



September 2009

Dear Friend,

In this edition of "Inside the Senate," we will review the bills considered and approved by the Senate during the first half of 2009.

As always, if you have questions about any state issue, call my Indiana Office at 724-357-0151/toll free 866-357-0151, my Kittanning Office at 724-543-3026/toll-free 866-366-9448 (1-866-DON-WHITE), or my

Murrysville Office at 724-327-2422/toll-free 866-736-9448 (1-866-SEN-WHITE), or visit my website senatordonwhite.com.

Sincerely,


Senator Don White

Seeking to keep vital government programs and services operating while budget negotiations continue, Senator Don White voted on August 19 to override a number of Governor Rendell's recent line-item vetoes of Senate Bill 850.

Despite unanimous Republican support, the veto overrides failed when only one Democrat voted for the measures – which require a two-thirds majority. Had the overrides passed in both the Senate and House, funding would have begun flowing to programs that the Governor cut.

As the budget impasse continues, Governor Rendell is trying to create a crisis atmosphere by holding a number of programs and services hostage, including funding for student loans and higher education including Indiana University of

State Budget Update

Pennsylvania as well as drug and alcohol treatment programs, homeless assistance, veterans outreach services, the National Guard Education Assistance Program and domestic violence and rape crisis programs.

"The basic divide is the Governor wants to drive up state spending to fit in whatever tax increases are necessary to support his spending plan, while Senate Republicans want to base state spending on revenues that are available without imposing any tax increases," Senator White said. "We have made it clear that we want spending cuts instead of the tax increases proposed by the Governor. Families across the Commonwealth are cutting their spending to make ends meet. It's just not right that state government would ask those folks to pay more taxes because it can't control its spending."

Earlier in August, the Senate approved a package of bills authorizing funding for eight independent state agencies and commissions so their employees and vendors can be paid.

Legislative passage of House Bills 1419 through 1425 and House Bill 1663 now ensures that paychecks for almost all state employees – except the Legislature and its staff – are covered for Fiscal Year 2009-10. Governor Rendell vetoed funding for the Legislature's expenses for Fiscal Year 2009-10 when he signed Senate Bill 850. That bill provided for payroll for most state employees – including the Governor and his staff.

House Bills 1419 through 1425 are now headed to the Governor for his signature and enactment into law. House Bill 1663 returns to the House for concurrence on Senate amendments.

A Review of Senate Actions During the First Half of 2009

This edition of Senator White's "Inside the Senate" features some of the notable legislation the Senate has acted on in 2009.

REFORM

Senate Bill 1 would establish a Legislative Fiscal Office (LFO), a non-partisan bi-cameral agency with expertise in financial matters. The LFO would have access to the same agency and department financial information as the Governor's Budget Office.

Senate Bill 105 would direct the Department of the Treasury to create and maintain a searchable budget database-driven website of state spending records that the public can access for free. Co-sponsored by Senator White.

Senate Bill 711 would make numerous changes to the law regulating casinos in Pennsylvania, including reestablishment of the prohibition on political campaign contributions by individuals and entities subject to the Gaming Act, a ban on outside employment by members of the Pennsylvania Gaming Control Board, and extension of the ban on felons receiving gaming licenses.

Senate Bill 101 would increase penalties for violating the "Sunshine Law" governing open, public meetings. Co-sponsored by Senator White.

Senate Bill 110 would improve public access to, and expand information contained in, state plane logs. Co-sponsored by Senator White.

Senate Bill 136 would expand the scope of review by the Independent Regulatory Review Commission to include the examination of the quality of data, helping to ensure that state regulations are based on reliable data and sound science.

Senate Resolution 6 prohibits Senate funds from being used for automated telephone – or "robo" – calls.

HEALTH CARE

Act 2 of 2009 will create a Mini-COBRA Small Employer Group Health Plan to extend continuation of group health insurance policies for former employees and their dependents, making the option available to approximately 150,000 individuals who work for employers with 2 to 19 employees and who change jobs. *Senate version sponsored by Senator White.*

Act 1 of 2009 permits health insurers to withhold payment to providers in the event of a preventable serious adverse event. *Senate version sponsored by Senator White.*

Act 4 of 2009 extends health insurance to adult dependents up to the age of 30. Nearly half of all uninsured Pennsylvanians are age 18 to 34. Co-sponsored by Senator White.

Senate Bill 464 would allow physicians, dentists, dental hygienists, nurses or certified registered nurse practitioners to apply volunteer time served in a community-based health care clinic towards the completion of 20 percent of their mandatory continuing education hours required by their individual licensure boards.

EDUCATION

Senate Bill 55 and **Senate Bill 56** would make significant changes to Pennsylvania's Safe Schools Law by ensuring those with criminal records are banned from employment in public schools and improving the reporting requirements between school districts and local law enforcement.

Senate Bill 281 would prohibit the state from imposing any new statewide requirement for high school graduation without legislative approval.

Senate Bill 687 explicitly states that all school property owned by a charter school or an associated non-

profit foundation, or leased to a charter school at or below fair market value, which is used for public school purposes, is exempt from real estate taxation.

Senate Bill 287 would simplify annual financial reporting requirements to prevent duplication with the annual audit filed by local education agencies.

Senate Bill 736 would allow students with severe allergies to carry epinephrine medication – such as EpiPen auto-injectors – upon approval by the student's physician and parents.

CRIME

Senate Bill 366 would allow for the denial of bail for offenses where the maximum sentence is life imprisonment or for cases where there are no conditions other than imprisonment that will reasonably protect public safety.

Senate Bill 124, Senate Bill 125, Senate Bill 126 and **Senate Bill 127** will make it more difficult to obtain the ingredients necessary to produce methamphetamine, add new protections for children and clean up the environmental damage caused by illegal meth labs. Co-sponsored by Senator White.

Senate Bill 383 authorizes problem solving courts, which include mental health courts and drug courts, to divert non-violent offenders from more costly jail cells and encourage rehabilitation through extensive supervision.

Senate Bill 949 seeks to prevent further cases of corruption in county juvenile courts and restore public confidence by establishing an Interbranch Commission on Juvenile Justice.

Senate Bill 531 provides for county interagency sharing of juvenile records, including the contents of

Review of Senate Actions

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drug and alcohol, mental health, and education records.

Senate Bill 628 establishes a pretrial procedure to determine if a defendant in a capital penalty trial is a person with mental retardation. Co-sponsored by Senator White.

ENVIRONMENT AND ENERGY

The Senate approved several bills co-sponsored by Senator White increasing transparency and accountability in state spending on environmental initiatives:

- **Senate Bill 115** requires DEP to post and maintain all clean air State Implementation Plans on its website, and to provide the same to the standing Senate and House oversight committees.
- **Senate Bill 116** requires DEP to annually compile a comprehensive report on all of the special funds and restricted accounts that it administers.
- **Senate Bill 117** requires state agencies which receive funding under the Keystone Recreation, Park and Conservation Fund Act (Key '93) to submit annual reports to the Governor and General Assembly – including a description of projects and amounts requested – and post the information online.
- **Senate Bill 118** requires DEP to deposit any Hazardous Sites Cleanup Act-related fine money into the HSCA fund.

Senate Bill 829 extends by three months the Oct. 9 deadline faced by DEP for submitting a Pennsylvania Climate Change Action Plan. Co-sponsored by Senator White.

Senate Bill 275 would establish a special review board to arbitrate coal bed methane well disputes. Introduced by Senator White.

Senate Bill 297 would expand requirements for reporting gas well data to DEP.

EMERGENCY RESPONSE

Senate Bill 240 would modernize, standardize and improve Pennsylvania's Emergency Medical Services Law to ensure high levels of patient care and greater public safety.

Senate Bill 851 clarifies that volunteer fire companies and other volunteer emergency responders will not be subject to the Right-to-Know Law except in cases where a contract exists with a government agency to provide such services. Co-sponsored by Senator White.

CONSUMER PROTECTION

Act 10 of 2009 would prohibit a mortgage broker or originator from being the exclusive recipient of communications to a consumer, preventing brokers from withholding information about interest rates, fees or monthly payments. Co-sponsored by Senator White.

Senate Bill 304 would eliminate the need for Pennsylvania consumers to reregister on the "Do Not Call" registry every five years. Co-sponsored by Senator White.

Senate Bill 155 would require state agencies and local governments to notify the public of data breaches involving personal information within one week.

TRANSPORTATION

Senate Bill 143 would make it illegal for motorists to text message while driving.

LOCAL GOVERNMENT

Senate Bill 282 would permit municipal authorities to enter into intergovernmental cooperation agreements with municipalities and/or other municipal authorities. Co-sponsored by Senator White.

Senate Bill 284 would provide municipalities with additional time to enact conforming ordinances after the adoption of a multi-municipal comprehensive plan.

VETERANS

Senate Bill 301 and **Senate Bill 302**, co-sponsored by Senator White, expand eligibility guidelines for programs that allow National Guard members to qualify for free or reduced-price hunting and fishing licenses.

Senate Bill 674 allows school districts to establish a program in order to award high school diplomas to honorably discharged Vietnam veterans who were unable to graduate due to their military service.

Senate Bill 206 would prohibit any principal, superintendent or school official from denying any member of the military entry to school facilities because he or she is wearing a military uniform.

ILLEGAL IMMIGRATION

Senate Bill 9 would require any applicant for public benefits to sign an affidavit stating they are a legal alien and would have their status verified through the Federal Systematic Alien Verification of Entitlement Program. Co-sponsored by Senator Don White.