

WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – DAVID G. ARGALL, CHAIRMAN

Monday, May 6, 2019

[Senate Bill 146](#) (Brooks) would amend Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes to require the State Fire Commissioner to establish guidelines for developing, delivering and sustaining online training programs for volunteer and career firefighters. Participation in the training would be on a voluntary basis. The training would be free of charge and incorporated into the Train PA system or any other system approved by the Commissioner. The Office of State Fire Commissioner would be required to post a complete listing of the available online training courses on the office's website. The Commissioner would use money in the Online Training Educator and Training Reimbursement Account established under Section 2413(a)(2) of the Tax Reform Code of 1971 to administer the program. By December 31 each year, the Commissioner would be required to provide a written report detailing the use of Online Training Educator and Training Reimbursement Account from the previous fiscal year to the chairs of the Senate and House Agriculture and Rural Affairs and Veteran Affairs and Emergency Preparedness committees. **Passed: 48-0.**

[Senate Bill 178](#) (Browne) would make several changes to the Election Code with regard to the filing of statements and use of residual funds by candidates and political committees. The bill would require the Department of State to establish and maintain a publicly searchable computer database and electronic reporting system that contains the information on campaign expenditures and contributions required by the Election Code. The database would have to be designed with an emergency recovery system to ensure that campaign expense records are not lost in the case of an emergency, natural disaster or other event. The Secretary could provide for an alternative method of electronic filing should the system be unavailable, and, for cause shown, waive late filing fees for reports or statements filed late due to an unavailable system.

Once the system is established, the bill would require all reports and statements of expenditures and contributions to be filed electronically with the Department of State. The Department of State would be required to issue filers an electronic receipt that includes a confirmation number and the date and time of filing. A candidate or political committee who is not able to file electronically could request an exemption from the Secretary of the Commonwealth. In order to request an exemption for electronic submissions or reports or statements, the candidate or political committee would have to demonstrate technological hardship. The Department would be required to ensure that all information contained in a statement that is not filed on the electronic reporting system be entered into the system as soon as practicable, but no later than four business days after its receipt.

Provisions pertaining to sworn statements would be removed from the law and provisions allowing for electronic signature would be added. Filings would be subject to the penalties of Title 18 Pa.C.S. §4904 (relating to unsworn falsification to authorities). The bill would also increase penalties for failing to file reports and statements on time. The fine for submissions six

or fewer days late would be \$50 per day; the fine for submissions seven or more days late would be \$100 per day. The maximum penalty would be \$2,000. A report would not be considered filed until all fines have been paid. Businesses that have received no-bid contracts from the Commonwealth or its political subdivisions and submit reports disclosing political contributions would also have to submit via the electronic system. Additionally, the legislation would allow candidates and political committees which are terminating their financial activities to donate any residual funds to a nonprofit 501(c)(3) organization, so long as the nonprofit is not affiliated with the candidate or chairman or treasurer of the political committee, or the spouse or children of the candidate or chairman or treasurer of the political committee. **Passed: 48-0.**

Senate Resolution 107 (J. Ward) recognizes all Pennsylvania nurses who served with honor and distinction during World War II, especially those that served in Bataan and Corregidor. **Adopted by Voice Vote.**

Senate Resolution 108 (Bartolotta) recognizes the month of May 2019 as “Postpartum Depression Awareness Month” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 109 (Killion) recognizes the month of May 2019 as “Stroke Awareness Month” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 110 (Hutchinson) designates May 15, 2019 as “Apraxia Awareness Day” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 111 (Tartaglione) designates the month of May 2019 as “Older Americans Month” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 112 (Dinniman) recognizes the month of May 15 through June 15, 2019 as “Tourette Syndrome Awareness Month” in Pennsylvania. **Adopted by Voice Vote.**

Tuesday, May 7, 2019

Senate Bill 453 (J. Ward) would amend the Pennsylvania Construction Code Act to provide an exclusion for historical agricultural buildings if certain conditions outlined in the legislation are satisfied. The bill would define “historical agricultural building” as an agricultural building initially constructed before January 1, 1999, that is used for occupancy by the general public for social events. **Passed: 27-20.**

Senate Bill 478 (Vogel) would amend the Tax Reform Code of 1971 to establish a tax credit for the support of beginning farmers. An existing owner of agricultural assets, as defined in the bill, would be able to take a credit against the personal income tax due for the sale or rental of agricultural assets to a beginning farmer in an amount approved by the Department of Community and Economic Development (DCED) equal to:

- Five percent of the lesser of the sale price or the fair market value of the agricultural asset, up to a maximum of \$32,000; or

- Ten percent of the gross rental income in each of the first, second and third years of a rental agreement, to a maximum of \$7,000 per year.

The beginning farmer would have to be a resident of the Commonwealth and intend to engage in farming on land in the Commonwealth. In addition, the individual's net worth could not exceed \$800,000 subject to annual adjustment in an amount equivalent to any percentage increase in the Consumer Price Index. The farmer would also have to:

- Provide the majority of the daily physical labor or management of a farm;
- Have adequate farming experience and knowledge;
- Demonstrate a profit potential through projected earnings statements;
- Assert to the satisfaction of DCED that farming will be a significant source of income for the farmer and is not a joint business venture; and
- Agree to notify the department if he or she no longer meets the eligibility requirements.

The allocation of tax credits would be limited to no more than \$5 million for the taxable year beginning after December 31, 2019, and no more than \$6 million for taxable years beginning after December 31, 2020. Credits would be issued on a first-come, first-served basis. No later than February 1, 2025, DCED, in consultation with the Department of Revenue, would be required to provide a report to the General Assembly on the tax credits issued containing information such as the effect of the tax credits on increasing opportunities for and the number of beginning farmers, the number and amount of tax credits issued, the geographic distribution of tax credits and data on the number of beginning farmers by geographic region in the years covered by the report. The tax credit would sunset for taxable years beginning after December 31, 2029. **Passed: 47-0.**

Senate Bill 583 (Aument) would amend the Agricultural Area Security Law to ensure agritourism activities, as defined in the legislation, are treated as an authorized agricultural use on farms protected under the farm land preservation program. The agritourism activity would have to be incidental to a farm's agricultural use and could not render a portion of the restricted land incapable of being immediately converted to agricultural use. The activity would also have to be deemed to be an agritourism activity by the county land preservation board. **Passed: 47-0.**

Senate Bill 585 (Corman) would amend Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes to create the Dairy Future Commission composed of the individuals delineated in the legislation. The Commission would:

- Review, make findings and offer recommendations related to the dairy industry in the Commonwealth;
- Consult with and utilize experts to assist the Commission in carrying out its duties;

- Receive input from interested parties;
- Hold public hearings in different regions of the Commonwealth;
- Review and consider dairy policies and factors utilized throughout the United States;
- Review the administration and operation of state and regional programs and services and make recommendations to implement new policies, legislation and regulations;
- Draft proposed legislation based on the Commission's findings; and
- Issue a report of the Commission's findings and recommendations to the Governor, the legislative leaders and the chairs of the Senate and House Agriculture and Rural Affairs Committees not later than one year after the effective date of the section.

The Department of Agriculture would provide administrative support, meeting space and any other assistance required by the Commission. Members of the Commission would not receive compensation, but would be reimbursed for all necessary travel and other reasonable expenses. [Passed: 47-0.](#)

[Senate Bill 588](#) (J. Ward) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to exempt milk haulers from travel restrictions during inclement weather and emergency declarations. The legislation would permit a “combination” to move on the highways at any time to haul milk to or from a milk plant or a dairy farm, or travel to a dairy farm to pick up milk if the vehicle is identified as a licensed milk hauler by a decal issued by the Pennsylvania Milk Marketing Board, the gross weight does not exceed 95,000 pounds and the weight of any nonsteering axle does not exceed 21,000 pounds. An additional change would provide an exception to the Governor’s authority to modify the provisions of Title 75 during a declared national, state or local emergency condition. The exception would authorize a vehicle that is hauling milk to or from a milk plant or dairy farm, or is traveling to a dairy farm to pick up milk to move upon highways at any time if it is identified as a licensed milk hauler by a decal issued by the Pennsylvania Milk Marketing Board and the gross weight does not exceed 80,000 pounds. [Passed: 32-15.](#)

[Senate Bill 613](#) (Mensch) would amend the Administrative Code of 1929 to provide for criminal history background checks of employees and contractors with access to federal tax information. The bill would remove Section 225 (Employees with access to Federal tax information) and add section 226 to provide for criminal history background checks by the Pennsylvania State Police (PSP) for employees and contractors with access to federal tax information. When a criminal history background check is requested, the PSP would be required to do the following: provide a report of the individual’s criminal history record information, submit the individual’s fingerprints to the Federal Bureau of Investigation for a national criminal history records check and provide the agency with the national criminal history information of the individual. If an agency determines an individual is not suitable to access federal tax information, the agency would have to take appropriate action including: declining to hire the individual, transferring the individual to a position that does not require federal tax information or terminating the individual’s

employment. An individual who has been determined suitable to access federal tax information would have to resubmit to a criminal history background check within 10 years of the individual's last check unless the agency participates in a program exempting employees from clearance. The Department of Revenue could publish guidelines to implement the section.

Passed: 47-0.

Senate Resolution 113 (Hughes) recognizes and honors members of Delta Sigma Theta Sorority, Inc., for more than a century of commitment to social activism, academic excellence and civic engagement in the Commonwealth on the occasion of Delta Day at the State Capitol. **Adopted by Voice Vote.**

Senate Resolution 114 (Bartolotta) recognizes the month of May 2019 as "Community Action Month" in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 115 (Bartolotta) recognizes the month of May 2019 as "Building Safety Month" in Pennsylvania and encourages residents to participate in "Building Safety Month" activities. **Adopted by Voice Vote.**

Senate Resolution 116 (Hutchinson) designates the month of March 2019 as "Youth Art Month" in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 117 (Brewster) recognizes the week of May 18 through 24, 2019 as "National Safe Boating Week" in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 118 (Baker) designates the month of May 2019 as "Summer Camps Month" in Pennsylvania in recognition of the rich benefits that summer camps provide for the positive development of youths and the enhancement of local communities. **Adopted by Voice Vote.**

Senate Resolution 119 (Brooks) recognizes the week of May 12 through 18, 2019 as "National Hospital Week" in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 120 (Browne) recognizes the month of May 2019 as "Melanoma and Skin Cancer Detection and Prevention Month" in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 121 (Yaw) designates the week of June 2 through 8, 2019 as "Chesapeake Bay Awareness Week" in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 122 (Farnese) designates the month of May 2019 as "Amyotrophic Lateral Sclerosis Awareness Month" in Pennsylvania. **Adopted by Voice Vote.**

Executive Session

W. Gerald Oleksiak – Secretary of Labor and Industry. **Confirmed: 47-0.**

Robin L. Wiessman – Secretary of Banking and Securities. **Confirmed: 47-0.**

Judicial Nominees (Two-Thirds Vote Required). [Confirmed: 47-0.](#)

Wednesday, May 8, 2019

[Senate Bill 89](#) (Hughes) would amend the Public School Code to replace references to “vocational-technical schools” with “career and technical schools” and to make additional technical updates. The measure would also remove obsolete and expired language from the law. [Passed: 48-0.](#)

[Senate Bill 145](#) (Yaw) would amend the Agricultural Area Security Law to allow the owner of land subject to an agricultural easement to relinquish and extinguish the right to construct a residence by recording an affidavit with the county recorder of deeds. An additional provision would clarify that the subdivision of preserved farmland for the purpose of a residence is permitted, regardless of whether the residence already exists or needs to be constructed. This right could not be exercised if the right to construct an additional residence has been voluntarily relinquished. [Passed: 48-0.](#)

[Senate Bill 338](#) (Langerholc) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to extend the maximum width of an implement of husbandry that may be driven, hauled or towed between sunrise and sunset on a highway from 16 feet to 18 feet. Prior notification of at least five business days by telephone to the Department of Transportation would be required for the following long trips:

- Trips within 50 miles of any farm owned or operated by the owner of the equipment; and
- Trips between farms or between a farm and a dealer or mechanic of the equipment located not more than 150 miles away.

For short trips within 25 miles of any farm owned or operated by the owner of the equipment, a pilot vehicle with continuously activated hazard signal lamps and an “oversize load” sign could precede the equipment. [Passed: 48-0.](#)

[Senate Resolution 123](#) (Langerholc) designates the month of May 2019 as “Neurofibromatosis Awareness Month” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 124](#) (Killion) recognizes the month of May 2019 as “Lupus Awareness Month” and May 10, 2019 as “World Lupus Day” in Pennsylvania to give more attention and awareness to the disease. [Adopted by Voice Vote.](#)

[Senate Resolution 125](#) (Bartolotta) designates the week of May 12 through 18, 2019 as “Women’s Lung Health Week” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 126](#) (Kearney) recognizes the month of May 2019 as “Childhood Trauma Awareness Month” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 127](#) (Baker) designates May 25, 2019 as “Missing Adult Persons Remembrance Day” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 128](#) (Regan) designates the week of May 19 through 25, 2019 as “Emergency Medical Services Week” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 129](#) (L. Williams) designates May 22, 2019 as “Emergency Medical Services for Children Day” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 130](#) (Blake) commemorates the 100th anniversary of the Pennsylvania Public School Employees’ Retirement System on July 1, 2019. [Adopted by Voice Vote.](#)

[Senate Resolution 131](#) (Brooks) recognizes May 8, 2019 as the 74th anniversary of “Victory in Europe Day” or “V-E Day” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 132](#) (Yaw) commemorates the 40th anniversary of the enactment of the Taiwan Relations Act. [Adopted by Voice Vote.](#)

[Senate Resolution 133](#) (Scavello) recognizes the week of May 19 through 25, 2019 as “Public Works Week” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 134](#) (Scavello) designates May 11, 2019 as “National Association of Letter Carriers Stamp Out Hunger Food Drive Day” and commends the National Association of Letter Carriers for its humanitarian efforts to eliminate hunger. [Adopted by Voice Vote.](#)

[Senate Resolution 135](#) (J. Ward) designates May 7, 2019 as “Rare Disease Day” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 136](#) (Schwank) designates May 14, 2019 as “Israel Independence Day” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 137](#) (Phillips-Hill) designates the month of May 2019 as “Cystic Fibrosis Awareness Month” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 138](#) (Collett) designates May 8, 2019 as “School Nurse Day” in Pennsylvania. [Adopted by Voice Vote.](#)

[House Bill 279](#) (Boback) would amend Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes to provide a person with immunity from liability for damage to a vehicle or its contents caused when the person rescues an individual from a motor vehicle as outlined in the legislation. Among other requirements, the individual would have to have a good-faith, reasonable belief that the person is in imminent danger of suffering harm if not immediately removed from the vehicle and uses no more force than necessary under the circumstances to enter the vehicle. The individual would also have to remain with the rescued person in a safe location until law enforcement or emergency responders arrive. [Passed: 48-0.](#)

(2019-045)