

WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – DAVID G. ARGALL, CHAIRMAN

Monday, October 16, 2017

[Senate Bill 552](#) (Aument) would amend Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes to create the Pennsylvania Veterans' Monuments and Memorial Trust Fund and charge the Department of Military and Veterans Affairs with administration of the Fund. The money in the Fund would be used for the promotion, administration, operation, maintenance and completion of monuments and memorials dedicated to Pennsylvania veterans and military units. Money would be granted for the operation and maintenance of monuments as designated by the Department in consultation with the State Veterans' Commission. At a minimum, the following monuments would receive funding, as needed, for operation and maintenance:

- The Pennsylvania Veterans' Memorial on the grounds of the Indiantown Gap National Cemetery;
- American battle monuments located overseas officially owned or recognized by the Commonwealth;
- Pennsylvania unit monuments and markers within the Gettysburg National Military Park; and
- Other Pennsylvania military memorials and monuments as designated or recognized by the Department.

The Department could use up to two percent of the available funds as of October 31 of each calendar year to administer the Fund in accordance with statute. The measure would also amend the Vehicle Code to redirect funds generated from the Pennsylvania Monument Registration License Plate to the Pennsylvania Veterans' Monuments and Memorial Trust Fund.

Passed: 49-0.

[Senate Resolution 215](#) (Killion) designates the month of October 2017 as "Domestic Violence Awareness Month" in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 217](#) (Tartaglione) recognizes the month of October 2017 as "National Disability Employment Awareness Month" and designates October 2017 as "Disability Employment Awareness Month" in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 218](#) (Mensch) designates the week of October 16 through 20, 2017 as "Community College Completion Week" in Pennsylvania. **Adopted by Voice Vote.**

Tuesday, October 17, 2017

[Senate Bill 53](#) (Greenleaf) would amend the Higher Education Scholarship Law to allow students enrolled in distance education programs who attend Pennsylvania-based institutions of higher education, regardless of whether the program of study is 100 percent online or blended with classroom credits, to be eligible for Pennsylvania Higher Education Assistance Agency (PHEAA) grant awards. If the institution has a physical location in the Commonwealth, but is not headquartered and domiciled here, the recipient would be eligible for a grant provided that the scholarship recipient is enrolled at the institution's physical location and the recipient's program of study is not more than 50 percent online. This provision would apply not later than the 2018-2019 award year as determined by PHEAA. The bill would also authorize PHEAA to implement controls to limit the impact of online education on the grant award level and report to the General Assembly regarding the impact of online education on the grant program.

Passed: 49-0.

[Senate Bill 663](#) (Laughlin) would amend the Pennsylvania Construction Code Act to require municipalities that choose to utilize construction code officials or third party agencies to administer the Pennsylvania Construction Code to retain three or more officials or agencies to act on the behalf of the municipality for administration and enforcement. **Passed: 40-9.**

[Senate Bill 887](#) (Scavello) would designate the portion of Pennsylvania Route 611 beginning at mile marker 391 and ending at the Pennsylvania Route 940 Intersection as the Roy J. Gross, Sr., Memorial Highway. **Passed: 49-0.**

[Senate Bill 888](#) (Rafferty) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to improve access to disabled parking spaces. The bill specifies that only a person with a disability could park a vehicle on public or private property reserved for a person with a disability. A person could not obstruct a vehicle on public or private property reserved for a person with a disability or a part of a curb ramp or the access aisle adjacent to a parking space reserved for a person with a disability. The owner or lessee of a parking space, curb ramp and access aisle on public or private property reserved for a person with a disability would have to maintain the parking space, curb ramp and access aisle and provide necessary improvements. The issuance of a permit that obstructs a parking space reserved for a person with a disability would be prohibited unless reasonable accommodations are made. The Department of Transportation would be authorized to promulgate regulations pertaining to the signing, marking and proper use of a parking space, curb ramp and access aisle reserved for a person with a disability.

Any person could notify a police officer or parking enforcement specialist for a violation under this subsection. A vehicle parked without a required plate or placard in a space reserved for a person with a disability could be towed from the area and only reclaimed by the owner upon payment of any penalty and towing costs. The operator of a vehicle could not use a disabled parking space unless the operator is a person with a disability or the vehicle is being operated for the transportation of a person with a disability. A person could not fraudulently create or use a plate or placard. A police officer or parking enforcement specialist who

determines a parking plate or placard was fraudulently created or used could seize the plate or placard and return it to the Department. A police officer or parking enforcement specialist could issue a citation for certain parking violations with penalties ranging from no more than \$15 to no more than \$500. The special penalty for a violation of parking in a reserved parking space for a person with a disability or fraudulently using a disabled placard would be increased from \$50 to \$100. **Passed: 49-0.**

Senate Resolution 219 (Rafferty) recognizes November 10, 2017 as “Marine Corps Day” in Pennsylvania in honor of the United States Marine Corps’ 242nd anniversary of its founding. **Adopted by Voice Vote.**

Senate Resolution 220 (McIlhinney) designates the month of October 2017 as “Lewy Body Dementia Awareness Month” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 221 recognizes the month of October 2017 as “National Breast Cancer Awareness Month” and October 20, 2017 as “National Mammography Day” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 222 (Yudichak) recognizes October 26, 2017 as “Lights on Afterschool Day” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 223 (Dinniman) recognizes the month of October 2017 as “National Principals Month” in Pennsylvania and honors the contribution of principals in the elementary, middle and high schools of our nation. **Adopted by Voice Vote.**

House Bill 1288 (Marshall) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to add optometrists to the list of health care providers who can certify a person is disabled for purposes of a disability placard or registration plate. **Passed: 49-0.**

Executive Session

Nominations to Various Boards and Commissions. **Confirmed: 49-0.**

Wednesday, October 18, 2017

Senate Bill 472 (Yaw) would amend Chapter 52A of Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes to expand the provisions prohibiting a medical professional from prescribing an opioid to a minor unless the prescriber complies with the requirements outlined in the legislation. The changes would apply the provisions to adults as well as minors.

The prescriber would have to:

- Assess whether the individual has taken or is currently taking prescription drugs for treatment of a substance use disorder;

- Discuss with the individual, or if the individual is a minor, the minor and the minor's parent or guardian the risks of addiction and overdose, and the dangers of taking a controlled substance containing an opioid with other types of substances; and
- Obtain, in the case of a minor, the written consent for the prescription from the minor's parent or guardian on the form outlined in the legislation with certain required information.

The prescriber would be prohibited from prescribing more than a seven-day supply of an opioid unless an additional supply would be required to stabilize the individual's acute medical condition. In such cases, the prescriber would have to document the acute medical condition in the individual's record and indicate the reason why a non-opioid alternative would not be appropriate to address the condition. The limit would also not apply to prescriptions for the management of pain associated with cancer, use in palliative or hospice care, or the management of chronic pain not associated with cancer. A violation of these provisions would subject a prescriber to administrative sanctions by the prescriber's licensing board under the applicable statute. **Passed: 49-0.**

Senate Bill 499 (Gordner) would amend Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes to change the frequency of meetings from monthly to quarterly for the board of prison inspectors in counties of the eighth class. An additional change would permit meetings in counties of the eighth class to be held at the county correctional institution as often as determined by the board in its discretion. **Passed: 49-0.**

Senate Bill 728 (Yaw) would amend the Achieving Better Care by Monitoring All Prescriptions Program (ABC-MAP) Act by exempting nonnarcotic Schedule V drugs used for the treatment of epilepsy from the Prescription Drug Monitoring Program. **Passed: 49-0.**

Senate Resolution 224 (Tomlinson) designates the month of October 2017 as "Dysautonomia Awareness Month" in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 225 (Street) encourages Amazon to choose a location in Pennsylvania as the future home of HQ2. **Adopted by Voice Vote.**

House Bill 16 (Mackenzie) would amend the Local Tax Collection Law to require a tax collector to open an account which includes the name of an office, title or position to be used for taxes collected under the Local Tax Enabling Act. The account could also include the name of the municipality for which the tax collector was elected or appointed. No payment of taxes could be deposited into an account bearing only an individual's name. In addition, an account could not be opened using an individual's Social Security number. A tax collector for a joint tax collection district could open one account for taxes collected if the account includes the name of the joint tax collection district and does not bear the name of an individual. An additional change would require that tax notices include an example of wording as to whom the payment must be made, including the name of the account. **Passed: 49-0.**

[House Bill 790](#) (Pashinski) would repeal the Noxious Weed Control Law and add Chapter 15 to Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes relating to controlled plants and noxious weeds. The measure would establish the Controlled Plant and Noxious Weed Committee in the Department of Agriculture composed of the individuals listed in the legislation. The committee would be responsible for establishing and maintaining a noxious weed list and a controlled plant list. The lists and any changes would have to be published in the *Pennsylvania Bulletin*. No person could research, market, distribute, transport, cultivate, sell, propagate or display a noxious weed or controlled plant without obtaining a permit from the Department of Agriculture. Fees for the permits would be established by the legislation, but the Department could promulgate regulations to adjust them to maintain revenues sufficient to administer the chapter.

The Department of Agriculture would be responsible for the enforcement of the chapter and could employ all proper means including issuing notices of violation, filing violations for criminal prosecution, seeking injunctive relief, imposing civil penalties and entering into consent agreements. The Department of Agriculture would maintain its ability to designate noxious weed control areas and issue orders to control weeds in those areas. Individuals affected by the orders could request an administrative hearing with the Department. As with current law, if a person subject to a control order fails to comply with the order, the Department would have to notify the municipality, which would take steps to carry out the order. The municipality could recover expenses from the noncomplying landowner. Money received from permitting fees, control work reimbursement, fines and penalties would be paid into the Plant Pest Management Account. All local laws contrary to the chapter would be preempted. **[Passed: 49-0.](#)**

[House Bill 1287](#) (Schlegel Culver) would authorize the Department of General Services to convey the historic Warrior Run Church and Cemetery in Delaware Township, Northumberland County to the Warrior Run-Fort Freeland Heritage Society for \$1. No portion of the conveyance could be used for a licensed gaming facility or it would revert to the Commonwealth. The conveyance would be made with the restrictive covenants outlined in the legislation for the historic preservation and integrity of the property. The restrictive covenants would be binding in perpetuity on the grantee and its successors. Costs and fees incidental to the conveyance would be borne by the grantee. If the conveyance is not effectuated within one year, the authority for the transfer would expire. **[Passed: 49-0.](#)**