

WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – EDWIN B. ERICKSON, CHAIRMAN

Monday, May 9, 2011

[Senate Bill 224](#) (Piccola) would amend the Public School Code to expand the list of offenses that prohibit a person from being employed in a public or private school, intermediate unit or area vo-tech school. Offenses that would be added include:

- Luring a child into a motor vehicle or structure;
- Sexual intercourse with an animal;
- Corruption of minors;
- Solicitation of minors to traffic drugs;
- Unlawful contact with a minor;
- Sexual exploitation of children; and
- Institutional sexual assault.

The legislation would also preclude employment for ten years from the expiration of the sentence for any person convicted of a felony of the first, second or third degree that is not enumerated in the law; and preclude employment for five years from the expiration of the sentence for those convicted of a misdemeanor of the first degree. Employment would also be precluded for three years from the expiration of the sentence for the most recent offense for a person convicted more than once for a DUI-related offense when it is graded as a misdemeanor of the first degree.

In addition, employees under 21 years of age, temporary employees and employees in job training programs would no longer be exempt from criminal background checks. The bill would also allow a school administrator to require an employee to submit a current criminal background check; and require school employees to notify the school verbally and in writing of an arrest or conviction for an enumerated offense or other felony or misdemeanor occurring within the last ten years. Arrests or convictions occurring after the effective date of the changes would have to be reported within 72 hours. Employees not disclosing convictions required to be reported would be subject to discipline. [Passed: 47-2.](#)

[Senate Bill 552](#) (Brubaker) would amend the Workforce Development Act to codify the Industry Partnerships Program within the Department of Labor and Industry. Under the program, the Department of Labor and Industry would be required to work with public and private-sector entities and agencies to identify industry clusters, as defined in the legislation, based on the criteria outlined in the bill. The Department would then target industry clusters for economic development based on:

- The importance of the cluster to the economy;
- Workforce development needs;
- Economic growth potential;
- Competitiveness;

- Employment base; and
- Wages, benefits and career opportunities.

The measure would further require the department to establish a grant program to provide funding to industry partnerships:

- To organize businesses in a collaborative structure to share information, ideas and challenges;
- To identify training needs and skill gaps;
- To facilitate economies of scale by aggregating training and education needs;
- To assist educational and training institutions;
- To collaborate with PA CareerLinks in connecting disadvantaged adults and youth to careers;
- To assist companies in identifying and working together on human resource issues;
- To assist partner companies in industry partnerships in attracting a diverse workforce; and
- To assist in strengthening connections among businesses in industry clusters.

The Department would have the authority to establish grant guidelines and would be required to provide necessary industry and labor market research to further develop the work of industry partnerships. Other Commonwealth agencies including the Department of Agriculture, the Department of Community and Economic Development, the Department of Corrections, the Department of Public Welfare and the Department of Education, would be required to assist the Department of Labor and Industry with the program. [Passed: 49-0.](#)

[Senate Resolution 114](#) (Smucker) recognizes the good relationship between Pennsylvania and the Republic of Turkey. [Adopted by Voice Vote.](#)

Executive Session

Karen Bishop – Prothonotary, Clerk of Courts and Clerk of Orphans Court, Wyoming County. [Confirmed: 49-0.](#)

Christine L. Krzysiak – Treasurer, Crawford County. [Confirmed: 49-0.](#)

Tuesday, May 10, 2011

[Senate Bill 330](#) (Scarnati) would amend the Taxpayer Relief Act to require school boards in second, third and fourth class school districts to adopt a resolution no later than June 30, 2012 to authorize the collection and payment of school real property taxes, excluding any interim or delinquent taxes, in installments from small business owners for calendar year 2012 and each year thereafter. For purposes of these provisions, a small business would be defined as a business located in the Commonwealth that has no more than 50 employees. [Passed: 50-0.](#)

[Senate Bill 791](#) (Earl) would amend the Bluff Recession and Setback Act to modify the definition of a “bluff recession hazard area” to clarify that term would not include any area where the horizontal distance, measured perpendicular to the shoreline, between the shoreline and the bluff toe is in excess of 250 feet. Such area would not be subject to any Environmental Quality Board regulations or municipal bluff setback ordinance or regulation established under the act. The bill would also define “bluff toe” as the base of a bluff and “shoreline” as the ordinary high water mark of Lake Erie of 573.4 feet as defined in accordance with the International Great Lakes Datum 1985 (IGLD 1985) as recognized by the United States Army Corps of Engineers. **Passed: 50-0.**

[Senate Bill 857](#) (Smucker) would repeal Section 2502.49 of the Public School Code. This section requires school districts to utilize the portion of their basic education subsidy increase that exceeds the inflation index to create new programs and expand existing programs. **Passed: 48-2.**

[Senate Bill 858](#) (Waugh) would amend the Public School Code to authorize a person that holds a graduate degree in business or finance to be eligible for election or appointment as a district superintendent or assistant district superintendent. A person elected or appointed as a superintendent or assistant superintendent under this provision would be required to complete a leadership development program that meets the Pennsylvania School Leadership Standards under Section 1217 of the Code. **Passed: 35-15.**

[Senate Bill 872](#) (Brubaker) would amend Article XVI-B (Opportunities for Excellence) of the Public School Code, which provides for the Dual Enrollment Program. This program allows students to enroll concurrently in high school and postsecondary courses. The legislation would repeal the provisions requiring a school entity that participates in the dual enrollment program to establish a concurrent enrollment committee. Currently, the committee is responsible for developing a concurrent enrollment agreement between the school entity and postsecondary institutions. The legislation would add provisions requiring the school entities to develop concurrent enrollment agreements and to present them to participating postsecondary institutions for approval. Concurrent course selection would be agreed upon by the school entity and the eligible postsecondary institution at which an eligible student seeks to enroll. **Passed: 50-0.**

[Senate Bill 1006](#) (Vogel) would amend the Controlled Substance, Drug, Device and Cosmetic Act to add Salvia Divinorum, Salvinorin A, Divinorin A, synthetic marijuana, and synthetic cocaine/heroin, more commonly referred to as concentrated bath salts, to the list of Schedule I controlled substances. **Passed: 50-0.**

[Senate Resolution 115](#) (Tartaglione) recognizes the month of May 2011 as “Older Americans Month” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 116](#) (Boscola) commends the 178 local YMCAs for providing outstanding community services and recognizes the month of May 2011 as “YMCA Appreciation Month” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 117](#) (Solobay) recognizes May 10, 2011 as “World Lupus Day” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 118](#) (Washington) honors Alpha Kappa Alpha Sorority by designating May 10, 2011 as “Alpha Kappa Alpha Sorority Day” in Pennsylvania. [Adopted by Voice Vote.](#)

Wednesday, May 11, 2011

[Senate Bill 468](#) (Argall) would amend the Vehicle Code to provide for special vehicle license plates for recipients of the Silver Star, Bronze Star and Bronze Star for Valor. Recipients would pay a \$20 fee in addition to the annual registration fee and provide documentation as required by the Department of Transportation. The special plates could only be used on a passenger car or truck with a register gross weight of not more than 10,000 pounds. [Passed: 50-0.](#)

[Senate Bill 612](#) (Folmer) would amend the Public School Code to allow teachers to be furloughed for economic reasons. Under the legislation, a school board could suspend the necessary number of professional employees assigned to provide instruction directly to students only if the board also suspends at least an equal percentage proportion of administrative staff (superintendents, assistant superintendents, deputy superintendents, principals, assistant principals, supervisors, managers, directors and coordinators.) The Secretary of Education could grant a school board a waiver of this requirement if: he or she determines that compliance would be likely to cause significant harm to the operations of the school district; the Secretary submits the determination to the State Board of Education; and the State Board of Education approves the determination by a majority of its members.

The school board could suspend the professional employees only if it adopts, at a public meeting at which an opportunity for public comment regarding the proposed suspension has been provided, a resolution setting forth all of the following:

- The reason the suspension is necessary;
- The number and percentage of employees to be suspended who are assigned to provide instruction directly to students;
- The number and percentage of employees to be suspended who are administrative staff;
- The number and percentage of positions eliminated and a description of each position eliminated;
- The academic subjects, courses or electives and nonacademic activities that will be affected by the suspension;
- A description of other cost-saving actions undertaken by the school district; and,

- The measures the school district will undertake to minimize the impact on student achievement, if any, caused by a suspension of professional employees assigned to provide instruction directly to students.

A school district could not use costs as the sole factor in determining which professional employees to suspend. In addition, a professional employee's position would have to remain vacant for at least one year, except that the school entity could reinstate the suspended employee at any time. A school board could suspend without regard to seniority a professional employee whose two most recent consecutive performance ratings were unsatisfactory if the employee had an opportunity to complete a performance improvement plan prior to the most recent unsatisfactory rating. Following the 2015-2016 School Year, the Department of Education would be required to conduct a study of the effectiveness of these provisions and deliver a written report of its findings, including any recommendations for changes, to the Governor and the Chairmen and Minority Chairmen of the Senate and House Education Committees by December 31, 2016. **Passed: 38-12.**

Senate Bill 631 (Dinniman) would designate the section of State Route 23 between Chester County's border with Montgomery County and State Route 100 as the Medal of Honor Grove Highway. **Passed: 50-0.**

Senate Bill 728 (Eichelberger) would designate the bridge located on I-99 at mile marker 19 in the southern end of Freedom Township and passing over old State Route 220 near the Greenfield Township line, Blair County as the Cpl. Harry Raymond Harr Memorial Bridge. **Passed: 50-0.**

Senate Resolution 120 (Baker) designates the week of May 15 through 21, 2011 as "Emergency Medical Services Week" in Pennsylvania and May 18, 2011 as "Emergency Medical Services for Children Day" in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 121 (Tartaglione) designates the month of May 2011 as "Law Month" in Pennsylvania and urges lawmakers, lawyers, judges and schools to participate. **Adopted by Voice Vote.**

Senate Resolution 122 (Leach) designates the week of May 16 through 22, 2011 as "Juror Appreciation Week" in Pennsylvania. **Adopted by Voice Vote.**

Executive Session

Jeffrey F. Smith, Esquire – Board of Claims. **Confirmed: 50-0.**

Wallace H. Nunn – State Employees' Retirement Board. **Confirmed: 50-0.**

(2011-040)