

# WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – EDWIN B. ERICKSON, CHAIRMAN

## Monday, October 6, 2014

[Senate Bill 1367](#) (Gordner) would amend Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes to prohibit a person sentenced to a term of supervised community service or required by a court or a paroling authority to participate in a public or nonprofit community service program from purchasing credit in lieu of performing the community service in any form. **Passed: 49-0.**

[Senate Bill 1490](#) (Scarnati) would rename the bridge in Brockway Borough, Jefferson County, known as the Main Street Bridge, as the Ensign USN Connie Rita Esposito Memorial Bridge. **Passed: 49-0.**

[Senate Resolution 408](#) (Greenleaf) urges the Department of Community and Economic Development to promote an employee ownership initiative for the purpose of encouraging business retention and growth in the Commonwealth. **Adopted by Voice Vote.**

[Senate Resolution 459](#) (Washington) designates the month of September 2014 as “Brain Aneurysm Awareness Month” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 460](#) (Pileggi) designates the week of October 18 through 24, 2014 as “Pro Bono Week” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 461](#) (Teplitz) observes the week of October 5 through 11, 2014 as “Fire Prevention Week 2014” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 462](#) (Hughes) honors the accomplishments of the Taney Dragons Little League team on becoming the first Philadelphia Little League team to participate in a Little League World Series. **Adopted by Voice Vote.**

[Senate Resolution 463](#) (Yaw) recognizes the 75<sup>th</sup> anniversary of Little League Baseball. **Adopted by Voice Vote.**

[Senate Resolution 464](#) (Dinniman) designates the month of October 2014 as “Parent Involvement Recognition Month” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 465](#) (Dinniman) designates the month of October as “Sudden Cardiac Arrest Awareness Month” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 466](#) (Vance) designates November 20, 2014 as “Children’s Grief Awareness Day” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 467](#) (Stack) designates the month of October 2014 as “Polish American Heritage Month” in Pennsylvania. **[Adopted by Voice Vote.](#)**

[House Bill 359](#) (Reed) would amend the Solicitation of Funds for Charitable Purposes Act to require a charitable organization to file its annual registration statements with the Department of State by the fifteenth day of the fifth month following the close of its fiscal year. An additional change would permit the Department to extend the deadline for a registration or financial report to a date not to exceed the fifteenth day of the eleventh month following the close of the fiscal year. **[Passed: 48-0.](#)**

[House Bill 1590](#) (Scavello) would amend the Local Tax Collection Law to further provide for tax collector basic training and testing, to require criminal history information, and to provide for the appointment of a deputy tax collector when the tax collector is incapacitated. The measure would provide for a Pennsylvania Qualified Municipal Collector (PQMC) designation for individuals who have successfully completed the basic training program and passed the basic qualification examination. The Department of Community and Economic Development would be charged with developing, implementing and maintaining an online training and testing program. A person who is elected as a tax collector would be required to complete the basic training program and pass the basic qualification examination before taking the oath of office.

The bill would grandfather existing tax collectors who are in office on the effective date and specifies that they would not have to take the basic qualification examination. However, these individuals would be required to complete the annual continuing education. The Department would be required to issue a renewed tax collector certificate to each tax collector upon successful completion of the annual continuing education requirements. The tax collector would have to provide a copy of the renewed certificate to the municipal secretary or clerk of the political subdivision for which the tax collector was elected, within 30 days of receiving the certificate. The Department would be responsible for all costs of the new requirements.

A section would be added regarding criminal history record information. An individual filing a nomination petition for the office of tax collector would be required to include a Pennsylvania State Police (PSP) criminal history report obtained within the past year. If the individual was not a resident of Pennsylvania for two years preceding the filing of the petition, he or she would have to submit a federal criminal history report. The criminal history record information received by the county board of elections would be considered a part of the nomination petition. The PSP could charge a fee to conduct the criminal record check. Individuals convicted of certain crimes outlined in the bill would not be eligible to submit a petition for the office of tax collector. A section would also be added permitting tax collectors to appoint a deputy tax collector to collect and settle taxes during any incapacitation of the tax collector. The deputy could be appointed with the approval of a taxing district and the tax collector’s surety. The legislation would take effect in one year, except for the deputy tax collector provisions which would take effect immediately. **[Passed: 40-9.](#)**

### *Executive Session*

Nominations to Various Boards and Commissions. **[Confirmed: 49-0.](#)**

**Tuesday, October 7, 2014**

[Senate Bill 1441](#) (Alloway) would amend Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes to further regulate bail bondsmen. The proposed legislation would:

- Establish that no person could engage in the business of a bail bondsman unless the person has been licensed by the Department of Insurance as an insurance producer and possesses a casualty line of business;
  - Provide that, in order for a bail bondsman to conduct business in a county, he or she must file stipulated documents with the office of the county clerk;
  - Require a bail bondsman to have an office that is geographically located in the Commonwealth and is eligible to receive original process and other legal documents;
  - Provide for the suspension or nonrenewal of a license for failure to pay forfeitures;
  - Authorize the Department of Insurance to promulgate regulations to implement portions of the act;
  - Provide the process for revocation and forfeiture of bail, how payment will be made, and the process for recovery of forfeited funds;
  - Permit a bail bondsman or insurer to bring a private cause of action against a competitor that has engaged in an activity that is in violation of any provisions of the act; and
  - Permit law enforcement officers to assist a bail bondsman in the recovery of a fugitive if the services are not rendered while the person is performing official duties and the person is compensated separately. A person who engages in fugitive recovery during official duties, in uniform or under badge of office would commit a second degree misdemeanor.
- Passed: 50-0.**

[Senate Resolution 468](#) (Teplitz) designates the month of October 2014 as “Attention Deficit Hyperactivity Disorder (ADHD) Awareness Month” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 469](#) (Washington) designates the month of October 2014 as “Domestic Violence Awareness Month” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 470](#) (Tartaglione) recognizes the month of October 2014 as “Breast Cancer Awareness Month” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 471](#) (Tartaglione) designates the month of November 2014 as “National Disability Employment Awareness Month” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 472](#) (Folmer) designates the month of October 2014 as “Music Therapy Month” in Pennsylvania and recognizes music therapy as a valid therapeutic service. **Adopted by Voice Vote.**

[Senate Resolution 473](#) (Stack) recognizes October 2014 as “The Great Hunger Remembrance Month” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 474](#) (Eichelberger) designates the week of October 12 through 18, 2014 as “Credit Union Week” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 475](#) (Smith) designates the month of November 2014 as “Diabetes Awareness Month” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 476](#) (Ferlo) designates the month of October 2014 as “Wine, Wineries and Grapes Month” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 477](#) (Browne) designates October 2014 as “Pennsylvania’s Promise for Children Month.” **Adopted by Voice Vote.**

[House Bill 90](#) (Saccone) would amend Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes to provide for a new section on administrative subpoenas when there is an ongoing investigation that monitors or utilizes online services or other means of electronic communications to identify individuals engaged in an offense involving the sexual exploitation of children. The proposed legislation would:

- Authorize the Attorney General or a deputy attorney general designated by the Attorney General, and a district attorney or an assistant attorney general designated by the district attorney, to issue an administrative subpoena;
- Provide that a subpoena could be issued to a provider of electronic communication services or remote computing services to require the disclosure of designated information or to require testimony or affidavit relating to the production and authentication of records;
- Require that a subpoena describe the information requested and provide a reasonable date for the information to be made available;
- Allow the person or entity subpoenaed to challenge the subpoena in the court of common pleas in the county in which the person or entity resides or conducts business;
- Require, upon written demand, the return of all original material or records if no case or proceeding arises using the material within a reasonable time;
- Prohibit, for a period of up to 90 days, the disclosure, without court approval, of the existence of the subpoena other than to an attorney in order to obtain legal counsel;

- Provide for who may serve the subpoena and how and to whom it is to be served;
- Provide that a court of common pleas could be petitioned to compel enforcement and compliance with the subpoena;
- Provide immunity from civil liability for any person complying in good faith with the subpoena;
- Require district attorneys to make annual reports to the Attorney General with respect to the administrative subpoenas issued by the district attorney;
- Require the Attorney General to make annual reports on the use of the administrative subpoenas to the House and Senate Judiciary Committees;
- Provide for a definition of “offense involving the sexual exploitation or abuse of children;” and
- Provide for a civil cause of action and appropriate relief when a subscriber or customer is aggrieved by a violation of the new section. **Passed: 50-0.**

[House Bill 1363](#) (Taylor) would amend the Abandoned and Blighted Property Conservatorship Act to:

- Add or amend various definitions;
- Require that a petition submitted to a court requesting the appointment of a conservator for an abandoned or blighted property include a sworn statement that, to the best of the petitioner’s knowledge, a property meets the conditions for conservatorship, and require that the petition include a schedule of mortgages, liens and other encumbrances on the property;
- Require the petitioner, upon filing a petition, to notify all municipal authorities known to have provided service to the property;
- Allow the petitioner to include one or more adjacent properties in a single action when the properties are owned by the same owner and the properties are or were used for a single or interrelated function;
- Decrease the time required for the court to hold a hearing on a petition from 120 days to 60 days;
- Allow, at the hearing, any party in interest to present evidence to support or contest the petition;
- Expand the conditions under which a court may appoint a conservatorship and require the conditions to be in existence at the time of petition filing;

- Require the court, at the time of the appointment of a conservator, to certify the schedule of encumbrances. The certification would be binding with respect to all mortgages, liens, and encumbrances, including municipal liens, arising or attaching to the property prior to the date of the petition;
- Direct the court to give first consideration for appointment as conservator to the most senior nongovernmental lienholder on the property;
- Require the court to have the owner post a bond for the amount of the repair costs estimated in the petition as a condition for retaining possession of the building;
- Require the property owner to reimburse the petitioner for all costs incurred by the petitioner in preparing and filing the petition if the petition states conditions for conservatorship or the owner elects to either remedy all violations or sell the property;
- Add the costs of rehabilitation, attorney fees and courts costs to the allowable costs that the conservator may file as a lien against the property;
- Provide an exception to the requirement that the conservator require three bids for contracts;
- Provide that a final plan for abatement may be presented by the conservator at the time of appointment;
- Reduce the time period from six months to three months for when the court may order a sale of the property when a conservator has been in control and the owner has not petitioned to terminate conservatorship; and
- Clarify the priorities for the distribution of any proceeds from the sale of the property.  
**Passed: 50-0.**

[House Bill 1543](#) (Killion) would amend the Home Improvement Consumer Protection Act to recognize “time and materials” provisions for home improvement contracts. The bill would define the “time and materials” provision as an agreement where the home owner pays the contractor the actual cost of labor at a specified hourly rate, along with the actual cost of materials and the use of equipment. In addition, the owner would pay the contractor an agreed-to amount over these costs to cover the contractor’s fee and reasonable overhead costs.

If a home improvement contract includes a time and materials provision, the contractor would have to provide a written cost estimate to the owner before beginning the work. Further, the contract would have to state:

- The dollar value of the cost estimate for the services to be performed under the time and materials provision;

- That the cost of services to be performed under the time and materials provision could not exceed the amount contained in the initial estimate by more than 10 percent;
- The total potential cost of the services to be performed under the time and materials provision, including the initial cost estimate and the 10 percent for cost overruns; and
- A statement that the cost of services to be performed under the time and materials provision will not be increased over the initial cost estimate plus the 10 percent increase without a written change order signed by the home owner and contractor.

The bill would also require contractors to update any required information in the contractor's registration with the Attorney General within 30 days of the change. No fee would be required for updating the information. **Passed: 50-0.**

[House Bill 1672](#) (R. Miller) would create the State Agency Green Technology Implementation Act to allow the Secretary of the Department of General Services (DGS) to authorize a state agency to test certain technologies, products or processes that promote energy conservation, energy efficiency or demand-side management. The new technology, product or process would have to conform to the high-performance building standards adopted by DGS under the Alternative Energy Investment Act.

Testing could only occur once the manufacturer or marketer of the technology, product or process has demonstrated that it will not adversely affect safety or the performance or warranties of any other installed equipment or materials. The technology, product, or process would also be required to have the potential for commercialization within two years of the test program's completion. Once the Secretary makes a determination that testing is feasible and will not have a detrimental effect on the agency's operations, the Secretary, with approval by the Governor, could authorize a state agency to accept delivery of the technology, product or process and testing could commence. All associated costs of the testing would be borne by the business entity or entities who benefit from it. The business entity or entities would also assume all risks for liability associated with the testing and undertake the responsibility to indemnify the Commonwealth for all claims, including environmental and tort claims. Any technology or product being tested would have to be certified by an approved, independent, nationally recognized testing or certification program that it will produce energy savings at the level claimed and under conditions similar to the testing.

Procurement of the technology, product or process could occur if the Secretary of DGS determines the test program demonstrated that energy usage and costs were reduced or demand-side management was promoted, and the testing agency determined the product met its independent requirements, if any. The Secretary could encourage implementation in any or all state agencies with DGS developing the testing criteria, protocol, metrics and goals which, at a minimum, would have to be designed to replicate the results attested to by the approved, independent, nationally recognized testing or certification program. If the Secretary determines the test program does not sufficiently demonstrate a reduction in energy usage and costs, or promote demand-side management, the business entity would be responsible for removing the product and returning the agency's facility to its original state at the business entity's expense.

Testing agencies would be required to maintain related records, as required by the Secretary and determined by DGS. All proprietary information derived from the test programs would be exempt from the Right-to-Know Law. Testing methodology and results would not be considered proprietary information. **Passed: 50-0.**

**House Bill 1702** (Ross) would create the Pennsylvania Community Adult Respite Services Program Act to authorize the Department of Aging to license and regulate community adult respite services for seniors age 60 and older who require more than the normal scope of services offered at senior centers but who do not require adult day care services. The bill would define “community adult respite services” as services provided or arranged for part of a 24-hour day in a setting approved by the Department. “Participant” would be defined as a resident of the Commonwealth who: is 60 years of age or older; can actively or passively engage in social and leisure activities with others; may demonstrate symptoms of mild cognitive impairment; does not need assistance, other than cueing, or is able to direct care for activities of daily living; and, does not demonstrate behaviors that could compromise personal safety or the safety of others. Individuals under age 60 who are participating in programs existing on the effective date of the act would be permitted to continue to participate in such programs.

The bill would establish requirements for issuance of a license, which would be issued for one year. An entity licensed as a long-term care service provider would be permitted to establish a program without a separate license. The Department would be required to develop a standard application packet for prospective participants. A licensure applicant would be required to identify and designate a program coordinator who would be on site, serve as the official representative and contact, and be responsible for intake and enrollment of participants through an eligibility determination process. The program coordinator would be required to provide written notice of ineligibility to applicants and to refer these individuals to the local Area Agency on Aging (AAA) for an assessment of eligibility for other appropriate long-term care services, with the consent of the participant or designated person. The bill would provide for a right of appeal by a participant and would require the Department to promulgate regulations regarding emergency situations. The Department and the local AAA would be permitted to visit and inspect programs and to have access to records. The Department would be required to promulgate regulations governing community adult respite services programs. **Passed: 50-0.**

**House Bill 2204** (Simmons) would amend the Early Intervention Services System Act to add a definition of “homeless” and include homeless children on the list of at-risk children that must be assessed and tracked by the Department of Human Service for early intervention services. **Passed: 50-0.**

**House Bill 2353** (Evankovich) would amend the Insurance Department Act of 1921 to make the statute’s provisions covering Federal Home Loan Bank lending consistent with federal banking law. Federal Home Loan Banks provide long-term, low-cost funding for insurance companies. The legislation would improve the ability of Federal Home Loan Banks to offer more attractive collateral terms to their Pennsylvania-based insurance company members. It would also make it easier for Federal Home Loan Banks to assist a financially distressed member insurance company.



The bill would clarify that the Insurance Department Act could not prevent a Federal Home Loan Bank from exercising a right or enforcing an obligation under a security agreement between the bank and a member insurance company. Further, a receiver could not avoid a transfer of money or other property under a security agreement that a member insurance company made with a Federal Home Loan Bank before the beginning of a formal proceeding unless the transfer was made with actual intent to hinder, delay or defraud the insurance member, the receiver appointed for the insurer member or existing or future creditors. The Federal Home Loan Bank would, at the request of the appointed receiver for the insurance company, be required to establish a process and timeline for:

- The release of any collateral that exceeds the lending value;
- The release of collateral remaining in the Federal Home Loan Bank's possession after the repayment of all outstanding secured obligations;
- Payment of fees and operation of deposits and other accounts with the bank; and
- Possible redemption and purchase of Federal Home Loan Bank stock, or other stock, that an insured member is required to own.

The measure would also require a Federal Home Loan Bank to provide options, at the request of a receiver, for an insurer to renew or restructure an advance to defer prepayment fees. The options would have to be in compliance with the Federal Home Loan Bank policies, the Federal Home Loan Bank Act and any applicable regulations. **Passed: 50-0.**

### *Executive Session*

Nominations to Various Boards and Commissions. **Confirmed: 50-0.**

Gregory M. Lane, State Civil Service Commission. **Confirmed: 50-0.**

### **Wednesday, October 8, 2014**

**Senate Bill 83** (Greenleaf) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to add a subchapter to provide for the operation of neighborhood electric vehicles. A neighborhood electric vehicle operated on any highway or roadway in the Commonwealth would have to be maintained in proper condition, comply with the equipment requirements and standards as set forth in 49 CFR § 571.500, and have the additional equipment outlined in the bill. In addition, a neighborhood electric vehicle would have to have a safety information decal as provided by the manufacturer affixed in a conspicuous place on the rear of vehicle with four-inch lettering stating "25 mph Vehicle." The decal would have to be at least four inches in height by ten inches in length.

A neighborhood electric vehicle could not be operated on any highway or roadway under the jurisdiction of the Department of Transportation with a posted speed in excess of 25 miles per hour. The Secretary of Transportation, by order, could permit the use of such a vehicle on a

roadway under the Department's jurisdiction where the posted speed is greater than 25 miles per hour but not greater than 35 miles per hour. The Secretary could also prohibit, by order, the use of a neighborhood electric vehicle on any street under the Department's jurisdiction where the Secretary determines that it would constitute a hazard. Any order issued would have to be published in the *Pennsylvania Bulletin*. Similar limitations would apply to roadways under the jurisdiction of local authorities. A local authority could permit the use of a vehicle on a roadway under its jurisdiction where the posted speed is greater than 25 miles per hour but not greater than 35 miles per hour, or prohibit the use of a neighborhood electric vehicle on any street where it would constitute a hazard by ordinance or resolution. Additional limitations would require the vehicles to cross certain highways and roadways only at signalized intersections. Any person who operates a neighborhood electric vehicle without the prescribed equipment or in violation of limitations established in the bill would be guilty of a summary offense.

A neighborhood electric vehicle would be considered a passenger car for the purposes of titling, registration and licensing, as well as relating to restraint systems. A vehicle could not be operated at a time in which the number of passengers exceeds the number of available safety belts in the vehicle. A purchaser of a new neighborhood electric vehicle in the Commonwealth would be required to execute a waiver and certify that the vehicle was purchased with full knowledge of the potentially hazardous characteristics of the vehicle as detailed by the manufacturer or the manufacturer's agent or dealer. The waiver would be prepared by the manufacturer and kept in the possession of the manufacturer and the manufacturer's agent or dealer. A copy would have to be provided to the purchaser. The signing of the waiver by the purchaser would serve to eliminate any liability of the manufacturer or its agent or dealer.

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

[Senate Bill 476](#) (Argall) would create the Correctional Officers Investigation Procedure Act to establish guidelines and procedures governing the investigation of correctional officers during certain investigations by the Department of Corrections. Among other protections, an interrogation could only be conducted after a 24-hour notice and would have to be conducted when the correctional officer is on duty. The complete interrogation would have to be recorded and a copy would have to be made available to the correctional officer. The correctional officer would have the right to be represented by counsel or other representative. Additionally, no correctional officer could be compelled to submit to a polygraph examination and no disciplinary action or other recrimination could be taken against the individual for the refusal. Further, no correctional officer could be subjected to or threatened with adverse employment action as a result of the exercise of rights accorded to correctional officers under the act. A correctional officer would have a cause of action against any person for damages suffered as a result of a complaint filed by that person which is found to be without merit or frivolous or without merit and made in bad faith.

Nothing in the act could be construed to diminish the obligation of the Department of Corrections to comply with a collective bargaining agreement which provides greater rights and coverage to correctional officers than the rights and coverage provided by the act. Further, the rights and coverage under this act could not be diminished by any collective bargaining agreement. Suspension of a correctional officer would have to be in accordance with the Civil Service Act except that no suspension based on a pending internal investigation could last more

than 60 days from the effective date of the suspension. A correctional officer against whom a criminal proceeding involving a misdemeanor or felony offense has been instituted could be suspended without pay pending disposition of the criminal charges. Written notice of suspension would have to be provided to the corrections officer no later than five working days after the effective date of the suspension. Medical benefits and insurance would continue during the period of suspension. If the correctional officer is acquitted of the criminal charges, the officer would have to be reinstated and reimbursed for all salary and benefits that had not been paid during the suspension period. **Passed: 48-2.**

**Senate Bill 807** (McIlhinney) would amend the Social Workers, Marriage and Family Therapists and Professional Counselors Act to provide for a bachelor social work license. In order to be licensed, applicants would have to be of good moral character, have received a bachelor's degree from an accredited program of social work or social welfare, pass an examination adopted by the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, and submit an application accompanied by an application fee. In addition, applicants could not have been convicted of a felony under the Controlled Substance, Drug, Device and Cosmetic Act, or an offense under the laws of another jurisdiction, which, if committed in the Commonwealth would be a felony under that act, unless 10 years have passed or the applicant can demonstrate significant progress in personal rehabilitation since the conviction, such that licensure would not be expected to create a substantial risk of harm to the applicant's clients or the public or a substantial risk of further criminal violations.

A licensed bachelor social worker would have to work under the direction of a licensed professional who is able to supervise and direct his or her activities. A licensed bachelor social worker could not practice in a private setting, practice independently, engage in clinical social work practice or hold themselves out as licensed social workers or licensed clinical social workers. Further, licensed bachelor social workers would not be qualified to diagnose mental illness or provide psychotherapy services. The State Board of Social Workers, Marriage and Family Therapists and Professional Counselors would be required to add licensed bachelor social workers to the licensees who must comply with regulations governing codes of ethical practice and standards of conduct. The Board would also be required to promulgate regulations to carry out the act within 180 days. It would be unlawful for any individual to hold himself or herself forth as a licensed bachelor social worker without first having obtained a license pursuant to the act. **Concurrence in House Amendments: 50-0.**

**Senate Bill 1290** (Vulakovich) would create the Kelsey Smith Act. Under the provisions of the legislation, a wireless service provider would be required to send a signal to a cell phone – known as “pinging” it – at the request of an investigative or law enforcement officer to help locate a missing person. The investigative or law enforcement officer would have to make the request to the service provider on a written form. The wireless service provider would be required to establish procedures to govern its response to these requests. The bill would shield a wireless service provider from lawsuits that stem from providing the requested information to an investigative or law enforcement officer under the act. **Concurrence in House Amendments: 50-0.**

[Senate Bill 1310](#) (Hutchinson) would establish the Pennsylvania Grade Crude Development Advisory Council. The council would have 17 members, as outlined in the bill, and would meet not less than semiannually at the call of the chairperson. The council would elect a chairperson and a simple majority of the members would constitute a quorum. The Department of Community and Economic Development would be required to provide administrative support, office space and any other technical assistance required by the council to carry out its duties. The council would:

- Examine and make recommendations regarding existing conventional oil and gas regulations;
- Explore the development of a regulatory scheme that provides for environmental oversight and enforcement for the conventional oil and gas industry;
- Promote the long-term viability of the conventional oil and gas industry;
- Assist the Secretary of Environmental Protection with and provide written comments on new Departmental policy that would impact the conventional oil and gas industry, including economic policies;
- Review and comment on the formulation and drafting of all technical oil and gas regulations;
- Provide institutional support for the conventional oil and gas industry by ensuring effective cooperation and communication among governmental agencies and the academic and research community;
- Recommend appropriate measures relating to the promotion and development of the conventional oil and gas industry;
- Develop a plan to increase Pennsylvania grade crude oil production in an environmentally responsible way to more adequately supply the refineries which depend on Pennsylvania grade crude oil;
- Develop a joint working group with the Department to explore and develop an environmentally responsible and economically viable production water management option; and
- Perform other duties as necessary or appropriate to effect the intent and purposes of the act.

The council would be required to issue an annual report of its activities and recommendations. The Department of Environmental Protection would be directed to:

- Consult with the council on all policies and oil and gas regulations;

- Include any written comments of the council regarding oil and gas regulations as part of its submission to the Environmental Quality Board; and
- Provide technical assistance required by the council to carry out its duties.  
**Passed: 49-1.**

**Senate Bill 1361** (Ward) would amend the Public School Code of 1949 to establish the Ready to Succeed Scholarship Program within the Pennsylvania Higher Education Assistance Agency (PHEAA) to provide scholarships to eligible students to defray the cost of attending a state grant-approved institution of higher education in Pennsylvania. PHEAA would be charged with using funds appropriated for the purpose of the scholarship program from the General Fund as well as accepting donations from all public and private sources including the Federal Government. The eligibility requirements for the scholarship program would include:

- Total annual income of \$110,000 or less (PHEAA could annually adjust this amount to reflect any upward changes in the consumer price index);
- At least half-time enrollment in an approved course of study;
- Demonstration of outstanding academic achievement; and
- Compliance with all aspects of the state grant program except financial need.

A student would be eligible to receive a Ready to Succeed Scholarship if the scholarship award in combination with a state grant award for the same academic year would not exceed the annually established maximum amount for the Ready to Succeed Scholarship program. PHEAA would be provided sole discretion to make scholarship awards. **Passed: 50-0.**

**Senate Bill 1481** (Erickson) would amend the Solid Waste Management Act to clarify that the Department of Environmental Protection could not prohibit the vehicular transportation of leachate discharged from a collection and handling system of a landfill to an offsite facility for the treatment of leachate. An additional provision would abrogate certain provisions of Department of Environmental Protection regulations relating to leachate transportation.  
**Passed: 49-1.**

**House Bill 201** (Dunbar) would amend Title 62 (Procurement) of the Pennsylvania Consolidated Statutes to bar an individual who had been employed by an entity bidding on a state project within the preceding two years from participating in evaluating competitive bids.

The bill would also require the Department of General Services (DGS) to develop a list of persons engaged in investment activities, as defined in the legislation, with Iran and to update the list every 180 days. The list would be posted on the department's public website and would have to be provided to the General Assembly or a public entity free of charge upon request. A person on the list would be barred from entering into a contract with the Commonwealth to provide goods or services worth at least \$1 million. The department would be required to notify the person 90 days before a name is added to the list, and give that person the opportunity to send

a written comment to the department. If the person proves that there are no investment activities in Iran, then eligibility for state contracts would remain. Investment services contracts entered into by the Commonwealth for the management of funds subject to the requirements of Act 44 of 2010 (Protecting Pennsylvania's Investments Act) would be exempt from these requirements.

The department could permit a person engaging in investment activities with Iran to enter a contract with a Commonwealth entity if any of the following apply:

- The investment activities with Iran began before July 1, 2015 and were not expanded after that date;
- The person refrains from entering new agreements for future investments in Iran; or
- The department determines that there is no other cost-effective way to obtain the goods or services than entering into the contract with that particular person.

The department would be required to develop a certification form for a person not on the list which would have to be produced when entering a contract with the Commonwealth. A person who provides a false certification to the Commonwealth would be subject to the greater amount of a civil penalty of \$250,000 or twice the amount of the contract. One civil penalty could be imposed per investment. The Commonwealth would suspend the contract for three years from the date of the submission of the false certification. After the three-year period, the Commonwealth could terminate the contract. The department would report to the Attorney General the names of persons that have submitted a false certification, along with the information that led to the department's determination. The Attorney General would have three years to determine whether to bring a civil action. If a court determines that a false certification was submitted, an offender would be required to pay all reasonable costs and fees incurred in the civil action.

If Iran does not appear on the List of State Sponsors of Terrorism, or the President or Congress declare that mandatory divestment interferes with the conduct of the nation's foreign policy, then the department would have no obligation with respect to a company engaged in business activities with Iran. **Passed: 50-0.**

**House Bill 435** (Moul) would amend Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes to make a number of changes. Among other modifications, the measure would:

- Add foster parents to the list of mandated reporters of child abuse;
- Clarify that a mandated reporter who makes a report of suspected child abuse, or who makes a report of crime against a child to law enforcement, would not be in violation of the Mental Health Procedures Act by releasing information necessary to complete the report;

- Require volunteers who have direct contact with children or who are responsible for the welfare of a child to obtain background checks effective July 1, 2015;
- Clarify that school employees governed by the provisions of the Public School Code would be subject to the requirements of Section 111 of the Public School Code and employees not covered by the Public School Code would be subject to the provisions of the Child Protective Services Law;
- Require individuals who are required to obtain background checks to be re-certified every 36 months. If an individual's existing certification on the effective date of the requirement is older than 36 months, he or she would have to obtain a recertification within one year;
- Mandate that individuals subject to background checks provide written reports of any new arrests or convictions for offenses that would preclude them from working with children or any substantiated child abuse to the appropriate entity or administrator; and
- Direct the Department of Human Services, the Department of Education and the Pennsylvania Commission on Crime and Delinquency to analyze and make recommendations on employment bans for those having contact with children to the Legislature by December 31, 2015. **Passed: 50-0.**

**House Bill 573** (Fleck) would amend the Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to define "neighborhood electric vehicle" and "pedalcycle with electric assist." In addition, the bill would change the definition of "pedalcycle" to also include a pedalcycle with electric assist. A "neighborhood electric vehicle" would be defined as a four-wheeled electric vehicle with a maximum design speed of not less than 20 mph and not more than 25 mph, which complies with federal safety standards. A "pedalcycle with electric assist" would be defined as a vehicle weighing not more than 100 pounds; having two or three wheels greater than 11 inches in diameter; manufactured or assembled with an electric motor system rated at not more than 750 watts; equipped with operable pedals; and capable of a motor-powered speed of not more than 20 mph on a level surface. Devices designed for use by persons with disabilities would be excluded. The measure would require insurance coverage for "neighborhood electric vehicles" of at least \$15,000 for injury to one person in any one accident, \$30,000 for injury to two or more persons in any one accident, and \$5,000 for property damage in any one accident. The bill provides that no person under 16 years of age could operate a pedalcycle with electric assist. In addition, neighborhood electric vehicles would not be subject to annual state inspections. **Passed: 50-0.**

**House Bill 764** (Watson) would amend Title 42 (Judiciary and Judicial Procedure) and Title 44 (Law and Justice) to enhance sentencing for certain offenses committed while impersonating a person online and to further provide for the DNA data base maintained by the Pennsylvania State Police. The proposed legislation would:

- Direct the Pennsylvania Commission on Sentencing to provide sentencing enhancement for designated offenses, if the offense involved online impersonation;

- Add various definitions including “online impersonation” which is defined as the use of the name, persona or identifying information of another person or of a fictitious person to do any of the following: (1) create an Internet website; (2) post one or more messages on a commercial social networking site; (3) send an electronic mail, instant message, text message or similar communication; (4) open an electronic mail account; or (5) open an account or profile on a commercial networking site. The term would not include a work of public interest, including commentary, satire and parody;
- Amend Chapter 23 of Title 44 regarding the collection, analysis and use of DNA samples and the storage of DNA profiles in the State DNA Database for comparison with DNA samples collected during criminal investigations;
- Require the State DNA Database to store and maintain DNA records related to “arrestees and convicted or delinquency-adjudicated offenders” required to provide a DNA sample, and for certain anonymous DNA records used for statistical research or the development of new DNA identification methods;
- Direct the State Police to submit annually to the Governor and designated legislative leaders a report containing, at a minimum, specified information on the collection and testing of DNA samples and any recommendations for the inclusion of additional offenses for which DNA samples should be collected or recommendations for removal of specific offenses;
- Require the State DNA identification system to be compatible with the FBI quality assurance standards for forensic DNA testing laboratories, DNA data basing laboratories and CODIS policies and procedures;
- Expand when a DNA sample is to be collected to include persons arrested for criminal homicide, a felony sex offense and other specified offenses. The provision would also apply to individuals convicted or adjudicated of the crime of criminal homicide, as well as those individuals incarcerated or on probation or parole for criminal homicide, a felony sex offense or other specified offenses committed prior to the effective date of the act;
- Require that a DNA sample be collected from designated arrestees at the time fingerprints are collected and prior to release on bail. The DNA collected would have to be submitted to the State Police within 48 hours per promulgated rules, regulations or guidelines. Collection of DNA from arrestees would be phased in over a three-year period. Arrestee DNA collection would not be required if a prior DNA sample has already been collected and provided;
- Require the collection of a DNA sample from inmates, parolees and probationers accepted from another state if they have a conviction or adjudication of a qualifying offense;



- Direct the State Police to promulgate rules, regulations and guidelines on the collection, submission, identification, analysis, storage and disposition of DNA samples and typing results;
- Allow a criminal justice agency to request the State Police to perform a modified DNA search in an unsolved case. The State Police could grant a request if it is determined the request complies with stipulated requirements;
- Allow the State Police to contract with accredited forensic DNA laboratories which meet the promulgated rules, regulations and guidelines;
- Limit the release of DNA profiles to criminal justice agencies, CODIS and participating DNA laboratories serving those agencies;
- Require the State Police to create a separate category within the database to store DNA samples and records collected upon arrest; and
- Provide for the expungement of a DNA sample, record or profile. [Passed: 44-6.](#)

[House Bill 939](#) (Godshall) would amend Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes. The proposed legislation would:

- Authorize the PUC to include the gross annual revenues of licensed entities when calculating the total estimated annual expenditures for purposes of assessment;
- Add language to the definitions of “applicant” and “customer” to clarify when a person seeking utility service is an applicant or a customer;
- Include a definition of a medical certificate and provide that it must be signed by a licensed physician, nurse practitioner or a physician’s assistant;
- Include “small natural gas distribution utility,” “steam heat utility” and “wastewater utility” in the definition of “public utility” and provide a definition for each;
- Prohibit a utility from requiring a customer or applicant who is eligible to participate in a customer assistance program to pay a cash deposit;
- Provide for the calculation of interest on deposits;
- Extend from two to three years the maximum term of a payment agreement issued by the PUC to customers with income between 150 percent and 250 percent of the federal poverty level;
- Allow notice of termination of service to be done in person, by telephone, by email, text message or other electronic messaging format if the customer consents to be contacted by a specific electronic messaging format;

- Provide that payment for reconnection of service where the payment is subsequently dishonored and not corrected within three days is grounds for immediate termination;
- Prohibit the termination of service on a Friday;
- Require a public utility to waive late payment charges if the charges were improperly assessed;
- Require a utility, when a customer or applicant makes contact about a payment agreement, to provide information about universal service programs and to refer them to the universal service program administrator;
- Require a public utility to report annually to the PUC the number of medical certificates and renewals submitted and accepted;
- Place an affirmative responsibility on a public utility to collect payments on overdue accounts and require the utility to submit to the PUC an annual report of those residential accounts which are more than \$10,000 in arrears;
- Require, upon a customer request, an in-person meter reading when a customer disconnects service or a new service request is received;
- Change from two years to five years the requirement that the PUC report to the Governor and the General Assembly on the implementation of Chapter 14 (Responsible Utility Customer Protection) provisions;
- Clarify that provisions of Chapter 14 do not apply to victims under a protection from abuse order or a court order which provides clear evidence of domestic violence;
- Clarify that nothing in the Chapter would affect the right of tenants when their landlord is responsible for bill payment;
- Set a sunset date of December 31, 2024 for Chapter 14; and
- Allow the PUC to establish fees to be charged for annual activities related to the oversight of natural gas suppliers and electric generation suppliers. **Passed: 50-0.**

[House Bill 1357](#) (Heffley) would amend Title 18 (Crimes and Offenses) of the Pennsylvania Statutes to increase the penalty for impersonating a law enforcement officer and to impose a penalty for impersonating a doctor. The measure would also amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to further provide for license suspensions and ignition interlock systems and to impose a penalty for the improper sale of an emergency vehicle. The proposed legislation would:

- Provide that impersonating a public servant would be a third degree felony if the person pretends to be a law enforcement officer with the intent to induce another to submit to such pretended official authority or otherwise act in reliance upon that pretense;
- Expand the definition of law enforcement officer to include 16 categories of officers;
- Provide that impersonating a doctor of medicine and providing medical advice or treatment to another person would be a first degree misdemeanor;
- Add a definition of “ignition interlock limited license;”
- Prohibit an occupational limited license from being issued to anyone serving a suspension as a result of a DUI conviction or for a refusal to submit to chemical testing;
- Add a new section (Ignition Interlock Limited License) which details the procedures and processes whereby such a license could be issued to an individual whose operating privileges have been suspended for a DUI conviction or for a refusal of chemical testing;
- Amend existing ignition interlock provisions to require proof that all preconditions of compliance with the interlock device procedure have been completed before an unrestricted license can be re-issued to a person;
- Provide that all restrictions under the ignition interlock limited license remain in effect until such time as the Department receives notice from the ignition interlock vendor that certain designated incidents have not occurred in the two months prior and that the person has not failed to appear when required for designated activities; and
- Require any person selling an emergency vehicle to remove all externally mounted emergency lights and permanently disable all other non-removable emergency lights or systems prior to the sale of the vehicle to a non-authorized buyer. **Passed: 50-0.**

[House Bill 1436](#) (Truitt) would amend the Medical Foods Insurance Coverage Act to expand the food-related allergic disorders in infants and children for which insurance companies must provide special nutritional supplements. The legislation would require that insurers provide coverage for the usual and customary cost of amino acid-based elemental medical formulas that are ordered by a physician as medically necessary. An amino acid-based elemental formula would be a formula in which the protein source was made of 100 percent free amino acids. These nutritional supplements would be used by infants and children with food protein allergies, food protein-induced enterocolitis syndrome (FPIES), eosinophilic gastrointestinal disorders (EGIDs), and short bowel syndrome. The medical formulas would be subject to copayments and coinsurance to the extent that other medical services covered by the insurance policy are subject to such provisions. The Departments of Health and Insurance could promulgate regulations as necessary and appropriate to implement the act. For insurance companies that are required to file rates or forms, the act would apply to any insurance policy for which a rate or form is filed after the effective date. For policies that do not file rates or forms, the act would apply to any policy issued or renewed on or after 180 days after the effective date. **Passed: 48-2.**

[House Bill 1440](#) (Boback) would amend the Pennsylvania Construction Code Act to clarify the definition of “agricultural building” to include structures used to grow agricultural and horticultural products. [Passed: 50-0.](#)

[House Bill 1550](#) (Milne) would amend Title 12 (Commerce and Trade) and Title 64 (Public Authorities and Quasi-Public Corporations) of the Pennsylvania Consolidated Statutes to consolidate a number of business loan programs under the jurisdiction of the Pennsylvania Industrial Development Authority (PIDA) and establish the Pennsylvania Military Community Enhancement Commission. The proposed legislation would:

- Add a new chapter to Title 12 providing for the establishment of the Pennsylvania Military Enhancement Commission (composed of up to 17 members, including four legislative appointments, the Lieutenant Governor and up to 12 members appointed by the Governor). The Governor would be required to appoint an executive director and the Department of Community and Economic Development would be required to provide administrative, legal and technical support, as needed. Among other duties, the commission would closely monitor the activities at the federal level relating to any initiative or proposal that would affect any military installation or organization or defense-related organization in the Commonwealth. The commission would be required to issue reports of its activities to the Governor or the Governor’s designated representative and to the General Assembly;
- Consolidate under the jurisdiction of PIDA, the Small Business First Program and its affiliated programs (Community Economic Development, Pollution Prevention Assistance, and Export Financing); the Machinery and Equipment Loan Fund and the Pennsylvania Industrial Development Program;
- Provide that all applications for the programs would be made through “certified economic development organizations,” which would be required to approve the loan prior to submission to PIDA;
- Establish that all programs would include non-discrimination and conflict of interest provisions;
- Authorize the PIDA board to make transfers among the Small Business First Fund, Machinery and Equipment Loan Fund, and the Industrial Development Fund;
- Increase the limit on Capital Development Loans under the Small Business First Program from \$200,000 to \$400,000 or 50 percent of the project costs, whichever is less, and allow for the issuance of a line of credit of up to \$100,000. PIDA would also be authorized to periodically adjust the dollar amount in the program’s job creation/retention ratio;

- Allow the Distressed Communities program to issue lines of credit and authorize the PIDA board, by adoption of a resolution, to delegate the review and approval of applications totaling less than \$200,000 to authorized authority staff;
- Allow PIDA, within the Machinery and Equipment Loan Fund, to periodically adjust the dollar amount in the program's job creation/retention ratio;
- Add a new Chapter 30 establishing the provisions of the Pennsylvania Industrial Development Program within Title 12 for the purpose of providing loans for industrial development projects, industrial parks and multiple-tenancy building projects; and
- Amend Title 64 to add a Subchapter A (General Provisions) and a Subchapter C (Program Management) for the purpose of ensuring that the various economic development programs are addressed under Title 64. A Subchapter D (Transfer of Loans) would also be added to provide for the transfer of loans and legal actions under the existing finance programs. **Passed: 50-0.**

**House Bill 1654** (Cruz) would amend the Newborn Child Testing Act to add six Lysosomal storage disorders, including Krabbe disease, to the list of conditions for which newborns are tested and screened in the Commonwealth. **Passed: 50-0.**

**House Bill 1714** (Petri) would amend the Landlord and Tenant Act as it relates to abandoned personal property. The proposed legislation would:

- Permit landlords, if any of certain conditions apply, to dispose of abandoned personal property at their discretion;
- Provide that, if a tenant is deceased and leaves personal property behind, the provisions of the act would not apply and other statutory provisions would apply;
- Require landlords, prior to removing or disposing of the property, to provide written notice of the tenant's rights following the procedure and timeframe for the notice outlined in the legislation;
- Provide additional time and safeguards for individuals under a protection from abuse order;
- Provide that, with the exception of the provision relating to protection from abuse, if there is a conflict with the disposition of property provisions, the terms of a written lease would be the controlling factor; and
- Provide that a landlord who violates the provisions of the disposition of property section is subject to treble damages, reasonable attorney fees and court costs. **Passed: 29-21.**

**House Bill 1816** (Tobash) would amend the Public School Code of 1949 to make a number of changes. Among other modifications, the legislation would:

- Allow continuing professional development plans to include visits by educators to manufacturing workplaces;
- Require the Pennsylvania School Leadership Standards to address teaching and learning in manufacturing and vocational fields;
- Provide for circumstances under which an assessment of basic skills would be required of an applicant for teacher certification; and
- Require the Department of Education to obtain and monitor public safety and criminal justice information regarding educators and use the information for certification and discipline purposes.

The bill would also add Section 111.1 (Employment History Review) to the Code to require school entities to complete an extensive employment review for employees that have direct contact with children. The legislation would mandate that a school entity or independent contractor require an applicant for a position involving direct contact with children to provide the following information:

- All relevant contact information of the applicant's current employer, former employers that were school entities or where the applicant was employed in positions that involved direct contact with children;
- A written authorization allowing disclosure of the applicant's employment information that releases the employers from liability; and
- A written statement disclosing whether the applicant has been the subject of an abuse or sexual misconduct investigation, unless the findings were false, has been disciplined, discharged or been asked to resign from employment while allegations of abuse or sexual misconduct were pending or has ever had a license or certificate suspended, surrendered or revoked while allegations of abuse or sexual misconduct were pending.

The school entity or independent contractor would be required to contact past employers to request information on the applicant and whether the applicant was the subject of any abuse or sexual misconduct. The school entity or independent contractor would also be required to inquire whether the Department of Education has received notification of pending criminal charges against an applicant. School entities and contractors would be required to provide the information within 20 days on a form to be developed by the Department of Education. The current and past employers would be provided with immunity from criminal and civil liability related to the disclosure, unless the information provided is knowingly false. The bill would prohibit the hiring of an applicant that does not provide the required information. An applicant that provides false information or fails to disclose required information would be subject to disciplinary action, including termination or denial of employment, criminal prosecution and civil penalties. School entities would be prohibited from contracting with independent contractors found to have violated the act willfully.

If an affirmative response to a question is provided and the school entity or contractor is still interested in the applicant, the school entity or contractor would be required to request additional information about the matters disclosed. Former employers would be required to provide the additional information no later than 60 days after the request. School entities and independent contractors could hire an employee on a provisional basis for a period of not more than 90 days pending review of employment information, if certain conditions are met and the individual is not permitted to work alone with children. Substitute teachers would also be subject to the requirements of the legislation. The employment history review would be required only prior to the initial hiring of a substitute or placement on the school entity's approved substitute list. The review would remain valid as long as the substitute continues to be employed by the same school entity or remains on the school entity's approved substitute list.

On or after the effective date of the new provisions, the measure would prohibit a school entity or independent contractor from entering into collective bargaining agreements or employment contracts or agreements which suppress information relating to an investigation related to suspected abuse or sexual misconduct; affect its ability to report suspected abuse or misconduct; or, require information to be expunged relating to suspected abuse or misconduct. Any provision of an employment contract or agreement that is entered into after the effective date of the section that is contrary to these provisions would be null and void and unenforceable. The Department of Education would have jurisdiction to determine violations of the act following a hearing and to assess civil penalties not to exceed \$10,000. **Passed: 50-0.**

**House Bill 2092** (M.K. Keller) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to allow the Department of Transportation to authorize a third party to administer the portion of the driver's license examination that demonstrates the applicant's ability to exercise ordinary and reasonable control in the operation of a vehicle of the type or class of vehicles for the which the applicant desires a license to drive. Third-party providers could only administer exams if the test is the same as that which would otherwise be administered by the Department and the third party has entered into an agreement with the Department which has not been terminated by the Department. Further, no layoffs could occur in the classifications known as driver license examiner, driver license examiner assistant and driver license center supervisor as a result of third-party testing. An additional change would exempt a licensed driver operating a Pennsylvania covered farm vehicle anywhere in the state and a licensed driver operating a covered farm vehicle from another state when operated within 150 air-miles of the out-of-state farm from the commercial driver's license requirements. **Passed: 50-0.**

**House Bill 2310** (Sonney) would amend Act 100 of 2014, which made a number of land conveyances, to authorize additional conveyances. The legislation would authorize the Department of General Services (DGS) to convey:

- 0.03 acres and improvements in Old Lycoming Township, Lycoming County to Centura Development Co., Inc. for \$500. 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. Costs and fees incidental to

the conveyance would be paid by the grantee. The proceeds from the sale would be placed in the General Fund. In the event that the conveyance is not executed within six months of the effective date of the act, the authority would expire;

- A permanent ingress and egress easement from lands at the Warner Theater Historical site in the City of Erie, Erie County to the Erie County Convention Center Authority for \$1. Costs and fees incidental to the conveyance would be paid by the grantee. The easement agreement would be executed by the Secretary of General Services in the name of the Commonwealth. If the parties have not entered into an easement agreement within one year of the effective date, the authorization would expire;
- 18.14 acres and improvements in East Allen Township, Northampton County to the township for fair market value 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. Costs and fees incidental to the conveyance would be paid by the grantee. In the event the conveyance is not completed within two years of the effective date, DGS could sell the property in accordance with Section 2405-A of the Administrative Code of 1929; and
- An egress easement from lands at the Tunkhannock Regional Office of the Department of Agriculture in Tunkhannock Township, Wyoming County to D&I Silica, LLC under terms, conditions and for consideration acceptable to the Secretary of General Services. Granting of the easement would be contingent on a stipulated agreement between the grantee and the Wyoming County Commissioners, and approved by the Court of Common Pleas of Wyoming County. Costs and fees incidental to the conveyance would be paid by the grantee. If the parties have not entered into an easement agreement within one year of the effective date, the authorization would expire. **Passed: 50-0.**

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