

No. 102

AN ACT

To further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws 343), entitled "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 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," by permitting the Treasury Department to deposit moneys in State depositories without segregation by funds, authorizing the Treasury Department to invest moneys of the Commonwealth in short-term obligations of the United States government and repealing inconsistent acts.

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

Section 1. Section three hundred one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws 343), entitled "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 and imposing penalties; affecting

Section 301, act of April 9, 1929, P. L. 343, last amended April 30, 1943, P. L. 138, further amended.

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," as last amended by the act, approved the thirtieth day of April, one thousand nine hundred forty-three (Pamphlet Laws 138), is hereby further amended to read as follows:

Section 301. Deposit of Moneys.—The Treasury Department shall deposit all moneys of the Commonwealth received by it, including moneys not belonging to the Commonwealth but of which the Treasury Department or the State Treasurer is custodian, in State depositories approved by the Board of Finance and Revenue. *The Treasury Department shall not be required to deposit or to keep on deposit moneys of the Commonwealth segregated by funds in State depositories.*

The Treasury Department shall not, at any time have in all active depositories more than an aggregate of such total sum as the Board of Finance and Revenue shall, by resolution, have prescribed, and shall not deposit in any one inactive depository an amount in excess of twenty-five per centum of its paid-in capital and surplus, nor in excess of five hundred thousand dollars: Provided, however, That in the case of any particular depository, these limitations may be waived by the Board of Finance and Revenue, so as to permit the State Treasury to deposit State moneys, not in excess of one million dollars, in any bank, banking institution, or trust company designated as an inactive depository.

All departments, boards or commissions, having in their possession any moneys belonging to the Commonwealth, shall deposit them in State depositories approved by the Board of Finance and Revenue. In all such cases the depositing department, board or commission shall forthwith, upon opening the account, notify the Department of the Auditor General and the Treasury Department of the name of the depository and the nature of the funds to be deposited in the account.

The [Board of Finance and Revenue with the approval of the Governor] *Treasury Department* may from time to time invest in direct short-term obligations of the United States government, such amounts of the moneys of the Commonwealth, with the exception of moneys in any fund authorized by law to be invested by any [other] board, commission or State officer, on deposit from time to time in State depositories, as shall have accumulated

beyond the ordinary needs of various funds. The [Board of Finance and Revenue with the Governor's approval] *Treasury Department* shall from time to time, as necessary, sell such short-term obligations and [credit the proceeds to the funds out of which the purchases were made] *deposit the proceeds in State depositories as provided by this act. The Treasury Department shall not at any one time have invested in short-term obligations of the United States government more than an aggregate of such total sum as the Board of Finance and Revenue shall by resolution with the Governor's approval have prescribed.*

Section 2. All acts and parts of acts inconsistent herewith are hereby repealed. **Savings clause.**

Section 3. The provisions of this act shall become effective immediately upon final enactment. **Act effective immediately.**

APPROVED—The 27th day of July, A. D. 1955.

GEORGE M. LEADER

No. 103

AN ACT

To further amend section one thousand two hundred twelve of the act, approved the third day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by authorizing refunds of fees, fines or other moneys unjustly collected.

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

Section 1. Section one thousand two hundred twelve of the act, approved the third day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," as amended by the act, approved the thirtieth day of April, one thousand nine hundred forty-three (Pamphlet Laws 134), is hereby further amended to read as follows:

Section 1212, act of June 3, 1937. P. L. 1225, amended April 30, 1943, P. L. 134, further amended.

Section 1212. Return of Fees, Fines, or other Moneys **Return of fines** Erroneously or Unjustly Paid into Treasury.—Whenever the commission is satisfied that any fee, fine, or any other moneys paid into the State Treasury under any of the provisions of this act, or any act superseded by it, were, erroneously or unjustly, collected and deposited, the commission, within twelve months after such deposit, may, by resolution, authorize the director to draw a