

# WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – JOHN PIPPY, CHAIRMAN

## Monday, August 10, 2009

There were no final passage votes taken in the Senate on Monday.

## Tuesday, August 11, 2009

[Senate Bill 240](#) (Baker) would repeal Act 45 of 1985, the Emergency Medical Services Act, and codify and update its provisions in Title 35 (Health and Safety) and Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes. The bill would add Chapter 72 to Title 35 to be known as the Emergency Medical Services System Act. The bill would designate the Department of Health as the lead agency for emergency medical services (EMS) in the Commonwealth to:

- Assist in the development of local EMS systems; plan, guide and coordinate the development of regional EMS systems into a unified statewide system; and coordinate systems in the Commonwealth with similar systems in neighboring states;
- Define and approve training programs and accredit educational institutions for EMS training providers;
- Establish standards for the licensing, registration and operation of EMS agencies and inspect EMS agencies for compliance;
- Integrate all trauma centers accredited under the Pennsylvania Trauma Systems Foundation provisions into the statewide EMS system; and
- Oversee the licensing and certification of EMS personnel and vehicles.

Changes to Title 75 (Vehicles) included in the bill would expand the current definition of “emergency vehicle” and add language providing for the \$10 surcharge on traffic violations and the \$25 charge on Accelerated Rehabilitative Disposition DUI cases, both of which would continue to be deposited in the Emergency Medical Services Operating Fund to support emergency medical services. [Concurrence in House Amendments: 47-0.](#)

[Senate Bill 563](#) (Browne) would amend the Mechanics Lien Law of 1963 to allow the waiver of the right to file a lien on any residential property, regardless of the cost of the project. Currently, a contractor or subcontractor may waive his or her right to file a claim against residential property when the total contract price is less than one million dollars. The bill would also change the definition of “residential building” in the act to “residential property.” Residential property would include property on which there is or will be constructed a building not more than three stories in height, not including the basement, regardless of whether a portion of the basement is at grade level. [Concurrence in House Amendments: 47-0.](#)

[Senate Bill 862](#) (Corman) would authorize the Department of General Services to:

- convey 0.348 acres at the Rockview State Correctional Institution in Benner Township, Centre County to the Centre County Industrial Development Corporation in exchange for two parcels of land totaling 0.760 acres. No portion of the conveyance could be used for a licensed gaming facility or it would revert to the Commonwealth. The Centre County Industrial Development Corporation would bear all costs associated with the land conveyances. In the event the conveyances are not executed within one year of the effective date of the act, the authorization would expire; and,
- sell a 14-acre parcel of land in Benner Township, Centre County for a price to be determined through competitive bidding. The Department of General Services would be authorized to reserve or grant any easement on the State Correctional Institution at Rockview as the Secretary of the Department of General Services determines is appropriate or desirable, including, without limitation, for access and utility service. The costs of the transfer would be paid for from the purchase price and the remainder would be placed in the General Fund. [Concurrence in House Amendments: 47-0.](#)

[Senate Resolution 163](#) (Ferlo) recognizes the May 2, 2009 opening of Children's Hospital of Pittsburgh of UPMC in the Lawrenceville neighborhood of the City of Pittsburgh. [Adopted by Voice Vote.](#)

[House Bill 39](#) (Caltagirone) would amend Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes to further provide for cruelty to animals. Among other provisions, the bill would provide that it is a summary offense to:

- Crop, trim, cut off, or cause to be cropped all or part of a dog's ear;
- Debark a dog by cutting its vocal cords or altering its resonance chamber;
- Dock the tail of a dog over five days old;
- Surgically birth a dog, and,
- Remove the dewclaw of a dog over five days old.

Generally, veterinarians performing these procedures upon animals under anesthesia (anesthesia is not required for removing dewclaws) would be exempted. However, veterinarians could not dock the tail of a dog over five days old until it is at least twelve weeks of age and then only under general anesthesia unless medical necessity dictates that docking be performed earlier. It would be prima facie evidence of a violation of the law to possess a dog with unhealed wounds resulting from any of these procedures, although such evidence could be rebutted by keeping mandated records, including the name of the veterinarian performing the procedure and the date and location when and where the procedure was performed, until the wounds have healed.

In addition, the bill would amend the animal fighting prohibition statute to establish that a person commits a felony of the third degree if he “steals or acquires in any manner” any animal for animal fighting. [Passed: 47-0.](#)

### **Wednesday, August 12, 2009**

[Senate Bill 168](#) (Brubaker) would amend the Borough Code to allow a borough that is a member of a non-profit membership corporation to contract with the non-profit membership corporation for 1) the development of electric power and associated energy and 2) the purchase, sale, exchange, interchange, wheeling, pooling or transmission of electric power or the right to the capacity from sources and projects in the Commonwealth or another state for a period not to exceed 50 years. A non-profit membership corporation would be defined as an entity the membership of which consists of Pennsylvania boroughs or Pennsylvania boroughs and political subdivision of another state or states. The bill outlines the acceptable parameters of the contracts, including take-or-pay provisions and the ability of a borough to assume or otherwise become liable for the obligations of another political subdivision that is a member of the non-profit membership corporation. An additional change would clarify that contracts made relating to the purchase of electricity and associated energy and related services with any of the entities listed in the bill would not be subject to advertising, bidding or price quotation requirements. However, nothing in the bill would prohibit a borough from engaging in advertising, bidding or price quotations if the borough council determines that it is in the public interest to do so. [Passed: 46-0.](#)

[Senate Resolution 162](#) (Pippy) offers heartfelt condolences to the victims, family and friends involved in the terrible tragedy at the L.A. Fitness gym in Collier Township, Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 164](#) (Kasunic) designates September 11, 2009 as “Pennsylvania’s Day of Remembrance” of the events of September 11, 2001. [Adopted by Voice Vote.](#)

[Senate Resolution 165](#) (Orie) honors the national heroes aboard United Airlines Flight 93 on September 11, 2001 and commends all of the volunteers and contributors who came together to make the Hearts of Steel project a reality. [Adopted by Voice Vote.](#)

[Senate Resolution 166](#) (Dinniman) recognizes the month of September 2009 as “Senior Center Month” in Pennsylvania. [Adopted by Voice Vote.](#)

[House Bill 348](#) (Staback) would authorize the Department of General Services (DGS) to convey:

- 2.76 acres and buildings in Canaan Township, Wayne County to the Waymart Historical Society for \$10,000. Costs and fees incidental to the conveyance would be paid by the grantee. The property would have to be used for historical and/or historical interpretive purposes and alterations to the exterior of any structures on the property would have to be approved by the Commonwealth. No portion of the conveyance could be used for a licensed gaming facility or it would revert to the Commonwealth. In the event the

conveyance is not executed within 12 months, the property could be disposed of in accordance with Article 2405-A of the Administrative Code

- 2.7 acres and improvements in the City of Altoona to the Altoona Regional Health System for \$250,000 in accordance with a lease and option to purchase agreement with DGS dated May 1, 2007. Costs and fees incidental to the conveyance would be paid by the grantee. No portion of the conveyance could be used for a licensed gaming facility or it would revert to the Commonwealth. In the event the conveyance is not executed in accordance with the lease to purchase agreement, the property could be disposed of in accordance with Article 2406-A of the Administrative Code. **Passed: 46-0.**

**House Bill 1419** (D. Evans) would appropriate \$43,227,000 from the Public School Employees' Retirement Fund to the Public School Employees' Retirement Board for its operational and administrative expenses for the 2009-2010 Fiscal Year. **Passed: 46-0.**

**House Bill 1420** (D. Evans) would appropriate \$27,733,000 from the State Employees' Retirement Fund to the State Employees' Retirement Board for its operational and administrative expenses for the 2009-2010 Fiscal Year. **Passed: 46-0.**

**House Bill 1421** (D. Evans) would appropriate \$35,113,000 from the Professional Licensure Augmentation Account within the General Fund to the Department of State for the operation of the Bureau of Professional and Occupational Affairs, including the State Board of Auctioneer Examiners, during the 2009-2010 Fiscal Year. Other appropriations listed in the bill for operational costs during the 2009-2010 Fiscal Year include: \$8,345,000 to the State Board of Medicine; \$1,449,000 to the State Board of Osteopathic Medicine; \$322,000 to the State Board of Podiatry; and \$526,000 to the State Athletic Commission. **Passed: 46-0.**

**House Bill 1422** (D. Evans) would appropriate \$72,218,000 from the Workmen's Compensation Administration Fund to the Department of Labor and Industry for the administration of the Workers' Compensation Act and the Pennsylvania Occupational Disease Act for Fiscal Year 2009-2010. The bill would also appropriate \$190,000 from a restricted revenue account within the Workmen's Compensation Administration Fund to the Office of Small Business Advocate for Fiscal Year 2009-2010. **Passed: 46-0.**

**House Bill 1423** (D. Evans) would appropriate \$52,581,000 to the Public Utility Commission (PUC) for the operation of the commission for the 2009-2010 Fiscal Year. The bill would also appropriate \$1,501,000 in federal funds to the PUC to enforce the regulations of the Natural Gas Pipeline Safety Act and \$1,888,000 in federal funds for motor carrier safety. **Passed: 46-0.**

**House Bill 1424** (D. Evans) would appropriate \$5,124,000 from a restricted revenue account in the General Fund to the Office of Consumer Advocate in the Office of Attorney General for its operational expenses for the 2009-2010 Fiscal Year. **Passed: 46-0.**

[House Bill 1425](#) (D. Evans) would appropriate \$1,040,000 from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development for its operational expenses for the 2009-2010 Fiscal Year. **Passed: 46-0.**

[House Bill 1663](#) (D. Evans) would establish the Gaming Control Appropriation Act of 2009. The bill would appropriate \$58,948,500, from the State Gaming Fund and restricted accounts therein, for salaries, wages, and all necessary expenses related to gaming, as follows:

- Pennsylvania Gaming Control Board, \$31,644,500;
- Pennsylvania State Police, \$16,636,000;
- Department of Revenue, \$9,754,000; and
- Attorney General, \$914,000.

In addition, the bill would provide for a loan of \$23,531,500 from the Property Tax Relief Reserve Fund for expenses of the Pennsylvania Gaming Control Board. **Passed: 45-1.**

#### *Executive Session*

Nominations to Various Boards and Commissions. **Confirmed: 46-0.**

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