

WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – DAVID G. ARGALL, CHAIRMAN

Monday, January 30, 2017

[Senate Bill 138](#) (Yaw) would amend Act 60 of 1979, the Oil and Gas Lease Act, to provide protections for leaseholders. Under the provisions of the bill, a lessee would be required to include a unique property identification on documentation relating to royalty payments and to make required payments to the lessor within 90 days of production, unless otherwise provided in the contract. If the proceeds total less than \$100 in three months, the lessee could remit them quarterly to the lessor. Late payments would have to be paid at the legal rate of interest. A section would be added regarding joint ventures which would require the following information to be provided annually to interest owners if the joint venture company is separately paying its share of the royalty: 1) name of the company; 2) company address; 3) company telephone number; and 4) the proportionate share of oil or natural gas that each joint venture markets.

Provisions would also be added to allow a lessor or someone acting on their behalf to inspect the supporting documentation of a lessee for payment information for any property for which the lessor has been paid royalties within the three-year period immediately preceding the date of the request. The lessor would be required to make a written request to inspect the records and could make a request no more than once a year. Within 30 days of receipt of the written request, the lessee would have to: designate a location in Pennsylvania for inspection which is within a reasonable travel distance; designate a mutually agreed upon date for inspection or a date within 90 days; designate a reasonable time for inspection; provide supporting documentation of payment information including invoiced amounts for services provided; and have a knowledgeable person available to answer any questions. The information which is inspected would have to remain confidential. [Passed: 48-0.](#)

[Senate Bill 139](#) (Yaw) would establish the Natural Gas Lease Anti-Retaliation Act to protect a lessor of natural gas rights who reports a violation or suspected violation of a contractual agreement. A lessee would be prohibited from ceasing development or production or taking other reprisals against a lessor due to a good faith action by the lessor. If a lessor believes a reprisal has occurred, the lessor could bring a civil action within one year of the alleged violation. A lessor would be required to show by a preponderance of the evidence that the action meets the definition of a good faith action and that the retaliatory action was taken by the lessee after the lessee became aware of the action of the lessor. A court finding in favor of the lessor could order the lessee to pay reasonable damages and could impose a civil fine of up to \$1,000 per day. A court finding in favor of the lessee could order the lessor to pay reasonable damages to the lessee. [Passed: 48-0.](#)

[Senate Resolution 14](#) (Tomlinson) designates the week of January 29 through February 4, 2017 as “Physician Anesthesiologist Week” in Pennsylvania. [Adopted: 48-0.](#)

[Senate Resolution 15](#) (White) designates February 6, 2017 as “Mutual Insurance Day” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 16](#) (Boscola) recognizes the month of January 2017 as “National Blood Donor Month” in Pennsylvania. [Adopted by Voice Vote.](#)

Tuesday, January 31, 2017

[Senate Bill 69](#) (Eichelberger) would amend Section 5511 (Cruelty to animals) of Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes to add “equine animal” to the animal cruelty provisions of the section. The bill would also require a person that kills, maims, disfigures, tortures or administers poison to a guide, hearing or service dog to make, in addition to any other applicable penalty, reparations for veterinary costs for the treatment of the dog and, if necessary, the cost of obtaining and training a replacement dog. [Passed: 49-0.](#)

[Senate Resolution 6](#) (Vulakovich) is a concurrent resolution establishing a special bipartisan bicameral legislative commission to recommend improvements to the delivery of emergency services in the Commonwealth and to develop and promote legislation in the furtherance of its recommendations. [Adopted: 48-0.](#)

[Senate Resolution 17](#) (Greenleaf) recognizes the month of January 2017 as “National Human Trafficking Awareness Month” in Pennsylvania. [Adopted by Voice Vote.](#)

Wednesday, February 1, 2017

[Senate Bill 261](#) (Scarnati) would amend Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes regarding the civil and criminal statute of limitations for child sexual abuse. The measure would allow an individual to bring a civil action arising from childhood sexual abuse up to 32 years after attaining 18 years of age (current law allows for 12 years) when the child is under 18 years of age at the time the cause of action accrues. There would be no time limit on a civil action against the individual who committed the abuse, anyone who conspired with the person to commit the abuse, and anyone who knew of the abuse and did not report it. The measure would also remove the statute of limitations for the sexual offenses listed in the bill when committed against a child under 18 years of age. The extended criminal statute of limitations would also apply to those who are criminally liable for conspiracy or solicitation to commit any of the offenses. An additional change would waive sovereign and governmental immunity for conduct which constitutes an offense under the new provisions if the conduct caused injury to the plaintiff and the state or local agency acted with negligence. [Passed: 48-0.](#)

[Senate Resolution 18](#) (Tartaglione) recognizes February 3, 2017 as “National Wear Red Day” in Pennsylvania. [Adopted: 48-0.](#)