

Legislative Update

By Andy Goodman

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Legislative activity

Over the next few months, or through the budget process, you will see a flurry of activity throughout the legislature. The full House, Senate and legislative Committees will be voting on more legislation during the remainder of April, May and June than any other time during the two year cycle. Because of elections and the session ending, our office is already seeing the “last minute” push. It is relatively new to have the “push” this early. Historically, the legislature would return after elections until the constitutionally mandated end of the session (Nov 30) for what was known as “lame duck.” That meant that legislators that were not returning for the next session, by either retirement or election loss, could put up substantial votes and not have future elections to worry about. Because of public outcry, the practice was ended after 2006, which also removed session days. This will be the 2nd session that “lame duck” will not happen. Ultimately the absence of “lame duck” has pushed the legislature to move more legislation in the spring of the second year.

Tolling of I-80

Last week the United States Department of Transportation announced that the Commonwealth would not have approval to place tolls on the highway. Pennsylvania was depending on the tolls to generate money for transportation throughout the state. This is not the first time the request for tolling on I-80 has been disapproved. The USDOT said that it is necessary that any money collected on I-80 would have to be used only for that road. The application the Commonwealth proposed to USDOT had the toll money funding projects throughout the state. Governor Rendell has said that he will not reapply for a 3rd time. The difficulty that the legislature now faces is there is a gaping hole for transportation dollars. The Senate and House are working on numerous ideas and both chambers have said, “Everything is on the table.” Our office expects to see ideas that would generate “new money.” We also expect to see proposals that create revenue through fee increases, new fees and expanded fuel tax. Whatever the method, it is important for the legislature to have a long-term view for the increasingly desperate transportation sector. Elections will surely play a pivotal role in whatever plan the legislature follows.

MCARE

A few days back, Commonwealth Court sided with Pennsylvania’s physicians on their civil suit against the Commonwealth. The state’s physicians argued that the legislature’s raid on the fund was against the law and therefore the \$800 million dollars taken from the account to fund the state’s infamous 2009 budget should be returned. The Court agreed. Although the Court decided in favor of the doctors, there is a long road ahead for this issue. It is expected Pennsylvania will continue its fight and the issue will not be resolved in the near future. Many appeals and negotiations will occur over the coming months. However, this is another important issue that we’ll be monitoring throughout. It has serious budgetary and political ramifications attached to it.

Office Reception

Last week our office held a private reception for Senator John Rafferty (R-Montgomery). Senator Rafferty has been a long time friend of our firm and its clients. Senator Rafferty serves on a host of important Committees, including Professional Licensure and as Chairman of Transportation. The Professional Licensure Committee deals with all the details within the Commonwealth issued professional licenses. As Chairman of the Senate Transportation Committee, Senator Rafferty oversees issues ranging from the naming of bridges to the overall transportation budget and funding. We are proud to call Senator Rafferty a friend and look forward to working with him in the future.

Contact Us

Please feel free to contact us through email or phone to discuss a particular legislative issue. As always, we have an open door policy.