

## Veto No. 1998-1

HB 907

December 2, 1998

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania:

I return herewith, without my signature, House Bill 907, Printer's Number 4173, entitled "An act making repeals of acts or parts of acts relating to counties."

House Bill 907 originally would have repealed only Act 60 of 1951, an obsolete law regarding fire training schools for paid and volunteer firemen within a county. On third consideration in the Senate, the bill was amended to add a new section repealing certain sections of Article XXX of the County Code, known as the "Southwestern Pennsylvania Regional Renaissance Initiative Act." Article XXX of the County Code had been enacted by the General Assembly as part of Act 18 of 1997. In addition, Act 18 added a new section 3903(b) to the County Code that repealed the definition of "redevelopment assistance capital project" in sections 1602-B and 1616.1-B(b) of the Fiscal Code "insofar as they would restrict or interfere with the provision of funding by the Commonwealth for the construction of regional destination facilities."

Although Article XXX became effective on June 18, 1997, section 3054(h) states that most of the provisions of Article XXX, as well as section 3903(b), "shall be of no force and effect" if the voters of eleven counties in southwestern Pennsylvania defeated referenda regarding the levying of an additional sales and use tax to fund certain facilities. The referenda were in fact defeated in the 1997 Municipal Election. While House Bill 907 would repeal most of Article XXX, including section 3054(h), the bill would not repeal the exception to the definition of "redevelopment assistance project" in section 3903(b).

It has been argued that this remaining repealer section of Act 18 – section 3903(b) of the County Code – would exempt certain facilities in Pittsburgh (specifically, the funding of "regional destination centers," including a baseball field, a football stadium, two theaters, various parks and parking facilities) from the redevelopment assistance limit on borrowing. Whether or not section 3903(b) would indeed authorize stadium funding is the subject of varying legal interpretations. What is beyond dispute, however, is that the legislature did not intend to authorize the funding of these projects through House Bill 907.

I believe the redevelopment assistance cap should be lifted to allow the funding of additional capital projects, including stadiums. But I also believe that the authorization should be accomplished in a clear and direct manner. The citizens of the Commonwealth need to be assured that this project is achieved with the opportunity for consideration by the members of the General Assembly. For these reasons, I am compelled to return this legislation without my signature.

THOMAS J. RIDGE