

WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – EDWIN B. ERICKSON, CHAIRMAN

Monday, June 30, 2014

[Senate Bill 75](#) (Greenleaf) would amend Title 18 (Crimes and Offenses) and Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes by extensively revising the law to address the issue of human trafficking. Chapter 30 (Trafficking of Persons) in the Crimes Code would be repealed and replaced with a new Chapter 30 (Human Trafficking). The new chapter would:

General Provisions

- Add definitions for the various terms used in the new chapter including definitions for “human trafficking,” “involuntary servitude,” “labor servitude,” “sexual servitude,” “debt coercion,” and “serious harm;”
- Create various criminal offenses along with the individual grading of each offense;
- Establish penalties for any business entity that aids or participates in any violation of the new chapter;
- Provide for evidence and defenses to human trafficking, as well as victim protection during a prosecution;
- Create a diversionary program for an individual charged with certain offenses directly resulting from being a victim of human trafficking;
- Provide for restitution to a victim of human trafficking in certain circumstances;
- Provide for asset forfeiture to the Commonwealth of an individual, entity or organization engaged in specified actions which violate Section 3011 (trafficking in individuals) or Section 3012 (involuntary servitude);
- Detail the disposition of moneys forfeited and/or acquired from the sale of forfeited property;
- Provide for the suspension of a licensee’s professional license for certain human trafficking conduct;
- Require the Pennsylvania Commission on Sentencing to provide the courts with sentencing enhancement guidelines for cases involving human trafficking and involuntary servitude;
- Require the Pennsylvania Commission on Sentencing to collect data and other relevant information on sentences imposed for offenses in the new chapter;

Prevention of Human Trafficking

- Require the Pennsylvania Commission on Crime and Delinquency (PCCD), subject to the availability of funds, to make grants to state agencies, local government units and non-governmental organizations for programs related to victims of human trafficking, for protection of victims of human trafficking, and for ensuring of human trafficking;

Protection of Victims of Human Trafficking

- Provide that a victim of human trafficking may bring a civil action against any person that participated in the human trafficking;
- Provide for a statute of limitations for adult and minor victims in civil actions;
- Require law enforcement agencies to take reasonable steps necessary to identify, protect and assist victims of human trafficking;
- Require the provision of services to a minor victim by the Commonwealth or by any institution or person established or licensed by the Commonwealth to be carried out in a manner that is in the best interest of the minor and appropriate to the particular situation;
- Require PCCD, subject to the availability of funds, to prepare a model informational form, with specified information, to be used by any person having contact with victims of human trafficking;
- Require the Department of Labor and Industry to administer labor standards under its jurisdiction without regard to legal status of the individual's right to work in the United States and to report to the appropriate law enforcement agency any evidence of human trafficking;
- Provide that the Attorney General, a district attorney or any representative of a law enforcement agency may certify to the United States Department of Justice or other federal agency that an investigation has begun and the individual who may be a human trafficking victim has agreed to cooperate with the investigation;
- Provide victims of human trafficking with eligibility for benefits and compensation under the Crime Victims Act;
- Provide for voluntary placement in, and restrictions on admission to, shelter facilities for victims of human trafficking;

General Provisions

- Provide that PCCD may apply for and expend federal grants and grants from other sources to assist in implementing the provisions of the chapter;

Amend Title 42

- Add offenses relating to involuntary servitude to the allowable offenses for an order authorizing interception of communications;
- Provide that an offense relating to trafficking of individuals or involuntary servitude may be prosecuted up to ten years from the date of the last offense against the victim if the victim is an adult and if the victim was a minor at the time of the offense up to ten years after the victim reaches 18 years of age;
- Add an offense relating to trafficking in individuals to those offenses classified as Tier II sexual offenses; and
- Provide that the repeal of current provisions of law would not affect the validity of a prosecution initiated under one of the repealed sections. [Concurrence in House Amendments: 50-0.](#)

[Senate Bill 137](#) (Gordner) would amend the Speech-Language and Hearing Licensure Act to rename it as the Speech-Language Pathologists and Audiologists Licensure Act. The bill would update the definitions of “audiologist” and “speech-language pathologist” and add definitions for “neurophysiologic intraoperative monitoring,” “practice of audiology,” and “practice of speech-language pathology.” In addition, the existing licensure board would be re-named the Board of Examiners in Speech-Language Pathology and Audiology and the membership of the Board would be decreased from ten to eight members. An additional change would provide that a board member who fails to attend three consecutive meetings would forfeit his seat unless the Commissioner of Professional and Occupational Affairs, upon written request from the member, finds that the member should be excused from a meeting because of illness or the death of an immediate family member.

Teachers of the hearing impaired would be removed from the act. Speech-language pathologists would have to possess a master’s degree in speech-language pathology from an academic program accredited by an accrediting agency approved by the Board under standards pursuant to the act. Applicants for a speech-language pathologist license would also have to show at least nine months of supervised experience. Audiologists would have to possess a master’s degree or doctoral degree in audiology from an academic program accredited by an accrediting agency approved by the Board and the United States Department of Education or the Council for Higher Education Accreditation under standards pursuant to the act. Master’s degree applicants for a speech-language pathologist license would also have to show at least nine months of supervised experience. Beginning January 1, 2015, all new applicants for an audiologist’s license would have to possess a doctoral degree in audiology as determined by the Board.

The legislation would further authorize the Board to waive certain examination and educational requirements for applicants holding valid licenses from other states. The Board could also provide for provisional licensure for certain applicants. Audiologists and speech language pathologists who have patients with medical issues beyond the scope of the practice of audiology would be required to refer those patients to a physician within 30 days. In addition, the Board could refuse to issue, revoke or suspend a license if an audiologist or speech-language pathologist is rendered unable to practice because of physical or mental illness or the misuse of alcohol or drugs. The measure would also require the Board to promulgate regulations governing the use of instrumental technology by licensed speech language pathologists within 18 months of the effective date of the act. [Concurrence in House Amendments: 50-0.](#)

[Senate Bill 193](#) (Vance) would amend the Public School Code to require a school nurse who is not CPR-certified by a Department of Health approved certifying agency by July 1, 2014 to complete training within one year. A person hired as a school nurse after July 1, 2014 would have to be CPR-certified or complete CPR certification through a Department of Health approved certifying agency within one year of hiring. A school nurse would be required to complete CPR certification within the time frame established by the approved certifying agency. [Concurrence in House Amendments: 50-0.](#)

[Senate Bill 922](#) (Brubaker) would amend Title 24 (Education), Title 51 (Military Affairs), and Title 71 (State Government) of the Pennsylvania Consolidated Statutes to establish a mandatory

defined contribution pension plan for “elected officers” elected, re-elected or retained to a term that begins on or after January 1, 2015. Elected officers would include members of the General Assembly and the Judiciary, as well as the Governor, Lieutenant Governor, Attorney General, Auditor General and State Treasurer. Elected officials not previously participating in the existing defined benefit plan could opt into the new defined contribution plan. Members placed in the new defined contribution plan would be automatically vested in the existing defined benefit plan. Contributions under the new plan would consist of 6.25 percent of compensation by participants and four percent by employers. The plan would begin operation on January 1, 2016. All contributions made by participants prior to that date would be pooled until the plan becomes operational. All other State Employees Retirement System (SERS) members, whether currently employed, or hired or rehired in the future, would continue under the current SERS defined benefit provisions.

The legislation would also direct the Joint State Government Commission to establish a task force to make recommendations to the General Assembly and the Governor regarding the unfunded liability of the State Employees Retirement System and the Public School Employees Retirement System. Among other topics, the task force would be required to review reforms to control escalating costs, conduct an analysis of recent legislative changes in the Commonwealth and to study retirement system changes in other states having unfunded liability issues. The task force would be required to report to the Governor and the General Assembly not later than March 31, 2015. **Passed: 50-0.**

Senate Bill 1187 (Argall) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to make a number of changes regarding special license plates. The bill would:

- Increase the maximum weight a vehicle can have to display existing veteran or specialty registration plates from 10,000 pounds to 14,000 pounds;
- Add 1976 to the acceptable years for vintage registration plates for antique vehicles;
- Direct the Department of Transportation to design a Pennsylvania Monuments Registration Plate with a replica of the Pennsylvania Memorial Monument at the Gettysburg National Military Park and the words “Gettysburg 1863.” An application for the special plate would have to be accompanied by a fee of \$54, which would be in addition to the annual registration fee. The special registration plate could only be used on a passenger car, motor home, trailer or truck with a registered gross weight of not more than 14,000 pounds. Twenty-three dollars of the fee would be placed in the Veterans’ Trust Fund to be used to provide grants to nonprofit organizations for the cleaning, repair, and restoration of Pennsylvania monuments by the Gettysburg National Military Park. Grants could not be used to pay for the cost to clean, repair or restore the grounds surrounding a monument;
- Establish a \$25 fee for the issuance of an organization registration plate, in addition to the annual registration fee;

- Direct the Department, in consultation with the United States Olympic Committee or its designees, to design a special United States Olympic Registration Place with the official United States Olympic Committee logo and wording which indicates support for the advancement of excellence in amateur athletic competition in the Commonwealth. The United States Olympic Committee could charge a fee for the authorization to request the registration plate. The special registration plate could be issued for passenger cars or trucks with a registered gross weight of not more than 14,000 pounds and motor homes and the \$25 organization registration plate fee would apply. Proceeds received by the Olympic Committee would have to be used exclusively to provide funding to one or more nonprofit organizations in the Commonwealth that focus on the advancement of excellence in amateur athletics;
- Direct the Department, in consultation with the Pennsylvania Game Commission, to design a Hunting Heritage Plate for passenger cars or trucks with a registered gross weight of not more than 14,000 pounds and motor homes. The Game Commission would charge the \$25 organization registration plate fee for the authorization to request the registration plate. Thirty-three percent of the proceeds received by the Game Commission would be allocated to nonprofit organizations that coordinate the processing and distribution of donated wild game from hunters and municipal herd reduction sources to Pennsylvania residents through a distribution network of food banks in the Commonwealth. Sixty-seven percent of the funds would be allocated as grants to nonprofit sportsmen's clubs and organizations to conduct activities that promote sport hunting, youth hunter education or the conservation and enhancement of game species in the Commonwealth. Nonprofit organizations could not use funding under the section for salaries or administrative expenses;
- Include individuals who were in the Merchant Marine and served in the Korean War, the Vietnam Conflict, or any of the Gulf Wars as eligible recipients of the special plates for individuals in the service of the Merchant Marine;
- Create a Combat Action Badge, Combat Infantryman Badge, Combat Action Ribbon, Combat Action Medal or Combat Medical Badge special registration plate to designate a vehicle as belonging to a person who is a recipient of one of these honors. The application for the special plate would have to be accompanied by a fee of \$20, which would be in addition to the annual registration fee, and any documentation required by the Department of Transportation. The special registration plate could only be used on a passenger car or truck with a registered gross weight of not more than 14,000 pounds; and
- Create an "In God We Trust" special registration plate. The application for the special plate would have to be accompanied by a fee of \$20, which would be in addition to the annual registration fee. The special registration plate could only be used on a passenger car or truck with a registered gross weight of not more than 14,000 pounds.

Concurrence in House Amendments: 50-0.

[Senate Bill 1312](#) (Vogel) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to:

- Add a definition for “manufactured home;”
- Clarify that if a mobile home or manufactured home is to be sold or transferred and has been anchored to the ground and previously titled to a person using it as a residence, the transferor would have to obtain a tax status certificate and provide it to the transferee;
- Add Sections 1621 and 1622 to prohibit texting and/or the use of a handheld cell phone while driving a commercial vehicle or motor carrier vehicle, provide for emergency exceptions, and provide for penalties;
- Add manufactured homes to the provisions requiring a fee for a special hauling permit;
- Increase the minimum sentence from one year to three years for a person convicted of causing an accident that results in a death and fleeing the scene of the accident;
- Change the allowable length of a school bus from 40 feet to 45 feet; and
- Provide that in the movement of permitted oversized vehicles, one pilot car would be required if the vehicle was greater than 13 feet but not greater than 14 feet in body width; prohibit an oversized vehicle from traveling within 1,000 feet of another such vehicle traveling in the same direction except under certain circumstances; allow the transport of multiple sections of manufactured housing and any components used to assemble the housing if the total load does not exceed 80,000 pounds or exceed the permitted width, length and height limitations; and remove the day and time travel restrictions on permitted manufactured housing transport. [Concurrence in House Amendments: 49-1.](#)

[Senate Bill 1384](#) (Gordner) is the Highway Capital Budget Project Itemization Act of 2014-2015. The legislation would authorize \$19,154,285,000 for the public highway projects itemized in the act to be financed from current revenues or the incurring of debt. [Concurrence in House Amendments: 50-0.](#)

[Senate Resolution 422](#) (Brubaker) recognizes September 2014 as “Hunger Action Month” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 423](#) (Smith) recognizes July 24, 2014 as “International Self-Care Day” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 424](#) (Browne) recognizes August 16, 2014 as “National Model Aviation Day” in Pennsylvania. [Adopted by Voice Vote.](#)

[House Bill 1772](#) (Harper) would amend the Deputy Sheriffs’ Education and Training Act so that the provisions of the act would be applicable to elected and appointed sheriffs as well as deputy sheriffs. The legislation would:

- Change the name of the act to the Sheriff and Deputy Sheriff Education and Training Act and add the term “sheriff” as appropriate throughout the act;
- Remove the term advisory from the Education and Training Board and give the Board the power to revoke the certification of sheriffs and deputy sheriffs and to reinstate certificates when appropriate;
- Provide for the training and education requirements that must be met by a sheriff;
- Add a section dealing with the process and criteria for revocation of a sheriff or deputy sheriff certification; and
- Provide that excess funds in the Sheriff and Deputy Sheriff Education and Training Account would not be transferred to the General Fund on an annual basis but would stay in the Account. Passed: 50-0.

House Bill 1945 (Helm) would authorize the Department of General Services (DGS) to:

- Conduct a comprehensive survey of the tract or tracts of land and all improvements thereon in the City of Harrisburg and Susquehanna Township, Dauphin County, which was formerly known as the Harrisburg State Hospital and Harrisburg State Hospital Farm and is now known in part as the DGS Annex Complex. The survey would exclude the Commonwealth-owned facilities delineated in the legislation, including suitable grounds and easements necessary for current and future operation of the facilities, which are currently located on a portion of the property, including any other portion of the property required for Commonwealth operations as determined by DGS. DGS would be required to consult with each state entity having jurisdiction and control over the facilities on the property before establishing final property boundaries to ensure that adequate property is retained for current and future operations. The subdivision of the property would be exempt from the Pennsylvania Municipalities Planning Code and local subdivision and land development ordinances. DGS would be authorized to seek a zoning variance from Susquehanna Township during the conduct of the survey. DGS would be required to prepare other facilities to receive Commonwealth employees who will be displaced by the sale of the property. When the survey is completed, DGS would be required to present a plan for conveyance to both Houses of the General Assembly that includes a recommended division of the property and the fair market value of each parcel. Following the receipt of the plan, the General Assembly would authorize DGS to convey the property within 18 legislative days;
- Convey to the Philadelphia Technician Training School 1.53 acres of land with improvements in the 29th Ward of the City of Philadelphia for \$2,200,000. A condition would be placed on the sale of the property, and placed in the deed, that no portion of the property could be used as a gaming facility or title would revert to the Commonwealth. DGS and the Philadelphia Technician Training School would have one year from the effective date of the act to reach a mutually acceptable agreement of sale or the property

could be disposed of in accordance with the Disposition of Commonwealth Surplus Land provisions contained in the Administrative Code;

- Convey to the Coatesville Area Senior Center a tract of land known as the Department of Labor and Industry's Office of Employment Security (or CareerLink) containing approximately 0.362 acres with buildings and improvements in the City of Coatesville, Chester County, for \$281,000. A condition would be placed on the sale of the property, and placed in the deed, that no portion of the property could be used as a gaming facility or title would revert to the Commonwealth. If the conveyance is not executed per the terms and conditions of an agreement of sale, the property could be disposed of in accordance with the Disposition of Commonwealth Surplus Land provisions as contained in the Administrative Code. The proceeds from the sale would be deposited in the General Fund;
- Remove and release the restrictive use covenants imposed on an 8.766 acre tract of land formerly known as the Blossburg State General Hospital which was conveyed to North Penn Comprehensive Health Services, predecessor to Laurel Health Systems, in the Borough of Blossburg, Tioga County. The covenants would be released for fair market value based on an appraisal. Proceeds received from the release of the restrictive use covenants would be deposited into the General Fund;
- Convey two tracts of land containing approximately 1.839 acres, together with any buildings or improvements, in the City of Pittsburgh at a price to be determined through a competitive bid process. DGS would be further authorized to convey to the successful bidder the perpetual easement associated with the property. The oil, gas and mineral rights associated with the property could be retained by the Commonwealth. The proceeds from the sale would be deposited in the State Treasury Armory Fund;
- Convey a tract of land containing approximately 0.35 acres of land together with any buildings or improvements in the Borough of Pine Grove, Schuylkill County, at a price to be determined through competitive bidding. The oil, gas and mineral rights associated with the property could be retained by the Commonwealth. The proceeds from the sale would be deposited in the State Treasury Armory Fund;
- Convey Washington Monument Park, the Fort LeBoeuf Museum, and the Judson House all located in the Borough of Waterford, Erie County to the Fort LeBoeuf Historical Society for \$1 each. A condition would be placed on the sale of the properties, and placed in the deeds, that no portion of the properties could be used as a gaming facility or title would revert to the Commonwealth. A number of other restrictive covenants would be included in the deed of conveyance related to standards for historic preservation and requirements and standards for archaeological investigation. In the event that the conveyances are not effectuated within one year of the effective date of the act, the authority would expire;
- Convey 0.8907 acres in the Borough of Millersville, Lancaster County to the Penn Manor School District in exchange for 2.328 acres in the Borough of Millersville. The Secretary

of General Services would be authorized to grant or reserve any easements on Commonwealth-owned real property at Millersville University of Pennsylvania as may be necessary to effectuate the purposes of the conveyance or to otherwise protect the interests of the Commonwealth;

- Remove and release restrictive and reversionary covenants imposed on 0.50 acres and improvements in the City of Scranton, Lackawanna County previously conveyed to Scranton Primary Health Care Center, Inc., according to a legally binding agreement acceptable to the Secretary of General Services. Proceeds received by DGS for the release of the covenants would be deposited into the General Fund; and,
- Allow a partial removal and release of restrictive covenants on two tracts of land totaling 18.6033 acres in Benner Township, Centre County previously conveyed to Benner Township under terms and conditions and for consideration acceptable to the Department of General Services. Any proceeds received by the Department of General Services for the partial release of the covenants would be deposited into the General Fund.

The bill would also authorize the Department of Transportation to convey 0.0473 acres and improvements in the City of Pittsburgh, Allegheny County to East Liberty Development, Inc., for fair market value based on an appraisal and under terms and conditions to be established in an agreement of sale. A condition would be placed on the sale of the property, and placed in the deed, that no portion of the property could be used as a gaming facility or title would revert to the Commonwealth. Proceeds from the sale would be deposited into the Motor License Fund. An additional provision would authorize the Commonwealth to lease land within the Delaware River bed in the Fifth Ward of Philadelphia to the City of Philadelphia for rent to be determined by the Secretary of General Services. [Concurrence in House Amendments to Senate Amendments: 50-0.](#)

[House Bill 2072](#) (Murt) would make a number of highway and bridge designations. The bill would designate:

- The section of County Line Road separating Montgomery and Bucks Counties from Maple Avenue to Easton Road as the SP4 Ronald C. Smith Memorial Highway;
- The section of Pennsylvania Route 233 from the northern corporate limits of Newville Borough to the Cumberland County and Perry County line as the Sergeant Timothy L. Hayslett Memorial Highway;
- The bridge located on US 22/US 322 eastbound over Interstate 81 in Susquehanna Township, Dauphin County as the Chief Warrant Officer Matthew Ruffner Memorial Bridge;
- The section of Pennsylvania Route 12 in Alsace Township, Berks County as the Special Warfare Operator Chief (Seal) Lance M. Vaccaro Highway;

- The bridge located on State Route 3023, Johns Street, over Little Conemaugh River in Johnstown, Cambria County as Clara Barton Memorial Bridge;
- The bridge located on State Route 1003, Old York Road, over the Pennsylvania Turnpike, in Fairview Township, York County as the Staff Sergeant Guy E. Shelley Memorial Bridge;
- The section of State Route 51, known as Fleming Park Road, that intersects with Coraopolis Road in Kennedy Township, Allegheny County as the Captain Sean M. Ruane Memorial Highway;
- The bridge crossing the Lackawanna River along 8th Avenue, also known as U.S. Business Route 6, in downtown Carbondale, Lackawanna County as the 109th Infantry Bridge;
- The bridge, known as State Route No. 53-0054-0290-0143, carrying S.R. 54 in Mahanoy Township, Schuylkill County, over the Reading and Northern Railroad, as the Cornelius McElhenny Memorial Bridge;
- The bridge located on State Route 66 in Leechburg Borough, Armstrong County, over the Kiskiminetas River as the Veterans Memorial Bridge;
- The road located in Chester Township, Delaware County, known as Concord Road (S.R. 3007), as the Judge Robert A. Wright Memorial Road;
- Whitaker Avenue from its intersection with Roosevelt Boulevard in Philadelphia to the point where it meets Erie Avenue in Philadelphia as the 65th Infantry “Borinqueneers” Avenue;
- The section of State Route 45, from the intersection of State Route 26, Segment 0140, Offset 0000, in Pine Grove Mills, Centre County to U.S. Business Route 322, Segment 0420, Offset 0000, in Boalsburg, Centre County as the Sergeant Adam Hartswick Interchange;
- The bridge located on 17th Street over State Route 56 in Windber Borough, Somerset County as the Trooper Joseph Sepp Memorial Bridge;
- The section of State Route 30, from Clarissa Street to Cheltenham Avenue in Philadelphia as the Betty Ann Townes Memorial Highway;
- The bridge that carries State Route 18, Section D10, Segment 0070, Offset 0038, over Fish Creek in New Freeport Township, Greene County as the Lieutenant Colonel Cephus Lee Roupe Memorial Bridge; and

- The bridge located on State Route 2020 over Interstate 81 in Dunmore Borough, Lackawanna County as the 2nd Lieutenant Carol Ann Drazba and Vietnam Veterans Memorial Bridge. [Concurrence in House Amendments to Senate Amendments: 50-0.](#)

[House Bill 2280](#) (Adolph) would appropriate \$39,207,000 from the Professional Licensure Augmentation Account within the General Fund to the Department of State for the operation of the Bureau of Professional and Occupational Affairs, including the State Board of Auctioneer Examiners, during the 2014-2015 Fiscal Year. Other appropriations listed in the bill for operational costs during the 2014-2015 Fiscal Year include: \$7,559,000 to the State Board of Medicine; \$1,250,000 to the State Board of Osteopathic Medicine; \$225,000 to the State Board of Podiatry; and \$536,000 to the State Athletic Commission. [Passed: 50-0.](#)

[House Bill 2281](#) (Adolph) would appropriate \$70,666,000 from the Workmen's Compensation Administration Fund to the Department of Labor and Industry for the administration of the Workers' Compensation Act and the Pennsylvania Occupational Disease Act for Fiscal Year 2014-2015. The bill would also appropriate \$194,000 from a restricted revenue account within the Workmen's Compensation Administration Fund to the Office of Small Business Advocate for Fiscal Year 2014-2015. [Passed: 50-0.](#)

[House Bill 2282](#) (Adolph) would appropriate \$1,163,000 from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development for its operational expenses for the 2014-2015 Fiscal Year. [Passed: 50-0.](#)

[House Bill 2283](#) (Adolph) would appropriate \$5,165,000 from a restricted revenue account in the General Fund to the Office of Consumer Advocate in the Office of Attorney General for its operational expenses for the 2014-2015 Fiscal Year. [Passed: 50-0.](#)

[House Bill 2284](#) (Adolph) would appropriate \$41,689,000 from the Public School Employees' Retirement Fund to the Public School Employees' Retirement Board for its operational and administrative expenses for the 2014-2015 Fiscal Year. [Passed: 50-0.](#)

[House Bill 2285](#) (Adolph) would appropriate \$22,303,000 from the State Employees' Retirement Fund to the State Employees' Retirement Board for its operational and administrative expenses for the 2014-2015 Fiscal Year. [Passed: 50-0.](#)

[House Bill 2286](#) (Adolph) would appropriate \$7,072,000 from the Philadelphia Taxicab and Limousine Regulatory Fund and \$500,000 from the Philadelphia Taxicab Medallion Fund to the Philadelphia Parking Authority for the 2014-2015 Fiscal Year. [Passed: 50-0.](#)

[House Bill 2287](#) (Adolph) would appropriate \$64,571,000 to the Public Utility Commission (PUC) for the operation of the commission for the 2014-2015 Fiscal Year. The bill would also appropriate \$1,897,000 in federal funds to the PUC to enforce the regulations of the Natural Gas Pipeline Safety Act and \$1,888,000 in federal funds for motor carrier safety. [Passed: 50-0.](#)

[House Bill 2288](#) (Adolph) would establish the Gaming Control Appropriation Act of 2014. The bill would appropriate monies from the State Gaming Fund for salaries, wages, and necessary expenses related to gaming, as follows:

- Pennsylvania Gaming Control Board, \$37,990,000;
- Pennsylvania State Police, \$22,995,000;
- Department of Revenue, \$9,513,000; and
- Attorney General, \$1,141,000. [Passed: 50-0.](#)

[House Bill 2328](#) (Adolph) would create the General Appropriation Act of 2014 to provide for the state spending plan for Fiscal Year 2014-2015. The measure proposes a total of \$29.09 billion in General Fund spending for Fiscal Year 2014-15, a \$502.3 million (1.7 percent) increase over prior year spending and \$320.1 million less than the Governor's budget request.

Among other highlights, the proposed budget would:

- Increase education funding for Pennsylvania's schools by \$316 million over last year's funding level;
- Increase funding for special education by \$20 million, Pre-K Counts by \$10 million and Early Intervention by \$10 million;
- Increase funding for county child welfare services by \$28 million;
- Earmark \$11.4 million to train four new Pennsylvania State Police cadet classes;
- Increase funding for the Community-Based Health Care Program, providing \$2 million for four new facilities; and
- Increase funding by 2.5 percent for agricultural programs, such as agricultural research, promotion and exports, food marketing and research and the PA Preferred program.

[Passed: 26-24.](#)

Executive Session

Nominations to Various Boards and Commissions. [Confirmed: 50-0.](#)

Numerous Judicial Nominations to the Court of Common Pleas. (Two-Thirds Vote Required)
[Confirmed: 50-0.](#)

Tuesday, July 1, 2014

[Senate Bill 622](#) (Ward) would create the Debt Settlement Services Act to provide for the licensing of persons providing debt settlement services, for powers and duties of the Department of Banking and Securities and for enforcement. The legislation would not apply to certain individuals and activities listed in the legislation. A “provider” as defined in the bill would not be allowed to provide debt settlement services to an individual residing in Pennsylvania unless the provider is licensed under the act. The Department would be required to maintain and publicize a list of all licensed providers. An application for licensure as a provider would have to be submitted on a form prescribed by the Department and accompanied by the following:

- A licensing fee established by the Department;
- A bond that complies with the provisions of the legislation;
- Proof that the provider is authorized by the laws of the Commonwealth to conduct business; and
- Other information as specified in the legislation.

A person providing debt settlement services before the effective date of the act would be required to submit an application for a license within 30 days of the effective date. An applicant could continue to provide debt settlement services while the Department processes the application. The Department would have to decide whether to issue a license within 60 days of receiving an applicant’s completed application, but could extend the time period for 30 days with written notice to the applicant. In order to decide whether to issue a license, the Department could conduct an investigation of the applicant.

A license would be issued for a period not to exceed 14 months on a schedule determined by the Department. An application for renewal of a license would be submitted to the Department accompanied by a fee of \$1,250 and information as required by the Department. The Department could deny, suspend, revoke or refuse to renew a license for reasons designated in the act. A non-profit corporation or association registered under 15 Pa.C.S. Pt. Subpt. C, which has annual gross revenues from debt settlement service fees and charges of less than \$3,000,000 annually, would pay an initial license fee of \$500 and an annual renewal fee of \$350.

The Department could only issue a license if an applicant obtains and maintains a penal bond in the amount of \$25,000 and meets conditions imposed by the act. An aggrieved person could, with the written consent of the Department, recover fees and costs from a bond or recover fees and costs by filing a formal complaint against the licensee with the Department which would adjudicate the matter. Nothing could be construed to limit the ability of a court or magisterial district judge to award other damages, court costs and attorney fees to the aggrieved person.

A provider would be required to act in good faith in all matters under the act and, as a prerequisite to providing debt settlement services, disclose information as stipulated in the act. A provider could not receive payment of a fee or consideration for debt settlement services unless certain conditions as outlined in the act have occurred. A person aggrieved by a decision of the Department could appeal the decision to the Banking and Securities Commission. A decision of

the Commission, or an unappealed order of the Department, would be a final order of the Department. A person aggrieved by the decision of the Commission could appeal the decision to the courts. Annually, a licensee would be required to file a report with the Department setting forth information as required by the Department. A licensee who fails to file an annual report would be subject to a penalty of \$100 for each day after the due date. The Department could impose a civil penalty of up to \$10,000 for each violation of the act. A fee or penalty collected by the Department under the act would be deposited into the Banking Fund. Act 117 of 2008, the Debt Management Services Act, would be repealed as it applies to debt settlement services.

Concurrence in House Amendments: 50-0.

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. **Concurrence in House Amendments: 48-2.**

Senate Bill 1085 (Smucker) would amend the Public School Code to make a number of changes regarding charter schools. Among other provisions, the measure would:

- Include charter schools, regional charter schools, cyber charter schools and area vocational-technical schools under the provisions which provide for concurrent enrollment agreements with institutions of higher education;
- Allow charter schools to use sectarian facilities if discrete and separate entrances are utilized for school purposes and if religious articles or symbols within the portions used by the school are covered or removed to the extent reasonably feasible;
- Provide that trustees of a charter school are public officials for the purposes of the Ethics Act and require them to file a statement of financial interests with the Ethics Commission and the local board of school director (charter or regional charter schools) or the Department of Education (cyber charter schools);
- Provide that administrators of charter schools are public officials for the purposes of the Ethics Act and require them to file a statement of financial interests with the board of trustees;
- Prohibit conflicts of interest by charter school administrators and trustees and provide for the dismissal of an administrator or trustee for a conviction of a felony or other crimes;
- Clarify that alcoholic beverages could not be available for consumption, purchase or sale in any charter school entity facility;

- Provide for the conversion of existing public school buildings;
- Require a charter school entity to have a board of trustees of at a minimum five nonrelated voting members and, within one year of the effective date of act, have a parent of a child attending the charter school entity on the board of trustees;
- Increase the initial term of a charter from three to five years and a renewal from five to ten years if certain conditions are met;
- Limit the amount of a charter school entity's unassigned fund balance based on a percentage of total budgeted expenditures as outlined in the legislation and require the charter school to refund any excess on a pro rata basis to all school districts that paid tuition to the entity;
- Allow a charter school applicant to appeal a decision of a school reform commission to deny an application to establish a charter school in a first class school district to the State Charter School Appeals Board;
- Increase the membership on the State Charter School Appeal Board from seven members to nine members by adding an administrator of a charter school entity and a member of the board of trustees of a charter school entity;
- Require the parent of a school-aged child on the Appeal Board to have a child enrolled in a charter school entity;
- Require the Department of Education to create a standard application for charter school applicants containing the required information outlined in the bill. A local school board could not impose additional terms, develop its own application or require additional information outside the application form developed by the Department;
- Clarify charter school enrollment provisions;
- Require charter school entities to form an independent audit committee to review a complete certified audit of the operations of the charter school;
- Provide additional accountability requirements for local school boards that authorize charter schools;
- Require applications submitted by charter school entities for a charter or renewal of a charter to contain a system of evaluation of educators; and
- Direct the Department of Education to develop a standard performance matrix to evaluate charter school performance. **Passed: 37-13.**

[Senate Bill 1135](#) (Hughes) would amend the Housing Authorities Law to require local public housing authorities to give preference to certain veterans and families of veterans when selecting

tenants for public housing. An authority would have to give the following preferences when selecting tenants: first preference to homeless veterans; second preference to disabled veterans or families of disabled veterans whose disabilities have been determined by the U.S. Veterans Administration to be service connected; third preference to families of deceased veterans and servicemen whose deaths have been determined by the U.S. Veterans Administration to be service connected; and fourth preference to other veterans or servicemen or families of other veterans or servicemen. **Passed: 50-0.**

Senate Bill 1185 (Vulakovich) would amend the Second Class County Code to authorize coroners or medical examiners in second class counties to use funds collected as fees for certain reports for staff, equipment and supplies related to determining the cause and manner of death. **Concurrence in House Amendments: 50-0.**

Senate Bill 1194 (White) would amend the Public School Code to allow a school located in a municipality with no municipal police department to enter into a cooperative police service agreement with a municipality providing full-time police coverage that is located adjacent to the school. At least 30 days prior to executing an agreement, the school entity or nonpublic school would have to provide written notice of its intent to enter into the agreement to the municipality where the school is located. A copy of the executed agreement would also have to be provided to the commanding officer of the Pennsylvania State Police installation that provides primary police services to the municipality where the school is located. A cooperative police service agreement entered into under these provisions would only pertain to actions taken on school property pursuant to the agreement and would not affect the jurisdiction of the State Police. The bill would also specifically add nonpublic schools to the provisions governing school police officers, add provisions regarding safe school grants for nonpublic schools, and further provide for the transfer of school property to municipal authorities from second, third or fourth class school districts. **Concurrence in House Amendments: 50-0.**

Senate Bill 1255 (Erickson) would amend Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes to allow a storm water management authority to base reasonable and uniform rates, in whole or in part, on property characteristics which could include installation and maintenance of best management practices approved and inspected by the authority. **Concurrence in House Amendments: 50-0.**

Senate Bill 1423 (Mensch) would amend Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes to make changes to the Volunteer Loan and Assistance Program (VLAP). The bill would include heavy duty rescue trucks among the purchases for which a loan could not exceed \$300,000. The bill would also change the payback period for any loan in excess of \$100,000, except a loan for establishing or modernizing facilities, to no more than 25 years. **Passed: 50-0.**

Senate Resolution 425 (Rafferty) recognizes the Pennsylvania Commission on Sentencing on its 35th anniversary. **Adopted by Voice Vote.**

Senate Resolution 426 (Rafferty) designates July 13 through 19, 2014 as “Pretrial, Probation and Parole Supervision Week” in Pennsylvania. **Adopted by Voice Vote.**

[House Bill 278](#) (Printer's Number 3901 - Baker) would amend the Fiscal Code to provide for implementation of the Fiscal Year 2014-15 Commonwealth budget and other fiscal related issues. The legislation would:

Bank Shares Tax Surcharge – provide for a restructuring of the bank shares tax and implement a formula based surcharge on each taxable entity for FY 2014-15 and FY 2015-16. The total surcharge for each calendar year would be up to \$20 million. An additional provision would provide for an exclusive tax appeal process for the new surcharge and for the bank share taxes imposed under the Tax Reform Code of 1971 for calendar years beginning after December 31, 2013 and ending before January 1, 2016.

Treasury Department – provide for an extension from December 31, 2014 to December 31, 2019 of the State Treasurer's authority to invest and reinvestment money under his control.

Unclaimed Property – shorten the holding period for certain types of property before it can be considered unclaimed or abandoned from five to three years; add provisions to establish a Certificate of Finder Registration to be administered by the Department of the Treasury; and regulate those persons who engage in locating, delivering, recovering, or assisting in the recovery of abandoned or unclaimed property for some form of compensation.

Oil and Gas Fund – provide that a transfer of moneys to the General Fund from the Oil and Gas Lease Fund would be permissible if the balance in the Fund is adequate for the Department of Conservation and Natural Resources to achieve its statutory responsibilities of monitoring shale gas activities and protecting state forest and park land; make the transfer to the General Fund a higher priority than the annual transfer to the Department; and provide for the transfer of \$95 million in FY 2014-15 from the Fund to the General Fund.

Budget Stabilization Reserve Fund – add language so that no amount of the surplus in the General Fund for FY 2013-14 may be deposited into the Budget Stabilization Reserve Fund.

H20 PA Account – establish a restricted account, H20 PA Account, in the Gaming Economic Development and Tourism Fund for the continued receipt of moneys for this program.

Tobacco Settlement Fund – provide for a change in the allocation percentages used in FY 2013-14 and FY 2014-15 for appropriating the annual tobacco payment deposited in the Tobacco Settlement Fund. The Health Endowment Account for Long-Term Hope and the Health Venture Investment Account would terminate and close on January 1, 2015. Beginning July 1, 2014, the Tobacco Settlement Investment Board would be prohibited from entering into any partnerships or investments.

The Tobacco Settlement Investment Board would be required to make a one-time transfer to PSERS in the amount of \$225 million from private equity investments and cash reserves in the Tobacco Settlement Fund and the Health Venture Investment Account. The money would be a partial payment of the Commonwealth's FY 2014-15 required employer contribution.

Pennsylvania Race Horse Development Fund – provide for the transfer and distribution of revenue from the Pennsylvania Race Horse Development Fund to be the same in FY 2014-15 as in FY 2013-14. The transfer could not exceed \$17.659 million annually.

City Revitalization and Improvement Zones (CRIZ) – provide for expanding the definition of “contracting authority” to include an authority that establishes a pilot zone; allow a city revitalization zone to include up to 40 acres in a contiguous municipality as part of the total allowed 130 acres; allow, in addition to the zones already approved, for the creation of three city revitalization zones and two pilot zones (in a township or borough or combination thereof) in 2014 and two additional city revitalization zones and two pilot zones in 2015; stipulate no additional zones could be approved after December 30, 2015.

State Civil Service Commission – allow the Commission to enter into contracts for the production of physical copies of tests; and allow the Commission to enter into cooperative agreements with departments, boards, commissions and other agencies for implementation of their administrative needs.

Environmental Quality Board – provide a definition for “conventional oil and gas well” and require the Board to differentiate between conventional oil and gas wells and unconventional gas wells when promulgating new regulations.

Surcharge – impose a \$10 surcharge, in addition to current surcharges, on certain court filings; the surcharge would expire on December 31, 2017.

Pennsylvania Liquor Control Board – allow the PLCB to reduce the license fee for a tavern games license from the current \$2,000 to \$500 upon approval of a license.

Rural Regional College for Underserved Counties – add a new article establishing a rural regional college in a multicounty rural area and provide specific operational and administrative requirements and direction.

FY 2014-15 Budget Implementation

Executive Offices – provide for the funds appropriated to the Pennsylvania Commission on Crime and Delinquency for intermediate punishment treatment programs to be distributed competitively to counties.

Treasury Department – provide, from funds appropriated for intergovernmental organizations, an allocation of \$45,000 to pay for FY 2013-14 and FY 2014-15 dues to a commission of the Atlantic coastal states that coordinates the conservation and management of near-shore fish species.

Department of Agriculture – provide that from funds appropriated for general government operations, \$250,000 be transferred to the Dog Law Restricted Account.

Department of Community and Economic Development – provide that following specified expenditures, the remaining funds appropriated for Keystone Communities be allocated to the Main Street and Elm Street programs for FY 2014-15 in the same proportion as in FY 2012-13.

Department of Conservation and Natural Resources – provide that \$500,000 of the funds appropriated for “Heritage and other parks” be used for the operation and maintenance of the Washington Crossing Historical Park.

Department of Education –

- prohibit that any funds from the appropriation for school employees’ Social Security be paid to charter or cyber charter schools;
- require the Department to move projects back in the reimbursement order when a school district fails to timely submit required paperwork; the Secretary could grant a waiver under certain conditions;
- prohibit payments to charter and cyber charter schools from the appropriation for reimbursement of pension costs;
- allocate special education funding to each school district at the same amount as FY 2013-14 and provide a new funding formula for an additional \$20 million appropriation;
- provide for one percent of the special education appropriation to be distributed to school districts and charter schools for extraordinary special education expenses;
- provide school districts with the same basic education subsidy as in FY 2013-14; any funds not appropriated through the formula would be transferred to the Financial Recovery School District Transitional Loan Account;
- allocate the same funding to community colleges as in FY 2013-14 and a pro rata share of an additional \$3.5 million;
- provide the same funding to libraries as in FY 2013-14;
- allow the Department to use up to \$4.5 million in undistributed funds to assist school districts in financial distress or identified for financial watch status;
- provide for alternative education providers to pay an initial and/or renewal application fee to offset the Department’s costs for administrative and oversight activities;
- provide the implementation language for the \$200 million Ready to Learn Block Grant; \$100 million would be allocated to school districts as in FY 2013-14 under the Accountability Block Grant program and the remaining \$100 million would be allocated by a specified formula; delineate the allowable uses of the money; provide that a school district, a charter school or a cyber charter school would be eligible to receive the funds; and
- provide the distribution formula for the vocational education equipment grants.

Department of Environmental Protection – prohibit any appropriation from the General Fund to the Department for the Consumer Energy Program; require the transfer of \$8.6 million in unexpended Alternative Energy Series 2010B proceeds to the Commonwealth Financing Authority to pay interest due on Alternative Energy Exempt Bonds.

Department of General Services – provide from the appropriation for rental, relocation and municipal charges for the transfer of \$2.5 million to both the Senate and the House.

Department of Health – provide for the distribution of funds for certain specified programs.

Department of Labor and Industry – provide for the distribution of funds for certain programs; and establish additional reporting requirements for New Choices/New Options program grantees and sub-grantees.

Department of Military and Veterans' Affairs – stipulate that at least \$750,000 be used for programs providing treatment for post-traumatic stress disorder for veterans.

Department of Public Welfare – provide for the implementation of the Department's FY 2014-15 appropriations, most of which are the same as FY 2013-14; require that at least \$310,000 of the funds appropriated for mental health services be used to continue the Network for Care.

Department of Revenue – provide for the continuation of the existing Enhanced Revenue Collection Account through FY 2019-20; increase the appropriation for the program from \$15 million to \$25 million annually beginning in FY 2014-15; and provide for reporting requirements.

Department of Transportation – allow the Secretary of Transportation to waive, for good cause, the local match requirements for eligible programs funded from the Multimodal Transportation Fund; the authority would expire in six months.

Pennsylvania State Police – provide the same language as in FY 2013-14 for the reimbursement to municipalities for police officer training.

Pennsylvania Emergency Management Agency – require that \$2 million of the funds appropriated for local municipal emergency relief be used to create a state program to assist, in certain situations, individuals and political subdivisions directly affected by natural and man-made disasters.

Pennsylvania Higher Education Assistance Agency – require the Agency, in consultation with the Department of Education, to develop and administer the Ready to Succeed Scholarship Program, and require certain minimum eligibility criteria.

Pennsylvania Historical and Museum Commission – require the Department of Conservation and Natural Resources to commence the operation of the Washington Crossing Historic Park.

Pennsylvania Gaming Control Board – require any slot machine license fee received by the Board after June 30, 2104 to be deposited in the General Fund; and require the Board to transfer \$8 million in previously appropriated funds to the General Fund.

Gaming Economic Development and Tourism Fund – appropriate \$5.676 million from the Fund to the Department of General Services to meet additional payment obligations for an authorized project. [Passed: 26-24.](#) (Note: House Bill 278 was further amended by the House of

Representatives. The Senate concurred in the House amendments to Senate amendments on Tuesday, July 8, 2014.)

[House Bill 1177](#) (Printer's Number 3899 - Lucas) would amend Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes to make a number of changes. Among other modifications, the legislation would:

- Clarify the contents of an initiative petition for a commission to study municipal consolidation and merger and clarify that a referendum for a study commission would have to be approved by the majority of the whole of those voting in all municipalities impacted by consolidation or merger;
- Provide that only the municipalities that vote in favor of the study commission would be responsible for its funding;
- Allow airport authorities in second class counties to invest in commercial paper rated in the highest rating category by a rating agency;
- Authorize a third class county with a population in excess of 430,000 but less than 440,000 residents (York) to impose a five percent hotel room tax to fund promotional and marketing activities by the tourist promotion agency;
- Permit a fourth class county with a population between 149,000 and 152,000 residents (Franklin) to impose a five percent hotel room tax to fund promotional and marketing activities by the tourist promotion agency. Seventy-five percent of the revenue generated would be used for promotional and marketing activities by the tourist promotion agency and 25 percent would be retained by the county. Of the county share, half would be used for economic development, historic preservation and the arts. Of this portion, 10 percent would have to be provided as grants to municipalities that have at least 20,000 residents. The other half of the county share would have to be used for grants to municipalities for municipal police purposes;
- Authorize a second class township with a population of more than 60,000 and less than 61,000 residents (Bensalem) in a second class A county (Bucks) to impose a three percent hotel room tax to fund police and emergency services;
- Allow a fourth class county with a population between 148,000 and 149,000 residents (Schuylkill) to impose an additional two percent hotel room tax for county programs;
- Authorize a fourth class county with a population between 205,000 and 210,000 residents (Washington) to impose a five percent hotel room tax for tourism promotion; and
- Authorize an additional 10 cent per cigarette tax for the Philadelphia School District. Revenue from the tax would be deposited in the Local Cigarette Tax Fund in the State Treasury. On or before the tenth day of each month, the State Treasurer would be

required to disburse to the school district the amount of money contained in the Fund on the last day of the previous month;

- Clarify that an increase in grants to the Philadelphia School District by the City of Philadelphia based on debt service would not require a comparable increase in grants by the City in subsequent years. [Passed: 38-12.](#) (*House Bill 1177 was further amended by the House of Representatives. The Senate concurred in these amendments, as amended by the Senate, on Tuesday, July 8, 2014.*)

[House Bill 1337](#) (Toohil) would amend Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidates Statutes to extend the sunset date of the temporary surcharge currently used to fund the Access to Justice Account and the Judicial Computer System Augmentation Account from December 31, 2014 to December 31, 2017. Under the legislation, the revenues from this surcharge would only be deposited into the Judicial Computer System Augmentation Account. The Access to Justice Account would no longer receive \$1 of the \$11.25 surcharge. Instead, a new, permanent \$2 fee would be established and deposited into the Access to Justice Account. The bill would also allow for permanent court records to be copied using the latest technology, including electronic and digital methods. [Passed: 49-1.](#)

[House Bill 2107](#) (Murt) would amend Title 18 (Crimes and Offenses) and Title 42 (Judiciary and Judicial Procedure) of Pennsylvania Consolidated Statutes to create the offense of unlawful dissemination of an intimate image. A person would commit this offense if he or she disseminates an image that depicts a current or former intimate or sexual partner either nude or engaged in sexual activity with the intent to harass, annoy or alarm the person. If the person in the image is a minor, the offense would be graded as a first degree misdemeanor. If the person is not a minor, then the offense would be graded as a misdemeanor of the second degree. A person could be convicted of this offense if either the victim or the offender are located in Pennsylvania. The legislation would also provide for a civil action for damages for any loss or injury as a result of an offense. The courts could award actual damages, including the loss of money, reputation or property resulting from the incident, or \$500, whichever is greater, attorney fees and court costs, and any additional relief deemed necessary. [Passed: 50-0.](#)

[House Bill 2111](#) (Marshall) would create the Down Syndrome Prenatal and Postnatal Education Act. The bill would require the Department of Health (DOH) to make information available on its website to be provided to expectant or new parents by a health care practitioner upon receiving a positive test result for Down Syndrome. The educational information published by the DOH would have to include up-to-date, evidence-based information about Down Syndrome and contact information regarding First Call programs and support services. The bill would require that the information conform to the Enhanced National Standards for Culturally and Linguistically Appropriate Services in Health and Healthcare, as adopted by the U.S. Department of Health and Human Services. [Passed: 50-0.](#)

[House Bill 2169](#) (Gabler) would amend Title 34 (Game) of the Pennsylvania Consolidated Statutes to re-authorize the special elk conservation license auction and authorize a second special-license fundraiser. The bill would require the Game Commission to hold a random drawing of applicants for the issuance of elk licenses at the Elk County Visitor Center when a

season for taking elk is authorized. The bill would also reauthorize the special conservation license auction to allow for the auction of one special license to harvest one elk. The Commission could contract with a wildlife conservation organization to conduct the auction and allow the contracted organization to retain administrative costs. The contracted organization would be required to return the remaining proceeds to the Commission to be used in a manner consistent with the Commission's elk management plan.

The bill would further authorize a second special-license fundraiser to allow the Commission to contract with a Pennsylvania-based nonprofit elk-related organization that manages and operates the Elk County Visitor's Center to conduct an auction or raffle for hunters interested in the opportunity to purchase the elk license. The contracted organization could retain administrative costs and return the remaining proceeds to the Commission to be used for the Commission's elk management plan. The Commission would have to include the use of the proceeds from the special licenses in its annual report to the General Assembly. The provisions for the special-license fundraiser would expire on July 1, 2018. Recipients selected for the special licenses would be subject to a background check for game law violations prior to the awarding of the licenses. [Passed: 50-0.](#)

[House Bill 2244](#) (Micozzie) is the Highway-Railroad and Highway Bridge Supplemental Act for 2014-2015. The legislation would authorize \$6,515,565,000 for the projects itemized in the act to be financed from current revenues or the incurring of debt. A total of \$4,929,005,000 would be authorized for state projects and \$1,586,560,000 for non-state projects. [Passed: 50-0.](#)

[House Bill 2334](#) (Adolph) would appropriate \$214,110,000 to the Pennsylvania State University for general support for the 2014-2015 Fiscal Year and \$17,584,000 for the Pennsylvania College of Technology. The measure would also authorize the appropriation of funds from the Agricultural College Land Scrip Fund for agricultural research and extension services. [Passed: 50-0.](#)

[House Bill 2335](#) (Adolph) would appropriate \$133,993,000 to the University of Pittsburgh for general support for the 2014-2015 Fiscal Year and \$2,300,000 for rural education outreach. No funds appropriated by the act could be used for the costs of personnel and operations of the environmental law clinic. [Passed: 50-0.](#)

[House Bill 2336](#) (Adolph) would appropriate \$139,917,000 to Temple University for general support for the 2014-2015 Fiscal Year. [Passed: 50-0.](#)

[House Bill 2337](#) (Adolph) would appropriate \$13,163,000 to Lincoln University for general support for the 2014-2015 Fiscal Year. [Passed: 50-0.](#)

[House Bill 2338](#) (Adolph) would appropriate \$28,000,000 to the University of Pennsylvania for veterinary activities and \$261,000 for the Center for Infectious Diseases for the 2014-2015 Fiscal Year. [Passed: 50-0.](#)

[House Bill 2355](#) (Adolph) is the Capital Budget and Project Itemization Act of 2014-2015. The bill would authorize the maximum bond indebtedness that the Commonwealth could incur during

the fiscal year for capital projects specifically itemized in a capital budget project itemization act. The legislation would authorize: \$725,000,000 for buildings and structures; \$50,000,000 for furniture and equipment; \$175,000,000 for transportation assistance projects; \$335,000,000 for redevelopment assistance projects; and \$10,000,000 for flood control projects. The measure also itemizes one redevelopment assistance capital project in the amount of \$20,000,000 to be financed by the incurring of debt. [Passed: 50-0.](#)

Tuesday, July 8, 2014

[Senate Bill 145](#) (Ward) would amend the Mechanics Lien Law of 1963 to provide that a subcontractor would not have the right to a lien with respect to an improvement to residential property if the owner or tenant paid the full contract price to the contractor and the property is or is intended to be used as the residence of the owner, or subsequent to by the owner, a tenant of the owner. The property would have to be a residential property that is a single townhouse or a building that consists of one or two dwelling units used, intended or designed to be built, used, rented or leased for living purposes. Further, the bill would provide for an owner or party in interest to petition the court to discharge a lien on a residential property if the owner or tenant has paid the full contract price to the contractor. In the event that the owner or tenant has paid a sum to the contractor which is less than the sum of the full contract price, the owner or party in interest could petition the court to have the lien reduced to the amount of the unpaid contract price. An additional change would stipulate that the priority of a lien under the act would be subordinate to an open-end mortgage where at least 60 percent of the proceeds of the mortgage are intended to pay, or are used to pay, all or part of the cost of the construction. The bill would also add a definition of “costs of construction.” [Concurrence in House Amendments: 48-0.](#)

[Senate Bill 1401](#) (Scarnati) would make a number of highway and bridge designations. The bill would designate:

- The bridge in Coudersport Borough, Potter County, known as the West Chestnut Street Bridge, as the Private Edwin Tubbs Memorial Bridge;
- The State Route 872 Bridge near the Coudersport Borough/Eulalia Township Border, Potter County, as the Specialist Donald Stiles Memorial Bridge;
- The bridge located on S.R. 49 over the Cowanesque River between Dennis Hill Road and Church Street in Harrison Township, Potter County as the Private First Class Roger P. Downey Memorial Bridge;
- The bridge located on State Route 56, partially in Seward Borough, Westmoreland County and partially in East Wheatfield Township, Indiana County over the Conemaugh River as the PFC. James E. Ludwig Bridge;
- The section of Pennsylvania Route 263 in Bucks County from West Street Road (Route 132) to West Bristol Road as the Officer Bradley M. Fox Memorial Highway;

- The section of Bushkill Center Road in Northampton County from State Route 512 to Jacobsburg Road as the Veterans Memorial Highway; and
- The bridge to be constructed on State Route 903 over the Lehigh River in Jim Thorpe Borough, Carbon County as the Sgt. Andrew J. “AJ” Baddick Memorial Bridge.

Concurrence in House Amendments: 48-0.

[Senate Resolution 429](#) (Greenleaf) extends sympathies and heartfelt condolences to the families of the three Israeli teenagers who were kidnapped and murdered. **Adopted by Voice Vote.**

[House Bill 278](#) (Printer’s Number 3930 - Baker) would amend the Fiscal Code to provide for implementation of the Fiscal Year 2014-15 Commonwealth budget and other fiscal related issues. The legislation would:

Treasury Department – provide for an extension from December 31, 2014 to December 31, 2019 of the State Treasurer’s authority to invest and reinvestment money under his control.

Unclaimed Property – shorten the holding period for certain types of property before it can be considered unclaimed or abandoned from five to three years; add provisions to establish a Certificate of Finder Registration to be administered by the Department of the Treasury; and regulate those persons who engage in locating, delivering, recovering, or assisting in the recovery of abandoned or unclaimed property for some form of compensation.

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Department of Transportation – allow the Secretary of Transportation to waive, for good cause, the local match requirements for eligible programs funded from the Multimodal Transportation Fund; the authority would expire in six months.

Pennsylvania State Police – provide the same language as in FY 2013-14 for the reimbursement to municipalities for police officer training.

Pennsylvania Emergency Management Agency – require that \$2 million of the funds appropriated for local municipal emergency relief be used to create a state program to assist, in certain situations, individuals and political subdivisions directly affected by natural and man-made disasters.

Pennsylvania Higher Education Assistance Agency – require the Agency, in consultation with the Department of Education, to develop and administer the Ready to Succeed Scholarship Program; and require certain minimum eligibility criteria.

Pennsylvania Historical and Museum Commission – require the Department of Conservation and Natural Resources to commence the operation of the Washington Crossing Historic Park.

Pennsylvania Gaming Control Board – require any slot machine license fee received by the Board after June 30, 2104 to be deposited in the General Fund.

Gaming Economic Development and Tourism Fund – appropriate \$5.676 million from the Fund to the Department of General Services to meet additional payment obligations for an authorized project. [Concurrence in House Amendments to Senate Amendments: 26-22.](#)

[House Bill 993](#) (Murt) would amend the Public Welfare Code to rename the Department of Public Welfare the Department of Human Services. The Department could use existing materials with the former name, and current building signs until their condition requires replacement. The bill would also direct the Department to establish a toll-free telephone number

and electronic mail address to allow individuals to report suspected fraud involving various programs, including medical assistance, cash assistance and the Supplemental Nutritional Assistance Program (SNAP). Tips could be given anonymously, and the Department would be required to design a sign for posting at facilities that accept benefits provided by these programs. Failure to post the sign would result in a warning by the Department or appropriate licensing agency, followed by a maximum penalty of \$250 if another violation occurs within a year of the warning, and \$500 if a violation occurs within a year of the second one. The Department would be required to investigate all credible tips, and refer them to the appropriate agency, if necessary. The Department would have to submit an annual report to the Governor and General Assembly detailing its fraud-prevention activities. Passed: 49-0.

House Bill 1177 (Printer's Number 3933 - Lucas) would amend Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes to make a number of changes. Among other modifications, the legislation would:

- Allow a charter school applicant to appeal a decision of a school reform commission to deny an application to establish a charter in a first class school district to the State Charter School Appeal Board;
- Clarify the contents of an initiative petition for a commission to study municipal consolidation and merger and clarify that a referendum for a study commission would have to be approved by the majority of the whole of those voting in all municipalities impacted by consolidation or merger;
- Provide that only the municipalities that vote in favor of a merger/consolidation study commission would be responsible for its funding;
- Allow airport authorities in second class counties to invest in commercial paper rated in the highest rating category by a rating agency;
- Create a new Chapter 58, City Revitalization and Improvement Zones (CRIZ), to establish the provisions governing the CRIZ program in Title 53. The existing provisions providing for the CRIZ program in the Tax Reform Code of 1971 would be repealed. The new provisions would authorize up to four additional zones and up to three pilot zones before January 1, 2016. A pilot zone could be established by approval of a joint application for a zone comprised of up to three contiguous boroughs or townships or combinations of three boroughs or townships. No additional zones could be approved after December 30, 2015 and no more than one zone could be approved in a county. By December 31, 2014, the Department of Community and Economic Development, the Office of the Budget and the Department of Revenue would be required to develop and publish guidelines to implement the chapter. By December 31, 2017, the Department of Community and Economic Development, in cooperation with the Office of the Budget and the Department of Revenue, would be required to complete a review and analysis of all active zones. The Independent Fiscal Office would also be directed to complete a separate review by the same date;

- Authorize a third class county with a population in excess of 430,000 but less than 440,000 residents (York) to impose an additional two percent hotel room tax to fund promotional and marketing activities by the tourist promotion agency;
- Permit a fourth class county with a population between 149,000 and 152,000 residents (Franklin) to impose an additional five percent hotel room tax to fund promotional and marketing activities by the tourist promotion agency. Seventy-five percent of the revenue generated would be used for promotional and marketing activities by the tourist promotion agency and 25 percent would be retained by the county. Of the county share, half would be used for economic development, historic preservation and the arts. Of this portion, 10 percent would have to be provided as grants to municipalities that have at least 20,000 residents. The other half of the county share would have to be used for grants to municipalities for municipal police purposes;
- Authorize a second class township with a population of more than 60,000 and less than 61,000 residents (Bensalem) in a second class A county (Bucks) to impose a three percent hotel room tax to fund police and emergency services;
- Allow a fourth class county with a population between 148,000 and 149,000 residents (Schuylkill) to impose an additional two percent hotel room tax for tourism promotion;
- Authorize a fourth class county with a population in excess of 180,000 residents but less than 190,000 residents (Butler) to impose an additional two percent hotel room tax for tourism promotion;
- Authorize a fourth class county with a population between 205,000 and 210,000 residents (Washington) to impose an additional two percent hotel room tax for tourism promotion; and
- Authorize an additional 10 cent per cigarette tax for the Philadelphia School District. Revenue from the tax would be deposited in the Local Cigarette Tax Fund in the State Treasury. On or before the tenth day of each month, the State Treasurer would be required to disburse to the school district the amount of money contained in the Fund on the last day of the previous month. Funds from the tax could not be used for the issuance or repayment of bonds. The section authorizing the tax would expire on June 30, 2019;
- Clarify that an increase in grants to the Philadelphia School District by the City of Philadelphia based on debt service would not require a comparable increase in grants by the City in subsequent years. [Concurrence in House Amendments to Senate Amendments, as Amended: 43-5.](#)

(2014-048)