



Capitol Recap

A comprehensive review of the day's events in the Pennsylvania Capitol

Volume 5 Number 308
April 18, 2018

At 12:37 p.m. on Wednesday, April 18, 2018 the Senate stands in recess until Monday, April 23, 2018 at 1:00 p.m., unless sooner recalled by the President Pro Tempore.

At 12:16 p.m. on Wednesday, April 18, 2018 the House stands adjourned until Monday, April 30, 2018 at 1:00 p.m., unless sooner recalled by the Speaker.

UPCOMING SESSION DAYS

House

Apr 30
May 1, 2, 22, 23
June 4, 5, 6, 11, 12, 13,
18-21, 25-30

Senate

Apr 23, 24, 25
May 21, 22, 23
June 4, 5, 6, 11, 12, 13,
18, 19, 20, 25-30

CONTENTS

AROUND THE ROTUNDA	1
COMMITTEE NEWS	7
NEW LEGISLATION	28
LEGISLATIVE ACTIONS	35
EXECUTIVE ACTIONS	48
UPCOMING MEETINGS	49

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AROUND THE ROTUNDA

PLS coverage of Capitol events including press conferences, bill signings, & media availabilities

YOUTHBUILD COALITION MARKS CAPITOL VISIT WITH RALLY

By Mike Howells, Pennsylvania Legislative Services | April 18, 2018

YouthBuild, a community development organization aimed at helping young people in low-income areas gain leadership skills, this afternoon held a rally in the Main Rotunda to cap off their first YouthBuild Leadership Day at the Capitol, which was spent meeting their elected officials and sharing their experiences.

Marty Molloy, director of vocational training at YouthBuild Philadelphia, emceed the event and told the students in attendance that while Harrisburg is a seat of power, "You are the power."

Joann Monroe, president of the YouthBuild Pennsylvania Coalition, said the coalition has been four years in the making and expressed satisfaction at the success of the day's events.

Rep. Jared Solomon (D-Philadelphia) explained his high school alma mater, Northeast High, is across the street from the city's Naval Support Activity facility, but fewer than one percent of Northeast graduates go on to work there. He said there needs to be a better connection between high schools and community colleges, and employees who are desperate for skilled labor. He credited YouthBuild for its work developing future leaders.

Rep. Carol Hill Evans (D-York) spoke to the difference being made at the Crispus Attucks YouthBuild Charter School in York for its students and the surrounding community, and offered congratulations to those in attendance for their success.

Rep. Ed Gainey (D-Allegheny) said YouthBuild students are future leaders and emphasized the need for perseverance and dedication.

Several former YouthBuild students recounted their experiences with the program.



MOMS CLEAN AIR FORCE REJECTS SB 1088, DEMANDS "CLEAN BUDGET"

By Mike Howells, Pennsylvania Legislative Services | April 18, 2018

The Pennsylvania chapter of environmental advocacy group Moms Clean Air Force held "Mama Summit 2018" in the Capitol today, rallying against [Senate Bill 1088](#) and pushing for the prioritization of children's health in the state budget and regulatory policy.

Pennsylvania field consultant and Philadelphia resident Mollie Michel said "it is unacceptable for elected officials to craft legislation at the behest of oil and gas lobbyists at the expense of our kids' health and well-being."

Michel said SB 1088, sponsored by Sen. Scott Hutchinson (R-Venango) would roll back drilling rules to 1984 standards.

"This legislation is ludicrous and dangerous," she said.

Michel said that from her south Philadelphia house, depending on the way the wind is blowing, “We can literally smell the toxic fumes spewing from the oil refinery” just west of her home. She noted the childhood asthma rate in Philadelphia is more than twice the national average and in zip codes adjacent to the refineries it is four times higher.

Michel challenged that the commonwealth, with SB 1088, would follow the lead of the federal government in rolling back protective regulations, putting oil and gas companies first “and the interests of our children last.”

Rep. Leanne Krueger-Braneky (D-Delaware) discussed the tribulations of the Mariner East 2 Pipeline, which runs through her district and has been criticized by environmentalists and residents for spills and sinkholes along its length.

She said the proposal of SB 1088 would roll back regulations to the Oil and Gas Act of 1984, “a bill that would check all the boxes for oil and gas lobbyists, while hurting the constituents that we were elected to represent.”

Rep. Krueger-Braneky also criticized lax regulation of methane and volatile organic compound (VOC) emissions.

“This is an environmental justice issue,” she said, noting methane’s heavy contribution to global warming and status as a health hazard.

Rep. Krueger-Braneky pointed out the technology exists, according to the International Energy Agency, to reduce methane pollution by 40 to 50 percent at no net cost, in the oil and gas industry.

In addition to Sen. Hutchinson’s legislation, Rep. Krueger-Braneky cited a number of other bills she intends to fight, including HB 209, HB 1237, HB 1959, and HB 1960, which she characterized as similar to those against which Democrats fought back during budget negotiations last year.

Kyle Drummond, a Temple University sophomore and volunteer with Defend Our Future, an organization of college students fighting for climate justice, said “young people are not okay with our state lawmakers bending to the will of powerful, deep-pocketed lobby group who do not want even common-sense protection against air and water pollution.”

“The youth of Pennsylvania expects, and demands, clean air to breathe and clean water to drink,” Drummond said. “We expect nothing less, and we are paying attention.”

Dr. Marsha Haley, a radiation oncologist based near Pittsburgh, said “there is no longer any legitimate scientific debate as to whether oil and gas pollution adversely affects public health.”

Haley said proximity to oil and gas development sites is linked of a variety of negative health outcomes, particularly among children.

Ron White, speaking on behalf of Deep Green Philly, said pollution disproportionately affects communities of color. He cited numerous examples of “environmental racism,” including Flint, Michigan; Chester, Pennsylvania; and Puerto Rico.

“We need politicians who will protect our communities, and protect our health,” he said.

Phyllis Terwilliger, climate justice advocate for United Methodist Women, said methane and other toxic pollutants leak out through the supply chain and pollute people and the environment.

“It is not acceptable to allow natural gas pollution...to contaminate our children’s air and drinking water,” she said. “Children suffer the most from the health impacts of this pollution.”

Terwilliger reported approximately 53,000 children in Pennsylvania live within one mile of a permitted fracking site, and said residents have a moral responsibility to be “caretakers of God’s creation.”

Pennsylvania field consultant Patrice Tomcik, who lives north of Pittsburgh in Butler County, called SB 1088 “an absolutely ridiculous proposition if ever there was one.”

She noted her youngest son Carson developed leukemia at age three, before the oil industry arrived, and will always be at a higher risk of future cancers.

“Nobody gets to put a price on our children’s heads,” she declared.



LAWMAKERS UNVEIL LEGISLATION TO ADDRESS CLIMATE CHANGE

By Matt Hess, Pennsylvania Legislative Services | April 18, 2018

Rep. Chris Rabb (D-Philadelphia) hosted a press conference in the Capitol Media Center this morning to unveil legislation would transition Pennsylvania to 100 percent renewable energy by the year 2050.

Rep. Rabb, prime sponsor of [HB 2132](#), emphasized the legislation has bipartisan support and explained that 2050 is the target date in order to avoid the worst effects of climate change. “The transition to 100 percent clean and renewable energy would boost the creation of future jobs by harnessing a newly skilled workforce and giving our universities the opportunity to advance new fields of technology as they educate a new generation of Pennsylvania’s technology-based workforce. This legislation would create a Clean Energy Transition Task Force, a Clean Energy Center of Excellence, and a Council for Clean Energy Workforce Development to develop the plan forward for the Commonwealth,” he stated. “I’d like Pennsylvania to get a jump on the jobs of the future, a jump on a cleaner, sustainable future. As the father of two sons, I want them to have a better future, and I want them to have that opportunity here. Pennsylvania has an opportunity here to be a leader, not a follower. Let’s take that opportunity and get this done together.”

David Masur, executive director of PennEnvironment, noted that Sen. Charles McIlhinney (R-Bucks) will be introducing companion legislation in the Senate and spoke in support of the legislation. “The scientific community has stated that we must eliminate global warming pollution by 2050 to avoid a climate change tipping point. The legislation is also good for our economy. In 2015, clean energy jobs in Pennsylvania surpassed all jobs in the fossil fuel sector for the first time ever. All told there are 70,000 people employed in Pennsylvania’s green energy sector but Pennsylvania has only scratched the service to fully tap into the renewable energy economy,” he stated. “Poll after poll shows broad bipartisan support for this issue from Pennsylvania voters. In early April, a Franklin & Marshall poll showed that nearly 70 percent of Pennsylvanians believe that it’s more important to pursue policies that prioritize the availability of renewable energy over those that prioritize fossil fuel extraction. Last month a poll by Greenberg Quinlan Rosner Research found that 71 percent of Pennsylvanians support Pennsylvania setting a goal of generating 100 percent of its electricity using clean, renewable energy like wind and solar power, including 52 percent support from republicans polled.”

Masur added that PennEnvironment is sending a letter by 150 organizations urging the General Assembly to pass House Bill HB 2132.

Rep. Steve McCarter (D-Montgomery), chairman of the Climate Caucus, noted that Hawaii passed similar legislation and urged Pennsylvania to act on the issue of climate change. “We know now we need to make the transition. The benefits are massive and we know that it will save consumers money and they will displace emissions from fossil fuels,” he stated. “Pennsylvania needs to follow the lead of Hawaii and the five counties and more than 50 cities who have signed on and committed to 100 percent renewable energy.”

Rev. Sandra Strauss, director of advocacy for the Pennsylvania Council of Churches, spoke in support of the legislation. “As people of faith, we are called to protect and preserve what God has given us in order that future generations will have what they need to live and thrive. Now that renewables have entered the realm of the affordable and accessible, I believe we have a moral imperative to support passage of this proposal,” she stated.

Thea Gudonis, lead solar sales consultant for Solar States, called for passage of the bill and spoke about the economic benefits of transitioning to a renewable energy economy. “Clean energy jobs are the wave of the future, and Pennsylvania should get out front to be a leader,” she stated. “Solar is one of the fastest growing industries in the nation, with jobs that pay well and can’t be sent overseas. If Pennsylvania doesn’t jump on this opportunity certainly another state will.”

Dr. Robert Little, president of Physicians for Social Responsibility, spoke in favor of the legislation and discussed the negative health effects of climate change. “Not only will climate change have incredibly negative effects on our environment, but it poses an extreme risk to the public’s health here in Pennsylvania and globally,” he stated. “This includes more asthma attacks, heat related deaths, and increases in diseases that were once rare in Pennsylvania like Lyme disease.”

Donald Brown, professor at Widener University Law, emphasized that climate change is a “civilization challenging problem” and called for action on the bill. “This legislation should be strongly supported because Pennsylvania has both a strong legal and moral duty to reduce its greenhouse gas emissions,” he stated. “Pennsylvania has a moral duty to act because the Commonwealth’s greenhouse gas emissions are already contributing to immense harms to ecological systems on which life depends and human health around the world.”

Rep. Rabb urged the organizations to continue reach out to lawmakers and engage in the process. “This will happen and not only will it happen but I predict we will be 100 percent renewable before 2050,” he stated. “I descend from 16 great-great grandparents who all were born into slavery and all 16 died freed. Slavery was a state law. So don’t tell me what’s possible, I know it’s possible...we have the science, the industry to do it and we have the strength of our convictions.”

Rep. Rabb then responded to questions from the media.

What is the likelihood of this getting passed in the near future?

It is unquestionably challenging but we’re on the right side of history. We have the science and a broad set of stakeholders so this is absolutely the right time amidst the climate crisis we are experiencing. We need to have that advocacy now.

Have you had any conversations with Republican leadership?

This is a bipartisan bill in both chambers. I look to my Republican colleagues who have a much better connection to their leadership than I.

How about Gov. Wolf?

I think Gov. Wolf would be strongly supportive of this. He’s a smart man. If this were to pass the House and the Senate he would not veto this.



LEGISLATORS, VOLUNTEERS MARK RED CROSS DAY AT CAPITOL

By Mike Howells, Pennsylvania Legislative Services | April 18, 2018

Red Cross chapters from across the commonwealth today celebrated Red Cross Day 2018 at the Capitol, in particular thanking volunteers as part of Volunteer Appreciation Week.

Central Pennsylvania Region CEO Jeri Sims stressed the importance of volunteerism in allowing the Red Cross to help families impacted by natural disasters and other catastrophes.

She noted the Red Cross helped more than 4,300 Pennsylvania families in 2017, in incidents ranging from home fires to train derailments.

Sims added the national organization also reached a major milestone, installing its one-millionth smoke alarm in an at-risk home.

“The Red Cross responds to more home fire disasters than any other disaster combined,” she said.

Lt. Gov. Mike Stack agreed that volunteerism is key to the success and effectiveness of the Red Cross. He pointed out that when most people interact with the Red Cross, they are in a dire situation, and appreciate the presence of people wearing the characteristic red clothing.

Lt. Gov. Stack remarked that government simply could not replicate the kind of services provided by the Red Cross, and credited the organization for directing 91 percent of the money it raises to relief work.

Sen. Randy Vulakovich (R-Allegheny), chairman of the Senate Veterans Affairs and Emergency Preparedness Committee, said it is reassuring to residents to know that Red Cross volunteers will be there “to lend a helping hand” if they experience a disaster.

Sen. Vulakovich noted that the Red Cross responded to more than 2,000 incidents in 2017 and said as chair of the Veterans Affairs and Preparedness Committee he is particularly aware of the organization’s work.

On behalf of the Senate, Sen. Vulakovich presented congratulations to the Red Cross leadership.

Sen. Jay Costa (D-Allegheny), minority chairman of the Senate Veterans Affairs and Emergency Preparedness Committee and Democratic Leader in the Senate, thanked the volunteers in attendance at the rally and emphasized the efforts made by the Red Cross to distribute and install smoke detectors in homes across the commonwealth.

“I applaud the great work that you are doing,” he said.

Sen. Mario Scavello (R-Monroe) noted that in his area many residents are transplants from elsewhere and do not have nearby family to rely on in times of need. He said the Red Cross in particular is an important resource.

Sen. Scavello highlighted the success of Red Cross telethons in his region, and the corresponding programs and aid the organization is able to offer thanks to public donations.

Rep. Chris Sainato (D-Lawrence), minority chairman of the House Veterans Affairs and Emergency Preparedness Committee, said “there is not a week that goes by” in Pennsylvania, the country, or the world without a tragedy or disaster that occurs, and to which the Red Cross responds.

“It takes money to do this,” he pointed out, as well as volunteers.

Rep. Stephen Barrar (R-Delaware), chairman of the House Veterans Affairs and Emergency Preparedness Committee, said the Red Cross is a very important part of the state’s emergency planning strategy, and said volunteers make up the critical backbone of the Red Cross.

“Without the volunteers, it’s an empty tent,” he said.

Jo Ann Scheu, a Red Cross volunteer from the south central region, discussed her volunteer experiences over the past year, including being deployed to Houston and the US Virgin Islands following hurricanes Harvey, Irma, and Maria.

“The common thread between my volunteer work here locally, and nationally, is the gratitude I’ve experienced from everyone we support,” she said.



HOUSE TO MOVE CAREER AND TECHNICAL EDUCATION LEGISLATIVE PACKAGE

By Matt Hess, Pennsylvania Legislative Services | April 17, 2018

A bipartisan group of legislators held a press conference this morning in the Capitol Media Center to discuss a legislative package aimed at enhancing career and technical education (CTE) in the Commonwealth.

Rep. David Reed (R-Indiana), House Majority Leader, commended the House Education Committee for working in a bipartisan manner said the House will move the legislative package on second consideration, which includes the following: [HB 2155](#), [HB 2156](#), [HB 2157](#), [HB 2158](#), [HB 2159](#), [HB 2203](#), [HB 2204](#), [HB 2205](#), [HB 2206](#).

“Workforce development has been of interest to the four caucuses and the governor. It’s also of particular interest to the private sector across the Commonwealth when you look at the shortages that exist today with skilled laborers but also the shortages projected over the next decade,” Rep. Reed stated. “Looking in a comprehensive effort manner of improving and enhancing our state’s efforts as it relates to career and technical education and making sure we can meet the needs of our young folks, our workers and meet the need of our employers is absolutely essential to making sure Pennsylvania is competitive in a 21st century economy.”

Rep. David Hickernell (R-Lancaster), chairman of the House Education Committee, noted that the [committee](#) reported the bills unanimously on Monday and explained that the bills were based on recommendations from the Select Subcommittee on Technical Education and Career Readiness that held hearings and wrote a bipartisan report last session. “These bills aim to address workforce shortages, strengthen educational partnerships with business and industry and increase access to career and technical education programs,” he stated. “Additionally, the goal of these bills is to address the misperceptions that exist in career and technical education by highlighting the benefits of these programs, training opportunities, and earning potential for students.”

Rep. James Roebuck (D-Philadelphia), minority chairman of the House Education Committee, said the legislative package will bring “tangible reforms” to career and technical education in Pennsylvania. “Career and technical programs provide students a visible pathway to economic independence and entry into the American middle class. Our bipartisan package of legislation will bolster our efforts to ensure that Pennsylvanians can achieve the career of their dreams without being weighed down by debt,” he stated.

Rep. Seth Grove (R-York), chairman of the Select Subcommittee on Technical Education and Career Readiness, emphasized that the bill package was formed from the public hearings with stakeholders throughout Pennsylvania. “We need to match kids with jobs they love and get them into areas where they can grow and prosper. Whether that’s a four-year degree at one of Pennsylvania’s great universities and colleges or whether it’s a trade or tech school,” he stated. “I appreciate the bipartisan work of the House Education Committee and we’ll continue the work of rebuilding our career and technical education system.”

Rep. Pat Harkins (D-Erie), minority chairman of the Select Subcommittee on Technical Education and Career and Readiness, said traveling the state with the subcommittee was an “eye opener” in terms of the opportunities that are available for high quality careers. “We have great students, we have great facilities, we just need to give things a shot in the arm and I think with this legislation that’s what we’re going to do,” he stated.

Rep. Mike Tobash (R-Schuylkill) urged the media to continue to spread the word about career and technical education and emphasized that the legislative package will link Pennsylvania’s education system to what job creators are looking for. “These nine bills bode very well for the future of economic growth in Pennsylvania,” he stated.

Rep. Gerald Mullery (D-Luzerne) said he has heard from business owners throughout the state and they have consistently stressed the importance of career and technical education. He shared the story of a student who is at the top of her class at Jeanette High School and decided to become a diesel mechanic. “Her teachers and guidance counselors are telling her how much of a mistake she’s making by not going to a four-year school but this is a girl who knows what she wants to do, knows that she is going to enjoy that career path,” he stated. “We just have to get over the stigma that if you don’t go to a

four-year college and don't come out with a piece of paper saying you have a degree you are no less of a success than somebody that is trained in a vocation."

Jackie Cullen, executive director of the Pennsylvania Association of Career and Technical Administrators, commended the bipartisan work of the House Education Committee and urged passage of the legislative package. "If enacted students will have access to better CTE and workforce development information so they can make informed choices; more qualified industry professionals will have an improved pathway to a CTE teaching career; business and industry will be able to commit resources to career and technical schools through a tax credit program; CTC directors will be able to work with their workforce development boards by serving on their boards; there will be additional options for business and industry to provide advice to CTE classroom teachers through occupational advisory committees," she stated. "We believe that this package of bills combined with the implementation of Act 6 will result in an increased number of students completing high quality CTE programs. These students will be college and career ready and play an important role in Pennsylvania's continued economic growth."

David Namey, teacher at the Wilkes-Barre Area Career and Technical Center and speaking on behalf of the Pennsylvania State Education Association, thanked the House Education Committee for their bipartisan effort and called on legislators to enact the bill. "While I applaud the efforts of this bipartisan legislation, I would be remiss if I didn't mention the need to increase the vocational state subsidy. I am very enthused about the governor's budget including such an increase and it bodes well for career and technical education."

Elizabeth Bolden, President and CEO of the Pennsylvania Commission for Community Colleges, cited a Georgetown Center for Education in the Workforce study which found that that 65 percent of jobs in the United States will require some postsecondary education beyond high school by 2020 and 30 million will pay a family sustaining wage without a bachelor's degree. "This research affirms the need for the legislation discussed today. Individuals planning for their future cannot do so if they lack the information about the career choices available to them and how they can access the career training needed to attain those jobs," she stated. "Filling that information gap is so critically important and that is why community colleges are pleased to support the bills in this package."

Rep. Mindy Fee (R-Lancaster), Rep. Harry Lewis (R-Chester), Rep. Stephen Bloom (R-Cumberland), Rep. Mark Longietti (D-Mercer), and Rep. Jared Solomon (D-Philadelphia) were also on hand for the press conference.



COMMITTEE NEWS

Comprehensive coverage of House & Senate public hearings & voting meetings

House Commerce Committee

4/18/18, 9:00 a.m., Harrisburg University, 14th Floor Auditorium, 326 Market Street

By Jessica Richardson, Pennsylvania Legislative Services

The committee held a public hearing on [SB 234 Blake, John](#) - (PN 1443) Amends Title 12 (Commerce and Trade) adding a chapter authorizing counties or municipalities to create property assessed clean energy programs, which authorize assessments for energy improvements in districts designated by municipalities. Before a real property can establish an assessment under the program and begin local financing or owner financing of a qualified project, the following shall occur: (1) Any financial institution holding a lien, mortgage or security interest in or other encumbrance of the real property that secures a current, future or contingent payment obligation must be given written notice of the real property owner's intention to participate in the program and acknowledge in writing to the property owner and municipality or county that established the program that they have received such notice; and (2) Any financial institution required to be given notice must provide written consent to the property owner and municipality or county that established the program that the property may participate in the program. Reviews and public notice are required. An assessment and any interest or penalties on the assessment is a first and prior lien on the real property and has the same priority status as a lien for any other tax. Effective in 60 days. (Prior Printer Number: 255, 1286, 1376)

Sen. John Blake (D-Lackawanna) noted that the Property Assessed Clean Energy (PACE) Program bill is a market-driven initiative that does not involve much risk to taxpayers. He stated they have been in constant communication with stakeholders and in all discussions the best place to start is the industrial and agricultural space. Sen. Blake said it is conventional commercial lending that allows local jurisdictions the option to designate space financing using private sector capital. He added the bill has 29 cosponsors in the Senate and came out in a bipartisan fashion. Sen. Blake asked that the bill get to the governor's desk without any amendments because of the work that went into it.

Rep. Krueger-Braneky commented it has been a long time coming in Pennsylvania and commended the senator for moving the bill forward. She questioned what the stance is on potentially amending the bill to include residential PACE (R-PACE). Sen. Blake explained they need to prove this model first as the residential side involving consumer protection has not been fully resolved in other states. Rep. Krueger-Braneky asked what the fate would be in the Senate if it was amended. Sen. Blake replied he would not have the support he has now.

Rep. Dunbar asked how many other states have this legislation. Sen. Blake stated 33. Rep. Dunbar asked how many include residential. Sen. Blake replied probably half.

Sen. Guy Reschenthaler (R-Allegheny) explained commercial PACE (C-PACE) is an excellent program that overcomes the challenges of energy efficiencies and does not cost taxpayers a dime. He said the financing is from private institutions only collecting in voluntary tax assessment. Sen. Reschenthaler added it will create jobs, lower energy costs, and increase competitiveness all while improving the environment.

[Julian Boggs](#), policy director, Keystone Energy Efficiency Alliance (KEEA), stated KEEA supports SB 234 because it will help further grow the energy efficient industry by lowering barriers that prevent commercial property owners from making energy efficiency investments. Investment in energy efficiency benefits the communities more broadly, Boggs said. He stated Pennsylvania has 62,000 jobs in energy efficiency and include a broad array of professionals. Boggs explained though energy efficiency is a no-brainer, C-PACE is needed to overcome market barrier to energy efficiency in financing. He said despite the clear economic value of energy efficiency, energy waste is all around as a 2015 Public Utility Commission study found that existing cost-effective technologies could reduce energy use by 19 percent by 2025.

Boggs stated a major factor why energy waste exists at all is the markets are not fully optimized for cost-effective energy efficiency investment. C-PACE addresses market barriers to energy efficiency investments by facilitating a transaction between private actors: commercial property owners and capital providers, Boggs said. He clarified what C-PACE is and what it is not. Boggs explained C-PACE is a financial product for owners of commercial properties that is already enabled in over 30 states; and an economic development tool for local governments to spur local investment and create local jobs, and to encourage more efficient use of energy and local energy production. He said it is not mandatory for any party; a subsidy for a particular energy resource, nor cost to the state or for any local government that doesn't expressly opt in; and applicable to residential properties.

[Greg McQuaide](#), Chief Fiscal Officer (CFO) of Miller Electric Construction, National Electric Contractors Association (NECA), encouraged a yes vote to the bill without amendment. He stated NECA contractors are the types of qualified construction professionals who can help commercial property owners plan and execute C-PACE financed energy efficiency and clean energy projects. McQuaide explained there is an important market for PACE projects, which will allow owners to decrease their energy consumption and utility costs, increase the value of their property, and make their facilities more desirable overall.

The opportunity to finance through PACE property tax mechanism will be attractive to their customers because PACE financing: requires little or no upfront capital; allows commercial landlords to pass the cost of these updates to tenants through existing lease structures; and allows the new owner of the property to assume both the financial responsibility and the energy efficiency benefits, McQuaide said. He stated it will be good for both large and small communities throughout Pennsylvania as it will increase property values and decrease energy consumption. These programs will facilitate job opportunities for companies like Miller Electric Construction, to put more electricians, project managers, engineers, estimators, and other staff to work, McQuaide stated.

Rep. Krueger-Braneky inquired if without C-PACE companies are opting for this and if there will be an increase to those

who do. McQuaide replied he sees these types of projects but this would allow more to do so. Rep. Krueger-Braneky asked if he has a sense of job growth that will come with the legislation. McQuaide said it is hard to quantify but it would unlock a lot of potential.

Rep. Greiner asked if there is a state that does better than others and if there are any negative situations that occurred in other states. McQuaide replied he is not an expert on other states, but as long as any program sticks to the three C's of credit it should stay out of trouble. He added this is also a more sophisticated client base.

Rep. Bullock questioned how many members of the organization are in the commonwealth. McQuaide said 130. Rep. Bullock asked how many jobs that represents. McQuaide replied he has 100 employees and even if they are talking about only 100 jobs they are talking about hundreds of millions of dollars.

[Ben Taube](#), managing director of National Policy and Legislative Affairs, Ygrene Energy Fund, explained Ygrene Energy Fund has trained almost 3,000 contractors, completed over 40,000 projects, funded over \$1.2 billion in the marketplace-at no cost to taxpayers-and created and sustained over 17,000 jobs in the communities it serves. Taube stated they analyzed in Pennsylvania on a most modest estimation, 1 percent market penetration, that if they were to work with local governments to offer PACE to homeowners it would create approximately \$800 million of new economic investment in Pennsylvania over the next few years.

Taube stated PACE has helped more than 150,000 homeowners obtain long-term financing at competitive rates for energy efficiency, seismic retrofits, hurricane protection and other property renovations. PACE is also one of the most successful and fastest growing energy saving programs in the country, Taube stated. He said some will say PACE is causing people to lose their homes but that is not true. Taube explained underwriting standards for PACE are far more robust than the mortgage banking industry's practices will tell, and homeowners who have taken advantage of PACE actually have a lower tax delinquency rate than the average.

To be clear, PACE does not impact government revenues, Taube said. He stated it is a voluntary, privately-funded driver of economic prosperity in local communities. Taube added PACE providers have worked to enhance already existing consumer safeguards, and there is little statistical evidence of PACE contractors systematically targeting low-income areas. He recommended an inclusion of residential in an amended bill.

Rep. Dunbar asked why residential homeowners would go this route instead of using traditional borrowing tools. Taube said PACE is done within 48 hours while going through the equity line can take weeks or months. Rep. Dunbar commented he has concerns residentially. He questioned if they aggressively market to try to sell financing for these things. Taube replied the community has the ability to market but they are not actively engaged in the marketing. Rep. Dunbar commented he has concerns with residential as in commercial there are controllers and chief financial officers. He said he appreciates the testimony but he does not agree.

Rep. Krueger-Braneky added she is supportive of the concept of energy efficiency upgrades being available to everyone, but she has concerns with amendments to the bill. She asked if someone has R-PACE if it has to be repaid before they sell the property. Taube stated the PACE assessment can be paid in full at the sale or can be transferred to the next owner. He said it is about a 50-50 split for those that pay and those that transfer. Rep. Krueger-Braneky asked where this goes in senior to existing liens. Taube replied it is senior to the mortgage.

Rep. Bullock commented she is an advocate for energy being available to all communities regardless of income, location, or color. However, there have been recent stories in the Philadelphia mortgage industry where they engaged in redlining homeowners of color by not making them aware of products, Rep. Bullock said. She inquired if they have any statistics around demographics of residential participants. Taube responded he does not have the data with him but would be happy to follow-up.

Chairman Ellis questioned if there is conflict with mortgage lenders on the residential side. Taube replied it is rare because there are statutes that dictate how that relationship works. Chairman Ellis inquired if he sees an uptake in job creation more on the residential side or the commercial side. Taube stated it scales roughly ten to one.

[Elizabeth Marx](#), supervising attorney, Pennsylvania Utility Law Project, urged the members to resist any efforts of R-PACE loans in Pennsylvania. She said the experience seen in other states is that R-PACE is a predatory lending product as unlike mortgage lenders, R-PACE does not screen for the ability to pay. Marx gave the example of a woman in California who was one year away from paying off her mortgage for a Habitat for Humanity home when she was approached by a door-to-door salesman on a \$64,000 R-PACE loan. She said the woman signed and now has to pay for an additional ten years.

Marx explained attached to her written testimony is a report from the National Consumer Law Center showing an additional two dozen similar cases of vulnerable households. She stated most often the consumer agrees because they are promised savings on their energy bills or told it will increase property value. She added most Pennsylvania tax collection bureaus assess property taxes annually, with the payment generally due in full by a specific date. Homeowners who do not have a mortgage escrow account, and are unable to come up with a lump-sum payment, face default, added penalties, interest charges, attorney's fees, and possible tax sale or foreclosure, Marx said. She stated R-PACE often increased the annual tax assessment by thousands of dollars. Marx urged the members to resist efforts to bring this dangerous product to Pennsylvania.

Chairman Ellis inquired if they are in support of SB 234. Marx replied they are more concerned with low-income residential and do not have a position on the commercial space.

[Olaf Hasse](#), vice president, loan portfolio risk management officer, F&M Trust, Pennsylvania Bankers Association, commented the group has been able to consult with Sen. Blake on the bill and believes the discussions were beneficial. He added almost all of Pennsylvania Bankers' members make building construction, improvement or equipment loans. The criteria by which banks make and manage a real estate loan are governed in large part by federal and state law and our processes are examined often by internal auditors, external auditors, and federal and state bank regulatory agencies, Hasse said. He stated in contrast, PACE allows financing to be provided by non-regulated entities and in a form that differs significantly from conventional loans.

Hasse shared some concerns they have regarding PACE. He stated a reason is that many of the properties which could become eligible for PACE financing already serve as collateral for at least one pre-existing mortgage loan from a bank or other lender. In the case of SB 234, the concern about a bank's ability to preserve its lien and payment priority is somewhat allayed by its provision requiring that a property owner seeking PACE financing will have to notify the holder of any lien, mortgage or security interest in the property in writing and give them the opportunity to decide whether to consent to the PACE transaction, Hasse said.

Hasse added another concern is about the potential for PACE-financed alternative energy equipment to fail to operate as intended, deteriorate over time or simply lose its effectiveness - possibly degrading, rather than improving, a property's value and salability. He also stated PACE transactions are most frequently securitized and sold into the secondary market, so the risk parameters differ between bank financing and PACE financing. Hasse explained many agricultural, commercial and industrial building owners are highly sophisticated business people or corporations, but some are busy small business owners or farmers which may lack the means or time to fully analyze the pros and cons of PACE financing. He commented the PACE vendor or contractor is paid when the equipment is installed and then moves on.

Hasse noted he has been speaking solely in terms solely in terms of agricultural, commercial and industrial projects. He stated R-PACE financing presents significant consumer protection concerns. In addition, the federal housing finance enterprises, "Fannie Mae" and "Freddie Mac," are prevented from purchasing residential mortgages where the property is encumbered by a PACE loan holding first lien position, he commented. Pennsylvania Bankers oppose the authorization of R-PACE, Hasse said.

Chairman Ellis inquired what is meant by most frequently sold in secondary market. Hasse stated on the residential side a majority of lenders do not have loan term interests. Chairman Ellis asked how checking with the lien holder works. Hasse explained the lien holder is going to take a look at this in a sense of the borrower if they can afford it, and many say no to PACE or offer alternate financing. He added the first lien holder should have a chance to look at it, which this bill provides and makes the Pennsylvania Bankers stance neutral instead of negative. Chairman Ellis inquired if the bank is on a timeline when making the decision. Hasse replied there is no timeline.

[Aaron Kraus](#), director of Market Activation and Policy, Greenworks Lending, commented Greenworks Lending is the largest C-PACE provider in the country. He explained in nearly all statutes the lender must consent so if the bank does not want a C-PACE they can reject it. Kraus added they also dive deep to look at the property and the cash loads of the project. He state C-PACE and R-PACE are different products and should not be put together in legislation.

Kraus explained they are not knocking on doors and trying to generate business as it is relationship-based. He stated they are able to finance 100 percent of the upgrade on a fixed term so anything in the future cannot be called due. Kraus added this is for mid-market property and part of the market that is underserved by energy and water financing. He said they are not opposed to R-PACE but it should be separate of C-PACE.

Chairman Ellis questioned how they get into the market. Kraus replied there is a variety of channels but the primary way is working with contractors.

Rep. Heffley asked with a 20-year payback if the contractors guarantee the products will be functioning in 20 years. Kraus explained that is a transaction between the contractor and the property owner, but the contractor is aware of how long the product will last. Rep. Heffley commented he has concerns that if it is attached to property then there is no skin in the game. Kraus responded there is a marginal increase each year and someone would not want to load up the property with assessment for no reason. Rep. Heffley asked why someone would not go through the conventional process. Kraus said it can spread out financing to allow cash flow the entire time.

Rep. Krueger-Braneky questioned what kinds of terms there are compared to a traditional lender. Kraus replied they lend per statute and are often times financing for 20 years.

[Jim Lauckner](#), senior project consultant, Chest County Economic Developmental Council (CCEDC), stated CCDEC has organized five Regional Industry Partnerships that have been working with the local Workforce Boards and the Pennsylvania Department of Labor and Industry. He explained their mission is to promote the growth of the smart energy industry by providing comprehensive workforce and economic development services to partnering companies. Smart energy incorporates clean and renewable energies, as well as energy efficiency, conservation and demand-side management products and services, Lauckner said. He stated the Smart Energy Initiative (SEI), an industry partnership of energy related companies, has four very active working groups consisting of 47 Solar, 25 Geothermal, 75 Energy Efficiency, and has started a new Natural Gas related group with 7 firms so far.

Lauckner continued that the groups held meetings where common issues such as the need for financing and for marketing were discussed at great lengths. The concept of C-PACE was brought up in November and many participants were not yet familiar with the concepts, Lauckner said. He added people in the know, such as Steve Krug of Krug Architects, helped to explain and educate the group. C-PACE was discussed again in the March meeting and everyone was in favor of seeing it become law in Pennsylvania, Lauckner stated. He commented the CEO of Independence LED, which manufactures LED Lighting in Pennsylvania, supports the concept and was asking if there would be any support of the Buy American Act. The firms participating in SEI want to see new and better ways to finance and then inform potential customers about the program and how it applies to the Energy Industry, Lauckner said.

Chairman Ellis stated the company asked about the Buy American Act and asked if that is included in the legislation. Lauckner replied it is not.

[Khari Mosley](#), Pennsylvania regional programs manager, Blue Green Alliance, added the Blue Green Alliance brings labor union members and environmentalists together around three key areas: innovating, building and installing the clean economy; repairing Pennsylvania infrastructure to create quality jobs; and support fair trade. Blue Green supports SB 234 as it represents a great opportunity to create and sustain quality jobs by providing businesses low-cost financing to update their property to be more energy efficient, Mosley said. He stated nationally, at the end of 2016, investment in PACE projects surpassed \$300 million.

Mosley commented Pennsylvania is an island as PACE is already used in many other states, including neighbors Ohio, Maryland, New Jersey, and New York. He added C-PACE is a voluntary program that simply provides the mechanism that would enable municipalities or counties to work with private lenders to aid the business community in attaining low-cost

financing to do these improvements. Mosley said it is important SB 234 focus solely on C-PACE at this time as the broad based bipartisan coalition of business leaders, organized labor, environmentalists and consumer advocates behind this bill would fall apart if R-PACE is included.

Rep. Krueger-Braneky stated the bill requires municipalities to pass an ordinance to enable the legislation. She asked what steps they would have to take at the local level to do this. Mosley replied it would require a majority vote by the municipal body or local council.

Chairman Ellis explained his intention is to run the bill out of committee on May 1 and encouraged advocates to continue to inform members on the topic.

Written testimony was provided by:

- [Organizations opposed to amendments to SB 234](#)
- [National Electrical Contractors Association, Penn-Del-Jersey Chapter](#)
- [PACENation](#)



House Human Services Committee

4/18/18, 10:00 a.m., Room 60 East Wing

By Andre Dienner, Pennsylvania Legislative Services

The committee met to consider legislation.

[HB 1535 Ward, Judith](#) - (PN 1982) Amends the Human Services Code, in public assistance, stipulating that the following shall apply to home-based and community-based services provided to individuals with an intellectual disability or autism: (1) The department shall maintain and publish a detailed description of the calculation of providers' payment rates for home-based and community-based services, including the data, inputs, assumptions, variables, calculations and precise methodologies relied on and the source of all data, variables and assumptions utilized in establishing the payment rates notwithstanding whether the payment rates are developed by the department or a third party; and (2) A provider shall annually submit cost reports to the department, or the department's designee that identify the costs incurred to render home-based and community-based services during the prior fiscal year, which shall expire October 1, 2020. Effective in 60 days. - The bill was unanimously **reported as amended**.

[A06410](#) by Ward, changes the date as to when the department must publish the proposed provider payment rates for the next fiscal year, adds language to give providers the ability to comment and understand proposed rates before they are finally approved to ensure there is input from the provider community in the rate setting process, removes language requiring providers to submit cost reports, and adds language to require the department to post the final provider payment rates and respond to public comments within 45 days of the passage of the General Appropriation Act each year. The amendment was unanimously **adopted**.

Rep. Judy Ward (R-Blair) noted the bill is agreed-to by the entire coalition of intellectual disability and autism services providers. On the bill as amended, Rep. Ward asked for a yes vote.

Rep. Aaron Kaufer (R-Luzerne) applauded work on the bill.

Written testimony in support of the bill was provided by [Pennsylvania Advocacy and Resources for Autism and Intellectual Disability](#).

[HB 2069 Miller, Daniel](#) - (PN 3015) Amends the Independent Living Services Act, further providing for definitions and for grants and funding. The bill establishes that the Department of Labor and Industry shall provide grants to centers for independent living that provide services to individuals who are deafblind, and centers for independent living that train support service providers. A grant shall be at least \$250,000. Effective in 60 days. - The bill was unanimously **reported as amended**.

[A06838](#) by DiGirolamo, takes the bill from an Act 139 amendment and makes it a general appropriation amendment instead, providing \$250,000 for taking care of people who are deaf/blind in the commonwealth through a statewide grant. The amendment was unanimously **adopted**.

Rep. Cris Dush (R-Jefferson) wondered if this will be a brand new line item in the budget. Staff explained that is the hope and this is the first step in that effort, but it would need to find its way into the general appropriations bill. Rep. Dush wondered if the program is in danger of not being funded if this change occurs without a commitment from the appropriations chairman to continue the plan. Rep. Dan Miller (D-Allegheny) agreed you could reason it that way but offered the caveat that the grant program itself is going away although the Department of Labor and Industry (L&I) has found “creative ways” to continue the program. Rep. Miller added the idea is the \$250,000 would provide a base of consistent services and the goal is to make the program something people can count on, but the funds would need legislative approval to be increased. Staff also mentioned Act 139 requires modernization and this bill is a way to hold a place for the deaf/blind and ensure funds continue to flow this fiscal year while Act 139 continues to be worked on through next session.

Rep. Ward wondered how many centers for independent living there are in the state. Rep. Miller pinned the number at 17 but added it can depend on federal and state status. Staff also mentioned the program is currently run through the central region office for the entire state but the amendment just says “we will have a single statewide program for deaf/blind individuals.”

Rep. Miller thanked the committee for their work on the bill and the bipartisan discussions that have occurred since the last hearing, which he stated revealed the deaf/blind were in danger of losing support services. He said there is a lot to look at and a bit of an issue with Act 139, and this is the best way they found to be sure deaf/blind Pennsylvanians can count on those resources while the rest of the bill is addressed. He asked for a yes vote on the amendment and bill.

On the bill as amended, Rep. Miller reiterated this is a chance to really help the deaf and blind and the \$250,000 will make a large impact on their lives.

Rep. Joanna McClinton (D-Philadelphia) thanked the committee for holding a thorough hearing which she noted revealed a lot of data and ideas on the issue. She relayed a story of someone communicating with her in sign language in her office after the meeting, summarizing the funding allows them to pursue their dreams.

[HB 2126 Ortitay, Jason](#) - (PN 3085) Amends «An act enabling certain minors to consent to medical, dental and health services, declaring consent unnecessary under certain circumstances» providing for enforcement and penalties by establishing that the Department of Human Services shall enforce the provisions of the act with an administrative penalty on a person who does not comply in the amount of \$1,000 for a first offense, \$2,000 for a second offense, and \$5,000 for third and subsequent offenses. Effective in 60 days. - The bill was **discussed and held**.

[A06837](#) by Ortitay, was **distributed**.

Rep. Jason Ortitay (R-Allegheny), prime sponsor of the bill, explained he believes the minor’s right to consent law is being interpreted incorrectly by not requiring minors age 14 to 17 who need mental health help to go “even if your parents want you to go” because that is the guidance issued by the Department of Human Services (DHS). He mentioned previous bills to change this have died in the Senate and this bill is a “different route” to allow parents to require treatment.

Further, Rep. Ortitay asked that the bill be held by the committee due to discussions with DHS Secretary Teresa Miller which indicated she provided draft guidance to reeducate and clarify that minors age 14 to 17, if their parents’ consent, that they have to get treatment and can no longer decline or stop the treatment on an inpatient basis. He emphasized he believes she will push that guidance forward and the change can be achieved without legislation, but if DHS shows hesitation, the committee could then revisit the issue.

Chairman Gene DiGirolamo (R-Bucks) replied as soon as Rep. Ortitay is ready to go in that case, he would call a voting meeting for the bill.

[HR 760 Cruz, Angel](#) - (PN 3175) Concurrent Resolution declaring that the General Assembly of the Commonwealth of Pennsylvania is committed to equal rights for individuals with cognitive disabilities to technology and information access

and calling for implementation of these rights with deliberate speed. - The bill was unanimously **reported as committed**.

Staff noted Colorado, Maine, and Missouri have adopted similar resolutions.



House Judiciary Committee

4/18/18, 9:00 a.m., Room 205, Ryan Office Building

By Nicole Trayer, Pennsylvania Legislative Services

The committee held a public hearing on public safety, gun laws and violence.

Rep. Frankel spoke on the topic of mental illness and access to behavioral health treatment. He commended the Senate's passage of [SB 501](#) and said it will go a long way to address the issue of domestic violence. He said he supports legislative efforts to increase background checks, require the reporting of lost and stolen firearms and keep weapons out of the hands of children, teens or anyone «reckless enough to use them to cause harm.» He stated that the rates of gun violence in urban and rural areas are approximately the same with deaths in urban areas mostly due to homicide and those in rural areas are likely the result of suicide. When speaking about mental health to address gun violence, he said it is important to speak broadly about the entire system. He voiced concerns that people with mental health issues often have impulsive tendencies leading to a deadly combination of impulsivity and guns. He shared an analysis that found suicide rates in the US would decrease by one-third if Americans had access to guns at the same rate as many other developed countries. Suicide by firearm is effective 90 percent of the time, he said. Rep. Frankel said since the passage of the Affordable Care Act many more Pennsylvanians have access to health care coverage as well as mental health treatment. He said only through Medicaid can the Commonwealth support a «broad system of care for those who might be identified as in need or identify themselves as in need.» He said it is important to support the mental health system overall through access to programs like Medicaid.

Chairman Marsico noted that [HB 2060](#) is similar to SB 501 and asked Rep. Frankel if he was aware of that. Rep. Frankel said he was and asked if the bill is identical. Chairman Marsico said it is similar.

Rep. Barbin said he agrees on the need to focus attention on mental health issues, but there is a mistake in looking at the instrumentality. He added that the epidemic of school violence cannot be cured unless the problem is addressed through prevention, but that he believes the current «instrumentality» bills in the House will not have an impact on prevention. Rep. Frankel replied that he disagrees because in nations that have more restrictive gun access policies there are fewer incidents of violence. He said reasonable and responsible gun laws that address issues like straw purchases and mandating the reporting of lost and stolen weapons would «go a long way to address the issue of limiting straw purchases.» Rep. Barbin said there have always been mass murders and suicides and that there is a rule against taking away someone's rights in order to achieve a «collateral benefit to the issue you're interested in.» He stated that the current laws in place should be enforced. Rep. Frankel said when talking to law enforcement he has been told that having a law that requires the reporting of a lost and stolen weapons will «go a long way in keeping weapons out of the hands of felons and children.»

Rep. Saccone said straw purchases are already a felony and that lost or stolen gun legislation will do nothing to help find a weapon once it is reported other than to «criminalize law abiding citizens.» He added that including suicides in gun violence statistics is «very misleading» and that there have always been suicides. He echoed Rep. Barbin's comments in enforcing the laws already in existence. Rep. Frankel responded that his testimony focused on «bolstering» the mental health system and increasing access to health care as a response to the issue of mental illness and use of firearms.

Rep. Stephens asked Rep. Frankel if he had any data or statistics to support the premise of lost and stolen legislation. Rep. Frankel said he has, but did not have it with him. Rep. Stephens said he supports bills to increase mandatory minimum sentences for individuals who illegally use guns and that he agrees tougher penalties would «greatly assist in this effort.»

Rep. Jozwiak said he believes the issues are more about mental health control than gun control. He added that the mental health 302 process should be addressed in terms of enforcement. Regarding SB 501, he said when a protection from abuse (PFA) order is served it is an immediate surrender of all firearms and suspension of a license to carry. He stated that the 48-hour requirement in SB 501 is actually longer than the standard practice currently in place.

Rep. Wheatley said the US has a gun violence issue that is “rampant” and that citizens are being lost every day to gun violence. He noted that for every one victim of gun violence there is often two to three more who are injured and that it’s more «acute» in communities of color. He shared statistics that show Pennsylvania is the fourth highest state nationally as it relates to gun homicides of African Americans and the second highest for gun homicides of Hispanic Americans. He stated that handguns tend to be the «weapon of choice» in day-to-day violence. Rep. Wheatley spoke of a pilot program in the Philadelphia called, the Blueprint for a Safer Philadelphia, that sought to create a comprehensive approach to address gun violence as a public health issue. He explained that the goal was to create a 10-year strategy to reduce and eliminate youth violence. He said there came a realization that violence could not be addressed without addressing the other social ills that produce violence as well. Rep. Wheatley added that he does not believe in taking away anyone’s guns, but that the government needs to realize there is a problem. On lost and stolen legislation, he said the Federal Bureau of Investigation’s (FBI) crime statistics show Pennsylvania is one of the leading states with 23,000 guns used in the commission of a crime traced back to the Commonwealth. He said as long as there is demand for these weapons there will be a supply so perpetrators on both ends should face punishment.

Additionally, Rep. Wheatley said gun violence has a «distinct, onerous covering on communities of color.» He said the issue has not been completely addressed through specific policy prescriptions allowing it to reoccur. He added that it is also an economic issue and noted that Medicaid and Medicare pay for two-thirds of the hospital visits and hospitalization related to gun violence resulting in \$622 million per year. To address it, he said there must be a comprehensive plan and the legislature must be willing to address it.

Rep. Saccone said for the most part people do not purchase a gun legally that is then used in a crime or suicide. He offered the idea of suspending or limiting access to firearms for individuals on certain types of medication. «I think that would be an effective solution without denying the rights of law abiding citizens,» he stated. Rep. Wheatley replied that he is not trying to take away anyone’s rights and instead wants to expand them with some «caveats.» He offered the solution of requiring training obligations for gun owners in order for those individuals to show their mental stability and ability to maintain those weapons. Rep. Saccone said bearing arms is a constitutional right so the bar has to be high when challenging that right. Rep. Wheatley said as a government that knows of a crisis situation around weaponry there is an obligation to find solutions that meet constitutional obligations while also providing safety.

Rep. Barbin said there is no such thing as gun violence, only violence. He added that more attention should be focused on the neighborhoods with the most violence as well as mental illness and drug addiction. He stated that law enforcement resources should be placed where violence is the greatest. He used opioid addiction as an example and said it is known that crimes such as retail theft and burglaries often lead to addiction and drug felonies. He said something should be done to give magisterial judges the ability to look at how many times someone has been charged with those crimes and get them to a place where they can get help. Rep. Wheatley responded that he does not want to stigmatize communities of color, but he does want to place an emphasis on trauma and how it impacts someone’s thinking or ability to function. Addressing it only from a criminal justice viewpoint or mental illness does not get to the problem, he said. He echoed earlier comments to invest in a comprehensive strategy that includes psychological support as well as creating school systems and jobs that provide opportunity.

Rep. Jozwiak asked if youth violence is more prevalent in urban areas rather than rural areas. Rep. Wheatley said he has not seen any research that differentiates between the two, but that youth in an urban environment are probably more exposed to gun violence. Rep. Jozwiak asked the weapon of choice in those neighborhoods. Rep. Wheatley said handguns. Rep. Jozwiak questioned whether the age group of 15 to 24-years-old involved in gun violence is majority gang-related. Rep. Wheatley said most gangs are referred to as groups now and there has been a reduction in gun homicides in Pittsburgh due to the police working with group intervention specialists to prevent situations from happening.

Rep. Nelson spoke on legislation he plans to introduce that would address the transportation of firearms. He explained that currently in Pennsylvania an individual with a concealed carry permit can travel without restrictions or issues with the firearm being concealed. However, he said a small subset of Pennsylvanians choose to open carry a firearm and are legally allowed to do so, but once they enter a vehicle that firearm is now considered concealed and that individual is potentially in violation of the law. He said this bill also addresses the safety of law enforcement and their ability to react to seeing a firearm during a routine traffic stop. The goal of the legislation is to bring Pennsylvania in line with the federal standards by requiring those

without a concealed carry permit to transport their firearm in a case with the ammunition in a separate case, he said. He noted that the legislation currently has 22 co-sponsors.

Chairman Marsico asked for the reaction of law enforcement to the legislation. Rep. Nelson said municipal police were at first confused and showed resistance to the bill due to prior versions that have been attempted, but once this version was clarified there were positive reactions. He added that the Pennsylvania State Police (PSP) were «very positive» and felt the bill would help to clarify the process.

Rep. Cephias shared stories of gun violence in Philadelphia and her district such as Bernard Scott who was in ninth grade when he was accidentally shot and killed while standing around an altercation between students that ended in gun violence. She said stories surrounding gun violence in urban communities often highlight incidents that occur during drug transactions or as the result of gangs rather than the broader question of the ways these guns get into the wrong hands. She referenced certain bills that she believes can move Pennsylvania in the right direction, including [HB 2146](#), [HB 2170](#) and SB 501. In addition, Rep. Cephias mentioned the idea of allowing local counties to develop their own gun laws with the approval of the General Assembly. She also spoke of the economic costs of gun violence noting that each gun-related death on average generates \$49,164 in medical expenses, \$439,000 in police investigation and criminal justice expenses, \$2,500 in employer costs and up to \$1.7 million in lost wages.

Rep. Nesbit asked how constituents traveling between counties would know the different laws if the idea raised by Rep. Cephias were to be implemented. Rep. Cephias said citizens would be educated by the municipality when bringing in a firearm and that ignorance of the law does not negate that it is the law. She said individuals would have to educate themselves as a gun owner to know what they can and cannot do when entering into different counties.

Rep. Jozwiak commented that he would be «absolutely against» counties having individual laws and that Pennsylvanians need a standard law. Rep. Cephias said she understands, but that gun issues in rural, urban and suburban areas tend to be different and that the General Assembly should look to enact laws that would have an impact across the three different settings.

Rep. Dawkins said he agrees there should be different ways of addressing these issues that may not be universal to all counties. He said there is no one size fits all model for the entire state and that it is important to keep an open mind to the dialogue.

Rep. White said she is a firm believer in diversity and that in a majority-minority city such as Philadelphia there is a disproportionate level of violence occurring in communities of color. She asked Rep. Cephias to share what type of support programs she would like to see in educational institutions for communities in Philadelphia to help address gun violence. Rep. Cephias said dollars have been given to the Gun Task Force to create a program called «Focused Deterrence» that brings a group of stakeholders together as well as to offer summer job opportunities for young people. She explained that a pilot version of the program has been introduced in areas like the 22nd police district and results have shown a «relatively small reduction in crime and arrests in the area as a result of a focused approach of getting guns off the street.» Additionally, as a result of the Scott incident she said a program was created called «Safe Avenues» to bring together law enforcement and put up surveillance cameras, metal detectors and create an evacuation plan to prevent gun violence from having a direct impact on schools.

Rep. Briggs said he does not believe everyone should be allowed access to guns including criminals, children and those with mental health issues. He offered support for [HB 2275](#) to close the loophole that allows some convicted felons to illegally carry firearms. Under current law, he explained, someone convicted of a serious crime is statutorily barred from possessing a firearm while someone who was convicted of attempting, conspiring or soliciting to commit a serious crime is not subject to any penalty. «We need to close that loophole and I'm glad that Rep. Grove asked me to join him in his effort to do so,» he said. He also spoke on school safety and said kids today have grown up in a post-Columbine world requiring schools to implement active shooter drills and hire police or retired law enforcement officers. He said the strategies of education and public health should be applied to the issue of gun violence. Rep. Briggs stated that guns at home pose a risk to the safety of children and the risk increases if the guns are not stored safely or securely. He said child access prevention laws such as the one he introduced, [HB 1635](#), hold gun owners accountable for the safe storage of firearms. In 2015, he said, 1,100 young people nationwide lost their lives to either suicide by firearm or unintentional shootings.

Chairman Marsico asked whether HB 1635 has been in committee. Rep. Briggs said since 2009. Chairman Marsico asked how many co-sponsors the bill has. Rep. Briggs said in some sessions he's had as many as 24, but currently there are seven. Chairman Marsico asked for a clarification of what the bill does. Rep. Briggs explained that it puts a liability on the gun owner at home to ensure the guns are properly stored if there are minors in the house.

Rep. Pyle said the central thought of the 2nd amendment was for citizens to protect themselves and their inalienable rights from being taken by their own government. He said the Pennsylvania constitution asserts an individual's right to bear arms and says "the right of any individual to keep and bear arms shall not be questioned." He pointed out that the constitution is a "defining and confining document" that can only be changed through a successfully ratified amendment. He stated that proceeding with the bills limiting semi-automatic rifles would infringe upon his right as a law-abiding citizen and that legal action will be taken. Further, he pointed out that banning semi-automatic rifles would lead to a loss of 70 to 75 percent of gun sales. He did note that prohibiting the mentally ill from possessing firearms makes "great sense." Rep. Pyle commented that the recent shooting in Florida would most likely not have occurred in Pennsylvania due to the state's gun check system, the Pennsylvania Instant Check System (PICS). As chairman of the 2nd Amendment Caucus, he said, all 88 members of the caucus will vote as a block against the measures being considered. "Before you go abridging constitutionally guaranteed rights, be very, very sure of your steps," he said.

Chairman Marsico asked Rep. Pyle his position and the position of the 2nd Amendment Caucus on abolishing PICS. Rep. Pyle responded that many members of the caucus would like to get rid of PICS, but he does not and that PICS incorporates mental health history and acts of domestic violence making it much more comprehensive than the National Instant Criminal Background Check System (NICS).

Rep. Grove spoke on his bill, HB 2275 and said the idea was brought to his attention by the District Attorneys Association. He explained that currently someone who is convicted of a serious crime such as murder or rape is statutorily barred from possessing a firearm and doing so results in a felony. However, he said, someone convicted of any attempt, conspiracy or solicitation to commit a serious crime is also statutorily barred from possessing a firearm, but if that individual chooses to carry he or she cannot be charged with carrying an illegal firearm due to the decision in *Commonwealth v. Clay* by the Pennsylvania Supreme Court in 2011. The goal of the legislation is to ensure that those convicted of attempting, conspiring, or soliciting to commit a serious crime are also prohibited from possessing a firearm, he said.

Chairman Marsico asked how many co-sponsors the bill has. Rep. Grove said more than 10.

Chairman Marsico thanked all the members who came before the committee to testify throughout the six days of hearings. He said the committee is seeking solutions that the House as a whole can support meaning not every idea brought before the committee will come up for a vote. He announced the committee will schedule another hearing on the topic in May to solicit public input.



House Professional Licensure Committee

4/18/18, 9:00 a.m., B31 Main Capitol

By Kimberly Howells, Pennsylvania Legislative Services

The committee held a public hearing on [HB 789 Christiana, Jim](#) - (PN 868) Amends the Medical Practice Act providing for the provision of anesthesia care in certain settings; and conferring powers and imposing duties on the Department of Health. Anesthesia care in a hospital shall be provided by: an anesthesiologist, a qualified physician, a physician enrolled in a residency program in anesthesia or oral surgery, a dentist anesthetist, a nurse anesthetist authorized by the State Board of Nursing to provide anesthesia care and who is under the supervision of either an anesthesiologist or the operating physician, or a supervised student nurse trainee enrolled in a course approved by the American Association of Nurse Anesthetists. Effective in 60 days.

Chairman Mustio noted the bill would codify existing Department of Health (DOH) regulation regarding the practice.

Rep. Christiana remarked his bill is not new public policy, as the text of the bill has been in effect through regulation for decades. He opined the legislation is necessary to codify the regulation of anesthetists because there is an effort to change

the dynamic in the operating room as it relates to the team work atmosphere. He opined any such change should be by act of the legislature because it would be such a substantive public policy change that could affect public safety or public health.

Chairman Mustio said the committee is having the hearing today because there are new members on the committee from when the issue was last vetted. He called the work of the committee “so nonpartisan” and instead the members work on issues together to get to the safety of Pennsylvanians.

Rich O’Flynn, MD (alternate), past president of the Pennsylvania Society of Anesthesiologists and an anesthesiologist at Society Hill Anesthesia Consultants, read the testimony of Dr. Tom Witkowski, MD, president of the Pennsylvania Society of Anesthesiologists and an anesthesiologist at Thomas Jefferson University Hospital, who was running late. In the testimony, he emphasized the importance of patient safety in this issue and reiterated the bill would codify existing regulations. Reading from the language, he emphasized the importance of the language “under the supervision of the operating physician or anesthesiologist.” He said DOH is undertaking a review of the regulations and considering changes, noting that nurse anesthetists are seeking authority to administer anesthesia without supervision. Dr. O’Flynn opined, “Their desire to take physician anesthesiologists out of the current ‘physician-led’ team approach would be wrong on many levels. Most significantly, doing so would amount to an indefensible shortchanging of well-established medical protocols emphasizing patient safety.” He debunked arguments that this is necessary due to a shortage of physicians, stating that 97 percent of hospitals are staffed by physician anesthesiologists, and that there is a cost difference, stating the cost for anesthesia is the same, regardless of who implements it. Dr. O’Flynn urged the committee to support HB 789.

Rep. Costa wondered if 97 percent equates to fully staffed. Dr. O’Flynn reiterated there is no shortage and said 99.8 percent of surgical procedures are performed in those 97 percent of hospitals.

Rep. Knowles said this issue is very difficult because legislators have the utmost respect for the medical team and remarked having a good anesthesiologist is just as important as having a good surgeon. He said he got a sense from the testimony that if the anesthesiologist is not in the room and “things go south,” things could go very wrong. Shannon Grap, MD, an anesthesiologist at Penn State Hershey Anesthesiology and Perioperative Medicine, confirmed things change quickly in the operating room and within the care-team model she is present for all key components of the procedure and intermittently follows the patients so she can react quickly if necessary. Rep. Knowles wondered what percentage of the process is routine. Dr. Grap replied the majority of the cases she oversees are elective surgery, but even in those situations things can happen quickly because patients are in a medicine-induced coma. She said she is always prepared for things to go wrong, even in very routine cases, and remains prepared for potential events.

Rep. Kortz asked how many critical times the unusual circumstance happens. Dr. Grap replied it is quite frequent in pediatrics and she is on guard 100 percent of the time. Actual complications, she said, occur less frequently because she is always on guard. Dr. O’Flynn pointed out they are seeking codification of the existing regulations and do not want to see change without legislative approval. Rep. Kortz remarked on the importance of having “the best of the best” in the operating room.

Rep. Comitta asked if the law limits how many operating rooms an anesthesiologist can supervise. Dr. Grap replied the maximum number at Hershey is three, but acknowledged some facilities allow four. She said she has encountered situations where if a patient has a very high acuity she will only supervise that patient. Dr. O’Flynn reiterated that some allow up to four and confirmed it often is lowered based on acuity. Rep. Comitta asked who is with the patient throughout the process. Dr. O’Flynn replied the anesthesiologists are in the room during critical parts - going to sleep and waking up - and a physician or nurse anesthetist would always be present. Regardless, he said, the anesthesiologist would be “seconds away” if needed.

Rep. Costa asked if there should be a limit on the number of rooms supervised. Dr. O’Flynn clarified Medicare regulations limit it to four and said a hospital may make a determination to have a lower threshold.

Rep. Christiana commented on the distinction of the terms “supervision” versus “collaboration” and asked if nurse anesthetists directly report to the anesthesiologists. Dr. O’Flynn confirmed they do. Rep. Christiana asked about the importance of having to be decisive in the critical moments. Dr. Grap replied, “Within supervision, I am the team leader” for the anesthesia team in the room. If it was more of a collaborative role, she speculated, it may be more “wishy washy” but she opined there is no time for discourse in those moments. She related hospital policies that require a team leader during a code tend to be more effective and she compared the anesthesiologists to the pilot of an airplane. “It really is our responsibility

and it is important...to be the team leader,” she said. Rep. Christiana asked about liability. Dr. Grap confirmed she is the one liable when she is supervising a room and she is the one that follows up with patients as necessary. Rep. Christiana opined it is important to allow for flexibility and remarked on the flexibility that hospitals may have regarding how many operating rooms an anesthesiologist may be supervising. He asked if the bill says an operating physician can oversee anesthesiology. Dr. O’Flynn confirmed it does allow for a hospital not to have an anesthesiologist present, but stated his preference for an anesthesiologist to be overseeing anesthesia. Rep. Christiana remarked that is another level of flexibility and asked if adequate flexibility is provided to meet the diverse needs of Pennsylvania. Dr. O’Flynn opined Pennsylvania does provide adequate flexibility, reiterating that 99 percent of the surgeries occur in the 97 percent of hospitals that have an anesthesiologist.

Rep. Toohil spoke about rural areas and wondered if they fall in the three percent that do not have an anesthesiologist and asked if anesthesia is being supervised by a physician. Dr. O’Flynn confirmed all anesthesia is supervised by a physician, but in most cases it is an anesthesiologist and sometimes it is the supervising physician. Rep. Toohil asked if the bill will not impact rural Pennsylvania because it has such flexibility. Rep. Christiana replied in the affirmative, arguing the bill will not affect rural Pennsylvania because it implements the current regulations and there is such widespread coverage already. He reiterated his belief that any changes to the current regulations should be a policy decision made by the legislature.

Rep. Day appreciated the medical-team approach, but asked if there are any procedures or level of patient that currently require supervision that do not need to be under that physician-led supervision any longer due to advances. Dr. Grap discussed procedures under local anesthesia may be possible to be excluded, but opined the physician should still oversee the care because things can still happen. Rep. Day also asked for more information about delegation of supervision responsibilities. Dr. Grap explained in her practice she supervises CRNAs (certified registered nurse anesthetist) and anesthesia fellows and said she would not delegate supervision to them. Delegating responsibilities, she explained, would be for example if she stepped out to see another patient and the CRNA would remain in the room. She said she does not delegate supervision, but may delegate the next task.

Rep. Santora sought to clarify the process. Dr. Grap confirmed an anesthesiologist could supervise up to four rooms. Rep. Santora wondered what would happen if something went wrong in all four operating rooms at the same time and speculated that the nurse anesthetists would have picked up the necessary skills. Dr. Grap confirmed they do have skills, but may call for help. Rep. Santora asked if anesthesiologists ever call for help. Dr. Grap confirmed she has called for help and reported she is fortunate to have a number of anesthesiologist colleagues at her facility. Rep. Santora asked when nurse anesthetists can be left alone with patients. Dr. Grap was not sure of specific hour requirements. Rep. Santora asked about the oral surgery. Dr. O’Flynn explained oral surgeons get six months of anesthesia training and confirmed there are a few oral surgeon anesthesiologists in Pennsylvania. He added that anesthesiologists are trained as physicians. Rep. Santora asked if there are anesthesiologists in surgery centers. Dr. O’Flynn confirmed most do have an anesthesiologist, but some are run by the operating physician. He indicated it is the same for dental surgery.

Rep. Ravenstahl questioned if there are any studies regarding anesthesiologist versus nurse anesthetist supervision. Dr. O’Flynn replied there are studies on both sides, but said it is hard to study because of the variables involved. Rep. Ravenstahl wondered how Pennsylvania compares to other states in regards to supervision. Dr. O’Flynn said New Jersey and Delaware both require anesthesiologists to supervise anesthesia, but could not speak to other states.

Rep. Brown asked about the testimony that there is no cost savings. Dr. O’Flynn confirmed there is no cost difference, stating the insurance company pays the same amount regardless of who provides the care. Rep. Brown was surprised by that. Dr. O’Flynn reiterated there is no cost saving to the insurance company, but pointed out the surgery center may pay less to the nurse anesthetist and thus may make more money on the surgery.

Chairman Readshaw cited the testimony that anesthesiologists have more extensive training and asked how many months or years of training the hours translate to. Having arrived, Dr. Witkowski, replied someone starting as an anesthesiologist after medical school has had a year of internship, then has three years of anesthesia training, and usual another year or two of additional training beyond that.

Chairman Mustio read from testimony provided by the CRNAs regarding the training they receive and asked about the hours referenced in the anesthesiologist training. Dr. Witkowski confirmed the 12,000 hours is all anesthesia training.

Chairman Mustio then asked about routine procedures and the training the physician has in recovery and what happens in an emergency. He also wondered about continuing education. Dr. Witkowski confirmed in the case of a gastroenterologist in the example, they would have training and courses with regard to doing that. To some degree, he added, the procedure would depend on what happens. He speculated the nurse anesthetists would be heavily involved in securing the airway. In the case of cardiac arrest, he indicated the gastroenterologist would be heavily involved.

Rep. Day asked for an explanation for the difference in patients that are allowed to go to the different facilities, like surgical centers and hospitals. Dr. Grap replied the healthiest patients are treated at surgery centers, so there is less risk, but those with health issues usually are treated in a hospital. She noted her institution has an outpatient center nearby and at times sends patients to the main hospital if the patient is determined to have a higher acuity.

Rep. Kortz asked, "If we were to go the other way... are we putting people at risk?" Dr. Grap opined it would be a risk for patients and argued it is important for anesthesiologists to be involved for the duration because it makes it easier to respond quickly if they are called in.

Rep. Christiana mentioned a procedure on a one-year old that Dr. Grap mentioned and if that would occur in other situations. Dr. Grap suggested it would depend on the circumstances and the location of the surgeon. Rep. Christiana asked about fatality rates. Dr. Witkowski offered to get that data.

[Jodie Szlachta, CRNA, Ph.D.](#), president of the Pennsylvania Association of Nurse Anesthetists and director of the Crozer-Chester Medical Center/Villanova University Nurse Anesthesia Program, pointed out Pennsylvania has many nurse anesthetist programs and urged the committee to take action to keep those students in Pennsylvania. She reviewed the extensive training nurse anesthetists receive and said critical care training adds about 6,000 hours of training and in total on average they complete about 9,000 hours of clinical before they are able to practice. "We practice to the same standards as anesthesiologists," she stated, and said research shows the outcome is no different when care is by a nurse anesthetist. She noted 17 states have no supervision requirements "and there is no patient safety crisis in those states." Further, Szlachta pointed out nurse anesthetists monitor patients continually whereas anesthesiologists are monitoring multiple patients. She concluded the legislation is unnecessary.

[Pamela Wroblewski, DNAP, CRNA, CASC](#), president of BPW Medical Associates, discussed her experience and training both on the administrative end and as a CRNA. She said anesthesia training is similar in structure and length for both CRNA and residents, oftentimes with the two groups training together. Wroblewski pointed out the nurse anesthetist is responsible for his own actions and noted they carry their own liability insurance. Further, she argued the supervision language in the bill can increase costs and may increase a shortage of nurses and other professionals in Pennsylvania. Regarding payments by insurance companies, she stated it is the same because they know there is no difference in the outcome. Wroblewski also pointed out that there may be many doctors in large teaching hospitals, but that is not the case in community hospitals. "We can really help decrease the cost of health care," she stated, and pointed out that just because a hospital has an anesthesiologist on staff, that does not mean they are supervising the surgery. "That goes on in many hospitals in the state," Wroblewski said, remarking that just because there is one in 99 percent of hospitals that perform surgery, that does not mean the anesthesiologist is in all of the surgeries in those hospitals. She urged the committee to reject the bill.

[Juan Quintana, DNP, MHS, CRNA](#), former president of the American Association of Nurse Anesthetists, offered a national perspective. He opposed HB 789, stating it adds a layer of bureaucracy to a system that is "safer than ever." As baby boomers retire, he said, the need for health care services is going up and he said the Medicare rolls will double by 2030. He testified that CRNAs provide primary services in a variety of health care settings, including in the military. Referencing the example of the one-year-old baby, Quintana suggested that it is incorrect to conclude that in the absence of the anesthesiologist the nurse anesthetist would not have likewise provided care for the baby. Calls for help, he added, are standard operating procedure and should not be treated as a problem. Lastly, Quintana argued that "there's no way" that an anesthesiologist who is monitoring multiple patients can be there in the split second when they are needed if they aren't already there. He suggested instead of the bill to "use personnel where it is needed."

Rep. Kortz pointed out the bill codifies current regulations and asked if the suggestion is that anesthesiologists are not needed. Quintana pointed to the increased demand for anesthesia services and suggested an "all hands on deck" approach. He said anesthesiologists need to be doing anesthesia. Szlachta agreed all providers need to be working to the full extent

of their training, stating there is a shortage of nurse anesthetists and physicians now. Rep. Kortz asked if the regulations in place now are needed. Wroblewski said the bill is not needed and things should be left as they are now. She argued for hospitals to decide what they need.

Regarding training, Rep. Kortz asked how many hours of training the panelists received. Quintana called that “an interesting conundrum” and suggested anesthesiologists tend to “diminish” the hours of the CRNAs, but reiterated the outcomes are the same. He agreed he does not have the same number of hours of training, but achieves the same goal with fewer hours. Rep. Kortz asked about the exceptions, though. Quintana said that is an exception to the rule. Rep. Kortz reported his grandfather passed away during minor surgery in 1955.

Rep. Christiana found it difficult to reconcile the point that the outcomes are the same and that anesthesiologists increase costs with the panelists’ testimony that there is a place for anesthesiologists. Quintana replied the services CRNAs provide are exactly the same, but there are other areas anesthesiologists can function beyond the role CRNAs can fulfill, such as in intensive care units. “So there is room there for that function,” he said. Rep. Christiana pointed out hospitals could fire all anesthesiologists and wondered why they have not done so if they are truly unnecessary and expensive. Quintana agreed they could, but said they see a system where anesthesiologists and CRNAs working together is suitable to their need. Rep. Christiana reiterated this bill codifies current practice and wondered how that would increase costs. Szlachta argued that making it a law changes the dynamic and said instead of a regulation that is not entirely effective it would be illegal with no definition of consequences. Quintana added that this creates a situation where facilities feel uncomfortable. Rep. Christiana suggested the panelists should be arguing that they don’t think the legislative body is the appropriate body, if that is their ultimate position. Quintana did not believe that, but reiterated his belief “things are going well” and did not see a need for intercession by the legislature.

Rep. Deasy asked if having additional supervision provides any additional protection for patients. Quintana responded in the negative and cited data that found the outputs are the same. Rep. Deasy asked if there’s something Pennsylvania could do better in regards to anesthesia. Quintana said Pennsylvania sticks out for the lack of recognition of CRNAs, noting it is one of two states that do not do that. Rep. Deasy also asked about student enrollment and wondered the difference between training for graduates in 2025. Szlachta explained the pathways may be different but the outcomes are the same, much like legislators all have different backgrounds. Further, she said all programs have to award a doctorate by 2025 but that does not necessarily change the hours of clinical requirements. Wroblewski noted she has children in both professions and relayed their experiences, stating their training and hours are very similar.

Chairman Readshaw asked if this debate has become an issue in the medical setting. The panelists assured him it has not.

Rep. Christiana noted the request that CRNAs be recognized as advanced practice nurses and was optimistic Pennsylvania can take that action like 48 other states have done. He asked how many of those 48 states have a scope of practice. Quintana replied all states he is aware of have some sort of scope of practice.

Written testimony was submitted by the following:

- [Department of State](#)
- [Hospital and Healthsystem Association of Pennsylvania](#)



Senate Education Committee

4/18/18, 1:00 p.m., Hearing Room 1 North Office Building
By Andre Dienner, Pennsylvania Legislative Services

The committee held a public hearing on potential alternatives to the current Act 88 of 1992 collective bargaining process and teacher strikes.

Chairman Eichelberger summarized school strikes around Pennsylvania have been an issue and Pennsylvania is one of the few states that allows them. He said he is focused on what is best for the education system which “we have generally lost sight of” in Pennsylvania and “it seems the kids are the last on the list,” explaining the hearing will focus on a path to make things better.

[Patrick Musto](#), school board director, Dallas Area School District, offered testimony focusing on how strikes ripple through local economies “with disastrous effects” and mentioned Pennsylvania is one of 13 states to allow strikes and has one of the highest amounts of strikes in the nation. “Teacher strikes remove educational stability that students and taxpayers alike expect,” he emphasized, saying strikes damage student achievement and “the union negotiation model originates mainly from the monopoly teacher unions have on education.” He opined there is an inherent understanding for parents and families that students have a safe place to be supervised for 180 days of the year at school, but strikes disallow students into schools and in many cases place parents in a precarious place. “Strikes by teacher unions should be eliminated from Act 88,” Musto concluded. “They are counterproductive and are used solely as a means to coerce school boards. Strikes are definitively not in the public interest.” He mentioned the best alternative in his view is having the taxpayers involved with negotiations beginning one year before the expiration of the current contract. “If an impasse is reached at the end of this time frame twelve members of the community will be selected from a pool of applications for a nine member review committee with three alternates that will decide on the last best offer of both sides and whose decision will be final. This review committee will be under the direction of the Common Pleas Court and selected by attorneys from both sides. This process should take no longer than one month.”

[Vito DeLuca](#), Esq., solicitor, Dallas Area School District, discussed legal deficiencies in Act 88 and a brief history of the bargaining process which he said evidences these weaknesses. In short he said the act is “without any true teeth or any way to enforce the mandates of Act 88” and drew on experience where “the union has ignored mandates of Act 88 and there has been no consequence.” He outlined his background to say his representation of the Dallas Area School District in labor negotiations has been the most “challenging, draining, and horrible professional experience” he has ever endured. On Act 88, he reiterated it is “clearly lacking enforcement authority” and drew on strikes in his district which began on November 14, 2016, and had two “critical dates” established by the Department of Education (PDE) which first required the union to return to work or face mandatory non-binding arbitration and second, on the next date, return to guarantee 180 education days in that school year. DeLuca indicated the union ignored the first date by four days and refused to go through arbitration with no consequences as a result, adding the district came up seven days short of the required 180 education days which he said had a \$33,000 per day cost for each day they came up short. He reiterated Act 88 provides no penalty of injunction or court action if the 180 days are not met.

Next on striking, DeLuca said the tool of striking “is meant to disrupt” and is a tool for unions to have leverage over an employer as his district has received “countless” 48-hour notices with intent to cause “the extreme amount of disruption.” He recommended limiting the number of notices that can be given throughout the school year, giving the school better opportunity to notify parents and students, requiring more than a 48-hour notice, and requiring that the notice be at least a certain number of work days instead of 48 hours. He repeated he has seen “clear” violation of the law by unions such as refusing non-binding arbitration, and PDE should have the authority to give those dates and have them be mandatory and enforced. DeLuca admitted the first date is not able to be enforced but the second date can be by injunction, calling for regulation regarding school districts rescheduling strike days if total school days fall below 180 and the district refuses to pay teachers for those days.

Chairman Eichelberger wondered where the Pennsylvania School Boards Association (PSBA) stands on the issue. DeLuca replied having a union disregard Act 88 is unprecedented as it occurred at his district and PSBA has been helpful and he expects they will participate and be helpful if that time comes. Chairman Eichelberger mentioned changing the school system to a fair binding arbitration process such as what is in place with police and firefighters which he said would create a more open process through fair neutral arbitrators, wondering if that seems possible. DeLuca replied “absolutely” and he would be in favor of interest arbitration for teachers. Chairman Eichelberger next wondered if they had any other bargaining units in the district and did they refuse to work when teachers were on strike. DeLuca explained support staff contracts were established in a satisfactory way to both sides during the process when the teacher’s contract expired, which prevented an experience where they participated in the strike.

[Jeffrey Sultanik, Esq.](#), education law group chair, Fox Rothschild, LLP, opined the system is stacked against the interests of the taxpayers, parents, students, administrators, and school boards of Pennsylvania. He mentioned strikes became “virtually non-existent” during the recession as teachers’ unions recognized the enormity of the crisis impacting school entities, but opined the school economy has still not completely recovered. He placed part of the negotiating difficulty as school districts not being able to cover vertical step movement cost on a salary schedule, but membership of the teachers’ unions believe

that since the economy is improving, it is time to “recoup some of the losses they experienced during the Great Recession.”

On solutions, Sultanik stated binding arbitration is not the answer due to uninvolved third parties making determinations and declaring strikes unlawful will not solve the problem as evidenced by the presence of strikes in states where they are already illegal. He mentioned the Pennsylvania Constitution only permits police and firefighters to have their contract disputes settled through compulsory binding arbitration and changes to that cannot be made by the legislature. He recommended legislative remedies including changes to the Pennsylvania Limited Right to Strike Law, authority to implement the last, best, and final best offer consistent with the National Labor Relations Act, and dealing with status quo obligations under the Pennsylvania Employee Relations Act (PERA) and Unemployment Compensation Law (UCL) which he said have a “restrictive nature.” However, Sultanik mentioned lawful modifications to working conditions under the PERA can be impermissible modifications under the UCL when implemented during the status quo period.

Sultanik cautioned against forcing a school district to make up days lost by a strike even if they do not have the requisite 180 days of school and 900 hours of instruction, as this would “be clear that teachers will lose money.” He also advocated for holding union officials personally liable for not strictly complying with the requirements of Act 88, loosening the rules to subcontract bargaining unit services, bargaining unit members should lose pay as the result of a work stoppage and a school district should not be paid if they go on strike, limiting the right of unions to engage in work to rule, teachers’ unions should be barred from blocking fact-finding through an impasse resolution procedure by advance issuing a notice to strike, teachers’ unions should be mandated to go to non-binding arbitration if one party moves forward on that basis and if it is supported by the Bureau of Mediation, and a labor union in which a majority of the labor union members are present can only vote to go on strike if a majority, through secret ballot votes to support the strike. In closing Sultanik emphasized his issues with work to rule and the status quo required to be maintained.

Chairman Eichelberger defended his support of binding arbitration, which Sultanik responded to by reiterating his concern with delegating decision making to an uninterested third party. Chairman Eichelberger opined the current method is flawed and gives an advantage to the union, and binding arbitration could create a fairer field, encourage a settlement up front, and create a coin flip for a neutral arbitrator. Sultanik disagreed, saying he is convinced it would result in additional costs and would take the process out of school’s hands.

Chairman Dinniman commented he understands the incentive part but said a mechanism to incentivize working together and cooperation from both sides is needed. He said he supports the right to strike but is worried about the loss of education days, wondering what can be done to make a reward system for when people work together and a disincentive when they do not. He reiterated he understands the desire to level the playing field but wants to hear incentives that can be put in place in legislation. Sultanik replied the right to implement the last best offer could help by creating a financial consequence for not getting a deal through a “mitigating offsetting requirement” which he said exists in the private sector.

Chairman Dinniman opined the legislature must think out of the box as it would be hard to pass a bill denying the right to strike, but the victim being the student caught in the middle as a hostage calls for an effective alternative to create a system by which there is a reward for negotiation and coming to an early conclusion. Sultanik said focusing on just the strike is a mistake and it is just as much a work to rule issue, which he added can be eliminated by getting to an agreement faster. He requested the current statute not be thrown out completely but instead create methodologies to make agreements come sooner and level the playing field.

Chairman Dinniman summarized the question boils down to the committee needing to come up with, in terms of the budget and finances, the best ideas because the battle over trying to end the right to strike would be divisive and harmful.

Sen. Folmer agreed more information and discussion on the subject is needed to inform decisions, and commented a change to binding arbitration might take a constitutional amendment which would be very difficult. He agreed a common goal is needed on the matter which will be further discussed going forward.

[Nathan Benefield](#), vice president and chief operating officer, Commonwealth Foundation, stated they are all in agreement that teacher strikes are a bad thing and something they want to see fewer of. He commented there are harms to students when education is disrupted and it distracts from the learning. Benefield said over the last 20 years there have been a number of strikes with over 1,300 days lost to strikes and more than 300,000 students have been affected.

Pennsylvania leads the nation in teacher strikes, Benefield said. He stated 88 percent of all teacher strikes from 1968 to 2012 occurred in Pennsylvania. Over the last 20 years the rate has slowed down, but there have been 131 teacher strikes since 1999 which is an average of seven strikes every year, Benefield said. He explained there are more potential strikes on the horizon as currently 38 school districts have expired contracts.

Benefield explained Pennsylvania leads in the number of strikes because it is one of 12 states that legalize teacher strikes and has no penalties for teacher strikes. He added there are unions who penalized teachers who do not strike and cross the picket line. Benefield commented the collective bargaining law has not lead to labor peace. He said neither teachers nor voting public are allowed to see proposed contracts and some of the strikes are not even related to teachers' salaries or benefits. Benefield gave the example of the Philadelphia Federation of Teachers that is fighting for who is the provider of their insurance fund.

Benefield provided suggestions on how to improve. He suggested improving the transparency in the collective bargaining process and reforming what can be negotiated. If negotiations were to focus on salaries and work conditions, it would help ease the tension, Benefield said. He stated Pennsylvania has already taken pensions out of the collective bargaining process and there are other things that should not be part of the process such as payroll deduction of union dues and campaign contributions. Benefield added Pennsylvania could adopt some strike laws present in other states such as loss of pay or fine when strikes occur.

Chairman Dinniman commented whether he agrees or does not agree he is thankful for the thoughtfulness. He said he does agree they need to see what other states are doing. Chairman Dinniman stated Chairman Eichelberger wanted to have this hearing because a number of people feel as if it is a necessity, and he wants to make sure this gets done in a thorough and thoughtful manner.

Sen. Folmer added the bottom line is that the money paid for education is not government money but is taxpayer money. He said this is a very serious issue they need to take care of.

Chairman Dinniman noted that the context of education is changing and many issues have to be redefined as the context changes. He stated they have to understand there is real competition not just between economic systems but between educational systems.

Sen. Folmer stated the committee will hold a roundtable hearing on the matter on April 20 at 1:00 p.m. at the Bedford County Courthouse.

Written testimony was provided by the [Allegheny Institute for Public Policy](#)



Senate Urban Affairs and Housing Committee

4/18/18, 11:40 a.m., Rules Committee Conference Room

By Jeff Cox, Pennsylvania Legislative Services

The committee met to consider two bills.

[SB 735 Brewster, Jim](#) - (PN 898) Amends the Real Estate Tax Sale Law adding language establishing an optional County Demolition and Rehabilitation Fund in certain counties. The fee assessed for each property sold for delinquent taxes shall be used towards the demolition or rehabilitation of dilapidated buildings on blighted properties within the county. Further provides the governing body may impose a fee no greater than ten percent of the assessed price of a property being sold for delinquent taxes and shall provide a public notice. Also requires the fund to be used by the county and, with approval, any non-for-profit or for-profit corporation that has a contract for the demolition or rehabilitation of blighted property located in the county. Effective in 60 days. - The bill was unanimously **reported as committed**.

[SB 962 Dinniman, Andrew](#) - (PN 1351) Amends Title 53 (Municipalities) providing penalties for property owners who received funding for construction, rehabilitation, repair or maintenance of a property through any program administered

by a State agency or State authority and who fail to comply with a code requirement. Effective in 60 days. - The bill was unanimously **reported as committed**.



House Appropriations Committee

4/18/18, 12:05 p.m., 140 Main Capitol

By Kimberly Howells, Pennsylvania Legislative Services

The committee met to consider bills.

[HB 638 Simmons, Justin](#) - (PN 3164) Amends the Pennsylvania Election Code, in district election officers, further providing for election officers to be sworn; in dates of elections and primaries and special elections, further providing for affidavits of candidates; in nomination of candidates, further providing for petition may consist of several sheets and affidavit of circulator, for affidavits of candidates, for examination of nomination petitions, certificates and papers and return of rejected nomination petitions, certificates and papers, for vacancy in party nomination by failure to pay filing fee or for failure to file loyalty oath, for affidavits of candidates, for filling of certain vacancies in public office by means of nomination certificates and nomination papers and for substituted nominations to fill certain vacancies for a November election; in ballots, further providing for form and printing of ballots; in returns of primaries and elections, further providing for manner of computing irregular ballots; and replacing references to «justice of the peace» with «magisterial district judge.» The bill's stated intent is to remove the ability of candidates for school board to cross-file nomination petitions. Also removes references to the «traffic court of Philadelphia». Effective in 60 days. (Prior Printer Number: 675) - The bill was **reported as committed** with Democrats voting in the negative.

[SB 180 Greenleaf, Stewart](#) - (PN 1532) Amends Title 20 (Decedents, Estates and Fiduciaries), in ownership of property and legal title and equitable estate, further providing for right to dispose of a decedent's remains; in health care, further providing for example; in anatomical gifts, further providing for definitions, providing for scope, further providing for persons who may execute anatomical gift, for persons who may become donees and purposes for which anatomical gifts may be made, for manner of executing anatomical gifts, for rights and duties at death, for requests for anatomical gifts, for use of driver's license or identification card to indicate organ or tissue donation, for The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund contributions, for The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund, for confidentiality requirement and for prohibited activities, providing for promotion of organ and tissue donation, establishing the Donate Life PA Registry, providing for facilitation of anatomical gift from decedent whose death is under investigation, for collaboration among departments and organ procurement organizations, for requirements for physician and nurse training relative to organ and tissue donation and recovery, for Department of Transportation, for Department of Corrections, for study of organ procurement organizations and for relation to Electronic Signatures in Global and National Commerce Act, repealing provisions relating to corneal transplants and providing for vascularized composite allografts. Portions are effective immediately, portions are effective in 60 days, and the remainder is effective upon publication of notice. (Prior Printer Number: 923, 1530) - The bill was **reported as committed** with Democrats voting in the negative.



House Aging and Older Adult Services Committee

4/18/18, 9:30 a.m., Room G-50 Irvis Office Building

By Jeff Cox, Pennsylvania Legislative Services

The committee held an informational meeting on a budget review for aging services in Pennsylvania.

[Teresa Osborne](#), Secretary, Department of Aging, explained to the committee, "Under the federal Older Americans Act (OAA), the department is required to develop and administer a state plan on aging, serve as an effective and visible advocate for older individuals by reviewing and commenting upon all state plans, budgets, and policies which affect older individuals and provide technical assistance to any agency or individual representing the needs of older adults." According to Sec. Osborne, currently over 3 million Pennsylvanians are age 60 and over and the number is projected to reach 3.9 million by 2020. She reported, "Gov. Wolf's proposed 2018-2019 budget includes investments in education to help relieve pressures

that often lead to property tax increases, which impact many older Pennsylvanians, and increases funding for long-term services and supports, which will enable older Pennsylvanians to age in place in their homes and communities.” Sec. Osborne continued, “It also ensures that the Department of Aging upholds its responsibilities under the OAA by providing programs that offer access to health and wellness programs, creates opportunities for positive civic engagement through community volunteer and senior employment programs, and supports family caregivers.” She told lawmakers, “Additionally, rooted within the department’s proposed budget is a focus on building collaborations with other state agencies that improve efficiency and effectiveness such as outpatient pharmacy services within the Pharmaceutical Assistance Contract for the Elderly (PACE) program.” Sec. Osborne concluded, “As a former human services administrator, and director of two local Area Agencies on Aging in Northeastern Pennsylvania, I look forward to working with you, the aging services network, and all other stakeholders to ensure that the department has the funding needed to protect older Pennsylvanians from all types of abuse, and provide those in need of home and community-based services with quality, cost-effective care.”

[Kevin Hancock](#), Deputy Secretary, Office of Long Time Living (OLTL), Department of Human Services, testified that the 2018-19 budget proposal for Medicaid long-term services and supports (LTSS) “demonstrates Gov. Wolf’s commitment to expand those services to support the needs of Pennsylvania’s older adults and individuals with physical disabilities.” He stated, “There is a significant investment in home and community-based services (HCBS).” According to Hancock, the proposed budget includes an additional \$160 million providing:

- Funding the Aging Waiver to add 2,292 people to provide an alternative to institutional care
- Funding for HCBS to provide services to 1,500 more people with disabilities in the Independence and OBRA waivers
- Funding for HCBS to provide services to 960 more people with disabilities in the Attendant Care waiver
- Funding to establish a single responsible entity to conduct Functional Eligibility Determinations for individuals in need of long-term services and supports

Hancock also reported the Community HealthChoices (CHC) program is being rolled out in three phases with the first phase having begun in the southwestern Pennsylvania on January 1, 2018; the second phase to begin January 1, 2019 in the southeast; and the remainder of the state will be part of the third phase occurring on January 1, 2020. He stated, “The proposed budget maintains CHC operations in the southwest zone, supports implementation of CHC in the southeast zone in January 2019, and maintains the fee-for-service LTSS system in the zones where CHC has not yet been implemented,” Hancock added, “The Department of Human Services (DHS) also proposes expanding the Living Independence for the Elderly (LIFE) program to additional counties, as we work to make the program available statewide.”

Hancock told the committee members, “DHS continues to work to finalize the procurement for an independent enrollment broker (IEB). He explained that federal regulations require the use of an IEB to support choice counseling and selection of a CHC or managed care organization. Hancock pointed out, “Because of past performance challenges, the new agreement includes terms that address problems that occurred in the past.” He outlined some of the changes including expanded reporting requirements; new terms in service level agreement; and clearer thresholds for corrective action when the vendor falls below acceptable service level agreement targets. Hancock explained, “OLTL has worked closely with our current vendor to improve the timeliness of processing enrollments.” He reported, “The data indicates they have improved significantly, and we will continue to look for opportunities to advance our oversight of their performance, as well as continue to evaluate and improve the steps of the enrollment process itself, which is often identified as the primary challenge that most directly affects participants.”

[Drew Svitko](#), Executive Director, Pennsylvania State Lottery, said that the lottery’s core business is \$4 billion worth of sales and they are selling their products in 9,200 locations across the Commonwealth. He also stated that last year they generated over \$1 billion in profit which is the fifth year in a row they have generated over \$1 billion in profits. Svitko reported the State Lottery is having a great year and their core business is up 5.4 percent with \$171 million in sales ahead of last year and their profits are almost \$60 million ahead of the same period last year. He noted there are more opportunities to grow. According to Svitko, two large opportunities are on the nontraditional side of the business. He explained that [Act 42 of 2017](#) gave the State Lottery the ability to launch a couple of new products including the internet sale of lottery tickets (I-lottery). Svitko further explained it represents for them “the opportunity to deliver a relevant new engaging product to a new audience.” He commented, “The most responsible thing we can do to ensure the growth of the lottery in the future is to appeal to a new audience.”

Svitko reported they are projecting that over the course of the next five years with I-Lottery over \$160 million more in profit with that product alone. He pointed out that another product Act 42 allows the State Lottery to sell its monitor games which he described as «games that are sold in brick and mortar stores.» Svitko stated that this will include Keno games and express sports. He noted, «This is another opportunity for us to compete for attention in a very crowded entertainment market.» Svitko reported they are on track to launch Keno on May 1 and they have recruited nearly 500 new retailers in the past five months to sell those products which he described as «incredible.»

Noting the continuing significant growth in the number of seniors, Rep. Ryan asked the panel if they see a risk to their programs that the General Assembly should start addressing sooner rather than later when it comes to funding. He also asked since the lottery was created if there has been an increase in prescription drug use by seniors. Sec. Osborne responded that the aging population in Pennsylvania is increasing and by 2020 one in four Pennsylvanians will be age 60 and over. She noted that the fastest growing age cohort in Pennsylvania is those 85+ years of age and 10,000 people nationwide are reaching age 65 every day. Regarding the risk, Sec. Osborne commented, «I would like to couch it as how are we going to ensure how we can respond to the needs and diversity of older Pennsylvanians.» She explained how the department has partnered with its sister agencies such as the Departments of Health, Human Services and Drug and Alcohol Programs. Sec. Osborne commented, «When we look at the social determinants of health, our goal is to keep Pennsylvanians across their lifespans healthier at younger ages.» She stated that the goal is also to better leverage resources in order to mitigate the risk.

Regarding prescription drug use, Sec. Osborne observed that seniors are more inclined to be using multiple medications while also seeing multiple physicians. She also commented that «the opioid crisis isn't necessarily beginning in the streets; it's beginning in the medicine cabinets.» Sec. Osborne spoke of the need to better educate all Pennsylvanians, particularly seniors, on the proper use, storage, and disposal of medications.

Chairman Samuelson noted that Svitko testified the State Lottery has 9,200 retailers that sell lottery products and mentioned 500 new outlets have been recruited. He wanted to know if the new outlets will be selling the full range of lottery products. Svitko responded that will be an individual business choice. He added that many of them have already told the lottery they want to carry the full product line. Svitko explained, «We have to, in an effort to expand our reach, we have to be flexible and adapt to businesses.» Chairman Samuelson pointed out the financial information provided to the committee indicated that there were \$75 million in reserves last year. He asked if it was carried over. Sec. Osborne responded that she would have to get back the committee about it. Noting the House Appropriations Committee did not conduct a budget hearing this year with Department of Aging, Chairman Samuelson expressed his appreciation to Chairman Hennessey for conducting today's meeting on the department's budget. Chairman Hennessey pointed out that the reason the department was not part of the budget hearings was the fact the Department of Aging does not get funding from the General Fund but from the federal Older Americans Act money and the remainder from the State Lottery. Chairman Samuelson expressed concern with past governors and the General Assembly taking money from the State Lottery Fund to use for General Fund purposes which he said could have been used to fund vital senior programs such as the Property Tax/Rent Rebate, the Area Agencies on Aging and the PACE/PACENET programs.

Chairman Hennessey wanted to know when the senior center grants will be released. Sec. Osborne responded that it should be by the end of this week.

Relating to the issue of IEBs, Rep. DeLissio said she was glad to hear that lessons have been learned by the Office of Long-Term Living regarding past performance challenges. She asked if the new agreement includes penalties and sanctions against a vendor. Hancock responded that the agreements have financial sanctions/penalties included. Rep. DeLissio spoke of the continuing complaints about backlogs and the length of time to process enrollments. She noted Hancock's testimony that OLTL worked closely with the vendor to improve the timeliness of enrollments and the data indicates «they have improved significantly.» Rep. DeLissio wanted to know the level of improvement. Hancock responded that it was about an 85 percent improvement.

Chairman Samuelson wanted to know how much the vendor is paid per enrollee. Hancock responded that he would have to get the information for the committee. Chairman Samuelson asked how many enrollments are done each month. According to Hancock, the number is approximately 950 per month. He noted there is an ever increasing number of aging waiver applications.

Chairman Hennessey observed that legislators are continuing to receive complaints about the current IEB vendor, Maximus. He asked if the Commonwealth has ever penalized Maximus for their past performance. Hancock explained they had been put on a corrective action plan and the department withheld payment for a period of time. He added the department has never sanctioned them. Chairman Hennessey commented on the need for Maximus to be penalized. He asked if Maximus is the only bidder under the new agreement. Hancock responded that he is limited on how much he can comment on the subject at this time because it is still a pending matter. He did add there are a total of six bidders including Maximus. Hancock also explained the difficulty with high turnover rates at the call centers. He reported the turnover rate has improved. Hancock pointed out the turnover rate was in line with the turnover rates of other types of call centers.

Rep. DeLissio asked why the enrollment services were pulled from the Area Agencies on Aging (AAA) and given to an IEB. Hancock explained it was because of federal requirements. He further explained that the Centers for Medicare and Medicaid Services (CMS) expressed concern with potential conflicts of interest with the use of the AAAs. Rep. DeLissio noted the current fiscal year is almost over. She wanted to know if the State Lottery has any projections on the amount of money which will be realized with the new products under Act 42. Svitko explained that they are expecting \$9 million in additional profits by the end of this fiscal year and \$150 million by the end of the next fiscal year.

Chairman Hennessey asked about the administrative costs of the State Lottery. According to Svitko, about 2 percent of sales go to administrative costs; 5.5 percent goes to retailers/vendors; and 26 percent is profit; and 65 percent goes to prizes.

Chairman Hennessey wanted to know about the options waiting list. Sec. Osborne reported that 23 area agencies on aging have no waiting list. She added there are currently 2,600 on the waiting list. Chairman Hennessey asked about the department's efforts to promote the services they offer. Sec. Osborne gave an overview of their promotional efforts.



NEW LEGISLATION

HB 2101 Grove, Seth (R)

(PN 3375) Amends Title 71 (State Government), in boards and offices, providing for Commonwealth Office of Management and Budget. The bill establishes the Office of Management and Budget as an administrative department within the executive branch of government. The office shall exercise the authority and perform the duties of the following agencies: Office of the Budget, Department of General Services, Office of Administration, and Office of Policy and Planning. Scope of the chapter, legislative finding and declarations, definition, director, and Governor's Office of Transformation, Innovation, Management and Efficiency sections are effective immediately; and the remainder of the act is effective 30 days after publication in the Pennsylvania Bulletin.

Apr 18, 2018 - H-Introduced and referred to committee on House State Government

HB 2102 Ryan, Frank (F) (R)

(PN 3376) Amends Title 71 (State Government), in boards and offices, establishing the Department of Business, Tourism and Workforce Development and transferring specific powers and duties from the Department of Labor and Industry, the Department of Community and Economic Development and the Department of State to the new department. Scope of chapter, definitions, secretary, and strategic plan sections are effective immediately; and the remainder of the act is effective 30 days after publication in the Pennsylvania Bulletin.

Apr 18, 2018 - H-Introduced and referred to committee on House State Government

HB 2103 Dowling, Matthew (F) (R)

(PN 3377) Amends Title 71 (State Government), in boards and offices, establishing the Department of Local Government and Community Affairs and transferring specific powers and duties from the Department of Community and Economic Development and the Department of State to the new department. Scope of chapter, definitions, secretary, and strategic plan sections are effective immediately; and the remainder of the act is effective 30 days after publication in the Pennsylvania Bulletin.

Apr 18, 2018 - H-Introduced and referred to committee on House State Government

HB 2104 Bloom, Stephen (R)

(PN 3378) Amends Title 71 (State Government), in boards and offices, providing for Department of Health and Human Services. The department shall exercise the authority and perform the duties of the Department of Health and Department of Human Services. Scope of chapter, definitions, secretary, and strategic plan sections are effective immediately; and the remainder of the act is effective 30 days after publication in the Pennsylvania Bulletin.

Apr 18, 2018 - H-Introduced and referred to committee on House State Government

HB 2105 Fritz, Jonathan (F) (R)

(PN 3379) Act abolishing numerous State authorities, boards, commissions, committees, councils and representatives; and making related repeals. Effective in 60 days.

Apr 18, 2018 - H-Introduced and referred to committee on House State Government

HB 2202 Ryan, Frank (F) (R)

(PN 3380) Amends the Loan Interest and Protection Law, in protective provisions, providing for appraisal and final sale price of property. The bill establishes after a notice of intention of foreclose has been given, the following shall apply: a residential mortgage lender shall have the property or if no residential mortgage lender exists, the entity initiating the foreclosure shall have the property. The new provision does not apply to abandoned property and rental property. Effective in 60 days.

Apr 18, 2018 - H-Introduced and referred to committee on House Urban Affairs

HB 2220 Rapp, Kathy (R)

(PN 3381) Amends Title 35 (Health and Safety), in miscellaneous provisions, further providing for prohibition on certain service. The bill establishes that a person convicted of an offense classified as a Tier I, II or III sexual offense under 42 Pa.C.S. 9799.14, relating to sexual offenses and tier system, shall be prohibited from serving as a firefighter in the commonwealth and prohibited from being certified as a firefighter. Effective in 60 days.

Apr 18, 2018 - H-Introduced and referred to committee on House Veterans Affairs & Emergency Prepared.

HB 2258 Reese, Mike (R)

(PN 3382) Amends Title 42 (Judiciary), in forfeitures, providing for Pennsylvania Game Commission forfeitures. The bill establishes that if the Pennsylvania Game Commission seized the property of an individual who is suspected of violating a provision of 34 Pa.C.S., relating to game, and the individual is found not guilty of the violation, the individual may file a motion for return of the seized property. Effective in 60 days.

Apr 18, 2018 - H-Introduced and referred to committee on House Judiciary

HB 2265 Maloney, David (R)

(PN 3383) Amends the Pennsylvania Municipalities Planning Code, in subdivision and land development, providing for nonbuilding lots. The bill establishes the creation of a nonbuilding lot shall be exempt from regulation under a subdivision and land development plan except under the subdivision and land ordinance which includes provisions: allowing for the creation of a nonbuilding lot when presented with a nonbuilding waiver from the Department of Environmental Protection and requiring appropriate testing prior to approval of a building permit for a lot designated as a nonbuilding lot. Effective in 60 days.

Apr 18, 2018 - H-Introduced and referred to committee on House Local Government

HB 2268 Mullery, Gerald (D)

(PN 3384) Amends Title 18 (Crimes & Offense), in minors, expanding the offense of use of tobacco in schools. The bill adds nicotine delivery product or nicotine product to the offense of use of tobacco. Effective in 60 days.

Apr 18, 2018 - H-Introduced and referred to committee on House Judiciary

HB 2269 Freeman, Robert (D)

(PN 3385) Amends the Tax Reform Code, providing for tax credits for rehabilitation and reconstruction of certain factory and mill buildings and for a business tax credit. The bill establishes a certified building shall be treated as having been substantially rehabilitated only if the reconstruction and rehabilitation expenditures incurred during the 24-month period selected by the certified building owner and ending with or within the taxable year in which the rehabilitated certified building is first placed in service in service by the certified building owner meet the definition of substantial rehabilitation. It also adds that a certified building owner may be allowed a tax credit against the qualified tax liability of the owner. Effective immediately.

Apr 18, 2018 - H-Introduced and referred to committee on House Finance

HB 2271 Freeman, Robert (D)

(PN 3386) The Tax-exempt Property Municipal Assistance Act provides for an annual revenue sharing program for municipalities relating to tax-exempt real property; establishes the Tax-exempt Property Municipal Assistance Fund; imposes powers and duties on the Department of Community and Economic Development; and makes an inconsistent repeal. The intent of the bill is to provide a dedicated state funding source to municipalities that have at least 15% tax-exempt properties within their municipal borders. Effective in 60 days.

Apr 18, 2018 - H-Introduced and referred to committee on House Local Government

HB 2272 Barrar, Stephen (R)

(PN 3387) Amends the Chiropractic Practice Act, in preliminary provisions, further providing for definitions; in licensure and regulation, further providing for refusal, suspension or revocation of license; and, in supportive personnel, further providing for supportive personnel. The bill establishes that the board may refuse to issue a license or may suspend or revoke a license for any of the following reasons: delegating an activity or duty to unlicensed supportive personnel who is not qualified by documented training, education or experience to perform the activity or duty; or failing to exercise direct on-premises supervision of unlicensed supportive personnel to whom the chiropractor has delegated an activity or duty under section 601. It also establishes that a licensed chiropractor may not delegate to unlicensed supportive personnel an activity or duty unless the chiropractor is assured through personal observation and documented training that the unlicensed supportive personnel is competent and qualified to perform the delegated activity or duty. Effective in 60 days.

Apr 18, 2018 - H-Introduced and referred to committee on House Professional Licensure

HB 2273 Donatucci, Maria (D)

(PN 3388) Amends the Small Business Incubators Act further providing for definitions, for creation of program, for incubator grants, loans and loan guarantees and for responsibilities of local sponsors; repealing provisions relating to challenge grants for seed capital funds; further providing for general powers and duties of the board and for indicators of program impact; providing for funding; and repealing provisions relating to time limit on approvals. The bill establishes if a business operating within an incubator that is administered by a local sponsor relocates outside of this Commonwealth or transfers an ownership interest to an entity located outside of this Commonwealth, the business shall repay the local sponsor the full value of services and assistance the business has received that were funded by grants, loans or guaranteed loans received by the local sponsor under this act. If the local sponsor does not utilize repaid funds to provide services to other businesses in the incubator, the local sponsor shall return the funds to the board. If a local sponsor transfers ownership of an incubator to an entity located outside of this Commonwealth, the local sponsor shall return all grant funds awarded under this act to the board. Effective in 60 days.

Apr 18, 2018 - H-Introduced and referred to committee on House Commerce

HB 2274 Donatucci, Maria (D)

(PN 3389) Amends Title 35 (Health and Safety), in Commonwealth services, further providing for Fire Safety Advisory Committee. The bill adds the following four paid firefighters onto the Fire Safety Advisory Committee: two paid firefighters to be appointed by the Governor, one from a city of the first class (Philadelphia) and one from a city of the second class (Pittsburgh). Effective in 60 days.

Apr 18, 2018 - H-Introduced and referred to committee on House Veterans Affairs & Emergency Prepared.

HB 2275 Grove, Seth (R)

(PN 3390) Amends Title 18 (Crimes & Offenses), in firearms and other dangerous articles, further providing for persons not to possess, use, manufacture, control, sell or transfer firearms. The bill adds that a person who have been convicted of an attempt, conspiracy or solicitation to commit an enumerated offense shall not possess, use, control, sell, transfer or manufacture or obtain a license to possess, use, control, sell, transfer or manufacture a firearm. Effective in 60 days.

Apr 18, 2018 - H-Introduced and referred to committee on House Judiciary

HB 2276 Mehaffie, Thomas (F) (R)

(PN 3391) Amends the Municipalities Financial Recovery Act, in Early Intervention Program, further providing for definitions, for program objectives and for authorization; in municipal financial distress, further providing for limitation of status; and making an editorial change. The bill changes the Early Intervention Program to the Strategic Management Program. Effective in 60 days.

Apr 18, 2018 - H-Introduced and referred to committee on House Local Government

HB 2277 Dush, Cris (R)

Amends Title 46 (Legislature) providing for subpoena powers of committees.

Apr 18, 2018 - H-Filed

HB 2278 Dush, Cris (R)

Amends the Public School Code, in grounds and buildings, providing for display of preamble of the Constitution of Pennsylvania.

Apr 18, 2018 - H-Filed

HB 2279 Tobash, Mike (R)

Act designating a bridge on U.S. Route 209 over the West Branch Schuylkill River in Pottsville, Schuylkill County, as the Captain David A. Boris Memorial Bridge.

Apr 18, 2018 - H-Filed

HB 2280 Madden, Maureen (F) (D)

Amends the PA Human Relations Act, further providing for definitions and for unlawful discriminatory practices.

Apr 18, 2018 - H-Filed

HB 2281 Knowles, Jerry (R)

Act providing for municipal regulation of the deposit, disposal or land application of biosolid material; and requiring a public referendum under certain circumstances.

Apr 18, 2018 - H-Filed

HB 2282 Rabb, Christopher (F) (D)

Amends the PA Human Relations Act, further providing for definitions, for unlawful discriminatory practices and for powers and duties of the PA Human Relations Commission; providing for training; and providing for procedure.

Apr 18, 2018 - H-Filed

HB 2283 Costa, Dom (D)

Amends the PA Human Relations Act, further providing for powers and duties of the commission.

Apr 18, 2018 - H-Filed

HB 2284 O'Brien, Michael (D)

Amends Whistleblower Law, further providing for remedies and for enforcement.

Apr 18, 2018 - H-Filed

HB 2285 Snyder, Pam (D)

Amends Title 65 (Public Officers), in lobbying disclosure, further providing for registration, for prohibited activities and for penalties.

Apr 18, 2018 - H-Filed

HB 2286 Davidson, Margo (D)

Amends the PA Human Relations Act, further providing for procedure and for construction and exclusiveness of remedy.

Apr 18, 2018 - H-Filed

HB 2287 Snyder, Pam (D)

Amends the Public School Code, in certification of teachers, providing for crisis training continuation professional development courses.

Apr 18, 2018 - H-Filed

HR 811 McClinton, Joanna (D)

(PN 3363) Resolution recognizing April 7, 2018, as "World Health Day" in Pennsylvania.

Apr 18, 2018 - H-Introduced and referred to committee on House Health

HR 828 Delozier, Sheryl (R)

(PN 3364) Resolution establishing the Task Force on Harassment and Sexual Misconduct in the Workplace.

Apr 18, 2018 - H-Introduced and referred to committee on House Labor and Industry

HR 829 Delozier, Sheryl (R)

(PN 3365) Resolution directing the Joint State Government Commission to study the frequency of harassment and sexual misconduct in the workplace in State government, to conduct a thorough and comprehensive analysis of the prevalence and results of harassment and sexual misconduct complaints, to compare the workplace policies on harassment and sexual misconduct throughout State government and to report to the General Assembly with its findings and recommendations.

Apr 18, 2018 - H-Introduced and referred to committee on House Labor and Industry

HR 839 Carroll, Mike (D)

(PN 3366) Resolution designating the week of May 6 through 12, 2018, as "Drinking Water Week" in Pennsylvania.

Apr 18, 2018 - H-Introduced as noncontroversial resolution

HR 840 Hill, Kristin (R)

(PN 3359) Resolution designating the month of May 2018 as "Cystic Fibrosis Awareness Month" in Pennsylvania.

Apr 18, 2018 - H-Introduced as noncontroversial resolution

HR 841 Klunk, Kate (R)

(PN 3367) Resolution urging the Congress of the United States to pass, and the President of the United States to sign, legislation that will make apprenticeships more affordable for individuals seeking a skills-based education.

Apr 18, 2018 - H-Introduced and referred to committee on House Finance

HR 842 Santora, James (R)

(PN 3360) Resolution designating the week of April 23 through 27, 2018, as "Every Kid Healthy Week" in Pennsylvania.

Apr 18, 2018 - H-Introduced as noncontroversial resolution

HR 843 Ellis, Brian (R)

(PN 3368) Resolution designating April 17, 2018, as "WEDnetPA Day" in Pennsylvania.

Apr 18, 2018 - H-Introduced as noncontroversial resolution

HR 844 Dean, Madeleine (D)

(PN 3361) Resolution recognizing April 28, 2018, as “National Prescription Drug Take-Back Day” in Pennsylvania.

Apr 18, 2018 - H-Introduced as noncontroversial resolution

HR 845 Donatucci, Maria (D)

(PN 3369) Resolution recognizing the week of May 13 through 19, 2018, as “National Prevention Week” in Pennsylvania.

Apr 18, 2018 - H-Introduced as noncontroversial resolution

HR 846 Hickernell, David (R)

(PN 3370) Resolution designating May 12, 2018, as “Fibromyalgia Awareness Day” in Pennsylvania.

Apr 18, 2018 - H-Introduced as noncontroversial resolution

HR 847 Driscoll, Michael (D)

(PN 3371) Resolution designating May 7 through 13, 2018, as “Fallen Firefighters Survivors’ Week” in Pennsylvania and May 11, 2018, as “Fallen Firefighters Survivors’ Day” in Pennsylvania.

Apr 18, 2018 - H-Introduced as noncontroversial resolution

HR 848 Grove, Seth (R)

(PN 3372) Resolution recognizing State Treasurer Joe Torsella and the Treasury Department for outstanding work on behalf of the citizens of this Commonwealth.

Apr 18, 2018 - H-Introduced and referred to committee on House Rules

HR 849 McNeill, Jeanne (F) (D)

(PN 3373) Resolution designating May 12, 2018, as “National Association of Letter Carriers Stamp Out Hunger Food Drive Day” in Pennsylvania.

Apr 18, 2018 - H-Introduced as noncontroversial resolution

HR 850 Burns, Frank (D)

(PN 3374) Resolution recognizing the week of May 13 through 19, 2018, as “National Police Week” and recognizing May 15, 2018, as “Peace Officers Memorial Day” in Pennsylvania.

Apr 18, 2018 - H-Introduced as noncontroversial resolution

HR 851 Zimmerman, David (R)

(PN 3362) Resolution recognizing April 28, 2018, as “World Veterinary Day” in Pennsylvania.

Apr 18, 2018 - H-Introduced as noncontroversial resolution

HR 852 Corbin, Becky (R)

Resolution recognizing the month of May 2018 as “Melanoma and Skin Cancer Detection and Prevention Month” in Pennsylvania.

Apr 18, 2018 - H-Filed

HR 853 Jozwiak, Barry (R)

Resolution honoring the memory of law enforcement officers who gave their lives in the line of duty and recognizing the memorial service in their honor at the PA State Museum on May 7, 2018.

Apr 18, 2018 - H-Filed

HR 854 Schweyer, Peter (D)

Resolution recognizing May 12, 2018, as “Myalgic Encephalomyelitis/Chronic Fatigue Syndrome Awareness Day” in Pennsylvania.

Apr 18, 2018 - H-Filed

HR 855 Moul, Dan (R)

Resolution designating May 15 through June 15, 2018 as "Tourette Syndrome Awareness Month" in Pennsylvania.

Apr 18, 2018 - H-Filed

HR 856 Turzai, Mike (R)

Resolution recognizing "The Wall That Heals," a replica of the Vietnam Veterans Memorial in Washington, DC, which will be on display at the State Capitol from May 9 through 13, 2018.

Apr 18, 2018 - H-Filed

SB 880 Langerholc, Wayne (F) (R)

(PN 1431) Amends Title 75 (Vehicles), in size, weight and load, further providing for operation of certain combinations on interstate and certain other highways, repealing provisions relating to operation of motor homes on interstate and certain other highways and further providing for width of vehicles and for length of vehicles. The stated intent of the bill is to allow 102-inch wide trailers on all Pennsylvania highways, while still allowing the department and municipalities the ability to restrict these vehicles where necessary on specific roadways. Certain provisions of the bill are effective in 180 days and the remainder is effective immediately. (Prior Printer Number: 1138)

Apr 18, 2018 - Received and referred to House Transportation

SB 1001 Costa, Jay (D)

Act providing for the declaration of a public health emergency, for duties of the Department of Health, for temporary regulations and for immunity from liability.

Apr 18, 2018 - S-Filed

Apr 18, 2018 - S-Introduced and referred to committee on Senate Health and Human Services

SB 1131 Costa, Jay (D)

Act establishing the Landslide Insurance and Assistance Program with PEMA; providing for powers & duties; est. & providing for powers & duties of the Landslide Insurance & Assistance Board; est. the Landslide Insurance Fund & Assistance Fund.

Apr 18, 2018 - S-Filed

Apr 18, 2018 - S-Introduced and referred to committee on Senate Veterans Affairs & Emergency Prepared.

SB 1135 Ward, Kim (R)

Act providing for certification of central service technicians; imposing continuing requirements on central service technicians; and providing for duties of hospitals & ambulatory surgical facilities and the Dept. of Health.

Apr 18, 2018 - S-Filed

Apr 18, 2018 - S-Introduced and referred to committee on Senate Health and Human Services

SB 1136 Brooks, Michele (R)

Amends the Public School Code, in grounds and buildings, further providing for school police officers.

Apr 18, 2018 - S-Filed

Apr 18, 2018 - S-Introduced and referred to committee on Senate Education

SB 1139 Martin, Scott (F) (R)

Amends Title 18 (Crimes & Offenses), in assault, further providing for the offense of aggravated assault.

Apr 18, 2018 - S-Filed

Apr 18, 2018 - S-Introduced and referred to committee on Senate Judiciary

SB 1141 Greenleaf, Stewart (R)

Amends Title 42 (Judiciary), in actions, proceedings and other matters generally, providing for extreme risk protection orders.

Apr 18, 2018 - S-Filed

Apr 18, 2018 - S-Introduced and referred to committee on Senate Judiciary

SR 260 Vulakovich, Randy (R)

(PN 1440) Concurrent Resolution extending the due date for a report of a special bipartisan, bicameral legislative commission on improving the delivery of emergency services to November 30, 2018.

Apr 18, 2018 - Received and referred to House Veterans Affairs & Emergency Prepared.

SR 317 Farnese, Lawrence (D)

(PN 1663) Resolution designating the month of April 2018 as "Pennsylvania Donate Life Month."

Apr 17, 2018 - S-Filed

SR 318 Rafferty, John (R)

(PN 1664) Resolution recognizing April 17, 2018, as "Architects' Day" in Pennsylvania.

Apr 17, 2018 - S-Filed

SR 319 McGarrigle, Thomas (R)

(PN 1665) Resolution designating the month of April 2018 as "Sikh Awareness and Appreciation Month" in Pennsylvania.

Apr 17, 2018 - S-Filed

SR 320 Scavello, Mario (R)

(PN 1666) Resolution designating April 17, 2018, as "WEDnetPA Day" in Pennsylvania.

Apr 17, 2018 - S-Filed

SR 321 Laughlin, Daniel (F) (R)

(PN 1667) Resolution recognizing the week of April 15 through 21, 2018, as "Osteopathic Medicine Week" in Pennsylvania.

Apr 17, 2018 - S-Filed

SR 322 Aument, Ryan (R)

(PN 1671) Resolution directing the Legislative Budget and Finance Committee to study standardized tests in public education.

Apr 18, 2018 - S-Filed

Apr 18, 2018 - S-Introduced and referred to committee on Senate Education

SR 323 Brooks, Michele (R)

(PN 1668) Resolution designating the month of April 2018 as "Child Abuse Prevention Month" in Pennsylvania.

Apr 18, 2018 - S-Filed

SR 324 McIlhinney, Charles (R)

(PN 1669) Resolution recognizing the month of April 2018 as "Limb Loss Awareness Month" in Pennsylvania.

Apr 18, 2018 - S-Filed

SR 325 Browne, Patrick (R)

(PN 1670) Resolution recognizing the week of April 16 through 20, 2018, as the "Week of the Young Child" in Pennsylvania and supporting high-quality early childhood education as the right choice for young children in this Commonwealth.

Apr 18, 2018 - S-Filed

LEGISLATIVE ACTIONS

HB 26 White, Martina (R)

(PN 2010) Amends Title 75 (Vehicles), in registration of vehicles, further providing for special registration plates adding that plates may be used on motorcycles and allowing for the plate to bear the name of the group or an abbreviation of the group name as desired by the organization. Effective in 120 days. (Prior Printer Number: 1142)

Apr 18, 2018 - S-Laid on the table

Apr 18, 2018 - S-Removed from the table

HB 209 Hill, Kristin (R)

(PN 3162) Amends the Regulatory Review Act adding language establishing the Independent Office of the Repealer within the Independent Regulatory Review Commission (IRRC) and providing for its powers and duties. Requires a state agency that promulgates a new regulation to identify at least two existing regulations for repeal. Also establishes the Selection and Organization Committee in the Office. Provides the committee shall consist of one member appointed by the Governor; one member appointed by the Senate President Pro Tempore in consultation with the Senate Majority and Minority Leaders; one member appointed by the Speaker of the House in consultation with the House Majority and Minority Leaders. Further provides for the selection of a director of the Office by the committee. The Office expires June 30, 2024. Effective immediately. (Prior Printer Number: 176)

Apr 18, 2018 - H-Press conference held

HB 291 Metzgar, Carl (R)

(PN 285) Amends the Tax Reform Code reducing the inheritance tax to zero for the transfer of property to or for the use of a child 21 years of age or younger from a natural parent, an adoptive parent or a stepparent of the child. Effective in 60 days.

Apr 18, 2018 - S-Laid on the table (Pursuant to Senate Rule 9)

HB 466 Marshall, Jim (R)

(PN 608) Amends Title 42 (Judiciary and Judicial Procedure) adding language granting to sheriffs and deputy sheriffs who have successfully completed the same type of training as municipal police officers the same powers as municipal police officers to make arrests, without warrants for all crimes and offenses including all offenses for all violations to Title 18 (Crimes and Offenses), Title 75 (relating to vehicles) and The Controlled Substance, Drug, Device and Cosmetic Act. Also provides the sheriffs and deputy sheriffs shall also have the same powers, duties, responsibilities and immunities conferred on municipal police officers generally and specifically under various sections of Title 42. Effective immediately.

Apr 18, 2018 - H-Removed from the table

HB 595 Brown, Rosemary (R)

(PN 627) Amends Title 68 (Real & Personal Property), as follows: in general provisions, further providing for definitions; in management of the condominium, providing for alternative dispute resolution in condominiums and for complaints filed with Bureau of Consumer Protection; in protection of purchasers, further providing for effect of violations on rights of action; in general provisions, further providing for definitions; in management of cooperatives, providing for alternative dispute resolution in cooperatives and for complaints filed with Bureau of Consumer Protection; in general provisions, further providing for definitions; in management of planned community, providing for alternative dispute resolution in planned communities and for complaints filed with Bureau of Consumer Protection; and in protection of purchasers, further providing for effect of violations on rights of action. Effective in 60 days.

Apr 18, 2018 - H-Signed in the House

HB 638 Simmons, Justin (R)

(PN 3164) Amends the Pennsylvania Election Code, in district election officers, further providing for election officers to be sworn; in dates of elections and primaries and special elections, further providing for affidavits of candidates; in nomination of candidates, further providing for petition may consist of several sheets and affidavit of circulator, for affidavits of candidates, for examination of nomination petitions, certificates and papers and return of rejected nomination petitions, certificates and papers, for vacancy in party nomination by failure to pay filing fee or for failure to file loyalty oath, for affidavits of candidates, for filling of certain vacancies in public office by means of nomination certificates and nomination papers and for substituted nominations to fill certain vacancies for a November election; in ballots, further providing for form and printing of ballots; in returns of primaries and elections, further providing for manner of computing irregular ballots; and replacing references to "justice of the peace" with "magisterial district judge." The bill's stated intent is to remove the ability of candidates for school board to cross-file nomination petitions. Also removes references to the "traffic court of Philadelphia". Effective in 60 days. (Prior Printer Number: 675)

Apr 18, 2018 - H-Voted favorably from committee on House Appropriations

Apr 18, 2018 - H-Reported as committed from House Appropriations

Apr 18, 2018 - H-Laid out for discussion

Apr 18, 2018 - H-Third consideration

Apr 18, 2018 - H-Final Passage by a vote of 114 YEAS 77 NAYS

HB 783 Nesbit, Tedd (R)

(PN 858) Amends Title 75 (Vehicles), in certificate of title and security interests, further providing for transfer of ownership of vehicles used for human habitation by exempting homes which have not been previously titled in Pennsylvania from the tax certification requirement. Effective in 60 days.

Apr 18, 2018 - S-Laid on the table (Pursuant to Senate Rule 9)

HB 789 Christiana, Jim (R)

(PN 868) Amends the Medical Practice Act providing for the provision of anesthesia care in certain settings; and conferring powers and imposing duties on the Department of Health. Anesthesia care in a hospital shall be provided by: an anesthesiologist, a qualified physician, a physician enrolled in a residency program in anesthesia or oral surgery, a dentist anesthetist, a nurse anesthetist authorized by the State Board of Nursing to provide anesthesia care and who is under the supervision of either an anesthesiologist or the operating physician, or a supervised student nurse trainee enrolled in a course approved by the American Association of Nurse Anesthetists. Effective in 60 days.

Apr 18, 2018 - H-Public hearing held in committee House Professional Licensure

HB 866 Dunbar, George (R)

(PN 972) Amends the Local Tax Enabling Act, in local taxes, further providing for definitions, for payroll tax and for payment of tax to other political subdivisions or states as credit or deduction and withholding tax; in consolidated collection of local income taxes, further providing for definitions, for declaration and payment of income taxes, for tax collection committees, for powers and duties of department, for powers and duties of tax officer and for withholding and remittance; and, in collection of delinquent taxes, further providing for penalties and for costs of collection of delinquent per capita, occupation, occupational privilege, emergency and municipal services, local services and income taxes. The stated intent of the bill is to provide clarification that taxpayers with no income will not be required to file a local return, to insert clear and concise safe harbor language for estimated taxes, provide oversight of the local Tax Collection Committee, clarify tax withholdings for temporary job assignments, provide W2 reporting requirements, define non-resident, and provide that audits of taxes received and disbursed shall be on a calendar year basis only. Provides that beginning January 1, 2020, no political subdivision, tax collection committee or tax officer in administering this act may use any form other than that which is promulgated by the department. Effective in 60 days.

Apr 18, 2018 - H-Signed in the House

HB 1535 Ward, Judith (R)

(PN 1982) Amends the Human Services Code, in public assistance, stipulating that the following shall apply to home-based and community-based services provided to individuals with an intellectual disability or autism: (1) The department shall maintain and publish a detailed description of the calculation of providers' payment rates for home-based and community-based services, including the data, inputs, assumptions, variables, calculations and precise methodologies relied on and the source of all data, variables and assumptions utilized in establishing the payment rates notwithstanding whether the payment rates are developed by the department or a third party; and (2) A provider shall annually submit cost reports to the department, or the department's designee that identify the costs incurred to render home-based and community-based services during the prior fiscal year, which shall expire October 1, 2020. Effective in 60 days.

Apr 18, 2018 - H-Voted favorably from committee as amended House Human Services

Apr 18, 2018 - H-Reported as amended House Human Services

Apr 18, 2018 - H-First consideration

Apr 18, 2018 - H-Laid on the table

HB 1573 Harper, Kate (R)

(PN 2051) Amends Titles 8 (Boroughs and Incorporated Towns) and 11 (Cities), in powers and duties of elected officials, further providing for completion, filing and publication of auditor's report and financial statement; and, in accounts and finances, further providing for annual reports, publication, filing report with Department of Community and Economic Development and penalty. The bill repeals the current requirements of the published financial statement and provides that auditors shall publish concise financial information prepared or approved by the auditors and consistent with the audited financial statements for total assets, total liabilities and total net position at the end of the fiscal year and total revenue, total expenses and changes in total net position for that fiscal year and a reference to a place within the borough where copies of

the financial statements and accompanying audit report may be examined. If the full financial statements and accompanying audit report are not published, copies shall be supplied to the publishing newspaper when the request for publication is submitted. Effective in 60 days.

Apr 18, 2018 - H-Laid on the table

Apr 18, 2018 - H-Removed from the table

HB 1574 Harper, Kate (R)

(PN 2052) Amends the First Class Township Code, in auditors, further providing for surcharges, auditors' report and publication of financial statements. The bill repeals the current requirements of the published financial statement and provides that auditors shall public concise financial information prepared or approved by the auditors and consistent with the audited financial statements for total assets, total liabilities and total net position at the end of the fiscal year and total revenue, total expenses and changes in total net position for that fiscal year and a reference to a place within the borough where copies of the financial statements and accompanying audit report may be examined. If the full financial statements and accompanying audit report are not published, copies shall be supplied to the publishing newspaper when the request for publication is submitted. Effective in 60 days.

Apr 18, 2018 - H-Laid on the table

Apr 18, 2018 - H-Removed from the table

HB 1575 Harper, Kate (R)

(PN 2053) Amends the act entitled "An act for the election of the mayor, members of town council, and auditors, in incorporated towns of the Commonwealth; regulating the manner of voting for such officers, and repealing inconsistent general, local and special laws," further providing for publication of audit report by repealing the current concise summary requirement and requiring instead the publication, whenever any town has provided by ordinance for the audit of its accounts, of concise financial information prepared or approved by the auditors and consistent with the audited financial statements for total assets, total liabilities and total net position at the end of the fiscal year and total revenue, total expenses and changes in total net position for that fiscal year and a reference to a place within the town where copies of the financial statements and accompanying audit report may be examined. If the full financial statements and accompanying audit report are not published, copies shall be supplied to the publishing newspaper when the request for publication is submitted. Effective in 60 days

Apr 18, 2018 - H-Laid on the table

Apr 18, 2018 - H-Removed from the table

HB 1637 Marshall, Jim (R)

(PN 2182) Amends Title 75 (Vehicles), in operation of vehicles, adding a chapter providing for the operation of autonomous vehicles; and establishing the Fully Autonomous Vehicle Advisory Committee to study and make recommendations to the General Assembly relating to fully autonomous vehicles. Effective in 90 days.

Apr 18, 2018 - H-Press conference held

HB 1659 Tobash, Mike (R)

(PN 2227) Amends the Human Services Code, in general powers and duties, providing for work requirements for the Supplemental Nutrition Assistance Program by establishing the department may not apply for, accept, or renew a waiver of requirements established under section 5 of the Food and Nutrition Act of 2008 without prior approval of the General Assembly and requiring adult recipients to comply with and submit proof of compliance with various work requirements as a condition of participation and continuing eligibility for food assistance. Effective in 60 days.

Apr 18, 2018 - H-Removed from the table

HB 1782 Delozier, Sheryl (R)

(PN 3324) Amends Title 66 (Public Utilities), in rates and distribution systems, providing for alternative ratemaking for natural gas and electric distribution companies by allowing the commission to approve an application by utilities in a base rate proceeding to establish alternative rates and rate mechanisms including decoupling mechanisms, performance based rates, formula rates, multiyear rate plans, cost recovery mechanisms and rates, and rates based on a combination. An alternative rate mechanism established may provide for sliding scales, voluntary changes, and recovery of returns on and return of capital investments or, in the case of city natural gas distribution operations, recovery under the cash flow ratemaking method. Effective in 60 days. (Prior Printer Number: 2418)

Apr 18, 2018 - H-Removed from the table

HB 1800 Nelson, Eric (R)

(PN 3224) Amends Title 40 (Insurance), in regulation of insurers and related persons generally, providing for medication synchronization. The bill establishes no individual or group health insurance plan providing prescription drug coverage shall deny coverage for the dispensing of a medication that is dispensed by a network pharmacy on the basis that the dispensing is for a partial supply if the prescriber or pharmacist determines the fill or refill to be in the best interest of the patient and the patient requests or agrees to a partial supply for the purpose of medication synchronization. Effective in 365 days.

Apr 18, 2018 - H-Removed from the table

HB 1926 Stephens, Todd (R)

(PN 2793) Act designating a portion of State Route 2022, also known as Fort Washington Avenue, in Montgomery County as the SPC5 George W. Charters, Jr., Memorial Highway. Effective in 60 days. (Prior Printer Number: 2718)

Apr 18, 2018 - S-Laid on the table

Apr 18, 2018 - S-Removed from the table

HB 1959 Rothman, Greg (R)

(PN 3163) The Permit Administration Act provides for the administration of permits by state agencies, for a tracking system for permit applications, for the establishment of permit programs and for annual reports. The bill requires state agencies to establish, maintain and make available a secure tracking system for applicants to track the status of applications on their websites. Delineates the types of categories that are required for reporting to the General Assembly. Effective in 60 days. (Prior Printer Number: 2856)

Apr 18, 2018 - H-Press conference held

HB 1960 Ellis, Brian (R)

(PN 2861) The State Agency Regulatory Compliance Officer Act requires each state agency to designate an employee as the agency's regulatory compliance officer. Provides for the powers and duties of the regulatory compliance officer. Requires each agency to submit an annual report to the General Assembly detailing the progress made by each agency and the regulatory compliance officer in the preceding calendar year towards compliance with this act. Effective in 60 days.

Apr 18, 2018 - H-Press conference held

HB 1997 Bernstine, Aaron (F) (R)

(PN 2864) Amends the Human Services Code adding a new section requiring the Department of Human Services to establish a deemed eligibility program for in-patient behavioral health services. Also requires the department to issue a medical assistance bulletin which contains the Commonwealth policies and procedures necessary to implement this new section; to apply for any necessary Federal waivers and maximize the use of Federal money for the purposes to implementing the program; and issue an annual report to the General Assembly. Effective in 60 days.

Apr 18, 2018 - H-Removed from the table

HB 2066 Dowling, Matthew (F) (R)

(PN 2999) Amends Title 74 (Transportation), in scenic highways, further providing for designation of certain State routes as scenic byways. The bill provides for the designation of the National Road with the stated intent being to designate the original National Road and not any rerouted portion of U.S. Route 40. Effective in 60 days.

Apr 18, 2018 - H-Second consideration

Apr 18, 2018 - H-Rereferred to House Appropriations

HB 2069 Miller, Daniel (D)

(PN 3015) Amends the Independent Living Services Act, further providing for definitions and for grants and funding. The bill establishes that the Department of Labor and Industry shall provide grants to centers for independent living that provide services to individuals who are deafblind, and centers for independent living that train support service providers. A grant shall be at least \$250,000. Effective in 60 days.

Apr 18, 2018 - H-Voted favorably from committee as amended House Human Services

Apr 18, 2018 - H-Reported as amended House Human Services

Apr 18, 2018 - H-First consideration

Apr 18, 2018 - H-Laid on the table

HB 2132 Rabb, Christopher (F) (D)

(PN 3106) Amends Title 27 (Environmental Resources) adding a chapter providing for transition to renewable energy; imposing duties on the Department of Environmental Protection and other Commonwealth agencies relating to energy consumption and renewable energy generation; establishing the Clean Energy Transition Task Force, the Clean Energy Center of Excellence, the Council for Clean Energy Workforce Development and the Clean Energy Workforce Development Fund; and providing for interim limits on energy produced from nonrenewable sources. The intent of the bill is to transition Pennsylvania to 100 percent renewable energy by 2050. Effective in 60 days.

Apr 18, 2018 - H-Press conference held

HB 2155 Bloom, Stephen (R)

(PN 3276) Amends the Public School Code further providing for vocational instructional certificate. Adds language directing the State Board of Education to require an applicant for a vocational instructional certificate to present evidence of at least four years of wage-earning experience in the occupation to be taught in order for the Secretary of Education to grant the applicant the certificate. Further provides the board shall not require an applicant to have completed more than 18 credit hours in an approved program of vocational teacher education in order for the secretary to grant the applicant a certificate which shall entitle the individual to teach for eight annual school terms. Also provides the board shall not require an applicant to have completed more than 60 total credit hours in an approved program of vocational teacher education to be granted a Vocational Instructional II Certificate. Requires the Department of Education to form a professional advisory committee to review vocational instructional certification program guidelines every five years. Effective in 60 days.

Apr 18, 2018 - H-Second consideration

Apr 18, 2018 - H-Rereferred to House Appropriations

Apr 18, 2018 - H-Press conference held

HB 2156 Tobash, Mike (R)

(PN 3277) Amends the Public School Code adding a new article establishing the Career and Technical Education Partnership Tax Credit Program to expand access to high-career and technical education by encouraging private investment in education, career and technical education programs and the repair, upkeep, replacement and upgrading of industry-grade materials and instructional equipment. Provides for qualification and application by organizations; application by business firms; tax credits; limitations; lists; guidelines; school participation in program; scholarships; carryover, carryback, refund and assignment; and original jurisdiction. Further provides the total aggregate amount of all approved tax credits for contributions from business firms shall not exceed \$15 million in a fiscal year. Requires the Department of Community and Economic Development to submit an annual report summarizing the effectiveness of the tax credit to the chairs and minority chairs of the House and Senate Appropriations and Education Committees. Also provides the new article shall apply to taxable years commencing December, 31, 2018. Effective immediately.

Apr 18, 2018 - H-Laid out for discussion

Apr 18, 2018 - H-1 Floor amendment(s) adopted

Apr 18, 2018 - H-Second consideration

Apr 18, 2018 - H-Over in House

Apr 18, 2018 - H-Rereferred to House Appropriations

Apr 18, 2018 - H-Press conference held

HB 2157 Grove, Seth (R)

(PN 3278) Amends the Public School Code adding language requiring the Commission for Agricultural Education Excellence to issue guidelines and update the guidelines every five years to identify the circumstances when a student who successfully completes an academic course, program or activity for credit may apply the credit toward completion of an agriculture education program. Requires the Department of Education to issue guidelines and update the guidelines every five years to identify the circumstances when a student who successfully completes a course, program or activity in science, technology, engineering or mathematics for credit may apply the credit toward the completion of a course, program or activity offered by any area vocational-technical school, technical institute or vocational school or department. Also requires the department to establish a standard application form for a public school entity seeking approval to establish or renew a classification of program code. Effective in 60 days.

Apr 18, 2018 - H-Second consideration

Apr 18, 2018 - H-Rereferred to House Appropriations

Apr 18, 2018 - H-Press conference held

HB 2158 Mako, Zachary (F) (R)

(PN 3285) Amends the Public School Code, in preliminary provisions, providing for career information and recruitment. The bill establishes that school entities shall seek participation of representatives of skilled trades, area career and technical education schools, institutions of higher education, business, industry, charitable institutions or other employers regarding employment, employment training or education opportunities. Effective in 60 days.

Apr 18, 2018 - H-Second consideration

Apr 18, 2018 - H-Rereferred to House Appropriations

Apr 18, 2018 - H-Press conference held

HB 2159 Staats, Craig (R)

(PN 3279) Amends the Public School Code adding language requiring all public schools, the Rural Regional College, state-related institutions, and the Thaddeus Stevens College of Technology to submit their articulation agreements to the Department of Education to be included in the department's electronic database and portal that displays articulation agreements entered into by community colleges, the institutions in the Pennsylvania State System of Higher Education and institutions that elect to participate. Effective in 60 days.

Apr 18, 2018 - H-Second consideration

Apr 18, 2018 - H-Rereferred to House Appropriations

Apr 18, 2018 - H-Press conference held

HB 2203 Harkins, Patrick (D)

(PN 3286) Amends the Public School Code, in vocational education, providing for an online career resource center. The bill requires the Department of Education to establish a central online clearinghouse which shall at a minimum include an online database of the following: postsecondary pathways and options; career and technical education and workforce; career pathways; data and statistics on employment opportunities and compensation; statewide and regional articulation agreements; and other relevant career resources. Effective immediately.

Apr 18, 2018 - H-Second consideration

Apr 18, 2018 - H-Rereferred to House Appropriations

Apr 18, 2018 - H-Press conference held

HB 2204 Mullery, Gerald (D)

(PN 3252) Amends the Public School Code adding a new section requiring the Department of Education, no later than January 1, 2019, in consultation with the Department of Labor and Industry, to conduct an inventory to determine the number and types of workforce development programs offered at secondary and postsecondary institutions. Allows the department to compile a clearinghouse of model programs discovered during the inventory. Provides the department shall encourage the use of the model programs by secondary career and technical education programs, postsecondary programs and business and industry. Also requires the department to report its findings and actions to the chairs of the House and Senate Appropriations and Education Committees. Effective in 60 days.

Apr 18, 2018 - H-Second consideration

Apr 18, 2018 - H-Rereferred to House Appropriations

Apr 18, 2018 - H-Press conference held

HB 2205 Roebuck, James (D)

(PN 3330) Amends the Public School Code, in vocational education, further providing for advisory committees by requiring that an occupational advisory committee be established for each career and technical education program or cluster of related career and technical education programs offered by an area vocational-technical school or school district. The occupational advisory committee shall be appointed by the board of directors of the area vocational-technical school or school district, as applicable. A majority of the members of the occupational advisory committee shall be employees and employers in the occupation for which the career and technical education program is provided. Each occupational advisory committee shall meet at least twice each year to: (1) advise the board of directors, administrators and staff on curriculum, equipment, instructional materials, safety requirements, program evaluation and other related matters; and (2) verify that the programs meet industry standards and, if appropriate, licensing board criteria, and that the programs prepare students with occupation-related competencies. To increase employer participation in an occupational advisory committee, the boards of directors of multiple area vocational-technical schools or school districts operating career and technical education programs may agree to establish a shared occupational advisory committee to serve all agreeing area vocational-technical schools or school districts, provided that all agreeing area vocational-technical schools or school districts are located within the same intermediate unit. If a shared occupational advisory committee is formed, the occupational advisory committee shall be designed to provide equal opportunities for all agreeing area vocational-technical schools or school districts to participate, including scheduling meetings at each area vocational-technical school or school district on a rotating basis. Effective in 60 days.

Apr 18, 2018 - H-Press conference held

HB 2206 Roebuck, James (D)

(PN 3331) Amends the Workforce development Act, in local workforce investment areas and boards, adding that membership shall include at least one local administrator of a career and technical center. Effective in 60 days.

Apr 18, 2018 - H-Second consideration

Apr 18, 2018 - H-Rereferred to House Appropriations

Apr 18, 2018 - H-Press conference held

HR 715 Murt, Thomas (R)

(PN 3068) Resolution encouraging all residents of this Commonwealth to observe "Earth Day" on April 22, 2018.

Apr 18, 2018 - H-Adopted by a vote of 191 YEAS 0 NAYS

HR 760 Cruz, Angel (D)

(PN 3175) Concurrent Resolution declaring that the General Assembly of the Commonwealth of Pennsylvania is committed to equal rights for individuals with cognitive disabilities to technology and information access and calling for implementation of these rights with deliberate speed.

Apr 18, 2018 - H-Voted favorably from committee on House Human Services

Apr 18, 2018 - H-Reported as committed from House Human Services

HR 763 Miller, Brett (R)

(PN 3178) Resolution designating April 27, 2018, as “Don’t Text and Drive Day” in Pennsylvania.

Apr 18, 2018 - H-Adopted by a vote of 191 YEAS 0 NAYS

HR 765 McCarter, Steve (D)

(PN 3185) Resolution designating the week of April 22 through 28, 2018, as “Earth Week” in Pennsylvania.

Apr 18, 2018 - H-Adopted by a vote of 191 YEAS 0 NAYS

HR 802 McNeill, Jeanne (F) (D)

(PN 3261) Resolution designating April 28, 2018, as “Workers’ Memorial Day” in Pennsylvania.

Apr 18, 2018 - H-Adopted by a vote of 191 YEAS 0 NAYS

HR 807 Emrick, Joe (R)

(PN 3266) Resolution designating the month of May 2018 as “Preeclampsia Awareness Month” in Pennsylvania.

Apr 18, 2018 - H-Adopted by a vote of 191 YEAS 0 NAYS

HR 815 Bullock, Donna (D)

(PN 3273) Resolution recognizing April 26, 2018, as “Take Our Daughters And Sons To Work Day” in Pennsylvania to coincide with the 25th annual national and international observance.

Apr 18, 2018 - H-Adopted by a vote of 191 YEAS 0 NAYS

HR 822 Flynn, Marty (D)

(PN 3302) Resolution designating the month of May 2018 as “Crohn’s Disease and Ulcerative Colitis Awareness Month” in Pennsylvania.

Apr 18, 2018 - H-Adopted by a vote of 191 YEAS 0 NAYS

HR 838 Wheatley, Jake (D)

(PN 3343) Resolution celebrating and recognizing April 19, 2018, as the 50th anniversary of the A. Philip Randolph Institute of Pittsburgh.

Apr 18, 2018 - H-Adopted by a vote of 191 YEAS 0 NAYS

HR 840 Hill, Kristin (R)

(PN 3359) Resolution designating the month of May 2018 as “Cystic Fibrosis Awareness Month” in Pennsylvania.

Apr 18, 2018 - H-Adopted by a vote of 191 YEAS 0 NAYS

HR 842 Santora, James (R)

(PN 3360) Resolution designating the week of April 23 through 27, 2018, as “Every Kid Healthy Week” in Pennsylvania.

Apr 18, 2018 - H-Adopted by a vote of 191 YEAS 0 NAYS

HR 844 Dean, Madeleine (D)

(PN 3361) Resolution recognizing April 28, 2018, as “National Prescription Drug Take-Back Day” in Pennsylvania.

Apr 18, 2018 - H-Adopted by a vote of 191 YEAS 0 NAYS

HR 851 Zimmerman, David (R)

(PN 3362) Resolution recognizing April 28, 2018, as "World Veterinary Day" in Pennsylvania.

Apr 18, 2018 - H-Adopted by a vote of 191 YEAS 0 NAYS

SB 180 Greenleaf, Stewart (R)

(PN 1532) Amends Title 20 (Decedents, Estates and Fiduciaries), in ownership of property and legal title and equitable estate, further providing for right to dispose of a decedent's remains; in health care, further providing for example; in anatomical gifts, further providing for definitions, providing for scope, further providing for persons who may execute anatomical gift, for persons who may become donees and purposes for which anatomical gifts may be made, for manner of executing anatomical gifts, for rights and duties at death, for requests for anatomical gifts, for use of driver's license or identification card to indicate organ or tissue donation, for The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund contributions, for The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund, for confidentiality requirement and for prohibited activities, providing for promotion of organ and tissue donation, establishing the Donate Life PA Registry, providing for facilitation of anatomical gift from decedent whose death is under investigation, for collaboration among departments and organ procurement organizations, for requirements for physician and nurse training relative to organ and tissue donation and recovery, for Department of Transportation, for Department of Corrections, for study of organ procurement organizations and for relation to Electronic Signatures in Global and National Commerce Act, repealing provisions relating to corneal transplants and providing for vascularized composite allografts. Portions are effective immediately, portions are effective in 60 days, and the remainder is effective upon publication of notice. (Prior Printer Number: 923, 1530)

Apr 18, 2018 - H-Voted favorably from committee on House Appropriations

Apr 18, 2018 - H-Reported as committed from House Appropriations

SB 234 Blake, John (D)

(PN 1443) Amends Title 12 (Commerce and Trade) adding a chapter authorizing counties or municipalities to create property assessed clean energy programs, which authorize assessments for energy improvements in districts designated by municipalities. Before a real property can establish an assessment under the program and begin local financing or owner financing of a qualified project, the following shall occur: (1) Any financial institution holding a lien, mortgage or security interest in or other encumbrance of the real property that secures a current, future or contingent payment obligation must be given written notice of the real property owner's intention to participate in the program and acknowledge in writing to the property owner and municipality or county that established the program that they have received such notice; and (2) Any financial institution required to be given notice must provide written consent to the property owner and municipality or county that established the program that the property may participate in the program. Reviews and public notice are required. An assessment and any interest or penalties on the assessment is a first and prior lien on the real property and has the same priority status as a lien for any other tax. Effective in 60 days. (Prior Printer Number: 255, 1286, 1376)

Apr 18, 2018 - H-Public hearing held in committee House Commerce

SB 630 Reschenthaler, Guy (R)

(PN 1635) The Travel Insurance Modernization Act provides for the licensure of limited lines travel insurance producers, for requirements for sale of travel insurance, for authority of limited lines travel insurance producers, for registration and training of travel retailers and for renewal of license. The bill requires the licensure of limited lines travel insurance producers to sell, solicit or negotiate coverage under a policy of travel insurance. Also requires the producer to establish and maintain a list of each travel retailer in the Commonwealth where travel insurance is offered on the limited lines travel insurance producer's behalf. Further requires the register to be maintained and updated annually by the limited lines travel insurance producer. Also provides the information in the register shall be maintained to a period of at least three years following the date the information was entered into the register. Effective in 120 days. (Prior Printer Number: 704)

Apr 18, 2018 - H-Second consideration

Apr 18, 2018 - H-Rereferred to House Appropriations

SB 653 Browne, Patrick (R)

(PN 1374) Amends the Local Tax Enabling Act, in local taxes, further providing for collection; in consolidated collection of local income taxes, further providing for tax collection committees and for powers and duties of tax officer; in collection of delinquent taxes, further providing for costs of collection; and making a related editorial change. The bill consolidates the collection of local taxes by requiring a tax officer to collect each authorized tax, except tax upon the transfer of real property or of an interest in real property. Changes the weighted voting system for tax collection committees to be based on the aggregate of all taxes collected instead of just income taxes. A contingent fee audit may not be conducted in the collection of delinquent taxes. Effective January 1, 2019, or immediately, whichever is later. (Prior Printer Number: 892, 942)

Apr 18, 2018 - S-Laid out for discussion

Apr 18, 2018 - S-Third consideration

Apr 18, 2018 - S-Final Passage by a vote of 39 YEAS 10 NAYS

SB 735 Brewster, Jim (D)

(PN 898) Amends the Real Estate Tax Sale Law adding language establishing an optional County Demolition and Rehabilitation Fund in certain counties. The fee assessed for each property sold for delinquent taxes shall be used towards the demolition or rehabilitation of dilapidated buildings on blighted properties within the county. Further provides the governing body may impose a fee no greater than ten percent of the assessed price of a property being sold for delinquent taxes and shall provide a public notice. Also requires the fund to be used by the county and, with approval, any non-for-profit or for-profit corporation that has a contract for the demolition or rehabilitation of blighted property located in the county. Effective in 60 days.

Apr 18, 2018 - S-Reported as committed from Senate Urban Affairs and Housing

Apr 18, 2018 - S-First consideration

SB 816 Dinniman, Andrew (D)

(PN 1456) Amends the Dog Law, in dangerous dogs, further providing for court proceedings, certificate of registration and disposition; and adding an article providing for muzzled dogs. Allows certain persons to file a complaint before a magisterial district judge requesting that the owner or keeper of an accused dog to be ordered to muzzle the dog according to the provisions of the legislation. Further provides a person shall be subject to a muzzled dog order if the judge finds by a preponderance of the evidence that the dog has killed or inflicted severe injury on a human being without provocation on public or private property or a dog or cat without provocation while off the owner's or keeper's property. Also provides for the contents of the muzzled dog order; report of the muzzled dog order; requirements; and public safety offenses. Effective in 60 days. (Prior Printer Number: 1072)

Apr 18, 2018 - S-Laid on the table

Apr 18, 2018 - S-Removed from the table

SB 837 Ward, Kim (R)

(PN 1528) Act designating a portion of State Route 981 in Smithton Borough and South Huntingdon Township, Westmoreland County, as the Specialist 4 William J. Kolenc Memorial Highway. Effective in 60 days. (Prior Printer Number: 1099)

Apr 18, 2018 - S-Laid out for discussion

Apr 18, 2018 - S-Senate concurred in House amendments by a vote of 49 YEAS 0 NAYS

Apr 18, 2018 - S-Signed in the Senate

SB 844 White, Donald (R)

(PN 1531) Amends Title 23 (Domestic Relations), in child custody, allowing individuals to file for physical or legal custody if no biological or adoptive parents have custody of a child and the individual assumes or is willing to assume responsibility further providing for standing for any form of physical custody or legal custody, has a sustained, substantial and sincere interest in the welfare of the child. The bill provides for exceptions and for standing or partial physical custody and supervised physical custody relating to grandparents. Effective in 60 days. (Prior Printer Number: 1133, 1375)

Apr 18, 2018 - S-Laid out for discussion

Apr 18, 2018 - S-Senate concurred in House amendments by a vote of 49 YEAS 0 NAYS

Apr 18, 2018 - S-Signed in the Senate

SB 877 White, Donald (R)

(PN 1458) Amends the Insurance Department Act allowing insurance providers to offer or give to an insured or prospective insured money or any favor, advantage, object, valuable consideration or anything other than money which has a cost or redeemable value of \$100 or less, which is not specified in the contract of insurance. The amount may be increased by the insurance commissioner. Further provides an insurance producer may not make receipt of anything or value contingent on the purchase of insurance. Effective in 60 days. (Prior Printer Number: 1135)

Apr 18, 2018 - S-Laid out for discussion

Apr 18, 2018 - S-Senate concurred in House amendments by a vote of 49 YEAS 0 NAYS

Apr 18, 2018 - S-Signed in the Senate

SB 878 White, Donald (R)

(PN 1459) Amends the Insurance Company Law allowing insurance providers to offer or give to an insured or prospective insured money or any favor, advantage, object, valuable consideration or anything other than money which has a cost or redeemable value of \$100 or less, which is not specified in the contract of insurance. The amount may be increased by the insurance commissioner. Further provides an insurance producer may not make receipt of anything or value contingent on the purchase of insurance. Effective in 60 days. (Prior Printer Number: 1136)

Apr 18, 2018 - S-Laid out for discussion

Apr 18, 2018 - S-Senate concurred in House amendments by a vote of 49 YEAS 0 NAYS

Apr 18, 2018 - S-Signed in the Senate

SB 952 Martin, Scott (F) (R)

(PN 952) Amends the Tax Reform Code, in sales and use tax, exempting volunteer fire companies from remitting sales tax on food and beverages for fundraising efforts. Effective in 60 days.

Apr 18, 2018 - S-Laid on the table (Pursuant to Senate Rule 9)

SB 961 Rafferty, John (R)

(PN 1585) Amends Titles 18 (Crimes and Offenses) and 75 (Vehicles), in licensing of drivers, further providing for learner's permits and for driving while operating privilege is suspended or revoked; in miscellaneous provisions, further providing for the offenses of homicide by vehicle, aggravated assault by vehicle, homicide by vehicle while driving under influence and aggravated assault by vehicle while driving under the influence; and for accidents involving death or personal injury while not properly licensed; and, in driving after imbibing alcohol or utilizing drugs, further providing for grading. Effective in 60 days. (Prior Printer Number: 1337, 1390)

Apr 18, 2018 - S-Laid out for discussion

Apr 18, 2018 - S-Third consideration

Apr 18, 2018 - S-Final Passage by a vote of 47 YEAS 2 NAYS

Apr 18, 2018 - S-Laid out for discussion

Apr 18, 2018 - S-Senate Costa motion to reconsider the vote by which SB 961 was passed - Agreed to

Apr 18, 2018 - S-Final Passage by a vote of 45 YEAS 4 NAYS

SB 962 Dinniman, Andrew (D)

(PN 1351) Amends Title 53 (Municipalities) providing penalties for property owners who received funding for construction, rehabilitation, repair or maintenance of a property through any program administered by a State agency or State authority and who fail to comply with a code requirement. Effective in 60 days.

Apr 18, 2018 - S-Reported as committed from Senate Urban Affairs and Housing

Apr 18, 2018 - S-First consideration

SB 1056 Brooks, Michele (R)

(PN 1509) Amends the Tax Reform Code, in corporate net income tax, further providing for definitions. The stated intent of the bill is to align state law with federal law's 100 percent bonus depreciation. Effective immediately.

Apr 18, 2018 - S-Second consideration

Apr 18, 2018 - S-Rereferred to Senate Appropriations

SB 1088 Hutchinson, Scott (R)

(PN 1546) The Conventional Oil and Gas Wells Act relates to conventional wells and the development of oil, gas and coal; imposes powers and duties on the Department of Environmental Protection; and provides for preliminary provisions, for general requirements, for underground gas storage, for enforcement and remedies, for related funds, parties and activities and for miscellaneous provisions. The purposes of this act are to: (1) Permit the optimal development of the oil and gas resources of Pennsylvania consistent with the property rights of owners of the oil and gas resources and the protection of the health, safety, environment and property of the residents of this Commonwealth; (2) Protect the safety of personnel and facilities employed in the exploration, development, storage and production of natural gas or oil or the mining of coal; (3) Protect the safety and property rights of persons residing in areas where exploration, development, storage or production occurs; (4) Protect the natural resources, environmental rights, property rights and values secured by the Constitution of Pennsylvania; and (5) Provide a flexible and cost-effective way to implement and enforce the provisions of this act. Effective immediately.

Apr 18, 2018 - S-Press conference held

SB 1090 Corman, Jake (R)

(PN 1583) Amends Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure), in offenses involving danger to the person, providing for antihazing and prescribing penalties; in forfeiture of assets, further providing for asset forfeiture; and making a related repeal. The bill adds a chapter to Title 18 on antihazing, defines the offense of hazing, and provides for aggravated hazing, organizational hazing, and institutional hazing. Institutions and secondary schools shall adopt policies against hazing and appropriate penalties for hazing. Title 42 is amended to provide for asset forfeiture for aggravated hazing. Effective in 30 days.

Apr 18, 2018 - S-Laid out for discussion

Apr 18, 2018 - S-Third consideration

Apr 18, 2018 - S-Final Passage by a vote of 49 YEAS 0 NAYS

SB 1132 Greenleaf, Stewart (R)

(PN 1644) Amends Title 44 (Law and Justice), in other officers, establishing the Pennsylvania Alternative Dispute Resolution Commission responsible for encouraging and facilitating the development, use, coordination, support and evaluation in this Commonwealth of affordable and high-quality alternative dispute resolution programs and services, providing for its powers and duties, and establishing the Alternative Dispute Resolution Fund to receive and disburse money to implement the chapter. Effective in 60 days.

Apr 18, 2018 - S-Second consideration

Apr 18, 2018 - S-Rereferred to Senate Appropriations

SR 278 Browne, Patrick (R)

(PN 1521) Resolution adopting a temporary rule of the Senate relating solely to amendments to the General Appropriation Bill and other appropriation bills for the fiscal year beginning July 1, 2018, including any amendments offered to or for supplemental appropriations for prior fiscal years. Floor amendments to the General Appropriation Bill or other General Fund or special fund appropriation bills shall be in order on second or third consideration only. Any amendment offered on the floor to the various budget bills at a level different from the amount contained in the 2018-2019 Budget as reported from the Appropriations Committee shall not be in order and may not be considered unless the amendment contains sufficient revisions or reductions to that 2018-2019 Budget so that the amendment does not result in a net increase to the total spending and yields a balanced budget based on current and projected revenues. The amendment shall have appended thereto a "statement of intent" setting forth the proposed adjustment to the other appropriation bill or bills that will result in no net increase in the total spending from the General Fund or any special fund contained within the 2018-2019 Budget as reported from the Appropriations Committee.

Apr 18, 2018 - S-Adopted by a vote of 49 YEAS 0 NAYS

SR 317 Farnese, Lawrence (D)

(PN 1663) Resolution designating the month of April 2018 as "Pennsylvania Donate Life Month."

Apr 17, 2018 - S-Introduced and adopted

SR 318 Rafferty, John (R)

(PN 1664) Resolution recognizing April 17, 2018, as "Architects' Day" in Pennsylvania.

Apr 17, 2018 - S-Introduced and adopted

SR 319 McGarrigle, Thomas (R)

(PN 1665) Resolution designating the month of April 2018 as "Sikh Awareness and Appreciation Month" in Pennsylvania.

Apr 17, 2018 - S-Introduced and adopted

SR 320 Scavello, Mario (R)

(PN 1666) Resolution designating April 17, 2018, as "WEDnetPA Day" in Pennsylvania.

Apr 17, 2018 - S-Introduced and adopted

SR 321 Laughlin, Daniel (F) (R)

(PN 1667) Resolution recognizing the week of April 15 through 21, 2018, as "Osteopathic Medicine Week" in Pennsylvania.

Apr 17, 2018 - S-Introduced and adopted

SR 323 Brooks, Michele (R)

(PN 1668) Resolution designating the month of April 2018 as "Child Abuse Prevention Month" in Pennsylvania.

Apr 18, 2018 - S-Introduced and adopted

SR 324 McIlhinney, Charles (R)

(PN 1669) Resolution recognizing the month of April 2018 as "Limb Loss Awareness Month" in Pennsylvania.

Apr 18, 2018 - S-Introduced and adopted

SR 325 Browne, Patrick (R)

(PN 1670) Resolution recognizing the week of April 16 through 20, 2018, as the "Week of the Young Child" in Pennsylvania and supporting high-quality early childhood education as the right choice for young children in this Commonwealth.

Apr 18, 2018 - S-Introduced and adopted

EXECUTIVE ACTIONS

HB 1486 Zimmerman, David (R)

(PN 1893) Amends the Storm Water Management Act, further providing for definitions and for effect of watershed storm water plans. The bill defines "high tunnel" and establishes when a high tunnel shall be exempt from provisions. It also states that any municipality that has adopted a local ordinance or regulations that regulates high tunnels following a watershed storm water plan prior to the effective date shall amend the ordinance or regulation to comply with the subsection. Effective in 60 days.

Apr 18, 2018 Approved by the Governor - Act: 15

Jun 17, 2018 - H-Earliest effective date

SB 936 White, Donald (R)

(PN 1281) Amends the Workers' Compensation Act, in liability and compensation, further providing for prescription drugs and the treatment of work-related injuries; and, in procedure, further providing for peer review. The bill requires the department to select a nationally recognized, evidence-based prescription drug formulary appropriate for resolving issues related to drugs prescribed for or related to the treatment of work-related injuries and establishes requirements related to the formulary for comment periods, selection factors, costs, annual review, online availability, savings calculations, and utilization review. The bill also places requirements on utilization review organizations and peer review organizations for certification. Effective in 60 days.

Apr 18, 2018 - S-In the hands of the Governor

Apr 28, 2018 - S-Last day for Governor's action

UPCOMING MEETINGS

THURSDAY - 4/19/18

Independent Regulatory Review Commission

10:00 a.m., 14th Floor Conference Room, 333 Market Street, Harrisburg

To consider the following regulations: 3148 State Board of Physical Therapy #16A-6517 Post-Act Revisions 3138 Environmental Quality Board #7-522: Handling and Use of Explosives

Senate Democratic Policy Committee

11:00 a.m., Penn State Worthington Scranton Campus, 120 Ridge View Drive, Dunmore

Public hearing on "Our Students, Our Workforce, and the Jobs of Tomorrow"

FRIDAY - 4/20/18

House Transportation and House Judiciary

10:00 a.m., Philadelphia City Hall, Room 676, 1401 John F. Kennedy Blvd., Philadelphia

Joint public hearing to evaluate the effects of DUI and drugged driving laws and programs

Senate Education

1:00 p.m., Bedford County Courthouse, 200 S. Julianna Street, Bedford

Public hearing on issues and potential alternatives to the current Act 88 collective bargaining process and teacher strikes

TUESDAY - 4/24/18

House Labor and Industry

10:00 a.m., Room 140, Main Capitol

Public hearing on harassment and sexual misconduct in the workplace

Senate State Government

10:00 a.m., Hearing Room 1, North Office Building

Second public hearing on redistricting legislation

House Democratic Policy Committee

2:00 p.m., Northeast Baptist Church, 4744 Tackawanna Street, Philadelphia Public hearing with Rep.

Jason Dawkins on gun violence and domestic abuse issues

WEDNESDAY - 4/25/18

*****Joint Legislative Budget & Finance Committee (New)**

9:30 a.m., Room 461, Main Capitol

Meeting to release a report entitled Promoting the Long-Term Sustainability and Viability of Universities in the Pennsylvania State System of Higher Education

House Democratic Policy Committee

2:00 p.m., Overbrook Park Library, 7422 Haverford Avenue, Philadelphia

Public hearing with Rep. Morgan Cephas on: [HB 2210](#) Cephas, Morgan (Amends Public School Code re offenses

THURSDAY - 4/26/18

House Democratic Policy Committee

10:00 a.m., Temple University, Shusterman Hall, 1834 Liacouras Walk, Philadelphia

Public hearing with Rep. Emilio Vazquez on alcohol poisoning prevention and education

FRIDAY - 4/27/18

House Democratic Policy Committee

10:00 a.m., Kimmel Center, Hamilton Gardens, 300 Broad Street, Philadelphia

Public hearing with Rep. Brian Sims on: [HB 1243](#) Sims, Brian Amends Equal Pay Law re Unpaid Wages

MONDAY - 4/30/18

House Consumer Affairs

10:00 a.m., Room B31 Main Capitol

Public hearing on: [HB 2113](#) Oberlander, Donn Amends Unfair Insurance Practices Act

House Democratic Policy Committee

10:00 a.m., Room 418 Main Capitol

Public hearing on food banks

Senate and House Education

11:00 a.m., Rooms 8E-A & B, East Wing

Joint public hearing on the RAND Corporation Study of the PASSHE System

TUESDAY - 5/1/18

House Finance

9:30 a.m., Room 205, Ryan Office Building

Public hearing on: [HB 1511](#) Quinn, Marguerit Amends Tax Reform Code re hotel occupancy

House Game and Fisheries

Off the Floor, Room 205, Ryan Office Building

To consider: [HB 1273](#) Zimmerman, David Amends Title 34 re hedgehogs and gliders [HB 1603](#) Miller, Brett Amends Title 34 re hunting on private property

THURSDAY - 5/24/18

House Labor and Industry

10:00 a.m., Room G-50, Irvis Office Building

Public hearing on: [HB 861](#) Grove, Seth Amends Title 53 re Local Labor Mandates

THURSDAY - 6/7/18

House Game and Fisheries

10:00 a.m., Room 60, East Wing

Public hearing on chronic wasting disease



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