

No. 2007-42

AN ACT

HB 1295

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 Commonwealth employees group life insurance; further providing for the State System of Higher Education and for budget implementation; providing for general budget implementation and for 2007-2008 budget implementation and restrictions on appropriations for funds and accounts; and making a related repeal.

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 1508. Use and Appropriation of Unused Commonwealth Funds.—(a) Whenever the Governor has declared a disaster emergency, the Governor may transfer any unused funds which may have been appropriated for the ordinary expenses of the State government in the General Fund to such Commonwealth agencies as the Governor may direct to be expended for relief of disaster in such manner as the Governor shall approve, and the funds are hereby appropriated to the Governor for such purposes. The total of the transfers under this subsection shall not exceed twenty million dollars (\$20,000,000) in any one fiscal year except by action of the General Assembly.

(b) Whenever the Governor shall have proclaimed a disaster emergency under 35 Pa.C.S. § 7301(c) (relating to general authority of Governor), the Governor shall have power to transfer any unused funds

which may have been appropriated for the ordinary expenses of government in the General Fund to such Commonwealth agencies as he may direct to be expended for reimbursements as provided in 35 Pa.C.S. § 7705(a) and (b) (relating to special powers of local agencies). Such reimbursements shall be made in accordance with and to the extent permitted by regulations issued by such agency or agencies as the Governor may designate to administer the reimbursement programs established by 35 Pa.C.S. § 7705(a) and (b). The total of such transfers shall never exceed five million dollars (\$5,000,000) in any one fiscal year except by action of the General Assembly.

Section 1.1. The act is amended by adding an article to read:

ARTICLE XV-A

COMMONWEALTH EMPLOYEES GROUP LIFE INSURANCE

Section 1501-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:

“Annual pay rate.” The base pay rate annualized and, in the case of hourly eligible employees, computed on the basis of expected work hours.

“Department.” The Department of General Services of the Commonwealth.

“Employees.” A permanent, continuously scheduled employee of the executive, judicial or legislative branch of the Commonwealth, its commissions, boards, departments and authorities. The term shall include members of the General Assembly.

“Life insurance.” Life insurance procured under this article.

“Secretary.” The Secretary of General Services of the Commonwealth.

Section 1502-A. Group life insurance.

(a) Procurement by department.—Except as provided under subsection (b), the department, with the approval of the Governor and with the advice of the Insurance Commissioner, shall procure from one or more life insurance companies, authorized to do business in this Commonwealth, a policy or policies of group life insurance covering eligible employees.

(b) Legislative branch.—Upon written notice to the secretary, an individual agency of the General Assembly may procure life insurance for its eligible employees, including members of the General Assembly, in place of life insurance available under subsection (a). Any life insurance procured under this subsection shall, at a minimum, meet the requirements of sections 1503-A, 1504-A, 1505-A, 1506-A and 1508-A.

(c) Eligibility.—An employee under subsection (a) or (b) in active service shall be eligible for life insurance under this article if the employee has completed three months’ continuous service as an employee under subsection (a) or (b). Temporary employees shall not be eligible.

Section 1503-A. Amount.

(a) *Schedule.*—The amount of life insurance for any eligible employee shall be based on the eligible employee's annual pay rate from the Commonwealth in accordance with a schedule to be submitted annually by the secretary for publication in the *Pennsylvania Bulletin*.

(b) *Reduction.*—The amount of life insurance for any eligible employees 70 years of age or older shall be one-half the amount of life insurance provided under the schedule published under subsection (a).

(c) *Change in amount.*—Any change in the amount of life insurance made necessary by a change in pay shall take effect on the next succeeding program anniversary.

Section 1504-A. Contributions.

(a) *Eligible employee payment.*—Except as provided under subsection (b), each eligible employee covered by life insurance shall pay, either directly or by means of a payroll deduction authorized by the employee, the cost of the insurance in an amount as may be determined from time to time on the basis of the actual total costs of the life insurance policy or policies contracted for by the Commonwealth.

(b) *Commonwealth payment.*—The Commonwealth may agree to pay all or any of the costs for life insurance.

Section 1505-A. Termination.

(a) *Cessation.*—Except as provided under subsection (b), life insurance shall, subject to any conversion privilege, cease upon the occurrence of any of the following:

(1) *Termination of employment.*

(2) *Nonpayment of any contribution due from an eligible employee.*

(3) *After 12 continuous months of unpaid absence.*

(b) *Disability.*—Life insurance shall be continued for employees who terminate after becoming permanently and totally disabled while covered under this program.

Section 1506-A. Automatic coverage.

(a) *Provision for coverage.*—Any policy of life insurance shall provide that all eligible employees shall be automatically covered commencing on the date they first become eligible.

(b) *Notice.*—An employee desiring not to be covered by life insurance shall give written notice on a prescribed form to the employee's employing office that the employee desires not to be insured. If the notice is received before the employee becomes insured under the policy, the employee shall not be insured. If the notice is received after the employee becomes insured, the employee's insurance under the policy will cease effectiveness with the end of the pay period during which the notice is received by the employing office.

Section 1507-A. Secretary to be agent.

(a) *Agent.*—Except for life insurance procured under section 1502-A(b), the secretary is exclusively authorized and shall have the duty to

transact all business necessary for the purpose of contracting for insurance under this article.

(b) Commission.—The life insurance company or companies from whom life insurance is procured by the secretary shall compute commissions in accordance with their standard practice followed in other similar plans. The commissions shall be paid to the secretary to offset administrative and other expenses incurred in the administration of the insurance plan.

Section 1508-A. Applicability of insurance laws.

All life insurance shall be subject to the laws of this Commonwealth relating to insurance.

Section 2. Section 1737-B of the act, added July 5, 2006 (P.L.296, No.66), is amended to read:

Section 1737-B. State System of Higher Education.

[(Reserved).]

The following shall apply to executive authorizations from the Keystone Recreation, Park and Conservation Fund for the State System of Higher Education:

(1) Notwithstanding the provisions of section 12(b) of the act of July 2, 1993 (P.L.359, No.50), known as the Keystone Recreation, Park and Conservation Fund Act, for fiscal year 2006-2007, the entire amount of the transfer under section 1106-C(d) of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, shall be paid to the State System of Higher Education.

(2) (Reserved).

Section 3. Section 1720-C(c) of the act, added July 5, 2006 (P.L.296, No.66), is repealed:

Section 1720-C. State Gaming Fund.

[(c) Transfers for Volunteer Fire Company Grant Program.—Commencing with Fiscal Year 2006-2007 and continuing annually thereafter, the sum of \$25,000,000 shall be transferred from the State Gaming Fund to the General Fund and is hereby appropriated to the Volunteer Fire Company Grant Program on a continuing basis.]

Section 4. The act is amended by adding articles to read:

**ARTICLE XVII-E
GENERAL BUDGET IMPLEMENTATION**

**SUBARTICLE A
PRELIMINARY PROVISIONS**

Section 1701-E. Applicability.

This article applies to appropriations from every General Appropriation Act.

Section 1702-E. 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.*

“BG.” *Block Grant.*

“CCDFBG.” *Child Care and Development Fund Block Grant.*

“CSBG.” *Community Services Block Grant.*

“DCSI.” *Drug Control and Systems Improvement Formula Grant Program.*

“DFSC.” *Drug Free Schools and Communities Act.*

“DOE.” *Department of Energy.*

“EEOC.” *Equal Employment Opportunity Commission.*

“EPA.” *Environmental Protection Agency.*

“ESEA.” *Elementary and Secondary Education Act.*

“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.” *Library Services and Technology Act.*

“MCHSBG.” *Maternal and Child Health Services Block Grant.*

“MH SBG.” *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.” *Workforce Investment Act.*

“WIC.” *Women, Infants and Children Program.*

Section 1703-E. Warrants (Reserved).

**SUBARTICLE B
EXECUTIVE DEPARTMENT**

Section 1711-E. Governor (Reserved).

Section 1712-E. Executive Offices.

The following shall apply to appropriations for the Executive Offices:

(1) Pennsylvania Commission on Crime and Delinquency. Funds remaining after application of section 202 of a General Appropriation Act for the appropriation for grants-in-aid for intermediate punishment programs shall be distributed to counties based on the following formula:

(i) Fifty percent shall be based on the proportion of offenders diverted from the county prison system to county intermediate punishment programs.

(ii) Fifty percent shall be based on the proportion of offenders diverted from the State correctional system to the county prison system.

(2) Grants for specialized probation services, including school-based, community-based, intensive supervision and aftercare services, shall be provided in accordance with standards adopted by the Juvenile Court Judges Commission.

Section 1713-E. Lieutenant Governor (Reserved).**Section 1714-E. Attorney General (Reserved).****Section 1715-E. Auditor General.**

The following shall apply to appropriations to the Auditor General:

(1) Funds appropriated to the Department of the Auditor General shall be for the purpose of performing postaudits in accordance with generally accepted government auditing standards.

(2) (Reserved).

Section 1716-E. Treasury Department.

The following shall apply to appropriations to the Treasury Department:

(1) Payments for the Commonwealth's portion of expenses of councils, commissions, conferences, boards, associations, coalitions and institutes shall be made only on requisition of the Governor on behalf of the organization, which shall file an accounting of expenses with the Auditor General.

(2) (Reserved).

Section 1716.1-E. Insurance Restructuring Restricted Receipt Account.

(a) Establishment.—There is established a restricted receipt account in the State Treasury to be known as the Insurance Restructuring Restricted Receipt Account. Interest earned on money in the account shall remain in the account.

(b) Deposit.—All net economic benefits, including proceeds, savings, funds and other money derived from the merger, consolidation or other acquisition of control of a hospital plan corporation or professional health services plan corporation, which are to be used to fund any portion of a health care or health care-related program of, or administered by, the Commonwealth shall be deposited into the account.

(c) *Prohibition.*—No contract or written agreement between the Commonwealth and a hospital plan corporation or professional health services plan corporation may be entered into relating to the disbursement or spending of the economic benefits, proceeds, savings, funds or other money resulting from the merger, consolidation or other acquisition of control of a hospital plan corporation or professional health services plan corporation until funds are appropriated under subsection (d).

(d) *Appropriation.*—No fund or money may be transferred or paid from the account unless appropriated by the General Assembly for health-related purposes.

Section 1717-E. Department of Aging (Reserved).

Section 1718-E. Department of Agriculture.

The following shall apply to appropriations for the Department of Agriculture:

(1) *No expenditures may be made from the appropriation for the payment to the State Farm Products Show Fund or from the State Farm Products Show Fund for any activities associated with the PAFE unless such activities take place on the premises of the Farm Show Complex, Harrisburg, Pennsylvania.*

(2) *The department may make allocations of appropriations for development and operation of an open livestock show, for planning and staging of an open dairy show and for promotion and holding of annual local, regional and State 4H clubs and Future Farmers of America dairy shows as it deems appropriate, to an association whose purposes are in accord with the purposes and intent of the appropriations. Allocations under this paragraph shall be used for the development and operation of Livestock, Dairy and Junior Dairy Shows in the Pennsylvania Farm Show Complex, provided that the funds allocated by the department shall only be used for the specific items approved by the department in advance.*

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

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

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

(2) *(Reserved).*

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

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

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

Section 1723-E. Department of Environmental Protection (Reserved).

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

Section 1725-E. Department of Health (Reserved).

Section 1726-E. Insurance Department (Reserved).

Section 1727-E. Department of Labor and Industry (Reserved).

Section 1728-E. Department of Military and Veterans Affairs (Reserved).

Section 1729-E. Department of Public Welfare.

The following shall apply to appropriations for the Department of Public Welfare:

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

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

(i) (Reserved).

(ii) (Reserved).

(iii) (Reserved).

(iv) (Reserved).

(v) (Reserved).

(vi) (Reserved).

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

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

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

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

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

(I) Family size.

(II) Household income.

(III) County of residence.

(IV) Length of residence in this Commonwealth.

(V) Third-party insurance information.

(VI) Diagnosis and type and cost of services paid for by the medical assistance program on behalf of each eligible and enrolled child described in clause (A).

Section 1730-E. Department of Revenue (Reserved).

Section 1731-E. Department of State (Reserved).

Section 1732-E. Department of Transportation (Reserved).

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

Section 1734-E. State Civil Service Commission.

Funds appropriated to the State Civil Service Commission shall include any funds collected by the commission for the administration of the merit system for employees under the act of August 5, 1941 (P.L.752, No.286), known as the Civil Service Act.

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

Section 1736-E. Pennsylvania Fish and Boat Commission (Reserved).

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

Section 1738-E. Pennsylvania Higher Education Assistance Agency (Reserved).

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

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

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

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

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

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

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

Section 1746-E. Health Care Cost Containment Council (Reserved).

Section 1747-E. State Ethics Commission (Reserved).

Section 1748-E. State Employees' Retirement System (Reserved).

Section 1749-E. Thaddeus Stevens College of Technology (Reserved).

Section 1750-E. Pennsylvania Housing Finance Agency (Reserved).

Section 1751-E. LIHEABG.

The following shall apply to expenditures:

(1) The Department of Public Welfare may, upon approval of the secretary, make transfers of Federal funds appropriated to the Department of Community and Economic Development from LIHEABG for weatherization and administration if the transfer will not result in a deficit in any appropriation from which funds are transferred.

(2) Unexpended weatherization funds which would result in LIHEABG funds being returned to the Department of Health and Human Services may be spent for assistance grants at the discretion of the secretary.

(3) *The secretary shall provide ten days' prior notification of a transfer under paragraph (1) or (2) to the chairman and the 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 1752-E. Budget Stabilization Reserve Fund (Reserved).

SUBARTICLE C LEGISLATIVE DEPARTMENT

Section 1761-E. Senate (Reserved).

Section 1762-E. House of Representatives (Reserved).

Section 1763-E. Legislative Reference Bureau.

(1) *Notwithstanding any other provision of law to the contrary, including 62 Pa.C.S. (relating to procurement), the Pennsylvania Consolidated Statutes, advance copies of statutes, volumes of the Laws of Pennsylvania and other publications shall be printed under contracts entered into by the Legislative Reference Bureau and distributed as determined by the bureau. Money from sales shall be paid to the bureau or the Department of General Services, as the bureau shall determine, and that money shall be paid into the State Treasury to the credit of the General Fund. Money from sales is hereby appropriated from the General Fund to the Legislative Reference Bureau for the editing, printing and distribution of the Pennsylvania Consolidated Statutes, advance copies of statutes, volumes of the Laws of Pennsylvania and other publications and for related expenses.*

(2) *Contingent expenses connected with the work of the bureau shall be paid on warrants of the State Treasurer in favor of the director on the presentation of the director's requisitions.*

(3) *The director shall file an accounting of the contingent expenses, together with supporting documents whenever possible, in the office of the bureau.*

Section 1764-E. Legislative Budget and Finance Committee (Reserved).

Section 1765-E. Legislative Data Processing Committee (Reserved).

Section 1766-E. Joint State Government Commission (Reserved).

Section 1767-E. Local Government Commission (Reserved).

Section 1768-E. Joint Legislative Air and Water Pollution Control and Conservation Committee (Reserved).

Section 1769-E. Legislative Audit Advisory Commission (Reserved).

Section 1770-E. Independent Regulatory Review Commission (Reserved).

Section 1771-E. Capitol Preservation Committee (Reserved).

Section 1772-E. Pennsylvania Commission on Sentencing (Reserved).

Section 1773-E. Center for Rural Pennsylvania (Reserved).

Section 1774-E. Commonwealth Mail Processing Center (Reserved).

Section 1775-E. Chief Clerk of the Senate and Chief Clerk of the House of Representatives (Reserved).

SUBARTICLE D
JUDICIAL DEPARTMENT

Section 1781-E. Supreme Court (Reserved).

Section 1782-E. Superior Court (Reserved).

Section 1783-E. Commonwealth Court (Reserved).

Section 1784-E. Courts of common pleas (Reserved).

Section 1785-E. Community courts - magisterial district judges (Reserved).

Section 1786-E. Philadelphia Traffic Court (Reserved).

Section 1787-E. Philadelphia Municipal Court (Reserved).

Section 1788-E. Judicial Conduct Board (Reserved).

Section 1789-E. Court of Judicial Discipline (Reserved).

Section 1790-E. Juror cost reimbursement (Reserved).

Section 1791-E. County court reimbursement (Reserved).

Section 1792-E. Senior judges (Reserved).

Section 1793-E. Transfer of funds by Supreme Court (Reserved).

SUBARTICLE E
RESTRICTIONS ON APPROPRIATIONS
FOR FUNDS AND ACCOUNTS

Section 1799-E. State Gaming Fund.

(a) Transfers for Volunteer Fire Company and Volunteer Ambulance Service Grant Act.—Commencing with fiscal year 2007-2008 and continuing annually thereafter, the sum of \$25,000,000 shall be transferred from the State Gaming Fund to the General Fund and is hereby appropriated on a continuing basis to the Pennsylvania Emergency Management Agency for the purpose of making grants in accordance with Chapter 7 of the act of July 31, 2003 (P.L.73, No.17), known as the Volunteer Fire Company and Volunteer Ambulance Service Grant Act. Annually, the sum of \$22,000,000 shall be expended for the purpose of making grants to eligible volunteer fire companies pursuant to Chapter 3 of the Volunteer Fire Company and Volunteer Ambulance Service Grant Act. Annually, the sum of \$3,000,000 shall be expended for the purpose of making grants to eligible volunteer ambulance services pursuant to Chapter 5 of the Volunteer Fire Company and Volunteer Ambulance Service Grant Act.

(b) (Reserved).

(c) Performance audit.—Notwithstanding section 408, a performance audit of the Pennsylvania Gaming Control Board commenced in 2007 by the Auditor General shall be paid for from funds appropriated to the Auditor General.

(d) Utilization.—The board shall not encumber or commit funds obtained from any source, including a commercial loan or the sale of gaming receipts, unless appropriated by the General Assembly.

ARTICLE XVII-F
2007-2008 BUDGET IMPLEMENTATION

SUBARTICLE A
PRELIMINARY PROVISIONS

Section 1701-F. Applicability.

Except as specifically provided in this article, this article applies to the General Appropriation Act of 2007.

Section 1702-F. 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 July 17, 2007 (P.L.499, No.8A), known as the General Appropriation Act of 2007.

“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.

“BG.” Block Grant.

“CCDFBG.” Child Care and Development Fund Block Grant.

“CSBG.” Community Services Block Grant.

“DCSI.” Drug Control and Systems Improvement Formula Grant Program.

“DFSC.” Drug Free Schools and Communities Act.

“DOE.” Department of Energy.

“EEOC.” Equal Employment Opportunity Commission.

“EPA.” Environmental Protection Agency.

“ESEA.” Elementary and Secondary Education Act.

“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.” Library Services and Technology Act.

“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." Workforce Investment Act.

"WIC." Women, Infants and Children Program.

Section 1703-F. Warrants (Reserved).

**SUBARTICLE B
EXECUTIVE DEPARTMENT**

Section 1711-F. Governor (Reserved).

Section 1712-F. Executive Offices (Reserved).

Section 1713-F. Lieutenant Governor (Reserved).

Section 1714-F. Attorney General (Reserved).

Section 1715-F. Auditor General (Reserved).

Section 1716-F. Treasury Department (Reserved).

Section 1717-F. Department of Aging (Reserved).

Section 1718-F. Department of Agriculture (Reserved).

Section 1719-F. Department of Community and Economic Development.

The following shall apply to appropriations for the Department of Community and Economic Development in the General Appropriation Act:

(1) Grants from funds appropriated for community revitalization and assistance shall be awarded only after program guidelines, schedules and application procedures are established by the department and published in the Pennsylvania Bulletin.

(2) Funds appropriated for small business development centers shall be allocated as follows:

(i) Small business development centers that received an allocation from the appropriation for small business development centers for fiscal years 2005-2006 and 2006-2007 shall be allocated an amount for fiscal year 2007-2008 which is not less than the amount received in fiscal year 2005-2006.

(ii) Small business development centers that did not receive an allocation from the appropriation for small business development centers for fiscal year 2005-2006 shall be allocated an amount for fiscal year 2007-2008, which is not less than the amount received from the appropriation for small business development centers for fiscal year 2006-2007.

(iii) The State director's office, including the energy management assistance program and the strategic initiative plans program, shall be allocated in an amount which is not less than the amounts received from the appropriation for small business development centers for fiscal year 2005-2006.

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

Section 1721-F. Department of Corrections.

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

(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-F. Department of Education.

The following shall apply to appropriations for the¹ Department of Education in the General Appropriation Act:

(1) Annual payments from the appropriation to institutions of higher learning for defraying the expenses of deaf or blind students shall not exceed \$500 per student.

(2) Grants to engineering schools approved by the Accreditation Board of Engineering and Technology prorated based upon full-time equivalent student enrollment may only be used for the acquisition or upgrading of engineering instructional equipment. At least \$2 of private funds shall be required for each \$1 of grant funds.

Section 1723-F. Department of Environmental Protection (Reserved).

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

Section 1725-F. 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 2006-2007.

(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.

Section 1726-F. Insurance Department (Reserved).

Section 1727-F. 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 \$2,584,000 for a Statewide professional service provider association for the blind to provide specialized services and prevention of blindness services.

(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

¹"appropriations of the" in enrolled bill.

limitations under section 903 of the Social Security Act (49 Stat. 620, 42 U.S.C. § 1103).

Section 1728-F. Department of Military and Veterans Affairs (Reserved).

Section 1729-F. 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 TANFBG Child Care Assistance to the CCDFBG 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 the 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 2007-2008, 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 2006-2007.

(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 2007-2008.

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

(3) (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 for 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) Funds appropriated for women's service programs shall be used for women's medical services, including noninvasive contraception supplies.

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

(5) Behavioral health services. All available intergovernmental transfer funds appropriated to augment appropriations, including prior year carryover funds, shall be spent prior to Commonwealth funds.

(6) 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.*

(7) *TANF transition. Funds appropriated for Child Welfare TANF transition may be disbursed by the department in accordance with section 205 of the Public Welfare Code as one time grants to county children and youth agencies. The department shall utilize guidelines adopted in consultation with the County Commissioners Association of Pennsylvania to govern eligibility for a grant and the nature and extent of other unfunded child welfare expenditures for which grants may be used. The maximum one-time transition grant to a county in fiscal year 2007-2008 may be less than but shall not exceed the amount specified in a county's "State Transition Grant" revenue line as reflected in the fiscal year 2007-2008 Proposed Allocation for State Transition Grant letter from the Department of Public Welfare to the Secretary of the Budget dated July 14, 2007.*

(8) *Behavioral health services transition. The department, upon approval of the secretary, may transfer Federal and State funds appropriated for behavioral health services transition to counties to provide for children and youth programs, child abuse and neglect prevention or medical assistance capitation.*

(9) *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-F. Department of Revenue (Reserved).

Section 1731-F. Department of State (Reserved).

Section 1732-F. Department of Transportation (Reserved).

Section 1733-F. Pennsylvania State Police.

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

(1) *During fiscal year 2007-2008, the Pennsylvania State Police may not close a barracks until the Pennsylvania State Police conduct a public hearing and provide 30 days' notice, which shall be published in the Pennsylvania Bulletin and in at least two local newspapers.*

(2) *(Reserved).*

Section 1734-F. State Civil Service Commission (Reserved).

Section 1735-F. Pennsylvania Emergency Management Agency.

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 Pennsylvania Emergency Management 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 on or before August 15 of each year for grants awarded during the period from January 1 through June 30 and on or before February 15 of each year for grants awarded during the period from July 1 through December 31.

Section 1736-F. Pennsylvania Fish and Boat Commission (Reserved).

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

Section 1738-F. 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-F. Pennsylvania Historical and Museum Commission (Reserved).

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

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

Section 1742-F. Pennsylvania Board of Probation and Parole.

The following shall apply to the appropriation for the Pennsylvania Board of Probation and Parole from the General Appropriation Act:

(1) Work performed under the drug offenders' work program appropriation for the board shall in no case replace jobs protected by a collective bargaining unit.

(2) (Reserved).

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

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

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

Section 1746-F. 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. Proceeds received from the sale shall be deposited in the General Fund and shall not be expended unless appropriated by the General Assembly. 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.

Section 1747-F. State Ethics Commission (Reserved).

Section 1748-F. State Employees' Retirement System (Reserved).

Section 1749-F. Thaddeus Stevens College of Technology (Reserved).

Section 1750-F. Pennsylvania Housing Finance Agency (Reserved).

Section 1751-F. LIHEABG (Reserved).

Section 1752-F. Budget Stabilization Reserve Fund (Reserved).

SUBARTICLE C
LEGISLATIVE DEPARTMENT
(Reserved)

SUBARTICLE D
JUDICIAL DEPARTMENT

Section 1781-F. Supreme Court.

(a) Administrative Office.—Funds appropriated for the Administrative Office of Pennsylvania Courts may be used for the operation of the Pennsylvania Board of Law Examiners. Funds provided to the board shall be repaid in full to the office without interest or charges from revenues of the board.

(b) County court administrators.—No funds from any appropriation other than the appropriation for county court administrators for the unified judicial system may be used to supplement payments to county court administrators.

Section 1782-F. Superior Court (Reserved).

Section 1783-F. Commonwealth Court (Reserved).

Section 1784-F. Courts of common pleas.

The following shall apply to appropriations for the courts of common pleas in the General Appropriation Act.

(1) No payment may be made from the appropriation for salaries and expenses of courts of common pleas judges for printing, postage, telephone or supplies.

(2) No payment may be made for expenses of any kind relating to education.

Section 1785-F. Community courts; magisterial district judges.

All of the following apply to the appropriation in the General Appropriation Act for salaries and expenses of community court judges and magisterial district judges:

(1) Except for printing costs related to 42 Pa.C.S. § 3532 (relating to expenses), no other costs for printing, postage, telephone or supplies may be paid for from the appropriation.

(2) No expenses of any kind relating to education may be paid for from the appropriation.

Section 1786-F. Philadelphia Traffic Court (Reserved).

Section 1787-F. Philadelphia Municipal Court (Reserved).

Section 1788-F. Judicial Conduct Board (Reserved).

Section 1789-F. Court of Judicial Discipline (Reserved).

Section 1790-F. Juror cost reimbursement (Reserved).

Section 1791-F. County court reimbursement.

County court reimbursements shall be as follows:

(1) Reimbursement to counties for costs incurred in the administration and operation of courts of common pleas shall be paid as follows:

(i) For each common pleas court judge, filled or vacant, \$70,000 per authorized position.

(ii) Judicial districts comprising more than one county shall receive \$70,000 per authorized position. The amount payable to each county shall be determined by the proportion of the county's population in relation to the population of the entire judicial district.

(iii) No county shall be reimbursed for costs above the actual direct costs, excluding capital outlays, incurred to operate the courts of common pleas.

(iv) No county shall receive less than 77.5% of the actual reimbursement for court costs appropriated in fiscal year 1980-1981.

(v) Reimbursement shall be made to the county treasurer and, in cities of the first class coterminous with counties of the first class, to the city treasurer.

(2) (Reserved).

Section 1792-F. Senior judges.

(a) Health benefits.—Subject to subsection (b), appropriations for the Superior Court, Commonwealth Court, courts of common pleas, community courts, magisterial district judges, the Philadelphia Municipal Court and the Philadelphia Traffic Court may be used to pay for health benefits for senior judges working as active or senior judges for a minimum of 75 days in the prior calendar year.

(b) Limitation.—Senior judges of the courts of common pleas shall not be assigned unless adequate funds are appropriated to provide compensation. A senior judge assigned in excess of existing appropriations shall be compensated from the appropriation for the Supreme Court.

Section 1793-F. Transfer of funds by Supreme Court.

The Supreme Court may transfer to the Judicial Department during the fiscal year funds appropriated in sections 281, 282, 283, 284, 285, 286, 287, 290 and 291 of the General Appropriation Act among any of the line

items contained within those sections. In order to avoid a deficit in any line items in those sections, the Supreme Court may also transfer funds deposited into the Judicial Computer System Augmentation Account to any line items in those sections. The Supreme Court may also transfer excess funds appropriated in those sections to the Judicial Computer System Augmentation Account during the month of June 2008. If the Supreme Court makes a transfer under this section, the Supreme Court shall give written notification to the secretary and 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 ten days prior to any transfer. This section shall not apply to the appropriation in section 291 of the General Appropriation Act for gun courts.

**ARTICLE XVII-G
2007-2008 RESTRICTIONS ON APPROPRIATIONS
FOR FUNDS AND ACCOUNTS**

Section 1701-G. Applicability.

Except as specifically provided in this article, this article applies to the General Appropriation Act of 2007.

Section 1702-G. State Lottery Fund.

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

(2) (Reserved).

Section 1703-G. Energy Conservation and Assistance Fund.

No less than 75% of the appropriation for energy conservation programs under the act of July 10, 1986 (P.L.1398, No.122), known as the Energy Conservation and Assistance Act, shall be used for programs listed as priorities in section 7(b) of the Energy Conservation and Assistance Act.

Section 1704-G. 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-G. Emergency Medical Services Operating Fund (Reserved).

Section 1706-G. State Stores Fund (Reserved).

Section 1707-G. Motor License Fund (Reserved).

Section 1708-G. Hazardous Material Response Fund (Reserved).

Section 1709-G. Milk Marketing Fund (Reserved).

Section 1710-G. Home Investment Trust Fund (Reserved).

Section 1711-G. Tuition Payment Fund (Reserved).

Section 1712-G. Banking Department Fund (Reserved).

Section 1713-G. Firearm Records Check Fund (Reserved).

Section 1714-G. Ben Franklin Technology Development Authority Fund.

Funds allocated from the appropriation for the Ben Franklin Centers for fiscal year 2007-2008 shall not be less than the allocation for fiscal year 2006-2007.

Section 1715-G. Tobacco Settlement Fund.

(a) Deposits.—

(1) Notwithstanding sections 303(b)(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 2007-2008, \$14,033,000 of the funds derived under section 303(b)(3) of the Tobacco Settlement Act shall be deposited into the Tobacco Settlement Fund. This subparagraph includes \$2,783,000 deposited in the fund under section 1715-C(a)(1)(i), but not appropriated in the act of July 2, 2006 (P.L.1640, No.2A), known as the General Appropriation Act of 2006.

(ii) For fiscal year 2007-2008, \$48,062,000 of the funds derived under section 303(b)(4) of the Tobacco Settlement Act shall be deposited into the fund. This subparagraph includes \$8,062,000 deposited in the fund under section 1715-C(a)(1)(i), but not appropriated in the General Appropriation Act of 2006.

(iii) For fiscal year 2007-2008, one-fourth 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 fund.

(iv) For fiscal year 2007-2008, one-third 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 fund.

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

(b) Allocation.—*Funding for local programs under section 708(b) of the act of June 26, 2001 (P.L.755, No.77), known as 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.

Section 1716-G. 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-G. Health Care Provider Retention Account (Reserved).

Section 1718-G. (Reserved).

Section 1719-G. 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 Reserve Allotment.*

(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 (Public Law 89-665, 80 Stat. 915).*

(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-G. State Gaming Fund.

(a) Deduction of certain appropriations.—Notwithstanding the provisions of section 504(c)(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, 2007. Funds loaned to the board under this section 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 11¹ 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.—

¹issued and 11 slot machine licenses have been issued and 11" in enrolled bill.

(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 2007-2008. 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 2007-2008 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 5. Repeals are as follows:

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

(2) The act of September 26, 1961 (P.L.1661, No.692), known as the State Employees Group Life Insurance Law, is repealed.

(3) The General Assembly declares that the repeals under paragraph (4) are necessary to effectuate the addition of section 1508 of the act.

(4) The provisions of 35 Pa.C.S. §§ 7307 and 7705(c) are repealed.

Section 6. The addition of Article XV-A of the act is a continuation of the act of September 26, 1961 (P.L.1661, No.692), known as the State Employees Group Life Insurance Law. Except as otherwise provided under Article XV-A, all activities initiated under the State Employees Group Life Insurance Law shall continue and remain in full force and effect and may be completed under Article XV-A. Orders, regulations, rules and decisions which were made under the State Employees Group Life Insurance Law and which are in effect on the effective date of section 1.1 of this act shall remain in full force and effect until revoked, vacated or modified under Article XV-A. Contracts, obligations and collective bargaining agreements entered into under the State Employees Group Life Insurance Law are not affected nor impaired by the repeal of the State Employees Group Life Insurance Law.

Section 7. The amendment of section 1737-B of the act shall apply retroactively to July 1, 2006.

Section 8. This act shall take effect immediately.

APPROVED—The 17th day of July, A.D. 2007.

EDWARD G. RENDELL