

AMENDMENTS TO SENATE BILL NO. 1221

Sponsor:

Printer's No. 1748

1 Amend Bill, page 2, line 6, by striking out "(h)(1)" and
2 inserting

3 (h)

4 Amend Bill, page 2, line 16, by inserting after "Quorum"
5 and open meetings

6 Amend Bill, page 2, line 25, by striking out "board and
7 executive director of the"

8 Amend Bill, page 2, line 25, by inserting a bracket before
9 "authority:"

10 Amend Bill, page 2, line 25, by inserting after "authority"
11] board

12 Amend Bill, page 3, line 6, by striking out all of said line
13 and inserting

14 (1.1) The provisions of the following acts shall apply
15 to the executive director of the authority:

16 (i) Except as set forth in paragraph (2), the act of
17 July 19, 1957 (P.L.1017, No.451), known as the State
18 Adverse Interest Act.

19 (ii) 65 Pa.C.S. Ch. 11 (relating to ethics standards
20 and financial disclosure).

21 (2) Notwithstanding the provisions of the State Adverse
22 Interest Act, the Secretary of the Budget and the director of
23 finance of each assisted city shall, while serving as ex
24 officio members of the board, also serve in their official
25 capacities with respect to the negotiation and execution of
26 intergovernmental cooperation agreements and other agreements
27 between an assisted city and the authority.

28 Amend Bill, page 3, line 15, by inserting a bracket before

1 the comma after "year"

2 Amend Bill, page 3, line 16, by inserting a bracket after
3 "2003,"

4 Amend Bill, page 4, line 28, by striking out "any"

5 Amend Bill, page 4, lines 29 and 30, by striking out "that
6 the authority is withholding from an assisted city, as provided
7 for"

8 Amend Bill, page 5, lines 2 through 6, by striking out
9 "including the" in line 2 and all of lines 3 through 6 and
10 inserting

11 and the distribution of gaming revenue in accordance
12 with section 210.1 (relating to distribution of gaming
13 revenue), that shall include the status of all gaming
14 revenue not yet distributed and demonstrate compliance
15 with the procedures and requirements of section 210.1(c).

16 Amend Bill, page 5, lines 22 and 23, by striking out ", and
17 shall annually update the policy" and inserting

18 . The policy shall be updated annually

19 Amend Bill, page 6, line 5, by inserting a bracket before
20 "will"

21 Amend Bill, page 6, line 6, by inserting after "effect"
22] shall no longer apply to the assisted city

23 Amend Bill, page 6, line 13, by inserting after "that"
24 the

25 Amend Bill, page 6, lines 18 through 24, by striking out all
26 of said lines and inserting

27 (c) Redistribution.--

28 (1) If the authority is terminated under subsection (a)
29 or (b) and gaming revenue was distributed to and under the
30 exclusive control of the authority under 4 Pa.C.S. § 1403(c)
31 (3)(xv) (relating to establishment of State Gaming Fund and
32 net slot machine revenue distribution), the gaming revenue
33 shall be redistributed to an assisted city to increase the

1 level of funding to the municipal pension funds of an
2 assisted city.

3 (2) The gaming revenue shall be in addition to and shall
4 not replace the minimum obligation that the assisted city is
5 required to contribute to its pension funds under the act of
6 December 18, 1984 (P.L.1005, No.205), known as the Municipal
7 Pension Plan Funding Standard and Recovery Act.

8 Amend Bill, page 7, line 14, by inserting after "Pa.C.S."

9 §

10 Amend Bill, page 7, lines 16 and 17, by striking out "by a
11 majority vote of all the members," and inserting

12 vote whether or not to

13 Amend Bill, page 7, line 18, by inserting after "Pa.C.S."

14 §

15 Amend Bill, page 7, lines 19 through 30; page 8, lines 1
16 through 30; page 9, lines 1 through 14; by striking out all of
17 said lines on said pages and inserting

18 (b) Debt or pension funding.--If the authority votes to
19 require an assisted city to use gaming revenue under 4 Pa.C.S. §
20 1403(c)(3)(xv)(A) or (B):

21 (1) the authority shall notify the Secretary of the
22 Budget;

23 (2) the Commonwealth shall distribute the gaming revenue
24 directly to the assisted city as provided for under 4 Pa.C.S.
25 § 1403(c)(3)(i); and

26 (3) the assisted city shall use the gaming revenue as
27 directed by the authority.

28 (c) Other purpose.--

29 (1) If the authority votes to direct an assisted city to
30 use gaming revenue for a purpose under 4 Pa.C.S. § 1403(c)(3)
31 (xv)(C), the authority shall transmit in writing to the
32 assisted city and the Secretary of the Budget no more than
33 five days from the time of the vote, conditions that the
34 assisted city must meet, including the purpose and time
35 period for meeting the conditions, before distribution of the
36 gaming revenue may be made to the assisted city.

37 (2) If the assisted city provides the authority with
38 information that, to the authority's satisfaction, meets the
39 conditions imposed by the authority, the authority shall
40 certify its decision to the Secretary of the Budget and the
41 Commonwealth shall distribute the gaming revenue directly to
42 the assisted city as provided for under 4 Pa.C.S. § 1403(c)
43 (3)(i).

44 (3) If the assisted city needs additional time to meet

1 the conditions imposed by the authority, the assisted city
2 shall reply to the authority in writing with an update on the
3 process for meeting the conditions and a projection of the
4 time period that will be needed to complete the conditions.

5 (4) (i) The authority shall certify to the Secretary of
6 the Budget if the assisted city fails to meet the
7 conditions imposed under paragraph (1) and that no
8 distribution of gaming revenue should be made to the
9 assisted city until the conditions are met.

10 (ii) The authority shall, by majority vote,
11 determine when the conditions which caused an assisted
12 city to be certified as not in compliance have been met
13 and shall promptly certify that fact to the Secretary of
14 the Budget.

15 (iii) Upon receipt of the certification, the
16 Secretary of the Budget shall release the gaming revenue
17 withheld from the assisted city, including the interest
18 and income earned on the gaming revenue during the period
19 withheld, directly to the assisted city.

20 (5) (i) If the assisted city disagrees with the
21 authority's certification that the conditions have not
22 been met, the assisted city may request that the
23 Secretary of the Budget determine whether the assisted
24 city has met the conditions.

25 (ii) If the Secretary of the Budget determines that
26 the conditions have been met, the Secretary of the Budget
27 shall provide notice to the assisted city and the
28 authority and shall distribute the gaming revenue,
29 including interest and income earned on the gaming
30 revenue during the period withheld, directly to the
31 assisted city.

32 (iii) If the Secretary of the Budget determines that
33 the conditions have not been met, the Secretary of the
34 Budget shall provide notice to the assisted city and the
35 authority and require that the assisted city meet the
36 conditions under this section.

37 (iv) The Secretary of the Budget may not distribute
38 the gaming revenue, including interest and income earned
39 on the gaming revenue during the period withheld, under
40 this paragraph until the Secretary of Budget is satisfied
41 that the assisted city has met the conditions imposed
42 under this section.