

**KERRY A. BENNINGHOFF, MEMBER
171ST LEGISLATIVE DISTRICT**



House of Representatives
Commonwealth of Pennsylvania
Harrisburg

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MEMORANDUM

TO: All House Members

FROM: Rep. Kerry Benninghoff
171st Legislative District

SUBJECT: Right to Know – Exemptions

DATE: November 21, 2011

We are keenly aware that records of state-related institutions, such as Penn State University, the University of Pittsburgh, Temple University and Lincoln University, are largely exempt from public access under the Right to Know Law. Currently, the law requires only that these institutions file an annual report with the Governor, the General Assembly, the Auditor General and the State Library indicating the salaries of their officers and directors and the highest 25 salaries paid to employees of the institution.

Interestingly, and in contrast to the broad exemption afforded to records of state-related institutions, records of the Commonwealth's state-owned universities are presumed to be public records. Both types of institutions are supported by taxpayer dollars. Thus, I do not understand why the standard that applies to Millersville, Shippensburg, Indiana or West Chester universities should not apply to Penn State, Pitt, Temple and Lincoln.

It is disturbing to think what we and the public could have known about the recent revelations at Penn State if the Right to Know Law had offered greater access to that institution's records. For this reason and others, I intend to introduce legislation that will amend the Right to Know Law to apply the access requirements currently imposed on state-owned universities to state-related institutions. Under my bill, records of state-related institutions will be presumed to be public records and treated in a manner similar to the records of many other state and local agencies.

If you would like to join me in sponsoring this proposal, please contact Amy Noel 717-783-1918 or via email anoel@pahousegop.com.