

No. 1992-16

AN ACT

HB 246

Amending the act of August 20, 1953 (P.L.1217, No.339), entitled "An act providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act, approved the twenty-second day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1987), and making an appropriation," further providing for applications for payments by the Commonwealth; and making editorial changes.

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

Section 1. Section 1 of the act of August 20, 1953 (P.L.1217, No.339), entitled "An act providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act, approved the twenty-second day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1987), and making an appropriation," amended August 11, 1967 (P.L.236, No.89), is amended to read:

Section 1. Commencing on the first day of July, one thousand nine hundred fifty-four, and annually thereafter, until the end of the fiscal year ending the thirtieth day of June, one thousand nine hundred sixty-five, the Commonwealth shall pay toward the cost of operating, maintaining, repairing, replacing and other expenses relating to sewage treatment plants, an amount not to exceed two per centum (2%) and commencing on the first day of July, one thousand nine hundred sixty-five and annually thereafter, the Commonwealth shall pay an amount equal to two per centum (2%) of the costs for the acquisition and construction of such sewage treatment plants by municipalities, municipality authorities and school districts to control stream pollution, expended by such municipalities, municipality authorities and school districts from the effective date of the act, approved the twenty-second day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1987), up to and including the thirty-first day of December of the year preceding the year in which such payment is made, and as ascertained by the Secretary of **[Health] Environmental Resources** and approved by the Governor, as hereinafter provided.

Section 2. Section 2 of the act is amended to read:

Section 2. Within the meaning of this act, the word "construction" shall include, in addition to the construction of new treatment works, pumping stations and intercepting sewers which are an integral part of the treatment facilities, the altering, improving or adding to of existing treatment works, pumping stations and intercepting sewers which are essential to the sewage treatment plant system, provided the acquisition and construction has been directed by the Department of **[Health] Environmental Resources**, and said

construction completed and facilities placed in operation in accordance with the act, approved the twenty-second day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1987).

Section 3. Section 3 of the act, amended August 11, 1967 (P.L.236, No.89), is amended to read:

Section 3. The amounts to be expended for any of the foregoing purposes shall be recommended by the Secretary of **[Health] Environmental Resources** and approved by the Governor, in accordance with rules and regulations which the Department of **[Health] Environmental Resources** is hereby authorized to promulgate, and shall be based upon reports filed with the Secretary of **[Health] Environmental Resources** prior to the thirty-first day of January, one thousand nine hundred fifty-four, and annually thereafter, by the municipalities, municipality authorities or school districts entitled to receive such payments, setting forth the amounts expended for the acquisition and construction of sewage treatment plants from the effective date of the act, approved the twenty-second day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1987), up to and including the thirty-first day of December of the preceding year. *The thirty-first day of January deadline for the filing of annual reports and applications for payments may be extended by the Secretary of Environmental Resources for a period not to exceed thirty (30) days upon cause shown.*

Section 4. This act shall take effect immediately.

APPROVED—The 3rd day of April, A. D. 1992.

ROBERT P. CASEY