

No. 1990-1A

AN ACT

SB 904

To provide additional appropriations from the General Fund for the expenses of the Executive and Judicial Departments of the Commonwealth for the fiscal year July 1, 1989, to June 30, 1990, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1989.

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

**PART I
GENERAL PROVISIONS**

Section 101. Short title.—This act shall be known and may be cited as the First Supplemental Appropriation Act to the General Appropriation Act of 1989.

Section 102. Definitions.—The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

“Employees.” Includes all directors, superintendents, bureau or division chiefs, assistant directors, assistant superintendents, assistant chiefs, experts, scientists, engineers, surveyors, draftsmen, accountants, secretaries, auditors, inspectors, examiners, analysts, statisticians, marshals, clerks, stenographers, bookkeepers, messengers and other assistants in any department, board or commission.

“Expenses” and “maintenance.” Includes all printing, binding and stationery, food and forage, materials and supplies, traveling expenses, training, motor vehicle supplies and repairs, freight, express and cartage, postage, telephones and telegraph rentals and toll charges, newspaper advertising and notices, public advertising by or through any medium, fuel, light, heat,

power and water, minor construction and renovation, repairs or reconstruction of equipment, buildings and facilities, rent of real estate and equipment, premiums on workmen's compensation, insurance premiums on policies of liability insurance, insurance premiums on medical payment insurance and surety bonds for volunteer workers, premiums on employee group life insurance and employee and retired employee group hospital and medical insurance, payment of Commonwealth share of Social Security taxes and unemployment compensation costs for State employees, the purchase of replacement or additional equipment and machinery and all other incidental costs and expenses, including payment to the Department of General Services of mileage and other charges for the use of automobiles and rental payments for permanently assigned automobiles and of expenses or costs of services incurred through the Purchasing Fund. The term "expenses" also shall include the medical costs for the treatment of inmates of State institutions when the inmate must be transferred to an outside hospital: Provided, That in no case shall the State institution pay more for patient care than that provided under the State medical assistance program.

Section 103. Abbreviations.—The following abbreviations when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"ADAMHSBG." Alcohol and Drug Abuse and Mental Health Services Block Grant.

"AFDC." Aid to Families with Dependent Children.

"ARC." Appalachian Regional Commission.

"BG." Block grant.

"BVS." Blind and Visual Services.

"CSBG." Community Services Block Grant.

"DOE." Department of Energy.

"ECIA." Education Consolidation and Improvement Act.

"ECIBG." Education Consolidation and Improvement Block Grant.

"EDA." Economic Development Administration.

"EEOC." Equal Employment Opportunity Commission.

"EPA." Environmental Protection Agency.

"EPCA." Energy Policy and Conservation Act.

"ESEA." Elementary and Secondary Education Act.

"FEMA." Federal Emergency Management Agency.

"FUTA." Federal Unemployment Tax Act.

"GED." General Education Development.

"HUD." Department of Housing and Urban Development.

"JTPA." Job Training Partnership Act.

"LIHEABG." Low-Income Home Energy Assistance Block Grant.

"LSCA." Library Services Construction Act.

"LWCF." Land and Water Conservation Fund.

"MCHSBG." Maternal and Child Health Services Block Grant.

"MH/MR." Mental Health/Mental Retardation Services.

"NCHS." National Center for Health Statistics.

- “NPDES.” National Pollutant Discharge Elimination System.
- “NSF.” National Science Foundation.
- “PAFE.” Pennsylvania Agricultural Foods Exposition.
- “PEP.” Pennsylvania Employment Program.
- “PHHSBG.” Preventive Health and Health Services Block Grant.
- “PHRC.” Pennsylvania Human Relations Commission.
- “SCDBG.” Small Communities Development Block Grant.
- “SDA.” Service Delivery Area.
- “SSA.” Social Security Act.
- “SSBG.” Social Services Block Grant.
- “VA.” Veterans’ Administration.
- “YDC.” Youth Development Center.

Section 104. State appropriations.—(a) General Fund.—The following sums set forth in this act, or as much thereof as may be necessary, are hereby specifically appropriated from the General Fund to the several hereinafter named agencies of the Executive and Judicial Departments of the Commonwealth for the payment of salaries, wages or other compensation and travel expenses of the duly elected or appointed officers and employees of the Commonwealth, for the payment of fees for contractual services rendered, for the purchase or rental of goods and services, printing, public advertising by or through any medium, equipment, land and buildings and for payment of any other expenses, as provided by law or by this act, necessary for the proper conduct of the duties, functions and activities and for the purposes hereinafter set forth for the fiscal year beginning July 1, 1989, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1989.

(b) Lottery Fund.—The following sums set forth in this act, or as much thereof as may be necessary, are hereby specifically appropriated from the Lottery Fund to the several hereinafter named agencies of the Executive Department of the Commonwealth for the payment of fees for contractual services rendered, for the purchase or rental of goods and services and for payment of any other expenses, as provided by law or by this act, necessary for the proper conduct of the duties, functions and activities and for the purposes hereinafter set forth for the fiscal year beginning July 1, 1989, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1989.

Section 105. Federal augmentation appropriations.—The following Federal augmentation appropriations set forth in this act, or as much thereof as may be necessary, are hereby specifically appropriated from the Federal augmentation funds to the several hereinafter named agencies of the Executive and Judicial Departments of the Commonwealth for the payment of the expenses of implementing and carrying out the programs stated herein for the fiscal year beginning July 1, 1989, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1989. Unless otherwise stated, the appropriations include any carryovers from the prior fiscal year.

Section 106. Job Training Partnership Act appropriations.—The following sums as set forth in this act, or as much thereof as may be necessary, are hereby appropriated from the Job Training Partnership Act (JTPA) funds to the several hereinafter named agencies of the Executive Department of the Commonwealth for the payment of the expenses of implementing and carrying out the program stated herein for the fiscal year beginning July 1, 1989.

Section 107. Block grants.—(a) **Appropriations.**—The following sums set forth in this act, or as much thereof as may be necessary, are hereby specifically appropriated from the block grant (BG) funds to the several hereinafter named agencies of the Executive Department of the Commonwealth for the purposes, and under the restrictions, for which the funds are provided for the fiscal year beginning July 1, 1989.

(b) **Small Communities Development Block Grant.**—The Small Communities Development Block Grant (SCDBG) is to assist small cities and communities that have a high concentration of impoverished citizens and substandard housing to expand their low and moderate income housing opportunities and to meet community development needs.

(c) **Community Services Block Grant.**—The Community Services Block Grant (CSBG) is to provide a range of services and activities having a measurable and potentially major impact on the causes of poverty in the community or those areas of the community where poverty is a particularly acute problem. In addition, new focus may be placed on the unemployed, both old and new. Local agencies may lower their eligibility requirements for recipients to three months to allow greater flexibility to assure proper consideration of each recipient.

(d) **Education Consolidation and Improvement Block Grant.**—The Education Consolidation and Improvement Block Grant (ECIBG) will be used for the administration and provision of education programs in accordance with the requirements of the Omnibus Budget Reconciliation Act of 1981.

(e) **Preventive Health and Health Services Block Grant.**—The Preventive Health and Health Services Block Grant (PHHSBG) is for the provision of preventive health and other health services related to emergency medical comprehensive public health, hypertension, fluoridation, health education, risk reduction, home health, rape crisis and rodent control.

(f) **Maternal and Child Health Services Block Grant.**—The Maternal and Child Health Services Block Grant (MCHSBG) is to assure mothers and children access to quality maternal and child health services, to reduce infant mortality and the incidence of preventable disease and handicapping conditions among children, to provide rehabilitative services for blind and disabled individuals under the age of 16 receiving Supplemental Security Income benefits and to provide medical services for children with crippling conditions.

(g) **Alcohol and Drug Abuse and Mental Health Services Block Grant.**—The Alcohol and Drug Abuse and Mental Health Services Block Grant (ADAMHSBG) will be used for the administration and provision of drug and alcohol abuse services and community mental health services in accor-

dance with the requirements of the Omnibus Budget Reconciliation Act of 1981.

(h) Low-Income Home Energy Assistance Block Grant.—The Low-Income Home Energy Assistance Block Grant (LIHEABG) is to help lessen the impact of the high cost of energy on low-income families and individuals.

(i) Social Services Block Grant.—The Social Services Block Grant (SSBG) is for the provision of social services to eligible persons.

PART II
GENERAL FUND AND FEDERAL APPROPRIATIONS
FOR 1989-1990

SUBPART A
EXECUTIVE OFFICES

Section 201. Executive Offices.—The following amounts are appropriated to the Executive Offices:

Federal State

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for Pennsylvania Energy Office:

(1) "State Energy Conservation Plan (EPCA)" - For the implementation of the State Energy Conservation Plan, including energy audits, conservation techniques and continued funding of the Pennsylvania Energy Centers.

Federal appropriation..... 371,000

Section 202. Attorney General.—The following amounts are appropriated to the Attorney General:

Federal State

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for Drug Law Enforcement:

(1) "Financial Asset Investigation" - To fund a program that traces assets from the criminal drug activity.

Federal appropriation..... 250,000

For grants, not to exceed \$10,000 per trial, to counties for extraordinary costs of trials resulting from disturbances at the State Correctional Institutions at Camp Hill and Hunt-

ingdon in October 1989.

State appropriation..... 1,250,000

Section 203. Department of Agriculture.—The following amounts are appropriated to the Department of Agriculture:

Federal State

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for general government operations:

(1) "Poultry Grading Service" - For voluntary grading of egg products, poultry and rabbits; mandatory inspection of egg products; and regulatory surveillance inspection of shell egg handlers and records.

Federal appropriation..... 136,000

(2) "Diagnostic Laboratory Services" - For diagnostic tests and other laboratory services mutually agreed upon in accordance with the standards established by the U.S.D.A.

Federal appropriation..... 45,000

(3) "Medicated Feed Mill Inspection" - To inspect feed mills to assure that animal feeds contain the proper level of medication.

Federal appropriation..... 26,000

(4) "Pesticide Enforcement, Certification, Training and Control Program" - For implementation of the Pennsylvania Pesticide Control Act of 1973, including the training, testing and certification of pesticide applications.

Federal appropriation..... 367,000

Section 204. Department of Commerce.—The following amounts are appropriated to the Department of Commerce:

Federal State

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for general government operations:

(1) "Economic Development Research and Training III."

Federal appropriation..... 365,000

(2) "ARC - Child Care."

Federal appropriation..... 100,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for the Steel Valleys Site Development and Action Programs:

(1) "Steel Valleys Loan Program."

Federal appropriation..... 1,500,000

Section 205. Department of Corrections.—The following amounts are appropriated to the Department of Corrections:

For the State correctional institutions.

State appropriation..... 333,342,000

Section 206. Department of Education.—The following amounts are appropriated to the Department of Education:

For payments on account of special education of exceptional children in public schools. This amount includes \$119,000,000 for the prior year program reconciliation to school districts, \$50,000,000 of which shall be paid by August 1, 1989, \$49,000,000 of which shall be paid no later than December 1, 1989, and the remainder shall be paid within 10 days of the effective date of this act.

State appropriation..... 467,340,000

Section 207. Department of Environmental Resources.—The following amounts are appropriated to the Department of Environmental Resources:

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from the Commonwealth revenues for the Office of Protection:

(1) "Safe Drinking Water" - For support of the safe drinking water program.

Federal appropriation..... 2,375,000

(2) "Low Level Radioactive Waste."

Federal appropriation..... 2,400,000

(3) "Pollution Protection."

Federal appropriation..... 240,000

(4) "Water Pollution Control - Section 104."

Federal appropriation..... 150,000

For storm water management grants.

State appropriation..... 977,000

Section 208. Department of Health.—

The following amounts are appropriated to the Department of Health:

Federal State

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for vital statistics:

(1) "Cooperative Health Statistics" -

To review and evaluate existing State-level health statistical systems to define the extent to which they are responsive to NCHS requirements and standards and needs of other data users; and to plan, organize, test and implement systems modifications.

Federal appropriation..... 727,000

The following MCHSBG amounts, or as much thereof as may be necessary, are hereby specifically appropriated for maternal and child health:

(1) For maternal and child health services programs, including genetic disease and counseling and lead-based paint poisoning prevention.

Federal appropriation..... 15,211,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for venereal disease screening and testing:

(1) "Survey and Follow-Up - Venereal Diseases" - For the carrying out of case-finding surveys and serologic follow-up services.

Federal appropriation..... 837,000

Section 209. Department of Military Affairs.—The following sums are appropriated to the Department of Military Affairs:

Federal State

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated

to supplement the sum appropriated from Commonwealth revenues for general government operations:

(1) "National Guard - Maintenance Facilities and Training Sites" - To provide storage of equipment and utilities and service for support for National Guard units.

Federal appropriation..... 1,400,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for the Hollidaysburg Veterans' Home:

(1) "Operations and Maintenance" - For provision of domiciliary and nursing care for discharged, aged and indigent veterans of the United States Armed Services.

Federal appropriation..... 1,763,000

Section 210. Department of Public Welfare.—The following sums are appropriated to the Department of Public Welfare:

Federal State

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for general government operations:

(1) "Child Welfare and Training Certification."

Federal appropriation..... 675,000

(2) "Medical Assistance - Program Administration" - For administrative expenses incurred for general government operations in support of the provision of medical assistance on behalf of eligible persons.

Federal appropriation..... 14,252,000

(3) "Food Stamp Program - Administration" - For administrative expenses incurred for general government operations in relation to the food stamp program.

Federal appropriation..... 4,177,000

(4) "Elementary and Secondary Education Act - Title I" - For administration of the program to extend and improve comprehen-

sive educational programs for the handi-
capped.

Federal appropriation..... 444,000

(5) "Handicapped Education - Early
Intervention."

Federal appropriation..... 2,791,000

(6) "Monitoring Detainment of Juve-
niles" - For a program to monitor compli-
ance with Federal requirements on detain-
ment of juveniles.

Federal appropriation..... 117,000

(7) "States Helping States - Mental
Health."

Federal appropriation..... 25,000

(8) "Mental Health Data Collection."

Federal appropriation..... 111,000

The following Federal augmentation
amounts, or as much thereof as may be nec-
essary, are hereby specifically appropriated
to supplement the sum appropriated from
Commonwealth revenues for the Office of
Information Systems:

(1) "Maintenance Assistance" - For
administrative expenses incurred by the
Office of Information Systems in providing
cash and emergency assistance to eligible
families.

Federal appropriation..... 13,000,000

(2) "Food Stamp Program" - For
expenses incurred by the Office of Informa-
tion Systems in providing an information
system in relation to the food stamp
program.

Federal appropriation..... 5,371,000

The following Federal augmentation
amounts, or as much thereof as may be nec-
essary, are hereby specifically appropriated
to supplement the sum appropriated from
Commonwealth revenues for Statewide oper-
ations relating to county administration:

(1) "Maintenance Assistance - Statewide
Operations Related to County Administra-
tion" - For administrative expenses incurred
in the provision of Federal maintenance assis-
tance programs.

Federal appropriation..... 9,943,000

(2) "Medical Assistance - Statewide Operations Related to County Administration" - For administrative expenses incurred in relation to the provision of Federal medical assistance services.

Federal appropriation..... 28,052,000

(3) "Food Stamp Program - Statewide Operations Related to County Administration" - For administrative expenses incurred in relation to the food stamp program.

Federal appropriation..... 6,507,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for county assistance offices:

(1) "Medical Assistance - County Assistance Offices" - For administrative expenses incurred by county assistance offices in relation to the provision of Federal medical assistance services.

Federal appropriation..... 26,879,000

The following LIHEABG amounts, or as much thereof as may be necessary, are hereby specifically appropriated for county administration:

(1) To help lessen the impact of the high cost of energy on low-income families and individuals.

Federal appropriation..... 95,360,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for program accountability:

(1) "Child Support Enforcement Program - Program Accountability" - For costs incurred by program accountability in support of the Child Support Enforcement Program.

Federal appropriation..... 56,254,000

(2) "Food Stamp Program - Program Accountability" - For administrative expenses incurred by program accountability

in relation to the food stamp program.

Federal appropriation..... 2,656,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for services to the visually handicapped:

(1) "Rehabilitation Services and Facilities for the Blind - Basic Support" - To provide vocational rehabilitation services to eligible visually handicapped persons.

Federal appropriation..... 7,113,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for youth offender programs:

(1) "Maintenance Assistance - Youth Offender Program."

Federal appropriation..... 500,000

The following SSBG amounts, or as much thereof as may be necessary, are hereby specifically appropriated for youth offender programs:

(1) "Social Services - Basic Institutional and Other Programs and Facilities for Youth Offenders" - For provision of social services related to basic institutional programs for youth offenders.

Federal appropriation..... 2,244,000

For the operation, maintenance and administration of the State medical and surgical hospitals.

State appropriation..... 21,545,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for State mental hospitals and restoration centers:

(1) "Medical Assistance - State Mental Hospitals" - For the provision of medical assistance services to eligible persons at State mental hospitals and restoration centers.

Federal appropriation..... 89,055,000

(2) "Medicare Services - State Mental Hospitals" - For provision of medical services at State mental hospitals and restoration centers that are reimbursable under Medicare.

Federal appropriation..... 36,230,000

(3) "Food Nutrition Service - State Mental Hospitals" - For reimbursement for the cost of meals and milk provided to low-income children under 21 years of age in State institutions.

Federal appropriation..... 330,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for the State centers for the mentally retarded:

(1) "Medical Assistance - State Centers" - For the provision of medical assistance services to eligible persons in State centers for the mentally retarded.

Federal appropriation..... 157,553,000

For cash assistance grants, including funds for a 5% cash grant increase, effective January 1, 1990.

State appropriation..... 565,564,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for cash grants:

(1) "Maintenance Assistance - Cash Grants" - For provision of cash and emergency assistance to eligible families with dependent children, Indo-Chinese refugees and Cuban refugees.

Federal appropriation..... 450,377,000

For medical assistance payments - outpatient services, exclusive of outpatient services provided through capitation plans.

State appropriation..... 369,433,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for medical assistance - outpatient:

(1) "Medical Assistance - Outpatient" - For provision of outpatient and emergency services to eligible persons, exclusive of services provided through capitation plans.

Federal appropriation..... 349,813,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for AZT or other AIDS-related drug treatment:

(1) "AIDS Special Pharmaceutical Services."

Federal appropriation..... 638,000

For medical assistance payments - inpatient services, exclusive of services provided through capitation plans. Included in this amount is \$26,675,000 in excess of the amounts requested by the Governor to continue medical education payments, and provide increases in hospital payment rates, including increases in cost-of-living adjustments.

State appropriation..... 500,653,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for medical assistance - inpatient services:

(1) "Medical Assistance - Inpatient" - For provision of inpatient hospital services, exclusive of inpatient hospital services provided through capitation plans.

Federal appropriation..... 355,808,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for medical assistance - capitation plans:

(1) "Medical Assistance - Capitation Plans" - For provision of outpatient and inpatient hospital services to eligible persons enrolled in an approved capitation plan.

Federal appropriation..... 92,423,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for long-term care facilities:

(1) "Medical Assistance - Long-Term Care Facilities" - For provision of services to patients in long-term care facilities.

Federal appropriation..... 505,842,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for supplemental grants to the aged, blind and disabled:

(1) "SSI Refugee Assistance."

Federal appropriation..... 75,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for medical assistance - transportation:

(1) "Medical Assistance - Transportation" - To provide transportation to eligible medical assistance recipients to commute to appointed locations to receive required medical treatment.

Federal appropriation..... 9,490,000

The following ADAMHSBG amounts, or as much thereof as may be necessary, are hereby specifically appropriated for community mental health:

(1) For Community Mental Health Services.

Federal appropriation..... 15,438,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for payments to counties for children and youth programs and child abuse and neglect prevention:

(1) "Child Welfare Services" - To establish, extend and strengthen services provided by local public welfare programs for develop-

ment of services which will prevent the neglect, abuse, exploitation or delinquency of children.

Federal appropriation..... 13,855,000

(2) "Maintenance Assistance - Child Welfare" - For provision of foster care through child welfare programs to eligible persons.

Federal appropriation..... 82,000,000

The following SSBG amounts, or as much thereof as may be necessary, are hereby specifically appropriated for children and youth services:

(1) "Social Services - Child Welfare" - For provision of child welfare services.

Federal appropriation..... 11,193,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for day-care services:

(1) "Child Care Improvement."

Federal appropriation..... 232,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for new directions:

(1) "Food Stamp Employment and Training - New Directions."

Federal appropriation..... 12,364,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for direct care workers salary increases:

(1) "Medical Assistance - Direct Care Workers Salary Increases" - For salary increases for MR community direct care workers. These funds shall be used to enhance the wage structure of MR community direct care workers.

Federal appropriation..... 1,302,000

Section 211. Pennsylvania State Police.—The following amounts are appropriated to the Pennsylvania State Police:

Federal State

For general government operations of the Pennsylvania State Police. No expenditures resulting from the extraordinary costs relating to the Pennsylvania State Police personnel and activities in connection with the disturbances of October 1989 at the Camp Hill State Correctional Institution shall be met from the Motor License Fund. Such extraordinary costs include, but are not limited to, salaries, benefits and expenses of the Pennsylvania State Police personnel who are assigned duty at the Camp Hill State Correctional Institution as well as overtime costs of troopers on highway patrol necessitated by personnel assigned to duty at Camp Hill State Correctional Institution.

State appropriation..... 94,616,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for general government operations:

- (1) "Speed Enforcement."

Federal appropriation..... 40,000

Section 212. Pennsylvania Emergency Management Agency.—The following amounts are appropriated to the Pennsylvania Emergency Management Agency:

Federal State

For reimbursement of costs incurred by local governments during the disturbances at Camp Hill State Correctional Institution in October of 1989. This sum includes reimbursement to local volunteer emergency response agencies, which shall be reimbursed for total man hours worked as a result of disturbances at the rate that the Department of Environmental Resources has established for reimbursement for fighting forest fires.

State appropriation..... 311,000

Section 213. Pennsylvania Higher Education Assistance Agency.—The following amounts are appropriated to the Pennsylvania Higher Education Assistance Agency:

Federal State

For the loan forgiveness program established by the act of December 16, 1988 (P.L.1259, No.155), known as the Urban and

Rural Teacher Loan Forgiveness Act.

State appropriation..... 2,376,000

Section 214. Pennsylvania Historical and Museum Commission.—The following amounts are appropriated to the Pennsylvania Historical and Museum Commission:

Federal State

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for general government operations:

(1) "Division of Historic Preservation" - For operation of the Division of Historic Preservation of the Pennsylvania Historical and Museum Commission.

Federal appropriation..... 750,000

SUBPART B. JUDICIAL DEPARTMENT

Section 220. Superior Court.—The following amounts are appropriated to the Superior Court:

Federal State

For home office expenses.

State appropriation..... 3,128,000

Section 221. Courts of common pleas.—The following amounts are appropriated to the courts of common pleas:

Federal State

For the courts of common pleas; including the salaries and expenses of judges; including the expenses of traveling judges; including the mileage in divided judicial districts; and the payment of a per diem salary, mileage and miscellaneous expenses to active visiting judges for the performance of their official duties. No printing, postage, telephone and supplies may be paid for from this appropriation. No expenses of any kind relating to education may be paid from this appropriation.

State appropriation..... 34,267,000

Section 222. Community courts - district justices.—The following amounts are appropriated to the community courts and district justices:

Federal State

For the salaries and expenses of community court judges and district justices. Senior judges working a minimum number of days

provided by the Supreme Court are to receive health benefits. Except for those printing costs relating to 42 Pa.C.S. § 3532 (relating to expenses), no other printing, postage, telephone and supplies may be paid for from this appropriation. No expenses of any kind relating to education may be paid from this appropriation.

State appropriation..... 27,612,000

Section 223. County court administration cost reimbursement.—The following amounts are appropriated for court costs:

Federal State

For grants to counties for costs incurred by counties in the administration and operation of the offices of district justice, judge of traffic court or judge of municipal court. Grants shall be provided on the following basis: For each district justice, traffic court judge or municipal court judge authorized position, whether filled or vacant, \$33,000 per authorized position.

All grants shall be made to the county treasurer and, in cities of the first class coterminous with counties of the first class, to the city treasurer.

State appropriation..... 18,711,000

PART III
RESTRICTED RECEIPT ACCOUNTS

Section 301. General provisions.—The Secretary of the Budget may create the restricted receipt accounts set forth in this part for the purpose of administering Federal grants only for the purposes herein designated during the fiscal year July 1, 1989, through June 30, 1990.

Section 302. Department of Education.—The following restricted receipt accounts may be established for the Department of Education:

- (1) "Medical Assistance Reimbursements to Local Education Agencies."

PART IV
MISCELLANEOUS PROVISIONS

Section 401. Prior laws unaffected.—Except as provided in section 409, this act is not intended to be inconsistent with or to repeal any provision of any act enacted at this or any prior session of the General Assembly regulating the purchase of supplies, the ordering of printing and binding, the purchase, maintenance and use of automobiles, the method of making payments from the State Treasury for any purpose or the functioning of any administrative department, board or commission.

Section 402. Compliance with other law before funds available.—No appropriation made by this act to any department, board, commission or agency of the Executive Department shall be available unless and until the department, board, commission or agency has complied with sections 615 and 616 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Section 403. Contracts prerequisite to encumbering or committing funds.—Funds for the purchase of supplies, materials and equipment shall not be deemed to be committed or encumbered until contracts covering the purchase have been entered into with the vendors.

Section 404. Minority business set-asides.—(a) Each department or other instrumentality of the Commonwealth listed in Part II, authorized to contract for buildings, highways, commodities, equipment, supplies or services, shall report to the General Assembly all information pertinent to anticipated procurement needs at the beginning of each fiscal year and each fiscal quarter thereafter.

(b) As used in this section, the term “minority business” means a minority business enterprise as defined in the act of July 22, 1974 (P.L.598, No.206), known as the Pennsylvania Minority Business Development Authority Act.

Section 405. Appropriation of funds from miscellaneous sources.—

(a) In addition to the amounts appropriated by this act, moneys received in payment for food and household supplies furnished to employees and other persons, except inmates, by an institution, and moneys received from the proceeds from the sale of any products of the soil, meats, livestock, timber or other materials sold by a department shall be paid into the General Fund and are hereby appropriated out of the General Fund to the several respective institutions for the operation and maintenance of the institutions.

(b) In addition to the amounts appropriated by this act, all moneys received from any other source, except the Federal Government, as contributions for the programs provided herein or as payment for services or materials furnished by one institution to another, except those collections designated as revenues, shall be paid into the General Fund and are hereby appropriated out of the General Fund for the purposes of the respective appropriations.

(c) In addition to any funds specifically appropriated by this act, all moneys received by a department or agency of the Commonwealth from any other sources, except the Federal Government, as contributions or supplements to the department or agency for a program or administration of an act included in this act shall be paid into the General Fund and credited to the appropriation for that program or administration of the act.

Section 406. Lapsing of unused funds.—(a) Except as otherwise provided by law or in subsection (b), that part of all appropriations in Part II unexpended, uncommitted or unencumbered as of June 30, 1990, shall automatically lapse as of that date.

(b) The appropriation in section 202 to the Attorney General for grants for extraordinary trial costs shall be a continuing appropriation.

(c) The appropriation in section 219 of the act of July 1, 1989 (P.L.801, No.3A), known as the General Appropriation Act of 1989, to the Department of Public Welfare for child abuse prevention shall be a two-year continuing appropriation.

(d) Notwithstanding the provisions of section 1406 of the act of July 1, 1989 (P.L.801, No.3A), known as the General Appropriation Act of 1989, the appropriation in Part II of that act to the Department of Education for Job Training Partnership Act matching funds shall be a two-year continuing appropriation.

(e) The appropriation in section 225 of the act of July 3, 1987 (P.L.459, No.9A), known as the General Appropriation Act of 1987, to the Pennsylvania Emergency Management Agency for equipment replacement and renovations to the State Fire Academy shall not lapse until Project Number DGS 418-5 is completed.

Section 407. Construction with prior appropriation acts.—Any appropriation in Part II of this act which is the same as or similar to an appropriation in the act of July 1, 1989 (P.L.801, No.3A), known as the General Appropriation Act of 1989, shall replace that appropriation.

Section 408. Deduction of expended appropriations under prior law.—Any money that has been appropriated and expended under the act of July 1, 1989 (P.L.801, No.3A), known as the General Appropriation Act of 1989, shall be deducted from the corresponding appropriation in this act.

Section 409. Payment of employees' salaries, benefits and expenses prohibited from Capital Facilities Fund.—Notwithstanding other provisions of law, during the 1989-1990 fiscal year, no salary, benefit or other expense relating to any employee in the Executive Department shall be paid from the Capital Facilities Fund.

Section 410. Child abuse expenditures.—The appropriation in section 219 of the act of July 1, 1989 (P.L.801, No.3A) known as the General Appropriation Act of 1989, to the Department of Public Welfare for child abuse prevention shall be expended by that department without further legislative action.

Section 411. Job brokers.—No funds appropriated to the Department of Labor and Industry in the act of July 1, 1989 (P.L.801, No.3A), known as the General Appropriation Act of 1989, for job centers shall be expended for job broker positions in the Department of Commerce.

Section 412. Report by Secretary of the Budget.—Within five days of the effective date of this act, the Secretary of the Budget shall send to the chairmen of the House of Representatives and Senate Appropriations Committees a report which contains a complete list of the amounts by appropriation, which were lapsed in order to meet the increased appropriations contained in this act.

PART V RETROACTIVITY AND EFFECTIVE DATE

Section 501. Retroactivity.—Section 411 shall be retroactive to July 1, 1989.

Section 502. Effective date.—This act shall take effect immediately.

APPROVED—The 23rd day of May, A.D. 1990, except as to the following:

PART II
GENERAL FUND AND FEDERAL APPROPRIATIONS
FOR 1989-1990

* * *

Section 202. Attorney General.—***

For grants, not to exceed \$10,000 per trial, to counties for extraordinary costs of trials resulting from disturbances at the State Correctional Institutions at Camp Hill and Huntingdon in October 1989.

State appropriation..... 1,250,000

* * *

I withhold my approval from this entire item.

Section 206. Department of Education.—***

For payments on account of special education of exceptional children in public schools. This amount includes \$119,000,000 for the prior year program reconciliation to school districts, \$50,000,000 of which shall be paid by August 1, 1989, \$49,000,000 of which shall be paid no later than December 1, 1989, and the remainder shall be paid within 10 days of the effective date of this act.

State appropriation..... 467,340,000

* * *

I withhold my approval from this entire item.

Section 210. Department of Public Welfare.—***

For medical assistance payments - outpatient services, exclusive of outpatient services provided through capitation plans.

State appropriation..... 369,433,000

* * *

This item is approved in the sum of \$364,763,000.

For medical assistance payments - inpatient services, exclusive of services provided through capitation plans. Included in this amount is \$26,675,000 in excess of the amounts requested by the Governor to continue medical education payments, and provide increases in hospital payment rates,

including increases in cost-of-living adjustments.

State appropriation..... 500,653,000

This item is approved in the sum of \$491,653,000.

Section 211. Pennsylvania State Police.—***

For general government operations of the Pennsylvania State Police. No expenditures resulting from the extraordinary costs relating to the Pennsylvania State Police personnel and activities in connection with the disturbances of October 1989 at the Camp Hill State Correctional Institution shall be met from the Motor License Fund. Such extraordinary costs include, but are not limited to, salaries, benefits and expenses of the Pennsylvania State Police personnel who are assigned duty at the Camp Hill State Correctional Institution as well as overtime costs of troopers on highway patrol necessitated by personnel assigned to duty at Camp Hill State Correctional Institution.

State appropriation..... 94,616,000

This item is approved in the sum of \$93,276,000.

Section 213. Pennsylvania Higher Education Assistance Agency.—***

For the loan forgiveness program established by the act of December 16, 1988 (P.L.1259, No.155), known as the Urban and Rural Teacher Loan Forgiveness Act.

State appropriation..... 2,376,000

I withhold my approval from this entire item.

By adding over \$36 million in additional appropriations to Senate Bill 904, the Senate appropriated General Fund money the State does not have. My constitutional obligation makes it impossible for me to approve the above expenditures which cause the budget to be unbalanced.

Senate Bill 904 contains language making two existing appropriations, the State Fire Academy appropriation from 1987 and the child abuse appropriation from 1989, continuing appropriations and authorizes expenditure of the child abuse appropriation without further legislative action. Both appropriations have already been lapsed with the child abuse appropriation being lapsed as part of a settlement agreement with the counties. Therefore, the language in Senate Bill 904 related to these two appropriations is moot.

In addition, Senate Bill 904 contains several pieces of language which my legal counsel informs me amend statutory law. The General Assembly may not amend statutory law through an appropriation act without violating Article III, Section 11 of the Pennsylvania Constitution. In accordance with recommendations from my legal counsel, I am instructing my Budget Secretary to disregard the substantive language contained in section 211, 409 and 412. While the language in section 412 relating to lapse reports is unconstitutional, I have instructed my Budget Secretary to continue to comply in a timely manner with all other statutory provisions related to reporting of lapsed funds.

ROBERT P. CASEY

No. 1990-2A

AN ACT

HB 2314

Making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Commerce.

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

Section 1. The sum of \$483,000 is hereby appropriated from the restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Commerce to provide for the operation of that office for the fiscal year July 1, 1990, to June 30, 1991.

Section 2. This act shall take effect July 1, 1990, or immediately, whichever is later.

APPROVED—The 30th day of June, A. D. 1990.

ROBERT P. CASEY

No. 1990-3A

AN ACT

HB 2462

Making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 1990, to June 30, 1991, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1990.

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

Section 1. The sum of \$14,385,000, or as much thereof as may be necessary, is hereby appropriated from the Public School Employees' Retirement Fund to the Public School Employees' Retirement Board for the payment of all salaries, wages and other compensation and travel expenses of the employees and members of the Public School Employees' Retirement Board, for contractual services and other expenses necessary for the proper conduct of the duties, functions and activities of the board for the fiscal year beginning July 1, 1990, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1990.

Section 2. This act shall take effect July 1, 1990, or immediately, whichever is later.

APPROVED—The 30th day of June, A. D. 1990.

ROBERT P. CASEY

No. 1990-4A

AN ACT

SB 1544

Making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 1990, to June 30, 1991, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1990.

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

Section 1. The sum of \$8,294,000, or as much thereof as may be necessary, is hereby appropriated from the State Employees' Retirement Fund to the State Employees' Retirement Board for the payment of all salaries, wages and other compensation and travel expenses of the employees and members of the State Employees' Retirement Board, for contractual services and other expenses necessary for the proper conduct of the duties, functions and activities of the board for the fiscal year beginning July 1, 1990, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1990.

Section 2. This act shall take effect July 1, 1990, or immediately, whichever is later.

APPROVED—The 30th day of June, A. D. 1990.

ROBERT P. CASEY

No. 1990-5A

AN ACT

SB 1549

Making appropriations to the Treasury Department out of various funds for payment of general obligation debt service.

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

Section 1. The following sums are hereby appropriated, out of the funds indicated, to the Treasury Department for the fiscal year July 1, 1990, to June 30, 1991, for payment of general obligation debt service.

Out of the Fish Fund.....	\$58,000
Out of the Boat Fund.....	2,000

Section 2. This act shall take effect July 1, 1990, or immediately, whichever is later.

APPROVED—The 30th day of June, A. D. 1990.

ROBERT P. CASEY

No. 1990-6A

AN ACT

HB 2579

Amending the act of December 17, 1988 (P.L.2242, No.69A), entitled "An act appropriating money from the Sunny Day Fund to the Department of Commerce for various projects throughout this Commonwealth for fiscal year 1988-1989," further providing for the award of funds for certain projects.

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

Section 1. Section 2(4) of the act of December 17, 1988 (P.L.2242, No.69A), entitled "An act appropriating money from the Sunny Day Fund to the Department of Commerce for various projects throughout this Commonwealth for fiscal year 1988-1989," is amended to read:

Section 2. The following amounts are appropriated to the Department of Commerce to induce companies to locate large industrial, manufacturing or research and development enterprises within this Commonwealth.

(4) For the purpose of making a loan to [Glass Adventures, Incorporated, or its affiliate] *U.S. Glass, Inc., or an affiliate or successor thereof*, to locate a glass manufacturing facility in Washington County. It is estimated that this project will create approximately 500 new jobs within three years of operation.

State appropriation..... 6,000,000

Section 2. Section 5(c) of the act, amended June 30, 1989 (P.L.800, No.2A), is amended and the section is amended by adding a subsection to read:

Section 5. ***

(c) [Any] *Except as provided in subsection (d), any funds from this appropriation remaining unexpended or unencumbered on June 30, 1990, shall automatically lapse into the Sunny Day Fund.*

(d) *Any funds from this appropriation authorized under paragraph (4) of section 2 remaining unexpended or unencumbered on June 30, 1991, shall automatically lapse into the Sunny Day Fund.*

Section 3. This act shall take effect immediately.

APPROVED—The 30th day of June, A. D. 1990.

ROBERT P. CASEY