

Senate News Brief

from Senate Republicans

“Legislative scrutiny and review of this individual will help us remain apprised of the policies and practices of PEMA and assure state residents that we consider this position to be one of utmost importance.”

– **Senate Veterans Affairs and Emergency Preparedness Committee Chair Lisa Baker (R-Luzerne)**
sponsor of legislation approved by the Senate to require that the position of Pennsylvania Emergency Management Agency director be subject to Senate confirmation.

Preview

JOINT HEARINGS PLANNED ON PUBLIC SAFETY DEPARTMENT, STORM RESPONSE

THE SENATE TRANSPORTATION COMMITTEE, chaired by **Sen. Roger Madigan (R-Bradford)**, and the Senate Veterans Affairs and Emergency Preparedness Committee, chaired by **Sen. Lisa Baker (R-Luzerne)**, will continue public hearings this spring in an effort to improve Pennsylvania’s readiness for emergencies.

In April, the Veterans Affairs and Emergency Preparedness Committee will hold a joint hearing with the Senate State Government Committee, chaired by **Sen. Jeffrey Piccola (R-Dauphin)**, to receive input on legislation to establish a state Department of Public Safety and to improve local emergency services.

In May, the committees will hold hearings on the status of implementing recommendations from a report on the Rendell administration’s poor response to the Valentine’s Day storm. For more on the storm response and PEMA, please see *Review* and *Fast Facts*.

Review

SENATE APPROVES BILL TO REQUIRE CONFIRMATION VOTE ON PEMA DIRECTOR

THE DIRECTOR OF THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY would have to be confirmed by the Senate under legislation approved by the Senate on Tuesday.

Senate Bill 637 is sponsored by **Senate Veterans Affairs and Emergency Preparedness Committee Chair Lisa Baker (R-Luzerne)**. PEMA’s director is responsible for coordinating the state’s response to natural and manmade disasters, terrorist attacks and threats to public health and safety.

Requiring Senate confirmation of the PEMA director will improve agency accountability and ensure that there is strong communication and coordination in responding to emergencies. The bill was sent to the House of Representatives for consideration.

NEW PROTECTION FOR SEXUAL VIOLENCE VICTIMS APPROVED BY SENATE

THE SENATE on Monday approved legislation that would authorize the courts to issue protection from abuse orders for sexual assault victims who seek them, whether or not the victim seeks prosecution.

Under Senate Bill 150, sponsored by **Senate Judiciary Committee Chairman Stewart Greenleaf (R-Montgomery)**, a sexual assault victim could petition the court, requesting protection from the defendant. A protective order would prohibit the defendant from having any contact with the victim, would bar stalking and harassment, and would grant any other appropriate relief as determined by the court for up to 18 months. The bill would also require that the sexual assault victim be notified about legal rights and victim services. The bill was sent to the House of Representatives. For more on Senate Bill 150, please see *In the Spotlight*, below.

SENATE APPROVES STRONGER OVERSIGHT OF INSURANCE COMPANY MERGERS

THE SENATE approved legislation Wednesday sponsored by **Senate Banking and Insurance Committee Chairman Don White (R-Indiana)** that would give the state Department of Insurance oversight authority of mergers involving health care insurers such as Blue Cross and Blue Shield.

The Department of Insurance already has oversight power over mergers involving for-profit companies. Senate Bill 550 would ensure state review of the proposed merger of Highmark, Inc. (Highmark Blue Cross and Blue Shield) and Independence Blue Cross.

Senator White said a merger of the two largest health care insurers in Pennsylvania could have long-term impacts on the quality and availability of health care coverage in the commonwealth. The measure was sent to the House of Representatives.

SENATE VOTES TO ALLOW RESALE OF TICKETS WITH CONSUMER PROTECTIONS

THE SENATE approved legislation Wednesday to create a safer and more open system in which to buy and sell tickets for sporting events, concerts and other activities.

Senate Bill 86, sponsored by **Sen. Tommy Tomlinson (R-Bucks)**, would modernize Pennsylvania's ticket resale law to allow the owner of an event ticket to resell that ticket through an Internet-based reseller such as TicketMaster, StubHub or eBay. The reseller must have an office in Pennsylvania and guarantee a refund if the ticket is invalid or the event is cancelled. Current state law forbids ticket owners from reselling their tickets for above face value without obtaining a license. The bill was sent to the House of Representatives.

BILL TO DENY BAIL FOR DANGEROUS INDIVIDUALS PASSED BY SENATE

THE SENATE approved legislation Tuesday that would allow bail to be denied in cases involving serious crimes or dangerous individuals.

Under Senate Bill 256, sponsored by **Sen. Pat Browne (R-Lehigh)**, in cases where the maximum sentence is life imprisonment or where no conditions other than imprisonment will reasonably protect public safety, denial of bail would be permitted.

In 1998, voters amended the Pennsylvania Constitution to allow for such denials. However, the language in the state Judicial Code has not been updated. The bill was sent to the House of Representatives.

SEN. BRUBAKER: BILL WILL HELP FARMERS PROTECT ENVIRONMENT

IN A CONTINUED EFFORT TO BALANCE THE NEEDS OF FARMERS with the responsibility to protect the environment, **Senate Agriculture and Rural Affairs Committee Chairman Mike Brubaker (R-Lancaster)** has introduced legislation to provide tax credits to those who invest in proven conservation practices.

The Pennsylvania Resource Enhancement and Protection (REAP) Tax Credit Program would provide transferable tax credits for installing proven and cost-effective best management practices to reduce sediments and pollution coming from farms. These practices include improvements to barnyards and pastures, implementation of nutrient management plans and removal of sediments.

Qualified applicants would receive a tax credit worth 25 percent to 75 percent of the project cost, depending on the practice implemented.

In the Spotlight

SENATOR GREENLEAF'S LEGISLATION, which has the support of the Pennsylvania Coalition Against Rape, is modeled after provisions of state law authorizing protection from abuse orders for domestic violence victims. The idea behind it is to offer a measure of protection to sexual violence victims, whether or not they seek criminal prosecution against an abuser.

The majority of sexual assaults are perpetrated by a person known to the victim, and the victim may have reasons not to seek criminal prosecution. The legislation would give a level of legal protection so that a victim would not remain as vulnerable to further sexual assaults. Currently in Pennsylvania, protective orders for sexual assault victims are available only if a criminal case has been initiated against an alleged perpetrator. According to supporters of Senate Bill 150, only about 28 percent of victims make a report to law enforcement.

Fifteen states allow sexual assault victims to obtain protection orders regardless of their relationship to the assailant.

Fast Facts

WITT REPORT ON VALENTINE'S DAY STORM RESPONSE

- PEMA did not require the presence of agency liaisons until 14 hours after the storm began.
- PEMA had no protocols to escalate the State Operation Center level.
- PEMA did not fully implement the National Incident Management System.
- No agency communicated the seriousness of the event to the governor in a timely manner.
- PennDOT did not have enough plow operators available.
- Disparate weather forecasts and road treatment strategies were used in various regions.
- Most roadway weather sensors didn't work.

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