

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 52

Session of  
1993

INTRODUCED BY LLOYD, DeWEESE, STEELMAN, LINTON, BAKER, PETRARCA,  
MIHALICH, COY, PRESTON, FEE, PESCI, FAIRCHILD, HANNA,  
DEMPSEY, VAN HORNE, COWELL, KUKOVICH, STABACK, LAUGHLIN,  
TOMLINSON, CAPPABIANCA, BATTISTO, KING, STURLA, STAIRS,  
PISTELLA, FARGO, TANGRETTI, GEIST, KASUNIC, McCALL AND  
MAITLAND, JANUARY 27, 1993

AS AMENDED ON SECOND CONSIDERATION, IN SENATE, JUNE 22, 1993

AN ACT

1 ~~Requiring a transfer from the Realty Transfer Tax Account in the~~ <—  
2 ~~General Fund to the Deferred Maintenance Account.~~  
3 PROVIDING FOR THE ESTABLISHMENT, OPERATION AND ADMINISTRATION OF <—  
4 THE KEYSTONE RECREATION, PARK AND CONSERVATION FUND;  
5 DESIGNATING A PORTION OF THE STATE REALTY ~~TAX TRANSFER~~ <—  
6 ~~TRANSFER TAX REVENUES AS A FUNDING SOURCE FOR THE FUND;~~ <—  
7 AUTHORIZING THE INCURRING OF INDEBTEDNESS, WITH THE APPROVAL  
8 OF THE ELECTORATE, TO PROVIDE FUNDING FOR THE ACQUISITION OF,  
9 IMPROVEMENTS TO AND THE REHABILITATION OF PARKS, RECREATIONAL  
10 FACILITIES, EDUCATIONAL FACILITIES, HISTORIC SITES, ZOOS AND  
11 PUBLIC LIBRARIES; IMPOSING ADDITIONAL POWERS AND DUTIES ON  
12 THE DEPARTMENT OF ENVIRONMENTAL RESOURCES, THE DEPARTMENT OF  
13 COMMUNITY AFFAIRS, THE DEPARTMENT OF EDUCATION, THE  
14 PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION, THE STATE <—  
15 SYSTEM OF HIGHER EDUCATION, THE PENNSYLVANIA GAME COMMISSION  
16 AND THE PENNSYLVANIA FISH AND BOAT COMMISSION; REQUIRING A  
17 TRANSFER FROM THE REALTY TRANSFER TAX ACCOUNT IN THE GENERAL  
18 ~~FUND TO THE DEFERRED MAINTENANCE ACCOUNT;~~ AND MAKING AN <—  
19 APPROPRIATION.

20 TABLE OF CONTENTS

21 SECTION 1. SHORT TITLE.  
22 SECTION 2. DECLARATION OF POLICY.  
23 SECTION 3. DEFINITIONS.  
24 SECTION 4. KEYSTONE RECREATION, PARK AND CONSERVATION FUND.

- 1 SECTION 5. REFERENDUM.  
2 SECTION 6. COMMONWEALTH INDEBTEDNESS.  
3 SECTION 7. ALLOCATION OF STATE REALTY TRANSFER TAX REVENUES.  
4 SECTION 8. DUTIES, RESPONSIBILITIES AND LIMITATIONS ON  
5 AGENCIES.  
6 SECTION 9. ANNUAL REPORTS.  
7 SECTION 10. PROPERTY RESTRICTIONS.  
8 SECTION 11. FEDERAL PROGRAMS.  
9 SECTION 12. ALLOCATION FROM FUND.  
10 SECTION 13. WAIVERS.  
11 SECTION 14. REPEALS.  
12 SECTION 15. EFFECTIVE DATE.

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

15 ~~Section 1. Transfer of funds.~~ <—

16 ~~Effective for fiscal years beginning with 1994-1995, 10% of~~  
17 ~~the cash from the Realty Transfer Tax Account in the General~~  
18 ~~Fund shall be transferred to a restricted receipt account in the~~  
19 ~~State Treasury, known as the Deferred Maintenance Account, to be~~  
20 ~~used for deferred maintenance projects at State parks,~~  
21 ~~historical sites and museums owned by the Pennsylvania~~  
22 ~~Historical and Museum Commission and educational facilities~~  
23 ~~owned by the State System of Higher Education. The transfer from~~  
24 ~~the Realty Transfer Tax Account in the General Fund to the~~  
25 ~~Deferred Maintenance Account required by this section shall be~~  
26 ~~made on the last day of each month for the current month~~  
27 ~~beginning with the transfer on July 31, 1994.~~

28 ~~Section 2. Report.~~

29 ~~Within 30 days of the date this act becomes applicable, and~~  
30 ~~annually by January 31, the Department of Environmental~~

1 Resources, the Pennsylvania Historical and Museum Commission and  
2 the State System of Higher Education shall submit to the  
3 Governor and the majority chairman and the minority chairman of  
4 the Appropriations Committee of the Senate and the majority  
5 chairman and the minority chairman of the Appropriations  
6 Committee of the House of Representatives a report of  
7 maintenance projects at State parks, historical sites and  
8 museums and educational facilities, respectively, which have  
9 been deferred together with a proposed schedule for performing  
10 deferred maintenance projects and an estimate of the cost of  
11 each deferred maintenance project.

12 Section 3. ~~Appropriation.~~

13       ~~Effective for fiscal years beginning with 1994-1995, the~~  
14 ~~General Assembly shall appropriate money from the Deferred~~  
15 ~~Maintenance Account for deferred maintenance projects at State~~  
16 ~~parks, historical sites and museums owned by the Pennsylvania~~  
17 ~~Historical and Museum Commission and educational facilities~~  
18 ~~owned by the State System of Higher Education. For fiscal years~~  
19 ~~beginning with 1994-1995 and ending with 1998-1999, at least 55%~~  
20 ~~of the amount appropriated from the Deferred Maintenance Account~~  
21 ~~shall be appropriated for deferred maintenance projects at State~~  
22 ~~parks, at least 15% shall be appropriated for deferred~~  
23 ~~maintenance projects at historical sites and museums owned by~~  
24 ~~the Pennsylvania Historical and Museum Commission, and at least~~  
25 ~~25% shall be appropriated for deferred maintenance projects at~~  
26 ~~educational facilities owned by the State System of Higher~~  
27 ~~Education.~~

28 Section 4. ~~Applicability.~~

29       ~~This act shall apply to fiscal years beginning on or after~~  
30 ~~July 1, 1994.~~

1 ~~Section 5. Effective date.~~

2 ~~This act shall take effect immediately.~~

3 SECTION 1. SHORT TITLE. ←

4 THIS ACT SHALL BE KNOWN AND MAY BE CITED AS THE KEYSTONE  
5 RECREATION, PARK AND CONSERVATION FUND ACT.

6 SECTION 2. DECLARATION OF POLICY.

7 THE GENERAL ASSEMBLY FINDS AND DECLARES AS FOLLOWS:

8 (1) FUNDAMENTAL TO THE HEALTH AND WELFARE OF THE PEOPLE  
9 OF PENNSYLVANIA ARE THE LAND AND WATER RESOURCES OF THIS  
10 COMMONWEALTH, AS DESCRIBED IN SECTION 27 OF ARTICLE I OF THE  
11 CONSTITUTION OF PENNSYLVANIA.

12 (2) COMMONWEALTH PARKS, GAME LANDS, FISHING AREAS,  
13 HISTORICAL SITES, EDUCATIONAL FACILITIES, COMMUNITY PARKS,  
14 RECREATION AREAS, NATURAL AREAS, ZOOS AND LIBRARIES ARE  
15 SIGNIFICANT ASSETS AND ARE IMPORTANT CONTRIBUTORS TO TOURISM,  
16 ECONOMIC DEVELOPMENT AND RECREATION.

17 (3) THE COMMONWEALTH'S PARK AND FOREST SYSTEMS, ITS  
18 HISTORIC SITES, MANY LOCAL PARK AREAS, ZOOS AND RECREATIONAL  
19 FACILITIES PARTICULARLY IN OUR URBAN CENTERS AND PUBLIC  
20 LIBRARIES ARE AT THE HEART OF NUMEROUS STUDIES WHICH  
21 DEMONSTRATE A WELL-DOCUMENTED NEED FOR THE IMMEDIATE  
22 PROVISION OF FUNDING FOR REHABILITATION OF THESE PARK AND  
23 RECREATION FACILITIES OF CRITICAL IMPORTANCE TO VISITOR  
24 SAFETY AND ENVIRONMENTAL PROTECTION AND FOR THE ACQUISITION  
25 OF RECREATION AND OPEN SPACE LANDS WHICH FACE IMMINENT LOSS  
26 OR DAMAGE.

27 (4) IN ORDER TO FACILITATE THE IMPROVEMENT OF THE  
28 COMMONWEALTH'S PARK AND FOREST SYSTEMS, OUR LOCAL PARK AND  
29 RECREATION FACILITIES, OUR NATURAL AREAS, OUR ZOOS, OUR  
30 HISTORIC SITES, EDUCATIONAL FACILITIES AND OUR PUBLIC

1 LIBRARIES, IT IS NECESSARY TO MAKE SUBSTANTIAL EXPENDITURES  
2 FOR CAPITAL IMPROVEMENTS.

3 (5) GROWTH IN FINANCIAL SUPPORT FOR RECREATION IN THIS  
4 COMMONWEALTH HAS NOT KEPT UP WITH THE GROWING NEEDS OF  
5 RECREATION CONSUMERS.

6 (6) A PREDICTABLE AND STABLE SOURCE OF FUNDING HAS BEEN  
7 WELL DOCUMENTED AS THE MOST APPROPRIATE WAY TO ACHIEVE A  
8 SOLUTION TO THE FUNDING PROBLEMS FACING PARKS, NATURAL AREAS,  
9 RECREATION, HISTORIC PRESERVATION FACILITIES, EDUCATIONAL  
10 FACILITIES, ZOOS AND PUBLIC LIBRARIES IN THIS COMMONWEALTH.

11 (7) THE CONTINUED NEED FOR RECREATION AND COMMUNITY  
12 SERVICES REQUIRES THE DEVELOPMENT OF NEW, AND REHABILITATION  
13 OF EXISTING, INDOOR AND OUTDOOR RECREATION, PARK, HISTORIC,  
14 ZOO AND LIBRARY FACILITIES.

15 (8) THE COMMONWEALTH MUST ACT TO DEVELOP AND  
16 REHABILITATE, AND TO ASSIST MUNICIPALITIES TO DEVELOP AND TO  
17 REHABILITATE, NEWLY AND PREVIOUSLY ACQUIRED LANDS AND  
18 FACILITIES FOR RECREATION, HISTORICAL USES, CONSERVATION AND  
19 ENVIRONMENTAL EDUCATION SO THAT THE PUBLIC MAY HAVE ACCESS  
20 AND ENJOYMENT OF THESE AREAS AND FACILITIES.

21 (9) THE COMMONWEALTH MUST ACT TO ACQUIRE AND TO ASSIST  
22 MUNICIPALITIES TO ACQUIRE LANDS FOR RECREATION, HISTORICAL  
23 USES, CONSERVATION AND ENVIRONMENTAL EDUCATION SO THAT THE  
24 PUBLIC MAY HAVE ACCESS AND ENJOYMENT OF THESE AREAS AND  
25 FACILITIES.

26 SECTION 3. DEFINITIONS.

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

30 "ACQUISITION." THE PURCHASE, OR LEASE WITH AN OPTION TO

1 PURCHASE, OF LAND OR BUILDINGS FOR PUBLIC PARK, CONSERVATION,  
2 HISTORICAL, RECREATION, ZOO OR LIBRARY USES.

3 "ADMINISTRATIVE EXPENSES." ANY EXPENDITURES OF FUNDS  
4 INCLUDING, BUT NOT LIMITED TO, EXPENDITURES OF COMMONWEALTH  
5 AGENCIES FOR PERSONNEL AND OTHER OPERATING COSTS NECESSARY TO  
6 ACCOMPLISH THE PURPOSES OF THIS ACT.

7 "AGENCY." THE DEPARTMENT OF ENVIRONMENTAL RESOURCES, THE  
8 DEPARTMENT OF COMMUNITY AFFAIRS, THE DEPARTMENT OF EDUCATION,  
9 THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION, THE STATE ←  
10 SYSTEM OF HIGHER EDUCATION, THE PENNSYLVANIA FISH AND BOAT  
11 COMMISSION AND THE PENNSYLVANIA GAME COMMISSION OF THE  
12 COMMONWEALTH.

13 "DEVELOPMENT." ANY NEW CONSTRUCTION, IMPROVEMENT, ALTERATION  
14 OR RENOVATION REQUIRED FOR AND COMPATIBLE WITH THE PHYSICAL  
15 DEVELOPMENT, IMPROVEMENT OF LAND OR BUILDINGS FOR PUBLIC PARK,  
16 CONSERVATION, HISTORICAL, RECREATION OR LIBRARY PURPOSES.

17 "EDUCATIONAL FACILITY." A FACILITY OWNED BY THE STATE SYSTEM  
18 OF HIGHER EDUCATION.

19 "FUND." THE KEYSTONE RECREATION, PARK AND CONSERVATION FUND  
20 ESTABLISHED IN THIS ACT.

21 "HISTORIC PRESERVATION ORGANIZATION." A NONPROFIT  
22 ORGANIZATION DEDICATED TO THE RESEARCH, RESTORATION,  
23 REHABILITATION AND OTHER ACTIVITIES FURTHERING THE PROTECTION,  
24 ENHANCEMENT, PRESERVATION OR ENJOYMENT OF HISTORIC RESOURCES  
25 WHICH IS TAX EXEMPT UNDER SECTION 501(C)(3) OF THE INTERNAL  
26 REVENUE CODE OF 1986 (PUBLIC LAW 99-514, 26 U.S.C. § 1 ET SEQ.),  
27 REGISTERED WITH THE BUREAU OF CHARITABLE ORGANIZATIONS AND HAS  
28 BEEN IN EXISTENCE FOR AT LEAST FIVE CONSECUTIVE YEARS.

29 "HISTORIC SITE." ANY PUBLIC LAND OR BUILDING, STRUCTURE,  
30 OBJECT, DISTRICT, AREAS OR SITE SIGNIFICANT IN THE HISTORY,

1 ARCHITECTURE, MARITIME HERITAGE, ARCHAEOLOGY OR CULTURE OF THE  
2 UNITED STATES, THE COMMONWEALTH OR ANY OF ITS MUNICIPALITIES.

3 "LAND." ANY REAL PROPERTY, INCLUDING IMPROVEMENTS THEREON,  
4 RIGHT OF WAYS, WATER, RIPARIAN AND OTHER RIGHTS, EASEMENTS,  
5 PRIVILEGES AND ANY OTHER PHYSICAL PROPERTY OR RIGHTS OF INTEREST  
6 OF ANY KIND OR DESCRIPTION RELATING TO OR CONNECTED WITH REAL  
7 PROPERTY.

8 "LAND TRUST." A NONPROFIT CONSERVATION OR PRESERVATION  
9 ORGANIZATION, CONSERVANCY OR LAND TRUST WHOSE PRIMARY PURPOSE IS  
10 THE CONSERVATION AND PRESERVATION OF OPEN SPACE, PARK LANDS OR  
11 NATURAL AREAS FOR PUBLIC BENEFIT. ANY QUALIFIED ORGANIZATION  
12 SHALL BE TAX EXEMPT UNDER SECTION 501(C)(3) OF THE INTERNAL  
13 REVENUE CODE OF 1986 (PUBLIC LAW 99-514, 26 U.S.C. § 1 ET SEQ.),  
14 REGISTERED WITH THE PENNSYLVANIA COMMISSION ON CHARITABLE  
15 ORGANIZATIONS AND HAVE AN EXISTENCE FOR AT LEAST FIVE  
16 CONSECUTIVE YEARS.

17 "LIBRARY." ANY FREE, PUBLIC, NONSECTARIAN LIBRARY, WHETHER  
18 ESTABLISHED AND MAINTAINED BY A MUNICIPALITY OR BY A PRIVATE  
19 ASSOCIATION, CORPORATION OR GROUP, WHICH SERVES THE  
20 INFORMATIONAL, EDUCATIONAL AND RECREATIONAL NEEDS OF ALL THE  
21 RESIDENTS OF THE AREA FOR WHICH ITS GOVERNING BODY IS  
22 RESPONSIBLE, BY PROVIDING FREE ACCESS, INCLUDING FREE LENDING  
23 AND REFERENCE SERVICES, TO AN ORGANIZED AND CURRENTLY USEFUL  
24 COLLECTION OF PRINTED ITEMS AND OTHER MATERIALS AND TO THE  
25 SERVICES OF A STAFF TRAINED TO RECOGNIZE AND PROVIDE FOR THESE  
26 NEEDS.

27 "MUNICIPALITY." ANY COUNTY, CITY, BOROUGH, INCORPORATED  
28 TOWN, TOWNSHIP, HOME RULE MUNICIPALITY OR ANY OFFICIAL AGENCY  
29 CREATED BY THE FOREGOING UNITS OF GOVERNMENT UNDER THE LAWS OF  
30 THIS COMMONWEALTH. ANY OF THE ACTIONS OF AN AUTHORITY OR OTHER

1 OFFICIAL AGENCY TAKEN UNDER THIS ACT SHALL BE FIRST APPROVED BY  
2 THE PARTICIPATING LOCAL GOVERNING BODIES IN THAT AUTHORITY OR  
3 OTHER OFFICIAL AGENCY.

4 "NATURAL AREAS." ANY AREA OF LAND, WATER, OR BOTH LAND AND  
5 WATER WHICH IS IMPORTANT IN PRESERVING FLORA, FAUNA, NATIVE  
6 ECOLOGICAL SYSTEMS, GEOLOGICAL, NATURAL HISTORICAL, OPEN SPACE,  
7 SCENIC OR SIMILAR FEATURES OF SCIENTIFIC OR EDUCATIONAL VALUE  
8 BENEFITING THE CITIZENS OF THIS COMMONWEALTH.

9 "PLANNING." COMPREHENSIVE PARK AND RECREATION PLANS, MASTER  
10 SITE DEVELOPMENT PLANS, FEASIBILITY STUDIES, NATURAL AREA  
11 STUDIES, INVENTORIES, GREENWAYS AND OPEN SPACE PLANS,  
12 MAINTENANCE MANAGEMENT PLANS, AND OTHER PLANS AND DOCUMENTS  
13 USEFUL TO MUNICIPALITIES, STATE AGENCIES AND LAND TRUSTS IN THE  
14 PLANNING, DEVELOPMENT, OPERATION, PROTECTION AND MANAGEMENT OF  
15 THEIR PUBLIC RECREATION, PARK, HISTORIC NATURAL AREAS,  
16 FACILITIES AND PROGRAMS. PLANNING MAY BE PERFORMED BY STATE  
17 AGENCY STAFF OR BY OUTSIDE CONSULTANTS.

18 "RECREATIONAL AREAS." PUBLIC BUILDINGS, STRUCTURES,  
19 FACILITIES, LANDS AND WATERS FOR ANY RELATED PUBLIC RECREATION  
20 PURPOSE SUCH AS, BUT NOT LIMITED TO, PLAYGROUNDS, SWIMMING  
21 FACILITIES, ATHLETIC FIELDS, COURTS, MAINTENANCE BUILDINGS,  
22 TRAILS, RECREATIONAL AND ENVIRONMENTAL CENTERS USED FOR SUCH  
23 ACTIVE AND PASSIVE PURPOSES, INCLUDING, BUT NOT LIMITED TO,  
24 PUBLIC PARKS, FISHING, HUNTING, BOATING, EDUCATIONAL PURPOSES OR  
25 PRESERVATION OF SCENIC SIGHTS OR AREAS OF HISTORICAL  
26 SIGNIFICANCE.

27 "REHABILITATION." THE IMPROVEMENT OR RESTORATION, EXCLUDING  
28 ROUTINE MAINTENANCE, OF EXISTING PUBLIC INDOOR OR OUTDOOR  
29 NATURAL AREAS, HISTORIC, RECREATIONAL, PARK AND LIBRARY  
30 FACILITIES.



1 "TECHNICAL ASSISTANCE." THE PROVISION OF GRANT AND  
2 PROFESSIONAL SERVICE TO MUNICIPALITIES, ORGANIZATIONS AND  
3 CITIZENS, INCLUDING, BUT NOT LIMITED TO, PUBLICATIONS, VIDEO  
4 TAPES, WORKSHOPS, MEETINGS, PHONE CONSULTATION AND WRITTEN AND  
5 ELECTRONIC COMMUNICATION.

6 "ZOO." ANY ACCREDITED AND LICENSED ZOOLOGICAL PARK OR OTHER  
7 AREA, WHETHER ESTABLISHED AND MAINTAINED BY A MUNICIPALITY OR BY  
8 A PRIVATE NONPROFIT ASSOCIATION, CORPORATION OR GROUP, WHICH  
9 HOUSES A COLLECTION OF VARIED LIVING ANIMALS AND WHICH ACTIVELY  
10 PARTICIPATES IN WILDLIFE CONSERVATION, EDUCATION AND RECREATION  
11 PROGRAMS AND WHICH SERVES TO INCREASE THE UNDERSTANDING OF AND  
12 APPRECIATION FOR LIVING ANIMALS.

13 SECTION 4. KEYSTONE RECREATION, PARK AND CONSERVATION FUND.

14 (A) ESTABLISHMENT.--THERE IS HEREBY ESTABLISHED IN THE STATE  
15 TREASURY A RESTRICTED RECEIPT ACCOUNT TO BE KNOWN AS THE  
16 KEYSTONE RECREATION, PARK AND CONSERVATION FUND TO PROVIDE  
17 MONEYS NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS ACT.

18 (B) SOURCE OF FUNDS.--ALL PROCEEDS FROM THE SALE OF BONDS OR  
19 NOTES AS APPROVED UNDER SECTION 5 AND THE MONTHLY TRANSFER OF A  
20 PORTION OF THE STATE REALTY TRANSFER TAX SHALL PROVIDE THE  
21 NECESSARY MONEYS FOR THE FUND.

22 (C) APPROPRIATIONS.--ALL MONEYS IN THE FUND ARE HEREBY  
23 APPROPRIATED ON A CONTINUING NONLAPSING BASIS TO THE DESIGNATED  
24 AGENCIES IN THE AMOUNTS SET FORTH IN SECTION 12. NO FUNDS SHALL  
25 BE EXPENDED BY ANY AGENCY WITHOUT AUTHORIZATION BY THE GOVERNOR.

26 (D) INTEREST.--ALL INTEREST EARNED BY THE FUND AND ALL  
27 REFUNDS OR REPAYMENTS SHALL BE CREDITED TO THE FUND AND ARE  
28 HEREBY APPROPRIATED TO THE APPROPRIATE AGENCIES IN THE SAME  
29 PERCENTAGE AS SPECIFIED IN SECTION 12.

30 SECTION 5. REFERENDUM.

1 (A) QUESTION.--THE QUESTION OF INCURRING INDEBTEDNESS OF  
2 \$50,000,000 FOR THE PURPOSES OF PLANNING, ACQUISITION,  
3 DEVELOPMENT, REHABILITATION AND IMPROVEMENT OF PARKS AND  
4 RECREATIONAL FACILITIES, NATURAL AREAS, HISTORIC SITES,  
5 ~~EDUCATIONAL FACILITIES,~~ ZOOS AND LIBRARIES SHALL BE SUBMITTED TO <—  
6 THE ELECTORS AT THE NEXT PRIMARY, MUNICIPAL OR GENERAL ELECTION  
7 FOLLOWING ENACTMENT OF THIS ACT.

8 (B) CERTIFICATION.--THE SECRETARY OF THE COMMONWEALTH SHALL  
9 CERTIFY THE FORM OF THE QUESTION UNDER SUBSECTION (C) TO THE  
10 COUNTY BOARDS OF ELECTIONS.

11 (C) FORM OF QUESTION.--THE QUESTION SHALL BE IN  
12 SUBSTANTIALLY THE FOLLOWING FORM:

13 DO YOU FAVOR THE INCURRING OF INDEBTEDNESS BY THE  
14 COMMONWEALTH OF \$50,000,000 TO PROVIDE FOR THE FUNDING OF  
15 NATURE PRESERVES AND WILDLIFE HABITATS, AND FOR  
16 IMPROVEMENTS TO AND EXPANSION OF STATE PARKS, COMMUNITY  
17 PARKS AND RECREATION FACILITIES, HISTORIC SITES,  
18 ~~EDUCATIONAL FACILITIES,~~ ZOOS AND PUBLIC LIBRARIES. <—

19 (D) ELECTION.--THE ELECTION SHALL BE CONDUCTED AT THE NEXT  
20 OCCURRING GENERAL OR MUNICIPAL ELECTION FOLLOWING THE EFFECTIVE  
21 DATE OF THIS ACT, IN ACCORDANCE WITH THE ACT OF JUNE 3, 1937  
22 (P.L.1333, NO.320), KNOWN AS THE PENNSYLVANIA ELECTION CODE,  
23 EXCEPT THAT THE TIME LIMITS FOR ADVERTISEMENT OF NOTICE OF THE  
24 ELECTION MAY BE WAIVED AS TO THE QUESTION.

25 (E) PROCEEDS.--PROCEEDS OF BORROWING SHALL BE DEPOSITED IN  
26 THE KEYSTONE RECREATION, PARK AND CONSERVATION FUND AND SHALL BE  
27 USED TO IMPLEMENT THE PROVISIONS OF THIS ACT.

28 SECTION 6. COMMONWEALTH INDEBTEDNESS.

29 (A) BORROWING AUTHORIZED.--

30 (1) SUBJECT TO THE APPROVAL OF THE ELECTORATE OF THE

1 REFERENDUM SET FORTH IN SECTION 5 AND UNDER THE PROVISIONS OF  
2 SECTION 7(A)(3) OF ARTICLE VIII OF THE CONSTITUTION OF  
3 PENNSYLVANIA, THE ISSUING OFFICIALS ARE AUTHORIZED AND  
4 DIRECTED TO BORROW OVER A THREE-YEAR PERIOD, ON THE CREDIT OF  
5 THE COMMONWEALTH, MONEY NOT EXCEEDING IN THE AGGREGATE THE  
6 SUM OF \$50,000,000, NOT INCLUDING MONEY BORROWED TO REFUND  
7 OUTSTANDING BONDS, NOTES OR REPLACEMENT NOTES, AS MAY BE  
8 FOUND NECESSARY TO CARRY OUT THE PURPOSES OF THIS ACT.

9 (2) AS EVIDENCE OF THE INDEBTEDNESS AUTHORIZED IN THIS  
10 ACT, GENERAL OBLIGATION BONDS OF THE COMMONWEALTH SHALL BE  
11 ISSUED, FROM TIME TO TIME, TO PROVIDE MONEYS NECESSARY TO  
12 CARRY OUT THE PURPOSES OF THIS ACT FOR SUCH TOTAL AMOUNTS, IN  
13 SUCH FORM, IN SUCH DENOMINATIONS AND SUBJECT TO SUCH TERMS  
14 AND CONDITIONS OF ISSUE, REDEMPTION AND MATURITY, RATE OF  
15 INTEREST AND TIME OF PAYMENT OF INTEREST AS THE ISSUING  
16 OFFICIALS DIRECT, EXCEPT THAT THE LATEST STATED MATURITY DATE  
17 SHALL NOT EXCEED 20 YEARS FROM THE DATE OF THE FIRST  
18 OBLIGATION ISSUED TO EVIDENCE THE DEBT.

19 (3) ALL BONDS AND NOTES ISSUED UNDER THE AUTHORITY OF  
20 THIS ACT SHALL BEAR FACSIMILE SIGNATURES OF THE ISSUING  
21 OFFICIAL AND A FACSIMILE OF THE GREAT SEAL OF THE  
22 COMMONWEALTH AND SHALL BE COUNTERSIGNED BY A DULY AUTHORIZED  
23 OFFICER OF A DULY AUTHORIZED LOAN AND TRANSFER AGENT OF THE  
24 COMMONWEALTH.

25 (4) ALL BONDS AND NOTES ISSUED IN ACCORDANCE WITH THE  
26 PROVISIONS OF THIS SECTION SHALL BE DIRECT OBLIGATIONS OF THE  
27 COMMONWEALTH, AND THE FULL FAITH AND CREDIT OF THE  
28 COMMONWEALTH ARE HEREBY PLEDGED FOR THE PAYMENT OF THE  
29 INTEREST THEREON, AS IT BECOMES DUE, AND THE PAYMENT OF THE  
30 PRINCIPAL AT MATURITY. THE PRINCIPAL OF AND INTEREST ON THE

1 BONDS AND NOTES SHALL BE PAYABLE IN LAWFUL MONEY OF THE  
2 UNITED STATES.

3 (5) ALL BONDS AND NOTES ISSUED UNDER THE PROVISIONS OF  
4 THIS SECTION SHALL BE EXEMPT FROM TAXATION FOR STATE AND  
5 LOCAL PURPOSES EXCEPT AS MAY BE PROVIDED UNDER ARTICLE XVI OF  
6 THE ACT OF MARCH 4, 1971 (P.L.6, NO.2), KNOWN AS THE TAX  
7 REFORM CODE OF 1971.

8 (6) THE BONDS MAY BE ISSUED AS COUPON BONDS OR  
9 REGISTERED AS TO BOTH PRINCIPAL AND INTEREST AS THE ISSUING  
10 OFFICIALS MAY DETERMINE. IF INTEREST COUPONS ARE ATTACHED,  
11 THEY SHALL CONTAIN THE FACSIMILE SIGNATURE OF THE STATE  
12 TREASURER.

13 (7) THE ISSUING OFFICIALS SHALL PROVIDE FOR THE  
14 AMORTIZATION OF THE BONDS IN SUBSTANTIAL AND REGULAR AMOUNTS  
15 OVER THE TERM OF THE DEBT SO THAT THE BONDS OF EACH ISSUE  
16 ALLOCATED TO THE PROGRAMS TO BE FUNDED FROM THE BOND ISSUE  
17 SHALL MATURE WITHIN A PERIOD NOT TO EXCEED THE APPROPRIATE  
18 AMORTIZATION PERIOD FOR EACH PROGRAM AS SPECIFIED BY THE  
19 ISSUING OFFICIALS BUT IN NO CASE IN EXCESS OF 30 YEARS. THE  
20 FIRST RETIREMENT OF PRINCIPAL SHALL BE STATED TO MATURE PRIOR  
21 TO THE EXPIRATION OF A PERIOD OF TIME EQUAL TO ONE-TENTH OF  
22 THE TIME FROM THE DATE OF THE FIRST OBLIGATION ISSUED TO  
23 EVIDENCE THE DEBT TO THE DATE OF THE EXPIRATION OF THE TERM  
24 OF THE DEBT. RETIREMENTS OF PRINCIPAL SHALL BE REGULAR AND  
25 SUBSTANTIAL IF MADE IN ANNUAL OR SEMIANNUAL AMOUNTS WHETHER  
26 BY STATED SERIAL MATURITIES OR BY MANDATORY SINKING FUND  
27 RETIREMENTS.

28 (8) THE ISSUING OFFICIALS ARE AUTHORIZED TO PROVIDE BY  
29 RESOLUTION, FOR THE ISSUANCE OF REFUNDING BONDS FOR THE  
30 PURPOSE OF REFUNDING ANY DEBT ISSUED UNDER THE PROVISIONS OF

1 THIS ACT AND THEN OUTSTANDING, EITHER BY VOLUNTARY EXCHANGE  
2 WITH THE HOLDERS OF THE OUTSTANDING DEBT OR TO PROVIDE FUNDS  
3 TO REDEEM AND RETIRE THE OUTSTANDING DEBT WITH ACCRUED  
4 INTEREST, ANY PREMIUM PAYABLE THEREON AND THE COSTS OF  
5 ISSUANCE AND RETIREMENT OF THE DEBT, AT MATURITY OR AT ANY  
6 CALL DATE. THE ISSUANCE OF THE REFUNDING BONDS, THE  
7 MATURITIES AND OTHER DETAILS THEREOF, THE RIGHTS OF THE  
8 HOLDERS THEREOF AND THE DUTIES OF THE ISSUING OFFICIALS IN  
9 RESPECT THERETO SHALL BE GOVERNED BY THE PROVISIONS OF THIS  
10 SECTION, INSOFAR AS THEY MAY BE APPLICABLE. REFUNDING BONDS,  
11 WHICH ARE NOT SUBJECT TO THE AGGREGATE LIMITATION OF  
12 \$50,000,000 OF DEBT TO BE ISSUED PURSUANT TO THIS ACT, MAY BE  
13 ISSUED BY THE ISSUING OFFICIALS TO REFUND DEBT ORIGINALLY  
14 ISSUED OR TO REFUND BONDS PREVIOUSLY ISSUED FOR REFUNDING  
15 PURPOSES.

16 (9) WHENEVER ANY ACTION IS TO BE TAKEN OR DECISION MADE  
17 BY THE GOVERNOR, THE AUDITOR GENERAL AND THE STATE TREASURER  
18 ACTING AS ISSUING OFFICIALS AND THE THREE OFFICERS ARE NOT  
19 ABLE UNANIMOUSLY TO AGREE, THE ACTION OR DECISION OF THE  
20 GOVERNOR AND EITHER THE AUDITOR GENERAL OR THE STATE  
21 TREASURER SHALL BE BINDING AND FINAL.

22 (10) ISSUING OFFICIALS SHALL MEAN THE GOVERNOR, THE  
23 AUDITOR GENERAL AND THE STATE TREASURER.

24 (B) SALE OF BONDS.--

25 (1) WHENEVER BONDS ARE ISSUED, THEY SHALL BE OFFERED FOR  
26 SALE AT NOT LESS THAN 98% OF THE PRINCIPAL AMOUNT AND ACCRUED  
27 INTEREST AND SHALL BE SOLD BY THE ISSUING OFFICIALS TO THE  
28 HIGHEST AND BEST BIDDER OR BIDDERS AFTER DUE PUBLIC  
29 ADVERTISEMENT ON THE TERMS AND CONDITIONS AND UPON SUCH OPEN  
30 COMPETITIVE BIDDING AS THE ISSUING OFFICIALS SHALL DIRECT.

1 THE MANNER AND CHARACTER OF THE ADVERTISEMENT AND THE TIME OF  
2 ADVERTISING SHALL BE PRESCRIBED BY THE ISSUING OFFICIALS. NO  
3 COMMISSION SHALL BE ALLOWED OR PAID FOR THE SALE OF ANY BONDS  
4 ISSUED UNDER THE AUTHORITY OF THIS ACT.

5 (2) ANY PORTION OF ANY BOND ISSUE SO OFFERED AND NOT  
6 SOLD OR SUBSCRIBED FOR AT PUBLIC SALE MAY BE DISPOSED OF BY  
7 PRIVATE SALE BY THE ISSUING OFFICIALS IN SUCH MANNER AND AT  
8 SUCH PRICES, NOT LESS THAN 98% OF THE PRINCIPAL AMOUNT AND  
9 ACCRUED INTEREST, AS THE GOVERNOR SHALL DIRECT. NO COMMISSION  
10 SHALL BE ALLOWED OR PAID FOR THE SALE OF ANY BONDS ISSUED  
11 UNDER THE AUTHORITY OF THIS ACT.

12 (3) WHEN BONDS ARE ISSUED FROM TIME TO TIME, THE BONDS  
13 OF EACH ISSUE SHALL CONSTITUTE A SEPARATE SERIES TO BE  
14 DESIGNATED BY THE ISSUING OFFICIALS OR MAY BE COMBINED FOR  
15 SALE AS ONE SERIES WITH OTHER GENERAL OBLIGATION BONDS OF THE  
16 COMMONWEALTH.

17 (4) UNTIL PERMANENT BONDS CAN BE PREPARED, THE ISSUING  
18 OFFICIALS MAY IN THEIR DISCRETION ISSUE, IN LIEU OF PERMANENT  
19 BONDS, TEMPORARY BONDS IN SUCH FORM AND WITH SUCH PRIVILEGES  
20 AS TO REGISTRATION AND EXCHANGE FOR PERMANENT BONDS AS MAY BE  
21 DETERMINED BY THE ISSUING OFFICIALS.

22 (5) THE PROCEEDS REALIZED FROM THE SALE OF BONDS AND  
23 NOTES, EXCEPT REFUNDING BONDS AND REPLACEMENT NOTES, UNDER  
24 THE PROVISIONS OF THIS ACT SHALL BE PAID INTO THE KEYSTONE  
25 RECREATION, PARK AND CONSERVATION FUND IN THE STATE TREASURY  
26 AND ARE SPECIFICALLY DEDICATED TO THE PURPOSES OF THIS ACT.  
27 THE PROCEEDS SHALL BE PAID BY THE STATE TREASURER  
28 PERIODICALLY TO THOSE AGENCIES AUTHORIZED TO EXPEND THEM AT  
29 SUCH TIMES AND IN SUCH AMOUNTS AS MAY BE NECESSARY TO SATISFY  
30 THE FUNDING NEEDS OF THE AGENCY. THE PROCEEDS OF THE SALE OF

1 REFUNDING BONDS AND REPLACEMENT NOTES SHALL BE PAID TO THE  
2 STATE TREASURER AND APPLIED TO THE PAYMENT OF PRINCIPAL, THE  
3 ACCRUED INTEREST AND PREMIUM, IF ANY, AND COST OF REDEMPTION  
4 OF THE BONDS AND NOTES FOR WHICH THE OBLIGATIONS SHALL HAVE  
5 BEEN ISSUED.

6 (6) PENDING THEIR APPLICATION FOR THE PURPOSES  
7 AUTHORIZED, MONEYS HELD OR DEPOSITED BY THE STATE TREASURER  
8 MAY BE INVESTED OR REINVESTED AS ARE OTHER FUNDS IN THE  
9 CUSTODY OF THE STATE TREASURER IN THE MANNER PROVIDED BY LAW.  
10 ALL EARNINGS RECEIVED FROM THE INVESTMENT OR DEPOSIT OF THE  
11 FUNDS SHALL BE PAID INTO THE STATE TREASURY TO THE CREDIT OF  
12 THE FUND.

13 (7) THE AUDITOR GENERAL SHALL PREPARE THE NECESSARY  
14 REGISTRY BOOK TO BE KEPT IN THE OFFICE OF THE DULY AUTHORIZED  
15 LOAN AND TRANSFER AGENT OF THE COMMONWEALTH FOR THE  
16 REGISTRATION OF ANY BONDS, AT THE REQUEST OF OWNERS THEREOF,  
17 ACCORDING TO THE TERMS AND CONDITIONS OF ISSUE DIRECTED BY  
18 THE ISSUING OFFICIALS.

19 (8) THERE IS HEREBY APPROPRIATED TO THE STATE TREASURER  
20 FROM THE FUND AS MUCH MONEY AS MAY BE NECESSARY FOR ALL COSTS  
21 AND EXPENSES IN CONNECTION WITH THE ISSUE OF AND SALE AND  
22 REGISTRATION OF THE BONDS AND NOTES IN CONNECTION WITH THIS  
23 ACT AND THE PAYMENT OF INTEREST ARBITRAGE REBATES OR PROCEEDS  
24 OF SUCH BONDS AND NOTES.

25 (C) TEMPORARY FINANCING AUTHORIZATION.--

26 (1) PENDING THE ISSUANCE OF BONDS OF THE COMMONWEALTH AS  
27 AUTHORIZED, THE ISSUING OFFICIALS ARE HEREBY AUTHORIZED, IN  
28 ACCORDANCE WITH THE PROVISIONS OF THIS ACT AND ON THE CREDIT  
29 OF THE COMMONWEALTH, TO MAKE TEMPORARY BORROWINGS NOT TO  
30 EXCEED ONE YEAR IN ANTICIPATION TO THE ISSUE OF BONDS IN

1 ORDER TO PROVIDE FUNDS IN SUCH AMOUNTS AS MAY, FROM TIME TO  
2 TIME, BE DEEMED ADVISABLE PRIOR TO THE ISSUE OF BONDS. IN  
3 ORDER TO PROVIDE FOR AND IN CONNECTION WITH SUCH TEMPORARY  
4 BORROWINGS, THE ISSUING OFFICIALS ARE HEREBY AUTHORIZED IN  
5 THE NAME AND ON BEHALF OF THE COMMONWEALTH TO ENTER INTO ANY  
6 PURCHASE, LOAN OR CREDIT AGREEMENT, OR AGREEMENTS, OR OTHER  
7 AGREEMENT OR AGREEMENTS WITH ANY BANKS OR TRUST COMPANIES OR  
8 OTHER LENDING INSTITUTIONS, INVESTMENT BANKING FIRMS OR  
9 PERSONS IN THE UNITED STATES HAVING POWER TO ENTER INTO THE  
10 SAME, WHICH AGREEMENTS MAY CONTAIN PROVISIONS NOT  
11 INCONSISTENT WITH THE PROVISIONS OF THIS ACT AS MAY BE  
12 AUTHORIZED BY THE ISSUING OFFICIALS.

13 (2) ALL TEMPORARY BORROWINGS MADE UNDER THE  
14 AUTHORIZATION OF THIS SECTION SHALL BE EVIDENCED BY NOTES OF  
15 THE COMMONWEALTH, WHICH SHALL BE ISSUED, FROM TIME TO TIME,  
16 FOR SUCH AMOUNTS NOT EXCEEDING IN THE AGGREGATE THE  
17 APPLICABLE STATUTORY AND CONSTITUTIONAL DEBT LIMITATION, IN  
18 SUCH FORM AND IN SUCH DENOMINATIONS AND SUBJECT TO TERMS AND  
19 CONDITION OF SALE AND ISSUE, PREPAYMENT OR REDEMPTION AND  
20 MATURITY, RATE OR RATES OF INTEREST AND TIME OF PAYMENT OF  
21 INTEREST AS THE ISSUING OFFICIALS SHALL AUTHORIZE AND DIRECT  
22 AND IN ACCORDANCE WITH THIS ACT. SUCH AUTHORIZATION AND  
23 DIRECTION MAY PROVIDE FOR THE SUBSEQUENT ISSUANCE OF  
24 REPLACEMENT NOTES TO REFUND OUTSTANDING NOTES OR REPLACEMENT  
25 NOTES, WHICH REPLACEMENT NOTES SHALL, UPON ISSUANCE THEREOF,  
26 EVIDENCE SUCH BORROWING, AND MAY SPECIFY SUCH OTHER TERMS AND  
27 CONDITIONS WITH RESPECT TO THE NOTES AND REPLACEMENT NOTES  
28 THEREBY AUTHORIZED FOR ISSUANCE AS THE ISSUING OFFICIALS MAY  
29 DETERMINE AND DIRECT.

30 (3) WHEN THE AUTHORIZATION AND DIRECTION OF THE ISSUING



1 OFFICIALS PROVIDE FOR THE ISSUANCE OF REPLACEMENT NOTES, THE  
2 ISSUING OFFICIALS ARE HEREBY AUTHORIZED IN THE NAME AND ON  
3 BEHALF OF THE COMMONWEALTH TO ISSUE, ENTER INTO OR AUTHORIZE  
4 AND DIRECT THE STATE TREASURER TO ENTER INTO AGREEMENTS WITH  
5 ANY BANKS, TRUST COMPANIES, INVESTMENT BANKING FIRMS OR OTHER  
6 INSTITUTIONS OR PERSONS IN THE UNITED STATES HAVING THE POWER  
7 TO ENTER THE SAME:

8 (I) TO PURCHASE OR UNDERWRITE AN ISSUE OR SERIES OF  
9 ISSUES OF NOTES.

10 (II) TO CREDIT, TO ENTER INTO ANY PURCHASE, LOAN OR  
11 CREDIT AGREEMENTS, TO DRAW MONEYS PURSUANT TO ANY SUCH  
12 AGREEMENTS ON THE TERMS AND CONDITIONS SET FORTH THEREIN  
13 AND TO ISSUE NOTES AS EVIDENCE OF BORROWINGS MADE UNDER  
14 ANY SUCH AGREEMENTS.

15 (III) TO APPOINT AS ISSUING AND PAYING AGENT OR  
16 AGENTS WITH RESPECT TO NOTES.

17 (IV) TO DO ALL ACTS AS MAY BE NECESSARY OR  
18 APPROPRIATE TO PROVIDE FOR THE PAYMENT, WHEN DUE, OF THE  
19 INTEREST ON AND THE PRINCIPAL OF SUCH NOTES.

20 SUCH AGREEMENTS MAY PROVIDE FOR THE COMPENSATION OF ANY  
21 PURCHASERS OR UNDERWRITERS OF NOTES OR REPLACEMENT NOTES BY  
22 DISCOUNTING THE PURCHASE PRICE OF THE NOTES OR BY PAYMENT OF  
23 A FIXED FEE OR COMMISSION AT THE TIME OF ISSUANCE THEREOF,  
24 AND ALL OTHER COSTS AND EXPENSES, INCLUDING FEES FOR  
25 AGREEMENTS RELATED TO THE NOTES, ISSUING AND PAYING AGENT  
26 COSTS AND COSTS AND EXPENSES OF ISSUANCE, MAY BE PAID FROM  
27 THE PROCEEDS OF THE NOTES.

28 (4) WHEN THE AUTHORIZATION AND DIRECTION OF THE ISSUING  
29 OFFICIALS PROVIDE FOR THE ISSUANCE OF REPLACEMENT NOTES, THE  
30 STATE TREASURER SHALL, AT OR PRIOR TO THE TIME OF DELIVERY OF

1 THESE NOTES OR REPLACEMENT NOTES, DETERMINE THE PRINCIPAL  
2 AMOUNTS, DATES OF ISSUE, INTEREST RATE OR RATES (OR  
3 PROCEDURES FOR ESTABLISHING SUCH RATES FROM TIME TO TIME),  
4 RATES OF DISCOUNT, DENOMINATIONS AND ALL OTHER TERMS AND  
5 CONDITIONS RELATING TO THE ISSUANCE AND SHALL PERFORM ALL  
6 ACTS AND THINGS NECESSARY TO PAY OR CAUSE TO BE PAID, WHEN  
7 DUE, ALL PRINCIPAL OF AND INTEREST ON THE NOTES BEING  
8 REFUNDED BY REPLACEMENT NOTES AND TO ASSURE THAT THE SAME MAY  
9 DRAW UPON ANY MONEYS AVAILABLE FOR THAT PURPOSE PURSUANT TO  
10 ANY PURCHASE, LOAN OR CREDIT AGREEMENTS ESTABLISHED WITH  
11 RESPECT THERETO, ALL SUBJECT TO THE AUTHORIZATION AND  
12 DIRECTION OF THE ISSUING OFFICIALS.

13 (5) OUTSTANDING NOTES EVIDENCING THE BORROWINGS MAY BE  
14 FUNDED AND RETIRED BY THE ISSUANCE AND SALE OF THE BONDS OF  
15 THE COMMONWEALTH AS HEREINAFTER AUTHORIZED. THE REFUNDING  
16 BONDS MUST BE ISSUED AND SOLD NOT LATER THAN A DATE ONE YEAR  
17 AFTER THE DATE OF ISSUANCE OF THE FIRST NOTES EVIDENCING SUCH  
18 BORROWINGS TO THE EXTENT THAT PAYMENT OF SUCH NOTES HAS NOT  
19 OTHERWISE BEEN MADE OR PROVIDED FOR BY SOURCES OTHER THAN  
20 PROCEEDS OF REPLACEMENT NOTES.

21 (6) THE PROCEEDS OF ALL TEMPORARY BORROWING SHALL BE  
22 PAID TO THE STATE TREASURER TO BE HELD AND DISPOSED OF IN  
23 ACCORDANCE WITH THE PROVISIONS OF THIS ACT.

24 (D) DEBT RETIREMENT.--

25 (1) ALL BONDS ISSUED UNDER THE AUTHORITY OF THIS ACT  
26 SHALL BE REDEEMED AT MATURITY, TOGETHER WITH ALL INTEREST  
27 DUE, FROM TIME TO TIME, ON THE BONDS, AND THESE PRINCIPAL AND  
28 INTEREST PAYMENTS SHALL BE PAID FROM THE KEYSTONE RECREATION,  
29 PARK AND CONSERVATION SINKING FUND, WHICH IS HEREBY CREATED.  
30 FOR THE SPECIFIC PURPOSE OF REDEEMING THE BONDS AT MATURITY

1 AND PAYING ALL INTEREST THEREON IN ACCORDANCE WITH THE  
2 INFORMATION RECEIVED FROM THE GOVERNOR, THE GENERAL ASSEMBLY  
3 SHALL APPROPRIATE MONEYS TO THE KEYSTONE RECREATION, PARK AND  
4 CONSERVATION SINKING FUND FOR THE PAYMENT OF INTEREST ON THE  
5 BONDS AND NOTES AND THE PRINCIPAL THEREOF AT MATURITY. ALL  
6 MONEYS PAID INTO THE KEYSTONE RECREATION, PARK AND  
7 CONSERVATION SINKING FUND AND ALL OF THE MONEYS NOT NECESSARY  
8 TO PAY ACCRUING INTEREST SHALL BE INVESTED BY THE STATE  
9 TREASURER IN SUCH SECURITIES AS ARE PROVIDED BY LAW FOR THE  
10 INVESTMENT OF THE SINKING FUNDS OF THE COMMONWEALTH.

11 (2) THE STATE TREASURER SHALL DETERMINE AND REPORT TO  
12 THE SECRETARY OF THE BUDGET BY NOVEMBER 1 OF EACH YEAR, THE  
13 AMOUNT OF MONEY NECESSARY FOR THE PAYMENT OF INTEREST ON  
14 OUTSTANDING OBLIGATIONS AND THE PRINCIPAL OF THE OBLIGATIONS,  
15 IF ANY, FOR THE FOLLOWING FISCAL YEAR AND THE TIMES AND  
16 AMOUNTS OF THE PAYMENTS. IT SHALL BE THE DUTY OF THE GOVERNOR  
17 TO INCLUDE IN EVERY BUDGET SUBMITTED TO THE GENERAL ASSEMBLY  
18 FULL INFORMATION RELATING TO THE ISSUANCE OF BONDS AND NOTES  
19 UNDER THE PROVISIONS OF THIS ACT AND THE STATUS OF THE  
20 KEYSTONE RECREATION, PARK AND CONSERVATION SINKING FUND OF  
21 THE COMMONWEALTH FOR THE PAYMENT OF INTEREST ON THE BONDS AND  
22 NOTES AND THE PRINCIPAL THEREOF AT MATURITY.

23 (3) THE GENERAL ASSEMBLY SHALL APPROPRIATE AN AMOUNT  
24 EQUAL TO THE SUMS THAT MAY BE NECESSARY TO MEET REPAYMENT  
25 OBLIGATIONS FOR PRINCIPAL AND INTEREST FOR DEPOSIT INTO THE  
26 KEYSTONE RECREATION, PARK AND CONSERVATION SINKING FUND.

27 (E) ANNUAL LIMITATION ON DEBT OBLIGATIONS ISSUED.--BONDS AND  
28 NOTES, NOT INCLUDING REFUNDING BONDS OR REPLACEMENT NOTES, AS  
29 AUTHORIZED HEREIN, SHALL NOT BE ISSUED IN THE AGGREGATE  
30 PRINCIPAL AMOUNT OF MORE THAN \$35,000,000 DURING ANY ONE STATE

1 FISCAL YEAR.

2 (F) EXPIRATION.--AUTHORIZATION TO ISSUE BONDS AND NOTES, NOT  
3 INCLUDING REFUNDING BONDS AND REPLACEMENT NOTES, FOR THE  
4 PURPOSES OF THIS ACT SHALL EXPIRE FIVE YEARS FROM THE EFFECTIVE  
5 DATE OF THIS SECTION.

6 SECTION 7. ALLOCATION OF STATE REALTY TRANSFER TAX REVENUE.

7 BEGINNING JULY 31, 1994, AND AT THE END OF EACH MONTH  
8 THEREAFTER, THE STATE TREASURER SHALL TRANSFER TO THE KEYSTONE  
9 RECREATION, PARK AND CONSERVATION FUND 15% OF THE PREVIOUS  
10 MONTH'S REVENUES FROM THE TAX IMPOSED UNDER SECTION 1102-C OF  
11 THE ACT OF MARCH 4, 1971 (P.L.6, NO.2), KNOWN AS THE TAX REFORM  
12 CODE OF 1971. UPON THE ENACTMENT OF AN INCREASE OF THE TAX  
13 IMPOSED UNDER SECTION 1102-C OF THE ACT, THE AMOUNT TRANSFERRED  
14 EACH MONTH PURSUANT TO SECTION 7 OF THIS ACT SHALL NOT EXCEED  
15 THE AMOUNT WHICH WOULD HAVE BEEN COLLECTED HAD THE TAX INCREASE  
16 NOT BEEN ENACTED. MONEYS TRANSFERRED TO THE FUND FROM STATE  
17 REALTY TRANSFER TAX REVENUES SHALL NOT BE MADE AVAILABLE FOR  
18 EXPENDITURE UNTIL THE FISCAL YEAR BEGINNING JULY 1, 1995.

19 SECTION 8. DUTIES, RESPONSIBILITIES AND LIMITATIONS ON  
20 AGENCIES.

21 (A) GENERAL RULE.--EACH AGENCY SHALL PROMULGATE RULES AND  
22 REGULATIONS THAT ARE NECESSARY TO CARRY OUT THE PURPOSES OF THIS  
23 ACT CONSISTENT WITH THE CRITERIA SET FORTH IN THIS ACT.

24 (B) DEPARTMENT OF ENVIRONMENTAL RESOURCES.--

25 (1) THE DEPARTMENT OF ENVIRONMENTAL RESOURCES SHALL  
26 UTILIZE BOND REVENUES FOR THE FOLLOWING PURPOSES:

27 (I) REHABILITATING, REPAIRING AND DEVELOPING STATE  
28 PARK AND FOREST FACILITIES DEEMED BY THE DEPARTMENT TO BE  
29 CRITICAL FOR VISITOR SAFETY, ENVIRONMENTAL PROTECTION OR  
30 ESSENTIAL FOR FACILITY OPERATION. NOT LESS THAN 70% OF

1 THE BOND REVENUES WILL BE USED FOR THESE PURPOSES.

2 (II) ACQUIRING RECREATION AREAS AND NATURAL AREAS  
3 WHICH IN THE OPINION OF THE DEPARTMENT FACE IMMINENT LOSS  
4 OR DAMAGE. UP TO 30% OF THE BOND REVENUES MAY BE USED FOR  
5 THIS PURPOSE.

6 (2) THE DEPARTMENT SHALL EXPEND REALTY TRANSFER TAX  
7 REVENUES APPROPRIATED FROM THE KEYSTONE FUND FOR THE  
8 FOLLOWING PURPOSES:

9 (I) REHABILITATING AND UPGRADING STATE PARK AND  
10 FOREST FACILITIES.

11 (II) IMPLEMENTING THE ACT OF DECEMBER 18, 1990  
12 (P.L.748, NO.188), KNOWN AS THE RAILS TO TRAILS ACT. UP  
13 TO 10% OF THE MONEYS CAN BE PROVIDED AS 50/50 MATCHING  
14 GRANTS TO MUNICIPALITIES AND APPROPRIATE ORGANIZATIONS  
15 FOR PLANNING, ACQUISITION AND DEVELOPMENT OF RAILS TO  
16 TRAILS.

17 (III) MAKING 50/50 MATCHING GRANTS TO MUNICIPALITIES  
18 AND APPROPRIATE ORGANIZATIONS FOR THE PURPOSE OF RIVERS  
19 PROTECTION AND CONSERVATION. UP TO 10% OF THE MONEYS CAN  
20 BE USED FOR THIS PURPOSE.

21 (IV) ACQUIRING LANDS IMPORTANT TO MAINTAINING THE  
22 INTEGRITY OF EXISTING STATE PARKS AND FORESTS.

23 (C) DEPARTMENT OF COMMUNITY AFFAIRS.--

24 (1) THE DEPARTMENT OF COMMUNITY AFFAIRS SHALL PROVIDE  
25 GRANTS OF BOND REVENUES AND REALTY TRANSFER TAX REVENUES TO  
26 MUNICIPALITIES FOR THE FOLLOWING PURPOSES:

27 (I) TO FUND UP TO 50% OF THE ELIGIBLE PROJECT COSTS  
28 FOR REHABILITATION AND DEVELOPMENT OF OUTDOOR AND INDOOR  
29 RECREATION AND PARK FACILITIES AND AREAS.

30 (II) TO PAY UP TO 50% OF THE ELIGIBLE PROJECT COSTS

1 FOR ACQUISITION OF RECREATION AND PARK LANDS, GREENWAYS  
2 AND NATURAL AREAS.

3 (III) TO PAY UP TO 100% OF THE ELIGIBLE PROJECT  
4 COSTS FOR PLANNING PROJECTS AND SPECIAL TECHNICAL  
5 ASSISTANCE INITIATIVES DEEMED APPROPRIATE BY THE  
6 DEPARTMENT.

7 (IV) TO PROVIDE MUNICIPALITIES WITH A POPULATION OF  
8 5,000 OR LESS WITH UP TO 100% FUNDING FOR ELIGIBLE  
9 MATERIAL COSTS AND PROFESSIONAL FEES. GRANTS ARE LIMITED  
10 TO A MAXIMUM OF \$20,000 FOR REHABILITATION AND  
11 DEVELOPMENT OF BASIC OUTDOOR RECREATION AND PARK  
12 FACILITIES AND RENOVATION OF MINOR INDOOR RECREATION  
13 FACILITIES.

14 (2) THE DEPARTMENT OF COMMUNITY AFFAIRS SHALL PROVIDE  
15 GRANTS OF BOND REVENUES AND REALTY TRANSFER TAX REVENUES TO  
16 LAND TRUSTS TO PAY UP TO 50% OF ELIGIBLE PROJECT COSTS FOR  
17 NATURAL AREAS AND OPEN SPACE PLANNING AND ACQUISITION. ANY  
18 LAND ACQUIRED UNDER THIS PARAGRAPH SHALL BE OPEN TO THOSE  
19 PUBLIC USES THAT ARE CONSISTENT WITH THE PURPOSES FOR WHICH  
20 THE LAND WAS ACQUIRED. TEMPORARY LIMITATION OF PUBLIC ACCESS  
21 FOR THE PURPOSE OF PROTECTING OR RESTORING THE NATURAL  
22 RESOURCES OF AN AREA SHALL NOT BE CONSIDERED A VIOLATION OF  
23 THIS PARAGRAPH. THE DEPARTMENT OF COMMUNITY AFFAIRS, IN  
24 CONSULTATION WITH THE DEPARTMENT OF ENVIRONMENTAL RESOURCES,  
25 SHALL ADOPT PROJECT SELECTION CRITERIA THAT GIVE PRIORITY TO  
26 ACQUISITIONS OF CRITICAL HABITAT FOR RARE, THREATENED OR  
27 ENDANGERED PLANT OR ANIMAL SPECIES OR COMMUNITIES WHICH ARE  
28 AT RISK OF DESTRUCTION OR SUBSTANTIAL DEGRADATION.

29 (3) THE DEPARTMENT OF COMMUNITY AFFAIRS SHALL PROVIDE  
30 GRANTS OF BOND REVENUES AND REALTY TRANSFER TAX REVENUES TO

1 MUNICIPALITIES AND APPROPRIATE ORGANIZATIONS TO PAY UP TO 50%  
2 OF THE ELIGIBLE PROJECT COSTS FOR REHABILITATION AND  
3 DEVELOPMENT OF ZOOS.

4 (D) DEPARTMENT OF EDUCATION.--THE DEPARTMENT OF EDUCATION  
5 SHALL PROVIDE GRANTS FROM BOND REVENUES AND REALTY TRANSFER TAX  
6 REVENUES TO MUNICIPALITIES TO PAY UP TO 50% OF ELIGIBLE PROJECT  
7 COSTS FOR PLANNING, ACQUISITION, DEVELOPMENT AND REHABILITATION  
8 OF PUBLIC LIBRARIES.

9 (E) PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION.--THE  
10 PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION SHALL UTILIZE BOND  
11 REVENUES AND REALTY TRANSFER TAX REVENUES FOR PLANNING,  
12 ACQUISITION, DEVELOPMENT AND REHABILITATION OF COMMONWEALTH-  
13 OWNED HISTORIC SITES AND MUSEUMS AND TO PROVIDE GRANTS TO  
14 NONPROFIT ORGANIZATIONS AND PUBLIC AGENCIES FOR THE PLANNING,  
15 ACQUISITION AND REHABILITATION OF PUBLICLY ACCESSIBLE HISTORIC  
16 SITES LISTED IN OR ELIGIBLE FOR THE NATIONAL REGISTER OF  
17 HISTORIC PLACES.

18 (F) STATE SYSTEM OF HIGHER EDUCATION.--THE STATE SYSTEM OF  
19 HIGHER EDUCATION SHALL UTILIZE ~~BOND REVENUES AND~~ REALTY TRANSFER ←  
20 TAX REVENUES FOR DEFERRED MAINTENANCE.

21 (G) PENNSYLVANIA FISH AND BOAT COMMISSION.--THE PENNSYLVANIA  
22 FISH AND BOAT COMMISSION SHALL UTILIZE BOND REVENUES FOR  
23 PLANNING, ACQUISITION, DEVELOPMENT AND REHABILITATION OF FISHING  
24 AND BOATING ACCESS AREAS, RECREATION AREAS AND NATURAL AREAS AND  
25 FOR TECHNICAL ASSISTANCE.

26 (H) PENNSYLVANIA GAME COMMISSION.--THE PENNSYLVANIA GAME  
27 COMMISSION SHALL UTILIZE BOND REVENUES FOR PLANNING,  
28 ACQUISITION, DEVELOPMENT AND REHABILITATION OF GAME LANDS,  
29 RECREATION AREAS AND NATURAL AREAS AND FOR TECHNICAL ASSISTANCE.

30 (I) ADMINISTRATIVE EXPENSE LIMITATION.--ADMINISTRATIVE

1 EXPENSES FOR AGENCIES ADMINISTERING THESE PROGRAMS SHALL BE  
2 LIMITED TO 5% OF THE FUNDING RECEIVED BY THE AGENCY FOR THESE  
3 PROGRAMS.

4 (J) LAND TRUST RESTRICTIONS.--ANY MONEYS RECEIVED BY LAND  
5 TRUSTS UNDER THE PROVISIONS OF THIS ACT SHALL BE EXPENDED ONLY  
6 FOR THE PLANNING OF AND ACQUISITION OF NATURAL AREAS.

7 SECTION 9. ANNUAL REPORTS.

8 BEGINNING ON JANUARY 31, 1995, AND ANNUALLY THEREAFTER, THE  
9 DEPARTMENT OF ENVIRONMENTAL RESOURCES, THE DEPARTMENT OF  
10 COMMUNITY AFFAIRS, THE DEPARTMENT OF EDUCATION, THE PENNSYLVANIA  
11 HISTORICAL AND MUSEUM COMMISSION, THE STATE SYSTEM OF HIGHER  
12 EDUCATION, THE PENNSYLVANIA FISH AND BOAT COMMISSION AND THE  
13 PENNSYLVANIA GAME COMMISSION SHALL SUBMIT TO THE GOVERNOR AND  
14 THE GENERAL ASSEMBLY AN ANNUAL REPORT OF PROJECTS AND SERVICES  
15 PROVIDED BY FUNDING FROM THIS ACT.

16 SECTION 10. PROPERTY RESTRICTIONS.

17 RECIPIENTS OF GRANTS OR FUNDS UNDER THIS ACT SHALL NOT  
18 DISPOSE OF NOR AT ANY TIME CONVERT PROPERTY ACQUIRED PURSUANT TO  
19 THIS ACT TO OTHER THAN THE PURPOSES APPROVED IN THE PROJECT  
20 APPLICATIONS WITHOUT THE PRIOR WRITTEN APPROVAL OF THE HEAD OF  
21 THE AGENCY AS APPROPRIATE. SHOULD DISPOSITION OR CONVERSION  
22 OCCUR, THE AGENCY MAY:

23 (1) REQUIRE THE RECIPIENT TO REFUND ALL GRANT FUNDS FOR  
24 THE PARTICULAR PROJECT INCLUDING 10% ANNUAL INTEREST  
25 COMPOUNDED FOUR TIMES ANNUALLY FROM THE DATE THE ORIGINAL  
26 GRANT-IN-AID WAS RECEIVED UNTIL IT IS REPAID.

27 (2) REQUIRE ACQUISITION BY THE RECIPIENT OF EQUIVALENT  
28 REPLACEMENT LAND, AS DETERMINED BY THE AGENCY.

29 SECTION 11. FEDERAL PROGRAMS.

30 THE AGENCIES MAY UTILIZE ANY AVAILABLE FEDERAL PROGRAMS AND



1 FUNDS TO AUGMENT THE FUNDS MADE AVAILABLE TO THE AGENCIES UNDER  
2 THE PROVISIONS OF THIS ACT.

3 SECTION 12. ALLOCATION FROM FUND.

4 (A) ALLOCATION OF BOND REVENUES.--IN THE EVENT THAT BONDS  
5 ARE SOLD UNDER THE PROVISIONS OF THIS ACT, THE BOND PROCEEDS ARE  
6 TO BE ALLOCATED AS FOLLOWS:

7	(1) DEPARTMENT OF ENVIRONMENTAL RESOURCES.	\$17,000,000
8	(2) DEPARTMENT OF COMMUNITY AFFAIRS:	
9	(I) FOR GRANT PROGRAMS.....	13,000,000
10	(II) FOR LAND TRUSTS.....	3,000,000
11	(III) FOR ZOOS.....	3,500,000
12	(3) DEPARTMENT OF EDUCATION.....	2,500,000
13	(4) PENNSYLVANIA HISTORICAL AND MUSEUM	
14	COMMISSION.....	8,000,000
15	(5) PENNSYLVANIA FISH AND BOAT COMMISSION.	1,500,000
16	(6) PENNSYLVANIA GAME COMMISSION.....	1,500,000

17 (B) ALLOCATION OF REALTY TRANSFER TAX REVENUES.--REALTY  
18 TRANSFER TAX REVENUES TRANSFERRED TO THE FUND SHALL BE ALLOCATED  
19 AS FOLLOWS:

20	(1) DEPARTMENT OF ENVIRONMENTAL RESOURCES.	30%
21	(2) DEPARTMENT OF COMMUNITY AFFAIRS:	
22	(I) FOR GENERAL PURPOSES.....	25%
23	(II) FOR LAND TRUSTS.....	10%
24	(3) DEPARTMENT OF EDUCATION.....	4%
25	(4) PENNSYLVANIA HISTORICAL AND MUSEUM	
26	COMMISSION.....	13%
27	(5) STATE SYSTEM OF HIGHER EDUCATION.....	18%

28 SECTION 13. WAIVERS.

29 (A) ONE-YEAR EXEMPTION FROM REVIEW.--IN ORDER TO FACILITATE  
30 THE SPEEDY IMPLEMENTATION OF THIS PROGRAM, THE AGENCIES SHALL

1 HAVE THE POWER AND AUTHORITY TO PROMULGATE, ADOPT AND USE  
2 GUIDELINES WHICH SHALL BE PUBLISHED IN THE PENNSYLVANIA  
3 BULLETIN. THE GUIDELINES SHALL NOT BE SUBJECT TO REVIEW PURSUANT  
4 TO SECTION 205 OF THE ACT OF JULY 31, 1968 (P.L.769, NO.240),  
5 REFERRED TO AS THE COMMONWEALTH DOCUMENTS LAW, SECTIONS 204(B)  
6 AND 301(10) OF THE ACT OF OCTOBER 15, 1980 (P.L.950, NO.164),  
7 KNOWN AS THE COMMONWEALTH ATTORNEYS ACT, OR THE ACT OF JUNE 25,  
8 1982 (P.L.633, NO.181), KNOWN AS THE REGULATORY REVIEW ACT,  
9 SHALL BE EFFECTIVE FOR A PERIOD NOT TO EXCEED ONE YEAR FROM THE  
10 EFFECTIVE DATE OF THIS ACT.

11 (B) EXPIRATION OF EXEMPTION.--AFTER THE EXPIRATION OF THE  
12 ONE-YEAR PERIOD ALL GUIDELINES SHALL EXPIRE AND SHALL BE  
13 REPLACED BY REGULATIONS WHICH SHALL HAVE BEEN PROMULGATED,  
14 ADOPTED AND PUBLISHED AS PROVIDED BY LAW.

15 SECTION 14. REPEALS.

16 ALL ACTS AND PARTS OF ACTS ARE REPEALED INSOFAR AS THEY ARE  
17 INCONSISTENT WITH THIS ACT.

18 SECTION 15. EFFECTIVE DATE.

19 THIS ACT SHALL TAKE EFFECT IMMEDIATELY.