

WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – DAVID G. ARGALL, CHAIRMAN

Monday, June 18, 2018

[Senate Bill 819](#) (Aument) would amend the Agricultural Area Security Law to ensure agritourism activities, as defined in the legislation, are treated as part of agriculture authorized on farms protected under the farm land preservation program. The agritourism activity would have to be incidental to a farm’s agricultural use and could not render a portion of the restricted land incapable of being immediately converted to agricultural use. The activity would also have to be deemed to be an agritourism activity by the county land preservation board. **Passed: 48-0.**

[Senate Resolution 384](#) (Schwank) directs the Legislative Budget and Finance Committee to conduct a study and issue a report making recommendations for initiatives to assist dairy producers in the Commonwealth. **Adopted by Voice Vote.**

[Senate Resolution 396](#) (Corman) designates the month of September 2018 as “Suicide Prevention Awareness Month” in Pennsylvania to promote suicide prevention and raise greater awareness of the problem of suicide. **Adopted by Voice Vote.**

[Senate Resolution 397](#) (Schwank) designates June 30, 2018 as “Arthrogryposis Awareness Day” in Pennsylvania. **Adopted by Voice Vote.**

Executive Nominations

Nominations to Various Boards and Commissions. **Confirmed: 48-0.**

Tuesday, June 19, 2018

[Senate Bill 945](#) (Brooks) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to allow an applicant for a two-year vehicle registration to make a contribution of \$6.00 to the Veterans’ Trust Fund on the Department of Transportation’s publicly accessible Internet website. **Passed: 48-0.**

[Senate Bill 1132](#) (Greenleaf) would amend Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes to add Chapter 75 establishing the Pennsylvania Alternative Dispute Resolution Commission as an independent agency of the Commonwealth. The Commission would be composed of the individuals delineated in the legislation and would encourage and facilitate the development, use, coordination, support, and evaluation of affordable and high-quality alternative dispute resolution programs and services in the Commonwealth. The Commission would be required to report annually to the Governor, the General Assembly, and the Pennsylvania Supreme Court regarding its operations during the preceding fiscal year. The legislation would establish the Alternative Dispute Resolution Fund to receive and disburse

money to implement the chapter. The General Assembly would be authorized to appropriate or transfer funds necessary to implement the chapter to the Alternative Dispute Resolution Fund.

Passed: 45-3.

Senate Bill 1172 (Vulakovich) would amend the Price Gouging Act to authorize the Governor to impose, following the declaration of a state of disaster emergency and by a separate declaration, a price restriction on the sale of consumer goods or services necessary for use or consumption in the affected geographic area as a direct result of the state of disaster emergency. The price restriction would be limited to 15 days but could be renewed for up to three additional 15-day periods. It would be a violation of the act for any party within the chain of distribution of consumer goods or services, or both, to sell or offer to sell the affected goods or services within the geographic region that is subject to the declaration for an amount which represents an unconscionably excessive price. Whether a price is an unconscionably excessive price would be a question of law. The court would be required to consider all relevant factors, including whether there is a gross disparity between the seller's price immediately before the price restriction was imposed and the price following the declaration and whether the seller's price substantially exceeds those prevailing on the date and in the locality in question. A price would not be unconscionably excessive if it is:

- 10 percent or less above the seller's price immediately before the price restriction was imposed;
- 10 percent or less above the sum of the seller's cost and normal markup for the good or service;
- Consistent with price fluctuations in applicable commodity, regional, national or international markets or with seasonal price fluctuations; or
- A contract price, or the result of a price formula, established before the price restriction was imposed.

The price gouging provisions would preempt a local law or regulation concerning the same or similar subject matter. The bill would also clarify that the penalty provided for under the law would be the sole penalty for conduct in violation of the act. Nothing in the section could be construed to create or imply a private cause of action for a violation of the act.

Passed: 48-0.

Senate Resolution 398 (Yudichak) recognizes July 12, 2018 as "Summer Learning Day" in Pennsylvania. **Adopted by Voice Vote.**

House Bill 824 (Saylor) 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: 48-0.**

House Bill 1918 (Phillips-Hill) would amend Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes to provide for the offense of possession and use of unlawful devices. A person would commit an offense if he or she, with the intent to defraud another person:

- Uses or possess a device to access, read, obtain, memorize, or store the information encoded on the computer chip, magnetic strip or stripe or other storage mechanism of a payment card; or
- Places the encoded information from one payment card onto another payment card, or possesses a device capable of doing so; or
- Knowingly possesses, sells, or delivers a device that is designed to read and store encoded information from a payment card other than for the purpose of facilitating a financial transaction.

A first offense would be considered a third degree felony. A second or subsequent offense would be considered a second degree felony. A “payment card” would be defined as a credit card, a charge card, a debit card or another card which is issued to an authorized card user to purchase or obtain goods, services, money or another thing of value. **Passed: 48-0.**

[House Bill 1979](#) (Schemel) would amend Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes to eliminate a sunset provision on the requirement that an action upon an instrument in writing under seal must be commenced within 20 years.

[Passed: 48-0.](#)

Wednesday, June 20, 2018

[Senate Bill 1001](#) (Costa) would create the Public Health Emergency Act to authorize the Governor, on the recommendation of the Secretary of Health, to declare a public health emergency, as defined in the legislation, by disseminating the declaration promptly by means calculated to bring it to the attention of the general public. The declaration would also have to be filed with the Legislative Reference Bureau for publication and with the director of the Pennsylvania Emergency Management Agency (PEMA). Within 72 hours of receipt of a declaration, the director of PEMA would have to convene the emergency council to perform its duties. The Department of Health would be authorized to suspend departmental regulations and to promulgate temporary regulations to address the public health emergency. The Secretary could authorize appropriately trained, licensed or certified public health workers to dispense, administer, furnish or otherwise provide prophylaxis or treatment for a reportable disease or condition as necessary to prevent and control the spread of disease. The declaration would be valid for a period of up to 90 days unless renewed or terminated by the Governor. Good Samaritan civil immunity provisions would apply to any person who provides assistance in carrying out the provisions of the act. The prohibition on the carrying of a firearm on the public streets or on any public property during an emergency would not apply. [Passed: 49-0.](#)

[Senate Bill 1171](#) (Brooks) would amend Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes to modify the membership of the Nutrient Management Advisory Board. The changes would eliminate the commercial agricultural lender from the Board and increase the number of active commercial farm owners or operators from five to six. The six active commercial farm owners or operators would have to be nominated in a manner so that there is one representative from each of the regions served by the Department of Environmental Protection's regional offices. Two of the six individuals would also have to hold an active concentrated animal feeding operation permit as required under the Clean Streams Law. The measure would also amend Title 27 (Environmental Resources) to add two members to the Agricultural Advisory Board in the Department of Environmental Protection. The new members, who would be appointed by the Secretary of Environmental Protection, would have to hold an active concentrated animal feeding operation permit as required under the Clean Streams Law.

[Passed: 49-0.](#)

[Senate Resolution 375](#) (Bartolotta) urges the President and Congress of the United States to enact legislation that advances the development of an Appalachian storage hub for petrochemical feedstock. [Adopted: 49-0.](#)

[Senate Resolution 399](#) (Scarnati) is a concurrent resolution honoring the life of Carl L. Mease, a former director of the Legislative Reference Bureau. [Adopted by Voice Vote.](#)

[Senate Resolution 400](#) (Brooks) designates June 15, 2018 as “Elder Abuse Awareness Day” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 401](#) (Browne) designates the week of September 9 through 15, 2018 as “Idiopathic Pulmonary Fibrosis Research and Awareness Week” in Pennsylvania to increase awareness and understanding of idiopathic pulmonary fibrosis. **Adopted by Voice Vote.**

[Senate Resolution 402](#) (Aument) recognizes June 27, 2018 as “Post Traumatic Stress Injury Awareness Day” and the month of June 2018 as “Post Traumatic Stress Injury Awareness Month” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 403](#) (Aument) designates the month of June 2018 as “Dairy Month” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 404](#) (McGarrigle) recognizes August 18, 2018 as “Aviation Day” in Pennsylvania. **Adopted by Voice Vote.**

[House Bill 17](#) (Hahn) would amend the Pennsylvania Drug and Alcohol Abuse Control Act to clarify that a parent or legal guardian can provide consent over the objection of a minor with respect to furnishing medical care or counseling related to diagnosis or treatment of substance abuse. When a minor receiving medical treatment or counseling revokes consent to share information with a parent or guardian or terminates treatment, notification of the revocation or termination would be made to the parent or guardian. When a parent or legal guardian signs the consent for furnishing medical care and counseling on behalf of a minor and the minor refuses to sign a consent to release treatment information to the parent or guardian, the practitioner or facility providing treatment could only inform the parent or guardian of the facts relevant to reducing a threat to the minor or other individual in accordance with federal or state law or any other information that is authorized under federal or state law. **Passed: 49-0.**

[House Bill 594](#) (Benninghoff) would amend Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes to prohibit a prosecuting attorney from agreeing to Accelerated Rehabilitative Disposition for a defendant charged with a violation of the following sections of the Crimes Code against a victim who is under the age of 18:

- Section 3121 (relating to rape);
- Section 3123 (relating to involuntary deviate sexual intercourse); and
- Section 3125 (relating to aggravated indecent assault). **Passed: 49-0.**

Executive Session

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

Thursday, June 21, 2018

[Senate Bill 892](#) (Reschenthaler) would amend the Chiropractic Practice Act to permit a student enrolled in a chiropractic education program at a chiropractic college to engage in the practice of chiropractic without a license if the student is conducting chiropractic activities as part of the curriculum established by the chiropractic college and the student is under the direct, immediate and personal supervision of a chiropractor licensed by the State Board of Chiropractic. The change could not be construed to require new or additional third-party reimbursement for chiropractic activities when performed by a student as authorized under the paragraph.

Concurrence in House Amendments: 49-0.

[Senate Bill 978](#) (Baker) would create the Hospice and Home Health Prescription Medication Disposal Act. The measure would authorize a home health agency or hospice, upon the death or discharge of a patient and with the permission of the patient or the patient's family or representative, to accept for disposal a patient's unused prescription medications that were prescribed, dispensed or otherwise used by the patient while under the care of the agency or hospice. A home health care agency would have to establish a written policy setting forth procedures for accepting and disposing of unused prescription medications using the guidelines for the disposal of prescription medication set forth by the Food and Drug Administration. The medications would have to be surrendered to a nurse employed by the agency and disposed of as outlined in the legislation. A home health agency or hospice would be required to maintain documentation of the surrender and disposal of unused prescription medications for five years.

Concurrence in House Amendments: 49-0.

[Senate Bill 1011](#) (Reschenthaler) would amend Article I of the Pennsylvania Constitution to add Section 9.1 providing for the rights of victims of crimes. The new section would clarify the rights of a victim, as further provided and as defined by the General Assembly, which would be protected in a manner no less vigorous than the rights afforded to the accused. These rights would include:

- To be treated with fairness and respect for the victim's safety, dignity and privacy;
- To have the safety of the victim and the victim's family considered in fixing the amount of bail and release conditions for the accused;
- To be provided with reasonable and timely notice of all public proceedings involving the criminal or delinquent conduct of the accused and permission to be present at the proceedings;
- To be notified of any pretrial disposition of the case;
- With the exception of grand jury proceedings, to be heard in any proceeding where a right of the victim is implicated, including, but not limited to, release, plea, sentencing, disposition, parole and pardon;

- To be notified of all parole procedures in order to participate in the parole process, to provide information to be considered before the parole of the offender and to be notified of the parole of the offender;
- To have reasonable protection from the accused or any person acting on behalf of the accused;
- To be given reasonable notice on any release or escape of the accused;
- To refuse an interview, deposition or other discovery request made by the accused or any person acting on behalf of the accused;
- Full and timely restitution from the person or entity convicted for the unlawful conduct;
- Full and timely restitution as determined by the court in a juvenile delinquency proceeding;
- The prompt return of property when no longer needed as evidence;
- Proceedings free from unreasonable delay and a prompt and final conclusion of the case and any related postconviction proceedings;
- Upon request, to confer with the attorney for the government; and
- To be informed of all rights enumerated in the section.

The section would not grant the victim party status or create any cause of action for compensation or damages against the Commonwealth or any political subdivision, nor any officer, employee or agent of the Commonwealth or any political subdivision, or any officer or employee of the court. As a constitutional amendment, identical legislation must pass during the next legislative session and be approved by the electorate before becoming effective.

Concurrence in House Amendments: 48-0.

Senate Bill 1126 (Reschenthaler) would amend Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes to supplement the continuing education requirements of magisterial district judges to include instruction on options available to indigent defendants for failure to pay court costs, fines, restitution or fees in summary cases. **Passed: 49-0.**

Senate Resolution 394 (Browne) designates the Commonwealth of Pennsylvania as a Purple Heart State and recognizes August 7th as “Purple Heart Day” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 406 (Scarnati) designates the month of September 2018 as “Ovarian Cancer Awareness Month” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 407](#) (Bartolotta) designates the week of July 2 through 8, 2018 as “Whiskey Rebellion Heritage Week” in Pennsylvania. [Adopted by Voice Vote.](#)

[House Bill 153](#) (Knowles) would amend Article II, Section 16 of the Pennsylvania Constitution to reduce the size Pennsylvania House of Representatives from 203 members to 151 members. Upon ratification by the electors, the General Assembly would be required to implement the constitutional amendment so that it applies to the first session of the General Assembly which begins after the 2020 reapportionment. Since the proposed amendment was passed in the last legislative session, if approved by the House in its current version, the proposal will be placed on the ballot for approval by the electorate. [Passed: 42-7.](#)

[House Bill 1232](#) (Murt) would amend the Child Protective Services Law under Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes. The bill would require the posting of the statewide toll-free telephone number for reporting suspected child abuse or neglect in K-12 public and nonpublic schools as well as in hospital emergency departments. The legislation lists requirements for the size and design of the poster, as well as the best areas to display it. Individuals holding a paid co-op/internship instructor position who are subject to background clearances would be reclassified as volunteers in order for them to obtain the clearances free of charge.

The timeframe under which General Protective Services (GPS) reports are retained in the Statewide Database of Protective Services within the Department of Human Services (DHS) would be extended from five to ten years (or until the youngest child identified in the most recent report attains 23 years of age, whichever comes first) and counties would be permitted to retain GPS reports in their protective services databases even after those reports are expunged from the statewide database. Health care providers would be required to notify the DHS if the provider is involved in the delivery or care of an infant who is born affected by substance abuse or withdrawal symptoms resulting from prenatal drug exposure or a Fetal Alcohol Spectrum Disorder. The Department of Human Services, in collaboration with the Department of Health and the Department of Drug and Alcohol Programs, would be required to develop written protocols for the implementation of a plan of safe care to ensure the safety and well-being of a child following release from the care of health care providers. [Passed: 49-0.](#)

[House Bill 1851](#) (Pickett) would amend the Insurance Department Act of 1921 to require the Insurance Department to hold a scheduling conference with an insurance company prior to commencing examination field work. The scheduling conference would have to include a discussion of the purpose and scope of the exam, the estimated costs for the exam, the types of information the company will be asked to produce, the most efficient means of conducting the exam, and any alternative approaches in conducting the exam. The Department would have to provide a company with a detailed budget estimate no more than thirty days after the scheduling conference. Within fifteen days of receipt of a budget estimate, the company and the Department would have an additional discussion regarding the most efficient means of conducting the exam and producing information. If necessary, revisions to the budget estimate could be made. The Department and the company could mutually agree to modify the time allotments. If the Department determines that the cost will exceed the budget estimate by 10 percent or if there is a material change in staffing assignments, the Department would be

required to hold another scheduling conference. Billing invoices submitted to companies for examination work by contractors and the Department would have to comply with the requirements outlined in the legislation.

An additional provision would require the Department to produce an annual examination and analysis report within thirty days of the end of each fiscal year. The report would have to include the total amount of money billed to companies by the Department and its contractors for: financial conduct examinations, market conduct examinations, review of transactions required to be filed by regulated entities with the Department, and solvency monitoring. The report would also include the identity of each contractor retained by the Department and the amount of money billed by the contractor to companies, the total amount of deposits into the Insurance Regulation and Oversight Fund as a result of market regulation activities, and recommendations to further improve the efficiency and transparency of the examination processes.

The legislation would also add Article IX-A to the act providing for the Pennsylvania Professional Liability Joint Underwriting Association. Under the provisions of the article, the Joint Underwriting Association (JUA) would be under the control, direction, and oversight of the Insurance Department. A seven person board would be created to oversee operations of the JUA. The bill would repeal Section 731(c), and provide that a claim against or a liability of the association under a policy provided by the JUA under the MCARE Act would be considered a liability of the Commonwealth. The JUA could be dissolved by a majority of the board or by an act of the General Assembly. The Board, with the approval of the Insurance Commissioner, would determine the distribution of the assets. [Passed: 47-1.](#)

[House Bill 1644](#) (Klunk) would amend Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes to add Subchapter A.1 to Chapter 73 adopting the Revised Uniform Arbitration Act as drafted by the National Conference of Commissioners on Uniform State Laws. The subchapter will supplement, and eventually replace, the Pennsylvania Uniform Arbitration Act, which was adopted in 1980. The arbitration language provides guidance on a number of procedural issues that are not currently addressed in statute, including procedures for initiating arbitration and appointing an arbitrator, the use of electronic information and other modern technology in arbitration proceedings and the scope of immunity provided to arbitrators. The bill would also add Chapter 74, the Collaborative Law Act, to Title 42 to create a general framework for collaborative law, which is an alternative dispute resolution process. The chapter provides for fundamental rules pertaining to the attorneys' role and expected behavior of the parties, mandatory terms of a collaborative law agreement, and a description of how to begin and end the process. The matter for resolution would have to be between family members, as defined in the bill, and would have to be limited to enumerated family law matters and matters arising under Titles 20 (Decedents, Estates and Fiduciaries) or Title 15 (Corporations). [Passed: 47-2.](#)

[House Bill 1898](#) (Santora) would amend the Board of Vehicles Act to make a number of changes. Among other modifications, the bill would:

- Require all new and used vehicle dealers licensed in Pennsylvania to disclose in writing to used vehicle purchasers the existence of any open, unrepaired recalls;

- Require manufacturers to compensate new vehicle dealers for recall repairs in the same manner currently established for warranty service. If a stop-sale or do-not-drive order has been issued on a used vehicle held for sale by a franchisee dealer of the manufacturer and recall repair parts are not available within 30 days of the order, the manufacturer would be required to compensate the dealer at a rate of 1.5 percent of the value of the vehicle per month while the recall parts are unavailable;
- Prohibit manufacturers from requiring their franchisee dealers to significantly modify their dealership facilities (defined as an alteration that has a major impact on the features of a structure or lot) unless 10 years have elapsed since the construction or last major renovation of the facility. This prohibition would not apply if the modification is necessary to comply with a health or safety law, or a technology requirement that is necessary to sell or service a vehicle;
- Establish a 45-day temporary permit for new vehicle dealers. When an application is submitted, if the new vehicle dealer does not have the franchise approval letter, the telephone business line information, the certificate of occupancy or the lease or deed for the property available (elements that are necessary for the full license), the Board would have to issue a temporary permit that allows the dealer to operate for up to 45 days; and
- Allow dealers to include costs associated with complying with federal and state laws relating to safeguarding customer information in the document preparation fee dealers are permitted to charge purchasers. [Passed: 49-0.](#)

Executive Session

Nominations to the State Athletic Commission. [Confirmed: 48-0.](#)

Friday, June 22, 2018

[Senate Bill 172](#) (Argall) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to establish two separate programs: a state work zone speed enforcement program and a speed enforcement program in the City of Philadelphia.

State Program

- The state program would be an automated speed enforcement program in active work zones on federal aid highways under the jurisdiction of the Department of Transportation (PennDOT) and the Turnpike.
- Driving in excess of the posted speed limit in an automated speed enforcement work area by at least 11 miles per hour would be a violation under the program punishable by a fine of \$75 for the first offense and \$150 for the second and subsequent offenses. A penalty imposed under the program would not be considered a criminal conviction, would not be made part of the operating record of the individual and could not be subject to merit

rating for insurance purposes. No surcharge points could be imposed in the provision of motor vehicle coverage.

- At least two appropriate warning signs would have to be conspicuously placed before the active work zone notifying the public that an automated speed enforcement device is in use. A notice identifying the location of automated speed enforcement systems would also have to be posted at the site and on the PennDOT and Turnpike Commission websites.
- The legislation would provide for the types and content of the notices that would be sent to violators and the process for payment of fines and challenges.
- Images collected for the program could not be used for any other surveillance purposes and would have to be destroyed within one year. The images would not be considered a public record under the Right-to-Know Law.
- Compensation under a contract to implement the program could not be based in any part on the quantity of notices of violation issued or the amount of fines imposed or generated.
- The fines would be deposited in two restricted receipts accounts in the State Treasury. After administrative costs are paid, the remaining funds would be allocated by the Department or Turnpike for the first three years as follows: 45 percent to the State Police for recruiting and training cadets (55 percent of available funds) and for an increased State Police presence in work zones (45 percent of available funds); 15 percent retained by PennDOT or the Turnpike for work zone safety, traffic safety and educating the motoring public; and 40 percent deposited into the Motor License Fund for appropriation by the General Assembly. Fines in the last two years would be allocated by PennDOT and the Turnpike to develop a work zone and highway safety program.
- PennDOT and the Turnpike Commission would be required to report annually to the Senate and House Transportation Committees on the program with the information specified in the legislation.
- The program would expire in five years.

Philadelphia Program

- The Philadelphia program would be a pilot program established for an automated speed enforcement program on U.S. Route 1 (Roosevelt Boulevard) between Ninth Street and the Philadelphia County line shared with Bucks County.
- Driving in excess of the posted speed limit in an automated speed enforcement area by at least 11 miles per hour would be a violation under the program. The fine under the Philadelphia program would be \$150 unless a lesser amount is set in the ordinance which must be adopted by Philadelphia to establish the program. The ordinance could also create fines for first offense, second offense and third offense and subsequent offenses

but no single fine could exceed \$150. The Philadelphia Parking Authority would act as the System Administrator. A penalty imposed under the program would not be considered a criminal conviction, would not be made part of the operating record of the individual and could not be subject to merit rating for insurance purposes. No surcharge points could be imposed in the provision of motor vehicle coverage.

- At least two appropriate warning signs would have to be conspicuously placed at the beginning and end and at two-mile intervals of the designated speed enforcement zone notifying the public that an automated speed enforcement device is in use. A notice identifying the location of automated speed enforcement systems would also have to be posted on PennDOT's website. No fines would be authorized during the first 30 days of operation but warnings could be issued by the System Administrator during this time. An additional sign warning of the use of the automated speed enforcement immediately ahead would have to be posted.
- The legislation would provide for the types and content of the notices that would be sent to violators and the process for payment of fines.
- Images collected for the program could not be used for any other surveillance purposes and would have to be destroyed within one year. The images would not be considered a public record under the Right-to-Know Law.
- The fines from the Philadelphia program would be used by PennDOT for a Transportation Enhancement Grants Program as established by Section 3116 (relating to automated red light enforcement systems in first class cities). The grants would be awarded on a competitive basis based on the majority vote of a selection committee consisting of four representatives from PennDOT appointed by the Secretary and four members appointed by the Mayor of Philadelphia. The Secretary or a designee would serve as chairperson of the selection committee. Priority would be given to applications seeking grant funds for transportation enhancements in the municipality where the automated speed camera system is operated.
- Philadelphia could not collect an amount equal to or greater than two percent of its annual budget from the collection of revenue from the issuance and payment of violations.
- The program would expire in five years. [Concurrence in House Amendments, as Amended: 44-4.](#)

[Senate Bill 431](#) (Scavello) would amend Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes to require first offenders for violations of scattering rubbish to pick up litter or illegally dumped trash for between five and 30 hours, in addition to the \$50 to \$300 fine. For a second or subsequent offense, the offender could also be required to pick up litter or illegally dumped trash for 30 to 100 hours, in addition to the \$300 to \$1,000 fine. The measure would also amend Title 75 (Vehicles) to require the driver of a vehicle to yield the right-of-way to any authorized vehicle or pedestrian actually engaged in work upon a highway within a litter

enforcement corridor indicated by official traffic control devices, including advanced warning signs or a vehicle having flashing or revolving yellow lights. All scenic highways would be deemed litter enforcement corridors, in addition to other segments of state highway designated as such by the Department of Transportation (PennDOT). Political subdivisions could petition PennDOT to have a segment of any state highway that is located within their boundaries designated as a litter enforcement corridor. Political subdivisions could also designate local roads as litter enforcement corridors provided the local authority has received written complaints about littering and demonstrates the need to designate the local road. The fines for certain offenses listed in the bill would be doubled or tripled in litter enforcement areas. [Concurrence in House Amendments: 48-0.](#)

[Senate Bill 530](#) (Killion) would amend the Social Workers, Marriage and Family Therapists and Professional Counselors Act to provide for independent practice and to expand the scope of practice. The bill would require a master's degree to be licensed as a marriage and family therapist or a professional counselor. A clinical social worker, marriage and family therapist or a professional counselor licensed in another state would be permitted to practice in the Commonwealth for up to sixty days as part of a relief effort related to a state of emergency. An additional change would make it unlawful to engage in the independent practice of social work, marriage and family therapy or professional counseling. [Concurrence in House Amendments: 48-0.](#)

[Senate Bill 564](#) (Yaw) would create the Bridge Safety Fencing Act to require the Pennsylvania Department of Transportation to include protective fencing in the construction of new bridges and erect protective fencing on any existing bridge at such time that a major renovation is required when the bridge is located over an interstate highway. When a bridge is built with a sidewalk or a concrete barrier is installed, modified or rehabilitated on a bridge with a sidewalk over an interstate or other limited access highway, the department would be required to install protective fencing. If a bridge does not have a sidewalk over an interstate or other limited access highway, the department, as part of its preliminary design process, would be required to consider the installation of protective fencing at all of the following locations:

- On an overpass near a school, playground or other site where it would be expected that the overpass would be frequently used by children;
- On an overpass in an urban area used exclusively by pedestrians and not easily kept under surveillance by police;
- On an overpass where experience relating to nearby structures indicates a need for protective fencing; and
- On an overpass where there have been incidents of objects being dropped or thrown from the overpass and where increased surveillance, warning signs or apprehension of offenders has not effectively alleviated the problem.

The protective fencing requirement would not apply if:

- A protective barrier is required on the bridge; or
- The fencing would obstruct scenic views of the area, and the municipality in which the bridge is located decides that fencing must not be placed on the bridge and provides a statement that there have been no incidents of objects being dropped from the bridge onto traffic and that local law enforcement will monitor the bridge.

The department would also be required to consider the installation of protective fencing on a bridge if it has direct notice of an instance of suicide or attempted suicide or increased surveillance, intervention or installation of warning signs or other deterrence measures have not previously resulted in a decrease in the instance of suicide or attempted suicide. [Concurrence in House Amendments: 48-0.](#)

[Senate Bill 595](#) (Folmer) would amend Title 57 (Notaries Public) of the Pennsylvania Consolidated Statutes to allow a notary public to certify that a tangible copy of an electronic record is a true and correct copy of the electronic record. The legislation would also add a new Section 314.1 (relating to notarial act performed by a remotely located individual) to provide that a remotely located individual may comply with Section 306 (relating to personal appearance required) by appearing before a notary public by means of communication technology. The measure would establish a clear process for a notary public to perform a notarial act facilitated by communication technology relating to a statement made in or a signature executed on a record by a remotely located individual. The notary public, or someone acting on the notary public's behalf, would have to create an audio-visual recording of the performance of the notarial act. A certificate of notarial act performed pursuant to the section would have to indicate that the notarial act was performed by means of communication technology. Before performing an initial notarial act, a notary public would be required to inform the Department of State that he or she would be performing notarial acts facilitated by communication technology and identify the technology. The Department of State would be required to promulgate regulations regarding performance of a notarial act under the section. [Passed: 49-0.](#)

[Senate Bill 735](#) (Brewster) would amend the Real Estate Tax Sale Law to authorize counties to impose, by ordinance, a fee not to exceed ten percent of the purchase price paid for property sold for delinquent taxes in accordance with the Act. A county that imposes the fee would have to establish a county demolition and rehabilitation fund which meets the requirements outlined in the legislation. The funds collected would be used for the demolition or rehabilitation of blighted property located in the county. The fee would not apply to a property sold for delinquent property taxes to a nonprofit entity, land bank or government entity. [Passed: 49-0.](#)

[Senate Bill 817](#) (Rafferty) would authorize:

- The Department of General Services (DGS), with the approval of the Governor and the Department of Military Affairs, to extend the original term of the lease agreement for a portion of the Southeastern Pennsylvania Veterans' Center in East Vincent Township, Chester County. The lease would be extended to a 15-year term;

- The Department of Conservation and Natural Resources to convey 0.10 acres in Nockamixon Township, Bucks County to Robbie S. Cohen-Millstein in exchange for 0.25 acres in Nockamixon Township, Bucks County. The conveyances would have to be made concurrently and under and subject to all easements and rights of way. All costs and fees incidental to the conveyances would be borne by their respective parties. In the event the conveyances are not executed by December 31, 2019, the authorization would become null and void;
- The Department of General Services to lease 1.19 acres within the bed of the Delaware River in the City of Philadelphia to Pier 35 ½ LLC for an initial term of 99 years for the development of 41 townhouses. In accordance with the lease, Pier 35 ½ LLC would have to provide and maintain free public access to the riverfront, fishing and other recreational activities and free public parking in connection with access. The lease and any other documents would have to be approved by the Attorney General and the Office of General Counsel. Costs and fees incidental to the conveyance would be borne by the lessee. The lease could be extended for an additional 99 years. No portion on the leased parcels could be used for a licensed gaming facility or the lease would terminate immediately;
- The Department of General Services to lease 1.49 acres within the bed of the Delaware River in the City of Philadelphia to Penn Treaty Views LLC for an initial term of 99 years for the development of 19 townhouses. In accordance with the lease, Penn Treaty Views LLC would have to provide and maintain free public access to the riverfront, fishing and other recreational activities and free public parking in connection with access. The lease and any other documents would have to be approved by the Attorney General and the Office of General Counsel. Costs and fees incidental to the conveyance would be borne by the lessee. The lease could be extended for an additional 99 years. No portion on the leased parcels could be used for a licensed gaming facility or the lease would terminate immediately; and
- The Department of General Services to lease certain parcels of land within the bed of the Delaware River in the City of Philadelphia to K4 Philadelphia LLC for an initial term of 99 years for the possible development of residential, office, commercial, retail, condominium, hotel, marina or other public uses. In accordance with the lease, K4 Philadelphia LLC would have to provide and maintain free public access to the riverfront, fishing and other recreational activities and free public parking in connection with access. The lease and any other documents would have to be approved by the Attorney General and the Office of General Counsel. Costs and fees incidental to the conveyance would be borne by the lessee. The lease could be extended for an additional 99 years. No portion on the leased parcels could be used for a licensed gaming facility or the lease would terminate immediately. [Concurrence in House Amendments: 48-0.](#)

[Senate Bill 1002](#) (White) would designate:

- The bridge located on that portion of State Route 1041 over the Mahoning Creek in Grant Township and Canoe Township, Indiana County as the Army SPC Christine L. Mayes Memorial Bridge;

- The bridge located on State Route 286 over the South Branch Cush Creek River, Montgomery Township, Indiana County as the Sgt. Edward John Parada Memorial Bridge;
- The bridge, identified as Bridge Key 19108, located on Pennsylvania Route 286 over the Two Lick Creek, Borough of Clymer, Indiana County as the Corporal Louis R. Tate Memorial Bridge;
- The bridge, identified as Bridge Key 19109, located on Pennsylvania Route 286 over the Two Lick Creek, at the east end of the Borough of Clymer, Indiana County as the Corporal Joshua T. Twigg Memorial Bridge;
- The portion of State Route 2024 and State Route 1016, also known as Monument Orviston Road, from the intersection of State Route 2024 and Main Street in Beech Creek Borough, Clinton County to the intersection of State Route 1016 and Kato Orviston Road in Curtin Township, Centre County as the Cpl. Milford H. Wensel Memorial Highway; and
- The section of Pennsylvania Route 44 in Potter County from U.S. Route 6 to the Lycoming County line as the Highway to the Stars. [Concurrence in House Amendments: 48-0.](#)

[Senate Bill 1047](#) (Costa) would amend the Intergovernmental Cooperation Authority Act for Cities of the Second Class to allow for the Secretary of Community and Economic Development to immediately certify that the Intergovernmental Cooperation Authority (ICA) is no longer needed, and it would be immediately terminated. Upon certification, all powers and duties of the ICA would expire immediately and become null and void. Redistribution of gaming revenue would continue regardless of the ICA's termination. [Passed: 49-0.](#)

[Senate Bill 1095](#) (McGarrigle) would amend the Public School Code to delay the use of the Keystone Exams as a graduation requirement until the 2020-2021 school year and to provide alternatives to the exams. The bill would require the establishment of a satisfactory composite score by the Secretary of Education and the State Board of Education for use in any school year in which a demonstration of proficiency on a Keystone Exam is required for high school graduation. The satisfactory composite score would have to require a student to achieve a proficient score on at least one of the three Keystone exams (algebra I, literature and biology) and no less than a basic score on the other two, and be calculated based on the most recent results available. The satisfactory composite score would be published in the *Pennsylvania Bulletin* and on the Department's website. Every five years, the State Board of Education would be required to review the operation of the score and report to the General Assembly. The legislation would also authorize school entities to offer supplemental instruction to students who do not demonstrate proficiency on a Keystone Exam or on a locally validated assessment. Students could not be required to participate in the supplemental instruction.

In any school year in which a demonstration of proficiency on a Keystone Exam is required for high school graduation, a student would be deemed proficient if he or she completes the locally established grade-based requirements in the associated academic content areas of the Keystone Exams and completes one of the other items listed in the legislation. A public school entity could not release individual student Pennsylvania System of School Assessment or Keystone Exam scores to the Department of Education or any other Commonwealth entities. No later than the beginning of the 2020-2021 school year, each public school entity would have to ensure that students, parents and guardians are notified of its graduation requirements. Beginning on June 30, 2021, and each June 30 thereafter, the Secretary of Education would be required to report to the General Assembly on the graduation requirements, including the number of students who completed each type of requirement. Further, no public school entity could be required to offer a project-based assessment as provided for in Pa. Code §4.51c. **Passed: 49-0.**

Senate Bill 1101 (Stefano) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to require the owner of a stolen vehicle to apply for a certificate of title that is branded as a “recovered-theft vehicle” if the cost of repairs has been assessed at the time of recovery, by an insurer or licensed physical damage specialist, to be more than 50 percent of the replacement value of the vehicle and the owner elects to retain title to the vehicle. An owner could apply to the Department of Transportation for an unbranded title if the owner received a certificate of salvage branded as a “theft vehicle” after a payment for replacement value is made by the insurer and the stolen vehicle is located, and thereafter the vehicle passes an inspection by a licensed physical damage appraiser. A legible copy of the vehicle damage appraisal report would have to accompany the unbranded title application. An individual who has not been paid the replacement value for the vehicle and has not received a certificate of salvage may use the existing certificate of title without applying for a new title. If the insurer is a self-insurer, the assessment of damage would have to be completed by a licensed physical damage appraiser who is not affiliated with or employed by the self-insurer. **Concurrence in House Amendments: 48-0.**

Senate Bill 1142 (Browne) would amend the Public School Code to address school safety and security. The legislation would:

- Establish the School Safety and Security Committee within the Pennsylvania Commission on Crime and Delinquency composed of the individuals delineated in the bill. No later than September 30, 2018, the Committee would have to establish criteria to be used when conducting school safety and security assessments. The committee would have to review the criteria at a minimum every three years and make revisions as necessary;
- Direct the Committee to establish criteria, no later than October 31, 2018, for the registration of individuals with knowledge and experience in matters of school safety and security that qualifies them to conduct school safety and security assessments. The committee would have to review the criteria at a minimum every three years and make revisions as necessary;

- Require the Committee to develop a survey instrument by October 31, 2018 to distribute to school entities to measure school safety and security. No later than November 30, 2018, each school entity would be required to complete the survey instrument and indicate whether it possesses a pre-existing assessment that was completed within the past three years. If an assessment was done, it would have to be submitted with the survey instrument. No later than January 1, 2019, the Committee would have to review the surveys received from the school entities and notify each entity of its findings;
- Establish the School Safety and Security Grant Program administered by the Committee to make school entities safer places by providing school grants for the purposes outlined in the bill. The Committee would be required to ensure that the grant funding is geographically dispersed throughout the state and that grant monies are used to supplement and not supplant existing spending on school safety and security. Each school entity that makes a meritorious application would receive a minimum grant amount of \$25,000 annually. Each school entity could submit one application annually and no school entity could receive an annual grant allocation that exceeds 10 percent of the funds available;
- Create the School Safety and Security Fund in the State Treasury to receive state and federal appropriations and other funds for the purposes of making the school safety and security grants. Money in the Fund would have to be allocated for the purpose of making grants no later than October 31, 2019, and each October 31 thereafter. Not more than 12.5 percent of the Fund could be allocated annually for grants;
- Require the Department of Education to coordinate the distribution of Safe School Grants with the Committee to ensure the most effective use of resources;
- Direct the Pennsylvania State Police to establish three risk and vulnerability assessment teams to operate within three regions geographically designated by the State Police in consultation with the Committee to conduct school safety and security assessments free of charge. Each team would be required to report annually to the Committee where the team had conducted assessments and critical needs identified through the inspections;
- Provide for the appointment, qualifications and duties of School Safety and Security Coordinators, School Police Officers and School Resource Officers; and
- Establish the Safe2Say Program in the Office of Attorney General. Beginning January 14, 2019, the program would be responsible for ensuring anonymous reporting concerning unsafe, potentially harmful, dangerous, violent or criminal activities in a school entity or the threat of the activities in a school entity. Each school entity would be required to develop procedures for assessing and responding to reports received from the program. A record created or obtained through the implementation or operation of the program would be confidential and would only be disclosed for the reasons listed in the bill. An individual who discloses a record in violation of the section would commit a third degree misdemeanor. An individual who knowingly or intentionally makes a false report to the program would commit a third degree misdemeanor. No later than August 1

of each year, the Office of Attorney General would be required to submit a report on the program to the legislature with the information outlined in the bill. [Concurrence in House Amendments: 47-1.](#)

[Senate Resolution 326](#) (Vogel) urges the Congress of the United States to adopt the National Park Service’s recommendations to extend the Lewis and Clark National Historic Trail to include additional sites along the Lewis and Clark Expeditions’ Eastern Legacy. [Adopted by Voice Vote.](#)

[Senate Resolution 408](#) (Baker) designates July 21, 2018 as “Anthracite Heritage Day” in Pennsylvania and recognizes 2018 as the 250th anniversary of the discovery of anthracite coal as a fuel source. [Adopted by Voice Vote.](#)

[Senate Resolution 409](#) (Killion) designates the week of July 16 through 22, 2018 as “Juror Appreciation Week” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 410](#) (Killion) designates July 31, 2018 as “Heatstroke Prevention Day” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 411](#) (Farnese) recognizes September 21, 2018 as “International Day of Peace,” expresses support of its ideals and principles and encourages all Pennsylvanians to meaningfully engage at this worldwide event. [Adopted by Voice Vote.](#)

[Senate Resolution 412](#) (Dinniman) designates the month of September 2018 as “Mushroom Month” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 413](#) (Dinniman) recognizes the month of September 2018 as “Prostate Cancer Awareness Month” in Pennsylvania and acknowledges the importance of raising public awareness of the threat and causes of prostate cancer. [Adopted by Voice Vote.](#)

[Senate Resolution 414](#) (Dinniman) designates the week of August 6 through 10, 2018 as “YMCA Advocacy Week” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 415](#) (Argall) designates June 26, 2018 as “Turkic Cultural Day” in Pennsylvania and recognizes the valuable work of the Council of Turkic American Associations and the Turkish Cultural Center of Pennsylvania. [Adopted by Voice Vote.](#)

[House Bill 126](#) (Baker) would amend Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes providing for epinephrine auto-injectors and more cancer trial access for patients who may not participate in a study due to limited financial means. All sponsors of cancer clinical trials would have to inform potential patient-subjects at the time of the informed consent process of the following: reimbursement for travel and ancillary costs would be available to all enrollees based on financial need; coverage of travel and other costs would be provided to eliminate financial barriers to enrollment; and family, friends or chaperones that attend the cancer clinical trial treatments to support the patient-subject would be eligible for reimbursement of their travel and other expenses. The bill stipulates that reimbursement for

travel and expenses would not be considered coercive or exerting undue influence to participate in a trial. Government, industry, public and private foundations, corporations and individuals would be permitted to offer financial support to patient-subjects or their family, friends or chaperones to cover ancillary costs through their support of a third-party reimbursement entity. The legislation outlines third party registration guidelines and reimbursement program guidelines.

The bill would also permit an “authorized entity” to maintain a supply of epinephrine auto-injectors and to authorize a properly trained employee to provide an epinephrine auto-injector to a person for self-administration or for the employee to administer the injection to a person under certain circumstances. Authorized entities include, but are not limited to: recreation camps, colleges and universities, day-care facilities, youth sports leagues, amusement parks, restaurants, places of employment and sports arenas. A health care practitioner could prescribe, and pharmacists and health care practitioners could dispense, epinephrine auto-injectors in the name of authorized entities to be maintained for use. The bill outlines the type of training employees of an authorized entity would have to complete and provides for Good Samaritan protections. [Passed: 48-0.](#)

[House Bill 159](#) (Nesbit) would amend Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes to clarify that a minor’s failure to comply with a summary offense sentence constitutes a “delinquent act.” The clarification would ensure that the juvenile courts retain jurisdiction over enforcement of such cases. A proceeding commenced pursuant to review of a case in which a child failed to comply with a lawful sentence imposed for a summary offense would be separate from the underlying summary conviction which is in and of itself not grounds for delinquency. The bill provides that any reference to the underlying summary conviction would be solely for the purpose of certification from the Magisterial District Judge to the Court of Common Pleas that the juvenile was convicted of a summary offense and failed to comply with provisions for attachment and summary punishment for contempt of court under Section 4132(2) of the Judicial Code. The bill would also clarify that, after adjudication of delinquency, treatment, supervision or rehabilitation could be ordered by the court if the need for such is established by a preponderance of the evidence. [Passed: 49-0.](#)

[House Bill 863](#) (Rothman) would amend the Real Estate Licensing and Registration Act to increase the educational requirements for the salesperson license and to authorize brokers and salespersons to prepare Broker Price Opinions, as defined in the legislation. The qualifications for licensure would be amended to require a high school diploma and completion of 75 hours of real estate instruction. The bill would require that any fees charged for a comparative market analysis be paid to the broker. A section would be added regarding broker price opinions which could not be construed as an appraisal or a valuation of real estate. Broker price opinions would have to contain certain information outlined in the bill. Brokers, associate brokers and salespersons would be authorized to prepare broker price opinions under specified conditions. The State Real Estate Commission would be authorized to promulgate temporary regulations to implement the broker price opinion provisions. [Passed: 49-0.](#)

[House Bill 864](#) (Mustio) would amend the Small Games of Chance Act to provide for the operation of 50/50 drawings by designated international airports and collegiate sports teams to

benefit charitable organizations. The bill would also change the name of “major league sports” drawings to “professional sports drawings” and permit the drawings to take place at additional events like practices and scrimmages and allow ticket sales prior to an event in parking lots adjacent to the sports facility. The measure would further permit eligible organizations to operate electronic pull tabs (e-tabs) and establish reporting requirements for the manufacturers of e-tabs. Additional changes would eliminate limitations and requirements for betting pools and make numerous changes to the tavern gaming provisions. **Failed: 20-29.**

House Bill 994 (Grove) would amend the Tax Reform Code of 1971 to exclude the sales of telephones, telephone handsets, modems, tablets and related accessories, including cases, chargers, holsters, clips, hands-free devices, screen protectors and batteries from the Gross Receipts Tax. **Passed: 49-0.**

House Bill 1124 (Cox) would amend Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes to address the neglect and abuse of a care-dependent person. Section 2713 would be amended by expanding the neglect of a care-dependent person offense to include neglect resulting in death and to add a subsection to provide for situations when an individual intentionally, knowingly or recklessly endangers the welfare of a care-dependent person for whom he or she is responsible. An individual convicted under the offense outlined in the new subsection would commit a misdemeanor of the second degree. The bill would also add Section 2713.1 regarding the abuse of a care dependent person. The legislation would require that if the Departments of Aging, Health and Human Services have reasonable cause to believe there is a violation of Sections 2731 or 2713.1, a report would have to be made immediately to local law enforcement or the Office of Attorney General. The legislation provides that the local district attorneys and the Office of the Attorney General will have the authority to investigate and institute criminal proceedings for a violation of the section. **Passed: 49-0.**

House Bill 1419 (Delozier) would amend Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes to further provide for the release of criminal information. The bill would allow a person to petition for limited access of criminal records. The petition would have to be filed in the Court of Common Pleas in the jurisdiction where the conviction occurred. A person would be eligible for limited access only if he or she has been free from conviction for 10 years for an offense punishable by one or more years in prison and has completed the court ordered financial obligations of the sentence. A court could order limited access pertaining to a qualifying misdemeanor or ungraded offense which carries a maximum penalty of no more than five years. A limited access order would permit dissemination of records only to a criminal justice agency. An order for general limited access would not be available for the offenses listed in the legislation.

The measure would further provide for “clean slate” limited access, under which a person would not need to petition for a limited access order. These provisions would apply automatically to convictions for certain misdemeanors when a person has been free for 10 years from conviction for any offense punishable by imprisonment of one or more years and who has completed any court ordered financial obligations of the sentence. Clean slate limited access would also apply to charges which resulted in a final disposition order other than conviction, as well as summary offenses. Limited access would not apply to an otherwise qualifying

conviction if a conviction for an offense punishable by imprisonment of five or more years or any enumerated offense arose out of the same case. A person who is denied clean slate limited access could file a petition for limited access under the bill. Upon petition by a prosecutor, and with the opportunity for the defendant to be heard, the court could vacate an order regarding clean slate limited access if it determines the order was erroneously entered. Upon conviction of a misdemeanor or felony offense and the motion of the prosecutor, the court would be required to enter an order vacating any prior order for limited access pertaining to the record of defendant, except those which resulted in final disposition other than conviction.

Additional changes would amend Title 42 (Judiciary and Judicial Procedure) regarding public access to court records and law enforcement records of juvenile delinquency petitions and adjudications. The changes would disallow release of juvenile delinquency records pertaining to a child under the age of 14 and allow access to records of children older than 14 only for an adjudication for the crimes listed in the legislation. The measure would permit release of a petition filed against children over the age of 14 if they have previously been adjudicated delinquent for any of the referenced crimes. **Passed: 49-0.**

House Bill 1448 (Cutler) would amend the Public School Code to make a number of changes. Among other modifications, the measure would:

- Delay the use of the Keystone Exams as a graduation requirement until the 2020-2021 school year;
- Allow a school entity to hold an executive session to plan, review or discuss school safety;
- Require a school entity to obtain the following before entering into a contract with a third party for non-instructional services: a minimum three-year cost projection, information concerning the criminal and disciplinary records of current employees who will perform services and any additional information deemed appropriate by a school employer. The school entity would have to conduct one public hearing on the proposed contract prior to taking action at a regularly scheduled meeting. The third party contractor would be required to interview, if requested, current employees of the school who are terminated as a result of the contract;
- Extend the moratorium on new PlanCon projects through the 2018-2019 Fiscal Year;
- Allow school entities, beginning in the 2018-19 school year, and every school year thereafter, to test school facilities where children attend school for lead levels in the drinking water. If excessive lead levels are discovered in any school facility, the facility would be required to immediately implement a plan to ensure no child or adult is exposed to lead contaminated drinking water, and that alternative sources of drinking water are made available. In addition, the elevated lead levels would have to be reported to the Department of Education and posted on its website. If a school entity chooses not to test lead levels, the issue of lead levels must be discussed at a public meeting;

- Require a school entity to realign its professional staff to ensure that more senior employees are provided with the opportunity to fill positions within the school entity for which they are certified and which are being filled by less senior employees;
- Modify the requirements for Vocational Intern, Vocational I, and Vocational II certificates. For Vocational Interns, the State Board of Education would have to require at least four years of wage-earning experience in the occupation to be taught, in addition to other requirements currently in regulation. Vocational I certificates would require an applicant to have completed not more than 18 credit hours in an approved program of vocational teacher education, which would entitle the individual to teach for eight annual school terms. Vocational II certificates would require an applicant to have completed not more than 60 credit hours in an approved program of vocational teacher education, including the 18 credit hours necessary for the Vocational I certificate. The Department would be required to form a professional advisory committee to review vocational instructional certification program guidelines every five years to ensure the requirements for program design and delivery pertain to the professional responsibilities of a vocational educator;
- Require nonpublic schools to establish attendance policies that are at least as strict as those for public schools established in the School Code;
- Allow a school district to excuse a student from school attendance to participate in a musical performance in conjunction with a national veterans' organization or incorporated unit for an event or funeral. The organization or unit would have to provide the student with a signed excuse detailing the date, location, and time of the event or funeral. The student would be required to furnish the excuse to the school district prior to being excused;
- Authorize schools to direct communications regarding a low balance or money owed for school meals to students in grades 9 through 12 if the communications are made individually and discreetly to the student by appropriate school personnel;
- Extend the Drug and Alcohol Recovery High School Pilot Program for one more year;
- Require school entities to hold one school security drill per school year and allow them to hold two more in place of the two required fire drills;
- Provide for a community college funding formula for the 2018-19 Fiscal Year whereby any appropriation increase would be distributed using a formula based on each community college's most recent audited full time equivalent enrollment;
- Increase the maximum annual household income for the Educational Improvement Tax Credit from \$75,000 to \$85,000 and make technical changes to the program;
- Require scholarship organizations to verify household income for applicants;

- Increase the limit on Educational Improvement Tax Credits to \$160 million;
- Add an article to the Code concerning higher education accountability and transparency. The Department of Education would be required to make available on its website links to the federal government's College Navigator Website and the Department of Labor and Industry's High Priority Occupations website. In addition, the Pennsylvania Higher Education Assistance Agency would have to include a link from its website to the information on the Department of Education's website. School entities would have to provide the information to students in grades 9 through 12. If the United States Department of Education discontinues the publication of the College Navigator website, the Pennsylvania Department of Education would be required to create a similar internet search tool;
- Provide for library funding for the 2018-19 Fiscal Year in the same manner as in the 2017-18 Fiscal Year. It would also allow the State Librarian, in the event of a change in direct service area from one library to another, upon agreement of the affected libraries, to redistribute the local library share of aid to the library currently servicing the area;
- Provide for the distribution of funding for intermediate units for the 2018-19 Fiscal Year;
- Extend, for the 2018-19 Fiscal Year, the amount of unencumbered funds (\$5 million) the Department of Education could utilize to pay for technical assistance to Financial Watch and Financial Recovery School Districts; and
- Provide for the distribution of the Ready to Learn Block Grants for the 2018-19 Fiscal Year. Each district would receive an amount not less than what was received in the 2017-18 Fiscal Year. [Concurrence in House Amendments to Senate Amendments: 44-4.](#)

[House Bill 1677](#) (Ortitay) would amend the Human Services Code to update terminology relating to day care and make omnibus amendments to implement the Fiscal Year 2018-19 budgetary provisions. The bill would:

- Provide for a Coordinated Service Delivery Pilot Program in Philadelphia to assist in the coordinated delivery of education services and human services;
- Continue the Medical Assistance Day-One incentive payments to non-public nursing homes to take Medical Assistance eligible patients, for one year;
- Require the Department of Human Services (DHS) to amend the Medicaid State Plan to provide nonemergency medical transportation services to eligible and enrolled Medical Assistance recipients utilizing a statewide or regional full-risk brokerage model;
- Authorize Medicaid Outcomes-Based Programs established by the Department of Human Services, to provide hospitals and managed care organizations with information to assist them in reducing the number of avoidable events and increase their efficiency;

- Require the DHS to conduct a comprehensive analysis of the existing relevant state databases to increase efficiency in the Medicaid system and report to the General Assembly by December 31, 2019 the instances of potentially avoidable events in the Medicaid system and the costs associated with these cases;
- Mandate that the department develop and maintain a reporting system that contains avoidable readmissions and avoidable complications data that can be shared with hospitals and managed care organizations and to provide a report to the General Assembly charting the reductions in the rates of avoidable complications and readmissions and the impact those reductions have on the state's Medical Assistance expenditures;
- Require the department to develop educational materials to notify consumers of the long-term care services available to them including: a description of the Living Independence for the Elderly (LIFE) program, a statement that an eligible individual has the option to enroll in the LIFE program or a managed care organization under the Community HealthChoices program and contact information for LIFE providers;
- Provide statutory authority for the department's review process of providers' costs to support the department's claim for federal funds and state reimbursement;
- Extend the hospital assessment through June 30, 2023 (under the assessment all inpatient acute care and rehabilitation hospitals are assessed a set percentage of their net inpatient revenue and new outpatient revenue by DHS and the funds are used to update the hospital Medical Assistance payment system for inpatient services, modify some existing hospital supplemental payments and create new supplemental payments for hospitals); and
- Provide for the calculation of the hospital assessment using a hospital's net inpatient revenue and net outpatient revenue, require DHS to prepare a revenue reconciliation report on the assessment restricted account and call for DHS to adjust the assessment percentages if the assessment restricted account has a balance in excess of \$10 million.
Passed: 49-0.

[House Bill 1738](#) (Marsico) would amend Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes to further provide for the extraterritorial jurisdiction of nonmunicipal police officers. Nonmunicipal police officers would be defined as officers or agents employed by the following:

- A campus police or university police department, as used in Section 2416 of the Administrative Code of 1929. This paragraph would not include a campus police or university police department of the State System of Higher Education and its member institutions;

- A railroad or street railway police department formed with officers commissioned under 22 Pa.C.S. Ch. 33 (relating to railroad and street railway police) or any prior statute providing for such commissioning;
- The Capitol Police;
- The Harrisburg International Airport Police; and
- An airport authority police department.

The legislation would provide nonmunicipal police officers with the authority of a municipal police officer while outside of their territorial boundaries in the following circumstances:

- Where the officer is in hot pursuit of any person for any offense which was committed, or which he has probable cause to believe was committed, within his or her jurisdiction and for which offense the officer continues in fresh pursuit of the person after the commission of the offense.
- Where the officer has been requested to immediately aid or assist any local, state or federal law enforcement officer or park police officer or otherwise has probable cause to believe that the other officer is in need of aid or assistance.
- Where the officer is on official business and views an offense and makes a reasonable effort to identify himself as a police officer and which offense is a felony, misdemeanor, breach of the peace or other act which presents an immediate clear and present danger to persons or property.
- Where the officer views an offense which is a felony and makes a reasonable effort to identify himself as a police officer.

The measure would also add a section to make similar provisions for agents of the Office of Attorney General. **Passed: 49-0.**

[House Bill 1782](#) (Delozier) would amend Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes to add a section providing for the use of alternative ratemaking mechanisms. The Public Utility Commission (PUC) would be authorized to approve applications from utilities seeking to establish alternative rates or rate mechanisms in a base rate proceeding. The alternative mechanisms could include: decoupling, performance-based rates, formula rates, multi-year rate plans or rates based on a combination of more than one of these mechanisms. The measure would require that capital costs and expenses recovered through alternative rates and rate mechanisms be reasonable and prudently incurred and used in providing services. This requirement would not prohibit or limit cost-recovery under a PUC-approved performance-based rate plan. Nothing in the section could be construed to limit the PUC's existing ratemaking authority or void any ratemaking methodologies previously approved by the PUC. Utilities would be required to inform customers through bill inserts and information

posted on their websites about any rate adjustment including that an application was filed with the PUC, the PUC's decision and a summary and schedule of rate adjustments and timing as to when the rate adjustment would take effect. [Passed: 41-8.](#)

[House Bill 1929](#) (Marsico) would amend the Fiscal Code to provide implementation language for the 2018-2019 Commonwealth Budget. The legislation would:

- Clarify that ordinances and regulations of a city of the first class adopted prior to June 1, 2018, regarding or affecting the sale of tobacco products would remain in full force and effect unless repealed by the city. Ordinances or regulations adopted by a city of the first class could not apply to retail stores that derive 75 percent or more of gross revenue on an annual basis from tobacco products or to establishments that prohibit minors from entering;
- Direct the Treasury Department to establish the Keystone Scholars Grant Program as part of the Tuition Account Guaranteed Savings Program. The Keystone Scholars Grant Program Account would be established as a separate account within the Tuition Account Guaranteed Savings Program Fund. Money in the account would be used for the exclusive purpose of providing scholarship grants to eligible children to pay for qualified higher education expenses. At the end of each fiscal year, assets of the Tuition Account Guaranteed Savings Program Fund that are in excess of 10 percent of the actuarially determined liabilities of the Tuition Account Guaranteed Savings Program Fund would be allocated to the Account. Annual allocations could not exceed an amount equal to \$100 multiplied by the number of children born in the Commonwealth in the fiscal year. An allocation would not be made if it would cause the actuarially determined surplus of the Tuition Account Guaranteed Savings Program to fall below 10 percent of the program's actuarially determined liabilities. Scholarship grants would be in the amount of \$100. The State Treasurer could establish an annual match of contributions made by a parent or guardian of an eligible child into an established Guaranteed Savings Plan Account. The State Treasurer could also establish financial incentives, such as school attendance, for additional grants for an eligible child with an established Guaranteed Savings Plan Account. The Keystone Scholars Grant Program Account would expire December 31, 2029;
- Specify that stock, dividends, and other passive investments would not be escheated to the Treasury Department until three years after the holder has lost contact with the owner;
- Allow a redevelopment assistance capital project to receive funds if it was itemized in a capital project itemization bill or a capital budget bill that was enacted more than 10 years before the date the project was approved, provided that the Office of the Budget received an application or other written form of request for funding for the project from a prospective applicant during the time period from January 9, 2015, through May 18, 2015 or January 29, 2018, through February 27, 2018;
- Provide further for Entertainment Business Financial Management firms;

- Expand the Entertainment Economic Enhancement Program tax credit for qualified rehearsal and tour expenses incurred or to be incurred by permitting the Department of Community and Economic Development (DCED) to award tax credits to 10 tours in Fiscal Year 2018-2019. DCED could, at its discretion, advance the award of tax credits to a maximum of two additional tours in Fiscal Year 2018-2019;
- Provide for the transfer of \$10,000,000 from available funding in the CFA First Industries Program account and \$35,000,000 from the CFA Building Pennsylvania Program to the CFA Business in Our Sites Program account to provide grants and loans for the acquisition and development of key sites for future use by businesses, private developers, and other entities;
- Provide for \$30.4 million from the Volkswagen settlement to be deposited in the General Fund;
- Provide that for FY 2018-19, the sum of \$19.659 million would be transferred from the Pennsylvania Race Horse Development Fund in 22 equal weekly installments to the Pennsylvania Race Horse Development Restricted Receipts Account and \$10,066,000 to the State Racing Fund for enforcement of medication rules and regulations;
- Transfer \$2.5 million from the sale of liquor and alcohol to the Department of Drug and Alcohol Programs for FY 2018-19;
- Add an article providing for the Private Dam Financial Assurance Program, to be administered by DCED in consultation with the Department of Environmental Protection, to provide financial assurance assistance for dam owners to assist in meeting financial obligations under the Dam Safety and Encroachments Act of 1978. An owner that is enrolled in the program would be deemed to have met all proof of financial responsibility requirements promulgated pursuant to Section 11 of the Dam Safety and Encroachments Act for the owner's dam. A special fund would be established in the State Treasury known as the Private Dam Financial Assurance Fund. Program premiums and fees would be deposited into this Fund. The new article would also authorize the establishment of a revolving loan program for costs incurred to provide maintenance, repair, or permanent breach of the owner's dam. No loan could exceed 50 percent of eligible costs and no loan could exceed \$500,000. Loan terms would be up to 10 years. Interest rates would be fixed and equal to the Five-Year U.S. Treasury Note on the date of application. DCED could charge an origination fee of up to 2.5 percent of the loan amount;
- Direct that if the Secretary of the Budget certifies a General Fund surplus for the 2017-2018 Fiscal Year, 50 percent of the surplus will be deposited in the Budget Stabilization Reserve Fund by the end of the next succeeding quarter;
- Authorize the transfer of \$14,504,399 from the H2O PA and the H2O PA Marcellus Legacy accounts for water and sewer projects with a cost of not less than \$30,000 and not more than \$500,000. Additional funding for water and sewer grants totaling \$10,000,000 in FY 2018-2019 would be transferred from the First Industries Program account for the

distribution or reimbursement for water and sewer projects as grants in the amount of not less than \$30,000 and not more than \$500,000. For FY 2018-2019, the CFA could not require the submission of new applications but would have to consider projects for grant funding submitted during the application period that ended on February 28, 2018;

- Provide for the distribution of Tobacco Settlement Fund payments; and
- Provide detailed budget implementation language and direction for state departments and agencies. **Passed: 44-5.**

House Bill 2067 (Taylor) would designate:

- The section of Pennsylvania Route 73, also known as Cottman Avenue, between U.S. Route 13 and U.S. Route 1 in the City of Philadelphia as the Police Officer Isabel Nazario Memorial Highway;
- The section of Pennsylvania Route 29 in Montgomery County from Pennsylvania Route 663 to Tollgate Road as the Leonard Joseph Taglieber Memorial Highway;
- The portion of Pennsylvania Route 41 (Gap Newport Pike) between Pennsylvania Route 926 (Street Road) and U.S. Route 1 located in London Grove Township and Londonderry Township, Chester County as the Trooper Kenton Iwaniec Memorial Highway;
- The section of State Route 2019, known as Garrett Road in Delaware County from Burmont Road to N. Lansdowne Avenue as the Deputy Chief Michael P. Morgan Memorial Highway;
- The section of State Route 115 from Long Pond Road in Tunkhannock Township, Monroe County to State Road/Jonas Road in Chestnuthill Township, Monroe County as the Submarine Veterans Memorial Highway; and
- The bridge located on State Route 954 over the north branch of Plum Creek, South Mahoning Township, Indiana County as the PFC. William T. Bresnick Memorial Bridge. **Passed: 49-0.**

House Bill 2078 (Markosek) would appropriate \$49,723,000 from the Professional Licensure Augmentation Account within the General Fund to the Department of State for the operation of the Bureau of Professional and Occupational Affairs, including the State Board of Auctioneer Examiners, during the 2018-2019 Fiscal Year. Other appropriations listed in the bill for operational costs during the 2018-2019 Fiscal Year include: \$9,031,000 to the State Board of Medicine; \$2,422,000 to the State Board of Osteopathic Medicine; \$300,000 to the State Board of Podiatry; and \$647,000 to the State Athletic Commission. **Passed: 49-0.**

House Bill 2079 (Markosek) would appropriate \$71,215,000 from the Workmen's Compensation Administration Fund to the Department of Labor and Industry for the administration of the Workers' Compensation Act and the Pennsylvania Occupational Disease Act for Fiscal Year

2018-2019. The bill would also appropriate \$275,000 from a restricted revenue account within the Workmen's Compensation Administration Fund to the Office of Small Business Advocate for Fiscal Year 2018-2019. **Passed: 49-0.**

House Bill 2080 (Markosek) would appropriate \$1,855,000 from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development for its operational expenses for the 2018-2019 Fiscal Year. **Passed: 49-0.**

House Bill 2081 (Markosek) would appropriate \$5,850,000 from a restricted revenue account in the General Fund to the Office of Consumer Advocate in the Office of Attorney General for its operational expenses for the 2018-2019 Fiscal Year. **Passed: 49-0.**

House Bill 2082 (Markosek) would appropriate \$51,637,000 from the Public School Employees' Retirement Fund to the Public School Employees' Retirement Board for its operational and administrative expenses for the 2018-2019 Fiscal Year. The bill would also appropriate \$4,950,000 from the PSERS Defined Contribution Fund to the Public School Employees' Retirement Board for expenses related to the administration of the School Employees Defined Contribution Plan for the 2018-2019 Fiscal Year. **Passed: 49-0.**

House Bill 2083 (Markosek) would appropriate \$30,766,000 from the State Employees' Retirement Fund to the State Employees' Retirement Board for its operational and administrative expenses for the 2018-2019 Fiscal Year. The bill would also appropriate \$4,901,000 from the SERS Defined Contribution Fund to the State Employees' Retirement Board for expenses related to the administration of the State Employees Defined Contribution Plan for the 2018-2019 Fiscal Year. **Passed: 49-0.**

House Bill 2084 (Markosek) would appropriate \$2,935,000 from the Philadelphia Taxicab and Limousine Regulatory Fund and \$200,000 from the Philadelphia Taxicab Medallion Fund to the Philadelphia Parking Authority for the 2018-2019 Fiscal Year. **Passed: 49-0.**

House Bill 2085 (Markosek) would appropriate \$74,185,000 to the Public Utility Commission (PUC) for the operation of the commission for the 2018-2019 Fiscal Year. The bill would also appropriate \$3,977,000 in federal funds to the PUC to enforce the regulations of the Natural Gas Pipeline Safety Act and \$2,090,000 in federal funds for motor carrier safety. **Passed: 49-0.**

House Bill 2086 (Markosek) would establish the Gaming Control Appropriation Act of 2018. The bill would appropriate monies from the State Gaming Fund for salaries, wages, and necessary expenses related to gaming, as follows:

- Pennsylvania Gaming Control Board, \$46,153,000;
- Pennsylvania State Police, \$29,115,000;
- Department of Revenue, \$8,267,000; and

- Attorney General, \$1,340,000.

The bill would also appropriate:

- \$400,000 to the Gaming Control Board and \$1,459,000 to the Department of Revenue from the Fantasy Contest Fund for wages and expenses during Fiscal Year 2018-2019; and
- \$2 million to the Gaming Control Board and \$856,000 to the Department of Revenue from the Video Gaming Fund for wages and expenses during Fiscal Year 2018-2019.
Passed: 49-0.

House Bill 2121 (Saylor) would create the General Appropriation Act of 2018 to provide for the expenses of the Commonwealth, the public debt and the public schools for the 2018-2019 Fiscal Year. The \$32.7 billion proposed spending plan represents nearly \$270 million less than the Governor's budget request. Among other highlights, the proposed budget would:

- Increase funding for Basic Education by \$100 million, Pre-K Counts and Head Start by \$25 million, and Special Education by \$15 million;
- Earmark an additional \$25 million for Educational Improvement Tax Credits;
- Provide an increase in State System of Higher Education funding of 3.3 percent and community colleges of 3 percent;
- Include enough additional funding for the Pennsylvania State Police to train three new cadet classes, which will result in nearly 300 additional troopers;
- Restore Governor Wolf's proposed \$8 million cut to tourism marketing and increase funding by nearly \$5 million over the previous year's total;
- Provide an historic investment in school safety with more than \$60 million in new funding for school resource officers, security equipment and other proven methods of preventing school violence;
- Earmark an additional \$30 million for Career and Technical Education;
- Restore proposed cuts to programs like Spotted Lanternfly Control, Agriculture Excellence, Agricultural Research, Hardwoods Research and Promotion, and Food Marketing and Research; and
- Increase funding to the Department of Community and Economic Development by nearly \$11 million for job creation and community improvement programs. **Passed: 47-2.**

House Bill 2242 (Saylor) would appropriate \$237,349,000 to the Pennsylvania State University for general support for the 2018-2019 Fiscal Year and \$22,736,000 for the Pennsylvania College

of Technology. The measure would also authorize the appropriation of funds from the Agricultural College Land Scrip Fund for agricultural research and extension services. **Passed: 49-0.**

House Bill 2243 (Saylor) would appropriate \$148,536,000 to the University of Pittsburgh for general support for the 2018-2019 Fiscal Year and \$2,846,000 for rural education outreach. No funds appropriated by the act could be used for the costs of personnel and operations of the environmental law clinic. **Passed: 49-0.**

House Bill 2244 (Saylor) would appropriate \$155,104,000 to Temple University for general support for the 2018-2019 Fiscal Year. **Passed: 49-0.**

House Bill 2245 (Saylor) would appropriate \$14,869,000 to Lincoln University for general support for the 2018-2019 Fiscal Year. **Passed: 49-0.**

House Bill 2246 (Saylor) would appropriate \$31,039,000 to the University of Pennsylvania for veterinary activities and \$289,000 for the Center for Infectious Diseases for the 2018-2019 Fiscal Year. **Passed: 49-0.**

House Bill 2468 (Kampf) would amend Title 26 (Eminent Domain) of the Pennsylvania Consolidated Statutes to add a section prohibiting any entity having eminent domain powers from condemning land subject to a conservation easement for any purpose unless prior approval has been obtained from the orphans' court of the county in which the land is located.

The approval would not be required for an underground public utility facility that does not permanently impact the open space benefits protected by the conservation easement. Approval would also not be required for any public utility facility or other project that is subject to approval by a federal agency, the necessity for the propriety and environmental effects of which have been reviewed and ratified or approved by the Pennsylvania Public Utility Commission or the Federal Energy Regulatory Commission regardless of whether the right to establish and maintain the underground or other public utility facility is obtained by condemnation or by agreement with the owner. The exercise of eminent domain powers would not be authorized for blight unless the orphans' court determines the exercise is necessary to protect the health and safety of the community.

A condemnor would have to provide the court notice at least 30 days before an action is contemplated. The court would review the proposed condemnation and only approve the request if the court determines there is no reasonable and prudent alternative. The court would be required to report its findings and decision to the proposed condemnor. The orphans' court could request the Attorney General to bring an action to enjoin a condemnor from violating any provision of the section. The section would not apply to 1) emergency projects where, in the discretion of the condemning entity, the taking is reasonably necessary for the protection of life or property, or 2) condemnations by an agency of the Commonwealth for any purpose. The provisions of the act would be severable. **Passed: 37-12.**

[House Bill 2477](#) (Watson) would amend the Medical Marijuana Act to clarify that the permits the Department of Health is authorized to issue under Chapter 20 of the act for academic clinical research centers (ACRC) are separate and apart from the permits issued under Chapter 6 for medical marijuana organizations. Further, the legislation would require that an ACRC be certified and approved by the Department of Health before it enters into a contract with a clinical registrant. (A clinical registrant is a grower/processor and a dispensary which has a contractual relationship with an ACRC. An ACRC is a hospital with a medical school that provides advice to the clinical registrant.) The provision which would allow a clinical registrant to directly dispense medical marijuana to an ACRC would become effective when the federal government no longer classifies marijuana as a Schedule I drug. In addition, a grower processor facility owned by a clinical registrant could only sell medical marijuana products to non-clinical registrant facilities with the approval of the Department of Health. **Passed: 32-17.**

Executive Session

Nominations to Various Boards and Commissions. **Confirmed: 48-0.**

(2018-065)