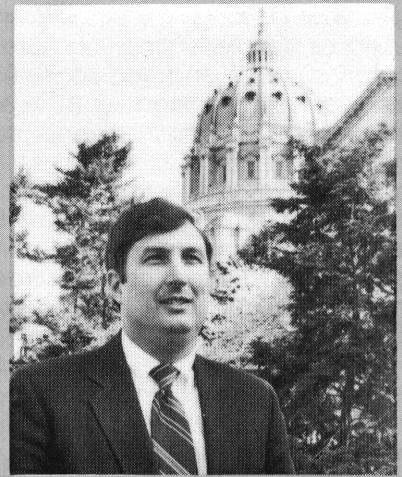


Questionnaire

from
Rep. PAUL SEMMEL

Harrisburg Office:
Box 162,
Main Capitol
Harrisburg, PA 17120
Paula Shadle, Administrative Assistant



SPRING 1985

Dear Friends and Neighbors,

Since the opening of its new two-year session in January, the Pennsylvania General Assembly has been busy establishing priorities for new laws, regulations and state policy. The new session enables lawmakers to concentrate on issues that are most important to constituents.

I'm sending this **newsletter/questionnaire** in an effort to obtain your input on the most important issues facing the legislature today. I'm grateful to those of you who responded to my questionnaire last year. The response was helpful to me in the decision-making process and the results are included in this newsletter.

More than a thousand residents of the 187th District are receiving a newsletter for the first time from me now, so I have again listed important information on my local office locations, hours and staff.

Feel free to call on the well-trained staff of my offices to assist in any questions or problems with state government. They are experienced at dealing with state-related problems and working with state officials in Harrisburg.

If you have comments or suggestions regarding legislation being considered by the state House, please drop me a line. (Some suggestions about letters to public officials are included in this mailing.) Having recently been appointed to the House Agriculture and Rural Affairs Committee and reappointed to the House State Government Committee, I'm closely involved in the consideration of legislation of vital importance to our area.

Thanks for the opportunity to serve you. I look forward to your response to my questionnaire.

Sincerely,

Rep. Paul W. Semmel

QUESTIONNAIRE:

(Please use the enclosed card to record your answers to these questions and for any additional correspondence with my office.)

1. State Budget Surplus: How Should It Be Used?

State financial planners agree that Pennsylvania will end the current (1984-85) fiscal year with a surplus of more than \$200 million.

Unfortunately, there is no unanimous consensus on what to do with the surplus funds.

There seems to be strong support for a reduction of the state income tax (from 2.35 percent to 2.2

percent) as proposed by Gov. Dick Thornburgh. This would account for almost \$175 million of the surplus. The balance, the governor suggests, should be set aside in a "rainy day" fund. Such a fund would be designed to prevent tax increases in years that the state may face an economic downturn.

The tax reduction portion of the governor's plan was well received, but some opposition was voiced to the \$25 million rainy day fund plan. Opponents have suggested that the funds would be better used in offering incentives to business to settle in Pennsylvania. Others say the surplus funds should be used to increase the state's support of our public schools, boost state aide for those who can't pay their heating bills or even further reduce the state's corporate net income tax.

Those who oppose reducing personal income taxes point to the relatively small savings to taxpayers. The planned tax cut will save taxpayers \$15 for every \$10,000 they earn. Opponents say the funds are needed more for education or other state-supported services.

Those who favor the tax cut say it is vital to the cause of limiting government spending. The best way to prevent state spending from going out of control (like federal spending) is to control the amount of money the state has to spend, they say. Advocates of the tax-cut say it is as good for government's fiscal responsibility as it is for the taxpayers' pocketbook.

1. How should Pennsylvania use its end-of-the-fiscal-year surplus estimated at more than \$200 million?

A. To reduce the personal income tax and establish a "rainy day fund" to cover future deficits (possibly avoiding future tax hikes).

B. To reduce the personal income tax and establish a "sunny day fund" to attract business and industry to the state.

C. To increase aid to public schools.

D. To increase energy assistance for those unable to pay heating bills.

E. To reduce the corporate net income tax.

2. Auto Safety: Seat Belts vs. Air Bags

Are seat belt laws essential to the public welfare or a violation of our liberty and right to privacy?

Unfortunately, as difficult as it is to address this debate, there are other questions that must be answered before the Pennsylvania General Assembly can consider mandatory seat belt proposals.

Does the federal government have the right to pressure states into passing seat belt laws by threatening to require air bags if they don't? Are seat belt laws enforceable? Do air bags really work? How much do they add to the cost of a new car? What do they cost to maintain or replace if triggered accidentally?

If states representing two-thirds of our nation's

population don't enact mandatory seat belt laws by April, 1989, the U.S. Transportation Department will require that air bags be placed on new cars. So far, five states (representing 20 percent of the U.S. population) have enacted seat belt laws. That figure is likely to increase soon, as 32 more states consider such laws. So far, eight state legislatures have rejected them.

Those who argue in favor of mandatory seat belt laws say they not only save lives of those who may not otherwise use them, but they benefit society as a whole. They would reduce insurance death and injury payments, which could lead to reduced (or stable) insurance premiums. Government would not have to pay out as much in welfare, Social Security or other support programs to families whose primary "breadwinner" dies or is injured in a crash.

Those opposed to seat belts acknowledge their safety value in most circumstances, but resent government intrusion into what they see as a "personal choice." Some say that seat belts are uncomfortable (especially for shorter people), others contend that they could even be dangerous in the event of an auto catching on fire or sinking in a river or lake.

In any case, Pennsylvania lawmakers may wait before deciding this issue. As we move closer to the 1989 deadline set by the federal government, the real issue will become whether seat belts or air bags are best.

2. What action should the state General Assembly take in regard to seat belts?

- A.** Enact a law requiring motorists and passengers to wear seat belts under penalty of fines.
- B.** Reject proposals for mandatory seat belt laws and let the federal government require air bags in new autos.

3. Gambling: The Controversy Continues

It's been a few months since the Pennsylvania General Assembly and the Governor approved legislation that put an end to the short life of tavern gambling in the state. The barroom card tournaments had been allowed under an amendment added to legislation enacted last session. When the loophole allowing tavern gambling was discovered, efforts immediately began to close it and the gambling section was repealed.

Debate and consideration of the repeal measure seemed to raise even more questions about gambling and its future in Pennsylvania. Currently, the state runs various lottery games for the benefit of senior citizens and allows horse racing, harness racing and bingo. There is no effort in the legislature to eliminate those forms of gambling, but efforts **are** underway to **add** to the list.

Opponents of gambling say any new forms would eventually lead to casino-type gambling. They point out that such gambling can be addictive and harmful for people and an invitation for involvement by organized crime.

Those in favor of different forms of gambling tend to point to buses leaving Pennsylvania towns and cities for Atlantic City and express concerns that the state is losing recreational revenues to New Jersey. Some actively support casino gambling proposals, some push for electronic gambling machines (video bingo, poker or blackjack) in taverns and others say small games of chance often practiced by private clubs and fraternal groups should be legal.

The legislature may have ended tavern card tournaments, but the debate about gambling in general is likely to continue for some time.

3. Should Pennsylvania legalize any form of gambling other than those already allowed in the state?

- A.** No
- B.** Yes, small games of chance should be allowed for fraternal groups and private clubs.
- C.** Yes, electronic chance devices should be allowed in taverns and restaurants in the state.

4. The LCB: Continue, Reform or Abolish?

Amid an atmosphere of controversy, debate and heated public exchanges, the Pennsylvania General Assembly this year **must** decide on the fate of the state Liquor Control Board (LCB).

The LCB, which handles both marketing of liquor and enforcement of liquor laws in the state is scheduled to "sunset" at the end of the year if not continued by the legislature. According to the state's Sunset Act, the LCB and 74 other state agencies must be reviewed by the General Assembly every ten years and either continued, reformed or terminated. The LCB is among 28 boards and agencies up for sunset review in 1985.

Opponents of the LCB say it should be abolished or, at the very least, stripped of its liquor code enforcement responsibilities. It's impossible, they say, for the LCB to be both salesman and policeman when it comes to marketing liquor in the Commonwealth. They call for transferring liquor code enforcement to the state attorney general or the state police.

Some say the state has no business in wholesale or retail marketing of liquor, either. They say the state should not be doing what private industry can do more efficiently and competitively.

Defenders of the LCB say it produces revenue for the state and does a better job at keeping liquor out of the hands of minors than private retailers would. They also point to the increasing number of self-service liquor stores as evidence that the LCB is being more responsive to consumers.

The issue of the LCB's future has been debated in the press and in campaigns for some time, but it's an issue that will require decisive action in the legislature this year.

4. What action should the General Assembly take this year relative to the state Liquor Control Board?

- A.** Continue the LCB in its current status.
- B.** Allow the LCB to remain in existence, but transfer liquor code enforcement responsibilities to the state attorney general's office.
- C.** Abolish the LCB, give its enforcement responsibilities to the attorney general and license private retailers to sell liquor.

5. Smoking: An Indoor Air Issue

Legislation has been introduced in the state House that could affect a large number of Pennsylvanians. Some would like it, others would despise it. But the battle lines are not being drawn along party lines, or age groups or income levels. The battle is between those who **smoke** and those who find cigarette smoke offensive.

The legislation being advocated by non-smokers is called the Pennsylvania Clean Indoor Air Act. It would prohibit smoking in restaurants, stores, offices and other public places. It has the support of the American Cancer Society, the American Lung Association and other medical associations. Since 75 percent of the public doesn't smoke, its public support may also be significant.

How a Bill Becomes Law

We've all heard the expression, "There ought to be a law." At the same time, we often wonder how certain laws were ever enacted.

Many factors come into play in the legislative process, including a bill's merit, public opinion, interest group lobbying, political considerations and timing. These factors effect a measure's course in the legislature and usually determine whether the bill will become law or fail.

The **idea** for legislation usually results when a legislator (or one of the legislator's constituents) decides "there ought to be a law" about a certain matter. After a legislator explains the idea to the Legislative Reference Bureau, a **bill is drafted** to his specifications. Before the bill is actually introduced, the legislator may seek additional supporters or **sponsors** to sign their names on the measure.

Once the bill is introduced in the House, it is **referred to committee** by the Speaker. That committee may assign the legislation to a subcommittee, hold hearings or take no action on it. If a committee chairman brings up a bill for consideration and it receives approval of a majority of the committee members, it is **reported out** to the full House.

In the **House**, the bill's number and title are read and printed on the House calendar. This is the process of **first consideration**. The measure will be moved on to **second consideration** within 15 days unless it is removed from the House calendar by the Rules Committee (which includes members of House leadership).

After the House agrees to a bill on second consideration, it is then placed on **third consideration** and is in position for **debate** and **final passage** (or defeat).

If the measure survives a vote on final passage, it is then sent to the **Senate**, where it is reported to committee and faces the same course that it followed in the House.

If approved by the Senate without amendment, the bill is sent on to the **governor** for **signature**. If the governor rejects or **veto**s the bill, it can still be enacted into law if two-thirds of House and Senate members vote to **override** the veto.

It's important to note that **very few** of the bills which are introduced in a given session actually become law (fewer than 15 percent last session). Even fewer bills become law before they are amended or combined with other proposals for passage.

Often legislative proposals don't follow conventional routes. They are sometimes added to other bills or included in special conference committee reports to ensure House and Senate passage. Legislative leadership of the House and Senate has a great deal to say about the flow of legislation, but ultimately the rank and file membership of both chambers have their say - their vote.



How the State Budget is Decided

When the governor delivered his annual state budget message to a joint session of the Pennsylvania General Assembly in early February, he started the ball rolling in the fiscal decision-making process.

In that address, the governor proposed state spending and taxes for the 1985-86 fiscal year which begins July 1, 1985. (Some specifics of that proposal are included in questionnaire article number 1.) The governor's proposal laid out what each department of government should be allowed to spend and how revenues should be raised.

Shortly after the governor's fiscal plan was unveiled, the House Appropriations Committee began hearings on the budget. They invited the various departments of government, state agencies and many special interest groups to present testimony, pass judgement on the governor's proposal and make budget recommendations of their own.

After consideration of various views, majority parties in the House and Senate are expected to introduce budget proposals, debate them, amend them and approve one of them by July 1. Whether the House or Senate develops the first proposal, whether it resembles the governor's plan or something entirely different, **the budget must balance income and spending as required by the constitution**.

The final version of the budget bill often ends up in a conference committee which develops a report that can be accepted or rejected, but not amended by both the House and Senate. This forces senators and representatives to practice austerity in state spending and avoid the addition of hundreds of "pet projects" which tend to tip the budget out of balance.

Once the budget is finally adopted by the General Assembly, it is still subject to change by the governor. The governor has three options: approve the budget, veto it or exercise a "line item" veto and remove portions of it.

Local VFW Supports Flag Restoration - Schneeksville VFW Post 8344 Commander Ellsworth Meckel (center) receives a House citation from Rep. Semmel (right) and Rep. Joseph Pitts (R-Chester County) for the local post's donation of \$1,000 to help restore Pennsylvania Civil War flags. Pitts is chairman of the Capitol Preservation Committee, which is restoring original flags which are housed in cases in the state Capitol Rotunda. Post 8344 sponsored restoration of the flag of the Pennsylvania Volunteers 128th Infantry - a unit which included volunteers from Lehigh, Berks and Bucks counties.



Rep. Paul Semmel District Offices Ready to Serve

My district offices in Schnecksville, Hamburg and Kutztown have received thousands of inquiries from the people of the 187th Legislative District.

Those offices serve as important listening posts to let me know about the concerns and problems facing over 58,000 people that I represent. They also remain busy helping people with state-related problems.

Few representatives have more than one district office, but by sharing offices with state Sen. David Brightbill, I'm able to have the three locations convenient to different portions of the district. The offices are staffed with experienced professionals who work with me in answering your questions and solving your problems related to state government.

The locations, hours, telephone numbers and district aides for each of the offices are listed below:

SCHNECKSVILLE

2 Spring Hill Drive
P.O. Box 235
Schnecksville, PA 18078
(215) 799-0187
Hours: Monday - Friday
10 a.m. - 4 p.m. or by appt.

District Aide:
JoAnn Heiney

HAMBURG

31 North 3rd Street
Hamburg, PA 19526
(215) 562-3411
Hours: Monday - Thursday
8 a.m. - 12 noon
Mon. Eve. 6 - 8

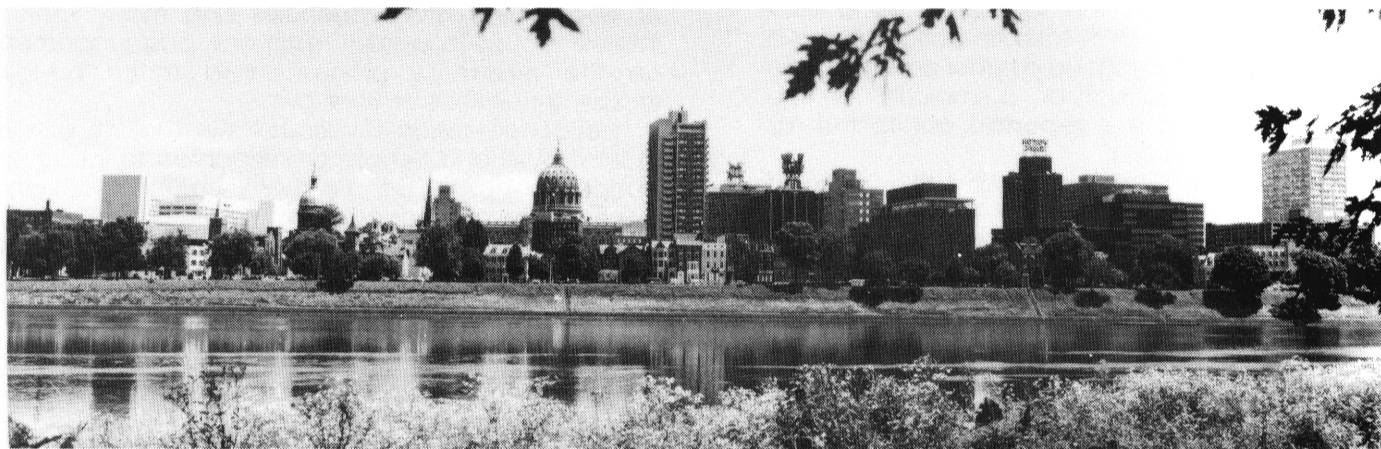
District Aide:
Sandra Christman

KUTZTOWN

178 West Main Street
Kutztown, PA 19530
(215) 683-9199
Hours: Monday - Friday
2 p.m. - 6 p.m.

District Aide:
Doris Schlenker

NOTE: All phone lines are answered 24-hours a day, 7 days a week.



Letting Public Officials Know How You Feel

Face-to-face meetings with federal, state and local legislators and other public officials are not always possible, so you may want to communicate with us by letter.

You don't need to be an expert writer to get your point across, but there are some general guidelines that can help you be most effective. You may find them helpful in correspondence with me or your elected officials in Washington, Harrisburg or the county courthouse.

A few tips:

✓ **Identify the issue or legislation.** Thousands of bills are introduced in both the state General Assembly and in Congress and even local officials consider many issues relating to a similar topic. Give specific information about the issue or a bill number for legislation if available. Popular descriptions, such as "the dangerous juvenile offender bill", would be helpful in cases when the bill number is not known.

✓ **Explain your reason for writing.** Be sure to discuss how the issue affects you. Your personal experience is most important. If you have expert knowledge on the topic, share it. It's not possible for public officials to be experts on every issue they must decide and they appreciate expert advice.

✓ **Express your own views.** An individualized, personal letter from a constituent means much more to a public official than a form letter or name on a petition. A letter in your own words indicates to legislators and others that you are genuinely concerned about the issue or legislation.

✓ **Time your letters right.** Be certain to contact public officials while they're still in a position to act! In the case of the legislature, let representatives and senators know how you feel about a bill while it is in committee.

✓ **Offer constructive criticism.** If you feel that a bill or proposal is not the best solution to a problem, explain what you think is the best solution. You may be in the best position to offer the right approach.

✓ **Be reasonably brief.** Many legislators and public officials receive hundreds – or even thousands – of letters in a given week. Be sure to be as brief as possible. Your letter will stand a better chance of receiving attention if it is short, clear and concise.

✓ **Include a return address.** Since public officials may want to respond to your letters or send you information about an issue, put your return address **on your letter**. At the very least, this will allow a public official to acknowledge receipt of your letter.

✓ **Place quality above quantity.** Write about the most important issues – those that affect you the most. Constant correspondence on every issue will reduce the impact of your letter writing.

✓ **AND ALWAYS REMEMBER,** if time or other circumstances don't allow for letter-writing, **CALL!!** My phone numbers are listed with my local office addresses in this newsletter. Other public officials are usually listed in the phone book.

Opponents of the non-smoking law (usually smokers) feel such a law would discriminate against those who smoke. Friction between non-smokers and smokers can be resolved through courteous communications, they say, and a law is not necessary.

Others, who advocate a compromise position, say non-smoking areas should be set aside for those who mind cigarette smoke. Some restaurants already have such sections that are off-limits to smokers. Perhaps offices and other public places should be required to do the same, they suggest.

5. Should the legislature act to restrict smoking in public places?

- A.** No
- B.** Yes, smoking should be banned in all public places.
- C.** Yes, public facilities should be required to have non-smoking areas available.

6. Recycling: Will It Work?

Efforts continue to encourage recycling and reduce the need for landfill space in Pennsylvania. As part of those efforts, the state Department of Environmental Resources has been paying more attention to the concept of resource recovery.

The recovery of bottles, cans and other containers through mandatory deposits is already being debated in the legislature. In the meantime, the state is attempting to encourage the growth of community recycling centers to handle not only containers, but other glass, aluminum, tin and other metal products as well as paper and other materials. State grants are being awarded to municipalities throughout the Commonwealth to set up recycling points convenient to residents. But will people use the centers? That's an issue which will determine the effort's success.

6. If solid waste recycling centers were established in our area for the collection of paper, glass, aluminum, tin and other products, would you be willing to separate them in your home and deposit them at the nearby collection center or at curbside?

- A.** Yes
- B.** Yes, but only if there is some economic incentive (payment for recyclable material).
- C.** No

7. Tax Reform: Yes! But How?

The issue of local tax reform is a controversial one in Pennsylvania. Many will say that it is needed, but few agree on how it can be accomplished.

Proposals have been advanced to eliminate nuisance taxes relating to occupation and to reduce dependence on property taxes. These ideas certainly have merit, but how should local municipalities and school districts replace those revenues?

Some say that local municipalities should be allowed an income tax similar in concept to the state income tax. They say the legislature should pass enabling legislation allowing the local school districts or municipalities to phase-out property taxes and phase-in income taxes, or utilize some combination of both. Such proposals have established limits for those income tax rates and even prohibited the taxing body from raising revenues substantially through the switch. Proponents say the income tax would be more fair and would tax people according to their ability to pay.

These proposals would benefit senior citizens who own their homes, but have limited, fixed incomes. Those who own large amounts of land would also stand to benefit. But those who live in apartments

may not benefit, unless their rents are reduced due to their landlords paying lower taxes. But unless this is written into the law, it cannot be assured. Those with modest housing and healthy investment or other income might also lose out.

Other proposals call for increasing the state sales tax to benefit education, thereby reducing reliance on property taxes. But opponents to this proposal say state income taxes don't allow for one's ability to pay and that 6 percent is high enough.

All agree action is needed to reform taxes, but agreement on what action is needed is far away.

7. Should the General Assembly revise local and school tax laws to shift the tax burden away from property owners?

- A.** Yes, shift the burden from property taxes to local wage taxes.
- B.** Yes, shift the burden from property taxes to a combination of property taxes and local wage taxes.
- C.** Yes, shift the burden from property taxes to increased sales tax.
- D.** No, keep local taxes as they are.

8. Violent Crime: Handling Young Offenders

Legislation has been introduced in the state House to crackdown on dangerous juvenile offenders. According to a recent study by the University of Pennsylvania, a hard-core of 20 percent of all juvenile offenders commit 68 percent of serious juvenile crimes.

A package of legislation, which has strong support from the governor, would establish a separate category of "dangerous juvenile offenders" for those between the ages of 15 and 18 who are charged – for the second time – with murder, rape, arson, first-degree robbery or assault with a deadly weapon. Hearings for such offenders would be open to the public, their names listed on a state-wide registry, and they would bear the burden of proof on whether they should be tried in juvenile or adult court.

The legislation would also require that any juvenile convicted of a felony in adult court be tried in adult court for all subsequent offenses.

Opponents of the measure say it's important to be tough on hardened criminals of any age, but they say this proposal is misdirected. They claim the greatest need is for intelligent programs to prevent children from going astray in the first place. The state's greatest concentration of efforts should be placed on straightening out a potential young offender beforehand, they say, and this would be much less costly than dealing with one who has fallen into criminal ways.

Supporters of the legislation point to a growing need to protect society from young thugs who terrorize citizens of all ages. They claim that the problem of violent crime by juveniles has accounted for much of the fear that causes innocent citizens to want to arm themselves. The only way to restore confidence in the judicial system is by showing that violent crime won't be tolerated at any age, they say.

8. Should the legislature establish a separate category of dangerous juvenile offenders and treat them differently than other juvenile offenders as recommended in legislation advocated by the governor?

- A.** Yes
- B.** No

9. What do you consider the two most pressing problems in Pennsylvania today? (Please check no more than two.)

- A. Inadequate roads
- B. Inflation
- C. Interference by government
- D. Substance abuse (drugs and alcohol)
- E. Taxes
- F. Unemployment
- G. Violent Crime

10. Have you ever contacted one of my local offices to obtain information or assistance on government-related problems or issues?

- A. Yes
- B. No

(Please use the enclosed card to record your answers to these questions and for any additional correspondence with my office.)

Questionnaire Results

I appreciate the response received from my last questionnaire. Listed below, for your information, are those results. Note that all percentages do not add up to 100% since not all respondents answered every question. In addition, more than 100% is recorded in questions where more than one answer was indicated.

1. What approach do you think most appropriate for state support of economic development?

- 71.4%** **INDIRECT**-meaning granting business tax incentives and low interest loans, giving new or existing businesses incentives to move into Pennsylvania or expand here, and other methods which help the private sector to revitalize the economy.
- 18.2%** **DIRECT**-meaning government creation of jobs through a Youth Conservation Corps, the protection of American industries through trade tariffs and large-scale loans like that granted to Chrysler by Congress.
- 5.1%** **OTHER** _____

2. Should Pennsylvania enact a "Bottle Law" which would require deposits on beverage containers to encourage recycling?

83.7% YES **15%** NO

3. How should the Lottery fund surplus (estimated at \$267 million) be used?

- 10.6%** Allow it to be used for programs for the blind and mentally retarded and allow some of the surplus to be borrowed to fund a mortgage assistance loan program.
- 47.4%** Restrict the use of the surplus to additional senior citizen assistance and expanded eligibility for current senior programs.
- 45%** Use it for both of the above to the extent that it does not endanger the fiscal integrity of the Lottery fund.

4. What do you think is the best system for selecting judges to Pennsylvania's appellate (Supreme, Superior and Commonwealth) courts?

- 42.1%** Adopt a merit selection system as proposed by the governor.
- 16.4%** Keep the current system of electing judges to these three courts.
- 44.2%** Continue to elect these judges, but do away with cross-filing for the three appellate courts.

5. Which of the following comes closest to expressing your view on requiring that health insurance policies include coverage for mental illness and drug and alcohol abuse?

- 16.7%** Health insurance policies should, **by law**, include coverage for treatment of mental illness and drug and alcohol abuse.
- 32.1%** Treatment of mental illness should be required, **by law**, to be included in health insurance policies. (Not both.)
- 2.4%** Treatment of alcohol and drug abuse should be required, **by law**, to be included in health insurance policies. (Not both.)
- 51.7%** The law should **not** require that health insurance policies cover treatment of mental illness or drug and alcohol abuse.

6. Should Pennsylvania buy back certain interstate highways from the federal government and establish them as toll roads in order to fund maintenance, improvements and expansions?

26.2% YES **69%** NO

7. Should there be a municipal service charge on churches, hospitals, government properties and other tax-exempt real estate?

42.5% YES **55%** NO

8. Which of the following comes closest to your view of the solution of prison overcrowding in Pennsylvania?

- 62.5%** The need to put more criminals in jail for longer periods of time requires that we construct many more prison cells.
- 30.7%** We can avoid the expense of many more prison cells by stressing rehabilitation rather than tougher sentences.

9. How would you rate PennDOT's maintenance of roads compared to its performance six years ago?

	MAIN (PRIMARY) ROADS		BACK (SECONDARY) ROADS	
Summer	15.4%	Better	13.9%	
	35.7%	Same	35.4%	
	43%	Worse	40.2%	
Winter	14.4%	Better	11.6%	
	36.9%	Same	37%	
	31.5%	Worse	39.7%	