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Pa. House overrides Rendell veto of school-code bill

November 16, 2010 | By Angela Coulombis, Inquirer Harrisburg Bureau

HARRISBURG - In a surprise move late Monday, the state House of Representatives voted to override Gov. Rendell's veto of a school-code bill that he contended gave unfair tax breaks to certain charter-school landlords.

If the Senate follows suit, it would mark the first time the legislature has overridden a Rendell veto, sending the governor off with a parting slap as he wraps up his second and last term.

On Oct. 22, Rendell vetoed the bill, which includes a long list of education initiatives, because of a provision that would exempt from property taxes those nonprofit foundations that rent their properties to charter schools.

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Rendell has said he believes it is unconstitutional to give the tax break to such nonprofit foundations because some, in his view, do not fit the definition of a purely public charity under a 1997 state law.

He also was concerned that for-profit landlords would take advantage of the law by converting to nonprofit foundations in order to exploit the tax break.

But his veto infuriated many legislators, who believed Rendell was throwing out good provisions with what he considered a bad one.

"Overall, it is a good bill and it has a lot of good things in it," said Rep. James Roebuck (D., Phila.), chairman of the House Education Committee, who had written initiatives into the package to improve data on school-dropout rates and help teachers pay their certification fees.

"We worked very hard to reverse this," Roebuck said.

The House's override required a two-thirds vote, and the chamber rose to the occasion late Monday with a 171-24 tally.

In order for Rendell's veto to be officially reversed, the Senate, too, would have to vote to override.

Erik Arneson, spokesman for Senate Majority Leader Dominic Pileggi (R., Delaware), said top members of the chamber's GOP majority would discuss its options Wednesday.

If the Senate's vote on the underlying bill itself is any indication, then that chamber, too, may be ready to override the veto: Every senator voted for the school-code bill when it came up for consideration.

The governor, through spokesman Gary Tuma, declined Monday night to discuss the House's action.

Other provisions in the school-code bill include one to require instruction in public schools aimed at prevention of dating violence. It is known as "Demi's Law," named after Demi Brae Cuccia of Westmoreland County, who was killed in 2007 at age 16 by a youth she had been dating.

Another provision would allow colleges and universities in the state to establish a program to let older Pennsylvanians take college courses on a tuition-free basis.

Still another would require the state Education Department's Office of Safe Schools to direct all schools to submit school-violence reports by July 31 each year.

The proposal also would require that office to verify the existence of any plan to reduce school violence, develop reporting forms for schools and police departments, make sure that schools have a so-called memorandum of understanding with their local police departments, and post a school-violence report on the Internet by Nov. 1 of each year.

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