

WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – DAVID G. ARGALL, CHAIRMAN

Sunday, June 28, 2015

[Senate Bill 6](#) (Smucker) would amend the Public School Code of 1949 to add Article VI-B establishing an Achievement School District (ASD), which would operate as a statewide school district. The legislation would:

- Establish a seven-member board of directors, one appointed by the Governor, two by the President Pro Tempore, two by the Speaker of the House, and one each by the Senate and House Minority Leaders;
- Provide that the terms of the board members would be coterminous with the term of the appointing authority; that no member, while on the board, could seek or hold a position as any other public official or as an officer of a political party; that the board would appoint an executive director, bargain with employees of the ASD, and adopt an annual budget;
- Provide for the executive director to have all remaining powers of the ASD, including the authority to decide on the transfer of eligible schools to the jurisdiction of the ASD and to authorize charter schools;
- Establish and define “intervention schools” as those schools eligible for transfer to the ASD;
- Grant the ASD the powers and duties of a school district, permit the ASD to convert a school under its jurisdiction to a charter school, require the ASD to adopt criteria for conversion, and require the ASD to take one or more designated actions with at least five, but not more than 15, schools within its jurisdiction;
- Limit the ASD to take action in five eligible schools in FY 2016-2017, and for each school year thereafter to take action in at least five, but not more than 15, eligible schools (the ASD’s jurisdiction could not exceed 75 schools at any one time);
- Allow the ASD to revoke or opt not to renew a charter school in its jurisdiction which is only appealable to the Commonwealth Court;
- Permit the ASD to directly operate a school or contract with for-profit or non-profit entities to manage the day-to-day operations of a school;
- Allow the ASD to require an intermediate unit (IU) to provide school or student support with reimbursement for the actual costs incurred by the IU for those services;

- Permit the ASD to apply to the Secretary of Education for a waiver of any regulation or statutory provision that inhibits the ability of the school to increase student achievement, except for designated provisions;
- Permit the ASD to seek, manage and expend federal money and grants and other funding;
- Stipulate that the ASD has no authority to levy any tax;
- Grant school boards and the School Reform Commission certain powers over intervention schools within their respective school districts;
- Provide that, within 30 days of a school being designated as an intervention school or transferred to the ASD, a community advisory committee would have to be established with three parents of students attending the school, and three residents of the area served by the school, to provide recommendations and feedback;
- Permit school districts and/or charter school to object to the transfer and provide the procedure;
- Require an ASD school to remain under the jurisdiction of the ASD for a minimum of five years and permit the ASD to transfer an ASD school back to the jurisdiction of its school district if certain conditions are met;
- Prohibit the transfer of an eligible school to the ASD for the school year 2021-2022 unless the ASD demonstrates in a report and, based on criteria established by the executive director, that eligible schools within the jurisdiction of the ASD have outperformed eligible schools not transferred to the ASD;
- Provide for funding of the ASD and prohibit tuition from being charged for a resident or non-resident student attending an ASD school;
- Permit the ASD, subject to a lease or license at no more than fair market rates, to have the right to use any school building and all facilities and property that is part of the ASD school prior to its transfer;
- Direct that any employee hired to work in an ASD school directly operated by the ASD shall be deemed an employee of the ASD and be under the exclusive control of the ASD. The ASD would have to develop written procedures for employment and management of personnel and compensation and benefit plans;
- Require that at least 75 percent of the professional staff members of an ASD school must hold appropriate state certification;

- Permit the employees of an ASD to organize under the Public Employee Relations Act and permit collective bargaining separate from any collective bargaining unit of the transferring school district;
- Direct that all employees of the ASD be enrolled in the Public School Employees' Retirement System, unless the ASD provides for a federally qualified retirement plan; and provides for health care benefits, sick leave, leave of absence, and tenure;
- Require an individual who has direct contact with children, or an individual volunteering to work on a full-time or part-time basis at the ASD, to submit a report of criminal history record information and the official statement regarding child injury or abuse from the Department of Health prior to beginning employment with the ASD; and
- Require the ASD to annually submit a written report to the Secretary of Education and the presiding officers of the Senate and House of Representatives including a listing and status of each school in the ASD and a justification for each eligible school that is not transferred to the ASD. **Passed: 27-22.**

[Senate Bill 533](#) (Eichelberger) would amend Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes to provide that contraband seized from a parolee or probationer would be considered abandoned and unclaimed if the following criteria have been met:

- The parolee or probationer is no longer under the jurisdiction of the court;
- Two years have elapsed from the date the parolee or probationer was no longer under the jurisdiction of the court;
- Notice that the item will be declared abandoned has been mailed to the last known address of the parolee or probationer at least 60 days prior to the date the item is declared abandoned;
- No other claimant of the item has notified the proper authorities of a claim, or is known to them; and
- The item has not been forfeited in accordance with any forfeiture statute.

The legislation would require a county adult probation and parole department to:

- Tag and secure contraband for such time as necessary to secure its use as evidence in a violation, revocation or criminal proceeding;
- Retain the contraband until all appeal periods are exhausted; and
- Provide notice to the offender that abandonment will be sought if the offender does not claim the contraband within two years after sentence completion.

If declared abandoned, the contraband would be transferred to the county department of probation and parole. The department would itemize the contraband and submit a report to the Treasury Department. Any abandoned contraband not accepted by the Treasury Department would become the property of the county department. The county department would be entitled to dispose of the contraband in stipulated ways. The bill would establish an appeal procedure of the abandonment determination through the court of common pleas. The county department and its employees would be immune from liability for good faith conduct.

The county treasurer would be required to establish a community correction forfeiture fund for the deposit of all money obtained through the disposition of the contraband. Disbursement of the money in the fund would be at the discretion of the president judge of the court of common pleas. All cash or proceeds generated by the disposition of the abandoned contraband would first be made available to satisfy any restitution owed by the offender to crime victims. The county department would be required annually to post a report specifying the abandoned property or proceeds of the abandoned property on the county's publicly accessible website and make the report available as a public document. The Pennsylvania Board of Probation and Parole could enact regulations to implement the legislation on a uniform basis throughout the Commonwealth. [Passed: 49-0.](#)

[Senate Bill 536](#) (Tomlinson) 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. The section would only apply to oral chemotherapy medications where an intravenously administered or injected chemotherapy medication is not equally, medically effective. 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: 49-0.](#)

[Senate Bill 748](#) (Argall) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to allow certified escort vehicles to escort the movement of "super loads" instead of the Pennsylvania State Police (PSP). The Department of Transportation (PennDOT), in consultation with the PSP, would determine whether a state police escort is necessary. If it is jointly determined by the Department and the PSP that the movement must be escorted by the state police, the permittee would bear the escort costs. Otherwise, the legislation would require a super load to maintain one certified escort vehicle unless otherwise determined that an additional certified escort vehicle is necessary. The Department of Transportation would be required to certify and license drivers of certified escort vehicles. Within one year of the effective date, PennDOT would have to establish criteria for certified escort vehicles and for determining certification and licensing of drivers of certified escort vehicles within the Commonwealth and post the criteria on the Department's website. The measure would require a certified escort vehicle to display the Department's certification emblem; authorize the use of flashing or revolving yellow lights; and require compliance with other Department regulations pertaining to pilot cars. [Passed: 49-0.](#)

[Senate Bill 756](#) (Schwank) would amend Title 64 (Public Authorities and Quasi-Public Corporations) of the Pennsylvania Consolidated Statutes to eliminate the sunset provision with regard to the participation of Farm Credit Institutions in the First Industries Program. The change would allow the institutions to continue participating in the program. [Passed: 49-0.](#)

[Senate Bill 862](#) (Smucker) would amend the Public School Code to align criminal history background clearance requirements for school employees with the Child Protective Services Law. The legislation would require a prospective school employee when submitting an employment application to provide the following forms of clearance that are not more than five years old: (1) a report of criminal history from the State Police; (2) a federal criminal history record based on the submission of a set of fingerprints to the Federal Bureau of Investigation; and, (3) a certification from the Department of Human Services as to whether the prospective employee is an alleged perpetrator in a pending child abuse investigation or the perpetrator of a founded or indicated report of child abuse. An existing school employee would be required to obtain updated clearances every 60 months and any employee who has not previously been required to obtain the clearances would have to obtain them no later than December 31, 2015. Clearances obtained for employment or volunteer requirements under the Child Protective Services Law that are not more than 60 months old would satisfy the requirements in this section, provided the applicant attests to not being disqualified from employment. [Passed: 49-0.](#)

[House Bill 329](#) (A. Harris) would designate the section of Pennsylvania Route 22 in Mifflin County from the intersection of West 4th Street and Reservoir Lane in Lewistown Borough to the intersection of Business 22 and Industrial Park Road in Granville Township, Mifflin County as the Corporal John S. Valent Memorial Highway. [Passed: 49-0.](#)

Monday, June 29, 2015

[Senate Bill 42](#) (Baker) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to provide that a person who falsely represents himself as a veteran of the United States Armed Forces on an application for a driver's license or identification card is subject to the penalty under Section 4904(b) of the Crimes Code (relating to unsworn falsification to authorities). This section makes an offense a third degree misdemeanor. [Concurrence in House Amendments: 49-0.](#)

[Senate Bill 405](#) (Baker) would designate Exit 30 from Interstate 84 onto State Route 402 in Pike County as the Corporal Bryon K. Dickson, II Exit. Corporal Dickson gave his life in the line of duty when he was one of the two members of the Pennsylvania State Police shot in an ambush outside of the Blooming Grove Station on September 12, 2014. The act would take effect in 60 days. [Concurrence in House Amendments: 49-0.](#)

[Senate Bill 871](#) (Eichelberger) would amend the First Class Township Code to allow township commissioners to appropriate funds for the purpose of purchasing flowers, plaques, or other personal property up to a value of \$100 as a token to recognize the service or passing of a township official, employee or vendor. The value of any tangible personal property received by

an individual under the section would be considered of de minimis economic impact and would not have to be reported. **Passed: 49-0.**

Senate Bill 897 (Rafferty) would authorize the Department of Transportation to convey 1.205 acres in Whitpain Township, Montgomery County to Center Square Commons, L.P. for fair market value based on an appraisal and under terms and conditions to be established in an agreement of sale. No portion of the property could be used for a gaming facility or it would revert to the Commonwealth. Costs and fees incidental to the conveyance would be borne by the grantee. Proceeds from the sale would be deposited into the Motor License Fund.

Passed: 49-0.

Senate Resolution 164 (Scavello) designates the month of July 2015 as “Free Community Paper Month” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 165 (Rafferty) recognizes the 70th anniversary of “V-J Day” the official end of World War II, on September 2, 2015. **Adopted by Voice Vote.**

House Bill 73 (Farry) would require a provider of counseling services to notify the county district attorney and local chief law enforcement officer in writing that he or she is providing services to sexually violent predators. The provider would have to give the notice to the district attorney of the county where the provider is located, and the chief law enforcement officer of the municipality where the provider is located. The notification would have to be submitted by January 15 of each year and include the counselor’s address. **Passed: 49-0.**

House Bill 221 (Caltagirone) would amend Title 42 (Judiciary and Judicial Procedures) of the Pennsylvania Consolidated Statutes to require that, at least every six years, the continuing education program for magisterial district judges include the identification of mental illness, intellectual disability and autism and the availability of diversionary options for individuals with mental illness, intellectual disability or autism. The measure would also amend Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes to require the Municipal Police Officers’ Education and Training Commission to provide training for police officers in the recognition of mental illness, intellectual disability and autism; proper techniques to interact with and de-escalate individuals engaging in behavior indicative of mental illness, intellectual disability or autism; and instruction on services available to individuals with mental illness, intellectual disabilities or autism. **Passed: 49-0.**

House Bill 229 (Marsico) would amend Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes to create the offense of cyber harassment of a child when a person, with the intent to harass, annoy or alarm a child, engages in a continuing course of conduct of making any of the following directly to a child through electronic means or publishing through an electronic social media: a seriously disparaging statement or opinion about the child’s physical characteristics, sexuality, sexual activity or mental or physical health or condition; or a threat to inflict harm. If the person charged is a juvenile, the court would be required to give first consideration to referring the juvenile to a diversionary program. The legislation would permit an offense to be deemed to have been committed at the place where the child who is the subject of the communication resides. **Passed: 49-0.**

Tuesday, June 30, 2015

[Senate Bill 1](#) (Corman) would amend Title 24 (Education), Title 51 (Military Affairs) and Title 71 (State Government) of the Pennsylvania Consolidated Statutes to make extensive changes to the retirement benefits for public school and state employees, as follows:

New Defined Contribution (DC) Plan

- The Public School Employees Retirement System (PSERS) DC Plan would require all school employees hired beginning July 1, 2016 to be enrolled in the plan with a minimum employee contribution requirement of three percent and an employer contribution requirement of 2.59 percent. PSERS members could also make additional voluntary contributions.
- The State Employees Retirement System (SERS) DC Plan would require all state employees hired beginning January 1, 2016 to be enrolled in the plan with a minimum employee contribution requirement of three percent and a Commonwealth contribution requirement of four percent and 5.5 percent for psychiatric security guards. SERS members could also make additional voluntary contributions.
- Employee contributions to the DC plans would vest immediately and employer contributions would vest over a 4-year time period. Each DC plan participant would also have an individual retirement account. Upon separation, employees would be eligible to receive a lump sum withdrawal or a single life annuity option.

New Cash Balance (CB) Plan

- A new cash balance plan would be established with an employee contribution requirement of three percent for both PSERS and SERS mandatory members and no employer contribution requirement. CB plan members would earn interest on contributions at the rate paid by 30-year U.S. treasury bonds, but not more than four percent annually. One-half of earnings over the assumed rate of return of the system would be credited to the employee's CB account beginning in 2019. Employee contributions to the CB plans would vest immediately. Upon separation, employees would be eligible for a lump sum withdrawal or a single life annuity option.

Exemptions

- Future state police, corrections officers and other state law enforcement and public safety officers would be exempt from participating in the DC/CB plan.
- Future higher education employees would have the option of electing to participate in an alternative retirement plan that is available to them currently or the DC/CB plan.

Pre-Act 120 Member Benefit Changes

- “Shared-risk” and “shared-gain” provisions for PSERS members would be calculated every three years comparing the actual and assumed rate of return for the past ten years. For every percentage point in earnings realized in excess of or below the assumed rate of return, the employee contribution requirement would be reduced or increased by one-half of a percentage point. The shared risk/shared gain rate could not be two percentage points more or less than the applicable employee contribution rate.
- A “contributions savings” provision for SERS members would be calculated every three years comparing the actual and assumed rate of return for the past ten years. For every percentage point in earnings realized in excess of the assumed rate of return, the employee contribution requirement would be reduced by one-half of a percentage point. The employee contribution requirement could not decrease by more than five percentage points.
- Participation in the new cash balance plan would be optional for Pre-Act 120 members.

Post-Act 120 Member Benefit Changes

- Employee contribution requirements and benefit accrual rates would remain the same for these members.
- One change would provide for a “shared-gain” provision for both PSERS and SERS members for which “shared-risk” provisions currently apply. The employee contribution requirement could not be reduced below the regular employee contribution requirement by more than two percent.
- Retirement covered compensation would be limited to the Social Security wage base (SSWB), which is \$118,500 for 2015.
- Members whose salary exceeds the SSWB would be permitted to participate in the new CB/DC plan under the same terms and conditions as new employees for the amount of salary that exceeds the SSWB.

Members of the General Assembly

- Members of the General Assembly elected or reelected beginning January 1, 2016 would be automatically enrolled in the new DC and CB plans. The defined benefit plan would be closed to new members and existing members upon reelection.

Revised Final Average Salary Calculation

- Beginning January 1, 2016, final average salary would be calculated using the higher of the current three-year average salary formula excluding overtime or a five-year average salary formula including overtime. This provision would not apply to State Police.

Actuarially Neutral Option 4 Withdrawals

- Only Pre-Act 120 members could make an Option 4 lump sum withdrawal. On contributions made beginning on July 1, 2016 for PSERS members and beginning on January 1, 2016 for SERS members, the withdrawal would have to be actuarially neutral. Contributions made and statutory interest earned prior to the respective dates would not be subject to this provision.

Other Provisions

Among other provisions, the legislation would also:

- Establish the Public Pension and Asset Investment Review Commission to study and make recommendations to the General Assembly and the Governor regarding investment performance and investment strategies. The commission would include three members appointed by the President Pro Tempore of the Senate, three members appointed by the Speaker of the House of Representatives and three members appointed by the Governor;
- Provide funding mandate protection to each PSERS and SERS member so that after the employer compensation schedule meets the full actuarial amount, members will have a contractual right to enforce that the annual employer required contribution be made on a timely basis and ensure that previously accrued retirement benefits will be paid upon retirement. Failure of the state or any other public employer to make the annually required employer contribution would be deemed an impairment of contract. The Supreme Court would have jurisdiction over any action brought to enforce the contractual right;
- Provide that PSERS employers will be charged interest at the assumed rate of return for delinquent payments;
- Require PSERS and SERS Board members to obtain eight hours of relevant training annually; and
- Provide for PSERS and SERS legal counsel to serve independently from the Governor's Chief Counsel, the General Assembly and the Attorney General. [Concurrence in House Amendments: 29-20.](#)

[Senate Bill 95](#) (Farnese) would amend Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes to provide immunity from any civil action for claims based on constitutionally protected communication as outlined in the bill. An individual whose speech is at issue under the legislation could file a motion to dismiss the complaint, if the legal action instituted is based on constitutionally protected communication. A hearing on the motion to dismiss would have to be held within 30 days after the motion is filed and discovery would be stayed pending the resolution of the motion to dismiss. If the party prevails on a motion to dismiss, the individual would be eligible to recover attorney fees and costs from any party who

filed the action. The damages awarded would be a minimum of \$10,000. The court would be required to award costs and attorney fees to the party prevailing on the motion if it determines that the motion to dismiss was frivolous or intended solely to cause unnecessary delay.

Passed: 48-1.

Senate Bill 566 (Vogel) would amend the Housing Finance Agency Law to direct the State Treasurer to transfer from the General Fund to the Housing Affordability and Rehabilitation Enhancement Fund the lesser of 40 percent of any increase in state revenues from the realty transfer tax over the previous year, or \$25 million. Nothing in the subsection would affect the tax rate of the realty transfer tax or the transfer of funds provided for in the Keystone Recreation, Park and Conservation Fund. **Passed: 49-0.**

Senate Bill 620 (Vance) would approve the release of Project 70 restrictions from 0.393 acres of land owned by the Borough of Carlisle, Cumberland County for highway right-of-way purposes in exchange for the development of park and open space lands. An amount equal to or greater than the right-of-way acquisition payment made to the Borough of Carlisle would have to be deposited into a special interest-bearing account for the development of park and open space lands owned by the Borough of Carlisle. None of the funds could be disbursed from the account until a plan is developed by the Borough of Carlisle and approved by the Department of Conservation and Natural Resources. Any funds remaining in the account five years after the effective date of deposit would have to be immediately paid to the Commonwealth for deposit into the Project 70 Land Acquisition Sinking Fund or current equivalent. **Concurrence in House Amendments: 49-0.**

Senate Bill 655 (Browne) would amend the Fiscal Code by making changes to various general provisions and by providing the implementation language for the General Appropriation Act of 2015. The proposed legislation would:

General Provisions

Department of Drug and Alcohol Programs

Establish a pilot grant program within the Department of Drug and Alcohol Programs to increase opportunities for counties to provide long-acting non-narcotic, non-addictive medication combined with comprehensive substance abuse treatment to eligible offenders upon release from county correctional institutions.

Budget Stabilization Reserve Fund (Rainy Day Fund)

Suspend the transfer of the surplus funds in the General Fund for FY2014-15 to the Budget Stabilization Reserve Fund.

State Workers' Insurance Board

Extend the investment authority of the Board from June 30, 2015 to June 30, 2018.

Tobacco Settlement Fund

Change, for FY 2015-2016, the allocation percentages used for appropriating the annual tobacco payments deposited in the Tobacco Settlement Fund and stipulate that money in the Fund from a

payment due to a recalculation from a prior annual payment would remain in the Fund to be separately appropriated for health-related purposes.

Pennsylvania Race Horse Development Fund

Provide for the transfer of \$500,000 each week to the Pennsylvania Race Horse Development Restricted Receipts Account and stipulate the transfer is not to exceed \$5 million annually.

Department of Community and Economic Development

Authorize the Department, in implementing the Community Development Block Grant Entitlement Program for Nonurban Counties and Certain Other Municipalities, to allocate the annual grants and annual allocation grants over three fiscal years and allow eligible entities to apply every three years. The grants are to be made on a staggered basis.

Provide for changes to the City Revitalization and Improvement Zones (CRIZ) to allow a contracting authority to be an authority established under the Third Class County Convention Center Authority Act. The hotel occupancy tax would be added as an eligible tax to fund a CRIZ.

Pennsylvania State Police

Provide that reimbursement of expenses to municipalities would be limited to money available. If funds are not available to make full payment, then the Municipal Police Officers' Education and Training Commission would pay on a pro rata basis.

Environmental Quality Board

Prohibit the Board from revising any existing rule or regulation relating to the operation of conventional oil and gas wells or adopting any currently proposed regulation.

FY 2015-2016 Budget Implementation

Executive Departments

Pennsylvania Commission on Crime and Delinquency:

- Provide that funds for intermediate punishment treatment programs are to be distributed as competitive grants to counties. The portion dedicated to drug and alcohol programs would be based on the proportion of incarcerated individuals in a county and could be no less than eight percent of the funds appropriated;
- Clarify that funds appropriated to the Commission are to be used for the Statewide Automated Victim Information System, programs for at-risk youth, diversion programs, and local police information sharing; and
- Place restrictions on funds appropriated for violence prevention programs.

Department of Agriculture

- Direct appropriated agricultural research funds for specific purposes including avian flu research;
- Provide that at least 80 percent of the funds appropriated for hardwoods research and promotion be equally distributed among hardwood utilization groups;

- Transfer money from general government operations to the Dog Law Restricted Account; and
- Require a portion of the funds appropriated for transfer to the agricultural college land scrip fund to be used for avian flu research and other animal disease outbreaks.

Department of Community and Economic Development

- Direct funding to be used for specific purposes including: to research and develop healthy building products; to identify, characterize and manage issues related to the economic and environmental impact of Pennsylvania Marcellus Shale development; for marketing to attract tourists; and for security and planning of the papal visit; and
- Allocate funds appropriated for Keystone Communities to various projects and require funds allocated for the Main Street and Elm Street programs to be distributed in the same proportion as FY 2012-2013.

Department of Conservation and Natural Resources

- Allocate funding for the operation and maintenance of the Washington Crossing Historical Park.

Department of Education

- Allocate and direct funding from the adult and family literacy programs, summer reading programs, the adult high school diploma program, and the mobile science and mathematics education programs;
- Distribute funding for community education councils;
- Designate funding from the regional community college service funds;
- Allocate funding to Pennsylvania Charter Schools for the Deaf and Blind for public school employees' retirement payments;
- Allocate funds set-aside for extraordinary special education expenses to approved private schools;
- Maintain the directive that no Commonwealth payments be made to charter schools or cyber charter schools for school employee social security or retirement payments; and
- Require school employers to report data on wages to the Department in order to receive reimbursement for payment of employee social security.

Department of Drug and Alcohol Programs

- Designate funding to be used for programs treating posttraumatic stress disorder for veterans.

Department of Environmental Protection (DEP)

- Suspend funding for the Consumer Energy Program;
- Provide funding for a clean water infrastructure project and for sewage facilities grants; and
- Require the Department to transfer unexpended proceeds under the Alternative Energy Investment Act to the Commonwealth Financing Authority.

Department of Health

- Require funding for the coordination of donated dental services and provide funds for Charcot-Marie-Tooth Syndrome outreach;
- Allocate funding for a referral center for newborn abnormal metabolic screenings;
- Direct funds appropriated for Adult Cystic Fibrosis and other chronic respiratory illnesses;
- Require funding for lupus programs to be distributed in the same manner as in FY 2014-2015; and
- Provide that funds appropriated for biotechnology research would include allocations for specific research categories and for a study.

Department of Labor and Industry (L&I)

- Allocate funding for a statewide service provider for the blind and for specialized services and prevention of blindness; and
- Allocate funding for a work force development program for veterans.

Department of Human Services

- Authorize the transfer of TANFBG Cash grants to CCDFBG child care services for additional low-income families if the transfer will not result in a deficit;
- Authorize the transfer of CCDFBG Cash grants to CCDFG child care services for additional low-income families if the transfer will not result in a deficit;
- Provide for distribution of payments to hospitals for Community Access using the same formula as FY 2014-2015;
- Clarify that funds appropriated for medical assistance transportation could only be used as a payment of last resort for transportation of eligible medical assistance recipients;
- Direct funds allocated for the Select Plan for Women's Preventive Health Services to be used for women's medical services, including noninvasive contraception supplies;
- Allow funds not used to make payments to Level III trauma centers to be used to make payments to Level I and Level II trauma centers;
- Stipulate that medical assistance payments would be made for general hospital stays for normal newborn care and mothers' obstetrical delivery;
- Provide funding from MA appropriations for treatment of cleft palates and other craniofacial anomalies;
- Provide that the MA capitation appropriation includes funds for the prevention and treatment of depression in older Pennsylvanians;
- Provide that funding appropriated for Breast Cancer Screening could be used for women's medical services, including noninvasive contraception services;
- Allow nonprofit agencies whose primary function is to promote childbirth and provide alternatives to abortion, to expend appropriated funds to provide services to women until childbirth and for up to 12 months thereafter. Subcontracting for services would be permitted but the promotion, referral for or performance of abortion would be prohibited;
- Require federal funds appropriated for TANFBG alternatives to abortion to be used solely for services to women whose gross family income is below 185 percent of federal poverty guidelines;
- Provide that federal law relating to aliens will apply to payments and providers;

- Provide for the distribution of funds appropriated for autism intervention and services;
- Prohibit funds appropriated for community-based family centers from being considered as part of the base for calculation of the county child welfare needs-based budget for a fiscal year;
- Provide for the usage of funds appropriated for mental health services;
- Designate a 4th class county hospital as a rural hospital for the purposes of Medicare reimbursement; and
- Permit the Department, with federal approval, to adjust premiums in order to supplement funds appropriated for medical assistance for workers with disabilities.

Department of Revenue

- Extend the Enhanced Revenue Collection Account through FY 2019-2020, appropriate funds in the account to the Department on an annual basis, and provide for the balance to be deposited into the General Fund on an annual basis; and
- Require the Department to issue a report annually to the Governor and designated legislative leaders with specified information about the account.

Department of Transportation

- Prohibit the Department from using direct mail inserts (including coupons and advertising material) in mailings from the Department.

Pennsylvania Emergency Management Agency (PEMA)

- Require \$3 million of the funds appropriated for Local Municipal Emergency Relief to be used to create a state program to provide assistance to individuals and political subdivisions directly affected by natural and man-made disasters. State assistance would only be provided when federal assistance is not available; and
- Require search and rescue program funds to be used to support programs related to training working service dogs focusing on rescue and public safety.

Pennsylvania Higher Education Assistance Agency (PHEAA)

- Require the Agency to develop and implement the Ready to Succeed Scholarship Program for students meeting certain criteria and attending an approved institution of higher education with its principal location in the Commonwealth.

Pennsylvania Historical and Museum Commission (PHMC)

- Provide for the Department of Conservation and Natural Resources to commence its operation of the Washington Crossing Historic Park and allow DCNR to enter into an agreement with PHMC on various management and operational functions of the Park.

Pennsylvania Gaming Control Board

- Require any slot machine license fee received by the Board after June 30, 2014 to be deposited in the General Fund.

2015-2016 Restricted Accounts

State Lottery Fund

- Prohibit funds appropriated for PENNCARE from being utilized for administrative costs by the Department of Aging.

Restricted Receipt Accounts

- Provide for the creation of restricted receipt accounts for the purpose of administering federal grants.

Required Lapses of Money in Funds and Accounts

- Require the Secretary of the Budget and the State Treasurer to immediately execute lapses of funds appropriated for fiscal years prior to FY 2015-2016 to include any appropriated and unexpended funds or any funds that were appropriated, expended and subsequently returned to the Commonwealth for any reason. [Passed: 30-19.](#)

[Senate Bill 887](#) (Costa) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to provide additional penalties for offenses involving the injury or death of a highway worker or emergency responder. Under the legislation, a driver who causes bodily injury to a highway worker or emergency responder would face an additional fine of not more than \$1,000. An individual who causes serious bodily harm to a worker would face a fine not more than \$5,000 and a driver's license suspension of six months. Drivers causing the death of a worker would pay a fine of up to \$10,000 and surrender their license for one year. [Passed: 49-0.](#)

[Senate Bill 928](#) (White) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to increase the minimum financial responsibility requirements for use of a motor vehicle. The legislation would increase the minimum amount of financial responsibility required to operate a motor vehicle for bodily injury for one person from \$15,000 to \$25,000; for two or more persons in any one accident from \$30,000 to \$50,000; and for property damage from \$5,000 to \$15,000. The changes would apply to all policies issued or renewed on or after 180 days following the effective date. Any change in coverage of an automobile insurance policy resulting from the bill would not impact the validity of a waiver, selection of benefits, or amount of benefits in that policy, beyond the coverage change resulting from the bill. Any revised forms or rates filed by an insurer with the Insurance Department as a result of this bill would be deemed approved by the Department upon filing. The measure would also require the Department of Transportation to sell statewide basic driver information for lawful purposes to wholesale distributors or licensed insurers at a reasonable fee. Basic driver information would include first and last name, address, driver's license number, date of birth, license issue date, license expiration date, original date of issuance and license class and title. [Passed: 46-3.](#)

[Senate Resolution 166](#) (Bartolotta) designates the week of July 6 through 12, 2015 as "Whiskey Rebellion Heritage Week" in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 167](#) (Corman) recognizes the 100th anniversary of Kiwanis International and designates the month of August 2015 as “Kiwanis Month” in Pennsylvania. **[Adopted by Voice Vote.](#)**

[House Bill 88](#) (Day) would designate:

- The portion of State Route 309 North in Lynn Township, Lehigh County between the intersections of Northwest Road and Long Court and Mosserville Road and Mountain Road as the Lance Corporal Brandon J. Van Parys Memorial Road;
- The section of State Route 2014 in Lycoming County from Foresman Street in the City of Williamsport to State Route 220 in Woodward Township as the Petty Officer Thomas Johnson Memorial Highway;
- The section of State Route 61 in Schuylkill County from State Route 443 to State Route 2014 as the Captain Jason B. Jones Memorial Highway;
- The section of State Route 254 in Northumberland County where it passes under State Route 147 to where it intersects with State Route 54 in Montour County as the Staff Sergeant Thomas Allen Baysore Memorial Highway;
- The section of State Route 443 from the eastern boundary of Orwigsburg Borough at State Route 443 and Faith Avenue through Orwigsburg Borough to the western boundary of Orwigsburg Borough at Seton Manor, Schuylkill County as the Corporal David F. Heiser Memorial Highway;
- The section of State Route 15 in Lycoming County from the Market Street/Hastings Street intersection to State Route 15/54 as the Kelly Rae Mertes DUI Awareness Memorial Highway;
- The section of State Route 153 in Clearfield County from Segment 80 to Segment 310 as the Austin M. Harrier Memorial Highway;
- The section of State Route 422 in Lebanon County from Ramona Road to the Lebanon/Berks County line as the Officer Michael H. Wise II Memorial Highway;
- Exit 26 from the Mon-Fayette Expressway in Luzerne Township, Fayette County as the Ronald F. DeSalvo Memorial Interchange;
- The section of Davisville Road in Upper Moreland Township, Montgomery County from State Route 611, also known as York Road, to Terwood Road as the PFC Robert S. Alexander Memorial Highway; and
- The section of State Route 22/322 in Juniata County from the Mifflintown Exit to the Juniata/Perry County line as the Honorable Daniel F. Clark Memorial Highway.

[Passed: 49-0.](#)

[House Bill 140](#) (Killion) would amend Act 279 of 1982 regarding ridesharing. A short title, the Ridesharing Arrangements Act, would be created for the law. In addition, the definition of “ridesharing arrangement” would be expanded to include a carpool or vanpool arrangement in which the driver is not engaged in transportation as a business and one or more groups of up to 15 people, including the driver, are transported in a motor vehicle from a place of abode to a place of employment or educational or other institution in a round trip. The group could not include school age children and the weight of the vehicle could not exceed 10,000 pounds. “Ridesharing operator” would be defined as a person or entity responsible for a ridesharing arrangement who may or may not be the driver. “Ridesharing promotional activities” would be defined as the activities involved in forming a ridesharing arrangement including promotional activities, receiving and sharing information and coordinating ridesharing activities. The measure provides that the provisions of Title 66 (Public Utilities) would not apply to ridesharing promotional activities but that the Workers’ Compensation Act would apply to the driver of an employer-owned vehicle used in a ridesharing arrangement. The legislation would also exempt money received by a driver, who is not engaged in transportation as a business, as part of a ridesharing arrangement from being taxed. **Passed: 49-0.**

[House Bill 157](#) (Heffley) would amend Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes to require that a veteran's military education, training and service experience be taken into consideration by certain Commonwealth agencies to determine whether a licensing or certification requirement has been met or can be waived due to the veteran's experience. The veteran would be required to meet any licensing or certification requirements that have not been met or waived. Further, an individual would be entitled to a renewal of a license, certification or registration, after presentation of a discharge from service within one year from the date of discharge and payment of the fee prescribed by law for the current renewal period only. The renewal would be in the same manner as though it had been made prior to expiration, all intermediate renewal fees had been paid and all continuing education or in-service training requirements had been satisfied. **Passed: 49-0.**

[House Bill 164](#) (Stephens) would amend Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes to provide that a person commits a third degree misdemeanor if he or she knowingly owns or possesses animal fighting paraphernalia as defined in the bill. **Passed: 49-0.**

[House Bill 272](#) (Neuman) would amend the Sexual Assault Testing and Evidence Collection Act to mandate timeframes for the submission and forensic analysis of sexual assault evidence from rape kits. The legislation would require the appropriate local law enforcement agency to take possession of evidence from a health care facility within 72 hours of collection. If the victim consents to testing, the evidence would have to be submitted to an approved laboratory within 15 days of receipt and analysis would have to be completed within 6 months, if possible. If a victim has not consented to testing of the samples, the evidence would have to be preserved for at least two years under guidelines to be established by the Pennsylvania State Police and the Pennsylvania Chiefs of Police Association. If a victim later consents to testing, the victim or an advocate would be required to notify the District Attorney and the law enforcement agency of that fact.

Within six months of the bill's effective date, each local law enforcement agency would have to submit a list to the Department of Health (DOH) of all evidence in its possession which has not been submitted for analysis, and arrange to have analysis completed by a laboratory. Laboratories would be required to report all untested evidence that was in their possession prior to the effective date. Thereafter, evidence would have to be submitted to a laboratory within one year and the laboratory would be required to complete testing within three years. Evidence, which has remained untested for 12 months and which law enforcement has determined should be tested, would have to be reported annually as backlogged evidence data to DOH. The data would be posted on the Department of Health's website and reported to the General Assembly. The bill would also establish rights for sexual assault victims and their families, including the right to disclosure of information about the submission of evidence, status of analysis, requests to compare DNA profiles recovered to DNA profiles stored in national or state databases and any matches discovered. The bill would also require DOH, with the concurrence of the State Police, to establish criteria which a forensic laboratory must meet to be certified to perform analysis.

Passed: 49-0.

[House Bill 466](#) (Turzai) would amend the Liquor Code to divest the Commonwealth from the wholesale and retail sale of wine and spirits, create new retail licenses allowing for the sale of liquor and wine for off-premises consumption, and make other changes. The proposed legislation would:

- Expand the definitions of distributor and importing distributor to permit those entities to hold permits authorizing them to sell wine and liquor;
- Provide the PLCB with the authority to close Pennsylvania liquor stores. In making a determination to close a store, the PLCB would be required to take into consideration the availability and accessibility of liquor to the public through the private retail market, the pricing of liquor in the area, and the profitability of the store. A store designated for closure would cease operations within 60 days;
- Provide a displaced employee with eligibility for an extension of a PHEAA grant for an additional four years;
- Prohibit the PLCB from licensing an area where liquid fuels or oil is sold and forbid the sale of liquid fuels or oil from a licensee's licensed premises;
- Provide for a licensed importer to make application to the PLCB for a wholesale permit to sell and distribute wholesale wine and liquor to licensees, permit holders and unlicensed enhanced permit holders;
- Outline the duties and required actions of a wholesale permit holder;
- Prohibit a wholesale permit holder from holding a license or permit to engage in retail wine or liquor sales; a retail license or permit holder from obtaining a wholesale permit; and any wine or liquor manufacturer or producer from obtaining a wholesale permit;

- Provide that when wholesale permits have been issued and service commenced, the PLCB would no longer have authority to determine the products to be sold, the price at which products could be sold, or to sell products at wholesale or retail;
- Create a wine and/or liquor expanded permit for the PLCB to issue to a person holding a valid restaurant or hotel liquor license for the sale of wine/liquor for off-premises consumption; detail the hours of such sales; outline the duties and operational responsibilities of the permit holder; and set the application and renewal fees;
- Create a wine or liquor enhanced permit which the PLCB could issue to a holder of a distributor or importing distributor license or to an unlicensed entity for the sale of wine/liquor for off-premises consumption; detail the hours of sale; outline the duties and responsibilities of the permit holder; set the application and renewal fees; set the number of permits available; and provide for an auction of permits if necessary;
- Allow the holder of a distributor or importing distributor license who has received a wine or liquor enhanced permit to sell liquor on the same premises where malt or brewed beverages are sold; and
- Reduce from three to two consecutive years the period whereby the PLCB could hold a license in safekeeping before the license is revoked unless certain actions have occurred, and increase the fee if a licensee requests the license to be held in safekeeping for an additional year. [Passed: 27-22.](#)

[House Bill 501](#) (M.K. Keller) would designate:

- The Conodoguinet Bridge on State Route 641 in Hopewell Township, Cumberland County over the Conodoguinet Creek as the Army Pfc. Harold “Sam” E. Barrick Memorial Bridge;
- The bridge located on the portion of State Route 865, over the railroad tracks and Main Street in Bellwood, Blair County as the Dominec M. “Patsy” Padula Memorial Bridge;
- The bridge located on the portion of State Route 940, over Tobyhanna Creek (Pocono Lake) in Tobyhanna Township, Monroe County as the Sullivan Bridge;
- The bridge located on State Route 155 at Segment 0160, Offset 2314 over the Allegheny River, Port Allegany Borough and Liberty Township, McKean County as the Port Allegany Veterans Memorial Bridge;
- The bridge located on Local Route T-325 in Coudersport Borough, Potter County over the Allegheny River as the Lt. William E, Daisley, Jr., Memorial Bridge;
- The bridge located on S.R. 3005 in Conyngham Township, Luzerne County over the outlet of Lily Lake as the Senior Officer Eric J. Williams Memorial Bridge;

- The bridge located on State Route 3005 in Greenwood Township, Clearfield County over the West Branch of the Susquehanna River as the First Lieutenant Wendell Elbert Ross Memorial Bridge;
- The bridge located on State Route 3007 in Summerville Borough, Jefferson County over the Redbank Creek as the Summerville Veterans Memorial Bridge; and
- The bridge on U.S. Route 219 which carries over to U. S. Route 422 in Ebensburg Borough, Cambria County as the Alexander Miller Abercrombie Memorial Bridge.
Passed: 49-0.

House Bill 762 (Roae) would amend the Public School Code to:

Higher Education Distance Learning Compact

- Require the Secretary of Education to enter into and administer membership in a regional compact and an interstate reciprocity agreement for the provision of postsecondary distance education.
- Establish the Postsecondary Distance Education Interstate Reciprocity Agreement Restricted Receipts Account to collect administrative fees and any state appropriated funds.

School Construction

- Prohibit the Department of Education (PDE) from accepting or approving new building construction or reconstruction project applications for the 2015-16 school year. Completed school building construction or reconstruction project applications received by the Department by August 15, 2015, would not be included in the prohibition.
- Establish a 15-member Public School Building Construction and Reconstruction Advisory Committee to review and make findings related to the construction and reconstruction of public school buildings, including construction and reconstruction planning, financing and Commonwealth reimbursement. The committee would be required to issue a report no later than February 1, 2016.

Charter School Pension and School Employees' Social Security

- Preclude charter and cyber charter schools from receiving funds from the appropriations for social security costs and school employees' retirement costs.

Vocational-Technical Equipment Grant Program

- Establish a grant program under the Department of Education for the 2015-16 school year to assist each area vocational-technical school and school district with an approved vocational program to purchase equipment.

- Provide for the distribution of grants according to a formula which provides a base amount of \$3,000 to each area vocational-technical school or school district with an approved program. The remainder of the funding would be distributed based on average daily membership.

Community Colleges

- Provide for community colleges to receive the same allocation as the current year and a pro rata share of any additional funding based on each college's share of full-time equivalent students.

Alternative Education Program

- Require a school district, a combination of school districts or a charter school that makes an application to establish an alternative education program to submit initial and renewal applications along with a fee of \$400. The money would be deposited into a restricted account in the General Fund to be known as the Alternative Education Program Account.
- Require a private alternative education institution that makes an application for approval to operate a program to submit initial and renewal applications along with a fee of \$1,000 which would be deposited into the Alternative Education Program Account.

Rural Regional College for Underserved Counties

- Reestablish a rural regional college in a multicounty rural area that is underserved by comprehensive college education and workforce development and provide for the appointment of a board of trustees. The board would be required to submit to the Secretary of Education a proposed rural regional college plan.
- Specify the organization, administration and operations of the rural regional college.

Libraries

- Provide for libraries to receive the same 2015-2016 allocation as the current year and a pro rata share of any additional funding.

Basic Education Funding

- Provide for the formula recommended by the Basic Education Funding Commission to be implemented. Each school district would receive the amount it received in fiscal year 2014-2015 and a distribution of any future funding increases. The formula considers a weighted student count based on student factors, wealth, tax effort/capacity and sparsity/size. Any remaining funds would be deposited in the Financial Recovery School District Transition Loan Account.

Payments to Intermediate Units for special education

- Increase the level of special education funding to intermediate units by \$2,200,000 over the 2014-2015 fiscal year (an amount equal to 5.5 percent of the special education funding appropriation), but maintain the manner of distribution that was in place.

Special Education Payments to School Districts

- Reenact the formula recommended by the Special Education Funding Commission currently contained in the Fiscal Code which considers a weighted student count based on student costs, wealth, tax effort and sparsity/size.
- Provide that one percent of the Special Education Funding appropriation be set aside for a contingency fund and for funds to be awarded to school districts and charter schools for extraordinary special education expenses.

Assistance to School Districts Declared to be in Financial Recovery Status or Identified for Financial Watch Status

- Extend through the 2015-2016 fiscal year an existing provision of law that permits the Department of Education to utilize up to \$4,500,000 in unencumbered funds to pay for technical assistance to Financial Watch and Financial Recovery School Districts.

Reimbursement for School Districts not Submitting Required Documentation

- Require the Department of Education to distribute available construction reimbursement funding to more school districts by requiring the PDE to move those approved projects, without all required documentation, back in the reimbursement order.

Public School Building Lease and Debt Service Reimbursements

- Require the PDE to utilize undistributed funds not expended as of June 20, 2015, from appropriations for payment of annual rental or sinking fund charges on school buildings, including charter schools and to make reimbursements for school building leases and debt service, necessary to make payments in fiscal year 2015-2016.

Ready-to Learn Block Grants

- Provide for the allocation of funds to school districts, charter schools and cyber charter schools in the same amount as fiscal year 2014-2015.

School District Debt Refinancing Bonds

- Require that capital funds be acquired from an appropriation-guaranteed issue through the Pennsylvania State Public School Building Authority in order to provide payments to

all school districts that have already received at least a Part G PlanCon approval from the PDE. Additional provisions would eliminate the Authority Rentals and Sinking Fund Requirements appropriation for the 2015-2016 fiscal year due to the realization of savings and provide that public school lease reimbursement payments will continue to be made through available prior year funds. **Passed: 30-19.**

House Bill 972 (Pickett) would amend the Insurance Company Law of 1921 to further establish the date of delivery of a policy or annuity as the date of mailing by the insurer if the delivery is by the United States mail or other postal delivery system; the date the policy or annuity is physically delivered to the owner by a representative of the insurer; or the date of electronic transmission of the policy or annuity provided the electronic transmission has been effected in accordance with applicable laws. The insurer would be required to retain evidence of electronic transmission for the entire period of the insurance policy or annuity. In the event of a dispute with the owner of a policy or annuity, the burden of proof would be on the insurer to establish that the policy or annuity was delivered. An insurer or representative of the insurer would be deemed to have satisfied the burden of proof by showing, to the Insurance Department's satisfaction, it has sent the policy or annuity in the normal course of business. **Passed: 49-0.**

House Bill 1071 (Warner) would amend the Development Permit Extension Act to modify the definition of "approval" to clarify that convertible and withdrawable real estate (condominiums and planned communities) under the Planned Community Act (68 PA.C.S. PT. Subpt. B or D) are covered. An additional change would establish that for an approval that is granted for or in effect between December 31, 2008 and July 2, 2013, whether obtained before or after December 31, 2008, the running of the period of the approval would be automatically suspended until July 2, 2016. **Passed: 49-0.**

House Bill 1192 (Adolph) would create the General Appropriation Act of 2015 to provide for the expenses of the Commonwealth, the public debt and the public schools for fiscal year 2015-2016. The \$30.1 billion balanced budget would require no new taxes or increases in existing taxes. Among other highlights, the spending plan would:

- Earmark an additional \$100 million in state funds for basic education;
- Provide an increase of \$20 million for special education, \$30 million for early childhood education and \$10 million for the Opportunity Scholarship Tax Credit;
- Direct \$300 million in savings for the state and school districts to pay for capital improvements;
- Increase funding for higher education by \$50 million;
- Expand support for Academic Medical Centers by \$4.7 million;
- Allocate \$2.8 million to address the avian flu outbreak;

- Provide an additional \$10 million to increase home and community-based services for individuals with intellectual disabilities and almost \$27 million to expand the number of individuals served through Home and Community-Based Services, Services to Persons with Disabilities and Attendant Care programs;
- Earmark enough funding for four new state police cadet classes;
- Provide an additional \$1 million for libraries; and
- Increase court funding by \$10 million. **Passed: 30-19.**

House Bill 1276 (Watson) would amend Chapter 63 (Child Protective Services Law) of Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes to clarify existing background check requirements for employees and adult volunteers working directly and routinely with children. Exemptions from the background certification requirements would be granted in certain circumstances. Specifically, the following individuals would not need to obtain the certifications:

- Employees who are administrative or support personnel and do not have direct contact with children;
- Employees of institutions of higher education if the direct contact is limited to prospective students visiting the campus or matriculated students who are enrolled with the institution, unless the matriculated students are enrolled in a secondary school;
- Minor employees between the ages of 14 and 17 if they have lived in the Commonwealth for the previous 10 years and their parent or legal guardian affirms the minor employee has not been convicted of a disqualifying crime (FBI exempt only);
- Employees or volunteers having a J-1 Visa if they would hold a position for no longer than 90 days, have not been employed previously in the Commonwealth, another state, the District of Columbia or the Commonwealth of Puerto Rico and they affirm in writing that they have not been convicted of a disqualifying crime; and
- An unpaid adult student volunteering with a child-care service, a school or a program, activity or service if all of the following apply: 1) the individual is currently enrolled in a school; 2) the individual is not a person responsible for a child's welfare; 3) the individual is volunteering for an event that occurs on school grounds; 4) the event is sponsored by the school in which the individual is enrolled as a student; and 5) the event is not for children who are in the care of a child-care service.

The legislation would also provide for the portability of background check certifications for employees who are employed in more than one paid position in which they work directly with children.

A good faith presumption would be added for employers, administrators, supervisors or other persons responsible for the selection of volunteers when identifying those volunteers who need clearances. An additional provision would grant a waiver of fees for state criminal background and child abuse clearances for volunteers once every 57 months. Beginning on August 25, 2015, volunteers would be required to obtain certifications every 60 months. Any person with a current certification issued prior to the effective date of the legislation would be required to obtain certification within 60 months of the person's oldest certification or, if the certification is older than 60 months, within one year of the effective date. Employees having contact with children and adoptive and foster parents who were not previously required to have a certification would be required to obtain a certification by December 31, 2015. Volunteers without a certification would have to obtain a certification no later than July 1, 2016.

Adult family members in family living homes, community homes for individuals with intellectual disabilities and host homes for children would be added to the mandated reporting, training and certification requirements. Further, an exemption would be granted from the mandated reporting requirement when withdrawal symptoms resulting from prenatal drug exposure affect a child under one year of age if the mother was under the care of a prescribing medical professional and in compliance with the directions for the administration of a prescription drug as directed by the prescribing medical professional during her pregnancy.

Passed: 49-0.

(2015-095)