

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1410 Session of 2019

INTRODUCED BY STEPHENS, KENYATTA, ULLMAN, POLINCHOCK, SCHROEDER, CIRESI, WARREN, SANCHEZ, GILLEN, HANBIDGE, FARRY AND CALTAGIRONE, MAY 6, 2019

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, JUNE 17, 2019

AN ACT

1 Amending the act of December 8, 2004 (P.L.1801, No.238),
2 entitled "An act empowering municipalities, counties and
3 public transportation agencies to work cooperatively to
4 establish Transit Revitalization Investment Districts (TRID),
5 including partnerships with the National Railroad Passenger
6 Corporation requiring planning studies, comprehensive plan
7 and zoning amendments and use of existing statutes and
8 techniques to achieve transit-oriented development,
9 redevelopment, community revitalization and enhanced
10 community character through TRID creation; establishing value
11 capture areas as a means to reserve and use future,
12 designated incremental tax revenues for public transportation
13 capital improvements, related site development improvements
14 and maintenance; promoting the involvement of and
15 partnerships with the private sector in TRID development and
16 implementation; encouraging public involvement during TRID
17 planning and implementation; and providing for duties of the
18 Department of Community and Economic Development," in general
19 provisions, further providing for declaration of policy and
20 for definitions; providing for military installation
21 remediation; and establishing the Military Installation
22 Remediation Fund.

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

25 Section 1. Section 102 of the act of December 8, 2004
26 (P.L.1801, No.238), known as the Transit Revitalization
27 Investment District Act, is amended by adding a paragraph to

1 read:

2 Section 102. Declaration of policy.

3 The General Assembly finds and declares as follows:

4 * * *

5 (3) There is a lack of funding and knowledge relating to
6 remediation needed at military installations to address PFAS
7 contamination, and there is a need to provide for proper
8 infrastructure in the water systems on military installations
9 and surrounding parcels.

10 Section 2. Section 103 of the act is amended by adding
11 definitions to read:

12 Section 103. Definitions.

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

16 * * *

17 ~~"Authority." The Pennsylvania Infrastructure Investment~~ <--
18 Authority.

19 * * *

20 "Deteriorated property." The term shall have the same
21 meaning as in section 103 of the act of October 6, 1998
22 (P.L.705, No.92), known as the Keystone Opportunity Zone,
23 Keystone Opportunity Expansion Zone and Keystone Opportunity
24 Improvement Zone Act.

25 * * *

26 "Military installation remediation project." A project or
27 use of money by a qualified authority under section 303-A(a).

28 * * *

29 "Qualified authority." A municipal authority established
30 under 53 Pa.C.S. Ch. 56 (relating to municipal authorities)

1 after the effective date of this definition by a qualified
2 municipality for the purpose of ~~issuing grants for a~~ FUNDING <--
3 military installation remediation ~~project~~ PROJECTS. <--

4 "Qualified former military installation." A parcel that was
5 previously used by a branch of the United States Armed Forces
6 for a military installation that was ~~closed~~ OFFICIALLY <--
7 DISESTABLISHED based on the recommendation of the Defense Base
8 Closure and Realignment Commission no more than 15 years prior
9 to the effective date of this definition. THE TERM SHALL NOT <--
10 INCLUDE A PARCEL WHICH WAS USED EXCLUSIVELY FOR HOUSING.

11 "Qualified municipality." A municipality which has within
12 its geographic bounds a qualified former military installation.

13 "Qualified tax." All of the following:

14 (1) Corporate net income tax, bank shares tax, personal
15 income tax paid by shareholders, members or partners of
16 Subchapter S corporations, limited liability companies,
17 partnerships or amounts paid by sole proprietors on income
18 other than passive activity income as defined under section
19 469 of the Internal Revenue Code of 1986 (Public Law 99-516,
20 26 U.S.C. § 1 et seq.), ~~calculated and apportioned as to the~~ <--
21 ~~amount attributable to the location within a qualified former~~
22 ~~military installation.~~ ATTRIBUTABLE UNDER SECTION 301-A(I) TO <--
23 A PARCEL DESIGNATED UNDER SECTION 301-A(A) (4).

24 (2) Sales and use tax, only to the extent the tax is
25 related to the activity of a qualified ~~business~~ TAXPAYER <--
26 within a ~~qualified former military installation~~ PARCEL <--
27 DESIGNATED UNDER SECTION 301-A(A) (4). The term includes sales
28 and use taxes on material used for construction ~~in a~~ <--
29 ~~qualified former military installation~~ and business personal
30 property to be used by a qualified ~~business~~ TAXPAYER in a <--

1 qualified former military installation PARCEL DESIGNATED <--
2 UNDER SECTION 301-A(A) (4).

3 (3) Personal income tax withheld from employees by a
4 qualified business for work performed in a ~~qualified former~~ <--
5 ~~military installation~~ PARCEL DESIGNATED UNDER SECTION 301- <--
6 A(A) (4).

7 (4) Realty transfer tax paid to the Commonwealth, for
8 property purchased within a ~~qualified former military~~ <--
9 ~~installation~~ PARCEL DESIGNATED UNDER SECTION 301-A(A) (4). <--

10 (5) Local taxes designated by a local taxing entity.
11 The term does not include a cigarette tax.

12 "Qualified taxpayer." A person conducting business for
13 profit in a parcel designated under section 301-A(a) (4) or an
14 individual whose primary residence is in a parcel designated
15 under section 301-A(a) (4). The term does not include a person
16 conducting business for profit that moved operations from a non-
17 designated parcel IN A COUNTY IN WHICH A QUALIFIED FORMER <--
18 MILITARY INSTALLATION IS LOCATED to the designated parcel AFTER <--
19 THE EFFECTIVE DATE OF THIS DEFINITION.

20 * * *

21 "Tax Reform Code of 1971." The act of March 4, 1971 (P.L.6,
22 No.2), known as the Tax Reform Code of 1971.

23 * * *

24 Section 3. The act is amended by adding a chapter to read:

25 CHAPTER 3-A

26 MILITARY INSTALLATION REMEDIATION

27 Section 301-A. Military installation remediation program.

28 (a) Applications.--

29 (1) A qualified authority shall submit an application to
30 the Department of Revenue with a list of parcels. The list

1 may include the following:

2 (i) A qualified former military installation.

3 (ii) A parcel in the qualified municipality which
4 was previously subject to development restrictions due to
5 the presence of the qualified former military
6 installation.

7 (iii) No more than 100 acres of parcels in the
8 qualified municipality which are deteriorated.

9 (2) The application shall include a copy of the <--
10 development plan, relevant geographic data, parcel numbers <--
11 and an economic impact report containing potential State and <--
12 local revenue impact, EVIDENCE OF THE DEVELOPMENT <--
13 RESTRICTIONS DUE TO THE PRESENCE OF THE QUALIFIED MILITARY
14 INSTALLATION and such additional information as proscribed <--
15 PRESCRIBED by the Department of Revenue. <--

16 (3) The application shall include a certificate from the <--
17 governing board of a qualified municipality that approves
18 designating local taxes to be part of the qualified taxes for
19 use for the local efforts under section 303 A(c). A QUALIFIED <--
20 AUTHORITY MAY FILE AN AMENDED OR SUPPLEMENTAL APPLICATION ON
21 AN ANNUAL BASIS.

22 (4) Parcels included within applications that meet
23 Department of Revenue criteria shall receive full designation
24 for the program described in this section.

25 (5) A DESIGNATION UNDER PARAGRAPH (4) SHALL OCCUR WITHIN <--
26 60 DAYS AFTER THE SUBMISSION OF AN APPLICATION.

27 (b) ~~List~~ ANNUAL REPORT.--By September 1, OCTOBER 15, 2019, <--
28 June 1, 2020 and June 1 each year thereafter, a qualified
29 authority shall file AN ANNUAL REPORT with the Department of <--
30 Revenue a WITH ALL OF THE FOLLOWING INFORMATION: <--

1 (1) A list of all qualified taxpayers located in parcels
2 designated under subsection (a).

3 (2) A COMMITMENT FROM THE GOVERNING BOARD OF A <--
4 MUNICIPALITY THAT APPROVES DESIGNATING LOCAL REVENUE FOR USE
5 FOR THE LOCAL EFFORTS UNDER SECTION 303-A(C).

6 (c) Contents.--The ~~list~~ ANNUAL REPORT under subsection (b) <--
7 shall include all businesses and residents located in or
8 residing in the designated parcels and all businesses engaged in
9 acquisition, development and construction in designated parcels
10 during the prior calendar year. The ~~list~~ ANNUAL REPORT shall <--
11 include for each business the address, the names of the business
12 owners or corporate officers, State tax identification number, <--
13 IF AVAILABLE, and parcel number and a map with parcel numbers.

14 (d) Time.--If the ~~list~~ ANNUAL REPORT under subsection (b) is <--
15 not timely provided to the Department of Revenue, ~~no eligible~~ <--
16 ~~tax may be certified by~~ the Department of Revenue MAY REFUSE TO <--
17 CERTIFY THE ELIGIBLE TAXES for the purpose of the transfer under
18 subsection (j) for the calendar year.

19 (e) Parcel report.--No later than ~~October 15, 2019, June 15,~~ <--
20 ~~2020 and June 15~~ NOVEMBER 15, 2019, SEPTEMBER 1, 2020, AND <--
21 SEPTEMBER 1 each year thereafter, each qualified taxpayer shall
22 file a ~~program~~ PARCEL report with the Department of Revenue in a <--
23 form or manner required by the department that includes all of
24 the following:

25 (1) The amount of each qualified tax paid to the
26 Commonwealth by the qualified taxpayer ~~in~~ FOR the prior <--
27 calendar year.

28 (2) The amount of each qualified tax refund received
29 from the Commonwealth ~~in~~ FOR the prior calendar year by the <--
30 qualified taxpayer.

1 (f) Penalties.--

2 (1) Failure to file a timely and complete PARCEL report <--
3 under subsection (e) may result in the imposition of a
4 penalty of the lesser of:

5 (i) ten percent of all eligible tax due the taxing
6 authority in the prior calendar year; or

7 (ii) one thousand dollars.

8 (2) A penalty for a violation of subsection (e) shall be
9 imposed, assessed and collected by the department under
10 procedures specified in Article II of the Tax Reform Code of
11 1971. Money collected under this paragraph shall be deposited
12 in the General Fund.

13 (3) Failure by a municipality to include all eligible <--
14 local revenue MAKE A CONTRIBUTION IN ACCORDANCE WITH SECTION <--
15 303-A(C) shall disqualify the municipality from the receipt
16 of any State or local revenue FUNDING UNDER THIS CHAPTER. <--

17 (g) Certification.--By November 15, 2019 and November 15 <--
18 JANUARY 15, 2020, DECEMBER 1, 2020, AND DECEMBER 1 each year <--
19 thereafter, the Department of Revenue shall:

20 (1) Determine the amount of eligible tax paid by each
21 qualified taxpayer in the prior calendar year AS ON THE <--
22 PARCEL REPORT, which qualified taxpayer appears on a timely
23 filed list ANNUAL REPORT under subsection (b) and that made a <--
24 timely program PARCEL report under subsection (e). <--

25 (2) Determine the amount of eligible State tax refunds
26 received less the amount of eligible State tax paid.

27 (3) Certify to the Office of the Budget, the sum derived
28 from adding the amounts determined under paragraphs (1) and
29 (2).

30 (h) Content.--

1 (1) The certification may include the following:
2 (i) Qualified taxes actually paid by qualified
3 taxpayers in FOR the prior APPROPRIATE calendar year. <--

4 (ii) Qualified tax refunds paid to qualified
5 taxpayers in FOR the prior APPROPRIATE calendar year. <--

6 (2) The certification shall not include the following:

7 (i) Qualified taxes paid by a qualified taxpayer
8 that did not file a timely ~~program~~ PARCEL report. <--

9 (ii) Qualified taxes paid by a qualified taxpayer
10 not appearing on the timely filed ~~parcel list~~ ANNUAL <--
11 REPORT.

12 (i) State tax liability apportionment.--For the purpose of
13 making the calculations under the certification, the qualified
14 tax liability of a qualified taxpayer shall be apportioned to
15 the designated parcels under section 301-A(a) (4) by multiplying
16 the State tax liability by a fraction, the numerator of which is
17 the property factor plus the payroll factor plus the sales
18 factor and the denominator of which is three, in accordance with
19 the following:

20 (1) The property factor is a fraction, the numerator of
21 which is the average value of the qualified taxpayers' real
22 and tangible personal property owned or rented and used in
23 the designated parcels during the tax period and the
24 denominator of which is the average value of all the
25 qualified business' real and tangible personal property owned
26 or rented and used in this Commonwealth during the tax period
27 but shall not include the security interest of any
28 corporation as seller or lessor in personal property sold or
29 leased under a conditional sale, bailment lease, chattel
30 mortgage or other contract providing for the retention of a

1 lien or title as security for the sale price of the property.

2 (2) The following apply:

3 (i) The payroll factor is a fraction, the numerator
4 of which is the total amount paid in the designated
5 parcels during the tax period by the qualified taxpayer
6 for compensation and the denominator of which is the
7 total compensation paid in this Commonwealth during the
8 tax period.

9 (ii) Compensation is paid in the designated parcels
10 if:

11 (A) the person's service is performed entirely
12 within the designated parcels;

13 (B) the person's service is performed both
14 within and without the designated parcels, but the
15 service performed without the designated parcels is
16 incidental to the person's service within the
17 designated parcels; or

18 (C) some of the service is performed in the
19 designated parcels and the base of operations or, if
20 there is no base of operations, the place from which
21 the service is directed or controlled is in the
22 designated parcels, or the base of operations or the
23 place from which the service is directed or
24 controlled is not in any location in which some part
25 of the service is performed, but the person's
26 residence is in the designated parcels.

27 (3) The sales factor is a fraction, the numerator of
28 which is the total sales of the qualified taxpayer in the
29 designated parcels during the tax period and the denominator
30 of which is the total sales of the taxpayer in this

1 Commonwealth during the tax period.

2 (i) Sales of tangible personal property are in the
3 designated parcels if the property is delivered or
4 shipped to a purchaser that takes possession within the
5 designated parcels regardless of the F.O.B. point or
6 other conditions of the sale.

7 (ii) Sales other than sales of tangible personal
8 property are in the designated parcels if:

9 (A) the income-producing activity is performed
10 in the designated parcels; or

11 (B) the income-producing activity is performed
12 both within and without the designated parcels and a
13 greater proportion of the income-producing activity
14 is performed in the designated parcels than in any
15 other location, based on costs of performance.

16 (j) Transfer.--Within ~~10~~ FIVE days of receiving the <--
17 certification from the Department of Revenue, the Office of the
18 Budget shall direct the State Treasurer to transfer the amount
19 of certified qualified tax from the General Fund to each special
20 fund established for the benefit of a qualified authority under
21 section 302-A.

22 (k) State Treasurer.--Within 10 days of receiving direction
23 under subsection (j), the State Treasurer shall pay into each
24 special fund established under section 302-A the amount directed
25 to the respective authority for use only as provided under
26 section 303-A(a).

27 Section 301.1-A. ~~Perfluorinated Compound~~ PER- AND <--

28 POLYFLUOROALKYL SUBSTANCES Remediation Program.

29 (a) Establishment.--The ~~Perfluorinated Compound~~ PENNSYLVANIA <--
30 INFRASTRUCTURE INVESTMENT AUTHORITY SHALL ESTABLISH THE PER- AND

1 POLYFLUOROALKYL SUBSTANCES Remediation Program is established. <--

2 (b) Purpose.--In addition to any other program of the
3 authority PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY, from <--
4 funds available to the authority PENNSYLVANIA INFRASTRUCTURE <--
5 INVESTMENT AUTHORITY, the authority PENNSYLVANIA INFRASTRUCTURE <--
6 INVESTMENT AUTHORITY shall provide grants under the
7 Perfluorinated Compound PER- AND POLYFLUOROALKYL SUBSTANCES <--
8 Remediation Program for the costs of remediation relating to the
9 presence of perfluorinated compounds PER- AND POLYFLUOROALKYL <--
10 SUBSTANCES in drinking water which are not related to the
11 presence of a qualified former military installation.

12 (c) Guidelines.--The authority PENNSYLVANIA INFRASTRUCTURE <--
13 INVESTMENT AUTHORITY shall establish guidelines for the
14 Perfluorinated Compound PER- AND POLYFLUOROALKYL SUBSTANCES <--
15 Remediation Program.

16 (d) Eligible applicants.--A municipality with perfluorinated <--
17 compounds WATER PROVIDER WITH PER- AND POLYFLUOROALKYL <--
18 SUBSTANCES present in the municipality's drinking water may <--
19 apply TO THE PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY <--
20 for a grant under the Perfluorinated Compound PER- AND <--
21 POLYFLUOROALKYL SUBSTANCES Remediation Program.

22 Section 302-A. Special funds.

23 (a) Notice.--Following the approval of an application under
24 section 301-A, a qualified authority shall notify the State
25 Treasurer and WHO SHALL create a special fund to be known as the <--
26 Military Installation Remediation Fund.

27 (b) Establishment.--Upon receipt of notice under subsection
28 (a), the State Treasurer shall establish for each qualified
29 former military installation a restricted account within the
30 special fund for the benefit of the qualified authority.

1 Interest income derived from the investment of money in a
2 restricted account shall be credited by the State Treasury to
3 the restricted account.

4 Section 303-A. Restrictions.

5 (a) Use.--

6 (1) Except as provided under paragraph (2) and (3),
7 money transferred under section 301-A shall be used for the
8 operational costs for the qualified authority.

9 (2) MONEY UNDER THIS PARAGRAPH SHALL BE ALLOCATED IN <--
10 PROPORTION TO THE AMOUNT OF LOCAL EFFORT UNDER SUBSECTION
11 (C). Money transferred under section 301-A in excess of the
12 amount used under paragraph (1), to the extent such funds are <--
13 available, shall be used to offset a surcharge applied to ARE <--
14 AVAILABLE, SHALL BE USED TO DO ANY OF THE FOLLOWING:

15 (I) OFFSET A SURCHARGE APPLIED TO customers of a
16 water provider relating to the costs of remediation
17 relating to ~~perfluorinated compounds~~ PER- AND <--
18 POLYFLUOROALKYL SUBSTANCES present in drinking water
19 related to the presence of a former military
20 installation. Money under this paragraph shall be <--
21 allocated in proportion to the amount of local effort
22 under subsection (c).

23 (II) OFFSET AN AMOUNT ATTRIBUTABLE TO AN AMOUNT <--
24 BILLED TO CUSTOMERS OF A WATER PROVIDER RELATING TO THE
25 COSTS OF REMEDIATION RELATING TO PER- AND POLYFLUOROALKYL
26 SUBSTANCES PRESENT IN DRINKING WATER RELATED TO THE
27 PRESENCE OF A FORMER MILITARY INSTALLATION.

28 (III) OFFSET THE COST OF CONNECTING A RESIDENCE WITH
29 A PRIVATE WELL WHICH IS IMPACTED BY THE PRESENCE OF PER-
30 AND POLYFLUOROALKYL SUBSTANCES IN DRINKING WATER RELATED

1 TO A FORMER MILITARY INSTALLATION TO A PUBLIC WATER
2 SUPPLY.

3 (3) Money transferred under section 301-A in excess of
4 the amount used under paragraphs (1) and (2), to the extent
5 such funds are available, may be used for any of the
6 following:

7 (i) The transportation infrastructure and economic
8 development costs within a qualified municipality to
9 encourage redevelopment of the qualified former military
10 installation.

11 (ii) The payment of debt service on bonds issued or
12 refinanced for the acquisition, development,
13 construction, including related infrastructure and site
14 preparation, reconstruction, renovation or refinancing of
15 a project under subparagraph (i).

16 (b) Applications.--The qualified authority shall establish
17 an application process for allocations under ~~subsection (a)(2)~~ <--
18 THIS SECTION. <--

19 (c) Local effort.--A municipality or municipal ~~government~~ <--
20 AUTHORITY may make ~~available~~ CONTRIBUTIONS to the qualified <--
21 authority ~~an amount of money which may be used for allocations~~ <--
22 ~~under subsection (a)(2).~~ A contribution under this subsection
23 ~~shall be made no later than September 1, 2019, April 15, 2020~~ <--
24 ~~and April 15 each year thereafter.~~ NOVEMBER 15, 2019, JUNE 1, <--
25 2020, AND JUNE 1 EACH YEAR THEREAFTER TO BE CONSIDERED UNDER
26 SECTION 303-A(D).

27 (d) Limitations on transfers.--Money transferred to a
28 special fund under section 301-A may not exceed 500% of the
29 local taxes and additional money designated and transferred to
30 the qualified authority by a municipality or municipal authority

1 during the year.

2 (e) Excess money.--

3 (1) If the amount of money transferred to a fund in any
4 one calendar year exceeds the money utilized, DESIGNATED OR <--
5 BUDGETED under this section in that calendar year, the
6 qualified authority shall submit by April 15 following the
7 end of the calendar year the excess money to the State
8 Treasurer for deposit into the General Fund.

9 (2) At the time of submission to the State Treasurer,
10 the contracting authority shall submit to the State
11 Treasurer, the Office of the Budget and the Department of
12 Revenue a detailed accounting of the calculation resulting in
13 the excess money.

14 Section 304-A. Duration.

15 An application approved under section 301-A(a) shall be in
16 effect for a period no later than 30 years from the effective
17 date of this section.

18 Section 305-A. Qualified authority.

19 (a) Composition.--Notwithstanding 53 Pa.C.S. § 5610(a)
20 (relating to governing body), the governing body of a qualified
21 authority shall be composed of the following members:

22 ~~(1) One member subject to the following: <--~~

23 ~~(i) If a member of the Senate has a permanent~~
24 ~~residence in the qualified municipality, the member shall~~
25 ~~be a member of the governing body.~~

26 ~~(ii) If subparagraph (i) does not apply, the~~
27 ~~President pro tempore of the Senate shall appoint a~~
28 ~~permanent resident of the qualified municipality to the~~
29 ~~governing body.~~

30 ~~(2) One member subject to the following:~~

1 ~~(i) If a member of the House of Representatives has~~
2 ~~a permanent residence in the qualified municipality, the~~
3 ~~member shall be a member of the governing body.~~

4 ~~(ii) If subparagraph (i) does not apply, the Speaker~~
5 ~~of the House of Representatives shall appoint a permanent~~
6 ~~resident of the qualified municipality to the governing~~
7 ~~body.~~

8 (1) TWO MEMBERS SUBJECT TO THE FOLLOWING: <--

9 (I) IF A MEMBER OF THE SENATE HAS A PERMANENT
10 RESIDENCE IN THE QUALIFIED MUNICIPALITY, THE MEMBER SHALL
11 BE A MEMBER OF THE GOVERNING BODY.

12 (II) IF A MEMBER OF THE SENATE HAS A PERMANENT
13 RESIDENCE IN A MUNICIPALITY WHICH IS IMMEDIATELY ADJACENT
14 TO A QUALIFIED MUNICIPALITY AND THAT MUNICIPALITY HAS
15 WITHIN ITS GEOGRAPHIC BOUNDS A FORMER MILITARY
16 INSTALLATION WHERE ACTIVITIES CAUSED PER- AND
17 POLYFLUOROALKYL PUBLIC DRINKING WATER CONTAMINATION, THE
18 MEMBER SHALL BE A MEMBER OF THE GOVERNING BODY.

19 (III) IF EITHER SUBPARAGRAPH (I) OR (II) DO NOT
20 APPLY, THE PRESIDENT PRO TEMPORE OF THE SENATE SHALL
21 APPOINT A PERMANENT RESIDENT OR RESIDENTS OF THE
22 APPROPRIATE MUNICIPALITY TO THE GOVERNING BODY.

23 (2) TWO MEMBERS SUBJECT TO THE FOLLOWING:

24 (I) IF A MEMBER OF THE HOUSE OF REPRESENTATIVES HAS
25 A PERMANENT RESIDENCE IN THE QUALIFIED MUNICIPALITY, THE
26 MEMBER SHALL BE A MEMBER OF THE GOVERNING BODY.

27 (II) IF A MEMBER OF THE HOUSE OF REPRESENTATIVES HAS
28 A PERMANENT RESIDENCE IN A MUNICIPALITY WHICH IS
29 IMMEDIATELY ADJACENT TO A QUALIFIED MUNICIPALITY AND THAT
30 MUNICIPALITY HAS WITHIN ITS GEOGRAPHIC BOUNDS A FORMER

1 MILITARY INSTALLATION WHERE ACTIVITIES CAUSED PER- AND
2 POLYFLUOROALKYL PUBLIC DRINKING WATER CONTAMINATION, THE
3 MEMBER SHALL BE A MEMBER OF THE GOVERNING BODY.

4 (III) IF EITHER SUBPARAGRAPH (I) OR (II) DO NOT
5 APPLY, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL
6 APPOINT A PERMANENT RESIDENT OR RESIDENTS OF THE
7 APPROPRIATE MUNICIPALITY TO THE GOVERNING BODY.

8 (3) One permanent resident of the qualified municipality
9 appointed by a school district which has within its
10 geographic bounds a qualified former military installation.

11 (4) One permanent resident of the qualified municipality
12 appointed by an authority established to redevelop the
13 qualified former military installation.

14 (5) One permanent resident of the qualified municipality
15 appointed by the governing body of the qualified
16 municipality.

17 (b) Terms.--The following shall apply:

18 (1) Members appointed under subsection (a) (1), (2) and
19 (4) shall serve for a term of five years.

20 (2) All other members shall serve for a term of four
21 years.

22 (C) SALARY AND EXPENSES.--MEMBERS MAY NOT RECEIVE A SALARY <--
23 BUT MAY BE REIMBURSED FOR NECESSARY AND REASONABLE EXPENSES
24 INCURRED IN THE PERFORMANCE OF THEIR DUTIES.

25 Section 4. This act shall take effect immediately.