

WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – DAVID G. ARGALL, CHAIRMAN

Monday, January 29, 2018

[Senate Bill 52](#) (Greenleaf) would amend Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes to add Chapter 98 providing for a National Guard Youth Challenge Program. Under the provisions of the new chapter, the Department of Military and Veterans Affairs would be required to establish the Keystone State Challenge Program in accordance with the provisions of 32 U.S.C. §509 (National Guard Youth Challenge Program) and to the extent that funds are available. The program would seek to improve the life skills and employment potential of participants by providing military-based training and supervised work experience, together with the core program components of helping participants receive a high school diploma or its equivalent; promoting fellowship and community service; developing life coping and job skills; and improving physical fitness, health and hygiene.

The Department would be required to develop program guidelines in consultation with the Department of Education, and to publish those guidelines on its website. The Department of Education would also be required to post the program guidelines on its website, and to send the guidelines and relevant program information to all school entities. The Department of Military and Veterans Affairs would be directed to apply for funding under 32 U.S.C. §509. The Department could supplement this funding with other resources. All academic course credits earned by a program participant would have to be recognized by any school entity in which the participant enrolls following completion of the program. In addition, the Department, in consultation with the Department of Education, would have to ensure that the program complies with all statutory and regulatory provisions as necessary to facilitate the transferability of course credit earned in the program to a school entity.

The measure would also establish an Advisory Council to advise the Adjutant General and the Department on the operation of the program. The Department of Military and Veterans Affairs would be required to submit an annual report to the majority and minority chairs of the Senate and House Education Committees and majority and minority chairs of the Senate and House Veterans Affairs and Emergency Preparedness Committees. In addition, the Department would undergo an annual audit of the program by a qualified independent certified public accountant and submit the audit to the same legislative committee chairs. **Passed: 49-0.**

[Senate Bill 775](#) (Browne) would create the Pennsylvania Museum Preservation Act. The measure would require the Pennsylvania Historical and Museum Commission to establish a program to receive applications and award grants to eligible museums. The Commission would have to establish program guidelines within 120 days of the effective date of the act, and to publish the guidelines in the Pennsylvania Bulletin and on its website. The types of museums eligible for the program are listed in the bill. Eligible museums would have to commit to the American Alliance of Museums (AAM) Pledge of Excellence. An eligible museum with an operating budget of more than \$100,000 could apply for grants equal to 15 percent of its

operating budget. A museum with the AAM accreditation could receive an additional grant of up to one percent of its operating budget. Grants could not exceed a total of \$500,000. The bill would establish the Pennsylvania Museum Preservation Fund in the State Treasury as a special fund. The fund would consist of money appropriated or transferred by act of the General Assembly. The Commission would be required to publish annually on its website any eligible museum which received funding as a redevelopment assistance capital project as defined in the Capital Facilities Debt Enabling Act. **Passed: 49-0.**

Senate Resolution 237 (Mensch) urges counties of the Commonwealth and local law enforcement, public safety and emergency services to work with the Pennsylvania State Police and the Office of Public Safety Radio to explore and execute shared services arrangements in relation to the new P25 PA-STARNet rollout. **Adopted by Voice Vote.**

Senate Resolution 261 (Costa) recognizes January 30, 2018 as “CTE Awareness Day” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 262 (Boscola) recognizes the month of January 2018 as “National Blood Donor Month” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 263 (Dinniman) recognizes the month of February 2018 as “Career and Technical Education Month” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 264 (Tomlinson) designates the week of January 28 through February 3, 2018 as “Physician Anesthesiologist Week” in Pennsylvania. **Adopted by Voice Vote.**

Tuesday, January 30, 2018

Senate Bill 234 (Blake) would add Chapter 43 (Property Assessed Clean Energy Program) to Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes. The new chapter would authorize the establishment of a property assessed clean energy program in the Commonwealth to ensure that owners of agricultural, commercial and industrial properties can obtain low-cost, long-term financing for energy efficiency, water conservation and renewable energy projects. A municipality with a community or economic development department or a county could establish a property assessed clean energy program by adoption of an ordinance or resolution that defines the area covered by the program and provides operational standards and guidelines as outlined in the bill. A county that establishes a program would be required to notify any municipality that may be in the district of their possible inclusion, before a resolution establishing a program is approved. A municipality or county could contract with a third party to administer the program. A municipality or county that establishes a program would have to post online and make available to the public a notice of each qualified project financed through an assessment.

Before real property could be subject to an assessment under the program and begin a local financing or an owner financing of a qualified project, any financial institution holding a lien, mortgage or security interest in or other encumbrance of the real property that secures a current, future or contingent payment obligation must be given written notice of the real property

owner's intention to participate in the program. Any financial institution required to be given notice would have to provide written consent to the property owner and municipality or county that established the program that the property may participate in the program. An assessment and any interest or penalties on the assessment would be a first and prior lien on the real property and have the same priority status as a lien for any other tax. The assessment lien could be enforced by the municipality or county in the same manner that a property tax lien against real property could be enforced by the municipality or county to the extent the enforcement is consistent with the laws of this Commonwealth. **Passed: 42-8.**

Senate Bill 611 (DiSanto) would amend the Public Employee Pension Forfeiture Act to make pension forfeiture apply to any state offense graded as a felony or punishable by over five years of imprisonment and certain federal crimes as outlined in the legislation. Forfeiture would be applied retroactively to the date when a public employee or public official was convicted or pled guilty or no contest with respect to a crime related to public office or employment. Forfeiture would not be stayed or affected by the pendency of an appeal. An additional provision would require the sentencing court to transmit a notice to the appropriate benefits administrator within three days after entry of the plea, verdict or order by a public official or employee. Until restitution is determined by a court, the appropriate benefits administrator could not make payment of any refund of contributions to the public official or public employee until the court notifies the appropriate benefits administrator that no restitution is due. The court would be required to notify the appropriate benefits administrator if restitution is or is not ordered and the amount, if applicable. **Passed: 50-0.**

Senate Bill 1015 (Martin) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to expand the definition of “emergency service responder” to include a police officer who is also a member of a county or regional municipal Special Emergency Response Team which is authorized to respond to emergencies under 42 Pa.C.S. §8953. The legislation would also expand the definition of “emergency vehicle” to include a privately-owned vehicle used in answering an emergency call when used by a police officer who is a member of a Special Emergency Response Team. The legislation would require that a privately-owned vehicle which meets the definition be equipped with revolving or flashing red lights and an audible warning system. The lights and warning system would have to be returned to the head of the Special Emergency Response Team upon termination of the individual’s active status as a police officer or an active member of a Special Emergency Response Team. **Passed: 50-0.**

Senate Resolution 32 (Farnese) directs the Joint State Government Commission to study the use and effects of youth courts in the education and juvenile justice systems, establish an advisory committee to conduct a thorough and comprehensive analysis of the benefits and effectiveness of youth courts and report to the Senate its findings and recommendations. **Adopted by Voice Vote.**

Senate Resolution 265 (Tartaglione) recognizes February 2, 2018 as “National Wear Red Day” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 266 (Bartolotta) recognizes the month of January 2018 as “National Human Trafficking Awareness Month” in Pennsylvania. **Adopted by Voice Vote.**

[House Bill 359](#) (English) would amend Title 34 (Game) of the Pennsylvania Consolidated Statutes to make a number of changes. Among other modifications, the legislation would:

- Allow for the continued use of recording devices by Wildlife Conservation Officers;
- Provide that hunting and trapping privileges would not be suspended if a defendant is enrolled in a payment plan for the repayment of penalties and is making regular payments;
- Establish a \$100 restitution payment for accidentally or mistakenly killing a bear or elk; and
- Outline the conditions which must be met so that an individual does not lose the privilege to hunt or take game or wildlife following a violation for unlawful taking or possession of game or wildlife. [Passed: 50-0.](#)

Wednesday, January 31, 2018

[Senate Bill 799](#) (Alloway) would amend Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes to further provide for the allocation of the money in the Environmental Stewardship Fund. For Fiscal Year 2017-2018 and each fiscal year thereafter, money in the Fund would be allocated as follows:

- 28.9 percent to the Department of Conservation and Natural Resources to be used as follows:
 - At least 50 percent for grants for projects of which the recipient is a county or other municipality, council of governments, conservation district or authorized organization;
 - At least 10 percent for land trust projects;
 - At least 4.5 percent for the Heritage Areas Program; and
 - For Fiscal Year 2017-2018 through 2022-2023, at least 30 percent for projects and programs located within the watershed of the Susquehanna River and its tributaries.
- 38.2 percent to the Department of Environmental Protection (DEP) which, for Fiscal Year 2017-2018 through 2022-2023, would be required to use at least 40 percent of the allocation for projects and programs within the watershed of the Susquehanna Rivers and its tributaries;
- 19.7 percent to the Department of Agriculture to be used as follows:

- At least 12 percent for grants to authorized organizations to preserve farmland; and
 - For Fiscal Year 2017-2018 through 2022-2023, at least 40 percent of the allocation for projects and programs within the watershed of the Susquehanna Rivers and its tributaries.
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- 4.6 percent to PENNVEST which, for Fiscal Year 2017-2018 through 2022-2023, would be required to use at least 40 percent of the allocation for projects and programs within the watershed of the Susquehanna Rivers and its tributaries;
 - 3.6 percent to the Department of Community and Economic Development;
 - 2.6 percent to the Fish and Boat Commission;
 - 1.3 percent to the Game Commissions; and
 - 1.1 percent to the Pennsylvania Historical and Museum Commission.

Additional provisions would clarify how the agencies could utilize the money received from the Fund.

The measure would also add Chapter 67 to Title 27 to establish the Pennsylvania Clean Water Procurement Program to provide for the purchase of verified TMDL (total maximum daily load) nutrient credits from nutrient credit generators through a competitive bidding process determined by the State Conservation Commission, in consultation with DEP. The Department would be required to publish a notice of the aggregate unmet Chesapeake Bay TMDL nutrient pollutant reduction requirements in the *Pennsylvania Bulletin*. Subject to the availability of funding to purchase credits, PENNVEST would issue a request for proposal for the supply of long-term verified TMDL nutrient credits for future delivery in order to fulfill the unmet pollutant reduction requirements. The Watershed Innovation and Improvement Fund would be established in the State Treasury to receive appropriations for the purchase of the credits.

Passed: 47-2.

Senate Bill 898 (Brooks) would amend Section 4902 of Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to exempt vehicles operated by municipalities and local authorities for road maintenance or construction from the restrictions imposed under the section due to the condition of a highway or bridge. Vehicles operated by persons under contract with municipalities or local authorities would also be exempt from the restrictions while maintaining municipal roads if authorized by the municipality or local authority. Contract vehicles would have to carry written documentation that specifically identifies the vehicle as exempt.

Passed: 49-0.

Senate Bill 1034 (Scarnati) would amend the Congressional Redistricting Act of 2011 to repeal the provisions relating to the existing congressional districts. **Passed: 49-0.**

[Senate Resolution 267](#) (Williams) honors the 100th anniversary of the commencement of service by the Sisters of Mercy of Mercy Philadelphia Hospital and Trinity Health. **[Adopted by Voice Vote.](#)**

[House Bill 1653](#) (Quigley) would amend the Higher Education Scholarship Law to permanently 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. The bill would also authorize PHEAA to implement controls to limit the impact of online education on the grant award level and require PHEAA to report to the General Assembly regarding the impact of online education on the grant program.

[Passed: 49-0.](#)

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