

Veto No. 1994-7

SB 1027

December 28, 1994

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 1027, Printer's No.2536, entitled "An act establishing the Pennsylvania Commission on Blindness and Visual Impairment and providing for its powers and duties; transferring certain functions; and making repeals."

This bill would transfer the programs, personnel and other resources within the Department of Public Welfare currently dedicated to providing services for the blind and visually impaired to a newly created Pennsylvania Commission on Blindness and Visual Impairment. That commission would be composed of nine members and would report directly to the Governor. The Budget Office estimates that, at a minimum, this commission would control \$18.7 million in currently appropriated funds.

The purported reason for the transfer is the belief that, by extricating the services for the blind from the Department of Public Welfare, more funding and support will become available. If in fact that is the impetus for this legislation, there is obviously a more direct and appropriate remedy available to the General Assembly and the Governor than the one posed by this legislation, one which would not result in the creation of a new bureaucratic structure.

I am also concerned about the precedents which this legislation may establish. It is not difficult to imagine that organizations representing individuals with other disabilities, rightfully, would ask for similar treatment. Moreover, transferring the responsibility for managing the programs and services of State government from executive agencies to more independent commissions could weaken the ability of the executive branch to govern.

In addition to the philosophical problems with this legislation, there are structural problems as well. The language of the legislation is imprecise, so that there is some question as to exactly what resources and staff are to be transferred. There appears to be a contradiction in the qualifications for membership on the commission, which could unduly prevent otherwise qualified individuals from serving on the commission. The legislation also requires the commission to establish a central database of blind and visually impaired individuals, which could include a substantial amount of personal information. At the same time, the legislation makes no provision governing the release of that information.

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For these reasons, I hereby withhold my signature from Senate Bill 1027,
Printer's No.2536.

ROBERT P. CASEY