


State Senator **Jane Earll** 49th Senatorial District Capitol Report



SUMMER 2006

This newsletter contains information to update you on some of the issues and legislation most recently debated by the General Assembly. The Senate tackled a wide range of issues, too many to discuss in one mailing, and many items still remain for our fall agenda. I would encourage all constituents to explore the Senate website and Senate Journal for a more comprehensive overview. In the meantime, I hope you find this newsletter useful. Have a great summer.

Sincerely,

Senator Jane Earll

Earll Bill Uses Internet to Streamline Local Government Auctions

Legislation permitting counties, cities, townships, boroughs, school districts and other local government units to use technology to drive costs down has been signed into law after several years of work.

Act 88 of 2006, the "Local Government Unit Electronic Bidding Act," allows for *electronic bidding and reverse auctions* to be used to solicit bids for government contracts, replacing the decades-old practice requiring submission of sealed bids.

Electronic bidding allows organizations to obtain competitive bids for goods and services electronically, or via the Internet. Reverse auctions are real-time, online bidding events where vendors submit bids, receive feedback regarding where they rank with respect to competing bidders, and may lower their bids to win the buyers' business. Reverse auctions are very dynamic, and they often help organizations save dramatically on their purchases.

State government has a history of using reverse auctions. Until passage of this legislation, however, most Pennsylvania municipalities did not have authority to use reverse auctions due to restrictions in antiquated competitive bidding language in their municipal codes. In light of the significant savings produced by reverse auctions, there is tremendous opportunity to bolster the fiscal health of local gov-

ernments by allowing them to use the technology.

The idea for this bill was first brought to me over three years ago by the *Erie-based Center for eBusiness and Advanced IT (eBizITPA)*. Rep. Curt Sonney sponsored companion legislation in the House of Representatives (HB 2441), and his bill was ultimately signed into law. eBizITPA is

a statewide, state-funded organization that offers training programs and services to help local government units maximize the advantages of e-business tools, including eDynaQuote, an online bidding and reverse auction application. You can find more information from eBizITPA on this subject at www.ebizitpa.org.

Earll Supports Proposed Volunteer Fire Company Grant Program

Pennsylvania is the birthplace of volunteer fire service in North America.

The tradition of neighbors responding when the call goes out to save lives and property is one that needs and deserves our support. That means giving volunteer fire companies the means to *modernize operations, reduce costs and maximize resources*. One way to do that is to support mergers and partnerships among private departments.

Numerous studies have concluded that Pennsylvania's delivery of volunteer fire services is very fragmented and inefficient. However there is little incentive for local communities and their volunteer fire companies to consider such initiatives. Senate Bill 1236 would provide incentives to organizations that decide to merge or work together in a partnership.

Senate Bill 1236, which I co-sponsored, would make grants from \$20,000 to \$100,000 available to private, non-profit volunteer fire companies or EMS organizations, and local governments applying on behalf of the fire companies. The grants would be conditional on creating partnerships and reducing costs.

The State Fire Commission is encouraging more fire companies to apply for grants jointly. It's a good idea. Spreading capital costs allows fire and ambulance companies to focus on addressing the pressing problem of recruiting new members, as well as, of course, serving the community.

The passage of the reverse auction legislation mentioned above shows that there are savings to be had through the use of technology, as well as by pooling resources for the benefit of all.

Earll Co-Sponsors New Law to Fight Identity Theft

Pennsylvania has a new law on the books which protects consumers from being victimized by identity theft resulting from computer breaches.

Act 94 of 2005 requires business-

occurred and causes loss or injury to citizens of the Commonwealth.

Following a breach, if an organization fails to notify the public as required by the law, a citizen victimized by identification theft can recover damages from the organization.

I co-sponsored this measure because identity theft is the fastest growing white collar crime in the nation and computer breaches are a major source of personal information for identity thieves.

The Senate passed another law to *protect*

the privacy of Social Security numbers. The measure prohibits any person or institution from making a Social Security number available to the public, and forbids the use of

Social Security numbers to access goods or services.

Finally, we passed a new law to *prohibit wireless phone companies from publishing customer names and telephone numbers* without explicit customer consent. Companies are also prohibited from charging a fee to their customers who choose not to be listed in the subscriber directory.



es, government agencies, or other organizations that own or store computerized personal data to *notify affected residents when a breach of their system's security has*

Senate Votes and Debate Transcripts Available Via Internet

The state Senate now posts Senate Journals on the Internet, making all Senate debates and roll call votes widely accessible.

The *Senate Journals* for the current legislative session are posted to the Senate's web site, www.pasen.gov, as soon as possible after floor action. It typically takes about a month. In the future, prior session *Senate Journals* will also be posted to the Internet.

Citizens can easily check how their Senator voted on legislation. They will be able to read what was said about issues. This is information that people deserve to access and review when they wish, and we now have the technology to make it possible.

Also open to the public via the Internet are lobbyist expense reports collected by the Senate since the start of 2003. *Citizens can see who is lobbying*, who individuals are representing, and how they are spending their money. The lobbyist disclosure reports can be found under "Topics of Special Interest" at www.pasen.gov.

New Law Limits Harassment at Military Funerals

Some people will exploit even the most private, solemn occasion to air their views.

In the ultimate display of disrespect, a Kansas-based organization has been traveling the country picketing military funerals. The pickets target grieving family members with vulgar language to protest political and social issues.

At one funeral for a Pennsylvania serviceman killed in a helicopter crash, the group held up a sign that read: "Thank God for Dead Soldiers." It's hard to put such heartlessness into words. Fortunately, Pennsylvania has joined other states enacting laws to *protect the right of families to mourn in peace*.

The General Assembly passed Act 63 of 2006, which requires

demonstrators to remain 500 feet from any funeral, memorial service or memorial procession beginning one hour before and ending one hour after the event. Violators would be charged with a third-degree misdemeanor.

On Memorial Day, President Bush signed federal legislation that would limit protests at memorial services in national cemeteries.

The families of fallen service members suffer enough pain and anguish without having to endure the antics of those unscrupulous individuals who would tarnish a solemn occasion to promote themselves and their opinions. This new law takes a stand for compassion and civility.



Photo courtesy of LECOM

Walter Buck, Ph.D., Associate Dean of Preclinical Education and Professor of Anatomy, awards Senator Earll the Honorary Degree of Doctor of Science at the Lake Erie College of Osteopathic Medicine (LECOM) 2006 Commencement ceremony in June, where she was the keynote speaker. LECOM graduated its largest medical and pharmacy class to date, with 203 students receiving their Doctor of Osteopathic degree and 87 pharmacy students receiving their Doctor of Pharmacy (Pharm.D.) degree. It was the 10th commencement for the College of Medicine, and second for the School of Pharmacy. "LECOM continues to grow and expand, and we are fortunate that it calls Erie home," said Senator Earll. Watch for an episode of "Straight Talk" to air soon about LECOM, or visit www.lecom.edu for more info.

Finance Committee Update

As chairwoman of the Senate Finance Committee, I have an opportunity to help shape the Commonwealth's tax policies. I am able to provide input on all tax-related legislation that comes through the committee, influencing significant programs that will have long term, statewide impact.

Here are a few of the important bills that my committee is working on:

COUNTYWIDE EIT COLLECTION CUTS BUREAUCRATIC COSTS, INCREASES ACCESSIBILITY

Legislation that would update the collection of the local Earned Income Tax to eliminate duplication and reduce administrative costs is expected to come before the Senate Finance Committee this fall.

Collecting the tax on a county-wide basis would reduce the number of collectors from 560 to 66, making it more efficient and allowing employers to do business in Pennsylvania more easily.

Such efficiencies will permit municipalities and school districts to *provide more access and information to taxpayers* through satellite offices, longer hours and more extensive Web sites. By increasing the size of the tax collection area,

local governments will pay less, realize more revenues and have more control over the collection of nonresident taxes.

The measure would also *provide more accountability and transparency*. For the first time, tax collectors will be subject to fines and penalties for violating the law.

The goals of this legislation are to stem the loss of revenues; make the system more employer friendly; make the system fairer and less formidable for taxpayers and to create as much uniformity and clarity in the system as possible.

SUPPORTING BINGO AND GAMES OF CHANCE IN THE CASINO AGE

Pennsylvania approved slot machine gambling statewide, and here in Erie, to spur economic development and protect gaming revenue that would be lost to surrounding states.

But what about traditional gaming – the small bingo halls and games of chance that support churches, charities and volunteer fire companies? We must *ensure that this revenue stream remains available* to them by making bingo and small games of chance competitive and attractive alternatives to slot machines.

The Senate Finance Committee approved **House Bill 10** that would increase the total bingo prize amount that maybe awarded from \$4,000 to \$8,000 per day. For games of chance, our panel approved **House Bill 11**, increasing the maximum cash value prize amount from \$500 to \$1,000 for any single chance, and raising the maximum

weekly limit in cash or merchandise awarded from \$5,000 to \$20,000.

It also removes the prohibition on operators of bingo and games of chance from advertising prizes or their dollar value.

The bills also increase consumer protections, with mandated training and new financial reporting requirements. Operators of games of chance would have to undergo criminal background checks.

Bingo and games of chance are enjoyed by young and old, and are useful fundraising tools for nonprofit organizations. These changes will allow them to continue this tradition in the new era of slots gaming.

EFFORT TO REPEAL DOUBLE TAX ON CELL PHONES CONTINUES

Whether it's for keeping up with family, conducting business, or providing peace of mind when away from home, more than seven million Pennsylvanians rely on cell phones for communicating.

Cell phone users may have noticed that, since January 2004, a gross receipts tax imposed an additional 5 percent fee on cell phone bills. That's in addition to a 6 percent sales tax on monthly calls, making Pennsylvania one of the highest cell phone tax rates in the nation.

Senate Bill 691 would phase out this double-tax beginning in 2007, reducing the gross receipt tax 1 percent each year with the entire tax being repealed by 2011. The Senate Finance Committee approved the bill in March, and it is now before the full Senate.

"Straight Talk" Senator Earll's TV Report

For the latest developments from the Pennsylvania Senate and the 49th Senatorial District, please check out my "Straight Talk" television report.

- **CAIV** (city of Erie channel 2) Thursdays at 9am and 2:30 pm
- **City of Erie** (channel 9) Tuesday, Thursday, and Saturday at 6pm
- **Millcreek** (channel 17) and all municipalities that run Millcreek programming (Harborcreek, Fairview, Girard, etc) runs on loop with other programming
- **Edinboro/Washington & Franklin Townships** (channel 3)

You can also view streaming video of "Straight Talk" at www.senatorearll.com.

Senator Jane Earll speaks at the Center for Credit & Consumer Research at Penn State Erie-The Behrend College. Senator Earll obtained a grant to help fund a credit awareness "game show" aimed at high school students, who need to know how to handle credit before going off to college. Senator Earll also authored a state law limiting marketing practices by credit card companies on college campuses, as many young people find themselves in over their heads with credit card debt before they have an ability to pay it off. Visit <http://www.ccr.psu.edu> for more information and to see the game.



Photo courtesy of Penn State Erie, The Behrend College

Training, Exams for New School Board Members

School board members set local tax rates, determine how millions of taxpayer dollars are spent, plan huge building projects, influence classroom curriculum and more.

Most school board members have little expertise in these areas. They are parents, neighbors and concerned citizens. Local control through these citizen-board members is a great tradition that I fully support. But I think it only makes sense that they *undergo some training to develop the skills to make sound decisions.*

I'm co-sponsoring Senate Bill 298, which would require newly elected school board members to complete a training program before they are sworn into office.

Members who complete the program, which would be free of charge, would be issued a certificate. The training would cover state and federal law, school taxes, school finance, academic standards and other matters school board members need to understand. An advisory committee made up of school board members, superin-

tendents, principals, business managers, teachers and curriculum specialists would help create the exam and the criteria for passage.

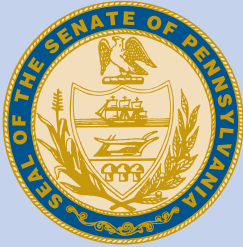
The decisions of school boards impact students and taxpayers in a very real way. I think it's perfectly reasonable that members undergo training and testing to ensure they can handle the job responsibly.

Senate Passes Law to Aid Organ Donation

Legislation that would help *get donated organs to patients more quickly* was recently approved by the Senate and signed into law.

Act 48 of 2006 gives designated organ procurement organizations 24-hour-a-day access to a PENNDOT database confirming an individual's organ donor status. Organ procurement organizations could not use such information for any purpose other than to confirm organ donor status.

Organ donation saves lives. Please consider becoming an organ donor when you renew your driver's license.



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In June, Senator Jane Earll was the Keynote Speaker at the 37th Commencement for Erie Area Adult Education Programs. The graduation ceremony awarded Adult High School Diplomas and GEDs to hundreds of Erie County residents eager to better their lives. Pictured with Senator Earll are (L-R) graduates Susan Chilelli, Elois Duck, Erma Keith, and David Kranking, Director of Career & Technical Education at the Erie Adult Learning Center.