

WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – EDWIN B. ERICKSON, CHAIRMAN

Monday, March 7, 2011

[Senate Bill 159](#) (Robbins) would create the Interstate Compact on Educational Opportunity for Military Children Act. The proposed act would authorize the Governor to join the Compact which was created in an attempt to eliminate the impediments to education success experienced by children of parents in the military due to frequent moves by the parents. Among other components, the measure includes provisions to facilitate the transfer of records. If enacted, the legislation would require the establishment of a nine-member State Council, or the use of an existing body, to coordinate the provisions of the compact among government agencies, local education agencies, and military installations. The Governor would also be required to appoint a compact commissioner to represent the Commonwealth on the Interstate Compact Commission.

Passed: 48-0.

[Senate Bill 369](#) (D. White) would amend Title 74 (Transportation) of the Pennsylvania Consolidated Statutes to designate a portion of U.S. 219, S.R. 969, S.R. 879, S.R. 153, S.R. 453, S.R. 1001, Bilger's Rocks Road and the Greenville Pike in Clearfield County as scenic byways because of their scenic, historic, recreational, cultural and archeological characteristics. With limited exceptions, no outdoor advertising device as defined in Section 3 of the Outdoor Advertising Control Act of 1971 could be erected along the roadways if the sign is visible from the main-traveled way of the scenic byway and the purpose of the sign is that its message be read from the main-traveled way of the scenic byway. **Passed: 48-0.**

[Senate Resolution 55](#) (Ward) recognizes March 10, 2011 as "World Kidney Day" in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 56](#) (Folmer) designates the month of March 2011 as "International DeMolay Month" in Pennsylvania. **Adopted by Voice Vote.**

Tuesday, March 8, 2011

[Senate Bill 79](#) (Greenleaf) would amend Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes to enact the Uniform Interstate Depositions and Discovery Act. The provisions of the act would apply to any civil action or proceeding in another state or territory where discovery is sought in the Commonwealth. To request issuance of a subpoena, a party would be required to submit a foreign subpoena to a prothonotary in the jurisdiction in which the person who is the subject of the order resides, is employed or regularly transacts business in person. A request for the issuance of a subpoena under the subchapter would not constitute an appearance in the courts of the Commonwealth. A prothonotary would, in accordance with that court's procedure, promptly issue a subpoena for service upon the person to whom the foreign subpoena is directed. The Pennsylvania Rules of Civil Procedure and any statutes relating to service of subpoenas and compliance with subpoenas would apply to all subpoenas issued under the subchapter. **Passed: 47-0.**

[Senate Bill 273](#) (Alloway) would amend Title 18 (Crimes and Offenses) and Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes to make a number of changes. The measure would amend Title 18 to modify the use of force in self-protection provisions (Castle Doctrine provisions) to provide that a person is presumed to have a reasonable belief that deadly force is necessary to protect himself against death, serious bodily injury, kidnapping or sexual intercourse compelled by force or threat if the person against whom the force is used is in the process of unlawfully and forcefully entering (or has entered and is present within) a dwelling, residence or occupied vehicle or the person against whom the force is used is trying to remove another from the residence, dwelling or occupied vehicle against their will. The presumption would not apply if the person has a right to be in or is a lawful resident of the residence or vehicle; the person sought to be removed is a child or grandchild or is otherwise in the lawful custody of the person against whom the force is used; the person is a peace officer acting in the performance of his official duties and the shooter knew or should have reasonably known that the person was a peace officer; or the shooter is engaged in a criminal activity.

An additional change would provide that an actor who is not engaged in criminal activity and not in illegal possession of a firearm would have no duty to retreat and has the right to stand his ground and use force, including deadly force, if the actor has a right to be in the place where attacked; the actor believes it is immediately necessary to do so to protect himself against death, serious bodily injury, kidnapping or sexual intercourse compelled by force or threat; and the person against whom the force is used displays or uses a firearm or replica of a firearm or any other weapon readily or apparently capable of lethal use. A similar presumption would be applied to situations involving the use of force to protect other persons. The exception to the duty to retreat provisions would not apply if the person against whom the force is used is a peace officer acting in the performance of his official duties and the actor using force knew or reasonably should have known that the person was a peace officer. Further, the bill would make theft by receiving stolen property a first degree felony if the property is a firearm and the receiver is in the business of buying or selling stolen property. Senate Bill 273 would also amend Title 42 to provide civil immunity to individuals justified in using force for personal injuries sustained by a perpetrator. **Passed: 43-4.**

[Senate Resolution 58](#) (Rafferty) congratulates pitcher Roy Halladay for receiving the 2010 Cy Young Award and for his outstanding season with the Philadelphia Phillies. **Adopted by Voice Vote.**

Wednesday, March 9, 2011

[Senate Bill 71](#) (Greenleaf) would amend Title 18 of the Pennsylvania Consolidated Statutes to prohibit a person from transmitting or receiving interstate or intrastate simulcasting of a greyhound race in the Commonwealth for monetary remuneration. The bill would authorize a court of common pleas to impose a civil penalty of up to \$10,000 on any person who violates the prohibition. **Passed: 47-0.**

[Senate Bill 242](#) (Kasunic) would designate the bridge that carries State Route 601 over Barclay Run in the Borough of Somerset, Somerset County as the Trooper Stephen R. Gyurke Memorial Bridge. Trooper Gyurke was assigned to the Pennsylvania State Police Troop B-2 when on

August 21, 1958 he suffered severe injuries that would eventually lead to his death during a traffic stop on the Pennsylvania Turnpike in Westmoreland County. **Passed: 47-0.**

Senate Bill 606 (Robbins) would amend Title 74 (Transportation) of the Pennsylvania Consolidated Statutes to designate 37 miles of roadway in Crawford County as the Crawford Lakelands Byway. The Crawford Lakelands Byway would be designated as a scenic byway because of its scenic, historic, recreational, cultural and archeological characteristics and qualities, and because of opportunities for economic development and tourism and for conservation of the outstanding qualities along the road. This designation would prohibit the placement of outdoor advertising devices as defined in Section 3 of the Outdoor Advertising Control Act of 1971 within 660 feet of the nearest edge of the right-of-way or more than 660 feet from the nearest edge of the right-of-way, outside of urban areas, if the sign is visible from and is meant to be read from the main-traveled way. Certain signs, such as highway and directional signs, would be exempt from the prohibition. The Department of Transportation would be required to give special identification of the route on its public use maps produced for travel, tourism and business interests and briefly summarize that the General Assembly established the designation because of its outstanding qualities. **Passed: 47-0.**

Senate Resolution 59 (Tomlinson) recognizes the month of March 2011 as “National Athletic Training Month” in Pennsylvania. **Adopted by Voice Vote.**

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