

WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – JOHN PIPPY, CHAIRMAN

Tuesday, July 28, 2009

[Senate Bill 441](#) (Vance) would amend the Public School Code to allow a physician assistant or certified registered nurse practitioner to sign a health certificate for an applicant for teacher certification. The bill would further provide that an applicant for certification could overcome disqualification for illegal use of controlled substances or alcoholic beverages if the applicant is reviewed by the Department of Education and determined to be of good moral character. Any regulations of the Department of Education that are inconsistent with the act would be abrogated to the extent of the inconsistency. **Passed: 50-0.**

[Senate Bill 1036](#) (Corman) would appropriate \$160,490,000 to the University of Pittsburgh for general support for the 2009-2010 Fiscal Year. The bill would also appropriate \$7,679,000 in federal American Recovery and Reinvestment Act (ARRA) funds to supplement the state funds. An additional \$7,679,000 in federal ARRA funds would be appropriated for general support for the 2008-2009 Fiscal Year. No funds appropriated by the act could be used for the costs of personnel and operations of the environmental law clinic. **Failed: 30-20.**

[Senate Resolution 157](#) (Dinniman) designates the week of September 6 through 13, 2009 as “Suicide Prevention Week” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 158](#) (Dinniman) designates the week of September 13 through 19, 2009 as “Assisted Living Week” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 159](#) (Fontana) recognizes WAMO-FM, WAMO-AM, WPGR-AM radio and their predecessor for 61 years of broadcasting in Pittsburgh, and expresses sadness at the loss of Pittsburgh’s only urban radio station. **Adopted by Voice Vote.**

[House Bill 1648](#) (Eachus) would create the Interbranch Commission on Juvenile Justice Act. The bill would establish the Interbranch Commission on Juvenile Justice to undertake a review of the occurrences involving the Luzerne County juvenile justice system to ascertain how the Luzerne County juvenile justice system failed and to prevent similar events from occurring in the future. The commission would be composed of:

- Four members appointed by the Chief Justice of the Supreme Court of Pennsylvania. One of these members must have served on the Juvenile Court Judges’ Commission.
- Four members appointed by the legislative leaders. The legislative appointees would have to be knowledgeable and experienced in juvenile law or providing services to juveniles and could not be members of the General Assembly; and
- Three members appointed by the Governor. One of these appointees would have to be a member of the general public and one would have to be from the Coalition of Pennsylvania Crime Victim Organizations who is directly involved in providing services to victims associated with juvenile crime in a county.

The Chief Justice would select the chairperson of the commission. The first meeting of the commission would have to be convened within 45 days of the effective date of the act. The commission would meet at least once a month. Additional meetings could be called by the chairperson as necessary. Members would not receive compensation but would be reimbursed for expenses. The Administrative Office of the Pennsylvania Courts would provide administrative services to the commission. Upon request, the Pennsylvania Commission on Crime and Delinquency and the Joint State Government Commission would be required to provide administrative assistance to the commission. The Juvenile Court Judges' Commission could provide analyses, reports and recommendations to the commission.

The commission would have the power to investigate and analyze the events, practices and procedures in Luzerne County involving judges, attorneys, public officials, public employees, probation and parole officers and providers of juvenile services. In addition, the commission would have the ability to review: the practices relating to the appointment of counsel to represent juvenile offenders and the exercise of the right to counsel in Luzerne County; the exercise of authority and the abuse of power with regard to the disposition and placement of juveniles in Luzerne County; procedures used in responding to judicial and attorney conduct and to make recommendations with respect to both disciplinary systems; and, the oversight and utilization of juvenile facilities. The commission would also have power to hold public hearings for the taking of testimony and the requesting of documents. The commission would have the power to issue subpoenas commanding any person to appear before it and to answer questions and to produce requested information.

By May 31, 2010, the commission would be required to make recommendations to the Governor, the Supreme Court and the General Assembly to improve the juvenile justice system and to prevent the reoccurrence of events similar to those which transpired in Luzerne County. The report would have to be adopted at a public meeting and would be considered a public record under the Right to Know Act. The act would expire June 30, 2010. **Passed: 50-0.**

Executive Session

Nominations to the Court of Common Pleas. (Two-Thirds Vote Required) **Confirmed: 50-0.**

Nominations to Various Boards and Commission, including the nomination of George E. Cornelius, as Secretary of Community and Economic Development. **Confirmed: 50-0.**

Wednesday, July 29, 2009

Senate Bill 607 (Wozniak) would amend the Rural Pennsylvania Revitalization Act to further provide for the board of directors of the Center for Rural Pennsylvania and for the grants provided under the act. The bill would clarify that the governor appoints two members to the board from "among the memberships of" the statewide organizations listed in the bill. The Pennsylvania Farm Bureau would be added to the list of organizations. The measure would further clarify that a simple majority of the duly qualified members of the board would constitute a quorum. Additional changes would make faculty members at the regional campuses of the University of Pittsburgh eligible for grants, increase the maximum amount of the grants from

\$50,000 to \$60,000, and expand the list of eligible grant subject areas to include agriculture and health and welfare concerns. [Passed: 48-0.](#)

[House Bill 1654](#) (Daley) would amend Title 7 (Banks and Banking) to include the Mortgage Licensing Act, which would expand regulation of the mortgage industry in Pennsylvania. This bill would bring the Commonwealth's mortgage industry licensure and regulations law into compliance with the federal Secure and Fair Enforcement Mortgage Licensing Act of 2008 (S.A.F.E.). Failure to do so by July 31, 2009, would risk a preemption of the Commonwealth's regulatory powers over the mortgage industry by the United States Department of Housing and Urban Development. Among other provisions, the bill would:

- Remove many of the licensing exemptions for loan originators (for example, loan originators employed by bank affiliates, governmental entities, religious organizations and non-profit entities).
 - Require all applicants and licensees to use the Nationwide Mortgage Licensing System and Registry to obtain and maintain a license.
 - Require mortgage loan originators to obtain surety bonds in an amount determined by the volume of lending or brokering performed in the first calendar year of licensing to compensate consumers that are injured by acts or omissions of originators.
 - Increase from 12 to 20 hours, the pre-licensing education requirement for loan originators, which now must include a specific curriculum, and require applicants to pass a written test in order to obtain a license.
 - Increase from 6 to 8 hours, the continuing education requirement for loan originators, which must now also include a specific curriculum.
 - Require the Department of Banking to deny a mortgage originator license to any applicant that has been convicted of any felony during the past seven years, or to any applicant that has been convicted of a felony involving an act of fraud, dishonesty, breach of trust, or money laundering.
 - Require the Department of Banking to deny a mortgage originator license to any applicant that does not possess the financial responsibility, character, reputation, integrity and general fitness to command the confidence of the public. The Department could consider current outstanding judgments, liens, and recent foreclosures as factors related to financial responsibility.
 - Require the Department to make available the employment history of a mortgage originator.
 - Require a mortgage originator to include a unique identifier in all advertising.
- [Passed: 48-0.](#)

[House Bill 1770](#) (Gergely) would amend the Unemployment Compensation Law to allow previously employed claimants who have exhausted 72 weeks of benefits (26 weeks of regular benefits and 46 weeks of emergency and extended benefits) to apply for an additional seven weeks of extended benefits. The legislation would add an indicator to trigger the extended benefits if the average rate of total unemployment in the state exceeded 6.5 percent for the most recent three-month period and if the average rate of total unemployment in the state for the period exceeded 110 percent of the unemployment rate for the corresponding three-month periods in the two previous calendar years. The new indicator would only be applicable when there is 100 percent payment of extended benefits available by the federal government under the American Recovery and Reinvestment Act of 2009 or under a subsequently enacted provision of federal law. The measure would also define a “high unemployment period” during which recipients could receive increased extended benefits. The changes to the act would apply retroactively to July 1, 2009. **[Passed: 48-0.](#)**

(2009-106)