

State Senator
JOHN RAFFERTY

Reports to You



44TH DISTRICT • FALL 2007

Legislation Aims To Tighten PHEAA Board Practices

I have joined forces with my colleague, Senator Jane Orié (R-40), to introduce legislation that will restructure the current appointment, reporting, and accounting procedures of the Pennsylvania Higher Education Assistance Agency (PHEAA).

Pennsylvanians across the state have been voicing their displeasure with PHEAA's current operations following newspaper headlines disclosing high salaries, bonuses, and lavish expenses which included trips to luxurious resorts, limo rides, expensive cigars, and spa treatments just to name a few.

As a state agency charged with providing the means to further the higher education opportunities of our children and young adults, PHEAA should be operating according to its mission in the best interest of the Commonwealth.

The legislation that Senator Orié and I proposed will require PHEAA to contract with a third party accounting firm to conduct an annual forensic audit of the PHEAA Board which must be submitted to the House and Senate Finance Committees by April 1 of each year. On the same date, PHEAA would also be required to submit a report to the aforementioned committees which contains all expenses and revenues associated with operations of the Board.

This legislation would also require all appointees to the PHEAA Board to

be approved by the Senate by a majority vote, and it would prohibit standing legislators from serving more than two consecutive terms on the PHEAA Board.

Additionally, the Governor offered his support for reform and encouraged the notion of holding Senate hearings to discuss reforming the Board, its salary structure, and eliminating its bonuses.

My goal is to bring greater account-

ability and fiscal responsibility to PHEAA and ensure that funds are not spent in a wasteful and unnecessary manner. The newspaper headlines reporting financial mismanagement and over-the-top spending of this important state agency have made it necessary to take a closer look at the Agency's fiscal bottom line. PHEAA is accountable to the legislature and the citizens of Pennsylvania.



Legislative Package Addresses Illegal Immigration Issues In The Commonwealth

Illegal immigration is a national issue affecting our entire country, not just our border states. That's why I am introducing a package of legislation that will directly address illegal immigration issues by granting state and local law enforcement officials more authority to handle illegal immigrants and by making businesses more accountable for who they hire.

The first bill will provide for a memorandum of understanding between the Commonwealth and the U.S. Department of Justice or the

Department of Homeland Security. It would authorize the Pennsylvania State Police to negotiate the terms of the memorandum concerning the enforcement of Federal immigration and custom laws, detention, removals, and investigations in Pennsylvania. The State Police would be permitted to designate and train officers to handle illegal immigration issues.

This bill would also grant the district attorney of each county in the state to designate law enforcement officers to be trained in

Continued on page 5



Legislation Aims to Keep State Police Barracks Open

I have always been a staunch advocate for Pennsylvania's fine state and local law enforcement agencies. Most residents view their local state police barracks as a safe haven where they can go in an emergency situation.

To my shock and disbelief, a Rendell Administration-backed plan

closed up to 66 barracks across the state after regular business hours.

After learning that the Pennsylvania State Police had closed the Skip-pack barracks in Montgomery County all weekends and weekdays from 5:00 p.m. to 8:00 a.m., I introduced Senate Bill 318, which ensures that all barracks remain open to the

public and staffed 24 hours a day, seven days a week.

I understand the Governor's

Budget Secretary is looking for ways to cut costs, but I am more concerned about the public safety issue. I firmly believe that public safety is a core function of government, and our citizens expect their police barracks to be open and staffed.

Senate Bill 318 was approved by the Senate and is now being considered by the House of Representatives. Representative Bob Mensch, who represents the Skippack area, has pledged to push for passage of this bill in the House.



During the Pennsylvania State Police Budget Hearing, Senator Rafferty expressed many concerns to a panel of State Police representatives including Colonel Jeffrey B. Miller (center of table). Colonel Miller was nominated to serve as the 18th Commissioner of the Pennsylvania State Police in 2003. He oversees an annual budget of approximately \$670 million and commands a statewide complement of more than 6,000 enlisted and civilian employees, which includes 4,300 State Police Troopers.



Legislature to Address Heavy Agenda This Session

The legislature has recently returned for fall session, and there is an ambitious schedule of important issues that need to be addressed.

Hazardous Sites Cleanup Act (HSCA) – The state's funding for the HSCA was removed from this year's state budget. As a short-term solution, I am proposing that the legislature should use \$30 million from the existing state surplus of \$300 million to fund the HSCA. For a long-term solution, I have also proposed legislation that will impose a five-cent deposit fee on all bottles sold in Pennsylvania, which could be used to benefit both the state's recycling efforts and cleanup of hazardous waste sites.

Property Taxes and School Funding – Reducing property taxes and providing the necessary funding for our schools are also top initiatives of the legislature. I am working with

several other Senate Republicans on a plan to eliminate property taxes, and a plan to reform the formula used to determine school funding. Due to widespread discrepancies across the state, we need a new formula that is fair and consistent.

Energy Initiatives – The House and Senate are holding a special session to address the "Energy Independence Strategy" which would create an Energy Independence Fund. The plans will also include a comprehensive energy strategy that will emphasize lower energy costs for consumers, create new jobs and protect the state's environment.

Health Care Initiatives – The Governor is pushing his Jonas Salk Legacy program, which calls for taking money from the state's tobacco settlement that is earmarked for research and development cures and putting that money towards the building of research facilities. I be-

lieve that devoting the limited resources to research and development will benefit Pennsylvanians more than new buildings.

Transportation Funding – Legislation passed the legislature to toll Interstate 80 and raise funds for Pennsylvania's transportation needs. However, two members of Congress introduced Federal measures in Washington D.C. to prevent the state from carrying out this plan. Pennsylvania ranks first in "structurally deficient" bridges and our roads also rank poorly compared to other states. The legislature needs to create an alternative plan to handle transportation funding.

Government Reform – I am leading the charge to promote open government and campaign finance reform, and address the concerns caused over bonuses and excessive spending by agencies such as PHEAA.

Smoking Ban - One of the most

Continued on page 5

Senator Rafferty held a Salute to Vietnam Era Veterans who reside in the 44th District on Saturday, June 23. Each pre-registered veteran in attendance received an award and a certificate of appreciation from the senator. Vietnam Veteran and Superior Court Judge, Seamus McCaffery, was in attendance as the ceremony's special guest speaker. Rep. Tom Quigley, Rep. Mike Vereb and Capt. Robert Sanders also attended the event at the Spring Ford High School in Royersford.



Strict Regulations Needed to Address Alarming Levels of Carcinogenic Pollutants in Collegeville Area

I have been joined by bipartisan members of the House and Senate to work with the Pennsylvania Department of Environmental Protection (DEP) Secretary Kathleen McGinty to require stricter regulations on air emissions pollution that are more restrictive than the current requirements of the Federal Environmental Protection Agency (EPA).

I am specifically concerned about emissions from the chemical Trichloroethylene (TCE), a carcinogen whose airborne levels have been found to be significantly higher than normal in the Collegeville area.

Under Section 112(f) of the Federal Clean Air Act, DEP can issue standards more protective than federal standards when they are needed to protect public health, welfare and the environment from emissions of hazardous pollutants from new and existing sources.

The facilities in the region that use TCE are all in compliance with current regulatory requirements set by the EPA; however, their combined emissions have created a situation that requires further

restrictions on the emission of the chemical substance.

Newly released regulations set forth by the EPA regarding toxic air pollutants specifically exempts narrow tube manufacturers such as our region's two major offenders.

I am disappointed and disgruntled by the EPA's lack of protection against TCE emissions from narrow tube manufacturers. I plan to con-

tinue working with my colleagues and Secretary McGinty to have DEP create more strict guidelines or possibly even ban the use of these harmful chemicals in Pennsylvania.

I will also continue to express my concerns with the EPA over their lack of action and continue to push them to enact more stringent regulations on a national level.



Blue Knights Motorcycle Club meet with Senator Rafferty.

Returnable Beverage Container Provides Incentives, Helps Environment

This summer I was joined by my colleague, Senator John Eichelberger (R-30), to introduce legislation establishing a returnable beverage container program in the Commonwealth.

The proposed legislation functions much like returnable beverage container programs in other states. The redemption rate for returnable containers will be five-cents per container, which includes a two-cent handling fee for retailers and redemption centers to cover their costs associated with the handling and storage of the containers.

There is also a provision in the legislation that addresses the reclamation of uncollected deposits. One hundred percent of unclaimed or abandoned deposits forfeited by the consumer will be recaptured by the Commonwealth and directed to the Pennsylvania Department of Treasury for subsequent deposit into the Hazardous Sites Cleanup Fund, which provides the following environmental benefits for our state:

- Finances cleanup projects at abandoned industrial facilities and contaminated sites where the responsible party is either unknown or financially unable to conduct the necessary work.
- Ensures a statewide emergency response network and enables the Pennsylvania Department of Environmental Protection (DEP) to provide interim cleanup actions to remove contaminants and stabilize serious environmental releases.
- Provides the Commonwealth's 25 percent match for the Resource Conservation and Recovery Act, the federal hazardous waste program, and the state's 10 percent match for the Comprehensive Environmental Response Compensation Liability Act, commonly called Superfund.

- Finances the investigation of illegal hazardous waste disposal sites, and provides relocation expenses for residents and businesses affected by the release of hazardous substances.
- Supports DEP's Household Hazardous Waste Program, including electronics recycling and mercury diversion to prevent hazardous

chemicals from entering state landfills.

Currently, 11 other states have similar beverage container legislation. Senator Eichelberger and I will continue to work with our colleagues this fall to build support for this legislation and get it signed into law.

Website Offers Information on Services, Legislation

As part of an effort to provide the people of the 44th District with easy access to state services and programs, Senator Rafferty provides a user-friendly website: **senatorrafferty.com**.

The website includes important downloadable forms, information about pending legislation, state laws, agencies and programs, special sections of interest to senior citizens, veterans and kids, as well as links to other government and civic organizations.

"There is a wide variety of information available on my website," said Senator Rafferty. "It is an excellent resource for busy people who like to keep track of state government's activities and how it affects their everyday lives – when it's convenient for them."

senatorrafferty.com



Students from Shamona Creek Elementary School – part of the Downingtown Area School District – visited the Capitol and met Senator Rafferty on May 22, 2007.

Satellite Office Schedule Extended Hours

To better serve the constituents of the 44th Senatorial District, Senator Rafferty has three satellite office locations to answer your questions and hear your concerns on issues involving the state government.

Satellite office hours are as follows:

Amity Township Building

2004 Weavertown Road
Douglassville, PA 19518
610-689-6000

*Second Friday of each month -
Noon to 3:00 p.m.*

West Brandywine Township Building

198 Lafayette Road
Coatesville, PA 19320
610-380-8200

*Third Friday of each month -
Noon to 3:00 p.m.*

Whitpain Township Building

960 Wentz Road
Blue Bell, PA 19422
610-277-2400

*Fourth Friday of each month -
Noon to 3:00 p.m.*

Senator Rafferty's main offices - located at 3770 Ridge Pike, Collegeville in Montgomery County and 2325 Pottstown Pike, Pottstown in Chester County - offer extended hours in addition to the 9 a.m. to 4:30 p.m. office hours. The Collegeville office is open every Saturday from 9 a.m. to noon and the Pottstown office is open late every Wednesday night to 7:00 p.m. excluding Senate holidays.



Illegal Immigration Issues - *Continued from page 1*

accordance with the memorandum of understanding. In counties of the first class, the district attorney may designate up to four law enforcement officers to be trained and in counties of the second class, second A class, and third class, the district attorney may designate up to three law enforcement officers for this task. In smaller counties, the district attorney may designate one law enforcement officer.

In addition to this piece of legislation, I am introducing a second bill that would make businesses more accountable in regards to their hiring practices.

This proposed bill would require business entities to provide an affidavit stating that the business entity does not knowingly employ any person who is an unauthorized alien and will also require the business entity to provide documentation that the business has enrolled in the Basic Pilot Program. These two actions would have to be completed in order for

the contractor or business entity to obtain any license or permit within a particular municipality.

This legislation also carries penalties associated with violations related to the employment of illegal aliens and assigns the Pennsylvania Secretary of State to the enforcement of the provisions within the legislation.

I plan to introduce this package of legislation in the fall, and I am rallying support from my colleagues to co-sponsor these bills. The effects of illegal aliens in the Commonwealth create a burden on our healthcare system, education system, and on our economy. I completely support the notion of coming to America legally by following the proper procedures and laws with the intention of becoming a citizen. However, illegally entering the U.S. to take advantage of our jobs and healthcare systems is not acceptable and both our Federal and state government must be more proactive in addressing the issue.

Legislation Aims to Strengthen Jessica's Law

Nothing is more valuable to a parent than the safety of their children. That's why I introduced legislation this summer that would protect our state's children from violent sexual predators by strengthening Jessica's Law.

Senate Bill 883 would establish strict child protection zones around schools, daycares and playgrounds, prohibiting any sexually violent predator who committed a sexual offense against a child from entering a child protection zone.

In a city of the first, second, second A or third class or a borough having a population in excess of 3,000 people, the proposed protection zone would be 1,500 feet. In all other areas, the proposed protection zone would be 3,000 feet.

Any sexual offender who enters a child protection zone would face third-degree felony charges.

Since being elected to office, protecting the Commonwealth's children from sexual predators has been one of my top priorities, and I will remain committed to that mission by constantly seeking new methods to protect our children through the use of innovative technology and stricter enforcement.

Legislative Agenda -

Continued from page 2

controversial issues remaining from the spring session is the smoking ban. Several pieces of legislation have been created with varying levels of exemptions ranging from an all-out ban to major exemptions for bars, nightclubs and casinos.

Illegal Immigration - Both the House and Senate plan to address the concerns of illegal immigration in the Commonwealth. I plan on introducing a package of legislation that will deal with this sensitive issue.

Pennsylvania's "Do Not Call" List Blocks Telemarketers

I strongly encourage Commonwealth residents to register or re-register on the state's "Do Not Call" list, which removes your home and cellular phone numbers from telemarketing lists.

In 2002, the General Assembly enacted a law creating the "Do Not Call" list, intended to protect the privacy of citizens in their homes who do not want to be hassled by unsolicited phone calls from telemarketers.

Pennsylvania has contracted with the nonprofit Direct Marketing Association to maintain the list of consumers who want to avoid telemarketing calls. The association is responsible for updating the list and providing that list to telemarketers on a quarterly basis.

The list has been a huge success since it was created; however, it only covers a five-year period, so the original registrations are scheduled to expire in 2007. Individuals who

registered in 2002 must re-register now, or their number will be dropped from the "Do Not Call" registry on November 1.

Telemarketers who violate the law face fines and penalties, and the law also prohibits telemarketers from blocking their phone number from a resident's caller identification device. A violation of the law carries a civil penalty of up to \$1,000, or \$3,000 if the person contacted is age 60 or older.

To add your name and phone numbers to the "Do Not Call" list, visit my website at senatorrafferty.com and click on the "Do Not Call" logo. You can also register by calling a toll-free hotline at 1-888-777-3406.

The only information you are required to provide to be registered is your name, address and phone number. Cell phones may also be registered in addition to land lines.



**State Senator
John Rafferty**

44TH DISTRICT LEGISLATIVE OFFICES

Collegeville Professional Center, 3770 Ridge Pike
Collegeville, PA 19426
(610) 831-8830 • FAX (610) 831-8837

The Shoppes at Pughtown, 2325 Pottstown Pike
Pottstown, PA 19465
(610) 469-8390 • FAX (610) 469-8394

Senate Box 203044, Harrisburg, PA 17120-3044
(717) 787-1398 • FAX (717) 783-4587 • TTY (800) 364-1581

Email: jrafferty@pasen.gov • Website: senatorrafferty.com