

**MCA**  
**Summary of Legislation**  
**November 2008**

**House Leadership Elections**

The PA House of Representatives held Democratic and Republican caucus leadership elections on November 18 for the 2009-10 session. Newly elected legislators were eligible to vote, departing members were not. The Democrats, by virtue of their apparent 104-99 majority, chose Rep. Keith McCall as their nominee for Speaker of the House. McCall will be elected by the full House on January 6. Former Majority Leader Bill DeWeese chose not to run for re-election to that spot, dropping down to the Whip position. Representative Todd Eachus from Luzerne County will be the new Majority Leader. Two former Republican Speakers, John Perzel and Dennis O'Brien, were not elected to leadership positions in their caucus, and will likely take Committee Chairs, though that is not yet certain for either. Committee chairs will be announced later.

**House Democrats 2009-10 Leadership team**

**Speaker: Keith McCall (Monroe)**  
**Majority Leader: Todd Eachus (Luzerne)**  
**Caucus Chairman: Mark Cohen (Philadelphia)**  
**Appropriations Chair: Dwight Evans (Philadelphia)**  
**Whip: Bill DeWeese (Greene)**  
**Policy Chair: Mike Sturla (Lancaster)**  
**Caucus Administrator: Ron Buxton (Dauphin)**  
**Caucus Secretary: Jennifer Mann (Lehigh)**

**House Republicans 2009-10 Leadership team**

**Minority Leader: Sam Smith (Jefferson)**  
**Caucus Chairman: Sandy Major (Susquehanna)**  
**Appropriations Chair: Mario Civera (Delaware)**  
**Whip: Mike Turzai (Allegheny)**  
**Policy Chair: Stan Saylor (York)**  
**Caucus Administrator: Merle Phillips (Northumberland)**  
**Caucus Secretary: Jerry Stern (Blair)**

**Senate Leadership Elections**

Senate leadership elections for the 2009-10 session took place on November 20. Very few changes were made, mostly in the Democrat Caucus, and the two Appropriations Chairs, which were left vacant by the retirements of Sens. Gib Armstrong and Vincent Fumo.

**Senate Democrats**

**Minority Leader: Bob Mellow (Lackawanna)**  
**Appropriations Chairman: Jay Costa (Allegheny)**  
**Whip: Mike O'Pake (Berks)**  
**Caucus Chairman: Vince Hughes (Philadelphia)**  
**Caucus Secretary: Sean Logan (Allegheny)**  
**Policy Chair: Rich Kasunic (Fayette)**  
**Caucus Administrator: Christine Tartaglione (Philadelphia)**

**Senate Republicans**

**President Pro Tempore: Joe Scarnati (Jefferson)**  
**Majority Leader: Dominic Pileggi (Delaware)**  
**Appropriations Chairman: Jake Corman (Centre)**  
**Whip: Jane Orie (Allegheny)**  
**Caucus Chairman: Mike Waugh (York)**  
**Caucus Secretary: Rob Robbins (Mercer)**  
**Policy Chair appointed by leader**

## Caucus Administrator appointed by leader

### Lt. Gov. Catherine Baker Knoll Succumbs to Cancer

In a sad counter to a big month for state and national Democrats, the grande dame of Pennsylvania politics, **Lt. Gov. Catherine Baker Knoll** passed away suddenly this month, while undergoing treatments for endocrine cancer. The 78-year old Knoll, who came from humble roots in McKees Rocks to win several statewide races, serving two terms as State Treasurer prior to her elections with **Gov. Ed Rendell**, died November 12, just a week after the landslide election night victory for her party. Her passing leaves a void in the party and in the Senate, which she presided over in her capacity as Lt. Governor. According to the state Constitution, Baker Knoll will be succeeded by Republican **Sen. Joe Scarnati**, who serves as President Pro Tempore of the Senate. Scarnati will hold both the Lt. Governor's seat, as well as his own Senate seat, due to a unique quirk in the succession rules, as Sen. Bob Jubelirer did when Tom Ridge joined the Bush Administration and Lt. Gov. Mark Schweiker became Governor.

### 2008 Elections: House D's, Senate R's Retain Control, Several More Incumbents Lose

With all but a few votes reported statewide, it appears that the PA General Assembly will remain split, as House Democrats captured a net of two seats to increase their margin to 104-99. Several races were razor thin, and could change with the final few votes, or through challenges, as happened in 2006. The two most closely watched races in the state ended up being anti-climactic. **House Democrat Leader Bill DeWeese**, who fired nearly a dozen staffers last year in the "Bonusgate" scandal, weathered another storm in his home district, actually losing his home Greene County, but riding on votes from Fayette to win an improbable 16th term. On the other side of the state, another former Speaker, John Perzel, survived a tough challenge despite Barack Obama's massive victory in Philadelphia. One more member of the House Democrat leadership, **Dan Surra**, lost by nearly 1600 votes. If these numbers hold, and the Democrats increase their majority, they will choose a new (or perhaps an old) Speaker to replace Dennis O'Brien, who has served as Speaker as a Republican in 2007-08 despite a Democratic majority. It seems likely Democrats will choose one of their own this time, be it the current leader DeWeese, or Whip Keith McCall or Appropriations Chairman Dwight Evans of Philadelphia. Republicans and Democrats hold caucus reorganization elections in November, with the Speaker being officially elected by the full House on Swearing-In Day, January 7.

In the Senate, in another night that was otherwise glorious for Democrats across the country, state Senate D's had another poor showing. They lost all of the contested races in seats held by Republicans, including losing to the recently deceased Republican **Sen. Jim Rhoades** in Schuylkill County, and lost the open Beaver County seat formerly held by Jerry LaValle, in a district that Democrats hold a nearly 2-1 registration advantage. Senate R's will go into 2009 with a 29-20 majority, and **new Lt. Gov. Joe Scarnati will** call a special election to fill the Rhoades seat, which in the absence of the Obama wave, will likely remain Republican. This will provide a challenge for Gov. Rendell's agenda in 2009, his final term as Governor, since Rendell campaigned and contributed to candidates against some sitting Republicans as well as in the open seats that Republicans won. With the prospect of a possible \$2.5 Billion budget deficit looming, it will be a tense first half of 2009 to be sure. Senate caucuses reorganize November 20-21.

In Congress, long-time Erie Republican Phil English conceded defeat to Democrat Kathy Dahlkemper, while Democrats John Murtha and Paul Kanjorski won re-election, despite polling that indicated otherwise. Republican Glenn Thompson held the 5th district seat vacated by John Peterson, in a walk.

Statewide, Auditor General Jack Wagner received one of the highest overall vote totals, and winning margins, in PA history. Attorney General Tom Corbett also was reelected, but by smaller margins. Democrat Rob McCord was elected State Treasurer. At least two of them may be in the race for Governor in 2010.

## 2008 General Elections: Who's Not Returning, with Successors Elected

<u>Representative</u>	<u>House Democrats Not Returning in 2009</u>	
	<u>Dist.</u>	
<b>Vince Biancucci (Beaver)</b>	<b>15</b>	<b>Jim Christiana</b>
<b>Sean Ramaley (Beaver)</b>	<b>16</b>	Rob Matzie
<b>Lisa Bennington (Allegheny)</b>	<b>21</b>	Dom Costa
<b>Tom Petrone (Allegheny)</b>	<b>27</b>	Daniel J. Deasy, Jr.
<b>Tom Tangretti (Westmoreland)</b>	<b>57</b>	<b>Tim Krieger</b>
<b>Edward Wojnaroski (Cambria)</b>	<b>71</b>	Bryan Barbin
<b>Tom Yewcic (Cambria)</b>	<b>72</b>	Frank Burns

<b>Dan Surra</b>	<b>75</b>	<b>Matthew Gabler</b>
<b>Frank Andrews Shimkus (Lackawanna)</b>	<b>113</b>	Kevin Murphy
<b>Chris King (Bucks)</b>	<b>142</b>	<b>Frank Farry</b>
<b>Daylin Leach (Montgomery)</b>	<b>149</b>	Tim Briggs
<b>Harold James (Phila)</b>	<b>186</b>	Kenyatta Johnson
<b>Thomas W. Blackwell, IV (Phila)</b>	<b>190</b>	Vanessa Brown

#### House Republicans Not Retuning in 2009

<b>Art Hershey (Chester)</b>	<b>13</b>	<b>Tom Houghton</b>
<b>David Steil (Bucks)</b>	31	Steve Santarsiero
<b>Jess Stairs (Westmoreland)</b>	<b>59</b>	Mike Reese
<b>Fred McIlhatten (Clarion)</b>	63	Donna Oberlander
<b>Bob Bastian (Somerset)</b>	<b>69</b>	Carl Walker Metzgar
<b>Jay Moyer (Montgomery)</b>	<b>70</b>	<b>Matthew Bradford</b>
<b>Steven Cappelli (Lycoming)</b>	<b>83</b>	Richard Mirabito
<b>Jerry Nailor (Cumberland)</b>	<b>88</b>	Sheryl Delozier
<b>Carole Rubely (Chester)</b>	<b>157</b>	Paul J. Drucker
<b>Ron Raymond (Delaware)</b>	<b>162</b>	Nick Miccarelli
<b>George Kenney (Phila)</b>	<b>170</b>	Brendan Boyle
<b>Carl Mantz (Berks)</b>	<b>187</b>	Gary Day
<b>Steve Nickol (York)</b>	<b>193</b>	Will Tallman
<b>Beverly Mackereth (York)</b>	<b>196</b>	Seth Grove

#### Senate Democrats Not Returning in 2009

<b>Vincent Fumo (Phila)</b>	<b>1</b>	Farnese, Lawrence M. Jr.
<b>Connie Williams (Montgomery)</b>	17	Daylin Leach
<b>Jerry LaValle (Beaver)</b>	47	<b>Elder Vogel</b>

#### Senate Republicans Not Returning in 2009

<b>Gib Armstrong (Lancaster)</b>	<b>13</b>	Lloyd Smucker
<b>Roger Madigan (Lycoming)</b>	<b>23</b>	Gene Yaw
<b>Jim Rhoades (Schuylkill)</b>	<b>29</b>	<b>SPECIAL</b>
<b>Terry Punt (Franklin)</b>	<b>33</b>	Richard Alloway
<b>Bob Regola (Westmoreland)</b>	<b>39</b>	Kim Ward

#### Congress

<b>Phil English (Erie)</b>	<b>3</b>	<b>Kathy Dahlkemper</b>
<b>John Peterson (Venango)</b>	<b>5</b>	Glenn W. Thompson

#### Legislative Activity

##### Senate Banking and Insurance Committee Recommends Rejecting the Highmark Merger

The committee met November 20 to finalize its recommendations regarding the proposed merger of Highmark and Independence Blue Cross. **Chairman Donald White (R-Indiana)** provided an overview of the committee's actions since the proposed merger was announced in March, 2007, and its efforts to develop, consider and approve legislation to provide oversight for the proposal. **"The prevailing themes throughout this committee's review were that this proposed merger would further restrict if not completely eliminate any remaining competition in Pennsylvania's healthcare insurance marketplace while providing minimal, if any, tangible benefit to the policyholders and/or providers."**

A motion was made by Senator **Jake Corman (R-Centre)** to adopt **Recommendation #1**, recommending the Pennsylvania Insurance Department disapprove the proposed merger between Highmark and Independence Blue Cross. **The motion was approved, mostly on partly lines, with all Republicans and Sen. Lisa Boscola (D-Northampton) voting "yes" on the motion.** Democrats on the committee voiced strong objections to the

Committee taking formal action in this manner, saying the Commissioner should not be dictated to, but should use his judgment based on the volumes of information received from the public and the General Assembly. A motion was made by **Senator Corman** and seconded by Senator Rafferty to adopt **Recommendation #2**, recommending if the Insurance Department should permit the proposed merger, what conditions should be placed upon the new company. **The motion was approved with the same votes.**

#### **Governor Extends Pa Health Care Cost Containment Council**

Governor Edward Rendell announced he has signed an executive order to extend **Pennsylvania Health Care Cost Containment Council (PHC4)** until June 30, 2009. Governor Rendell credited PHC4 for a decline of in-hospital patient mortality rates following coronary artery bypass graft and noted that overall hospital mortality rates continue to drop. He also spoke about another round of Agency budget cuts due to the economic situation.

Governor Rendell indicated that the only other option would be to let it lapse, but he opted to extend it because of the important function it serves. Rendell said that the budget is \$5.3 million, and they will be asked to cut their budget by 4.25%.

Governor Rendell said "if the Senate had passed one of the compromised health care bills we would have extended health care for over a decade." He noted that the executive order will extend PHC4 until June 30, 2009. The Governor stated "it is with great puzzlement why the Senate won't pass it." Governor Rendell took issue with Senate Republican leadership that plans to wait for the Obama Administration's plan on healthcare. He reiterated "Obama made it clear that it will take several years to pass a federal healthcare program." Governor Rendell said he is trying to get someone in the Obama transition team, or even the President-Elect himself, to contact Senator Pileggi to let him know the new administration is encouraging states to do transition bridges until the federal government can enact health care reform.

#### **Legislative Budget and Finance Committee Releases Report on Construction and Building Permit Fees**

The committee met November 20 to consider the release of six studies, vote on a proposed budget, and to consider the authorization of four studies. The committee voted on the release of six studies, including:

**SR 263** (by Sen. Mike Waugh) - A Resolution directing the Legislative Budget and Finance Committee to conduct a study relating to the funds collected from the fee from construction or building permits and to report its findings to the General Assembly.- The study was unanimously released. The report can be accessed on the LBFC website: <http://lbfc.legis.state.pa.us/>.

#### **New Bills Introduced**

**The following bill was introduced this month. The bill did not pass, but may be reintroduced next session.**

**[HB 2835](#)** RE: Green Roof Tax Credit (by Rep. Matt Smith, et al)

Amends the Tax Reform Code establishing a green tax roof credit of up to \$100,000 in any fiscal year. "Green roof" is defined as an addition to a roof that supports living vegetation and includes a synthetic, high-quality waterproof membrane, drainage layer, soil layer and lightweight medium plants. The credit would be available to individuals and businesses that provide the Department of Revenue with certain required information. A business or individual that has received and taken the credit must repay the credit to the Commonwealth if it fails to maintain the green roof in accordance with the provisions of the commitment agreement.

**Introduced and referred to House Finance Committee, 10/29/2008**

#### **Upcoming Meetings of Interest**

**None**

**Session ends officially on November 30.**

*Copies of all bills of interest can be accessed via the Internet at:*  
<http://www.legis.state.pa.us/WU01/LI/BI/billroom.htm>.