

21ST SENATORIAL DISTRICT

MARY JO WHITE

SENATE BOX 203021
THE STATE CAPITOL
HARRISBURG, PA 17120-3021
(717) 787-9684
TTY (800) 365-1581
FAX: (717) 787-6088
EMAIL: mwhite@pasen.gov
WEBSITE: senatormjwhite.com



Senate of Pennsylvania

June 2, 2010

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David Heastings, City Editor
Butler Eagle
P.O. Box 271
Butler, PA 16003-0271

Dear Mr. Heastings:

Thank you for the opportunity to share my thoughts on the Investigating Grand Jury's recommendations on legislative reform.

Many of the recommendations are similar to suggestions I have received from constituents. It is important to recognize that the Grand Jury's recommendations veered significantly away from their charge of investigating criminal activity. Many of those who testified before the Grand Jury have either been convicted or charged with political corruption. I do not believe they are reflective of the vast majority of elected officials or employees, and I disagree with broad statements from the Grand Jury that most public servants routinely engage in political work at taxpayer expense.

For the most part, the recommendations do not address efforts to curtail corruption, but rather reflect these citizens' personal views on how they believe the legislature should function. To that end, they are certainly worthy of consideration. It is important to note that the recommendations are based primarily on the Grand Jury's examination of the House of Representatives. In many respects, the Senate operates differently than the House of Representatives and has already implemented changes in its practices.

The following reflect my thoughts on specific recommendations.

Eliminate Political Caucuses

The Grand Jury concludes, erroneously I believe, that the General Assembly should eliminate "caucuses" and that this would result in substantial savings to taxpayers. In reality, the money appropriated for "caucuses" is to pay for routine expenses: salaries of members and employees, district offices, printing, supplies and other costs. The real question is whether we can cut expenses, like every other department of government is expected to do, and ensure that we are operating as efficiently as possible. Last year, the Senate cut its budget by 10% and I expect further cuts. We have streamlined many efforts with Democrats to try and avoid duplicative

costs, and other efforts are underway. I think most taxpayers are more interested in how their money is spent than in how it is described in a lengthy budget bill.

Audit and spending of taxpayer money

The General Assembly is audited on an annual basis. I agree that all expenditures should be a matter of public record. The Senate led the effort to enact legislation requiring all state contracts be posted on the Treasury Department's website, and passed a much improved Open Records law. With respect to equal access to resources for rank and file members, I believe this is happening in the state Senate. There will be some disparities – members who chair a committee or are in leadership may have more staff, or those who represent a large geographic district may have more district offices to serve their constituents – but I have not seen evidence in the Senate that resources are unfairly distributed to rank and file members.

With respect to per diems, the Grand Jury report highlighted several abuses of this expense reimbursement. Those certainly should be addressed, and I believe they were generally confined to the House of Representatives. The reality is, there are costs when you travel a significant distance and must spend time overnight away from your family. I have no problem justifying any of my expenses and certainly do not abuse this system. The per diem reimbursement rate is one that is used by the federal government and it is adjusted annually for cost and geographic variations. We certainly can revisit the appropriate amount and terms of reimbursement so long as it is fair to those who cannot commute to Harrisburg on a daily basis.

Term limits and part-time legislature

Pennsylvania is a very large and diverse state, both in terms of population and geography. I personally think there is benefit in having a full-time legislature, but I respect the opinion of those who think otherwise. Certainly, a part-time legislature has worked well in other states. I think this issue is entirely separate from the Grand Jury's charge of investigating corruption. People are either going to be honest or they are not, regardless of whether they serve in a full-time or part-time legislature.

The Grand Jury's rationale for a part-time legislature is based on the mistaken belief that most employees engage in campaign work. They also focus only on days spent in Harrisburg. The Grand Jury goes so far as to note that the legislature does not even meet in December of even numbered years – apparently unaware that the state Constitution prohibits such session until newly elected lawmakers have been sworn in. I do not work only when I am in Harrisburg; in the district, I maintain office hours, and meet with constituents, business owners and local officials to learn about their priorities and help them any way I can. I attend civic events, serve on panels, visit schools and work on issues such as telecommunications and economic development in my six county district.

I think we already have term limits; they are called elections. As the past two election cycles have demonstrated, the voting public has the ability to remove those public officials it finds ineffective. There is something to be said for having experienced legislators who know how to get things done. States with part-time, term limited legislatures have seen the evolution of a

strong executive branch of government, which is more likely to successfully advance its agenda through the legislature. The state Senate stopped seven tax hikes sought by the Governor in 2007, reduced state spending, and turned back a \$1.5 billion personal income tax increase last year. I doubt a part-time, inexperienced legislature would have had the same success.

Campaign work and use of taxpayer money

Campaign work on state time is explicitly prohibited, and illegal. Senate employees who take leave to work on campaigns receive no taxpayer money or benefits. I believe this recommendation by the Grand Jury has been in place in the Senate for some time, and is even reflected in our Senate operating rules.

Penndot specialists

The Grand Jury spent a considerable amount of time aghast at the thought that legislative offices assist constituents with Penndot work. Personally, I am surprised at this recommendation. I am pretty sure no one has voted for me because my staff helped process their driver's license renewal. A legislative office assisting people with their Penndot work has no added costs. Whether the paperwork goes through a legislator's office or a Penndot office, someone has to process it and mail it back. Eliminating so-called Penndot specialists simply shifts all of these costs directly to Penndot's budget. Much of our Penndot work involves tracking down missing paperwork and trying to resolve errors. I have advocated for doing away with Penndot's legislative unit and giving district staff direct access to the computer information needed to answer questions and solve problems.

Voting

The Senate has made several changes regarding voting and transparency in recent years. The Grand Jury recommends that all votes be by roll call, and open to public inspection. This has been the practice in the Senate for some time. Every committee and floor roll call vote is available on the Senate's website (www.pasen.gov). Votes and copies of amendments are also posted online, as are daily journals which include debate on legislation.

In addition, the Senate has stopped late-night sessions by prohibiting voting after 11 PM and requiring a six-hour waiting period between adopting an amendment and voting on a bill finally. Senate leadership has also unilaterally cancelled post-election November voting sessions.

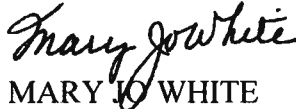
Budget

Last year there was tremendous interest and attention from the public and the media in the various budget bills that were proposed and voted on. The Internet, combined with a renewed sense of transparency, has helped people obtain the information they want and to reach out to their legislators and share their budget priorities with them. I believe the public has a right to know what is in the budget so that they can see how state government proposes to spend their money.

The Grand Jury states that legislators should not be paid or have any expenses reimbursed if a final budget is not enacted by June 30th. The assumption is that if a budget is late people are not doing their job. In fact there are at times legitimate disagreements over where and how much money should be spent by state government. It is safe to say the spending priorities of Philadelphia residents differ significantly from those of my rural district. I do not think any citizen wants to see a legislature cave in on controversial tax or spending proposals just because they want to be paid. I received hundreds of letters and emails last year from my constituents urging me to hold my ground against an irresponsible budget, no matter how long it took. The grand jury members are entitled to an opinion on the subject, but I doubt they heard any balanced testimony on the issue.

The grand jury was empanelled to investigate specific examples of criminal activity and corruption. I can't blame them for coming away with a negative impression of the legislature. However, a more balanced examination of the legislature would show that the vast majority of elected officials and employees are honest and hard working individuals. We all have a stake in restoring the public's confidence in their elected officials, and I am hopeful that we are finally headed in that direction.

Sincerely,

A handwritten signature in cursive script that reads "Mary Jo White".

MARY JO WHITE
SENATOR, 21ST DISTRICT