

No. 1990-67

AN ACT

HB 406

Amending the act of April 9, 1929 (P.L.177, No.175), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," authorizing the Comptroller of the House of Representatives to make certain lapses; further providing for fees collected by administrative agencies; prohibiting the incarceration of civilian prisoners at military installations; requiring the Department of Transportation to do certain work on manhole covers, drains and other devices at the time a road is repaired or resurfaced at the cost of the utility, municipality or authority owner; authorizing the waiver of the realty transfer tax in certain cases by the Department of Revenue; further providing for the powers of the Department of General Services and the Department of Revenue; transferring the Pennsylvania Conservation Corps from the Department of Environmental Resources to the Department of Labor and Industry and continuing its existence; and making repeals.

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

Section 1. Section 621 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, is amended by adding a subsection to read:

Section 621. Lapsing of Funds.—* * *

(n) During the first ten (10) days of the fiscal period beginning July 1, 1990, the Comptroller of the House of Representatives shall forward lapse documents to the State Treasurer for at least twenty-seven million dollars (\$27,000,000) of prior year continuing appropriations of the House of Representatives. This subsection shall expire September 30, 1990.

Section 2. Section 602-A of the act is amended by adding clauses to read:

Section 602-A. Department of Agriculture.—The Department of Agriculture is authorized to charge fees for the following purposes and in the following amounts:

* * *

(11) Bakery:

(i) License..... 35.00

(12) Cold Storage:

(i) License.....	35.00
(13) <i>Dessert:</i>	
(i) License.....	35.00
(14) <i>Nonalcoholic drinks:</i>	
(i) License.....	100.00
(15) <i>Inspection/registration of plants and trees:</i>	
(i) <i>Inspection per establishment.....</i>	40.00

Section 3. Sections 603-A and 606-A of the act, added July 1, 1981 (P.L.143, No.48), are amended to read:

Section 603-A. Department of Banking.—The Department of Banking is authorized to charge fees for the following purposes and in the following amounts:

[(1) Consumer discount companies:

(i) Initial license.....	\$250.00
(ii) Annual license renewal.....	250.00
(iii) Additional licenses for each business location.....	250.00

(2) Motor vehicle sales finance:

(i) License for an installment seller of motor vehicles.	50.00
(ii) License for a sales finance company.....	200.00
(iii) License for a collector-repossessor.....	200.00]

(1) Consumer discount companies:

(i) Initial license.....	\$500.00
(ii) Additional licenses for each business location.....	500.00
(iii) Annual license renewal.....	350.00

(2) Motor vehicle sales finance:

(i) Initial license for sales finance company.....	500.00
Annual license renewal.....	350.00
(ii) License for installment seller.....	250.00
Annual license renewal.....	250.00
(iii) Initial license collector-repossessor.....	350.00
Annual license renewal.....	250.00

(3) Pawnbroker:

(i) Initial license for pawnbroker.....	500.00
Annual license renewal.....	250.00

(4) Money transmitter:

(i) Initial license for money transmitter.....	2,000.00
Annual license renewal.....	2,000.00

(5) Secondary mortgage loan company:

(i) Initial license for principal place of business and each branch office.....	500.00
Annual license renewal.....	350.00

(6) Secondary mortgage loan broker:

(i) Initial license for principal place of business.....	500.00
Annual license renewal.....	200.00
(ii) Each branch office.....	50.00
Annual branch renewal.....	25.00

(7) First Mortgage Banker:	
(i) Initial license for principal place of business and each branch office.....	500.00
Annual license renewal.....	350.00
(8) First mortgage broker:	
(i) Initial license fee for principal place of business....	500.00
Annual license renewal.....	200.00
(ii) Each branch office.....	50.00
Annual branch renewal.....	25.00

Section 606-A. Department of Education.—The Department of Education is authorized to charge fees for the following purposes and in the following amounts:

(4) Private driver training school fees:	
[(i) Initial license.....	100.00
(ii) License renewals.....	100.00]
(i) Initial license.....	500.00
(ii) License renewals.....	300.00
(iii) Instructor:	
(A) Initial.....	30.00
(B) Renewal.....	20.00
(6) Private driver training schools vehicle identification registrations:	
(i) Initial.....	10.00
(ii) Renewal/transfer.....	5.00

Section 4. Section 607-A(1) and (2) of the act, added July 1, 1981 (P.L.143, No.48), are amended and the section is amended by adding clauses to read:

Section 607-A. Department of Environmental Resources.—The Department of Environmental Resources is authorized to charge fees for the following purposes and in the following amounts:

(1) Eating and drinking places:	
(i) New establishments	
[(A) New establishments that are owner operated with a seating capacity of less than 50.....	\$ 30.00
(B) All other new establishments.....	100.00
(ii) Renewal or change of ownership.....	30.00
(iii) Duplicate license for each additional business location.....	5.00
(iv) Temporary license.....	1.00
(2) Certification of sewage and water treatment plant operators:	
(i) Initial license.....	20.00
(ii) Annual license renewal.....	3.00]
(A) New establishments that are owner operated with a seating capacity of less than 50.....	\$75.00
(B) All other new establishments.....	175.00

(ii) <i>Renewal or change of ownership</i>	<i>60.00</i>
(iii) <i>Duplicate license for each additional business location</i>	<i>10.00</i>
(iv) <i>Temporary license</i>	<i>10.00</i>
(2) <i>Certification of sewage and water treatment plant operators:</i>	
(i) <i>Initial license</i>	<i>20.00</i>
(ii) <i>Annual license renewal</i>	<i>5.00</i>
* * *	
(6) <i>Sewage enforcement officer certification:</i>	
(i) <i>Examination</i>	<i>25.00</i>
(7) <i>Planning module review fee:</i>	
(i) <i>Minor subdivisions</i>	<i>50.00</i>
(ii) <i>Major subdivisions</i>	<i>250.00</i>

Section 5. Section 609-A of the act is amended by adding a clause to read:

Section 609-A. Department of Health.—The Department of Health is authorized to charge fees for the following purposes and in the following amounts:

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(5) <i>Home health care agency:</i>	
(i) <i>License</i>	<i>200.00</i>

Section 6. Sections 612-A and 614-A of the act, added July 1, 1981 (P.L.143, No.48), are amended to read:

Section 612-A. Insurance Department.—The Insurance Department is authorized to charge fees for the following purposes and in the following amounts:

(1) Insurance companies, associations or exchanges:	
(i) Valuation of life insurance policies based on a per thousand dollar value of such insurance.....	\$01 with a minimum charge of \$10.00
(ii) Filing copy of charter <i>or amendment</i> of a domestic, foreign or alien company, association or exchange.....	[35.00] <i>150.00</i>
(iii) Filing annual statement or other statement of a domestic, foreign or alien company, association or exchange.....	[50.00] <i>125.00</i>
(iv) License fee for a domestic, foreign or alien company, association or exchange or any duplicate license.....	[15.00] <i>40.00</i>
(v) License for a rating organization.....	<i>25.00</i>

(vi) Examination of a domestic, foreign and alien company.....	Expense of examination
(vii) Filing and review of merger agreements of domestic, foreign and alien companies.....	[200.00] 280.00
(viii) Filing and review of conversion plan from mutual company to stock company.....	[200.00] 1,200.00
(ix) Filing and review of conversion plan from stock company to mutual company.....	[200.00] 1,200.00
(x) Filing and review of proposed exchange of shares of stock.....	300.00
(xi) Filing and review of material in connection with a proposed acquisition or offer to acquire capital stock of a domestic insurance company or insurance holding company.....	[300.00] 1,200.00
(xii) Filing and review of registration statement by an insurance member of an insurance holding company	200.00
(xiii) For each amendment to such registration statement.....	[50.00] 80.00
(xiv) Issuance of a certificate of compliance, deposit or surety.....	10.00
(xv) Any other certificate issued by the department...	10.00
(xvi) Filing and review of qualifications of an insurer to issue variable annuities.....	[100.00] 210.00
(xvii) Certification of each copy of any paper filed with department.....	[10.00] 10.00 plus .10 per page
(xviii) Copy of any paper filed with department on a per/page basis.....	.25
(xix) Copy of annual statement pages.....	1.00
(xx) Domestic company license application.....	1,200.00
(xxi) Foreign/alien license application.....	1,200.00
(xxii) Qualification of insurer to issue variable life contracts.....	210.00
(xxiii) Return of increase or decrease or stated capital	80.00
(xxiv) Reinsurance and assumption agreement.....	150.00
(xxv) Request to pay extraordinary dividends.....	65.00
(xxvi) Surplus line binding authority agreement.....	65.00

<i>(xxvii) Duplicate of agency or broker record.....</i>	<i>10.00</i>
(2) Agents and brokers:	
(i) Each listing for written examination of applicants for licenses as agents, brokers, public adjusters or public adjuster solicitors.....	10.00
(ii) For license of an applicant qualified through prior examination.....	5.00
(iii) For agent's license.....	10.00
(iv) For annual renewal of agent's license or for a replacement or duplicate of such license.....	10.00
(v) For each additional variable annuity power in an agent's license on a per annuity basis.....	5.00
(vi) Individual insurance broker license.....	20.00
(vii) Insurance broker license in the name of a corporation or copartnership.....	25.00
(viii) For each broker's license issued in the name of qualified individual active members or officers of a copartnership or corporation on a per license basis..	25.00
(ix) For certification of an agent or broker license....	10.00
(x) Surplus line agent:	
(A) Initial license.....	100.00
(B) Annual renewal.....	100.00
(C) Annual certificate of eligibility.....	10.00
(D) Examination fee.....	10.00
(3) Fraternal benefit societies:	
(i) Filing copy of charter of a domestic, foreign or alien society, in addition to any fee for filing such charter with the Department of State.....	35.00
(ii) The filing of an annual or other statement.....	50.00 125.00
(iii) License to society or certified copy or duplicate thereof.....	15.00 40.00
(iv) Each listing for written examination of an applicant for license as an agent.....	10.00
(v) Each applicant for such licenses for which an examination is not required.....	5.00
(vi) Agent's license for each domestic or foreign society, for life or accident and health lines, or any combination thereof, regardless of the number of powers, excepting variable annuities, for which licensed.....	10.00
(vii) Copy of any paper filed in the department.....	10.00
department, per page.....	.25
(viii) Any certificate required.....	10.00
(ix) Making examinations.....	Expense of examination

(x) Filing and reviewing agreements of merger of domestic, foreign and alien societies.....	200.00
(xi) Filing and review of a plan of conversion from a fraternal benefit society to a mutual company and for filing each amendment to registration statement.	200.00
(xii) For issuing a certificate of compliance, deposit or surety or any other certificate required to be issued by the department.....	10.00
(xiii) Filing and review of qualification of a society to issue variable annuities.....	[100.00]
	210.00
(xiv) Certificate of an agent's license or for duplicate or replacement licenses.....	10.00
(xv) Any other certificate issued by the division of agents	10.00
(xvi) Each renewal of license as an individual agent...	10.00
(xvii) Each additional variable annuity power in such license.....	5.00
(4) License and annual renewal for manager or exclusive general agent for domestic insurance company.....	200.00
(5) Motor vehicle physical damage appraiser:	
(i) Initial license.....	20.00
(ii) Annual renewal.....	10.00
(6) Professional bondsman license:	
(i) Initial license.....	100.00
(ii) Annual renewal.....	50.00
(7) Public adjustors and solicitors for companies:	
(i) Public adjustor:	
(A) Initial license.....	100.00
(B) Annual renewal.....	100.00
(ii) Public adjustor solicitor:	
(A) Initial license.....	50.00
(B) Annual renewal.....	50.00
(8) Workmen's Compensation Security Fund assessment:	
(i) Stock company, mutual carrier and reciprocal exchange.....	1% of annual net written premiums

Section 614-A. Liquor Control Board.—The Pennsylvania Liquor Control Board is authorized to charge fees for the following purposes and in the following amounts:

[(1) Applications for hotel, restaurant liquor licenses:	
(i) Application filing fee.....	\$ 30.00
(ii) Renewal filing fee.....	30.00
(iii) License fee:	

(A) Municipalities, population less than 1,500.....	225.00
(B) Municipalities, except townships, population 1,500 - 9,999.....	275.00
(C) Municipalities, townships, population 1,500 - 11,999.....	275.00
(D) Municipalities, except townships, population 10,000 - 49,999.....	375.00
(E) Municipalities, townships, population 12,000 - 49,999.....	375.00
(F) Municipalities, population 50,000 - 99,999.....	475.00
(G) Municipalities, population 100,000 - 149,999..	575.00
(H) Municipalities, population 150,000 or more....	675.00
(iv) Transfer fee.....	45.00
(2) Malt or brewed beverages:	
(i) Application filing fee.....	30.00
(ii) Renewal filing fee.....	30.00
(iii) License fee:	
(A) Municipalities, population less than 10,000....	175.00
(B) Municipalities, population 10,000 - 49,999.....	225.00
(C) Municipalities, population 50,000 - 99,999.....	275.00
(D) Municipalities, population 100,000 - 149,999..	325.00
(E) Municipalities, population 150,000 or more....	375.00
(iv) Transfer fee.....	45.00
(3) Applications for clubs (except catering) liquor:	
(i) Application filing fee.....	30.00
(ii) Renewal filing fee.....	30.00
(iii) License fee.....	125.00
(iv) Transfer fee.....	45.00
(4) Malt beverage:	
(i) Application filing fee.....	30.00
(ii) Renewal filing fee.....	30.00
(iii) License fee.....	100.00
(iv) Transfer fee.....	45.00
(5) Registration of agents; distillery certificate broker:	
(i) Application filing fee.....	30.00
(ii) Renewal filing fee.....	30.00
(6) Amusement permit liquor:	
(i) Permit fee	1/5 annual liquor li- cense fee, 40.00 mini- mum
(7) Amusement permit malt beverage:	

(i) Permit fee.....	1/5 annual liquor li- cense fee, 40.00 mini- mum
(8) Bailee for hire:	
(i) Application filing fee.....	30.00
(ii) Renewal filing fee.....	30.00
(iii) License fee (prorated quarterly).....	125.00
(9) Bonded warehouse:	
(i) Application filing fee.....	30.00
(ii) Renewal filing fee.....	30.00
(iii) License fee (prorated quarterly).....	125.00
(10) Brewery license:	
(i) Application filing fee.....	30.00
(ii) Renewal filing fee.....	30.00
(iii) License fee (prorated quarterly).....	1,025.00
(iv) Transfer fee.....	45.00
(11) Distillery license:	
(i) Application filing fee.....	30.00
(ii) Renewal filing fee.....	30.00
(iii) License fee (prorated quarterly on volume).....	2,525.00
(12) Distillery certificate broker permit:	
(i) Application filing fee.....	30.00
(ii) Renewal filing fee.....	30.00
(iii) Permit fee.....	125.00
(13) Distillery of historical significance:	
(i) Application filing fee.....	30.00
(ii) Renewal filing fee.....	30.00
(iii) License fee (prorated quarterly).....	2,525.00
(14) Importer's liquor license:	
(i) Application filing fee.....	30.00
(ii) Renewal filing fee.....	30.00
(iii) License fee.....	125.00
(iv) Transfer fee.....	45.00
(15) Importer's warehouse license:	
(i) Application filing fee, each warehouse.....	30.00
(ii) Renewal filing fee, each warehouse.....	30.00
(iii) License fee, each warehouse.....	30.00
(16) Limited winery:	
(i) Application filing fee.....	30.00
(ii) Renewal filing fee.....	30.00
(iii) License fee (prorated quarterly).....	275.00
(17) Malt beverage distributor:	
(i) Application filing fee.....	30.00
(ii) Renewal filing fee.....	30.00

(iii) License fee.....	425.00
(iv) Transfer fee.....	45.00
(18) Malt beverage importing distributor:	
(i) Application filing fee.....	30.00
(ii) Renewal filing fee.....	30.00
(iii) License fee.....	925.00
(iv) Transfer fee.....	45.00
(19) Performing arts facility license:	
(i) Application filing fee.....	30.00
(ii) Renewal filing fee.....	30.00
(iii) License fee.....	675.00
(iv) Transfer fee.....	45.00
(20) Public service license liquor:	
(i) Application filing fee.....	30.00
(ii) Renewal filing fee.....	30.00
(iii) License fee, railroad cars, per car.....	30.00
(iv) License fee, steamship or vessel, per vessel.....	125.00
(v) License fee, per air carrier.....	125.00
(vi) Transfer fee, railroad car, steamship or vessel or per air carrier.....	45.00
(21) Public service license malt beverage:	
(i) Application filing fee.....	30.00
(ii) Renewal filing fee.....	30.00
(iii) License fee, railroad cars, per car.....	20.00
(iv) License fee, steamship or vessel, per vessel.....	75.00
(v) License fee, per air carrier.....	25.00
(vi) Transfer fee, railroad cars, steamship or vessel or per air carrier.....	45.00
(22) Sacramental wine license:	
(i) Application filing fee.....	30.00
(ii) Renewal filing fee.....	30.00
(iii) License fee.....	125.00
(iv) Transfer fee.....	45.00
(23) Sales permit; reciprocal:	
(i) Permit fee.....	To be set by board not to exceed 5,000.00
(24) Special occasion permit:	
(i) Permit fee, liquor or malt or brewed beverages, per day.....	15.00
(25) Stadium restaurant liquor license:	
(i) Application filing fee.....	30.00
(ii) Renewal filing fee.....	30.00
(iii) License fee.....	675.00
(26) Stadium and arena malt beverage license:	

(i) Application filing fee.....	30.00
(ii) Renewal filing fee.....	30.00
(iii) License fee.....	125.00
(27) Sunday sales liquor:	
(i) Permit fee.....	200.00
(28) Sunday sales malt beverage:	
(i) Permit fee.....	200.00
(29) Trade show and convention liquor license:	
(i) Application filing fee.....	30.00
(ii) Renewal filing fee.....	30.00
(iii) License fee.....	675.00
(iv) Transfer fee.....	45.00
(30) Transporter for hire; Class A:	
(i) Application filing fee.....	30.00
(ii) Renewal filing fee.....	30.00
(iii) License fee.....	125.00
(31) Transporter for hire; Class B:	
(i) Application filing fee.....	30.00
(ii) Renewal filing fee.....	30.00
(iii) License fee.....	75.00
(32) Vendor's permit:	
(i) Application filing fee.....	30.00
(ii) Renewal filing fee.....	30.00
(iii) Permit fee.....	125.00
(33) Winery:	
(i) Application filing fee.....	30.00
(ii) Renewal filing fee.....	30.00
(iii) License fee (prorated quarterly).....	275.00
(34) To be credited to the State Store Fund from each of the fees collected for hotel, restaurant and club liquor licenses and retail dispensers' licenses both malt and brewed beverages.....	75.00]
(1) <i>Hotel, restaurant liquor licenses:</i>	
(i) <i>Application filing fee.....</i>	<i>\$700.00</i>
(ii) <i>Renewal filing fee.....</i>	<i>30.00</i>
(iii) <i>License fee:</i>	
(A) <i>Municipalities, population less than 1,500.....</i>	<i>250.00</i>
(B) <i>Municipalities, except townships, population 1,500 - 9,999.....</i>	<i>300.00</i>
(C) <i>Municipalities, townships, population 1,500 - 11,999.....</i>	<i>300.00</i>
(D) <i>Municipalities, except townships, population 10,000 - 49,999.....</i>	<i>400.00</i>
(E) <i>Municipalities, townships, population 12,000 - 49,999.....</i>	<i>400.00</i>
(F) <i>Municipalities, population 50,000 - 99,999.....</i>	<i>500.00</i>

(G) Municipalities, population 100,000 - 149,999..	600.00
(H) Municipalities, population 150,000 or more....	700.00
(iv) Transfer fee:	
(A) Person to person.....	650.00
(B) Place to place.....	550.00
(C) Double transfer.....	700.00
(2) Hotel or retail dispenser - eating place malt or brewed beverage licenses:	
(i) Application filing fee.....	700.00
(ii) Renewal filing fee.....	30.00
(iii) License fee:	
(A) Municipalities, population less than 10,000....	200.00
(B) Municipalities, population 10,000 - 49,999.....	250.00
(C) Municipalities, population 50,000 - 99,999.....	300.00
(D) Municipalities, population 100,000 - 149,999..	350.00
(E) Municipalities, population 150,000 or more....	400.00
(iv) Transfer fee:	
(A) Person to person.....	650.00
(B) Place to place.....	550.00
(C) Double transfer.....	700.00
(3) Clubs (except catering) liquor licenses:	
(i) Application filing fee.....	700.00
(ii) Renewal filing fee.....	30.00
(iii) License fee.....	150.00
(iv) Transfer fee:	
(A) Person to person.....	650.00
(B) Place to place.....	550.00
(C) Double transfer.....	700.00
(4) Club malt or brewed beverage licenses:	
(i) Application filing fee.....	700.00
(ii) Renewal filing fee.....	30.00
(iii) License fee.....	125.00
(iv) Transfer fee:	
(A) Person to person.....	650.00
(B) Place to place.....	550.00
(C) Double transfer.....	700.00
(5) Registration of agents; distillery certificate broker:	
(i) Application filing fee.....	65.00
(ii) Renewal filing fee.....	65.00
(6) Amusement permit liquor:	
(i) Permit fee.....	1/5 annual license fee
(7) Amusement permit malt beverage:	
(i) Permit fee.....	1/5 annual license fee
(8) Bailee for hire:	

(i) Application filing fee.....	700.00
(ii) Renewal filing fee.....	30.00
(iii) License fee (prorated quarterly).....	265.00
(9) Bonded warehouse:	
(i) Application filing fee.....	700.00
(ii) Renewal filing fee.....	30.00
(iii) License fee (prorated quarterly).....	265.00
(10) Brewery license:	
(i) Application filing fee.....	700.00
(ii) Renewal filing fee.....	30.00
(iii) License fee (prorated quarterly).....	1,425.00
(iv) Transfer fee:	
(A) Person to person.....	650.00
(B) Place to place.....	550.00
(C) Double transfer.....	700.00
(11) Distillery license:	
(i) Application filing fee.....	700.00
(ii) Renewal filing fee.....	30.00
(iii) License fee (prorated quarterly on volume).....	5,400.00
(12) Distillery certificate broker permit:	
(i) Application filing fee.....	700.00
(ii) Renewal filing fee.....	30.00
(iii) Permit fee.....	175.00
(13) Distillery of historical significance:	
(i) Application filing fee.....	700.00
(ii) Renewal filing fee.....	30.00
(iii) License fee (prorated quarterly).....	5,400.00
(14) Importer's liquor license:	
(i) Application filing fee.....	700.00
(ii) Renewal filing fee.....	30.00
(iii) License fee.....	265.00
(iv) Transfer fee:	
(A) Person to person.....	650.00
(B) Place to place.....	550.00
(C) Double transfer.....	700.00
(15) Importer's warehouse license:	
(i) Application filing fee, each warehouse.....	700.00
(ii) Renewal filing fee, each warehouse.....	30.00
(iii) License fee, each warehouse.....	65.00
(16) Limited winery:	
(i) Application filing fee.....	700.00
(ii) Renewal filing fee.....	30.00
(iii) License fee (prorated quarterly).....	385.00
(17) Malt beverage distributor:	
(i) Application filing fee.....	700.00
(ii) Renewal filing fee.....	30.00

(iii) License fee.....	600.00
(iv) Transfer fee:	
(A) Person to person.....	650.00
(B) Place to place.....	550.00
(C) Double transfer.....	700.00
(18) Malt beverage importing distributor:	
(i) Application filing fee.....	700.00
(ii) Renewal filing fee.....	30.00
(iii) License fee.....	1,350.00
(iv) Transfer fee:	
(A) Person to person.....	650.00
(B) Place to place.....	550.00
(C) Double transfer.....	700.00
(19) Performing arts facility license:	
(i) Application filing fee.....	700.00
(ii) Renewal filing fee.....	30.00
(iii) License fee.....	675.00
(20) Public service liquor license:	
(i) Application filing fee.....	700.00
(ii) Renewal filing fee.....	40.00
(iii) License fee, railroad cars, per car.....	65.00
(iv) License fee, steamship or vessel, per vessel.....	260.00
(v) License fee, per air carrier.....	260.00
(vi) Transfer fee, railroad car, steamship or vessel or per air carrier.....	55.00
(21) Public service license malt beverage:	
(i) Application filing fee.....	700.00
(ii) Renewal filing fee.....	40.00
(iii) License fee, railroad cars, per car.....	40.00
(iv) License fee, steamship or vessel, per vessel.....	160.00
(v) License fee, per air carrier.....	55.00
(vi) Transfer fee, railroad cars, steamship or vessel or per air carrier.....	55.00
(22) Sacramental wine license:	
(i) Application filing fee.....	700.00
(ii) Renewal filing fee.....	30.00
(iii) License fee.....	265.00
(iv) Transfer fee.....	45.00
(23) Sales permit; reciprocal:	
(i) Permit fee.....	To be set by board not to exceed 5,000.00
(24) Special occasion permit:	
(i) Permit fee, liquor or malt or brewed beverages, per day:	

(A) No investigation.....	30.00
(B) Investigation.....	85.00
(25) Stadium restaurant liquor license:	
(i) Application filing fee.....	700.00
(ii) Renewal filing fee.....	30.00
(iii) License fee.....	700.00
(26) Stadium and arena malt beverage license:	
(i) Application filing fee.....	700.00
(ii) Renewal filing fee.....	30.00
(iii) License fee.....	150.00
(27) Sunday sales liquor:	
(i) Permit fee.....	300.00
(28) Sunday sales malt beverage:	
(i) Permit fee.....	300.00
(29) Trade show and convention liquor license:	
(i) Application filing fee.....	700.00
(ii) Renewal filing fee.....	30.00
(iii) License fee.....	675.00
(iv) Transfer fee:	
(A) Person to person.....	650.00
(B) Place to place.....	550.00
(C) Double transfer.....	700.00
(30) Transporter for hire; Class A and C:	
(i) Application filing fee.....	700.00
(ii) Renewal filing fee.....	30.00
(iii) License fee.....	265.00
(31) Transporter for hire; Class B:	
(i) Application filing fee.....	700.00
(ii) Renewal filing fee.....	30.00
(iii) License fee.....	160.00
(32) Vendor's permit:	
(i) Application filing fee.....	700.00
(ii) Renewal filing fee.....	30.00
(iii) Permit fee.....	265.00
(33) Winery:	
(i) Application filing fee.....	700.00
(ii) Renewal filing fee.....	30.00
(iii) License fee (prorated quarterly).....	385.00
(34) To be credited to the State Stores Fund from each of the fees collected for hotel, restaurant and club liquor licenses and retail dispensers' licenses both malt and brewed beverages.....	100.00
(35) Malt or brewed beverage brand registration:	
(i) Filing fee (per brand).....	75.00

Section 7. Section 615-A of the act is amended by adding clauses to read:

Section 615-A. Pennsylvania Securities Commission.—The Pennsylvania Securities Commission is authorized to charge fees for the following purposes and in the following amounts:

* * *

(4) Agent application fee:	
(i) Initial, renewal, and transfer.....	50.00
(5) Broker dealer application fee:	
(i) Initial and renewal.....	250.00
(6) Section 205 - coordination filing fee:	
(i) Less than \$10,000,000.....	500.00
(ii) \$10,000,000 or more.....	750.00
(7) Retention fees for withdrawal of registration statement:	
(i) Under section 205.....	300.00
(8) Filing an application for exemption from registration for an offering of securities to be sold under section 203(d):	
(i) Less than \$100,000.....	50.00
(ii) \$100,000 or more but less than \$1,000,000.....	150.00
(9) Investment advisor's application fee:	
(i) Initial and renewal.....	200.00
(10) Registration by an open-end or closed-end investment company:	
(i) Issuer seeking to raise more than \$4,000,000 but less than \$100,000,000.....	1/20 of 1% plus 1,000.00
(ii) Issuer seeking to raise \$100,000,000 or more.....	1/20 of 1% plus 1,500.00
(11) Securities exemption fees:	
(i) Section 202(g).....	50.00
(ii) Section 203(n).....	50.00

Section 8. Section 616-A of the act, added July 1, 1981 (P.L.143, No.48), is amended to read:

Section 616-A. Pennsylvania State Police.—The Pennsylvania State Police are authorized to charge fees for the following purposes and in the following amounts:

(1) Accident Reports:	
(i) Certified copy of record of investigation of a vehicle accident.....	\$8.00
(2) Private security agent lethal weapon:	
(i) Application.....	[45.00] 50.00
(ii) Certification.....	[25.00] 30.00
(iii) Renewal.....	[25.00] 30.00

(3) Escort services:

- (i) Escort services for spent nuclear shipments.....** 25.00/hr.
+ .50/mile
- (ii) Rail shipments.....** 30.00/hr.
per officer

(4) Bank alarm panel:

- (i) Bank alarm connection rate.....** 300.00
per year

(5) Fingerprint records check:

- (i) Private detective licensing - fingerprint records check request from clerk of courts.....** 17.50

(6) Firearm and name check:

- (i) Noncriminal justice agencies and individuals.....** 10.00

Section 9. The act is amended by adding sections to read:

Section 618-A. Department of State.—The Department of State is authorized to charge fees for the following purposes and in the following amounts:

(1) Bureau of Commissions, Elections and Legislation:

- (i) Application fee for notary commission.....** \$40.00
- (ii) Domestic corporations for profit.**

- (A) Articles of incorporation, letters patent or like instrument incorporating a corporation or association.....** 85.00

- (B) Articles of conversion or like instrument.....** 85.00

- (C) Each ancillary transaction.....** 45.00

(iii) Foreign corporation:

- (A) Certificates of authority or like qualification to do business.....** 45.00

- (B) Amended certificate of authority or like change in qualification to do business.....** 175.00

- (C) Domestication.....** 85.00

(iv) Individual fictitious names:

- (A) Registration** 30.00

- (B) Each ancillary transaction.....** 30.00

(v) Corporate fictitious names:

- (A) Registration** 45.00

- (B) Each ancillary transaction.....** 45.00

(vi) Trademarks, emblems, union labels, description of bottles and like matters:

- (A) Registration** 30.00

- (B) Each ancillary transaction.....** 30.00

(vii) Uniform Commercial Code:

- (A) Financing statement.....** 10.00

- (B) Each ancillary transaction.....** 10.00

- (C) Search per debtor named.....** 10.00

(viii) Certification fees:

- (A) For certifying copies of any document or paper on file, if the department furnished the copy..... 10.00
- (B) For issuing any other certificate of the Secretary of the Commonwealth or the Department of State..... 15.00
- (ix) Report of record search:
 - (A) For preparing and providing a written or photocopy, or both, report of a record search, the fee specified in subclause (viii)(A) hereof, if any, plus \$10.00

Section 619-A. Department of Transportation.—The Department of Transportation is authorized to charge fees for the following purposes and in the following amounts:

- (1) Driving record:
 - (i) Certified driving record..... \$10.00
- (2) Uncollectible check fee:
 - (i) Uncollectible check penalty fee..... 20.00

Section 1417. Incarceration of Civilian Prisoners Prohibited.—Civilian prisoners, either pending trial or appeal or after sentencing, shall not be incarcerated at any military reservation, base or facility within Pennsylvania, whether owned by the Federal or State Government, on a temporary or permanent basis.

Section 10. Section 2005 of the act is amended by adding a clause to read:

Section 2005. General Road Improvement.—The Department of Transportation shall have the power, and its duty shall be:

* * *

(g) To take responsibility for bringing all manhole covers, drains and other surface devices up to the grade level or other appropriate level at the time any State highway is reconstructed, repaired or resurfaced.

(1) The department shall give advance notice of the project to the utility owner and offer the owner the opportunity to undertake the improvements required under this clause. Such advance notice shall be commensurate with the nature and scope of the improvements to be performed by the utility owner within such time as may be determined by the department.

(2) If the owner does not make the improvements within such time as may be determined by the department, the department may perform or cause to be performed the work as required under such terms as may be acceptable to the department. In construing the provisions of this section, time shall be deemed to be of the essence. Costs incurred may be charged to the owner if the owner is not entitled to reimbursement under section 412 or 412.1 of the act of June 1, 1945 (P.L.1242, No.428), known as the "State Highway Law."

(3) If the owner is a municipality, the department may deduct the costs from any liquid fuel tax payments which shall become due the municipality, but only after notice to the municipality of the amount of the costs and a request for the payment of same.

(4) If the owner is a municipal authority, the department shall have the authority not to issue the municipal authority any highway occupancy permit if the costs incurred by the department for performing the work remain unpaid.

(5)(i) Nothing in this subsection shall be construed to impair, suspend, contract, enlarge, extend or affect in any manner the powers and duties of the Pennsylvania Public Utility Commission as provided in 66 Pa.C.S. §§ 2702 (relating to construction, relocation, suspension and abolition of crossings), 2703 (relating to ejection in crossing cases) and 2704 (relating to compensation for damages occasioned by construction, relocation or abolition of crossings).

(ii) For purposes of this clause, the term "utility owner" or "owner" shall not include any utility regulated by the Pennsylvania Public Utility Commission.

Section 11. The act is amended by adding sections to read:

Section 2216. Pennsylvania Conservation Corps.—The Pennsylvania Conservation Corps shall be a part of the Department of Labor and Industry. The department shall have the power, and its duty shall be, to administer the act of July 2, 1984 (P.L.561, No.112), known as the "Pennsylvania Conservation Corps Act." The Pennsylvania Conservation Corps and the program under the "Pennsylvania Conservation Corps Act" shall expire June 30, 1994.

Section 2401.1a. Restrictions on Powers of the Department of General Services.—The provisions of section 2401.1(19) shall not apply to additional capital projects in the category of public improvement projects to be acquired or constructed by the Department of General Services for the program development and design of prototypical one thousand-cell facilities to be used in construction of a facility in Clearfield County and other State prison projects itemized in the act of July 1, 1990 (P.L.315, No.71), known as the "Prison Facilities Improvement Act."

Section 2504. Space on Form for Contributions.—(a) The Department of Revenue shall provide a space on the face of the individual income tax return form whereby an individual may voluntarily designate a contribution of any amount desired to the United States Olympic Committee, Pennsylvania Division.

(b) The amount so designated by an individual on the income tax return form shall be deducted from the tax refund to which such individual is entitled and shall not constitute a charge against the income tax revenues due the Commonwealth.

(c) The Department of Revenue shall determine annually the total amount designated pursuant to this section, less reasonable administrative costs, and shall report such amount to the State Treasurer, who shall transfer such amount from the General Fund to the United States Olympic Committee, Pennsylvania Division.

Section 2505. Waiver of Realty Transfer Tax.—The Department of Revenue may, in the case of a transfer of real property from the Commonwealth to a nonprofit organization where that organization will utilize the

property for a drug or alcohol abuse rehabilitation program, waive the collective of the realty transfer tax imposed under Article XI-C of the act of March 4, 1971 (P.L.6, No.2), known as the "Tax Reform Code of 1971."

Section 12. There are transferred from the Department of Environmental Resources to the Department of Labor and Industry all of the following:

(1) The property, supplies, equipment and records being used in the administration of the act of July 2, 1984 (P.L.561, No.112), known as the Pennsylvania Conservation Corps Act.

(2) The personnel employed in the administration of the Pennsylvania Conservation Corps Act.

(3) The unexpended balances of appropriations, allocations and other funds available under the Pennsylvania Conservation Corps Act.

(4) The rights and obligations of contracts entered into under the Pennsylvania Conservation Corps Act.

Section 13. The regulations of the Department of Environmental Resources promulgated under the act of July 2, 1984 (P.L.561, No.112), known as the Pennsylvania Conservation Corps Act, shall remain valid until amended or deleted by the Department of Labor and Industry.

Section 14. Section 13 of the act of July 2, 1984 (P.L.561, No.112), known as the Pennsylvania Conservation Corps Act, is repealed.

Section 15. The following acts or parts of acts are repealed insofar as they relate to fee payments:

Section 3 of the act of May 22, 1933 (P.L.912, No.168), referred to as the Bakery Law.

Section 6 of the act of April 6, 1937 (P.L.200, No.51), known as the Pawnbrokers License Act.

Section 2 of the act of May 20, 1949 (P.L.1511, No.455), referred to as the Cold Storage Warehouse Food Law.

Section 10 of the act of January 18, 1952 (1951 P.L.2128, No.605), referred to as the Private Driver Education or Training School Act.

Section 5 of the act of August 21, 1953 (P.L.1323, No.373), known as The Notary Public Law.

Section 3 of the act of July 5, 1957 (P.L.485, No.276), entitled "An act for the protection of the public health and welfare, and the prevention of fraud and deception in the manufacture or sale of packaged non-alcoholic drinks; prohibiting the sale, offering or exposing for sale, exchange or giving away thereof unless registered; providing for licensing of places of manufacture; regulating the manufacture, compounding, labeling, sanitation and ingredients of non-alcoholic drinks, and the display of presses of fruit; prohibiting misbranding and adulteration of registered and non-registered non-alcoholic drinks; authorizing promulgation of rules, regulations and standards, and providing for penalties and for injunctions in certain cases, and the disposition of fees and fines."

Section 7 of the act of September 1, 1965 (P.L.420, No.215), known as The Frozen Dessert Law.

Section 6 and as much of section 6(a) as reads “but such revenues shall not exceed one hundred sixty thousand dollars (\$160,000) for any one year” of the act of September 1, 1965 (P.L.436, No.221), known as the Pennsylvania Commercial Feed Law of 1966.

Section 6 of the act of September 2, 1965 (P.L.490, No.249), referred to as the Money Transmission Business Licensing Law.

The act of January 24, 1966 (1965 P.L.1535, No.537), known as the Pennsylvania Sewage Facilities Act.

The act of July 12, 1972 (P.L.769, No.182), entitled “An act relating to certain documents, prescribing the fees for the Department of State and certain public officers, permitting the filing of certain documents appropriating the exclusive right to a corporate name, repealing the excise tax on the capital stock of domestic corporations and repealing inconsistent acts.”

Section 602(b) and (d) of the act of December 5, 1972 (P.L.1280, No.284), known as the Pennsylvania Securities Act of 1972.

Section 807 of the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act.

Section 5 of the act of December 12, 1980 (P.L.1179, No.219), known as the Secondary Mortgage Loan Act.

Section 402(d)(1) of the act of July 10, 1984 (P.L.688, No.147), known as the Radiation Protection Act.

Section 5 of the act of December 22, 1989 (P.L.687, No.90), known as the Mortgage Bankers and Brokers Act.

Section 16. The following acts and parts of acts are repealed insofar as they are inconsistent with this act:

Section 12 of the act of June 23, 1982 (P.L.597, No.170), known as the Wild Resource Conservation Act.

Sections 2 and 3 of the act of July 2, 1984 (P.L.561, No.112), known as the Pennsylvania Conservation Corps Act.

Section 17. If this act is enacted after July 1, 1990, sections 2 (section 602-A), 3 (sections 603-A and 606-A), 4 (section 607-A(1) and (2)), 5 (section 609-A), 6 (sections 612-A and 614-A), 7 (section 615-A), 8 (section 616-A) and 9 (section 618-A) shall apply retroactively to July 1, 1990.

Section 18. The provisions of section 2504 shall apply to taxable years beginning January 1, 1990, and January 1, 1991, and shall expire thereafter unless reenacted.

Section 19. This act shall take effect immediately.

APPROVED—The 1st day of July, A. D. 1990.

ROBERT P. CASEY