

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2982 Session of
1992

INTRODUCED BY CALTAGIRONE, PICCOLA, KOSINSKI, REBER, FAJT AND
KRUSZEWSKI, OCTOBER 5, 1992

REFERRED TO COMMITTEE ON APPROPRIATIONS, OCTOBER 5, 1992

AN ACT

1 Amending the act of June 30, 1992 (P.L. , No.8A), entitled "An
2 act to provide from the General Fund for the expenses of the
3 Executive, Legislative and Judicial Departments of the
4 Commonwealth, the public debt and for the public schools for
5 the fiscal year July 1, 1992, to June 30, 1993, for certain
6 institutions and organizations, and for the payment of bills
7 incurred and remaining unpaid at the close of the fiscal year
8 ending June 30, 1992; to provide appropriations from the
9 State Lottery Fund, the Pennsylvania Economic Revitalization
10 Fund, the Energy Conservation and Assistance Fund, the
11 Hazardous Material Response Fund, The State Stores Fund, the
12 Milk Marketing Fund and the Emergency Medical Services
13 Operating Fund to the Executive Department; to provide
14 appropriations from the Judicial Computer System Augmentation
15 Account to the Judicial Department; to provide appropriations
16 from the Motor License Fund for the fiscal year July 1, 1992,
17 to June 30, 1993, for the proper operation of the several
18 departments of the Commonwealth and the Pennsylvania State
19 Police authorized to spend Motor License Fund moneys; to
20 provide for the appropriation of Federal funds to the
21 Executive and Judicial Departments of the Commonwealth and
22 for the establishment of restricted receipt accounts for the
23 fiscal year July 1, 1992, to June 30, 1993, and for the
24 payment of bills incurred and remaining unpaid at the close
25 of the fiscal year ending June 30, 1992; to provide for the
26 additional appropriation of Federal funds to the Executive
27 Department of the Commonwealth for the fiscal year July 1,
28 1991, to June 30, 1992, and for the payment of bills incurred
29 and remaining unpaid at the close of the fiscal year ending
30 June 30, 1992," amending certain State appropriations to
31 various components of the executive branch and the judicial
32 branch.

33 The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

2 Section 1. Section 210 of the act of June 30, 1992 (P.L. ,
3 No.8A), known as the General Appropriation Act of 1992, is
4 amended by adding appropriations to read:

5 Section 210. Department of
6 Corrections.--The following amounts
7 are appropriated to the Department of

8 Corrections:	Federal	State
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10 For operating costs.

11 <u>State appropriation.....</u>	<u>8,778,000</u>
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12 For salary increases.

13 <u>State appropriation.....</u>	<u>3,418,000</u>
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14 Section 2. As much as relates to the State appropriations
15 for general expenses of the Supreme Court, for the expenses of
16 active judges, for the Criminal Procedure Rules Committee, for
17 the Court Administrator and for district justice education in
18 section 281 of the act are amended to read:

19 Section 281. Supreme Court.--The
20 following amounts are appropriated to

21 the Supreme Court:	Federal	State
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22 For the Supreme Court: including
23 the salaries of the Supreme Court
24 justices, for the office of
25 prothonotary and for the library in
26 the Eastern District and Western
27 District, for the office of
28 prothonotary in the Middle District,
29 for criers, tipstaves, official
30 stenographers, court officers and the

1 law secretary of the Chief Justice in
2 Eastern, Middle and Western Districts,
3 home office expenses and, except for
4 employees of the Pennsylvania Board of
5 Law Examiners, Judicial Inquiry and
6 Review Board, Domestic Relations
7 Committee, Civil Procedural Rules
8 Committee and Criminal Procedural
9 Rules Committee, Workmen's
10 Compensation Insurance Premiums for
11 all other Supreme Court employees, for
12 the office of State reporters,
13 including the salaries and
14 compensation of employees, including
15 the fees for prothonotaries of the
16 Supreme Court of the Eastern, Middle
17 and Western Districts on assignment to
18 judges to counties other than their
19 own, and further including assessments
20 for the National Center of State
21 Courts.

22 [State appropriation..... 6,705,000]

23 State appropriation..... 7,205,000

24 For expenses for active judges.

25 [State appropriation..... 172,000]

26 State appropriation..... 180,000

27 * * *

28 For the Criminal Procedural Rules
29 Committee.

30 [State appropriation..... 266,000]

1	<u>State appropriation.....</u>	<u>279,000</u>
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3 For the Court Administrator,
4 including the expenses of the Judicial
5 Council of Pennsylvania and the
6 District Justice Administrator. No
7 funds from this appropriation shall be
8 used for travel or other expenses for
9 active judges. Funds from this
10 appropriation may be used for the
11 operation of the Pennsylvania Board of
12 Law Examiners. All funds so spent
13 shall be repaid in full to the
14 administrative office of the
15 Pennsylvania courts without interest
16 or charges from the augmenting
17 revenues of the Pennsylvania Board of
18 Law Examiners.

19	[State appropriation.....	3,474,000]
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20	State appropriation.....	3,579,000
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21 For district justices education.

22	[State appropriation.....	391,000]
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23	<u>State appropriation.....</u>	<u>436,000</u>
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24 Section 3. Sections 282, 283, 284, 285 and 289 of the act
25 are amended to read:

26 Section 282. Superior Court.--The
27 following amounts are appropriated to

28 the Superior Court: Federal State

29 For the salaries and expenses of
30 the Superior Court: including the

1 salary of the Superior Court judges,
2 for panelization of judges program,
3 for criers, tipstaves, official
4 stenographers, home office expenses,
5 court officers and law secretary of
6 the president judge and Workmen's
7 Compensation Insurance Premiums for
8 all employees of the Superior Court,
9 for the prothonotary's office in the
10 Philadelphia District, including
11 salaries and compensation for
12 employees, including the expenses of
13 dockets, stationery, supplies, books
14 for the library and other costs of the
15 Superior Court and its offices. Senior
16 judges working as active or senior
17 judges a minimum of 75 days in the
18 prior calendar year are to receive
19 health benefits.

20 [State appropriation..... 13,208,000]

21 State appropriation..... 13,383,000

22 For expenses for active judges.

23 [State appropriation..... 226,000]

24 State appropriation..... 237,000

25 Section 283. Commonwealth Court.--

26 The following amounts are appropriated

27 to the Commonwealth Court: Federal State

28 For the salaries of judges, for the
29 salaries and expenses of employees and
30 for home office expenses. Senior

1 judges working as active or senior
2 judges a minimum of 75 days in the
3 prior calendar year are to receive
4 health benefits.

5	State appropriation.....	8,755,000
6	For expenses for active judges.	
7	[State appropriation.....	136,000]
8	<u>State appropriation.....</u>	<u>143,000</u>

9 Section 284. Courts of common
10 pleas.--The following amounts are
11 appropriated to the courts of common
12 pleas:

Federal	State
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13 For the courts of common pleas:
14 including the salaries and expenses of
15 judges, including the expenses of
16 traveling judges, including the
17 mileage in divided judicial districts,
18 and the payment of a per diem salary,
19 mileage and miscellaneous expenses to
20 active visiting judges for the
21 performance of their official duties.
22 No printing, postage, telephone and
23 supplies may be paid for from this
24 appropriation. No expenses of any kind
25 relating to education may be paid from
26 this appropriation.

27	State appropriation.....	38,914,000
28	For senior judges of the courts of	
29	common pleas. Senior judges working as	
30	active or senior judges a minimum of	

1 75 days in the prior calendar year are
2 to receive health benefits. Senior
3 judges shall not be assigned unless
4 adequate funds are available in this
5 appropriation to provide compensation.
6 Any senior judge assigned in excess of
7 existing funding shall be compensated
8 from the appropriation for the Supreme
9 Court.

10 State appropriation..... 2,527,000

11 For common pleas judicial
12 education.

13 [State appropriation..... 369,000]

14 State appropriation..... 419,000

15 Section 285. Community courts -
16 district justices.--The following
17 amounts are appropriated to the
18 community courts and district
19 justices:

Federal State

20 For the salaries and expenses of
21 community court judges and district
22 justices. Senior judges working a
23 minimum number of days provided by the
24 Supreme Court are to receive health
25 benefits. Except for those printing
26 costs relating to 42 Pa.C.S. § 3532
27 (relating to expenses), no other
28 printing, postage, telephone and
29 supplies may be paid for from this
30 appropriation. No expenses of any kind

1 relating to education may be paid from
2 this appropriation.

3 [State appropriation..... 31,016,000]

4 State appropriation..... 47,996,000

5 For retired district justices'
6 enhanced health benefits.

7 State appropriation..... 401,000

8 Section 289. County court

9 reimbursement.--The following amounts

10 are appropriated for court costs: Federal State

11 For payment to counties as

12 reimbursement for costs incurred by

13 counties in the administration and

14 operation of courts of common pleas.

15 Reimbursement shall be provided on the

16 following basis: for each common pleas

17 court judge authorized position,

18 whether filled or vacant within a

19 judicial district, \$67,500 per

20 authorized position shall be provided.

21 Judicial districts comprising more

22 than one county shall be entitled to

23 receive \$67,500 per authorized common

24 pleas court judge position; the amount

25 payable to each county shall be

26 determined by the proportion of the

27 individual county's population in

28 relation to the population of the

29 entire judicial district. No county

30 shall be reimbursed for costs above

1 the actual direct costs, excluding
2 capital outlays, incurred by them for
3 the operation of the courts of common
4 pleas. For the purposes of
5 reimbursement for common pleas court
6 judge authorized positions, no county
7 shall receive less than 67.5% of the
8 actual reimbursement for court costs
9 provided to them from funds
10 appropriated for the fiscal year July
11 1, 1980, to June 30, 1981.

12 For the purpose of determining the
13 actual direct costs incurred by the
14 counties in the administration and
15 operation of the courts of common
16 pleas, the costs as reported to the
17 Department of Community Affairs in the
18 county's annual audit and financial
19 report forms under the heading "(a)
20 Judicial," but confined to the
21 subheading "(4184) courts, excluding
22 capital outlay," shall be used. If a
23 city coterminous with a county does
24 not report on the Department of
25 Community Affairs' form, its figures
26 from the same subheading, set forth in
27 the department forms, shall be used.

28 All payments for reimbursement
29 shall be made to the county treasurer
30 and, in cities of the first class

1 coterminous with counties of the first
2 class, to the city treasurer.

3 In making allocations and payments
4 hereunder, the Court Administrator of
5 Pennsylvania shall exclude all costs
6 which are not properly reportable
7 under the heading herein above
8 specified. Any moneys payable to
9 counties under this section shall be
10 subject to a first claim by any county
11 which has not been heretofore properly
12 reimbursed within six months after
13 billing for court costs incurred in
14 relation to the disturbances at the
15 correctional facility at Camp Hill in
16 1989. The Court Administrator shall
17 make such payment at the request of
18 any such county prior to the payment
19 of unpaid court cost amounts to a
20 county.

21 [State appropriation..... 26,838,000]

22 State appropriation..... 54,649,000

23 For grants to counties for costs
24 incurred by counties in the
25 administration and operation of the
26 offices of district justice, judge of
27 traffic court or judge of municipal
28 court. Grants shall be provided on the
29 following basis: for each district
30 justice, traffic court judge or

1 municipal court judge authorized
2 position, whether filled or vacant,
3 \$14,500 per authorized position.

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

9 State appropriation..... 8,328,000

10 Section 4. This act shall take effect immediately.