

No. 2016-25

AN ACT

HB 1589

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,"

- in financially distressed municipalities, providing for financial recovery;

- in oil and gas wells, providing for the Environmental Stewardship Fund;

- in tax credits, providing for the Department of Community and Economic Development;

- in special funds, further providing for funding, for State Workers' Insurance Board, for expiration and for other grants;

- in additional special funds, further providing for use of the Tobacco Settlement Fund and for distributions from the Pennsylvania Race Horse Development Fund and providing for miscellaneous limitations and transfers and for the Natural Gas Infrastructure Development Fund;

- in general budget implementation, further providing for the Department of General Services, providing for the Pennsylvania Gaming Control Board, further providing for the Department of Human Services, for the Pennsylvania State Police and providing for the Commonwealth Financing Authority;

- providing for school district debt refinancing bonds;

- providing for 2015-2016 budget implementation; and

- making editorial changes.

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

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

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

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

(3) Section 24 of Article III of the Constitution of Pennsylvania requires the General Assembly to adopt all appropriations for the operation of government in the Commonwealth, regardless of their source. The Supreme Court has repeatedly affirmed that, "It is fundamental within Pennsylvania's tripartite system that the General Assembly enacts the legislation establishing those programs which the state provides for its citizens and appropriates the funds necessary for their operation."

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

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

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

(7) Every provision of this act relates to the implementation of the operating budget of the Commonwealth for this fiscal year, addressing in various ways the fiscal operations, revenues and potential liabilities of the Commonwealth. To that end, this act is intended to implement the 2015-2016 Commonwealth budget without specifically appropriating public money from the General Fund. This act provides accountability for spending and makes transfers or other changes necessary to impact the availability of revenue in order to meet the requirements of section 13 of Article VIII of the Constitution of Pennsylvania and to implement the act of December 29, 2015 (P.L.621, No.10A), known as the General Appropriation Act of 2015, and the act of March 28, 2016 (P.L.1531, No.1A), known as the Supplement to the General Appropriation Act of 2015.

Section 2. (Reserved).

Section 3. The act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, is amended by adding sections to read:

Section 1602-D.1. Financial recovery.

As of the date of the termination of distressed status under the provisions of the act of July 10, 1987 (P.L.246, No.47), known as the Municipalities Financial Recovery Act, a city of the second class A that is levying, or had been authorized to levy within the previous three fiscal years, a local services tax in excess of \$52 in accordance with the Municipalities Financial Recovery Act, may, upon the termination of distressed status, levy, without court approval, the local services tax at a rate which does not exceed \$156 per year, if a pension system of the municipality is in moderate distress or severe distress as defined by section 503(d) of the act of December 18, 1984 (P.L.1005, No.205), known as the Municipal Pension Plan Funding Standard and Recovery Act, and the amount in excess of \$52 is used solely to defray the municipality's unfunded actuarial accrued pension liability. A local services tax in excess of \$52 may not be levied in the same year that the income of nonresidents is subject to a tax above maximum rates as provided in section 607(f) of the Municipal Pension Plan Funding Standard and Recovery Act.

Section 1608-E. Environmental Stewardship Fund.

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

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

(1) 23% to the department.

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

(3) 18.7% to the Department of Agriculture.

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

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

Section 1604-H. Department of Community and Economic Development.

Tax credits awarded under Article XVII-F of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in fiscal year 2015-2016 to a business firm making an approved contribution to a scholarship organization, prekindergarten scholarship organization, opportunity scholarship organization or educational improvement organization may be used in the taxable year in which a completed application was submitted by the business firm or the taxable year in which the contribution was made by the business firm, as determined by the business firm.

Section 4. (Reserved).

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

Section 1702-A. Funding.

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

(b) Transfer of portion of surplus.—

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

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

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

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

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

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

(vi) No amount of the surplus in the General Fund for fiscal year 2012-2013 may be deposited into the Budget Stabilization Reserve Fund.

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

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

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

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

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

SUBARTICLE D INVESTMENTS

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

Section 1731-A. State Workers' Insurance Board.

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

section 504 of the act of November 30, 1965 (P.L.847, No.356), known as the Banking Code of 1965, **[section 922 of the act of December 14, 1967 (P.L.746, No.345), known as the Savings Association Code of 1967,]** and any other law of this Commonwealth, the power of the State Workers' Insurance Board to invest money shall include the power to hold, purchase, sell, assign, transfer and dispose of securities, including common stock with the following restrictions:

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

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

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

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

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

Section 1732-A. Expiration.

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

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

Section 1774.1-A. Other grants.

(a) Water and sewer.—For **[fiscal year 2013-2014] the specified fiscal years**, from funds available to the authority under this act **or under 58 Pa.C.S. § 2315(a.1)(4) (relating to Statewide initiatives)**, that are unrelated to indebtedness incurred for the program, **the following apply:**

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

(2) For fiscal year 2015-2016 and 2016-2017, the sum of \$22,000,000 shall be available for distribution or reimbursement for water and sewer projects with a cost of not less than \$30,000 and not more than \$500,000.

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

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

Section 1713-A.1. Use of fund.

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

(b) Appropriations.—

(1) Except as otherwise provided in paragraphs (1.1), (1.2) **[and]**, (1.3), **(1.4) and (1.5)**, the General Assembly appropriates moneys in the fund in accordance with the following percentages based on the annual payment received in each year:

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

(ii) Four and five-tenths percent for tobacco use prevention and cessation programs pursuant to Chapter 7 of the Tobacco Settlement Act.

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

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

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

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

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

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

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

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

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

(iii) Six and three-tenths percent for health and related research under section 906 of the Tobacco Settlement Act.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(f) Allocation of local program funding.—

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

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

(ii) The remaining 70% of the 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.

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

(3) 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 within 60 days following the close of each fiscal year.

(4) 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.

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

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

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

(1) An amount equal to 18% of the daily gross terminal revenue of each Category 1 licensee shall be distributed to each active and operating Category 1 licensee conducting live racing unless the daily assessments are affected by the daily assessment cap provided for in 4 Pa.C.S. § 1405(c) (relating to Pennsylvania Race Horse Development Fund). In cases in which the daily assessment cap affects daily assessments, the distribution to each active and operating Category 1 licensee conducting live racing for that day shall be a percentage of the total daily assessments paid into the fund for that day equal to the gross terminal revenue of each active and operating Category 1 licensee conducting live racing for that day divided by the total gross terminal revenue of all active and operating Category 1 licensees conducting live racing for that day. Except as provided in paragraphs (2) and (2.1), the distributions to licensed racing entities from the fund shall be allocated as follows:

(i) Eighty percent shall be deposited weekly into a separate, interest-bearing purse account to be established by and for the benefit of the horsemen. The earned interest on the account shall be credited to the purse account. Licensees shall combine these funds with revenues from existing purse agreements to fund purses for live races

consistent with those agreements with the advice and consent of the horsemen.

(ii) For thoroughbred tracks, 16% shall be deposited on a monthly basis into the Pennsylvania Breeding Fund as defined in section 223 of the Race Horse Industry Reform Act. For standardbred tracks, 8% shall be deposited on a monthly basis in the Pennsylvania Sire Stakes Fund as defined in section 224 of the Race Horse Industry Reform Act, and 8% shall be deposited on a monthly basis into a restricted account in the State Racing Fund to be known as the Pennsylvania Standardbred Breeders Development Fund. The State Harness Racing Commission shall, in consultation with the Secretary of Agriculture, by rule or by regulation, adopt a standardbred breeders program that will include the administration of the Pennsylvania Stallion Award, the Pennsylvania Bred Award and the Pennsylvania Sired and Bred Award.

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

(2) Distributions from the fund shall be allocated as follows:

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

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

(i.2) For fiscal year 2015-2016, beginning on the effective date of this subparagraph, the sum of \$25,759,000 in the fund shall be transferred to the account in equal weekly amounts sufficient to complete the transfer by June 30, 2016.

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

(A) Divide:

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

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

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

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

(A) The greater of 4% of the amount to be distributed under subparagraph (ii) or \$220,000 shall be used to fund health and pension benefits for the members of the horsemen's organizations representing the owners and trainers at the racetrack at which the licensed racing entity operates for the benefit of the organization's members, their families, employees and others in accordance with the rules and eligibility requirements of the organization, as approved by the State Horse Racing Commission or the State Harness Racing Commission. This amount shall be deposited within five business days of the end of each week into a separate account to be established by each respective horsemen's organization at a banking institution of its choice. Of this amount, a minimum of \$250,000 shall be paid annually by the horsemen's organization to the thoroughbred jockeys or standardbred drivers organization at the racetrack at which the licensed racing entity operates for health insurance, life insurance or other benefits to active and disabled thoroughbred jockeys or standardbred drivers in accordance with the rules and eligibility requirements of that organization. The total distribution under this clause in any fiscal year shall not exceed \$11,400,000.

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

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

(II) For thoroughbred tracks, 16 and 2/3% of the money to be distributed under this clause shall be deposited on a

weekly basis into the Pennsylvania Breeding Fund established in section 223 of the Race Horse Industry Reform Act. For standardbred tracks, 8 and 1/3% of the money to be distributed under this clause shall be deposited on a weekly basis into the Pennsylvania Sire Stakes Fund as defined in section 224 of the Race Horse Industry Reform Act; and 8 and 1/3% of the money to be distributed under this clause shall be deposited on a weekly basis into a restricted account in the State Racing Fund to be known as the Pennsylvania Standardbred Breeders Development Fund. The State Harness Racing Commission shall, in consultation with the Secretary of Agriculture, promulgate regulations adopting a standardbred breeders program that will include the administration of the Pennsylvania Stallion Award, the Pennsylvania Bred Award and the Pennsylvania Sired and Bred Award.

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

SUBARTICLE D
MISCELLANEOUS LIMITATIONS AND TRANSFERS

Section 1731-A.1. Workmen's Compensation Administration Fund.

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

Section 1732-A.1. Dormitory sprinklers.

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

Section 1733-A.1. Drug and Alcohol Programs.

For fiscal year 2015-2016, \$2,500,000 from the sale of liquor and alcohol shall be transferred to the Department of Drug and Alcohol Programs for the purposes set forth in section 802(c) of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code.

SUBARTICLE E
NATURAL GAS INFRASTRUCTURE DEVELOPMENT FUND

Section 1741-A.1. 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:

"Authority." The Commonwealth Financing Authority.

"Fund." The Natural Gas Infrastructure Development Fund.

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

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

Section 1743-A.1. Transfer of funds.

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

Section 1744-A.1. Use of funds.

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

- (1) Hospitals.*
- (2) Businesses.*
- (3) Economic development organizations.*
- (4) Municipalities.*
- (5) Counties.*
- (6) School districts.*

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

(c) Guidelines.—The authority shall develop guidelines for the following:

- (1) Selecting eligible projects to receive grants.*
- (2) Use of money by applicants that receive grants.*

Section 1745-A.1. Amount of grant.

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

- (1) 50% of the cost of a project; or*
- (2) \$1,000,000.*

Section 1746-A.1. Guidelines for applications.

The authority shall:

- (1) develop guidelines for submitting applications for a grant; and*
- (2) give priority to applications that will result in adjoining residential and nonresidential properties obtaining natural gas.*

Section 11. Section 1724-E of the act, added July 17, 2007 (P.L.141, No.42), is amended to read:

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

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

Section 12. The act is amended by adding a section to read:

Section 1724.1-E. Pennsylvania Gaming Control Board.

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

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

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

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

(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] Human Services** 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) 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.

(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 *Committee* 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).

(3) *The following shall apply:*

(i) *If, in any fiscal year, the annual appropriation for payments to counties under section 704.1(a) of the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, has not been enacted by September 1, an amount shall be appropriated as of*

September 1 to the Department of Human Services for the purpose of making payments to counties under section 704.1(g)(5) and (g.1) of the Human Services Code that is equal to the difference between:

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

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

(ii) The department may adjust any payment to a county under section 704.1(g) of the Human Services Code based on the amount of funds actually appropriated by the General Assembly.

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

Section 14. Section 1733-E of the act, amended October 9, 2009 (P.L.537, No.50), is amended to read:

Section 1733-E. Pennsylvania State Police.

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

Section 15. The act is amended by adding a section to read:

Section 1753-E. Commonwealth Financing Authority.

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

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

(2) Notwithstanding the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, grants made under 4

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

Section 15.1. The act is amended by adding an article to read:

**ARTICLE XVII-E.2
SCHOOL DISTRICT DEBT REFINANCING BONDS**

Section 1701-E.2. 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:

"Authority." The Commonwealth Financing Authority.

"Cost of a project." The term includes all items reimbursable under law.

"Cost of PlanCon project." Approved reimbursable rentals and approved reimbursable sinking fund charges, capital grants, any necessary or appropriate reserves, costs of issuance and any other financing costs related to a PlanCon project.

"Department." The Department of Education of the Commonwealth.

"Finance." The lending or providing of funds to a school district for payment of the cost of a project and the provision of funds for a PlanCon project.

"Financing Law." The provisions of 64 Pa.C.S. Ch. 15 (relating to Commonwealth Financing Authority).

"PlanCon project." The funding of approved reimbursable rentals for approved leases and approved reimbursable sinking fund charges authorized under section 2574 of the Public School Code of 1949 and capital grants for a project authorized to be approved under section 2574.4 of the Public School Code of 1949.

"Project." As defined in 64 Pa.C.S. Ch. 15 (relating to Commonwealth Financing Authority) or any project of a school district that is eligible for reimbursement by the Commonwealth as required under Subarticle (f) of Article XXV of the Public School Code of 1949 for approved rental or sinking fund charges.

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

Section 1702-E.2. Bond issuance.

(a) Declaration of policy.—The General Assembly finds and declares that:

(1) Funding the payment of reimbursements to school districts for construction and reconstruction projects, through the authority, is in the best interest of the Commonwealth.

(2) The Financing Law is to be liberally construed to effect the legislative and public purposes.

(3) One of those stated purposes is the protection of "the health, safety and general welfare of the people of this Commonwealth" pursuant to 64 Pa.C.S. § 1503(6) (relating to findings and declaration of policy).

(4) *In order to accomplish such a goal "it is desirable to build, improve and finance facilities owned by municipalities, municipal authorities and other authorities and instrumentalities of the Commonwealth," which includes school districts, pursuant to 64 Pa.C.S. § 1503(7).*

(b) *Authority.—Notwithstanding any other law, the authority shall establish a program to issue bonds on behalf of school districts to provide reimbursements from the Commonwealth as required under Article XXV of the Public School Code of 1949 for approved rental or sinking fund charges.*

(c) *Debt or liability.—*

(1) *Bonds issued under this article shall not be a debt or liability of the Commonwealth and shall not create or constitute any indebtedness, liability or obligation of the Commonwealth.*

(2) *Bond obligations shall be payable solely from revenues or funds pledged or available for repayment as authorized under this article.*

(3) *Each bond must contain on its face a statement that:*

(i) *The authority is obligated to pay the principal of or interest on the bonds only from the revenues or funds pledged or available for repayment as authorized under this article.*

(ii) *Neither the Commonwealth nor any school district is obligated to pay the principal of or interest on the bonds.*

(iii) *The full faith and credit of the Commonwealth or of any school district is not pledged to the payment of the principal of or the interest on the bonds.*

(d) *Review for form and legality.—For the purposes of issuing bonds under this article, the duties of the Attorney General under section 204 of the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act, relating to the issuance of bonds may be performed by the first deputy attorney general.*

Section 1703-E.2. Limitations on bond issuance.

The authority may issue bonds for a PlanCon project in an aggregate principal amount not to exceed \$2,500,000,000, unless the authority and the department determine this amount is insufficient to carry out the purposes of this article, then the authority shall adopt a resolution to petition the Secretary of the Budget to increase the maximum aggregate principal amount. The Secretary of the Budget may approve the petition and, if approved, shall publish notice of the approval in the Pennsylvania Bulletin. The authority shall not issue any bonds for the PlanCon project, except refunding bonds, after June 30, 2025. The authority, in consultation with the department and the Office of the Budget, shall determine the principal amounts of taxable and tax-exempt bonds to be issued during a fiscal year. Notwithstanding any other limitation, the authority, at the request of the department, may issue refunding bonds at any time while bonds issued for the PlanCon project are outstanding, provided that the final maturity of any series of bonds being refunded shall not be extended. Interest on bonds issued for the PlanCon project and refunding bonds authorized under this section shall be payable at such time or times as the authority shall determine in the resolution authorizing

such bonds and shall otherwise be subject to the other provisions of the Financing Law. The aggregate principal amount of bonds set forth in this section shall not be subject to the debt limitations set forth in 64 Pa.C.S. § 1543 (relating to indebtedness).

Section 1704-E.2. Service agreement authorized.

The authority and the department may enter into any agreement or service agreement to effectuate the purposes of this article, including an agreement to secure bonds issued for a PlanCon project, pursuant to which the department shall agree to pay service charges to the authority in each fiscal year that the bonds or refunding bonds are outstanding in amounts sufficient to timely pay in full the debt service and any other financing costs due on the bonds issued for the PlanCon project. The department's payment of such service charges shall be subject to and dependent upon the appropriation of funds by the General Assembly to the department for payment of the service charges. The service agreement may be amended or supplemented by the authority and the department in connection with the issuance of any series of bonds or refunding bonds authorized in this section.

Section 1705-E.2. Deposit of bond proceeds.

The net proceeds of bonds, other than refunding bonds, exclusive of costs of issuance, reserves and any other financing charges, shall be transferred by the authority to the State Treasurer for deposit into a restricted account established in the State Treasury and held solely for the purpose of paying costs of a PlanCon project which are due to school districts. Payment by the department shall follow the process required by Article VII of the Public School Code of 1949, unless the department is specifically directed to follow a different process by this article. The department shall requisition payments due to school districts from that account. To pay for expenses related to its administration of this program, the department, with the approval of the Governor and the authority, may charge a fee against the proceeds deposited in the restricted account.

Section 1706-E.2. Sinking fund charges for school building projects.

The following shall apply:

(1) All school districts which submitted completed applications to the department prior to the effective date of this section, and which vote to proceed with construction and awarded bids on their construction contracts no later than July 1, 2019, shall, as permitted by law, either be awarded a one-time capital grant, if available, for the approved project in lieu of approved reimbursement payments or, if not available, shall receive payments in the form of reimbursements.

(2) The department shall administer the payments due and payable under this section, and shall determine the amount of the capital grant due each school district which shall not exceed the maximum reimbursable project amount.

Section 1707-E.2. Limitation on new applications for Department of Education approval of public school building projects.

For the 2015-2016 and 2016-2017 school years, the Department of Education shall not accept or approve new building construction or reconstruction project applications. Completed school building construc-

tion or reconstruction project applications received by the Department of Education by May 15, 2016, are not subject to this subsection.

Section 1708-E.2. Public School Building Construction and Reconstruction Advisory Committee.

(a) Establishment.—There is established an advisory committee.

(b) Duties.—The committee shall review and make findings and recommendations related to the program for State reimbursement for construction and reconstruction and lease of public school buildings.

(c) Membership.—The advisory committee shall consist of the following:

(1) The Secretary of Education or a designee.

(2) One member appointed by the President pro tempore of the Senate and the Speaker of the House of Representatives.

(3) A representative from each of the following:

(i) The Pennsylvania Association of School Business Officials.

(ii) The Pennsylvania School Boards Association.

(4) The chairperson and minority chairperson of the Appropriations Committee and Education Committee of the Senate and the chairperson and minority chairperson of the Appropriations Committee and Education Committee of the House of Representatives.

(5) One member appointed by the President pro tempore of the Senate.

(6) One member appointed by the Minority Leader of the Senate.

(7) One member appointed by the Speaker of the House of Representatives.

(8) One member appointed by the Minority Leader of the House of Representatives.

(d) First meeting.—The committee shall hold its first meeting within 30 days of the effective date of this section regardless of whether all of the committee members have been appointed to the committee. At the first meeting, the Department of Education shall present its report relating to the Statewide analysis of school facilities and capital needs as required under section 732.1 of the Public School Code of 1949.

(e) Chairperson.—The committee shall appoint a member to serve as chairperson of the committee.

(f) Call of chairperson.—The committee shall hold meetings at the call of the chairperson.

(g) Reimbursement.—The members may not receive compensation for their services, but shall be reimbursed for all necessary travel and other reasonable expenses incurred in connection with the performance of their duties as members of the committee.

(h) Support.—The General Assembly shall provide administrative support, meeting space and any other assistance required by the committee to carry out its duties under this section in cooperation with the department. The department shall provide the committee with data, research and other information upon request.

(i) Report.—The committee shall issue a report not later than May 15, 2017, of the committee's findings to the Governor, the President pro tempore of the Senate, the Majority Leader and Minority Leader of the

Senate, the Appropriations Committee and Education Committee of the Senate, the Speaker of the House of Representatives, the Majority Leader and Minority Leader of the House of Representatives, the Appropriations Committee and Education Committee of the House of Representatives and the Secretary of Education.

Section 1709-E.2. Public school building lease and debt service reimbursements for fiscal year 2015-2016.

(a) General rule.—For the 2015-2016 fiscal year, the Department of Education shall utilize undistributed funds not expended as of April 15, 2016, from appropriations for payment on account of annual rental or sinking fund charges on school buildings, including charter schools, to make reimbursements for school building leases and debt service necessary to make payments in fiscal year 2015-2016 under this article.

(b) Exclusion.—This section shall not include reimbursement for debt service meeting the criteria for bond issuance under this article.

Section 1710-E.2. Posting of information by department.

No later than July 1, 2016, and every 90 days thereafter, the Department of Education shall post and update on its publicly accessible Internet website in a searchable and sortable format the following information related to public school construction and reconstruction projects, building purchases and lease reimbursements submitted for the approval of, or approved by, the department:

(1) The type of project, elementary school, middle school, intermediate school, high school, charter school or vocational technical school by school entity.

(2) The scope of project, new construction, renovation, addition, purchase or lease.

(3) The date of receipt of each application.

(4) The date of department approval of each application.

(5) The date of approval or denial of any waiver or exception granted by the department.

(6) The reason for approval or denial of any waiver or exception granted by the department.

(7) The date of submission of the application for each step of the reimbursement process.

(8) The date of approval of the application for each step of the reimbursement process.

(9) The anticipated total project cost.

(10) Whether the project reached the maximum reimbursable project amount.

(11) The anticipated term of State reimbursement.

(12) The anticipated total reimbursement amount.

(13) The temporary reimbursable percentage.

(14) The permanent reimbursable percentage.

(15) The dates of expected State payments.

(16) The dates of expected school district payments.

(17) Whether the project was financed by cash.

(18) The date a project was voided, if applicable.

(19) A summary of the terms of the project's debt service or lease.

(20) An analysis of the callability of the project's debt service.

Section 1711-E.2. Documentation requirements.

Notwithstanding any other provision of law, the following shall apply to school building construction and reconstruction projects for which reimbursement from the appropriation for payments on account of annual rental or sinking fund charges on school buildings or charter schools is being sought:

(1) For a school district that has received approval from the department for reimbursement but fails to submit all additional project documentation requested within 90 days of the request, the department shall move the project back in the reimbursement order until such time as the school district complies with the information request and shall move other projects up in the reimbursement order.

(2) The Secretary of Education may grant waivers to school districts that fail to submit requested documentation under paragraph (1) and are in the process of reconciling financial records, or are facing litigation or bond refinancing delays.

Section 16. Repeals are as follows:

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

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

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

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

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

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

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

**ARTICLE XVII-L
2015-2016 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 2015, the Supplement to the General Appropriation Act of 2015, all other appropriation acts of 2015 and appropriations for fiscal year 2015-2016 in all other appropriation acts of 2016.

Section 1702-L. Definitions.

(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 of 2015." The act of December 29, 2015 (P.L.621, No.10A), known as the General Appropriation Act of 2015.

"Human Services Code." The act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code.

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

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

"Supplement to the General Appropriation Act of 2015." The act of March 28, 2016 (P.L.1531, No.1A), known as the Supplement to the General Appropriation Act of 2015.

(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.

"CSBG." Community Services Block Grant.

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

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

"DOE." Department of Energy.

"EEOC." Equal Employment Opportunity Commission.

"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.

"ID." Intellectual Disability.

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

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

"MCHSBG." Maternal and Child Health Services Block Grant.

"MHSBG." Mental Health Services Block Grant.

"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 DEPARTMENTS**

Section 1711-L. Governor (Reserved).

Section 1712-L. Executive offices.

The following apply:

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

(2) From funds appropriated to the commission, the following apply:

(i) No less than the amount used in the 2014-2015 fiscal year shall be used to support the Statewide Automated Victim Information and Notification System (SAVIN) to provide offender information through county jails.

(ii) No less than the amount used in the 2014-2015 fiscal year shall be used for a residential treatment community facility for at-risk youth located in a county of the fifth class.

(iii) From the amount appropriated, \$100,000 shall be used for an innovative police data sharing pointer index system that will allow participating law enforcement agencies access to incident report data.

(iv) From the amount appropriated, \$200,000 shall be used for a diversion program for first time nonviolent offenders facing prison sentences. The diversion program must include education and employment services, case management and mentoring.

(3) From funds appropriated for violence prevention programs, no less than the amount used in the 2014-2015 fiscal year shall be used for programs in a city of the second class, and no less than the amount used in the 2014-2015 fiscal year shall be used for blueprint mentoring programs that address reducing youth violence in cities of the first, second and third class.

Section 1713-L. Lieutenant Governor (Reserved).

Section 1714-L. Attorney General (Reserved).

Section 1715-L. Auditor General (Reserved).

Section 1716-L. Treasury Department (Reserved).

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

Section 1718-L. Department of Agriculture.

The following apply:

(1) From funds appropriated for agricultural research, the following apply:

(i) *No less than the amount used in the 2014-2015 fiscal year shall be used for an agricultural resource center in conjunction with a land-grant university.*

(ii) *At least 50.41% shall be used for an animal diagnostic laboratory affiliated with a university located in a city of the first class to increase the capacity to address avian flu and other animal disease outbreaks.*

(2) *From funds appropriated for hardwoods research and promotion, at least 80% of the funds shall be equally distributed among the hardwood utilization groups of this Commonwealth established prior to the effective date of this section.*

(3) *From funds appropriated for general government operations, no less than the amount transferred in the 2014-2015 fiscal year shall be transferred to the Dog Law Restricted Account.*

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

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

(1) *From funds appropriated for general government operations, 1.74% shall be used for the creation of an institute in a city of the second class to research and develop healthy building products, at least 1.04% shall be used for independent research by a not-for-profit entity which partners with higher education institutions, to identify, characterize and manage issues related to the economic and environmental impact of Pennsylvania Marcellus Shale development and the department may provide an allocation to support operations of locks and dams which are necessary to support economic growth and commercial navigation.*

(2) *Funds appropriated for marketing to attract tourists include an allocation to plan and market a biennial arts and cultural activity which generates Statewide and regional economic impact, allocations to promote annual arts and cultural activities and an allocation of no less than the amount allocated in the 2014-2015 fiscal year for an annual Statewide competition serving approximately 2,000 athletes with intellectual disabilities from across this Commonwealth to be held in a county of the fourth class.*

(3) *From funds appropriated for Keystone Communities, 7.09% shall be distributed to a multimunicipal revitalization organization in a county of the sixth class with a population, based on the most recent Federal decennial census, of at least 68,000, but not more than 70,000, for sidewalks and repairs associated with downtown revitalization. The remaining funds include an allocation for the Main Street and Elm Street programs which are distributed in the same proportion as amounts allocated in fiscal year 2012-2013.*

(4) *From funds appropriated for regional event security, the distribution shall be as follows:*

(i) *For costs incurred as a result of the 2015 papal visit, 80% shall be distributed to a convention center authority in a city of the first class and 20% shall be distributed on a pro rata basis to counties contiguous to a city of the first class, a county of the third*

class with a population of 498,886 based on the most recent decennial census and municipalities in the counties contained in this paragraph.

(ii) (Reserved).

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

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

(1) From funds appropriated for State parks operations, 6.76% shall be used for the operation and maintenance of the Washington Crossing Historical Park.

(2) (Reserved).

Section 1721-L. Department of Corrections.

From the appropriation for general government operations of the Department of Corrections, at least \$1,500,000 shall be used for the establishment of a nonnarcotic medication assisted substance abuse treatment grant pilot program.

Section 1721.1-L. Department of Drug and Alcohol Programs.

From the appropriation for general government operations, at least 40.13% shall be used for programs providing treatment for posttraumatic stress disorder for veterans.

Section 1722-L. Department of Education.

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

(1) From an appropriation for adult and family literacy programs, summer reading programs and the adult high school diplomas program, no less than the amount allocated in the 2014-2015 fiscal year shall be allocated for an after-school learning program servicing low-income students located in a county of the sixth class with a population, based on the most recent Federal decennial census, of at least 60,000, but not more than 70,000.

(2) From the appropriation for mobile science and mathematics education programs, no less than the amount allocated in the 2014-2015 fiscal year shall be allocated for a mathematics education program that targets middle school students, no less than the amount allocated in the 2014-2015 fiscal year shall be allocated to a nautical science center in a county of the second class, no less than the amount allocated in the 2014-2015 fiscal year shall be allocated for a mathematics laboratory in a school district in a city of the third class located in a county of the third class, no less than the amount allocated in the 2014-2015 fiscal year shall be allocated for a regional science, technology, engineering and mathematics center serving sixth through twelfth grade students located in a township of the first class in a county of the third class and \$100,000 shall be allocated for a research and development center associated with the Commonwealth's land grant institution located in a county of the sixth class for the promotion of economic development.

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

(i) *Each entity which received a distribution in the 2014-2015 fiscal year shall receive a distribution equal to the amount received in the 2014-2015 fiscal year.*

(ii) *An educational¹ consortium serving Cameron, Clarion, Clearfield, Crawford, Elk, Forest, Jefferson, McKean, Potter, Venango and Warren Counties shall receive an additional distribution of \$125,000.*

(4) *From the appropriation for regional community college services, 20% shall be distributed to a community college in a county of the fourth class with a population, based on the most recent Federal decennial census, of at least 175,000, but not more than 190,000, 16.67% for a dual enrollment program at a community college in a city of the first class and 40% shall be distributed to a nonprofit organization authorized under section 1705-E.1 establishing a rural regional college serving nine rural counties.*

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

(6) *From funds appropriated for approved private schools, at least 1.18% shall be used for payments to an approved private school in a county of the fourth class that was approved in calendar year 2014 but has not received payments from the department. The department may provide additional payments to an approved private school under this paragraph from available funds.*

(7) *From funds appropriated for approved private schools for the 2015-2016 school year, the amount available in the appropriation after subtracting the amount determined to be the Commonwealth's share under section 1376(a) of the Public School Code of 1949 and any amounts provided to a new approved private school shall be distributed on a pro rata basis based on the allocation determined in section 1376(a.2) of the Public School Code of 1949 and shall be considered part of the base allocation in section 1376(a.2) of the Public School Code of 1949.*

(8) *Notwithstanding any other provision of law, funds from the set-aside under paragraph (16) shall be allocated to each approved private school with a day tuition rate determined to be less than \$32,000 during the 2010-2011 school year. The allocation shall be determined as follows:*

(A) *Subtract:*

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

(II) *\$38,072.*

(B) *Multiply:*

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

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

¹(ii) For an educational¹ in enrolled bill.

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

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

(11) *From funds appropriated for payment of required contribution for public school employee's social security, each employer shall submit a report to the department documenting all wages for which payments are calculated under 24 Pa.C.S. § 8329 for each month no later than the first Tuesday of the second subsequent month. The department shall process and submit a payment requisition to the State Treasurer in order to make a payment to each employer that submitted a timely report no later than 14 business days from the required submission date. An employer that submits an untimely report shall be paid for the amount due by the department in a timely manner after the required documentation has been submitted. The department shall issue a report each month detailing the wages reported by each employer and the payments made to the employer from the appropriation and provide an electronic copy to the chairperson of the Appropriations Committee of the Senate and the chairperson of the Appropriations Committee of the House of Representatives.*

(12) *From the appropriation for payments on account of special education for exceptional children, the amount of the appropriation allocated for payments to school districts shall be distributed as follows:*

(i) *Each school district shall receive an amount equal to the amount paid during the 2013-2014 school year under section 2509.5(aaa) of the Public School Code of 1949.*

(ii) *Each school district shall receive a student-based allocation to be calculated as follows:*

(A) *Multiply the sum of the school district's weighted special education student headcount and its sparsity/size adjustment by its market value/income aid ratio and its equalized millage multiplier.*

(B) *Multiply the product in clause (A) by \$46,750,000.*

(C) *Divide the product from clause (B) by the sum of the products in clause (A) for all school districts.*

(13) *For the purposes of paragraph (12):*

(i) *The weighted special education student headcount shall be calculated for each school district as follows:*

(A) Multiply the number of special education students who reside in the school district for which the annual expenditure is less than \$25,000, which shall be known as Category 1, by 1.51.

(B) Multiply the number of special education students that reside in the school district for which the annual expenditure is equal to or greater than \$25,000, but less than \$50,000, which shall be known as Category 2, by 3.77.

(C) Multiply the number of special education students who reside in the school district for which the annual expenditure is equal to or greater than \$50,000, which shall be known as Category 3, by 7.46.

(D) Add the products in clauses (A), (B) and (C).

The annual expenditure amount used to calculate funding shall be based on the information reported to the department under section 1372(8) of the Public School Code of 1949.

(ii) The sparsity ratio shall be calculated for each school district as follows:

(A) Divide the school district's average daily membership per square mile by the State's average daily membership per square mile.

(B) Multiply the quotient of clause (A) by 0.5.

(C) Subtract the product in clause (B) from one.

(iii) The size ratio for each school district shall be calculated as follows:

(A) Divide the school district's average daily membership by the average of the average daily membership of all school districts.

(B) Multiply the quotient of clause (A) by 0.5.

(C) Subtract the product in clause (B) from one.

(iv) The sparsity/size ratio for each school district shall be calculated by adding 40% of the sparsity ratio and 60% of the size ratio.

(v) The sparsity/size adjustment for each school district shall be calculated as follows:

(A) For a school district with a sparsity/size ratio less than or equal to the sparsity/size ratio that represents the 70th percentile of the sparsity/size ratio of all school districts, the school district's sparsity/size adjustment shall be zero.

(B) For a school district with a sparsity/size ratio greater than the sparsity/size ratio that represents the 70th percentile of the sparsity/size ratio of all school districts, the school district's sparsity/size adjustment shall be calculated as follows:

(I) Divide the school district's sparsity/size ratio by the sparsity/size ratio that represents the 70th percentile of the sparsity/size ratio of all school districts.

(II) Subtract one from the quotient in subclause (I).

(III) Multiply the remainder in subclause (II) by 0.5.

(IV) Multiply the product in subclause (III) by the school district's weighted special education student headcount.

(vi) The equalized millage multiplier for each school district shall be calculated as follows:

(A) For a school district with an equalized millage rate greater than or equal to the equalized millage rate that represents the 70th percentile of the equalized millage rate of all school districts, the school district's equalized millage multiplier shall be one.

(B) For a school district with an equalized millage rate less than the equalized millage rate that represents the 70th percentile of the equalized millage rate of all school districts, the school district's equalized millage multiplier shall be calculated as follows:

(I) Divide the school district's equalized millage rate by the equalized millage rate that represents the 70th percentile of the equalized millage rate of all school districts.

(II) (Reserved).

(14) The data used to calculate the weighted special education student headcount in paragraph (13)(i) shall be based on information from the most recent year for which data is available as determined by the department. The data used to calculate the provisions in paragraph (13)(ii), (iii), (iv), (v) and (vi) shall be averaged for the three most recent years for which data is available as determined by the department.

(15) An amount equal to 5.5% of the appropriation for payments on account of special education of exceptional children shall be distributed to intermediate units on account of special education services. The amount shall be distributed as follows:

(i) Thirty-five percent of the amount shall be distributed to each intermediate unit equally among all intermediate units.

(ii) The remaining 65% of the amount shall be distributed on a pro rata basis to each intermediate unit based on its component school districts' average daily membership.

(16) The following shall apply:

(i) Notwithstanding any provisions contained in section 2509.8 of the Public School Code of 1949, from the appropriation for payments on account of special education for exceptional children, 1% of the special education appropriation shall be distributed to school districts and charter schools for extraordinary expenses incurred in providing a special education program or service to one or more students with disabilities as approved by the Secretary of Education. The special education program or service shall include, but is not limited to, the transportation of students with disabilities; services related to occupational therapy, physical therapy, speech and language, hearing impairments or visual impairments; or training in orientation and mobility for children who are visually impaired or blind.

(ii) Funds distributed to a school district or charter school under this paragraph shall be allocated for students for which expenses are incurred on an annual basis that are equal to or greater than \$75,000 as follows:

(A) For a student for whom expenses are equal to or greater than \$75,000 and less than or equal to \$100,000, subtract the State subsidies paid on behalf of the student to the school district or, for a student enrolled in a charter school, the charter school payment received by the charter school where the child is enrolled from the expense incurred for the student and multiply the difference by the school district's or charter school's market value/personal income aid ratio.

(B) For a student for whom expenses are greater than \$100,000, subtract the State subsidies paid on behalf of the student to the school district or, for a student enrolled in a charter school, the charter school payment received by the charter school where the child is enrolled from the expense incurred for the student.

(iii) No school district or charter school shall in any school year receive an amount under subparagraph (i) which exceeds the total amount of funding available multiplied by the percentage equal to the greatest percentage of the State's special education students enrolled in a school district or charter school.

(17) (Reserved).

(17.1) If the fiscal year 2015-2016 appropriation for basic education funding exceeds the amount appropriated for basic education funding in fiscal year 2014-2015, the Commonwealth shall pay to each school district a basic education funding allocation which shall consist of the following:

(i) An amount equal to the school district's basic education funding allocation for the 2013-2014 school year.

(ii) A student-based allocation to be calculated as follows:

(A) Multiply the school district's student-weighted average daily membership by the median household income index and local effort capacity index.

(B) Multiply the product in clause (A) by the difference between the amount appropriated for the allocation of basic education funding to school districts and the amount appropriated for the allocation in subparagraph (i).

(C) Divide the product in clause (B) by the sum of the products in clause (A) for all school districts.

(iii) For the purpose of subparagraph (ii):

(A) Student-weighted average daily membership for a school district shall be the sum of the following:

(I) The average of the school district's three most recent years' average daily membership.

(II) The acute poverty average daily membership calculated as follows:

(a) Multiply the school district's acute poverty percentage by its average daily membership.

(b) Multiply the product in unit (a) by 0.6.

(III) The poverty average daily membership calculated as follows:

(a) Multiply the school district's poverty percentage by its average daily membership.

(b) Multiply the product in unit (a) by 0.3.

(IV) The concentrated poverty average daily membership for qualifying school districts with an acute poverty percentage equal to or greater than 30%, to be calculated as follows:

(a) Multiply the school district's acute poverty percentage by its average daily membership.

(b) Multiply the product in unit (a) by 0.3.

(V) The number of the school district's limited English-proficient students multiplied by 0.6.

(VI) The average daily membership for the school district's students enrolled in charter schools and cyber charter schools multiplied by 0.2.

(VII) The sparsity/size adjustment for qualifying school districts with a sparsity/size ratio greater than the sparsity/size ratio that represents the 70th percentile sparsity/size ratio for all school districts calculated as follows:

(a) Divide the school district's sparsity/size ratio by the sparsity/size ratio that represents the 70th percentile for all school districts.

(b) Subtract one from the quotient in unit (a).

(c) Multiply the sum of subclauses (I), (II), (III), (IV), (V) and (VI) by the amount in unit (b).

(d) Multiply the product in unit (c) by 0.7.

(B) Local effort index for a school district shall be calculated as follows:

(I) Determine the school district's local effort factor calculated as follows:

(a) Multiply the school district's median household income by its number of households.

(b) Divide the school district's local tax-related revenue by the product in unit (a).

(c) Multiply the quotient in unit (b) by 1,000.

(d) Divide the product in unit (c) by the Statewide median of unit (c).

(II) Determine the school district's excess spending factor, to be calculated as follows:

(a) Divide the school district's current expenditures by the sum of its average daily membership and the amounts in clause (A)(II), (III), (IV), (V), (VI) and (VII).

(b) Divide the quotient in unit (a) by the Statewide median of unit (a).

(c) Divide one by the quotient in unit (b).

(III) Multiply the school district's local effort factor by the lesser of one or the school district's excess spending factor.

(C) Local capacity index for a qualifying school district shall be calculated as follows:

(I) Divide the school district's local tax-related revenue by the sum of its market value and personal income valuation.

(II) Multiply the sum of the school district's market value and personal income valuation by the Statewide median of subclause (I).

(III) Determine the school district's local capacity per student by dividing the product in subclause (II) by the sum of its average daily membership and the amounts in clause (A)(II), (III), (IV), (V), (VI) and (VII).

(IV) If the school district's local capacity per student is less than the Statewide median of subclause (III):

(a) Divide the school district's local capacity per student by the Statewide median.

(b) Subtract the quotient in unit (a) from one.

(c) Local effort capacity index for a school district shall equal the sum of its local effort index and local capacity index.

(d) The data used to calculate the factors and indexes in this section shall be based on the most recent years for which data is available as determined by the Department of Education.

(iv) As used in subparagraph (ii), the following words and phrases shall have the meanings given to them in this subparagraph unless the context clearly indicates otherwise:

"Acute poverty percentage." The number of children six to 17 years of age living in a household where the ratio of income to poverty is less than 100% of the Federal poverty guidelines divided by the total number of children six to 17 years of age as determined by the most recent five-year estimate of the United States Census Bureau's American Community Survey.

"Households." The number of households in each school district as determined by the most recent five-year estimate of the United States Census Bureau's American Community Survey.

"Local tax-related revenue." The sum of school district revenues for State property tax reduction allocation, taxes levied and assessed, delinquencies on taxes levied and assessed, revenue from local government units and other local revenues not specified elsewhere, as designated in the Manual of Accounting and Financial Reporting for Pennsylvania Public Schools.

"Median household income." *The median household income for school districts and the State as determined by the most recent five-year estimate of the United States Census Bureau's American Community Survey.*

"Median household income index." *A number calculated as follows:*

(1) *Divide a school district's median household income by the State median household income.*

(2) *Divide one by the quotient in paragraph (1).*

"Poverty percentage." *The number of children six to 17 years of age living in a household where the ratio of income to poverty is between 100% and 184% of the Federal poverty guidelines divided by the total number of children six to 17 years of age as determined by the most recent five-year estimate of the United States Census Bureau's American Community Survey.*

"Size ratio." *A number calculated as follows:*

(1) *Divide the average of a school district's three most recent years' average daily membership by the Statewide average of the three most recent years' average daily membership for all school districts.*

(2) *Multiply the amount in paragraph (1) by 0.5.*

(3) *Subtract the amount in paragraph (2) from one.*

"Sparsity ratio." *A number calculated as follows:*

(1) *Divide the average of a school district's three most recent years' average daily membership by its total square miles as reported in the latest decennial census as reported by the United States Census Bureau.*

(2) *Divide the State total average daily membership by the State total square miles.*

(3) *Divide the quotient in paragraph (1) by the quotient in paragraph (2).*

(4) *Multiply the quotient in paragraph (3) by 0.5.*

(5) *Subtract the product in paragraph (4) from one.*

"Sparsity/size ratio." *A number calculated by adding the following amounts:*

(1) *The sparsity ratio multiplied by 0.4.*

(2) *The size ratio multiplied by 0.6.*

(17.2) *The department shall deduct from payments to school districts made under paragraph (17.1), which occur after April 15, 2016, the difference between the following if the difference as calculated is a positive amount:*

(i) *The amount distributed to school districts from the appropriation in the General Appropriation Act of 2015 for ready-to-learn block grants.*

(ii) *The amount to be distributed under paragraph (21).*

(17.3) *Notwithstanding any provision of the General Appropriation Act of 2015 and the act of March 28, 2016 (P.L.1531, No.1A), known as the Supplement to the General Appropriation Act of 2015, to the contrary, any amounts deducted under paragraph (17.2) from payments*

to school districts made under paragraph (17.1) shall be used to make payments under paragraph (21) to school entities, if the difference between the following is calculated as a negative amount:

(i) The amount distributed to school entities from the appropriation in the General Appropriation Act of 2015 for ready-to-learn block grants.

(ii) The amount to be distributed under paragraph (21).

(18) Except as provided in paragraph (18.1) and notwithstanding any other provision of law, from the appropriation for payment of approved operating expenses for community colleges, each community college shall receive an amount equal to the amount paid during the 2014-2015 fiscal year under section 1722-J(17). If insufficient funds are appropriated pursuant to this paragraph, payments shall be made on a pro rata basis.

(18.1) If the amount appropriated for payment of approved operating expenses for community colleges for fiscal year 2015-2016 exceeds the amount appropriated in 2014-2015 and notwithstanding any other provision of law, each community college shall receive the amount as determined under paragraph (18) plus an amount determined for each community college as follows:

(i) Multiply the audited full-time equivalent enrollment as verified under section 1913-A(k.1) of the Public School Code of 1949 for the most recent year available for the community college by the difference between the appropriation for payment of approved operating expenses of community colleges in fiscal year 2015-2016 and fiscal year 2014-2015.

(ii) Divide the product in subparagraph (i) by the sum of the audited full-time equivalent enrollment as verified under section 1913-A(k.1) of the Public School Code of 1949 for the most recent year available for all community colleges.

(19) Notwithstanding any other provision of law to the contrary, each library subject to 24 Pa.C.S. Ch. 93 (relating to public library code), shall be eligible for State aid for fiscal year 2015-2016, as follows:

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

(A) Divide the amount of funding that the library received in fiscal year 2014-2015 under section 1722-J(18) by the total State-aid subsidy for fiscal year 2014-2015.

(B) Multiply the quotient under clause (A) by the total State-aid subsidy for fiscal year 2015-2016.

(ii) Following distribution of funds appropriated for State aid to libraries under subparagraph (i), 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 2015-2016 are less than funds appropriated in fiscal year 2002-2003, the State Librarian may waive standards as prescribed in 24 Pa.C.S. Ch. 93.

(iv) 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.

(v) In the case of a library system that contains a library operating in a city of the second class, changes to the distribution of State aid to the library shall be made by mutual agreement between the library and the library system.

(vi) In the event of a change in district library center population prior to the effective date of this paragraph as a result of:

(A) a city, borough, town, township, school district or county moving from one library center to another; or

(B) a transfer of district library center status to a county library system;

funding of district library center aid shall be paid based on the population of the newly established or reconfigured district library center.

(vii) In the event of a change in direct service area from one library to another, the State Librarian, upon agreement of the affected libraries, may redistribute the local library share of aid to the library currently servicing the area.

(20) If payments to school entities are made under paragraphs (17.1) and (21), the department 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 declared to be in financial recovery status under section 621-A of the Public School Code of 1949 or identified for financial watch status under section 611-A of the Public School Code of 1949. The funds shall be transferred by the Secretary of the Budget to a restricted account as necessary to make payments under this paragraph and, when transferred, are hereby appropriated to carry out the provisions of this paragraph.

(21) From the appropriation for the Ready to Learn Block Grant, funds shall be distributed to school entities as follows:

(i) Each school entity shall receive:

(A) An amount equal to the amount paid during the 2013-2014 school year under section 2599.2 of the Public School Code of 1949.

(B) A Ready to Learn Block Grant subsidy equal to the amount paid during the 2014-2015 school year under section 1722-J(21)(ii).

(C) For each school district, an amount determined as follows:

(I) Multiply the amount of funding the school district received under section 1722-J(21)(ii) by the difference between the amount of the appropriation for the Ready to Learn Block Grant in fiscal year 2015-2016 and fiscal year 2014-2015.

(II) Divide the product in subclause (I) by the sum of the amounts under section 1722-J(21)(ii) for all school districts.

(ii) If insufficient funds are appropriated pursuant to subparagraph (i), payments shall be made on a pro rata basis.

(iii) Funding received by a school entity under subparagraph (i)(A) shall be used in accordance with section 2599.2 of the Public School Code of 1949, or as allowed under subparagraph (v).

(iv) To be eligible to receive funding under subparagraph (i)(B) and (C), each school entity shall submit a plan for approval to the Department of Education outlining how the funding will be used to maintain and improve academic performance.

(v) Funds distributed under subparagraph (i)(B) and (C) shall be used for the purposes described in section 1722-J(21)(v)(A), (B), (C), (D), (E), (F), (G), (H), (I), (J), (K) and (L).

(vi) For the purpose of this paragraph, a school entity shall be a school district, charter school, cyber charter school or regional charter school.

(22) Notwithstanding any provision of law to the contrary, the revenues received by a school district under paragraph (21)(i)(B) shall not be included in the school district's budgeted total expenditure per average daily membership used to calculate the amount to be paid to a charter school under section 1725-A(a)(2) and (3) of the Public School Code of 1949.

(23) (Reserved).

(24) Notwithstanding any provision of law, in order to supplement funds appropriated to the department for general government operations and to defray the costs of administration and oversight activities associated with alternative education programs:

(i) A school district, combination of school districts or charter school that makes an application to establish an alternative education program under Article XIX-C of the Public School Code of 1949 shall submit initial and renewal applications along with a fee of \$400 as prescribed by the department.

(ii) A private alternative education institution that makes an application for approval to operate under Article XIX-E of the Public School Code of 1949 shall submit initial and renewal applications along with a fee of \$1,000 as prescribed by the department.

(iii) The funds collected in subparagraphs (i) and (ii) shall be deposited into a restricted account in the General Fund to be known as the Alternative Education Program Account and are hereby appropriated to the department.

(25) From funds appropriated for career and technical education equipment grants, the following apply:

(i) The Department of Education shall establish a grant program to assist each area vocational-technical school and school district with an approved vocational program that applies for and is approved for funding by the Department of Education to purchase

equipment that meets industry standards. Grants shall be distributed in an amount to be calculated as follows:

(A) A base amount of \$3,000.

(B) A per-student amount calculated as follows:

(I) Multiply the 2014-2015 average daily membership in approved vocational education programs for each area vocational-technical school or school district that has been approved for funding by the department by the difference between the amount appropriated for career and technical education equipment grants and the sum of the funding distributed under clause (A) to all area vocational-technical schools and school districts.

(II) Divide the product from subclause (I) by the sum of the 2014-2015 average daily membership in approved vocational education programs for all area vocational-technical schools and school districts that have been approved for funding by the department.

(ii) The application to apply for funding under subparagraph (i) shall be developed by the department within 30 days of the effective date of this section and only require the following, which may be collected electronically:

(A) Name, address, e-mail address and telephone number of the area vocational-technical school or school district.

(B) Name, e-mail address and telephone number of an employee of the area vocational-technical school or school district who will be available to answer questions regarding the funding application.

(C) Description of the equipment for which the requested funding will be used, the career and technical education program in which the equipment will be used, the date on which the occupational advisory committee recommended the purchase of the equipment and verification that the equipment will be used for technical classroom instruction.

(iii) The department may not request and consider any information other than the information provided in the funding application.

(iv) Each area vocational-technical school or school district with an approved vocational program that submits a completed funding application shall receive funding in the amount determined under subparagraph (i).

(v) If insufficient funds are appropriated to make payments under subparagraph (i), such payments shall be made on a pro rata basis.

(vi) For purposes of this paragraph, "occupational advisory committee" shall mean an occupational advisory committee established pursuant to 22 Pa. Code Ch. 339 (relating to vocational education).

Section 1723-L. Department of Environmental Protection.

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

(1) Notwithstanding 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 2015-2016, no funds shall be appropriated from the General Fund to the department for the Consumer Energy Program. Any appropriation for fiscal year 2015-2016 is revoked.

(2) From funds appropriated for general government operations, 3% shall be used for a project to improve infrastructure to provide clean drinking water in a county of the fourth class with a population, based on the most recent Federal decennial census, of at least 150,000 but not more than 155,000.

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

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

Section 1725-L. Department of Health.

The following apply:

(1) From funds appropriated for general government operations, sufficient funds are included for the coordination of donated dental services and 0.45% is included for outreach for Charcot-Marie-Tooth syndrome.

(2) Funds appropriated for newborn screening shall include an allocation for the operation of a referral center for abnormal metabolic screenings at a children's hospital in a county of the eighth class. The allocation under this paragraph shall be no less than the amount allocated to the center in the 2014-2015 fiscal year. If the total amount appropriated for newborn screening is equal to or greater than \$5,327,000, the center shall receive an allocation of no less than \$100,000 greater than the amount allocated to the center in the 2014-2015 fiscal year.

(3) From funds appropriated for adult cystic fibrosis and other chronic respiratory illnesses, no less than the amount used in the 2014-2015 fiscal year shall be used for a program promoting cystic fibrosis research in a county of the second class, and no less than the amount used in the 2014-2015 fiscal year shall be used for research related to childhood cystic fibrosis in a city of the first class with a hospital that is nationally accredited as a cystic fibrosis treatment center and specializes in the treatment of children.

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

(5) Funds appropriated for biotechnology research shall be distributed in the same proportion as distributed in fiscal year 2014-2015.

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:

(1) The appropriation for payment to the Vocational Rehabilitation Fund for work of the State Board of Vocational Rehabilitation Services includes allocations for a Statewide professional service provider association for the blind to provide specialized services and prevention of blindness services and for specialized services and prevention of blindness services in cities of the first class, in amounts used for those purposes in the 2014-2015 fiscal year.

(2) From funds appropriated to the department for transfer to the Vocational Rehabilitation Fund, the department shall allocate money to a program that provides for work-based learning experiences which take place in competitive integrated workplaces, as part of the preemployment transition services provided to high school students with disabilities.

(3) From funds appropriated for Industry Partnerships, no less than the amount allocated in the 2014-2015 fiscal year shall be allocated for a work force development program that links veterans with employment in a home rule county that was formerly a county of the second class A.

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

Section 1729-L. Department of Human Services.

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

(1) 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 10 days prior to a transfer under this subparagraph to the chairperson and minority chairperson of the Appropriations Committee of the Senate and the chairperson and minority chairperson 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 10 days prior to a transfer under this subparagraph to the chairperson and minority chairperson of the Appropriations Committee of the Senate and the chairperson and minority chairperson of the Appropriations Committee of the House of Representatives.

(2) The following shall apply:

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

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

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

(iv) *Federal or State funds appropriated under the General Appropriation Act in accordance with Article VIII-H of the Human Services Code, not used to make payments to hospitals qualifying as Level III trauma centers or seeking accreditation as Level III trauma centers, shall be used to make payments to hospitals qualifying as Levels I and II trauma centers.*

(v) *Qualifying university-affiliated physician practice plans which received funds for fiscal year 2014-2015 shall not receive any less than the State appropriation made available to those university-affiliated physician practice plans during fiscal year 2014-2015. From funds appropriated for physician practice plans:*

(A) *\$1,500,000 shall be distributed to a physician practice plan serving a health system located in a city of the first class and a contiguous county of the second class A which did receive funding during fiscal year 2014-2015;*

(B) *at least \$500,000 shall be distributed to a physician practice plan serving a health system located in a city of the first class and two contiguous counties of the second class A that has an independent academic center which did receive funding during fiscal year 2014-2015; and*

(C) *\$1,000,000 shall be distributed to an acute care hospital affiliated with an academic medical center located in a city of the second class.*

(vi) *Qualifying academic medical centers which received funds for fiscal year 2014-2015 shall not receive any less than the State appropriation made available to those academic medical centers during fiscal year 2014-2015.*

(vi.1) *Notwithstanding any provision of law to the contrary and in order to maximize the availability of Federal matching funding for allocations made under subparagraphs (v) and (vi), if funds appropriated for medical assistance fee-for-service are available, the allocations under subparagraph (v)(A) and (C) may be funded from funds appropriated for medical assistance fee-for-service.*

(vii) *Notwithstanding any other law, funds appropriated for medical assistance payments for fee-for-service care, exclusive of inpatient services provided through capitation plans, shall include*

sufficient funds for two separate All Patient Refined Diagnostic Related Group payments for inpatient acute care general hospital stays for:

(A) normal newborn care; and

(B) mothers' obstetrical delivery.

(viii) From funds appropriated for medical assistance payments for fee-for-service care, no less than the amount used in the 2014-2015 fiscal year shall be used for treatment of cleft palates and other craniofacial anomalies.

(ix) From funds appropriated for medical assistance fee-for-service care the following apply:

(A) At least \$800,000 shall be distributed to a health system for clinical ophthalmologic services located in a city of the first class.

(B) No less than the amount distributed in the 2014-2015 fiscal year shall be distributed for improvements to an intensive care facility in an acute care hospital located in a city of the first class.

(C) At least \$5,000,000 shall be distributed to a hospital in a city of the third class in a home rule county that was formerly a county of the second class A.

(x) From funds appropriated for medical assistance capitation, no less than the amount used in the 2014-2015 fiscal year shall be used for prevention and treatment of depression and its complications in older Pennsylvanians in a county of the second class, and sufficient funds are provided for managed care organizations to provide a \$5-per-hour increase in the reimbursement rates for pediatric shift nursing services provided in a home care setting effective January 1, 2016.

(xi) From funds appropriated for medical assistance long-term care, no less than the amount distributed in the 2014-2015 fiscal year shall be distributed to a county nursing home located in a home rule county that was formerly a county of the second class A which has a medical assistance occupancy rate of at least 85%, \$2,000,000 shall be distributed to a nonpublic nursing home located in a county of the first class with more than 395 beds and a Medicaid acuity at 1.19 as of August 1, 2015, to ensure access to necessary nursing care in that county and \$4,000,000 shall be distributed to a nonpublic nursing home located in a county of the eighth class with more than 119 beds and a Medicaid acuity of 1.14 as of August 1, 2015, to ensure access to necessary nursing home care in that county.

(3) 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) The following shall apply:

(i) Funds appropriated for women's service programs grants to nonprofit agencies whose primary function is to promote childbirth and 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) 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) The provisions of 8 U.S.C. §§ 1611 (relating to aliens who are not qualified aliens ineligible for Federal public benefits), 1612 (relating to limited eligibility of qualified aliens for certain Federal programs) and 1642 (relating to verification of eligibility for Federal public benefits) shall apply to payments and providers.

(6) From funds appropriated for autism intervention and services, no less than the amount distributed in the 2014-2015 fiscal year shall be distributed to a behavioral health facility located in a fifth class county with a population between 130,000 and 135,000 under the 2010 Federal decennial census that operates a center for autism and developmental disabilities, an institution of higher education which provides autism education and diagnostic curriculum located in a city of the first class that operates a center for autism in a county of the second class A, an institution of higher education which provides autism education and diagnostic curriculum and is located in a county of the second class, and programs to promote the health and fitness of persons with developmental disabilities located in a city of the first class.

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

(8) From funds appropriated for mental health services or from Federal funds, 0.076% shall be used for the following:

(i) The operation and maintenance of a network of web portals that provide comprehensive referral services, support and information relating to early intervention, prevention and support for individuals with mental health or substance abuse issues, county mental health offices, providers and others that provide mental and behavioral health treatment and related services.

(ii) The expansion of the existing web portals, including services and resources for military veterans and their families, including comprehensive referral services for transitional,

temporary and permanent housing, job placement and career counseling and other services for military veterans returning to civilian life.

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

Section 1730-L. Department of Revenue.

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

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

(i) Of the funds in the account, for each of the fiscal years 2015-2016 through 2019-2020, up to \$25,000,000 is appropriated to the department 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, 2014, and each June 15 thereafter, shall be transferred to the General Fund.

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

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

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

(2) (Reserved).

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

Section 1732-L. Department of Transportation.

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

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

entity and departmental documents which are sponsored by a private commercial entity.

(2) (Reserved).

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

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

Section 1735-L. Pennsylvania Emergency Management Agency.

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

(1) Funds appropriated for local municipal emergency relief shall be used for a State program to provide assistance to individuals and political subdivisions directly affected by natural and man-made disasters or public safety emergencies. State assistance will be limited to grants for projects that do not qualify for Federal assistance to help repair damages to primary residences, personal property and public facilities. Grants will be made available for reimbursement in a disaster emergency area only when a Presidential disaster declaration is not covering the area or when the agency determines that a public safety emergency has occurred.

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

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

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

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

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

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. (Reserved).

Section 1744-L. (Reserved).

Section 1745-L. (Reserved).

Section 1746-L. (Reserved).

Section 1747-L. (Reserved).

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

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

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

Section 1751-L. LIHEABG (Reserved).

SUBARTICLE C STATE GOVERNMENT SUPPORT AGENCIES

Section 1761-L. Health Care Cost Containment Council (Reserved).

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

Section 1763-L. Legislative Reference Bureau (Reserved).

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

- Section 1765-L. Legislative Data Processing Committee (Reserved).*
Section 1766-L. Joint State Government Commission (Reserved).
Section 1767-L. Joint Legislative Air and Water Pollution Control and Conservation Committee (Reserved).
Section 1768-L. Legislative Audit Advisory Commission (Reserved).
Section 1769-L. Independent Regulatory Review Commission (Reserved).
Section 1770-L. Capitol Preservation Committee (Reserved).
Section 1771-L. Pennsylvania Commission on Sentencing (Reserved).
Section 1772-L. Center for Rural Pennsylvania (Reserved).
Section 1773-L. Commonwealth Mail Processing Center (Reserved).
Section 1774-L. Transfers (Reserved).

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).

SUBARTICLE E
GENERAL ASSEMBLY
(Reserved)

ARTICLE XVII-M
2015-2016 RESTRICTIONS ON APPROPRIATIONS
FOR FUNDS AND ACCOUNTS

Section 1701-M. Applicability.

Except as specifically provided in this article, this article applies to the act of December 29, 2015 (P.L.621, No.10A), known as the General Appropriation Act of 2015, the act of March 28, 2016 (P.L.1531, No.1A), known as the Supplement to the General Appropriation Act of 2015, and all other appropriation acts of 2015.

Section 1702-M. State Lottery Fund.

The following apply:

(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. The State Stores Fund (Reserved).

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

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 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 (Reserved).

Section 1716-M. (Reserved).

Section 1717-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) *Land and Water Conservation Fund Act of 1965 (Public Law 88-578, 16 U.S.C. § 460l-4 et seq.).*

(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 Drug and Alcohol Programs.—The following restricted receipt accounts may be established for the Department of Drug and Alcohol Programs:

(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.

(4) Early Retiree Reinsurance Program.

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

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

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

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

Section 18. Article XVIII of the act is renumbered to read:

ARTICLE [XVIII] C

INTERPRETATION, EFFECTIVE DATE, AND REPEALER

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

It is the intention of the General Assembly that, if any court of competent jurisdiction shall hold unconstitutional any provisions of this act transferring to a department, board, commission, or officer, the powers and duties heretofore exercised and performed by another department, board, commission, or officer, the provisions transferring such powers and duties shall thereby become inoperative, and that, in such event, the department, board, commission, or officer, heretofore exercising such powers and

performing such duties shall continue to exercise and perform them. The remaining provisions of this act shall, in any such case, be given full force and effect.

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

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

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

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

Section [1804] 10004. Effective Date.—Article V of this act shall take effect on the first day of June, one thousand nine hundred and twenty-nine, but in all other respects this act shall become effective on the first day of July of said year, except that any licenses and tags or buttons issued prior to the effective date of this act shall remain in full force and effect for the period for which they shall have been issued, and any forms of license and tags or buttons prepared for issuance or for the preparation of which contracts shall have been executed prior to such effective date, may be used by the Department of Revenue during the remainder of the year one thousand nine hundred and twenty-nine, notwithstanding they bear the name of a department, board or commission other than the Department of Revenue.

Section [1805] 10005. Repealer.—

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

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

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

Sections one, two, three, five, nine, eleven, twelve, thirteen, fourteen, sixteen, twenty-six, thirty-one, thirty-two, thirty-three, thirty-four, thirty-six, and fifty-one, of the act, approved the thirtieth day of March, one thousand eight hundred eleven (Pamphlet Laws, one hundred forty-five), entitled "An act to amend and consolidate the several acts relating to the settlement of the

public accounts and the payment of the public monies and for other purposes."

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

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

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

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

In so far as inconsistent with the provisions of this act, requiring monthly reports and payments to the Department of Revenue by county officers, section three of the act, approved the second day of April, one thousand eight hundred thirty (Pamphlet Laws, one hundred forty-seven), entitled "An act for regulating hawkers and pedlars," and section nine of the act, approved the seventh day of April, one thousand eight hundred thirty (Pamphlet Laws, three hundred eighty-seven), entitled "An act graduating the duties upon wholesale dealers and retailers of merchandise, and prescribing the mode of issuing licenses and collecting said duties."

Section 19. This act shall apply as follows:

(1) The following provisions shall apply retroactively to July 1, 2015:

(i) The amendment or addition of the following provisions of the act:

(A) Section 1702-A(b)(1)(viii).

(B) Section 1733-E.

(C) Article XVII-L.

(D) Article XVII-M.

(ii) Section 16 of this act.

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

Section 20. This act shall take effect immediately.

Office of the Secretary of the Commonwealth

Harrisburg, June 14, 2016

I, Pedro A. Cortés, Secretary of the Commonwealth of Pennsylvania,

DO HEREBY CERTIFY, That the attached act, Act 25, which became law without the Governor's signature on April 25, of 2016, A.D. is a true and correct copy and appears of record and remains on file in this office.

PEDRO A. CORTÉS

Secretary of the Commonwealth