

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 121

Session of
1983

INTRODUCED BY MANDERINO AND IRVIS, JULY 21, 1983

REFERRED TO COMMITTEE ON RULES, JULY 21, 1983

A RESOLUTION

1 Authorizing and directing the House Rules Committee to bring
2 legal action relative to the improper use by the Governor of
3 the line item veto power on the General Appropriation bill
4 for the fiscal year beginning July 1, 1983 and ending June
5 30, 1984.

6 Governor Dick Thornburgh, in the exercise of the power to
7 line item veto on the General Appropriation bill for the fiscal
8 year beginning July 1, 1983 and ending June 30, 1984, chose to
9 do certain things which raise very serious constitutional and
10 legal problems; and

11 The basic problem involves the use of the line item veto
12 power by the Governor to remove conditional language from the
13 bill by stating in his judgment such language is substantive
14 language and not proper. Additionally, in some cases the
15 Governor, without any legal authority, took the amount
16 appropriated to the conditional language which he struck and
17 arbitrarily assigned such appropriated amount to another agency.
18 Such conduct by the Governor amounts to a usurpation of the
19 powers of the General Assembly to appropriate funds of the

1 Commonwealth and is an attack on the sanctity of that process;
2 and

3 It is important to the House of Representatives, the entire
4 General Assembly and the people of the Commonwealth that these
5 actions by the Governor be challenged by legal action to
6 preserve the proper balance among the various branches of
7 government; therefore be it

8 RESOLVED, That the House of Representatives of the
9 Commonwealth of Pennsylvania authorize and direct the Rules
10 Committee to retain private legal counsel and as soon as
11 possible to commence legal action to rectify any and all
12 unconstitutional and illegal acts of Governor Dick Thornburgh in
13 the use of his power to line item veto relative to the General
14 Appropriation bill for the fiscal year beginning July 1, 1983
15 and ending June 30, 1984; and be it further
16 RESOLVED, That all fees and costs incurred in such legal
17 action shall be paid from accounts of the Chief Clerk as
18 directed by the Rules Committee.