

Senate News Brief

from Senate Republicans

"This bill is a good blend of reasonable requirements, common sense standards, and practical approach. Pennsylvanians across the political spectrum are insisting on action on reform, and here we deliver a substantial piece."

– **Senate President Pro Tempore Robert C. Jubelirer (R-Blair)** on final passage last week of landmark legislation requiring lobbyists to file regular reports detailing who is lobbying the Legislature and the Governor's Office on which issues.

Preview

SENATE RETURNS NOV. 20 TO WRAP UP LEGISLATIVE SESSION

THE SENATE RETURNS TO CONCLUDE A PRODUCTIVE 2005-06 legislative session the week of Nov. 20. The session will conclude with leadership elections and time to bid farewell to departing members.

Review

SENATE FINALIZES LANDMARK LOBBYIST DISCLOSURE LEGISLATION

THE SENATE LAST WEEK PASSED LANDMARK LEGISLATION requiring lobbyists to file regular reports detailing who is lobbying the Legislature and the Governor's Office on which issues. **Senate President Pro Tempore Robert C. Jubelirer (R-Blair)** has long pushed for a strong lobbying disclosure law. Under his leadership, the Senate has been the only part of state government to consistently have lobbying disclosure requirements in place over the past four years.

Under House Bill 700, as amended by the Senate, every lobbyist, lobbying firm and the groups who hired them will be required to register and disclose their spending each quarter. The reports will include a total for all costs of lobbying for the quarter, along with three subtotals: direct communication; indirect communication; and gifts, hospitality, transportation and lodging. Such reports will be filed with the Department of State, which will provide a directory to the public of all registered lobbyists by May 1 of each odd numbered year. Random audits will be conducted on the registrations every two years.

Lobbyists who violate the law will be subject to civil fines of up to \$2,000 and the possibility of being prohibited from paid lobbying for up to five years. Groups that retain lobbyists and intentionally violate the law could be fined up to \$25,000 by a court.

For more on the Lobbyist Disclosure legislation, please see *In the Spotlight*, below.

SENATE PASSES MAJOR REFORMS OF GAMING LAW

THE SENATE UNANIMOUSLY APPROVED A MAJOR OVERHAUL of Pennsylvania's gaming law last week to guard against influence peddling and corruption, strengthen enforcement, and ensure accountability and integrity in the casino licensing process.

Senate Bill 862, sponsored by **Sen. John Pippy (R-Allegheny)**, closes a loophole that allows public officials to hold ownership in gaming entities. Passage came two years after Governor Rendell vetoed a similar bill designed to eliminate conflicts of interest and open the process up to more public input. For highlights of the gaming reform legislation, please see *Fast Facts*, below.

SENATE VOTES TO EASE BURDEN OF LOCAL SERVICES TAX FOR 2007

THE SENATE APPROVED A COMPROMISE MEASURE that makes significant reforms to the Emergency Municipal Services Tax, ending the lump-sum maximum payment of \$52 and setting specific restrictions on how taxing entities may use revenues raised by the levy.

Senate Bill 157, sponsored by **Sen. Pat Browne (R-Lehigh)**, requires that tax, which would be renamed the "Local Services Tax," be withheld on a payroll-period basis with a maximum deduction of \$1 per week. Employers would be required to remit the LST collections on a quarterly basis.

The bill also exempts those earning \$12,000 or less per year from the tax.

Senate Bill 157 also restricts the use of the money for only the following: emergency services including police, fire and emergency medical services; road construction and maintenance; property tax reduction; and/or property tax relief through the use of a homestead/farmstead exemption. The bill was sent to the governor for enactment.

LEGISLATURE APPROVES TOOLS TO FIGHT PRICE GOUGING

THE GENERAL ASSEMBLY LAST WEEK GAVE APPROVAL of a measure that will protect Pennsylvania consumers from price gouging during and after a state of disaster emergency.

The House of Representatives followed Senate action and approved House Bill 2001, which was amended in the Senate to contain the language of a price gouging bill sponsored by **Sen. Mary Jo White (R-Venango)**. The bill will be sent to the governor to be signed into law.

The measure gives the Attorney General the authority to investigate possible price gouging and imposes penalties on violators.

The legislation would prohibit “unconscionably excessive” pricing during a declared state of disaster emergency and 30 days after within the geographic region that is the subject of the declared emergency. A state of disaster emergency could be the result of a natural disaster, labor strike, act of terrorism, or other event.

Pricing would be considered “unconscionably excessive” if parties within the chain of distribution (manufacturers, suppliers, wholesalers, distributors or retailers) increase prices by 20 percent or more over the average price for the same goods or services obtainable in the affected area in the seven days prior to the state of emergency.

Consumers who suspect price gouging could file a complaint with the Attorney General’s Bureau of Consumer Protection. If an investigation verifies price gouging, the business would face civil penalties of up to \$10,000.

In the Spotlight

PASSAGE OF LOBBYIST DISCLOSURE LEGISLATION comes after several years in which Senate Republicans have fought for lobbying reform.

In addition to requiring regular reports, under House Bill 700, no lobbyist may serve as a political committee’s treasurer or other officer. In addition, lobbyists may not charge a fee with the understanding that any part of that fee would be converted to a campaign contribution. Certain violations can be prosecuted by the Attorney General as misdemeanors of the second degree and misdemeanors of the third degree.

While efforts were underway to pass a lobbyist disclosure law, the Senate adopted a rule that required lobbyists to register and report their spending as it relates to lobbying the Senate. In compliance with the Senate Rule, 700 lobbyists registered and reported several million dollars in spending. (Lobbyist reports filed under the current Senate Rule can be viewed online at www.pasen.gov.)

Fast Facts

SENATE BILL 862: PA GAMING LAW REFORM

- Prohibits public officials from holding any ownership in gaming entities.
- Establishes a Code of Conduct for the Gaming Control Board.
- Ensures that the Gaming Control Board is subject to the Right-to-Know Act, the Sunshine Law, and other open-government laws.
- Subjects the Gaming Control Board to the normal state budget process.
- Clarifies the authority of the Attorney General regarding gambling crimes.

Question or comments? Contact the Senate Republican Communications Office at senaterepublicancommunicationsoffice@pasen.gov or call 717-787-6725. Current and archived News Briefs are also available online at www.pasenategop.com.