

No. 1988-1A

AN ACT

HB 1988

Appropriating money from the Sunny Day Fund to the Department of Commerce for various projects throughout this Commonwealth for fiscal year 1987-1988.

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

Section 1. The sums set forth in this act, or as much thereof as may be necessary, are hereby specifically appropriated from the Sunny Day Fund to the Department of Commerce for the fiscal year July 1, 1987, to June 30, 1988, for the projects listed to enhance economic development and the creation of jobs in this Commonwealth in accordance with the provisions of Chapter 1 of the act of July 1, 1985 (P.L.120, No.32), known as the Sunny Day Fund Act.

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:

(1) For the purpose of making a loan to Swearingen Engineering and Technology, Incorporated, to locate a fanjet aircraft manufacturing facility in Clinton and Lycoming Counties. It is estimated that this project will create approximately 250 jobs during the first three years.

State appropriation..... 8,000,000

(2) For the purpose of making a loan to Corning Glass Works, Incorporated, to locate additional manufacturing operations at its existing facility in Washington County. It is estimated that this project will create 200 to 400 new jobs over the next two to four years.

State appropriation..... 8,000,000

(3) For the purpose of making a loan to Allegheny Particleboard Corporation, to locate a particleboard manufacturing facility in McKean County. It is estimated that this project will create 260 new jobs within the next five years.

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

(4) For the purpose of making a loan to the Clinton County Industrial Development Corporation, to be used to provide an interest and/or principal guarantee to Avtek Corporation to locate a production facility in Clinton County that will manufacture composite components for a new aircraft. It is estimated that this project will create 375 to 450 new jobs by the third year of the

production phase. No funds shall be transferred to the Clinton County Industrial Development Corporation until such time that the corporation certifies to the Department of Commerce, in a form satisfactory to the department, that money from the fund is necessary to satisfy the terms of the interest and/or principal guarantee.

State appropriation..... 8,000,000

(5) For the purpose of making a loan to Microwood, Incorporated, to locate a hardwood veneer manufacturing facility in Cumberland County. It is estimated that this project will create 190 new jobs over the first three years of its operation and 275 jobs within five years.

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

(6) For the purpose of making a loan to Lowengart and Company, Incorporated, to locate additional manufacturing operations at its existing facility in Franklin County. It is estimated that this project will create 180 new jobs within five years.

State appropriation..... 1,500,000

(7) For the purpose of making a loan to the Scranton Lackawanna Industrial Building Company, to be used to induce the Grumman Corporation, through a loan or interest guarantee, to locate a new product development and manufacturing facility in Lackawanna County. It is expected that this project will create a substantial number of new jobs. No funds shall be transferred to the Scranton Lackawanna Industrial Building Company until such time that the company certifies to the Department of Commerce, in a form satisfactory to the department, that money from the fund is necessary to proceed with the implementation of the project.

State appropriation..... 7,500,000

Section 3. It is the intent of the General Assembly that the appropriations in section 2 shall be loaned at an annual interest rate that in no case shall be less than the Pennsylvania Industrial Development Authority's rate for the area in which the project is located and for a term that shall be the same as the term for an equivalent Pennsylvania Industrial Development Authority project. Private companies which receive Sunny Day Fund assistance but fail to make the investment in the enterprise development as specified in section 2 shall be liable for the repayment of all Sunny Day Fund moneys, including any accrued interest thereon and any penalties set by the Secretary of Commerce. Private companies which receive Sunny Day Fund assistance but fail to create the number of jobs specified in the approved loan or other agreements with the Commonwealth shall be liable for a penalty equal to an increase in the interest charged to 2% greater than the current prime interest rate for the remainder of the loan, unless the penalty is waived

by the Secretary of Commerce because the failure is due to circumstances outside the control of the private company. The Secretary of Commerce shall consult with the Chairmen of the Appropriations Committees of the Senate and of the House of Representatives prior to the establishment or waiver of penalties.

Section 4. For a period equal to the term of assistance provided each project approved under this act, the Department of Commerce shall provide a written report on the status of each project to the Secretary of the Senate and the Chief Clerk of the House of Representatives by June 30 of each year. This report shall contain, at a minimum, information pertaining to the specific use of the Sunny Day Fund moneys, the interest rate and term of the Sunny Day Fund loan, the amount of principal outstanding and interest due on the loan, and the number of jobs created by the project. All recipients of funds under this act shall be required to provide any and all information requested by the Department of Commerce for the purpose of this act.

Section 5. No funds under this act shall be awarded by the Department of Commerce after June 30, 1989. Any funds from this appropriation remaining unexpended or unencumbered on June 30, 1989, shall automatically lapse into the Sunny Day Fund.

Section 6. This act shall take effect immediately.

APPROVED—The 4th day of March, A. D. 1988.

ROBERT P. CASEY

No. 1988-2A

AN ACT

SB 838

Amending the act of July 3, 1987 (P.L.459, No.9A), entitled "An act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1987, to June 30, 1988, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1987; to provide appropriations from the Lottery Fund, the Pennsylvania Economic Revitalization Fund and the Energy Conservation and Assistance Fund to the Executive Department; to provide for the appropriation of Federal funds to the Executive and Judicial Departments of the Commonwealth and for the establishment of restricted receipts accounts for the fiscal year July 1, 1987, to June 30, 1988, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1987; itemizing appropriations required from the Motor License Fund for the fiscal year July 1, 1987, to June 30, 1988, for the proper operation of the several departments of the Commonwealth authorized to spend Motor License Fund moneys; and to further provide from the General Fund for the expenses of the Executive Department and Judicial Department of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1986, to June 30, 1987, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1986," increasing certain appropriations relating to AIDS and energy conservation.

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

Section 1. As much of the Federal appropriation for AIDS in section 215 of the act of July 3, 1987 (P.L.459, No.9A), known as the General Appropriation Act of 1987, is amended to read:

Section 215. 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 AIDS training:		
(1) AIDS training for personnel who work with AIDS patients.		
[Federal appropriation.....	1,003,000]	
Federal appropriation.....		2,403,000

Section 2. Section 502 of the act is amended to read:

Section 502. Department of Public Welfare. —The following amounts are appropri-

ated to the Department of Public Welfare:
For supplemental assistance under the
Energy Conservation and Assistance Act.

Federal State

[State appropriation..... 31,874,000]

State appropriation..... 41,970,000

Section 3. This act shall take effect immediately.

APPROVED—The 19th day of April, A. D. 1988.

ROBERT P. CASEY

No. 1988-3A

AN ACT

SB 1132

Amending the act of July 3, 1987 (P.L.459, No.9A), entitled "An act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1987, to June 30, 1988, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1987; to provide appropriations from the Lottery Fund, the Pennsylvania Economic Revitalization Fund and the Energy Conservation and Assistance Fund to the Executive Department; to provide for the appropriation of Federal funds to the Executive and Judicial Departments of the Commonwealth and for the establishment of restricted receipts accounts for the fiscal year July 1, 1987, to June 30, 1988, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1987; itemizing appropriations required from the Motor License Fund for the fiscal year July 1, 1987, to June 30, 1988, for the proper operation of the several departments of the Commonwealth authorized to spend Motor License Fund moneys; and to further provide from the General Fund for the expenses of the Executive Department and Judicial Department of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1986, to June 30, 1987, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1986," adding, increasing and decreasing certain State appropriations to the various components of the Judicial Department.

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

Section 1. As much of the State appropriation as relates to the operations of the Supreme Court in section 281 of the act of July 3, 1987 (P.L.459, No.9A), known as the General Appropriation Act of 1987, is amended to read:

Section 281. Supreme Court.—The following amounts are appropriated to the Supreme Court:

	Federal	State
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For the Supreme Court: including the salaries of the Supreme Court judges, for the office of prothonotary and for the library in the Eastern District and Western District, for the office of prothonotary in the Middle District, for criers, tipstaves, official stenographers, court officers and the law secretary of the Chief Justice in Eastern, Middle and Western Districts and, except for employees of the State Board of Law Examiners, Judicial Inquiry and Review Board, Civil Procedural Rules Committee and Criminal Procedural Rules Committee, Workmen's Compensation Insurance Premiums for all other		
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Supreme Court employees, for the office of State reporters, including the salaries and compensation of employees, including the fees for prothonotaries of the Supreme Court of the Eastern, Middle and Western Districts on assignment to judges to counties other than their own, and further including assessments for the National Center of State Courts. Senior judges working as active or senior judges a minimum of 75 days in the prior calendar year are to receive health benefits. No funds from this appropriation shall be used for travel or other expenses for active judges.

[State appropriation..... 4,634,000]
State appropriation..... 4,710,000

Section 2. As much of the State appropriation as relates to the operations of the Superior Court in section 282 of the act is amended to read:

Section 282. Superior Court.—The following amounts are appropriated to the Superior Court:

Federal State

For the salaries and expenses of the Superior Court: including the salary of the Superior Court judges, for panelization of judges program, for criers, tipstaves, official stenographers, court officers and law secretary of the president judge and Workmen's Compensation Insurance Premiums for all employees of the Superior Court, for the prothonotary's office in the Philadelphia District; including salaries and compensation for employees, including the expenses of dockets, stationery, supplies, books for the library and other costs of the Superior Court and its offices. Senior judges working as active or senior judges a minimum of 75 days in the prior calendar year are to receive health benefits. No more than \$10,000 from this appropriation shall be used for travel or other expenses for active judges.

[State appropriation..... 8,775,000]
State appropriation..... 8,957,000

Section 3. As much of the State appropriation as relates to the operations of the Commonwealth Court in section 283 of the act is amended to read:

Section 283. Commonwealth Court.—
The following amounts are appropriated to
the Commonwealth Court:

Federal State

For the salaries of judges, and for the sala-
ries and expenses of employees. Senior judges
working as active or senior judges a
minimum of 75 days in the prior calendar
year are to receive health benefits. No more
than \$10,000 from this appropriation shall be
used for travel or other expenses for active
judges.

[State appropriation..... **5,014,000]**
State appropriation..... **5,147,000**

* * *

Section 4. As much of the State appropriations as relate to the opera-
tions of the courts of common pleas and the payment of senior judges in
section 284 of the act are amended to read:

Section 284. 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 appropri-
ation. No expenses of any kind relating to
education may be paid from this appropri-
ation.

[State appropriation..... **30,856,000]**
State appropriation..... **32,956,000**

For senior judges of the courts of common
pleas. Senior judges working as active or
senior judges a minimum of 75 days in the
prior calendar year are to receive health bene-
fits. Senior judges shall not be assigned
unless adequate funds are available in this
appropriation to provide compensation. Any
senior judge assigned in excess of existing
funding shall be compensated from the
appropriation for the Supreme Court.

[State appropriation..... **1,752,000]**
State appropriation..... **2,267,000**

* * *

Section 5. Sections 285 and 286 and as much of the State appropriation as relates to the salaries and expenses of judges of the Philadelphia Municipal Court in section 287 of the act are amended to read:

Section 285. Community courts - district justices.—The following amounts are appropriated to the community courts and district justices:

For the salaries and expenses of community court judges and district justices of the peace. Senior judges working a minimum number of days provided by the Supreme Court are to receive health benefits. 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.

	Federal	State
[State appropriation.....]		24,265,000]
State appropriation.....]		27,065,000

Section 286. Philadelphia Traffic Court.—The following amounts are appropriated to the Philadelphia Traffic Court:

For the salaries and expenses of judges. Senior judges working as active or senior judges a minimum of 75 days in the prior calendar year are to receive health benefits.

	Federal	State
[State appropriation.....]		320,000]
State appropriation.....]		355,000

Section 287. Philadelphia Municipal Court.—The following amounts are appropriated to the Philadelphia Municipal Court:

For the salaries and expenses of judges. Senior judges working as active or senior judges a minimum of 75 days in the prior calendar year are to receive health benefits.

	Federal	State
[State appropriation.....]		2,373,000]
State appropriation.....]		2,583,000

* * *

Section 6. This act shall take effect immediately.

APPROVED—The 18th day of May, A. D. 1988.

ROBERT P. CASEY

No. 1988-4A

AN ACT

SB 938

Amending the act of July 3, 1987 (P.L.459, No.9A), entitled "An act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1987, to June 30, 1988, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1987; to provide appropriations from the Lottery Fund, the Pennsylvania Economic Revitalization Fund and the Energy Conservation and Assistance Fund to the Executive Department; to provide for the appropriation of Federal funds to the Executive and Judicial Departments of the Commonwealth and for the establishment of restricted receipts accounts for the fiscal year July 1, 1987, to June 30, 1988, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1987; itemizing appropriations required from the Motor License Fund for the fiscal year July 1, 1987, to June 30, 1988, for the proper operation of the several departments of the Commonwealth authorized to spend Motor License Fund moneys; and to further provide from the General Fund for the expenses of the Executive Department and Judicial Department of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1986, to June 30, 1987, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1986," adding, increasing and decreasing certain State and Federal appropriations to the various components of the Executive Department.

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

Section 1. Section 202 of the act of July 3, 1987 (P.L.459, No.9A), known as the General Appropriation Act of 1987, is amended by adding an appropriation to read:

Section 202. Executive Offices.—The following amounts are appropriated to the Executive Offices:

	Federal	State
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To the Office of the Budget for payment of contractual obligations associated with the performance of an independent audit of the Office of the Auditor General.

<i>State appropriation.....</i>	<i>150,000</i>
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Section 2. Section 204 of the act is amended by adding an appropriation to read:

Section 204. Attorney General.—The following amounts are appropriated to the Attorney General:

	Federal	State
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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:

* * *

(2) "Statewide Drug Prosecution Program" - To establish a Statewide Drug Prosecution Program.

Federal appropriation..... 438,000

* * *

Section 3. As much as relates to the State appropriation for the purchase of food in section 208 of the act is amended and a State appropriation is added to read:

Section 208. Department of Agriculture.—The following amounts are appropriated to the Department of Agriculture:

* * *

For reimbursements to counties for expenses incurred beyond the base Federal allocation in the Temporary Emergency Food Assistance Program.

State appropriation..... 600,000

* * *

For grants to counties for the purchase of food to be provided to needy persons in this Commonwealth.

Counties shall submit a completed application for funds or designate a regional food bank or county coordinating agency to complete the application process. If a county chooses not to participate in the program or designate a regional food bank or county coordinating agency to participate on its behalf by December 31, 1987, then the county's allocation shall be granted to the regional food bank or county coordinating agency serving that county. On January 1, 1988, the Secretary of Agriculture shall report to the Chief Clerk of the House of Representatives and the Secretary of the Senate on the impact of the 1986-1987 emergency food program. This report shall include, but not be limited to, the number of recipients by category of eligibles, including unemployment compensation, public assis-

tance, no assistance, and low income, quantity of food distributed by type of food, and the cost per pound of commodities distributed.

[State appropriation.....	7,000,000]
State appropriation.....	8,000,000

* * *

Section 4. As much of the State appropriation as relates to capital improvements for the Port of Pittsburgh in section 209 of the act is amended and a Federal appropriation is added to read:

Section 209. Department of Commerce.—The following amounts are appropriated to the Department of Commerce:

Federal	State
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* * *

For the Port of Pittsburgh, without the requirement of any matching funds for capital improvements of the Port of Pittsburgh.

[State appropriation.....	1,000,000]
State appropriation.....	1,300,000

* * *

For the publication of the High Speed Rail Commission Report from the Federal Railway Administration grant dedicated to this purpose.

Federal appropriation.....	44,000
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Section 5. As much of the Federal appropriations as relate to weatherization, emergency shelter and energy conservation in section 210 of the act are amended to read:

Section 210. Department of Community Affairs.—The following amounts are appropriated to the Department of Community Affairs:

Federal	State
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* * *

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 housing and redevelopment:

* * *

(2) "DOE - Weatherization" - For supplies and personnel to be used in a program of home weatherization for low-income households.

[Federal appropriation.....	11,476,000]
Federal appropriation.....	13,000,000

(3) "Emergency Shelter for the Homeless."

[Federal appropriation.....	380,000]
<i>Federal appropriation.....</i>	<i>1,000,000</i>

The following LIHEABG amounts, or as much thereof as may be necessary, are hereby specifically appropriated for housing and redevelopment:

(1) For low-income residential energy conservation; moneys to be spent for comprehensive, cost-effective permanent weatherization improvements consisting of attic insulation/ventilation, including minor repairs not exceeding \$700 per home necessary to complete such insulation; infiltration control measures, including caulking, weather stripping, storm windows and doors; natural gas, oil and coal furnace retrofit; and computerized energy audits to be done by the department. These funds shall be expended in accordance with the provisions of the Energy Conservation and Assistance Act.

[Federal appropriation.....	21,459,000]
<i>Federal appropriation.....</i>	<i>19,896,000</i>

* * *

Section 6. As much of the State appropriations as relate to general government, nonpublic school transportation and special education private schools and Federal appropriations as relate to civil rights assistance and desegregation assistance in section 212 of the act are amended and Federal appropriations are added to read:

Section 212. Department of Education.—The following amounts are appropriated to the Department of Education:

Federal	State
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For general government operations of the Department of Education, including the development and implementation of State-wide testing. No funds from this appropriation may be used for the design, development or implementation of a merit scholar testing program.

[State appropriation.....	15,685,000]
<i>State appropriation.....</i>	<i>15,835,000</i>

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:

* * *

(10) "Civil Rights Technical Assistance and Training" - To provide technical assistance to desegregating school districts in adoption and implementation of desegregation plans.

[Federal appropriation..... 400,000]
 Federal appropriation..... 491,000

(11) "National Origin Desegregation Assistance" - To coordinate existing department human and material resources to assist school districts with national origin desegregation.

[Federal appropriation..... 130,000]
 Federal appropriation..... 166,000

* * *

(28) "Homeless Assistance Program" - To assess the educational status of homeless children and develop a State plan.

Federal appropriation..... 250,000

(29) "Asbestos Inspection and Management Plan Assistance" - For the development of asbestos plans by school districts.

Federal appropriations..... 1,000,000

* * *

For payments on account of nonpublic school transportation.

[State appropriation..... 12,500,000]
 State appropriation..... 13,089,000

* * *

For special education - approved private schools.

[State appropriation..... 50,170,000]
 State appropriation..... 52,170,000

* * *

Section 7. As much of the State appropriations as relate to the Chesapeake Bay Commission and non-mine subsidence in section 213 of the act are amended and an appropriation is added to read:

Section 213. Department of Environmental Resources.—The following amounts

are appropriated to the Department of Environmental Resources:

Federal State

* * *

For support of the Chesapeake Bay Commission.

[State appropriation..... 100,000]

State appropriation..... 135,000

* * *

For [non-mine] subsidence projects.

State appropriation..... 4,000,000

For the Pennsylvania Infrastructure Investment Authority.

State appropriation..... 5,000,000

Section 8. As much of the State appropriations as relate to school district reimbursements, supplemental food and home ventilators and the Federal appropriation for supplemental food in section 215 of the act are amended and a State appropriation is added to read:

Section 215. Department of Health.— The following amounts are appropriated to the Department of Health:

Federal State

* * *

For reimbursement to school districts on account of health services. [The sum of \$1,000,000 from this appropriation shall be used for services related to the prevention of teen pregnancies.]

State appropriation..... 17,900,000

* * *

For a State supplement to the Federal Special Supplemental Food Service Program for Women, Infants and Children.

[State appropriation..... 10,000,000]

State appropriation..... 11,000,000

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 Supplemental Food Service Program for Women, Infants and Children:

(1) "Special Supplemental Food Service Program for Women, Infants and Children" - To provide iron- and protein-rich food to low-income pregnant women, lactating mothers, and infants and children.

[Federal appropriation..... 69,000,000]

Federal appropriation..... 71,000,000

* * *

For home ventilators.

[State appropriation.....	562,000]
<i>State appropriation.....</i>	<i>650,000</i>

* * *

For emergency medical services.

<i>State appropriation.....</i>	<i>4,500,000</i>
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Section 9. As much of the State appropriation as relates to the South-eastern Veterans' Home in section 218 of the act is amended to read:

Section 218. Department of Military Affairs.—The following sums are appropriated to the Department of Military Affairs:

Federal	State
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* * *

For the operation and maintenance of the Southeastern Veterans' Home.

[State appropriation.....	3,770,000]
<i>State appropriation.....</i>	<i>4,090,000</i>

* * *

Section 10. As much as relates to State appropriations for mental hospitals, medical assistance - long-term care facilities, community-based services for the mentally retarded and Human Services Development Fund and Federal appropriations for maintenance assistance, food stamp assistance, child welfare services, mental hospitals, medical assistance, employment program and social services in section 219 of the act are amended and appropriations are added to read:

Section 219. Department of Public Welfare.—The following sums are appropriated to the Department of Public Welfare:

Federal	State
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* * *

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 Services" - For administrative expenses incurred for general government operations in establishing, extending and strengthening services provided by the Commonwealth and local public welfare programs for development services which will prevent the neglect, abuse, exploitation or delinquency of children.

[Federal appropriation.....	2,277,000]
<i>Federal appropriation.....</i>	<i>2,587,000</i>

* * *

(3) "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..... 16,461,000]
Federal Appropriation..... 16,604,000

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

[Federal appropriation..... 2,201,000]
Federal appropriation..... 2,404,000

(8) "Refugees and Persons Seeking Asylum - Social Services" - For administration of social services to needy refugees and persons seeking asylum.

[Federal appropriation..... 136,000]
Federal appropriation..... 379,000

(14) "Supplemental Assistance for Facilities to Assist the Homeless" - To provide shelter and service to victims of domestic violence.

Federal appropriation..... 363,000

For reimbursement to counties for child welfare programs and for the care of dependent children, for such services provided during prior fiscal years. For fiscal years 1980-1981, 1981-1982, 1982-1983, 1983-1984, 1984-1985 and 1985-1986, the department shall determine the combined total amount of State-reimbursable expenditures made by counties in excess of the State fund child welfare allocations to the counties for those six fiscal years and the total excess expenditures made by each county. The department shall allocate the appropriation based on each county's total excess expenditures for child welfare services for the six fiscal years as audited by the Auditor General.

State appropriation..... 29,431,000

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..... 12,874,000]
Federal appropriation..... 15,426,000

* * *

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:

* * *

(3) "Food Stamp Program - County Assistance Offices" - For administrative expenses incurred by county assistance offices in relation to the food stamp program.

[Federal appropriation..... 28,464,000]
Federal appropriation..... 37,712,000

* * *

For the State mental hospitals and restoration center and the care of patients of such hospitals and center.

[State appropriation..... 308,356,000]
State appropriation..... 327,798,000

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 center:

* * *

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

[Federal appropriation..... 17,945,000]
Federal appropriation..... 27,337,000

* * *

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..... 137,576,000]
Federal appropriation..... 144,377,000

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..... 245,132,000]
Federal appropriation..... 258,075,000

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..... 296,506,000]
Federal appropriation..... 316,727,000

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..... 69,455,000]

Federal appropriation..... 75,230,000

For medical assistance - long-term care facilities. To provide for the department's change in methodology for setting net operating ceilings so that the ceilings effective beginning January 1, 1988, for each group, class and level of care are not less than 115% of the median cost.

[State appropriation..... 149,106,000]

State appropriation..... 162,891,000

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..... 406,819,000]

Federal appropriation..... 437,477,000

* * *

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 community mental health services:

* * *

(2) "*Homeless Mentally Ill*" - For provision of services to homeless mentally ill persons.

Federal appropriation..... 1,882,000

* * *

For community-based services for the mentally retarded, exclusive of capital improvements, which shall include grants to counties and county institution districts for noninstitutional programs.

[State appropriation..... 78,806,000]

State appropriation..... 80,349,000

* * *

For extraordinary costs to counties, other than counties of the first class, resulting from

the closure of Pennhurst State Center.

State appropriation..... 5,000,000

* * *

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 Pennsylvania Employment Program:

* * *

(2) "Work Incentive Program - Pennsylvania Employment Program" - For job training, job development and placement activities and necessary day-care and transportation services exclusively for AFDC work incentive program participants. No more than 10% of these funds may be used for administration, including registration of participants.

[Federal appropriation..... 1,533,000]

Federal appropriation..... 5,245,000

* * *

For the Human Services Development Fund. The total appropriation shall be allocated to counties as follows: 50% shall be allocated by per capita and 50% shall be allocated by poverty. Poverty shall be defined as the average number of Aid to Families with Dependent Children, General Assistance and State Blind Pension recipients in fiscal year 1985-1986 as a proportion of the Statewide average number of Aid to Families with Dependent Children, General Assistance and State Blind Pension recipients in this Commonwealth for fiscal year 1985-1986. No county shall receive a grant of less than \$50,000 in State and Federal dollars combined. *Under no circumstances shall any county receive a grant in an amount which is less than it received in the immediately preceding fiscal year.*

[State appropriation..... 13,069,000]

State appropriation..... 13,954,296

* * *

The following SSBG amounts, or as much thereof as may be necessary, are hereby specifically appropriated for the Human Services Development Fund:

(1) "Social Services - Human Services Development Fund." The total appropriation shall be allocated to counties as follows: 50% shall be allocated by per capita and 50% shall be allocated by poverty. Poverty shall be defined as the average number of Aid to Families with Dependent Children, General Assistance and State Blind Pension recipients in fiscal year 1985-1986 as a proportion of the Statewide average number of Aid to Families with Dependent Children, General Assistance and State Blind Pension recipients in this Commonwealth for fiscal year 1985-1986. No county shall receive a grant of less than \$50,000 in State and Federal dollars combined. *Under no circumstances shall any county receive a grant in an amount which is less than it received in the immediately preceding fiscal year.*

Federal appropriation.....	14,339,000
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Section 11. As much of the State appropriations as relate to computer rentals and public utility realty tax in section 220 of the act are amended to read:

Section 220. Department of Revenue.—The following amounts are appropriated to the Department of Revenue:

	Federal	State

For computer rentals <i>and purchases</i> .		
State appropriation.....		1,100,000
For the distribution of Public Utility Realty Tax.		
[State appropriation.....		88,138,000]
State appropriation.....		90,315,000

Section 12. As much of the State appropriation as relates to general government operations in section 221 of the act is amended to read:

Section 221. Department of State.—The following amounts are appropriated to the Department of State:

	Federal	State
For general government operations of the Department of State.		
[State appropriation.....		2,558,000]
State appropriation.....		2,639,000

Section 13. As much of the State appropriation as relates to the Battle of Gettysburg in section 229 of the act is amended to read:

Section 229. Pennsylvania Historical and Museum Commission.—The following amounts are appropriated to the Pennsylvania Historical and Museum Commission:

Federal State

For the celebration of the 125th Anniversary of the Battle of Gettysburg.

[State appropriation..... 210,000]

State appropriation..... 350,000

Section 14. As much of the Federal appropriation as relates to the Organized Crime Law Enforcement Network in section 237 of the act is amended to read:

Section 237. Pennsylvania Crime Commission.—The following amounts are appropriated to the Pennsylvania Crime 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 the Pennsylvania Crime Commission:

(2) "Middle-Atlantic - Great Lakes Organized Crime Law Enforcement Network" - To provide for a cooperative project among State and local law enforcement directed at combating the "traveling criminal."

[Federal appropriation..... 1,500,000]

Federal appropriation..... 1,800,000

Section 15. As much as relates to the State appropriation for higher educational industrial resource centers in section 401 of the act is amended to read:

Section 401. Department of Commerce.—The following amounts are appropriated to the Department of Commerce:

For higher educational industrial resource centers. A project may receive no more than \$2,000,000 from this appropriation. This program shall be operated under the auspices of the Board of the Ben Franklin Partnership Fund.

State appropriation..... 10,000,000

Section 16. Section 605 of the act is amended by adding a paragraph to read:

Section 605. Department of Education.—The following restricted receipt accounts may be established for the Department of Education:

* * *

(19) "Homeless Adult Assistance."

Section 17. Section 701 of the act is amended by adding an appropriation to read:

Section 701. Department of Transportation.—The following amounts are appropriated to the Department of Transportation:

* * *

For the purpose of enhancing the economic environment of the City of Chester, Delaware County. To be used for ongoing Department of Transportation projects for design, utility relocation and right-of-way acquisition on Industrial Highway.

State appropriation..... 10,000,000

Section 18. Section 1008(a) of the act is amended and the section is amended by adding a subsection to read:

Section 1008. Lapsing of unused funds.—(a) Except as otherwise provided by law or in subsections (b), (c), (d), *(d.1)*, (e), (f), (g), (h), (i) and (j), that part of all appropriations in Parts II, III, IV, V and VII unexpended, uncommitted or unencumbered as of June 30, 1988, shall automatically lapse as of that date.

* * *

(d.1) The appropriation in Part II to the Department of Education for Job Training Partnership Act matching funds shall be a continuing appropriation.

* * *

Section 19. The act is amended by adding a section to read:

Section 1009. Legislative Department.—All appropriations made in this act or in any other fiscal year to any account of the Senate, except for the Committee on Appropriations (D) or the Committee on Appropriations (R) accounts, remaining unexpended and unencumbered on the effective date of this part, may be transferred by the Committee on Management Operations, by a vote of two-thirds of its members, in its discretion, to such Senate accounts as the committee deems necessary. Such power to transfer appropriations shall be limited to the 1987-1988 fiscal year.

Section 20. (a) The appropriation in section 1 (relating to section 202) to the Office of the Budget for an audit of the Office of Auditor General shall be a continuing appropriation until June 30, 1989.

(b) The appropriation in section 8 to the Department of Health for emergency medical services shall be a continuing appropriation until June 30, 1989.

Section 21. This act shall take effect immediately upon the certification by the Governor to the Speaker of the House of Representatives and the President pro tempore of the Senate that the Department of Public Welfare is taking all steps necessary to comply with the provisions of the act of July 3, 1987 (P.L.459, No.9A), known as the General Appropriation Act of 1987, relative to providing the change for setting net operating ceilings at no less than 115% of the median cost for medical assistance to long-term care facilities. This certification shall be deposited for publication in the Pennsylvania Bulletin.

APPROVED—The 10th day of June, A. D. 1988, except as to the following:

Section 3. As much as relates to the State appropriation for the purchase of food in section 208 of the act is amended and a State appropriation is added to read:

Section 208. Department of Agriculture.—The following amounts are appropriated to the Department of Agriculture:

Federal State

* * *

For grants to counties for the purchase of food to be provided to needy persons in this Commonwealth.

Counties shall submit a completed application for funds or designate a regional food bank or county coordinating agency to complete the application process. If a county chooses not to participate in the program or designate a regional food bank or county coordinating agency to participate on its behalf by December 31, 1987, then the county's allocation shall be granted to the regional food bank or county coordinating agency serving that county. On January 1, 1988, the Secretary of Agriculture shall report to the Chief Clerk of the House of Representatives and the Secretary of the Senate on the impact of the 1986-1987 emergency food program. This report shall include, but not be limited to, the number of recipients by category of eligibles, including unemployment compensation, public assistance, no assistance, and low income, quantity of food distributed by type of food, and the cost per pound of commodities distributed.

[State appropriation..... 7,000,000]
State appropriation..... 8,000,000

* * *

This item is approved only in the sum of \$7,000,00, which is the amount originally included in Act 9A of 1987. In my recommended budget in 1987-88, I requested \$8,000,000 for the Emergency Food Program. This was the first time any Governor had included money for emergency food assistance in a State budget request. The Legislature reduced that request to \$7,000,000 when Act 9A was enacted. Now, in the closing moments of the fiscal year, the Legislature has restored the amount to my original request. The program has been diligently administered within the amount originally appropriated. These additional moneys cannot now be justified because there is little likelihood that anyone could benefit from the State expenditure between now and June 30, and further, I have already requested \$8,000,000 for the Emergency Food Program in my 1988-1989 budget. The additional \$1,000,000 will be available upon the prompt enactment of my 1988-1989 budget by the General Assembly. For these reasons, and because of insufficient revenues, I have withheld my approval of these additional funds.

Section 4. As much of the State appropriation as relates to capital improvements for the Port of Pittsburgh in section 209 of the act is amended and a Federal appropriation is added to read:

Section 209. Department of Commerce.—The following amounts are appropriated to the Department of Commerce:

* * *

For the Port of Pittsburgh, without the requirement of any matching funds for capital improvements of the Port of Pittsburgh.

	Federal	State
[State appropriation.....		1,000,000]
State appropriation.....		1,300,000

* * *

Due to insufficient revenues, this item is approved only in the sum of \$1,000,000, which is the amount originally included in Act 9A of 1987.

Section 6. As much of the State appropriations as relate to general government, nonpublic school transportation and special education private schools and Federal appropriations as relate to civil rights assistance and desegregation assistance in section 212 of the act are amended and Federal appropriations are added to read:

Section 212. Department of Education.—The following amounts are appropriated to the Department of Education:

* * *

For general government operations of the Department of Education, including the development and implementation of State-wide testing. No funds from this appropriation may be used for the design, develop-

	Federal	State
--	---------	-------

ment or implementation of a merit scholar testing program.

[State appropriation.....	15,685,000]
<i>State appropriation.....</i>	<i>15,835,000</i>

* * *

Due to insufficient revenues, this item is approved only in the sum of \$15,685,000, which is the amount originally included in Act 9A of 1987.

For special education - approved private schools.

[State appropriation.....	50,170,000]
<i>State appropriation.....</i>	<i>52,170,000</i>

* * *

Due to insufficient revenues, this item is approved only in the sum of \$50,170,000, which is the amount originally included in Act 9A of 1987.

Section 7. As much of the State appropriations as relate to the Chesapeake Bay Commission and non-mine subsidence in section 213 of the act are amended and an appropriation is added to read:

Section 213. Department of Environmental Resources.—The following amounts are appropriated to the Department of Environmental Resources:

Federal	State
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* * *

For support of the Chesapeake Bay Commission.

[State appropriation.....	100,000]
<i>State appropriation.....</i>	<i>135,000</i>

* * *

Due to insufficient revenues, this item is approved only in the sum of \$100,000, which is the amount originally included in Act 9A of 1987.

Section 8. As much of the State appropriations as relate to school district reimbursements, supplemental food and home ventilators and the Federal appropriation for supplemental food in section 215 of the act are amended and a State appropriation is added to read:

Section 215. Department of Health.—The following amounts are appropriated to the Department of Health:

Federal	State
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* * *

For a State supplement to the Federal Special Supplemental Food Service Program for Women, Infants and Children.

[State appropriation.....	10,000,000]
<i>State appropriation.....</i>	<i>11,000,000</i>

* * *

Due to insufficient revenues, this item is approved only in the sum of \$10,000,000, which is the amount originally included in Act 9A of 1987. The \$10,000,000 State fund request for this program for 1987-1988 was the first such request by a Governor. In addition, I requested, and the General

Assembly provided in Senate Bill 938, spending authority for an additional \$2,000,000 in Federal funds that the Department of Health included in their program expenditure plan for the current fiscal year. Appropriating an additional \$1,000,000 in unprogrammed funds at this time would not provide services to any additional persons during the remaining weeks of this fiscal year.

If the General Assembly desires to provide additional funds for this program, they should promptly enact my budget recommendation of \$13,000,000 - a 30% increase - for this program for fiscal year 1988-1989.

For home ventilators.

[State appropriation.....	562,000]
<i>State appropriation.....</i>	<i>650,000</i>

* * *

Due to insufficient revenues, this item is approved only in the sum of \$562,000, which is the amount originally included in Act 9A of 1987. It is important to note that the expenses to provide home ventilator services for these children will be paid by the Department of Health using Federal funds. No eligible children will be denied funding for home ventilator services due to lack of funds. This additional appropriation of State funds is not necessary and I have withheld my approval of such funds.

For emergency medical services.

<i>State appropriation.....</i>	<i>4,500,000</i>
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Due to insufficient revenues, I withhold my approval of this entire item.

Section 10. As much as relates to State appropriations for mental hospitals, medical assistance - long-term care facilities, community-based services for the mentally retarded and Human Services Development Fund and Federal appropriations for maintenance assistance, food stamp assistance, child welfare services, mental hospitals, medical assistance, employment program and social services in section 219 of the act are amended and appropriations are added to read:

Section 219. Department of Public Welfare.—The following sums are appropriated to the Department of Public Welfare:

* * *

	Federal	State
--	---------	-------

For reimbursement to counties for child welfare programs and for the care of dependent children, for such services provided during prior fiscal years. For fiscal years 1980-1981, 1981-1982, 1982-1983, 1983-1984, 1984-1985 and 1985-1986, the department shall determine the combined total amount of State-reimbursable expenditures made by counties in excess of the State fund child welfare allocations to the counties for those six fiscal years and the total excess expenditures made by each county. The department shall allocate the appropriation based on each county's total excess expenditures for

as audited by the Auditor General.

State appropriation..... 29,431,000

* * *

Due to insufficient revenues, I withhold my approval of this entire item.

For extraordinary costs to counties, other than counties of the first class, resulting from the closure of Pennhurst State Center.

State appropriation..... 5,000,000

* * *

Due to insufficient revenues, I withhold my approval of this entire item.

For the Human Services Development Fund. The total appropriation shall be allocated to counties as follows: 50% shall be allocated by per capita and 50% shall be allocated by poverty. Poverty shall be defined as the average number of Aid to Families with Dependent Children, General Assistance and State Blind Pension recipients in fiscal year 1985-1986 as a proportion of the Statewide average number of Aid to Families with Dependent Children, General Assistance and State Blind Pension recipients in this Commonwealth for fiscal year 1985-1986. No county shall receive a grant of less than \$50,000 in State and Federal dollars combined. Under no circumstances shall any county receive a grant in an amount which is less than it received in the immediately preceding fiscal year.

[State appropriation..... 13,069,000]

State appropriation..... 13,954,296

* * *

Due to insufficient revenues, this item is approved only in the sum of \$13,069,000, which is the amount originally included in Act 9A of 1987.

Section 13. As much of the State appropriation as relates to the Battle of Gettysburg in section 229 of the act is amended to read:

Section 229. Pennsylvania Historical and Museum Commission.—The following amounts are appropriated to the Pennsylvania Historical and Museum Commission:

Federal State

* * *

For the celebration of the 125th Anniversary of the Battle of Gettysburg.

[State appropriation..... 210,000]

State appropriation..... 350,000

Due to insufficient revenues, this item is approved only in the sum of \$210,000, which is the amount originally included in Act 9A of 1987.

Section 17. Section 701 of the act is amended by adding an appropriation to read:

Section 701. Department of Transportation.—The following amounts are appropriated to the Department of Transportation:

* * *

For the purpose of enhancing the economic environment of the City of Chester, Delaware County. To be used for ongoing Department of Transportation projects for design, utility relocation and right-of-way acquisition on Industrial Highway.

State appropriation..... 10,000,000

I withhold my approval of this entire item. This Administration has a well-established program review process which involves me as Governor, the General Assembly, the Secretary of Transportation, the State Transportation Commission, local governments and the citizens of the Commonwealth in setting priorities for constructing and reconstructing highways in Pennsylvania. To approve a special appropriation for a specific project would set a precedent which would undermine that entire priority-setting process. However, due to the importance of this project to the City of Chester, this project will be given appropriate consideration during the priority-setting process.

I am instructing the Budget Secretary to disregard the conditional language in Section 21 of the bill dealing with the effective date of these appropriations. The language in question reads as follows:

This act shall take effect immediately upon the certification by the Governor to the Speaker of the House of Representatives and the President pro tempore of the Senate that the Department of Public Welfare is taking all steps necessary to comply with the provisions of the act of July 3, 1987 (P.L.459, No.9A), known as the General Appropriation Act of 1987, relative to providing the change for setting net operating ceilings at no less than 115% of the median cost for medical assistance to long-term care facilities. This certification shall be deposited for publication in the Pennsylvania Bulletin.

Article III, § 11 of the State Constitution provides:

The general appropriation bill shall embrace nothing but appropriations for the executive, legislative and judicial departments of the Commonwealth, for the public debt and for public schools. All other appropriations shall be made by separate bills, each embracing but one subject.

This provision has been interpreted by the courts and the Attorney General, in various official opinions, to prohibit substantive language in appropriation bills. Section 21 of the bill before me conflicts with the method established in the Public Welfare Code for determining the rate of reimbursement for nursing homes. The General Assembly may not alter that statutory framework through an appropriation act without violating Article III, § 11 of the Constitution.

Notwithstanding this conclusion, the General Assembly should be advised of the steps taken by the Department of Public Welfare to implement the language included in the General Appropriation Act. Notice of the department's intention to increase nursing home reimbursement ceilings to 115% of median costs was published in the Pennsylvania Bulletin. The department has formally applied for the Federal approval necessary to fund the increase and is awaiting action by the Health Care Financing Administration on that application. Once approval is obtained, the department will move to promulgate regulations to establish the new reimbursement ceiling in accordance with the Public Welfare Code. In the Governor's 1988-1989 budget request pending before the General Assembly, I have requested the State funds necessary to provide this increased reimbursement level for the period July 1, 1988, to June 30, 1989. In the meantime, I have requested and the General Assembly has provided in this bill an additional \$13,785,000 in State funds for current fiscal year nursing home payments.

The Budget Secretary is hereby directed to consider the \$13,785,000 appropriation, and all other approved amounts contained in Senate Bill 938, effective immediately and to take all appropriate steps necessary for payments to be made under each appropriation.

ROBERT P. CASEY