

Veto No. 1988-9

SB 942

December 21, 1988

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

I hereby publicly proclaim, and file with the Secretary of the Commonwealth, my disapproval of Senate Bill 942, Printer's No.2554, entitled "An act making appropriations to the Attorney General, the Auditor General and the Treasury Department for general government operations; making appropriations to the Auditor General and the State Treasurer for transition expenses of the Attorney General, the State Treasurer and the Auditor General; and making repeals."

This bill makes appropriations of \$75,000 each to the Attorney General, Auditor General and State Treasurer for transition expenses. I have this day already approved House Bill 2412, Printer's No.3873, which also provides \$75,000 for each of these departments during the transition period. Therefore, Senate Bill 942 is unnecessary for this purpose.

In addition, this bill contains several errors of a technical nature. The bill contains incorrect amounts for the General Government Operation appropriations for the Attorney General and Auditor General. The General Assembly apparently intended merely to re-authorize the amounts contained in Act 5A, the General Appropriation Act of 1988. Instead, Senate Bill 942 authorizes the original amounts proposed in the budget bill prior to my item veto of each appropriation last July. As a result, Senate Bill 942 would actually increase the appropriations to these two departments by a combined \$433,000.

This bill also purports to authorize the payment of per diem allowances for the Attorney General, Auditor General and Treasurer. These payments of \$88.00 for each day the official was conducting business in Harrisburg would be in addition to the increased salaries they will receive as a result of Act 28 of 1987. Act 28 was an amendment to the Public Official Compensation Law which limits the compensation of these three officeholders to \$84,000 annually and specifically prohibits any additional compensation. The per diem allowances in Senate Bill 942 are in direct conflict with that statutory limitation, and the conflict can be removed only by amendment to that organic law, not by descriptive language in an appropriation bill.

For all these reasons, I am withholding my signature from Senate Bill 942. This disposition makes it unnecessary to address constitutional questions that would otherwise be presented by this legislation.

ROBERT P. CASEY