

No. 2005-45

AN ACT

HB 3

Amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, further providing for definitions, for allocation of Environmental Stewardship Fund and for administrative expenses; deleting provisions relating to environmental infrastructure grants; providing for fee deposits; authorizing indebtedness for environmental initiatives; authorizing sale of bonds, temporary financing and debt retirement; further providing for disposal fee for municipal waste landfills and deposit of disposal fee; deleting certain sunset provisions; and making a repeal relating to the Hazardous Sites Cleanup Fund.

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

Section 1. Section 6103 of Title 27 of the Pennsylvania Consolidated Statutes is amended by adding definitions to read:

§ 6103. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

“Bond fund.” *The Growing Greener Bond Fund established under section 6116 (relating to establishment of bond fund and allocation and use of bond proceeds).*

“Geological hazard.” *A naturally occurring or manmade geologic condition or phenomenon that presents a risk or is a potential danger to life and property. The term includes, but is not limited to, landslide, avalanche, ground subsidence and coastal and beach erosion.*

“Growing greener bond referendum.” *The referendum authorized under the act of April 13, 2005 (P.L.1, No.1), known as the Growing Greener Environmental Stewardship and Watershed Protection Enhancement Authorization Act, and approved by the electorate authorizing the Commonwealth to incur 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.*

“Watershed protection.” *Activities that address regional water priorities, including priorities within the Delaware, Erie, Ohio, Potomac and Susquehanna watersheds and compliance by the Commonwealth with its commitments under Chesapeake Bay agreements and implementation of the provisions of Chapter 31 (relating to water resources planning).*

Section 2. Section 6104(d) of Title 27 is amended and the section is amended by adding subsections to read:

§ 6104. Fund.

(d) Allocation.—**[It is the intent of the General Assembly that the]** *The* money appropriated in subsection (c) *shall* be allocated annually as follows:

(1) For fiscal year 1999-2000, 28.4% to the Department of Conservation and Natural Resources, 43.7% to the Department of Environmental Protection and 27.9% to the authority.

(2) For fiscal years 2000-2001 through 2003-2004, 24.1% to the Department of Conservation and Natural Resources, 37.4% to the Department of Environmental Protection, 14.8% to the Department of Agriculture and 23.7% to the authority.

(3) For fiscal year 2004-2005 **[and each year thereafter]**, moneys in the fund shall be allocated in accordance with paragraph (1).

(4) *For fiscal year 2005-2006, up to \$20,000,000 of the moneys in the fund shall be deposited into the Hazardous Sites Cleanup Fund and the remaining moneys shall be allocated in accordance with paragraph (2).*

(5) *For fiscal year 2006-2007, up to \$30,000,000 of the moneys in the fund shall be deposited into the Hazardous Sites Cleanup Fund and the remaining moneys shall be allocated in accordance with paragraph (2).*

(6) *For fiscal year 2007-2008 and each year thereafter, moneys in the fund shall be allocated in accordance with paragraph (2).*

(d.1) *Calculation of allocations.—The annual allocations under subsection (d)(4), (5) and (6) shall be calculated after moneys have been deposited into the Hazardous Sites Cleanup Fund pursuant to subsection (d)(4) and (5) and after payments authorized by section 6115(d)(4) (relating to Commonwealth indebtedness). The annual allocations shall be determined by the Secretary of the Budget.*

(d.2) *Allocation reductions.—The annual allocation to the authority under subsection (d)(4), (5) and (6) shall be reduced, as and if necessary, by the following sums, which shall be determined by the Secretary of the Budget:*

(1) *Up to \$2,500,000 to the General Fund for reimbursement for any tax exclusion granted for certain energy efficient appliances pursuant to legislation enacted for this purpose.*

(2) *Up to \$10,000,000 to the General Fund for reimbursement of any historic preservation tax credit program established pursuant to legislation enacted for this purpose, or to the agency administering any historic preservation grant program established pursuant to legislation enacted for this purpose, for reimbursement of funds expended for such program, as the case may be.*

(d.3) Additional deposit.—From within the funds allocated under section 6116 (relating to establishment of bond fund and allocation and use of bond proceeds), the Secretary of the Budget may deposit into the fund amounts equal to those deposited into the Hazardous Sites Cleanup Fund under subsection (d)(4) and (5) and may, at the secretary's discretion, apply the amount of the funds so deposited into the fund under this subsection against the amounts allocated in section 6116(c).

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Section 3. Sections 6105(a), (b) and (e), 6110 and 6112 of Title 27 are amended to read:

§ 6105. Agencies.

(a) The Department of Conservation and Natural Resources.—

(1) The Department of Conservation and Natural Resources shall utilize money it receives from the fund for the following purposes:

(i) To rehabilitate, repair and develop State park and State forest lands and facilities and the acquisition of interior lands within State parks and State forests.

(ii) To provide grants to a county or other municipality, ***council of governments***, conservation districts and authorized organizations for the purpose of planning, education, acquisition, development, rehabilitation and repair of greenways, recreational trails, open space, natural areas, river corridors, watersheds, community and heritage parks and recreation facilities; community conservation and beautification projects; forest conservation; and other conservation purposes. Grants under this paragraph may not be used by an authorized organization for land acquisition unless the authorized organization obtains the approval of all counties in which the land is situated. Grant moneys may also be used for the acquisition of farmland for the purposes set forth in this paragraph.

(iii) To provide grants to a county or other municipality and authorized organizations for the purpose of research, planning, inventories and technical assistance intended to protect and conserve the biological diversity of this Commonwealth.

(2) The Department of Conservation and Natural Resources may require matching funds as a condition of the award of a grant under this subsection.

(b) The Department of Environmental Protection.—

(1) The Department of Environmental Protection shall utilize money it receives from the fund for the following purposes:

(i) To implement acid mine drainage abatement and cleanup efforts and plug abandoned and orphan oil and gas wells.

(ii) To provide funding for technical assistance and financial incentives to facilitate remining.

(iii) To provide grants to a county or other municipality, ***council of governments***, county conservation districts, watershed organizations

and other authorized organizations for acid mine drainage abatement, mine cleanup efforts and well plugging.

(iv) To provide grants and technical assistance to a county or other municipality, *council of governments*, county conservation districts, watershed organizations and other authorized organizations to plan and implement local watershed-based conservation efforts.

(v) To improve water-quality-impaired watersheds, including those polluted by past mining activities, agricultural and urban runoff, atmospheric deposition, on-lot sewage systems and earthmoving activities.

[(vi) To provide grants for safe drinking water projects and wastewater treatment projects as provided for in section 6110 (relating to environmental infrastructure grants to water and wastewater treatment facilities).]

(vii) For watershed protection.

(2) County conservation districts may further distribute grants received under this section to watershed organizations and other authorized organizations to assist in the implementation of this chapter.

(3) The Department of Environmental Protection may require matching funds as a condition of the award of a grant under this subsection.

(4) For the period commencing with the effective date of this chapter and ending June 30, 2004, the Department of Environmental Protection may utilize up to 10% of the money allocated annually to it under section 6104(d) (relating to fund) to provide grants for safe drinking water projects and wastewater treatment projects. Grants under this paragraph shall be made for the same purposes and shall be subject to the same limitations as grants authorized in section 6110.

* * *

(e) Administrative expense limitation.—The departments[,] *and the authority [and grant recipients that receive moneys from the fund for the purposes set forth in this section]* may not expend more than [2%] *2.5%* of the moneys *received from the fund* on administrative expenses. *The Department of Environmental Protection may not expend more than an aggregate of 2.5% of the moneys received from the fund and the moneys directed to the Hazardous Sites Cleanup Fund pursuant to section 6104(d)(4) and (5) on administrative expenses. Grant recipients that receive moneys from the fund for the purposes set forth in this section may not expend more than 5% of the moneys received from the fund on administrative expenses.*

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[§ 6110. Environmental infrastructure grants to water and wastewater treatment facilities.

(a) Separate account.—

(1) Savings realized in section 6109 (relating to sewage construction payments to municipalities) shall be placed in an account within the fund, which shall be cumulative, separate from the allocations in section 6104(d) (relating to fund) and for expenditure by the Department of Environmental Protection for environmental infrastructure grants to a county or other municipality, municipal authorities and school districts for water and wastewater treatment facilities which:

- (i) install or implement new or innovative technologies in their operations;
- (ii) implement pollution prevention techniques in their operations;
- (iii) undertake treatment process modernization or other improvements, including rehabilitation of collection and conveyance systems; or
- (iv) implement odor abatement programs in their operations.

(2) A grant from the account shall not be used for the construction of a new facility. An applicant for funding must disclose in the application if funding has been applied for from both the account and the authority. An applicant that receives funding from the account shall not receive funding from the authority under this chapter for the same portion of the project or equipment. An applicant that receives funding from the authority under this chapter shall not receive funding from the account for the same portion of the project or equipment.

(b) **Limitation.**—Funding under this section shall be limited to improvements to the physical operation of the treatment facility and shall not be used for administrative purposes or for machinery or equipment peripherally related to the operation.

(c) **Funding availability.**—Funding shall be available to all counties or other municipalities, municipal authorities and school districts on the basis of cost of the environmental or public health improvement and not based on demographics, per capita income or other unit of measure not tied to the cost of the environmental improvement.

(d) **Calculation of fund moneys.**—The account shall annually receive the difference between:

- (1) the amount paid under 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,” in 2001-2002; and
- (2) the amount paid under section 6109.]

§ 6112. Extension of fees.

(b) Fee established.—Each operator of a municipal waste landfill shall pay, in the same manner prescribed in section 701 of the Municipal Waste Planning, Recycling and Waste Reduction Act, an amount equal to 25¢ per ton of weighted waste or 25¢ per three cubic yards of volume-measured waste for all solid waste received at the landfill. [These fees] *The fee established by this subsection shall be paid to the State Treasury and deposited into the fund[,] and shall not be subject to the provisions of section 701(d) of the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act.*

Section 4. Title 27 is amended by adding sections to read:

§ 6115. Commonwealth indebtedness.

(a) *Borrowing authorized.—*

(1) *Pursuant to section 7(a)(3) of Article VIII of the Constitution of Pennsylvania and the act of April 13, 2005 (P.L.1, No.1), known as the Growing Greener Environmental Stewardship and Watershed Protection Enhancement Authorization Act, the issuing officials are authorized and directed to borrow, on the credit of the Commonwealth, money not exceeding in the aggregate the sum of \$625,000,000, in increments of not more than \$210,000,000 every two years over a five-year period after the effective date of this chapter, not including money borrowed to refund outstanding bonds, notes or replacement notes as may be necessary to carry out the purposes of this chapter.*

(2) *All bonds and notes issued under this chapter shall be:*

(i) *exempt from taxation for State and local purposes; and*

(ii) *eligible for tax-exempt bond funding status under existing Federal tax law.*

(3) *Borrowing authorized under paragraph (1) shall be carried out in accordance with the provisions of sections 307 and 308 of the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, including the terms and conditions of section 307(c).*

(b) *Sale of bonds and notes.—*

(1) *All sales of bonds and notes shall be made in accordance with the provisions of section 309 of the Capital Facilities Debt Enabling Act.*

(2) *The proceeds realized from the sale of bonds and notes, except refunding bonds and replacement notes under this chapter, shall be used solely for the purposes of this chapter. The proceeds of the sale of refunding bonds and replacement notes shall be paid to the State Treasurer and applied to the payment of principal, any accrued interest and premium and cost of redemption of the bonds and notes for which the obligations have been issued.*

(3) *Pending the allocation under this chapter, money held or deposited by the State Treasurer may be invested or reinvested as are other funds in the custody of the State Treasurer in the manner provided by law. All earnings received from the investment or deposit of*

the funds shall be used for the same purposes as the proceeds realized from the sale of bonds and notes under this chapter.

(4) The necessary registry book shall be kept in the office of the authorized loan and transfer agent of the Commonwealth for the registration of bonds, at the request of owners of the bonds, according to the terms and conditions of issue directed by the issuing officials.

(5) There is hereby appropriated to the State Treasurer from the proceeds realized from the sale of bonds and notes under this chapter as much money as may be necessary for all costs and expenses in connection with the issue and sale and registration of the bonds and notes in connection with this chapter and the payment of interest arbitrage rebates.

(c) Temporary financing authorization.—

(1) Pending the issuance of bonds of the Commonwealth as authorized, the issuing officials are authorized, in accordance with this chapter and on the credit of the Commonwealth, to make temporary borrowings not to exceed one year in anticipation of the issue of bonds in order to provide funds in amounts as deemed advisable prior to the issue of bonds. In order to provide for and in connection with any temporary borrowing, the issuing officials are authorized in the name and on behalf of the Commonwealth to enter into purchase, loan or credit agreements or other agreements with any bank or trust company, other lending institution, investment banking firm or person in the United States having power to enter into the agreement. The agreements may contain provisions not inconsistent with this chapter as authorized by the issuing officials.

(2) Temporary borrowings made under this subsection shall be made in accordance with the provisions of section 306(b), (c) and (d) of the Capital Facilities Debt Enabling Act.

(3) Outstanding notes evidencing the borrowings may be funded and retired by the issuance and sale of the bonds of the Commonwealth as authorized in this paragraph. The refunding bonds shall be issued and sold not later than a date one year after the date of issuance of the first notes evidencing the borrowing to the extent that payment of the notes has not otherwise been made or provided for by sources other than proceeds of replacement notes.

(4) The proceeds of all temporary borrowing shall be paid to the State Treasurer to be held and disposed of in accordance with this chapter.

(d) Debt retirement.—

(1) All bonds issued under this chapter shall be redeemed at maturity, together with all interest due. Principal and interest payments shall be paid as provided in this chapter.

(2) By November 1 of each year, the State Treasurer shall determine and report the following to the Secretary of the Budget:

(i) *The amount of money necessary for the payment of interest on the outstanding obligations.*

(ii) *The principal of the obligation for the following fiscal year.*

(iii) *The times and amounts of the payments.*

(3) *The Governor shall include in each annual budget submitted to the General Assembly complete information relating to:*

(i) *The issuance of bonds and notes under this chapter.*

(ii) *The status of the fund created under this chapter.*

(iii) *The payment of principal of and interest on the bonds and notes at maturity.*

(4) *The Secretary of the Budget, upon approval by the Governor, shall utilize up to \$60,000,000 of the moneys in the fund on an annual basis for payment of principle and interest for debt service on bonds issued pursuant to this section and any other debt incurred by the Commonwealth for projects eligible for funding under this chapter.*

(e) *Refunding.—The issuing officials may by resolution issue refunding bonds for the purpose of refunding any outstanding debt issued under this chapter, either by voluntary exchange with the holders of the outstanding debt or to provide funds to redeem and retire the outstanding debt with accrued interest, and premium payable thereon, and to pay the costs of issuance and retirement of the debt, at maturity or at any call date. The issuance of the refunding bonds, the maturities and other details, the rights of the holders thereof and the duties of the issuing officials in respect thereto shall be governed by the provisions of this subsection, as applicable. Refunding bonds may be issued by the issuing officials to refund debt originally issued or to refund bonds previously issued for refunding purposes.*

(f) *Proceeds restricted.—The proceeds from the sale of bonds under this section shall only be used to fund capital improvement projects under sections 6116 (relating to establishment of bond fund and allocation and use of bond proceeds) and 6117 (relating to county environmental initiative program) and shall not be used for salaries and other administrative costs or expenses.*

(g) *Prohibition.—No project shall be funded by the proceeds of the obligations incurred under this section if the project would cause the bonds to lose their Federal tax-exempt status under the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 1 et seq.).*

(h) *Definition.—As used in this section, the term “capital improvement project” or “project” means a project eligible for tax-exempt financing under the Internal Revenue Code of 1986.*

§ 6116. *Establishment of bond fund and allocation and use of bond proceeds.*

(a) *Establishment of bond fund.—There is hereby established a special fund in the State Treasury to be known as the Growing Greener Bond Fund. Prior to allocation, moneys in the bond fund may be invested or*

reinvested as are other funds in the custody of the State Treasurer in a manner provided by law. The following amounts shall be deposited by the Treasury Department into the bond fund:

(1) Funds borrowed under section 6115(a) (relating to Commonwealth indebtedness) for use as prescribed in this chapter.

(2) Earnings derived from the investment of the money in the bond fund after deduction of investment expenses.

(3) Any other money appropriated to the bond fund.

(b) Plan.—An annual allocation plan for the bond fund shall be submitted by the Governor to the General Assembly as part of the Governor's annual budget. The allocation plan shall be open for review and comment by the members of the General Assembly and shall include a detailed listing of the types of programs to be funded for the fiscal year. The General Assembly may review and provide comment on the allocation plan.

(c) Allocation and use of funds.—Moneys in the bond fund shall be allocated and used as follows:

(1) The amount of \$230,000,000 to the Department of Environmental Protection for its existing programs for watershed protection, mine and acid mine drainage remediation, plugging of abandoned oil and gas wells, advanced energy projects as authorized in subparagraph (i), flood protection, geological hazards and brownfields remediation. At least \$60,000,000 shall be used for acid mine drainage abatement and mine cleanup efforts. The Department of Environmental Protection is authorized to make portions of these moneys available to the following Commonwealth agencies and authorities for the purposes designated:

(i) up to \$10,000,000 annually to the Energy Development Authority for advanced energy projects; and

(ii) up to \$5,000,000 annually to the Department of Community and Economic Development for brownfields remediation.

(2) The amount of \$217,500,000 to the Department of Conservation and Natural Resources for its existing programs for the improvement of State parks and State forests, community park and recreation grants and open space preservation. Not less than \$100,000,000 of these moneys shall be used for facility and infrastructure improvements to State parks and State forests, and \$90,000,000 of these moneys shall be used for open space conservation. Except for interior lands of existing State park or State forest lands, funds under this subsection shall not be used for acquisition of additional State park or State forest lands without the approval of the board of commissioners in the county where the acquisition is situated.

(3) The amount of \$80,000,000 to the Department of Agriculture for its existing county-based farmland preservation programs.

(4) Not more than \$50,000,000 to the Department of Community and Economic Development for main street and downtown redevelopment related to smart growth, including improvements to existing water and wastewater infrastructure.

(5) The amount of \$27,500,000 to the Pennsylvania Fish and Boat Commission for capital improvement projects to its existing lands and facilities. The executive director of the Pennsylvania Fish and Boat Commission shall, no later than June 30 of each year, provide an annual allocation plan detailing the projects to be funded under this paragraph, the amount of each project and the anticipated environmental benefit of the project to the chairman and minority chairman of the Game and Fisheries Committee of the Senate and the chairman and minority chairman of the Game and Fisheries Committee of the House of Representatives.

(6) The amount of \$20,000,000 to the Pennsylvania Game Commission for capital improvement projects to its existing lands and facilities. The executive director of the Pennsylvania Game Commission shall, no later than June 30 of each year, provide an annual allocation plan detailing the projects to be funded under this paragraph, the amount of each project and the anticipated environmental benefit of the project to the chairman and minority chairman of the Game and Fisheries Committee of the Senate and the chairman and minority chairman of the Game and Fisheries Committee of the House of Representatives. Funds under this paragraph shall not be used for land acquisition.

(d) Definition.—As used in this section, the term “capital improvement project” or “project” means a project eligible for tax-exempt financing under the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 1 et seq.).

§ 6117. County Environmental Initiative Program.

(a) Establishment.—There is established the County Environmental Initiative Program. From within the amounts allocated in section 6116(c)(1), (2), (3) and (4) (relating to establishment of bond fund and allocation and use of bond proceeds), \$90,000,000 shall be available for capital improvement projects designated by counties as set forth in this section.

(b) Amount of funding.—Each county shall be provided with an annual funding amount according to its class as designated by the laws of this Commonwealth. Amounts shall be annually determined by the Secretary of the Budget, who shall notify the counties of the same on or before October 1 of each year. Within the first six fiscal years after the effective date of this section, each county shall receive the following amounts:

(1) Counties of the first, second and second A class - \$2,700,000.

(2) Counties of the third class - \$1,750,000.

(3) Counties of the fourth and fifth class - \$1,390,000.

(4) Counties of the sixth, seventh and eighth class - \$1,000,000.

(c) Capital improvement project designation.—Each county, in consultation with the county conservation district where one exists, shall annually be permitted to designate capital improvement projects that are eligible to be funded under section 6116 up to its funding amount established pursuant to subsection (b). If a county's proposed project complies with all laws, regulations and procedures that apply to the program category for which funding is designated, the applicable department receiving an allocation under section 6116 shall fund the project. The applicable department shall consider a county's recurring environmental and conservation funding levels to ensure the project supplements existing efforts.

(d) Application of funding.—Funding provided to capital improvement projects under this section shall be applied against the total allocations made to the departments under section 6116(c)(1), (2), (3) and (4). Designation of a capital improvement project by a county under this section shall not obligate a department to provide funds to the project in excess of the amount of county environmental initiative funds so allocated.

(e) Reallocation.—If a county fails to designate capital improvement projects that will use the entirety of its funding amount for a fiscal year, the department shall allocate the remaining funds to other eligible projects.

(f) Definition.—As used in this section, the term "capital improvement project" or "project" means a project eligible for tax-exempt financing under the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 1 et seq.).

§ 6118. Interfund transfer.

(a) Transfer.—The Secretary of the Budget, in his discretion, may annually transfer funds from the Alternative Fuels Incentive Fund to the fund in such amounts as will allow the fund to continue to distribute moneys to the departments and the authority at historic levels.

(b) Amount.—In determining the amount to be transferred under subsection (a), the Secretary of the Budget shall assure that sufficient funds remain in the Alternative Fuels Incentive Fund so that implementation of the Alternative Fuels Incentive Program, as established in the act of November 29, 2004 (P.L.1376, No.178), known as the Alternative Fuels Incentive Act, shall not be affected.

§ 6119. Reporting.

(a) State departments and agencies.—Every State department and agency receiving funds under this chapter shall publish a report of all projects funded on the department or agency's publicly accessible Internet website at least annually.

(b) Counties.—Every county designating capital improvement projects under section 6117 (relating to county environmental initiative program)

shall publish a report of all projects funded on the county's publicly accessible Internet website at least annually.

Section 5. Sections 6301 and 6304 of Title 27 are amended to read:

§ 6301. Disposal fee for municipal waste landfills.

(a) Imposition.—Except as otherwise provided in subsection (b), each operator of a municipal waste landfill shall pay, in the same manner prescribed in Chapter 7 of the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, a disposal fee of \$4 per ton for all solid waste disposed of at the municipal waste landfill. The fee established in this section shall apply to process residue and nonprocessable waste from a resource recovery facility that is disposed of at the municipal waste landfill and is in addition to the fee established in section 701 of the Municipal Waste Planning, Recycling and Waste Reduction Act. ***The fee established by this subsection shall not be subject to the provisions of section 701(d) of the Municipal Waste Planning, Recycling and Waste Reduction Act.***

(b) Exceptions.—The fee established under this section shall not apply to the following:

(1) Process residue and nonprocessable waste that is permitted for beneficial use or for use as alternate daily cover at a municipal waste landfill.

(2) Solid waste from a hazardous waste treatment facility that is converted into nonhazardous waste and disposed of at a municipal waste landfill.

(c) Operator.—***For purposes of imposition of the disposal fee under this section, the term "operator" shall be defined consistent with the definition of "operator" in the Municipal Waste Planning, Recycling and Waste Reduction Act and shall include municipalities or municipal authorities that operate disposal facilities.***

§ 6304. Sunset.

No fee or surcharge shall be imposed under this chapter on and after July 1, 2012.]

Section 6. Repeals are as follows:

(1) The General Assembly declares that the repeal under paragraph (2) is necessary to effectuate the amendment or addition of the following provisions:

(i) 27 Pa.C.S. § 6103.

(ii) 27 Pa.C.S. § 6104(d), (d.1), (d.2) and (d.3).

(iii) 27 Pa.C.S. § 6105(a), (b) and (e).

(iv) 27 Pa.C.S. § 6110.

(v) 27 Pa.C.S. § 6112.

(vi) 27 Pa.C.S. § 6115.

(vii) 27 Pa.C.S. § 6116.

(viii) 27 Pa.C.S. § 6117.

(ix) 27 Pa.C.S. § 6118.

(x) 27 Pa.C.S. § 6119.

(xi) 27 Pa.C.S. § 6301.

(xii) 27 Pa.C.S. § 6304.

(2) Section 602.3(a.1) of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, is repealed.

Section 7. The amendment of 27 Pa.C.S. § 6301 shall be retroactive to July 9, 2002.

Section 8. The amendment of 27 Pa.C.S. § 6301 shall be considered as a codification of the law then in effect.

Section 9. This act shall take effect immediately.

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

EDWARD G. RENDELL