

American Society of Landscape Architects PA/DE Chapter

Summary of Legislation

January 2017

Mustio Takes the Reins of House Professional Licensure Committee

Allegheny County **Rep. Mark Mustio** has been appointed to serve as Majority Chairman of the Pennsylvania House Professional Licensure Committee for the 2017-18 session. The Professional Licensure Committee maintains jurisdiction over all legislation dealing with the 29 professional and occupational licensing boards located administratively in the Bureau of Professional and Occupational Affairs (BPOA) in the Department of State. Additionally, the committee is charged with reviewing the various regulations put forward by the Department of State regarding licensed professionals. Professionals range from physicians and cosmetologists to real estate agents and funeral directors.

Legislative Activity

The following bills of interest to ASLA have been introduced and/or acted upon in that past month.

Bidding / Contracting

[SB 153](#) RE: [Higher Education Project Contracts \(Mandate Relief\)](#)

Amends the Public School Code, in the State System of Higher Education, further providing for project contracts by adding that certain contracts shall not be subject to review under section 204(f) of the Commonwealth Attorneys Act. The contracts shall be made available to the public by listing them with the Treasury Department in accordance with the Right-to-Know Law.

Introduced and referred to Senate Education Committee, 1/20/2017

Cosponsor memo filed

SCO 544 (Eichelberger) - [Statewide Bid And Notice Database](#). Provides for an alternative method, in the form of a Statewide Bid and Notice Database on which a local government unit could inform the public of meetings and contract opportunities.

Budget Related Bills

[HB 182](#) RE: Capital Budgets (by Rep. Stan Saylor, et al)

Amends the Capital Facilities Debt Enabling Act, in capital facilities, further providing for bonds & notes, maturity, interest, for appropriation & for limitation & administration on projects; & providing for capital budgets.

Filed, 1/23/2017

[HB 218](#) RE: General Appropriation Act of 2017 (by Rep. Stan Saylor, et al)

Provides from the General Fund for the expenses of the Executive and Judicial Departments, the State Government Support Agencies and the General Assembly of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2017, to June 30, 2018, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2017; to provide appropriations from the State Lottery Fund, the Tobacco Settlement Fund, the Aviation Restricted Account, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Account Guaranteed Savings Program Fund, the Banking Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund, the Oil and Gas Lease Fund, the Home Improvement Account, the Cigarette Fire Safety and Firefighter Protection Act Enforcement Fund, the Commonwealth Financing Authority Debt Service Restricted Revenue Account, the Insurance Regulation and Oversight Fund, the Pennsylvania Racehorse Development Restricted Receipt Account, the Justice Reinvestment Fund and the Multimodal Transportation Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2017, to June 30, 2018; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2017, to June 30, 2018,

for the proper operation of several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund money; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2017. The bill is effective immediately and retroactive to July 1, 2017, if enacted after that date.

NOTE: This bill was introduced BEFORE the Governor's budget address, and does not reflect the Administration's spending priorities. It will likely, however, serve as the vehicle for the budget, as the process moves along.

Introduced and referred to House Appropriations Committee, 1/24/2017

[HB 286](#) RE: Capital Budgets (by Rep. George Dunbar, et al)

Amends the Capital Facilities Debt Enabling Act adding language requiring a capital budget bill to enumerate the amount of debt being authorized in each category to fund projects for which debt had been previously authorized and the amount of debt being authorized in each category to fund projects for which debt had not previously been authorized. Also requires the governor, immediately upon introduction of a capital budget bill, compile an itemized list of projects for each category of projects to be financed by the authorized debt. Further provides for the information to be included in the list and requires the report to be sent to all members of the General Assembly.

Introduced and referred to House Appropriations Committee, 2/2/2017

[SB 267](#) RE: Redevelopment Assistance Capital Projects (by Sen. Vincent Hughes, et al)

Amends the Capital Facilities Debt Enabling Act, in capital facilities, further providing for definitions of "redevelopment assistance capital project," for appropriation for housing units for veterans, and for limitation on redevelopment assistance capital projects. The bill provides for a minimum of \$25,000,000 to be used for the construction of units to house veterans who are Pennsylvania residents and homeless or in need of housing.

Introduced and referred to House Appropriations Committee, 1/31/2017

Cosponsor memo filed

HCO1054 (Topper) - Amends the Capital Facilities Debt Enabling Act to establish an annual spending limit on RACP and PIP projects.

Filed, 1/26/2017

Environmental Building Standards

[HB 417](#) RE: Water Well Construction Standards (by Rep. Bob Godshall, et al)

Amends Title 27 (Environmental Resources), in conservation and natural resources, adding a chapter providing water well construction standards. Portions are effective after regulations are promulgated and the remainder is effective in 30 days.

Introduced and referred to House Consumer Affairs Committee, 2/8/2017

Cosponsor memo filed

[SCO 413](#) (Rafferty) - Requires that the design, construction, and renovation of state government buildings comply with specified energy and environmental building standards.

Filed, 1/10/2017

Liability

NONE

Local/State Government/Regulations

[HB 162](#) RE: Code Manuals (by Rep. David Maloney, et al)

Amends the Pennsylvania Construction Code Act, in Uniform Construction Code, adding language allowing the Department of Labor and Industry to contract with the ICC to establish and publish code manuals that contain the

standards of the Uniform Construction Code. The department shall require in any such contract that the standards be made available on the department's website.

Introduced and referred to House Labor and Industry Committee, 1/23/2017

Reported as committed from House Labor and Industry Committee, read first time, and laid on the table, 2/6/2017

Removed from the table, 2/8/2017

[HB 284](#) RE: One Call System (by Rep. Matt Baker, et al)

Amends the Underground Utility Line Protection Law removing the jurisdiction of the Department of Labor and Industry and transferring it to the Public Utility Commission; further providing for definitions; requiring submission of reports of alleged violations; requiring facility owners to maintain records of abandoned lines, to participate in the One Call System's Member Mapping Solutions, and to notify a facility owner that an excavator has identified an unmarked or incorrectly marked facility and of the owner's responsibilities; further providing for the One Call System, other parties, designers, excavators and project owners and for penalties; adding that an excavator, designer or operator who proposes to commence excavation or demolition work and requests information from the One Call System shall pay to the One Call System an annual fee; requiring designers to request line and facility information; requiring excavators to renotify the One Call System of an unmarked or incorrectly marked facility in certain instances and to make a locate request to the One Call System prior to excavation or demolition work and to pay the applicable fee; establishing a Damage Prevention Committee in the commission to review and take action on alleged violations; establishing the Underground Utility Line Protection Fund to receive penalties and assessments; and extending the expiration of the act through 2022. Provisions establishing the fund are effective immediately and the remainder is effective in 180 days.

Introduced and referred to House Consumer Affairs Committee, 2/1/2017

[SB 142](#) RE: Unconventional Oil and Gas Conservation (by Sen. Gene Yaw, et al)

Amends Title 58 (Oil and Gas), in unconventional oil and gas conservation, consolidating the Oil and Gas Conservation Law with modifications relating to definitions, standard unit order, process, administration, standard of review, hearings and appeals, establishment of units, integration of various interests, lease extension and scope, providing for gas and hazardous liquids pipelines; and repealing the Oil and Gas Conservation Law. The bill adds a chapter providing for Unconventional Oil and Gas Conservation, entitled the Unconventional Oil and Gas Unit Conservation and Integration Act. The chapter seeks to promote the development of unconventional oil and gas resources in accordance with the best principles and practices of oil and gas conservation while reasonably protecting the correlative rights of the person affected and to provide for the protection of the environment.

Introduced and referred to Senate Environmental Resources and Energy Committee, 1/20/2017

[SB 144](#) RE: [Change to Act 537 \(PA Sewage Facilities Act\)](#) (by Sen. Gene Yaw, et al)

Amends Pennsylvania Sewage Facilities Act authorizing the inclusion of alternative systems in the site planning process.

Introduced and referred to Senate Environmental Resources and Energy Committee, 1/19/2017

[SB 269](#) RE: Uniform Construction Code Review and Advisory Council (by Sen. Lisa Baker et al)

Amends the Pennsylvania Construction Code Act, in preliminary provisions, further providing for definitions, adding that the Uniform Construction Code Review and Advisory Council shall also gather information from construction trades and consumer representatives; repealing provisions providing for review; reconstituting the membership of the council and providing for removal of members; requiring members to participate in person, via teleconference, or via video conference; establishing technical advisory committees; providing for review of updated sections and adoption of updated sections into Uniform Construction Code; in Uniform Construction Code, further providing for revised or successor codes; in adoption and enforcement by municipalities, further providing for administration and enforcement; in training and certification of inspectors, further providing for education and training programs; and, in exemptions, applicability and penalties, further providing for applicability to certain buildings. Additionally, the fee collected shall be allocated as follows: 40 percent in the Municipal Code Official Training Account, 40 percent in the Construction Contractor Training Account, and 20 percent in the Review and Advisory Council Administration Account to be used by the Department of Labor and Industry. Provisions regarding uncertified buildings over which the department does not have jurisdiction are effective in 60 days and the remainder is effective immediately.

Introduced and referred to Senate Labor and Industry Committee, 1/31/2017

[HB 409](#) RE: Uniform Construction Code Review and Advisory Council (by Rep. Eli Evankovich, et al)
Amends the Pennsylvania Construction Code Act, in preliminary provisions, further providing for definitions and for Uniform Construction Code Review and Advisory Council and providing for review of updated sections and adoption of updated sections into Uniform Construction Code; in Uniform Construction Code, further providing for revised or successor codes; in adoption and enforcement by municipalities, further providing for administration and enforcement; in training and certification of inspectors, further providing for education and training programs; and, in exemptions, applicability and penalties, further providing for applicability to certain buildings.
Introduced and referred to House Labor and Industry Committee, 2/8/2017

[SB 242](#) RE: One Call System (by Sen. Lisa Baker, et al)
Amends the Underground Utility Line Protection Law further providing extensively for definitions, for duties of facility owners, for duties of the One Call System, for duties of excavators, for duties of designers, for duties of project owners and for penalties; providing for enforcement, for underground utility line protection fund and for compliance; and further providing for One Call System authority and for expiration. Among the many changes, facility owners shall maintain existing records of main lines abandoned on or after the effective date and to mark, locate or identify the main lines if possible, based upon the existing records. A damage prevention committee is established to review reports of violations, issue warnings and determinations and require persons to attend damage prevention educational programs. The Act expires December 31, 2024, (changed from 2017).
Introduced and referred to Senate Consumer Protection & Prof. Licensure Committee, 1/26/2017

Cosponsor Memos Filed

HCO 627 (Rothman) - [Economically Significant Regulation](#). Amends the Regulatory Review Act by requiring any economically significant regulation to be approved by the General Assembly.
Filed, 1/10/2017

Professional Licensure

[HB 298](#) RE: Training and Certification of Inspectors (by Rep. Sheryl DeLozier, et al)
Amends the Pennsylvania Construction Code Act, in training and certification of inspectors, further providing for training of inspectors. The bill states that the department may by regulation establish a separate trainee classification for each certification category. The trainee classification shall be considered optional for all individuals seeking certification under this act. An applicant for trainee classification shall secure the sponsorship of an individual certified in each category for which the trainee seeks certification. A trainee classification is nonrenewable and shall be limited. Individuals with trainee classifications may perform all the duties of a certified individual while under the supervision of a sponsor. The department may establish fees and applications and registration procedures to establish the trainee classification system. Individuals with trainee classifications shall be listed on the department's website.

Introduced and referred to House Labor and Industry Committee, 2/2/2017
Reported as committed from House Labor and Industry Committee, read first time, and laid on the table, 2/6/2017
Removed from the table, 2/8/2017

[SB 82](#) RE: Pennsylvania Board of Home Inspectors (by Sen. Stewart Greenleaf, et al)
Amends Title 68 (Real and Personal Property), in residential real property, repealing provisions relating to home inspections; providing for home inspections; establishing the **Pennsylvania Board of Home Inspectors**; providing for licensure of home inspectors and for disciplinary proceedings by the Pennsylvania Board of Home Inspectors; and making an appropriation of \$85,000 from the Professional Licensure Augmentation Account to the Department of State for the payment of costs associated with processing licenses and renewing licenses, for the operation of the Pennsylvania Board of Home Inspectors and for other costs associated with the implementation of 68 Pa.C.S. Ch. 75A. The bill repeals the current chapter on home inspections and replaces it with a new chapter on home inspections. The Pennsylvania Board of Home Inspectors shall promulgate regulations and the provisions requiring the licensure of home inspectors shall not apply until publication that the regulations are in effect.
Introduced and referred to Senate Consumer Protection & Prof. Licensure Committee, 1/13/2017

Cosponsor memo filed

SCO 445 (Tomlinson) - [Strengthening Licensee Reporting Requirements and Suspensions](#) .
Filed, 1/17/2017

Organizational Structure

NONE

Local/Property Tax Reform

NONE

Mandate Waivers

NONE

Mechanic's Lien

NONE

School Construction

[HB 356](#) RE: Tax on School Construction (by Rep. Matt Baker, et al)

Amends the Tax Reform Code, in sales and use tax, further providing for exclusions from tax for a construction contract by providing a sale and use tax exemption for items and services purchased by a contractor on behalf of a school district, intermediate unit, area vocational-technical school or charter school that are related to a construction project.

Introduced and referred to House Finance Committee, 2/7/2017

[SB 212](#) RE: LEED Compliant Schools (by Sen. Daylin Leach, et al)

Amends the Public School Code, in grounds and buildings, further providing for referendum or public hearing required prior to construction or lease by exempting monies paid to build a LEED compliant school from consideration under Act 34's formula; and providing for reimbursements by the Commonwealth and between school districts.

Introduced and referred to Senate Education Committee, 1/26/2017

Cosponsor memos Filed

HCO 817 (Nesbit) - [Requiring the Use of Prototypical Design in the Construction of School Facilities](#) Requires any school entity to use a Department of Education approved, prototypical design in the construction of school facilities. PDE will establish a prototypical school design clearinghouse.

Filed, 1/18/2017

Transportation

NONE

Worker's Comp

NONE

Workforce Development

NONE

Upcoming meetings of Interest

Some House Committee meetings and session can be viewed online at: <http://www.pahousegop.com/>

Senate Committee meetings and session can be streamed at: <http://www.pasenategop.com/>

2017 SENATE SESSION SCHEDULE

February	1, 6, 7, 8
March	20, 21, 22, 27, 28, 29
April	17, 18, 19, 24, 25, 26
May	8, 9, 10, 22, 23, 24
June	5, 6, 7, 12, 13, 14, 19, 20, 21, 22, 26, 27, 28, 29, 30

2017 HOUSE SESSION SCHEDULE

February	6, 7, 8
March	13, 14, 15, 20, 21, 22
April	3, 4, 5, 18, 19, 24, 25, 26
May	8, 9, 10, 22, 23, 24
June	5, 6, 7, 12, 13, 14, 19, 20, 21, 22, 26, 27, 28, 29, 30

State Board of Landscape Architects Meeting Schedule

2017 Meeting Dates (Subject to Change)

March 16, June 15, August 17, November 16

PUBLIC WELCOME

All Board meetings are held at Penn Center, 2601 N. 3rd Street, Harrisburg, PA, at 9:30 a.m.

Other meeting dates may be scheduled as needed.

Note: the Governor will make his 2016-17 Budget Address on February 7, then the House and Senate will recess for budget hearings during February and March. The schedule of hearings will be announced later.

Copies of all bills of interest can be accessed via the Internet at:

<http://www.legis.state.pa.us/cfdocs/legis/home/session.cfm>