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Pennsylvania News

Regional college gets state aid

A \$5.2 million outlay in the state budget represents an investment in a new type of regional college covering the northwest region of Pennsylvania. This funding to support general operations at the Northern Pennsylvania Regional College is part of a \$7 million line item for "regional community college services" under the Education Department in the Fiscal Year 2018-19 budget, said Kate Eckhart Flessner, spokeswoman for Senate President Pro Tempore Joseph Scarnati, R-Jefferson. The remainder of that money will go to Butler County Community College, Allegheny College of Maryland for its Pennsylvania operations and some workforce programs, she added. The budget provides \$239 million in state aid to community colleges, a \$7 million, or 3-percent, hike from the prior year.

Scarnati authored Act 126 of 2014 providing state aid to help create a "rural regional college" in a multi-county area outside the existing network of 14 community colleges and in need of workforce development to improve its economic prospects. Four years after this law was passed, NPRC is on the road to being a reality. The status of growth plans was discussed last month at a hearing before the Legislative Budget and Finance Committee. Instead of having a brick-and-mortar campus, the plan is to educate students using both traditional classrooms and interactive TV. The college is developing a geographic network of hubs and satellite sites in the nine rural counties in its designated service area, which includes Cameron, Crawford, Elk, Erie, Forest, McKean, Potter, Venango and Warren counties.

Winning approval from the state Education Department in May 2017, the NPRC has started to hire staff, enroll students and establish partnerships with other academic institutions - 80 students have been enrolled, drawing from students pursuing associate degrees and high school students taking college courses during the previous academic year. At this stage, NPRC is partnering with Gannon University and the Pennsylvania College of Technology to offer several academic programs. NPRC is in discussions with the Pennsylvania State System of Higher Education about taking over several of their associate degree programs, according to a budget committee report. The goal is to have 500 students by the 2022-23 academic year, but some big challenges remain. NPRC hopes to launch as an independent college with the 2019-20 academic year, become a candidate for accreditation in the 2021-22 academic year and achieve full accreditation by the Middle States Commission on Higher Education in the 2025-26 academic year.

At the LBFC hearing, one lawmaker raised the issue of whether NPRC's development would conflict with PASSHE which has a university in the service area at Edinboro. The budget committee recently released a report examining PASSHE's long-term viability at a time of declining student enrollment and tight finances. Rep. Jake Wheatley, D-Allegheny, warned about a risk of cannibalizing the state-owned universities.

Source: Capitolwire: "Regional college gets state aid" by Robert Swift

PA Supreme Court overturns 2012 welfare code changes

The state Supreme Court, in a unanimous decision, reversed a Commonwealth Court ruling and found the way the Legislature passed a 2012 law altering the state's Public Welfare Code violated the Pennsylvania Constitution's requirement that legislation be considered on three separate days in both chambers of the General Assembly. The law in question, Act 80 of 2012, was the Public Welfare Code bill for the Fiscal Year 2012-13 state budget, and drew a fairly quick legal challenge from welfare advocacy groups for many of its provisions, including the elimination of the state's then-cash assistance program. The court's [majority opinion](#), written by Justice Debra Todd, didn't address the constitutionality of the actual policy implemented, only the way the Legislature advanced Act 80 – previously House Bill 1261 – to then-Gov. Tom Corbett's desk for his signature.

Article III, Section 4 of the Pennsylvania Constitution states: "Every bill shall be considered on three different days in each House. All amendments made thereto shall be printed for the use of the members before the final vote is taken on the bill and before the final vote is taken, upon written request addressed to the presiding officer of either House by at least 25% of the members elected to that House, any bill shall be read at length in that House. No bill shall become a law, unless on its final passage the vote is taken by yeas and nays, the names of the persons voting for and against it are entered on the journal, and a majority of the members elected to each House is recorded thereon as voting in its favor."

According to the court's majority opinion, the passage of House Bill 1261 by the Legislature violated the first bit of that section, regarding three days of consideration in both houses of the General Assembly. Stating the provisions that had been in the original version of HB1261 "were entirely removed from the bill by the Senate, inasmuch as they had already been enacted by another piece of legislation, Act 22 of 2011," the court concluded once the new provisions were added by the Senate after the original provisions were gone, "it was factually and legally impossible for the new provisions to work together with the deleted provisions to accomplish a single purpose."

The court noted other cases where bills have been substantially altered to include additional provisions – like past Public School Code bills adopted as part of state budgets – and past courts have ruled that legislative action constitutionally appropriate. "In those cases, the original provisions of a bill establishing its initial subject remained in the bill from its inception until the end of its journey through each House, and additional amendments pertaining to the same subject matter were added to those original provisions during this process," wrote Todd. "All of the provisions contained in the final bill were deemed to be germane to each other since they could rationally be viewed as working in concert with one another to effectuate a common purpose."

Regarding HB1261, Todd explained: "... the purpose the original provisions sought to achieve had already been accomplished by other legislative means. We hold that amendments to such enfeebled legislation are not germane as a matter of law. Consequently, the Senate amendments were not germane to the provisions of H.B. 1261, P.N. 1385, and, accordingly, the three times that H.B. 1261, P.N. 1385 was passed by the House in 2011 cannot count towards the requirements of Article III, Section 4." Todd goes on to state that "[b]ecause the Senate's insertion of its own proposed legislation into the then wholly empty shell of H.B. 1261, P.N. 1385 transformed it into an entirely new bill consisting solely of those insertions, Article III, Section 4 of the Pennsylvania Constitution required this new bill to be considered by both Houses three times thereafter. "As it is

undisputed that the House considered the Senate's version of H.B. 1261 only once, however, Article III, Section 4 of the Pennsylvania Constitution was clearly, plainly and palpably violated.”

While Justice Max Baer concurred with the court’s overall decision regarding Act 80, he argued in his [concurring opinion](#) the act should also have been found to have run afoul of the constitution’s Article III, Section 3 requirement “[t]hat no bill be passed containing more than one subject, which shall be clearly expressed in its title, except a general appropriation bill or a bill codifying or compiling the law or a part thereof.” Baer said because the original language of HB1261 was removed with an entirely new bill inserted, it violates Article III, Section 3. Baer maintains that without that additional determination, the majority opinion lacks the “logical guidance to both the courts and the Legislature in determining whether a change to a bill is merely an amendment or whether it is in actuality a new bill addressing a different purpose or subject from the original bill.”

It remains unclear what policy impact the court’s ruling will have.

Source: Capitolwire: “PA Supreme Court overturns 2012 welfare code changes” by Chris Comisac

Federal judge again prevents - at least temporarily - \$200 million JUA transfer to PA’s General Fund

Lawmakers who thought they had built a better mousetrap to get \$200 million for the state budget will again have to try to convince a federal judge they have the right to take the money from the reserves of a state-created insurance company. For the last few years, the General Assembly has tried to obtain the majority of the reserves of the nonprofit Pennsylvania Professional Liability Joint Underwriting Association (JUA), which was established by the General Assembly in 1976 to provide healthcare providers with medical malpractice insurance. Those attempts have all been rebuffed in federal court, and once again U.S. Middle District Chief Judge Christopher C. Conner has stepped in to prevent those legislative efforts. Conner preliminarily enjoined sections of House Bill 1851 (now Act 40 of 2018) that would have stated in statute that the JUA is an “instrumentality of the Commonwealth,” outlined the Department of Insurance’s oversight of the JUA, and transferred the JUA and all of its assets to the department. Act 40 would also change the makeup of the JUA’s board to several state-appointed positions; the JUA in its initial court filing, from late June, said its board is currently made up mostly of its association members. Connor’s order temporarily suspends those sections from being enforced by the state until such time as he can make an expedited ruling on the full matter. The court order indicates a scheduling conference will be held by phone on July 30 at which time the litigants will discuss a schedule for further proceedings on the matter.

Source: Capitolwire: Under the Dome

Auditor General DePasquale continues to bang drum for legalized marijuana

To hear it from the state’s Auditor General, it’s a simple matter to generate nearly \$600 million in new state revenue: just legalize and tax marijuana. It’s so simple that Auditor General Eugene DePasquale’s special report regarding “regulating and taxing” marijuana apparently believes such a policy change will produce only “positive tangential benefits” and, of course, a lot more money for the state. According to office spokesman Barry Ciccocioppo, “The calculations are based on the revenue that would be generated.” Given the “report” and its ignorance of

any discussion regarding costs to actually regulate such an industry, as well as its potential “negative tangential effects,” such as additional law enforcement costs, healthcare costs, insurance costs, costs to employers as well as to our educational system – all concerns generated by the experience of states that have legalized marijuana – it would appear the Auditor General’s only interest is “benefit analysis,” not “cost-benefit analysis,” when it comes to legalizing marijuana, a political issue he’s been pushing for well over a year as the state has grappled with getting its much smaller medical marijuana program running.

Source: Capitolwire: Under the Dome

A closer look at the 'minimal' proposed Obamacare premium hikes for 2019

It would appear as though Pennsylvanians who bought their Affordable Care Act insurance last year paid enough of a premium hike (an average of 30.6 percent) for two years - though many of them likely received taxpayer-funded subsidies to defray the added cost – as initial indications are that health insurance premiums will only go up an average of 0.7 percent in the coming enrollment period.

Source Capitolwire: Under the Dome

PA unemployment rate drops again, but this time due to people finding employment

Unlike the past few months when the state’s unemployment rate dropped, this time it was actually due to people finding employment, [according to new data from the state Labor and Industry Department](#). The last few months, people leaving the state’s civilian labor force – those working or looking for work – prompted declines in the unemployment rate. And while in June the labor force did, once again, go down – by 1,000 individuals – the primary reason for the state’s unemployment rate dipping to 4.3 percent (from May’s 4.5 percent mark) was 8,000 Pennsylvanians came off of the jobless rolls, with the same amount reporting they found employment. However, while the state’s unemployment rate is at an 11-year low, it remains above the national rate, which went up in June to 4 percent due to more people returning to the labor force but not finding employment. Additionally, in comparison to a year ago when the state’s unemployment rate was 4.8 percent, there are 34,000 fewer people unemployed, but there are also 27,000 fewer people employed, meaning there are 61,000 fewer people working or looking for work this year compared to June 2017. Contrasted with the national labor force, which has grown by 1.2 percent during the past 12 months, Pennsylvania’s labor force has shrunk by 0.9 percent. As for the jobs reports from Pennsylvania employers, there was little change from May, with surveyed businesses indicating a net increase of 4,000 jobs, with 2,900 coming from the service-providing industries and 1,100 from the goods producing industries. Of the 11 sectors, six were in the plus column, led by Manufacturing (+3,100 jobs) and Leisure and Hospitality (+3,600). The largest net job losses were in the Professional and Business Services (-3,700) and Construction (-1,900) sectors. Overall, the state is up 77,500 jobs, or 1.3 percent, compared to June 2017; since the end of 2017, the state has added a net 23,300 jobs, an increase of 0.39 percent.

Source: Capitolwire: Under the Dome

Newly created School Safety and Security Committee holds first meeting

A newly created committee tapped to administer the new \$60 million School Safety Fund met for the first time on Monday. The 17-member School Safety and

Security Committee, created within the Pennsylvania Commission on Crime and Delinquency (PCCD) by Act 44 of 2018, will award the school safety funding to school districts and other school entities in the form of grants to cover various expenses and programs all with the goal of keeping students and teachers safe. The grants could be used for such things as school and security assessments, security planning, physical building upgrades, security equipment, teacher training, behavior supports, alternative education programs, community violence prevention programs, conflict resolution, counseling, bullying prevention and special and individualized mentoring programs. Community anti-violence programs will be funded through a \$7.5 million set-aside. Additionally, the committee is tasked with establishing best practices when conducting school safety and security assessments for school buildings, training and student behavioral health support, as well as issue a survey to school entities to measure school safety and security preparedness. Each school must complete the assessment created by the committee by Nov. 30, with the committee needing to approve guidelines for selecting security assessment providers by Oct. 31. On Monday, Gov. Tom Wolf announced the committee will be chaired by PCCD Chairman Charles H. Ramsey, with PCCD Acting Executive Director Derin Myers performing the duties of the committee chairman if Ramsey is unavailable.

Source: Capitolwire: Under the Dome

Legislation

- [HB 2566: Amends Title 61 re postpartum housing](#)
- [HB 2567: Amends Title 61 re Corrections Officer safety](#)
- [HB 2568: Amends Title 61 re electronic stun guns](#)
- [HB 2569: Amends Title 61 re DOC staffing levels](#)
- [HB 2570: Amends Public School Code re basic edu funding](#)
- [HB 2575: Amends PA Election Code re officers](#)

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