

VOLUME II

*The Temple Papers on the Pennsylvania General Assembly*

The Pennsylvania General Assembly's Greatest Achievements  
**AND**  
The Parties' Roles in Enacting Important Laws  
**1968 – 2008**

Shelly Forrester and Van Huynh  
Pennsylvania Capital Semester Interns, 2010

*in collaboration with*

Michelle J. Atherton, Director  
Michael Cassidy, Adjunct Instructor  
Pennsylvania Capital Semester Program

*and*

Joseph P. McLaughlin, Jr., Director

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## *Foreword*

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This report is the product of two remarkable young women who were students in Temple's Pennsylvania Capital Semester program and served as General Assembly interns during the fall of 2010. Van Huynh, who graduated in May 2011, was a Bipartisan Management Committee intern for the House Urban Affairs Committee and its chairman, Representative Curtis Thomas. Shelly Forrester, now a senior, interned with Senator Lawrence Farnese.

In response to a requirement that they produce a course paper examining a single public policy topic, Van and Shelly boldly proposed to study the entire policy output of the General Assembly over more than 40 years. Did this output reflect primarily liberal or conservative ideology, they wondered, and was it influenced more by Democrats or Republicans? Was divided government an obstacle to getting important things done? These are important questions that would prove daunting even for experienced scholars, let alone for undergraduates. They were undaunted.

Equally important, Van and Shelly were troubled by the disparity between the public's low approval ratings of the General Assembly and their positive view of many dedicated legislators and aides they saw in the Capitol every day or heard as speakers in their evening classes at Temple's Strawberry Square campus. Indeed, it was after hearing from one of those speakers -- Representative Chris Ross -- about the huge challenges facing the legislature in an era of deep economic hardship and sharp partisan conflict that they began thinking about this project.

Van and Shelly won a grant from the provost to support their research and began months of hard work. They poured through state records, searched Temple's Pennsylvania Policy Database, and corresponded with state agency counsels to identify important laws. They asked a panel of experts to evaluate their initial list. They prepared and mailed questionnaires to 536 respondents, entered thousands of responses into spreadsheets, and analyzed the results.

Having learned as interns to ask for help when needed, they turned to Michael Cassidy, MA, one of their instructors; Michelle J. Atherton, MA, director of the Capital Semester program, and from me. I suggested that they model their project on two studies that surveyed expert opinion to identify achievements of the federal government. Michelle, who is a superb researcher and editor, helped organize the report and analyze the data. Mike and I helped winnow the list of laws, an appropriate task for old timers. As the oldest timer, I helped write the final text, adding perspective to their draft.

In the end, however, this report -- we think the first for a state government -- belongs to Van and Shelly, and of course, to the 148 legislators, former legislators and governors' aides, Capitol newsroom reporters, and university professors who returned questionnaires. Our thanks to them. For this work, by the way, Van and Shelly got As. I think you will agree they earned them.

Joseph P. McLaughlin, Jr., Director  
*Temple University Institute for Public Affairs*



### *Introduction*

Pennsylvania's boundaries encompass diverse populations that range from the rural residents of Greene, Erie, and Wayne Counties to the city and suburban residents of Philadelphia and its surrounding counties. The party affiliation, ideology, and socio-economic background of these citizens diverge dramatically and are reflected by their similarly diverse representatives who are members of the second largest state legislature.

As we learned in our internships and from Professors Michael Cassidy and Michael King, much of what America's state legislatures do is to allocate scarce resources and resolve society's conflicts over deeply held values. The result is frequent criticism of both the laws they make and the lawmaking process. This study attempts to identify the most important achievements by the Pennsylvania General Assembly despite the wide disparity of its constituencies, the competitiveness of its parties, and the structural divisions between the two chambers themselves and the other branches of government. In other words, what did the legislature do that was important and what did it get right?

This project is modeled principally on two studies of the most important federal laws and policies: *Government's Greatest Achievements* by Paul C. Light of the Brookings Institution and *Divided We Govern* by David Mayhew of Yale University. Another study that we learned about after we designed our project and that used similar techniques and concepts is "Measuring Legislative Accomplishment 1877-1994," by Joshua Clinton and John S. Lapinski, which appeared in the *American Journal of Political Science* in January 2006. All of these studies relied in one way or another on the assessments of expert opinion to determine the importance of laws and policies, and we also have adapted that approach. We do not know of any previous effort to evaluate the significance of laws enacted by state governments.

This quantitative and qualitative study seeks to identify the most important laws enacted by the Pennsylvania General Assembly between 1968 and 2008, as evaluated by 148 respondents to a mail survey of current and former legislators, senior staff to former governors, public policy professors and political scientists, and reporters in the Capitol press corps. Our project had four goals: (1) to determine what experts consider the most important laws enacted by the Pennsylvania General Assembly either as statutes or, with the approval of voters, as constitutional amendments; (2) to determine whether more was accomplished under unified or divided government; (3) to assess the role of the parties in enacting important laws by examining whether Democrats or Republicans accomplished more when they had unified control of the government; and (4) to determine whether or to what degree party affiliation or ideology affects judgments of the most important laws.

Before any research could be done, it was important to set the criteria for the project. Following Mayhew, we eliminated consideration of both state budgets and annual school subsidy laws, although these are hugely important, on the grounds that they are in effect only for a single fiscal year. Also following Mayhew, we decided to group related laws, or subsequent amendments to laws, into a category called “enactments.”

Through our own research and with the input of the general counsels of more than 30 state agencies, we identified a list of more than 90 important laws. A bipartisan panel of 15 experts with long experience in state government helped us modify this list, suggesting that some be eliminated and other laws we had not considered be added. We then solicited the help of Professors Joseph McLaughlin and Michael Cassidy to organize the important laws into 50 “enactments” that would provide survey respondents with a smaller number of clear choices. As an example, we grouped legislation creating Keystone Opportunity Zones and subsequent additions to this concept as a single enactment. We treated more than three dozen laws enacted during the 1995 special session on crime as a single enactment, although we also listed Megan’s Law separately. Similarly, we listed the Redevelopment Capital Assistance statute (Act 115 of 1986) but not the many amendments made to it over the years, including the controversial amendments that authorized the construction of four professional sports stadiums. A more detailed account of our methodology, including the steps we took in identifying the enactments and the demographic characteristics of the survey respondents, can be found in Appendix A. The questionnaire itself is in Appendix B. Appendix C provides statistical data, including the impact and achievement ratings of all 50 enactments and a table showing whether they were accomplished under unified or divided government. Laws not on the questionnaire but suggested by respondents are summarized in Appendix D.

Our questionnaire asked the respondents to rank 50 enactments in terms of which had the greatest impact on the people of Pennsylvania and/or on the institutions of state or local government, regardless of whether they agreed or disagreed with individual enactments. We call this the impact rating. Because we had learned from Professors Cassidy and King that one era’s reform may become the next era’s problem, the questionnaire also asked respondents to indicate whether in retrospect the laws had a mostly positive, mostly negative, or mixed impact, producing what we call a direction rating. The direction rating is the

percentage derived by dividing the number of positive scores awarded to an enactment by the sum of the positive and negative scores, leaving the mixed effects out of the equation. Essentially, the direction score ranges from 0.0 (all negative ratings) to 1.0 (all positive ratings), with a 0.5 indicating perfectly mixed effects. Multiplying the direction rating by the impact rating, we calculate an achievement rating for each of the enactments. The greatest achievements would thus be the enactments that were judged to have had the most positive impacts on the people of Pennsylvania or the institutions of state and local government (Tables C-1, C-2, and C-3).

We defined the time frame for our study from 1968 to 2008. In Pennsylvania, the last state constitutional convention held was in 1968, which provided a good starting point. The changes made to the constitution and the recommendations of the Commission on Legislative Modernization empanelled that year laid the groundwork for the state government and legislature that we know today. We began our research in the fall of 2010, while we were interns in Temple University's Capital Semester program, and hence we attempted to evaluate legislation enacted through the 2007-2008 session, which is the end point of our study. We continued working on the project as an independent study course during the 2011 spring term.

### *What Are State Government's Most Important Laws?*

Among 148 diverse respondents to our survey, there was a surprising amount of agreement on the 25 most important laws -- those judged to have the greatest impact on the people of Pennsylvania or the institutions of state and local government, regardless of whether the direction of impact was judged mostly positive, mostly negative, or mixed (Table 1; the impact ratings of all 50 enactments can be found in Table C-1).

The personal income tax (Act 2 of 1971) was ranked first on this criterion. Given that the tax is the largest single source of state revenues and therefore is critically important to all state programs and functions supported by the general fund, this ranking is not surprising. Had the survey also allowed an evaluation of the "difficulty of the task," as did the Brookings study, it is likely that this enactment would have ranked first on that measure, as well. Pennsylvania was the 43rd state to enact such a tax, which had been advocated by Democratic and Republican governors but rejected by the legislature for more than a decade, as the state's finances -- and the budget process itself -- descended into a shambles in the 1960s. Democratic Governor Milton J. Shapp was elected in 1970 after pledging to pursue the income tax. Even then, the law had to be passed twice because the first measure, which provided for graduated rates, was invalidated by the Pennsylvania Supreme Court on grounds that it violated the Constitution's uniformity provisions. As we shall see, this law drops to fifth on achievement, that is when the impact rating is modified by respondents' direction rating (whether the impact was mostly positive, mixed, or mostly negative).

It also should be noted that although this tax is sometimes criticized because its rate is flat rather than graduated, it does tax both earned and unearned (investment) income, and

TABLE I

## Top 25 Enactments on Impact, All Respondents

| Rank | Name of Enactment(s)                                     | Enactment(s) & Year               | Summary  | Impact Score |
|------|--|-----------------------------------|--|--------------|
| 1    | Personal Income Tax                                      | Act 2 of 1971                     | Provides for personal income tax with exemptions for poverty, age, and disability.   | 4.15         |
| 2    | Public Employee Labor Relations                          | Act 195 of 1970                   | Allows public employees to organize and bargain collectively and gives them a limited right to strike.   | 4.10         |
| 3    | Children's Health Insurance Plan                         | Act 113 of 1992                   | Provides insurance for children whose families earn too much to qualify for Medical Assistance but cannot afford health insurance.   | 4.01         |
| 4    | PACE (and PACENET)                                       | Act 134 of 1983                   | Assists older adults who meet income guidelines in paying for prescription drugs.  | 3.95         |
| 5    | Environmental Protection Laws                            | Act 275 of 1970, R2 of 1971       | Act 275 creates DER (now DEP). Resolution 2 (HB 31) proposes Article I, § 27 of the Constitution, assuring rights to clean air and water and the preservation of environmental values.   | 3.85         |
| 5    | State Lottery Law  | Act 91 of 1971                    | Provides a lottery for senior citizen property tax and rental rebates and free or reduced-fare mass transit.   | 3.85         |
| 7    | Public Safety Telephone Act                              | Act 78 of 1990                    | Provides a toll-free 911 number for individuals to gain access to emergency aid.   | 3.83         |
| 8    | Sunshine Law   | Act 84 of 1986                    | Reenacts 1957 law and establishes public's right to attend meetings of public bodies where decisions are deliberated as well as made.  | 3.67         |
| 9    | Police & Fire Bargaining Act                             | Act 111 of 1968                   | Gives police and firefighters right to collective bargaining and binding arbitration; prohibits strikes.   | 3.63         |
| 10   | Race Horse Development & Gaming Act, Taxpayer Relief Act | Act 71 of 2004, Act 1 of SS1 2006 | Act 71 authorizes slot machines to support school property tax relief and horse racing industry; establishes a Gaming Control Board. Act 1 provides gaming revenues for property tax relief and places some control on annual tax increases. | 3.59         |
| 11   | Creation of PennDOT                                      | Act 120 of 1970                   | Consolidates transportation functions in six major departments into a new agency with broader powers.  | 3.55         |
| 12   | Hazardous Sites Cleanup Act                              | Act 108 of 1988                   | Provides DEP with the funding and authority to clean up hazardous waste sites; requires responsible parties to participate in cleanup or pay costs.  | 3.55         |
| 13   | State Welfare Reform                                     | Act 35 of 1996                    | Ends cash assistance as entitlement and focuses on work activity in exchange for welfare assistance.   | 3.48         |
| 14   | Infrastructure Investment Act (PENNVEST)                 | Act 16 of 1988                    | Creates an authority to manage federal and state revolving loan pool programs providing affordable financing for water and sewer projects.   | 3.46         |
| 15   | Redevelopment Capital Assistance                         | Act 115 of 1986                   | Allows state capital funds to be used for regional economic, cultural, civic, educational, and historical improvement projects not owned by the state.   | 3.42         |
| 16   | Retirement Code Amendments                               | Act 9 of 2001                     | Expands PSERS and SERS investment authority and liberalizes benefits for retirees.   | 3.39         |
| 17   | Farmland and Forest Land Assessment Act                  | Act 319 of 1974                   | "Clean and Green" allows agricultural and forest land to be assessed for taxes at farm rather than market value to help farmers resist development.  | 3.37         |
| 18   | Non-Discrimination Laws                                  | R3 of 1971, Act 51 of 1991        | Resolution 3 (HB 14) proposes Article I, § 28 of the Constitution, prohibiting abridgement of rights due to sex. Act 51 reestablishes Human Relations Commission and expands its powers.   | 3.32         |
| 19   | No-Fault Divorce   | Act 26 of 1980                    | Authorizes court to approve divorces without assigning wrong-doing or fault to either party.   | 3.29         |
| 20   | Megan's Law  | Act 24 of SS1 1995                | Creates statewide sexual offender registry.  | 3.27         |
| 21   | Dedicated Transit Capital Funding                        | Act 26 of 1991                    | Provides dedicated mass transit capital funding to rebuild infrastructure and replace rolling stock.   | 3.26         |
| 22   | Mental Health Procedures Act                             | Act 133 of 1976                   | Assures adequate treatment of mentally ill in least restrictive environment and protects their rights against unwarranted involuntary commitment.  | 3.25         |
| 23   | Regulation of Abortions                                  | Act 64 of 1989                    | Requires doctors to inform women about health risks; requires parental consent; imposes a 24-hour waiting period. Upheld by US Supreme Court.  | 3.21         |
| 24   | No-Fault Vehicle Insurance Act                           | Act 176 of 1974                   | Provides for no-fault claim satisfaction and uninsured and underinsured motorists.   | 3.19         |
| 25   | Drunk Driving Legislation                                | Act 24 of 2003                    | Regulates driving under the influence of alcohol or controlled substances, lowers alcohol limits, regulates tests, and establishes programs for offenders.   | 3.19         |

it does include progressive features authorized in the Constitution, namely exemptions for poverty, age, and disability. Since its enactment, the rate has risen and fallen and is higher today than when first legislated, but the exemptions also have been expanded.

Ranking second and ninth in impact, respectively, were two laws providing tens of thousands of public employees with collective bargaining rights. Act 195 of 1970 provided most non-uniformed public employees, including most notably public school teachers, with the right to organize unions and with a limited right to strike. Act 111 of 1968 prohibited uniformed public safety employees, essentially police officers and firefighters, from striking but did provide for binding arbitration if negotiations failed to resolve differences between their unions and their public employers. Both laws were passed with overwhelming bipartisan support and signed by Republican Governor Raymond Shafer. As we shall see, these laws drop out of the top 25 on achievement, because many (but not most) respondents -- probably concerned about the costs of municipal and school district labor contracts and the occurrence of school strikes -- viewed their impacts as more negative than positive. On achievement, Act 111 is ranked 37th and Act 195 46th.

Another law in the top 25 also affected public employees. Act 9 of 2001, 16th in impact, expanded investment authority for the state and school teachers pension systems and liberalized benefits for retirees. This law, however, which has been blamed for aggravating the two system's unfunded pension liabilities, was ranked last of all 50 enactments in achievement and in fact was the only law judged on average to have had mostly negative effects.

Enactments extending health insurance to children (Act 113 of 1992) and pharmaceutical benefits to the elderly (PACE and PACENET) ranked third and fourth respectively. Also in the top 25 in the areas of health and social policy were legislation requiring welfare recipients to work and limiting benefits to two years (Act 35 of 1996), which was ranked 13th, and safeguarding the rights of the mentally ill (Act 133 of 1976) ranked 22nd. (The mental health legislation, however, dropped slightly to 26th on achievement.)

Four enactments on environmental policy were in the top 25. Tied for fifth were a constitutional amendment establishing citizens' rights to clean air and water and related legislation creating a state agency to enforce environmental laws. Also in this category are enactments providing for hazardous waste cleanup (12th), the "PENNVEST" program authorizing financing for water and sewer projects (14th), and the "Clean and Green" program protecting agricultural and forest land (17th).

Two enactments provided for property tax relief. Tied for fifth was legislation creating the state lottery and directing proceeds to property tax relief and free mass transit for senior citizens (Act 91 of 1971). Ranked 10th were related laws authorizing, regulating, and taxing slot machines and table games to fund school property tax relief. This enactment also directed funds to the state's horse racing industry. It ranks 42nd in achievement, probably due to respondents worried about the social impact of legalizing gambling and perhaps also about controversies arising from initial licensing decisions.

Three enactments in the top 25 dealt with public safety, including a law establishing a

toll-free 911 number (7th), requiring sexual offenders to register their residences (20th, falling to 25th on achievement), and lowering thresholds and stiffening penalties for drunk driving (25th, but moving up to 17th on achievement).

Three enactments in the top 25 deal with transportation, led by legislation (Act 120 of 1970) that consolidated transportation functions in six departments into a new agency with broader powers, the modern PennDOT (11th). Also in this category were Act 26 of 1991, establishing dedicated funding for mass transit capital projects (21st but 25th on achievement) and Act 176 of 1974, providing for no-fault automobile insurance (24th, but moving up to 14th on achievement). A similar insurance reform law (Act 6 of 1990) reduced rates for drivers who opt to forego their right to sue for pain and suffering, a law suggested by one of our respondents (see Appendix D).

Economic development legislation authorizing the state to invest capital funds in economic, cultural, civic, and historical improvement projects not owned by the state ranked 15th (but it dropped to 35th on achievement). The PennVest and mass transit capital funding legislation already mentioned also could be grouped in the category of infrastructure investment.

Two civil rights measures were ranked together at 18th: a constitutional amendment prohibiting discrimination based on sex (which the US Constitution lacks) and a law reestablishing and expanding the powers of the Human Relations Commission.

Finally, two of the top 25 fall into the category of family law. Act 12 of 1980, establishing no-fault divorce, was ranked 19th (but 27th on achievement) and Act 64 of 1989 requiring physicians to inform women about health risks, obtain parental consent and abide by 24-hour waiting period for abortions was ranked 23rd (but 43rd on achievement).

Somewhat surprising were the relatively low rankings of three energy enactments: deregulation of electricity (Act 138 of 1996) at 37th and natural gas (Act 21 of 1999) at 43rd and requirements for increased use of alternative energy sources (Act 213 of 2004) at 39th. Three education enactments also ranked low on the list of the top 50, although perhaps for understandable reasons: the charter school law (Act 22 of 1997) at 27th, the adequate school funding law (Act 61 of 2008), and the Educational Empowerment Act and Philadelphia School Reform legislation (Acts 16 of 2000 and 88 of 2002, respectively) at 50th, or last on the list. The charter school and empowerment laws have not affected most school districts in the state, and the adequate school funding legislation had just been passed in 2008, so when we began our study in 2010 its long-term goals were threatened by the recession. It should be noted that these energy and education measures were ranked relatively low only on a list of the 50 most important enactments out of the thousands enacted since 1968.

### *What Laws Ranked Highest on Achievement?*

When the impact scores of the most important enactments are modified by the respondents' judgment of direction (whether the laws had mostly positive, mostly negative, or mixed effects), eight important laws drop out of the top 25, replaced by other enactments,

TABLE 2

## Top 25 Enactments on Achievement, All Respondents

| Rank | Name of Enactment(s)                                      | Enactment(s) & Year            | Summary   | Achievement Score |
|------|---|--------------------------------|---|-------------------|
| 1    | Children's Health Insurance Plan                          | Act 113 of 1992                | Provides insurance for children whose families earn too much to qualify for Medical Assistance but cannot afford health insurance.  | 3.83              |
| 2    | Public Safety Telephone Act                               | Act 78 of 1990                 | Provides a toll-free 911 number for individuals to gain access to emergency aid.  | 3.80              |
| 3    | PACE (and PACENET)  | Act 134 of 1983                | Assists older adults who meet income guidelines in paying for prescription drugs.   | 3.80              |
| 4    | Environmental Protection Laws                             | Act 275 of 1970, R2 of 1971    | Act 275 creates DER (now DEP). Resolution 2 (HB 31) proposes Article I, § 27 of the Constitution, assuring rights to clean air and water and the preservation of environmental values.              | 3.69              |
| 5    | Personal Income Tax                                       | Act 2 of 1971                  | Provides for personal income tax with exemptions for poverty, age, and disability.  | 3.49              |
| 6    | Hazardous Sites Cleanup Act                               | Act 108 of 1988                | Provides DEP with the funding and authority to clean up hazardous waste sites; requires responsible parties to participate in cleanup or pay costs.   | 3.49              |
| 7    | Sunshine Law  | Act 84 of 1986                 | Reenacts 1957 law and establishes public's right to attend meetings of public bodies where decisions are deliberated as well as made.   | 3.49              |
| 8    | Infrastructure Investment Act (PENNVEST)                  | Act 16 of 1988                 | Creates an authority to manage federal and state revolving loan pool programs providing affordable financing for water and sewer projects.  | 3.43              |
| 9    | Creation of PennDOT                                       | Act 120 of 1970                | Consolidates transportation functions in six major departments into a new agency with broader powers.   | 3.43              |
| 10   | State Lottery Law   | Act 91 of 1971                 | Provides a lottery for senior citizen property tax and rental rebates and free or reduced-fare mass transit.  | 3.35              |
| 11   | Farmland and Forest Land Assessment Act                   | Act 319 of 1974                | "Clean and Green" allows agricultural and forest land to be assessed for taxes at farm rather than market value to help farmers resist development.   | 3.34              |
| 12   | State Welfare Reform                                      | Act 35 of 1996                 | Ends cash assistance as entitlement and focuses on work activity in exchange for welfare assistance.  | 3.31              |
| 13   | Megan's Law   | Act 24 of SS1 1995             | Creates statewide sexual offender registry.   | 3.15              |
| 14   | No-Fault Vehicle Insurance Act                            | Act 176 of 1974                | Provides for no-fault claim satisfaction and uninsured and underinsured motorists.  | 3.06              |
| 15   | State Ethics Act  | Act 9 of 1989                  | Reestablishes Ethics Commission, tightens conflict-of-interest rules, bans honoraria for official acts.   | 3.01              |
| 16   | Non-Discrimination Laws                                   | R3 of 1971, Act 51 of 1991     | Resolution 3 (HB 14) proposes Article I, § 28 of the Constitution, prohibiting abridgement of rights due to sex. Act 51 reestablishes Human Relations Commission and expands its powers.            | 3.00              |
| 17   | Drunk Driving Legislation                                 | Act 24 of 2003                 | Regulates driving under the influence of alcohol or controlled substances, lowers alcohol limits, regulates tests, and establishes programs for offenders.  | 2.92              |
| 18   | Transparency Legislation                                  | Act 134 of 2006, Act 2 of 2008 | Act 134 requires principals, lobbying firms and lobbyists to register and report expenditures. Act 2 expands access to public information held by state and local governments.                      | 2.88              |
| 19   | Homeowners Assistance Act                                 | Act 91 of 1983                 | Assures steady mortgage payments while unemployed seek jobs, training, and/or education.  | 2.86              |
| 20   | Emergency Mgt Service Code                                | Act 323 of 1978                | Requires counties and municipalities to develop and maintain an emergency management program.   | 2.84              |
| 21   | Distressed Municipalities and Philadelphia Oversight Acts | Act 47 of 1987, Act 6 of 1991  | Act 47 empowers DCED to declare municipalities financially distressed and provides tools to assist them. Act 6 establishes board (PICA) to require balanced 5-yr. financial plans for Philadelphia. | 2.83              |
| 22   | Drug & Alcohol Insurance Law                              | Act 106 of 1989                | Requires most group health insurance plans to include coverage for drug and alcohol addiction treatment.  | 2.83              |
| 23   | Loan Interest & Protection Law                            | Act 6 of 1974                  | Restricts fees and interest rates on mortgage and consumer loans, provides consumer protections related to mortgage foreclosures.   | 2.83              |
| 24   | Municipal Pension Act                                     | Act 205 of 1984                | Establishes municipal pension funding standards and a recovery program for distressed plans.  | 2.82              |
| 25   | Dedicated Transit Capital Funding                         | Act 26 of 1991                 | Provides dedicated mass transit capital funding to rebuild infrastructure and replace rolling stock.  | 2.82              |

and the rankings of most of the other 17 laws change somewhat. (Table 2 shows the top 25 enactments ranked on achievement and Table C-2 all 50 enactments on achievement.)

All but one of the 50 enactments in the survey were judged to have more positive than negative effects (the exception being the 2001 Retirement Code amendments) and thus can be considered legislative achievements. Some of the changes, as we shall see later, result because Republicans and Democrats, on the one hand, and self-described liberals, moderates, and conservatives on the other, agree on the importance of laws but disagree on their direction. But to a large extent, the enactments that fell in ranking did so because some respondents of both parties and all three ideological views felt their effects had been more negative than positive.

The Children's Health Care Act tops the achievement rankings, moving up from 3rd on impact. Under our scoring system, therefore, this legislation, which was copied by many other states and by the federal government, wins the designation as the state's greatest legislative achievement. The personal income tax fell from 1st on impact to 5th on achievement.

Other health care and social policy legislation also fared well. The PACE and PACENET prescription drug program for senior citizens, was rated 3rd on achievement, up from 4th on impact. Welfare reform was rated 13th on impact and 12th on achievement. Legislation requiring most employer provided insurance plans to cover treatment for drug and alcohol abuse broke into the top 25, ranking 22nd on achievement, up from a tie for 32nd on impact.

Perhaps the most notable shift, however, is the disappearance from the top 25 of the three laws affecting public employees. Act 111, providing binding arbitration for public safety personnel, drops from 9th on impact to 37th on achievement, and Act 195, allowing most other public employees to engage in collective bargaining and to strike, falls from 2nd in importance to 46th on achievement. Among all recipients, both of these laws received slightly positive overall ratings on direction. The 2001 retirement code amendments, however, fell from 16th in importance to 50th on achievement and, as noted above, was the only law judged to have mostly negative effects. It seems reasonable to assume that many respondents of both parties thought that the benefits of these three laws to employees and perhaps in better services to citizens were outweighed by their fiscal costs to employers and ultimately to taxpayers.

Other enactments dropping out of the top 25 were the Race Horse Development Act (from 10th to 42nd), Redevelopment Capital Assistance (from 15th to 35th), the regulation of abortions (from 23rd to 43rd), the Mental Health Procedures Act (from 22nd to 26th), and no-fault divorce (from 19th to 27th).

The eight replacements in the top 25 seem to reflect concerns with current problems and issues. They include, in addition to the drug and alcohol insurance law, two government reform measures, two measures to protect homebuyers and other borrowers, two laws designed to help municipalities deal with fiscal pressures, and a law requiring counties to develop emergency management plans, which was ranked 20th on achievement, up from 41st on impact.

The government reform enactments are legislation reestablishing and expanding the scope

of the state ethics commission (Act 9 of 1989), which was ranked 15th on achievement, up from a tie for 32nd on impact, and transparency legislation (Act 134 of 2006 and Act 2 of 2008) ranked 18th on achievement, up from 37th on impact, Act 134 reestablished and expanded lobbyist regulation requirements, and Act 2, known as the Open Records law, requires government agencies to provide citizens with access to or copies of most government records. Another good government measure, the Sunshine Act, was ranked 7th on achievement, moving up from 8th on impact.

Perhaps reflecting sensitivity to the collapse of housing values in the recession, respondents moved two relatively old acts protecting home buyers into the top 25 on achievement: the Homeowners Assistance Act (Act 91 of 1983) and the Loan Interest and Protection Act (Act 6 of 1974) were ranked 19th and 23rd on achievement, respectively, up from 35th and 40th on impact.

Likewise, awareness of the fiscal pressures confronting municipalities in the recession may have influenced respondents to rate the distressed cities and Philadelphia oversight legislation (Act 47 of 1987 and Act 6 of 1991) 21st on achievement, up from 26th on impact, and the Municipal Pension Reform Act (Act 205 of 1984) to 24th on achievement, up from 30th.

Civil rights legislation prohibiting discrimination based on sex and empowering the Human Relations Commission to investigate complaints of discrimination was rated 16th on achievement, up from 18th on impact.

Four important environmental enactments remained in the top 25 when adjusted for direction. The environmental amendment to the Constitution and legislation creating the Department of Environmental Resources ranked 4th on achievement, up from tied for 5th on impact. Hazardous sites cleanup legislation was 6th on achievement, up from 12th on impact. PENNVEST legislation moved from 14th on impact to 8th on achievement, and farmland protection legislation moved from 17th on impact to 11th on achievement.

Laws affecting public safety also held their ground. The Public Safety Telephone Act moved from 7th on impact to 2nd on achievement, as its direction was overwhelmingly positive. Megan's Law moved from 20th on impact to 13th on achievement, and drunk driving legislation rose from 25th on impact to 17th on achievement.

Remaining in the top 25 but losing some ground were legislation establishing the state lottery and directing much of the proceeds to fund property tax, and mass transit assistance to senior citizens, 10th on achievement down from tied for 5th on impact, and dedicated capital funding for mass transit, 25th on achievement, down from 21st on impact.

The five enactments ranked lowest on achievement also seemed to reflect some revisionist assessments of past decisions. They are: Act 195 authorizing public employees to engage in collective bargaining and to strike (46th), the Educational Empowerment and Philadelphia School Reform Acts (47th), the deregulation of electricity (48th), legislation authorizing charter schools (49th), and as already noted the retirement code amendments of 2001, the only enactment judged to have mostly negative effects (50th). It should be remembered, however, that these enactments ranked low relative only in a list

of 50 of the most significant enactments of thousands of laws passed between 1968 and 2008. By any commonsense standard, they are important laws.

*Was More Accomplished under Unified or Divided Government?*

During the 41 years covered by this study, Pennsylvania experienced 23 years of divided government (with different parties controlling the legislative chambers or the governor’s office) and 18 years of unified government (one party controlling the House, Senate, and governor’s office). Legislation enacted under divided government necessarily requires a measure of bipartisan cooperation, while laws enacted under unified government don’t necessarily require bipartisan support, although many such laws might in fact have been supported by members of both parties.

Seven of the 50 enactments involve more than one passage of more than one bill, but of these only two involve legislative action under both divided and unified government: the environmental protection enactments, ranked 4th on impact, and civil rights enactments, ranked 18th on impact. Putting those two aside, we find that 14 of the remaining 23 enactments in the top 25 were accomplished during divided government and nine were accomplished during unified government (Table 3).

TABLE 3

| Top 25 Enactments Divided and Unified Government with Impact Scores |  |                                   |                          |
|---|--|-----------------------------------|--------------------------|
| Unified Government  |  |                                   |                          |
| Rank  | Name of Enactment(s)                                     | Enactment(s) and Year             | Average Rating on Impact |
| 1   | Personal Income Tax                                      | Act 2 of 1971                     | 4.15                     |
| 5   | State Lottery Law  | Act 91 of 1971                    | 3.85                     |
| 9   | Police & Fire Bargaining Act                             | Act 111 of 1968                   | 3.63                     |
| 13  | State Welfare Reform                                     | Act 35 of 1996                    | 3.48                     |
| 16  | Retirement Code Amendments                               | Act 9 of 2001                     | 3.39                     |
| 20  | Megan’s Law  | Act 24 of SS1 1995                | 3.27                     |
| 22  | Mental Health Procedures Act                             | Act 133 of 1976                   | 3.25                     |
|   |  |                                   | Average 3.57             |
| Divided Government  |  |                                   |                          |
| Rank  | Name of Enactment(s)                                     | Enactment(s) and Year             | Average Rating on Impact |
| 2   | Public Employee Labor Relations                          | Act 195 of 1970                   | 4.10                     |
| 3   | Children’s Health Insurance Plan                         | Act 113 of 1992                   | 4.01                     |
| 4   | PACE (and PACENET)                                       | Act 134 of 1983                   | 3.95                     |
| 7   | Public Safety Telephone Act                              | Act 78 of 1990                    | 3.83                     |
| 8   | Sunshine Law   | Act 84 of 1986                    | 3.67                     |
| 10  | Race Horse Development & Gaming Act, Taxpayer Relief Act | Act 71 of 2004, Act 1 of SS1 2006 | 3.59                     |
| 11  | Creation of PennDOT                                      | Act 120 of 1970                   | 3.55                     |
| 12  | Hazardous Sites Cleanup Act                              | Act 108 of 1988                   | 3.55                     |
| 14  | Infrastructure Investment Act (PENNVEST)                 | Act 16 of 1988                    | 3.46                     |
| 15  | Redevelopment Capital Assistance                         | Act 115 of 1986                   | 3.42                     |
| 17  | Farmland and Forest Land Assessment Act                  | Act 319 of 1974                   | 3.37                     |
| 19  | No-Fault Divorce   | Act 26 of 1980                    | 3.29                     |
| 21  | Dedicated Transit Capital Funding                        | Act 26 of 1991                    | 3.26                     |
| 23  | Regulation of Abortions                                  | Act 64 of 1989                    | 3.21                     |
| 24  | No-Fault Vehicle Insurance Act                           | Act 176 of 1974                   | 3.19                     |
| 25  | Drunk Driving Legislation                                | Act 24 of 2003                    | 3.19                     |
|   |  |                                   | Average 3.54             |

Extending the analysis to include all of the enactments on the questionnaire, we find that more were enacted under unified than divided government and that unified government has a somewhat higher per-year average (Table 4).<sup>1</sup>

TABLE 4

| Party Control      | Years     | Enactments | Average/Year |
|--------------------|-----------|------------|--------------|
| <b>Unified</b>     | <b>18</b> | <b>27</b>  | <b>1.500</b> |
| <i>Democrats</i>   | 7         | 10         | 1.429        |
| <i>Republicans</i> | 11        | 17         | 1.545        |
| <b>Divided</b>     | <b>23</b> | <b>21</b>  | <b>0.913</b> |
| <b>Total</b>       | <b>41</b> | <b>48</b>  | <b>1.220</b> |

Nevertheless, analyzing the 48 enactments by whether they were accomplished under unified or divided government allows us to answer the question for Pennsylvania state government that David Mayhew raised with respect to the federal government: Has divided government been an obstacle to passing important laws? Based on this study, No.<sup>2</sup>

On the other hand, among all respondents, the average impact and achievement ratings under divided government (3.34, 2.92) are somewhat higher than under unified government (3.19, 2.59). It should be noted, of course, that the enactments on the survey were chosen with the help of a bipartisan panel and that the impact and achievement ratings reflect the judgments of a bipartisan survey. It is therefore not surprising that laws enacted under divided government drew higher ratings. Based on this analysis, we can conclude that important laws can be achieved under divided government, which is consistent with Mayhew's findings, although they are somewhat less likely.

<sup>1</sup> Altogether, 91 laws underlie the 50 enactments (Table C-4 in Appendix C). Of these, 61 were enacted during unified government and 30 during divided government, but the unified government category includes the 37 laws adopted during the special session on crime in 1995 (36 excluding Megan's Law, also passed during this session). Excluding the special session acts, there are 24 laws enacted under unified government compared to 30 under divided government.

<sup>2</sup> It should be noted, however, that in Volume I of this series, McLaughlin (2012) cites evidence that divided government, along with the need for higher taxes, is associated with late general fund budgets. This study did not include annual budgets on the survey questionnaire, despite their huge importance, for reasons already discussed.

*What Was the Role of the Parties in Enacting Important Laws?*

Next, we looked at which party was more successful in achieving important enactments when it had unified control of state government. We took the number of laws enacted by a party that controlled the House, Senate, and governor’s office and averaged it by the years that they held a majority. From Table 4, we see the Democrats had 10 important enactments over the span of seven years; and Republicans had 17 enactments over 11 years.

Another way of assessing the role of the parties is to compare the number of laws underlying the enactments accomplished under the Democratic and Republican governors since 1968 (Table 5). Note that the count for the Ridge-Schweiker administration would be 11 if the 37 acts passed during the special session on crime are excluded.

TABLE 5

| Laws Underlying the 50 Enactments by Governors’ Terms |                 |                   |                                      |                             |                             |
|---|-----------------|-------------------|--------------------------------------|-----------------------------|-----------------------------|
| Years   | Governor        | Party of Governor | Laws Underlying Important Enactments | Years of Divided Government | Years of Unified Government |
| 1968-1971*  | Shafer          | R                 | 4                                    | 2                           | 1                           |
| 1971-1979   | Shapp           | D                 | 11                                   | 2                           | 6                           |
| 1979-1987   | Thornburgh      | R                 | 9                                    | 6                           | 2                           |
| 1987-1995   | Casey           | D                 | 12                                   | 7                           | 1                           |
| 1995-2003   | Ridge/Schweiker | R                 | 48**                                 | 0                           | 8                           |
| 2003-2008*  | Rendell         | D                 | 7                                    | 6                           | 0                           |

\* These years represent the dates in office during the period of this study, not total time in office.  
 \*\* If the 37 laws enacted in the 1995 special session on crime are excluded, the Ridge administration count is 11.

*Does Party or Ideology Affect Judgments of Pennsylvania’s Most Important Laws?*

Our questionnaire asked respondents to identify themselves as Democrats, Republicans or Independents and also to place themselves on an ideological scale from 1 to 5, where 1 is most liberal, 3 is middle of the road, and 5 is most conservative.

According to a common statistical test, on the whole, neither party nor ideology significantly affected the ranking<sup>3</sup> of all 50 enactments, with few exceptions. As might be expected, Democrats and liberals rated the personal income tax higher on achievement (both had it at 3rd) than Republicans (10th) and conservatives (9th). On the other hand, these groups did not differ by much in their rankings of collective bargaining (Act 195), welfare reform, and abortion laws, where ideology might be expected to play a role. In the case of the latter, it may be that liberal and conservative rankings were similar for different reasons.

<sup>3</sup> The Spearman Rank-Order Correlation test indicated very weak negative correlations between the way Democrats and Republicans, on the one hand, and conservatives, liberals, and moderates on the other, ranked the 50 enactments on achievement. Their ranking disagreements were not significant.

Liberals, who ranked the act 41st on achievement, might be somewhat pleased that the act provided access to abortions and conservatives, who ranked it 47th, might be disappointed that the restrictions are not sufficiently severe. Answering one of the questions that motivated our study, we found that overall, the 50 enactments were rated somewhat higher on achievement by conservatives (2.89) than liberals (2.73), an indication that on balance Pennsylvania's important legislative output is moderately conservative by this measure. As might be expected, moderates fell in the middle (2.75).<sup>4</sup> Similarly, Republicans rated the 50 enactments at 2.87, while Democrats rated them at 2.75.

### *Do Observers Differ from Legislators in Ranking Important Laws?*

Most of the respondents in our survey were participants in one or more roles in state government, particularly the 43 current and 66 former legislators. Our respondent pool also included 14 reporters and 14 professors who are observers rather than participants. When we compare the achievement rankings of 109 current and former legislators to the achievement rankings of the 28 observers, we find a moderately weak negative relationship; that is, the two groups disagree in their overall rankings but not substantially (Table C-6). However, there are noteworthy differences on individual enactments.

Among the largest, and in some respects surprising, differences are on the achievement scores of the personal income tax (5th by legislators and only 20th by observers); no-fault divorce (22nd by legislators and 39th by observers), and deregulation of electricity (49th by legislators and 22nd by observers).

Legislators ranked the CHIP program first, and prescription drugs for the elderly second. Observers ranked the prescription program first and CHIP 4th. The two groups did not differ much in their rankings of Act 195 (44th by legislators and 48th by observers), Act 111 (37th by legislators and 46th by observers), and abortion control (46th by legislators and 38th by observers).

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<sup>4</sup> Two studies (Erikson, Wright and McIver 1993 and Crain 2003) have found Pennsylvania's elected officials to produce moderately liberal policies when all 50 states are ranked on policy ideology, which would appear to contradict this conclusion. It should be noted, however, that beliefs and policies that Pennsylvanians see as conservative could be regarded as liberal in other states in the broader context of comparative studies. Our respondent pool is roughly in line with evidence cited by Erikson and his colleagues and Crain with respect to the ideology of Pennsylvanians. More members of the public and our respondents regard themselves as conservatives than liberals. Similarly, Kennedy found more legislators identified themselves as conservative than liberals, and he concluded "that the Pennsylvania legislature must be considered a moderately conservative body" (1999:82). Unlike Kennedy's legislators, our respondents also had the option of describing themselves as moderates, and as is shown in Table A-1, that was the second largest category after conservatives. It should be noted that all of these studies are based on data from the 1990s or earlier, although survey measures of citizen ideology have generally proven stable over time.

*What Respondents Told Us about Enactments We Did Not Include*

Although we put a great deal of effort into designing a study that would systematically if not scientifically identify the most important laws and the legislature's greatest achievements, we recognize that lists like ours are always debatable. We were sure that at least some of the respondents would feel that our questionnaire missed some important laws and perhaps that we included laws that they felt were not that important. As a result, the questionnaire invited them to nominate other laws as among the most important and to indicate whether the benefits of these laws were mostly positive, mixed, or mostly negative. We also left space for more general comments.

Overall, responses to the survey itself were overwhelmingly positive, with several respondents commenting on how interesting it was to answer. One voiced concern over the length of the survey and complexity of the laws.<sup>5</sup> Some respondents stated they wished they had had access to records establishing what the impact of the law was. One stated a preference for listing older laws as more positive since the consequences are more well known. Several respondents commented that the most important law the state passes is funding education, some stating that the costing-out study should have been followed. A few respondents voiced similar views, saying the most important legislation is done every year: the budget. Other respondents commented that without proper funding levels, large or small, legislation alone does nothing.

Additional enactments suggested are listed in Appendix D. We should note here that we could not identify all of the laws suggested by respondents, and as a result, the list in Appendix D is not as comprehensive as we would have liked. Our respondents did come up with good suggestions, some of which we simply missed and others of which we had regrettably excluded due to feedback from our expert panel and from our desire to keep the total list to 50 enactments.

*Conclusion*

We learned a great deal from this study and hope that the survey respondents and our readers did, too. We learned that important and beneficial laws have been passed under both divided and unified government, and that both parties and all of the governors since 1968 have contributed to this record. Although our list of important laws was regarded somewhat more favorably by Republicans and conservatives than by Democrats and liberals, we also learned that despite their partisan and ideological differences, the respondents generally agreed on what laws were important and on the beneficial effects of these laws. We also found that some respondents thought that laws that must have been regarded as positive when enacted have in retrospect had negative effects. Paul C. Light's study showed that federal government has accomplished many important things. We feel that our study has shown that the Pennsylvania General Assembly has done the same.

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<sup>5</sup> We also heard oral comments that the questionnaire was too complex. Our assertion on the cover that the survey could be completed in 10 minutes or less was based on testing it with our instructors, who knew more than the average respondent about the various laws.

This project began after Representative Chris Ross (R-Chester) spoke to one of our classes during the fall of 2010, when we were enrolled as student-interns in Temple University’s Pennsylvania Capital Semester. Rep. Ross talked about the difficult decisions facing a state government that was divided between branches, chambers, and parties and that needed to address huge fiscal problems in the wake of the recession: either raise taxes, cut services, or do both. This led us to wonder whether it was harder for the General Assembly to pass important legislation during divided or unified government and whether the state’s laws reflected a liberal or conservative ideology. Our professors – Joseph McLaughlin and Michael Cassidy – advised us that determining what laws were important and what ideology the laws reflected were matters of opinion. They suggested that we tackle these questions by conducting a survey of “experts” similar to that conducted by Paul Light and published by the Brookings Institution in a 2002 study entitled *Government’s Greatest Achievements*. They also suggested that we look at David Mayhew’s 1991 study, *Divided We Govern*, for ideas on how to define important laws and how to measure whether divided government is an obstacle to legislative achievement. Both of these studies focused on federal laws and policies; we could find no other studies that attempted to identify important state laws.

### *Choosing the Enactments*

We chose as the time frame for our study the period from 1968, when the current Pennsylvania Constitution was adopted, to 2008, the last completed legislative session prior to our internships. Light went through documents summarizing annual achievements of the Congress, such as the *Congressional Quarterly Almanac*, *Public Papers of the President of the United States*, and many more (Light 2002). Then he provided a list of candidates for the “greatest achievement” designation to history and political science professors, with approximately 450 respondents ranking the candidates in their perceived order of importance.

Following Light’s model, we planned to go through end-of-the-year press releases by the four caucuses and the governor’s press office summarizing their view of the achievements during the previous year. We also planned to review the governors’ budget addresses to determine what they thought was most important in the previous year. However, the caucuses did not have consistent end-of-the-year reports spanning the entire time period. Many releases from the earlier years no longer existed, and in recent years they have stopped issuing such accounts. Very few citations of laws could be found in governors’ budget messages, because most of the speeches were goal-setting plans for the future rather recitations of past accomplishments, especially in the first year of newly elected governors. Like Mayhew, we made an attempt to review contemporary news media judgments of the most important laws but found no consistent record of such year-end or session-end reviews from either the *Harrisburg Patriot-News* or the Associated Press. Similarly, we could find no previous historical attempts to identify important state laws by academic retrospective raters of the kind that were used in studies by Mayhew in *Divided We Govern* and by Joshua D. Clinton

and John S. Lapinski (2006).

We then adapted our approach to overcome these barriers. With the support of the governor's general counsel, we asked the general counsels in the state agencies to identify the laws they administered that met our criteria for time frame and for significant impact on the public or the institutions of state and local government. This decision ultimately saved us a good deal of time searching for documents and then poring over them. We contacted 31 state agencies and from their responses composed a list of 93 laws.

We then whittled the list down during a working lunch at Temple's Harrisburg campus on December 8, 2010, with a panel of 15 state government experts, asking their help in reducing the list to the 50 most important. The experts included former governors' aides who had served as chiefs of staffs, legislative secretaries, press secretaries, budget secretaries, and policy secretaries. It also included former legislators, senior legislative staff advisors, and a veteran member of the Capitol press corps. Panel members were evenly balanced between the parties, and their collective experience covered the entire period of the study. During this discussion, these experts shared their insights on the background information leading to the enactment of the laws and what resulted from their enactment, as opposed to the original intention. The most important aspect of the meeting was the suggestion of additional laws not identified by the agency counsels. Although dozens of laws were eliminated during this two-hour session, the experts also suggested a few laws not on our original list. At the end of the luncheon, we had 63 candidates, although one of the panel's suggestions was to include the legislation enacted during the 1995-96 special session on crime, which we subsequently determined to include 37 acts, including one already on our list, Megan's Law.

In executing the mail survey of our experts, we followed the recommendations in Don Dillman's *Mail and Telephone Surveys: The Tailored Design Method*. Understanding that a survey with too many choices would be daunting and would lower the response rate, and relying heavily on the advice of our professors, we reduced our list to 50, partly by eliminating laws that were repetitive or consolidating closely related laws into "enactments." In taking this approach, we were influenced by David Mayhew's *Divided We Govern*, which distinguished between laws, which could include later amendments that added little to their more important predecessors, and enactments, which represented important achievements that might have required two or more laws to implement but that he counted only once. As an example, he counted the two Panama Canal Treaties of 1978 as a single enactment. Also following Mayhew, we eliminated from consideration budget and appropriations bills, which represent hundreds of important but transitory spending decisions that typically are in effect only for a single fiscal year.

Our survey booklets varied somewhat on demographic questions (see Appendix B for the booklet sent to former legislators, for example), but each booklet listed and numbered the 50 enactments.

Forty-three of the enactments actually are single pieces of legislation; seven are multiple acts that we have combined into a single enactment. The most dramatic example is enactment number 34, which covers the 37 acts (including Megan's Law) comprehensively

amending criminal laws that were produced by the special session on crime. Given its prominence in the debate, we included one of those acts, Megan’s Law, as enactment 35. Another example is enactment number 40, Act 92 of 1989, which authorized tax-free Keystone Opportunity Zones. Similar legislation soon followed along with further funding of these programs, (e.g., Keystone Opportunity Expansion Zones and Keystone Opportunity Improvement Zones). These closely related laws are treated as a single enactment in our study. In other cases, one law in a closely related group is so important it stands alone. Enactment number 28, Act 64 of 1989, set up stricter guidelines for providers of abortions, requiring them to provide information about health risks, obtain parental consent for minors, and abide by a 24-hour waiting period. This controversial law was upheld by the US Supreme Court in *Planned Parenthood v. Casey*, which became the governing case for abortions nationwide for decades. It was far more important than earlier Pennsylvania abortion laws, which we did not include in our questionnaire. Altogether, 91 laws, most of which were passed under unified government, underlie our 50 enactments (Table C-4). If the 37 acts adopted during the special session on crime are excluded, however, divided government produced 30, and unified government 24, of the laws.

Finally, we also included only laws that we understood were still in effect at the time of the survey, although perhaps in amended form. The legislative pay raise of 2005 undoubtedly had a huge impact on the institution of the legislature itself, but it was quickly repealed and so was not included in our list of laws. After the list was finally cut down to 50, we used Dillman’s guidelines to format our survey booklet. To insure candid responses, we asked the respondents not to identify themselves; the survey was anonymous. The survey asked the respondents to rank each enactment on a scale from 1 to 5, with 1 signifying the least impact and 5 the most impact. The survey also asked respondents to indicate the direction of impact, with a “+” for mostly positive impact, “0” for mixed impact, and “–” for a mostly negative impact.

### *Constructing the Sample*

Our aim was to solicit opinions from as large as possible a group of “experts” who represented a variety of perspectives. Unlike the Brookings survey, which sampled experts from universities and think tanks, we had to rely heavily on participants in lawmaking. Our professors advised us that there were simply not enough professors familiar with the output of the General Assembly to constitute a large sample. We did, however, solicit the views of members of the Pennsylvania Political Science Association and the Pennsylvania Policy Forum, an ad hoc group of professors who teach and write about state politics and policy and have been sponsoring symposiums for members. We also sent surveys to reporters in the Capitol newsroom.

The largest single group consisted of current and retired legislators. We started by surveying all 253 members serving in the 2011-12 session of the General Assembly, all former senators, and a random 50 percent sample of all former House members. We also surveyed the chiefs of staffs, general counsels, budget secretaries, legislative secretaries, and

press secretaries of the governors who served from 1968 to 2008. Altogether, we had 536 potential respondents.

The back of the booklet asked respondents to provide party information and other demographic information. Respondents also were asked to identify their ideology on a scale from 1 to 5, with 1 indicating most liberal, 3 indicating middle of the road, and 5 indicating most conservative. The other questions varied somewhat for each group. For example, the booklet for current legislators asked how many years of experience they have had in the each chamber while the retired members (the example displayed in Appendix B) were asked that question but also asked during what time period and in which chamber they served. (Some served in both chambers). Legislators and former legislators also were asked to characterize their districts as urban, suburban, rural, or mixed.

We mailed the questionnaires in March of 2011. Ultimately, we received 148 responses. Although Democrats outnumbered Republicans and blacks appear to be under-represented (but 57 respondents did not indicate their race), overall the respondents were roughly balanced on demographic dimensions. Note that more than 70 percent of respondents reported that they had more than four years serving in state government or, in the case of reporters and professors, covering or studying state government.

The back of the booklet also allowed the respondents to add any additional comments and to include important laws that they felt were left out of the survey. Within each envelope, we attached a cover letter explaining the project and the objective of the study; the survey booklet, an addressed, postage-paid envelope for the respondents to use; and a self-addressed and postage-paid post card for them to mail back separately and request a copy of the results once we are done. The postcard gave us the ability to know who had responded without compromising the anonymity of the survey booklets. Reminder postcards were then sent to non-respondents.

### *Analyzing the Data*

We entered data from the 148 returned booklets into Excel spreadsheets for analysis, giving each respondent a unique identification number in vertical columns and each enactment a unique identification number (which was also used in the questionnaire) in horizontal rows. For each respondent, we recorded the impact score (from 1 to 5) and direction score, using a +1 for a plus sign, 0 for a 0, and -1 for a minus sign. These data were used to calculate for each enactment an average impact score and an average direction score. The direction score is the percentage computed by dividing the number of plus 1s by the sum of the absolute values of the plus 1s and minus 1s. Direction scores could thus range from 0.0 (perfectly negative) to 1.0 (perfectly positive), with 0.5 indicating perfectly mixed results. Only one enactment received a direction score below 0.5, indicating more negative than positive effects. The achievement score is the impact score multiplied by the direction score.

TABLE A-1

## Survey Respondents

| AFFILIATION          | Number     | Percent** |
|----------------------|------------|-----------|
| House Member         | 36         | 24.32 %   |
| Senate Member        | 7          | 4.73 %    |
| Former House Member  | 53         | 35.81 %   |
| Former Senate Member | 13         | 8.78 %    |
| Governors' Aides     | 11         | 7.43 %    |
| Academics            | 14         | 9.46 %    |
| Press                | 14         | 9.46 %    |
| <b>TOTAL</b>         | <b>148</b> |           |
| PARTY                | Number     | Percent   |
| Democrat             | 77         | 52.03 %   |
| Republican           | 62         | 41.89 %   |
| Independent          | 5          | 3.38 %    |
| No Answer            | 4          | 2.70 %    |
| <b>TOTAL</b>         | <b>148</b> |           |
| POPULATION DENSITY   | Number     | Percent   |
| Urban                | 36         | 24.32 %   |
| Suburban             | 37         | 25.00 %   |
| Rural                | 28         | 18.92 %   |
| Mixed                | 18         | 12.16 %   |
| No Answer            | 29         | 19.59 %   |
| <b>TOTAL</b>         | <b>148</b> |           |
| RACE                 | Number     | Percent   |
| White                | 83         | 56.08 %   |
| Black                | 7          | 4.73 %    |
| Other                | 1          | .68 %     |
| No Answer            | 57         | 38.51 %   |
| <b>TOTAL</b>         | <b>148</b> |           |
| IDEOLOGY             | Number     | Percent   |
| Very Liberal         | 7          | 4.73 %    |
| Liberal              | 32         | 21.62 %   |
| Moderate             | 50         | 33.78 %   |
| Conservative         | 44         | 29.73 %   |
| Very Conservative    | 11         | 7.43 %    |
| No Answer            | 4          | 2.70 %    |
| <b>TOTAL</b>         | <b>148</b> |           |
| EXPERIENCE           | Number     | Percent   |
| Four Years or Less   | 24         | 16.22 %   |
| More Than Four Years | 107        | 72.30%    |
| No Answer/Not Asked* | 17         | 11.49 %   |
| <b>TOTAL</b>         | <b>148</b> |           |

\*Question not asked of academics

\*\* Percents might not total 100% due to rounding

Example of Questionnaire (For Former Legislators)



**HELP US IDENTIFY STATE GOVERNMENT'S GREATEST ACHIEVEMENTS!**

**1968-2008**

**This survey can be completed in 10 minutes or less.**

**Shelly-Ann Forrester  
Temple University Class of 2012  
General Assembly Intern, Fall 2010**

**Van Huynh  
Temple University Class of 2011  
General Assembly Intern, Fall 2010**

**A Project of Temple University's Pennsylvania Capital Semester**

Example of Questionnaire (For Former Legislators)

**Instructions for Identifying State Government's Greatest Achievements**

Following in chronological order are 50 enactments (individual laws or in some cases related laws) that we identified with the help of experts as having the greatest impact -- for better or for worse -- on the citizens of the Commonwealth or the structure and operations of state and local government. This anonymous survey asks your help in identifying those that have had the greatest positive impact and might be considered state government's greatest legislative achievements. We are surveying current and retired members of the General Assembly, senior advisors to former governors, Capitol news reporters, and college professors who teach state government.

Please score each enactment from 1 to 5, where 1 is the least impact and 5 is the most impact, regardless of whether you think the impact was positive or negative or had mixed effects. Recognizing that well-intended laws sometimes have unforeseen consequences, we also ask you to indicate with a + enactments whose impact was mostly positive, a 0 those whose impact was mixed, and a - those whose impact was more negative than positive.

Please do not put your name on the questionnaire but return it to us in the self-addressed and stamped envelope we have provided. We hope you will provide the demographic information requested so that we may analyze whether views of these enactments differ by party, type of district, political philosophy, and length of service in the General Assembly. Please use the space provided on the back cover to identify any laws you believe should be among the most important but are not on our list.

We also have provided space for additional comments you might have.

Thank you.

Shelly-Ann Forrester, Class of 2012, and Van Huynh, Class of 2011, Temple University.

## Example of Questionnaire (For Former Legislators)

PLEASE SCORE EACH ENACTMENT FROM 1 (LEAST IMPACT) TO 5 (MOST IMPACT).  
PLEASE MARK + FOR POSITIVE IMPACT, 0 FOR MIXED IMPACT, AND - FOR NEGATIVE IMPACT.

| ID | Act                       | Short Title                         | Description   | Impact | + 0 - |
|----|---------------------------|-------------------------------------|---|--------|-------|
| 1  | 111<br>1968               | Police and Fire<br>Bargaining Act   | Gives police and firefighters right to collective bargaining and binding arbitration; prohibits strikes.  | _____  | _____ |
| 2  | 120<br>1970               | Creation of<br>PennDOT              | Consolidates transportation functions in six major departments into a new agency with broader powers.   | _____  | _____ |
| 3  | 195<br>1970               | Public Employee<br>Labor Relations  | Allows public employees to organize and bargain collectively and gives them a limited right to strike.  | _____  | _____ |
| 4  | 275<br>1970<br>R2<br>1971 | Environmental<br>Protection Laws    | Act 275 creates DER (now DEP). Resolution 2 (HB 31) proposes Article I, §27, of the Constitution, assuring rights to clear air and water and the preservation of environmental values.    | _____  | _____ |
| 5  | 2<br>1971                 | Personal Income<br>Tax              | Provides for personal income tax with exemptions for poverty, age, and disability.  | _____  | _____ |
| 6  | 91<br>1971                | State Lottery<br>Law                | Provides a lottery for senior citizen property tax and rental rebates and free or reduced-fare mass transit.  | _____  | _____ |
| 7  | R3<br>1971<br>51<br>1991  | Non-<br>Discrimination<br>Laws      | Resolution 3 (HB 14) proposes Article I, §28, of the Constitution, prohibiting abridgement of rights due to sex. Act 51 re-establishes Human Relations Commission and expands its powers. | _____  | _____ |
| 8  | 44<br>1972                | Home Rule Act                       | Authorizes municipalities to adopt home rule and assume powers not specifically limited by state law.   | _____  | _____ |
| 9  | 6<br>1974                 | Loan Interest and<br>Protection Law | Restricts fees and interest rates on mortgage and consumer loans, provides consumer protections related to mortgage foreclosures.   | _____  | _____ |
| 10 | 176<br>1974               | No-Fault Vehicle<br>Insurance Act   | Provides for no-fault claim satisfaction and uninsured and underinsured motorists.  | _____  | _____ |

## Example of Questionnaire (For Former Legislators)

**PLEASE SCORE EACH ENACTMENT FROM 1 (LEAST IMPACT) TO 5 (MOST IMPACT).  
PLEASE MARK + FOR POSITIVE IMPACT, 0 FOR MIXED IMPACT, AND - FOR NEGATIVE IMPACT.**

| ID | Act         | Short Title                                   | Description   | Impact | + 0 - |
|----|-------------|---|---|--------|-------|
| 11 | 319<br>1974 | Farmland and<br>Forest Land<br>Assessment Act | ("Clean and Green") Allows agricultural and forest land to be assessed for taxes at farm rather than market value to help farmers resist development.   | _____  | _____ |
| 12 | 133<br>1976 | Mental Health<br>Procedures Act               | Assures adequate treatment of mentally ill in least restrictive environment and protects their rights against unwarranted involuntary commitment.       | _____  | _____ |
| 13 | R4<br>1977  | Article IV, §4.1,<br>Constitution             | Resolution 4 (HB 84) establishes the office of attorney general as an elected position.   | _____  | _____ |
| 14 | 323<br>1978 | Emergency Mgt.<br>Service Code                | Requires counties and municipalities to develop and maintain an emergency management program.   | _____  | _____ |
| 15 | 26<br>1980  | No Fault Divorce                              | Authorizes court to approve divorces without assigning wrong-doing or fault to either party.  | _____  | _____ |
| 16 | 43<br>1981  | The Agricultural<br>Area Security<br>Law      | Limits the use of the defined land to agricultural production only and pays farmers the difference between the agricultural value and the market value. | _____  | _____ |
| 17 | 19<br>1982  | Regulatory<br>Review Act                      | Establishes the Independent Regulatory Review Commission as check on bureaucratic regulations.  | _____  | _____ |
| 18 | 44<br>1982  | Statewide<br>Banking                          | Authorizes statewide operations for banks previously limited to home and contiguous counties.   | _____  | _____ |
| 19 | 134<br>1983 | PACE ( and<br>PACENET)                        | Assists older adults who meet income guidelines in paying for prescription drugs.   | _____  | _____ |
| 20 | 91<br>1983  | Homeowners<br>Assistance Act                  | Assures steady mortgage payments while unemployed seek jobs, training, and/or education.  | _____  | _____ |
| 21 | 205<br>1984 | Municipal<br>Pension Act                      | Establishes municipal pension funding standards and a recovery program for distressed plans.  | _____  | _____ |

## Example of Questionnaire (For Former Legislators)

**PLEASE SCORE EACH ENACTMENT FROM 1 (LEAST IMPACT) TO 5 (MOST IMPACT).  
PLEASE MARK + FOR POSITIVE IMPACT, 0 FOR MIXED IMPACT, AND - FOR NEGATIVE IMPACT.**

| ID | Act                     | Short Title  | Description   | Impact | + 0 - |
|----|-------------------------|--|---|--------|-------|
| 22 | 84<br>1986              | Sunshine Law   | Re-enacts 1957 law and establishes public's right to attend meetings of public bodies where decisions are deliberated as well as made.  | _____  | _____ |
| 23 | 115<br>1986             | Redevelopment<br>Capital<br>Assistance                             | Allows state capital funds to be used for regional economic, cultural, civic, educational, and historical improvement projects not owned by the state.  | _____  | _____ |
| 24 | 47<br>1987<br>6<br>1991 | Distressed<br>Municipalities<br>and Philadelphia<br>Oversight Acts | Act 47 empowers DCED to declare municipalities financially distressed and provides tools to assist them. Act 6 establishes board (PICA) to require balanced 5-yr. financial plans for Philadelphia. | _____  | _____ |
| 25 | 16<br>1988              | Infrastructure<br>Investment Act<br>(PENNVEST)                     | Creates an authority to manage federal and state revolving loan pool programs providing affordable financing for water and sewer projects.  | _____  | _____ |
| 26 | 108<br>1988             | Hazardous Sites<br>Cleanup Act                                     | Provides DEP with the funding and authority to clean up hazardous waste sites; requires responsible parties to participate in cleanup or pay costs.   | _____  | _____ |
| 27 | 9<br>1989               | State Ethics Act   | Reestablishes Ethics Commission, tightens conflict-of-interest rules, bans honoraria for official acts.   | _____  | _____ |
| 28 | 64<br>1989              | Regulation of<br>Abortions   | Requires doctors to inform women about health risks; requires parental consent; imposes a 24-hour waiting period. Upheld by US Supreme Court.   | _____  | _____ |
| 29 | 106<br>1989             | Drug and<br>Alcohol<br>Insurance Law                               | Requires most group health insurance plans to include coverage for drug and alcohol addiction treatment.  | _____  | _____ |
| 30 | 78<br>1990              | Public Safety<br>Telephone Act                                     | Provides a toll-free 911 number for individuals to gain access to emergency aid.  | _____  | _____ |
| 31 | 26<br>1991              | Dedicated Transit<br>Capital Funding                               | Provides dedicated mass transit capital funding to rebuild infrastructure and replace rolling stock.  | _____  | _____ |

## Example of Questionnaire (For Former Legislators)

**PLEASE SCORE EACH ENACTMENT FROM 1 (LEAST IMPACT) TO 5 (MOST IMPACT).  
PLEASE MARK + FOR POSITIVE IMPACT, 0 FOR MIXED IMPACT, AND – FOR NEGATIVE IMPACT.**

| <b>ID</b> | <b>Act</b>                         | <b>Short Title</b>   | <b>Description</b>  | <b>Impact</b> | <b>+ 0 -</b> |
|-----------|------------------------------------|--|---|---------------|--------------|
| 32        | 113<br>1992                        | Children's Health<br>Insurance Plan<br>(CHIP)                | Provides insurance for children whose families earn too much to qualify for Medical Assistance but cannot afford private health insurance.  | _____         | _____        |
| 33        | 67<br>1993                         | Telephone<br>Deregulation                                    | Largely deregulates telecommunications services.  | _____         | _____        |
| 34        | Acts<br>SS1<br>1995<br>and<br>1996 | Legislation<br>enacted during<br>Special Session<br>on Crime | Provides for crime victims compensation; violent crime sentences; restitution; mandatory sentencing for contraband possessions; possession of firearms; juvenile sentencing; requirements for sexual offenders to pay for rewards and forensic exams. | _____         | _____        |
| 35        | 24<br>SS1<br>1995                  | Megan's Law  | Creates statewide sexual offender registry.   | _____         | _____        |
| 36        | 35<br>1996                         | State Welfare<br>Reform                                      | Ends cash assistance as entitlement and focuses on work activity in exchange for welfare assistance.  | _____         | _____        |
| 37        | 138<br>1996                        | Deregulation of<br>Electricity                               | Provides choice for electricity customers and restructuring of electric utility industry.   | _____         | _____        |
| 38        | 22<br>1997                         | Charter Schools  | Provides for creation and funding of charter public schools. Act 88 of 2002 adds cyber charters.  | _____         | _____        |
| 39        | R1<br>1997                         | Homestead<br>Property Tax<br>Exemption                       | Resolution 1 (SB65) proposes Article VIII §2(b)(vi) of the Constitution allowing local jurisdictions to adopt a limited homestead property tax exemption.   | _____         | _____        |
| 40        | 92<br>1998                         | Keystone<br>Opportunity Zone<br>and related laws             | Creates tax-free zones to foster industrial, commercial and residential improvement, remedy and prevent blight, and create jobs.  | _____         | _____        |
| 41        | 45<br>1999                         | Uniform<br>Construction<br>Code                              | Establishes a uniform statewide building code to protect life, health and property.   | _____         | _____        |

## Example of Questionnaire (For Former Legislators)

PLEASE SCORE EACH ENACTMENT FROM 1 (LEAST IMPACT) TO 5 (MOST IMPACT).  
PLEASE MARK + FOR POSITIVE IMPACT, 0 FOR MIXED IMPACT, AND - FOR NEGATIVE IMPACT.

| ID | Act                            | Short Title   | Description   | Impact | + 0 - |
|----|--------------------------------|---|---|--------|-------|
| 42 | 21<br>1999                     | Natural Gas<br>Choice and<br>Competition Act                          | Deregulates prices in the natural gas industry and allows retail customers to choose their supplier; provides for energy conservation policies.   | _____  | _____ |
| 43 | 16<br>2000<br>88<br>2002       | Education<br>Empowerment<br>and Philadelphia<br>School Reform<br>Acts | Act 16 empowers academically struggling schools to pursue new educational strategies, governance and funding. Act 88 creates Philadelphia School Reform Commission with new governance and powers and additional state and local funding.     | _____  | _____ |
| 44 | 9<br>2001                      | Retirement Code<br>amendments   | Expands PSERS and SERS investment authority and liberalizes benefits for retirees.  | _____  | _____ |
| 45 | 13<br>2002                     | Medical Care<br>Reduction of<br>Error Act                             | Requires physicians to report negligence suits to licensure boards and increases civil penalties and other regulatory protections of physician practice.  | _____  | _____ |
| 46 | 24<br>2003                     | Drunk Driving<br>Legislation  | Regulates driving under the influence of alcohol or controlled substances, lowers alcohol limits, regulates tests; establishes programs for offenders.  | _____  | _____ |
| 47 | 213<br>2004                    | Alternative<br>Energy Portfolio<br>Standards Act                      | Mandates greater reliance on alternative energy and obligates electricity providers to obtain 18% of all power from alternative resources by 2021.  | _____  | _____ |
| 48 | 71<br>2004<br>1<br>SS1<br>2006 | Race Horse<br>Development and<br>Gaming Act<br>Taxpayer Relief<br>Act | Act 71 authorizes slot machines to support school property tax relief and horse racing industry; establishes a Gaming Control Board. Act 1 provides gaming revenues for property tax relief and places some controls on annual tax increases. | _____  | _____ |
| 49 | 134<br>2006<br>2<br>2008       | Transparency<br>Legislation   | Act 134 requires principals, lobbying firms and lobbyists to register and report expenditures. Act 2 expands access to public information held by state and local governments.  | _____  | _____ |
| 50 | 61<br>2008                     | Adequate School<br>Funding  | Links school funding to costing-out study's findings of adequacy needed to meet achievement standards.  | _____  | _____ |

Example of Questionnaire (For Former Legislators)

If there are other laws you regard as most important, please list them and indicate +, 0, or -:

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Other comments:

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Your party:      \_\_\_Democrat                      \_\_\_Republican

Your former district:

\_\_\_Mostly urban      \_\_\_Mostly suburban              \_\_\_Mostly rural              \_\_\_Mixed

Your race              \_\_\_African American              \_\_\_Caucasian              \_\_\_Other

Your service (check all that apply):

House

Senate

\_\_\_Two terms or fewer

\_\_\_One term

\_\_\_Longer

\_\_\_ Longer

Most of your years in the legislature occurred in which decade(s)? \_\_\_\_\_

On a scale from 1 to 5, where 1 = Most Liberal, 2=Somewhat Liberal, 3 = Middle of the Road, 4 = Somewhat Conservative, and 5 = Most Conservative, where would you place yourself?      \_\_\_\_\_

APPENDIX C: TABLE C-1

50 Enactments, All Respondents on Impact

| Rank | Name of Enactment(s)                                     | Enactment(s) & Year               | Summary  | Impact Score |
|------|--|-----------------------------------|--|--------------|
| 1    | Personal Income Tax                                      | Act 2 of 1971                     | Provides for personal income tax with exemptions for poverty, age, and disability.   | 4.15         |
| 2    | Public Employee Labor Relations                          | Act 195 of 1970                   | Allows public employees to organize and bargain collectively and gives them a limited right to strike.   | 4.10         |
| 3    | Children's Health Insurance Plan                         | Act 113 of 1992                   | Provides insurance for children whose families earn too much to qualify for Medical Assistance but cannot afford health insurance.   | 4.01         |
| 4    | PACE (and PACENET)                                       | Act 134 of 1983                   | Assists older adults who meet income guidelines in paying for prescription drugs.  | 3.95         |
| 5    | Environmental Protection Laws                            | Act 275 of 1970, R2 of 1971       | Act 275 creates DER (now DEP). Resolution 2 (HB 31) proposes Article I, § 27 of the Constitution, assuring rights to clean air and water and the preservation of environmental values.   | 3.85         |
| 5    | State Lottery Law  | Act 91 of 1971                    | Provides a lottery for senior citizen property tax and rental rebates and free or reduced-fare mass transit.   | 3.85         |
| 7    | Public Safety Telephone Act                              | Act 78 of 1990                    | Provides a toll-free 911 number for individuals to gain access to emergency aid.   | 3.83         |
| 8    | Sunshine Law   | Act 84 of 1986                    | Reenacts 1957 law and establishes public's right to attend meetings of public bodies where decisions are deliberated as well as made.  | 3.67         |
| 9    | Police & Fire Bargaining Act                             | Act 111 of 1968                   | Gives police and firefighters right to collective bargaining and binding arbitration; prohibits strikes.   | 3.63         |
| 10   | Race Horse Development & Gaming Act, Taxpayer Relief Act | Act 71 of 2004, Act 1 of SS1 2006 | Act 71 authorizes slot machines to support school property tax relief and horse racing industry; establishes a Gaming Control Board. Act 1 provides gaming revenues for property tax relief and places some control on annual tax increases. | 3.59         |
| 11   | Creation of PennDOT                                      | Act 120 of 1970                   | Consolidates transportation functions in six major departments into a new agency with broader powers.  | 3.55         |
| 12   | Hazardous Sites Cleanup Act                              | Act 108 of 1988                   | Provides DEP with the funding and authority to clean up hazardous waste sites; requires responsible parties to participate in cleanup or pay costs.  | 3.55         |
| 13   | State Welfare Reform                                     | Act 35 of 1996                    | Ends cash assistance as entitlement and focuses on work activity in exchange for welfare assistance.   | 3.48         |
| 14   | Infrastructure Investment Act (PENNVEST)                 | Act 16 of 1988                    | Creates an authority to manage federal and state revolving loan pool programs providing affordable financing for water and sewer projects.   | 3.46         |

TABLE C-1 (CONT'D)

| 50 Enactments, All Respondents on Impact |   |                               |  |              |
|--|---|-------------------------------|--|--------------|
| Rank                                     | Name of Enactment(s)                                      | Enactment(s) & Year           | Summary  | Impact Score |
| 15                                       | Redevelopment Capital Assistance                          | Act 115 of 1986               | Allows state capital funds to be used for regional economic, cultural, civic, educational, and historical improvement projects not owned by the state.   | 3.42         |
| 16                                       | Retirement Code Amendments                                | Act 9 of 2001                 | Expands PSERS and SERS investment authority and liberalizes benefits for retirees.   | 3.39         |
| 17                                       | Farmland and Forest Land Assessment Act                   | Act 319 of 1974               | "Clean and Green" allows agricultural and forest land to be assessed for taxes at farm rather than market value to help farmers resist development.  | 3.37         |
| 18                                       | Non-Discrimination Laws                                   | R3 of 1971, Act 51 of 1991    | Resolution 3 (HB 14) proposes Article I, § 28 of the Constitution, prohibiting abridgement of rights due to sex. Act 51 reestablishes Human Relations Commission and expands its powers.   | 3.32         |
| 19                                       | No-Fault Divorce  | Act 26 of 1980                | Authorizes court to approve divorces without assigning wrong-doing or fault to either party.   | 3.29         |
| 20                                       | Megan's Law   | Act 24 of SS1 1995            | Creates statewide sexual offender registry.  | 3.27         |
| 21                                       | Dedicated Transit Capital Funding                         | Act 26 of 1991                | Provides dedicated mass transit capital funding to rebuild infrastructure and replace rolling stock.   | 3.26         |
| 22                                       | Mental Health Procedures Act                              | Act 133 of 1976               | Assures adequate treatment of mentally ill in least restrictive environment and protects their rights against unwarranted involuntary commitment.  | 3.25         |
| 23                                       | Regulation of Abortions                                   | Act 64 of 1989                | Requires doctors to inform women about health risks; requires parental consent; imposes a 24-hour waiting period. Upheld by US Supreme Court.  | 3.21         |
| 24                                       | No-Fault Vehicle Insurance Act                            | Act 176 of 1974               | Provides for no-fault claim satisfaction and uninsured and underinsured motorists.   | 3.19         |
| 25                                       | Drunk Driving Legislation                                 | Act 24 of 2003                | Regulates driving under the influence of alcohol or controlled substances, lowers alcohol limits, regulates tests, and establishes programs for offenders.   | 3.19         |
| 26                                       | Distressed Municipalities and Philadelphia Oversight Acts | Act 47 of 1987, Act 6 of 1991 | Act 47 empowers DCED to declare municipalities financially distressed and provides tools to assist them. Act 6 establishes board (PICA) to require balanced 5-yr. financial plans for Philadelphia.  | 3.15         |
| 27                                       | Charter Schools   | Act 22 of 1997                | Provides for creation and funding of charter public schools. Act 88 of 2002 adds cyber charters.   | 3.14         |
| 28                                       | Loan Interest & Protection Law                            | Act 67 of 1993                | Largely deregulates telecommunication services.  | 3.13         |
| 29                                       | Special Session on Crime                                  | Acts SS1 1995                 | Provides for crime victim compensation; violent crime sentences; restitution; mandatory sentencing for contraband possessions; possession of firearms; juvenile sentencing; requirements for sexual offenders to pay for rewards and forensic exams. | 3.12         |

TABLE C-I (CONT'D)

50 Enactments, All Respondents on Impact

| Rank | Name of Enactment(s)                       | Enactment(s) & Year            | Summary  | Impact Score |
|------|--|--------------------------------|--|--------------|
| 30   | Municipal Pension Act                      | Act 205 of 1984                | Establishes municipal pension funding standards and a recovery program for distressed plans.   | 3.11         |
| 31   | Statewide Banking                          | Act 44 of 1982                 | Authorizes statewide operations for banks previously limited to home and contiguous counties.  | 3.11         |
| 32   | State Ethics Act                           | Act 9 of 1989                  | Reestablishes Ethics Commission, tightens conflict-of-interest rules, bans honoraria for official acts.  | 3.11         |
| 32   | Drug & Alcohol Insurance Law               | Act 106 of 1989                | Requires most group health insurance plans to include coverage for drug and alcohol addiction treatment.   | 3.11         |
| 34   | Article IV, SS 4.1, Constitution           | R4 of 1977                     | Resolution 4 (HB 84) establishes the office of attorney general as an elected position.  | 3.10         |
| 35   | Homeowners Assistance Act                  | Act 91 of 1983                 | Assures steady mortgage payments while unemployed seek jobs, training, and/or education.   | 3.09         |
| 36   | Uniform Construction Code                  | Act 45 of 1999                 | Establishes a uniform statewide building code to protect life, health and property.  | 3.06         |
| 37   | Deregulation of Electricity                | Act 138 of 1996                | Provides choice for electricity customers and restructuring of electric utility industry.  | 3.01         |
| 37   | Transparency Legislation                   | Act 134 of 2006, Act 2 of 2008 | Act 134 requires principals, lobbying firms and lobbyists to register and report expenditures. Act 2 expands access to public information held by state and local governments. | 3.01         |
| 39   | Alternative Energy Portfolio Standards Act | Act 213 of 2004                | Mandates greater reliance on alternative energy and obligates electricity providers to obtain 18% of all power from alternative sources by 2021.                               | 3.01         |
| 40   | Loan Interest & Protection Law             | Act 6 of 1974                  | Restricts fees and interest rates on mortgage and consumer loans, provides consumer protections related to mortgage foreclosures.  | 3.00         |
| 41   | Emergency Mgt Service Code                 | Act 323 of 1978                | Requires counties and municipalities to develop and maintain an emergency management program.  | 2.94         |
| 42   | Regulatory Review Act                      | Act 19 of 1982                 | Establishes the Independent Regulatory Review Commission as check on bureaucratic regulations.   | 2.93         |
| 43   | Natural Gas Choice & Competition Act       | Act 21 of 1999                 | Deregulates prices in the natural gas industry and allows retail customers to choose their supplier; provides for energy conservation policies.                                | 2.92         |
| 44   | Keystone Opportunity Zone & related laws   | Act 92 of 1998                 | Creates tax-free zones to foster industrial, commercial and residential improvement, remedy and prevent blight, and create jobs.   | 2.90         |
| 45   | Adequate School Funding                    | Act 61 of 2008                 | Links school funding to costing-out study's findings of adequacy needed to meet achievement standards.   | 2.89         |

TABLE C-1 (CONT'D)

| 50 Enactments, All Respondents on Impact |   |                                |   |              |
|--|---|--------------------------------|---|--------------|
| Rank                                     | Name of Enactment(s)                                    | Enactment(s) & Year            | Summary   | Impact Score |
| 46                                       | The Agricultural Area Security Law                      | Act 43 of 1981                 | Limits the use of the defined land to agricultural production only and pays farmers the difference between the agricultural value and the market value.   | 2.88         |
| 47                                       | Homestead Property Tax Exemption                        | R1 of 1997                     | Resolution 1 (SB 65) proposes Article VIII §2(b)(vi) of the Constitution allowing local jurisdictions to adopt limited homestead property tax exemption.  | 2.86         |
| 48                                       | Medical Care Reduction of Error Act                     | Act 13 of 2002                 | Requires physicians to report negligence suits to licensure boards and increases civil penalties and other regulatory protections of physician practice.  | 2.86         |
| 49                                       | Home Rule Act   | Act 44 of 1972                 | Authorizes municipalities to adopt home rule and assume powers not specifically limited by state law.   | 2.83         |
| 50                                       | Education Empowerment & Philadelphia School Reform Acts | Act 16 of 2000, Act 88 of 2002 | Act 16 empowers academically struggling schools to pursue new educational strategies, governance and funding. Act 88 creates Philadelphia School Reform Commission with new governance and powers and additional state and local funding. | 2.72         |
| Average                                  |   |                                |   | 3.28         |

N=148

TABLE C-2

## 50 Enactments, All Respondents on Achievement

| Rank | Name of Enactment(s)                                      | Enactment(s) & Year            | Summary   | Achievement Score |
|------|---|--------------------------------|---|-------------------|
| 1    | Children's Health Insurance Plan                          | Act 113 of 1992                | Provides insurance for children whose families earn too much to qualify for Medical Assistance but cannot afford health insurance.  | 3.83              |
| 2    | Public Safety Telephone Act                               | Act 78 of 1990                 | Provides a toll-free 911 number for individuals to gain access to emergency aid.  | 3.80              |
| 3    | PACE (and PACENET)  | Act 134 of 1983                | Assists older adults who meet income guidelines in paying for prescription drugs.   | 3.80              |
| 4    | Environmental Protection Laws                             | Act 275 of 1970, R2 of 1971    | Act 275 creates DER (now DEP). Resolution 2 (HB 31) proposes Article I, § 27 of the Constitution, assuring rights to clean air and water and the preservation of environmental values.              | 3.69              |
| 5    | Personal Income Tax                                       | Act 2 of 1971                  | Provides for personal income tax with exemptions for poverty, age, and disability.  | 3.49              |
| 6    | Hazardous Sites Cleanup Act                               | Act 108 of 1988                | Provides DEP with the funding and authority to clean up hazardous waste sites; requires responsible parties to participate in cleanup or pay costs.   | 3.49              |
| 7    | Sunshine Law  | Act 84 of 1986                 | Reenacts 1957 law and establishes public's right to attend meetings of public bodies where decisions are deliberated as well as made.   | 3.49              |
| 8    | Infrastructure Investment Act (PENNVEST)                  | Act 16 of 1988                 | Creates an authority to manage federal and state revolving loan pool programs providing affordable financing for water and sewer projects.  | 3.43              |
| 9    | Creation of PennDOT                                       | Act 120 of 1970                | Consolidates transportation functions in six major departments into a new agency with broader powers.   | 3.43              |
| 10   | State Lottery Law   | Act 91 of 1971                 | Provides a lottery for senior citizen property tax and rental rebates and free or reduced-fare mass transit.  | 3.35              |
| 11   | Farmland and Forest Land Assessment Act                   | Act 319 of 1974                | "Clean and Green" allows agricultural and forest land to be assessed for taxes at farm rather than market value to help farmers resist development.   | 3.34              |
| 12   | State Welfare Reform                                      | Act 35 of 1996                 | Ends cash assistance as entitlement and focuses on work activity in exchange for welfare assistance.  | 3.31              |
| 13   | Megan's Law   | Act 24 of SS1 1995             | Creates statewide sexual offender registry.   | 3.15              |
| 14   | No-Fault Vehicle Insurance Act                            | Act 176 of 1974                | Provides for no-fault claim satisfaction and uninsured and underinsured motorists.  | 3.06              |
| 15   | State Ethics Act  | Act 9 of 1989                  | Reestablishes Ethics Commission, tightens conflict-of-interest rules, bans honoraria for official acts.   | 3.01              |
| 16   | Non-Discrimination Laws                                   | R3 of 1971, Act 51 of 1991     | Resolution 3 (HB 14) proposes Article I, § 28 of the Constitution, prohibiting abridgement of rights due to sex. Act 51 reestablishes Human Relations Commission and expands its powers.            | 3.00              |
| 17   | Drunk Driving Legislation                                 | Act 24 of 2003                 | Regulates driving under the influence of alcohol or controlled substances, lowers alcohol limits, regulates tests, and establishes programs for offenders.  | 2.92              |
| 18   | Transparency Legislation                                  | Act 134 of 2006, Act 2 of 2008 | Act 134 requires principals, lobbying firms and lobbyists to register and report expenditures. Act 2 expands access to public information held by state and   | 2.88              |
| 19   | Homeowners Assistance Act                                 | Act 91 of 1983                 | Assures steady mortgage payments while unemployed seek jobs, training, and/or education.  | 2.86              |
| 20   | Emergency Mgt Service Code                                | Act 323 of 1978                | Requires counties and municipalities to develop and maintain an emergency management program.   | 2.84              |
| 21   | Distressed Municipalities and Philadelphia Oversight Acts | Act 47 of 1987, Act 6 of 1991  | Act 47 empowers DCED to declare municipalities financially distressed and provides tools to assist them. Act 6 establishes board (PICA) to require balanced 5-yr. financial plans for Philadelphia. | 2.83              |
| 22   | Drug & Alcohol Insurance Law                              | Act 106 of 1989                | Requires most group health insurance plans to include coverage for drug and alcohol addiction treatment.  | 2.83              |
| 23   | Loan Interest & Protection Law                            | Act 6 of 1974                  | Restricts fees and interest rates on mortgage and consumer loans, provides consumer protections related to mortgage foreclosures.   | 2.83              |
| 24   | Municipal Pension Act                                     | Act 205 of 1984                | Establishes municipal pension funding standards and a recovery program for distressed plans.  | 2.82              |
| 25   | Dedicated Transit Capital Funding                         | Act 26 of 1991                 | Provides dedicated mass transit capital funding to rebuild infrastructure and replace rolling stock.  | 2.82              |
| 26   | Mental Health Procedures Act                              | Act 133 of 1976                | Assures adequate treatment of mentally ill in least restrictive environment and protects their rights against unwarranted involuntary commitment. local governments.                                | 2.81              |

TABLE C-2 (CONT'D)

## 50 Enactments, All Respondents on Achievement

| Rank | Name of Enactment(s)                                     | Enactment(s) & Year               | Summary  | Achievement Score |
|------|--|-----------------------------------|--|-------------------|
| 27   | No-Fault Divorce   | Act 26 of 1980                    | Authorizes court to approve divorces without assigning wrong-doing or fault to either party.   | 2.79              |
| 28   | Medical Care Reduction of Error Act                      | Act 13 of 2002                    | Requires physicians to report negligence suits to licensure boards and increases civil penalties and other regulatory protections of physician practice.   | 2.73              |
| 29   | Special Session on Crime                                 | Acts SS1 1995                     | Provides for crime victim compensation; violent crime sentences; restitution; mandatory sentencing for contraband possessions; possession of firearms; juvenile sentencing; requirements for sexual offenders to pay for rewards and forensic exams. | 2.71              |
| 30   | Homestead Property Tax Exemption                         | R1 of 1997                        | Resolution 1 (SB 65) proposes Article VIII §2(b)(vi) of the Constitution allowing local jurisdictions to adopt limited homestead property tax exemption.   | 2.67              |
| 31   | Statewide Banking  | Act 44 of 1982                    | Authorizes statewide operations for banks previously limited to home and contiguous counties.  | 2.67              |
| 32   | Keystone Opportunity Zone & related laws                 | Act 92 of 1998                    | Creates tax-free zones to foster industrial, commercial and residential improvement, remedy and prevent blight, and create jobs.   | 2.58              |
| 33   | Regulatory Review Act                                    | Act 19 of 1982                    | Establishes the Independent Regulatory Review Commission as check on bureaucratic regulations.   | 2.57              |
| 34   | Home Rule Act  | Act 44 of 1972                    | Authorizes municipalities to adopt home rule and assume powers not specifically limited by state law.  | 2.57              |
| 35   | Redevelopment Capital Assistance                         | Act 115 of 1986                   | Allows state capital funds to be used for regional economic, cultural, civic, educational, and historical improvement projects not owned by the state.   | 2.52              |
| 36   | The Agricultural Area Security Law                       | Act 43 of 1981                    | Limits the use of the defined land to agricultural production only and pays farmers the difference between the agricultural value and the market value.  | 2.45              |
| 37   | Police & Fire Bargaining Act                             | Act 111 of 1968                   | Gives police and firefighters right to collective bargaining and binding arbitration; prohibits strikes.   | 2.36              |
| 38   | Uniform Construction Code                                | Act 45 of 1999                    | Establishes a uniform statewide building code to protect life, health and property.  | 2.35              |
| 39   | Natural Gas Choice & Competition Act                     | Act 21 of 1999                    | Deregulates prices in the natural gas industry and allows retail customers to choose their supplier; provides for energy conservation policies.  | 2.34              |
| 40   | Article IV, SS 4.1, Constitution                         | R4 of 1977                        | Resolution 4 (HB 84) establishes the office of attorney general as an elected position.  | 2.34              |
| 41   | Alternative Energy Portfolio Standards Act               | Act 213 of 2004                   | Mandates greater reliance on alternative energy and obligates electricity providers to obtain 18% of all power from alternative sources by 2021.   | 2.32              |
| 42   | Race Horse Development & Gaming Act, Taxpayer Relief Act | Act 71 of 2004, Act 1 of SS1 2006 | Act 71 authorizes slot machines to support school property tax relief and horse racing industry; establishes a Gaming Control Board. Act 1 provides gaming revenues for property tax relief and places some control on annual tax increases.         | 2.21              |
| 43   | Regulation of Abortions                                  | Act 64 of 1989                    | Requires doctors to inform women about health risks; requires parental consent; imposes a 24-hour waiting period. Upheld by US Supreme Court.  | 2.13              |
| 44   | Adequate School Funding                                  | Act 61 of 2008                    | Links school funding to costing-out study's findings of adequacy needed to meet achievement standards.   | 2.12              |
| 45   | Loan Interest & Protection Law                           | Act 67 of 1993                    | Largely deregulates telecommunication services.  | 2.11              |
| 46   | Public Employee Labor Relations                          | Act 195 of 1970                   | Allows public employees to organize and bargain collectively and gives them a limited right to strike.   | 2.10              |
| 47   | Education Empowerment & Philadelphia School Reform Acts  | Act 16 of 2000, Act 88 of 2002    | Act 16 empowers academically struggling schools to pursue new educational strategies, governance and funding. Act 88 creates Philadelphia School Reform Commission with new governance and powers and additional state and local funding.            | 2.04              |
| 48   | Deregulation of Electricity                              | Act 138 of 1996                   | Provides choice for electricity customers and restructuring of electric utility industry.  | 2.03              |
| 49   | Charter Schools  | Act 22 of 1997                    | Provides for creation and funding of charter public schools. Act 88 of 2002 adds cyber charters.   | 1.98              |
| 50   | Retirement Code Amendments                               | Act 9 of 2001                     | Expands PSERS and SERS investment authority and liberalizes benefits for retirees.   | 1.32              |

Average 2.78

TABLE C-3

50 Enactments and Direction Scores

| ID# | Name of Enactment(s)                    | Enactment(s) & Year         | Summary  | Positive | Mixed | Negative | Score |
|-----|---|-----------------------------|--|----------|-------|----------|-------|
| 1   | Police & Fire Bargaining Act            | Act 111 of 1968             | Gives police and firefighters right to collective bargaining and binding arbitration; prohibits strikes.   | 71       | 31    | 38       | 0.65  |
| 2   | Creation of PennDOT                     | Act 120 of 1970             | Consolidates transportation functions in six major departments into a new agency with broader powers.  | 111      | 25    | 4        | 0.97  |
| 3   | Public Employee Labor Relations         | Act 195 of 1970             | Allows public employees to organize and bargain collectively and gives them a limited right to strike.   | 56       | 32    | 53       | 0.51  |
| 4   | Environmental Protection Laws           | Act 275 of 1970, R2 of 1971 | Act 275 creates DER (now DEP). Resolution 2 (HB 31) proposes Article I, § 27 of the Constitution, assuring rights to clean air and water and the preservation of environmental values.   | 120      | 15    | 5        | 0.96  |
| 5   | Personal Income Tax                     | Act 2 of 1971               | Provides for personal income tax with exemptions for poverty, age, and disability.   | 100      | 21    | 19       | 0.84  |
| 6   | State Lottery Law                       | Act 91 of 1971              | Provides a lottery for senior citizen property tax and rental rebates and free or reduced-fare mass transit.   | 114      | 10    | 17       | 0.87  |
| 7   | Non-Discrimination Laws                 | R3 of 1971, Act 51 of 1991  | Resolution 3 (HB 14) proposes Article I, § 28 of the Constitution, prohibiting abridgement of rights due to sex. Act 51 reestablishes Human Relations Commission and expands its powers. | 102      | 27    | 11       | 0.90  |
| 8   | Home Rule Act                           | Act 44 of 1972              | Authorizes municipalities to adopt home rule and assume powers not specifically limited by state law.  | 79       | 53    | 8        | 0.91  |
| 9   | Loan Interest & Protection Law          | Act 6 of 1974               | Restricts fees and interest rates on mortgage and consumer loans, provides consumer protections related to mortgage foreclosures.  | 103      | 29    | 6        | 0.94  |
| 10  | No-Fault Vehicle Insurance Act          | Act 176 of 1974             | Provides for no-fault claim satisfaction and uninsured and underinsured motorists.   | 112      | 24    | 5        | 0.96  |
| 11  | Farmland and Forest Land Assessment Act | Act 319 of 1974             | "Clean and Green" allows agricultural and forest land to be assessed for taxes at farm rather than market value to help farmers resist development.                                      | 123      | 15    | 1        | 0.99  |
| 12  | Mental Health Procedures Act            | Act 133 of 1976             | Assures adequate treatment of mentally ill in least restrictive environment and protects their rights against unwarranted involuntary commitment.  | 96       | 28    | 15       | 0.86  |
| 13  | Article IV, SS 4.1, Constitution        | R4 of 1977                  | Resolution 4 (HB 84) establishes the office of attorney general as an elected position.  | 76       | 38    | 25       | 0.75  |
| 14  | Emergency Mgt Service Code              | Act 323 of 1978             | Requires counties and municipalities to develop and maintain an emergency management program.  | 110      | 26    | 4        | 0.96  |
| 15  | No-Fault Divorce                        | Act 26 of 1980              | Authorizes court to approve divorces without assigning wrong-doing or fault to either party.   | 90       | 34    | 16       | 0.85  |
| 16  | The Agricultural Area Security Law      | Act 43 of 1981              | Limits the use of the defined land to agricultural production only and pays farmers the difference between the agricultural value and the market value.                                  | 91       | 32    | 16       | 0.85  |
| 17  | Regulatory Review Act                   | Act 19 of 1982              | Establishes the Independent Regulatory Review Commission as check on bureaucratic regulations.   | 87       | 40    | 12       | 0.88  |
| 18  | Statewide Banking                       | Act 44 of 1982              | Authorizes statewide operations for banks previously limited to home and contiguous counties.  | 84       | 40    | 14       | 0.86  |
| 19  | PACE (and PACENET)                      | Act 134 of 1983             | Assists older adults who meet income guidelines in paying for prescription drugs.  | 125      | 9     | 5        | 0.96  |
| 20  | Homeowners Assistance Act               | Act 91 of 1983              | Assures steady mortgage payments while unemployed seek jobs, training, and/or education.   | 100      | 29    | 8        | 0.93  |

TABLE C-3 (CONT'D)

50 Enactments and Direction Scores

| ID# | Name of Enactment(s)                                      | Enactment(s) & Year           | Summary  | Positive | Mixed | Negative | Score |
|-----|---|-------------------------------|--|----------|-------|----------|-------|
| 21  | Municipal Pension Act                                     | Act 205 of 1984               | Establishes municipal pension funding standards and a recovery program for distressed plans.   | 88       | 40    | 9        | 0.91  |
| 22  | Sunshine Law  | Act 84 of 1986                | Reenacts 1957 law and establishes public's right to attend meetings of public bodies where decisions are deliberated as well as made.  | 116      | 17    | 6        | 0.95  |
| 23  | Redevelopment Capital Assistance                          | Act 115 of 1986               | Allows state capital funds to be used for regional economic, cultural, civic, educational, and historical improvement projects not owned by the state.   | 84       | 25    | 30       | 0.74  |
| 24  | Distressed Municipalities and Philadelphia Oversight Acts | Act 47 of 1987, Act 6 of 1991 | Act 47 empowers DCED to declare municipalities financially distressed and provides tools to assist them. Act 6 establishes board (PICA) to require balanced 5-yr. financial plans for Philadelphia.  | 80       | 49    | 9        | 0.90  |
| 25  | Infrastructure Investment Act (PENNVEST)                  | Act 16 of 1988                | Creates an authority to manage federal and state revolving loan pool programs providing affordable financing for water and sewer projects.   | 124      | 14    | 1        | 0.99  |
| 26  | Hazardous Sites Cleanup Act                               | Act 108 of 1988               | Provides DEP with the funding and authority to clean up hazardous waste sites; requires responsible parties to participate in cleanup or pay costs.  | 127      | 11    | 2        | 0.98  |
| 27  | State Ethics Act  | Act 9 of 1989                 | Reestablishes Ethics Commission, tightens conflict-of-interest rules, bans honoraria for official acts.  | 98       | 39    | 3        | 0.97  |
| 28  | Regulation of Abortions                                   | Act 64 of 1989                | Requires doctors to inform women about health risks; requires parental consent; imposes a 24-hour waiting period. Upheld by US Supreme Court.  | 69       | 36    | 35       | 0.66  |
| 29  | Drug & Alcohol Insurance Law                              | Act 106 of 1989               | Requires most group health insurance plans to include coverage for drug and alcohol addiction treatment.   | 105      | 24    | 10       | 0.91  |
| 30  | Public Safety Telephone Act                               | Act 78 of 1990                | Provides a toll-free 911 number for individuals to gain access to emergency aid.   | 133      | 5     | 1        | 0.99  |
| 31  | Dedicated Transit Capital Funding                         | Act 26 of 1991                | Provides dedicated mass transit capital funding to rebuild infrastructure and replace rolling stock.   | 90       | 35    | 14       | 0.87  |
| 32  | Children's Health Insurance Plan                          | Act 113 of 1992               | Provides insurance for children whose families earn too much to qualify for Medical Assistance but cannot afford health insurance.   | 128      | 7     | 6        | 0.96  |
| 33  | Loan Interest & Protection Law                            | Act 67 of 1993                | Largely deregulates telecommunication services.  | 60       | 52    | 29       | 0.67  |
| 34  | Special Session on Crime                                  | Acts SS1 1995                 | Provides for crime victim compensation; violent crime sentences; restitution; mandatory sentencing for contraband possessions; possession of firearms; juvenile sentencing; requirements for sexual offenders to pay for rewards and forensic exams. | 94       | 31    | 14       | 0.87  |
| 35  | Megan's Law   | Act 24 of SS1 1995            | Creates statewide sexual offender registry.  | 107      | 29    | 4        | 0.96  |
| 36  | State Welfare Reform                                      | Act 35 of 1996                | Ends cash assistance as entitlement and focuses on work activity in exchange for welfare assistance.   | 102      | 33    | 5        | 0.95  |
| 37  | Deregulation of Electricity                               | Act 138 of 1996               | Provides choice for electricity customers and restructuring of electric utility industry.  | 62       | 48    | 30       | 0.67  |
| 38  | Charter Schools   | Act 22 of 1997                | Provides for creation and funding of charter public schools. Act 88 of 2002 adds cyber charters.   | 58       | 49    | 34       | 0.63  |
| 39  | Homestead Property Tax Exemption                          | R1 of 1997                    | Resolution 1 (SB 65) proposes Article VIII §2(b)(vi) of the Constitution to adopt limited homestead property tax exemption.  | 100      | 32    | 7        | 0.93  |

TABLE C-3 (CONT'D)

50 Enactments and Direction Scores

| ID# | Name of Enactment(s)                                     | Enactment(s) & Year               | Summary  | Positive | Mixed | Negative | Score |
|-----|--|-----------------------------------|--|----------|-------|----------|-------|
| 40  | Keystone Opportunity Zone & related laws                 | Act 92 of 1998                    | Creates tax-free zones to foster industrial, commercial and residential improvement, remedy and prevent blight, and create jobs.   | 91       | 39    | 11       | 0.89  |
| 41  | Uniform Construction Code                                | Act 45 of 1999                    | Establishes a uniform statewide building code to protect life, health and property.  | 79       | 39    | 24       | 0.77  |
| 42  | Natural Gas Choice & Competition Act                     | Act 21 of 1999                    | Deregulates prices in the natural gas industry and allows retail customers to choose their supplier; provides for energy conservation policies.  | 69       | 54    | 17       | 0.80  |
| 43  | Education Empowerment & Philadelphia School Reform Acts  | Act 16 of 2000, Act 88 of 2002    | Act 16 empowers academically struggling schools to pursue new educational strategies, governance and funding. Act 88 creates Philadelphia School Reform Commission with new governance and powers and additional state and local funding.    | 63       | 53    | 21       | 0.75  |
| 44  | Retirement Code Amendments                               | Act 9 of 2001                     | Expands PSERS and SERS investment authority and liberalizes benefits for retirees.   | 40       | 35    | 63       | 0.39  |
| 45  | Medical Care Reduction of Error Act                      | Act 13 of 2002                    | Requires physicians to report negligence suits to licensure boards and increases civil penalties and other regulatory protections of physician practice.   | 105      | 29    | 5        | 0.95  |
| 46  | Drunk Driving Legislation                                | Act 24 of 2003                    | Regulates driving under the influence of alcohol or controlled substances, lowers alcohol limits, regulates tests, and establishes programs for offenders.   | 111      | 21    | 10       | 0.92  |
| 47  | Alternative Energy Portfolio Standards Act               | Act 213 of 2004                   | Mandates greater reliance on alternative energy and obligates electricity providers to obtain 18% of all power from alternative sources by 2021.   | 84       | 30    | 25       | 0.77  |
| 48  | Race Horse Development & Gaming Act, Taxpayer Relief Act | Act 71 of 2004, Act 1 of SS1 2006 | Act 71 authorizes slot machines to support school property tax relief and horse racing industry; establishes a Gaming Control Board. Act 1 provides gaming revenues for property tax relief and places some control on annual tax increases. | 62       | 40    | 39       | 0.61  |
| 49  | Transparency Legislation                                 | Act 134 of 2006, Act 2 of 2008    | Act 134 requires principals, lobbying firms and lobbyists to register and report expenditures. Act 2 expands access to public information held by state and local governments.   | 108      | 28    | 5        | 0.96  |
| 50  | Adequate School Funding                                  | Act 61 of 2008                    | Links school funding to costing-out study's findings of adequacy needed to meet achievement standards.   | 63       | 49    | 23       | 0.73  |

N=148

TABLE C-4

| Laws Underlying 50 Enactments during Unified and Divided Government |                           |                           |                               |                      |                               |        |         |    |
|---|---------------------------|---------------------------|-------------------------------|----------------------|-------------------------------|--------|---------|----|
| Year  | Government<br>(1=Divided) | Party Control<br>of House | Party<br>Control of<br>Senate | Party of<br>Governor | Laws Underlying<br>Enactments |        |         |    |
| 1968  | 0                         | R                         | R                             | R                    | 111                           |        |         |    |
| 1969  | 1                         | D                         | R                             | R                    |                               |        |         |    |
| 1970  | 1                         | D                         | R                             | R                    | 120                           | 195    | 275     |    |
| 1971  | 0                         | D                         | D                             | D                    | 2                             | 91     | R2      | R3 |
| 1972  | 0                         | D                         | D                             | D                    | 44                            |        |         |    |
| 1973  | 1                         | R                         | D                             | D                    |                               |        |         |    |
| 1974  | 1                         | R                         | D                             | D                    | 6                             | 319    | 176     |    |
| 1975  | 0                         | D                         | D                             | D                    |                               |        |         |    |
| 1976  | 0                         | D                         | D                             | D                    | 133                           |        |         |    |
| 1977  | 0                         | D                         | D                             | D                    | R4                            |        |         |    |
| 1978  | 0                         | D                         | D                             | D                    | 323                           |        |         |    |
| 1979  | 1                         | R                         | D                             | R                    |                               |        |         |    |
| 1980  | 1                         | R                         | D                             | R                    | 26                            |        |         |    |
| 1981  | 0                         | R                         | R                             | R                    | 43                            |        |         |    |
| 1982  | 0                         | R                         | R                             | R                    | 19                            | 44     |         |    |
| 1983  | 1                         | D                         | R                             | R                    | 134                           | 91     |         |    |
| 1984  | 1                         | D                         | R                             | R                    | 205                           |        |         |    |
| 1985  | 1                         | D                         | R                             | R                    |                               |        |         |    |
| 1986  | 1                         | D                         | R                             | R                    | 84                            | 115    |         |    |
| 1987  | 1                         | D                         | R                             | D                    | 47                            |        |         |    |
| 1988  | 1                         | D                         | R                             | D                    | 16                            | 108    |         |    |
| 1989  | 1                         | D                         | R                             | D                    | 9                             | 64     | 106     |    |
| 1990  | 1                         | D                         | R                             | D                    | 78                            |        |         |    |
| 1991  | 1                         | D                         | R                             | D                    | 6                             | 26     | 51      |    |
| 1992  | 1                         | D                         | R                             | D                    | 113                           |        |         |    |
| 1993  | 0                         | D                         | tie                           | D                    | 67                            |        |         |    |
| 1994  | 1                         | R                         | R                             | D                    |                               |        |         |    |
| 1995  | 0                         | R                         | R                             | R                    | SS1, 36 Acts                  |        | 24(SS1) |    |
| 1996  | 0                         | R                         | R                             | R                    | 35                            | 138    |         |    |
| 1997  | 0                         | R                         | R                             | R                    | 22                            | R1     |         |    |
| 1998  | 0                         | R                         | R                             | R                    | 92                            |        |         |    |
| 1999  | 0                         | R                         | R                             | R                    | 45                            | 21     |         |    |
| 2000  | 0                         | R                         | R                             | R                    | 16                            |        |         |    |
| 2001  | 0                         | R                         | R                             | R                    | 9                             |        |         |    |
| 2002  | 0                         | R                         | R                             | R                    | 13                            | 88     |         |    |
| 2003  | 1                         | R                         | R                             | D                    | 24                            |        |         |    |
| 2004  | 1                         | R                         | R                             | D                    | 213                           | 71     |         |    |
| 2005  | 1                         | R                         | R                             | D                    |                               |        |         |    |
| 2006  | 1                         | R                         | R                             | D                    | 134                           | 1(SS1) |         |    |
| 2007  | 1                         | D                         | R                             | D                    |                               |        |         |    |
| 2008  | 1                         | D                         | R                             | D                    | 2                             | 61     |         |    |

TABLE C-5

## Enactments, Rankings of Democrats and Republicans on Achievement

| Question Number | Name of Enactment(s)                     | Enactment(s) & Year         | Summary  | Achievement Rank Democrats | Achievement Rank Republicans |
|-----------------|--|-----------------------------|--|----------------------------|------------------------------|
| 32              | Children's Health Insurance Plan         | Act 113 of 1992             | Provides insurance for children whose families earn too much to qualify for Medical Assistance but cannot afford health insurance.   | 1                          | 3                            |
| 4               | Environmental Protection Laws            | Act 275 of 1970, R2 of 1971 | Act 275 creates DER (now DEP). Resolution 2 (HB 31) proposes Article I, § 27 of the Constitution, assuring rights to clean air and water and the preservation of environmental values. | 2                          | 4                            |
| 5               | Personal Income Tax                      | Act 2 of 1971               | Provides for personal income tax with exemptions for poverty, age, and disability.   | 3                          | 10                           |
| 30              | Public Safety Telephone Act              | Act 78 of 1990              | Provides a toll-free 911 number for individuals to gain access to emergency aid.   | 4                          | 2                            |
| 19              | PACE (and PACENET)                       | Act 134 of 1983             | Assists older adults who meet income guidelines in paying for prescription drugs.  | 5                          | 1                            |
| 25              | Infrastructure Investment Act (PENNVEST) | Act 16 of 1988              | Creates an authority to manage federal and state revolving loan pool programs providing affordable financing for water and sewer projects.   | 6                          | 11                           |
| 26              | Hazardous Sites Cleanup Act              | Act 108 of 1988             | Provides DEP with the funding and authority to clean up hazardous waste sites; requires responsible parties to participate in cleanup or pay costs.                                    | 7                          | 6                            |
| 22              | Sunshine Law                             | Act 84 of 1986              | Reenacts 1957 law and establishes public's right to attend meetings of public bodies where decisions are deliberated as well as made.  | 8                          | 5                            |
| 2               | Creation of PennDOT                      | Act 120 of 1970             | Consolidates transportation functions in six major departments into a new agency with broader powers.  | 9                          | 7                            |
| 36              | State Welfare Reform                     | Act 35 of 1996              | Ends cash assistance as entitlement and focuses on work activity in exchange for welfare assistance.   | 10                         | 13                           |

TABLE C-5 (CONT'D)

| Enactments, Rankings of Democrats and Republicans on Achievement |   |                               |   |                            |                              |
|--|---|-------------------------------|---|----------------------------|------------------------------|
| Question Number  | Name of Enactment(s)                                      | Enactment(s) & Year           | Summary   | Achievement Rank Democrats | Achievement Rank Republicans |
| 11   | Farmland and Forest Land Assessment Act                   | Act 319 of 1974               | "Clean and Green" allows agricultural and forest land to be assessed for taxes at farm rather than market value to help farmers resist development.   | 11                         | 9                            |
| 10   | No-Fault Vehicle Insurance Act                            | Act 176 of 1974               | Provides for no-fault claim satisfaction and uninsured and underinsured motorists.  | 12                         | 25                           |
| 35   | Megan's Law   | Act 24 of SS1 1995            | Creates statewide sexual offender registry.   | 12                         | 14                           |
| 6  | State Lottery Law   | Act 91 of 1971                | Provides a lottery for senior citizen property tax and rental rebates and free or reduced-fare mass transit.  | 14                         | 8                            |
| 27   | State Ethics Act  | Act 9 of 1989                 | Reestablishes Ethics Commission, tightens conflict-of-interest rules, bans honoraria for official acts.   | 15                         | 16                           |
| 24   | Distressed Municipalities and Philadelphia Oversight Acts | Act 47 of 1987, Act 6 of 1991 | Act 47 empowers DCED to declare municipalities financially distressed and provides tools to assist them. Act 6 establishes board (PICA) to require balanced 5-yr. financial plans for Philadelphia. | 16                         | 34                           |
| 7  | Non-Discrimination Laws                                   | R3 of 1971, Act 51 of 1991    | Resolution 3 (HB 14) proposes Article I, § 28 of the Constitution, prohibiting abridgement of rights due to sex. Act 51 reestablishes Human Relations Commission and expands its powers.            | 17                         | 12                           |
| 14   | Emergency Mgt Service Code                                | Act 323 of 1978               | Requires counties and municipalities to develop and maintain an emergency management program.   | 18                         | 30                           |
| 9  | Loan Interest & Protection Law                            | Act 6 of 1974                 | Restricts fees and interest rates on mortgage and consumer loans, provides consumer protections related to mortgage foreclosures.   | 19                         | 29                           |
| 46   | Drunk Driving Legislation                                 | Act 24 of 2003                | Regulates driving under the influence of alcohol or controlled substances, lowers alcohol limits, regulates tests, and establishes programs for offenders.  | 20                         | 15                           |

TABLE C-5 (CONT'D)

| Enactments, Rankings of Democrats and Republicans on Achievement |                                     |                     |  |                            |                              |
|--|-------------------------------------|---------------------|--|----------------------------|------------------------------|
| Question Number  | Name of Enactment(s)                | Enactment(s) & Year | Summary  | Achievement Rank Democrats | Achievement Rank Republicans |
| 31   | Dedicated Transit Capital Funding   | Act 26 of 1991      | Provides dedicated mass transit capital funding to rebuild infrastructure and replace rolling stock.   | 21                         | 28                           |
| 49   | Transparency Legislation            | Act 134 of 2006     | Act 134 requires principals, lobbying firms and lobbyists to register and report expenditures. Act 2 expands access to public information held by state and local governments. | 22                         | 18                           |
| 20   | Homeowners Assistance Act           | Act 91 of 1983      | Assures steady mortgage payments while unemployed seek jobs, training, and/or education.   | 23                         | 20                           |
| 15   | No-Fault Divorce                    | Act 26 of 1980      | Authorizes court to approve divorces without assigning wrong-doing or fault to either party.   | 24                         | 26                           |
| 29   | Drug & Alcohol Insurance Law        | Act 106 of 1989     | Requires most group health insurance plans to include coverage for drug and alcohol addiction treatment.   | 25                         | 24                           |
| 12   | Mental Health Procedures Act        | Act 133 of 1976     | Assures adequate treatment of mentally ill in least restrictive environment and protects their rights against unwarranted involuntary commitment.                              | 26                         | 21                           |
| 21   | Municipal Pension Act               | Act 205 of 1984     | Establishes municipal pension funding standards and a recovery program for distressed plans.   | 27                         | 22                           |
| 45   | Medical Care Reduction of Error Act | Act 13 of 2002      | Requires physicians to report negligence suits to licensure boards and increases civil penalties and other regulatory protections of physician practice.                       | 28                         | 23                           |
| 39   | Homestead Property Tax Exemption    | R1 of 1997          | Resolution 1 (SB 65) proposes Article VIII §2(b)(vi) of the Constitution allowing local jurisdictions to adopt limited homestead property tax exemption.                       | 29                         | 27                           |
| 18   | Statewide Banking                   | Act 44 of 1982      | Authorizes statewide operations for banks previously limited to home and contiguous counties.  | 30                         | 33                           |

TABLE C-5 (CONT'D)

| Enactments, Rankings of Democrats and Republicans on Achievement |  |                     |  |                            |                              |
|--|--|---------------------|--|----------------------------|------------------------------|
| Question Number  | Name of Enactment(s)                     | Enactment(s) & Year | Summary  | Achievement Rank Democrats | Achievement Rank Republicans |
| 23   | Redevelopment Capital Assistance         | Act 115 of 1986     | Allows state capital funds to be used for regional economic, cultural, civic, educational, and historical improvement projects not owned by the state.   | 31                         | 42                           |
| 8  | Home Rule Act                            | Act 44 of 1972      | Authorizes municipalities to adopt home rule and assume powers not specifically limited by state law.  | 32                         | 38                           |
| 34   | Special Session on Crime                 | Acts SS1 1995       | Provides for crime victim compensation; violent crime sentences; restitution; mandatory sentencing for contraband possessions; possession of firearms; juvenile sentencing; requirements for sexual offenders to pay for rewards and forensic exams. | 33                         | 17                           |
| 40   | Keystone Opportunity Zone & related laws | Act 92 of 1998      | Creates tax-free zones to foster industrial, commercial and residential improvement, remedy and prevent blight, and create jobs.   | 34                         | 31                           |
| 17   | Regulatory Review Act                    | Act 19 of 1982      | Establishes the Independent Regulatory Review Commission as check on bureaucratic regulations.   | 35                         | 35                           |
| 1  | Police & Fire Bargaining Act             | Act 111 of 1968     | Gives police and firefighters right to collective bargaining and binding arbitration; prohibits strikes.   | 36                         | 40                           |
| 41   | Uniform Construction Code                | Act 45 of 1999      | Establishes a uniform statewide building code to protect life, health and property.  | 37                         | 41                           |
| 28   | Regulation of Abortions                  | Act 64 of 1989      | Requires doctors to inform women about health risks; requires parental consent; imposes a 24-hour waiting period. Upheld by US Supreme Court.  | 38                         | 48                           |
| 16   | The Agricultural Area Security Law       | Act 43 of 1981      | Limits the use of the defined land to agricultural production only and pays farmers the difference between the agricultural value and the market value.  | 39                         | 32                           |

TABLE C-5 (CONT'D)

| Enactments, Rankings of Democrats and Republicans on Achievement |  |                                   |  |                            |                              |
|--|--|-----------------------------------|--|----------------------------|------------------------------|
| Question Number  | Name of Enactment(s)                                     | Enactment(s) & Year               | Summary  | Achievement Rank Democrats | Achievement Rank Republicans |
| 43   | Education Empowerment & Philadelphia School Reform Acts  | Act 16 of 2000, Act 88 of 2002    | Act 16 empowers academically struggling schools to pursue new educational strategies, governance and funding. Act 88 creates Philadelphia School Reform Commission with new governance and powers and additional state and local funding.    | 40                         | 49                           |
| 13   | Article IV, SS 4.1, Constitution                         | R4 of 1977                        | Resolution 4 (HB 84) establishes the office of attorney general as an elected position.  | 41                         | 39                           |
| 3  | Public Employee Labor Relations                          | Act 195 of 1970                   | Allows public employees to organize and bargain collectively and gives them a limited right to strike.   | 42                         | 46                           |
| 47   | Alternative Energy Portfolio Standards Act               | Act 213 of 2004                   | Mandates greater reliance on alternative energy and obligates electricity providers to obtain 18% of all power from alternative sources by 2021.   | 43                         | 37                           |
| 42   | Natural Gas Choice & Competition Act                     | Act 21 of 1999                    | Deregulates prices in the natural gas industry and allows retail customers to choose their supplier; provides for energy conservation policies.  | 44                         | 36                           |
| 50   | Adequate School Funding                                  | Act 61 of 2008                    | Links school funding to costing-out study's findings of adequacy needed to meet achievement standards.   | 45                         | 45                           |
| 33   | Loan Interest & Protection Law                           | Act 67 of 1993                    | Largely deregulates telecommunication services.  | 46                         | 44                           |
| 38   | Charter Schools  | Act 22 of 1997                    | Provides for creation and funding of charter public schools. Act 88 of 2002 adds cyber charters.   | 47                         | 47                           |
| 48   | Race Horse Development & Gaming Act, Taxpayer Relief Act | Act 71 of 2004, Act 1 of SS1 2006 | Act 71 authorizes slot machines to support school property tax relief and horse racing industry; establishes a Gaming Control Board. Act 1 provides gaming revenues for property tax relief and places some control on annual tax increases. | 48                         | 19                           |
| 37   | Deregulation of Electricity                              | Act 138 of 1996                   | Provides choice for electricity customers and restructuring of electric utility industry.  | 49                         | 43                           |
| 44   | Retirement Code Amendments                               | Act 9 of 2001                     | Expands PSERS and SERS investment authority and liberalizes benefits for retirees.   | 50                         | 50                           |

Democrats: N=77; Republicans: N=62

TABLE C-6

| Enactments, Rankings of Legislators, and Press and Academics on Achievement |  |                             |  |                              |                                      |
|---|--|-----------------------------|--|------------------------------|--------------------------------------|
| Question Number   | Name of Enactment(s)                     | Enactment(s) & Year         | Summary  | Achievement Rank Legislators | Achievement Rank Press and Academics |
| 32  | Children's Health Insurance Plan         | Act 113 of 1992             | Provides insurance for children whose families earn too much to qualify for Medical Assistance but cannot afford health insurance.   | 1                            | 4                                    |
| 19  | PACE (and PACENET)                       | Act 134 of 1983             | Assists older adults who meet income guidelines in paying for prescription drugs.  | 2                            | 1                                    |
| 4   | Environmental Protection Laws            | Act 275 of 1970, R2 of 1971 | Act 275 creates DER (now DEP). Resolution 2 (HB 31) proposes Article I, § 27 of the Constitution, assuring rights to clean air and water and the preservation of environmental values.   | 3                            | 6                                    |
| 30  | Public Safety Telephone Act              | Act 78 of 1990              | Provides a toll-free 911 number for individuals to gain access to emergency aid.   | 4                            | 2                                    |
| 5   | Personal Income Tax                      | Act 2 of 1971               | Provides for personal income tax with exemptions for poverty, age, and disability.   | 5                            | 20                                   |
| 22  | Sunshine Law                             | Act 84 of 1986              | Reenacts 1957 law and establishes public's right to attend meetings of public bodies where decisions are deliberated as well as made.  | 6                            | 10                                   |
| 25  | Infrastructure Investment Act (PENNVEST) | Act 16 of 1988              | Creates an authority to manage federal and state revolving loan pool programs providing affordable financing for water and sewer projects.   | 7                            | 8                                    |
| 2   | Creation of PennDOT                      | Act 120 of 1970             | Consolidates transportation functions in six major departments into a new agency with broader powers.  | 8                            | 9                                    |
| 26  | Hazardous Sites Cleanup Act              | Act 108 of 1988             | Provides DEP with the funding and authority to clean up hazardous waste sites; requires responsible parties to participate in cleanup or pay costs.                                      | 9                            | 3                                    |
| 11  | Farmland and Forest Land Assessment Act  | Act 319 of 1974             | "Clean and Green" allows agricultural and forest land to be assessed for taxes at farm rather than market value to help farmers resist development.                                      | 10                           | 11                                   |
| 6   | State Lottery Law                        | Act 91 of 1971              | Provides a lottery for senior citizen property tax and rental rebates and free or reduced-fare mass transit.   | 11                           | 5                                    |
| 36  | State Welfare Reform                     | Act 35 of 1996              | Ends cash assistance as entitlement and focuses on work activity in exchange for welfare assistance.   | 12                           | 7                                    |
| 10  | No-Fault Vehicle Insurance Act           | Act 176 of 1974             | Provides for no-fault claim satisfaction and uninsured and underinsured motorists.   | 13                           | 35                                   |
| 35  | Megan's Law                              | Act 24 of SS1 1995          | Creates statewide sexual offender registry.  | 14                           | 12                                   |
| 7   | Non-Discrimination Laws                  | R3 of 1971, Act 51 of 1991  | Resolution 3 (HB 14) proposes Article I, § 28 of the Constitution, prohibiting abridgement of rights due to sex. Act 51 reestablishes Human Relations Commission and expands its powers. | 15                           | 24                                   |
| 27  | State Ethics Act                         | Act 9 of 1989               | Reestablishes Ethics Commission, tightens conflict-of-interest rules, bans honoraria for official acts.  | 16                           | 19                                   |
| 20  | Homeowners Assistance Act                | Act 91 of 1983              | Assures steady mortgage payments while unemployed seek jobs, training, and/or education.   | 17                           | 28                                   |

TABLE C-6 (CONT'D)

Enactments, Rankings of Legislators, and Press and Academics on Achievement

| Question Number | Name of Enactment(s)                                      | Enactment(s) & Year            | Summary  | Achievement Rank Legislators | Achievement Rank Press and Academics |
|-----------------|---|--------------------------------|--|------------------------------|--------------------------------------|
| 24              | Distressed Municipalities and Philadelphia Oversight Acts | Act 47 of 1987, Act 6 of 1991  | Act 47 empowers DCED to declare municipalities financially distressed and provides tools to assist them. Act 6 establishes board (PICA) to require balanced 5-yr. financial plans for Philadelphia.  | 18                           | 32                                   |
| 46              | Drunk Driving Legislation                                 | Act 24 of 2003                 | Regulates driving under the influence of alcohol or controlled substances, lowers alcohol limits, regulates tests, and establishes programs for offenders.   | 19                           | 30                                   |
| 49              | Transparency Legislation                                  | Act 134 of 2006, Act 2 of 2008 | Act 134 requires principals, lobbying firms and lobbyists to register and report expenditures. Act 2 expands access to public information held by state and local governments.   | 20                           | 31                                   |
| 21              | Municipal Pension Act                                     | Act 205 of 1984                | Establishes municipal pension funding standards and a recovery program for distressed plans.   | 21                           | 17                                   |
| 15              | No-Fault Divorce  | Act 26 of 1980                 | Authorizes court to approve divorces without assigning wrong-doing or fault to either party.   | 22                           | 39                                   |
| 31              | Dedicated Transit Capital Funding                         | Act 26 of 1991                 | Provides dedicated mass transit capital funding to rebuild infrastructure and replace rolling stock.   | 23                           | 14                                   |
| 9               | Loan Interest & Protection Law                            | Act 6 of 1974                  | Restricts fees and interest rates on mortgage and consumer loans, provides consumer protections related to mortgage foreclosures.  | 24                           | 18                                   |
| 14              | Emergency Mgt Service Code                                | Act 323 of 1978                | Requires counties and municipalities to develop and maintain an emergency management program.  | 25                           | 27                                   |
| 29              | Drug & Alcohol Insurance Law                              | Act 106 of 1989                | Requires most group health insurance plans to include coverage for drug and alcohol addiction treatment.   | 26                           | 13                                   |
| 12              | Mental Health Procedures Act                              | Act 133 of 1976                | Assures adequate treatment of mentally ill in least restrictive environment and protects their rights against unwarranted involuntary commitment.  | 27                           | 15                                   |
| 45              | Medical Care Reduction of Error Act                       | Act 13 of 2002                 | Requires physicians to report negligence suits to licensure boards and increases civil penalties and other regulatory protections of physician practice.   | 28                           | 29                                   |
| 39              | Homestead Property Tax Exemption                          | R1 of 1997                     | Resolution 1 (SB 65) proposes Article VIII §2(b)(vi) of the Constitution allowing local jurisdictions to adopt limited homestead property tax exemption.   | 29                           | 25                                   |
| 34              | Special Session on Crime                                  | Acts SS1 1995                  | Provides for crime victim compensation; violent crime sentences; restitution; mandatory sentencing for contraband possessions; possession of firearms; juvenile sentencing; requirements for sexual offenders to pay for rewards and forensic exams. | 30                           | 16                                   |
| 18              | Statewide Banking   | Act 44 of 1982                 | Authorizes statewide operations for banks previously limited to home and contiguous counties.  | 31                           | 23                                   |
| 8               | Home Rule Act   | Act 44 of 1972                 | Authorizes municipalities to adopt home rule and assume powers not specifically limited by state law.  | 32                           | 37                                   |
| 23              | Redevelopment Capital Assistance                          | Act 115 of 1986                | Allows state capital funds to be used for regional economic, cultural, civic, educational, and historical improvement projects not owned by the state.   | 33                           | 33                                   |

TABLE C-6 (CONT'D)

| Enactments, Rankings of Legislators, and Press and Academics on Achievement |  |                                   |  |                              |                                      |
|---|--|-----------------------------------|--|------------------------------|--------------------------------------|
| Question Number   | Name of Enactment(s)                                     | Enactment(s) & Year               | Summary  | Achievement Rank Legislators | Achievement Rank Press and Academics |
| 40  | Keystone Opportunity Zone & related laws                 | Act 92 of 1998                    | Creates tax-free zones to foster industrial, commercial and residential improvement, remedy and prevent blight, and create jobs.   | 34                           | 26                                   |
| 17  | Regulatory Review Act                                    | Act 19 of 1982                    | Establishes the Independent Regulatory Review Commission as check on bureaucratic regulations.   | 35                           | 21                                   |
| 16  | The Agricultural Area Security Law                       | Act 43 of 1981                    | Limits the use of the defined land to agricultural production only and pays farmers the difference between the agricultural value and the market value.  | 36                           | 36                                   |
| 1   | Police & Fire Bargaining Act                             | Act 111 of 1968                   | Gives police and firefighters right to collective bargaining and binding arbitration; prohibits strikes.   | 37                           | 46                                   |
| 41  | Uniform Construction Code                                | Act 45 of 1999                    | Establishes a uniform statewide building code to protect life, health and property.  | 38                           | 45                                   |
| 47  | Alternative Energy Portfolio Standards Act               | Act 213 of 2004                   | Mandates greater reliance on alternative energy and obligates electricity providers to obtain 18% of all power from alternative sources by 2021.   | 39                           | 43                                   |
| 42  | Natural Gas Choice & Competition Act                     | Act 21 of 1999                    | Deregulates prices in the natural gas industry and allows retail customers to choose their supplier; provides for energy conservation policies.  | 40                           | 40                                   |
| 13  | Article IV, SS 4.1, Constitution                         | R4 of 1977                        | Resolution 4 (HB 84) establishes the office of attorney general as an elected position.  | 41                           | 42                                   |
| 33  | Loan Interest & Protection Law                           | Act 67 of 1993                    | Largely deregulates telecommunication services.  | 42                           | 41                                   |
| 43  | Education Empowerment & Philadelphia School Reform Acts  | Act 16 of 2000, Act 88 of 2002    | Act 16 empowers academically struggling schools to pursue new educational strategies, governance and funding. Act 88 creates Philadelphia School Reform Commission with new governance and powers and additional state and local funding.    | 43                           | 49                                   |
| 3   | Public Employee Labor Relations                          | Act 195 of 1970                   | Allows public employees to organize and bargain collectively and gives them a limited right to strike.   | 44                           | 48                                   |
| 50  | Adequate School Funding                                  | Act 61 of 2008                    | Links school funding to costing-out study's findings of adequacy needed to meet achievement standards.   | 45                           | 47                                   |
| 28  | Regulation of Abortions                                  | Act 64 of 1989                    | Requires doctors to inform women about health risks; requires parental consent; imposes a 24-hour waiting period. Upheld by US Supreme Court.  | 46                           | 38                                   |
| 48  | Race Horse Development & Gaming Act, Taxpayer Relief Act | Act 71 of 2004, Act 1 of SS1 2006 | Act 71 authorizes slot machines to support school property tax relief and horse racing industry; establishes a Gaming Control Board. Act 1 provides gaming revenues for property tax relief and places some control on annual tax increases. | 47                           | 34                                   |
| 38  | Charter Schools  | Act 22 of 1997                    | Provides for creation and funding of charter public schools. Act 88 of 2002 adds cyber charters.   | 48                           | 44                                   |
| 37  | Deregulation of Electricity                              | Act 138 of 1996                   | Provides choice for electricity customers and restructuring of electric utility industry.  | 49                           | 22                                   |
| 44  | Retirement Code Amendments                               | Act 9 of 2001                     | Expands PSERS and SERS investment authority and liberalizes benefits for retirees.   | 50                           | 50                                   |

N=148

## Suggested Important Legislation

| Name of Enactment(s)  | Enactment(s) and Year | Summary   |
|---|-----------------------|---|
| Minimum Sentences Legislation                               | Act 54 of 1982        | Establishes minimum sentences for certain offenses.   |
| Public Welfare Code Omnibus Amendments                      | Act 75 of 1982        | Changes and restricts the qualifications for recipients of general welfare payments, aid for dependent children; medical assistance and other forms of payments; redefining needy persons; provides for public work service projects.   |
| Public School Code Amendments                               | Act 188 of 1982       | Establishes the State System of Higher Education and designates its institutions; creates and defines the powers and duties of the Board of Governors; establishes the office and duties of the chancellor of the university system; defines the powers and duties of presidents and the Councils of Trustees of the University Institutions; relates the powers and duties of the State Board of Education with the university system. |
| Worker and Community Right-to-Know Act                      | Act 159 of 1984       | Creates a system for communicating information about hazardous materials used, produced or stored at work sites within the Commonwealth. The Department of Labor and Industry, through the Bureau of PENNSAFE, acts as the data collector between employers and the community.  |
| Rural Pennsylvania Revitalization Act                       | Act 16 of 1987        | Establishes the Center for Rural Pennsylvania; provides for rural education partnerships and adult literacy programs; allocates funds appropriated to the Department of Commerce for a Regional Center for Continuing Education of Health Science Practitioners in western Pennsylvania.  |
| Regulation of Healthcare Providers                          | Act 66 of 1988        | Provides for certain disclosures by practitioners of the healing arts when making patient referrals; provides penalties; and confers powers and duties on the several licensing boards in the Bureau of Professional and Occupational Affairs.  |
| Municipal Waste Planning, Recycling and Waste Reduction Act | Act 101 of 1988       | Requires plans for municipal waste management and requires municipalities to implement recycling programs.  |
| Clean Indoor Air Act  | Act 168 of 1988       | Provides for specialized automatic fire detection devices for the deaf and hearing impaired in lodging houses, hotels and motels; requires automatic fire detection devices in Class IV buildings; requires that hotels and motels furnish information concerning measures taken for protection from fire; regulates smoking in certain public places   |
| No Tort Option for Automobile Insurance                     | Act 6 of 1990         | Requires insurance companies to provide reduced rates for drivers who opt to give up their right to sue for pain and suffering except in cases of death or permanent injury.  |
| Credit Card Information Act                                 | Act 36 of 1992        | Prohibits persons who accept credit cards for the transaction of business from requiring certain additional information from the credit card holder.  |

| Suggested Important Legislation  |                       |  |
|--|-----------------------|--|
| Name of Enactment(s)   | Enactment(s) and Year | Summary  |
| Organ Donor Awareness Law  | Act 102 of 1994       | Provides for the creation of a 15-member Organ Donation Advisory Committee; the creation of The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund; and the assignment of specific responsibilities to the Departments of Health, Transportation, Education, and Revenue.  |
| Land Recycling and Environmental Remediation Standards Act             | Act 2 of 1995         | Provides for the recycling of existing industrial and commercial sites; further defining the cleanup liability of new industries and tenants; establishes a framework for setting environmental remediation standards; establishes the Voluntary Cleanup Loan Fund, the Industrial Land Recycling Fund and the Industrial Sites Cleanup Fund to aid industrial site cleanups   |
| Conservation and Natural Resources Act                                 | Act 18 of 1995        | Divides the Department of Environmental Resources into two agencies, the Department of Environmental Protection and the Department of Conservation and Natural Resources, separating environmental protection and natural resources management functions.  |
| Transportation Omnibus Amendments                                      | Act 3 of 1997         | Institutes the oil franchise tax for use on highway repair and maintenance.  |
| Environmental Stewardship, Watershed Protection and Good Samaritan Law | Act 68 of 1999        | Provides for watershed protection and environmental stewardship; establishes the Environmental Stewardship Fund; conferring powers and duties on the Department of Agriculture, the Department of Conservation and Natural Resources, the Department of Environmental Protection and the Pennsylvania Infrastructure Investment Authority; imposes a recycling fee; provides for use of site-specific postclosure funds and for immunity for certain persons who reclaim abandoned lands or abate certain water pollution. |
| Public School Code Amendments  | Act 4 of 2001         | Institutes the Educational Improvement Tax Credit program permitting donations to private school funds by corporations to function as a tax credit.  |
| Environmental Resources Omnibus Amendments                             | Act 90 of 2002        | Provides for whistleblower protection; establishes a waste transportation safety program, the Waste Transportation Safety Account and a disposal fee for municipal waste landfills; provides for deposit of the disposal fee, for surcharge and for allocation from the Environmental Stewardship Fund.  |
| Payraise Legislation   | Act 44 of 2005        | Sets compensation for judiciary, legislature and executive branch (later repealed except for judiciary).   |
| Environmental Resources Omnibus Amendments                             | Act 45 of 2005        | Establishes "Growing Greener Two" program.   |
| County Code Amendments   | Act 57 of 2005        | Provides for qualifications, eligibility and compensation for district attorneys; makes full-time district attorneys mandatory in most counties.   |
| Minimum Wage Act   | Act 112 of 2006       | Increases minimum wage.  |

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