

WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – MARIO M. SCAVELLO, CHAIRMAN

Monday, June 7, 2021

[Senate Bill 477](#) (J. Ward) would amend Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes to add demolition permits to the list of permits required to be submitted by a municipality, third-party agency or the Department of Labor and Industry to the county assessment office. An additional change would authorize the assessment office to provide for the electronic submission of permits and clarify that the submission of permit information is not subject to the Right-to-Know Law. The measure would establish a process for county assessment offices to address noncompliance with the required submission of permit information and give them the ability to pursue an action in mandamus before the court of common pleas to compel compliance. If the court determines that the noncompliance is intentional, it could award costs and fees relating to the action to the assessment office.

The bill would also increase the minimum threshold of a substantial improvement project requiring reporting to the assessment office from \$2,500 to \$4,000 and provide for an annual increase in the threshold based upon the Consumer Price Index. County commissioners could require, by ordinance, that a certification form be submitted to the assessment office with information about a substantial improvement project prior to the start of work, regardless of whether a building permit is required. The county could provide for the electronic submission of the certification and charge a fee no greater than \$5. The legislation would update the penalty provisions for failure to submit required substantial improvement information. Nothing in the section would supersede or preempt any ordinance, resolution or other requirement of a county to submit information on substantial improvements in effect on the effective date of the legislation. [Passed: 46-1.](#)

[Senate Bill 479](#) (Hutchinson) would amend the Municipalities Financial Recovery Act to prohibit coordinators appointed to assist financially distressed municipalities under the act from engaging in conduct prohibited under the State Adverse Interest Act or Chapter 11 (relating to ethics standards and financial disclosure) of Title 65. Coordinators and receivers would be prohibited from receiving any compensation from the distressed municipality that is not specifically authorized by their contract and any compensation, fee or commission from the sale or lease of property or other financial transaction involving the distressed municipality or an authority controlled directly or indirectly by the distressed municipality. A violation of these prohibitions by a recovery coordinator would constitute grounds for termination of the coordinator's contract with the Department of Community and Economic Development to assist the financially distressed municipality. [Passed: 47-0.](#)

[Senate Bill 484](#) (Stefano) would amend the Pennsylvania Long-term Care Council Act to add the chair of the State Veterans' Commission or a designee to the Pennsylvania Long-term Care Council. [Passed: 47-0.](#)

[Senate Bill 532](#) (Stefano) would designate the bridges, identified as Bridge Key 31419 and Bridge Key 31420, located on U.S. Route 219 over State Route 601 in Conemaugh Township, Somerset County, as the Corporal Anthony G. Orlandi Memorial Bridge. **[Passed: 47-0.](#)**

[Senate Resolution 128](#) (K. Ward) amends Rule 38 (Temporary Emergency Rules of the Senate) to extend the temporary rules adopted to maintain the continuity of operations of the Senate during the COVID-19 disaster emergency until July 1, 2021, or 10 days following the expiration of the emergency declaration, whichever is earlier. An additional change would allow guest introductions to resume. **[Adopted: 44-3.](#)**

[Senate Resolution 131](#) (Corman) designates the month of June 2021 as "Cancer Survivors Recognition Month" in Pennsylvania and honors all cancer survivors for their strength and courage in the face of this devastating illness. **[Adopted by Voice Vote.](#)**

Tuesday, June 8, 2021

[Senate Bill 351](#) (Langerholc) would amend the Public School Code of 1949 to add Article XV-K providing for the Community Engaged Schools for Success Pilot Program. Under the pilot program, any school would be eligible for designation as a community engaged school if it meets at least one of the following criteria:

- It is ranked in the lowest 15 percent of the school's designation as an elementary school or a secondary school based on the combined mathematics and reading scores from the annual assessment administered in the previous years; or
- It is located in a school district where the acute poverty percentage is equal to or greater than 30 percent and the school's enrollment is representative of the school district's acute poverty percentage.

A school seeking designation as a community engaged school would apply to the Department of Education. No later than September 30, 2021, the Secretary of Education would have to designate no less than 20 schools as community engaged schools. A designated school would be required to appoint a program manager, a coordinator for the school and develop and implement a community engagement plan approved by the Secretary. The plan would have to address the areas delineated in the legislation and be submitted no later than March 30, 2022. Within 30 days of receipt, the Secretary would have to approve the plan or notify the school district that revisions are needed. A plan that is denied could be revised and resubmitted. Among other components, a community engagement plan would have to address the areas of need and any academic or nonacademic barriers to achievement, a description of services and programs to be provided and goals and benchmarks to measure performance.

The Department could award grants to school districts for community engaged schools upon approval of the school's community engagement plan. The amount of the grant could not exceed \$125,000 for each community engaged school. A school district would have to match the grants with school district funds at least equal to the state allocation. To the extent funding is available and the school continues to follow its plan, an annual award would be made in five

consecutive years. No school district could receive an annual grant allocation that exceeds 10 percent of the funds available. Grant funds would have to be used exclusively for the purpose of supporting a community engaged school's plan and would be subject to audit by the Department and the Auditor General. The Secretary would be required to ensure that grant funding is geographically dispersed throughout the Commonwealth. No later than December 31, 2022, and each year thereafter, the Department would be required to submit an annual report on the information collected from the community engaged schools to the Governor and the chairs of the Senate and House Appropriations and Education Committees. [Passed: 46-1.](#)

[House Bill 464](#) (Boback) would amend the Family Caregiver Support Act to align numerous provisions and definitions under the Caregiver Support Program with federal standards. The legislation would modify the definition of "care receiver" to cover all individuals permitted to be served under the federal law. These individuals would include:

- A functionally dependent older adult who is 60 years of age or older and cared for by a primary caregiver who is 18 years of age or older;
- An individual with Alzheimer's disease or a related disorder who is cared for by a caregiver 18 years of age or older;
- A child who is younger than 18 years of age who is cared for and resides with an older relative caregiver for a child; and
- An individual who is between 18 and 59 years of age, has a nondementia-related disability and is cared for and resides with an older relative caregiver for an individual with a disability.

The bill would prohibit a perpetrator in a substantiated case under the Older Adults Protective Services Act, the Adult Protective Services Act or the Child Protective Services Act from receiving benefits under the program. An additional change would remove the statutory maximum reimbursement rates for out-of-pocket expenses (\$200 monthly maximum) and for home modifications and assistive device expenses (\$2,000 per case maximum). The Department of Aging would be charged with establishing the reimbursement rates. Prior to making a change to the maximum reimbursement rates, the Department would be required to transmit notice to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* and provide notification to the Senate and House oversight committees. [Passed: 47-0.](#)

Wednesday, June 9, 2021

[Senate Bill 486](#) (Sabatina) would amend the Workforce Development Act to provide members of the Pennsylvania National Guard and reserve components of the U.S. Armed Forces who serve on active duty preference for placement in any program under the act for one year after discharge. The same preference would be given to the spouses of active duty members. [Passed: 49-0.](#)

[Senate Bill 516](#) (Browne) would amend Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes to add Subsection (b)(2.1) to Section 9730, which provides that if a defendant does not appear at a scheduled hearing held to determine his or her financial ability to pay and the individual was provided notice of the hearing, the judge could turn the delinquent account over to a private collection agency or to the county's collection enforcement unit as set forth in Section 9728. The decision of the judge would be subject to appellate review. [Passed: 34-15.](#)

[Senate Bill 554](#) (Stefano) would amend Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes to establish additional notice requirements for public agencies. Specifically, the legislation would require agencies:

- With publicly accessible websites to post meeting agendas on their websites no later than 24 hours in advance of the time of the convening of the meeting;
- To post agendas at the location of the meeting and at the principal office of the agency; and
- To make copies of meeting agendas available to individuals in attendance at the meeting.

Agencies could take official action on items not included on posted agendas in the following situations:

- In the event of a real or potential emergency involving a clear and present danger to life or property;
- If the matter arises within 24 hours before the meeting and is de minimis in nature and does not involve the expenditure of funds or entering into a contract or agreement; or
- If a resident or taxpayer brings a matter to the agency's attention. The agency could refer the matter to staff to research for a future meeting, or if it is de minimis in nature and does not involve the expenditure of funds or entering into a contract or agreement, the agency could take official action.

Agencies could make a change to the agenda by a majority vote of the individuals present during the meeting. The reasons for the change to the agenda would have to be announced at the meeting before any vote is conducted. The agency would have to post the amended agenda on its publicly accessible website, if available, and at its principal office location no later than the first business day following the meeting at which the agenda was changed. The meeting minutes would have to reflect the substance of and the vote on any matter added to the agenda.

Additional changes would allow the General Assembly to notify the Pennsylvania Legislative Correspondents Association of session, meetings, or hearings by electronic means to an email address designated by the Association and to post the notice of session, meetings, or

hearings on its webpage instead of posting the notice in public places within the Main Capitol Building. [Passed: 49-0.](#)

[Senate Bill 618](#) (Phillips-Hill) would amend Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes to prohibit a government entity or institution of higher education receiving state funding through the annual appropriations process from requiring proof of vaccination against COVID-19 to use any service, enter any building or undertake any activity within its territorial limits or jurisdiction. In addition, the legislation would add Chapter 60 (Disease Prevention and Control) to prohibit the Secretary of Health from requiring an individual that has not been exposed or potentially exposed to a contagious disease to do any of the following:

- Physically distance from other individuals;
- Wear a universal face covering;
- Conduct a specific hygienic practice;
- Shelter in place, quarantine or isolate from other individuals; or
- Restrict travel. [Passed: 29-20.](#)

Thursday, June 10, 2021

[House Bill 854](#) (Ecker) would amend the Administrative Code of 1929 to add Article XXI-E relating to “COVID-19 Record Retention.” These provisions would require executive agencies to preserve all records in their possession relating to the declaration of disaster emergency issued by the Governor on March 6, 2020 or a declaration of disaster emergency relating to COVID-19 issued after March 6, 2020. The record retention would have to be undertaken in accordance with the agency’s existing record retention policy. Nothing in the article could be construed to reduce the retention period of any Commonwealth record as provided by law or prevent the transfer of records to the State Archives for permanent retention.

The measure would also add Article XX-I “Temporary Regulatory Flexibility Authority” to extend the waiver of regulatory statutes and regulations that were suspended under the authority of 35 Pa.C.S. §7301 (f)(1) until September 30, 2021, unless sooner terminated by the authority which initially authorized the waiver. A waiver that is extended under the article would be retroactive to the last day that the COVID-19 emergency declaration, as amended and renewed, was in effect. Upon termination of an extension of a waiver, the authority which terminated the extension would be required to notify the leadership of the Senate and House of Representatives and the chairs of the respective oversight committees. [Passed: 50-0.](#)

[House Resolution 106](#) (Benninghoff) is a concurrent resolution terminating the Governor’s COVID-19 disaster emergency declaration, in full, immediately upon adoption by both the Senate and House of Representatives. [Passed: 30-20.](#)