

Speaker's Listening Tour, Carol Kuniholm comments on behalf of Fair Districts PA February 2, 2023, Wilkes-Barre

Speaker Rozzi, workgroup members, thank you for taking time to listen to the people of Pennsylvania. As you've seen, there are many Pennsylvanians united in our concern for better legislative rules.

I'm Carol Kuniholm, chair of Fair Districts PA, a fiscal project of the League of Women Voters of Pennsylvania, and chair of the Fix Harrisburg campaign, a campaign designed to focus attention on the need for legislative rules that ensure bills with bipartisan support have avenues forward to a final vote. In recent legislative sessions, less than 1 in 5 bills has received consideration in committee. Half the bills passed in one chamber are ignored in the other, despite the fact that for over a decade the same party controlled both chambers. Just 7 percent of bills introduced pass in both chambers. That puts PA among the bottom of US states in both percent and number of bills passed.

Of course no one suggests that every bill should pass, or that legislation in and of itself is of public benefit. But for decades, Pennsylvania has been struggling under the weight of outdated bills, contradictory legislation, unfunded mandates that fail to reflect the current challenges facing our communities. Bipartisan commissions and advisory boards regularly provide detailed recommendations for legislative solutions. Most of those recommendations are never even considered in the same committees that authorized the commissions. Those that are voted out of committee often go no further. What a colossal waste of time, effort and money. Meanwhile, the problems the commissions or boards were formed to address grow worse.

The first studies on broadband internet access were submitted two decades ago. Some of the problems identified then remain unaddressed now, to the great harm of our rural communities.

Studies on funding and staffing volunteer firefighters and EMS date back to the 1970s. A 1976 report, titled Pennsylvania Burning, gave extensive recommendations for legislation to address training, data collection and more. Little of that was accomplished. Subsequent reports have described a looming crisis. While some recommendations make their way into law, most do not. They may pass out of committee, but then go nowhere.

One other issue of interest, among the many dozens I could note: Since 1949 the League of Women Voters of Pennsylvania has advocated for merit selection of judges, supporting merit selection proposals in every session since the 1960s. There is strong bipartisan support for such measures yet here we are in 2023, embarking on yet another round of expensive, partisan judicial elections.

We all have our own stories to tell about bills with broad bipartisan support that are blocked or gutted or held as leverage in backroom budget negotiations. You've heard many of those stories in the course of your listening tour. You've heard the heartache, the frustration, the carefully contained fury. Many Pennsylvanians from all corners of the commonwealth believe our legislative process is broken. Many of us are determined to do what we can to help fix it.

I came to this as someone with no prior interest in politics at any level. My background is in American literature. I taught briefly, spent a decade as a full-time mom, Girl Scout leader and elementary school volunteer, then from 1999 to 2010 I was a full-time youth pastor with a church in a wealthy Philadelphia

suburb. Our church had a partner parish in Kensington, one of the poorest neighborhoods in Pennsylvania. I spent time with teens from **both** communities and discovered things that made no sense. When I attended school plays in the suburban schools, there were state-of-the-art auditoriums with state-of-the-art sound systems. In some schools, every kid with a speaking part had an expensive lapel mike. Those schools also had well-stocked state-of-the-art libraries, full-time librarians, full-time nurses, multiple counselors. Kensington schools a half-hour drive away had no auditoriums. They had no libraries. They had part-time nurses, far too few counselors, few extra resources or special programs. Small children who barely spoke English were put into crowded classrooms with no aides.

I found the inequities so striking I began trying to understand the realities behind them, and discovered that Pennsylvania, for decades, has had one of the most inequitable school funding models in the nation. When I tried to find people concerned and working to change this, I stumbled on the League of Women Voters, and found women who had been advocating for change in every way they could think of since the 1990s.

The inequities I saw were unjust, immoral, but also - economically indefensible. It's painful to watch the staggering waste of human potential: kids eager to learn who slowly give up, kids eager to bring home tattered hand-me-down books who gradually turn their attention to the streets because their schools have so little ability to spark their interest.

As I spent more time with Kensington families, I discovered other perplexing injustices: Pennsylvania is the only state in the nation that doesn't provide a state contribution to constitutionally required public defenders. I saw families destroyed because the main provider was arrested on bogus charges, held for months before trial because bail was too steep, then told to plead guilty by a public defender who knew nothing about the case and didn't bother to explain the lasting implications of a guilty plea. The injustice is appalling. The societal cost should send every fiscal conservative racing toward a remedy.

But what I've learned is that remedy is rarely possible for poor policy in Pennsylvania. My involvement with the League of Women Voters led me to a role as Vice President of Government and Social Policy on the state board, and I began to meet advocates and legislators who had been working together for years, even decades, on a wide range of issues, with no hint of success.

Why? Some legislators and advocates pointed to gerrymandering: safe districts that lock in power for the leaders who draw the district lines and lock out any potential of voters' voices being heard.

So in 2016 I helped found Fair Districts PA, to advocate for an independent citizens redistricting commission. In the seven years since we began, our volunteer speakers have explained gerrymandering, redistricting and the legislative process in almost every PA county in over 1200 public meetings, to over 45,000 people. We've collected over 105,000 petition signatures, and resolutions in support of an independent citizens commission from almost 400 governing bodies, including 24 counties, some in very rural areas, some urban, some suburban.

What we've learned: **none** of that made a difference to the committee chairs and legislative leaders. One Senate bill we supported had 25 cosponsors. A House bill we supported had 110 cosponsors. Both were gutted in committee with amendments distributed at the start of the committee meeting and voted on minutes later, with no time for legislators to read the amendments. The amendments changed the

meaning of the bills completely, and then the bills were left in committee. If the goal was to demonstrate a complete disregard for an accountable legislative process, that was accomplished. If the goal was to tell us our voices did not count, that message came through loud and clear.

But we are not alone in our frustration and defeat. In Pennsylvania, our experience is the norm, not the exception. Speaker Rozzi, you've seen your own bills ignored session after session, then used as partisan playthings in an ugly partisan game. Your colleagues - even those in leadership - have seen the same. We've all seen committee chairs and legislative leaders ignore bills that have the full support of the Pennsylvania Farm Bureau, the County Commissioners Association, the Pennsylvania School Board Association, statewide associations of firefighters and EMTs, health care providers, teachers, social workers. There is no corner of Pennsylvania life untouched by the failure to enact solutions in a timely, efficient, accountable way.

Since our bills were gutted in 2018 we've been studying the legislative rules, at the insistence of current and former legislators who explained that unless the rules change, PA voters and the majority of legislators we elect, in both chambers, and both parties, will never have a real say in Pennsylvania policy. A 2012 study found Pennsylvania among the bottom three states in translating public concerns into law.¹ All our research confirms that finding: across the country, part-time legislatures that meet for just weeks accomplish far more for the people who elect them than our full-time legislature accomplishes in a two year session.

You've all received paper and digital copies of our report [Dysfunction by Design: Why Pennsylvania's State Legislature Is So Unproductive ... and How We Can Fix It](#). You've also received emails with some [proposed changes to the rules](#). I've brought copies with me and will leave them with you as part of my testimony. We know and YOU know it will take more than a few changes to the rules to restore a truly functional legislature. At present, trust is low and hostility is high, and the cynicism surrounding our legislative process is so thick it's sometimes hard to imagine a system able to solve real problems.

But Pennsylvania can't afford even one more session of the status quo. Speaker Rozzi, you and the workgroup have an amazing, unexpected opportunity to demand better rules and to show your colleagues a genuine way forward.

You can't change the Senate, or the Senate rules, but you CAN use this moment to craft a better legislative process in the House, to show how the process SHOULD work, and to help us shame your senate colleagues into rethinking their own reckless, unaccountable practices.

On behalf of Fair Districts PA and all our Fix Harrisburg partners, I thank you for taking time to listen, to consider and to do all you can to restore a legislative process that ensures government of, by and for the people of Pennsylvania. Thank you.

¹ The Democratic Deficit in the States, Jeffrey R. Lax and Justin H. Phillips, American Journal of Political Science, Vol. 56, No. 1 (January 2012)