

No. 1986-107

AN ACT

SB 1414

Amending the act of July 2, 1984 (P.L.527, No.106), entitled "An act providing for the rehabilitation, development and acquisition of land, water and structural resources; defining the powers and duties of certain offices, agencies and municipalities; providing for the allotment of proceeds hereunder including Commonwealth grants; prescribing standards; and making appropriations," increasing an appropriation; further providing for small municipalities; and extending the time for the use of the funds.

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

Section 1. Section 4(a) of the act of July 2, 1984 (P.L.527, No.106), known as the Recreational Improvement and Rehabilitation Act, is amended to read:

Section 4. Appropriation of moneys.

(a) Appropriation.—From the moneys received by the Commonwealth from the issuance and sale of bonds and notes pursuant to the act of July 2, 1984 (P.L.512, No.104), known as the Pennsylvania Economic Revitalization Act, there are hereby appropriated as follows:

(1) The sum of [~~\$12,000,000~~] **\$19,780,000**, or as much thereof as may be necessary, is appropriated from the Pennsylvania Economic Revitalization Fund to the Department of Environmental Resources for the period beginning July 1, 1984, and ending June 30, [~~1986~~] **1988**, for site development and material costs for projects authorized and funded under the act of July 2, 1984 (P.L.561, No.112), known as the Pennsylvania Conservation Corps Act. The Secretary of Environmental Resources shall have the power to promulgate such statements of policy, guidelines, rules and regulations as may be necessary to effectuate the programs undertaken, including contracting with persons, firms, partnerships, associations or corporations as may be necessary. The Department of Environmental Resources shall establish procedures for the application and distribution of funds pursuant to this section. Municipalities sponsoring projects authorized and funded under the Pennsylvania Conservation Corps Act shall be eligible to receive funding under this paragraph only for those projects having recreation purposes and then no more than 75% of the cost of development and materials for those projects. All other projects sponsored by municipalities shall be ineligible for funding under this paragraph.

(2) The sum of \$18,000,000, or as much thereof as may be necessary, is appropriated from the Pennsylvania Economic Revitalization Fund to the Department of Community Affairs for the period beginning July 1, 1984, and ending June 30, 1987, for State grants-in-aid to municipalities for land acquisition, rehabilitation, studies and development projects for recreation and conservation purposes, community centers and open space

benefits as specified in section 3. The appropriated funds shall be expended equally over the three-year funding period. Funding shall be allocated to projects in accordance with the following:

(i) Not less than 50% of the total allocation shall be used to pay up to 50% for rehabilitation, studies and development projects.

(ii) Not more than 25% of the total allocation shall be used to pay up to 50% of the project costs for acquisition of recreation, park and open space benefit lands.

(iii) Not more than 25% of the total allocation shall be used to pay up to 50% for community center projects.

(iv) The department shall develop a small community or small projects component. This program shall be for the above purposes and those under section 3. This component shall be for grants-in-aid for projects of up to \$10,000 in amount, shall be up to 100% grants-in-aid and will cover only material costs, to assist those municipalities *with a population of 4,000 or less residents* unable to meet the matching requirements specified in this section.

(v) No municipality shall be eligible to receive more than \$200,000 in grants-in-aid in any fiscal year.

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Section 2. Section 5 of the act is amended to read:

Section 5. Guidelines and regulations.

(a) **[One-year exemption] Exemption** from review.—In order to facilitate the speedy implementation of this program, the departments shall have the power and authority to promulgate, adopt and use guidelines which shall be published in the Pennsylvania Bulletin. The guidelines shall not be subject to review pursuant to section 205 of the act of July 31, 1968 (P.L.769, No.240), referred to as the Commonwealth Documents Law, sections 204(b) and 301(10) of the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act, or the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act[, and, except as provided in subsection (c), shall be effective for a period not to exceed one year from the effective date of this act.

(b) **Expiration of exemption.**—Except as provided in subsection (c), after the expiration of the one-year period, all guidelines shall expire and shall be replaced by regulations which shall have been promulgated, adopted and published as provided by law.

(c) **Exception.**—The General Assembly may provide for an extension of the guidelines adopted pursuant to subsection (a), if the Leadership Committee created pursuant to sections 3 and 4 of the act of December 22, 1981 (P.L.508, No.142), known as the Sunset Act, extends the guidelines adopted pursuant to subsection (a)].

(b) *Additional one-year exemption.*—Notwithstanding the provisions of subsection (a), in order to facilitate the speedy implementation of the program under section 4(a)(1) and in conformity with the provisions of section 11 of the act of July 2, 1984 (P.L.561, No.112), known as the Pennsylvania Conservation Corps Act, the Department of Environmental

Resources shall have the power and authority to promulgate, adopt and use guidelines which shall be published in the Pennsylvania Bulletin. The guidelines shall not be subject to review pursuant to section 205 of the act of July 31, 1968 (P.L.769, No.240), referred to as the Commonwealth Documents Law, sections 204(b) and 301(10) of the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act, or the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, and, except as provided in subsection (c), shall be effective for a period not to exceed one year from July 2, 1986.

Section 3. Section 9 of the act is amended to read:

Section 9. Termination.

No funds under this act shall be [encumbered by the Department of Environmental Resources after June 30, 1986, or] awarded as grants-in-aid by the Department of Community Affairs after June 30, 1987. [Funds not expended by the Department of Environmental Resources by June 30, 1986, shall be reappropriated by the General Assembly for eligible recreation purposes under the provisions of this act.] *All funds appropriated under section 4 to the Department of Environmental Resources shall be encumbered by June 30, 1987, and shall be expended by June 30, 1988.*

Section 4. This act shall take effect immediately.

APPROVED—The 9th day of July, A. D. 1986.

DICK THORNBURGH