Legislative Update and Review
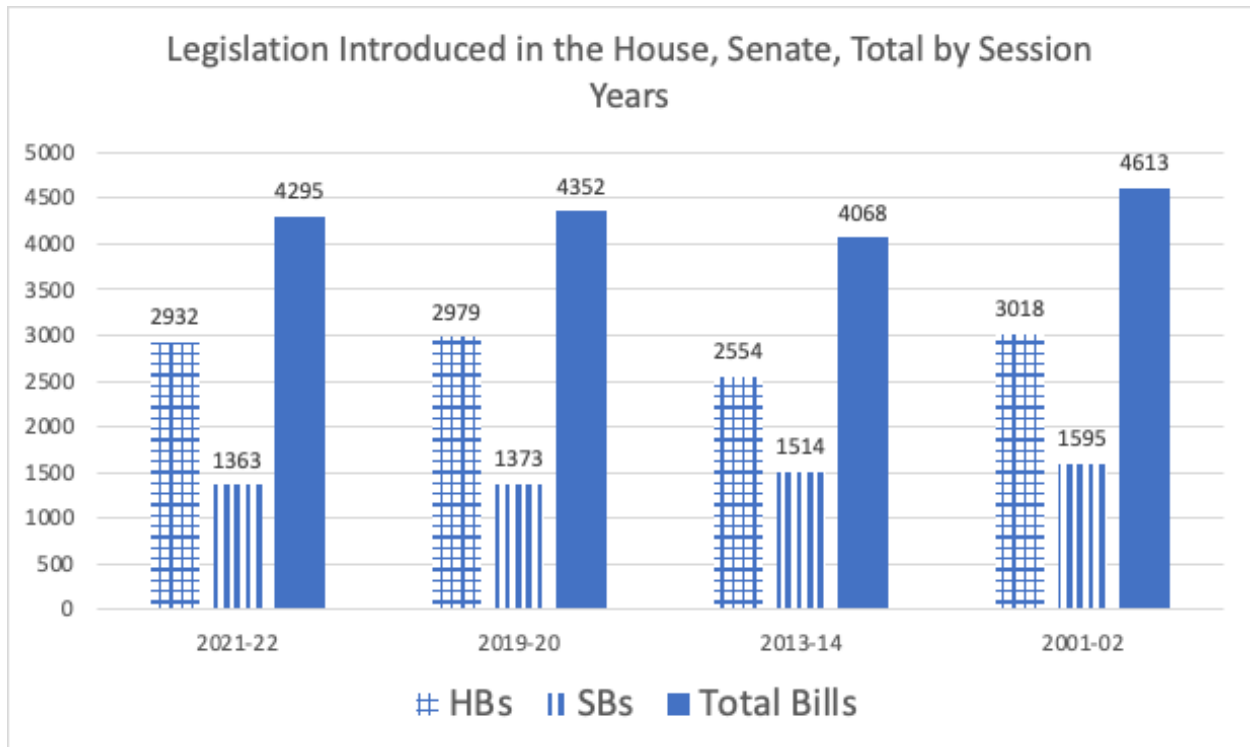
Harrisburg Review 2022

The pomp and circumstance of the swearing in of the General Assembly brings lawmakers to Harrisburg this week. As the General Assembly sails in unchartered waters to begin the new year, let's take a look at the previous session.

The Best and the Worst of the 2021-21 Session: The most significant bill enacted in the 2021-22 session was the last budget signed into law in July. The new $850 million in education funding, including $525 million in Basic Education Funding, was historic. Again, in this past session, there was no solution on charter school funding.

One measure of activity in a legislative session is the number of bills introduced. The chart below shows 4,395 bills combined that were introduced in the House and Senate in 2021-22. That number is not significantly different than the total introduced in the preceding two years—4,352. The number of Senate Bills introduced in the previous session differs from the last two years by only ten.

Looking from an historical perspective, if we go back to the Corbett Administration (2013-14 for this purpose), the number of combined bills introduced was slightly lower—4,068. Going back twenty years to the Ridge/Schweiker Administration (2001-02), the number of combined bills introduced was higher than either of the other six years examined. We see a fairly consistent number of bills introduced in a two-year period with Governors of different parties. In all years, Republicans held a working majority in each chamber.

Legislation Introduced in the House, Senate, Total by Session Years

One measure of productivity is to examine the number of legislative proposals that endure the rigor of the legislative process and get signed into law by the Governor. As you might expect, when the Administration and the Legislature are of the same party, there would be more new laws. The data in the four years examined shows a higher number of new laws enacted in years with Republican control of the Administration and the Legislature then with a split in political control as we had in the previous eight years. In the past two years, Governor Wolf signed into law 266 pieces of legislation, including 66 signed on one day in November.

In the 2019-20 session, there were a similar number of enactments—258. A look at the two years of the Corbett era session, 2013-14, shows there were 337 bills signed into law. Going back 20 years to 2001-02, 353 new laws were enacted.

When one party controls both the Legislative and Administrative branches of state government, moving legislation to the Governor's desk can result in a much more productive session. One difference when one party has the Governor's chair, and the other control of the Legislature is bills get vetoed at a much higher rate. Governor Schweiker vetoed two bills in 2002, the same number Governor Corbett vetoed in 2014. There were no bills vetoed in the first years of the 2001-02 and 2013-14 sessions. In contrast, Governor Wolf vetoed 40 bills in the last four years.

When party control is singular, as expected, there is more productivity as measured by the number of bills enacted. However, if we look at the success rate in all years examined, there is still a small percentage of bills signed into law in comparison to the number of bills introduced. Looking at our four session years, the highest percentage of success was 8.3% in the 2003-14 session and a low of 5.9% in 2019-20. In 2001-02 the success rate was 7.7% and 6.2% for the session just concluded. Of course, this measure includes all bills enacted whether substantive or ceremonial such as the naming of bridges and roads.

This month we begin the legislative process anew. This brand new start of the 207th Session of the General Assembly comes with a many, unanswered questions. Until the deadlock in the House of Representatives is resolved, how the legislative process will work is somewhat of a mystery. The drama will play out this month, but then February brings special elections that will impose another level of political complexity to the chaotic situation in Harrisburg.