



COMMONWEALTH OF PENNSYLVANIA  
OFFICE OF THE GOVERNOR  
HARRISBURG

March 20, 2003

THE GOVERNOR

TO THE HONORABLE, THE HOUSE OF REPRESENTATIVES  
OF THE COMMONWEALTH OF PENNSYLVANIA

I have the honor to inform you that I have this day approved and signed House Bill 648, Printer's No. 898, "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 fiscal year July 1, 2003, to June 30, 2004, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2003; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Payment Fund, the Banking Department Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund and the Tobacco Settlement Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2003, to June 30, 2004; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2003, to June 30, 2004, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the establishment of restricted receipt accounts for the fiscal year July 1, 2003, to June 30, 2004, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2003; TO PROVIDE FOR THE ADDITIONAL APPROPRIATION OF FEDERAL AND STATE FUNDS FROM THE GENERAL FUND, FOR THE EXECUTIVE DEPARTMENT OF THE COMMONWEALTH FOR THE FISCAL YEAR JULY 1, 2002, TO JUNE 30, 2003, AND FOR THE PAYMENT OF BILLS INCURRED AND REMAINING UNPAID AT THE CLOSE OF THE FISCAL YEAR ENDING JUNE 30, 2002; AND MAKING A REPEAL," except as to the following:

PART II  
GENERAL FUND AND FEDERAL APPROPRIATIONS  
FOR 2003-2004  
SUBPART A  
EXECUTIVE DEPARTMENT

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SECTION 202. EXECUTIVE OFFICES.--THE  
FOLLOWING AMOUNTS ARE APPROPRIATED TO  
THE EXECUTIVE OFFICES:

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(24) "VICTIM ASSISTANCE TRAINING  
ACADEMY."

FEDERAL APPROPRIATION..

1,200,000

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This item is approved in the sum of \$120,000.

SECTION 209. DEPARTMENT OF  
COMMUNITY AND ECONOMIC DEVELOPMENT.--  
THE FOLLOWING AMOUNTS ARE APPROPRIATED  
TO THE DEPARTMENT OF COMMUNITY AND  
ECONOMIC DEVELOPMENT:

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FOR THE OPPORTUNITY GRANT PROGRAM.  
FOR AMOUNTS EXCEEDING THE AMOUNT  
APPROPRIATED IN SECTION 209 OF THE ACT  
OF JUNE 29, 2002 (P.L.2106, NO.7A),  
KNOWN AS THE GENERAL APPROPRIATION ACT  
OF 2002, SUCH AMOUNT MAY NOT BE  
ENCUMBERED OR EXPENDED UNTIL THE  
DEPARTMENT OF COMMUNITY AND ECONOMIC  
DEVELOPMENT PROMULGATES REGULATIONS  
ESTABLISHING ELIGIBILITY CRITERIA AND  
ACCOUNTABILITY MEASURES FOR THE  
AMOUNTS IN EXCESS OF THE  
AFOREMENTIONED FISCAL YEAR 2002-2003  
APPROPRIATION.

STATE APPROPRIATION..

50,000,000

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This item includes language of a substantive nature and which is of the type which has been held unconstitutionally improper in an appropriation bill. I am expressly withholding my approval from the following language within this appropriation:

"FOR AMOUNTS EXCEEDING THE AMOUNT  
APPROPRIATED IN SECTION 209 OF THE ACT OF  
JUNE 29, 2002 (P.L.2106, NO.7A), KNOWN AS THE  
GENERAL APPROPRIATION ACT OF 2002, SUCH  
AMOUNT MAY NOT BE ENCUMBERED OR  
EXPENDED UNTIL THE DEPARTMENT OF  
COMMUNITY AND ECONOMIC DEVELOPMENT  
PROMULGATES REGULATIONS ESTABLISHING  
ELIGIBILITY CRITERIA AND ACCOUNTABILITY  
MEASURES FOR THE AMOUNTS IN EXCESS OF THE  
AFOREMENTIONED FISCAL YEAR 2002-2003  
APPROPRIATION."

SECTION 212. DEPARTMENT OF  
EDUCATION.--THE FOLLOWING AMOUNTS ARE  
APPROPRIATED TO THE DEPARTMENT OF  
EDUCATION:

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FOR PAYMENT OF BASIC EDUCATION  
FUNDING TO SCHOOL DISTRICTS IN AMOUNTS  
TO EACH SCHOOL DISTRICT EQUAL TO THE

ALLOCATION RECEIVED BY THE SCHOOL DISTRICT FOR BASIC EDUCATION FUNDING DURING FISCAL YEAR 2002-2003: PROVIDED, THAT THE SECRETARY OF EDUCATION, WITH THE APPROVAL OF THE GOVERNOR, MAY MAKE PAYMENTS FROM THIS APPROPRIATION IN ADVANCE OF THE DUE DATE PRESCRIBED BY LAW TO SCHOOL DISTRICTS WHICH ARE FINANCIALLY HANDICAPPED, WHENEVER THE SECRETARY OF EDUCATION SHALL DEEM IT NECESSARY TO MAKE SUCH ADVANCE PAYMENTS TO ENABLE THE SCHOOL DISTRICTS TO KEEP THEIR PUBLIC SCHOOLS OPEN; AND PROVIDED FURTHER, THAT NO SCHOOL DISTRICT THAT HAS APPROVED AN INCREASE IN REAL PROPERTY TAXES FOR THE 2003-2004 SCHOOL YEAR SHALL RECEIVE PAYMENT UNDER THIS APPROPRIATION UNTIL IT HAS PROVIDED THE DEPARTMENT OF EDUCATION WITH INFORMATION CERTIFYING THAT THE SCHOOL DISTRICT'S ESTIMATED ENDING UNRESERVED FUND BALANCE IS LESS THAN OR EQUAL TO 8% OF ITS TOTAL BUDGETED EXPENDITURES FOR THAT SCHOOL YEAR.

STATE APPROPRIATION..

4,086,326,000

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I withhold my approval from this entire item. I am making this reduction in order to assure that an appropriate level of funding is provided for education in the 2003-2004 fiscal year, accompanied by a reduction in local property tax.

FOR PAYMENTS TO SCHOOL DISTRICTS OF THE FIRST CLASS SUBJECT TO THE CONDITIONS IDENTICAL TO THOSE SET FORTH IN SECTION 34 OF THE ACT OF JUNE 29, 2002 (P.L.524, NO.88).

STATE APPROPRIATION..

25,000,000

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I withhold my approval from this entire item. I consider this appropriation to be part of the basic education funding total.

FOR PAYMENTS TO PENNSYLVANIA CHARTER SCHOOLS FOR THE DEAF AND BLIND. THIS APPROPRIATION SHALL BE ALLOCATED TO RECIPIENTS IN AMOUNTS TO EACH RECIPIENT EQUAL TO THE ALLOCATION RECEIVED BY THE RECIPIENT FOR PAYMENTS TO PENNSYLVANIA CHARTER SCHOOLS FOR THE DEAF AND BLIND FUNDING DURING FISCAL YEAR 2002-2003.

STATE APPROPRIATION..

25,749,000

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This item includes language of a substantive nature and which conflicts with substantive law. Under law, these payments are subject to periodic revisions as a result of current enrollment and cost data. I am expressly withholding my approval from the following language within this appropriation:

“THIS APPROPRIATION SHALL BE ALLOCATED TO RECIPIENTS IN AMOUNTS TO EACH RECIPIENT EQUAL TO THE ALLOCATION RECEIVED BY THE RECIPIENT FOR PAYMENTS TO PENNSYLVANIA CHARTER SCHOOLS FOR THE DEAF AND BLIND FUNDING DURING FISCAL YEAR 2002-2003.”

FOR SPECIAL EDUCATION – APPROVED PRIVATE SCHOOLS. THIS APPROPRIATION SHALL BE ALLOCATED TO RECIPIENTS IN AMOUNTS TO EACH RECIPIENT EQUAL TO THE ALLOCATION RECEIVED BY THE RECIPIENT FOR SPECIAL EDUCATION – APPROVED PRIVATE SCHOOLS FUNDING DURING FISCAL YEAR 2002-2003.

STATE APPROPRIATION..

63,450,000

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This item includes language of a substantive nature and which conflicts with substantive law. Under law, these payments are subject to periodic revisions as a result of current enrollment and cost data. I am expressly withholding my approval from the following language within this appropriation:

“THIS APPROPRIATION SHALL BE ALLOCATED TO RECIPIENTS IN AMOUNTS TO EACH RECIPIENT EQUAL TO THE ALLOCATION RECEIVED BY THE RECIPIENT FOR SPECIAL EDUCATION – APPROVED PRIVATE SCHOOLS FUNDING DURING FISCAL YEAR 2002-2003.”

FOR REIMBURSEMENTS TO SCHOOL DISTRICTS FOR THEIR CHARTER SCHOOL PAYMENTS. FOR SCHOOL DISTRICTS OF THE FIRST CLASS THAT HAVE BEEN DECLARED DISTRESSED PURSUANT TO SECTION 691(C) OF THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949, FUNDS RECEIVED FROM THIS APPROPRIATION MUST FIRST BE EXPENDED BY THE SCHOOL REFORM COMMISSION FOR ALL COSTS ASSOCIATED WITH THE OPERATION OF SCHOOLS GOVERNED BY EXISTING TERMS OF AGREEMENTS CURRENTLY IN EFFECT PURSUANT TO SECTION 696(1)(2) OF THE PUBLIC SCHOOL CODE OF 1949 AND FOR THE OPERATION OF SCHOOLS PREVIOUSLY DESIGNATED AS PARTNERSHIP SCHOOLS UNDER THE SCHOOL REFORM

COMMISSION RESOLUTION NUMBER 10 OF APRIL 17, 2002, BEFORE THE FUNDS CAN BE EXPENDED ON ANY OTHER SCHOOL IDENTIFIED FOR TARGETED REFORM BY THE SCHOOL REFORM COMMISSION PURSUANT TO THE AFOREMENTIONED RESOLUTION. SUCH EXPENDITURES SHALL INCLUDE COSTS ASSOCIATED WITH TARGETED REFORM EFFORTS SUCH AS: ENHANCEMENTS IN CURRICULUM; ENHANCEMENTS OR IMPROVEMENTS IN INSTRUCTIONAL SUPPLIES, MATERIALS AND EQUIPMENT, INCLUDING COMPUTER HARDWARE AND SOFTWARE USED TO PROVIDE INSTRUCTION; ENHANCEMENTS IN PROFESSIONAL DEVELOPMENT PROGRAMS; IMPROVED OR NEWLY ESTABLISHED ACCOUNTABILITY MEASURES FOR SCHOOL EMPLOYEES; AND OTHER COSTS ASSOCIATED WITH SUCH AGREEMENTS. THESE FUNDS SHALL BE DISTRIBUTED BY THE SCHOOL REFORM COMMISSION IN ACCORDANCE WITH THE FUNDING METHODOLOGY APPROVED BY THE SECRETARY OF EDUCATION, AND SHALL BE SUPPLEMENTAL AND IN ADDITION TO ANY AMOUNT OF FEDERAL, STATE AND LOCAL FUNDS ALLOCATED TO SUCH SCHOOLS BY THE SCHOOL DISTRICT UNDER ITS STANDARD BUDGETING PROCESS. RECEIPT OF THESE FUNDS SHALL IN NO WAY BE DEEMED TO AUTHORIZE THE SCHOOLS TO BE TREATED DIFFERENTLY FROM OTHER SCHOOLS IN THE SCHOOL DISTRICT IN TERMS OF SERVICES OR OTHER FUNDING PROVIDED BY THE SCHOOL DISTRICT. THE SECRETARY SHALL NOT PAY THESE FUNDS TO A SCHOOL DISTRICT OF THE FIRST CLASS UNTIL THE SECRETARY HAS DETERMINED THAT THESE CONDITIONS HAVE BEEN MET.

STATE APPROPRIATION..

52,940,000

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This item includes language of a substantive nature and which is of the type which has been held unconstitutionally improper in an appropriation bill. I am expressly withholding my approval from the following language within this appropriation:

"FOR SCHOOL DISTRICTS OF THE FIRST CLASS THAT HAVE BEEN DECLARED PURSUANT TO SECTION 691(C) OF THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949, FUNDS RECEIVED FROM THIS APPROPRIATION MUST FIRST BE EXPENDED BY THE SCHOOL REFORM COMMISSION FOR ALL COSTS ASSOCIATED WITH THE OPERATION OF

SCHOOLS GOVERNED BY EXISTING TERMS OF AGREEMENTS CURRENTLY IN EFFECT PURSUANT TO SECTION 696(1)(2) OF THE PUBLIC SCHOOL CODE OF 1949 AND FOR THE OPERATION OF SCHOOLS PREVIOUSLY DESIGNATED AS PARTNERSHIP SCHOOLS UNDER THE SCHOOL REFORM COMMISSION RESOLUTION NUMBER 10 OF APRIL 17, 2002, BEFORE THE FUNDS CAN BE EXPENDED ON ANY OTHER SCHOOL IDENTIFIED FOR TARGETED REFORM BY THE SCHOOL REFORM COMMISSION PURSUANT TO THE AFOREMENTIONED RESOLUTION. SUCH EXPENDITURES SHALL INCLUDE COSTS ASSOCIATED WITH TARGETED REFORM SUCH AS: ENHANCEMENTS IN CURRICULUM; ENHANCEMENTS OR IMPROVEMENTS IN INSTRUCTIONAL SUPPLIES, MATERIALS AND EQUIPMENT, INCLUDING COMPUTER HARDWARE AND SOFTWARE USED TO PROVIDE INSTRUCTION; ENHANCEMENTS IN PROFESSIONAL DEVELOPMENT PROGRAMS; IMPROVED OR NEWLY ESTABLISHED ACCOUNTABILITY MEASURES FOR SCHOOL EMPLOYEES; AND OTHER COSTS ASSOCIATED WITH SUCH AGREEMENTS. THESE FUNDS SHALL BE DISTRIBUTED BY THE SCHOOL REFORM COMMISSION IN ACCORDANCE WITH THE FUNDING METHODOLOGY APPROVED BY THE SECRETARY OF EDUCATION, AND SHALL BE SUPPLEMENTAL AND IN ADDITION TO ANY AMOUNT OF FEDERAL, STATE AND LOCAL FUNDS ALLOCATED TO SUCH SCHOOLS BY THE SCHOOL DISTRICT UNDER ITS STANDARD BUDGETING PROCESS. RECEIPT OF THESE FUNDS SHALL IN NO WAY BE DEEMED TO AUTHORIZE THE SCHOOLS TO BE TREATED DIFFERENTLY FROM OTHER SCHOOLS IN THE SCHOOL DISTRICT IN TERMS OF SERVICES OR OTHER FUNDING PROVIDED BY THE SCHOOL DISTRICT. THE SECRETARY SHALL NOT PAY THESE FUNDS TO A SCHOOL DISTRICT OF THE FIRST CLASS UNTIL THE SECRETARY HAS DETERMINED THAT THESE CONDITIONS HAVE BEEN MET."

FOR PAYMENT OF APPROVED OPERATING AND CAPITAL EXPENSES OF COMMUNITY COLLEGES. THIS APPROPRIATION SHALL BE ALLOCATED TO EACH COMMUNITY COLLEGE IN AN AMOUNT EQUAL TO THE ALLOCATION RECEIVED BY THE COMMUNITY COLLEGE FOR APPROVED OPERATING AND CAPITAL EXPENSES DURING FISCAL YEAR 2002-2003. AN INDEPENDENT AUDIT REPORT FOR THE PRECEDING FISCAL YEAR, WHICH IS

CONSISTENT WITH THE GENERALLY ACCEPTED ACCOUNTING PRINCIPLES AS PRESCRIBED BY THE NATIONAL ASSOCIATION OF COLLEGE AND UNIVERSITY BUSINESS OFFICERS, THE AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS, OR BY THEIR SUCCESSORS, OR BY ANY OTHER RECOGNIZED AUTHORITATIVE BODY, AND THE FINANCIAL REPORTING POLICIES AND STANDARDS PROMULGATED BY THE COMMONWEALTH AND BY THE FEDERAL GOVERNMENT THAT APPLY TO COMMUNITY COLLEGES, SHALL BE SUBMITTED BY EACH COMMUNITY COLLEGE TO THE DEPARTMENT OF EDUCATION NOT LATER THAN 120 DAYS AFTER THE CLOSE OF THE PRECEDING FISCAL YEAR. THE DEPARTMENT OF EDUCATION MAY WITHHOLD WHATEVER FUNDS APPROPRIATED HEREIN IT FEELS NECESSARY TO ENSURE THAT SUCH AUDIT REPORTS ARE SUBMITTED IN THE PRESCRIBED FASHION.

STATE APPROPRIATION.. 210,277,000

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This item includes language of a substantive nature and which conflicts with substantive law. Under law, these payments are subject to periodic revisions as a result of current enrollment and cost data. I am expressly withholding my approval from the following language within this appropriation:

“THIS APPROPRIATION SHALL BE ALLOCATED TO EACH COMMUNITY COLLEGE IN AN AMOUNT EQUAL TO THE ALLOCATION RECEIVED BY THE COMMUNITY COLLEGE FOR APPROVED OPERATING AND CAPITAL EXPENSES DURING FISCAL YEAR 2002-2003.”

SECTION 215. DEPARTMENT OF HEALTH.--THE FOLLOWING AMOUNTS ARE APPROPRIATED TO THE DEPARTMENT OF HEALTH:

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FOR SERVICES TO CHILDREN WITH SPECIAL NEEDS. THIS APPROPRIATION INCLUDES FUNDING FOR SPINA BIFIDA SERVICES, \$944,000 FOR THE VENTILATOR-ASSISTED CHILDRENS HOME PROGRAM INCLUDING CASE MANAGEMENT AND RESPITE CARE SERVICES, AND PUBLIC AWARENESS ACTIVITIES RELATED TO FOLIC ACID INGESTION.

STATE APPROPRIATION.. 1,645,000

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The dollar amount earmarked for ventilator-assisted childrens home program within this appropriation is approved in the sum of \$896,000. This total appropriation has been

reduced by 5% from the 2002-2003 amount and therefore I have made the same reduction in the earmarked amount.

SECTION 225. PENNSYLVANIA  
EMERGENCY MANAGEMENT AGENCY.--THE  
FOLLOWING AMOUNTS ARE APPROPRIATED TO  
THE PENNSYLVANIA EMERGENCY MANAGEMENT  
AGENCY:

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THE FOLLOWING FEDERAL AMOUNTS ARE  
APPROPRIATED TO SUPPLEMENT THE SUM  
APPROPRIATED FOR GENERAL GOVERNMENT  
OPERATIONS:

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(4) "DOMESTIC PREPAREDNESS - FIRST  
RESPONDERS."

FEDERAL APPROPRIATION.. 23,160,000

I withhold my approval from this entire item. This Federal appropriation should be an executive authorization rather than an appropriation.

(5) "HOMELAND SECURITY  
ACTIVITIES."

FEDERAL APPROPRIATION.. 11,760,000

I withhold my approval from this entire item. This Federal appropriation should be an executive authorization rather than an appropriation.

PART XVIII  
ADDITIONAL APPROPRIATIONS FOR  
FISCAL YEAR 2002-2003

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SUBPART B  
EXECUTIVE DEPARTMENT

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SECTION 1816. DEPARTMENT OF PUBLIC  
WELFARE.--THE FOLLOWING AMOUNTS ARE  
APPROPRIATED TO THE DEPARTMENT OF  
PUBLIC WELFARE:

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THE FOLLOWING FEDERAL AMOUNTS ARE  
APPROPRIATED TO SUPPLEMENT THE SUM  
APPROPRIATED FOR MEDICAL ASSISTANCE -  
CAPITATION PLANS:

(1) "MEDICAL ASSISTANCE -  
CAPITATION." THE DEPARTMENT OF PUBLIC  
WELFARE SHALL NOT REQUIRE A RECIPIENT  
TO OBTAIN A PHYSICIAN REFERRAL IN  
ORDER TO RECEIVE CHIROPRACTIC  
SERVICES.

FEDERAL APPROPRIATION.. 2,484,679,000

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I withhold my approval from this entire item. This is a reduction from current 2002-2003 appropriation. Federal funds can only be spent to the extent they are received and, in the event that additional funds are received, the higher appropriation level should be retained.

THE FOLLOWING FEDERAL AMOUNTS ARE  
APPROPRIATED TO SUPPLEMENT THE SUM  
APPROPRIATED FOR LONG-TERM CARE:

(1) "MEDICAL ASSISTANCE - LONG-  
TERM CARE."

FEDERAL APPROPRIATION..	2,200,440,000
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I withhold my approval from this entire item. This is a reduction from current 2002-2003 appropriation. Federal funds can only be spent to the extent they are received and, in the event that additional funds are received, the higher appropriation level should be retained.



EDWARD G. RENDELL  
GOVERNOR