

# WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – DAVID G. ARGALL, CHAIRMAN

## Monday, February 5, 2018

[Senate Bill 796](#) (Gordner) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to exempt individuals from paying a fee for a change of address on a commercial drivers' license if the individual's address has been changed by a government entity.

**Passed: 47-0.**

[Senate Bill 955](#) (Vulakovich) would amend the Public School Code to create the Community College Secondary Education Fire Training Pilot Program to provide high school students with instruction through a partnership with community colleges and school districts or area vocational-technical schools, or both, to increase the number of individuals capable of becoming volunteer firefighters. The State Fire Commissioner would accept proposals from community colleges in the Commonwealth for the pilot program. From the proposals submitted, the Commissioner would select three community colleges to offer the pilot program. Nothing would prohibit a community college from incorporating emergency medical services instruction into the program. A community college selected by the Fire Commissioner would enter into agreements with the school entities for the provision of fire instruction to students leading to Firefighter I certification. The Fire Training Fund would be established for monetary donations and appropriations for the program. Each community college offering the program would receive \$150,000 for the duration of the program. During the pilot program, the Legislative Budget and Finance Committee would conduct a survey of volunteer fire companies surrounding areas participating in the pilot program to determine whether it is increasing the number of volunteer firefighters. The pilot program would expire in four years. **Passed: 47-0.**

[Senate Resolution 268](#) (Schwank) designates the week of February 5 through 9, 2018 as "School Counselors Week" in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 269](#) (Williams) congratulates the Philadelphia Eagles on their stunning victory over the New England Patriots in Super Bowl LII. **Adopted by Voice Vote.**

[Senate Resolution 270](#) (Browne) designates February 11, 2018 as "PA 2-1-1 Day" in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 271](#) (Blake) designates the month of February 2018 as "Turner Syndrome Awareness Month" in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 272](#) (Corman) recognizes the month of February 2018 as "Benevolent and Protective Order of Elks Month" in Pennsylvania. **Adopted by Voice Vote.**

### *Executive Session*

Nominations to Various Boards and Commissions. **Confirmed: 47-0.**

**Tuesday, February 6, 2018**

[Senate Bill 21](#) (Mensch) would create the Employment First Act to establish Employment First as the policy of the Commonwealth whereby competitive integrated employment would be the preferred outcome for all individuals with a disability eligible to work under federal or state law, regardless of the severity of the disability and any assistance required. State and county agencies and entities providing publicly funded services would be required to comply with the requirements of Employment First and ensure that the requirements are effectively implemented in agency programs and services to the extent practicable. Agencies covered by the policy would be required to develop clear outcome expectations and to complete an assessment annually of their progress toward meeting those goals. State agencies would be required to make an effort to employ individuals with a disability in no less than seven percent of the overall state workforce.

No later than one year after the effective date of the act, the Office of the Governor would be required to develop an initial three-year plan based on information provided by state agencies for implementing Employment First to be submitted to the General Assembly. The Governor's Office would be required to report annually to the General Assembly on state agency compliance with the policy. The legislation would establish the Governor's Cabinet for People with Disabilities composed of the individuals listed in the bill. The Cabinet would review existing policies and regulations and recommend improvements. The Employment First Oversight Commission would also be created composed of the individuals listed in the bill. At least 51 percent of these individuals would have to have a disability. The Commission would establish measurable goals and objectives for implementation of the act and report annually on the progress. **Passed: 49-0.**

[Senate Bill 354](#) (Tomlinson) would amend Act 48 of 1993 to require an individual who holds a license, registration, certificate or permit with a licensing board or commission, under the Bureau of Professional and Occupational Affairs in the Department of State, to report to the appropriate licensing board or commission a disciplinary action taken against them by a licensing agency in another jurisdiction or a conviction or admission of guilt for certain crimes. A licensing board or commission could take disciplinary action against a licensee, certificate holder or registrant who does not report the required information. The board or commission could temporarily suspend a license, certificate, registration or permit under circumstances determined to be an immediate clear and present danger to the public health and safety.

The licensing board or commission would be required to provide notice to the individual and commence formal action to suspend, revoke or restrict the license, certificate or registration as provided by law. Within 30 days, the licensing board or commission would have to hold a preliminary hearing to determine that there is a prima facie case supporting the suspension. The licensee, certificate holder or registrant could be present at the preliminary hearing and be represented by counsel, cross-examine witnesses, inspect physical evidence, call witnesses, offer evidence and testimony and make a record of the proceedings. If it is determined that there is not a prima facie case, the suspended license, certificate, registration or permit would have to be immediately restored. The temporary suspension would remain in effect until vacated by the board or commission, but in no event longer than 180 days. Restoration of a license, certificate or registration would be made as provided by law. An additional provision would provide for

the expungement of the disciplinary record of a licensee if the imposition of discipline was for a violation involving failure to complete continuing education requirements or practicing for six months or less on a lapsed license, registration, certificate or permit. [Concurrence in House Amendments to Senate Amendments: 49-0.](#)

[Senate Bill 894](#) (White) would designate:

- A section of State Route 2005, also known as Butler Street, in Saxonburg Borough, Butler County as the Chief Gregory B. Adams Way;
- The bridge located on that portion of Pennsylvania Route 271 over U.S. Route 22, Jackson Township, Cambria County as the Trooper Gary Fisher Memorial Bridge;
- The bridge located on Pennsylvania Route 53 in Cresson Township, Cambria County over U.S. Route 22 as the Corporal Robert T. Sherwood Jr., Memorial Bridge;
- The bridge located on Segment 80 of State Route 2015, along Overbridge Street and over Railroad Street, in Lilly Borough, Cambria County as the Paul E. Sweeney Memorial Bridge;
- The bridge located on Avenue A, over the Allegheny River in Coudersport Borough, Potter County as the Commander Philip F. “Jet” Palmatier, Jr., Memorial Bridge;
- The bridge located on Sunnyside Road over Oswayo Creek, Shinglehouse Borough, Potter County as the PVT Malon Stanley Memorial Bridge;
- The section of State Route 1001 from Memorial Road to Mt. Pleasant Road in Greene Township, Franklin County as the Lance Corporal Michael L. Freeman, Jr., Memorial Highway;
- The bridge located on State Route 533 over Muddy Run in Southampton Township, Franklin County as the Private First Class Dana Edward Diehl Memorial Bridge; and
- The bridge on State Route 1004 over the Conococheague Creek in Greene Township, Franklin County as the Private Charles W. “Bill” Roher Memorial Bridge. [Concurrence in House Amendments: 49-0.](#)

[Senate Resolution 226](#) (Yudichak) directs the Legislative Budget and Finance Committee to conduct an independent performance evaluation of certain statewide environmental permitting programs administered by the Department of Environmental Protection. [Adopted by Voice Vote.](#)

[Senate Resolution 253](#) (Folmer) urges the Congress of the United States to amend the Gun Control Act of 1968 to protect the constitutional rights of medical cannabis users. [Adopted: 49-0.](#)

[Senate Resolution 273](#) (Hughes) recognizes February 7, 2018 as “National Black HIV/AIDS Awareness Day” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 274](#) (Scavello) designates the month of March 2018 as “Problem Gambling Awareness Month” in Pennsylvania and recognizes the month of March 2018 as “National Problem Gambling Awareness Month.” [Adopted by Voice Vote.](#)

[Senate Resolution 275](#) (Baker) observes March 1, 2018 as “St. David’s Day” in Pennsylvania and honors the many Pennsylvanians of Welsh heritage. [Adopted by Voice Vote.](#)

[Senate Resolution 276](#) (Langerholc) recognizes the importance of finding the cause and cure for multiple sclerosis, expresses appreciation to the Pennsylvania chapters of the National Multiple Sclerosis Society for their work, and recognizes the week of March 11 through 17, 2018 as “Multiple Sclerosis Awareness Week” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 277](#) (Browne) recognizes the week of February 26 through March 4, 2018 as “Eating Disorders Awareness Week” in Pennsylvania in conjunction with the observance of “National Eating Disorders Awareness Week.” [Adopted by Voice Vote.](#)

[House Bill 631](#) (Marsico) would amend Title 18 (Crimes and Offenses), Title 23 (Domestic Relations) and Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes to provide for a mandatory period of probation for certain sex offenses and to modify certain sex offender registration requirements in response to court decisions. The bill would amend Title 42 by adding a new Section 9718.5 to require the court, upon sentencing a person for a Tier III sex offense under the Adam Walsh Act, to order the offender to serve a three year period of probation consecutive to and in addition to any other lawful sentence imposed by the court. The mandatory three years of probation supervision could be imposed in addition to the maximum sentence provided for the offense. The court could direct that the supervision be conducted by the Pennsylvania Board of Probation and Parole.

The legislation would also modify the provisions of Subchapter H (Adam Walsh Act) of Chapter 97 (Sentencing) of Title 42 to address the issues raised in the court decisions. The changes would:

- Apply to persons who committed a sexually violent offense on or after the effective date of the Adam Walsh Act (December 20, 2012);
- Remove from the registration and reporting requirements anyone convicted of the offense of “interference with custody of children” if the person is the parent, guardian, or other lawful custodian of the child at issue;
- Permit sexual offenders and sexually violent predators to petition the court for exemption from the registration and reporting requirements after 25 years if the offender has not been convicted of an offense during that period that is punishable by more than one year. An offender would be assessed by the Sexual Offender Assessment Board (SOAB) and a court proceeding would be held in which the district attorney and the offender could be heard and present evidence; and

- Allow a person convicted of a Tier II sexual offense (i.e., an offense requiring registration for 25 years and in-person reporting bi-annually) or a Tier III sexual offense (i.e., an offense requiring lifetime registration and in-person reporting quarterly) to report in person annually and verify information by telephone after being in compliance for the first three years and not being convicted of an offense punishable by more than one year.

The legislation would also add Subchapter I to Chapter 97 of Title 42 which would:

- Apply to persons who committed a sexual offense on or after April 22, 1996 (the effective date of the original Megan's Law) but before December 20, 2012 whose period of registration and reporting has not expired;
- Apply to offenses included in the version of Megan's Law that was in effect on the day before the effective date of the Adam Walsh Act; and
- Require registration for ten years or for life, depending on the offense, and require all offenders to be assessed by the SOAB. **Passed: 49-0.**

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