

## HARRISBURG OVERVIEW

With a very divided state government (a one-seat Democratic-Majority in the House, a Republican-controlled Senate, and a Democratic Governor), the 2023 budget season was expected to be less amicable. Below is a brief recap on the most recent developments.

On June 30<sup>th</sup>, the Senate amended the general appropriations budget bill, HB 611. Senate leadership claimed that they had a deal with Governor Josh Shapiro. They would support a significant portion of the Democrat's requested line items, so long as he would support the inclusion of a \$100 million dollar line item for a school voucher program.

Shortly after the Senate passed the bill and sent it over to the House, Governor Shapiro reneged on his agreement and promised the Democratic-led House that he would line-item veto the school voucher program. To Senate Republicans, he argued that there wasn't enough support for the voucher program. He argued that to pass an on-time budget, they would have to disregard the school voucher program. With 86 Republicans in opposition, the House passed HB 611.

As part of normal operating procedure, each chamber is required to sign the bills that they've passed. Because Governor Shapiro reneged on his agreement with the Senate Republicans, Senate leadership refused to reconvene to sign the bill and send it to the Governor's desk. However, after mounting pressure from public schools, county human service program providers, and others who depend on state funding, the Senate reconvened on August 3<sup>rd</sup>, signed the bill and sent it to the Governor's desk.

The Governor quickly signed HB 611 into law, allowing state departments to start distributing some of the funding and prevent various disruptions in schools and human services programs. **But the budget package is not quite finalized.** The general appropriations budget bill is simply the spending portion of the budget package, detailing how much funding shall be allocated to each line item. However, many line items require additional authorization through a supplemental fiscal code bill, detailing *how* the money should be distributed within each line item.

On August 30<sup>th</sup>, the Senate reconvened to debate two fiscal code bills, HB 1300 and SB 757. HB 1300 directs funding to many non-controversial and bipartisan line items. SB 757 addresses the more controversial priorities, including funding for educational options for students in failing schools. Both bills were passed by the Senate and sent over to the House.

On October 4<sup>th</sup>, the House amended HB 1300 and sent it back to the Senate for consideration. The Senate is not expected to reconvene until October 16<sup>th</sup>. However, there doesn't appear to be any agreement between the House and Senate over the details of the bill language.

## BUDGET LINE ITEM

Good news for the fairs! With the help of House and Senate leadership and various fair champions, we were able to protect the county fairs line item in the 2023-24 state budget. Under HB 611 PN 1811 (Page 553), the county fairs were fully funded at \$4,000,000.

5 PART XX

6 PENNSYLVANIA RACE HORSE DEVELOPMENT

7 RESTRICTED ACCOUNT APPROPRIATIONS

8 SECTION 2001. DEPARTMENT OF AGRICULTURE.

9 THE FOLLOWING AMOUNTS ARE

10 APPROPRIATED FROM THE

11 PENNSYLVANIA RACE HORSE

12 DEVELOPMENT RESTRICTED ACCOUNT TO

13 THE DEPARTMENT OF AGRICULTURE FOR

14 THE CURRENT FISCAL YEAR: FEDERAL STATE

15 FOR THE PENNSYLVANIA

16 VETERINARY LABORATORY SYSTEM.

17 STATE APPROPRIATION..... 5,309,000

18 FOR PAYMENTS TO PENNSYLVANIA

19 FAIRS.

20 STATE APPROPRIATION..... 4,000,000

## LEGISLATION

### Food Safety Mandates for Nonprofits Serving Food 12 Times a Year or Less

SB 160 (Brooks, R-Mercer): Amends Title 3 (Agriculture) by exempting nonprofits from retail food facility licensing if they operate on no more than 12 days per year.

If this legislation passed, fairs that operate concessions for more than 12 days would still need to have a license, but those that operate for less than 12 days wouldn't need a license.

The bill was introduced and referred to the Senate Agriculture and Rural Affairs Committee on January 19<sup>th</sup>, 2023. Keep in mind, similar language has been introduced several times and never received consideration in committee, so all previous introductions have died.

### Solicitation of Funds for Volunteer Fire Companies

HB 794 (Ecker, R-Adams): Amends the Solicitation of Funds for Charitable Purposes Act (Act 202 of 1990) by exempting volunteer fire companies from audit requirements regardless of whether they utilize a 3<sup>rd</sup> party fundraiser, which only handles tasks such as mailers, and the money received goes directly from the contributor to the volunteer fire company.

We've incorporated language to amend the definitions of "professional solicitors" and "solicitation," with the goal of clarifying that showmen are not to be considered "professional solicitors" and would not have to register with the Department.

The bill was introduced and referred to the House State Government Committee on April 3<sup>rd</sup>, 2023.

The bill is in response to a Commonwealth Court case between the Department of State and a showman business. Unfortunately, the Court decided (7-0) that the showmen are to be considered professional solicitors and register with the Department. If implemented across the state, this would change the entire business model of every showman business. They would have to keep a registration of all "contributors," submit all contracts to the Department, pay fees, etc. As far as we are aware, the Department hasn't approached any other showmen with this, but they may be encouraged now with the recent ruling. So we are moving forward with our bill to clarify that they are not solicitors.

PSSA is supportive of this bill and continues to advocate for committee consideration of the bill.

### Increasing the Minimum Wage

HB 1500 (Dawkins, D-Philadelphia): Amends the Minimum Wage Act requiring the tipped minimum wage to be 60 percent of the cash wage and gradually raising the minimum wage to \$15 per hour by Jan. 1, 2026, and increasing each Jan. 1 based on the Consumer Price Index.

The bill was quickly introduced and passed only 8 days later by the full House on June 20<sup>th</sup>. It was sent to the Senate for its consideration.

The buzz surrounding this bill quickly died off during the budget discussions and has not been a priority in any recent talking points in the Capitol. However, that's not an indication that it won't arise again during fall session days.

## **LEGISLATIVE CAUCUS**

We are keeping the momentum going from our legislative reception in June. We are working to rally a core group of legislators who will continue to champion the fairs in the Capitol and reorganize a more official fair caucus.

We plan to make this a bicameral (House and Senate), bipartisan (Republicans and Democrats) caucus. We have secured Representative Robert Leadbeter (R-Columbia) and Senator Lynda Culver (R-Columbia) as the Republican co-chairs. Both represent the Bloomsburg Fair. And fun fact: Senator Culver served on the original fair caucus (under Representative David Millard) when she was state Representative!

As for next steps, we are confirming the Democrat counterparts. Then we need to organize a meeting with the four co-chairs and PSACF President Martha Ebersole. At the meeting, we will

decide on a caucus name (to broaden our scope and include the younger generations), develop a mission statement, and identify three goals to work on throughout the next year.

These legislative caucuses tend to be relatively informal but provide a solid foundation and list of fair supporters and advocates in the Capitol. Caucus members will be able to help with future line-item requests as well as any other legislative issues that the fairs may encounter.

**As always, please feel free to contact our office with any questions or concerns. We look forward to continuing to represent you in the 2023-24 legislative session.**