

No. 2005-1

AN ACT

HB 2

Providing for submission of a question to the electorate authorizing incurring of indebtedness for the maintenance and protection of the environment, open space and farmland preservation, watershed protection, abandoned mine reclamation, acid mine drainage remediation and other environmental initiatives.

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

Section 1. Short title.

This act shall be known and may be cited as the Growing Greener Environmental Stewardship and Watershed Protection Enhancement Authorization Act.

Section 2. Authorization to incur indebtedness.

Pursuant to the provisions of section 7(a)(3) of Article VIII of the Constitution of Pennsylvania, the question of incurring indebtedness of up to \$625,000,000 for the maintenance and protection of the environment, open space and farmland preservation, watershed protection, abandoned mine reclamation, acid mine drainage remediation and other environmental initiatives shall be submitted to the electors at the municipal primary in 2005.

Section 3. Certification.

The Secretary of the Commonwealth shall forthwith certify the question to the county boards of elections.

Section 4. Question to electorate.

The question shall be in the following form:

Do you favor authorizing the Commonwealth to borrow up to \$625,000,000, for the maintenance and protection of the environment, open space and farmland preservation, watershed protection, abandoned mine reclamation, acid mine drainage remediation and other environmental initiatives?

Section 5. Election procedure.

The election shall be conducted in accordance with the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, except that:

- (1) any requirements for advertising or notice related to the question are hereby waived;
- (2) the requirement for a statement pursuant to section 201.1 of the Election Code is hereby waived;
- (3) any authority of the Secretary of the Commonwealth to determine the form of the question is hereby abrogated; and
- (4) the deadline for all boards of elections throughout this Commonwealth to accept receipt of and canvass absentee ballots properly

cast by absent uniformed services and overseas voters is extended until 5 p.m. eastern daylight saving time, Tuesday, May 31, 2005.

Section 6. Use of proceeds.

Proceeds of the borrowing shall be used as determined by the General Assembly by law for the maintenance and protection of the environment, open space and farmland preservation, watershed protection, abandoned mine reclamation, acid mine drainage remediation and other environmental initiatives.

Section 7. Debt service limitation.

This act shall not be construed as authorizing the imposition of any new tax or fee or permitting the increase of any existing tax or fee to repay the borrowing authorized by the approval by the electorate of the question set forth in section 4.

Section 8. Effective date.

This act shall take effect immediately.

APPROVED—The 13th day of April, A.D. 2005.

EDWARD G. RENDELL