

Fix Harrisburg: FAQ's

Bipartisan solutions deserve a vote

When do PA lawmakers vote on procedural rules?

Immediately after lawmakers are sworn in to begin a new two-year legislative session, they vote on procedural rules. This important vote takes away an individual lawmaker's right to represent us by ceding agenda power to a handful of leaders and committee chairs. January 3, 2023 is the start of the 2023-2024 session.

How effective is the PA legislature in passing legislation?

Session after session a majority of bills introduced are never considered or voted on in committee. Over 80% of bills are "left on the table" or simply ignored. In the 2019-2020 session, only 6% of the 2861 bills that were introduced in the PA House were made into law. For the Senate in the same period, 1,330 bills were filed, just 9% passed both chambers, and 8% of introduced bills were made into law.

Why is the small number of bills passed compared to bills introduced a problem?

There are two main problems with the ratio of bills passed to bills introduced. One, many bills with bipartisan support are blocked from ever getting committee discussion or a vote. Two, bills are often introduced that lack the necessary support; these bills clutter the system, leading to less transparency and wasted taxpayer dollars.

Is it true that the overwhelming majority of bills are passed unanimously or with bipartisan support?

Yes! Over 200 bills became law in the last session and were passed with unanimous support in both the house and senate. Many more passed with just one or two legislators in opposition. Some of the bills passed renamed roads and bridges, allowed for various land deals, and one even repealed antiquated legislation that restricted when tennis could be played.

The problem is that over 3800 bills did not get a vote. They were not voted down; there was no vote to table them. There was simply no vote. At some point in the process, one committee chair or one majority leader decided that our elected representatives would not be able to vote on over 3800 bills.

Who controls which bills get a vote?

Majority leaders in each chamber decide in which committee each bill should be placed. Committee chairs, appointed by the Speaker, completely control which bills are considered by that committee. In some cases, the chamber majority leader instructs committee chairs about action on bills: which to consider or which to ignore. In most cases, the majority chair makes

decisions on bills without consulting the minority co-chair. Too often, majority members of a committee decide on a bill together behind closed doors before the public meeting.

Some bills are given a vote because their prime sponsor needs a win or faces a competitive campaign. Some important bills may be held as bargaining chips in budget negotiations. Bills passed in one chamber may have to overcome the same hurdles in the other.

Are committee members proportional by party to the number of votes on the floor of the chamber?

No. Legislators are assigned to committees by their own party but are not always granted their preference. Composition of committees often does not match percentages of members from each party in the chamber. The majority party generally has considerably more committee members than does the minority party.

Do minority party legislators ever have a say in which bills get a vote?

In both chambers, majority party bills are three to four times as likely to be reported from committee. The majority party sponsors over 85% of passed bills in both the House and Senate; the minority party sponsors just 9%-14%. In practice, minority party legislators have very little say in setting the committee agenda. Far fewer bills introduced by minority party committee members get a vote.

In the first half of the 2021-22 session, no bills proposed by minority members in the House received a floor vote. In the Senate, only one bill introduced by a minority member passed.

Why can't we use citizen initiative and referendum to pass reforms as has been done in some other states that enacted citizen redistricting commissions?

Twenty-three states provide ways for citizens to initiate a ballot referendum. PA does not. To change that would require a constitutional amendment.

Some legislators are saying the rules have been in place for centuries or decades, that they work, and so why change them?

That's false. House and Senate rules have been changed over the years, most recently in 2007. However, those changes were reversed in recent sessions.

The rules are not working for Pennsylvanians. The rules allow a single legislator (usually the committee chair) to block any bill, including those favored by a majority of citizens. According to a [recent Franklin & Marshall poll](#), 73 percent of Pennsylvanians want legislators to collaborate to pass legislation with broad public support. Only 19 percent want rules to be invoked to stop bipartisan solutions.

If legislators are not able to vote on legislation, they are not able to act in the interest of their constituents. Legislators must be a part of the process to decide which bills come up for a vote. At each point in the process, for each bipartisan bill, legislators must be given the chance to

vote yea, nay, or to table. The committee chairs and the majority leaders should not be allowed to impede the ability of our legislators to represent us by not permitting these votes to happen.

What percentage of legislators voted NO on the 2019-20 rules (HR 1) last session?

In 2019, a motion to postpone passage of HR 1 failed 110-90. Then HR 1 passed 142-58. A few more representatives could make the difference. After the May primary through the end of the year will be the time for voters to meet with their legislators to urge reform. The legislature will vote on the rules on January 3, 2023

Where can I find information about bills and their status?

Legislation-related details can be found on the PA General Assembly website:

<https://www.legis.state.pa.us/cfdocs/legis/home/bills/>

Where can I find more research about procedural rules or ways to compare legislative effectiveness?

There is very little comparative research on state legislative rules or on ways to assess legislative effectiveness. Much of what exists is outdated. Here are a few helpful resources:

- Fair Vote and the Bipartisan Policy Center, [Best Practices for Collaborative Policymaking](#) (2106)
- FairVote, [Legislative Rules Database](#) (2016)
- National Conference of State Legislatures, [State Legislative Policy Making in an Age of Polarization](#) (2017)
- Center for Effective Lawmaking, [Legislative Effectiveness in the American States](#) (2020)
- Fiscal Note, [Most Effective States Legislative Report](#) (2021)
- StateScape, [Legislative Process links](#) (updated regularly)

Where can I find general information about how the legislative process works?

Pennsylvania House of Representatives, [Making Law Pennsylvania](#)

National Conference on State Legislature, [Learning the Game](#) (2018)

Is Fair Districts PA advocating that ALL bills be given a vote?

The size of the PA legislature and the number of bills regularly introduced mean that not all bills introduced can be given a vote.

Rules that ensure a vote in committee for bills with a specified number of cosponsors from each side of the aisle would be helpful. Suggested numbers of cosponsors have been 20 from each party in the House, 5 in the Senate, or a majority of all members (102 in the house, 26 in the senate).

Fair Districts PA does not take a position on any bills unrelated to redistricting reform; however, we believe that bipartisan bills should get a vote. Pennsylvanians have a right to know how their legislators feel about bills that are introduced. Without a discussion or a vote, this is not possible. To learn more about Fair Districts PA: <https://fairdistrictspa.com/about>