



May 11, 2020

Legislative UPDATE

Pennsylvania's State System of Higher Education

Some Pennsylvanians are now in the "yellow" phase of Gov. Tom Wolf's plan to gradually reopen Pennsylvania from his COVID-19 lockdown, with [more to come next week](#), but for those not slated for "yellow" phase, the lockdown will continue until at least June 4," **Capitolwire** reports.

As the General Assembly continues to work on a COVID-19 response and the reopening of the state's mostly-closed economy, Chancellor Greenstein is reflecting on the changing landscape of higher education.

In his latest [blog](#), Greenstein offers some observations:

- Affordable, career-relevant higher education is probably more important now than ever before in the history of this country.
- It is both dangerous and irresponsible for us to assume we will return to pre-pandemic normalcy and operate in ways that are largely unchanged by this event.
- Eventually, God willing, with vaccines and/or therapeutics in hand, we will transition into a post-pandemic future. At that time, this pandemic will appear in our review mirror. At that time, we will be looking forward—watching, waiting, preparing for the next one.

And while the System focuses intently on immediate issues, "thousands of new graduates [entered] the next phase of their lives [over the] weekend, and this was made possible because of the monumental,

heroic effort of the entire State System community," said Greensten in the System's latest [news release](#).

"From among these thousands of new graduates will come leaders in sectors like health care, business, education, and so many others, and Pennsylvanians everywhere can be confident in the future of the Commonwealth," said Cindy Shapira, chair of the State System Board of Governors, about the System's Class of 2020.

Senate

Session & Committee Activity

[Senate Session Days](#) | [Watch Session Live](#) | [Senate Calendars](#) | [Senate Committee Meeting Schedule](#)

The chamber convenes in voting session this week, starting at 1 p.m. today.

Its voting calendar could include consideration and final passage of this Federal appropriations bill:

- [SB 1148](#) (Browne): A Supplement to the General Appropriation Act, adding Federal appropriations to the Executive Department of the Commonwealth, including \$104 million to the Department of Education for the "COVID - Governor's Emergency Education Relief Fund" for the fiscal year July 1, 2019, to June 30, 2020.

"The Senate is weighing next steps as Governor Wolf failed to comply with a subpoena and release documents associated with mandated business closures related to COVID-19 public health emergency, according to Senate Republican leaders." [Continue reading ...](#)

Late Friday, Governor Wolf rejected a GOP subpoena for business waiver records, but released some information online. [Continue reading ...](#)

These bills of interest remain on the Senate calendar for consideration, but floor activity is likely to focus COVID-19 response bills:

- [HB 1050 \(Burns\)](#): Guarantees that veterans, their spouses and dependent children; military personnel, their spouses and dependent children; and civilian personnel, their spouses and dependent children shall be considered residents of the Commonwealth for purposes of receiving the in-state tuition rate at public institutions of higher learning or state-related/state owned institutions and the local sponsor rate at community colleges if the prospective student: Deposits funds confirming their intent to enroll; 2) Begins enrollment within the corresponding term for which the deposit was made; and 3) Remains in continuous enrollment at the institution.
- [SB 331](#) (Brooks): Amends the School Code to establish the Secondary Education Fire Training Pilot Program to provide high school students with firefighter training through partnerships

between institutions of higher education and school districts or career and technical schools, or both.

The Senate Education Committee is scheduled to meet today at 11 a.m. for the purposes of holding a public hearing to discuss ways to ensure continuity of education for students in K-12 during the COVID-19 pandemic. Among those scheduled to testify are Secretary of Education Pedro Rivera and representatives of the PA School Boards Association, the PA Coalition of Public Charter Schools, the PA State Education Association and the PA Association of Intermediate Units. The hearing will be streamed live at www.pasenategop.com.

The Senate Rules and Executive Nominations Committee still has yet to report these [Trustee nominations](#):

- **Bloomsburg University:** Dan Klingerman
- **California University of Pennsylvania:** Sandra Guthrie and Justin Nwokeji, Monroeville
- **East Stroudsburg University:** Frank Epifano, Marcus Lingenfelter, Tameko Patterson and L. Patrick Ross
- **Edinboro University:** Danny Jones
- **Indiana University of Pennsylvania:** Joyce Fairman
- **Kutztown University:** Linda Cliatt-Wayman
- **Lock Haven University:** Krystjan Callahan and Albert Jones
- **Mansfield University:** Max Gannon, II, and Karen Russell
- **Millersville University:** Richard Frerichs, Rick Rodgers, and Saul Fink
- **Shippensburg University:** William Gindlesperger
- **Slippery Rock University:** Alfonso Angelucci, Dan Lavalley and William McCarrier
- **West Chester University:** Chris Franklin and Jonathan Ireland

House of Representatives

Session & Committee Activity

[House Session Days](#) | [Watch Session Live](#) | [House Calendars](#) | [House Committee Meeting Schedule](#)

The House stands in recess until the 12 hour call of the Chair or Monday, May 18th, whichever occurs sooner.

When the chamber reconvenes, the full House could take up the System's 3-bill legislative package which was reported along a party-line vote from the House Education Committee:

- [HB 2171](#) (Sonney): Updates the governance structure, for board of governors, for the chancellor, for powers & duties, for councils of trustees.

- [HB 2172](#) (Topper): Provides for financial and legal reforms, such as defining and separating state resources and affirming the System's sovereign and official immunity status.
- [HB 2173](#) (Schroeder): Eliminates outdated language, repeals the Snyder Report, and other charges and for annual report and clarifies student records are exempt from the Right-to-Know Law.

House Education Committee Chairman Curt Sonney and Reps. Jesse Topper and Meghan Schroeder joined together with Chancellor Greenstein and Board chair Cynthia Shapira in January to unveil this [package of bills](#), which is designed to update the System's enabling statute, Act 188. The bills, if enacted, would provide the chancellor and the board better opportunity to address and resolve financial sustainability issues by enabling the System to be more flexible and competitive.

HB 2171 was reported as amended, with the prime sponsor offering revised language further providing for a process the board must follow prior to exercising extraordinary powers. Further revisions have been filed as amendments to the bill; amendments could be considered as early as next week.

The following bill reported as amended last week by the House Environmental Resources and Energy Committee along a party-line vote, is also positioned for consideration by the full chamber when it reconvenes next week. The bill would enable the legislature to exercise budgetary oversight duties over the Keystone Recreation, Park and Conservation Fund, among other funds:

- [HB 2004](#) (Ortitay): Amends the Keystone Recreation, Park and Conservation Fund Act, establishing the General Assembly may annually appropriate money for grant programs. The legislation repeals the allocation schedule and related provisions found in the Conservation and Natural Resources Act.

The Officer of the Chancellor remains concerned that repealing the allocation schedule could potentially result in a \$20M budget cut. Meanwhile, the System has a deferred maintenance/capital renewal backlog of \$1.85B. And 52% of the System's E&G facilities have not had a significant renovation in the last 25 years. At 25 years, facilities maintenance and repair costs increase dramatically. If the General Assembly's discretion would result in distributing fewer funds to the System for this purpose, the deferred maintenance backlog would significantly grow.

Bill Tracking Report

The following information is updated during legislative session weeks.

Executive Action:

[HB 360](#) (Topper): Extends the time period for child care and school employees to obtain their criminal Federal Bureau of Investigation background certifications. *Last Action:* 5-8-20 G Approved by the Governor (Act: 18)

[SB 67](#) (Ward, J.): Amends regulations to expand the availability of psychological services through telemedicine. *Last Action*: 5-8-20 G Approved by the Governor (Act: 19)

In the House:

[HB 2387 \(Saylor\)](#): An Act to provide from the General Fund for the expenses of the Executive, Legislative & Judicial Departments, the public debt and the public schools for the fiscal year July 1, 2020 to June 30, 2021. *Last Action*: 4-20-20 H Rereferred to House Appropriations

[HB 2419 \(Grove\)](#): Amends The Administrative Code, providing for COVID-19 Cost and Recovery Task Force. *Last Action*: 4-28-20 H Final Passage (Vote Y: 109/N: 93)

[HB 2441](#) (Saylor): Appropriates \$242,096,000 to Penn State for general support and \$26,736,000 for the Pennsylvania College of Technology. *Last Action*: 5-4-20 H Rereferred to House Appropriations

[HB 2442](#) (Saylor): Appropriates \$151,507,000 for general to the University of Pittsburgh for support and \$3,346,000 for rural outreach education. *Last Action*: 5-4-20 H Rereferred to House Appropriations

[HB 2443](#) (Saylor): Appropriates \$158,206,000 to Temple University for the fiscal year July 1, 2020, to June 30, 2021. *Last Action*: 5-4-20 H Rereferred to House Appropriations

[HB 2444](#) (Saylor): Appropriates \$15,166,000 for general support to the Trustees of Lincoln University for the fiscal year July 1, 2020, to June 30, 2021. *Last Action*: 5-4-20 H Rereferred to House Appropriations

[HB 2445](#) (Saylor): Appropriates \$31,660,000 for veterinary activities and \$295,000 for the Center for Infectious Diseases to the Trustees of the University of Pennsylvania for the fiscal year July 1, 2020, to June 30, 2021. *Last Action*: 5-4-20 H Rereferred to House Appropriations

[HB 2463](#) (Grove): Amends the Administrative Code, providing for access to public records during disaster declaration. *Last Action*: 5-5-20 H Final Passage (Vote Y: 202/N: 0)

[HB 2494](#) (Roebuck): Amends the PA Higher Education Assistance Agency Act, providing for suspension of interest payment collection during state of disaster emergency. *Last Action*: 5-08-20 H Filed

[SB 1108](#) (Browne): A supplemental federal appropriations bill that would, among other things, appropriate from the General Fund to the Department of Education \$628,550,000, including a federal appropriation of \$104,743,000. *Last Action*: 4-28-20 H Rereferred to House Appropriations

In the Senate:

[HB 2415 \(Lewis\)](#): Amends The Administrative Code, providing for COVID-19 emergency statutory and regulatory suspensions and waivers reporting requirements. *Last Action*: 5-7-20 S Received in the Senate and referred to Senate Inter-Governmental Operations

[HB 2418 \(O'Neal\)](#): Amends The Administrative Code, providing for COVID-19 debt cost reduction review.
Last Action: 5-7-20 S Received in the Senate and referred to Senate Finance

[SB 1148](#) (Browne): A Supplement to the General Appropriation Act, adding Federal appropriations to the Executive Department of the Commonwealth for the fiscal year July 1, 2019, to June 30, 2020. *Last Action*: 05-08-20 S Introduced and referred to committee on Senate Appropriations

This update is provided as a courtesy of the Office of the Chancellor as a preview of upcoming legislative activity and a review of action on legislative issues of interest to the State System. The Legislative UPDATE is distributed during legislative session weeks.

Jennifer Hoover
Director of Governmental Relations
jhoover@passhe.edu
(717) 720-4021