

## No. 2002-149

## AN ACT

## HB 2860

Amending the act of June 26, 2001 (P.L.755, No.77), entitled "An act establishing a special fund and account for money received by the Commonwealth from the Master Settlement Agreement with tobacco manufacturers; providing for home and community-based care, for tobacco use prevention and cessation efforts, for Commonwealth universal research enhancement, for hospital uncompensated care, for health investment insurance, for medical assistance for workers with disabilities, for regional biotechnology research centers, for the HealthLink Program, for community-based health care assistance programs, for PACE reinstatement and PACENET expansion, for medical education loan assistance and for percentage allocation and appropriation of moneys," further providing for universal research enhancement definitions and for the Tobacco Settlement Investment Board; and extending eligibility for PACE and PACENET.

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

Section 1. Section 304(a) of the act of June 26, 2001 (P.L.755, No.77), known as the Tobacco Settlement Act, is amended to read:

Section 304. Tobacco Settlement Investment Board.

(a) Establishment.—There is hereby established the Tobacco Settlement Investment Board, consisting of 11 members as follows: the Governor or a designee; the Secretary of the Budget; ~~the State Treasurer or a designee; one member~~ *two members* appointed by the President pro tempore of the Senate and one member appointed by the Minority Leader of the Senate; ~~one member~~ *two members* appointed by the Speaker of the House of Representatives and one member appointed by the Minority Leader of the House of Representatives; *and* three members appointed by the Governor; *and one member appointed by the State Treasurer*. Legislative appointments shall serve at the pleasure of the appointing authority. Other appointed members shall serve for a term of four years and until a successor is appointed. Members of the board shall serve without compensation but shall be reimbursed for actual and reasonable expenses incurred in the performance of their official duties. The Governor shall select one member as chairperson, and the members of the board shall select one member as secretary.

\* \* \*

Section 2. The definition of "infrastructure" in section 902 of the act is amended to read:

Section 902. Definitions.

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

\* \* \*

“Infrastructure.” [Equipment,] *Office equipment and* supplies, nonprofessional personnel, laboratory or building construction or renovations[, or the development, acquisition or maintenance of technology, including training,] used to conduct research.

\* \* \*

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

*Section 2306.1. PACE and PACENET reinstatement.*

(a) *PACE.—Notwithstanding any other provision of law to the contrary, persons who, as of December 31, 2002, are enrolled in the PACE program provided for pursuant to Chapter 5 of the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, shall remain eligible for the PACE program if the maximum income limit is exceeded due solely to a Social Security cost-of-living adjustment. Eligibility in the PACE program pursuant to this section shall expire on December 31, 2003.*

(b) *PACENET.—Notwithstanding any other provision of law to the contrary, persons who, as of December 31, 2002, are enrolled in the PACENET program established pursuant to section 519 of the State Lottery Law shall remain eligible for the PACENET program if the maximum income limit is exceeded due solely to a Social Security cost-of-living adjustment. Eligibility in the PACENET program pursuant to this section shall expire on December 31, 2003.*

Section 4. This act shall take effect immediately.

APPROVED—The 6th day of December, A.D. 2002.

MARK S. SCHWEIKER