

WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – DAVID G. ARGALL, CHAIRMAN

Monday, June 12, 2017

[Senate Bill 496](#) (Scavello) would amend Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes to authorize a court to direct that a person who is included on a casino self-exclusion list and is convicted of criminal trespass at a licensed gaming facility be evaluated to determine if the person has a gambling disorder and whether treatment should be part of the sentence or pre-adjudication disposition. The evaluation would have to be conducted by a single county authority for drug and alcohol or its designee and would have to include recommendations on level of care, continuing care and monitoring. **[Passed: 49-0.](#)**

[Senate Resolution 140](#) (Killion) designates the week of June 19 through 25, 2017 as “Juror Appreciation Week” in Pennsylvania. **[Adopted by Voice Vote.](#)**

[Senate Resolution 141](#) (Regan) recognizes the month of June 2017 as “Men’s Health Awareness Month” and June 16, 2017 as “Men’s Fitness and Nutrition Education Day” in Pennsylvania. **[Adopted by Voice Vote.](#)**

[House Bill 267](#) (Metcalf) would amend Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes to provide for the offense of theft of secondary metal. A person would commit the offense of theft of secondary metal if he or she unlawfully takes or attempts to take possession, carries away or exercises unlawful control over any secondary metal with the intent to deprive the rightful owner of the property. “Secondary metal” would be defined as “wire, pipe or cable commonly used by communications, gas and electrical utilities and railroads and mass transit or commuter rail agencies, copper, aluminum or other metal, or combination of metals, that is valuable for recycling or reuse as raw material.” An offense would be graded based on the value of the material stolen as provided for in the legislation. A third or subsequent offense would be graded as a third degree felony. **[Passed: 45-4.](#)**

Tuesday, June 13, 2017

[Senate Bill 303](#) (Schwank) would authorize the release of Project 70 restrictions on 1,930 square feet of land in Topton Borough, Berks County in exchange for the imposition of Project 70 restrictions on 6,863 square feet of land to be acquired by the borough. **[Passed: 49-0.](#)**

[Senate Bill 561](#) (DiSanto) would amend the Regulatory Review Act to eliminate the existing provision allowing a Commonwealth agency to submit a fiscal note prepared by the Office of the Budget to the Independent Regulatory Review Commission (IRRC) relating to the cost of proposed regulations. The legislation would require that estimates of the costs of regulations be verified by the Independent Fiscal Office prior to the agency submitting the estimates to IRRC. The measure would further stipulate that if the regulation is an economically significant regulation, a concurrent resolution adopted by the General Assembly would be required to approve it. The Senate and the House of Representatives would each have 30 calendar days or

10 legislative days, whichever is longer, from the date on which the agency requested the concurrent resolution to adopt the resolution. If the General Assembly does not adopt the concurrent resolution in the time prescribed, the final-form regulation or final-omitted regulation would be deemed not approved, and the regulation would not take effect. This provision would not apply to emergency-certified regulations. An “economically significant regulation” would be defined as a regulation that, if promulgated and implemented, may reasonably be expected to result in direct or indirect cost to the Commonwealth, to its political subdivisions and the private section in excess of \$1 million on annual basis. **Passed: 29-20.**

Senate Bill 646 (Killion) would amend the Municipal Waste Planning, Recycling and Waste Reduction Act to eliminate the January 1, 2020 sunset date for the recycling fee for municipal waste landfills and resource recovery facilities. An additional provision would eliminate language providing for future transfers from the Recycling Fund to the Solid Waste Abatement Fund. **Passed: 49-0.**

Senate Resolution 142 (Mensch) recognizes the 242nd anniversary of the founding of the United States Army. **Adopted by Voice Vote.**

House Bill 93 (Millard) would designate the portion of State Route 93 from the boundary line between Berwick Borough and Briar Creek Borough, Columbia County to the boundary line between Orangeville Borough and Orange Township, Columbia County as the Stuart Tank Memorial Highway. **Passed: 49-0.**

Wednesday, June 14, 2017

Senate Bill 527 (Aument) would amend the Administrative Code to establish the Office of State Inspector General in statute. Within 90 days of the effective date of the legislation, the Governor would be required to appoint a State Inspector General who would serve concurrent with the Governor’s term of office. The Inspector General would have to be selected without regard to political affiliation on the basis of integrity, capability for strong leadership and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, investigation or criminal justice administration or other appropriate fields. The Inspector General could be removed from office by the Governor for cause and could not seek election to political office during his or her term.

The Inspector General would be given the power to do the following: 1) make an investigation and report relating to the administration of a program and operation of an executive agency; 2) request information or assistance necessary for carrying out the duties and responsibilities under this act from the federal government, an executive agency or a local government agency; 3) require and obtain information, documents, reports, answers, records, accounts, papers and other necessary data and documentary evidence; 4) have direct and prompt access to the heads of executive agencies, if necessary; 5) select, appoint and employ individuals necessary for carrying out the functions, powers and duties of the office; and 6) issue subpoenas. The purpose and duties of the Office of Inspector General are outlined in the bill. Executive agencies would have 10 days to respond to a request from the State Inspector General.

The Inspector General could issue a subpoena relating to any matter pertinent to an examination to a person under the State Inspector General's jurisdiction or to an individual or a person receiving services from or through an executive agency. If a person fails or refuses to obey a subpoena, the Inspector General could petition a court of competent jurisdiction to enter an order compelling the witness to appear and testify or produce documentary evidence. Failure to obey the court order would be punishable as contempt of court. The Inspector General would also have the power to investigate and file criminal charges for violations of certain offenses related to welfare fraud as listed in the act.

A person could not take or threaten to take action against an employee as reprisal for making a complaint or disclosing information to the Inspector General unless the employee knowingly made a false complaint. Employees would be protected under the Whistleblower Law. The appropriation for the Office of Inspector General would be in a separate line item under the jurisdiction of the Inspector General. By December 31 of each year, the Inspector General would be required to issue an annual report to the General Assembly. The report would have to include: 1) information relating to investigations undertaken by the office; 2) an accounting of the taxpayer money that was recovered as a result of the work of the office; 3) the monetary value that resulted from fraud prevention activities as a result of the work of the office; 4) summaries of performance of each bureau within the office; and 5) specific recommendations concerning the improvement of any state program to further reduce waste, fraud and abuse.

Passed: 37-12.

Senate Resolution 143 (Street) observes June 25, 2017 as "Eid al-Fir Day" in Pennsylvania.

Adopted by Voice Vote.

Senate Resolution 144 (Vulakovich) recognizes June 14, 2017 as "National Flag Day" in Pennsylvania. **Adopted by Voice Vote.**

House Bill 1071 (Farry) would amend Title 57 (Municipalities Generally) of the Pennsylvania Consolidated Statutes to add a subchapter prohibiting a political subdivision from imposing a ban, fee, surcharge or tax on a recyclable plastic bag supplied by a retail establishment to a purchaser of consumer goods at the point of sale in the Commonwealth. The Department of Revenue would be required to promulgate rules and regulations necessary to administer and enforce the subchapter. **Passed: 28-21.**

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