

43RD DISTRICT
JAY COSTA

COMMITTEES

RULES AND EXECUTIVE NOMINATIONS,
MINORITY CHAIRMAN

costa@psenate.com
www.senatorcosta.com

The Democratic Leader



Senate of Pennsylvania

May 12, 2015

Senator Patrick Browne
Room 281 MCB
Harrisburg, PA 17120

Senator Jake Corman
Room 350 MCB
Harrisburg, PA 17120

Senator John Eichelberger
Room 169 MCB
Harrisburg, PA 17120

Senator John Gordner
Room 177 MCB
Harrisburg, PA 17120

Senator Joseph Scarnati
Room 292 MCB
Harrisburg, PA 17120

Senators,

On behalf of the Senate Democratic Caucus we are writing to express our grave concerns over the expedited process by which SB 1 will be considered by the Senate this week.

Legislation affecting public pension benefits is often highly technical, complex and lengthy with potential to significantly impact the finances of the Commonwealth as well as the retirement security of annuitants, current and future Commonwealth employees. It is legislation that requires detailed legal and actuarial analysis to ensure lawmakers are able to make informed decisions about its contents and the public policy consequences of the proposal. Most importantly, it is legislation that deserves a full public vetting in an open and transparent manner with ample time for input and comment from interested parties, including the taxpayers of this Commonwealth.

Unfortunately, the process you've undertaken in advancing SB 1 provides for none of these common sense and deliberative procedures. The speed at which this legislation is moving beckons to the dark days of the General Assembly where, too often, controversial legislation was crafted behind closed doors and rammed through the General Assembly without ample time for review, public comment or debate. Taxpayers have rendered their verdict and have consistently repudiated such legislative conduct.

Ironically, within the past week your caucus took the floor of the Senate heralding the urgent imperative for "openness and transparency." You championed the need for taxpayer input on collective bargaining agreements during the debate on SB 644 and SB 645. Member after member extolled the virtues of taxpayer participation in the process. Apparently, openness and transparency does not apply to pension reform because the SB 1 legislative process is anything but "open and transparent."

Under your leadership, the Senate Republican caucus identified public pension reform as its number 1 legislative priority for the 2015-16 legislative session. For months, you worked diligently behind closed doors to craft a plan in secret. The result:

- a 410 page bill that is likely illegal and one that first appeared in print publicly on Friday, May 8, at approximately 4:30 p.m.**
- a hastily called Senate Finance Committee meeting for noon on Monday, May 11, even though the bill was only officially referred to the committee that same morning.**
- a PERC meeting scheduled for Tuesday, May 12 to supply a statutorily required actuarial note, which may or not be a thorough and complete analysis of this bill.**
- a Senate Appropriations Committee meeting scheduled for that same day to report the bill from committee**
- and a projected vote on final passage in the Senate on Wednesday, May 13.**

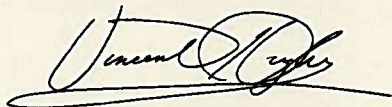
Taking at least five months to craft a bill and then providing the public and lawmakers less than 72 hours to analyze and comment on it is inexplicable and offensive. Even amendments to the bill are essentially prohibited as any amendment would require a PERC actuarial note, which the commission cannot complete in a responsible manner or in time for submission to members of the General Assembly. This is an affront to what should be a responsible, deliberative democratic process.

Today, we sent a letter to PERC requesting that it use the authority granted to it under section 6(a)(12) of the Public Employee Retirement Commission Act and provide recommendations to the General Assembly relating to our consideration of public pension legislation. As noted in the PERC Act, public employee retirement policy is of vital interest to the executive and legislative branches of government. However, it is also of vital interest to countless other Pennsylvanians, including those whose retirement security may be impacted by such policy.

The process you've chosen relating to SB 1 represents all that is wrong with Harrisburg. Ramming a complex 410-page bill through the Senate without an opportunity for public comment or debate, is an insult to ALL Pennsylvanians. We are asking PERC to make

recommendations that create a fair, open and transparent process governing consideration of future pension legislation because the taxpayers of Pennsylvania deserve better than the process you have put in motion with SB 1.

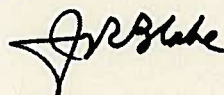
Sincerely,



Senator Vincent Hughes
7th District



Senator Jay Costa
43rd District



Senator John Blake
22nd District