

MCA

Summary of Legislation

November 2010

Legislative Session Ends

The Pennsylvania legislative session official ended with little fanfare. Each session lasts two years and is constitutionally terminated on November 30th of even numbered years. One surprise during the last month was a veto override vote on a bill that begins pension reform for public employees. Ed Rendell had never had a veto override during his 8 years as Governor prior to this one. As far as construction-specific issues, there was relatively little accomplished by the legislature in November. One bill that did not pass was a proposal to place a one-year moratorium on the requirement for sprinklers in new homes. The Senate had such a bill sent to the House for a final vote, but House leadership chose not to deal with it. As a result, the sprinkler requirement goes into effect January 1, 2011.

Any legislation that did not pass needs to be reintroduced next year and will be assigned a new bill number and begin the process over. Issues of interest that need to be reintroduced next year include: e-verify bills, contractor licensing bills and green building legislation. On the flip side, 2010 did see a couple of important issues addressed. The bill that was designed to crack down on misclassification of workers, House Bill 400, was enacted in October. Also, the waiver program for multiple primes that allowed schools to build using a single prime came to an end. Legislative efforts by single prime proponents were blocked and so the program sunsetted on June 30th 2010.

Senate Does Return After All, But Only For One Bill

Although most of the activity in the Capitol centered on retirement speeches and election of caucus officers for the 2011-12 session, some interesting legislative developments did occur. The House, after originally deciding to end its legislative business to follow suit with the Senate, did an about-face and voted on a number of bills that the Senate had sent over, prior to leaving in October, having announced it would not hold any voting days in the post-election "lame duck" period. House leaders heard an earful from members who wanted to vote on a variety of issues, including a bill expanding the "Castle Doctrine," and closing a loophole in the state's Megan's Law. Adding to the mix was a Public School Code bill that Governor Rendell had vetoed the week before, which contained a number of provisions overwhelmingly supported in both Chambers. In a surprise move, the House overrode the veto, and challenged the Senate to return to vote on it as well, which, against its previously adamant position, it did, by a 42-7 vote.

Political News

Dermody to Lead House Democrats; Evans Out of Leadership Team

Pennsylvania House Democrats elected their leadership on Tuesday. The Democratic Caucus lost their top two leaders, Speaker of the House Keith McCall (D-Carbon) who retired, and Majority Leader Todd Eachus (D-Luzerne) who was defeated in his bid for re-election. Democrats had a net loss of 13 seats, making them the minority party in the 2011-2012 legislative session. Current Whip Frank Dermody (D-Allegheny) was unanimously elected Minority Leader. Dermody has been part of the Democrat leadership team since 2007. New to the leadership team is Representative Mike Hanna (D-Clinton/Centre), who was elected Whip. Hanna received 46 votes in defeating Representative Mike Gerber (D-Montgomery) and Representative Joe Preston (D-Allegheny) for the best. Gerber received 38 votes and Preston received 5 votes. Also new to the Democrat leadership team is Caucus Chairman Dan Frankel (D-Allegheny). Three members of the leadership remained in their current positions: Policy Chairman Mike Sturla (D-Lancaster), Caucus Secretary Jennifer Mann (D-Lehigh), and Caucus Administrator Ron Buxton (D-Dauphin).

The biggest story to come out of Democratic leadership elections was the defeat of current Appropriations Chairman Dwight Evans (D-Philadelphia). Evans has held the powerful post for 18 years, but was narrowly defeated in his bid to keep the position by Joe Markosek (D-Allegheny), who currently chairs the House Transportation Committee. In the first vote, Markosek received 45 votes, Evans 43 votes, and 1 vote was illegible. 46 votes were needed to secure the leadership spot. A second vote produced a 50 to 39 victory for Markosek. Evans' defeat means that Philadelphia will not have a representative in the House Democrat leadership team. Additionally, there are no Democrat members from the four county Philadelphia suburbs in leadership. 34 of the 90 House Democrats hail from the five-county southeast region.

House Republicans Elect Leadership Team

House Republicans elected their leadership team on November 9. In winning the majority in this month's election, a Republican will now be Speaker of the House. As was expected, current Minority Leader Sam Smith (R-Jefferson) was chosen to be the Republican nominee for Speaker. The full House will formally elect the Speaker when they start the new legislative session in January. Moving up in rank were current Whip Mike Turzai (R-Allegheny), who was elected Majority Leader, and current Policy Chair Stan Saylor (R-York), who was elected Majority Whip. Representative Bill Adolph (R-Delaware) will remain the Republican Appropriations Committee Chairman. Representative Dave Reed (R-Indiana) was elected Policy Chairman. Reed led the House Republican Campaign Committee efforts this cycle that put Republicans back in the majority. Representative Dick Stevenson (R-Allegheny) was elected Caucus Administrator. He takes over the post from retiring Representative Merle Phillips (R-Northumberland). Representative Sandra Major (R-Susquehanna) will continue to serve as Caucus Chair. **Representative Mike Vereb (R-Montgomery)** was elected Caucus Secretary. He takes over for Representative Jerry Stern (R-Blair) who unsuccessfully challenged Smith for Speaker.

Senate Republican Leadership Team Remains In Tact; Browne Elected Whip

The Senate Republican Leadership team will be a familiar one next session. Senate President Pro Tempore Joe Scarnati (R-Jefferson), Senate Majority Leader Dominic Pileggi (R-Delaware), and Senate Appropriations Chairman Jake Corman (R-Centre) will continue to lead the Republican Caucus. The only major news from the Senate Republican leadership elections held on Wednesday was the ascension of Senator Pat Browne (R-Lehigh) to the post of Majority Whip. Browne was part of the current leadership team as Caucus Administrator. The position of Whip was vacant with Senator Jane Orié (R-Allegheny) leaving the position because she is currently under indictment. The rest of the leadership team includes Senator Mike Waugh (R-York), who will continue to serve as Caucus Chair, Senator Bob Robbins (R-Mercer), who will continue to serve as Caucus Secretary. The Caucus Administrator and Caucus Policy Chair will be appointed at a later date by Scarnati. As was mentioned above, Browne currently serves as Caucus Administrator. The current Policy Chairman is Senator Ted Erickson (R-Delaware).

Costa Elected New Senate Democrat Leader

Senate Democrats also elected a new leadership team this week. On Wednesday, Senator Jay Costa (D-Allegheny) was elected Minority Leader. Costa, who currently serves as Appropriations Chairman, was challenged by Sen. Mike Stack (D-Philadelphia) for the top caucus position. The Senate Democratic Caucus had been led by retiring Senator Bob Mellow (D-Lackawanna) since 1989. Senator Mike O'Pake (D-Berks) will continue to serve as Minority Whip. **Senator Vincent Hughes (D-Philadelphia) was elected Appropriations Chairman.** Senator Anthony Williams (D-Philadelphia) and Senator Tina Tartaglione (D-Philadelphia) will serve as Caucus Chair and Caucus Secretary respectively. Senator Richard Kasunic (D-Fayette) will remain Policy Committee Chair and Senator Lisa Boscola (D-Northampton) will serve as Caucus Administrator.

The *Philadelphia Daily News* reports that Maria Donatucci, wife of the late Representative Bob Donatucci (D-Philadelphia), who died November 9, "is thinking about running for his seat in a special election," according to the Representative's brother, Philadelphia Register of Wills Ron Donatucci. Bob Donatucci was first elected to the Pennsylvania House in 1980. Maria Donatucci has worked for the Philadelphia Bureau of Administrative Adjudication since 1997. Speaker of the House Keith McCall has set the date of the Special Election for February 1, 2011. House Republicans will hold a 112-90 majority until the vacancy is filled.

Legislative Activity

No bills of interest were acted on by the General Assembly in November. The session ended November 30. All bills not signed by the Governor now die, and may reintroduced next session. They will then start the process over, regardless of how far they advanced this session.

New Bills Introduced

NONE

Upcoming meetings of Interest

REMAINING 2010 SENATE SESSION SCHEDULE

There are no more voting session days scheduled for the 2009-10 session. Session ended at midnight on November 30

Partial 2011 SENATE SESSION SCHEDULE

January 4 (Swearing-in Day), 18 (Governor/Lt. Governor Swearing-in), 19, 24, 25, 26
February 7, 8, 9, 14, 15, 16, 28
March 1, 2

2011 HOUSE SESSION SCHEDULE

January 4, 18, 19, 24, 25, 26
February 7, 8, 9, 14, 15, 16, 28
March 1, 2

A proposed Session schedule beyond the first week of March is pending notices of a date for the Governor's Budget Address.

Copies of all bills of interest can be accessed via the Internet at:

<http://www.legis.state.pa.us/WU01/LI/BI/billroom.htm>