

WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – DAVID G. ARGALL, CHAIRMAN

Monday, September 28, 2015

[House Bill 33](#) (Grell) would amend the Pennsylvania Municipalities Planning Code to allow the governing body of a municipality to appoint, by resolution, at least one, but no more than three, residents of the municipality to serve as alternate members of the planning commission. The term of office of an alternate member would be four years. The chairman of the planning commission could designate alternate members to substitute for any absent member, a member whose has recused himself, or a member who has been disqualified by the governing body, when a quorum is not reached. The chairman of the commission would designate as many alternate members as may be needed to reach a quorum. Any alternate member of the commission would continue to serve on the commission in all proceedings involving the matter or case for which the alternate was initially appointed until the commission has made a final decision on the matter or case. Designation of an alternate would be made on a case-by-case basis in rotation according to declining seniority among all alternates. Alternates could not serve on the zoning hearing board or as a zoning officer. Alternates would be ineligible to vote or to be reimbursed for their service unless designated as a voting alternate member by the chairman of the planning commission.

[Passed: 48-0.](#)

[Senate Resolution 194](#) (Rafferty) recognizes the 75th anniversary of the Pennsylvania Turnpike and its impact on the Commonwealth and America's Interstate Highway System. [Adopted by Voice Vote.](#)

[Senate Resolution 195](#) (Vance) recognizes the month of October 2015 as "National Principals Month" in Pennsylvania and honors the contribution of principals of the elementary schools, middle schools and high schools of our nation. [Adopted by Voice Vote.](#)

[Senate Resolution 196](#) (Teplitz) designates the week of November 9 through 15, 2015 as "United States Colored Troops and Grand Review Week" in Pennsylvania. [Adopted by Voice Vote.](#)

Tuesday, September 29, 2015

[Senate Bill 513](#) (McGarrigle) would amend the Solid Waste Management Act to clarify that the Department of Environmental Protection (DEP) could not prohibit or penalize the vehicular transportation of leachate discharged from a collection and handling system of a landfill to an offsite facility for the treatment of the leachate, provided that:

- Trucking of leachate would be conducted using vehicles with enclosed tanks if they are operated in compliance with all applicable regulations promulgated by the Federal Motor Carrier Safety Administration regulations under 49 CFR (relating to transportation);
- A new traffic impact analysis is conducted and reviewed pursuant to applicable Department of Transportation regulations if the daily number of tanker vehicles

transporting leachate is greater than 10 percent of the total number of vehicles delivering waste and materials to the site as evaluated in the most recent traffic study for the facility. The facility could be required to submit an updated environmental assessment that includes the new traffic impact analysis to DEP for its consideration; and

- To the extent an existing permitted landfill proposes to use leachate transportation as a basic treatment method for some or all of the daily volume of leachate as calculated in a leachate treatment plan, the facility closure and post closure financial assurance would have to be recalculated and increased, if requested, to cover the costs associated with the volume and duration of the proposed leachate transportation. No financial assurance modification could be required for the use of transportation for management of leachate volumes related to excess rainfall, open cell conditions, system interruptions or emergencies.

As used in the new section, “leachate” would have the same meaning as defined in 25 Pa. Code § 271.1 (relating to definitions). An additional provision would abrogate certain provisions of Department of Environmental Protection regulations relating to leachate transportation.

Concurrence in House Amendments: 47-0.

Senate Bill 785 (Eichelberger) would amend Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes to clarify that buildings that do not constitute “de minimis structures” would be subject to real property taxes. A “de minimis structure” would be defined as a structure that is 200 square feet or less in area and not permanently attached to land or connected with water, gas, electric or sewage facilities. An additional change would exempt agricultural buildings that are 1,000 square feet or less in area and that are not permanently attached to land or connected with water, gas, electric or sewage facilities from real property taxes. **Passed: 46-1.**

Senate Bill 875 (Bartolotta) would create the Treated Mine Water Act. The legislation would provide immunity to a mine operator providing treated mine water to an oil and gas operator for offsite usage by the oil and gas operator under certain conditions. Further, an oil and gas operator acquiring treated water could not be held liable for the treatment or abatement of the mine drainage or mine pool water. The legislation would not relieve either operator from any of their respective obligations under current law. Treated mine water that meets the effluent limits of the National Pollutant Discharge Eliminations System permit for the source mine and is being used in an oil or gas development project would not be considered a solid waste under the Solid Waste Management Act. The measure would define “treated mine water” as water from an active or closed coal mine that is treated by a mine operator under a permit issued by the Department of Environmental Protection. **Concurrence in House Amendments: 29-18.**

Senate Resolution 149 (Wozniak) is a concurrent resolution urging Congress to take all necessary action to prohibit any force structure changes, to prohibit any transfer of AH-64 Apache helicopters from the National Guard, and to maintain the Army National Guard at 350,200 soldiers until the National Commission on the Future of the Army has reported its findings. The resolution also urges the United States Army to reverse its decision to deactivate the 55th Armored Brigade Combat Team and to reverse its decision to transfer any National

Guard AH-64 Apache helicopters to active duty. Copies of the resolution will be transmitted to the President of the United States, the Secretary of Defense and to each member of Congress from Pennsylvania. **Concurrence in House Amendments: 47-0.**

Senate Resolution 197 (Sabatina) designates the month of October 2015 as “Polish American Heritage Month” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 198 (Sabatina) designates October 6, 2015 as “Pulaski Memorial Day” in Pennsylvania and commemorates the 236th anniversary of General Casimir Pulaski’s death in 1779. **Adopted by Voice Vote.**

Senate Resolution 199 (Dinniman) designates the week of October 4 through 10, 2015 as “Juvenile Justice Week” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 200 (Boscola) commends the Chiropractic Fellowship of Pennsylvania for its educational efforts and recognizes the month of September 2015 as “Vertebral Subluxation Awareness Month” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 201 (Fontana) recognizes the month of October 2015 as “Italian-American Heritage Month” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 202 (Hughes) recognizes the week of September 20 through 26, 2015 as “Historically Black Colleges and Universities Week” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 203 (Wozniak) designates the month of October 2015 as “Dysautonomia Awareness Month” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 204 (Teplitz) designates the month of October 2015 as “Attention Deficit Hyperactivity Disorder Awareness Month” in Pennsylvania. **Adopted by Voice Vote.**

House Bill 823 (Greiner) would amend the Local Tax Collection Law to make a number of changes. Among other modifications, the legislation would:

- Eliminate the mandatory continuing education requirement for tax collectors effective December 31, 2016. In the interim, the basic training and continuing education programs for tax collectors would be voluntary;
- Clarify that an individual who is elected as a tax collector for the term of office beginning January 1, 2016, would be required to submit certain criminal history information to the municipality for which the tax collector was elected before taking the oath of office;
- Establish that an individual running for a second or subsequent term of tax collector is not required to file a criminal history record check with his or her nominating petitions or papers;

- Require individuals appointed to fill a vacancy in the office of tax collector to provide, within 30 days, certain criminal history information to each taxing district serviced by that tax collector;
- Require a basic training program and examination for newly-elected tax collectors beginning January 1, 2017. Upon successful completion of the basic training program and exam, a newly elected tax collector would be issued a “qualified tax collector” certification by the Department of Community and Economic Development (DCED) and will be eligible to take office;
- Establish that individuals holding the office of tax collector after January 1, 2017 would be known as “qualified tax collectors;”
- Require DCED to notify municipalities when a qualified tax collector certificate has been issued to a current tax collector or to an individual who has been elected to serve as a tax collector and has successfully completed the basic training program and examination;
- Require that, in addition to consulting with the Pennsylvania State Tax Collectors Association (PSTCA), DCED would have to consult with four tax collectors who are not members of PSTCA when developing and implementing programs for basic training, examination, and qualification of tax collectors;
- Provide that the fee for the basic training program and exam could not exceed \$250 in the aggregate;
- Establish that organizations or individuals may offer basic education courses with approval by DCED ensuring compliance with required criteria;
- Require DCED to develop, implement and maintain an online training and testing program as an alternative option for individuals in lieu of in-classroom instruction. DCED could contract with a third party to carry out this duty;
- Add a provision requiring a tax collector’s surety bond to cover all taxes collected by a deputy tax collector; and
- Specify that a deputy tax collector would have to collect taxes through the duration of an incapacitation of the tax collector, unless the taxing district determines that collection by the county treasurer or a neighboring tax collector would be necessary. Nothing in the subsection would prevent a quo warranto action against an incapacitated tax collector’s right to hold office. [Passed: 45-2.](#)

Wednesday, September 30, 2015

[Senate Bill 685](#) (Corman) would amend the Medical Practice Act to provide an exemption from licensing for a visiting team physician. A physician licensed in another state would be exempt from the licensure requirements of the Medical Practice Act while practicing in Pennsylvania if

the physician has an agreement with a sports team to provide care to the team for a specific event or the physician has been invited by a national sport governing body to provide services to a team at a national sport training center. A physician exempt from licensure could not provide care to any person other than the sports team and could not practice at a health care clinic or health care facility. The exemption would remain in effect no longer than ten days while the physician is traveling with the sports team. A maximum of 20 additional days per event could be granted upon prior request to the State Board of Medicine but could not exceed 30 total days. The Board would be given the authority to enter into agreements with the medical licensing boards of other states to implement the provisions of the legislation. These agreements could include procedures for reporting potential medical license violations. **Passed: 48-0.**

Senate Bill 686 (Corman) would amend the Osteopathic Medical Practice Act to provide an exemption from licensing for visiting team physicians. A physician licensed in another state would be exempt from the licensure requirements of the Osteopathic Medical Practice Act while practicing in Pennsylvania if the physician has an agreement with a sports team to provide care to the team for a specific event or the physician has been invited by a national sport governing body to provide services to a team at a national sport training center. A physician exempt from licensure could not provide care to any person other than the sports team and could not practice at a health care clinic or health care facility. The exemption would remain in effect no longer than ten days while the physician is traveling with the sports team. A maximum of 20 additional days per event could be granted upon prior request to the State Board of Osteopathic Medicine but could not exceed 30 total days. The Board would be given the authority to enter into agreements with the medical licensing boards of other states to implement the provisions of the legislation. These agreements could include procedures for reporting potential medical license violations. **Passed: 48-0.**

Senate Bill 898 (Hutchinson) would amend the Second Class County Code to specify that each tax, including millage rates established by referendum, would have to be made revenue neutral after a countywide reassessment. **Passed: 48-0.**

Senate Bill 899 (Hutchinson) would amend Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes to specify that each tax, including millage rates established by referendum, would have to be made revenue neutral after a countywide reassessment. **Passed: 48-0.**

Senate Resolution 205 (Pileggi) designates the week of October 25 through 31, 2015 as “Pro Bono Week” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 206 (Teplitz) designates the month of October 2015 as “Domestic Violence Awareness Month” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 207 (Teplitz) observes the week of October 4 through 10, 2015 as “Fire Prevention Week 2015” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 208 (Costa) designates the week of September 27 through October 3, 2015 as “Arts in Education Week” in Pennsylvania. **Adopted by Voice Vote.**

Executive Session

Andrew Place – Pennsylvania Public Utility Commission. **Confirmed: 48-0.**

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