

WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – DAVID G. ARGALL, CHAIRMAN

Monday, June 27, 2016

[Senate Bill 141](#) (Greenleaf) would amend Chapter 73 of Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, known as the Real Estate Seller Disclosure Law, to require the property disclosure form promulgated by the State Real Estate Commission to include disclosure about a property's location in a flood zone or wetlands area and the property's flood history, including the frequency and extent of flooding. [Passed: 49-0.](#)

[Senate Bill 1226](#) (Vulakovich) would amend Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes to update and align the Veterans' Trust Fund (VTF) and the Veterans' Emergency Assistance Program (VEAP). Among other provisions, the legislation would:

- Allow any charitable organization with a primary mission to serve Pennsylvania veterans to be eligible for grant funding under the Veteran's Trust Fund;
- Eliminate grants to statewide veterans' service organizations as an authorized expenditure from the VTF;
- Allow the Department of Military and Veterans Affairs to expend up to 10 percent of the VTF balance as of October 1 of the previous year for Department-sponsored training and informational programs for Pennsylvania veterans;
- Expand the list from which the Department can solicit and accept donations into the VTF to include foundations, a tax exempt organization, an estate, and a veterans' service organization;
- Change the name of the Veterans' Emergency Assistance Program to the Veterans' Temporary Assistance Program;
- Update the definition of "eligible veteran;" and add definitions for "necessities of living," "need for temporary assistance," and "program;"
- Require an applicant for VEAP assistance to demonstrate 1) they are eligible veterans or eligible surviving dependents; 2) they are a permanent resident of Pennsylvania who does not maintain a residence in any other state for any purpose; 3) they are not receiving sufficient monetary assistance from any federal or state agency based on the current need; 4) there are no other funds or resources available to address the need for temporary assistance; and 5) they have an immediate need for temporary assistance in order to provide themselves and their families with the necessities of living;
- Stipulate that the temporary assistance payments could not exceed the established maximum assistance or the documented amount of need, whichever is less, and that no

person would be eligible to receive more than the established maximum assistance in any 12-month period; and

- Require the Department of Military and Veterans Affairs to determine uniform and equitable standards for the amount of assistance and to report periodically to the State Veterans' Commission on the program. **Passed: 49-0.**

Senate Bill 1265 (White) would amend Act 173 of 1975, which provides for facilitating the use of electronic funds transfer, to provide for payroll debit cards. Section 1.1 would be added to the act stating that, for the purposes of any statute, rule or regulation requiring payment to be made in lawful money or by check, the payment could be made by credit to an account in a financial institution, including a payroll card account, if the recipient has authorized the method of payment. A section on consumer protections would also be added requiring financial institutions to provide the employee or other payee with certain information when wages, salaries, commissions or other payments are transferred to an account. An employer would be required to provide an employee with a written or electronic statement of earnings and deductions each pay period and meet the other requirements outlined in the legislation when payment of wages, salaries, commissions or other compensation is made through transfers to a payroll account. This act would supersede any inconsistent provision of any other state statute, rule or regulation. An authorization for the payment of wages, salaries, commissions or other compensation by a payroll card account made prior to the effective date of Section 2.1 of the act would remain valid until the employee requests a change of payment method. The bill would add the definitions of "financial institution" and "payroll card account" to the act. **Passed: 43-6.**

Senate Bill 1283 (Browne) would appropriate \$71,947,000 to the Public Utility Commission (PUC) for the operation of the commission for the 2016-2017 Fiscal Year. The bill would also appropriate \$1,425,000 in federal funds to the PUC to enforce the regulations of the Natural Gas Pipeline Safety Act and \$1,255,000 in federal funds for motor carrier safety. **Passed: 49-0.**

Senate Resolution 402 (Killion) designates the week of June 20 through 26, 2016 as "Heat Stroke Prevention Week" in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 403 (Dinniman) designates the week of August 1 through 5, 2016 as "YMCA Advocacy Week" in Pennsylvania. **Adopted by Voice Vote.**

House Bill 2034 (A. Harris) would authorize the Department of General Services to convey 0.24 acres and any improvements thereon in Beale Township, Juniata County, known locally as the historic Tuscarora Academy, to the Juniata County Historical Society for \$1. No portion of the conveyance could be used for a licensed gaming facility or it would revert to the Commonwealth. The conveyance would be made with the restrictive covenants outlined in the legislation for the historic preservation and integrity of the property. The restrictive covenants would be binding in perpetuity on the grantee and its successors. Costs and fees incidental to the conveyance would be borne by the grantee. If the conveyance is not effectuated within one year, the authority for the transfer would expire. **Passed: 48-0.**

[House Bill 2035](#) (A. Harris) would authorize the Department of General Services to convey 0.08 acres and any improvements thereon in Lewistown, Mifflin County, known locally as the historic McCoy House, to the Mifflin County Historical Society for \$1. No portion of the conveyance could be used for a licensed gaming facility or it would revert to the Commonwealth. The conveyance would be made with the restrictive covenants outlined in the legislation for the historic preservation and integrity of the property. The restrictive covenants would be binding in perpetuity on the grantee and its successors. Costs and fees incidental to the conveyance would be borne by the grantee. If the conveyance is not effectuated within one year, the authority for the transfer would expire. **[Passed: 48-0.](#)**

Executive Nominations

Numerous Statewide Judicial Nominations (Two-Thirds Vote Required). **[Confirmed: 48-0.](#)**

Tuesday, June 28, 2016

[Senate Bill 1221](#) (Costa) would amend the Intergovernmental Cooperation Authority Act for Cities of the Second Class to make a number of changes. Among other provisions, the legislation would:

- Clarify that action may be taken by the governing board of the Pittsburgh Intergovernmental Cooperation Authority (ICA) by a majority of the board members present;
- Apply the Procurement Code to the board and the State Adverse Interest Act and Public Official and Employee Ethics Act to the executive director;
- Require the ICA to include a detailed accounting of certain gaming revenues as part of its annual reports;
- Direct the ICA to establish and maintain a publicly accessible website with the information outlined in the bill;
- Require the ICA to adopt and publish a records retention policy consistent with the policy of the Office of Administration;
- Establish that the Secretary of Community and Economic Development could not certify that the authority is no longer necessary until oversight is terminated under the Municipalities Financial Recovery Act or June 30, 2019, whichever is later;
- Provide for the redistribution of gaming revenue if the authority is terminated; and,
- Establish a formal process for determining the use and distribution of gaming revenue for the City of Pittsburgh. **[Passed: 50-0.](#)**

[Senate Bill 1311](#) (Vance) would amend Title 23 (Domestic Relations) and Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes to make numerous changes to state law to ensure that Pennsylvania remains compliant with the federal Child Abuse Prevention and Treatment Act. The legislation would amend Section 2511 of Title 23 to expand the grounds upon which the rights of a parent with regard to a child could be involuntarily terminated. The addition would expand the list to include that the parent has been found by a court to have committed sexual abuse against the child or another child of the parent, or the parent is required to register with a sex offender registry. The bill would also expand the definition of “perpetrator” and “child abuse” under the Child Protective Services Act to cover certain crimes involving human trafficking. An additional change would expand the definition of “aggravated circumstances” in the Juvenile Act to include the fact that the parent of a child is required to register with a sex offender registry. **Passed: 50-0.**

[Senate Resolution 7](#) (Hughes) directs the Joint State Government Commission to study the issue of student suicide in higher education, to establish an advisory committee to conduct a thorough and comprehensive analysis of the underlying causes of student suicide and to report to the Senate with its findings and recommendations. **Adopted by Voice Vote.**

[Senate Resolution 398](#) (Browne) adopts a temporary rule of the Senate relating to amendments to the General Appropriation Bill and other appropriation bills for the fiscal year beginning July 1, 2016, including any amendments offered to or for supplemental appropriations for prior fiscal years. The temporary rule requires any amendment offered on the floor of the Senate to the 2016-2017 Budget that proposes spending from the General Fund or any special fund at a level different from the amount contained in the 2016-17 Budget as reported from the Appropriations Committee to contain sufficient revisions or reductions so that the amendment does not result in a net increase in total spending and yields a balanced budget based on current and projected revenues. The rule could be temporarily suspended only by a vote of the majority of the members elected to the Senate. The rule expires upon enactment of a General Appropriation Act for the fiscal year beginning July 1, 2016. **Adopted: 50-0.**

[Senate Resolution 404](#) (Teplitz) recognizes the month of August 2016 as “National and State Park Month” in recognition of the 100th anniversary of the National Park Service and the important role the 29 national parks and 120 state parks play in our communities and lives. **Adopted by Voice Vote.**

[Senate Resolution 405](#) (Baker) designates July 16, 2016 as “Anthracite Heritage Day” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 406](#) (Dinniman) recognizes the month of September 2016 as “Prostate Cancer Awareness Month” in Pennsylvania and acknowledges the importance of raising public awareness of the threat and causes of prostate cancer. **Adopted by Voice Vote.**

[House Bill 1877](#) (Barrar) would amend Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes by reauthorizing the Fire Company Grant Program and the Emergency Medical Services Companies Grant program (formerly known as the Volunteer Ambulance Service Grant Program) for an additional four years. The title of Chapter 78 would be changed

from “Grants to Fire Companies and Volunteer Services” to “Grants to Fire Companies and Emergency Medical Services Companies.” The authorized uses of fire company grants would be expanded to include the training and education of the general public regarding fire prevention. Certain fire companies would also be eligible to receive additional grants under a certification bonus point system to be administered by the Commissioner. In order to receive grant funds, a fire company must have actively responded to at least 10 fire or rescue emergencies during the previous calendar year and must actively participate in the Pennsylvania Fire Information Reporting System. The Fire Commissioner would also be authorized to establish additional uses of grant funds for paid municipal fire companies. The heading of Subchapter C would be changed from “Volunteer Ambulance Service Grant Program” to “Emergency Medical Services Grant Program.” In order to receive a grant under the program, an EMS company would have to be designated by a municipality as the municipality’s primary EMS provider. The Commissioner could use up to \$800,000 of any unencumbered funds remaining in the fund for administrative costs for grant program implementation. The grant program would be extended until June 30, 2020. [Passed: 50-0.](#)

Wednesday, June 29, 2016

[Senate Bill 613](#) (Vance) would amend the Human Services Code to delete language characterizing the Human Services Block Grant Program as a pilot program limited to 30 counties, thereby opening the program to any interested county. [Passed: 49-1.](#)

[Senate Bill 703](#) (McGarrigle) would create the Plumbing Contractors Licensure Act. The measure would establish the State Board of Plumbing Contractors in the Department of Labor and Industry composed of the Secretary of Labor and Industry or a designee, two public members and six professional members who have been actively engaged in the plumbing profession in the Commonwealth for at least ten years and meet the other qualifications outlined in the bill. All members would be appointed by the Governor, subject to the advice and consent of the Senate. The Board would have to meet within 30 days after the appointment of its first members, develop licensure applications, and educate the public regarding the requirements of the act. With the exception of the Secretary of Labor and Industry, board members would receive a per diem of \$60 on days spent attending to the business of the board. The Board, which would meet at least four times per year, would have the duty and power to:

- Provide for and regulate the licensing of individuals engaged in providing plumbing services;
- Approve professional testing organizations to administer licensure examinations, which may be in written, oral or practical form;
- Enact regulations enforcing the act;
- Keep a registry of individuals licensed by the Board;
- Submit an annual report to the Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee containing a description of

the types of complaints received, the status of the cases, the action which has been taken and the length of time from initial complaint to final resolution; and

- Submit the Board’s operational budget request annually to the Senate and House Appropriations committees.

It would not be the mission of the Board to actively solicit any municipality or other public entity to require a plumbing license for those performing plumbing services within their jurisdiction.

Under the provisions of the bill, no individual could hold himself out as an apprentice plumber, journeyman plumber or master plumber unless licensed by the board. Further, no person could use the title “licensed plumbing contractor” unless he is licensed as a master plumber by the Board. To qualify as a master plumber, a person would have to be at least 18 years of age, meet the education and experience requirements outlined in the bill, pay the fee established by the Board, pass the examination approved by the Board, and provide a current certificate of liability insurance in the amount of \$500,000. Requirements for apprentice and journeyman plumbers are also specified in the bill. In addition, the bill would provide for licensure without additional examination to persons who have worked as plumbers under municipal licenses for a specified period of time and who have previously passed a county or municipal test on a local plumbing code. The measure would also provide for licensing reciprocity with jurisdictions that offer reciprocity to plumbers licensed by Pennsylvania and have similar licensing requirements. The board would also be required to establish continuing education requirements.

Persons violating the terms of the act could be subject to a criminal fine of up to \$1,000 or not more than six months imprisonment for a first offense. For second and subsequent offenses, the offender would be subject to a criminal fine of not more than \$2,000 or to imprisonment for not less than six months or more than one year, or both. Offenders could also be subject to a civil penalty imposed by the Board of up to \$10,000. Criteria for license suspension or revocation are also specified.

Nothing in the act would prohibit first and second class counties from imposing their own plumbing licensure requirements in addition to the requirements of the act. The bill specifies that municipalities may not require plumbers with licenses issued by the Board to secure an additional municipal license to work within their boundaries, except for first and second class counties. All plumbing construction standards would be consistent with the requirements of the Pennsylvania Construction Code Act. The amount of \$85,000 would be appropriated to the Department of Labor and Industry to implement the act. [Passed: 45-5.](#)

[Senate Bill 1073](#) (Browne) would create the General Appropriation Act of 2016 to provide for the expenses of the Commonwealth, the public debt and the public schools for the 2016-2017 Fiscal Year. The \$31.53 billion proposed spending plan represents \$2 billion less than the Governor’s budget request. Among other highlights, the spending plan would:

- Earmark an additional \$200 million in state funds for basic education;

- Provide an increase of \$20 million for special education, an additional \$25 million for Pre-K Counts and \$10.4 million for early intervention;
- Increase funding for higher education by 2.5 percent;
- Allocate \$15 million to combat heroin and opioid addiction, including funds for emergency addiction treatment and behavioral health services;
- Increase funding for West Nile Virus and Zika Virus Control by \$1.4 million;
- Earmark enough funding for three new state police cadet classes;
- Restore funding for key agricultural programs, including \$2 million in new funding to combat avian flu; and
- Provide an additional \$16.59 million for the Department of Military and Veterans Affairs, including an increase of \$11.6 million for Veterans Homes. [Concurrence in House Amendments, as Amended by the Senate: 47-3.](#)

[Senate Bill 1267](#) (Rafferty) would amend Title 74 (Transportation) and Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to enhance PennDOT's Municipal Signal Program and to make other changes. The legislation would:

- Update the definitions for “critical corridor” and “designated corridor” to include municipal highways;
- Add county, incorporated towns and home rule municipalities to the definition of municipality;
- Allow a municipality to enter into an agreement with PennDOT to replace, synchronize, and time traffic signals located within a critical traffic corridor;
- Provide that PennDOT may own, install, replace, synchronize, time, operate or maintain traffic signals within Philadelphia or Pittsburgh; or within a municipality per a PennDOT approved traffic signal plan if PennDOT publishes the location of the signal or critical corridor in the *Pennsylvania Bulletin*;
- Require a municipality to enact an ordinance and enter into any agreement necessary to complete the transfer of all rights and duties related to Department-managed signals;
- Require PennDOT to develop a pilot program for Department-managed signals on one or more critical corridors, require the Secretary of Transportation to certify if the program has been successful by January 1, 2022 and, if successful, authorize the Department to maintain and expand the program;

- Allow a vehicle to proceed according to the current process for inoperable or malfunctioning signals when a traffic signal, which uses inductive loop sensors or other automated technology to detect the presence of a vehicle, is out of operation or not functioning properly;
- Extend the use of the automated red light enforcement (ARLE) program in Philadelphia and certain municipalities from July 15, 2017 to July 15, 2027;
- Require PennDOT, by June 1, 2017, to conduct an evaluation of the ARLE in Philadelphia and any municipality that has approved it and to report to the Chairs of the Senate and House Transportation Committees;
- Add language requiring that for FY 2016-17 and thereafter, the money appropriated from the Motor License Fund for traffic signals would have to include municipal and Department-managed signals, as well as intelligent transportation system applications, such as autonomous and connected vehicle-related technology; and
- Reduce the municipal match for the Green Light-Go Program from 50 percent to 20 percent, expand the types of acceptable local financial assistance and add metropolitan or rural planning organizations to the entities able to apply for the financial assistance.
Passed: 45-5.

Senate Bill 1292 (Browne) is the Capital Budget Act of 2016-2017. The bill would authorize the maximum indebtedness that the Commonwealth could incur during the fiscal year for capital projects specifically itemized in a capital budget project itemization act. The legislation would authorize: \$765,000,000 for buildings and structures; \$10,000,000 for furniture and equipment; \$175,000,000 for transportation assistance projects; \$150,000,000 for redevelopment assistance projects; and \$10,000,000 for flood control projects. **Passed: 50-0.**

Senate Resolution 275 (Reschenthaler) urges the Congress of the United States to pass H.R. 2646, the Helping Families in Mental Health Crisis Act of 2015. **Adopted by Voice Vote.**

Senate Resolution 394 (Vogel) directs the Joint State Government Commission to study the issue of voting system technology and to report to the Senate its findings and recommendations. **Adopted by Voice Vote.**

Senate Resolution 407 (Dinniman) designates the month of September 2016 as “Mushroom Month” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 408 (Scavello) designates the month of July 2016 as “Free Community Paper Month” in Pennsylvania. **Adopted by Voice Vote.**

House Bill 64 (Adolph) would create the Matt Adler Suicide Prevention Continuing Education Act. The measure would direct the State Board of Psychology and the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors to require their licensees to complete at least one hour of continuing education in the assessment, treatment and

management of suicide risks as a portion of the total continuing education required for license renewal. **Passed: 50-0.**

House Bill 1062 (Killion) would amend the Human Services Code to make a number of changes. Among other modifications, the measure would:

- Phase out the obligation of counties operating public nursing facilities to pay a yearly fee to the Department of Human Services (DHS) in conjunction with the use and expansion of the Community Health Choices program. The fee would be completely eliminated by 2019;
- Direct DHS to temporarily suspend, rather than terminate, medical assistance benefits for incarcerated individuals. Benefits could not be suspended for more than two years and would be active upon the inmate's release as long as they are otherwise eligible;
- Extend the Nursing Facility Budget Adjustment Factor for three years to ensure payments to nursing facilities do not exceed funding appropriated;
- Authorize medical assistance day-one payments for nonpublic nursing facilities for one year;
- Extend both the Nursing Facility Assessment and the Intermediate Care Facilities for Persons with an Intellectual Disability assessment for three additional years;
- Move the Pennsylvania eHealth Partnership Authority to DHS;
- Extend the Philadelphia hospital assessment for three years, excluding free-standing cancer hospitals; and
- Eliminate the requirement that DHS have enforcement and licensure staff dedicated solely to assisted living facilities. **Passed: 49-0.**

House Bill 1335 (Lawrence) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to remove the requirement that the Pennsylvania Turnpike Commission provide for the installation and maintenance of emergency telephones along the Turnpike every two miles on both sides of the highway along a 50-mile stretch of the Turnpike between Exits 8 and 11. The bill would also repeal a provision that created a one-year pilot program for the Turnpike Commission to install emergency telephones and report the use and cost of maintaining them. **Passed: 49-1.**

House Bill 2175 (Markosek) would appropriate \$1,470,000 from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development for its operational expenses for the 2016-2017 Fiscal Year. **Passed: 50-0.**

[House Bill 2176](#) (Markosek) would appropriate \$24,567,000 from the State Employees' Retirement Fund to the State Employees' Retirement Board for its operational and administrative expenses for the 2016-2017 Fiscal Year. **[Passed: 50-0.](#)**

[House Bill 2177](#) (Markosek) would appropriate \$5,492,000 from a restricted revenue account in the General Fund to the Office of Consumer Advocate in the Office of Attorney General for its operational expenses for the 2016-2017 Fiscal Year. **[Passed: 50-0.](#)**

[House Bill 2178](#) (Markosek) would establish the Gaming Control Appropriation Act of 2016. The bill would appropriate monies from the State Gaming Fund for salaries, wages, and necessary expenses related to gaming, as follows:

- Pennsylvania Gaming Control Board, \$40,169,000;
- Pennsylvania State Police, \$28,485,000;
- Department of Revenue, \$6,966,000; and
- Attorney General, \$1,223,000. **[Passed: 50-0.](#)**

[House Bill 2179](#) (Markosek) would appropriate \$81,228,000 from the Workmen's Compensation Administration Fund to the Department of Labor and Industry for the administration of the Workers' Compensation Act and the Pennsylvania Occupational Disease Act for Fiscal Year 2016-2017. The bill would also appropriate \$274,000 from a restricted revenue account within the Workmen's Compensation Administration Fund to the Office of Small Business Advocate for Fiscal Year 2016-2017. **[Passed: 50-0.](#)**

[House Bill 2180](#) (Markosek) would appropriate \$8,640,000 from the Philadelphia Taxicab and Limousine Regulatory Fund and \$2 million from the Philadelphia Taxicab Medallion Fund to the Philadelphia Parking Authority for the 2016-2017 Fiscal Year. **[Passed: 50-0.](#)**

[House Bill 2182](#) (Markosek) would appropriate \$44,739,000 from the Public School Employees' Retirement Fund to the Public School Employees' Retirement Board for its operational and administrative expenses for the 2016-2017 Fiscal Year. **[Passed: 50-0.](#)**

[House Bill 2183](#) (Markosek) would appropriate \$45,383,000 from the Professional Licensure Augmentation Account within the General Fund to the Department of State for the operation of the Bureau of Professional and Occupational Affairs, including the State Board of Auctioneer Examiners, during the 2016-2017 Fiscal Year. Other appropriations listed in the bill for operational costs during the 2016-2017 Fiscal Year include: \$8,405,000 to the State Board of Medicine; \$1,563,000 to the State Board of Osteopathic Medicine; \$250,000 to the State Board of Podiatry; and \$592,000 to the State Athletic Commission. **[Passed: 50-0.](#)**

[House Bill 2184](#) (Markosek) would appropriate \$71,947,000 to the Public Utility Commission (PUC) for the operation of the commission for the 2016-2017 Fiscal Year. The bill would also

appropriate \$1,425,000 in federal funds to the PUC to enforce the regulations of the Natural Gas Pipeline Safety Act and \$1,255,000 in federal funds for motor carrier safety. **Passed: 50-0.**

Executive Session

Anthony Joseph Carrelli – Adjutant General of Pennsylvania. **Confirmed: 50-0.**

Numerous Nominations to the Court of Common Pleas, and Tim Holden to the Pennsylvania Liquor Control Board (Two-Thirds Vote Required). **Confirmed: 50-0.**

Thursday, June 30, 2016

Senate Bill 289 (Fontana) would authorize municipalities and municipal authorities to use public funds for the improvement, extension, repair, or rehabilitation of private lateral sewer lines connected to public sewer systems, where the municipality or municipal authority determines those activities will benefit the public sewer system. The municipality or municipal authority would not be deemed the owner of the private lateral sewer lines or have any further responsibility to conduct this type of activity unless the municipality makes an affirmative determination to accept the obligation. **Passed: 50-0.**

Senate Bill 691 (Mensch) would amend the Fiscal Code to increase a retailer's presumptive minimum cost of administering the cigarette tax to seven percent. Under current law the presumed cost is six percent. The legislation would require that records be kept of each contract of sale at the licensed premises or corporate headquarters. An additional provision would require licensees to submit full payment for cigarettes no later than fourteen days after delivery or be in violation of the act. All powers and jurisdiction over dealers licensed under the act would reside with the Commonwealth unless specifically granted to a political subdivision. This provision would not apply to a city of the first class. **Passed: 49-0.**

Senate Bill 917 (Browne) would amend Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes to add a section to encourage the agencies that are normally involved in child welfare and delinquency cases to share information toward the goal of achieving the best possible outcomes in these cases. The information would be shared under an interagency information sharing agreement that would be subject to court approval. An agreement would have to be signed by the chief executives of the entities covered by its provisions, the public defender's office and the guardian ad litem in each county, in addition to being submitted to the court for approval. The agreement would have to specify that information would be shared to enhance the coordination of case management services to and the supervision of children who have been found to be dependent or delinquent and to enhance the coordination of efforts to identify children who may be at risk of child abuse and parental neglect and to provide services to these children and their families.

The agreement would have to set forth the specific activities in which the signatories or their representatives will engage and prohibit the release of information to other parties, except as otherwise required or permitted by statute. The agreement would be required to state that the preferred method for obtaining authorization to share confidential information would be upon the

written, informed consent of the person authorized under applicable law to consent to the release of information after that person has been provided a full understanding of the circumstances under which and with whom the information will be shared. The section would apply to court-approved interagency information-sharing agreements entered into in accordance with the section. Nothing in the section could preclude the sharing of information not otherwise prohibited by law. [Concurrence in House Amendments: 50-0.](#)

[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. [Concurrence in House Amendments: 50-0.](#)

[Senate Bill 1123](#) (Vogel) would amend Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes to authorize the Department of Agriculture, by publication of notice in the *Pennsylvania*

Bulletin, to adopt vapor pressure specifications for gasoline ethanol blends which would remain in effect until the American Society for Testing and Materials (ASTM) adopts such specifications, at which point the ASTM vapor pressure specifications would apply. A notice published prior to the effective date of the subsection would be deemed effective as of the date of publication. [Concurrence in House Amendments: 50-0.](#)

[Senate Bill 1282](#) (Wagner) would amend various sections of Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes to prohibit a county recorder of deeds from requiring payment of a charge, cost or fee to index an amendment to the declarations of condominiums, cooperatives and planned communities even if the office requires the indexing of amendments by reference to each uniform parcel identifier number assigned to units within the community. These provisions would have control over any conflicting provisions in any other statute, regulation or ordinance. [Passed: 48-2.](#)

[Senate Bill 1312](#) (Smucker) would amend the Public School Code to permit an individual who does not have a teaching certificate, but is currently enrolled in a teacher preparation program at an accredited college or university in the Commonwealth, to teach as a substitute in a school district, vocational-technical school or an intermediate unit provided they meet the requirements outlined in the bill. The chief school administrator of a school entity could issue a Substitute Teaching Permit for Prospective Teachers to individuals meeting the requirements. An individual receiving a Substitute Teaching Permit for Prospective Teachers could serve as a substitute teacher for no more than 10 days per school year for a single professional or temporary employee and no more than 45 days per school year for multiple professional or temporary employees. The permit would be valid for one year and could be renewed for one additional year if the individual provides documentation of the completion of an additional 15 college credit hours and remains enrolled in a college or university in the Commonwealth. The salary would be set by the school district, vocational-technical school or intermediate unit. The individual would not be eligible to join the Public School Employees Retirement System. [Passed: 48-2.](#)

[Senate Bill 1320](#) (Browne) would amend the Fiscal Code to establish Article XVII-E.3, General Budget Restrictions on Appropriations for Funds and Accounts, providing a permanent section for general budget restrictions on appropriations for funds and accounts. [Passed: 50-0.](#)

[Senate Resolution 294](#) (Stefano) directs the Joint State Government Commission to conduct a study examining the use of evidence-based decision making by the Commonwealth. [Adopted by Voice Vote.](#)

[Senate Resolution 365](#) (Brewster) urges the President of the United States and Pennsylvania's elected federal officials to fight for strong enforcement of our nation's trade laws to level the playing field with China and other countries, taking necessary action to protect the domestic steel industry from unfair foreign competition. The resolution also urges the United States Department of Commerce to maintain China's nonmarket economy status to preserve the ability of United States companies and American workers to access domestic trade remedy laws. [Adopted by Voice Vote.](#)

[Senate Resolution 409](#) (Kitchen) honors the life of Pat Summit, the coach with the most wins in Division I history, a monumental figure who was at the forefront of ascending women's athletics into the national spotlight and an advocate for Alzheimer's disease research. [Adopted by Voice Vote.](#)

[Senate Resolution 410](#) (Dinniman) recognizes the month of September 2016 as "Senior Center Month" in Pennsylvania. [Adopted by Voice Vote.](#)

[House Bill 60](#) (Baker) would amend the Insurance Company Law of 1921 to prohibit a health insurance policy that provides coverage for intravenously administered or injected chemotherapy medications from providing coverage or imposing cost sharing for a prescribed, orally administered chemotherapy medication on a less favorable basis. A health insurance policy could not increase cost sharing for chemotherapy medications in order to avoid compliance with this requirement. A health insurance policy could increase cost sharing for chemotherapy medications if an increase is applied generally to other medical or pharmaceutical benefits administered in a similar health care setting under the contract. The prohibitions in the bill would not preclude a health insurance policy from requiring an enrollee to obtain prior authorization before orally administered chemotherapy medication is dispensed. As part of prior authorization, an insurer could consider the medical necessity and cost of oral chemotherapy medications compared with intravenously administered or injected chemotherapy medication. The section would apply to a high deductible health plan only after the covered person's deductible has been satisfied for the year. The provisions would apply to health insurance policies issued, entered into or renewed after the effective date of the legislation. [Passed: 50-0.](#)

[House Bill 898](#) (Boyle) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes regarding emergency vehicles and the removal of dead deer. Among other changes, the definition of "emergency vehicle" would be amended to include Philadelphia Prison System prisoner transport units. Prisoner transport vehicles would have to comply with posted speed limits and could only proceed through a red light or stop sign after ascertaining the vehicle would be given the right-of-way. In addition, PennDOT would be prohibited from banning the use of internal flashing or revolving lights on certain fire vehicles. Current lighting and equipment on police, sheriff and fire vehicles would be grandfathered. An additional provision would permit the State Fire Commissioner to recommend changes annually to current flashing or revolving light technology being utilized by privately-owned vehicles of volunteer firefighters. The bill would also stipulate that it is the duty of PennDOT to remove dead deer from the state right-of-way as well as to erect signs informing the public of deer crossings. [Passed: 50-0.](#)

[House Bill 1947](#) (Marsico) 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: 49-0.

[House Bill 2137](#) (Adolph) would appropriate \$230,436,000 to the Pennsylvania State University for general support for the 2016-2017 Fiscal Year and \$20,074,000 for the Pennsylvania College of Technology. The measure would also authorize the appropriation of funds from the Agricultural College Land Scrip Fund for agricultural research and extension services.

Passed: 50-0.

[House Bill 2138](#) (Adolph) would appropriate \$144,210,000 to the University of Pittsburgh for general support for the 2016-2017 Fiscal Year and \$2,563,000 for rural education outreach. No funds appropriated by the act could be used for the costs of personnel and operations of the environmental law clinic. **Passed: 50-0.**

[House Bill 2139](#) (Adolph) would appropriate \$150,586,000 to Temple University for general support for the 2016-2017 Fiscal Year. **Passed: 50-0.**

[House Bill 2140](#) (Adolph) would appropriate \$14,436,000 to Lincoln University for general support for the 2016-2017 Fiscal Year. **Passed: 49-1.**

[House Bill 2141](#) (Adolph) would appropriate \$30,135,000 to the University of Pennsylvania for veterinary activities and \$281,000 for the Center for Infectious Diseases for the 2016-2017 Fiscal Year. **Passed: 50-0.**

Friday, July 1, 2016

[Senate Bill 666](#) (Folmer) would amend various sections of Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes to further provide for the approved methods of voting for homeowners' associations (condominium, cooperative and planned communities). Except as otherwise provided in an association's declaration or bylaws, persons entitled to cast votes could cast their votes by the use of paper ballots, absentee ballots, electronic ballots, internet-based ballots and other appropriate methods expressly permitted by the association. **Passed: 49-0.**

[Senate Bill 1018](#) (Browne) would amend the CPA Law to:

- Broaden the definition of "attest activity," add a definition for "forensic accounting services" and expand the definition of "report;"
- Clarify that when a certificate of certified public accountant is issued under reciprocity with another state, an individual with an unexpired license may receive a certificate even if the individual has not completed the one year of experience requirement within the past 60 months;

- Provide that a licensee, qualified non-licensee or qualified association providing forensic accounting services would be licensed and regulated solely by the CPA Law and not the Private Detective Act of 1935;
- Stipulate that a firm may be licensed in the Commonwealth if it meets the substantial equivalency requirements to practice under Section 5.4 of the law;
- Provide that a new firm would have to designate a licensee of the Commonwealth, or for a firm practicing pursuant to the substantial equivalency requirements, a licensee of another state who meets those requirements, who is responsible for the proper registration of the firm;
- Eliminate the requirement, when filing the initial and renewal license application by a firm, to include the contact information and license number of each certified public accountant, public accountant or qualified non-licensee who owns an equity interest in the firm;
- Require all attest activity to be completed under the charge of a certified public accountant or public accountant who is a licensee of this Commonwealth or another state;
- Remove the requirement that the principal executive officer of a firm be a licensed certified public accountant or public accountant; and
- Add a section to provide that a firm is exempt from a peer review if it meets any of the listed conditions. **Passed: 49-0.**

House Bill 59 (Baker) would create the Hepatitis C Screening Act to require that each individual born between 1945 and 1965 who receives health services as an inpatient in a hospital or who receives primary care services in an outpatient department of a hospital, health care facility or physician's office be offered a hepatitis C screening test or hepatitis C diagnostic test unless the health care practitioner believes at least one of the following: 1) the individual is being treated for a life-threatening emergency, 2) the individual has previously been offered or has been the subject of a hepatitis C screening test, or 3) the individual lacks capacity to consent to a screening test. If an individual accepts the offer of a hepatitis C screening test and the test is reactive, the health care provider would either have to provide follow-up health care or refer the patient to another provider. The follow-up care would have to include a hepatitis C diagnostic test. The act would not affect the scope of practice of any health care provider or diminish any authority or legal or professional obligation of any health care provider to offer a hepatitis screening or diagnostic test or to provide services or care for the subject of a test. The offering of hepatitis C screening tests under the act would have to be culturally and linguistically appropriate in accordance with the regulations promulgated by the Department of Health. **Passed: 49-0.**

House Bill 871 (Sankey) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to make a certificate of title or certificate of salvage exempt from the requirements of notarization and verification by a corporate officer when it is transferred from an owner to a

scrap metal processor. The scrap metal processor would be required to send the certificate of title to the Department of Transportation or an authorized agent attached to a form prescribed by the Department indicating the vehicle is to be designated as a non-repairable vehicle. Such a vehicle could not be rebuilt, retitled or issued a certificate of any kind. The measure would also allow an insurance company to request the Department to issue a salvage certificate for a vehicle if the insurance company is unable to obtain the properly endorsed certificate of title or certificate of salvage within 30 days following oral, written or electronic acceptance by the vehicle owner of an offer in settlement of a total loss. The insurance company would be required to make at least two written attempts to obtain the assigned certificate of title or certificate of salvage and mail or deliver the settlement payment before requesting the salvage certificate.

Passed: 48-1.

House Bill 967 (Diamond) would amend Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes to add Chapter 7 to authorize the Pennsylvania Department of Agriculture to implement an agricultural pilot program to research industrial hemp. The measure would authorize industrial hemp to be grown or cultivated for research by the Department of Agriculture or an institution of higher education at sites that are certified, inspected, permitted and registered by the Department. Both the Department and institutions of higher education could contract with others to grow or cultivate the industrial hemp. Contractors would have to have U.S. Drug Enforcement Administration permission and no misdemeanor or felony convictions within the past 10 years. Contractors would also be required to submit fingerprints to the Pennsylvania State Police for criminal history record checks. Violations of the act would be subject to criminal and civil penalties as outlined in the legislation. Funds from fees, fines and penalties would be deposited into a subaccount in a special restricted account in the General Fund known as the Plant Pest Management Account for appropriation to the Department. The subaccount could be supplemented by money received from appropriations made by the General Assembly, federal funds and gifts and other contributions. If a federal agency becomes authorized to regulate industrial hemp, Chapter 7 would expire. **Passed: 49-0.**

House Bill 1167 (Barbin) would amend the Crime Victims Act to require the Department of Revenue to deduct from any personal income tax refunds the amount of any court-ordered obligation arising from a criminal prosecution or proceeding. The Department would pay the amount deducted to the clerk of court for the county in which the ordered was entered, notify the taxpayer of the payment and pay any remaining amount of the refund to the taxpayer. A deduction under these provisions would be given priority after any deduction for delinquent Pennsylvania state income tax obligations or delinquent support payments. The Department could collect an administrative fee to cover its actual costs. The Department of Revenue would be required to report annually to the Pennsylvania Commission on Crime and Delinquency and the Senate and House Finance Committees on the amount of court-ordered obligations collected. The Administrative Office of Pennsylvania Courts would be required to provide the Department of Revenue with the information necessary to fulfill its duties. **Passed: 49-0.**

House Bill 1856 (James) would designate the bridge located on U.S. Route 62 over the Allegheny River in Oil City, Venango County as the Specialist Jonathan R. Kephart Memorial Bridge. **Passed: 49-0.**

[House Bill 1871](#) (Taylor) proposes an amendment to the Pennsylvania Constitution to permit the City of Philadelphia to impose taxes on real estate used for business purposes at a rate that exceeds the rate applicable to other real estate. As long as a rate variance is in effect, the combined rate of taxes on real estate used for business purposes imposed by the City of Philadelphia or authorized by the city for the Philadelphia School District could not vary by more than 15 percent from the combined rate of taxes on other real estate imposed or authorized in the city. In addition, the General Assembly would have to require the City of Philadelphia to reduce the aggregate revenue from other taxes imposed on businesses and any wage or net profits tax by the amount of any real estate tax revenues attributable to the variance in the tax rates. As a proposed constitutional amendment, legislation must pass two consecutive legislative sessions and be approved by the electorate. **[Passed: 47-2.](#)**

(2016-086)