

Veto No. 1994-9

SB 1746

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 1746, Printer's No.2215, entitled "An act amending the act of August 14, 1991 (P.L.342, No.36), entitled 'An act providing for the preservation of the State Lottery Fund; further providing for pharmaceutical assistance for the elderly; further providing for transportation assistance to the elderly; providing for pharmaceutical purchasing; conferring powers and duties upon the Department of Aging, the Department of Revenue and the Department of Transportation; imposing penalties; and making repeals,' further providing for human service shared-ride transportation services for older adults."

This bill would amend the Lottery Fund Preservation Act by providing one-time grants from the Lottery Fund to shared-ride transportation providers to offset losses incurred during the winter of 1994. The amount of the grant to each provider would be calculated based on the ridership for the corresponding time period in 1993. Approximately \$2.2 million from the Lottery Fund would be used to provide these grants.

The shared-ride transportation providers are reimbursed from the Lottery Fund for services provided to older Pennsylvanians. Seniors who utilize these services contribute 15% of the fare, and the Lottery Fund pays the remaining 85%. If transportation services are not provided, no reimbursement is due to those providers.

The shared-ride program is only one of a variety of services to our senior citizens paid for by the Lottery Fund. Others include the property tax and rent rebate program, the PACE pharmaceutical program, the PENNCARE medical assistance program and operating subsidies for Area Agencies on Aging. Money generated by the Lottery Fund is annually appropriated or executively authorized for these various programs. All money paid out of the Lottery Fund is on a reimbursement basis -- reimbursement for actual services rendered to seniors.

I cannot allow the appropriation of Lottery Fund money to pay for services which were not provided.

Last year's severe winter weather visited many hardships on our Commonwealth. State and local government budgets were strained to the breaking point as these governments attempted to clear roadways and provide essential services to our citizens. Retailers and others in our business community suffered from a lack of customers willing to brave the elements in order to consume goods and services. An additional collateral effect of the

weather was a reduction in ridership of the shared-ride transportation program.

While the winter weather may have placed an unanticipated burden on shared-ride transportation providers, this burden was felt throughout the private and public sectors. I cannot single out and make whole one group at the expense of others.

The Pennsylvania Department of Transportation previously has made payments to public transportation providers pursuant to the authority provided to the department under the Lottery Fund Preservation Act. That act authorizes the department to utilize *General Fund* moneys to subsidize public transportation providers who experience operating losses under the free transit program. The act does not authorize the use of Lottery Fund money for these purposes, and I will not permit such a use as proposed by this bill.

I recommend that the General Assembly give this issue a more thorough review. If, after public review and comment, the General Assembly continues to believe that reimbursement for services not provided is appropriate, then it should incorporate the necessary language into the 1995-96 General Fund Budget.

I therefore withhold my signature from Senate Bill 1746, Printer's No. 2215.

ROBERT P. CASEY