

WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – DAVID G. ARGALL, CHAIRMAN

Monday, April 4, 2016

[Senate Bill 881](#) (Blake) would amend Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes to modify the definition of “public utility” to exempt any sewer or water service provided to independently-owned user premises by a person or corporation that owns and operates as a primary business a resort, if the requirements outlined in the legislation are met. The act would apply retroactively to January 1, 2009. **Passed: 48-0.**

[Senate Bill 1104](#) (Greenleaf) would amend Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes to make a number of changes. Among other provisions, the legislation would:

- Provide direction as to which procedures are to be used in determining title to a decedent’s real estate interests;
- Stipulate that by accepting appointment by the register of wills, the personal representative submits to the jurisdiction of the Orphans’ Court of the county where letters testamentary or letters of administration are granted relating to the personal representative’s duties;
- Expand the provision on continuation of a business to include partnerships, limited liability companies or other entities and provide for the compensation of a personal representative managing, supervising or engaging in the operation of the entity or business;
- Specify the authority of an agent under a power of attorney to make gifts and to disclaim interest in property;
- Clarify the provisions governing a health care power of attorney and the extent to which the health care power of attorney would remain in effect;
- Add Chapter 76 (Powers of Appointment) to the Probate Code and repeal the current provisions relating to powers of appointment;
- Amend the Uniform Trust Act, Chapter 77 of the Probate Code, as it deals with representation of parties in interest relative to a judicial proceeding involving a trust matter; non-judicial resolution of a trust matter; certification of representation; division of trusts with court approval; resignation of a trustee; the duty to inform and report thereby allowing a current beneficiary to nominate a person to receive required notices; and limitations of actions against a trustee; and,
- Codify the Charitable Instruments Act of 1971 as Chapter 79 in the Probate Code and repeal Act 23 of 1971, known as the Charitable Instruments Act of 1971. **Passed: 48-0.**

[Senate Resolution 267](#) (Schwank) directs the Joint State Government Commission to establish an advisory committee to study issues relating to the need for, availability of and access to effective drug addiction treatment in the Commonwealth and to report its findings and recommendations to the Senate within 18 months. **Adopted by Voice Vote.**

[Senate Resolution 319](#) (Tomlinson) designates the month of April 2016 as “Pennsylvania 8-1-1 Safe Digging Month.” [Adopted by Voice Vote.](#)

[Senate Resolution 320](#) (Tartaglione) designates the month of April 2016 as “Sexual Assault Awareness Month” in Pennsylvania. [Adopted by Voice Vote.](#)

Tuesday, April 5, 2016

[Senate Bill 374](#) (Alloway) would amend Title 34 (Game) of the Pennsylvania Consolidated Statutes to require the tagging and reporting of big game kills within the time frame set by the Game Commission. Under the existing provisions, the tagging and reporting must be done within 10 days of the kill. [Passed: 49-0.](#)

[Senate Bill 847](#) (Aument) would amend Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes to add a representative of the Korean War Veterans Association, Inc. to the State Veterans’ Commission. [Passed: 49-0.](#)

[Senate Resolution 322](#) (Teplitz) recognizes April 12, 2016 as “Equal Pay Day” in Pennsylvania in recognition of the need to eliminate the gender gap in earnings by women and to promote policies to ensure equal pay for all. [Adopted by Voice Vote.](#)

[Senate Resolution 323](#) (Teplitz) designates April 23, 2016 as “Phi Mu Fraternity Day” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 324](#) (Scavello) designates April 8, 2016 as “Cushing’s Syndrome Awareness Day” in Pennsylvania. [Adopted by Voice Vote.](#)

Wednesday, April 6, 2016

[Senate Bill 526](#) (Gordner) would amend the Second Class Township Code to extend the deadline for the board of auditors to complete their audit, settlement and adjustment from before the first of March to the first day of April each year. The date by which the township’s financial information must be published in one newspaper of general circulation in the township would also be extended from the tenth day of March to the fifteenth day of April of each year. An additional change would allow a township to publish concise financial information as outlined in the legislation and a reference to a place within the township where copies of the financial statements and accompanying auditor’s report may be examined. If the full financial statements and accompanying auditor’s report are not published, copies would have to be supplied to the publishing newspaper when the request for publication is submitted. [Concurrence in House Amendments: 48-0.](#)

[Senate Bill 579](#) (Greenleaf) would codify a number of statutes into Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes. The codification would include: the Pennsylvania Commission on Crime and Delinquency Law, the Deputy Sheriffs’ Education and Training Act, and the Crime Victims’ Act. The existing provisions in Title 44 relating to DNA data and testing

(Chapter 23) and constables (Chapter 71) would be retained and would not be affected by the consolidation. All activities initiated under the previous statutes would continue and remain in full force and effect. Unless otherwise specified in the legislation, any difference in language between the codification and the previous statutes would only be intended to conform to the style of the Pennsylvania Consolidated Statutes and would not be intended to change or affect the legislative intent, judicial construction or administrative interpretation and implementation of the laws. The freestanding statutes would be repealed. **Passed: 48-0.**

Senate Bill 644 (Folmer) would amend Title 71 (State Government) of the Pennsylvania Consolidated Statutes to require the Independent Fiscal Office (IFO) to provide a cost analysis for the current fiscal year and remaining subsequent fiscal years of the impact of each proposed collective bargaining agreement under the jurisdiction of the Governor, prior to execution. The Office of Administration and the Office of the Budget would be required to submit to the IFO, at least 20 days in advance of its execution, copies of each proposed collective bargaining agreement under the jurisdiction of the Governor. The entities would also have to provide the IFO with a detailed cost analysis comparing the collective bargaining agreement in effect at the time of the submission to projections for the proposed agreement. Additional information requested by the director of the IFO determined to be necessary to complete its analysis would have to be provided within four days. **Concurrence in House Amendments: 29-19.**

Senate Bill 973 (Scavello) would amend Title 18 (Crimes and Offenses) and Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to increase the fines for littering. The bill would amend the Crimes Code to increase the maximum fines for scattering rubbish from \$300 to \$1,000 for a first offense and from \$1,000 to \$2,000 for a second or subsequent. The legislation would also establish a schedule of fines for the crime based on the amount and weight of the materials littered. The changes to the Vehicle Code would establish a similar schedule of fines based on the amount and weight of the materials littered. The measure would also increase the fines for littering in specially protected areas such as agricultural security areas. Two-thirds of the fines would be transmitted to the county where an offense occurred if the county commissioners have established a litter board or other entity to administer solid waste management. **Passed: 48-0.**

House Bill 1340 (White) would amend the Uniform Condominium Act and the Uniform Planned Communities Act in Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes regarding amendments to declarations and liens for assessments. The measure would clarify that a unanimous vote of the unit owners would not be required for amendments to the declaration regarding the leasing of units. Rather, the amendments would require an affirmative vote of 67 percent of the membership. Additional provisions would extend the time frame an association has from three years to four years before the lien against a property is extinguished. **Passed: 48-0.**

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