

THE GOVERNOR

GOVERNOR'S OFFICE

Notice of Veto

December 1, 2004

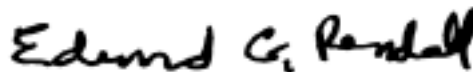
To the Honorable House of Representatives of the
Commonwealth of Pennsylvania

I am returning herewith, without my approval, House Bill No. 2442, Printer's Number 4806, entitled An Act amending the act of June 25, 1982 (P. L. 633, No. 181), entitled, as reenacted, "An act providing for independent oversight and review of regulations, creating an Independent Regulatory Review Commission, providing for its powers and duties and making repeals," further providing for definitions, for composition and for proposed regulations and procedure for review.

I take this action today because under current law, the members of the Commission elect the Chair of the Independent Regulatory Review Commission. I have received no evidence that the Commission's election process for Chair is flawed. As a result, I am not prepared to sign into law a bill with the language included in Section 2(G)(2) and (3) of House Bill 2442 mandating the creation of a Vice Chair and further mandating that a vacancy in the office of the Chair must be filled by the Vice Chair for the remainder of the Chair's term and until a successor is elected.

I am impressed with the hard work of the members of the Commission and believe their guidance on the structure and operation of the Commission is warranted before any legislation is passed affecting this structure.

For the reason set forth above, I must withhold my signature from House Bill 2442 Printer's Number 4806.



Governor

[Pa.B. Doc. No. 04-2222. Filed for public inspection December 17, 2004, 9:00 a.m.]

Notice of Veto

December 8, 2004

To the Honorable House of Representatives
of the Commonwealth of Pennsylvania

I am returning herewith, without my approval, House Bill 2664.

The goal of the bill to provide stop-gap funding for the Commonwealth's smaller transit agencies for the remainder of the current fiscal year is laudable. However, I do not feel I can responsibly sign it into law because the bill goes beyond the bounds of just providing funding. In fact, as a result of these other provisions, it has become apparent that many of the agencies the legislation was intended to help oppose its enactment. A November 30 letter to me from the Pennsylvania Public Transportation Association states in part:

"The Pennsylvania Public Transportation Association (PPTA) supports the growth of public transportation in the Commonwealth but not at the expense of those systems currently providing services to its residents.

"House Bill 2664, as passed by the General Assembly . . . will harm existing systems. The Bill calls for the reallocation of

existing resources . . . in order to accommodate the inclusion of new systems. Without a provision for additional funding to accommodate new systems, existing Class 3 and 4 systems currently experiencing or soon to experience operating deficits, will find worsened financial crises accelerated by the redistribution of existing resources.

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“In addition, there are a number of Class 3 and 4 systems that have used existing resources for debt financing. An erosion of these existing resources may cause loan defaults if systems receive less than the current funding formula allocations.

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“In conclusion, HB 2664 destabilizes the financial condition of existing systems and fails to remedy their current financial crises. Although Classes 3 and 4 still have an unfunded need for the current fiscal year, the long term implications of this Bill outweigh the short term benefits. Therefore, PPTA urges you to veto HB 2664.”

Based on these concerns I do not believe I can responsibly sign this legislation into law.

However, since I received this bill, my administration has been working to find another way to keep all the state’s transit providers—both the smaller Class 3 and 4 systems and the larger systems serving Pittsburgh and Philadelphia—from being forced to adopt layoffs, service cuts and fare increases to balance their budgets.

But stop-gap funding, whether in the form of House Bill 2664 or some other form, is not the proper solution to the problems facing the Commonwealth’s transit systems and those who depend upon them. The only way these problems will be solved for the long term is through enactment of new, dependable funding streams for transit.

For the reasons set forth above, I must withhold my signature from House Bill 2664.



Governor

[Pa.B. Doc. No. 04-2223. Filed for public inspection December 17, 2004, 9:00 a.m.]