

# WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – DAVID G. ARGALL, CHAIRMAN

**Monday, February 23, 2015**

[Senate Bill 166](#) (Greenleaf) would amend Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes to further provide for expungement of criminal history. The list of criminal offenses eligible for expungement would be expanded to include:

- A misdemeanor of the third degree or an offense declared to be a misdemeanor, without specification, if the individual has been free of arrest or prosecution following final release from confinement or supervision for seven years; and
- A misdemeanor of the second degree committed when the individual was less than 25 years of age, if the individual has been free of arrest or prosecution following final release from confinement or supervision for ten years.

The expungement provisions would not apply to individuals convicted of certain offenses listed in the legislation. **Passed: 49-0.**

[Senate Bill 293](#) (Eichelberger) would create the Navigator and Exchange Assister Accessibility and Regulation Act to provide the framework for the regulation of navigators and assisters in health insurance exchanges. The proposed legislation would:

- Provide various definitions including “exchange,” exchange assister,” and “navigator;”
- Establish that an individual or organization could not advertise a service as a navigator or exchange assister or operate as such in Pennsylvania without first registering with the Department of Insurance;
- Require the Department to develop an application and issue a registration if the Department determines the applicant has met stipulated requirements;
- Require the Department to maintain and make available to the public a searchable list of all registrants on its internet website;
- Prohibit a navigator or exchange assister from engaging in activities as outlined in the legislation for which a license as a producer would be required except as permitted by federal law or regulation;
- Provide for enforcement of the act by the Department, along with the notice requirements, a hearing process, and penalties; and
- Authorize the Department to promulgate regulations and forms as necessary to carry out the act. **Passed: 30-19.**

[Senate Bill 316](#) (Folmer) would amend Title 62 (Procurement) of the Pennsylvania Consolidated Statutes to establish that records regarding a procurement are to be made public consistent with the Right to Know Law. The legislation would also require the Internet posting of certain procurement information for at least 30 days from the date of posting. This information would include public notices of invitations for bids and request for proposals and bid tabulations, notices of award and written determinations under the competitive bidding process. Further, requests to award a sole source contract and requests to extend a contract through the sole source or emergency procurement procedure would have to be posted for seven calendar days for public comment prior to the approval of the request. In instances where a sole source contract is used for procurements over \$250,000, the determination would have to be signed by the head of the purchasing agency. **[Passed: 49-0.](#)**

[Senate Resolution 29](#) (Vogel) designates the week of February 21 through 28, 2015 as “FFA Week” in Pennsylvania. **[Adopted by Voice Vote.](#)**

### **Tuesday, February 24, 2015**

[Senate Bill 9](#) (Stefano) would create the Proof of Citizenship for Receipt of Public Benefits Act to require identification of lawful presence in the United States as a prerequisite to the receipt of public benefits as defined in the bill. A person who applies directly to an agency for public benefits would have to provide in person, by mail or by electronic means, one of the forms of identification listed in the bill. The individual would also have to execute an affidavit stating that he or she is a United States citizen, legal permanent resident or otherwise lawfully present in the United States pursuant to federal law. The agency would be required to maintain the affidavit in accordance with the applicable records retention schedule. An agency that administers public benefits would be required to verify through the Systematic Alien Verification of Entitlement (SAVE) program operated by the Department of Homeland Security or a successor program that each noncitizen applicant who has executed an affidavit is an alien legally present in the United States. Until the verification is made, the affidavit could be presumed to be proof of lawful presence for purposes of the act.

The new requirements would not apply to individuals under 18 years of age; those currently receiving Supplemental Security Income or Social Security disability income; persons entitled to or enrolled in Medicare Part A or Part B, or both; individuals applying for public benefits on behalf of a person under 18 years of age; a person whose citizenship has been verified pursuant to Section 1902(ee) of the Social Security Act; and a person who declares by affidavit that, because of domestic violence, she does not currently possess any of the acceptable identification documents. The Attorney General would be required to monitor the SAVE program and to report yearly on errors and significant delays to ensure that the program is not wrongfully denying benefits to legal residents of the Commonwealth.

A person who knowingly and willfully makes a false, fictitious or fraudulent statement of representation in an affidavit could be subject to prosecution under 18 Pa.C.S. §4904 (relating to unsworn falsification to authorities). The act would not apply to applications for public benefits and renewal of public benefits if compliance with the act would lead to loss of federal funding or be in conflict with any federal law. The act would be enforced without regard to race, religion,

gender, ethnicity or national origin. The bill would also provide for the unlawful possession of a Pennsylvania ACCESS card or electronic benefit card. Penalties for the offense would be enhanced if the person committing the crime is not lawfully present in the United States as determined by federal immigration officials. **Passed: 40-8.**

**Senate Resolution 30** (Teplitz) designates February 24, 2015 as “Housing Awareness Day” in Pennsylvania. **Adopted by Voice Vote.**

**Senate Resolution 31** (Vulakovich) designates the month of March 2015 as “American Red Cross Month” in Pennsylvania. **Adopted by Voice Vote.**

**Senate Resolution 32** (Mensch) recognizes the month of May 2015 as “Preeclampsia Awareness Month” in Pennsylvania. **Adopted by Voice Vote.**

### **Wednesday, February 25, 2015**

**Senate Bill 179** (Greenleaf) would consolidate several statutes relating to hotels and other lodging establishments under Chapter 13 of Title 48 (Lodging and Housing) of the Pennsylvania Consolidated Statutes. Any difference in language between the consolidated provisions and the existing statutes would be intended to conform to the style of the Pennsylvania Consolidated Statutes and not to change or affect the legislative intent, judicial construction or administration and implementation of the provisions. The measure would also repeal the acts and statutory provisions consolidated in the legislation. **Passed: 48-0.**

**Senate Resolution 33** (Baker) observes March 1, 2015 as “St. David’s Day” in Pennsylvania and honors the many Pennsylvanians of Welsh heritage. **Adopted by Voice Vote.**

### ***Executive Session***

Nominations to Various Boards and Commissions. **Confirmed: 47-1.**

(2015-042)