

# Senate News Brief

## from Senate Republicans

*"This legislation is critical to protecting children and ensuring that repeat offenders aren't released only to abuse another child. It not only increases penalties for those who prey on children but ensures that when sexual offenders are released their whereabouts are known and monitored."*

– **Sen. John Rafferty (R-Montgomery)**, sponsor, along with **Sen. Jane Orié (R-Allegheny)**, of Pennsylvania's "Jessica's Law," which was approved by the Senate Appropriations Committee on Monday.

### Preview

#### "FARMERS FIRST" UPDATE, NEW AGRICULTURAL INITIATIVES TO BE ANNOUNCED

SENATE AGRICULTURE AND RURAL AFFAIRS COMMITTEE CHAIRMAN MIKE WAUGH (R-YORK) AND VICE CHAIRMAN NOAH WENGER (R-LANCASTER) will hold a news conference Tuesday to update Pennsylvanians on their "Farmers First" initiative. Introduced a year ago, the package of bills is aimed at promoting agriculture in Pennsylvania. The senators will also announce new initiatives to support farmers and expand farmland preservation.

### Review

#### "JESSICA'S LAW" APPROVED BY COMMITTEE

LEGISLATION KNOWN AS PENNSYLVANIA'S JESSICA'S LAW was approved Monday by the Senate Appropriations Committee, chaired by **Sen. Noah Wenger (R-Lancaster)** and now heads for a Senate vote.

Senate Bill 944, sponsored by **Sen. Jane Orié (R-Allegheny)** and **Sen. John Rafferty (R-Montgomery)**, would establish a mandatory minimum of 25 years and up to 50 years imprisonment for a first-time offender convicted of rape or involuntary deviate sexual intercourse involving a child less than 13 years of age. It also sets a minimum sentence of 50 years to life imprisonment for anyone convicted of rape or involuntary deviate sexual intercourse involving a child which results in serious bodily injury.

Other important provisions of the bill would utilize GPS monitoring of sexual predators and prohibit their presence within close proximity to daycares, schools, and other facilities where children traditionally congregate.

#### SEN. WHITE CHAIRS THIRD HEARING ON REDUCING MERCURY EMISSIONS

THE STATE SENATE ENVIRONMENTAL RESOURCES AND ENERGY COMMITTEE, chaired by **Sen. Mary Jo White (R-Venango)**, held its third and final public hearing Tuesday on crafting a state program to reduce mercury emissions.

The committee recalled Secretary of Environmental Protection Kathleen McGinty to address discrepancies in her testimony before the panel in April. It also heard from health experts and representatives of mine workers, whose jobs would be impacted by a proposed DEP mercury plan.

Under bipartisan legislation introduced by Senator White, Senate Bill 1201, Pennsylvania coal-fired power plants will be required to reduce mercury emissions by 86 percent no later than 2018, and could utilize a cap-and-trade program. This approach provides incentives for power plants to comply earlier and achieve greater emission reductions. DEP has proposed a regulatory plan that would prohibit trading as authorized under the federal Clean Air Act. [For more on the issue, please see In the Spotlight, below.](#)

#### SEN. PILEGGI UNVEILS "CABLE CHOICE AND COMPETITION ACT"

LEGISLATION DESIGNED TO PRODUCE LOWER CABLE RATES, better service and faster deployment of the latest technologies in Pennsylvania was unveiled Tuesday by **Sen. Dominic Pileggi (R-Delaware)**.

The "Cable Choice and Competition Act" would add Pennsylvania to more than a dozen states that have or are considering opening markets for video services to competition. Other states that have already offered customers such a choice have seen

major reductions in cable rates. The bill would allow Pennsylvania consumers to choose their cable company the same way they choose their telephone company.

The legislation would accelerate the process by authorizing franchise certificates to be issued at the state level. Currently, anyone seeking to compete with existing cable operators must negotiate with each and every municipality in the Commonwealth for access. Competition would also help to spur the delivery of faster, more economical, broadband services to residents and promote e-commerce and economic development efforts. In addition, as prices fall, more Pennsylvania consumers will be able to afford both video and high-speed Internet services. For more on cable competition, please see *Fast Facts*, below.

## SENATE APPROVES BILL TO AID ORGAN DONATION

LEGISLATION THAT WOULD HELP GET DONATED ORGANS TO PATIENTS more quickly was approved by the Senate on Wednesday.

House Bill 1834 would give designated organ procurement organizations 24-hour-a-day access to a PENNDOT database confirming an individual's organ donor status. The bill was approved by the Senate Transportation Committee, chaired by **Sen. Roger Madigan (R-Bradford)**, in November. Organ procurement organizations could not use such information for any purpose other than to confirm organ donor status.

## SEN. LEMMOND'S BILL STREAMLINING GOVERNMENT AUCTIONS GOES TO GOVERNOR

LEGISLATION SPONSORED BY **SEN. CHARLES LEMMOND (R-LUZERNE)** that would permit online auctions for the sale of township property was approved by the General Assembly and is headed to the governor. Senate Bill 986 would streamline government auctions for Second Class townships and includes safeguards. The auction would have to be advertised, including the web site address, and a record of the online auction would have to be accessible for public inspection. During the auction, each bidder would have the capability to view the bidder's bid rank or the high bid price, and increase their bid prices during the auction.

## In the Spotlight

SENATOR WHITE'S HEARINGS ON REDUCING MERCURY EMISSIONS have highlighted several concerns with the DEP plan:

- The DEP plan will provide no added environmental or health benefits to PA residents.
- It will lead to higher energy costs, affecting not only manufacturers and other large energy users, but residential customers, who are facing the expiration of rate caps in the coming years (most in 2010).
- It does not protect Pennsylvania bituminous coal jobs.
- According to the United Mine Workers of America, the DEP plan may be unconstitutional with its intended preference for bituminous coal.

The bipartisan Senate Bill 1201 would provide flexibility to Pennsylvania's smaller generating plants, while providing incentives to larger plants to over-comply, and reduce mercury emissions in a cost-effective way that protects the public health.

## Fast Facts

### CABLE CHOICE AND COMPETITION ACT

AMERICAN CONSUMER INSTITUTE, March 2006 survey of cable subscribers in three Texas communities where a new market entrant started offering competitive cable:

- 22% of those surveyed switched providers and saved an average of \$22 per month on their cable TV bills.
- Those who did not switch saved around \$26 per month due to cable TV price cuts spurred by new competition.
- Competition generated new customers and additional cable franchise fees for local government.
- The new competitor had captured 20% of the market.

*Question or comments? Contact the Senate Republican Communications Office at [senaterepublicancommunicationsoffice@pasen.gov](mailto:senaterepublicancommunicationsoffice@pasen.gov) or call 717-787-6725. Current and archived News Briefs are also available online at [www.pasenategop.com](http://www.pasenategop.com).*