

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1542 Session of  
1993

INTRODUCED BY PESCI, MILLER, PISTELLA, MIHALICH, LAUGHLIN AND  
REBER, MAY 5, 1993

REFERRED TO COMMITTEE ON APPROPRIATIONS, MAY 5, 1993

AN ACT

1 Amending the act of June 30, 1992 (P.L. , No.8A), entitled,  
2 "An act to provide from the General Fund for the expenses of  
3 the 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," increasing the appropriation for certain drug  
31 and alcohol abuse programs; and providing appropriations for  
32 retired district justices' health benefits and for community  
33 courts.

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

3 Section 1. As much of the State appropriation for grants to  
4 counties and private facilities for abuse treatment and  
5 prevention programs in section 215 of the act of June 30, 1992  
6 (P.L. , No.8A), known as the General Appropriation Act of  
7 1992, is amended to read:

8 Section 215. Department of  
9 Health.--The following amounts are  
10 appropriated to the Department of

11 Health:	Federal	State
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12 \* \* \*

13 For grants to counties and private  
14 facilities to finance drug and alcohol  
15 abuse treatment and prevention  
16 programs.

17 [State appropriation.....	31,845,000]
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18 <u>State appropriation.....</u>	<u>33,000,000</u>
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19 \* \* \*

20 Section 2. As much of the State appropriation for retired  
21 district justices in section 285 of the act, amount vetoed, is  
22 amended to read:

23 Section 285. Community courts -  
24 district justices.--The following  
25 amounts are appropriated to the  
26 community courts and district  
27 justices:

	Federal	State
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28 \* \* \*

29 For retired district justices'  
30 enhanced health benefits.

1 [State appropriation..... 0]

2 State appropriation..... 401,000

3 Section 3. Section 289 of the act, amount vetoed, is amended  
4 to read:

5 Section 289. County court  
6 reimbursement.--The following amounts  
7 are appropriated for court costs: Federal State

8 For payment to counties as  
9 reimbursement for costs incurred by  
10 counties in the administration and  
11 operation of courts of common pleas.  
12 Reimbursement shall be provided on the  
13 following basis: for each common pleas  
14 court judge authorized position,  
15 whether filled or vacant within a  
16 judicial district, \$67,500 per  
17 authorized position shall be provided.  
18 Judicial districts comprising more  
19 than one county shall be entitled to  
20 receive \$67,500 per authorized common  
21 pleas court judge position; the amount  
22 payable to each county shall be  
23 determined by the proportion of the  
24 individual county's population in  
25 relation to the population of the  
26 entire judicial district. No county  
27 shall be reimbursed for costs above  
28 the actual direct costs, excluding  
29 capital outlays, incurred by them for  
30 the operation of the courts of common

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

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

25 All payments for reimbursement  
26 shall be made to the county treasurer  
27 and, in cities of the first class  
28 coterminous with counties of the first  
29 class, to the city treasurer.

30 In making allocations and payments

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

18	[State appropriation.....	0]
19	<u>State appropriation.....</u>	<u>26,838,000</u>

20 For grants to counties for costs  
21 incurred by counties in the  
22 administration and operation of the  
23 offices of district justice, judge of  
24 traffic court or judge of municipal  
25 court. Grants shall be provided on the  
26 following basis: for each district  
27 justice, traffic court judge or  
28 municipal court judge authorized  
29 position, whether filled or vacant,  
30 \$14,500 per authorized position.

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

6 [State appropriation..... 0]

7 State appropriation..... 8,328,000

8 Section 4. This act shall take effect immediately.