



# Capitol Recap

December 18, 2019

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## SESSION STATUS

At 3:10 p.m. on Wednesday, December 18, 2019 the Senate stands in recess until Tuesday, January 7, 2020 at 11:50 a.m., unless sooner recalled by the President Pro Tempore.

At 3:01 p.m. on Wednesday, December 18, 2019 the House stands adjourned until Tuesday, January 7, 2020 at 12:00 p.m., unless sooner recalled by the Speaker.

## UPCOMING SESSION DAYS

### House

Jan. 7 (non-voting), 13-15, 21, 22

Feb. 3-5

March 16-18, 23-25

April 6-8, 14-16

May 4-6, 11-13, 18-20

June 1-3, 8-10, 15-17, 22-26, 29, 30

### Senate

Jan. 7, 27-29

Feb. 3-5

March 16-18, 23-25

April 6-8

May 4-6, 18-20

June 1-3, 8-10, 15-17, 22-26, 29, 30

Budget hearings: Feb. 18 - Mar. 4

Provided by Pennsylvania  
Legislative Services  
240 N. 3rd St. 6th Floor  
Harrisburg, PA 17101  
717.236.6984 phone  
717.236.5097 fax  
www.mypls.com

## AROUND THE ROTUNDA

*PLS coverage of Capitol events including press conferences, bill signings, & media availabilities*

### **REP. FIEDLER AND ADVOCATES CALL FOR FUNDING TO FIX TOXIC SCHOOLS**

By Emily Mistishen, Pennsylvania Legislative Services | December 18, 2019

Rep. Elizabeth Fiedler (D-Philadelphia) was joined by teachers, students, labor leaders, and advocates in the Capitol Rotunda to urge the commonwealth to provide funding to fix toxic schools.

Rep. Fiedler stated every student deserves to go to safe and healthy schools, asserting that everyone present has “had enough” and is calling for dignity and respect for students. The process begins with addressing toxic conditions in schools, she continued, particularly with asbestos, lead and mold. “Safe, healthy and dry schools are the bare minimum,” she asserted, adding that this is just the start before “deeply investing in our public education system.” She opined toxic conditions in schools are a public health emergency that should be treated as a crisis and indicated many teachers and students have to worry about whether their schools will send them to an early death.

Rep. Fiedler affirmed the process of getting emergency funding for schools is a team effort and that while the money is there, it depends on priorities. She thanked those present and acknowledged the organizations and schools that support the coalition.

Simone Cruice-Barnett, a senior at Science Leadership Academy, described the conditions at her school that resulted from a lack of funding. She explained how co-location in another school during construction led to sickness in students and teachers, as well as disrupted asbestos. “We deserve to have a healthy and safe school,” she argued, “not to be stuck in a makeshift setup.” She asserted the commonwealth has a responsibility to ensure students have access to safe schools and cited 175 buildings in Philadelphia require asbestos abatement and lead removal, while other schools lack necessary repairs. Additionally, Philadelphia schools are receiving \$400 million less in funding than what is needed, she said, and called for more funding.

A parent of a Richmond Elementary student explained her 6-year-old son is a kindergarten student at Richmond Elementary and that his class had to be evacuated due to exposed asbestos. She noted she will not know the impact of the asbestos for years to come and that students deserve safe and asbestos-free schools. She opined this is a moral crisis and called for Rainy Day funding to be used on fixing toxic school conditions. She called on legislators to fight on behalf of children.

Hillary Linardopoulos, legislative representative of Philadelphia Federation of Teachers (PFT) and member of Fund Our Facilities Coalition, cited statistics of schools with toxic conditions, including the story of a teacher who was diagnosed with mesothelioma after being exposed to asbestos in the classroom. “Let’s call this for what it is: a humanitarian crisis,” she emphasized, arguing the same conditions would not be tolerated in “wealthier, whiter school districts.” Linardopoulos explained PFT has a proposal for \$170 million to be dedicated to remediate toxins and provide students with “safe, healthy, warm and dry” schools. The proposal is not nearly enough to provide equity to schools, she noted, but will ensure students and teachers are not poisoned by their schools. Acquiring funding will not be the last step, she said, and she called for a “movement of change.”

Rick Bloomingdale, president of the Pennsylvania AFL-CIO, argued asbestos and lead would not be tolerated in the Capitol building, and yet students are exposed to it in their schools. He added that if public sector workers in schools were covered by the Occupational Safety and Health Administration (OSHA), toxic schools would not be kept open. He called for funding to fix toxic conditions in schools.

Frank Snyder, secretary-treasurer, Pennsylvania AFL-CIO, questioned where the lawmakers are and called for children to be a priority and to be a part of the budget. Members of the Pennsylvania AFL-CIO are able to fix the conditions of schools, he stated, and he urged for action from legislators.

Pat Eiding, president, Philadelphia AFL-CIO, explained he previously represented asbestos workers and is well-acquainted with what mesothelioma does. He urged legislators and Gov. Tom Wolf to act on the issue now, and he affirmed the impact of asbestos doesn't show up until after 10 or 15 years. He reiterated the money is needed now and called for funding for schools.

Gilberto Gonzalez, the father of a student at Ben Franklin High School, described how construction at his son's school affected his asthma. Today, he continued, students are still going to schools with asbestos, lead, and leaking water. Funding will "restore trust in our system" and will make children a priority, he asserted. "Nothing is more important than the most precious resource: children," he concluded.

Janene Hasan, a specialist in science, technology, engineering, and mathematics (STEM) at Southwark School, explained she promised to provide her students with every opportunity that suburban schools have. She described how she tested the dust she saw in her classroom after reading an article about toxic schools, only to discover it contained lead. She went on to explain that she had stored classroom materials in the dust, was pregnant in the classroom, and nursed her son in clothes she had worn to school. She affirmed her son tested positive for lead exposure and that she began treating her classroom as a hazard, including changing clothes before going home. "It really tore me up knowing that I had unwittingly exposed... all of my students to lead dust. No one told me that that should be a concern. We talk about benchmarks, we talk about the Pennsylvania System of School Assessment (PSSA); no one told me that I should be worried that I'm giving my children neurotoxins," she stated.

Hasan continued by saying lead dust is only one hazard, and many schools face additional problems such as leaks, rodents and asbestos. While Southwark has had the lead problem addressed, she said, members of the school are at the Capitol to support other schools with toxic conditions and that it is a "basic human right to not be poisoned by the school." She opined, "I guarantee that if this happened in a suburban school, we would not be here today [and] it would be taken care of." She concluded by emphasizing that the issue is a human rights and racial issue.

Donna Cooper, executive director, Public Citizens for Children and Youth (PCCY), argued Philadelphians are the 20<sup>th</sup> highest taxpayers in the state and that Pennsylvania is failing the School District of Philadelphia. Toxic conditions in schools were "years in the making," she continued, and resulted from lack of funding. She expressed disappointment in money being put in the Rainy Day Fund "when it is raining asbestos dust and lead dust in our schools." Despite Philadelphia's efforts in addressing the issue, funding is needed from the commonwealth, she affirmed, and she pointed to six tax increases that have occurred for the city. "The state is violating the Constitution; this crisis is a constitutional crisis," she argued, and she called for state government to "step up to the plate."

Ernie Bennett, District 1201 assistant leader, Service Employees International Union (SEIU) Local 32BJ, highlighted [HB 1636](#) and explained that as a building engineer, he and members of his organization are well aware of infrastructure problems in public schools. Issues with piping, deteriorating bathrooms, and asbestos are some of the infrastructure issues that continue to grow worse as corners are cut, he continued. He related the story of Chris Trakimas, who was a member of SEIU 32BJ that was killed while working on a boiler in a Philadelphia school. Bennett reiterated budget cuts put schools at risk and that funding is necessary to address the dangerous issues schools currently face, and he encouraged support for HB 1636.

Sen. Vincent Hughes (D-Philadelphia) asserted the message needs to be internalized and passed on to others regarding the toxic conditions of schools. “Think about the idea that the state is requiring us to send...all of these folks to toxic, dangerous schools,” he stated, adding that toxic conditions in schools is not new or unknown. He quoted a student who said that going to school feels “like I’m going to jail” and he pointed to Trakimas’s story and the teacher who was diagnosed with cancer from asbestos in the classroom. He argued that how suburban schools look should be how every school looks and that the money in the Rainy Day Fund is enough to address the issue. He called for Rainy Day funds to be used to address toxic conditions in schools.

Jennifer Ballard, a teacher at Thomas M. Peirce School and a PFT building representative, announced, “I am tired of our children being put to the side, I am tired of our children being an afterthought, I am tired of working at schools that are not properly funded and were told to make miracles out of nothing.” She asserted “enough is enough” and called for support for teachers and students, opining that “our children are worth it.”

Rev. Dr. Patricia McAllister, pastor and member of POWER, explained children are taught what to do in dangerous situations, such as active shooter situations, but the same is not done for toxic conditions in schools. She highlighted cases of toxic conditions causing seizures and headaches in teachers and students and she called for more funding for public schools. She referenced [HB 961](#) and encouraged a fair funding formula for schools to resolve issues of toxic conditions. She concluded by calling on Rep. Curt Sonney (R-Erie) to hold a hearing on the topic and to bring an end to this “major problem.”



## HOUSE REPUBLICAN MEMBERS UNVEIL FINANCIAL REFORM PACKAGE

By Matt Hess, Pennsylvania Legislative Services | December 18, 2019

Representatives from the House Republican Caucus held a press conference this morning to unveil a financial reform legislative package.

Rep. Seth Grove (R-York) explained that the 2019 Comprehensive Financial Annual Report showed that the commonwealth’s net position is negative \$5.6 billion, but Pennsylvania’s financial position has improved over \$3 billion since 2018. “We should see additional improvement with over \$300 million deposited into the Rainy Day Fund. I want to thank our House leadership team, particularly Majority Appropriations Chairman Stan Saylor (R-York), for leading the charge for such a large deposit. This provides greater financial stability and reduced spending, which all improve our finances,” he stated. “The commonwealth is still facing deficit spending, creating massive financial pressure. Today we’re here to announce a financial reform package to improve the financial governance of the commonwealth.”

Dr. Eileen Norcross, vice president of policy research at the Mercatus Center at George Mason University, emphasized the importance of state governments operating under fiscal and budget rules that promote transparency, discipline, and fiscal sustainability. “In 2006, Pennsylvania’s operating budget was \$56 billion, and today that number is \$84 billion. This jump in spending is driven by the growth of other funds, in which general funds are shifting in to less visible special funds and earmarks. According to the Independent Fiscal Office, in fiscal year 2018 the state’s 43 special funds totaled \$9.5 billion,” she stated. “I have labeled the habitual shifting of funds as a form of ‘fiscal evasion’, which I define as an accounting tactic, budgeting rule, or intergovernmental arrangement that conceals the full cost of public spending...Pennsylvania has the opportunity to lead in enforcing good budgeting practice and fiscal practice by limiting the use of special funds and bringing General Fund revenue back to clear view for both policymakers and the public.”

Rep. Grove, prime sponsor of [HB 1988](#), explained that the Pennsylvania Treasury loaned the state \$400 million in November in order to pay for expenses. “Taxpayers will pay an additional \$11.4 million to borrow money from ourselves,” he stated. “HB 1988 will transfer 17 special funds hidden away in the shadow budget back into the General Fund to provide short-term financial relief to the General Fund, end the short-term borrowing, and eliminate the added cost to taxpayers,” he stated. “This is a simple, commonsense solution. Those 17 special fund accounts total \$2.08 billion, of which \$216.7 million has been identified as reoccurring revenue.”

Rep. Dawn Keefer (R-York), prime sponsor of [HB 1991](#), explained that Pennsylvania has 200 special funds that have little accountability or oversight by the General Assembly. “HB 1991 would disallow any additional special funds to be established,” she stated. “The way we have our budget layered with all these different shenanigans is a false sense of our financial picture and we have evaded the kind of accountability our taxpayers deserve. We need to get our fiscal health in order.”

Rep. Andrew Lewis (R-Dauphin), prime sponsor of [HB 1990](#), explained that the legislation would create the Council on State Finances. “Tax revenue does not belong to the legislature, it belongs to the people who sent us here,” he stated. “What this bill does is take a more strategic view of state finances through a collaborative effort with this council.”

Rep. Tim O’Neal (R-Washington), prime sponsor of [HB 1989](#), said the \$340 million currently in the Rainy Day Fund covers less than four days of government operations. “HB 1989 would amend the Constitution to give voters the option to save more. The amendment would require any surplus to be transferred to the Rainy Day Fund. The transfer would continue until the Rainy Day Fund total equals to 20 percent of all revenue,” he stated.



## **LEHIGH VALLEY NORML RALLIES TO FIX MEDICAL MARIJUANA INDUSTRY**

By Harrison Cann, Pennsylvania Legislative Services | December 18, 2019

Medical marijuana advocates and users urged for the Department of Health (DOH) and legislators to make changes to protect medical marijuana patients in Pennsylvania at a press conference this afternoon.

Jeff Riedy, executive director, Lehigh Valley chapter, National Organization for the Reform of Marijuana Laws (NORML), stated that the purpose of the event is to push for the protection of medical marijuana patients. “We are here to protect patients from DUI charges...so they are not discriminated against going for a job,” Riedy added. “We are here to protect patients’ rights when they are renters in the state of Pennsylvania.”

Riedy stated that they are working to create a Patient Bill of Rights that would put protections in place for medical marijuana patients. He noted that there are about 200,000 registered medical marijuana patients in Pennsylvania and that many are being forced to go to the black market because dispensaries are running out of flower or driving up prices.

Adrienne Leasa, medical marijuana advocate and patient, expressed concerns for growers and processors “skirting regulations.” She stated that there has been an ongoing flower shortage in Pennsylvania. She also expressed concerns for plants with mold that are treated to become concentrates and that “it defeats the purpose for having a regulated industry” if patients do not trust it.

Leasa asserted that there are no routine inspections for growers and processors and that the last thing a medical patient wants is to be deceived. She stressed that the Medical Marijuana Advisory Board needs to reconvene to address these issues.

Riedy reiterated that there are issues with flower shortages and that DOH needs to have their feet “held to the fire” in order to ensure proper inspections and price capping is done. “Could you imagine going to the doctor and getting a prescription for a drug and if you went to CVS they said they do not have your medicine?” Riedy asked. “This is going on daily in Pennsylvania, especially when it comes to dry flower.”

George Armstrong, medical marijuana patient, shared his struggles with the medical marijuana industry and how it does not properly serve veterans in Pennsylvania. He stressed that there are problems with “access and affordability,” stating that flower shortages are leaving people without proper medicine and forcing many to look to the black market. He noted a time when he received an email about his dispensary receiving a new shipment of flower, and after immediately driving to the facility, he was forced to wait in a long line before being told that the flower he was looking for was no longer available.

“Now if I go to the black market I have to worry about being judged or possibly being arrested for possession of my medicine,” Armstrong stated. “I also have to worry about getting sick because I am buying it and have no confidence on where it was made or tested.” He reiterated that people relying on medical marijuana to get off of opioids and other prescription drugs have even more concerns about the inconsistencies in the industry.

Riedy stated that it is “ridiculous” that medical patients are being denied the medicine they signed up for, and that no one should be forced back into the pharmaceutical industry if they do not want to.

Rick Nicalossi, treasurer, Lehigh Valley NORML, showed support for the legislators that have made progress in implementing medical marijuana laws and stated that he is grateful to have the opportunity to purchase legal, tested cannabis. He noted that there has been more than \$500 million in medical marijuana sales in Pennsylvania through more than 70 dispensaries serving more than 65,000 patients a week.

Nicalossi added that more progress is needed and that further changes, such as the reconvening of the Medical Marijuana Advisory Board and a Patient Bill of Rights, would be crucial steps forward. He expressed support for [SB 475](#), which would remove cannabis from the list of Pennsylvania’s controlled substances. “We are not seeking special treatment, only equal treatment under the law,” he stated. He also noted that the average patient spends about \$125 per visit and stressed that price caps and homegrown plant laws need to be implemented as well.

Riedy reiterated that a lot of patients are priced out of the medicine and that price caps and discounts are needed.

Jeff Zick, founder, Pennsylvania Cannabis Festival, stated that he has signed up hundreds of individuals for the medical marijuana program at his events. He asserted that gardening medicinal plants is a human right and that bipartisan support is needed to ensure medical marijuana patients are able to grow their own medicine. He reiterated previous claims, noting that zero-tolerance DUI, price caps, and renter discrimination issues need to be addressed in a Patient Bill of Rights.

Riedy concluded that many patients are disenfranchised from the medical marijuana program in Pennsylvania. He stated that medical marijuana patients could have cannabis in their system every day, so having a zero-tolerance DUI policy is unfair to them.

“We have heard stories about patients that have not been able to find their product and patients that cannot afford their product. What are we going to do about it?” Riedy asked. “We are going to lobby our legislators today... This program should not be profiting off the backs of patients that fought for it.”



## LEGISLATORS DISCUSS MINIMUM WAGE BILL

By Sheri Melnick, Pennsylvania Legislative Services | December 18, 2019

Sen. Christine Tartaglione (D-Philadelphia) was joined by legislators and members of the administration to discuss the minimum wage this afternoon.

Sen. Tartaglione noted that it has been 13 years since the General Assembly last raised the minimum wage. She emphasized that with bipartisan support, the Senate adopted an amended version of [SB 79](#), “legislation which would open the door to a \$9.50 per hour minimum wage.” She asserted that House Speaker Mike Turzai (R-Allegheny) “has contrived to supplant the holiday goodwill with another year of neglect” and called him “the Grinch who stole Christmas.” Sen. Tartaglione spoke about Pennsylvanians who have low wages and minimal opportunities for advancement. She said, “House leadership has made no attempt to advance SB 79.”

Sen. Arthur Haywood (D-Montgomery) expressed disappointment that the Senate can still “not get the House to move.” He remarked that workers in New Jersey and Delaware are making more money than their counterparts in Pennsylvania for the



same work. He said, “It is clear that Pennsylvania employers are ready to raise the wage.” Sen. Haywood noted that with an adjustment for inflation, the minimum wage he made when working in 1975 would be adjusted to \$11 an hour today. He urged Pennsylvanians to contact their House members and let them know “it is time to stop the robbery of low-wage workers in Pennsylvania.”

Rep. Chris Rabb (D-Philadelphia) remarked that it has been 160 years since Charles Dickens wrote *A Christmas Carol*. He noted that while some families are shopping for the latest electronics, “many families are just hoping to put food on their table and give their kids a tiny bit of cheer.” Rep. Rabb stated that while some lawmakers assert that there is a “war on Christmas”, we are waging a war ourselves by denying justice to millions of workers.”

Jerry Oleksiak, secretary of labor and industry, remarked that he has attended several rallies in the Capitol over the minimum wage issue. He noted that it has been “more than a decade” since Pennsylvania raised the minimum wage, which was only increased then to meet the federal standard. He asserted that there are workers “doing the exact same job” as someone in another state, but they are earning less. Sec. Oleksiak said, “A person working full-time should not have to worry about feeding their family.” He noted that increasing the minimum wage will help people come off of public assistance and save tax dollars. Sec. Oleksiak asserted his hope that the next time he speaks at an event like this, it will be to congratulate legislators for raising the minimum wage.

Sen. Tartaglione took questions from the press.

#### **Can you respond to Republicans in the House who assert that there is not a pro-business part of the bill?**

Sen. Tartaglione noted that there is a pro-business part of the bill, and Governor Tom Wolf agreed to not implement the overtime regulations included in the bill.

Rep. Rabb said “this legislation is a compromise in itself” because getting to a \$15 per hour minimum wage over years is a compromise. He asserted that it is a “disingenuous argument” to say that legislators are not flexible. Sen. Tartaglione stated that the bill was passed with a “big” majority and bipartisan effort in the Senate with a compromise down to \$9.50 an hour.

Rep. Mary Isaacson (D-Philadelphia) remarked that legislators have compromised, and she asserted that Pennsylvania is at a “disadvantage” with its minimum wage.

Also present were Representatives Danilo Burgos (D-Philadelphia), Jared Solomon (D-Philadelphia), and Joseph Hohenstein (D-Philadelphia).



## **DEMOCRATS ANNOUNCE JUDICIAL NOMINATION TRANSPARENCY LEGISLATION**

By Harrison Cann, Pennsylvania Legislative Services | December 18, 2019

Democratic senators introduced a bill to increase transparency and public participation in the judicial nomination process at a press conference this afternoon.

Sen. Anthony Williams (D-Philadelphia), alongside Senators Katie Muth (D-Montgomery), Lindsey Williams (D-Allegheny), and Maria Collett (D-Montgomery), announced the upcoming SB 978, which would require the Office of General Counsel to post the names and application paperwork of each candidate who has applied for a judicial vacancy on its publicly-accessible website for a period of 30 days and to accept public comment.

Maida Milone, president, Pennsylvanians for Modern Courts (PMC), stated that PMC is the only nonpartisan nonprofit in the commonwealth that is devoted to education, advocacy and promotion of collaboration in support of a fair judicial system. She added that having qualified, fair, and impartial individuals in courts will only benefit Pennsylvania and its democracy.

Sen. Muth asserted that transparency is a requirement in retaining faith in government, especially in the judicial system. She stated that becoming a judge should involve “merit, ethics, and moral compass” and not closed-door meetings and handouts.

“As elected officials, we should work with urgency to update our laws to ensure accountability and strengthen our democracy,” Sen. Muth added. “One would assume that would be a bipartisan effort, but we will see how this goes.” She stated that those who make judicial decisions on people’s lives should be held to the highest standard like elected officials.

Sen. Collett stated that the bill is “imperative, as partisan and backroom deals are made without public scrutiny or accountability and continue to persist.” She stressed that good government relies on an open dialogue with the public and that this bill will allow more people to participate in democracy.

Sen. Lindsey Williams discussed the background of Bruce Beemer, the current inspector general and former attorney general who is a judicial nominee. “Mr. Beemer’s vast and varied experiences are exactly what someone being nominated to be on the judicial bench should have,” she stated. She added that the judicial committee is also voting on Drew Crompton, who she says is “not qualified” and “never should have been nominated.”

Sen. Lindsey Williams clarified that it is not a partisan issue but that she left the Senate Judiciary Committee meeting “utterly unclear” about Crompton’s standards of fairness and impartiality. “How are the people of Pennsylvania supposed to trust their courts to be fair and unbiased when the person nominated was...named in federal lawsuits by former employees who are currently suing the Senate for wrongful and retaliatory termination?” Sen. Lindsey Williams added. She concluded by stating that if Crompton wants to be on the Commonwealth Court, he should “have the guts to put his name on the ballot and let the voters decide if they want a political hack on the bench.”

Sen. Anthony Williams asserted that the nominations dealt with today are not the single focus of the bill but that there is a “longstanding tradition” of judicial nominations that the public is unaware of and is unable to vet. He stated that the bill is about creating change that questions why things “have always been done this way.”

“Whether you are a Democrat or a Republican, whether you are progressive or conservative, our constituents are increasingly demanding the government for involvement,” Sen. Anthony Williams stated.

The senators then answered questions from the audience.

#### **Have you had issues with the nomination process or is this about this most recent nomination?**

Sen. Anthony Williams responded that he has long been frustrated with the judicial nomination process. He stated that the comments about Crompton were about his judicial experience and not about him personally, and that he does question his qualifications for the nomination.

Milone reiterated that PMC is a nonpartisan organization so her concerns are not about a particular candidate but ensuring a merit-based selection process.

#### **Did you have an issue with Governor Tom Wolf’s standards for a nomination?**

Sen. Anthony Williams responded that his concerns are about a “volume of nominees” and that although one particular name was mentioned, it is a good time to publicly come out in seeking more transparency. He stated that the governor is in the executive branch and they are in the legislative branch, and by design they can agree and disagree. He added that Gov. Wolf may have seen value in the nominee but that he wants the public to be able to engage in the process.

Sen. Muth commented that she is here to represent the people and not appease the governor. She stressed that people want more transparency and accountability, and that this one individual is a great opportunity to show the lack of accountability and the need for change.

### **What were the concerns of groups that opposed Crompton's nomination?**

Sen. Collett responded that groups expressed concerns with the nomination process and that they thought the governor should not have picked him. She added that some people said the governor could not have picked a worse nominee. She noted that other nominees had extensive backgrounds in the legal system and that she was concerned with Crompton's level of experience with courts and working with people from different walks of life.

### **Were you satisfied with Crompton's answers to questioning?**

Sen. Collett responded that she was not satisfied and stated that his responses were vague.

### **Have you asked the governor's office to provide information on other applications?**

Sen. Anthony Williams responded that his office asked both the governor's office and Senate leadership. He added that he would like more than just a name and have more proper vetting in the process.

### **Did you get the names of other applicants?**

Sen. Anthony Williams responded that he would have to check with his office. He expressed concern for having "ideologues as opposed to academics" in the courts that do not understand how the law should work.

### **No nomination will be able to go through without some bipartisan support. Were there any promises made to your caucus about any exchanges for votes?**

Sen. Anthony Williams responded that there is historically an exchange with party affiliation and judicial nominations, but that the bill will address the transparency of the process. He added that everyone goes along with the process because "that is the way we have always done it," but that he thinks the system is "dangerous."



## **WOLF SIGNS CRIMINAL JUSTICE REINVESTMENT INITIATIVE BILLS**

By Matt Hess, Pennsylvania Legislative Services | December 18, 2019

Gov. Tom Wolf was joined by a host of lawmakers and Attorney General Josh Shapiro this afternoon to sign two Justice Reinvestment Initiative (JRI 2) bills into law.

Gov. Wolf lauded the bipartisanship of the legislation and explained that lawmakers worked for three years to get the bills through the legislative process. "These important pieces of legislation will cut red tape, reducing bureaucracy will result in savings of time and money, and we will reinvest those savings into criminal justice programs that reduce recidivism, increase public safety, and better serve victims of crime," he stated. "Passage of JRI 2 has been a long process that began back in 2016 with the Justice Reinvestment Working Group. I am proud that we are bringing this across the finish line today. We have passed yet another criminal justice reform [bill] that will improve the lives of all Pennsylvanians. Our commonwealth has become known for its commitment to create a fairer criminal justice system that works for every citizen."

Sen. Lisa Baker (R-Luzerne), chairman of the Senate Judiciary Committee and prime sponsor of [SB 500](#), explained that the legislation establishes a 19-member County Adult Probation and Parole Advisory Committee that will offer guidance and help to counties to better assess the unique risks and needs of probationers to reduce incarceration and reduce costs to taxpayers. "This is a bipartisan package," she stated. "There is more reform that is to come; this is not the end of the discussion. There are other bills under active consideration by the General Assembly and the administration. Today is the beginning, not the end."

Sen. Tom Killion (R-Delaware), prime sponsor of [SB 501](#), explained that the bill will streamline the placement of offenders in drug treatment and other intermediate programs and will improve the parole process for nonviolent offenders. "I am pleased to be part of the package of bills designed to reduce prison and probation costs that will better protect victims and improve public safety," he stated. "SB 501 is estimated to reduce the inmate population in the next five years by 600 inmates and account for a savings of up to \$45 million."



Rep. Paul Schemel (R-Franklin) said JRI 2 is the “perfect marriage of justice and mercy” and increases the opportunity of an individual to be a productive member of society. “It’s just good legislation,” he stated.

Rep. Joanna McCClinton (D-Philadelphia) emphasized that a major part of public safety includes criminal justice reform. “That means people who do not belong in the Department of Corrections but we’re spending upwards of \$40,000 a year to keep them there. This legislative package will give them back to their families. It will get them back into the community. It will reunite them with their children and ensure that parents are able to train and teach their children,” she stated. “As we move the needle forward from Clean Slate all the way up to this reinvestment package, we look forward to doing even better things.”

Rep. Tim Briggs (D-Montgomery), minority chairman of the House Judiciary Committee, said the reform package will result in lower crime rates, lower recidivism rates, safer streets, and substantial savings. “I hope the passage of this package of bills will be a clear message to those who are trying to take us back to the failed ‘tough on crime’ era,” he stated. “Punishment without rehabilitation does not work. People are worth saving and our communities are better off when we invest in people. We need to be smart on crime and adapt to the needs of the commonwealth.”

Attorney General Shapiro noted that he led the Pennsylvania Commission on Crime and Delinquency and co-chaired the Justice Reinvestment Working Group along with Secretary of the Department of Corrections John Wetzel. “I am pleased what our bipartisan commission did is reflected today in the package of bills that Gov. Wolf will sign into law. The framework we developed then is now at the core of what is contained in these bills and it will improve public safety in communities across Pennsylvania,” he stated. “It will increase fairness to our criminal justice system and it will make sure the hard-earned dollars of Pennsylvania taxpayers are used more wisely...We can all agree that there is more work to do on criminal justice reform but let us not lose sight of the real progress we are making on criminal justice reform in Pennsylvania under the leadership of Gov. Tom Wolf.”



## COMMITTEE NEWS

*Comprehensive coverage of House & Senate public hearings & voting meetings*

### House Agriculture and Rural Affairs Committee

12/18/19, 9:00 a.m., Room 60, East Wing

By Sheri Melnick, Pennsylvania Legislative Services

The committee met to consider legislation.

[HB 1971 Day, Gary](#) - (PN 2774) Amends the Pennsylvania Safe Drinking Water Act establishing a streamlined process for inspection of water bottles by including bulk haulers of water within the act. Effective in 60 days. - The bill was unanimously **reported as committed**.

[HB 1972 Day, Gary](#) - (PN 2775) Amends Title 3 (Agriculture), in food production, establishing that if a food establishment produces bottled water, the water shall comply with requirements related to processing and bottling of bottled drinking water and beverages and the establishment shall utilize a water source meeting the requirements of the Pennsylvania Safe Drinking Water Act. Effective in 60 days. - The bill was unanimously **reported as committed**.

Republican Executive Director Kerry Golden explained that there are two separate bills being considered because House Bill 1971 amends the Safe Drinking Water Act, and House Bill 1972 amends the Agriculture Code. She remarked that the Department of Environmental Protection (DEP) currently inspects water sources and bottled water in bottles of half a gallon or more, while the Department of Agriculture (PDA) inspects bottled water in bottles or containers of less than half a gallon. She noted that these bills will make PDA the inspector of bottled water in all sizes while DEP will continue to inspect water sources.

Rep. Gary Day (R-Lehigh) explained that the bills are separate because there are two different parts of the law that need to be addressed. He asserted that when he was looking at the issue, he saw the overlap between agencies regulating bottled water.

Minority Chairman Eddie Pashinski (D-Luzerne) noted that he is a cosponsor of the bills and expressed his appreciation of the efforts of Rep. Day to “streamline the process.” He remarked that he received some concerns from DEP and PDA, and he encouraged the continued conversations between them.

Rep. Day expressed his appreciation for Chairman Pashinski’s support on the bills.

Chairman Martin Causer (R-McKean) noted that the committee received emails last night from PDA and DEP indicating their opposition to the bills. He stated that PDA and DEP were notified over a month ago that the bills would be moved out of committee. Chairman Causer remarked that it was “disrespectful” to the members and the committee to receive the late notification from the agencies after advance notice was provided. He asserted that the late notification by the administration is “creating a situation” which has made him consider sending notice to the administration when notice is sent to the public. He said, “The administration needs to get its act together if they want to work with us.”



#### **House Professional Licensure Committee**

*12/18/19, 9:30 a.m., Room 205, Ryan Office Building*

By Sheri Melnick, Pennsylvania Legislative Services

The committee held a public hearing on House Bill 1802.

[HB 1802 Mehaffie, Thomas](#) - (PN 2445) Amends the Professional Nursing Law making changes to numerous definitions of terms, including “treating,” “medical nutrition therapy,” and “certified nutrition specialist,” among others. Amends composition of the State Board of Nursing. Outlines requirements for dietitian nutritionist or nutritionist licensure and registration, scope of practice, and activity prohibited. Effective in 60 days.

Chairman Hickernell noted that the issue being considered by the committee today is a «new issue» for the committee.

Minority Chairman Readshaw remarked that it is always good for the committee members to gain additional knowledge about any particular subject.

Rep. Mehaffie, the prime sponsor of House Bill 1802, thanked the committee for agreeing to hold the hearing. He said, «This is truly a patient protection bill. If we do not have scope of practice, we really do not have a license.»

[Susan Adams](#), president, Pennsylvania Academy of Nutrition and Dietetics, noted that her organization represents 4,276 licensed dietitian/ nutritionists (LDNs) and offered support for House Bill 1802 as the current Professional Nursing Law only provides for title protection for LDNs. She commented that LDNs work with physicians, nurses, speech pathologists, physical therapists, and occupational therapists and have been trained to provide medical nutrition therapy (MNT) and to provide care as part of an interdisciplinary medical team.

As explained by Adams, MNT is the “provision of complex nutrition care services provided for the treatment or management of nutritional-related diseases or medical conditions.” She explained that MNT requires LDNs to examine “nutrient needs of a patient after taking into consideration the patient’s medical diagnosis, lab values, medications, diet history, and anthropometric measurements.” The purpose of House Bill 1802, as stated by Adams, “is to protect the health and safety of Pennsylvanians” by ensuring that all providers of MNT meet competency standards, enabling patients to live longer lives, reducing reliance on medications, and resulting in fewer hospitalizations and quicker recoveries.

Adams remarked that currently in Pennsylvania anyone can refer to themselves as a nutritionist. She noted that House Bill 1802 maintains the “viability of providing general nutrition advice as a career option for those who provide these services.” Adams asserted that the bill will also designate and protect each practice area by “defining the scope of practice of MNT.”

[Meg Rowe](#), licensure chair, Pennsylvania Academy of Nutrition and Dietetics, provided examples of why the bill is essential, offering references to situations where patients died or sustained critical injury by taking advice from people who claimed to be nutritionists. She expressed the need to ensure that LDNs are provided with state recognition as “medical nutrition experts by obtaining the necessary education and training requirements and committing to evidence-based practices.”

[Kalonji Johnson](#), acting commissioner, Bureau of Professional and Occupational Affairs (BPOA), Pennsylvania Department of State (DOS), remarked that his agency administers and enforces practice requirements for the professional licensure of 29 professional boards. He stated that each board is governed by its practice act, which establishes the scope of its powers and duties. He noted that the BPOA is responsible for the discipline and enforcement of standards of conduct implemented by each board. Johnson asserted that the training and education required by occupational licensing standards are “vital requirements” that have been developed and adopted to benefit “all citizens of the commonwealth.”

Johnson noted that LDNs were created in 2002 when the Professional Nursing Law was changed to include them. He noted that after Governor Tom Wolf’s executive order 2017-03, DOS now requires the completion of a favorable sunrise analysis by the party advocating for new licensure. He remarked that initially DOS did not believe that a sunrise analysis was necessary for House Bill 1802, but later determined that an analysis was needed. Reasons for this analysis, he outlined, include the fact that House Bill 1802 “substantively alters the current licensure structure for LDNs” and includes “vague” and “ambiguous” language and unintended consequences of the bill. He concluded his testimony by stating that DOS would be willing to work with the proponents of House Bill 1802 to complete a sunrise analysis application.

[Brett Ewer](#), government relations specialist, CrossFit, Inc., expressed his organization’s opposition to House Bill 1802, stating that it would “enact harmful public policy as written.” He asserted that it would prevent trainers from speaking about proper nutrition advice to their clients. Ewer remarked that the bill prohibits the unlicensed practice of MNT and defines it as “the provision of nutrition care services for the purpose of treatment or management of a disease or medical condition.” Because the American Medical Association and other medical professional associations define obesity as a disease, Ewer asserted that trainers at CrossFit would not be able to advise their obese clients on nutritional practices to address the obesity. He stated that the definition of MNT is “broad and unprecedented” while noting that the definition of MNT in the legislation conflicts with the federal definition of MNT and the Academy of Nutrition and Dietetics’s MNT definition.

[Brittany Dawn McAllister](#), director, legislative and regulatory affairs, American Nutrition Association (ANA), remarked that the ANA is the “foremost certifying body for advanced nutrition professionals.” She explained that there is currently a “pathway” for certified nutrition specialists (CNSs) to become LDNs and noted that House Bill 1802 would update licensure qualifications, making CNSs eligible for licenses as licensed nutritionists. McAllister remarked that while ANA supports the general intent of the bill, they are requesting amendments addressing issues, including the definition of nutrition assessment, the use of the term “student” under training exemption, a change to the licensing location for supervisors, an alteration of language regarding licensure qualifications, and a revision to ensure that the currently-licensed LDNs can continue to use the LDN title.

Chairman Hickernell asked how long a sunrise evaluation takes. Johnson responded that it will depend largely on the information received. He explained that once DOS has a completed application, they should be able to provide a response to the application within four to six weeks.

Chairman Hickernell asked if the sunrise evaluation includes whether the administration supports or opposes the legislation. Johnson remarked that the response depends on the subject of the sunrise and if it is related to a new licensure class or expansion. He noted that his department will provide a formal administrative position that is vetted by the governor’s Office of Policy.

Chairman Readshaw asked if there is any data on how many nutritionists are members of the military or are military spouses. Adams stated that she does not have any specific data and opined that the states which have the most military bases would have the most military spouses or military members who are registered dietitian nutritionists. She asserted that she can obtain that information.

Chairman Readshaw asked how a feeding tube would work when a LDN advises on the placement of a feeding tube. Rowe remarked that a dietitian would conduct a nutritionist assessment of the patient and present the plan of action to the physician, who would then order the feeding tube, which would be inserted by a physician, nurse practitioner, or physician assistant. She noted that the LDN would advise on the feeding formula.

Rep. Emrick asked about the goal of the bill. Adams responded that she personally holds an LDN license in Pennsylvania and it means that no one else, unless they hold a LDN license, can call themselves an LDN. She stated under current law, the license provides “title” protection and remarked that anyone can state that they are a nutritionist but cannot call themselves an LDN. She remarked that what LDNs want is to “have a scope of practice,” which is detailed in House Bill 1802. Adams opined that the scope of practice will protect the residents of Pennsylvania.

Rep. Emrick asked if a friend’s nutritional advice would become illegal under House Bill 1802. Rowe stated that the bill has carved out a provision for general non-medical nutritional therapy so that people who are not eligible for licensure can still practice as trainers as long as they are conducting non-medical nutrition services. She asserted that this bill will create more of a “niche” for general non-medical nutrition services. Rowe stated that the bill addresses only “nutritional” treatment of disease. Ewer noted that there is an ever-expanding definition of disease. He asserted that there are diseases or disorders which are related to lifestyle and stated that if a person was considered obese, someone offering nutritional advice could be subject to penalty if they provided nutritional advice under the terms of House Bill 1802. Rowe noted that there is an amendment her organization could offer so that people providing non-medical nutrition information would not be impacted by House Bill 1802. Ewer remarked that weight is just one element to be considered and is not the most perfect way to evaluate obesity.

Rep. Lawrence expressed his appreciation of the intent of the bill. He noted that the determination of a feeding tube formula is different from a co-worker’s advice on nutrition. He remarked that the definition of “general non-medical nutrition information” is “pretty extensive” and “broad.” He stated that permissions of advice for licensed persons are also “broad.” He said, “Our job is to try to decide where the line is, and I don’t think nutritional treatment of a disease is the line.” Rep. Lawrence asserted that some of the definitions have “serious issues.” He asked where the line should be. McAllister responded that the bill creates a “large scope of practice for licensees,” but the broad definitions for nutrition care services are not specific to licensees. She stated that any other individual could perform those same services as long as they are not treating a medical condition.

Rep. Lawrence asked why the language is included. McAllister remarked that it is necessary to define what licensees can do to make sure that the licensure board knows the entire scope of services that licensees can provide. Rep. Lawrence asserted that “it is interesting to provide what licensees can do but are not exclusively in their scope of practice.” Rowe remarked that her organization has emphasized the importance of defining the scope of practice. She asserted that what registered dietitian nutritionists can do is different from what an employee in a gym can do. Rowe noted that once someone provides nutrition advice for a medical condition, they are using the nutrition classification for MNT. McAllister remarked that there is a difference in prevention and treating a disease. Rep. Lawrence said, “This definition is very important and we need to get it right.” He opined that moving forward with licensure is a good idea and that “we need to make sure that our definitions are tight.”

Rep. Day remarked that Rowe made an “outstanding” case for licensure. He asked Johnson to provide information from his testimony. He noted that the burden is on those who want the licensure to provide the information. Rep. Day asserted that Ewer should work with carving out a spot for his organization in the legislation. He asked if there is a way to create a scope of practice which would enable CrossFit trainers to escalate a concern to licensed practitioners. Rowe noted that CNSs have been statutorily established since 2002. She asserted that combining CNSs and their scope of practice with athletic trainers would provide a connection between them and establish that trained professionals could focus on disease-related matters.

Rep. Polinchock asked, of the 4,276 registered LDNs, if a percentage of them are affiliated with gyms. He echoed comments from Rep. Lawrence that “it is important that we get this definition right.” Adams expressed her agreement that “we need everyone” to fight the battle and asserted that is why House Bill 1802 has areas covering non-medical weight loss and has many exceptions. She remarked on the distinction of giving advice to avoid getting a disease and nutritional advice to treat a disease.

Rep. Brown commented that professional licensure should be clear and asserted that “the definition needs to be right.” She noted that she has realized the importance of providing dietary therapy with medical advice. She asked if there is a shortage of LDNs. Rowe noted that there is no shortage and that the program is expanding. She emphasized the complexity of nutrition care now as compared to 20 years ago.

Rep. Mehaffie asked, out of the 220 CrossFit gyms, how many licensed dietitians there are. Ewer said he would get that information.

Additional testimony was provided by:

- [CrossFit, Inc., Institute for Integrative Nutrition, Council of Holistic Health Educators](#);
- [Emily Steinkamp](#), brand manager, health and wellness, Giant Food Stores, LLC; and
- [Dr. Brian Bixler](#), physician, OSS Health.



## House Liquor Control Committee

12/18/19, 10:00 a.m., Room G-50, Irvis Office Building

By Harrison Cann, Pennsylvania Legislative Services

The committee met to consider legislation.

[HB 1279 Mihalek, Natalie \(F\)](#) - (PN 1516) Amends the Liquor Code, in licenses and regulations, liquor, alcohol and malt and brewed beverages, further increasing the sale of wine for off-premise consumption to 6,000 milliliters of wine. Effective in 60 days. - The bill was **reported as amended** along a party-line vote, with Democrats voting in the negative.

Rep. Natalie Mihalek (R-Allegheny) explained that her bill allows for greater consumer convenience by increasing the allowed amount of wine purchased in a single transaction. She discussed a time where she was limited to the milliliter limit when buying four bottles of wine and suggested that consumers should be allowed to have a more convenient buying process.

Minority Chairman Daniel Deasy (D-Allegheny) commented that the increase is too substantial and he will be a no vote. He added that he looks forward to continuing the conversation in the future.

[A04079](#) by Pyle, increases the milliliter limit from 6,000 to 9,000. The amendment was **adopted** along a party-line vote, with Democrats voting in the negative.

[HB 1544 Burns, Frank](#) - (PN 1961) Amends the Liquor Code providing that license auctions authorized under subsection (a) shall be suspended until the establishment of the Wine and Spirits Wholesale and Retail Privatization Commission as required under section 28 of the act of June 8, 2016, (P.L.273, No.39) and the completion and release of the commission's report. Effective immediately. - The bill **failed as amended** with Rep. Mihalek and Rep. Frank Ryan (R-Lebanon) voting with the Democrats in the positive.

Rep. Frank Burns (D-Cambria) explained that his bill directs the Liquor Control Board to halt zombie license auctions until there is a study done to examine the effects on small business owners and license owners.

Chairman Jeff Pyle (R-Armstrong) asked what the end goal is for the bill. Rep. Burns responded that he wants to see how it affects different counties and areas, noting that no one truly knows how many licenses there are to auction. He added that he hopes a study will provide data to make educated decisions in the future.

Chairman Pyle asked if the focus is on cross-county liquor license transfers. Rep. Burns responded that cross-county transfers and auctions are allowed but that there is a better way to go about that process. He added that transactions between private companies across counties should be allowed.

Rep. Timothy O'Neal (R-Washington) asked how the bill affects previous laws that have been passed. Rep. Burns responded that this would not affect existing legislation but that it halts auctions until the study is done. He noted that there are different businesses, such as hotels and restaurants, that look to transfer licenses and that there needs to be an educated decision in regards to sales of licenses where there is a need for them.

Rep. O'Neal commented that he supports the concept but that he is concerned that the bill will stop transactions. Rep. Burns responded that he does not think that is the case but he would be happy to amend it if that is true.

Rep. Ryan asked what would happen if the study is not completed in a timely manner. Lynn Benka-Davies, executive director, responded that the study is defined as a 12-month study, so it would be limited to that. Rep. Ryan asked if there should be an amendment to create a fallback in case the study is not done on time. Benka-Davies responded that it may be appropriate because some studies are not completed.

Rep. Valerie Gaydos (R-Allegheny) asked why there should be suspensions within the 12-month period. Rep. Burns responded that there could be negative impacts on existing businesses so he would like to hold off on license sales until an appropriate decision regarding sales is made.

Rep. Barry Jozwiak (R-Berks) commented that there are enough studies that hold off processes. He stated that there are businesses waiting for licenses that need them so a study could be done while sales are still allowed.

Rep. Andrew Lewis (R-Dauphin) asked if the purpose of the bill is to create accountability with receiving information from the Liquor Control Board. Rep. Burns responded that the purpose is to protect small businesses in areas where liquor licenses are sold too much, which causes prices to go down. He added that the committee needs to make informed decisions.

Rep. Ryan asked if a floor amendment regarding the 12-month limitation would be allowed. Rep. Burns responded that the study needs to be done now to prevent additional people from being hurt by sales. Rep. Ryan expressed concern with not having a firm end date for the study. He stated that he would be a yes on the vote if there is a 12-month amendment. Rep. Burns responded that he would allow it for Rep. Ryan.

Chairman Pyle commented that the 12-month study could be done in six months or fewer. He stated that he would be voting no because he does not want to hold off on creating economic development in the state.

[A04184](#) by Deasy, removes provisions requiring the formation of the wine and spirit wholesale and retail privatization and replaces it with a study to be completed by the Joint State Government Commission that would include the appropriateness of a quota system, supply and demand of restaurant licenses for each county, review of private sales, and economic impacts of inter-county transfers. The amendment was **adopted** with Rep. Ryan and Rep. Craig Staats (R-Bucks) voting in the negative.

Rep. Matthew Dowling (R-Fayette) asked if the amendment creates a new commission or uses existing ones. Benka-Davies responded that it would use existing ones.





**Senate Judiciary Committee**

12/18/19, 11:00 a.m., Hearing Room 1, North Office Building

By Jeff Cox, Pennsylvania Legislative Services

The committee held a public hearing to consider the nomination of Andrew Crompton to the Commonwealth Court and the following nominations for judges for the Courts of Common Pleas: Bruce Beemer, Allegheny County; Cateria McCabe, Philadelphia County; John Padova, Jr., Philadelphia County; and Daniel Sulman, Philadelphia County.

Sen. Regan introduced Crompton, reporting that Crompton is a 26-year Senate employee serving as chief of staff for Sen. Scarnati and as general counsel for the Senate Republicans. Sen. Regan told committee members, "He approaches his job in a very thoughtful and deliberate manner to ensure decisions are made fairly and are based on facts, legality and constitutionality." He said, "I have been most impressed by Drew's desire to adhere to the Constitution." Sen. Regan also said, "We have every confidence he will do the same as a distinguished member of the Commonwealth Court."

Crompton shared his personal biography. Citing Article I, section 1 of the Constitution of Pennsylvania, which states all men and women are born equally free and independent, Crompton observed, "Even though all are created equally, I recognize that all individuals are not always treated equally." He asserted, "This committee has my pledge to treat all who appear before me with the same respect and fairness without exception." Crompton also said, "I believe that precedent matters. There are rare occasions to overrule precedent, however, in most cases settled law should remain, in my opinion, good precedent." He commented, "In my current Senate role, I have worked on issues that touch almost every aspect of state government. My job has been to weigh conflicting interests, sort fact from fiction, determine a reasonable path of action in light of the law and then finally to defend the recommended course." Crompton told the committee members, "I believe this skillset will transfer well to the judiciary. Further, my considerable administrative law experience and depth also marries well to the responsibilities of the Commonwealth Court." Regarding the issue of recusal, Crompton said, "I will follow the spirit and the letter of the canons of judicial ethics on recusal and, where warranted, I will not hesitate to do so." He added, "That said, general familiarity of the subject matter is not and should not be the recusal standard." Crompton stated, "A specific interest or bias is the standard."

Chairman Baker asked about legislation Crompton may have drafted or worked on as counsel. Crompton explained he would not be slow to recuse when warranted. He commented, "Because I know something about administrative law or the Department of Revenue, I think that will help guide the court and I think my knowledge in that issue will be helpful." Crompton added, "However, if there is a specific party or issue that has some sort of relationship to my prior life, I will recuse." He stated, "I am not going there to further my work here. That is not my intent."

Sen. Gordner recounted the nomination of Gladys Brown Dutrieuille to the Public Utility Commission. He noted she was serving as counsel for the Senate Democratic Caucus and the Democratic floor leader at the time of her nomination. Sen. Gordner also pointed out that in her position she had worked on several public utility issues. He stated he was "very proud" of the Senate Consumer Protection and Professional Licensure Committee unanimously giving her a high recommendation to the Senate. Sen. Gordner pointed out her nomination was unanimously confirmed by the full Senate. He said to Crompton, "Your experience and your knowledge over these past 26 years will serve you incredibly well on the Commonwealth Court." He concluded, "Much like our caucus joined with the Senate Democratic Caucus back in 2013 to unanimously confirm Gladys Brown, I would hope as well that today will lead to a unanimous vote in favor of you because of your experience and background and the way you have presented yourself to represent us on the Commonwealth Court."

Sen. Collett asked if Crompton has had any trial experience representing clients in the courtroom during litigation, including brief writing, interrogatories, examination of witnesses, and procedural challenges. Crompton responded that in his capacity as general counsel to the caucus he has done all of the things Sen. Collett referenced. He reported he has done court appearances from time to time, though not frequently, and he has entered appearances in federal court, in Commonwealth Court, and in the Supreme Court. Crompton also reported he has personally signed papers, "but generally that is not the case." He explained, "Generally, we use outside counsel, both the Republicans and the Democrats, and often jointly." Crompton said he has worked extensively over the decades with outside counsel on brief writing and motions. He described his role as "quarterback" to outside counsel to not do just the written word, but to also conduct strategy, conferences and to

give direction to lawyers on the outside that represent the caucus and the Senate.

Sen. Collett wanted to know if Crompton, in his capacity as an attorney, has represented clients other than the Senate Republican Caucus. Crompton responded that most of the clients he has represented outside the caucus have had some relationship with the Senate. He reported he handled a case with outside counsel for Sen. Martin and Sen. Ryan Aument (R-Lancaster) against the sheriff in Lancaster County who refused to resign. Crompton explained, "It had nothing to do with the caucus per se, but it had something to do with my capacity with the Senate." He noted he has done some pro bono work over the years helping people with drafting wills and a few other pro bono cases. Crompton said, "I am careful in that capacity. I would like to do more pro bono work, but my skillset is such that I do not feel comfortable representing someone outside on a dispute with the Department of Revenue or something that has any relationship with state government."

Sen. Collett asked Crompton if his career serving the partisan interests of the Senate Republicans is an activity that would weigh on his impartiality. Crompton responded, "The simple answer is no." He explained that a lot of his work has been bipartisan and he has probably handled more cases in the Senate of a bipartisan nature. Crompton said he has done some partisan work where he represented individual members of his caucus or the caucus itself. He told the committee members, "I plan on making an absolute clean break with the Senate." Crompton continued, "I have no interest in keeping one foot here and one foot in the judicial branch." He commented, "Some of this comes down, in fact, to integrity." Crompton said, "I believe those who have worked closest with me understand the integrity I have operated with for two decades and I plan to take my personal integrity to the judicial branch and separate myself from my prior life."

Sen. Collett wanted to know if Crompton would recuse himself from cases involving organizations that have successfully lobbied for the support of the Senate Republican Caucus on legislation that directly impacts their operations. Crompton explained that if it was something that occurred while he was in the Senate, he would have to take a hard look at it. He further explained that if something happens in the Senate legislatively or administratively after he is gone and he has no personal interest in that case, that might be a separate set of issues. Crompton said, "I am going to be very cognizant...of the things that I had my fingerprints on while I was here."

Sen. Collett asked Crompton how he will ensure he is ruling based on the letter of the law and relevant precedent instead of what he believes the legislative intent was at the time he drafted the law. Crompton responded that legislative intent is "not all that weighty behind the court." He asserted, "I don't have any interest in monopolizing the conversations between perspective other judges on legislative intent." He explained he has been in the Commonwealth Court room many times where there is a bit of searching being done by the court to try to figure something out. He added, "If I can help with that, without overemphasis, I think I might have information that is helpful to the court to try to digest an issue."

Sen. Collett wanted to know if Crompton will recuse himself on cases challenging laws that he has drafted. Crompton responded it would depend what the challenge is and what involvement he had. He explained that if it was a personal involvement, perhaps yes. Crompton commented, "I am not trying to be dodgy in my answer, but these are general questions and the issue of recusal is generally a specific one on parties and a specific issue." He added, "Senator, in your question I do not know what the law issue before the court is, I don't know who is bringing it, and I don't know the facts and the context in which to make a full evaluation." Crompton continued, "I don't want to make blanket statements without understanding some of the specifics that would be inherent in the docket and the filings."

Ending her questions, Sen. Collett asked Crompton how he will reframe his thinking and maintain impartiality when in the past 26 years he has worked in a largely partisan capacity. Crompton responded that many of the issues he has confronted are institutional ones. He said the office of the President Pro Tempore receives institutional questions all the time, with some brought by Democrats. Crompton stated, "I have spent an equal amount as an institutional and bipartisan lawyer in my capacity in which I served Sen. Scarnati." He observed, "Putting me entirely in the partisan bucket I do not believe is fair." Crompton commented, "As I have testified, I do believe that I have done partisan issues. I have also done many bipartisan issues as well as institutional ones."

Minority Chairman Farnese asked Crompton to elaborate on his statement about legislation he was "personally involved" with. Crompton explained there are a number of issues he is consulted on casually throughout the day and there are few

laws over the last 10 years that he has actually drafted. He further explained that in his early years with the Senate as a legislative lawyer he drafted more legislation personally, but now is “the guy that walks around with a bucket to clean up things more than sit at my desk and do drafts.” Chairman Farnese asked if there is a list of bills Crompton personally drafted. Crompton responded that he has not kept a list of legislation that he has personally drafted. He noted that it is rare for anyone to draft legislation individually. The nomination was **reported with a favorable recommendation** with Chairman Farnese and Senators Collett and Haywood voting in the negative.

Sen. Lindsey Williams (D-Allegheny) introduced Beemer, telling the committee, «His vast experience in and out of the courtroom will allow him to be a fair and honest judge on the Court of Common Pleas in Allegheny County, and I think his record really speaks for itself.»

Beemer briefly reviewed his background and experience. He said, «I hope my experience, temperament and legal ability will allow me to be a fair-minded and even-handed judge that the citizens of Allegheny County deserve.» The nomination was unanimously **reported with a favorable recommendation**.

On behalf of Sen. Haywood, Chairman Farnese introduced McCabe. McCabe told committee members, “I believe my qualifications to become a judge stem from my diverse experience education and dedicated commitment to access to justice.”

Chairman Baker asked McCabe about her military service and how it has prepared her for her role in the Court of Common Pleas. McCabe said, “I think my military experience has prepared me not only for the bench, but life, generally speaking.” She also said, “There is a part of being a soldier that sort of makes you ‘hardcore’, which is certainly needed when you are hearing all sorts of cases.” The nomination was **reported with a favorable recommendation** with Sen. Gordner voting in the negative.

Sen. Gordner commented, «Because of the partisan vote that was made on an earlier nominee I will be voting no for each of the candidates from Philadelphia.»

Padova was introduced by Chairman Farnese. Padova commented, «Practicing law in a small firm, being a sole practitioner, forced me to wear a number of hats. I had to generate business and I had to provide quality representation for everyday people.» He also said, «I have been practicing for about 30 years and have the benefit of understanding the problems of the litigants.» The nomination was **reported with a favorable recommendation** with Sen. Gordner voting in the negative.

On behalf of Sen. Haywood, Chairman Farnese introduced Sulman. Sulman observed that as a judge «you need patience, you need temperament, you need to be able to listen and you need to have integrity.» He said, «I try every day in that capacity to listen.» The nomination was **reported with a favorable recommendation** with Sen. Gordner voting in the negative.



## House Appropriations Committee

12/18/19, 12:05 p.m., Room 140 Main Capitol

By Mike Howells, Pennsylvania Legislative Services

The committee met to consider legislation.

[HB 44 Snyder, Pam](#) - (PN 2918) Amends Title 61 (Prisons and Parole), in Pennsylvania Board of Probation and Parole, providing that corrections officers have an opportunity to submit a written or in-person statement at parole hearings. Effective in 60 days. (Prior Printer Number: 56) - The bill was unanimously **reported as committed**.

[HB 440 Nesbit, Tedd](#) - (PN 3054) Amends Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure), in criminal history record information, providing a criminal history record shall be expunged in a specific criminal proceeding when a person has been pardoned for an offense in accordance with the law or fully acquitted of all charges. Provides that the Pennsylvania Commission on Sentencing may maintain a list of the names and other criminal history record information of persons whose records are expunged or subject to limited access for conducting research and collecting and reporting statistical data and may not be disclosed unless authorized or required by law. Provides that upon payment of all court-ordered restitution, the person whose criminal history record information is subject to limited access shall also pay the fee previously authorized to carry out the limited access and clean slate limited access provisions. Effective in 60 days. (Prior Printer Number: 426, 3004) - The bill was unanimously **reported as committed**.

[HB 1477 Delozier, Sheryl](#) - (PN 3057) Amends Title 18 (Crimes and Offenses) and 63 (Professions and Occupations (State Licensed)), in criminal history record information, providing that criminal convictions shall not automatically preclude the issuance of a license, certificate, registration or permit by a licensing agency; providing provisions regarding the General Counsel, the Bureau of Professional and Occupational Affairs and licensing boards and licensing commissions related to the power and duty to issue subpoenas; consolidating the provisions of Act 48 of 1993; and making a related repeal. Licensing bodies may refuse, suspend or revoke any license on the basis that the crime directly relates to the occupation for which certification is sought, or that an individualized assessment of the relation of the conviction to the applicant's overall suitability to engage in the profession for which the permit is sought shows substantial risk to the individual's clients or a substantial risk of further criminal convictions. The legislation provides exceptions for applicants if the individual can establish sufficient mitigation or rehabilitation and fitness to perform the duties of the trade for which the license is sought. Where the criminal conduct is related directly to the certification sought, the licensing body shall consider relevant proof of any factors that would rebut an adverse presumption or show rehabilitation. Effective in 60 days. (Prior Printer Number: 1860, 3005) - The bill was unanimously **reported as committed**.

[HB 1849 Lewis, Andrew \(F\)](#) - (PN 2556) Act designating a portion of Pennsylvania Route 39 in Dauphin County, from Dover Road to Forest Hills Drive, as the Officer Mark Gaspich Memorial Highway. Effective in 60 days. - The bill was unanimously **reported as committed**.

[HB 1868 Gabler, Matt](#) - (PN 2588) Act designating a bridge, identified as Bridge Key 11414, on U.S. Route 219 in Brady Township, Cleary County, as the Lance Corporal Robert Clyde Gontero Memorial Bridge. Effective in 60 days. - The bill was unanimously **reported as committed**.

[SB 133 Argall, David](#) - (PN 1185) Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for lieutenant governor. The bill establishes that each candidate for governor, nominated under the laws of the commonwealth, shall, subject to the approval of the political party or political body, if any, nominating such candidate, select a candidate for lieutenant governor within such time before the gubernatorial general election as the General Assembly shall prescribe by law. Constitutional amendments require approval in two consecutive legislative sessions and then approval by the voters through a referendum. (Prior Printer Number: 110) - The bill was unanimously **reported as committed**.

[SB 750 Scarnati, Joseph](#) - (PN 1188) Amends the Administrative Code, in powers and duties of the Department of General Services, providing for the sale of the lieutenant governor's mansion and repealing a section related to the prohibited

use of certain buildings for political fundraising events. Effective in 30 days. (Prior Printer Number: 948) - The bill was unanimously **reported as committed**.

[HB 256 Metzgar, Carl](#) - (PN 2919) Amends Title 18 (Crimes and Offenses), in assault, further providing for an offense of assault by a prisoner against a detention facility or correctional facility employee with a deadly weapon instrument, or by any means to produce bodily injury. Effective in 60 days. (Prior Printer Number: 227) - The bill was **reported as committed** by a vote of 24-12 with Representatives Carolyn Comitta (D-Chester), Marty Flynn (D-Lackawanna), and Leanne Krueger (D-Delaware) joining Republicans voting in the affirmative.

[HB 257 Metzgar, Carl](#) - (PN 3053) Amends Title 18 (Crimes and Offenses), in assault, further providing for penalties for the offense of assault by prisoner. A person convicted under subsection (a) or any of the enumerated offenses, and the victim is a detention facility or correctional facility employee, the person's sentence shall be served consecutively with the person's current sentence. Effective in 60 days. (Prior Printer Number: 228, 2920) - The bill was **reported as committed** by a vote of 23-13 with Representatives Flynn and Krueger joining Republicans voting in the affirmative.

[HB 285 Metcalfe, Daryl](#) - (PN 258) Amends the Tax Reform Code, in personal income tax, further providing for classes of income relating to employee stock ownership plans by stipulating that the provisions of sections 402(e)(4) and 1042 of the Internal Revenue Code of 1986 (26 U.S.C. 402(e)(4) and 1042), as amended, shall be applicable. Effective in 60 days. - The bill was **reported as committed** along a party-line vote with Democrats voting in the negative.

[HB 1348 Gleim, Barbara \(F\)](#) - (PN 3056) The Agritourism Activity Protection Act provides for limited civil liability for agritourism activity providers. Requires agritourism businesses to post warning signs or have visitors sign liability waivers. Provides that the right to sue is preserved in cases in which the agritourism activity provider performs an act in a grossly negligent manner and causes injury or damages to a participant and the agritourism activity provider recklessly fails to warn or guard against a dangerous condition that causes injury or damages to a participant, among other exceptions to immunity of civil liability. Effective in 60 days. (Prior Printer Number: 1642, 2013) - The bill was **reported as committed** along a party-line vote with Democrats voting in the negative.

[HB 1855 Bernstine, Aaron](#) - (PN 3055) Amends Title 61 (Prisons and Parole), in Pennsylvania Board of Probation of Probation and Parole, precluding the parole board from prematurely releasing an inmate at the expiration of his minimum sentence if convicted of a violent crime or of obstruction of justice while incarcerated. The preclusion shall only apply to individuals who are incarcerated for crimes committed on or after the effective date. Section 2 of this act is effective immediately. The remainder of the act is effective in 60 days. (Prior Printer Number: 2558, 2921) - The bill was **reported as committed** by a vote of 23-13 with Representatives Flynn and Krueger joining Republicans voting in the negative.



## Senate Rules and Executive Nominations

12/18/19, 1:50 p.m., Senate Rules Conference Room

By Matt Hess, Pennsylvania Legislative Services

The committee met to consider bills and certain executive nominations.

[HB 500 Kortz, Bill](#) - (PN 488) Amends the Public School Code adding language prohibiting a school district from distributing a personal loan to any person on or after the effective date of this act. Provides that no later than 10 days from the discovery that a personal loan has been distributed in violation of the prohibition, in addition to the total loan balance, the recipient of the loan shall pay a fee equal to 20 percent of the total loan balance, including the interest accrued, to the school district. Effective in 60 days. - The bill was unanimously **reported as committed**.

[HB 501 Kaufer, Aaron](#) - (PN 489) Amends the Workforce Development Act adding a new section providing for local program accountability. Requires local workforce development boards to implement program provider accountability measures. Provides that no funds, whether appropriated by the federal government and designated by the governor for workforce

development or specifically appropriated by state government for workforce investment, may be distributed to a failed workforce investment program in a local area. Further provides for failure to meet negotiated performance goals, program provider contracts, annual reports and applicability. Effective in 60 days. - The bill was **reported as committed** with Minority Chairman Jay Costa (D-Allegheny), Sen. Lawrence Farnese (D-Philadelphia), Sen. Vincent Hughes (D-Philadelphia), and Sen. Anthony Williams (D-Philadelphia) voting in the negative.

Certain [executive nominations](#) were unanimously **recalled to the floor**.

Certain [executive nominations](#) were unanimously **reported**.

The nomination of [J. Andrew Crompton](#) as a judge of the Commonwealth Court of Pennsylvania was **reported** with Sen. Farnese voting in the negative.

The executive nominations for [judges](#) to the Court of Common Pleas in Philadelphia were **reported** with Sen. Judy Ward (R-Blair), Sen. John Gordner (R-Columbia) and Sen. Michele Brooks (R-Mercer) voting in the negative.



## NEW LEGISLATION

### **HB 2143 Bizzarro, Ryan (D)**

Amends Title 42 (Judiciary), in organization and jurisdiction of courts of common pleas, further providing for problem-solving courts.

**Dec 18, 2019 - H-Introduced and referred to committee on House Judiciary**

### **HB 2144 Borowicz, Stephanie (F) (R)**

Act prohibiting the use of taxpayer funds for inmate gender-confirmation surgery and hormone therapy.

**Dec 18, 2019 - H-Introduced and referred to committee on House Judiciary**

### **HB 2145 Howard, Kristine (F) (D)**

Amends Title 18 (Crimes and Offenses), in firearms and other dangerous articles, providing for the offense of carrying firearms while under the influence of alcohol.

**Dec 18, 2019 - H-Introduced and referred to committee on House Judiciary**

### **HB 2146 Brooks, Robert (F) (R)**

Amends the Regulatory Review Act, providing for regulatory transparency portal.

**Dec 18, 2019 - H-Introduced and referred to committee on House State Government**

### **HB 2147 Fiedler, Elizabeth (F) (D)**

Amends the Public School Code, providing for the Public School Building Emergency Repair and Renovation Grant Program; est. the Public School Building Emergency Repair and Renovation Grant Fund; and making an appropriation.

**Dec 18, 2019 - H-Filed**

**Dec 18, 2019 - H-Introduced and referred to committee on House Appropriations**

### **HB 2148 Causer, Martin (R)**

Amends the Conservation & Preservation Easements Act, providing for purpose of act, for defs., for creation, transfer & duration; for forest conservation easements; for judicial & related actions, for validity, for applicability.

**Dec 18, 2019 - H-Filed**

**Dec 18, 2019 - H-Introduced and referred to committee on House Agriculture and Rural Affairs**



**HB 2149 Causer, Martin (R)**

Amends the Hardwoods Development Council Act, further providing for the Hardwoods Development Council.

**Dec 18, 2019 - H-Filed**

**Dec 18, 2019 - H-Introduced and referred to committee on House Agriculture and Rural Affairs**

**HB 2150 Davis, Tina (D)**

Amends Title 18 (Crimes and Offenses), in miscellaneous offenses, providing for the offense of unlawful use of recording devices in residential units used for transient lodging.

**Dec 18, 2019 - H-Filed**

**HR 646 Bizzarro, Ryan (D)**

Resolution urging Major League Baseball to revise its plan to eliminate affiliation with three Minor League Baseball teams in PA.

**Dec 18, 2019 - H-Introduced and referred to committee on House Commerce**

**HR 647 Bizzarro, Ryan (D)**

Resolution designating the month of February 2020 as "Esports Month" in Pennsylvania.

**Dec 18, 2019 - H-Introduced and referred to committee on House Commerce**

**SB 915 Yaw, Gene (R)**

Amends Title 3 (Agriculture), repealing provisions related to fertilizer, in soil and plant amendment, in disposition of funds, establishing the Agronomic Regulatory Account within the General Fund, imposing duties on Dept. of Agriculture.

**Dec 18, 2019 - S-Filed**

**Dec 18, 2019 - S-Introduced and referred to committee on Senate Agriculture and Rural Affairs**

**SB 977 Browne, Patrick (R)**

Amends the PA Amber Alert System Law, establishing the PA Silver Alert System, and further providing for immunity.

**Dec 18, 2019 - S-Filed**

**Dec 18, 2019 - S-Introduced and referred to committee on Senate Law and Justice**

**SB 980 Kearney, Timothy (F) (D)**

Amends Title 2 (Administrative Law and Procedure), providing for child victims and witnesses.

**Dec 18, 2019 - S-Filed**

**Dec 18, 2019 - S-Introduced and referred to committee on Senate Health and Human Services**

## LEGISLATIVE ACTIONS

**HB 44 Snyder, Pam (D)**

(PN 2918) Amends Title 61 (Prisons and Parole), in Pennsylvania Board of Probation and Parole, providing that corrections officers have an opportunity to submit a written or in-person statement at parole hearings. Effective in 60 days. (Prior Printer Number: 56)

**Dec 18, 2019 - H-Voted favorably from committee on House Appropriations**

**Dec 18, 2019 - H-Reported as committed from House Appropriations**

**HB 196 Diamond, Russ (R)**

(PN 164) Amends Title 75 (Vehicles), in inspection of vehicles, further providing for requirement for periodic inspection of vehicles. The bill establishes a vehicle may not pass inspection if less than 50 percent of the vehicle's head lamps or rear lighting with light-emitting diodes, except ornamental lights, fail to light properly. Effective in 60 days.

**Dec 18, 2019 - H-Laid out for discussion**

**Dec 18, 2019 - H-Third consideration**

**Dec 18, 2019 - H-Final Passage by a vote of 102 YEAS 95 NAYS**

**HB 256 Metzgar, Carl (R)**

(PN 2919) Amends Title 18 (Crimes and Offenses), in assault, further providing for an offense of assault by a prisoner against a detention facility or correctional facility employee with a deadly weapon instrument, or by any means to produce bodily injury. Effective in 60 days. (Prior Printer Number: 227)

**Dec 18, 2019 - H-Voted favorably from committee on House Appropriations**

**Dec 18, 2019 - H-Reported as committed from House Appropriations**

**Dec 18, 2019 - H-Laid out for discussion**

**Dec 18, 2019 - H-Third consideration**

**Dec 18, 2019 - H-Final Passage by a vote of 146 YEAS 51 NAYS**

**HB 257 Metzgar, Carl (R)**

(PN 3053) Amends Title 18 (Crimes and Offenses), in assault, further providing for penalties for the offense of assault by prisoner. A person convicted under subsection (a) or any of the enumerated offenses, and the victim is a detention facility or correctional facility employee, the person's sentence shall be served consecutively with the person's current sentence. Effective in 60 days. (Prior Printer Number: 228, 2920)

**Dec 18, 2019 - H-Voted favorably from committee on House Appropriations**

**Dec 18, 2019 - H-Reported as committed from House Appropriations**

**Dec 18, 2019 - H-Laid out for discussion**

**Dec 18, 2019 - H-Third consideration**

**Dec 18, 2019 - H-Final Passage by a vote of 144 YEAS 53 NAYS**

**HB 285 Metcalfe, Daryl (R)**

(PN 258) Amends the Tax Reform Code, in personal income tax, further providing for classes of income relating to employee stock ownership plans by stipulating that the provisions of sections 402(e)(4) and 1042 of the Internal Revenue Code of 1986 (26 U.S.C. 402(e)(4) and 1042), as amended, shall be applicable. Effective in 60 days.

**Dec 18, 2019 - H-Voted favorably from committee on House Appropriations**

**Dec 18, 2019 - H-Reported as committed from House Appropriations**

**Dec 18, 2019 - H-Laid out for discussion**

**Dec 18, 2019 - H-Third consideration**

**by a vote of 91 YEAS 106 NAYS Dec 18, 2019 - H-Final Passage by a vote of 130 YEAS 67 NAYS**

**HB 440 Nesbit, Tedd (R)**

(PN 3054) Amends Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure), in criminal history record information, providing a criminal history record shall be expunged in a specific criminal proceeding when a person has been pardoned for an offense in accordance with the law or fully acquitted of all charges. Provides that the Pennsylvania Commission on Sentencing may maintain a list of the names and other criminal history record information of persons whose records are expunged or subject to limited access for conducting research and collecting and reporting statistical data and may not be disclosed unless authorized or required by law. Provides that upon payment of all court-ordered restitution, the person whose criminal history record information is subject to limited access shall also pay the fee previously authorized to carry out the limited access and clean slate limited access provisions. Effective in 60 days. (Prior Printer Number: 426, 3004)

**Dec 18, 2019 - H-Voted favorably from committee on House Appropriations**

**Dec 18, 2019 - H-Reported as committed from House Appropriations**

**Dec 18, 2019 - H-Laid out for discussion**

**Dec 18, 2019 - H-Third consideration**

**Dec 18, 2019 - H-Final Passage by a vote of 197 YEAS 0 NAYS**

**HB 523 Day, Gary (R)**

(PN 2576) Amends the General Road Law further providing for repair of private roads by stipulating that in the absence of a written agreement or if the private road is a part of a planned community under 68 Pa.C.S. (relating to real and personal property), when more than one person enjoys a common benefit from a private road, each person shall contribute in proportion to the amount of private road owned to the cost of maintaining the private road and shall have the right to bring a civil action to enforce this requirement. Exempts property owners that do not use the private road as the primary access to their property from paying for repairs. Effective in 60 days. (Prior Printer Number: 517)

**Dec 18, 2019 - H-Removed from the table**

**HB 726 DeLuca, Anthony (D)**

(PN 762) Amends Title 42 (Judiciary and Judicial Procedure), in sentencing, further providing for sentences for offenses committed with firearms to be imposed consecutively. Effective in 60 days.

**Dec 18, 2019 - H-Second consideration**

**Dec 18, 2019 - H-Rereferred to House Appropriations**

**HB 916 Stephens, Todd (R)**

(PN 2582) Amends Title 75 (Vehicles), in general provisions, further providing for definitions; and, in licensing of drivers, providing for continuous alcohol monitoring device. The bill establishes that a person arrested for driving under the influence of alcohol or a controlled substance within 10 years of a prior conviction or while pending adjudication for one or more prior charges shall be fitted with a continuous alcohol monitoring device. Requires courts to evaluate repeat offenders of the suitability of a substance monitoring program. Effective in 60 days. (Prior Printer Number: 1037)

**Dec 18, 2019 - H-Second consideration**

**Dec 18, 2019 - H-Rereferred to House Appropriations**

**HB 918 Schmitt, Lou (F) (R)**

(PN 2778) Repeals the act of May 20, 1857 (P.L.617, No.658), entitled "An act making an Appropriation from the State Treasury, in aid of the Farmers' High School." Effective in 60 days. (Prior Printer Number: 1056)

**Dec 18, 2019 - H-Removed from the table**

**HB 961 Rabb, Christopher (D)**

(PN 1095) Amends the Public School Code, in reimbursements by Commonwealth and between school districts, requiring 100 percent of state funds be distributed according to the student-weighted basic education funding formula developed by the Basic Education Funding Commission, beginning in the 2019-20 school year. Effective in 60 days.

**Dec 18, 2019 - H-Press conference held**

**HB 1074 Turzai, Mike (R)**

(PN 1614) Amends Title 53 (Municipalities Generally), in municipal authorities, providing for the membership of the governing bodies of airport authorities located in counties of the second class. The board shall be composed of 13 members; one appointed by the governor, one appointed by each of the four legislative leaders, and eight appointed by the county executive of the county where the authority is located. Effective in 60 days. (Prior Printer Number: 1234)

**Dec 18, 2019 - H-Laid on the table**

**Dec 18, 2019 - H-Removed from the table**

**HB 1279 Mihalek, Natalie (F) (R)**

(PN 1516) Amends the Liquor Code, in licenses and regulations, liquor, alcohol and malt and brewed beverages, further increasing the sale of wine for off-premise consumption to 6,000 milliliters of wine. Effective in 60 days.

**Dec 18, 2019 - H-Voted favorably from committee as amended House Liquor Control**

**Dec 18, 2019 - H-Reported as amended House Liquor Control**

**Dec 18, 2019 - H-First consideration**

**Dec 18, 2019 - H-Laid on the table**

**HB 1348 Gleim, Barbara (F) (R)**

(PN 3056) The Agritourism Activity Protection Act provides for limited civil liability for agritourism activity providers. Requires agritourism businesses to post warning signs or have visitors sign liability waivers. Provides that the right to sue is preserved in cases in which the agritourism activity provider performs an act in a grossly negligent manner and causes injury or damages to a participant and the agritourism activity provider recklessly fails to warn or guard against a dangerous condition that causes injury or damages to a participant, among other exceptions to immunity of civil liability. Effective in 60 days. (Prior Printer Number: 1642, 2013)

**Dec 18, 2019 - H-Voted favorably from committee on House Appropriations**

**Dec 18, 2019 - H-Reported as committed from House Appropriations**

**Dec 18, 2019 - H-Laid out for discussion**

**Dec 18, 2019 - H-Third consideration**

**Dec 18, 2019 - H-Over in House**

**HB 1408 Lewis, Andrew (F) (R)**

(PN 1727) Repeals the Sunday Sports Act of 1959. Effective in 60 days.

**Dec 18, 2019 - H-Removed from the table**

**HB 1477 Delozier, Sheryl (R)**

(PN 3057) Amends Title 18 (Crimes and Offenses) and 63 (Professions and Occupations (State Licensed)), in criminal history record information, providing that criminal convictions shall not automatically preclude the issuance of a license, certificate, registration or permit by a licensing agency; providing provisions regarding the General Counsel, the Bureau of Professional and Occupational Affairs and licensing boards and licensing commissions related to the power and duty to issue subpoenas; consolidating the provisions of Act 48 of 1993; and making a related repeal. Licensing bodies may refuse, suspend or revoke any license on the basis that the crime directly relates to the occupation for which certification is sought, or that an individualized assessment of the relation of the conviction to the applicant's overall suitability to engage in the profession for which the permit is sought shows substantial risk to the individual's clients or a substantial risk of further criminal convictions. The legislation provides exceptions for applicants if the individual can establish sufficient mitigation or rehabilitation and fitness to perform the duties of the trade for which the license is sought. Where the criminal conduct is related directly to the certification sought, the licensing body shall consider relevant proof of any factors that would rebut an adverse presumption or show rehabilitation. Effective in 60 days. (Prior Printer Number: 1860, 3005)

**Dec 18, 2019 - H-Voted favorably from committee on House Appropriations**

**Dec 18, 2019 - H-Reported as committed from House Appropriations**

**Dec 18, 2019 - H-Laid out for discussion**

**Dec 18, 2019 - H-Third consideration**

**Dec 18, 2019 - H-Final Passage by a vote of 193 YEAS 4 NAYS**

**HB 1542 Saylor, Stanley (R)**

(PN 2601) Amends the Liquor Code authorizing any eligible entity to obtain a special occasion permit for nine consecutive or non-consecutive days throughout the year in addition to 10 consecutive days. Allows third parties working in conjunction with a special occasion permit holder to collect and manage funds raised using a special occasion permit if the holder is primary host of the event and funds raised are used for the benefit of the permit holder. Amends definition of "eligible entity." Effective in 60 days. (Prior Printer Numbers: 1959, 2513)

**Dec 18, 2019 - S-Signed in the Senate**

**HB 1544 Burns, Frank (D)**

(PN 1961) Amends the Liquor Code providing that license auctions authorized under subsection (a) shall be suspended until the establishment of the Wine and Spirits Wholesale and Retail Privatization Commission as required under section 28 of the act of June 8, 2016, (P.L.273, No.39) and the completion and release of the commission's report. Effective immediately.

**Dec 18, 2019 - H-Vote for passage failed in committee House Liquor Control**

**HB 1636 Fiedler, Elizabeth (F) (D)**

(PN 2142) Amends the Tax Reform Code establishing the Public School Building Emergency Repair and Renovation Grant Program; establishing the Public School Building Emergency Repair and Renovation Grant Fund; and establishing appropriations and criteria regarding distribution of grants. Effective in 60 days.

**Dec 18, 2019 - H-Press conference held**

**HB 1710 Hennessey, Tim (R)**

(PN 2583) Amends Title 75 (Vehicles), in registration of vehicles, instructing the Department of Transportation to create a unique license plate design similar to the bicentennial plate from the 1970s. This plate will include the phrase "Let Freedom Ring - 250 years. and an image of the Liberty Bell, and will cost \$50 in addition to regular registration fees. Effective in 120 days. (Prior Printer Number: 2303)

**Dec 18, 2019 - H-Removed from the table**

**Dec 18, 2019 - H-Laid on the table**

**HB 1711 Hennessey, Tim (R)**

(PN 2584) Amends Title 75 (Vehicles), in registration of vehicles, instructing the Department of Transportation to design two distinct heritage plates representing the 1950s and 1960s. The plates must be embossed or stamped in a similar fashion to those in the 1950s and 1960s. The plates will cost \$50 in addition to regular registration fees. Effective in 120 days. (Prior Printer Number: 2304)

**Dec 18, 2019 - H-Removed from the table**

**Dec 18, 2019 - H-Laid on the table**

**HB 1712 Hennessey, Tim (R)**

(PN 2585) Amends Title 75 (Vehicles), in registration of vehicles, authorizing the Department of Transportation to issue distinctive corporate logo registration plates for fleets with more than 100 vehicles based and registered in Pennsylvania. The cost for the plates is a one-time fee of \$6,000 for fleets with over 100 vehicles and less than 199 vehicles, or \$5,000 for fleets with 200 vehicles or more. Corporate registration plates will be renewable for a fee of \$20 for each individual motor vehicle logo plate and \$11 for each trailer with a corporate logo. Effective July 1, 2021. (Prior Printer Number: 2305)

**Dec 18, 2019 - H-Removed from the table**

**Dec 18, 2019 - H-Laid on the table**

**HB 1802 Mehaffie, Thomas (R)**

(PN 2445) Amends the Professional Nursing Law making changes to numerous definitions of terms, including "treating," "medical nutrition therapy," and "certified nutrition specialist," among others. Amends composition of the State Board of Nursing. Outlines requirements for dietitian nutritionist or nutritionist licensure and registration, scope of practice, and activity prohibited. Effective in 60 days.

**Dec 18, 2019 - H-Informational meeting held House Professional Licensure**

**HB 1830 Fee, Mindy (R)**

(PN 2501) An Act repealing the Milrite Act. Effective immediately.

**Dec 18, 2019 - H-Removed from the table**

**HB 1849 Lewis, Andrew (F) (R)**

(PN 2556) Act designating a portion of Pennsylvania Route 39 in Dauphin County, from Dover Road to Forest Hills Drive, as the Officer Mark Gaspich Memorial Highway. Effective in 60 days.

**Dec 18, 2019 - H-Voted favorably from committee on House Appropriations**

**Dec 18, 2019 - H-Reported as committed from House Appropriations**

**Dec 18, 2019 - H-Laid out for discussion**

**Dec 18, 2019 - H-Third consideration**

**Dec 18, 2019 - H-Final Passage by a vote of 197 YEAS 0 NAYS**

**HB 1850 Stephens, Todd (R)**

(PN 2531) Amends Title 42 (Judiciary and Judicial Procedure), in sentencing, reinstating mandatory minimum sentences for violent offenders, specifically for offenses committed with firearms, certain drug offenses committed with firearms, offenses committed on public transportation, offenses against the elderly and infants, and offenses committed while impersonating a law enforcement officer. Effective in 60 days.

**Dec 18, 2019 - H-Laid out for discussion**

**Dec 18, 2019 - H-Second consideration**

**Dec 18, 2019 - H-Over in House**

**Dec 18, 2019 - H-Rereferred to House Appropriations**

**HB 1852 Stephens, Todd (R)**

(PN 2533) Amends Title 42 (Judiciary and Judicial Procedure), in sentencing, establishing consecutive sentences for crimes of violence that involves different victims, regardless of whether the crimes arose from the same criminal action. Effective in 60 days.

**Dec 18, 2019 - H-Laid out for discussion**

**Dec 18, 2019 - H-Second consideration**

**Dec 18, 2019 - H-Over in House**

**Dec 18, 2019 - H-Rereferred to House Appropriations**

**HB 1855 Bernstine, Aaron (R)**

(PN 3055) Amends Title 61 (Prisons and Parole), in Pennsylvania Board of Probation and Parole, precluding the parole board from prematurely releasing an inmate at the expiration of his minimum sentence if convicted of a violent crime or of obstruction of justice while incarcerated. The preclusion shall only apply to individuals who are incarcerated for crimes committed on or after the effective date. Section 2 of this act is effective immediately. The remainder of the act is effective in 60 days. (Prior Printer Number: 2558, 2921)

**Dec 18, 2019 - H-Voted favorably from committee on House Appropriations**

**Dec 18, 2019 - H-Reported as committed from House Appropriations**

**Dec 18, 2019 - H-Laid out for discussion**

**Dec 18, 2019 - H-Third consideration**

**Dec 18, 2019 - H-Final Passage by a vote of 149 YEAS 47 NAYS**

**HB 1868 Gabler, Matt (R)**

(PN 2588) Act designating a bridge, identified as Bridge Key 11414, on U.S. Route 219 in Brady Township, Cleary County, as the Lance Corporal Robert Clyde Gontero Memorial Bridge. Effective in 60 days.

**Dec 18, 2019 - H-Voted favorably from committee on House Appropriations**

**Dec 18, 2019 - H-Reported as committed from House Appropriations**

**Dec 18, 2019 - H-Laid out for discussion**

**Dec 18, 2019 - H-Third consideration**

**Dec 18, 2019 - H-Final Passage by a vote of 197 YEAS 0 NAYS**

**HB 1870 Topper, Jesse (R)**

(PN 2589) Act designating a bridge on that portion of State Route 1036 over Six Mile Run, Broad Top Township, Bedford County, as Sergeant David Leon Barber Memorial Bridge. Effective in 60 days.

**Dec 18, 2019 - H-Second consideration**

**Dec 18, 2019 - H-Rereferred to House Appropriations**

**HB 1913 Dush, Cris (R)**

(PN 2676) An Act designating a bridge, identified by Bridge Key 19699, on that portion of State Route 2003 over Mahoning Creek in Big Run Borough, Jefferson County, as the SP4 James Wise, Jr., and PFC James Wingert USMC Memorial Bridge. Effective in 60 days.

**Dec 18, 2019 - H-Second consideration**

**Dec 18, 2019 - H-Rereferred to House Appropriations**



**HB 1915 Cook, Bud (R)**

(PN 2678) Act designating a bridge on that portion of State Route 8042 over U.S. Route 40, West Brownsville Borough, Washington County, as the SFC Thomas McDonough Memorial Bridge. Effective in 60 days.

**Dec 18, 2019 - H-Second consideration**

**Dec 18, 2019 - H-Rereferred to House Appropriations**

**HB 1971 Day, Gary (R)**

(PN 2774) Amends the Pennsylvania Safe Drinking Water Act establishing a streamlined process for inspection of water bottles by including bulk haulers of water within the act. Effective in 60 days.

**Dec 18, 2019 - H-Voted favorably from committee on House Agriculture and Rural Affairs**

**Dec 18, 2019 - H-Reported as committed from House Agriculture and Rural Affairs**

**Dec 18, 2019 - H-First consideration**

**Dec 18, 2019 - H-Laid on the table**

**HB 1972 Day, Gary (R)**

(PN 2775) Amends Title 3 (Agriculture), in food production, establishing that if a food establishment produces bottled water, the water shall comply with requirements related to processing and bottling of bottled drinking water and beverages and the establishment shall utilize a water source meeting the requirements of the Pennsylvania Safe Drinking Water Act. Effective in 60 days.

**Dec 18, 2019 - H-Voted favorably from committee on House Agriculture and Rural Affairs**

**Dec 18, 2019 - H-Reported as committed from House Agriculture and Rural Affairs**

**Dec 18, 2019 - H-First consideration**

**Dec 18, 2019 - H-Laid on the table**

**HB 1973 Gregory, James (F) (R)**

(PN 2736) Act designating a bridge on that portion of State Route 4027 over Bald Eagle Creek, Sharon Township, Blair County, as the Cpl. Donald L. Westley Memorial Bridge. Effective in 60 days.

**Dec 18, 2019 - H-Second consideration**

**Dec 18, 2019 - H-Rereferred to House Appropriations**

**HB 1988 Grove, Seth (R)**

(PN 2903) The General Fund Stabilization Act provides for the transfer of certain funds and accounts of the commonwealth to the General Fund and establishes that the money shall be transferred from a special fund back into the General Fund as a special or designated account. Effective in 60 days.

**Dec 18, 2019 - H-Press conference held**

**HB 1989 O'Neal, Tim (R)**

(PN 2904) Joint resolution proposing an amendment to the Constitution of Pennsylvania, in taxation and finance, providing that the state treasurer will transfer the surplus of all operating funds into the Budgetary Stabilization Reserve Fund until its amount is equal to or exceeds 20 percent of the commonwealth's total revenue collection. Constitutional amendments require approval in two consecutive legislative sessions and then approval by the voters through a referendum.

**Dec 18, 2019 - H-Press conference held**

**HB 1990 Lewis, Andrew (F) (R)**

(PN 2905) Amends Title 72 (Taxation and Fiscal Affairs) establishing a Council on State Finances that shall conduct monthly meetings to discuss the Commonwealth Annual Financial Report and financial condition of the commonwealth and submit a yearly report to the governor. Effective immediately.

**Dec 18, 2019 - H-Press conference held**

**HB 1991 Keefer, Dawn (R)**

(PN 2906) Joint resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, in taxation and finance, providing for the creation or use of special funds except for the following reasons: Motor License Fund, Unemployment Compensation Fund, Workers Compensation Fund, State Pension system, ABLE Accounts, TAP Accounts, and any fund paid into by a specific industry for a specific industry. Constitutional amendments require approval in two consecutive legislative sessions and then approval by the voters through a referendum.

**Dec 18, 2019 - H-Press conference held**

**HB 2000 Murt, Thomas (R)**

(PN 2805) Act designating the portion of County Line Road between Warminster Road and Newtown Road in Montgomery County as the Captain William J. Ahlum Memorial Highway. Effective in 60 days.

**Dec 18, 2019 - H-Second consideration**

**Dec 18, 2019 - H-Rereferred to House Appropriations**

**HB 2001 Murt, Thomas (R)**

(PN 2806) Act designating the portion of County Line Road between Warminster Road and Jacksonville Road in Montgomery County, as the Specialist 4 Harold E. Cashman Memorial Highway. Effective in 60 days.

**Dec 18, 2019 - H-Second consideration**

**Dec 18, 2019 - H-Rereferred to House Appropriations**

**HB 2073 Moul, Dan (R)**

(PN 2927) Amends the First Class Township Code, in preliminary provisions, establishing and repealing numerous provisions in the First Class Township Code. Among numerous changes to the First Class Township Code, the legislation replaces obsolete provisions; incorporates language to reflect current case law and current practices, standards and requirements; replaces and updates certain language, including language in conflict with other statutes; consolidates common subject; and provides language included in previous recodifications, including Act 43 of 2012 (Borough Code), Act 22 of 2014 (Third Class City Code) and Act 60 of 1995 (the Second Class Township Code, reenacted). This legislation may be referred to as the First Class Township Code recodification bill. Effective in 60 days.

**Dec 18, 2019 - H-Removed from the table**

**HR 554 Readshaw, Harry (D)**

(PN 2650) Resolution honoring the continuing work of the Veterans Courts in this commonwealth.

**Dec 18, 2019 - H-Adopted by a vote of 197 YEAS 0 NAYS**

**HR 623 Rigby, Jim (F) (R)**

(PN 2962) Resolution designating the month of December 2019 as "Sgt. Michael Strank Month" in Pennsylvania.

**Dec 18, 2019 - H-Adopted by a vote of 197 YEAS 0 NAYS**

**HR 627 O'Neal, Tim (R)**

(PN 2987) Resolution urging the president and Congress to enact legislation to award the Congressional Gold Medal, collectively, to the United States Army Rangers Veterans of World War II in recognition of their extraordinary service.

**Dec 18, 2019 - H-Adopted by a vote of 197 YEAS 0 NAYS**

**HR 630 Warren, Perry (D)**

(PN 2984) Resolution commemorating the 50th anniversary of the Apollo 11 lunar landing mission on July 20, 2019.

**Dec 18, 2019 - H-Adopted by a vote of 196 YEAS 0 NAYS**

**HR 631 Rothman, Greg (R)**

(PN 2985) Resolution congratulating the U.S. Marine Corps Toys for Tots Program and the Marine Toys for Tots Foundation on their continued efforts to provide a message of hope to less fortunate children and commending all those who volunteer.

**Dec 18, 2019 - H-Adopted by a vote of 197 YEAS 0 NAYS**

**HR 639 Mizgorski, Lori (F) (R)**

(PN 3015) Resolution designating December 18, 2019, as "Second Gulf War Veterans Day" in Pennsylvania.

**Dec 18, 2019 - H-Adopted by a vote of 197 YEAS 0 NAYS**

**SB 79 Tartaglione, Christine (D)**

(PN 54) Amends the Minimum Wage Act, further providing for definitions. The bill that an employer that permits a customer to pay a gratuity by credit card shall pay the employees the full amount of the gratuity that the customer indicated on the credit card slip without deduction for any credit card payment processing fee or cost that may be charged to the employer by the credit card company. Effective in 60 days.

**Dec 18, 2019 - H-Mentioned in press conference**

**SB 133 Argall, David (R)**

(PN 1185) Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for lieutenant governor. The bill establishes that each candidate for governor, nominated under the laws of the commonwealth, shall, subject to the approval of the political party or political body, if any, nominating such candidate, select a candidate for lieutenant governor within such time before the gubernatorial general election as the General Assembly shall prescribe by law. Constitutional amendments require approval in two consecutive legislative sessions and then approval by the voters through a referendum. (Prior Printer Number: 110)

**Dec 18, 2019 - H-Voted favorably from committee on House Appropriations**

**Dec 18, 2019 - H-Reported as committed from House Appropriations**

**Dec 18, 2019 - H-Laid out for discussion**

**Dec 18, 2019 - H-Third consideration**

**Dec 18, 2019 - H-Final Passage by a vote of 130 YEAS 67 NAYS**

**SB 166 Hughes, Vincent (D)**

(PN 1431) The Capital Budget Act of 2019-2020 provides for the capital budget for the fiscal year 2019-2020 and for limitation on redevelopment assistance capital projects; and making a related repeal. Appropriates the following amounts: building and structures (\$555,000,000); furniture and equipment (\$10,000,000); transportation assistance projects (\$175,000,000); redevelopment assistance projects (\$275,000,000); flood control projects (\$0). Provides limitations on redevelopment assistance capital projects for the 2019-2020 fiscal year and beyond. Repeals inconsistent provisions found in the Capital Facilities Debt Enabling Act and this legislation. Effective July 1, 2019, or immediately, whichever is later. (Prior Printer Number:280, 985)

**Dec 18, 2019 - S-Received as amended in Senate and rereferred SRULES**

**SB 316 Gordner, John (R)**

(PN 295) Amends the Second Class Township Code to allow newly elected supervisors to attend conferences, institutes, schools and conventions prior to officially taking office. Effective in 60 days.

**Dec 18, 2019 - S-Signed in the Senate**

**SB 432 Phillips-Hill, Kristin (F) (R)**

(PN 1432) Amends the Achieving Better Care by Monitoring All Prescriptions Program (ABC-MAP) Act granting access to prescription information to certain personnel of an organization that has an agreement to be paid on a capitated basis to provide services to medical assistance beneficiaries and who are engaged in care management, the development and evaluation of quality improvement strategies, program integrity initiatives, or conducting internal compliance reviews and data reporting for the medical assistance program. Provides that an authorized employee of a county or municipal health department may query the system if the employee has a unique identifier when accessing the system and the employee accesses the system for developing educational programs for prescribing practices and controlled substance abuse, identifying at-risk individuals and compiling epidemiological data. Provides political subdivisions of the commonwealth may not establish a database requiring the submission and query of prescription data by prescribers and dispensers. Effective in 60 days. (Prior Printer Number: 401)

**Dec 18, 2019 - S-Received as amended in Senate and rereferred SRULES**

**SB 475 Folmer, Mike (R)**

(PN 522) Amends Title 75 (Vehicles), in commercial drivers, further providing for definitions; and, in driving after imbibing alcohol or utilizing drugs, further providing for driving under the influence of alcohol or controlled substance and for authorized use not a defense, to exempt medical marijuana from the definition of controlled substance and indicate medical marijuana could not be authorized as a defense in violations. Effective in 60 days.

**Dec 18, 2019 - S-Press conference held**

**SB 500 Baker, Lisa (R)**

(PN 1433) Amends the Pennsylvania Commission on Crime and Delinquency Law providing for County Adult Probation and Parole Advisory Committee, for justice reinvestment grants, phase 2, for continuing county probation and parole grants and for county intermediate punishment funding. The County Adult Probation and Parole Advisory Committee is established within the commission, which shall: (1) review and comment on grant applications for county intermediate punishment programs or discretionary grants; (2) develop a funding plan for county adult probation and parole departments that includes county intermediate punishment programs, discretionary grants and a funding formula; (3) advise on all matters pertaining to the administration of the county adult probation and parole system; (4) analyze data to identify trends and to determine the effectiveness of programs and practices to ensure the reasonable and efficient administration of the county adult probation and parole system; (5) make recommendations and adopt standards for probation and parole personnel, including standards for services, caseload standards, risk assessment, responses to violations and other evidence-based programs and practices; (6) assist the commission in the implementation of Title 42 (Judiciary and Judicial Procedure), Chapter 98 (relating to county intermediate punishment); (7) within one year of the effective date of this section, absorb the funding, powers and duties of the County Probation Officers' Firearm Education and Training Commission established under Title 61 (Prisons and Parole), Chapter 63 (relating to county probation officers' firearm education and training), appoint a subcommittee with expertise comparable to that of the current membership of the County Probation Officers' Firearm Education and Training Commission, and assume responsibility and oversight for the firearm education and training of county adult and juvenile probation and parole officers; and (8) report annually to the governor and General Assembly on the distribution and use of funding. Removes appropriations for certain fiscal years and repeals originally found in the legislation. Effective in 60 days. (Prior Printer Numbers: 482, 691, 850, 1422)

**Dec 18, 2019 - S-Received as amended in Senate and rereferred SRULES**

**Dec 18, 2019 - S-Re-reported on concurrence as committed SRULES**

**Dec 18, 2019 - S-Laid out for discussion**

**Dec 18, 2019 - S-Senate concurred in House amendments by a vote of 49 YEAS 0 NAYS**

**Dec 18, 2019 - H-Signed in the House**

**Dec 18, 2019 - S-Signed in the Senate**

**SB 501 Killion, Thomas (R)**

(PN 1434) Amends Titles 42 (Judiciary and Judicial Procedure) and 61 (Prisons and Parole), in judicial board and commissions, providing for commission, for composition of commission and for powers and duties of the commission; in judgments and other liens, providing for personal earnings exempt from the process; in sentencing, further providing for offenses against infant persons, collection of restitution, reparation, fees, costs, fines and penalties, for payments of court costs, and restitution and fines; in county intermediate punishment, further providing for county intermediate punishment programs and for continued eligibility; in motivational boot camp, further providing for definitions, for selection of inmate participants and for motivational boot camp program; in state intermediate punishment, further providing for scope of chapter, for definitions, for referral to state intermediate punishment program, for drug offender treatment program and for reports; in recidivism risk reduction incentive, further providing for sentencing, for evaluation and reports; in miscellaneous provisions, further providing for confidentiality of victim information; in Pennsylvania Board of Probation and Parole, further providing for definitions, for general powers of board, for probation services, for parole power, providing for short sentence parole, further providing for violation of terms of parole, for parole procedure and for victim statements, testimony and participation in hearing and providing for parolee homicide review; in County Probation Officers' Firearm Education and Training Commission and for commission membership; making conforming amendments and making a related repeal found in the Administrative Code. Portions are effective in 60 days, portions are effective in 120 days, portions are effective in one year, and the remainder is effective immediately. (Prior Printer Numbers: 483, 692, 1423)

**Dec 18, 2019 - S-Received as amended in Senate and rereferred SRULES**

**Dec 18, 2019 - S-Re-reported on concurrence as committed SRULES**

**Dec 18, 2019 - S-Laid out for discussion**

**Dec 18, 2019 - S-Senate Costa Motions to Table SB 501 by a vote of 21 YEAS 28 NAYS Dec 18, 2019 - S-Senate concurred in House amendments by a vote of 38 YEAS 11 NAYS**

**Dec 18, 2019 - H-Signed in the House**

**Dec 18, 2019 - S-Signed in the Senate**

**SB 690 Hutchinson, Scott (R)**

(PN 829) Amends the act entitled, "An act relating to and regulating the contracts of incorporated towns and providing penalties," providing no real estate owned by an incorporated town having a value in excess of \$6,000 instead of the current \$1,500 may be sold except to the highest bidder after due notice by advertisement for bids or advertisement of a public auction in one newspaper of general circulation in the town. Requires the town council, prior to selling real estate valued at \$6,000 or less without advertisement or competitive bidding, to make a public announcement of the council's intention to sell the real estate at a regular or special meeting of the council at least 30 days prior to the sale. Effective in 60 days.

**Dec 18, 2019 - H-Removed from the table**

**SB 691 Hutchinson, Scott (R)**

(PN 830) Amends the Second Class Township Code providing no real estate owned by a township having a value in excess of \$6,000 instead of the current \$1,500 may be sold except to the highest bidder after due notice by advertisement for bids or advertisement of a public auction in one newspaper of general circulation in the township. Provides real estate owned by the township may be sold at a consideration of \$6,000 or less without advertisement or competitive bidding only after the board of supervisors estimates the value of the real estate upon receipt of an appraisal by a qualified real estate appraiser. Further provides, prior to selling the real estate without advertisement or competitive bidding, the board shall make a public announcement of the supervisors' intention to sell the real estate at a regular or special meeting of the board at least 30 days prior to the sale. Effective in 60 days.

**Dec 18, 2019 - H-Removed from the table**

**SB 692 Hutchinson, Scott (R)**

(PN 831) Amends Title 8 (Boroughs and Incorporated Towns) and 11 (Cities) providing no real estate owned by a borough or city may be sold for consideration in excess of \$6,000 instead of the current \$1,500 limit except to the highest bidder after due notice by advertisement for bids or advertisement of a public auction. Requires a borough or city council, prior to selling real estate valued at \$6,000 or less without advertisement or competitive bidding, to make a public announcement of the council's intention to sell the real estate at a regular or special meeting of the council at least 30 days prior to the sale. Effective in 60 days.

**Dec 18, 2019 - H-Removed from the table**

**SB 742 Ward, Kim (R)**

(PN 1060) Amends Title 75 (Vehicles), in inspection of vehicles, exempting gas-powered passenger cars, vans and light-duty trucks from the Vehicle Emissions Inspection and Maintenance Program for the first eight years after manufacture in counties that require emissions testing. Requires the Department of Environmental Protection to initiate the process for emission inspection criteria for newest model year vehicles in the vehicle emission inspection and maintenance program within 60 days of the effective date of the legislation. Effective in 120 days. (Prior Printer Number: 919)

**Dec 18, 2019 - H-Second consideration**

**Dec 18, 2019 - H-Rereferred to House Appropriations**

**SB 750 Scarnati, Joseph (R)**

(PN 1188) Amends the Administrative Code, in powers and duties of the Department of General Services, providing for the sale of the lieutenant governor's mansion and repealing a section related to the prohibited use of certain buildings for political fundraising events. Effective in 30 days. (Prior Printer Number: 948)

**Dec 18, 2019 - H-Voted favorably from committee on House Appropriations**

**Dec 18, 2019 - H-Reported as committed from House Appropriations**

**Dec 18, 2019 - H-Laid out for discussion**

**Dec 18, 2019 - H-Third consideration**

**Dec 18, 2019 - H-Final Passage by a vote of 176 YEAS 21 NAYS**

**Dec 18, 2019 - H-Signed in the House**

**Dec 18, 2019 - S-Signed in the Senate**

**SB 841 Martin, Scott (R)**

(PN 1338) Amends Title 35 (Health and Safety) adding a chapter reauthorizing the Pennsylvania Health Care Cost Containment Council (PHC4). The Health Care Cost Containment Act reestablishes the PHC4 as an independent council consisting of public officials and representatives from business communities, organized labor, consumers, hospitals, physicians, nurses and the insurance industry to collect and disseminate health care cost data. The new chapter shall expire five years after the effective date. Effective immediately. (Prior Printer Number: 1151, 1323)

**Dec 18, 2019 - S-Received as amended in Senate and rereferred SRULES**

**SB 905 Browne, Patrick (R)**

(PN 1336) The Capital Budget Project Itemization Act of 2019-20 provides for the capital budget for fiscal year 2019-20, itemizes various public improvement projects, authorizes the incurring of debt without the approval of electors for financing projects, authorizes the use of current revenue for the purpose of financing projects and provides appropriations. Also provides no amount of project allocation to the Polk Center or to the White Haven Center may be expended on deactivation or decommissioning of the centers. Effective immediately. (Prior Printer Number: 1256, 1325)

**Dec 18, 2019 - S-Received as amended in Senate and rereferred SRULES**

**SB 9999 (Withdrawn) ( )**

Senate Executive Nominations - See Roll Call Votes for list of available floor votes on executive nominations.

**Dec 18, 2019 - S-Executive Nominations Confirmed by a vote of 49 YEAS 0 NAYS**

**Dec 18, 2019 - S-Executive**

**Nomination of J. Andrew Crompton Confirmed by a vote of 42 YEAS 7 NAYS**

**Dec 18, 2019 - S-Executive**

**Nomination of Bruce R. Beemer Confirmed by a vote of 49 YEAS 0 NAYS**

**Dec 18, 2019 - S-Executive Nominations Confirmed by a vote of 45 YEAS 4 NAYS**



**SR 153 Phillips-Hill, Kristin (F) (R)**

Concurrent Resolution urging the Congress of the United States to ratify the United States-Mexico-Canada Agreement on Trade.

**Dec 18, 2019 - S-Laid out for discussion**

**Dec 18, 2019 - S-Adopted by a vote of 49 YEAS 0 NAYS**

**EXECUTIVE ACTIONS****HB 1542 Saylor, Stanley (R)**

(PN 2601) Amends the Liquor Code authorizing any eligible entity to obtain a special occasion permit for nine consecutive or non-consecutive days throughout the year in addition to 10 consecutive days. Allows third parties working in conjunction with a special occasion permit holder to collect and manage funds raised using a special occasion permit if the holder is primary host of the event and funds raised are used for the benefit of the permit holder. Amends definition of "eligible entity." Effective in 60 days. (Prior Printer Numbers: 1959, 2513)

**Dec 18, 2019 - H-In the hands of the Governor**

**Dec 28, 2019 - H-Last day for Governor's action**

**SB 500 Baker, Lisa (R)**

(PN 1433) Amends the Pennsylvania Commission on Crime and Delinquency Law providing for County Adult Probation and Parole Advisory Committee, for justice reinvestment grants, phase 2, for continuing county probation and parole grants and for county intermediate punishment funding. The County Adult Probation and Parole Advisory Committee is established within the commission, which shall: (1) review and comment on grant applications for county intermediate punishment programs or discretionary grants; (2) develop a funding plan for county adult probation and parole departments that includes county intermediate punishment programs, discretionary grants and a funding formula; (3) advise on all matters pertaining to the administration of the county adult probation and parole system; (4) analyze data to identify trends and to determine the effectiveness of programs and practices to ensure the reasonable and efficient administration of the county adult probation and parole system; (5) make recommendations and adopt standards for probation and parole personnel, including standards for services, caseload standards, risk assessment, responses to violations and other evidence-based programs and practices; (6) assist the commission in the implementation of Title 42 (Judiciary and Judicial Procedure), Chapter 98 (relating to county intermediate punishment); (7) within one year of the effective date of this section, absorb the funding, powers and duties of the County Probation Officers' Firearm Education and Training Commission established under Title 61 (Prisons and Parole), Chapter 63 (relating to county probation officers' firearm education and training), appoint a subcommittee with expertise comparable to that of the current membership of the County Probation Officers' Firearm Education and Training Commission, and assume responsibility and oversight for the firearm education and training of county adult and juvenile probation and parole officers; and (8) report annually to the governor and General Assembly on the distribution and use of funding. Removes appropriations for certain fiscal years and repeals originally found in the legislation. Effective in 60 days. (Prior Printer Numbers: 482, 691, 850, 1422)

**Dec 18, 2019 - S-In the hands of the Governor**

**Dec 28, 2019 - S-Last day for Governor's action**

**- Dec 18, 2019 - Approved by the Governor Feb 16, 2020 - S-Earliest effective date**

### **SB 501 Killion, Thomas (R)**

(PN 1434) Amends Titles 42 (Judiciary and Judicial Procedure) and 61 (Prisons and Parole), in judicial board and commissions, providing for commission, for composition of commission and for powers and duties of the commission; in judgments and other liens, providing for personal earnings exempt from the process; in sentencing, further providing for offenses against infant persons, collection of restitution, reparation, fees, costs, fines and penalties, for payments of court costs, and restitution and fines; in county intermediate punishment, further providing for county intermediate punishment programs and for continued eligibility; in motivational boot camp, further providing for definitions, for selection of inmate participants and for motivational boot camp program; in state intermediate punishment, further providing for scope of chapter, for definitions, for referral to state intermediate punishment program, for drug offender treatment program and for reports; in recidivism risk reduction incentive, further providing for sentencing, for evaluation and reports; in miscellaneous provisions, further providing for confidentiality of victim information; in Pennsylvania Board of Probation and Parole, further providing for definitions, for general powers of board, for probation services, for parole power, providing for short sentence parole, further providing for violation of terms of parole, for parole procedure and for victim statements, testimony and participation in hearing and providing for parolee homicide review; in County Probation Officers' Firearm Education and Training Commission and for commission membership; making conforming amendments and making a related repeal found in the Administrative Code. Portions are effective in 60 days, portions are effective in 120 days, portions are effective in one year, and the remainder is effective immediately. (Prior Printer Numbers: 483, 692, 1423)

**Dec 18, 2019 - S-In the hands of the Governor**

**Dec 28, 2019 - S-Last day for Governor's action**

- Dec 18, 2019 - Approved by the Governor **Dec 18, 2019 - S-Earliest effective date**

## **UPCOMING MEETINGS**

### **THURSDAY - 1/9/20**

**House Democratic Policy and Senate Democratic Policy Committees**

**11:30 a.m., Penn State-The Navy Yard, Building 7R Auditorium, 1101 Kitty Hawk Avenue, Philadelphia**

Joint public hearing on net neutrality

### **THURSDAY - 1/30/20**

**Independent Regulatory Review Commission**

**10:00 a.m., 14th Fl. Conf. Rm., 333 Market St., Harrisburg**

To consider the following regulations: Reg. No. 3241 Milk Marketing Board #47-19: Milk Marketing Fees; Reg. No. 3202 Department of Labor & Industry #12-106: Minimum Wage (Previously Withdrawn); Reg. No. 3247 PA Gaming Control Board #125-228: General Table Games Provisions; Table Game Equipment; Electronic Table Games; Gaming Related Gaming Service Providers; Table Game Rules of Play

### **TUESDAY - 2/18/20**

**\*\*\*Senate Appropriations Budget Hearing (New)**

**Hearing Room 1, North Office Building**

10:00 a.m. - Independent Fiscal Office

1:00 p.m. - Department of Revenue/Lottery

3:00 p.m. - Department of Drug and Alcohol Programs

### **WEDNESDAY - 2/19/20**

**\*\*\*Senate Appropriations Budget Hearing (New)**

**Hearing Room 1, North Office Building**

10:00 a.m. - Department of Military and Veterans Affairs

1:00 p.m. - Department of Corrections and the Board of Probation and Parole

3:00 p.m. - PA Board of Pardons

**THURSDAY - 2/20/20**

**\*\*\*Senate Appropriations Budget Hearing (New)**

**Hearing Room 1, North Office Building**

10:00 a.m. - PA State System of Higher Education

1:00 p.m. - Department of State

3:00 p.m. - Office of the Attorney General

**MONDAY - 2/24/20**

**\*\*\*Senate Appropriations Budget Hearing (New)**

**Hearing Room 1, North Office Building**

10:00 a.m. - Department of Labor & Industry

1:00 p.m. - Department of the Auditor General

3:00 p.m. - Department of Aging

**TUESDAY - 2/25/20**

**\*\*\*Senate Appropriations Budget Hearing (New)**

**Hearing Room 1, North Office Building**

10:00 a.m. - Pa Liquor Control Board

1:00 p.m. - Department of Transportation

3:00 p.m. - PA Treasury Department

**WEDNESDAY - 2/26/20**

**\*\*\*Senate Appropriations Budget Hearing (New)**

**Hearing Room 1, North Office Building**

10:00 a.m. - Department of Human Services

3:00 p.m. - Department of Health

**THURSDAY - 2/27/20**

**\*\*\*Senate Appropriations Budget Hearing (New)**

**Hearing Room 1, North Office Building**

10:00 a.m. - Department of Education

3:00 p.m. - Department of Community & Economic Development

**MONDAY - 3/2/20**

**\*\*\*Senate Appropriations Budget Hearing (New)**

**Hearing Room 1, North Office Building**

10:00 a.m. - Department of Agriculture

1:00 p.m. - University of Pennsylvania School of Veterinary Medicine

3:00 p.m. - Penn State University Ag. Research & Ag. Extension

**TUESDAY - 3/3/20**

**\*\*\*Senate Appropriations Budget Hearing (New)**

**Hearing Room 1, North Office Building**

10:00 a.m. - State-Related Universities

1:00 p.m. - Department of Conservation & Natural Resources

3:00 p.m. - Penn College of Technology, Thaddeus Stevens College & Community Colleges

**WEDNESDAY - 3/4/20**

**\*\*\*Senate Appropriations Budget Hearing (New)**

**Hearing Room 1, North Office Building**

10:00 a.m. - Department of Environmental Protection

1:00 p.m. - PA Professional Liability Joint Underwriting Association

3:00 p.m. - Budget Secretary/Governor's Executive Office



Capitol Recap is a comprehensive daily report on legislative and executive actions in the Pennsylvania capitol and is compiled and edited by PLS.

For subscription information, questions or more information contact PLS at [mypls@mypls.com](mailto:mypls@mypls.com) or 717-236-6984. Thank you, Lynn, Jeff, Mike, Matt Hess, Matt Hykes, Deborah, Cheryl, Aaron, Becky, Amyra, Nick, Nicole, Robert, Emily, Andrew, Shaun, Justin, Sheri, Harrison, Sarah, and John.

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Provided by Pennsylvania Legislative Services  
240 N. 3rd St. 8th Floor  
Harrisburg, PA 17101  
Phone: 717.236.6984 Fax: 717.236.5097  
[www.mypls.com](http://www.mypls.com)