

WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – EDWIN B. ERICKSON, CHAIRMAN

Tuesday, April 26, 2011

[Senate Bill 101](#) (Smucker) would amend Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes to increase the penalty for a violation of the Sunshine Act from a fine not to exceed \$100 to a fine not to exceed \$1,000 plus costs of prosecution for a first offense and \$2,000 plus costs of prosecution for a second or subsequent offense. The bill would prohibit an agency from making a payment on behalf of or reimbursing a member of an agency for a fine or cost resulting from the member's violation of the section. [Passed: 48-2.](#)

[Senate Bill 105](#) (Browne) would create the Pennsylvania Web Accountability and Transparency (PENNWATCH) Act to require the Independent Fiscal Office to create and maintain a searchable public website, by December 31, 2012, to be known as PENNWATCH. The website would have to provide annual appropriation, funding action or expenditure information for Commonwealth agencies. The bill directs each Commonwealth agency to cooperate with the Independent Fiscal Office and to provide the Office with all required information under the act at the time the request for funding action or expenditure is submitted to the State Treasury for payment. The information on PENNWATCH would have to include:

- The name and address of the vendor and the applicable identifier under the vendor identification system created in the bill for the entity receiving a payment;
- The amount of the funding action or expenditure;
- The agency initiating the funding action or expenditure;
- The applicable appropriation and the appropriation fiscal year from which the expenditure is made;
- The funding source; and
- A counter to show the number of times PENNWATCH is accessed.

PENNWATCH would have to allow the public to search for and aggregate information at no cost. Information for a fiscal year would have to remain on the website for a period of at least ten years from the date of posting. Records not subject to disclosure under the Right to Know Act and other information as delineated in the bill would not be included in PENNWATCH. Beginning on December 31, 2012, PENNWATCH would have to include links to each Commonwealth agency internet website, where available. Further, by December 31, 2012, and each month thereafter, PENNWATCH would have to show unrestricted state revenue that has been received and deposited in the General Fund and the Motor License Fund during the previous month. State revenue derived from taxes would be reported by specific tax type. State

revenue derived from nontax sources would be reported as liquor store transfer, license and fees, miscellaneous and fines, penalties and interest, as appropriate.

By September 1, 2013, and on the first of each month thereafter, PENNWATCH would have to show the total number of individuals employed by each Commonwealth agency as of the 15th day of the previous month as well as the name, position title and annualized salary for each individual employed by each Commonwealth agency. By December 31, 2014, PENNWATCH would also have to provide additional information on expenditures to include a description of the program under which a funding action or expenditure is made and the expected performance outcomes achieved from the funding action or expenditure, if available. The Independent Fiscal Office could require the use of a classification system to allow consistent classification of goods and services and a vendor identification system for use by Commonwealth agencies.

The Independent Fiscal Office would be required to prepare an annual report containing statistical information on the usage and performance of PENNWATCH, including frequency of user access, types of date being accessed, and website performance. The report would be submitted to the General Assembly and the Governor by March 30 of each year beginning March 30, 2014. The Independent Fiscal Office would not be considered in compliance with the act unless the data required for PENNWATCH is available by the dates specified. **Passed: 50-0.**

Senate Bill 916 (McIlhinney) would amend the Pennsylvania Election Code to extend the voting standards adopted for the 2004 General Election to all primary, municipal, special and general elections in 2011 and 2012. **Passed: 50-0.**

Senate Resolution 92 (Greenleaf) designates May 1, 2011 as “The Battle of Crooked Billet Day” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 93 (Stack) designates May 1 through 8, 2011 as “Days of Remembrance of the Victims of the Holocaust” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 94 (Rafferty) recognizes the week of May 15 through 21, 2011 as “National Police Week” and May 2, 2011 as “Police Officers’ Memorial Day” in Pennsylvania. **Adopted by Voice Vote.**

Executive Session

The Honorable Carol Aichele – Secretary of the Commonwealth. **Confirmed: 50-0.**

The Honorable Ronald J. Tomalis – Secretary of Education. **Confirmed: 50-0.**

The Honorable Michael Krancer – Secretary of Environmental Protection. **Confirmed: 50-0.**

The Honorable Michael F. Considine – Insurance Commissioner of Pennsylvania. **Confirmed: 50-0.**

Eileen Whalon Behr – Sheriff, Montgomery County. **Confirmed: 30-20.**

Wednesday, April 27, 2011

[Senate Bill 260](#) (Erickson) would amend the Confidentiality of HIV-Related Information Act to allow a health care provider to offer opt-out HIV testing, where the subject is informed that he or she will be tested for HIV unless the individual refuses. The health care provider would be required to document the provision of informed consent, including pre-test information, and whether the subject declined the offer of HIV testing. Additional changes included in the bill would remove requirements for pre-test counseling. **Passed: 50-0.**

[Senate Bill 745](#) (Scarnati) would amend the Rail Freight Preservation and Improvement Act to include the wholly owned affiliates of a railroad company under the provision which allows the Department of Transportation to enter into a contract without advertisement for competitive bids for certain improvements when the work is done at cost by the personnel and with the facilities of the railroad company. **Passed: 50-0.**

[Senate Resolution 95](#) (Baker) recognizes April 27, 2011 as “Summer Camps Day” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 96](#) (Greenleaf) designates the month of May 2011 as “Lyme Disease Awareness Month” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 97](#) (Greenleaf) designates the month of May 2011 as “Crohn’s Disease and Ulcerative Colitis Awareness Month” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 98](#) (Brewster) recognizes April 29, 2011 as the 68th anniversary of the torpedoing of the S.S. McKeesport. **Adopted by Voice Vote.**

[Senate Resolution 99](#) (Hughes) recognizes the month of May 2011 as “American Stroke Month” in Pennsylvania. **Adopted by Voice Vote.**

(2011-035)