

WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – DAVID G. ARGALL, CHAIRMAN

Monday, April 11, 2016

[Senate Bill 1040](#) (Teplitz) would designate the bridge on State Route 225 that crosses the Armstrong Creek in Halifax Township, Dauphin County as the Staff Sergeant Brian K. Mowery Memorial Bridge. **Passed: 49-0.**

[Senate Bill 1114](#) (Yaw) would amend the Sewage Facilities Act to allow for the use of alternative on-lot septic systems for planning purposes. The bill would allow an applicant, when proposing an official plan supplement or revision for a new land development, to submit and require the Department of Environmental Protection to accept, for the purpose of satisfying general site suitability requirements, any conventional or alternate on-lot septic system permissible by a sewage enforcement officer. **Passed: 49-0.**

[Senate Resolution 263](#) (Argall) directs the Legislative Budget and Finance Committee to conduct a study regarding overtime costs incurred by the Department of Corrections relating to staffing shortages. **Adopted by Voice Vote.**

[Senate Resolution 326](#) (Vance) designates the week of May 6 through 12, 2016 as “Nurses Week” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 327](#) (Dinniman) commemorates the 68th anniversary of the birth of the State of Israel. **Adopted by Voice Vote.**

[Senate Resolution 328](#) (Yudichak) designates the week of May 1 through 7, 2016 as “Drinking Water Week” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 329](#) (Fontana) recognizes the week of April 10 through 16, 2016 as “National Library Week” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 330](#) (White) designates May 2, 2016 as “Mutual Insurance Day” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 331](#) (Teplitz) designates April 28, 2016 as “Workers’ Memorial Day” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 332](#) (Boscola) designates the month of April 2016 as “Parkinson’s Disease Awareness Month” in Pennsylvania. **Adopted by Voice Vote.**

[House Bill 794](#) (Gillespie) would amend the County Code to repeal two sections which currently contain multi-county hotel tax laws; amend and consolidate the language into one section of the County Code; and transfer the hotel tax law provisions for second class and second class A

counties from Title 53 (Municipalities Generally) to the County Code. Among other provisions, the legislation would:

- Give the county commissioners in the 57 counties currently with hotel tax authority the option to increase the maximum hotel room tax from three percent to five percent. (The language is changed for the applicable 3rd to 8th class counties and the second class A counties, but not for second class counties (Allegheny));
- Decrease the minimum seating capacity requirement from 10,000 to 2,500 for a county regional sports facility in a third class county to receive a portion of the hotel tax funds;
- Ensure that the spending under the “programs, expenditures or grants” category is agreed to by the tourist promotion agency (TPA) and the spending does not compete with private sector efforts;
- Provide that any grants awarded would require a cash or in-kind local match of 25 percent and grants for signage could not be used to promote a specific private entity on the site of the entity unless it includes the TPA logo;
- Give the county or the Department of Community and Economic Development (DCED) the option to withhold collected room tax revenue if the TPA fails to submit the required annual audit or financial statement within 90 days (county) or 120 days (DCED) after the end of the TPA’s fiscal year;
- Require board members, officers and employees of a recognized TPA to disclose any conflict of interest and recuse themselves in TPA matters that might result in private pecuniary benefit to them or their family or a business with which they are associated;
- Give a county the option of imposing an administrative fee of up to four percent for costs associated with the collection of the tax;
- Impose a penalty of one and one-half percent per month on hotel operators for the failure to collect and remit the tax, and allow the county to impose a lien upon the hotel to collect the tax;
- Add several definitions and change the definition of “hotel” to clarify that a “cabin” with beds and running water on private and state campgrounds would be subject to the tax but other campground facilities, such as campsites would not;
- Create a process whereby a county may certify or decertify its recognized TPA and clarify that a county could only have one TPA at a time; and
- Provide that counties currently imposing a tax under the deleted section that choose not to increase the tax rate do not have to enact a new ordinance. [Passed: 43-6.](#)

[House Bill 1329](#) (English) would create the Caregiver Advise, Record and Enable Act. The bill would require that a hospital provide each patient or their legal guardian with an opportunity to designate at least one lay caregiver while they are in the hospital, to be documented in the patient's medical records. A "lay caregiver" would be defined as an individual with a significant relationship to the patient who accepts the role and provides after-care assistance to the patient in the patient's residence. A patient or their legal guardian could decline to designate a lay caregiver. If a lay caregiver is designated, the hospital would have to request the written consent of the patient or their legal guardian to release medical information to the lay caregiver. The patient or legal guardian could decline to consent to the release of medical information to the lay caregiver. A patient could elect to change their lay caregiver at any time and the designated lay caregiver would not be obligated to perform any after-care assistance to the patient.

A hospital would be required to notify a patient's lay caregiver of a discharge order for the patient, the patient's actual discharge or the patient's transfer to another facility as soon as possible. The hospital would consult the lay caregiver in the creation of a discharge plan and any after-care assistance which is needed. The hospital would have to provide the opportunity for the patient and lay caregiver to ask questions about the after-care assistance. If the hospital is unable to contact the lay caregiver, the patient could still be appropriately discharged. The bill would allow individuals to designate a lay caregiver in an advance directive. A hospital, hospital employee or any consultants or contractors with whom a hospital has a contractual relationship would not be liable for the services rendered or not rendered by the lay caregiver to the patient at the residence. The Legislative Budget and Finance Committee would be required to conduct a study, no later than three years after the effective date, regarding the impact of the act on certain patient outcomes including hospital readmissions. The study would have to be submitted to the General Assembly no later than five years after the effective date. **Passed: 49-0.**

[House Resolution 783](#) (Harper) is a concurrent resolution further providing for the ballot question for the constitutional amendment regarding the retirement age for justices, judges and justices of the peace. The resolution directs the Secretary of the Commonwealth to remove the ballot question for Proposed Constitutional Amendment 1 from the ballot certification for the primary election on April 26, 2016 and that county boards of election remove, to the extent possible, the ballot question from the ballot. The Secretary of the Commonwealth is directed to disregard any vote on the question in the primary election. The measure further directs the Secretary of the Commonwealth to place the question included in the resolution as Proposed Constitutional Amendment 1 on the ballot for the general election on November 8, 2016 and to ensure compliance with publishing and advertising requirements. **Adopted: 32-17.**

Tuesday, April 12, 2016

[Senate Bill 3](#) (Folmer) would create the Medical Marijuana Act to establish a medical marijuana program for patients suffering from the serious medical conditions listed in the legislation. The Pennsylvania Department of Health would be responsible for implementing and administering the program. The Department could promulgate temporary regulations that would expire not later than two years following their publication.

The Department would be required to establish a minimum of three regions within the Commonwealth for the purposes of granting permits to grower/processors and dispensaries and enforcing the act. The approval of permits for grower/processors and dispensaries would have to be done in a manner to provide an adequate amount of medical marijuana to patients and caregivers in all areas of the Commonwealth. Applicants for a grower/processor or dispensary permit would be required to provide the Department with the information outlined in the legislation including criminal history record information for all principals, operators, financial backers and employees. Growers/processors would pay an initial permit application fee of \$10,000, which would be non-refundable, and a fee of \$200,000 for the permit which would be valid for one year. The renewal fee for the permit would be \$10,000, which would be returned if the renewal is not granted. Dispensary permit applicants would pay an initial permit application fee of \$5,000, which would be non-refundable, and a fee of \$30,000 for the permit which would be valid for one year. The renewal fee for the dispensary permit would be \$5,000, which would be returned if the renewal is not granted.

Initially, the Department would be limited to issuing permits to no more than 25 growers/processors and to no more than 50 dispensaries. Each dispensary could provide medical marijuana at no more than three separate locations. Growers/processors would have to implement electronic inventory tracking systems directly accessible to the Department. A grower/processor could only grow, store or process medical marijuana in an indoor, enclosed, secure facility. Growers/processors would have to contract with an independent laboratory to test the medical marijuana they produce. A dispensary could not be located within 1,000 feet of the property line of a public, private or parochial school or a day-care center.

In order to obtain medical marijuana, a patient or caregiver would have to obtain certification from a medical practitioner who is listed on the registry established by the Department and apply to the Department for an identification card. Caregivers would be required to provide criminal history information in order to obtain an identification card. A patient under 18 years of age would be required to have a caregiver as stipulated in the legislation. Further, an individual under the age of 21 could not serve as a caregiver unless a sufficient showing, as determined by the Department, is made that the individual should be permitted to serve as a caregiver. Certain limitations would be placed on the activities of patients while under the influence of medical marijuana.

A five percent tax would be imposed on the gross receipts a grower/processor receives from the sale of medical marijuana to a dispensary. Medical marijuana would not be subject to the sales tax. All application and permit fees and tax revenue would be placed in the Medical Marijuana Program Fund. After the Fund repays the General Fund for program start-up costs, the revenue would be distributed to the Department for the administration of the program and research efforts, the Department of Drug and Alcohol Programs for drug abuse prevention and counseling and treatment services and the Pennsylvania Commission on Crime and Delinquency for distribution to local police departments which demonstrate a need relating to the enforcement of the act.

Additional provisions would:

- Require the Department to report on the act every two years to the Governor, Legislature and the Attorney General;
- Establish a Medical Marijuana Advisory Board to study the issues surrounding medical marijuana and its use and to report on its findings;
- Establish that the goal and intent of the General Assembly is to promote diversity in the activities under the act and to require the Department to report annually to certain legislative committees summarizing the participation and utilization of diverse groups for these activities;
- Establish criminal and civil penalties for violations of the act;
- Provide for the establishment of medical marijuana research programs and academic clinical research centers to study the impact of medical marijuana on the treatment and symptom management of serious medical conditions;
- Prohibit an executive-level public employee, public official or party officer, or an immediate family member, from intentionally or knowingly holding a financial interest in or being employed by a medical marijuana organization;
- Establish that nothing in the act could be construed to require an insurer or a health plan, whether paid for by Commonwealth funds or private funds, to provide coverage for medical marijuana;
- Clarify that the fact that an individual is certified to use medical marijuana and acting in accordance with the act could not by itself be considered by a court in a custody proceeding;
- Require the Department of Education to promulgate regulations within 18 months of the effective date of the act governing the possession and use of medical marijuana by a student or employee on school grounds;
- Require the Department of Human Services to promulgate regulations governing the possession and use of medical marijuana in day care facilities and youth development centers; and
- Clarify that growers/processors and dispensaries under the act would have to follow the same municipal zoning and land use requirements as other facilities located in the same zoning district. **Concurrence in House Amendments, as Amended: 42-7.**

[Senate Bill 1153](#) (Vogel) would designate a number of highways and bridges, including:

- The section of State Routes 108 and 551 in Lawrence County from the intersection of State Route 108 and Old Hickory Road at the Battery B Monument to State Route 551 ending at the railroad tracks of the Pennsylvania Railroad in Enon Valley as the Battery B Memorial Highway;
- The bridge located on State Route 403 in the Borough of Clymer, Indiana County over the Two Lick Creek as the Sergeant James Robert Pantall Memorial Bridge;
- The bridge located on State Route 580 over the Susquehanna River in Cherry Tree Borough, Indiana County as the Airman Second Class Gerald Emmett Johnson Memorial Bridge;
- The bridge on State Route 2014 over the Muncy Creek in Muncy Creek Township, Lycoming County as the Private Walter L. Smith Spanish-American War Memorial Bridge;
- The section of State Route 2044 in Lycoming County from the bridge over Glade Run to the intersection of State Routes 405 and 422 as the Lance Corporal William F. Merrill Vietnam Veterans Highway;
- The bridge on State Route 225 that crosses Armstrong Creek in Halifax Township, Dauphin County as the Staff Sergeant Brian K. Mowery Memorial Bridge;
- The bridge located on the portion of State Route 1026, Section 004 over the Cocalico Creek, Denver Borough, and West Cocalico Township, Lancaster County as the Samuel L. Snyder Memorial Bridge;
- The overpass on State Route 49 over State Route 15, Lawrence Township, Tioga County as the Lance Corporal Michael G. Plank Memorial Bridge;
- The section of Blair Mill Road from Moreland Road to Horsham Road in Upper Moreland Township and Horsham Township, Montgomery County as the Pvt. William H. Walls, U.S.M.C. Memorial Highway;
- The overpass on State Route 3145 over Interstate 376, BMS 02-3145-0010-0537, in the Market District at Settlers Ridge, Robinson Township, Allegheny County as the Roy F. Johns, Jr., Overpass;
- The section of State Route 51 North, known as Fourth Avenue, that runs from Ferree Street to Thorn Run Road and the section of Route 51 South, known as Fifth Avenue, from Thorn Run to Ferree Street in the Borough of Coraopolis, Allegheny County as the Fred A. Trello Memorial Boulevard;

- The Interchange of Interstate 70 and Pennsylvania Route 119 in New Stanton Borough, Westmoreland County as the Edwin “Lance” Wentzel Memorial Interchange;
- The bridge carrying State Route 2005 (Business Route 222) over the Schuylkill River, Riverfront Drive and Norfolk Southern Railroad in the City of Reading, Berks County, commonly referred to as the Bingaman Street Bridge, as the 65th U.S. Infantry Regiment, Borinqueneers Memorial Bridge;
- The bridge located on State Route 36 in Patton Borough, Cambria County over Chest Creek as the Martin Joseph Davis Memorial Bridge;
- The section of State Route 1008 in Fayetteville, Franklin County as the James W. Cutchall Memorial Highway; and
- The bridge located on U.S. Route 15 in Mechanicsburg Borough, Cumberland County over State Route 114 as the Corporal Jonathan Dean Faircloth Memorial Bridge.
Passed: 49-0.

Senate Bill 1155 (Reschenthaler) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to require the Department of Transportation to design a special registration plate that designates the vehicle as belonging to a person who is an active member of the armed forces of the United States. Applications would have to be accompanied by a fee of \$20, which would be in addition to the registration fee, and documentation that may be required by the Department. The plate could only be used on a passenger car or truck with a registered gross weight of not more than 14,000 pounds. **Passed: 49-0.**

Senate Resolution 334 (Gordner) recognizes May 5, 2016 as “National Day of Prayer” in Pennsylvania and encourages the celebration of religious freedom. **Adopted by Voice Vote.**

Senate Resolution 335 (Schwank) designates April 30, 2016 as “Healthy Kids Day” in Pennsylvania and encourages all children and their parents to incorporate active play and healthier habits into their daily lives. **Adopted by Voice Vote.**

Senate Resolution 336 (Brooks) designates the month of April 2016 as “Child Abuse Prevention Month” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 337 (Farnese) designates the month of April 2016 “Pennsylvania Donate Life Month.” **Adopted by Voice Vote.**

Senate Resolution 338 (Greenleaf) designates the month of May 2016 as “Lyme Disease Awareness Month” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 339 (Greenleaf) designates May 1, 2016 as “The Battle of the Crooked Billet Day” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 340](#) (Teplitz) recognizes May 1, 2016 as “Law Day” in Pennsylvania.
[Adopted by Voice Vote.](#)

[House Bill 1319](#) (Marshall) would create the Pennsylvania ABLE Savings Program Tax Exemption Act. The measure would establish that the following would be exempt from taxation by the Commonwealth or any political subdivision: any undistributed earnings on an ABLE account; any rollover distribution that is excludable from tax under Section 529A(c) of the Internal Revenue Code; and any amount distributed from an account that is excludable from tax under Section 529A(c) of the Internal Revenue Code. Contributions into an account would be deductible from taxable income for the personal income tax subject to an annual limitation not to exceed the federal gift threshold per designated beneficiary. The deduction could not result in taxable income being less than zero. Further, a change in designated beneficiaries under Section 529A(c) of the Internal Revenue Code would not constitute a taxable event under the act.
[Passed: 49-0.](#)

Wednesday, April 13, 2016

[Senate Bill 879](#) (Baker) would create the Pennsylvania ABLE (Achieving a Better Life Experience) Act to permit the Treasury Department to establish and maintain a tax-free savings account program for the payment of qualified disability expenses of a designated beneficiary.

The ABLE Savings Program Fund would be established in the State Treasury. In addition to other fees, charges, interest and earnings, the fund would consist of all contributions made to the accounts of eligible individuals pursuant to ABLE account contracts. The money in the fund would be appropriated to the Department on a continuing basis to carry out the provisions of the act. The Department would be required to prepare an annual budget containing the operating and administrative expenses of the program, which would be submitted to the General Assembly for inclusion in the budget bill.

An ABLE savings account could be opened through a contract entered into by an account owner and the Department. The following individuals could be account owners as a fiduciary for an eligible individual who is a minor or who lacks the capacity to enter into an ABLE account contract: 1) a parent or guardian; 2) a person or legal entity designated in writing by the parent or guardian; 3) a trustee of a trust for which the eligible individual is a beneficiary; 4) for an eligible individual receiving benefits based on blindness or a disability, the representative payee for those benefits; and 5) any other person or entity authorized under section 529A of the Internal Revenue Code with signature authority over the account.

An ABLE savings account would not be subject to attachment, levy or execution by any creditor, account owner or designated beneficiary and could not be used as security for a loan. Accounts could not be used in calculating personal assets in order to determine eligibility for disability, medical assistance or other health benefits conferred by the Commonwealth or for determining eligibility or need to qualify for student loan, grant or aid programs administered by a Commonwealth agency. The act details where account proceeds could be transferred upon the death of a designated beneficiary. The program and accounts would be exempt from any statute

regulating securities. The property of the program, account contributions and program earnings would be state tax exempt. [Concurrence in House Amendments: 48-0.](#)

[Senate Bill 1152](#) (Browne) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to require any person operating a vehicle and transporting a child under two years of age to fasten the child securely in a rear-facing child passenger restraint system to be used until the child outgrows the maximum weight and height limits designated by the manufacturer. An additional provision would clarify the language of the provisions governing when a minor driver of a vehicle and a minor occupant must be fastened in a safety belt seat system. [Passed: 49-0.](#)

[Senate Resolution 341](#) (Rafferty) recognizes the week of May 15 through 21, 2016 as “National Police Week” and May 2, 2016 as “Police Officers’ Memorial Day” in Pennsylvania. [Adopted: 49-0.](#)

[Senate Bill 342](#) (Greenleaf) designates the month of May 2016 as “Crohn’s Disease and Ulcerative Colitis Awareness Month” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 343](#) (Ward) designates April 13, 2016 as “Industrial Resource Center Appreciation Day” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 344](#) (Aument) expresses the support of the Senate of Pennsylvania for the Make-A-Wish Foundation and encourages the organization in its efforts to grant the wishes of children with life-threatening medical conditions to enrich the human experience with hope, strength and joy. [Adopted by Voice Vote.](#)

[Senate Resolution 345](#) (Sabatina) designates the week of April 25 through 29, 2016 as “Every Healthy Kid Week” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 346](#) (McIlhinney) recognizes the month of April 2016 as “Limb Loss Awareness Month” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 347](#) (Schwank) designates the week of May 2 through 8, 2016 as “Days of Remembrance of the Victims of the Holocaust” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 348](#) (Hughes) encourages all citizens to observe and participate in Earth Day this April 22nd. [Adopted by Voice Vote.](#)

[Senate Resolution 349](#) (Hughes) designates the month of April 2016 as “Jazz Appreciation Month” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 350](#) (Teplitz) designates May 6, 2016 as “Military Spouse Day” in Pennsylvania. [Adopted by Voice Vote.](#)

[House Bill 12](#) (Schlossberg) would amend Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes to clarify the consent of a party to a divorce would be presumed where that person has been convicted of committing a personal injury crime against the other party. An

additional provision would prohibit a court from requiring marital counseling over the objection of a party that has a protection from abuse order against the other party or where the person was a victim of a person injury crime for which the other party was convicted or entered into an accelerated rehabilitation disposition program. [Passed: 49-0.](#)

[House Bill 400](#) (Gingrich) would establish the Work Experience for High School Students with Disabilities Act. The bill would require the Office of Vocational Rehabilitation (OVR) to provide pre-employment transition services to students with disabilities and facilitate the process of job and career development between schools and employers to ensure the successful transition of these students into competitive integrated employment. The OVR would be required to: 1) ensure that job skill training is included in the individual education plans of students with disabilities when appropriate; 2) arrange for work-based learning experiences; 3) provide professional guidance relative to job coaching services for eligible individuals; 4) provide counseling on transition or postsecondary education opportunities; 5) publish information on the OVR website, which is outlined in the bill, pertaining to employment of students with disabilities; and 6) report on the progress of the OVR regarding the implementation of the act at least quarterly to the Secretary of Labor and Industry, the Pennsylvania Rehabilitation Council, the State Board of Vocational Rehabilitation and the Secretary of Education. The State Board of Vocational Rehabilitation would be responsible for reviewing reported progress and providing advice to OVR officials on achieving the objectives of the act. Upon the initial appropriation of sufficient funds to carry out the provisions of the legislation, OVR would publish notice of the appropriation in the Pennsylvania Bulletin. [Passed: 49-0.](#)

[House Bill 1278](#) (Emrick) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to update the provisions in Section 4527 governing television equipment in vehicles. The measure would prohibit a motor vehicle from being operated with an image display device where a broadcast television image, a live stream video image from the internet, satellite or any other source, or a pre-recorded image is visible to the driver while the vehicle is in motion. The prohibition would not apply to certain image displays outlined in the bill, such as global positioning devices and backup cameras. [Passed: 49-0.](#)

[House Bill 1589](#) (Causer) would amend the Fiscal Code by making changes to various provisions and by providing the implementation language for the General Appropriation Act of 2015. The proposed legislation would:

General Provisions

Financial Recovery. Authorize the City of Scranton, upon the termination of its status as a distressed municipality, to collect a local services tax of up to \$156 per year. The amount that exceeds the \$52 fee authorized in local tax laws could only be use to defray unfunded pension liability.

Environmental Stewardship Fund. Transfer funds from the Marcellus Legacy Fund to the Environmental Stewardship Fund and allocate the money to the Departments of Agriculture, Conservation and Natural Resources, Environmental Protection, and the Pennsylvania Infrastructure Investment Authority.

Educational Improvement Tax Credit Program. For FY 2015-16, allow tax credits awarded to a business firm making an approved contribution to a scholarship organization or education improvement organization to be used in the taxable year in which a completed application was submitted or in the taxable year in the contribution was made.

Budget Stabilization Reserve Fund (Rainy Day Fund). Suspend the transfer of the surplus funds in the General Fund for FY 2014-15 to the Budget Stabilization Reserve Fund.

State Workers' Insurance Board. Extend the investment authority of the Board from June 30, 2015 to June 30, 2018.

Marcellus Legacy Fund. Utilize \$22 million from the Fund to provide small water and sewer grants based on guidelines adopted by the Commonwealth Financing Authority.

Tobacco Settlement Fund. Change, for FY 2015-2016, the allocation percentages used for appropriating the annual tobacco payments deposited in the Tobacco Settlement Fund and stipulate that money in the Fund from a payment due to a recalculation from a prior annual payment would remain in the Fund to be separately appropriated for health-related purposes.

Pennsylvania Race Horse Development Fund. Provide for the transfer of funds from the Race Horse Development Fund into the Race Horse Development Restricted Receipts Account.

Workmen's Compensation Administration Fund. Transfer funds from the Workmen's Compensation Administration Fund to the Uninsured Employers' Guarantee Fund.

Dormitory Sprinklers. Transfer funds from the Dormitory Sprinkler Account to the General Fund.

Department of Drug and Alcohol Programs. Transfer funds from the sale of liquor and alcohol to the Department of Drug and Alcohol Programs to be used for purposes as designated in the Liquor Code.

Natural Gas Infrastructure Development Fund. Establish the Natural Gas Infrastructure Development Fund and transfer funds from the High Performance Buildings Programs to the Fund. The Commonwealth Financing Authority would use the Fund to provide grants to designated entities in order to obtain access to natural gas.

Fire Services. Require the General Assembly to provide annual appropriations to support the provision of fire services to the Capitol Complex.

Pennsylvania Gaming Control Board. Require any slot machine license fee received by the Board to be deposited in the General Fund.

Department of Human Services. Require the automatic payment to counties for child welfare purposes if, in any year, an appropriation has not been enacted by September 1st.

Pennsylvania State Police. Provide that reimbursement of expenses to municipalities would be limited to money available. If funds are not available to make full payment, then the Municipal Police Officers' Education and Training Commission would pay on a pro rata basis.

Commonwealth Financing Authority. Allow funds in the State Gaming Fund applicable to the Luzerne County Local Share Account to be disbursed as a grant to a county redevelopment authority. Also, allow grants from the Fund to be used as local matching funds or other grants or loans from the Commonwealth.

The measure would also authorize the Commonwealth Financing Authority to establish a program to issue bonds, not to exceed \$2.5 billion, on behalf of school districts to provide reimbursements from the Commonwealth for approved rental or sinking fund charges. The bill would establish a Public School Building Construction and Reconstruction Advisory Committee to review and issue a report related to the program for state reimbursement for construction and reconstruction and leasing of public school buildings. An additional provision would mandate that the Department of Education post and update on its website designated information related to public school construction and reconstruction projects, building purchases, and lease reimbursements.

FY 2015-2016 Budget Implementation

Executive Departments

Pennsylvania Commission on Crime and Delinquency:

- Provide that funds for intermediate punishment treatment programs are to be distributed as competitive grants to counties. The portion dedicated to drug and alcohol programs would be based on the proportion of incarcerated individuals in a county and could be no less than 80 percent of the funds appropriated;
- Clarify that funds appropriated to the Commission are to be used for the Statewide Automated Victim Information and Notification System, programs for at-risk youth, diversion programs, and local police information sharing; and
- Place restrictions on funds appropriated for violence prevention programs.

Department of Agriculture

- Direct appropriated agricultural research funds for specific purposes including avian flu research;
- Provide that at least 80 percent of the funds appropriated for hardwoods research and promotion be equally distributed among hardwood utilization groups;
- Transfer money from general government operations to the Dog Law Restricted Account.

Department of Community and Economic Development

- Direct funding to be used for specific purposes including: to research and develop healthy building products; to identify, characterize and manage issues related to the economic and environmental impact of Pennsylvania Marcellus Shale development; and for marketing to attract tourists;
- Allocate funds appropriated for Keystone Communities to various projects and require funds allocated for the Main Street and Elm Street programs to be distributed in the same proportion as FY 2012-2013; and
- Provide for the distribution of funds appropriated for regional event security for costs incurred as a result of the papal visit.

Department of Conservation and Natural Resources

- Allocate funding for the operation and maintenance of the Washington Crossing Historical Park.

Department of Corrections

- Provide that a portion of the Department's appropriated funds be used for the establishment of a non-narcotic medication assisted substance abuse treatment grant pilot program.

Department of Drug and Alcohol Programs

- Designate funding to be used for programs treating posttraumatic stress disorder for veterans.

Department of Education

- Allocate and direct funding from the adult and family literacy programs, summer reading programs, the adult high school diploma program, and the mobile science and mathematics education programs;
- Distribute funding for community education councils;
- Designate funding from the regional community college service funds;
- Allocate funding to Pennsylvania Charter Schools for the Deaf and Blind for public school employees' retirement payments;
- Provide a formula for the reallocation of additional funds for approved private schools;
- Establish the formulas for special education funding for school districts and intermediate units;
- Set aside one percent of the appropriation for special education for exceptional children for payment to school districts and charter schools with extraordinary special education expenses;
- Establish a formula for the allocation of basic education funding based on the recommendations of the Basic Education Funding Commission;

- Provide for the reconciliation of payments for FY 2015-16 that may be necessary to ensure that the amounts paid to school districts match the formulas provided. In order to achieve this reconciliation, payments from basic education funding and the Ready-to-Learn Block grant may be used;
- Provide for the allocation of funds for approved operating expenses for community colleges;
- Distribute funding for libraries;
- Provide a distribution formula and requirements for the Ready to Learn Block Grant;
- Continue the Alternative Education Program Account;
- Provide for Career and Technical Education Equipment Grants;
- Maintain the directive that no Commonwealth payments be made to charter schools or cyber charter schools for school employee social security or retirement payments; and
- Require school employers to report data on wages to the Department in order to receive reimbursement for payment of employee social security.

Department of Environmental Protection

- Suspend funding for the Consumer Energy Program;
- Provide funding for a clean water infrastructure project and for sewage facilities grants; and
- Require the Department to transfer unexpended proceeds under the Alternative Energy Investment Act to the Commonwealth Financing Authority.

Department of Health

- Require funding for the coordination of donated dental services and provide funds for Charcot-Marie-Tooth Syndrome outreach;
- Allocate funding for a referral center for newborn abnormal metabolic screenings;
- Direct funds appropriated for Adult Cystic Fibrosis and other chronic respiratory illnesses;
- Require funding for lupus programs to be distributed in the same manner as in FY 2014-2015; and
- Require that funds appropriated for biotechnology research be distributed in the same proportion as distributed in FY 2014-15.

Department of Labor and Industry

- Allocate funding for a statewide service provider for the blind and for specialized services and prevention of blindness;
- Allocate funding to a program for high school students with disabilities for work-based learning experiences; and
- Allocate funding for a work force development program for veterans.

Department of Human Services

- Authorize the transfer of TANFBG cash grants to CCDFBG child care services for additional low-income families if the transfer will not result in a deficit;
- Authorize the transfer of CCDFBG cash grants to CCDFBG child care services for additional low-income families if the transfer will not result in a deficit;
- Provide for distribution of payments to hospitals for Community Access using the same formula as FY 2014-2015;
- Clarify that funds appropriated for medical assistance transportation could only be used as a payment of last resort for transportation of eligible medical assistance recipients;
- Direct funds allocated for the Select Plan for Women's Preventive Health Services to be used for women's medical services, including noninvasive contraception supplies;
- Allow funds not used to make payments to Level III trauma centers to be used to make payments to Level I and Level II trauma centers;
- Provide that qualifying academic medical centers which received funds for FY 2014-15 could not receive any less than the state appropriation made available to them in FY 2014-15;
- Stipulate that medical assistance payments would be made for general hospital stays for normal newborn care and mothers' obstetrical delivery;
- Provide funding from MA appropriations for treatment of cleft palates and other craniofacial anomalies;
- Provide that the MA capitation appropriation includes funds for the prevention and treatment of depression in older Pennsylvanians;
- Provide for funding for nursing homes and allocations for non-public nursing homes that have higher than average acuity levels;
- Provide that funding appropriated for Breast Cancer Screening could be used for women's medical services, including noninvasive contraception services;
- Allow nonprofit agencies whose primary function is to promote childbirth and provide alternatives to abortion, to expend appropriated funds to provide services to women until childbirth and for up to 12 months thereafter. Subcontracting for services would be permitted but the promotion, referral for or performance of abortion would be prohibited;
- Require federal funds appropriated for TANFBG alternatives to abortion to be used solely for services to women whose gross family income is below 185 percent of federal poverty guidelines;
- Provide that federal law relating to aliens will apply to payments and providers;
- Provide for the distribution of funds appropriated for autism intervention and services;
- Prohibit funds appropriated for community-based family centers from being considered as part of the base for calculation of the county child welfare needs-based budget for a fiscal year;
- Provide for the usage of funds appropriated for mental health services; and
- Permit the Department, with federal approval, to adjust premiums in order to supplement funds appropriated for medical assistance for workers with disabilities.

Department of Revenue

- Extend the Enhanced Revenue Collection Account through FY 2019-2020, appropriate funds in the account to the Department on an annual basis, and provide for the balance to be deposited into the General Fund on an annual basis; and
- Require the Department to issue a report annually to the Governor and designated legislative leaders with specified information about the account.

Department of Transportation

- Prohibit the Department from using direct mail inserts (including coupons and advertising material) in mailings from the Department.

Pennsylvania Emergency Management Agency

- Require funds appropriated for Local Municipal Emergency Relief to be used to create a state program to provide assistance to individuals and political subdivisions directly affected by natural and man-made disasters. State assistance would only be provided when federal assistance is not available; and
- Require search and rescue program funds to be used to support programs related to training working service dogs focusing on rescue and public safety.

2015-2016 Restricted Accounts

State Lottery Fund

- Prohibit funds appropriated for PENNCARE from being utilized for administrative costs by the Department of Aging.

Restricted Receipt Accounts

- Provide for the creation of restricted receipt accounts for the purpose of administering federal grants. [Passed: 37-11.](#)

Executive Session

Michael Newsome – Pennsylvania Liquor Control Board. [Confirmed: 48-0.](#)

(2016-050)