

WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – DAVID G. ARGALL, CHAIRMAN

Monday, June 13, 2016

[Senate Bill 163](#) (Greenleaf) would amend Title 23 (Domestic Relations), Title 42 (Judiciary and Judicial Procedure), and Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes to further provide for the children of incarcerated parents. Among other provisions, the measure would clarify that parental rights could not be terminated solely because a parent is incarcerated. The legislation would also allow a court to consider parental incarceration and the efforts of the incarcerated parent to maintain a meaningful relationship with the child during a permanency hearing for the disposition of a dependent child. An additional provision would establish training requirements and guidelines for law enforcement officers to ensure child safety upon the arrest of a parent. The State Police and the Municipal Police Officers' Education and Training Commission would be required to use available funds to develop and maintain arrest protocol training programs and regularly evaluate arrest protocol programs and make modifications as necessary. **Passed: 47-0.**

[Senate Bill 1109](#) (Baker) proposes an amendment to the Pennsylvania Constitution to extend a real property tax exemption to the unmarried surviving spouse of a service member who is killed or dies from injuries received while in active service provided that the surviving spouse and service member owned and resided in the property prior to the service and the State Veterans' Commission determines that the unmarried surviving spouse is in need of the exemption. Current language provides for an exemption for veterans who suffer a service-connected disability. The current exemption can also be extended to an unmarried surviving spouse if the State Veterans' Commission determines the person is in need of the exemption. As a proposed constitutional amendment, legislation must pass two consecutive legislative sessions and be approved by the electorate. **Passed: 47-0.**

[Senate Resolution 388](#) (Mensch) commemorates the 100th anniversary of the Pennsylvania Chamber of Business and Industry. **Adopted by Voice Vote.**

[Senate Resolution 389](#) (Williams) honors the life of Muhammad Ali, a trailblazing athlete, civil rights activist, humanitarian, philanthropist and global citizen. **Adopted by Voice Vote.**

[Senate Resolution 390](#) (Kitchen) observes June 19, 2016 as "Juneteenth National Freedom Day" in Pennsylvania. **Adopted by Voice Vote.**

[House Bill 147](#) (Maloney) proposes an amendment to the Pennsylvania Constitution to allow for a homestead exclusion not to exceed 100 percent of the assessed value of each homestead property within a local taxing jurisdiction. The existing language being replaced allows for an exclusion up to 50 percent of the median assessed value of all homestead property in a local jurisdiction. As a proposed constitutional amendment, legislation must pass two consecutive legislative sessions and be approved by the electorate. **Passed: 45-2.**

Tuesday, June 14, 2016

[Senate Bill 1113](#) (Ward) would amend the Crime Victims Act to specify the groups, as listed in the legislation, from which the Governor would be required to appoint individual representatives to the Victims' Services Advisory Committee. An additional change would require that two residents of the Commonwealth be appointed to the Committee by the chairman of the Pennsylvania Commission on Crime and Delinquency. **Passed: 48-0.**

[Senate Resolution 391](#) (Teplitz) designates June 24, 2016 as "Remember Everyone Deployed Friday (Red Friday)" in Pennsylvania. **Adopted by Voice Vote.**

[House Bill 1199](#) (Taylor) would repeal Act 50 of 1965, which provided for the construction of a bridge over the Monongahela River which was never built. **Passed: 48-0.**

[House Bill 1766](#) (Pickett) would amend Title 40 (Insurance) of the Pennsylvania Consolidated Statutes to add Part IV (Standard Valuation), Chapter 71 (Reserve Liabilities) to further provide for the reserve calculation requirements to pay life insurance claims. The changes would allow future life insurance policy reserves to be based on principle-based reserving which more closely reflects the risks of highly complex products. Currently, the reserves are determined based on a pre-set formulaic approach. The legislation is based on a 2009 National Association of Insurance Commissioners model act that has been adopted by 39 states. To ensure consistency nationwide, 42 states must adopt the principle-based reserving approach before it takes effect. **Passed: 48-0.**

Wednesday, June 15, 2016

[Senate Bill 279](#) (Hutchinson) would create the Pennsylvania Grade Crude Development Act. The legislation would establish the Pennsylvania Grade Crude Development Advisory Council composed of 17 members, as outlined in the bill. The council would meet not less than semiannually at the call of the chairperson. The Department of Community and Economic Development would be required to provide administrative support, office space and any other technical assistance required by the council to carry out its duties. The council would:

- Examine and make recommendations regarding existing conventional oil and gas regulations;
- Explore the development of a regulatory scheme that provides for environmental oversight and enforcement for the conventional oil and gas industry;
- Promote the long-term viability of the conventional oil and gas industry;
- Assist the Secretary of Environmental Protection with and provide written comments on new Departmental policy that would impact the conventional oil and gas industry, including economic policies;

- Review and comment on the formulation and drafting of all technical oil and gas regulations;
- Recommend appropriate measures relating to the promotion and development of the conventional oil and gas industry;
- Develop a plan to increase Pennsylvania grade crude oil production in an environmentally responsible way to more adequately supply the refineries which depend on Pennsylvania grade crude oil;
- Develop a joint working group with the Department to explore and develop an environmentally responsible and economically viable production water management option; and
- Perform other duties as necessary or appropriate to effect the intent and purposes of the act.

The council would be required to issue an annual report of its activities and recommendations. The Department of Environmental Protection would be directed to:

- Consult with the council on all policies and oil and gas regulations;
- Include any written comments of the council regarding oil and gas regulations as part of its submission to the Environmental Quality Board; and
- Provide technical assistance required by the council to carry out its duties.

As amended in the House, the measure would abrogate the rulemaking concerning standards at oil and gas well sites approved by the Environmental Quality Board in 2016 insofar as they pertain to conventional oil and gas wells. The section would apply regardless of the date of publication of final-form rulemaking in the *Pennsylvania Bulletin*. An additional provision would require that any future rulemaking concerning conventional oil and gas wells be undertaken separately and independent of unconventional wells or other subjects and include a regulatory analysis form submitted to the Independent Regulatory Review Commission that is restricted to conventional oil and gas wells. **Concurrence in House Amendments: 37-12.**

Senate Bill 772 (Gordner) would amend the Professional Psychologists Practice Act to provide licensure and practice updates. The definition of “practice of psychology” would be expanded to allow psychologists with appropriate education, training and experience to treat a mental, emotional or nervous illness or disability; alcoholism and substance abuse; disorders of habit or conduct; psychological aspects of physical illness, accident injury or disability; and psychoeducational evaluation, therapy, remediation and consultation. Psychologists would be prohibited from expanding their scope of practice beyond the authority and rights granted to them under the act. The State Board of Psychology would be permitted to issue a temporary license to a licensed psychologist from another state whose standards are substantially equivalent to those of Pennsylvania. The Board could refuse to issue a temporary license to a psychologist

who is the subject of a past or pending disciplinary action in another jurisdiction. The measure would also allow school psychologists to perform in private practice the skills they perform in schools if they meet the requirements outlined in the section. As amended in the House, the measure would clarify that psychological testing and psychological assessments selected, administered, scored and interpreted by employees of the Department of Corrections and the Department of Human Services under the direction of a licensed psychologist would be exempt from the provisions of the act. [Concurrence in House Amendments: 49-0.](#)

[Senate Bill 983](#) (McGarrigle) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to allow a parent, including an adoptive parent or foster parent, of a child or adult child to receive a disability license plate provided the person has custody, care or control of the child or adult child and the child or adult child otherwise satisfies the requirements for such a plate. As amended in the House, the legislation would allow a spouse of an individual with a qualifying disability to apply for a disability plate and placard. [Concurrence in House Amendments: 49-0.](#)

[Senate Bill 1195](#) (White) would amend the Greenhouse Gas Regulation Implementation Act to further provide for legislative review of the state plan for compliance with the federal regulation of carbon dioxide from power plants. The bill would require that the state plan be proposed as a resolution in each chamber and referred to the Environmental Resources and Energy Committee of the respective chamber the next legislative day. (Under existing law, the resolution would be placed on the calendar.) The resolution would have to be considered by the committee within 10 legislative days of referral, at which time the committee would recommend the General Assembly approve or disapprove the plan. The plan would then be considered by each chamber within 20 legislative days after consideration of the standing committee. If either chamber of the General Assembly disapproves the resolution, DEP would have to review and consider the reasons for disapproval, modify the state plan, and open a public comment period for no less than 180 calendar days on the modified state plan. During the comment period, DEP would have to hold no less than four public hearings in geographically dispersed locations in the Commonwealth. A new version of the state plan would then be resubmitted to the General Assembly for review within 60 days after the close of the comment period.

If necessary to meet the review requirements, the Department of Environmental Protection (DEP) would have to request an extension from the Environmental Protection Agency (EPA) by submitting an initial state plan by the required deadline with the statement included in the legislation indicating that the General Assembly has not approved the plan and the Commonwealth will be making a further filing of a state plan. If the committees or the General Assembly fail to act on the plan or resubmitted plan within the prescribed time periods, the plan would be deemed approved. An additional provision would prohibit DEP from submitting a final state plan to the EPA for approval until after expiration of the stay issued on February 6, 2016 by the U.S. Supreme Court. [Concurrence in House Amendments: 38-11.](#)

[Senate Bill 1202](#) (Yaw) would amend the Achieving Better Care by Monitoring All Prescriptions Program (ABC-MAP) Act to require each licensing board in the Department of State with jurisdiction over professional licensees who are dispensers or prescribers to require individuals applying for an initial license or certification to submit, no later than 12 months after obtaining

an initial license or certification, documentation acceptable to the licensing board of the completion of at least two hours of education in pain management and at least two hours of education in the dispensing or prescribing of opioids. The education could occur as part of the applicants' professional degree educational program. Dispensers and prescribers applying for renewal would have to complete at least two hours of education in pain management or two hours of education in the dispensing or prescribing practices of opioids as a portion of the total continuing education required for biennial renewal. The continuing education requirement for renewal would not apply to a dispenser or prescriber who is exempt from the Drug Enforcement Administration's requirement for a registration number. Each licensing board would, in consultation with the Department of Health, approve the curricula for the pain management and prescribing practices of opioids education. **Passed: 49-0.**

Senate Resolution 392 (Brooks) designates June 15, 2016 as "Elder Abuse Awareness Day" in Pennsylvania. **Adopted by Voice Vote.**

House Bill 1325 (Mustio) would amend the Second Class Township Code to allow a board of supervisors to enact and enforce ordinances to govern and regulate the planning, management, implementation, construction and maintenance of storm water facilities. The supervisors would also be authorized to assess reasonable and uniform fees to fund the storm water management system and facilities. The fees assessed could not exceed the amount necessary to meet the minimum requirements of the Federal Water Pollution Control Act, and federal and state laws governing the implementation of this act, for construction and maintenance of storm water management systems. In establishing the fees, the township would have to consider and provide appropriate exemptions and credits for properties that have installed and are maintaining storm water management facilities that meet best management practices and are approved and inspected by the township. A fee could be assessed on all properties in the township; on all properties benefited by a project; or by establishing a storm water management district and assessing the fee on all property owners in the district. The assessments would have to be filed with the township treasurer. Any ordinance assessing a fee would have to specify whether payments are to be made by annual or more frequent installments. **Passed: 48-1.**

House Bill 1934 (Truitt) would authorize the Department of General Services to convey a water tower and permanent utility easement from Commonwealth lands at West Chester University for \$1 to Aqua Pennsylvania, Inc., for the purpose of public water distribution. The bill of sale, easement agreement and any other documents necessary to effectuate the conveyance would be executed by the Secretary of General Services in the name of the Commonwealth. Costs and fees incidental to the conveyance would be borne by the grantee. If the parties have not entered into a bill of sale and easement agreement within three years of the effective date of the act, the authorization for the conveyance would expire. **Passed: 49-0.**

Executive Session

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