

United Methodist Advocacy in Pennsylvania

May 31, 2020

Pandemic Legislation

Most legislative activity in May continued to be related to the COVID-19 emergency. This activity can be categorized in two ways, it is either aid (usually financial) to relieve effects of the pandemic, or measures to control mitigation efforts or the recovery process. Either way, I will not go into detail—it would take up space without providing pertinent information.

The legislation to provide aid and financial resources has been intended to help people and organizations deal with immediate problems caused by the coronavirus pandemic (support for nursing care, first responders, economic protections, etc.). These measures, because of their merit, have received mostly bipartisan cooperation.

Partisan Tension

Unfortunately, there appears to have been far more legislation intended by the Republican-dominated General Assembly to challenge, override or usurp the pandemic mitigation policies ordered by Democratic Governor Tom Wolf's Administration. None of these opposition measures have been directly enacted.

The viewpoints of the two political parties represent the dilemma of choosing which is most important, the threat to health and safety, or the threat to personal income and business operations. The Democrats have placed primary value on the former. The Republicans emphasized the latter.

An unsettling result of the COVID-19 pandemic is that it has led to worsening political polarization at the state Capitol. General hostility between the GOP and Dems is sometimes palpable. Being an election year, this condition is not likely to ease much through the summer and fall.

Short-Term Budget Finalized

However, when necessity outweighs ideology, forward movement is possible, the state budget being an example:

On May 29, Governor Tom Wolf signed House Bill 2387, a five-month stop-gap 2020-21 General Appropriations bill. This was the lead bill in a package of legislation creating the state budget for the beginning of the coming fiscal year. The package of bills received final approval in the state House on May 26 and passed the Senate on May 28.

This five-month budget will cost about \$25.1 billion.

Because of the immediate distraction and financial upheaval caused by the COVID-19 pandemic, but still needing to formulate a budget, the General Assembly decided to budget for only the first five months of the fiscal year. This will allow time for lawmakers to better evaluate the short-term economic future and to better estimate how much revenue is likely to be available for the remaining seven months.

Unlike all other appropriations in this short-term budget, early education and higher education are being funded through the whole 2020-21 year. The other government operations, for five months, are being funded at the same level as the 2019-20 fiscal year.

One problem that will need to be assessed during the stop-gap period is how to handle a revenue shortfall of \$1.5 billion expected to be left over from the 2019-20 fiscal year (as estimated by the state Independent Fiscal Office).

Pandemic Recovery

Toward the end of May, Pennsylvania began recovering from pandemic mitigation measures. Using the traffic light "Red, Yellow, Green" code to indicate easing phases of restrictions, nearly half the counties in the Commonwealth are now or soon will be at Green.

On May 29, during a news conference, Gov. Tom Wolf said that this recovery happened because of the success of Pennsylvanians in taking precautions.

Counties still in the “red” phase are Berks, Bucks, Chester, Delaware, Lackawanna, Lancaster, Lehigh, Montgomery, Northampton and Philadelphia Counties. Gov. Wolf again said the plan is to move those counties to the “yellow” phase on June 5.

Wolf also said that another shelter-in-place mitigation policy will not be employed if there be a resurgence of the coronavirus in the fall or winter. He stated, “A couple things we are assuming: We cannot do a lockdown, we cannot do a shelter-in-place – that’s not gonna work. We are going to have more capacity in the health care system. We’re going to have the ability to do more testing....”

As of Friday, May 29, Pennsylvania has had 19 straight days with reported new cases of COVID-19 below 1,000. There have been 68,765 confirmed cases since the first reported on March 6. About 41,150 individuals have recovered and 5,464 have died. That leaves approximately 22,150 active cases at the end of May.

Coronavirus and Produce Harvest

On May 27, Pennsylvania Agriculture Secretary Russell Redding spoke to the state House Agriculture and Rural Affairs Committee.

The topic was COVID-19 protections for seasonal farm workers, to safeguard the harvest of fruit and vegetable crops during late summer and fall. The concern for this sector of the food supply follows the temporary shut down of several meat processing plants in the Commonwealth, in April.

The Agriculture Department is concerned with the 366 farm labor camps in Pennsylvania that accommodate the migrant laborers who come to work the produce harvest. Redding said the Department will try to take lessons learned from the meat processors and apply them to seasonal labor. The Department will be providing mitigation guidelines, training materials, signs and lists of COVID-19 testing locations to camp owners.

House Agriculture and Rural Affairs Committee Majority Chairman Martin Causer (R-Bradford) asked what lessons have been learned. Redding said there is a need to increase the state’s meat and dairy processing capacity, diversify food processing to cover the needs of both the food service industry and households, and find better ways to get produce to food banks.

Fall School Openings

On May 11, the state Senate Education Committee conducted a hearing in regard to the safe reopening of Pennsylvania schools this fall. The Education Committee took testimony from the state education secretary and officials of several education groups.

In one exchange, Senate Majority Education Chairman Wayne Langerholc (R-Cambria) asked about the prospects for reopening schools this fall. Education Secretary Pedro Rivera answered that the Education Department is working towards a fall reopening under a best-case scenario, but is also preparing for a worst-case scenario. He said the department wants to ensure that a reopening can be done safely for students, school staff and the local community.

Asked whether schools would operate on split schedules to reduce student crowding upon reopening, Rivera said the department will not mandate any one strategy for all school districts. The department will provide schools with a framework of multiple strategies.

A task force of eight education associations was created to explore the question of schools reopening this fall. Nathan Mains, chief executive officer of the Pennsylvania School Boards Association (PSBA) explained that the task force is examining many topics, such as classroom size, schedules, cleaning, meals, etc.

The task force members include PSBA, Pennsylvania State Education Association, Pennsylvania Association of School Administrators, Pennsylvania Association of School Business Officials, Pennsylvania Association of Intermediate Units, Pennsylvania Principals Association, Pennsylvania Association of Pa Career and Technical Administrators and Pennsylvania Association of Rural and Small Schools.

Unemployment Claims

On May 5, the state Senate Labor and Industry Committee along with the Communications and Technology Committee conducted a joint hearing on the subject of jobless claims and the state’s Unemployment Compensation System.

As a result of mass layoffs caused by pandemic mitigation efforts, the UC system has become overloaded. Before the pandemic, the UC system was expecting to handle record low unemployment claims. But instead, the system is now dealing with record high jobless claims.

Pennsylvania Department of Labor and Industry (L&I) Secretary Jerry Oleksiak said that about 70 percent of the more than 1.7 million Pennsylvania residents who have applied for state unemployment since mid-March have started receiving benefits. The Department is working on processing the remainder.

To handle the UC work load, 500 employees have been reassigned from other state agencies, 70 retirees were brought back and 250 new employees were hired. In all, about 900 employees are working to provide UC customer assistance and process claims.

L&I is launching a program to provide jobless benefits for self-employed and “gig” workers. Eligible individuals can file claims at Uc.pa.gov/pua.

The department is operating with an aging computer system. In 2017, the department entered into a \$35 million project to replace its 40-year-old mainframe system. The contract called for the project to be completed by 2019, but that date has been extended.

Probation and Parole Spots Filled

On May 13, the state Senate unanimously confirmed two individuals to fill vacancies on the Pennsylvania Board of Probation and Parole. The Board of Probation and Parole is instrumental in the release of inmates from the 25 state correctional institutions.

Khadija Diggs, an attorney in the Wolf administration, and C. James Fox, a veteran board member whose term expired last fall, were approved to serve six-year terms on the board. Earlier the same day, the Senate Judiciary Committee voted to favorably recommendation the two individuals. Gov. Tom Wolf had previously nominated Diggs and Fox to fill vacancies on the nine-member board.

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