

STATE REPRESENTATIVE

Fall 2017

# Joseph A. PETRARCA

55TH LEGISLATIVE DISTRICT

DEMOCRATIC CHAIRMAN, HOUSE JUDICIARY COMMITTEE



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## State budget completed

***Petrarca votes 'no' on budget-related bills that include tax, fee increases, heavy borrowing***

At the end of June, the General Assembly — without my support — passed a bipartisan spending plan. The problem was it spent over a half billion dollars more than last year and it did not include a way to pay for it. And then it took another four months for legislative leaders to agree on how to get it done.

While the budget does provide more money for education, which helps keep our property taxes down, support efforts to grow more jobs, protect core services for state residents and communities, and let us continue the fight against the heroin epidemic, I could not support it because I did not believe it was prudent to pass a state budget in this way.

I believe in fiscal restraint, and have never voted for a tax increase. As such, I also voted against several budget-related bills that raised state taxes and fees, and require repayment of huge borrowing.

The net effect of the bills is a series of targeted tax hikes totaling \$85 million, fee increases on things such as death certificates, and the borrowing of \$1.5 billion against future tobacco settlement funds that will need to be repaid with substantial interest.

Whether it's through higher taxes on fireworks, a fee hike for getting a permit or a report, or the need to pay interest on a huge loan, the taxpayer ends up footing the bill. And I'm unequivocally on the taxpayer's side, as I always have been. That's why I also voted against a bill that expanded gambling, because it favored big, corporate casino interests at the expense of hardworking, small, mom-and-pop tavern owners and local club organizations. The bill did not include legalizing video poker games for fraternal and veteran clubs. We should be helping local clubs and businesses, rather than sending video poker machine profits to huge corporations out of state.

I also am concerned about the wisdom of plugging a fiscal hole with massive borrowing that could take up to 30 years to be repaid. That's a tab that our children and grandchildren will likely end up paying off, which is completely unacceptable to me. We should not live beyond our means and expect our children to pay for it.

It's extremely shortsighted to solve today's budget dilemma by borrowing against future revenues. And if those tobacco revenues fail to come in, for whatever reason, the payment situation could go from bad to worse — possibly much worse.

## No budget, no paycheck

I have long held the belief that if the General Assembly doesn't complete one of its main responsibilities — enacting a state budget — its members should not get paid. In fact, I have introduced legislation that would make that happen. But in the meantime, I have practiced what I have preached.

Just like I did during the budget impasse of 2015-16, I had gone without a paycheck from July until the budget was settled. I again urged my colleagues to put aside partisan politics and come together to finish its task. I did not — and do not — feel it was right to take a paycheck until the budget was completed.

# Petrarca supports pension reform, pension forfeiture for crimes

As a longtime advocate for responsible pension reform, I voted for a change to the state's pension system. The new law was the result of years of bipartisan work and compromise.

Act 5 of 2017 creates a new pension system for state workers and public school teachers hired after 2019. The new system offers future public employees a choice among three retirement savings options – two hybrid defined benefit/defined contribution plans and a defined contribution retirement plan.

No proposal is perfect. Pennsylvania's pension crisis is not going to magically disappear, however, these changes are modest, but a significant first step toward fiscal solvency in Pennsylvania's public pension plans. The new law is expected to save the state \$1.4 billion over 30 years, while also reducing the future risk to taxpayers by more than 50 percent.

It does so by increasing employee contributions for new hires of the State Employees' Retirement System and Public School Employees' Retirement System while reducing benefits. Current employees can opt in as well.

On a similar note, I also supported a bill to expand the list of offenses that would result in elected officials' forfeiture of their pension benefits. Under H.B. 939, any elected official who pleads

guilty; no contest; or is found guilty by a judge or jury of a felony, or crime punishable by over five years imprisonment will result in forfeiture of their pension benefits. The Senate now has this bill.

I think elected officials must be held accountable for breaking the trust of the public.

Currently, pension forfeiture is only triggered by a limited number of offenses related to public office. They include: forgery, tampering with records or identification, misapplication of government property, bribery, perjury, taking bribes, tampering with evidence and witness intimidation.



## Medical marijuana 1.5 years on

On April 17, 2016, Gov. Wolf signed the medical marijuana bill into law. It was an historic event, and I was pleased to have played a large part in developing the legislation and working to get the bill passed into law.

However, it takes time to set up a program of this magnitude that has the safeguards we need.

### So far, the Health Department has:

- Issued more than 320 safe harbor letters to parents, legal guardians and caregivers of eligible minors certifying that they may lawfully obtain and transport medical marijuana from other states into the commonwealth for approved use.
- Granted 12 grower/processor permits — two grower/processors for each of the six medical marijuana regions across Pennsylvania (we are in region 5 — Southwest); two growers already have been approved to start growing — one in Jefferson County and the other, Luzerne County.
- Granted an initial 27 dispensary permits, five of which are in our region, which must become operational before they can dispense medical marijuana (eventually, there will be 52 dispensaries located across the state).
- Registered more than 100 physicians to participate in the program.
- Launched the Medical Marijuana Patient and Caregiver Registry, <https://padohmmp.custhelp.com/app/login>, which is the first step for Pennsylvanians who want to participate in the medical marijuana program. To date, more than 6,000 patients have registered for the program.

Despite the significant interest and input from stakeholders, the Health Department has adhered to the timeline of early next year to get this drug to patients in need. If you are interested in learning more about medical marijuana in the state, visit [www.pa.gov/guides/pennsylvania-medical-marijuana-program](http://www.pa.gov/guides/pennsylvania-medical-marijuana-program), and reach out to my offices with any additional questions or concerns.

## House passes bill eliminating waiting period for marriage licenses

In order to get married in Pennsylvania, a couple applying for their marriage license must wait three days before receiving it. In this day and age, that's an outdated proposition; there's no need to delay the process. The waiting period was established when most states, including Pennsylvania, required blood tests before issuing a marriage license. Since that test hasn't been required for 20 years, there's no need to delay the process, especially when the delay has adversely affected military men and women on leave who wish to marry.

My proposal would let the happy couple receive their license instantly. The measure was approved by the House Judiciary Committee and the full House. It now awaits consideration by the Senate.

## Statute of limitations bill moves to House for consideration

Earlier this year, the House Judiciary Committee considered a bill that would abolish the criminal statute of limitations for future criminal prosecutions of child sexual abuse, allowing authorities who can prove beyond a reasonable doubt that a crime was committed to bring charges at any time. It also would extend the civil statute of limitations by 20 years, giving victims until age 50 to file a civil suit, rather than the current age of 30.

This is an important bill for Pennsylvania children. Not only would it help to protect our children, it also would help child sex abuse survivors to seek justice.

Another aspect of the bill would waive the sovereign immunity for public institutions, which would allow civil lawsuits to be filed against them. Whether it is a private or public school that is grossly negligent in protecting a child, the recovery should be the same. I was successful in enhancing this bill to remove the cap on damages for governmental entities.

My amendment was important because it levels the playing field between individual offenders and public institutions. The amount of compensation victims receive should not be based on where they were abused.

I will keep you up to date on the progress of this important bill.

## Increasing awareness of organ donation

I have again introduced my bill that would update Pennsylvania's organ donation law.

Commonly referred to as the Donate Life PA Act, the bill would create a comprehensive framework for public education on organ and tissue donations, clarify the methods for making such donations, streamline the process of working with law enforcement in deaths under investigation and update the law to reflect the best clinical practices to support donations for transplantation.

Every 18 hours, someone in Pennsylvania dies waiting for an organ that never comes. That's why this measure is so important.

Our current law was crafted in 1994 by my father who was an organ donation recipient. That law helped set a national standard for anatomical donations, but we haven't made any changes to our law since then, and our Uniform Anatomical Gift Act is sorely in need of updating. That's what my bill would do.

## Deadline fast approaching for Property Tax/Rent Rebate applications, help available

My offices have Property Tax/Rent Rebate Program applications for eligible residents for the 2016 tax year, and we're ready to help!

The rebate program benefits eligible Pennsylvanians 65 or older, widows and widowers 50 or older, and people with disabilities 18 or older. The income limit is \$35,000 a year for homeowners and \$15,000 annually for renters. Half of Social Security income is excluded and the maximum standard rebate is \$650.

Claimants must reapply for rebates every year because rebates are based on annual income and property taxes or rent paid annually. Spouses, personal representatives or estates may file rebate claims on behalf of deceased claimants who lived at least one day in 2016 and met all other eligibility criteria.

Rebates are being distributed, but if you haven't yet applied, there's still time. The program's deadline is Dec. 31.

Please ignore offers to assist with filing the application for a fee. My offices offer help at no charge, and the Revenue Department does not charge a fee to process your application.





**It was an honor to spend part of Veterans Day with the men and women of Vandergrift American Legion Post 114 and VFW Post 566.**

## **Petrarca pushes for Officer Down alert system**

I support a bill that would create the Officer Down system. It would do for an at-large suspect in an assault on a law enforcement officer what the Amber Alert system does for a kidnapping victim — use media broadcasts and messaging signs along highways to help locate the vehicle and individual.

This bill would provide a tremendous tool to aid in the apprehension of those suspected of causing serious injury or death to a law enforcement officer.

Under the measure, the Pennsylvania State Police would establish and maintain the PA Officer Down Advisory. Here is what would activate the Officer Down alert system:

- A law enforcement officer was killed or seriously injured by an offender;
- The offender poses a serious risk or threat to the public and other law enforcement;
- The offender's vehicle, vehicle tag or partial tag is available for broadcast; and
- The law enforcement agency recommends activation of the system.

The House of Representatives passed this bill, H.B. 31, in early February. The next step is passage by the Senate before it can be signed into law.

## **Police body cameras subject of new law**

Police body cameras have been growing in popularity as a way to protect both the public and the police officers themselves. However, there also have been concerns about when to use them and how long to retain the information provided by the body cameras.

My committee held a public hearing in Latrobe last year on the issue, which reiterated a need for the state to implement uniform rules for the use of body cameras.

The governor recently signed a bill into law which I supported that regulates the use of body cameras.

The law permits law enforcement officers to make audio and video recordings and requires state police to annually establish standards for their storage. It also prevents the body camera recordings from being subject to the right-to-know law, but sets up a special process for the public to request a recording.

The Pennsylvania State Police received a federal grant for a body camera pilot program, and about 30 troopers are scheduled to start wearing them by March.

## **Mandatory minimum sentences key to protecting citizens**

In an effort to better protect the public, I worked with my colleagues in the House Judiciary Committee to pass a bill that would bring back mandatory minimum sentences for a number of violent crimes.

The General Assembly had set mandatory minimum sentences, but they were struck down by the U.S. Supreme Court. The most recent bill is designed to fix the flaws identified by the courts and reinstate mandatory minimum sentencing.

Under the bill that passed the House, mandatory minimum sentences would be imposed for drug trafficking, trafficking drugs to minors and trafficking drugs in a drug-free school zone, as well as drug offenses committed with a firearm, offenses against an elderly person or infant, and offenses committed while impersonating a law enforcement officer.

This bill is important for both law enforcement and victims. Mandatory minimum sentences send a message to criminals that they will be punished. The bill passed the House and is now before the Senate for review.

# Libre's Law signed

## New protections for animals

In a rare outdoor ceremony in June, the governor signed and enacted Libre's Law — the comprehensive overhaul of Pennsylvania's animal protection laws. The new law gives voice and rights for animals who provide us companionship and service, but can't speak for themselves.

I was proud to support the effort and shepherd the bill through my committee, which culminated with Act 10 of 2017 — better known as Libre's Law named for the cute Boston terrier pup who was rescued from a Lancaster County farm after weeks of severe neglect.

As we know, how you treat animals is a strong indicator of how you treat other people.

This would not have been possible without the efforts of animal lovers and their furry friends from across the commonwealth working together to push for these reforms.

It is now a felony to torture a pet, and anyone who severely abuses a horse or tethers a dog outside in extreme weather will face serious criminal charges and fines.

Those convicted of abusing or neglecting animals face forfeiture of their pets and animals.

Another provision offers limited civil immunity for veterinarians and humane society police officers who report suspected animal cruelty.

**Libre was in the spotlight during the bill-signing ceremony. Although left for dead last year on a Lancaster County farm after weeks of severe neglect, he's now a healthy and happy dog!**



**Libre joined the governor by adding his paw print to the new law. This new law gives animals that depend on us for care, comfort and compassion a new lease on life.**

## Don't leave pets in hot cars

I also supported legislation that would protect pets from being left in hot vehicles.



Under the measure, police or humane officers would have the authority to remove a dog or cat from the unattended motor vehicle if they believe the animal is endangered after a reasonable search for the owner or operator of the vehicle.

Police officers or other public safety professionals or humane officers who remove a cat or dog from an unattended vehicle will not be held liable for any damages.

This bill awaits action in the Senate.

## Petrarca introduces bill to protect the victims of human and sex trafficking

Each year, over 100,000 children are forced into human trafficking. They are manipulated into prostitution by drugs, violence, fear and often branded with a tattoo to identify them as property. However, rather than being rescued from their abusers, these children forced into sex trafficking are too often arrested for prostitution or related offenses and sent to prison. For this reason, I have introduced a bill to address this problem. If they're labeled as criminals, they become a permanent law enforcement problem.

The bill would give our exploited children a second chance at a successful, productive life. We owe them that chance. It would require sexually exploited children to be redirected from the criminal justice system and placed into the appropriate human services network. The Pennsylvania Department of Human Services would implement a statewide system to provide safe and stable housing, education, life-skills training, and counseling to children forced into prostitution. Moreover, police officers would receive training to successfully identify and rescue them.

According to FBI agents, sex trafficking has been taking place throughout western Pennsylvania for the past few years. Last year, I co-sponsored a bill which would have abolished the statute of limitations regarding serious sexual abuse crimes, including human trafficking. We must continue to fight to protect children who may fall victim to this heinous crime.

As a father of four sons and a daughter, it is important to me that we keep our kids safe. These children are victims, not criminals, and we must protect them and go after the real criminals. If you see something suspicious, say something. We must work together to keep our communities and families safe, and provide a brighter future for tomorrow's Pennsylvanians.



STATE REPRESENTATIVE

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lpo.jc.1117

### My office can help you with:

- Car registrations, special tags, duplicate titles and license applications
- Information on financial assistance for higher education
- Birth and death certificate applications
- Pennsylvania income tax questions
- Requests for literature of all kinds – bills, regulations, statutes, Pennsylvania maps, senior citizen information, etc.
- Disability plates and placards
- Citations from the Pennsylvania House of Representatives for outstanding local accomplishments and family milestones
- PACE and PACENET applications for senior citizens
- Property Tax/Rent Rebate questions or help
- Information regarding unclaimed property
- Free notary service

***Any issues with state government!***

## Addressing Pa.'s problem of Real ID

It shouldn't have taken this long or been this complicated or expensive, but Pennsylvania is on track to fix the Real ID problem with our state driver's licenses.

I supported amended legislation that will enable Pennsylvanians to continue to gain access to federal buildings and military bases and to fly from commercial airports.

The governor signed the bill into law, which hopefully should put the state on track to end the months-long snafu that threatened to disrupt travelers and businesses if Pennsylvania did not meet a deadline imposed by the federal government. That deadline has since been extended through Oct. 20, 2018, and more extensions may be forthcoming, since this law demonstrates to the Department of Homeland Security that the state is working to become compliant with federal law.

In the meantime, PennDOT is working to bring our driver's licenses into compliance and estimates that Real ID-compliant licenses and ID cards will be available at the customer's option in 2019.

For now, please know that the passage of this law gives us some breathing room and offers some peace of mind in knowing that you can visit a federal building or fly without being turned away at the gate.