

American Society of Landscape Architects PA/DE Chapter

Summary of Legislation

March 2017

State Board Moving Toward Full Complement

In recent months, the State Board of Landscape Architects has been working shorthanded. The Board is statutorily comprised of 9 members (4 LAs, one Nurseryman, 2 public members, a consumer protection member appointed by the Attorney General, and the Commissioner of the Bureau of Professional and Occupational Affairs). Terms are for three years plus an additional 6 months if a successor is not appointed to replace them. Until recently, the Board was short by 4 members due to openings that had not been filled. These Board members are nominated by the Governor and require the PA Senate to confirm the nomination. If that sounds political, it's because it is. In fact, it is not unusual for openings to take some time before they are filled. However the recent situation was getting to be a serious concern. It takes 7 of the 8 remaining members for a quorum and one of those was beyond the term expiration and nearly beyond the additional 6 month a board member may serve.

The good news is that the Senate confirmed one member at the end of March, and has another on its agenda for April. **Dina Klavon** of Pittsburgh was appointed to the Board to succeed Dan DiMucci, and **David Morgan** was reappointed for a second term. These confirmation votes could take place as early as April 18th. There are still 2 public member positions, and the Landscape Nurseryman position open for nomination.

Legislative Activity

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

Bidding / Contracting

[HB 1003](#) RE: Lists of Permits Issued (by Rep. Jason Ortity, et al)

Amends the Administrative Code, in powers and duties of the Department of Environmental Resources, its officers and departmental and advisory boards and commissions, requiring that the department shall compile, maintain and make available a complete list of all permits issued by the department and all permits issued by a delegated authority, and publish it in the Pennsylvania Bulletin and make it available on the department's website.

Introduced and referred to House Environmental Resources and Energy Committee, 3/28/2017

[HB 1007](#) RE: Consultants (by Rep. Doyle Heffley, et al)

Amends the Pennsylvania Construction Code Act, in adoption and enforcement by municipalities, providing applicants the option of using an alternative third party agency if they are in a municipality that only has one third party agency.

Introduced and referred to House Labor and Industry Committee, 3/28/2017

Budget Related Bills

[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.

Reported as committed from House Appropriations Committee, read first time, and laid on the table, 3/13/2017

Removed from the table, read second time, and re-referred to House Appropriations Committee, 3/20/2017

Environmental Building Standards

NONE

Liability

NONE

Local/State Government/Regulations

[HB 162](#) RE: Construction 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.

Read second time, and re-referred to House Appropriations Committee, 3/13/2017

Reported as committed from House Appropriations Committee, read third time, and passed Senate, 3/20/2017 (196-0)

[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.

Read second time, and re-referred to House Appropriations Committee, 3/13/2017

Reported as committed from House Appropriations Committee, read third time, and passed Senate, 3/20/2017 (195-1)

[HB 911](#) RE: Economically Significant Regulations (by Rep. Greg Rothman, et al)

Amends the Regulatory Review Act further providing for definitions; and providing for economically significant regulations and for abrogation of regulations. Each regulation submitted by an agency shall include a fiscal note prepared by the Office of the Budget. The fiscal note must contain an examination of the aggregate direct cost and aggregate indirect cost associated with the regulation for the first five years following implementation of the regulation. The Office of the Budget shall notify each committee if the regulation is an economically significant regulation, as defined in the bill. The bill provides for notification to and review by the legislature. The General Assembly may adopt a concurrent resolution abrogating a regulation.

Introduced and referred to House State Government Committee, 3/21/2017

[HB 913](#) RE: Fees for Storm Water Management Activities (by Rep. Garth Everett, et al)
Amends Title 8 (Boroughs & Incorporated Towns) adding language allowing an incorporated town council to assess fees for storm water management activities and facilities without the need to establish a municipal authority.

Introduced and referred to House Local Government Committee, 3/22/2017

[HB 914](#) RE: Fees for Storm Water Management Activities (by Rep. Garth Everett, et al)
Amends Title 8 (Boroughs & Incorporated Towns) adding language allowing a borough to assess fees for storm water management activities and facilities without the need to establish a municipal authority.

Introduced and referred to House Local Government Committee, 3/22/2017

[HB 915](#) RE: Fees for Storm Water Management Activities (by Rep. Garth Everett, et al)
Amends the First Class Township Code adding language allowing the board of commissioners to assess fees for storm water management activities and facilities without the need to establish a municipal authority.

Introduced and referred to House Local Government Committee, 3/22/2017

[HB 916](#) RE: Fees for Storm Water Management Activities (by Rep. Garth Everett, et al)
Amends Title 11 (Cities) adding language allowing a city to assess fees for storm water management activities and facilities without the need to establish a municipal authority.

Introduced and referred to House Local Government Committee, 3/22/2017

Professional Licensure

[HB 548](#) RE: Self-Reporting of Convictions (by Rep. Harry Readshaw, et al)
Amends the act entitled "An act empowering the General Counsel or his designee to issue subpoenas for certain licensing board activities; providing for hearing examiners in the Bureau of Professional and Occupational Affairs; providing additional powers to the Commissioner of Professional and Occupational Affairs; and further providing for civil penalties and license suspension," by adding a subsection on hearing examiners requiring all licensees under the Bureau of Professional and Occupational Affairs to report convictions within 30 days.

Reported as committed from House Professional Licensure Committee, read first time, and laid on the table, 3/21/2017

Removed from the table, 3/22/2017

[HB 670](#) RE: Fire Sprinkler Contractors Licensing Act (by Rep. John Taylor, et al)
Provides for licensing of fire sprinkler contractors and inspectors; and imposing duties on the Department of Labor and Industry. Provisions regarding refusal, suspension or revocation of license are effective immediately and the remainder is effective upon the effective date of the regulations promulgated by the department or on July 1, 2017, whichever is sooner.

Introduced and referred to House Professional Licensure Committee, 3/2/2017

[HB 1001](#) RE: Home Inspector Licensing Act (by Rep. Susan Helm, et al)
Regulates home inspectors; provides for funds, for licensure, for disciplinary action, for remedies and for penalties; and repeals provisions relating to home inspections.

Introduced and referred to House Professional Licensure Committee, 3/28/2017

Cosponsor Memo Filed

HCO1547 (Emrick)- [Engineer, Land Surveyor and Geologist Registration Law - Amendments](#) - Amends the Engineer, Land Surveyor and Geologist Registration Law making changes to current exemption and cleans up loose continuing education language.

Filed, 3/8/2017

Organizational Structure

NONE

Local/Property Tax Reform

NONE

Mandate Waivers

NONE

Mechanic's Lien

NONE

School Construction

[HB 711](#) RE: Prototypical School Design Clearinghouse (by Rep. Tedd Nesbitt, et al)

Amends Public School Code requiring the use of certain approved designs in the construction of school facilities.

Authorizes the Department of Education to establish a prototypical school design clearinghouse, accessible by any school entity in Pennsylvania. Provides for submission and review process of designs, and for their approval.

Requires the Legislative Budget and Finance Committee to study the program after five years to determine savings.

Introduced and referred to House Education Committee, 3/6/2017

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

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

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)

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.

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

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