLEDGE.--THE COMMONWEALTH DOES HEREBY
PLEDGE TO AND AGREE WITH ANY PERSON, FIRM OR CORPORATION,
GOVERNMENT AGENCY, WHETHER IN THIS COMMONWEALTH OR ELSEWHERE, OR
FEDERAL AGENCY SUBSCRIBING TO OR ACQUIRING BONDS ISSUED UNDER
THIS SECTION, THAT THE COMMONWEALTH WILL NOT LIMIT OR ALTER THE
RIGHTS HEREBY VESTED IN THE TRANSIT ENTITY IN ANY MANNER
INCONSISTENT WITH THE OBLIGATIONS OF THE TRANSIT ENTITY TO THE
OBLIGEES OF THE TRANSIT ENTITY UNTIL ALL THE REFUNDING BONDS
ISSUED BY THE TRANSIT ENTITY UNDER THIS SECTION, TOGETHER WITH
THE INTEREST THEREON, ARE FULLY PAID OR PROVIDED FOR.

(C) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:
"BONDS." NOTES, BONDS, REFUNDING NOTES AND REFUNDING BONDS,
INTERIM CERTIFICATES, DEBENTURES AND OTHER EVIDENCES OF
INDEBTEDNESS OR OBLIGATIONS WHICH A TRANSIT ENTITY IS AUTHORIZED
TO ISSUE.

"FUND." THE PUBLIC TRANSPORTATION ASSISTANCE FUND
ESTABLISHED UNDER ARTICLE XXIII OF THE ACT OF MARCH 4, 1971
"OBLIGATIONS." ANY BONDS, NOTES, BOND ANTICIPATION NOTES,
REFUNDING NOTES AND REFUNDING BONDS, INTERIM CERTIFICATES,
DEBENTURES AND OTHER EVIDENCES OF INDEBTEDNESS OR OBLIGATIONS OF
A TRANSIT ENTITY FOR WHICH REVENUES FROM THE FUND WERE PLEDGED
PRIOR TO JUNE 30, 2007.
"OBLIGEES OF THE TRANSIT ENTITY." ANY HOLDER OR OWNER OF ANY REFUNDING BOND OF A TRANSIT ENTITY ISSUED UNDER THIS SECTION OR ANY TRUSTEE OR OTHER FIDUCIARY FOR ANY SUCH HOLDER OR ANY PROVIDER OF A LETTER OF CREDIT, POLICY OF MUNICIPAL BOND INSURANCE OR OTHER CREDIT ENHANCEMENT OR LIQUIDITY FACILITY FOR REFUNDING BONDS ISSUED UNDER THIS SECTION.

"TRANSIT ENTITY." ANY CLASS OF TRANSIT ENTITY AS DEFINED IN FORMER 74 PA.C.S. § 1301.

ARTICLE XVI-H
EDUCATIONAL TAX CREDITS

SECTION 1601-H. DEPARTMENT OF EDUCATION.
(A) APPLICABILITY.--THIS SECTION SHALL APPLY TO EDUCATIONAL IMPROVEMENT TAX CREDITS AWARDED IN FISCAL YEAR 2010-2011.


(1) THE TOTAL AGGREGATE AMOUNT OF ALL TAX CREDITS APPROVED SHALL NOT EXCEED $53,604,000 IN FISCAL YEAR 2010-2011. NO LESS THAN $40,202,400 OF THE TOTAL AGGREGATE AMOUNT SHALL BE USED TO PROVIDE TAX CREDITS FOR CONTRIBUTIONS FROM BUSINESS FIRMS TO SCHOLARSHIP ORGANIZATIONS. NO LESS THAN $13,401,600 OF THE TOTAL AGGREGATE AMOUNT SHALL BE USED TO PROVIDE TAX CREDITS FOR CONTRIBUTIONS FROM BUSINESS FIRMS TO EDUCATIONAL IMPROVEMENT ORGANIZATIONS.
(2) The total aggregate amount of all tax credits approved for contributions from business firms to prekindergarten scholarship programs shall not exceed $6,396,000 in fiscal year 2010-2011.

ARTICLE XVI-I
PERMIT EXTENSIONS

SECTION 1601-I. SCOPE.
This article relates to development permit extensions.

SECTION 1602-I. DEFINITIONS.
The following words and phrases when used in this article shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"APPROVAL."

(1) Except as provided in paragraph (2), any government agency approval, agreement, permit, including a building permit or construction permit, or other authorization or decision:

(I) allowing a development or construction project to proceed; or

(II) relating to or affecting development, granted pursuant to a statute, regulation or ordinance adopted by a municipality, including the following:

(A) 37 PA.C.S. (RELATING TO HISTORICAL AND MUSEUMS).

(B) 53 PA.C.S. (RELATING TO MUNICIPALITIES GENERALLY).

(C) 68 PA.C.S. PT. II SUBPT. B (RELATING TO CONDOMINIUMS).

(D) 68 PA.C.S. PT. II SUBPT. C (RELATING TO COOPERATIVES).
(E) 68 PA.C.S. PT. II, SUBPT. D (RELATING TO PLANNED COMMUNITIES).

(F) THE ACT OF MARCH 7, 1901 (P.L.20, NO.14), REFERRED TO AS THE SECOND CLASS CITY LAW, AS IT RELATES TO DEVELOPMENT AND CONSTRUCTION.

(G) THE ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929.

(H) THE ACT OF JUNE 23, 1931 (P.L.932, NO.317), KNOWN AS THE THIRD CLASS CITY CODE, AS IT RELATES TO DEVELOPMENT AND CONSTRUCTION.

(I) THE ACT OF JUNE 24, 1931 (P.L.1206, NO.331), KNOWN AS THE FIRST CLASS TOWNSHIP CODE, AS IT RELATES TO DEVELOPMENT AND CONSTRUCTION.

(J) THE ACT OF MAY 1, 1933 (P.L.103, NO.69), KNOWN AS THE SECOND CLASS TOWNSHIP CODE, AS IT RELATES TO DEVELOPMENT AND CONSTRUCTION.

(K) THE ACT OF JUNE 22, 1937 (P.L.1987, NO.394), KNOWN AS THE CLEAN STREAMS LAW.

(L) THE ACT OF JUNE 1, 1945 (P.L.1242, NO.428), KNOWN AS THE STATE HIGHWAY LAW, AS IT RELATES TO THE ISSUANCE OF HIGHWAY OCCUPANCY PERMITS WHICH ARE REGULATED UNDER 67 PA. CODE CH. 441 (RELATING TO ACCESS TO AND OCCUPANCY OF HIGHWAYS BY DRIVEWAYS AND LOCAL ROADS) OR WHICH ARE AFFECTED BY OTHER LAWS OR REGULATIONS.

(M) THE ACT OF APRIL 21, 1949 (P.L.665, NO.155), KNOWN AS THE FIRST CLASS CITY HOME RULE ACT, AS IT RELATES TO DEVELOPMENT AND CONSTRUCTION.

(N) THE ACT OF JULY 28, 1953 (P.L.723, NO.230), KNOWN AS THE SECOND CLASS COUNTY CODE.
(O) THE ACT OF AUGUST 9, 1955 (P.L.323, NO.130),
KNOWN AS THE COUNTY CODE.

(P) THE ACT OF JULY 15, 1957 (P.L.901, NO.399),
KNOWN AS THE OPTIONAL THIRD CLASS CITY CHARTER LAW,
AS IT RELATES TO DEVELOPMENT AND CONSTRUCTION.

(O) THE ACT OF MAY 16, 1923 (P.L.207, NO.153),
REFERRED TO AS THE MUNICIPAL CLAIM AND TAX LIEN LAW.

(R) THE ACT OF JANUARY 24, 1966 (1965 P.L.1535,
NO.537), KNOWN AS THE PENNSYLVANIA SEWAGE FACILITIES
ACT.

(S) THE ACT OF FEBRUARY 1, 1966 (1965 P.L.1656,
NO.581), KNOWN AS THE BOROUGH CODE, AS IT RELATES TO
DEVELOPMENT AND CONSTRUCTION.

(T) THE ACT OF JULY 31, 1968 (P.L.805, NO.247),
KNOWN AS THE PENNSYLVANIA MUNICIPALITIES PLANNING
CODE.

(U) THE ACT OF JULY 9, 1971 (P.L.206, NO.34),
KNOWN AS THE IMPROVEMENT OF DETERIORATING REAL
PROPERTY OR AREAS TAX EXEMPTION ACT.

(V) THE ACT OF OCTOBER 4, 1978 (P.L.851,
NO.166), KNOWN AS THE FLOOD PLAIN MANAGEMENT ACT.

(W) THE ACT OF OCTOBER 4, 1978 (P.L.864,
NO.167), KNOWN AS THE STORM WATER MANAGEMENT ACT.

(X) THE ACT OF NOVEMBER 26, 1978 (P.L.1375,
NO.325), KNOWN AS THE DAM SAFETY AND ENCROACHMENTS
ACT.

(Y) THE ACT OF NOVEMBER 10, 1999 (P.L.491,
NO.45), KNOWN AS THE PENNSYLVANIA CONSTRUCTION CODE
ACT.

(Z) THE ACT OF DECEMBER 20, 2000 (P.L.724,
NO. 99), KNOWN AS THE MUNICIPAL CODE AND ORDINANCE

COMPLIANCE ACT.

(Z.1) THE ACT OF JUNE 22, 2001 (P.L. 390, NO. 29),

KNOWN AS THE CONSERVATION AND PRESERVATION EASEMENTS

ACT.

(Z.2) THE ACT OF MAY 16, 2002 (P.L. 315, NO. 46),

KNOWN AS THE COMMUNITY SERVICES BLOCK GRANT ACT.

(Z.3) THE ACT OF FEBRUARY 22, 2008 (P.L. 36,

NO. 4), ENTITLED "AN ACT AUTHORIZING THE DEPARTMENT OF

GENERAL SERVICES, WITH THE CONCURRENCE OF THE

DEPARTMENT OF ENVIRONMENTAL PROTECTION, TO LEASE TO

VTE PHILADELPHIA, LP, OR ITS NOMINEE, LAND WITHIN THE

BED OF THE DELAWARE RIVER IN THE CITY OF

PHILADELPHIA; AND AFFIRMING THE AUTHORITY OF THE

GENERAL ASSEMBLY TO ENACT CERTAIN CONVEYANCES."

(Z.4) THE ACT OF FEBRUARY 22, 2008 (P.L. 41,

NO. 5), ENTITLED "AN ACT AUTHORIZING THE DEPARTMENT OF

GENERAL SERVICES, WITH THE CONCURRENCE OF THE

DEPARTMENT OF ENVIRONMENTAL PROTECTION, TO LEASE TO

NCCB ASSOCIATES, LP, OR ITS NOMINEE, LAND WITHIN THE

BED OF THE DELAWARE RIVER IN THE CITY OF

PHILADELPHIA; AND AFFIRMING THE AUTHORITY OF THE

GENERAL ASSEMBLY TO ENACT CERTAIN CONVEYANCES."

(Z.5) SOIL EROSION AND SEDIMENT CONTROL PLANS

APPROVED BY A LOCAL SOIL CONSERVATION DISTRICT UNDER

25 PA. CODE CH. 102 (RELATING TO EROSION AND SEDIMENT

CONTROL).

(Z.6) THE NATIONAL HISTORIC PRESERVATION ACT

(PUBLIC LAW 89-665, 80 STAT. 915), TO THE EXTENT THE

COMMONWEALTH HAS BEEN EMPOWERED TO ADMINISTER,
APPROVE OR OTHERWISE AUTHORIZE ACTIVITIES UNDER THAT ACT.

(Z.7) THE FEDERAL WATER POLLUTION CONTROL ACT (62 STAT. 1155, 33 U.S.C. § 1251 ET SEQ.), TO THE EXTENT THE COMMONWEALTH HAS BEEN EMPOWERED TO ADMINISTER, APPROVE OR OTHERWISE AUTHORIZE ACTIVITIES UNDER THAT ACT.

(2) IN CITIES OF THE FIRST CLASS AND AGENCIES ESTABLISHED BY SUCH CITIES, THE TERM SHALL INCLUDE ONLY THE ISSUANCE OF A BUILDING PERMIT, A ZONING USE AND REGISTRATION PERMIT, AND ANY ADMINISTRATIVE APPROVAL, INCLUDING AN APPROVAL BY A BOARD OR COMMISSION, THAT IS A CONDITION PRECEDENT TO ISSUANCE OF A BUILDING PERMIT OR ZONING USE AND REGISTRATION PERMIT TO AN OWNER OF PROPERTY.

(3) CREATING ADDITIONAL UNITS AND COMMON ELEMENTS OUT OF CONVERTIBLE REAL ESTATE IN A CONDOMINIUM OR PLANNED COMMUNITY.

"DEVELOPMENT." ANY OF THE FOLLOWING:

(1) THE DIVISION OF A PARCEL OF LAND INTO TWO OR MORE PARCELS, INCLUDING A SUBDIVISION AS DEFINED IN SECTION 107 OF THE ACT OF JULY 31, 1968 (P.L.805, NO.247), KNOWN AS THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE.

(2) THE CONSTRUCTION, RECONSTRUCTION, CONVERSION, STRUCTURAL ALTERATION, RELOCATION OR ENLARGEMENT OF A BUILDING OR OTHER STRUCTURE.

(3) SITE PREPARATION, INCLUDING GRADING, EARTH MOVING ACTIVITIES, CLEARANCE, SOIL REMOVAL OR MOVEMENT, TIMBER HARVESTING RELOCATION, EXCAVATION, LANDFILL AND MOVING, DEPOSITING OR STORING SOIL, ROCK OR EARTH MATERIALS.

(4) A USE OR CHANGE IN THE USE OF A BUILDING OR OTHER
STRUCTURE OR CHANGE IN LAND USE.

(5) LAND DEVELOPMENT, AS DEFINED IN SECTION 107 OF THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE, OR LAND USE.

(6) DEMOLITION, MOVING OR REMOVING A BUILDING OR OTHER STRUCTURE.

(7) THE RIGHT TO CONVERT CONVERTIBLE REAL ESTATE OR WITHDRAW WITHDRAWABLE REAL ESTATE PURSUANT TO 68 PA.C.S. PT. II SUBPT. B (RELATING TO CONDOMINIUMS) OR 68 PA.C.S. PT. II SUBPT. D (RELATING TO PLANNED COMMUNITIES).


"GOVERNMENT AGENCY." THE COMMONWEALTH, A POLITICAL SUBDIVISION OR AN AGENCY, DEPARTMENT, AUTHORITY, COMMISSION OR BOARD OF THE COMMONWEALTH OR A POLITICAL SUBDIVISION. THE TERM INCLUDES REGIONAL COMMISSIONS, BOARDS OR INSTRUMENTALITIES WITH THE AUTHORITY TO ISSUE APPROVALS.

SECTION 1603-I. EXISTING APPROVAL.

(A) AUTOMATIC SUSPENSION.--THE EXPIRATION DATE OF AN APPROVAL BY A GOVERNMENT AGENCY THAT IS GRANTED FOR OR IN EFFECT DURING THE EXTENSION PERIOD, WHETHER OBTAINED BEFORE OR AFTER THE BEGINNING OF THE EXTENSION PERIOD, SHALL BE AUTOMATICALLY SUSPENDED DURING THE EXTENSION PERIOD.

(A.1) CITIES OF THE FIRST CLASS.--IN CITIES OF THE FIRST CLASS AND AGENCIES ESTABLISHED BY SUCH CITIES, THE SUSPENSION PROVIDED FOR IN SUBSECTION (A) SHALL BE VALID, FOR ANY COVERED APPROVAL, 20 DAYS AFTER THE NOTICE FROM THE APPROVAL HOLDER TO THE AGENCY THAT ISSUED THE APPROVAL OF THE APPROVAL HOLDER'S INTENT TO EXERCISE HIS OR HER RIGHTS UNDER THE SUSPENSION AND PAYMENT OF A FEE EQUAL TO 50% OF THE ORIGINAL APPLICATION FEE, BUT NOT TO EXCEED $5,000. THE AGENCY THAT ISSUED THE APPROVAL
MAY PRESCRIBE A FORM OF NOTICE.

(B) DURATION.--NOTHING IN THIS SECTION SHALL SHORTEN THE TERM OR DURATION AN APPROVAL RELATING TO DEVELOPMENT WOULD HAVE HAD IN THE ABSENCE OF THE ENACTMENT OF THIS SECTION. NOTHING IN THIS SECTION SHALL PROHIBIT THE GRANTING OF ADDITIONAL EXTENSIONS AS PROVIDED BY LAW.

(C) RIPARIAN LEASES.--


(2) THE TIME PERIOD RELATING TO OBTAINING A BUILDING PERMIT UNDER SECTION 1(I) OF THE ACT OF FEBRUARY 22, 2008 (P.L. 41, NO. 5), ENTITLED, "AN ACT AUTHORIZING THE DEPARTMENT OF GENERAL SERVICES, WITH THE CONCURRENCE OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, TO LEASE TO NCCB ASSOCIATES, LP, OR ITS NOMINEE, LAND WITHIN THE BED OF THE DELAWARE RIVER IN THE CITY OF PHILADELPHIA; AND AFFIRMING THE AUTHORITY OF THE GENERAL ASSEMBLY TO ENACT CERTAIN CONVEYANCES," SHALL BE EXTENDED UNTIL JANUARY 1, 2013, OR ONE YEAR FROM THE EFFECTIVE DATE OF THIS SUBSECTION, WHICHEVER IS LATER.

SECTION 1604-I. SUBSEQUENT CHANGES.
(A) CHANGE IN LAW.--A LAW, REGULATION OR POLICY ENACTED, ADOPTED OR MODIFIED BY A GOVERNMENT AGENCY DURING THE EXTENSION PERIOD SHALL NOT HAVE THE EFFECT OF PROHIBITING OR LIMITING AN EXISTING APPROVAL DURING THE EXTENSION PERIOD.

(B) PLANNING CODE APPROVAL.--WHEN AN APPROVAL HAS BEEN GRANTED UNDER THE ACT OF JULY 31, 1968 (P.L.805, NO.247), KNOWN AS THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE, A SUBSEQUENT CHANGE IN A ZONING, SUBDIVISION OR OTHER GOVERNING ORDINANCE OR PLAN SHALL NOT APPLY TO OR AFFECT THE RIGHT OF THE APPLICANT TO COMMENCE OR COMPLETE THE ACTIVITIES AUTHORIZED BY THE APPROVAL FOR THE DURATION OF THE EXTENSION PERIOD. FOR PURPOSES OF THIS SUBSECTION, THE EXTENSION PERIOD SHALL BE EXTENDED FOR THE DURATION OF ANY LITIGATION, INCLUDING APPEALS, RELATING TO AN APPROVAL WHICH PREVENTS THE COMPLETION OF ALL OR PART OF THE ACTIVITY AUTHORIZED BY THE APPROVAL.

(C) NONEXPIRATION.--AN ACTION BY A GOVERNMENT AGENCY OR LAW TO LEASE, LICENSE, GRANT OR OTHERWISE CONVEY RIGHTS IN THE BEDS OF NAVIGABLE WATERS OF THE COMMONWEALTH SHALL NOT EXPIRE FOR THE DURATION OF THE EXTENSION PERIOD, INCLUDING TIME LIMITS RELATING TO THE INITIATION, PROSECUTION OR COMPLETION OF CONSTRUCTION. A CONVEYANCE OF RIGHTS UNDER THIS SUBSECTION SHALL NOT TERMINATE DURING THE EXTENSION PERIOD FOR FAILURE TO INITIATE, PROSECUTE OR COMPLETE CONSTRUCTION.

SECTION 1605-I. AGENCY VERIFICATION.

(A) REQUEST FOR VERIFICATION.--

(1) THE HOLDER OR RECIPIENT OF AN APPROVAL MAY SEEK WRITTEN VERIFICATION FROM THE ISSUING GOVERNMENT AGENCY FOR ANY OF THE FOLLOWING:

(I) THE EXISTENCE OF A VALID APPROVAL.

(II) THE EXPIRATION DATE OF THE APPROVAL UNDER THIS
ARTICLE.

(2) THE REQUEST SHALL SET FORTH THE APPROVAL IN QUESTION AND THE ANTICIPATED EXPIRATION DATE UNDER THIS ARTICLE.

(B) AGENCY ACTION.--UPON RECEIPT OF A REQUEST UNDER SUBSECTION (A), THE GOVERNMENT AGENCY SHALL RESPOND IN WRITING, AFFIRMING OR DENYING THE EXISTENCE OF THE APPROVAL, ITS EXPIRATION DATE AND ANY ISSUES ASSOCIATED WITH ITS VALIDITY WITHIN 30 DAYS. EXCEPT IN CITIES OF THE FIRST CLASS AND AGENCIES ESTABLISHED BY SUCH CITIES, FAILURE TO RESPOND WITHIN 30 DAYS SHALL RESULT IN A DEEMED AFFIRMATION OF THE EXISTENCE OF THE APPROVAL AND EXPIRATION DATE SET FORTH IN THE REQUEST SUBMITTED UNDER SUBSECTION (A). THE AGENCY MAY CHARGE A FEE OF NOT MORE THAN $100 FOR VERIFICATION OF A RESIDENTIAL APPROVAL AND $500 FOR VERIFICATION OF A COMMERCIAL APPROVAL UNDER THIS SUBSECTION.

(C) FAILURE TO SEEK AFFIRMATION.--THE FAILURE OF THE HOLDER OF AN APPROVAL TO SEEK VERIFICATION FROM A GOVERNMENT AGENCY SHALL NOT BE GROUNDS FOR TERMINATION, REVOCATION OR OTHER INVALIDATION OF AN APPROVAL.

(D) APPEALS OF VERIFICATION.--A DISPUTE ARISING UNDER THIS SECTION SHALL BE APPEALABLE IN ACCORDANCE WITH ONE OF THE FOLLOWING APPLICABLE LAWS:

(1) 2 PA.C.S. § 105 (RELATING TO LOCAL AGENCY LAW).

(2) THE ACT OF JULY 31, 1968 (P.L.805, NO.247), KNOWN AS THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE.

SECTION 1606-I. APPLICABILITY.

(A) EXCEPTIONS.--THIS ARTICLE SHALL NOT APPLY TO ANY OF THE FOLLOWING:

(1) AN APPROVAL ISSUED TO COMPLY WITH FEDERAL LAW, THE DURATION OR TERMS OF EXPIRATION OF WHICH IS SPECIFIED OR DETERMINED BY FEDERAL LAW.
(2) AN ADMINISTRATIVE CONSENT ORDER OR OTHER ENFORCEMENT ACTION RELATING TO AN APPROVAL THAT IS SUBJECT TO THE EXTENSION PERIOD.

(3) AN APPROVAL, DESIGNATION OR BENEFIT UNDER THE ACT OF OCTOBER 6, 1998 (P.L.705, NO.92), KNOWN AS THE KEYSTONE OPPORTUNITY ZONE, KEYSTONE OPPORTUNITY EXPANSION ZONE AND KEYSTONE OPPORTUNITY IMPROVEMENT ZONE ACT.

(4) A "ONE-CALL" DETERMINATION, RESPONSE OR OTHER REQUIREMENT UNDER THE ACT OF DECEMBER 10, 1974 (P.L.852, NO.287), REFERRED TO AS THE UNDERGROUND UTILITY LINE PROTECTION LAW.

(5) THE REVOCATION OR MODIFICATION OF AN APPROVAL OR EXTENSION OF AN APPROVAL, WHEN THE APPROVAL AUTHORIZES THE MODIFICATION OR REVOCATION FOR CAUSE.

(6) AN APPROVAL ISSUED BY THE DEPARTMENT OF TRANSPORTATION, EXCEPT THAT APPROVALS IN ACCORDANCE WITH 67 PA. CODE CH. 441 (RELATING TO ACCESS TO AND OCCUPANCY OF HIGHWAYS BY DRIVEWAYS AND LOCAL ROADS) SHALL BE EXTENDED BY THE DEPARTMENT UPON THE SUBMISSION OF A COMPLETE AND ACCURATE APPLICATION THROUGHOUT THE EXTENSION PERIOD FOR ONE-YEAR INTERVALS, SUBJECT TO THE REQUIREMENTS OF 67 PA. CODE CH. 441, INCLUDING MODIFICATIONS BASED ON CHANGED CIRCUMSTANCES.

(7) AN APPROVAL ISSUED BY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION IMPLEMENTING 25 PA. CODE § 93.4A (RELATING TO ANTIDEGRADATION) IN CONNECTION WITH SURFACE WATERS, AS DEFINED IN 25 PA. CODE § 93.1 (RELATING TO DEFINITIONS), OR WETLANDS, AS DEFINED IN 25 PA. CODE § 93.1, WHICH SURFACE WATERS OR WETLANDS, AFTER THE ISSUANCE OF THE APPROVAL, AND DURING THE EXTENSION PERIOD, BECAME CLASSIFIED AS:
(I) HIGH QUALITY WATERS, PURSUANT TO 25 PA. CODE §§ 93.1, 93.4B(A); OR

(II) EXCEPTIONAL VALUE WATERS, PURSUANT TO 25 PA. CODE § 93.4B(B)(1).

(8) AN APPROVAL ISSUED BY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION IMPLEMENTING 25 PA. CODE § 93.4A IN CONNECTION WITH SURFACE WATERS, AS DEFINED IN 25 PA. CODE § 93.1, OR WETLANDS, AS DEFINED IN 25 PA. CODE § 93.1, WHICH SURFACE WATERS OR WETLANDS ARE CLASSIFIED AS EXCEPTIONAL VALUE WATERS PURSUANT TO 25 PA. CODE § 93.4B(B)(1).

(B) SEWER AND WATER SYSTEMS.--IF AN APPROVAL IS BASED UPON THE CONNECTION TO A SANITARY SEWER SYSTEM OR WATER DISTRIBUTION SYSTEM, THE APPLICATION OF THE EXTENSION PERIOD AS IT RELATES TO CAPACITY SHALL BE CONTINGENT UPON THE AVAILABILITY OF SUFFICIENT CAPACITY OF THE SYSTEM TO ACCOMMODATE THE DEVELOPMENT THAT IS THE SUBJECT OF THE EXTENDED APPROVAL. IF SUFFICIENT CAPACITY IS UNAVAILABLE AT THE TIME IT IS REQUIRED TO PROCEED WITH DEVELOPMENT UNDER THE APPROVAL, PRIORITY WITH REGARD TO FURTHER DISTRIBUTION OR ALLOCATION OF CAPACITY SHALL BE ESTABLISHED BY THE DATE ON WHICH THE APPROVAL WAS OBTAINED. PRIORITY RELATING TO DISTRIBUTION OF ADDITIONAL CAPACITY SHALL BE ALLOCATED IN ORDER OF THE GRANTING OF THE ORIGINAL APPROVAL FOR THE CONNECTION.

(C) FEE.--A GOVERNMENT AGENCY WHICH ISSUED AN APPROVAL MAY CHARGE A FEE TO EXTEND THE APPROVAL THAT MAY BE NO MORE THAN 25% OF THE ORIGINAL APPLICATION FEE. IN NO EVENT MAY THE FEE BE MORE THAN $5,000.

SECTION 1607-I. NOTICE.

WITHIN 30 DAYS OF THE EFFECTIVE DATE OF THIS SECTION, EACH AFFECTED GOVERNMENT AGENCY SHALL PUBLISH NOTICE OF APPLICABILITY
OF THE EXTENSION PERIOD TO APPROVALS GRANTED BY THE GOVERNMENT
AGENCY UNDER THIS ARTICLE IN THE PENNSYLVANIA BULLETIN.

SECTION 1608-I. MISCELLANEOUS.

(A) CONSTRUCTION.--NOTHING IN THIS ARTICLE SHALL BE
CONSTRUED TO MODIFY ANY REQUIREMENT OF LAW THAT IS NECESSARY TO
RETAIN FEDERAL DELEGATION TO, OR ASSUMPTION BY, THE COMMONWEALTH
OF THE AUTHORITY TO IMPLEMENT A FEDERAL LAW OR PROGRAM.

(B) AUTHORITY.--DURING THE EXTENSION PERIOD, A GOVERNMENT
AGENCY SHALL RETAIN THE AUTHORITY TO DO ALL OF THE FOLLOWING:

(1) SUSPEND OR REVOKE AN APPROVAL FOR NONCOMPLIANCE WITH
A WRITTEN CONDITION OF THE APPROVAL.

(2) ENFORCE CONDITIONS OF APPROVALS GRANTED UNDER LAW
PRIOR TO THE EXTENSION PERIOD.

(3) ENFORCE ONLY THOSE CONDITIONS IN AN APPROVAL ISSUED
UNDER THE ACT OF JULY 31, 1968 (P.L.805, NO.247), KNOWN AS
THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE, THAT ARE
REQUIRED TO BE PERFORMED PRIOR TO FINAL PLAN APPROVAL.

ARTICLE XVI-J
HERITAGE AREAS

SECTION 1601-J. PROGRAM.

(A) ESTABLISHMENT.--THE HERITAGE AREA PROGRAM IS ESTABLISHED
WITHIN THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES TO
IDENTIFY, PROTECT, ENHANCE AND PROMOTE THE HISTORIC,
RECREATIONAL, NATURAL, CULTURAL AND SCENIC RESOURCES OF THIS
COMMONWEALTH.

(B) ADMINISTRATION.--THE DEPARTMENT SHALL ADOPT GUIDELINES
AND POLICIES FOR THE IMPLEMENTATION AND ADMINISTRATION OF THE
PROGRAM.

(C) FUNDING.--THE DEPARTMENT MAY ALLOCATE FUNDS APPROPRIATED
TO THE DEPARTMENT FOR GRANTS AND INVESTMENT PROGRAMS WITHIN

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HERITAGE AREAS, INCLUDING ADMINISTRATION AND OPERATION.

SECTION 2.6. ARTICLE XVII-A OF THE ACT IS AMENDED BY ADDING A SUBARTICLE TO READ:

SUBARTICLE J

SPECIAL PROVISIONS RELATING TO VICTIMS OF CRIME

SECTION 1791-A. DEFINITIONS.

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

"COMMISSION." THE PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY.

"CRIME." AS DEFINED IN SECTION 103 OF THE ACT OF NOVEMBER 24, 1998 (P.L.882, NO.111), KNOWN AS THE CRIME VICTIMS ACT.

"CRIME VICTIMS ACT. THE ACT OF NOVEMBER 24, 1998 (P.L.882, NO.111), KNOWN AS THE CRIME VICTIMS ACT.

"JUVENILE." AS DEFINED IN SECTION 103 OF THE ACT OF NOVEMBER 24, 1998 (P.L.882, NO.111), KNOWN AS THE CRIME VICTIMS ACT.

"VICTIM." AS DEFINED IN SECTION 103 OF THE ACT OF NOVEMBER 24, 1998 (P.L.882, NO.111), KNOWN AS THE CRIME VICTIMS ACT.

SECTION 1792-A. SPECIAL JUVENILE VICTIM COMPENSATION FUND.

(A) ESTABLISHMENT.—THERE IS ESTABLISHED IN THE STATE TREASURY A SPECIAL FUND TO BE KNOWN AS THE SPECIAL JUVENILE VICTIM COMPENSATION FUND.

(B) SOURCES.—THE SOURCES OF THE FUND ARE AS FOLLOWS:

(1) A TRANSFER OF $500,000 FROM THE CRIME VICTIM'S COMPENSATION FUND ESTABLISHED UNDER SECTION 1101(B)(1) OF THE CRIME VICTIMS ACT. AS SOON AS PRACTICABLE FOLLOWING THE EFFECTIVE DATE OF THIS SECTION, THE STATE TREASURER SHALL MAKE THE TRANSFER.
(2) Appropriations.

(3) Money from any other source.

(4) Return on the money in the fund.

(C) Nonlapse.--The money in the Special Juvenile Victim Compensation Fund is continuously appropriated into the Special Juvenile Victim Compensation Fund. This appropriation shall not lapse at the end of any fiscal year.

(D) Use.--The Special Juvenile Victim Compensation Fund shall be administered by the Commission as follows:

(1) The Commission may not use any money for administrative costs.

(2) The money shall be used solely to provide compensation to victims of juvenile crime in a county of the third class. A victim shall be entitled to receive compensation from the fund if all of the following conditions apply:

(I) A juvenile delinquency petition was filed in the county which alleged that the victim was a victim of a crime committed by a juvenile.

(II) The juvenile delinquency petition was disposed of prior to May 31, 2008, by the entry of a consent decree or an adjudication of delinquency entered by a court of common pleas in the county.

(III) After December 31, 2008, the consent decree or adjudication of delinquency previously entered was vacated by order of the Supreme Court.

(IV) Following the vacating of the consent decree or adjudication of delinquency, the Supreme Court or a special master appointed by the Supreme Court issued a written determination stating:
(A) THAT THE VICTIM SUFFERED MONETARY LOSS,
EXPENSE OR DAMAGE AS A RESULT OF THE ALLEGED CRIME;

(B) THAT THE COURT OF COMMON PLEAS IN THE COUNTY
HAD PREVIOUSLY ENTERED AN ORDER DIRECTING THAT THE
VICTIM WAS ENTITLED TO RESTITUTION OR COMPENSATION
FOR THE VICTIM'S LOSS, EXPENSE OR DAMAGE WHICH WAS
VACATED PRIOR TO THE VICTIM'S RECEIVING PAYMENT IN
FULL;

(C) THAT THE VICTIM IS ENTITLED TO RECEIVE A
COMPENSATION AWARD FOR PAIN AND SUFFERING ENDURED IN
CONNECTION WITH THE VICTIM'S CONTACT WITH THE
JUVENILE JUSTICE SYSTEM IN THE COUNTY UNDER THE
CIRCUMSTANCES DESCRIBED IN SUBPARAGRAPHS (I), (II)
AND (III); AND

(D) THE AMOUNT OF COMPENSATION AWARD TO BE PAID
TO THE VICTIM FOR PAIN AND SUFFERING WHICH SHALL
EQUAL THE AMOUNT OF RESTITUTION THE VICTIM WOULD HAVE
BEEN ENTITLED TO HAD THE CONSENT DECREED OR
ADJUDICATION OF DELINQUENCY PREVIOUSLY ENTERED NOT
BEEN VACATED, LESS ANY RESTITUTION AND COMPENSATION
PREVIOUSLY PAID TO THE VICTIM IN CONNECTION WITH THE
ALLEGED CRIME.

(V) NOTWITHSTANDING ANY PROVISION OF THIS SUBARTICLE
TO THE CONTRARY, THE FOLLOWING SHALL APPLY REGARDING THE
CALCULATION OF THE AMOUNT OF RESTITUTION AND COMPENSATION
PREVIOUSLY PAID TO THE VICTIM UNDER SUBPARAGRAPH (IV)(D):

(A) THE SUPREME COURT OR SPECIAL MASTER
APPOINTED BY THE SUPREME COURT SHALL REQUEST, AND THE
COMMISSION SHALL DISCLOSE, INFORMATION CONCERNING
APPLICATIONS FOR AN AWARD OF COMPENSATION AND
COMPENSATION AWARD PAYMENTS PREVIOUSLY MADE BY THE
COMMISSION TO THE VICTIM IN CONNECTION WITH THE CRIME
CHARGED IN THE JUVENILE DELINQUENCY PETITION REFERRED
TO IN SUBPARAGRAPH (I).

(B) THE SUPREME COURT OR SPECIAL MASTER
APPOINTED BY THE SUPREME COURT SHALL INCLUDE ANY
MONETARY LOSS, EXPENSE OR DAMAGE THAT THE SUPREME
COURT OR SPECIAL MASTER DETERMINES HAS BEEN OR WILL
BE PAID TO OR ON BEHALF OF THE VICTIM BY ANY OF THE
FOLLOWING:

(I) INSURANCE, OR HEALTH OR WELFARE
PROGRAMS, INCLUDING THOSE MANDATED BY LAW;

(II) UNDER A CONTRACT OF INSURANCE WHERE THE
VICTIM IS THE BENEFICIARY;

(III) UNDER ANY PENSION PROGRAM, INCLUDING
THOSE PROVIDING FOR DISABILITY OR SURVIVOR'S
BENEFITS, OR FROM ANY OTHER PUBLIC FUNDS; OR

(IV) UNDER A SETTLEMENT OR AWARD MADE BY OR
ON BEHALF OF A PARTY ALLEGED TO BE RESPONSIBLE,
IN WHOLE OR IN PART FOR THE INJURY, WITHOUT
REGARD TO THE PARTY'S CRIMINAL LIABILITY.

(C) THE SUPREME COURT OR SPECIAL MASTER
APPOINTED BY THE SUPREME COURT MAY REQUIRE AS A
CONDITION OF RECEIVING AN AWARD UNDER THIS SECTION
THAT A VICTIM DISCLOSE TO THE COURT OR SPECIAL MASTER
THE AMOUNT OF RESTITUTION AND COMPENSATION PREVIOUSLY
RECEIVED IN CONNECTION WITH THE CRIME CHARGED IN THE
JUVENILE DELINQUENCY PETITION REFERRED TO IN
SUBPARAGRAPH (I).

(VI) PROMPTLY FOLLOWING ISSUANCE OF THE LAST WRITTEN
DETERMINATION DESCRIBED IN SUBPARAGRAPH (IV), THE SUPREME COURT OR SPECIAL MASTER APPOINTED BY THE SUPREME COURT SHALL NOTIFY THE COMMISSION THAT ALL WRITTEN DETERMINATIONS HAVE BEEN ISSUED.

(E) ADMINISTRATION.—-

(1) The commission shall make a lump sum payment to each victim for which a determination has been issued under subsection (D)(2)(IV). The payment shall be in the amount specified in the determination.

(2) If money in the special juvenile victim compensation fund is not sufficient to make all of the payments required under this subsection, the payments shall be reduced for each victim on a pro rata basis.

(3) The commission shall, no more than 45 days following notification from the supreme court or special master that all written determinations under subsection (D)(2)(IV) have been issued, submit requests to the state treasurer that a lump sum payment be made to each victim in the amount set forth in the written determination pertaining to the victim.

(F) TAX CONSEQUENCES.--A payment made under subsection (E) shall not be considered a class of income under Section 303 of the act of March 4, 1971 (P.L.6, No.2), known as the tax reform code of 1971.

(G) RIGHT OF SUBROGATION AND RETURN OF CERTAIN PAYMENTS.—The following shall apply:

(1) The Commonwealth shall be subrogated to the payment of an award made under this section, to the extent of the payment, to any right of action against any person to recover losses resulting from the crime charged in the juvenile delinquency petition referred to in subsection (D)(2)(I).
(2) A victim receiving an award under this section shall notify the commission of any payments received from any source, other than the commission, that relate to the crime charged in the juvenile delinquency petition referred to in subsection (D)(2)(I) and which are received on or after the date of the supreme court's or special master's written determination. The victim shall promptly return to the commission an amount equal to such payments for deposit into the crime victim's compensation fund.

(H) Expiration.—A victim's ability to receive a written determination for a compensation award under this subarticle shall expire on the earlier of the following:

(1) The expenditure of all money in the special juvenile victim compensation fund.

(2) June 30, 2011. Money remaining in the fund on June 30, 2011, that has not been encumbered or committed to pay awards under written determinations issued prior to June 30, 2011, shall be transferred to the crime victim's compensation fund.

SECTION 1793-A. Victim Witness Services Fund.

On July 1, 2011, the state treasurer shall transfer the sum of $1,000,000 from the crime victim's compensation fund to the victim witness services fund established in section 1101(B)(2) of the crime victims act to supplement, and to be distributed together with, other money of the victim witness services fund used to provide victim of juvenile offender grants to counties. The transferred sum is hereby appropriated to the victim witness services fund on a continuing basis for such purpose.

SECTION 2.7. Section 1735-E of the act, amended October 9, 2009 (P.L.537, No.50), is amended to read:

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SECTION 1735-E. PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY.


SECTION 2.8. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:

SECTION 1794-E. JUDICIAL COMPUTER SYSTEM AUGMENTATION ACCOUNT. THE SUPREME COURT AND THE COURT ADMINISTRATOR OF PENNSYLVANIA ARE PROHIBITED FROM AUGMENTING THE AMOUNT APPROPRIATED TO THE JUDICIAL COMPUTER SYSTEM AUGMENTATION ACCOUNT BY BILLINGS TO OTHER APPROPRIATIONS TO THE JUDICIAL BRANCH FOR THE STATEWIDE JUDICIAL COMPUTER SYSTEM OR FOR ANY OTHER PURPOSE.

SECTION 1795-E. ACCESS TO JUSTICE ACCOUNT. NOTWITHSTANDING 42 PA.C.S. § 4906 (RELATING TO DISTRIBUTION OF FUNDS), MONEY IN THE ACCESS TO JUSTICE ACCOUNT MAY BE DISTRIBUTED AT ANY TIME UPON REQUISITION OF THE COURT ADMINISTRATOR OF PENNSYLVANIA TO THE PENNSYLVANIA INTEREST ON LAWYERS TRUST ACCOUNT BOARD.
SECTION 2.9. SECTION 1799-E OF THE ACT IS AMENDED BY ADDING SUBSECTIONS TO READ:

SECTION 1799-E. STATE GAMING FUND.

* * *


(F) APPROPRIATIONS SOLELY FROM ASSESSMENTS.--BEGINNING IN FISCAL YEAR 2010-2011 AND EACH FISCAL YEAR THEREAFTER, ALL FUNDS FOR THE OPERATION OF THE PENNSYLVANIA STATE POLICE, THE DEPARTMENT OF REVENUE AND THE ATTORNEY GENERAL SHALL BE APPROPRIATED SOLELY FROM AN ASSESSMENT ON GROSS TERMINAL REVENUE FROM ACCOUNTS UNDER 4 PA.C.S. § 1401 (RELATING TO SLOT MACHINE LICENSEE DEPOSITS) IN AN AMOUNT EQUAL TO THAT APPROPRIATED BY THE GENERAL ASSEMBLY FOR THAT FISCAL YEAR. THE PENNSYLVANIA STATE POLICE, DEPARTMENT OF REVENUE OR ATTORNEY GENERAL SHALL NOT ASSESS ANY CHARGE, FEE, COST OF OPERATIONS OR OTHER PAYMENT FROM A LICENSED GAMING ENTITY IN EXCESS OF AMOUNTS APPROPRIATED IN ANY SUCH FISCAL YEAR UNLESS SPECIFICALLY AUTHORIZED BY LAW.

(G) ESTABLISHMENT OF REPAYMENT SCHEDULE.--NO LATER THAN JUNE 30, 2011, THE PENNSYLVANIA GAMING CONTROL BOARD, IN CONSULTATION WITH ALL LICENSED GAMING ENTITIES, SHALL ESTABLISH A SCHEDULE.
GOVERNING THE REPAYMENT BY LICENSED GAMING ENTITIES OF LOANS
PROVIDED TO THE PENNSYLVANIA GAMING CONTROL BOARD UNDER SECTIONS
1720-G, 1720-I AND 1720-K. THE FOLLOWING SHALL APPLY:

(1) REPAYMENT OF LOANS PROVIDED TO THE PENNSYLVANIA
GAMING CONTROL BOARD PURSUANT TO SECTIONS 1720-G, 1720-I AND
1720-K BY LICENSED GAMING ENTITIES SHALL BEGIN AT SUCH TIME
AS AT LEAST 11 SLOT MACHINE LICENSES HAVE BEEN ISSUED AND 11
LICENSED GAMING ENTITIES HAVE COMMENCED OPERATION OF SLOT
MACHINES.

(2) THE PENNSYLVANIA GAMING CONTROL BOARD SHALL
ESTABLISH A REPAYMENT SCHEDULE THAT, AT A MINIMUM:

(I) SETS FORTH THE DATES UPON WHICH THE REPAYMENTS
SHALL BE DUE. PAYMENTS MAY BE REQUIRED ON A QUARTERLY,
SEMIANNUAL OR ANNUAL BASIS.

(II) ASSESSES TO EACH SLOT MACHINE LICENSEE COSTS
FOR REPAYMENT OF LOANS FROM THE PROPERTY TAX RELIEF
RESERVE FUND MADE UNDER SECTIONS 1720-G, 1720-I AND 1720-
K IN AN AMOUNT THAT IS PROPORTIONAL TO EACH SLOT MACHINE
LICENSEE’S GROSS TERMINAL REVENUE.

(III) RESULTS IN FULL REPAYMENT OF AMOUNTS LOANED
PURSUANT TO SECTIONS 1720-G, 1720-I AND 1720-K NOT
EARLIER THAN FIVE YEARS NOR LATER THAN TEN YEARS
FOLLOWING COMMENCEMENT OF THE LOAN REPAYMENTS BY THE SLOT
MACHINE LICENSEE.

SECTION 2.10 SECTION 1715-K(B)(1)(V) OF THE ACT, ADDED
OCTOBER 9, 2009 (P.L.537, NO.50), IS AMENDED TO READ:

SECTION 1715-K. TOBACCO SETTLEMENT FUND.

* * *

(B) TRANSFERS.—

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

   * * *

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

   * * *

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

ARTICLE XVII-L

2010-2011 BUDGET IMPLEMENTATION

SUBARTICLE A

PRELIMINARY PROVISIONS

SECTION 1701-L. APPLICABILITY.

EXCEPT AS SPECIFICALLY PROVIDED IN THIS ARTICLE, THIS ARTICLE
APPLIES TO THE GENERAL APPROPRIATION ACT OF 2010 AND ALL OTHER
APPROPRIATION ACTS OF 2010.

SECTION 1702-L. DEFINITIONS AND ABBREVIATIONS.

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

"GENERAL APPROPRIATION ACT." THE ACT OF , 2010 (P.L. ,

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

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

"AIDS." ACQUIRED IMMUNE DEFICIENCY SYNDROME.

"ARC." APPALACHIAN REGIONAL COMMISSION.

"ARRA." THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
(PUBLIC LAW 111-5, 123 STAT. 115).
"BG." BLOCK GRANT.
"CCDFBG." CHILD CARE AND DEVELOPMENT FUND BLOCK GRANT.
"CHARTERED SCHOOL." A SCHOOL CHARTERED BY THE COMMONWEALTH.
"CSBG." COMMUNITY SERVICES BLOCK GRANT.
"DSI." DRUG CONTROL AND SYSTEMS IMPROVEMENT FORMULA GRANT PROGRAM.
"DOE." DEPARTMENT OF ENERGY.
"EEOC." EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.
"EPA." ENVIRONMENTAL PROTECTION AGENCY.
"FEMA." FEDERAL EMERGENCY MANAGEMENT AGENCY.
"FTA." FEDERAL TRANSIT ADMINISTRATION.
"HUD." DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.
"LIHEABG." LOW-INCOME HOME ENERGY ASSISTANCE BLOCK GRANT.
"MCHSBG." MATERNAL AND CHILD HEALTH SERVICES BLOCK GRANT.
"MHSBG." MENTAL HEALTH SERVICES BLOCK GRANT.
"MR." MENTAL RETARDATION.
"PAFE." PENNSYLVANIA AGRICULTURAL FOOD EXPOSITION.
"PHHSBG." PREVENTIVE HEALTH AND HEALTH SERVICES BLOCK GRANT.
"RSAT." RESIDENTIAL SUBSTANCE ABUSE TREATMENT.
"SABG." SUBSTANCE ABUSE BLOCK GRANT.
"SCDBG." SMALL COMMUNITIES DEVELOPMENT BLOCK GRANT.
"SDA." SERVICE DELIVERY AREA.
"SSBG." SOCIAL SERVICES BLOCK GRANT.
"TANF." TEMPORARY ASSISTANCE FOR NEEDY FAMILIES.
"TANFBG."  TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
GRANT.
"TEFAP."  TEMPORARY EMERGENCY FOOD ASSISTANCE PROGRAM.
"WIA."  THE WORKFORCE INVESTMENT ACT OF 1998 (PUBLIC LAW
105-220, 112 STAT. 936).
"WIC."  WOMEN, INFANTS AND CHILDREN PROGRAM.

SUBARTICLE B
EXECUTIVE DEPARTMENT

SECTION 1711-L.  GOVERNOR (RESERVED).
SECTION 1712-L.  EXECUTIVE OFFICES.
(A)  APPROPRIATIONS.--THE FOLLOWING SHALL APPLY TO
APPROPRIATIONS FOR THE EXECUTIVE OFFICES:
(1)  (RESERVED).
(2)  A PORTION OF THE APPROPRIATION FOR THE OFFICE OF THE
BUDGET MAY BE DISTRIBUTED UPON APPROVAL OF THE SECRETARY TO
OTHER STATE AGENCIES TO PAY FOR COMPTROLLER SERVICES PROVIDED
TO THE AGENCY. THE SECRETARY SHALL PROVIDE NOTICE 10 DAYS
PRIOR TO A DISTRIBUTION UNDER THIS PARAGRAPH TO THE CHAIRMAN
AND THE MINORITY CHAIRMAN OF THE APPROPRIATIONS COMMITTEE OF
THE SENATE AND THE CHAIRMAN AND THE MINORITY CHAIRMAN OF THE
APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES.
(B)  PURCHASE CARDS.--THE OFFICE OF THE BUDGET SHALL MAXIMIZE
THE USE OF PURCHASE CARDS FOR FINANCIAL TRANSACTIONS INVOLVING
THE COMMONWEALTH WHERE PRACTICAL, IN ACCORDANCE WITH AN
INTERAGENCY AGREEMENT ESTABLISHING USAGE GUIDELINES BETWEEN THE
OFFICE OF THE BUDGET AND THE TREASURY DEPARTMENT.
SECTION 1713-L.  LIEUTENANT GOVERNOR (RESERVED).
SECTION 1714-L.  ATTORNEY GENERAL (RESERVED).
SECTION 1715-L.  AUDITOR GENERAL (RESERVED).
SECTION 1716-L.  TREASURY DEPARTMENT (RESERVED).

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

SECTION 1718-L. DEPARTMENT OF AGRICULTURE.

NO LESS THAN 80% OF THE FUNDS APPROPRIATED FOR HARDWOODS RESEARCH AND PROMOTION SHALL BE EQUALLY DISTRIBUTED AMONG THE HARDWOOD UTILIZATION GROUPS OF THIS COMMONWEALTH ESTABLISHED PRIOR TO THE EFFECTIVE DATE OF THIS SECTION.

SECTION 1719-L. DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT (RESERVED).

SECTION 1720-L. DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES (RESERVED).

SECTION 1721-L. DEPARTMENT OF CORRECTIONS (RESERVED).

SECTION 1722-L. DEPARTMENT OF EDUCATION.

(A) GENERAL RULE.--THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE DEPARTMENT OF EDUCATION IN THE GENERAL APPROPRIATION ACT FOR THE FISCAL YEAR BEGINNING JULY 1, 2010:

(1) (I) THE BOARD OF DIRECTORS OF EACH SCHOOL DISTRICT SHALL TAKE SUCH STEPS AS NECESSARY IN ORDER TO HAVE OR MAINTAIN A CERTIFIED SAFETY COMMITTEE BY JUNE 30, 2011, FOR THE PURPOSES OF SECTION 1002(B) OF THE ACT OF JUNE 2, 1915 (P.L.736, NO.338), KNOWN AS THE WORKERS' COMPENSATION ACT.

(II) THE DEPARTMENT OF LABOR AND INDUSTRY SHALL PROVIDE THE DEPARTMENT OF EDUCATION WITH THE LIST OF SCHOOL DISTRICTS WHO HAVE A CERTIFIED SAFETY COMMITTEE.

(III) IN THE CASE OF A SCHOOL DISTRICT THAT DOES NOT SUBMIT EVIDENCE TO THE DEPARTMENT OF EDUCATION THAT COMPLIES WITH THIS PARAGRAPH, THE DEPARTMENT OF EDUCATION SHALL DEDUCT FROM ANY ALLOCATION FROM THE COMMONWEALTH TO WHICH THE SCHOOL DISTRICT IS ENTITLED THE AMOUNT OF THE DISCOUNT THE SCHOOL DISTRICT WOULD OTHERWISE RECEIVE.
UNDER SECTION 1002(B) OF THE WORKERS' COMPENSATION ACT.

(IV) THIS PARAGRAPH SHALL NOT APPLY TO A SCHOOL DISTRICT THAT CANNOT RECEIVE A PREMIUM DISCOUNT UNDER SECTION 1002(B) OF THE WORKERS' COMPENSATION ACT, OR AN EQUIVALENT REDUCTION IN CONTRIBUTION RATES, BY ESTABLISHING AND MAINTAINING A CERTIFIED SAFETY COMMITTEE BECAUSE IT IS AUTHORIZED TO SELF-INSURE ITS LIABILITIES UNDER SECTION 305 OF THE WORKERS' COMPENSATION ACT OR POOL ITS LIABILITIES UNDER SECTION 802 OF THE WORKERS' COMPENSATION ACT.

(2) THE FOLLOWING SHALL APPLY TO PROFESSIONAL AND TEMPORARY PROFESSIONAL EMPLOYEES OF A SCHOOL FORMERLY OPERATED BY THE COMMONWEALTH:

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

(II) FOR THE THREE SCHOOL YEARS IMMEDIATELY FOLLOWING THE FORMAL NOTICE OF SUSPENSION FROM THE COMMONWEALTH, EMPLOYEES IN A POOL CREATED UNDER SUBPARAGRAPH (I) SHALL BE OFFERED EMPLOYMENT BY EACH ELIGIBLE SCHOOL ENTITY AS DETERMINED UNDER SUBPARAGRAPH (IV) ASSOCIATED WITH THE APPLICABLE POOL CREATED UNDER SUBPARAGRAPH (I), WHEN THAT ELIGIBLE SCHOOL ENTITY HAS A VACANCY FOR A POSITION THAT AN EMPLOYEE IN THE APPLICABLE POOL IS PROPERLY CERTIFIED TO FILL, PROVIDED THAT NO EMPLOYEE OF THE ELIGIBLE SCHOOL ENTITY IN WHICH THE VACANCY EXISTS, INCLUDING A SUSPENDED OR DEMOTED
EMPLOYEE, HAS A RIGHT TO THE VACANCY UNDER THE ACT OF
MARCH 10, 1949 (P.L.30, NO.14), KNOWN AS THE PUBLIC
SCHOOL CODE OF 1949, OR THE COLLECTIVE BARGAINING
AGREEMENT OF THE RESPECTIVE ELIGIBLE SCHOOL ENTITY.

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

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

(A) A SCHOOL DISTRICT, VOCATIONAL-TECHNICAL
SCHOOL OR INTERMEDIATE UNIT, THE ADMINISTRATION
BUILDING OF WHICH IS 17 MILES OR LESS FROM THE
ADMINISTRATION BUILDING OF A SCHOOL FORMERLY OPERATED
BY THE COMMONWEALTH OR A SCHOOL DISTRICT WHICH IS
ADJACENT TO THE SCHOOL DISTRICT IN WHICH A SCHOOL
FORMERLY OPERATED BY THE COMMONWEALTH WAS SITUATE; OR

(B) A SCHOOL DISTRICT WITH AVERAGE DAILY
MEMBERSHIP GREATER THAN OR EQUAL TO 8,000, THE
ADMINISTRATION BUILDING OF WHICH IS 45 MILES OR LESS
FROM THE ADMINISTRATION BUILDING OF A SCHOOL FORMERLY
OPERATED BY THE COMMONWEALTH, AND WHICH RELIES ON
STATE REVENUE FOR NOT LESS THAN 50% OF THE SCHOOL
DISTRICT'S TOTAL BUDGET IN ONE OF THE TWO MOST RECENT
YEARS FOR WHICH DATA HAS BEEN PUBLISHED ON THE
DEPARTMENT OF EDUCATION'S PUBLIC INTERNET WEBSITE.

(3) (I) (A) EMPLOYEES HIRED FROM A POOL UNDER
PARAGRAPH (2) AND FORMER EMPLOYEES OF A SCHOOL
FORMERLY OPERATED BY THE COMMONWEALTH WHO RESIGNED
FROM A SCHOOL FORMERLY OPERATED BY THE COMMONWEALTH
WITHIN THE SIX MONTHS PRIOR TO OCTOBER 9, 2009, AND
WHO ACCEPTED EMPLOYMENT AT A SCHOOL DISTRICT,
INTERMEDIATE UNIT OR VOCATIONAL-TECHNICAL SCHOOL
SHALL BE CREDITED BY THE HIRING SCHOOL DISTRICT,
INTERMEDIATE UNIT OR VOCATIONAL-TECHNICAL SCHOOL FOR
ALL SICK LEAVE ACCUMULATED IN THE SCHOOL AND SHALL BE
CREDITED FOR YEARS OF SERVICE IN THE SCHOOL FOR
PURPOSES OF SALARY SCHEDULE PLACEMENT.

(B) SUCH EMPLOYEES SHALL FURTHER BE CREDITED FOR
THEIR YEARS OF SERVICE IN THE SCHOOL FOR PURPOSES OF
SABBATICAL LEAVE ELIGIBILITY, SUSPENSION AND
REALIGNMENT RIGHTS AND ELIGIBILITY FOR ANY RETIREMENT
INCENTIVES OR SEVERANCE PAYMENTS IN A HIRING SCHOOL
DISTRICT, INTERMEDIATE UNIT OR VOCATIONAL-TECHNICAL
SCHOOL.

(II) NOTHING IN THIS PARAGRAPH SHALL BE CONSTRUED TO
SUPERSEDE OR PREEMPT ANY PROVISION OF AN INDIVIDUAL
EMPLOYMENT AGREEMENT BETWEEN A SCHOOL DISTRICT,
INTERMEDIATE UNIT OR VOCATIONAL-TECHNICAL SCHOOL AND AN
EMPLOYEE ENTERED INTO PRIOR TO THE EFFECTIVE DATE OF THIS
SECTION, OR ANY PROVISION OF A COLLECTIVE BARGAINING
AGREEMENT IN EFFECT AS OF THE EFFECTIVE DATE OF THIS
SECTION AND NEGOTIATED BY A SCHOOL ENTITY AND AN
EXCLUSIVE REPRESENTATIVE OF THE EMPLOYEES IN ACCORDANCE
WITH THE ACT OF JULY 23, 1970 (P.L.563, NO.195), KNOWN AS
THE PUBLIC EMPLOYEE RELATIONS ACT.

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

(5) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A BOARD OF SCHOOL DIRECTORS OF A SCHOOL DISTRICT MAY REOPEN ITS 2010-2011 BUDGET TO REFLECT FEDERAL AND STATE ALLOCATIONS FOR FISCAL YEAR 2010-2011 PROVIDED BY THE GENERAL APPROPRIATION ACT.

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

(7) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FEDERAL AND STATE FUNDS SHALL BE DISTRIBUTED TO EACH COMMUNITY COLLEGE IN AN AMOUNT EQUAL TO THE AMOUNT PAID UNDER SECTION 1913-A(B)(1.6) OF THE PUBLIC SCHOOL CODE OF 1949, DURING THE 2008-2009 FISCAL YEAR. IF INSUFFICIENT FUNDS ARE APPROPRIATED, THE PAYMENTS SHALL BE MADE ON A PRO RATA BASIS.

(8) FUNDS APPROPRIATED FOR SPECIAL EDUCATION PAYMENTS TO SCHOOL DISTRICTS SHALL BE DISTRIBUTED TO EACH SCHOOL DISTRICT IN AN AMOUNT EQUAL TO THE AMOUNT PAID DURING THE 2008-2009 SCHOOL YEAR UNDER SECTION 2509.5(ZZ) OF THE PUBLIC SCHOOL CODE OF 1949. IF INSUFFICIENT FUNDS ARE APPROPRIATED, THE PAYMENTS SHALL BE MADE ON A PRO RATA BASIS.

(9) (I) FUNDS APPROPRIATED FOR THE EDUCATIONAL ASSISTANCE PROGRAM ESTABLISHED IN SECTION 1502-C OF THE PUBLIC SCHOOL CODE OF 1949 SHALL BE DISTRIBUTED TO EACH SCHOOL ENTITY IN AN AMOUNT EQUAL TO THE AMOUNT PAID.
DURING THE 2009-2010 SCHOOL YEAR. IF INSUFFICIENT FUNDS ARE APPROPRIATED, THE PAYMENTS SHALL BE MADE ON A PRO RATA BASIS.

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

(10) FUNDS APPROPRIATED FOR PENNSYLVANIA ACCOUNTABILITY GRANTS SHALL BE DISTRIBUTED TO EACH SCHOOL DISTRICT IN AN AMOUNT EQUAL TO THE AMOUNT PAID DURING THE 2009-2010 SCHOOL YEAR. IF INSUFFICIENT FUNDS ARE APPROPRIATED, THE PAYMENTS SHALL BE MADE ON A PRO RATA BASIS.

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

(12) THE FOLLOWING APPLY TO LIBRARIES:

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

(A) DIVIDE THE SUM OF THE AMOUNT OF FUNDING THAT THE LIBRARY RECEIVED IN FISCAL YEAR 2009-2010 UNDER SECTION 1722-J(14) BY THE TOTAL STATE-AID SUBSIDY FOR FISCAL YEAR 2009-2010.

(B) MULTIPLY THE QUOTIENT UNDER CLAUSE (A) BY
THE TOTAL STATE-AID SUBSIDY FOR 2010-2011.

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

(III) IF FUNDS APPROPRIATED FOR STATE AID TO LIBRARIES IN FISCAL YEAR 2010-2011 ARE LESS THAN FUNDS APPROPRIATED IN FISCAL YEAR 2002-2003, THE STATE LIBRARIAN MAY WAIVE STANDARDS AS PRESCRIBED IN SECTION 103 OF THE ACT OF JUNE 14, 1961 (P.L.324, NO.188), KNOWN AS THE LIBRARY CODE, RELATING TO HOURS OF OPERATION, CONTINUING PROFESSIONAL DEVELOPMENT, COLLECTIONS, EXPENDITURES AND OTHER ASPECTS OF LIBRARY OPERATION.

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

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

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

(14) THE APPROPRIATION FOR BASIC EDUCATION FUNDING SHALL BE DISTRIBUTED AS FOLLOWS:

(I) THE COMMONWEALTH SHALL PAY TO EACH SCHOOL DISTRICT A BASIC EDUCATION FUNDING ALLOCATION FOR THE 2009-2010 SCHOOL YEAR WHICH SHALL CONSIST OF THE SUM OF THE FOLLOWING:

(A) AN AMOUNT EQUAL TO THE ALLOCATIONS RECEIVED
BY THE SCHOOL DISTRICT UNDER SECTION 1722-J (17)(I)
(A) AND (B) AND (C)(III).

(B) IF A SCHOOL DISTRICT HAS BEEN DECLARED A
COMMONWEALTH PARTNERSHIP SCHOOL DISTRICT ON OR BEFORE
JUNE 30, 2010, UNDER ARTICLE XVII-B OF THE PUBLIC
SCHOOL CODE OF 1949, AN AMOUNT EQUAL TO $2,000,000.

(C) (I) THIRTY-TWO AND SIX ONE-HUNDREDTHS
PERCENT (32.06%) OF THE AMOUNT DETERMINED UNDER
SECTION 2502.48(C)(1) OF THE PUBLIC SCHOOL CODE
OF 1949.

(II) ANY ADDITIONAL AMOUNT REQUIRED SO THAT
THE TOTAL AMOUNT PROVIDED UNDER CLAUSE (A) AND
THIS CLAUSE EQUALS 2% GREATER THAN THE AMOUNT
PROVIDED UNDER SECTION 1722-J (17)(I).

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

(A) THE AMOUNT PER STUDENT UNDER SECTION
2502.48(A) OF THE PUBLIC SCHOOL CODE OF 1949 SHALL BE
INCREASED BY THE 2009-2010 INDEX AND BY THE 2010-2011
INDEX. THE TERM "INDEX" SHALL HAVE THE MEANING GIVEN
TO IT UNDER SECTION 2501 OF THE PUBLIC SCHOOL CODE OF
1949.

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

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

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

(B) THE FUNDS SUBJECT TO THE WAIVER WILL BE USED TO MAINTAIN ONE OR MORE EXISTING PROGRAMS LISTED UNDER SECTION 2502.49(A)(1) OF THE PUBLIC SCHOOL CODE OF 1949.

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

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

(IV) THE DECISION TO GRANT A WAIVER UNDER SUBPARAGRAPH (III) SHALL BE AT THE SOLE DISCRETION OF THE DEPARTMENT OF EDUCATION AND SHALL NOT BE SUBJECT TO APPEAL.

(15) (I) THE DEPARTMENT OF EDUCATION MAY UTILIZE UP TO $4,500,000 OF UNDISTRIBUTED FUNDS NOT EXPENDED, ENCUMBERED OR COMMITTED FROM APPROPRIATIONS FOR GRANTS.
AND SUBSIDIES MADE TO THE DEPARTMENT TO ASSIST SCHOOL
DISTRICTS CERTIFIED ON OR BEFORE JUNE 30, 2010, AS AN
EDUCATION EMPOWERMENT DISTRICT UNDER SECTION 1705-B(H)(3)
OF THE PUBLIC SCHOOL CODE OF 1949.

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

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

(17) THE APPROPRIATION FOR SCHOOL IMPROVEMENT GRANTS
SHALL BE DISTRIBUTED AS FOLLOWS:

(I) EACH ELIGIBLE SCHOOL DISTRICT SHALL BE ELIGIBLE
TO RECEIVE A SCHOOL IMPROVEMENT GRANT UNDER THIS
PARAGRAPH SUBJECT TO THE FOLLOWING PROVISIONS:

(A) WITHIN 45 DAYS AFTER THE EFFECTIVE DATE OF
THIS PARAGRAPH, THE ELIGIBLE SCHOOL DISTRICT MUST
SUBMIT A PLAN FOR THE USE OF THE SCHOOL IMPROVEMENT
GRANT TO THE DEPARTMENT OF EDUCATION FOR APPROVAL.

(B) WITHIN TEN DAYS AFTER RECEIPT OF THE PLAN,
THE DEPARTMENT OF EDUCATION SHALL APPROVE OR MODIFY
THE PLAN. THE DEPARTMENT OF EDUCATION MAY APPROVE A
PLAN ONLY IF THE PLAN DEMONSTRATES THAT THE SCHOOL
IMPROVEMENT GRANT FUNDS WILL BE USED IN A MANNER

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CONSISTENT WITH THE USES REQUIRED UNDER THE FEDERAL
SCHOOL IMPROVEMENT GRANTS PROGRAM.

(C) WITHIN FIVE DAYS AFTER RECEIPT OF APPROVAL
FROM THE DEPARTMENT OF EDUCATION, THE ELIGIBLE SCHOOL
DISTRICT MUST POST ITS APPROVED OR MODIFIED PLAN ON
ITS PUBLIC INTERNET WEBSITE.

(D) THE DEPARTMENT OF EDUCATION SHALL PROVIDE
ELIGIBLE SCHOOL DISTRICTS WITH TECHNICAL ASSISTANCE
IN THE IMPLEMENTATION OF AN APPROVED OR MODIFIED
PLAN.

(II) SUBJECT TO THE REQUIREMENTS OF THIS PARAGRAPH,
EACH ELIGIBLE SCHOOL DISTRICT SHALL RECEIVE A BASE ANNUAL
GRANT OF $450,000 AND AN ADDITIONAL GRANT OF UP TO $75
PER AVERAGE DAILY MEMBERSHIP FOR THE PRIOR SCHOOL YEAR OF
THE ELIGIBLE SCHOOL DISTRICT. THE ELIGIBLE SCHOOL
DISTRICT SHALL GIVE PRIORITY IN ALLOCATING THE GRANT
FUNDING TO THE PERSISTENTLY LOWEST ACHIEVING SCHOOLS
WITHIN THE ELIGIBLE SCHOOL DISTRICT.

(III) AS USED IN THIS PARAGRAPH, THE FOLLOWING WORDS
AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
SUBPARAGRAPH UNLESS THE CONTEXT CLEARLY INDICATES
OTHERWISE:

"ELIGIBLE SCHOOL DISTRICT." A SCHOOL DISTRICT THAT
RECEIVED A SCHOOL IMPROVEMENT GRANT FOR THE 2009–2010
SCHOOL YEAR UNDER SECTION 1709–B OF THE PUBLIC SCHOOL
CODE OF 1949, WHICH SECTION EXPIRED ON JUNE 30, 2010, AND
EACH SCHOOL DISTRICT OF THE FIRST CLASS DESIGNATED AS
DISTRESSED UNDER SECTION 691(C) OF THE PUBLIC SCHOOL CODE
OF 1949.

"FEDERAL SCHOOL IMPROVEMENT GRANTS PROGRAM." THE
SCHOOL IMPROVEMENT GRANTS AUTHORIZED BY SECTION 1003(G) OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 (PUBLIC LAW 107-110, 115 STAT. 1425) AND ARRA.

"PERSISTENTLY LOWEST ACHIEVING SCHOOL." A SCHOOL ACHIEVING WITHIN THE LOWEST MEASURED GROUP OF 5% IN THIS COMMONWEALTH AS CERTIFIED BY THE DEPARTMENT OF EDUCATION FOR THE MOST RECENT SCHOOL YEAR FOR WHICH DATA IS POSTED ON THE DEPARTMENT OF EDUCATION'S PUBLIC INTERNET WEBSITE.

(B) DEFINITIONS.--THE WORDS AND PHRASES USED IN THIS SECTION AND NOT OTHERWISE DEFINED IN SUBARTICLE A SHALL HAVE THE MEANINGS GIVEN TO THEM IN THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949.

SECTION 1723-L. DEPARTMENT OF ENVIRONMENTAL PROTECTION.

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

(1) (RESERVED).

(2) NOTWITHSTANDING THE PROVISIONS OF SECTION 502 OF THE ACT OF JULY 9, 2008 (1ST SP.SESS., P.L.1873, NO.1), KNOWN AS THE ALTERNATIVE ENERGY INVESTMENT ACT, IN FISCAL YEAR 2010-2011, NO FUNDS SHALL BE APPROPRIATED FROM THE GENERAL FUND TO THE DEPARTMENT FOR THE CONSUMER ENERGY PROGRAM. ANY APPROPRIATION FOR FISCAL YEAR 2010-2011 IS REVOKED.

SECTION 1724-L. DEPARTMENT OF GENERAL SERVICES (RESERVED).

SECTION 1725-L. DEPARTMENT OF HEALTH.

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

(1) FUNDS APPROPRIATED FOR LUPUS PROGRAMS SHALL BE DISTRIBUTED IN THE SAME PROPORTION AS DISTRIBUTED IN FISCAL YEAR 2009-2010.
(2) FUNDS APPROPRIATED FOR ARTHRITIS OUTREACH AND EDUCATION SHALL BE EQUITABLY DISTRIBUTED AMONG THE CENTRAL, WESTERN AND EASTERN REGIONS OF THIS COMMONWEALTH BASED ON THE RATIO OF POPULATION SERVED IN EACH REGION TO THE TOTAL POPULATION SERVED IN THIS COMMONWEALTH.

(3) FUNDS APPROPRIATED FOR BIOTECHNOLOGY RESEARCH INCLUDE $839,000 FOR A REGENERATIVE MEDICINE CENTER LOCATED IN A COUNTY OF THE SECOND CLASS AND $1,145,000 FOR AN INSTITUTION FOR HEPATITIS AND VIRUS RESEARCH LOCATED IN A COUNTY OF THE SECOND CLASS A, WHICH CONDUCTS RESEARCH RELATED TO DEVELOPING NEW THERAPIES FOR VIRAL HEPATITIS AND LIVER CANCER.

SECTION 1726-L. INSURANCE DEPARTMENT (RESERVED).

SECTION 1727-L. DEPARTMENT OF LABOR AND INDUSTRY.

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

(1) THE APPROPRIATION FOR PAYMENT TO THE VOCATIONAL REHABILITATION FUND FOR WORK OF THE STATE BOARD OF VOCATIONAL REHABILITATION INCLUDES $2,153,000 FOR A STATEWIDE PROFESSIONAL SERVICE PROVIDER ASSOCIATION FOR THE BLIND TO PROVIDE SPECIALIZED SERVICES AND PREVENTION OF BLINDNESS SERVICES AND $431,000 TO PROVIDE SPECIALIZED SERVICES AND PREVENTION OF BLINDNESS SERVICES IN CITIES OF THE FIRST CLASS.

SECTION 1729-L. DEPARTMENT OF PUBLIC WELFARE.

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

(1) AUTHORIZED TRANSFERS FOR CHILD-CARE SERVICES.

FOLLOWING SHALL APPLY:

(I) THE DEPARTMENT, UPON APPROVAL OF THE SECRETARY, MAY TRANSFER FEDERAL FUNDS APPROPRIATED FOR TANF BG CHILD CARE ASSISTANCE TO THE CCDF BG CHILD CARE SERVICES APPROPRIATION TO PROVIDE CHILD-CARE SERVICES TO ADDITIONAL LOW-INCOME FAMILIES IF THE TRANSFER OF FUNDS WILL NOT RESULT IN A DEFICIT IN THE APPROPRIATION. THE SECRETARY SHALL PROVIDE NOTICE TEN DAYS PRIOR TO A TRANSFER UNDER THIS SUBPARAGRAPH TO THE CHAIRMAN AND MINORITY CHAIRMAN OF THE APPROPRIATIONS COMMITTEE OF THE SENATE AND THE CHAIRMAN AND MINORITY CHAIRMAN OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

(II) THE DEPARTMENT, UPON APPROVAL OF THE SECRETARY, MAY TRANSFER FEDERAL FUNDS APPROPRIATED FOR CCDF BG CHILD CARE ASSISTANCE TO THE CCDF BG CHILD CARE SERVICES APPROPRIATION TO PROVIDE CHILD-CARE SERVICES TO ADDITIONAL LOW-INCOME FAMILIES, PROVIDED THAT THE TRANSFER OF FUNDS WILL NOT RESULT IN A DEFICIT IN THE APPROPRIATION. THE SECRETARY SHALL PROVIDE NOTICE TEN DAYS PRIOR TO A TRANSFER UNDER THIS SUBPARAGRAPH TO THE CHAIRMAN AND MINORITY CHAIRMAN OF THE APPROPRIATIONS COMMITTEE OF THE SENATE AND THE CHAIRMAN AND MINORITY CHAIRMAN OF THE HOUSE OF REPRESENTATIVES.
(2) FEDERAL AND STATE MEDICAL ASSISTANCE PAYMENTS. THE FOLLOWING SHALL APPLY:

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

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

(III) FOR FISCAL YEAR 2010-2011, PAYMENTS TO
HOSPITALS FOR COMMUNITY ACCESS FUND GRANTS SHALL BE
DISTRIBUTED UNDER THE FORMULAS UTILIZED FOR THESE GRANTS
IN FISCAL YEAR 2009-2010. IF THE TOTAL FUNDING AVAILABLE
FOR COMMUNITY ACCESS FUND PAYMENTS IN FISCAL YEAR
2010-2011 IS LESS THAN THAT AVAILABLE IN FISCAL YEAR
2009-2010, PAYMENTS SHALL BE MADE ON A PRO RATA BASIS.

(IV) QUALIFYING STATE-RELATED ACADEMIC MEDICAL
CENTERS SHALL NOT RECEIVE ANY LESS FUNDING THAN RECEIVED
FOR THE FISCAL YEAR 2004-2005 STATE APPROPRIATION LEVEL
IF FEDERAL FUNDING FOR ACADEMIC MEDICAL CENTERS IS NOT
MADE AVAILABLE TO THOSE ACADEMIC MEDICAL CENTERS DURING
FISCAL YEAR 2010-2011.

(V) (RESERVED).

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

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

(VIII) FEDERAL OR STATE FUNDS APPROPRIATED UNDER THE
GENERAL APPROPRIATION ACT IN ACCORDANCE WITH THE ACT OF
MARCH 24, 2004 (P.L.148, NO.15), KNOWN AS THE
PENNSYLVANIA TRAUMA SYSTEMS STABILIZATION ACT, NOT USED
TO MAKE PAYMENTS TO HOSPITALS QUALIFYING AS LEVEL III
TRAUMA CENTERS SHALL BE USED TO MAKE PAYMENTS TO
HOSPITALS QUALIFYING AS LEVEL I AND II TRAUMA CENTERS.

(3) BREAST CANCER SCREENING. THE FOLLOWING SHALL APPLY:
(I) FUNDS APPROPRIATED FOR BREAST CANCER SCREENING
MAY BE USED FOR WOMEN'S MEDICAL SERVICES, INCLUDING
NONINVASIVE CONTRACEPTION SUPPLIES.

(II) (RESERVED).

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

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

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

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

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

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

SECTION 1730-L. DEPARTMENT OF REVENUE.

THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE DEPARTMENT OF REVENUE FROM THE GENERAL APPROPRIATION ACT:

(1) THERE IS HEREBY CREATED WITHIN THE GENERAL FUND A RESTRICTED ACCOUNT TO BE KNOWN AS THE ENHANCED REVENUE COLLECTION ACCOUNT. REVENUES COLLECTED AND THE AMOUNT OF REFUNDS AVOIDED AS A RESULT OF EXPANDED TAX RETURN REVIEW AND TAX COLLECTION ACTIVITIES SHALL BE DEPOSITED INTO THE ACCOUNT.

(2) OF THE FUNDS IN THE ENHANCED REVENUE COLLECTION ACCOUNT, FOR EACH OF FISCAL YEAR 2010-2011 AND 2011-2012, UP TO $4,300,000 IS HEREBY APPROPRIATED TO THE DEPARTMENT OF REVENUE TO FUND THE COSTS ASSOCIATED WITH INCREASED TAX COLLECTION ENFORCEMENT AND REDUCTION IN TAX REFUND ERRORS. THE BALANCE OF THE FUNDS IN THE ACCOUNT ON JUNE 15, 2011, AND EACH JUNE 15 THEREAFTER SHALL BE TRANSFERRED TO THE GENERAL FUND OR OTHER APPROPRIATE FUND.


(I) A DETAILED BREAKDOWN OF THE DEPARTMENT'S ADMINISTRATIVE COSTS IN IMPLEMENTING THE ACTIVITIES DESCRIBED UNDER PARAGRAPH (1).

(II) THE AMOUNT OF REVENUE COLLECTED AND THE AMOUNT
OF REFUNDS AVOIDED AS A RESULT OF THE ACTIVITIES DESCRIBED UNDER PARAGRAPH (1). THE REPORT SHALL ALSO DETAIL THE TYPE OF TAX GENERATING THE REVENUE AND AVOIDED REFUNDS.

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

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

SECTION 1733-L. PENNSYLVANIA STATE POLICE.

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

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

(2) (RESERVED).

SECTION 1734-L. STATE CIVIL SERVICE COMMISSION (RESERVED).

SECTION 1735-L. PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY (RESERVED).

SECTION 1736-L. PENNSYLVANIA FISH AND BOAT COMMISSION (RESERVED).

SECTION 1737-L. STATE SYSTEM OF HIGHER EDUCATION.

EACH PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL COMPLY WITH THE PROVISIONS OF SECTION 1737-J FOR THE FISCAL YEAR BEGINNING JULY 1, 2010.

SECTION 1737.1-L. STATE-RELATED INSTITUTIONS.


SECTION 1738-L. PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY.

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

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

(2) LIMITATION. NO COLLEGE, UNIVERSITY OR INSTITUTION
RECEIVING A DIRECT APPROPRIATION FROM THE COMMONWEALTH SHALL
BE ELIGIBLE TO PARTICIPATE IN THE INSTITUTIONAL ASSISTANCE
GRANTS PROGRAM.

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

SECTION 1739-L. PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION
(RESERVED).

SECTION 1740-L. PENNSYLVANIA INFRASTRUCTURE INVESTMENT
AUTHORITY (RESERVED).

SECTION 1741-L. ENVIRONMENTAL HEARING BOARD (RESERVED).

SECTION 1742-L. PENNSYLVANIA BOARD OF PROBATION AND PAROLE
(RESERVED).

SECTION 1743-L. PENNSYLVANIA PUBLIC TELEVISION NETWORK
COMMISSION (RESERVED).

SECTION 1744-L. PENNSYLVANIA SECURITIES COMMISSION (RESERVED).

SECTION 1745-L. STATE TAX EQUALIZATION BOARD (RESERVED).

SECTION 1746-L. HEALTH CARE COST CONTAINMENT COUNCIL.

THE HEALTH CARE COST CONTAINMENT COUNCIL SHALL SUBMIT A
REPORT TO THE CHAIRMAN AND MINORITY CHAIRMAN OF THE
APPROPRIATIONS COMMITTEE OF THE SENATE AND THE CHAIRMAN AND
MINORITY CHAIRMAN OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE.
OF REPRESENTATIVES SPECIFYING THE AMOUNT AND SOURCE OF PROCEEDS
RECEIVED FROM THE SALE OF DATA BY THE COUNCIL. THE REPORT SHALL,
SUPPLEMENT THE ANNUAL REPORT OF FINANCIAL EXPENDITURES REQUIRED
UNDER SECTION 17.1 OF THE ACT OF JULY 8, 1986 (P.L.408, NO.89),
KNOWN AS THE HEALTH CARE COST CONTAINMENT ACT. FORTY PERCENT OF
THE PROCEEDS RECEIVED FROM THE SALE OF DATA MAY BE USED FOR THE
OPERATIONS OF THE COUNCIL. THE REMAINDER OF THE PROCEEDS SHALL
BE DEPOSITED IN THE GENERAL FUND AND SHALL NOT BE EXPENDED
UNLESS APPROPRIATED BY THE GENERAL ASSEMBLY.

SECTION 1747-L. STATE ETHICS COMMISSION (RESERVED).

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

SECTION 1749-L. THADDEUS STEVENS COLLEGE OF TECHNOLOGY
(RESERVED).

SECTION 1750-L. PENNSYLVANIA HOUSING FINANCE AGENCY (RESERVED).

SECTION 1751-L. LIHEABG (RESERVED).

SECTION 1752-L. BUDGET STABILIZATION RESERVE FUND (RESERVED).

SUBARTICLE C

LEGISLATIVE DEPARTMENT

SECTION 1761-L. AUTHORIZATION TO TRANSFER CERTAIN LEGISLATIVE
APPROPRIATIONS.

(A) TRANSFER.--ALL APPROPRIATIONS MADE IN THE GENERAL
APPROPRIATION ACT OF 2010 OR IN ANY OTHER ACT IN ANY FISCAL YEAR
TO AN ACCOUNT OF AN AGENCY WITHIN SECTIONS 253, 254, 255, 256,
257, 258, 259, 260, 261, 262, 263 AND 264 OF THE GENERAL
APPROPRIATION ACT OF 2010 REMAINING UNEXPENDED ON THE EFFECTIVE
DATE OF THE GENERAL APPROPRIATION ACT OF 2010 MAY BE TRANSFERRED
TO THE ACCOUNTS OF THE AGENCIES WITHIN SECTIONS 253, 254, 255,
256, 257, 258, 259, 260, 261, 262, 263 AND 264 UPON THE WRITTEN
CONCURRENCE OF ALL OF THE FOLLOWING:

(1) THE PRESIDENT PRO TEMPORE OF THE SENATE.
THE MAJORITY LEADER OF THE SENATE.

THE MINORITY LEADER OF THE SENATE.

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

THE MAJORITY LEADER OF THE HOUSE OF REPRESENTATIVES.

THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES.

(B) LIMITATION.--THE POWER TO TRANSFER APPROPRIATIONS UNDER SUBSECTION (A) SHALL BE LIMITED TO THE 2010–2011 FISCAL YEAR.

SUBARTICLE D

JUDICIAL DEPARTMENT

SECTION 1781-L. SUPREME COURT (RESERVED).

SECTION 1782-L. SUPERIOR COURT (RESERVED).

SECTION 1783-L. COMMONWEALTH COURT (RESERVED).

SECTION 1784-L. COURTS OF COMMON PLEAS (RESERVED).

SECTION 1785-L. COMMUNITY COURTS; MAGISTERIAL DISTRICT JUDGES (RESERVED).

SECTION 1786-L. PHILADELPHIA TRAFFIC COURT (RESERVED).

SECTION 1787-L. PHILADELPHIA MUNICIPAL COURT (RESERVED).

SECTION 1788-L. JUDICIAL CONDUCT BOARD (RESERVED).

SECTION 1789-L. COURT OF JUDICIAL DISCIPLINE (RESERVED).

SECTION 1790-L. JUROR COST REIMBURSEMENT (RESERVED).

SECTION 1791-L. COUNTY COURT REIMBURSEMENT (RESERVED).

SECTION 1792-L. SENIOR JUDGES (RESERVED).

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

ARTICLE XVII-M

2010–2011 RESTRICTIONS ON APPROPRIATIONS FOR FUNDS AND ACCOUNTS

SECTION 1701-M. APPLICABILITY.

EXCEPT AS SPECIFICALLY PROVIDED IN THIS ARTICLE, THIS ARTICLE APPLIES TO THE GENERAL APPROPRIATION ACT OF 2010 AND ALL OTHER APPROPRIATION ACTS OF 2010.
SECTION 1702-M. STATE LOTTERY FUND.

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

(2) (RESERVED).

SECTION 1703-M. ENERGY CONSERVATION AND ASSISTANCE FUND.

(RESERVED).

SECTION 1704-M. JUDICIAL COMPUTER SYSTEM AUGMENTATION ACCOUNT

(RESERVED).

SECTION 1704.1-M. ACCESS TO JUSTICE ACCOUNT (RESERVED).

SECTION 1705-M. EMERGENCY MEDICAL SERVICES OPERATING FUND

(RESERVED).

SECTION 1706-M. STATE STORES FUND (RESERVED).

SECTION 1707-M. MOTOR LICENSE FUND.

A PORTION OF THE APPROPRIATION FOR THE OFFICE OF THE BUDGET
MAY BE DISTRIBUTED UPON APPROVAL OF THE SECRETARY TO OTHER STATE
AGENCIES TO PAY FOR COMPTROLLER SERVICES PROVIDED TO THE AGENCY.

THE SECRETARY SHALL PROVIDE NOTICE TEN DAYS PRIOR TO A
DISTRIBUTION UNDER THIS SECTION TO THE CHAIRMAN AND MINORITY
CHAIRMAN OF THE APPROPRIATIONS COMMITTEE OF THE SENATE AND THE
CHAIRMAN AND MINORITY CHAIRMAN OF THE APPROPRIATIONS COMMITTEE
OF THE HOUSE OF REPRESENTATIVES.

SECTION 1708-M. HAZARDOUS MATERIAL RESPONSE FUND (RESERVED).

SECTION 1709-M. MILK MARKETING FUND (RESERVED).

SECTION 1710-M. HOME INVESTMENT TRUST FUND (RESERVED).

SECTION 1711-M. TUITION PAYMENT FUND (RESERVED).

SECTION 1712-M. BANKING DEPARTMENT FUND (RESERVED).

SECTION 1713-M. FIREARM RECORDS CHECK FUND (RESERVED).

SECTION 1714-M. BEN FRANKLIN TECHNOLOGY DEVELOPMENT AUTHORITY
FUND (RESERVED).

SECTION 1715-M. TOBACCO SETTLEMENT FUND.
(A) DEPOSITS.--

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

(I) FOR FISCAL YEAR 2010-2011, THE STRATEGIC CONTRIBUTION PAYMENTS RECEIVED IN FISCAL YEAR 2009-2010, PURSUANT TO THE MASTER SETTLEMENT AGREEMENT SHALL BE DEPOSITED IN THE TOBACCO SETTLEMENT FUND.

(II) FOR FISCAL YEAR 2010-2011, $15,000,000 OF THE FUNDS DERIVED UNDER SECTION 303(B)(3) OF THE TOBACCO SETTLEMENT ACT SHALL BE DEPOSITED INTO THE TOBACCO SETTLEMENT FUND.

(III) FOR FISCAL YEAR 2010-2011, 25% OF THE MONEY Appropriated under Section 306(B)(1)(III) of the Tobacco Settlement Act may not be expended, transferred or lapsed but shall remain in the Tobacco Settlement Fund.

(IV) FOR FISCAL YEAR 2010-2011, 33.3% OF THE MONEY Appropriated under Section 306(B)(1)(VI) of the Tobacco Settlement Act may not be expended, transferred or lapsed but shall remain in the Tobacco Settlement Fund.

(2) Money deposited into the fund under paragraph (1) shall be appropriated for health-related purposes. If applicable, the amount appropriated in accordance with this paragraph shall be matched by appropriated federal augmenting funds.

(B) TRANSFERS.--

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

(I) FOR FISCAL YEAR 2010-2011, 100% OF THE MONEY RECEIVED IN FISCAL YEAR 2009-2010 AND APPROPRIATED UNDER

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SECTION 306(B)(1)(I) OF THE TOBACCO SETTLEMENT ACT SHALL
BE TRANSFERRED FROM THE TOBACCO ENDOWMENT ACCOUNT FOR
LONG-TERM HOPE TO THE TOBACCO SETTLEMENT FUND.

(II) (RESERVED).

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

(3) NOTWITHSTANDING ANY PROVISIONS OF LAW TO THE
CONTRARY, AFTER ALL TRANSFERS REQUIRED UNDER PARAGRAPH (1)(I)
ARE MADE, $121,000,000 REMAINING IN THE TOBACCO ENDOWMENT
ACCOUNT FOR LONG-TERM HOPE SHALL BE TRANSFERRED TO A
RESTRICTED RECEIPT ACCOUNT HEREBY CREATED IN THE GENERAL FUND
AND SHALL BE USED TO AUGMENT THE APPROPRIATION FOR PAYMENT OF
REQUIRED CONTRIBUTION FOR PUBLIC SCHOOL EMPLOYEES'
RETIREMENT.

(4) NOTWITHSTANDING THE PROVISIONS OF CHAPTER 3 OF THE
TOBACCO SETTLEMENT ACT, ALL REMAINING ASSETS, CASH AND
INVESTMENTS IN THE TOBACCO ENDOWMENT ACCOUNT FOR LONG-TERM
HOPE, AFTER THE TRANSFER IN PARAGRAPHS (1)(I) AND (3) ARE
MADE, AND ANY OTHER FUNDS DEPOSITED IN THE ACCOUNT IN FISCAL
YEAR 2010-2011, SHALL BE TRANSFERRED BY JUNE 1, 2011, TO THE
TOBACCO SETTLEMENT FUND.

(5) NOTWITHSTANDING THE PROVISIONS OF CHAPTER 3 OF THE
TOBACCO SETTLEMENT ACT, FOR FISCAL YEAR 2010-2011,
$250,000,000 SHALL BE TRANSFERRED FROM THE TOBACCO SETTLEMENT
FUND TO THE GENERAL FUND.

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

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

(2) The remaining 70% of grant funding to primary contractors for local programs shall be allocated on a per capita basis of each county with a population greater than 60,000. The per capita formula shall be applied only to that portion of the population that is greater than 60,000 for each county.

(3) Budgets shall be developed by each primary contractor to reflect service planning and expenditures in each county. Each primary contractor will ensure that services are available to residents of each county and must expend the allocated funds on a per-county basis pursuant to paragraphs (1) and (2).

(4) The Department of Health shall compile a detailed annual report of expenditures per county and the specific programs offered in each region. This report shall be made available on the Department of Health's publicly available internet website 60 days following the close of each fiscal year.

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

(D) Use of money for lobbying prohibited.--No money derived from an appropriation by the General Assembly from the tobacco settlement fund may be used for the lobbying of any State public official.

Section 1716-M. Community health reinvestment restricted account.
(A) ESTABLISHMENT.--THERE IS ESTABLISHED IN THE STATE TREASURY A RESTRICTED RECEIPT ACCOUNT IN THE TOBACCO SETTLEMENT FUND TO BE KNOWN AS THE COMMUNITY HEALTH REINVESTMENT RESTRICTED ACCOUNT. INTEREST EARNED ON MONEY IN THE ACCOUNT SHALL REMAIN IN THE ACCOUNT.

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

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

SECTION 1717-M. HEALTH CARE PROVIDER RETENTION ACCOUNT. (RESERVED).

SECTION 1717.1-M. MEDICAL CARE AVAILABILITY AND REDUCTION OF ERROR FUND. (RESERVED).

SECTION 1718-M. BUDGET STABILIZATION RESERVE FUND. (RESERVED).

SECTION 1718.1-M. (RESERVED).

SECTION 1719-M. RESTRICTED RECEIPT ACCOUNTS.

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

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

1. ARC HOUSING REVOLVING LOAN PROGRAM.
2. (RESERVED).

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

1. FEDERAL AID TO VOLUNTEER FIRE COMPANIES.
2. FEDERAL LAND AND WATER CONSERVATION FUND ACT.
3. NATIONAL FOREST RESERVED LAND USE ACT.
4. FEDERAL LAND AND WATER CONSERVATION FUND ACT - CONSERVATION AND NATURAL RESOURCES.

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

1. EDUCATION OF THE DISABLED - PART C.
2. LSTA - LIBRARY GRANTS.
3. THE PENNSYLVANIA STATE UNIVERSITY FEDERAL AID.
4. EMERGENCY IMMIGRATION EDUCATION ASSISTANCE.
5. EDUCATION OF THE DISABLED - PART D.
6. HOMELESS ADULT ASSISTANCE PROGRAM.
7. SEVERELY HANDICAPPED.
8. MEDICAL ASSISTANCE REIMBURSEMENTS TO LOCAL EDUCATION AGENCIES.

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

1. FEDERAL WATER RESOURCES PLANNING ACT.
(2) FLOOD CONTROL PAYMENTS.

(3) SOIL AND WATER CONSERVATION ACT – INVENTORY OF
PROGRAMS.

(F) DEPARTMENT OF HEALTH.—THE FOLLOWING RESTRICTED RECEIPT
Accounts may be established for the Department of Health:

(1) SHARE LOAN PROGRAM.

(2) (RESERVED).

(G) DEPARTMENT OF TRANSPORTATION.—THE FOLLOWING RESTRICTED
RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE DEPARTMENT OF
TRANSPORTATION:

(1) CAPITAL ASSISTANCE ELDERLY AND HANDICAPPED PROGRAMS.

(2) RAILROAD REHABILITATION AND IMPROVEMENT ASSISTANCE.

(3) RIDESHARING/VAN POOL PROGRAM – ACQUISITION.

(H) PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY.—THE FOLLOWING
RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE
PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY:

(1) RECEIPTS FROM FEDERAL GOVERNMENT – DISASTER RELIEF –
DISASTER RELIEF ASSISTANCE TO STATE AND POLITICAL
SUBDIVISIONS.

(2) (RESERVED).

(I) PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION.—THE
FOLLOWING RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE
PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION:

(1) FEDERAL GRANT – NATIONAL HISTORIC PRESERVATION ACT.

(2) (RESERVED).

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

(1) RETIRED EMPLOYEES MEDICARE PART D.

(2) JUSTICE ASSISTANCE.

(3) JUVENILE ACCOUNTABILITY INCENTIVE.
SECTION 1720-M. STATE GAMING FUND (RESERVED).

SECTION 1721-M. PENNSYLVANIA RACEHORSE DEVELOPMENT FUND (RESERVED).

SECTION 1722-M. STRAW PURCHASE PREVENTION EDUCATION FUND (RESERVED).

SECTION 1723-M. BUDGET STABILIZATION RESERVE FUND.

NOTWITHSTANDING THE PROVISIONS OF SUBARTICLE A OF ARTICLE XVII-A, IN FISCAL YEAR 2010-2011, $745,000 SHALL BE TRANSFERRED FROM THE BUDGET STABILIZATION RESERVE FUND TO THE GENERAL FUND. THE PROVISIONS OF SECTION 1703-A SHALL NOT APPLY TO THIS SECTION.

SECTION 1724-M. EMERGENCY MEDICAL SERVICES OPERATING FUND.

NOTWITHSTANDING THE PROVISIONS OF 35 PA.C.S. CH. 81 (RELATING TO EMERGENCY MEDICAL SERVICES SYSTEM) AND 75 PA.C.S. § 3121 (RELATING TO EMS COSTS), IN FISCAL YEAR 2010-2011, $5,000,000 SHALL BE TRANSFERRED FROM THE EMERGENCY MEDICAL SERVICES OPERATING FUND TO THE GENERAL FUND.

SECTION 1725-M. HIGHWAY BEAUTIFICATION FUND.

NOTWITHSTANDING THE ACT OF DECEMBER 15, 1971 (P.L.596, NO.160), KNOWN AS THE OUTDOOR ADVERTISING CONTROL ACT OF 1971, FOR FISCAL YEAR 2010-2011, $800,000 SHALL BE TRANSFERRED FROM THE HIGHWAY BEAUTIFICATION FUND TO THE GENERAL FUND.

SECTION 1726-M. KEYSTONE RECREATION, PARK AND CONSERVATION FUND.

NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, FOR FISCAL YEAR 2010-2011, THE TOTAL AMOUNT OF FUNDING AVAILABLE TO THE STATE SYSTEM OF HIGHER EDUCATION FOR DEFERRED MAINTENANCE UNDER THE ACT OF JULY 2, 1993 (P.L.359, NO.50), KNOWN AS THE KEYSTONE RECREATION, PARK AND CONSERVATION FUND ACT, SHALL BE TRANSFERRED FROM THE KEYSTONE RECREATION, PARK AND CONSERVATION FUND.
FUND TO THE GENERAL FUND.

SECTION 1727-M. LOCAL GOVERNMENT CAPITAL PROJECT FUND.

NOTWITHSTANDING ARTICLE XVI-D, FOR FISCAL YEAR 2010-2011, $1,000,000 SHALL BE TRANSFERRED FROM THE LOCAL GOVERNMENT CAPITAL PROJECT FUND TO THE GENERAL FUND.

SECTION 1728-M. LOW-LEVEL WASTE FUND.

NOTWITHSTANDING THE ACT OF FEBRUARY 9, 1988 (P.L.31, NO.12), KNOWN AS THE LOW-LEVEL RADIOACTIVE WASTE DISPOSAL ACT, FOR FISCAL YEAR 2010-2011, $2,700,000 SHALL BE TRANSFERRED FROM THE LOW-LEVEL WASTE FUND TO THE GENERAL FUND.

SECTION 1729-M. PENNSYLVANIA ECONOMIC REVITALIZATION FUND.

NOTWITHSTANDING THE ACT OF JULY 2, 1984 (P.L.512, NO.104), KNOWN AS THE PENNSYLVANIA ECONOMIC REVITALIZATION ACT, FOR FISCAL YEAR 2010-2011, $5,400,000 SHALL BE TRANSFERRED FROM THE PENNSYLVANIA ECONOMIC REVITALIZATION FUND TO THE GENERAL FUND. MONEYS REMAINING IN THE FUND SHALL BE USED TO RETIRE ALL OF THE OUTSTANDING DEBT PAYABLE ATTRIBUTED TO THE FUND.

SECTION 1730-M. SMALL BUSINESS FIRST FUND.

NOTWITHSTANDING 12 PA.C.S. PT. III (RELATING TO ECONOMIC DEVELOPMENT PROGRAMS), FOR FISCAL YEAR 2010-2011, $4,000,000 SHALL BE TRANSFERRED FROM THE SMALL BUSINESS FIRST FUND TO THE GENERAL FUND.

ARTICLE XVII-N

RETIREMENT

SECTION 1701-N. PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM RECERTIFICATION TO SECRETARY OF THE BUDGET.

NOTWITHSTANDING ANY OTHER PROVISIONS OF LAW TO THE CONTRARY, THE PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD SHALL, EFFECTIVE FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, RECERTIFY TO THE SECRETARY OF THE BUDGET AND THE EMPLOYERS, AS DEFINED IN 24
PA.C.S. § 8102 (RELATING TO DEFINITIONS), WITHIN 20 DAYS OF THE
EFFECTIVE DATE OF THIS SECTION, THE EMPLOYER CONTRIBUTION RATE
EXPRESSED AS A PERCENTAGE OF MEMBERS' PAYROLL NECESSARY FOR THE
FUNDING OF PROSPECTIVE ANNUITIES FOR ACTIVE MEMBERS AND THE
ANNUITIES OF ANNUITANTS TO BE 5.00%, PLUS THE PREMIUM ASSISTANCE
CONTRIBUTION RATE OF .64% IN ACCORDANCE WITH 24 PA.C.S. §
8328(F) (RELATING TO ACTUARIAL COST METHOD), AND ALSO RECERTIFY
THE RATES, FACTORS AND AMOUNTS SET FORTH IN 24 PA.C.S. § 8502(K)
(RELATING TO ADMINISTRATIVE DUTIES OF BOARD) TO REFLECT THE
IMPACT OF THE RECERTIFIED RATES PROVIDED IN THIS SECTION. THIS
RECERTIFICATION SHALL SUPERSEDE THE PRIOR CERTIFICATION FOR THE
FISCAL YEAR BEGINNING JULY 1, 2010, FOR ALL PURPOSES.

SECTION 1702-N. STATE EMPLOYEES' RETIREMENT SYSTEM.

NOTWITHSTANDING ANY PROVISION OF 71 PA.C.S. (RELATING TO
STATE GOVERNMENT) OR OTHER LAW TO THE CONTRARY, AND
NOTWITHSTANDING ANY ACTUARIAL CALCULATION RESULTING IN ANY
EMPLOYER CONTRIBUTION RATE PREVIOUSLY MADE AND CERTIFIED BY THE
STATE EMPLOYEES' RETIREMENT BOARD PURSUANT TO 71 PA.C.S. FOR THE
FISCAL YEAR BEGINNING JULY 1, 2010, AND ENDING JUNE 30, 2011,
THE COMPOSITE EMPLOYER CONTRIBUTION RATE TO DETERMINE
CONTRIBUTIONS BY THE COMMONWEALTH AND OTHER EMPLOYERS TO THE
STATE EMPLOYEES' RETIREMENT SYSTEM FOR THE FISCAL YEAR BEGINNING
JULY 1, 2010, AND ENDING JUNE 30, 2011, SHALL BE 1% OF
COMPENSATION GREATER THAN THE COMPOSITE EMPLOYER CONTRIBUTION
RATE FOR THE IMMEDIATELY PRIOR FISCAL YEAR. IN ADDITION TO THE
TEMPORARILY LIMITED COMPOSITE EMPLOYER CONTRIBUTION RATE
ESTABLISHED BY THIS SECTION, THE COMMONWEALTH AND OTHER
EMPLOYERS WHOSE EMPLOYEES ARE ACTIVE MEMBERS IN THE STATE
EMPLOYEES' RETIREMENT SYSTEM SHALL MAKE THE CONTRIBUTIONS TO
FUND THE BENEFITS COMPLETION PLAN ESTABLISHED UNDER 71 PA.C.S. §
5941 (RELATING TO BENEFITS COMPLETION PLAN) AS CERTIFIED BY THE
STATE EMPLOYEES' RETIREMENT BOARD.

SECTION 4. INTENT REGARDING LEGISLATION.

(A) IT IS THE INTENT OF THE HOUSE MAJORITY LEADERSHIP AND
SENATE MAJORITY LEADERSHIP TO PASS LEGISLATION THAT RAISES
REVENUE FROM THE EXTRACTION OF MARCELLUS SHALE NATURAL GAS BY
OCTOBER 1, 2010, WITH AN EFFECTIVE DATE FOR IMPLEMENTATION NO
LATER THAN JANUARY 1, 2011. IT IS THE FURTHER INTENT TO HAVE
REVENUE RAISED FROM THE EXTRACTION OF MARCELLUS SHALE NATURAL
GAS TO BE DIVIDED BY A RATIO TO BE DETERMINED BY LEGISLATION
BETWEEN THE COMMONWEALTH, COUNTIES AND MUNICIPALITIES, AND
ENVIRONMENTAL INITIATIVES.

(B) IT IS THE INTENT OF THE SENATE MAJORITY LEADERSHIP AND
HOUSE MAJORITY LEADERSHIP TO PASS LEGISLATION ESTABLISHING A NEW
INDEPENDENT AGENCY TO BE KNOWN AS THE INDEPENDENT FISCAL OFFICE
NO LATER THAN OCTOBER 1, 2010, WITH AN EFFECTIVE DATE FOR
IMPLEMENTATION NO LATER THAN JANUARY 1, 2011.

(C) THIS SECTION SHALL EXPIRE DECEMBER 1, 2010.

SECTION 5. REPEALS ARE AS FOLLOWS:

(1) THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER
PARAGRAPH (2) IS NECESSARY TO EFFECTUATE THE ADDITION OF
SECTION 1761-L OF THE ACT.

(2) SECTION 1909 OF THE ACT OF , 2010 (P.L. ,
NO. ), KNOWN AS THE GENERAL APPROPRIATION ACT OF 2010, IS
REPEALED.

(3) THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER
PARAGRAPH (4) IS NECESSARY TO EFFECTUATE THE ADDITION OF
SECTION 1723-M OF THE ACT.

(4) SECTION 2912-F(C) OF THE ACT OF MARCH 4, 1971
(P.L.6, NO.2), KNOWN AS THE TAX REFORM CODE OF 1971, IS
REPEALED.
REPEALED.

SECTION 6. IF ENACTED AFTER JULY 1, 2010, THIS ACT SHALL BE RETROACTIVE TO JULY 1, 2010.

SECTION 7. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.