



April 2007

Dear Friend,

In this edition of Senate News Briefs, we will look at some of the bills recently considered by the Senate in March. I will also recap some recent key Committee sessions.

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 senatorndonwhite.com.

Sincerely,


Don White

Consumer Protection Bills Approved

On March 27, the Senate approved legislation I introduced that would give the Pennsylvania Department of Insurance oversight power over mergers involving non-profit health care insurers such as Blue Cross and Blue Shield. **Senate Bill 550** is legislation that would allow for a Department of Insurance review of a proposed Highmark-Independence Blue Cross merger. I have been joined by several of my colleagues in expressing concerns that the merger of major insurers could undermine the quality and availability of health care coverage in the Commonwealth.

The Senate unanimously approved legislation on March 20 to exempt Pennsylvania from a new building code requirement designed for coastal areas and earthquake-prone regions. **Senate**

Bill 437 would amend the PA Uniform Construction Code (UCC) by addressing a new mandate contained in the 2006 International Residential Code, which took effect on January 1, 2007. Under the mandate, all new residential construction is now required to have “anchor bolts” when the foundation and retaining walls are built, which could increase home building costs by as much as \$3,000.

Senate Bill 86, legislation approved by the Senate on March 27, would amend the Resale of Tickets Act to authorize a reseller of tickets to any amusement or place of amusement to do so through an Internet website if the reseller has a physical business and address in Pennsylvania and guarantees full refund for event cancellation and errors relating to the ticket.

Senate Approves Anti-Crime Bill

On March 26, the Senate approved **Senate Bill 150**, legislation that permits the issuance of a sexual violence victim protection order for up to 18 months. A sentence for criminal contempt under SB 150 may include up to six months imprisonment and/or a fine of not less than \$100 or more than \$1,000. Currently, 12 states have statutes that allow victims of

sexual assault to obtain a protection order regardless of their relationship to the perpetrator.

On March 27, the Senate approved **Senate Bill 151**, a proposal to expand and clarify the provisions prohibiting contraband, including weapons, implements of escape and other dangerous materials, in correctional institutions, youth development centers and mental hospitals.

Also on March 27, the Senate approved **Senate Bill 256**, a measure that would allow for the denial of bail for offenses for which the maximum sentence is life imprisonment or for cases where there are no conditions other than imprisonment that will reasonably protect public safety.

The bills are now before the House of Representatives for consideration.

EDUCATION BILLS CONSIDERED, APPROVED BY SENATE

The Senate approved several education bills in March and sent the measures on to the House for consideration:

- **Senate Bill 154** would require districts with schools identified for warning, school improvement or corrective action to revise their professional education plans. It also requires the Department of Education to create a clearinghouse of continuing professional education programs.
- **Senate Bill 155** would authorize intermediate units to create pools of educational advisors for schools identified for school improvement or corrective action.
- **Senate Bill 157** would require intermediate units to provide support and coordinate an academic improvement program for school districts eligible for academic assistance.
- **Senate Bill 158** would require school districts to establish parent involvement programs and adopt parent involvement policies.
- **Senate Bill 219** would allow a teacher's certificate to be signed by a certified registered nurse practitioner or physician assistant. Currently, applications must be signed by a physician certifying that the applicant is neither mentally nor physically disqualified from performing the duties of a teacher.

Senate Committee Roundup

On March 13, the **Senate Banking and Insurance Committee**, which I chair, endorsed legislation that would provide a strong financial incentive for people to invest in long-term care insurance. **Senate Bill 548** would create the Long-Term Care (LTC) Partnership Program, which would provide a financial incentive for individuals to buy LTC insurance.

Currently, individuals have to spend down their assets before Medicaid steps in to cover the costs of long-term care. Under the LTC Partnership Program, individuals would be allowed to retain an amount equal to the amount of long-term care insurance they hold.

The **Senate Appropriations Committee** wrapped up its public hearings on the Governor's proposed state budget for Fiscal Year 2007-08. The Committee heard detailed reports and requests for funding from several cabinet secretaries and other officials. Governor Rendell has proposed a state budget that contains seven tax hikes, adding up to \$2.5 billion. It is difficult to see a lot of legislative support for the extensive and expensive tax hikes the Governor is requesting.

The **Senate Transportation Committee** held an informational hearing on Tuesday, March 27 to take testimony from the Rendell Administration and industry stakeholders regarding the 6.17 percent Oil Company Gross Profits Tax, proposed by the Governor to fund public transportation. Testifiers said it would be almost impossible, if not unconstitutional, to bar oil companies from passing the tax on to consumers and that the proposed tax could negatively impact oil production in the Commonwealth.

The **Senate Majority Policy Committee** and the **Senate Minority Policy Committee** held a joint public hearing on March 13 to discuss efforts to move the 2008 Presidential Primary to an earlier date. Testifying before the committees were Secretary of the Commonwealth Pedro Cortes, as well as representatives

from the Republican State Committee and Democratic State Committee, the County Commissioners Association, and Pennsylvanians for Effective Government.

Supporters of moving the primary from the fourth Tuesday in April to an earlier date note that, despite Pennsylvania being the sixth-largest state by population, 42 other states held their primary or caucuses before Pennsylvania in 2004.

The **Senate Judiciary Committee** approved a four bill package on March 27 to crack down on methamphetamine production and clean up the environmental damage caused by illegal meth labs:

- **Senate Bill 436** provides for the specific offense of operating a methamphetamine laboratory, and increases penalties if the lab is operated near a school, day care center or playground;
- **Senate Bill 434** provides for penalties for possessing the ingredients necessary for the production of methamphetamine;
- **Senate Bill 433** provides for defendants to be assessed the environmental clean-up costs associated with methamphetamine laboratories; and,
- **Senate Bill 432** combines the criminal provisions of **Senate Bill 436** and the environmental provisions of **Senate Bill 433**.

On March 28, the **Senate Finance Committee** approved **Senate Bill 330**, legislation to provide tax credits to employers of Pennsylvania's "citizen-soldiers." Under the bill, employers would receive a \$1,000 tax credit for every member of the Pennsylvania National Guard or reserves that they hire or that re-enlists. The tax credit could be used toward the employer's personal income tax, corporate net income tax, or capital stock and franchise tax and could be carried forward for a period of three years.