

# WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – EDWIN B. ERICKSON, CHAIRMAN

## Monday, June 2, 2014

[Senate Resolution 398](#) (Mensch) designates the week of June 9 through 15, 2014 as “State Veterans’ Homes Week” in Pennsylvania. [Adopted by Voice Vote.](#)

## Tuesday, June 3, 2014

[Senate Bill 1023](#) (McIlhinney) would amend the Pennsylvania Construction Code Act to further provide for the process by which updates to the Pennsylvania Uniform Construction Code are adopted by the Uniform Construction Code Review and Advisory Committee (RAC). The bill would require that the RAC review any of the provisions revised in the published International Code Council (ICC) updates which are subsequent to the latest Pennsylvania Uniform Construction Code adopted. The legislation would also increase the amount of time the RAC would have to submit a report to the Secretary of Labor and Industry to 24 months following official publication of the code revisions by the ICC. The report would have to include those provisions specified for adoption and those specified for modification. Those codes specified for rejection would have to be separately designated in the report. A criteria would also be added so that if a provision is modified by RAC, it would have to meet or exceed the Uniform Construction Code provision then currently in effect.

The membership of the RAC would also be increased by adding an architect or engineer specializing in building energy efficiency and the term of an RAC member would be increased from two years to three years. Language would be added to require the Department of Labor and Industry to provide staff support to assist the RAC with certain duties. RAC members would also be entitled to reimbursement for reasonable travel, hotel and other necessary expenses incurred in performing their duties.

The fee assessed on each construction or building permit issued under authority of the act would be increased from \$4 to \$5. A new restricted account, the Review and Advisory Council Administration Account, would be created within the State Treasury and monies collected from the \$5 fee would be divided as follows: 40 percent to the Municipal Code Official Training Account; 40 percent to the Construction Contractor Training Account; and 20 percent to the Review and Advisory Council Administration Account. Quarterly, the monies deposited in the Review and Advisory Council Administration Account would be transferred to the Department of Labor and Industry for the expenses of the Council and expenses related to technical assistance and administrative assistance in support of the Council. [Passed: 47-1.](#)

[Senate Resolution 399](#) (Rafferty) commemorates the 100<sup>th</sup> anniversary of the Pennsylvania Chiefs of Police Association. [Adopted by Voice Vote.](#)

[Senate Resolution 400](#) (Brewster) commemorates the 50<sup>th</sup> anniversary of the Port Authority of Allegheny County. [Adopted by Voice Vote.](#)

[Senate Resolution 401](#) (Dinniman) recognizes June 2014 as “National Hunger Awareness Month” in Pennsylvania. [Adopted by Voice Vote.](#)

[House Bill 1738](#) (O’Neill) would amend the Public School Code of 1949 to establish a Basic Education Funding Commission to review and make recommendations regarding basic education funding. The commission would consist of the following 15 members:

- The Education Committee chairs and minority chairs in the Senate and the House of Representatives;
- Two legislators from each of the four legislative caucuses to be appointed by the President Pro Tempore of the Senate and the Speaker of the House of Representatives;
- The Secretary of Education or a designee;
- The Deputy Secretary for Elementary and Secondary Education or a designee; and,
- An individual appointed by the Governor from within the administration.

The General Assembly would be required to provide administrative support, meeting space and any other assistance required by the commission to carry out its duties. The Department of Education would be directed to provide the commission with data, research and other information upon request.

The commission would be charged with developing a basic education funding formula and identifying factors that could be used to determine the distribution of basic education funding in the Commonwealth. These factors could include nine factors listed in the legislation. The commission has the following powers and duties:

1. Review and make findings and recommendations related to basic education funding in the Commonwealth;
2. Consult with and utilize experts to assist the commission;
3. Receive input from interested parties including school districts and charter and cyber school operators;
4. Hold public hearings in different regions of the Commonwealth;
5. Review and consider basic education funding formulas and factors utilized throughout the United States;
6. When identifying the basic education factors and completing the report, consider the impact the factors may have on the distribution of basic education funding;
7. Review the administration of state and regional basic education programs and services to determine if cost savings could be achieved and make recommendations to implement the savings;
8. Prior to recommending a basic education funding formula, consider the potential consequences of a formula that does not allocate to each school district at least the same level or proportion of state funding as it received in the prior year;
9. Prior to recommending a basic education funding formula, consider nationally accepted accounting and budgeting standards;
10. Develop a proposed basic education funding formula using the factors identified to determine the distribution;

11. Draft proposed regulations and proposed legislation based on the commission's findings; and
12. Issue a report of the committee's findings no later than one year after the effective date of the legislation.

The basic education formula developed by the commission would not go into effect until it is approved by an act of the General Assembly. The commission would have to be reconstituted every five years to meet and hold public hearings to review the operation of the basic education provisions and to issue a report. The General Assembly would determine the level of state funding for basic education through the annual appropriations process.

**Passed: 47-1.**

### *Executive Session*

Nominations to Various Boards and Commissions, and Robert J. Wolfe as Sheriff, Northumberland County. **Confirmed: 48-0.**

### **Wednesday, June 4, 2014**

**Senate Bill 1001** (Folmer) would Title 57 (Notaries Public) of the Pennsylvania Consolidated Statutes to allow the Department of State to promulgate regulations requiring applicants for appointment as a notary public to submit criminal history record information as a condition of appointment. The legislation would also remove the requirement that an individual's application for notary public bear the endorsement of a Pennsylvania state senator. An additional change would clarify that within 45 days after appointment, and prior to entering into the duties of a notary public, the bond, oath of office and commission would have to be recorded in the office of recorder of deeds of the county in which the notary maintains an office. **Passed: 45-1.**

**Senate Bill 1341** (Greenleaf) would amend Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes to codify a number of statutes into Title 44. The codification would include: the Pennsylvania Commission on Crime and Delinquency Law, the Deputy Sheriffs' Education and Training Act, and the Crime Victims' Act. The existing provisions in Title 44 relating to DNA data and testing (Chapter 23) and constables (Chapter 71) would be retained and would not be affected by the consolidation. All activities initiated under the previous statutes would continue and remain in full force and effect. Unless otherwise specified in the legislation, any difference in language between the codification and the previous statutes would only be intended to conform to the style of the Pennsylvania Consolidated Statutes and would not be intended to change or affect the legislative intent, judicial construction or administrative interpretation and implementation of the laws. The freestanding statutes would be repealed. **Passed: 46-0.**

**Senate Resolution 402** (Rafferty) commemorates the 70<sup>th</sup> anniversary of D-Day on June 6, 2014. **Adopted by Voice Vote.**

**House Bill 112** (Vereb) would amend Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes to make it a third degree felony for a sports official in a sports program of

a nonprofit or for-profit association when that person engages in sexual intercourse, deviate sexual intercourse or indecent contact with a child under 18 years of age who is participating in a sports program of the association. An additional provision would make it a third degree felony when an employee or volunteer of a nonprofit organization having direct contact with a child under 18 years of age participating in a program or activity of the nonprofit association engages in sexual intercourse, deviate sexual intercourse or indecent contact with that child. The bill would also amend Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes to establish a minimum mandatory sentence of 15 years relating to murder when the victim is less than 13 years of age. **Passed: 45-1.**

**House Bill 1460** (Gillen) would amend Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes to require that a student unable to complete a class because of military service receive an “M” or “MILITARY” mark on his or her grade transcript, rather than a “W” for withdrew. The bill would also create the Heroic Service Website, which would be administered by the Department of Military and Veterans Affairs. The publicly accessible website would list individuals who have been awarded the Distinguished Service Cross, the Navy Cross, the Air Force Cross or the Silver Star. The website would include the recipient’s complete name, dates of military service, name of the award and the date it was given. Within a year of the act’s effective date, the department would be required to report on the cost of establishing and maintaining a more comprehensive website that would list all military awards. The report would have to be published on the department’s website and provided to the Senate and House Veterans Affairs and Emergency Preparedness Committees. **Passed: 46-0.**

**House Bill 2081** (Adolph) would amend the Workers’ Compensation Act to exclude from the definition of “employee” workers covered under the federal Longshore and Harbor Workers’ Compensation Act or the Merchant Marine Act. **Passed: 46-0.**