

WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – EDWIN B. ERICKSON, CHAIRMAN

Monday, March 31, 2014

[Senate Bill 491](#) (Folmer) would amend the Local Tax Enabling Act related to the consolidated collection of local income taxes. Among other changes, the bill would:

- Allow taxpayers to use the annual local earned income tax return form available on the Department of Community and Economic Development’s (DCED) website to file a final return;
- Change certain estimated income tax payment due dates so they no longer occur before the close of the quarter;
- Provide for the filing of estimated tax by taxpayers whose major source of income is farming;
- Restrict a political subdivision, tax collection committee, or tax officer from prohibiting a taxpayer from filing any return or declaration in person or by first class mail; and
- Prohibit a political subdivision, tax collection committee, or tax officer from imposing a penalty for failure to timely file a quarterly estimated tax return for which no payment of estimated tax was due. **Passed: 47-0.**

[Senate Bill 997](#) (Smith) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to amend the definition of “pedalcycle” to include a pedalcycle with electric assist. The bill would also define a “pedalcycle with electric assist” as a vehicle weighing not more than 100 pounds with two or three wheels more than 11 inches in diameter, manufactured or assembled with an electric motor system rated at not more than 750 watts and equipped with operable pedals and capable of a speed of not more than 20 miles per hour on a level surface when powered by the motor source only. The term would not include a device specifically designed for use by persons with disabilities. An additional provision would prohibit any person under 16 years of age from operating a pedalcycle with electric assist. **Passed: 47-0.**

[Senate Resolution 250](#) (Argall) directs the Legislative Budget and Finance Committee to conduct a study relating to the feasibility and cost-effectiveness of merging public school district health care plans. **Adopted by Voice Vote.**

[Senate Resolution 326](#) (Vance) honors BAYADA Home Health Care on 39 years of providing in-home care. **Adopted by Voice Vote.**

[Senate Resolution 327](#) (Mensch) designates the month of April 2014 as “Hemophilia Awareness Month” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 328](#) (Tartaglione) designates the month of April 2014 as “Sexual Assault Awareness Month” in Pennsylvania. [Adopted by Voice Vote.](#)

[House Bill 89](#) (Marsico) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to delete provisions related to the drug abuse resistance education (DARE) registration plate and to terminate the DARE Fund at the end of the 2013-2014 Fiscal Year. Any monies in the DARE Fund on the effective date of the legislation would be transferred to the Pennsylvania Commission on Crime and Delinquency for grants to Children’s Advocacy Centers during the 2013-2014 Fiscal Year. All money in the DARE Fund on the date of termination would be transferred to the General Fund. [Passed: 47-0.](#)

Executive Session

Nominations to Various Boards and Commissions. [Confirmed: 47-0.](#)

Tuesday, April 1, 2014

[Senate Bill 24](#) (Vulakovich) would amend Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes to require the Department of Public Welfare to establish procedures for the secure use of electronic technologies to transmit information regarding child protective services. The legislation would also further delineate the information which is to be included in the statewide database of protective services and also provide parameters for the types of information to be released from the statewide database. Additional provisions would establish timeframes for the disposition and expunction of unfounded reports and general protective services reports.

After ensuring the safety of a child and any other child in the home, a county agency or law enforcement official that receives a report of suspected child abuse would be required to notify the Department of the report immediately. If the report is an oral report, the county agency or law enforcement official would be required to submit a report in writing or electronically within 48 hours. Further, a county agency or law enforcement official would be required to use the statewide toll-free telephone number to determine the existence of any prior reports involving a subject of a report. If the statewide database contains information indicating a prior report or a pending investigation, the Department would be required to immediately convey this information to the county agency or law enforcement official. The bill outlines the steps the Department would be required to take upon receipt of a report of suspected child abuse in the Commonwealth, as well as incidents of suspected abuse occurring outside of the Commonwealth.

School administrators and child care employers, if the alleged perpetrator is a school employee or child care employee, would receive notice of a pending allegation and the final status of a report following the investigation as to whether the report is indicated, founded or unfounded. If a perpetrator is a school employee, the Department of Education would also receive notice of the final status of the report. An additional change included in the legislation would permit background checks relating to child abuse to be paid for by an individual or

organization by check, money order or by credit or debit card when the system becomes available

The legislation would also increase the grading of certain offenses related to the reporting and investigation of abuse and the release of information. Any agency, school district or facility or any person acting on behalf of one of these entities that willfully fails to cooperate in an investigation would commit a third degree misdemeanor for a first violation and a second degree misdemeanor for subsequent violations. Further, a person or official who willfully fails to amend or expunge information when required would commit a third degree misdemeanor for a first violation and a second degree misdemeanor for subsequent violations. A person who willfully accesses, attempts to access or uses information in the statewide database for an unauthorized purpose would commit a second degree misdemeanor, unless the information is used with the intent to harass, embarrass, or harm another person, then the offense would be graded as a first degree misdemeanor. **[Concurrence in House Amendments: 48-0.](#)**

[Senate Resolution 321](#) (Pileggi) adopts a temporary rule of the Senate relating solely to amendments to the General Appropriation Bill and other appropriation bills for the fiscal year beginning July 1, 2014, including any amendments offered to or for supplemental appropriations for prior fiscal years. **[Adopted by Voice Vote.](#)**

[Senate Resolution 329](#) (White) designates April 2014 as “Community Banking Month” in Pennsylvania. **[Adopted by Voice Vote.](#)**

[Senate Resolution 330](#) (Teplitz) designates the month of April 2014 as “Distracted Driving Awareness Month” in Pennsylvania. **[Adopted by Voice Vote.](#)**

[Senate Resolution 331](#) (Dinniman) designates April 2014 as “Pennsylvania Community College Month.” **[Adopted by Voice Vote.](#)**

[Senate Resolution 332](#) (Tartaglione) recognizes April 2, 2014 as “National Walking Day” in Pennsylvania. **[Adopted by Voice Vote.](#)**

[Senate Resolution 333](#) (Kasunic) commemorates the 50th anniversary of the incorporation of the Borough of Seven Springs in Somerset and Fayette Counties. **[Adopted by Voice Vote.](#)**

[Senate Resolution 334](#) (Vogel) designates April 1, 2014 as “Pennsylvania Farm Bureau Day” and congratulates Pennsylvania Farm Bureau members for their contribution to the Commonwealth and the Commonwealth’s agricultural industry. **[Adopted by Voice Vote.](#)**

[Senate Resolution 335](#) (Boscola) designates the month of April 2014 as “Parkinson’s Disease Awareness Month” in Pennsylvania. **[Adopted by Voice Vote.](#)**

[House Bill 431](#) (Gingrich) would amend the Child Protective Services Law (Title 23, Chapter 63) to require licensing boards, with jurisdiction over professional licensees who are identified as mandated reporters of suspected child abuse, to require all persons applying for a license to have at least three hours of approved training in child abuse recognition and reporting. Additionally,

all persons applying for renewal of a license would be required to complete, per licensure cycle, at least two hours of approved continuing education addressing, but not limited to, recognition of the signs of child abuse and the reporting requirements for suspected child abuse. If certain conditions are met, the licensing board could exempt a licensee or applicant from the required training or continuing education.

The following persons subject to regulation by the Department of Public Welfare (DPW) would also be required to meet child abuse recognition and reporting training requirements:

- Operators of institutions, facilities or agencies which care for children and are subject to supervision by the Department, and their employees who have direct contact with children;
- Foster parents; and
- Caregivers in family day care homes which are subject to registration, and their employees who have direct contact with children.

Within six months of the effective date, operators and caregivers would be required to receive three hours of training prior to the issuance of a license, approval or registration certificate and three hours of training every five years thereafter. Employees and foster parents would have to receive three hours of training within six months and three hours of training every five years thereafter. New employees and new foster parents would receive three hours of training within 90 days of hire or approval as a foster parent and three hours of training every five years thereafter. The training curriculum would be approved by DPW and would address, but not be limited to, recognition of the signs of abuse and reporting requirements for suspected abuse. The Department could exempt persons who meet certain criteria. The legislation would take effect December 31, 2014 and would be applicable to persons applying for or renewing a license, certification, approval or registration on or after January 1, 2015. [Passed: 48-0.](#)

Wednesday, April 2, 2014

[Senate Bill 1107](#) (Alloway) would amend the Dog Law to prohibit a kennel license from being issued to an immediate family member of someone convicted of cruelty to animals within the past ten years to operate a kennel at the same location as the convicted person, unless the immediate family member can show by clear and convincing evidence that the convicted person will have no ownership interest in the kennel and play no role in the care of the dogs or the management of the kennel. If the Secretary subsequently determines that the convicted person has an ownership interest, cares for the dogs or manages the kennel, the license to operate the kennel would be permanently revoked. [Passed: 46-0.](#)

[Senate Bill 1301](#) (Vogel) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to restore the exemption from intrastate carrier safety regulations to registration-exempt farm vehicles. The Federal MAP-21 Act ensures Pennsylvania will not lose federal funds if the exception is restored. [Passed: 46-0.](#)

[Senate Resolution 336](#) (Gordner) recognizes the month of April 2014 as “Financial Literacy Month” in Pennsylvania. **[Adopted by Voice Vote.](#)**

[Senate Resolution 337](#) (Stack) recognizes the month of April 2014 as “Autism Awareness Month” and April 2, 2104 as “World Autism Day” in Pennsylvania. **[Adopted by Voice Vote.](#)**

[House Bill 974](#) (R. Brown) would amend the Public School Code to provide for a program to assist school entities in making automatic external defibrillators available in all school buildings. The Department of Education, in consultation with the Department of General Services and the Department of Health, would be required to invite bids for the cost of AEDs on a biennial basis. The Department would accept the lowest bid and permit school entities to purchase the devices at the contract bid price. The Department could provide a discount from the contract bid price or provide automatic external defibrillators to school entities that need to be equipped with the devices with funds made available for this purpose. The purchase of an AED would be considered an allowable use of Pennsylvania Accountability Grants and an innovative education program under the Educational Improvement Tax Credit program. No later than June 30, 2014, and each year thereafter, school entities would be required to make an annual report to the Department regarding the number, condition, age and placement of AEDs in each school building. The Department would be required to publish a report annually on its website detailing the total number of AEDs by school entity, the number of school buildings by school entity equipped with AEDs and the number of school buildings by school entity that need to be equipped with AEDs. **[Passed: 46-0.](#)**

[House Bill 1719](#) (Gingrich) would incorporate the Borough Code into Title 8 (Boroughs and Incorporated Towns) of the Pennsylvania Consolidated Statutes with a number of changes. Among other modifications, the legislation would:

- Add a define of “freeholder” as a person that has continuous and permanent possession and ownership of property in relation to eligibility to sign a petition for borough incorporation;
- Provide that a trustee of a charter school would be ineligible for elected borough office;
- Clarify when a resignation from a borough office is effective and a vacancy in the office is created;
- Remove the prohibition on elected or appointed borough officials being compensated for serving on a board, commission or agency created by the borough;
- Prohibit a borough resident from seeking elected borough office when the resident is employed as a police officer or firefighter in a municipality that has a contract with the borough to provide police or fire services;
- Authorize an increase, from five percent to 25 percent, in the operating reserve fund to be maintained from the estimated revenues of the borough’s general fund which would be

available to counterbalance potential budget deficits resulting from increases in anticipated costs of goods and services;

- Clarify that ordinances, rather than resolutions, would have to be used to levy assessments against benefited property for public improvements;
- Remove the restriction on a borough council from delegating the power to maintain accounts and expend funds to a recreation board; and
- Provide for the electronic submission and storage of borough ordinances. **Passed: 46-0.**

(2014-023)