



Summary of Legislation February 14, 2019

Governor Wolf's 2019 Budget Proposal

Governor Tom Wolf presented his proposed budget for FY19/20 on February 5th. The proposal is set at \$34.1 billion in spending, which is an increase of \$927.36 million, or 2.79 percent over last year. The Governor's proposal also does not call for an across the board tax increase as in some of his previous proposals. However, it does include a severance tax on natural gas, but with funds dedicated solely to infrastructure which is modified from the Governor's previous budget plans. The Governor is also calling for an increase to the minimum wage from \$7.25 per hour to \$12 per hour starting in July — with additional increases coming each year until 2025, when it would reach \$15 an hour.

The Governor's budget was met with optimistic tones from the Republican controlled Legislator, but the overall spend number along with the minimum wage and severance tax will likely be central to negotiations leading up to the June 30th deadline. These details and other items such as those listed below will be negotiated during the process, including in Legislative Budget Hearings throughout February and March. Items of note include:

\$200 million in Basic Education Funding, \$50 million in Special Education Funding, \$50 million for Pre-K Counts and Head Start, \$8 million for Stay in PA, \$10 million for PAsmart, and \$7 million for PASSHE

\$6.8 million to provide a 3 percent rate increase to Infant/Toddler Early Intervention providers

\$12 million to the Employer Skills Fund to develop innovative solutions to the skills gap

\$5 million to PA First for job creation

\$15 million for infants and toddlers on the waiting list into high-quality child care

\$10 million to incentivize quality child care for infants and toddlers

\$5 million for Parent Pathways

\$1.5 million for naloxone to continue to fight the opioid epidemic

\$2.6 million towards bolstering the state's organic industry

Provides fair funding for local police coverage by the PA State Police through a sliding scale fee

\$15 million to assist counties in paying for updated voting machines

Continues deposits into the Rainy Day Fund that are projected to reach more than \$278 million

\$5 million for expanding home visiting services

\$15 million to serve an additional 765 individuals with intellectual disabilities and autism currently on the waiting list through the Community Living Waiver and 100 individuals through the Consolidated Waiver

Final phase of implementation of Community HealthChoices on January 1, 2020

It remains to be seen how the smaller Republican majorities listed below, and a Democrat Governor entering his second and final term, will affect the flow of the budget and nature of legislation in the new session. Also, the Governor and Legislature often negotiate on other priorities both related and unrelated during the budget negotiations and we could likely see calls for further pension reform, reduction/elimination of property taxes, and the extension of the statute of limitations for child sexual abuse, to name a few.

DEP to Build on Modernization and Efficiency Measures in 2019

The Pennsylvania Department of Environmental Protection (DEP) has announced continued reductions in both the review time and backlog of pending permit applications, and debuts two modernization and efficiency measures that will continue to increase permitting efficiency.

This past month, DEP formally opened the **Regional Permit Coordination Office (RPCO)**, a centralized permitting office to assist with construction permitting and coordination related to erosion and sediment control

(Chapter 102) and water obstruction and encroachment (Chapter 105). Specifically, the RPCO will assist with construction permitting for large-scale, multi-county or multi-regional infrastructure projects, such as pipelines and highways. DEP also announced that it will be rebalancing workload among its regional offices by transferring responsibility for all applicable regulatory programs in Armstrong and Indiana counties from its Southwest Regional Office to the Northwest Regional Office.

“The department receives more than 30,000 permit applications a year, and each of these permits is important to a project somewhere in the commonwealth,” said **DEP Secretary Patrick McDonnell**. “Over the past four years DEP has focused its efforts on increased responsiveness, improved customer service, and working smarter and more efficiently to improve operations.”

In January 2018, [Governor Tom Wolf and DEP announced plans](#) to modernize the permit process, reduce the backlog and improve oversight, while seeking a \$2.5 million budget allocation to facilitate the strategy.

In the past year, DEP’s Southwest Regional Office reduced backlog of permits in the region by more than 75 percent and shortened its review timeline for erosion and sediment control general permits by more than 220 days. The allocation of two counties to the northwest region will aid in anticipated continued commercial, energy, and infrastructure development in the southwest. Mining and radiation protection programs are not affected by this regional office change.

In addition to assisting with construction permitting for large-scale, multi-county or multi-regional infrastructure projects, such as pipelines and highways, the RPCO will work with existing DEP bureaus to provide statewide technical support to regions and add additional emphasis on project coordination and consistency. DEP will transfer some of its permitting functions from the regions to streamline project development and permit processing, reduce redundant operations and provide effective service and project delivery.

In addition to these new measures, DEP has also aggressively focused on data-driven tools and resources, including the development of e-Permitting and e-Inspections:

- DEP now offers e-permitting for well drilling and erosion and sedimentation control at oil and gas sites (ESCGP), surface coal mining, air emissions from certain natural gas activities (GP-5 and GP-5A), Chapter 105 water obstruction and encroachment general permits, storage tank renewals, radiation protection x-ray registration renewals and other regulated activities.
- DEP now performs e-inspection for oil and gas sites, erosion and sedimentation, waterways encroachment, waste management, spill cleanup and emergency response. In the Oil & Gas program, specifically, e-inspections have increased inspector efficiency by 20 percent.
- DEP is embarking on an effort to **digitize regional files** while also requesting electronic submissions. Electronic files and databases housed on DEP’s website and other operational changes are designed to improve the Right to Know Law and informal file review processes, reinforcing DEP’s commitment to transparency.
- DEP has significantly improved permitting efficiency by meeting with and clearly communicating permitting and regulatory requirements to the regulated community and consultants.

“As we move to more data-driven tools and resources, we’re also able to evaluate current and anticipated staffing needs,” said McDonnell. “While we strive to increase efficiency, we’re also making sure our professional staff have the resources and training necessary to carry out regulatory oversight.”

With these changes, McDonnell would like to continue working with the regulated community to determine their needs and address opportunities to improve consistency in applications.

Effective January 10, 2019, inquiries and correspondence regarding new permit applications, reporting, and compliance matters related to sites in Armstrong and Indiana Counties should be directed to DEP’s [Northwest Regional Office](#). Questions on permit applications under review as of January 9, 2019, and pending enforcement matters for Armstrong and Indiana Counties should be directed to DEP’s [Southwest Regional Office](#). Inquiries can

also be directed to RA-epcontactus@pa.gov. The RPCO can be reached by calling 717-772-5987 or kgoudy@pa.gov.

Alloway, White Announce Early Retirements

Two long-serving Republican state Senators announced that they would not finish their current terms, and would leave office at the end of February. Sen. Rich Alloway (R- Chambersburg) and Don White (R-Indiana) both made relatively surprise announcements just weeks after the start of the new legislative session. Alloway announced he would be reopening his law firm, and speculation followed that he would also resume lobbying in Harrisburg, a career he pursued prior to his service as an elected official. White, in a heartfelt speech on the Senate floor, said he would be returning to his home in Indiana, while giving little indication of his future plans. Both also indicated that the timing of their announcements was designed to allow Lt. Gov. John Fetterman to call special elections to fill the vacancies to coincide with the May primary elections. Those specials had not been called at press time for this report.

Special Election Candidates Chosen to Succeed Sid Kavulich

The race in Northeast Pennsylvania to fill the vacancy left by the passing of long-time Democrat Rep. Sid Michaels Kavulich, who died in October at the age of 62 from complications of open heart surgery, is now set. Last month, [Bridget Malloy Kosierowski](#) easily won the Democrat nomination over three others. At the same time, the Republican committee chose [Frank Scavo](#) for their party's nomination. Scavo has run for public office multiple times in, most recently this past November, losing to incumbent state Sen. John Blake. The race is taking place on March 12, along with another in the 190th House District, to replace Rep Vanessa Lowery Brown, who resigned after being convicted in a bribery case. The 114th House District special election is to fill the seat of the late Democratic [Rep. Sid Michaels Kavulich](#).

Legislative Activity

The following bills of interest to PEDAs were acted on by the General Assembly this past month.

Budget Related Bills

[HB 25](#) RE: Tax Delinquents (by Rep. Pam Snyder, et al)

Amends the Tax Reform Code, in personal income tax, further providing for payment on notice and demand by adding that a taxpayer who is delinquent on payment of a tax liability, excluding a liability for a return not filed, shall not be required to pay any applicable penalty or interest until 60 days have elapsed following receipt by certified mail of initial notice and demand from the department. Effective in 60 days.

Introduced and referred to House Finance Committee, 1/28/2019

[HB 34](#) RE: 1099-MISC Reporting Repeal (by Rep. Frank Ryan, et al)

Amends the Tax Reform Code, in personal income tax, repealing provisions relating to definitions, to withholding tax requirement for non-employer payors, to information statement for nonemployer payors, to information statement for payees, to time for filing payors' returns, to payment of taxes withheld for nonemployer payors, to payor's liability for withheld taxes, to payor's failure to withhold, to amount of withholding tax, to treatment of nonresident partners, members or shareholders, to withholding on income and to annual withholding statement and further providing for requirements concerning returns, notices, records and statements and for additions, penalties and fees. The bill is described as repealing the reporting requirements for 1099-MISC income paid to non-residents.

Introduced and referred to House Finance Committee, 1/28/2019

[HB 70](#) RE: Corporate Net Income Tax Rate (by Rep. Greg Rothman, et al)

Amends the Tax Reform Code, reducing the corporate net income tax rate from 9.99 percent to 5.99 percent beginning January 1, 2020. Effective immediately.

Introduced and referred to House Finance Committee, 1/28/2019

[HB 105](#) RE: Small Business Tax (by Rep. Jim Cox, et al)

Amends the Tax Reform Code, in personal income tax, further providing for classes of income. The intent of the bill is to allow for like-kind exchanges in Pennsylvania, mirroring Internal Revenue Code Section 1031 provisions. The bill applies to tax years beginning after December 31, 2020, and is effective immediately.

Introduced and referred to House Finance Committee, 1/28/2019

[HB 176](#) RE: Public-Private Partnership Infrastructure Act (by Rep. Chris Quinn, et al)

Establishes the Public-Private Partnership Infrastructure Board; providing for solicitation of public-private projects and for public-private agreements; and establishing the Public-Private Account.

Introduced and referred to House State Government Committee, 1/28/2019

[HB 178](#) RE: Natural Gas Tax (by Rep. Chris Quinn, et al)

Amends Title 58 (Oil & Gas), in unconventional gas well fee, repealing expiration; and imposing a natural gas tax. The bill establishes that beginning July 1, 2019, a natural gas severance tax is levied and payable by every producer. The tax imposed shall be 3.5 percent of the gross value of natural gas and natural gas liquids severed by the producer during each reporting period. The rate shall be adjusted annually on July 1 for the ensuing 12 months as follows: on or before April 1, 2020, and annually thereafter, the secretary shall determine the average Pennsylvania hub price for the prior calendar year. When the average Pennsylvania hub price in the prior calendar year was: between \$0 and \$2.50 per unit, the adjusted tax shall equal 3 percent of the gross value of each unit severed; between \$2.51 and \$3 per unit, the adjusted tax rate shall equal 4 percent of the gross value of each unit severed; or more than \$3 per unit, the adjusted tax rate shall equal 5 percent of the gross value of each unit severed.

Introduced and referred to House Environmental Resources and Energy Committee, 1/28/2019

[HB 180](#) RE: Made in PA Act (by Rep. Neal Goodman, et al)

Provides for a "Made in PA" logo to include a range of products made in Pennsylvania not already covered by the registered PA Preferred label. The bill provides for duties of the Department of Community and Economic Development (DCED), sets forth guidelines for eligibility to be licensed to display the logo, establishes a website for the purpose of listing entities licensed under the Act and establishes funding for the program. Requires a report to the governor and General Assembly one year after the effective date on the impact of the program.

Introduced and referred to House Commerce Committee, 1/28/2019

[HB 187](#) RE: Impact Fees for Natural Gas and Oil Pipelines (by Rep. Chris Quinn, et al)

Amends Title 58 (Oil and Gas) adding a chapter providing for an impact fee for natural gas and oil pipelines; establishing the Pipeline Impact Fund; and imposing powers and duties on the Pennsylvania Public Utility Commission. The commission shall use the fund as follows: (1) Each year, up to 10% of the money in the fund may be used for administration; (2) Fifty percent of the money which is not used under paragraph (1) shall be used to make an annual payment to each county where an affected area is located; and (3) The remainder of the money shall be used to make an annual payment to each municipality, other than a county, where an affected area is located. A person that utilizes an impact pipeline shall pay to the commission a fee based on acreage of linear feet plus right-of-way width using the county average land value in an affected area; this shall not apply to an impact pipeline in existence on the effective date. Provisions requiring the commission to implement regulations are effective immediately and the remainder is effective in 60 days.

Introduced and referred to House Environmental Resources and Energy Committee, 1/28/2019

[HB 268](#) RE: Waterfront Redevelopment Grant Program (by Rep. Michael Driscoll, et al)

The Waterfront Redevelopment Grant Program Act provides for the Waterfront Redevelopment Grant Program; establishes the Waterfront Redevelopment Fund; and imposes powers and duties on the Department of Community and Economic Development. Effective in 60 days.

Introduced and referred to House Commerce Committee, 1/29/2019

[SB 32](#) RE: CNI tax rate (by Sen. Michele Brooks, et al)

Amends the Tax Reform Code, in corporate net income tax, further providing for imposition of tax. The bill establishes the annual rate of tax on corporate net income as follows: January 1, 1995, through December 31, 2019, at 9.99 percent; January 1, 2020, through December 31, 2020, at 9.49 percent; January 1, 2021, through December 31, 2021, at 8.99 percent; January 1, 2022, through December 31, 2022, at 8.49 percent; January 1, 2023, through December 31, 2023, at 7.99 percent; January 1, 2024, through December 31, 2024, at 7.49 percent; January 1, 2025, and each taxable year thereafter at 6.99 percent. Effective immediately.

Introduced and referred to Senate Finance Committee, 1/11/2019

[SB 97](#) RE: "Non-Point Source" Investments (by Sen. Scott Hutchinson, et al)

Amends the Pennsylvania Infrastructure Investment Authority Act to prohibit the Pennsylvania Infrastructure Investment Authority (PENNVEST) from making "non-point source" investments. Also adds language allowing

PENNVEST to offer refinancing for local governments who originally funded their storm water management system through a private lending institution.

Introduced and referred to Senate Environmental Resources and Energy Committee, 1/24/2019

Cosponsor Memos Filed

[HCO1018](#) (Wheatley) - **Restore Pennsylvania**. Applies funds raised by a severance tax to improving state technology, development and infrastructure.

Filed, 1/31/2019

[SCO 552](#) (Yudichak) - Proposes the governor's infrastructure initiative Restore Pennsylvania.

Filed, 1/31/2019

KOZ/CRIZ/Tax Credits

[HB 42](#) (Snyder, Pam) - Amends Tax Reform Code re tax credit

Amends the Tax Reform Code providing for a depressed area tax credit. Includes definitions and guidelines, including a total maximum for annual credits of \$5 million in any fiscal year. Also lays out rules for applications. Charges the Department of Community and Economic Development and the Department of Revenue with developing written guidelines for implementation. Effective in 60 days.

Introduced and referred to House Finance Committee, 1/28/2019

[HB 167](#) RE: Small Business Incubators (by Rep. Maria Donatucci, et al)

Amends the Small Business Incubators Act further providing for definitions, for creation of program, for incubator grants, loans and loan guarantees, for responsibilities of local sponsors, for challenge grants for seed capital funds, for general powers and duties of the board and for indicators of program impact; providing for funding sources; further providing for time limit on approvals; and making a related repeal. The bill establishes that if a business operating within an incubator that is administered by a local sponsor relocates outside of this commonwealth or transfers an ownership interest to an entity located outside of this commonwealth, the business shall repay the local sponsor the full value of services and assistance the business has received that were funded by grants, loans or guaranteed loans received by the local sponsor. If the local sponsor does not utilize repaid funds to provide services to other businesses in the incubator, the local sponsor shall return the funds to the board.

Introduced and referred to House Commerce Committee, 1/28/2019

[HB 241](#) RE: Resource Enhancement and Protection Tax Credit Program (by Rep. Tina Pickett, et al)

Amends the Tax Reform Code, in resource enhancement and protection tax credit, further providing for definitions and for Resource Enhancement and Protection Tax Credit Program. The bill establishes a tax credit granted under this article which may be applied to the spouse of an eligible applicant if both the eligible applicant and the spouse report income on a joint income tax return.

Introduced and referred to House Finance Committee, 1/28/2019

[SB 102](#) RE: Pennsylvania Affordable Energy Development Zones Act (by Sen. Scott Hutchinson, et al)

Provides for the establishment of Pennsylvania affordable energy development zones and for powers and duties of the Department of Community and Economic Development and the Department of Revenue; authorizes expenditures; and provides for tax exemptions and tax credits. A program providing for Pennsylvania affordable energy development zones is established within the Department of Community and Economic Development (DCED). A Pennsylvania affordable energy development zone shall be comprised of property located in one or more political subdivisions in which unconventional gas wells are located. The bill outlines qualifications for a business to receive tax exemptions or credits, including creating jobs and making capital investments.

Introduced and referred to Senate Community, Economic & Recreational Development Committee, 1/24/2019

[SB 126](#) RE: [Clawback Provision for State Grants](#) (by Sen. John DiSanto, et al)

Amends the Fiscal Code, in general budget implementation, further providing for Department of Community and Economic Development by adding that a grant may not be paid to an entity, other than a municipality, school district, community college, institution within the State System of Higher Education or a state-related university, unless the following provisions are satisfied: (1) the entity has demonstrated to the satisfaction of the department

that the entity has made reasonable efforts to obtain funding for the expenses for which the grant is being requested from other sources and that there are no other feasible sources of funding available to the entity for the expenses; (2) the entity agrees to repay the commonwealth the balance of the grant money that is not expended on the purpose for which the grant was awarded; (3) the entity agrees, in the event the entity obtains funding from any source after payment of the grant, to repay the commonwealth an amount equal to the funding from the other source up to the amount of the grant; (4) the entity agrees, in the event the department determines that the entity misrepresented the entity's efforts to obtain funding as provided under subparagraph (i), to repay the commonwealth the full amount of the grant; and (5) in the event the entity breaches any of the described duties, the department has adopted a procedure for enforcing the agreement and obtaining repayment from the entity and the procedure is clearly specified in the agreement.

Introduced and referred to Senate Community, Economic & Recreational Development Committee, 1/29/2019

[SB 171](#) RE: TIF Wage tax Revenue (by Sen. Pat Browne, et al)

Amends the Tax Increment Financing Act further providing for the definitions of "tax increment" and "tax increment base" in order to allow municipalities to add wage tax revenue in a tax increment financing district to the tax revenue that can be dedicated to amortize bond issues used to pay for infrastructure improvements in the tax increment financing district.

Introduced and referred to Senate Finance Committee, 2/1/2019

[SB 172](#) RE: Positive Tax Increments (by Sen. Pat Browne, et al)

Amends the Tax Increment Financing Act further defining "tax increment" and "tax increment base"; and further providing for determination of tax increment and tax increment base and for allocation of positive tax increments. The bill adds state and local sales taxes to the list of taxes included in the tax increment used to secure tax increment financing district projects.

Introduced and referred to Senate Finance Committee, 2/1/2019

[SB 225](#) Killion, Thomas Amends the Tax Reform Code re film tax credits

Amends the Tax Reform Code, in entertainment production tax credit, further providing for carryover, carryback and assignment of credit. The bill establishes a purchaser or assignee of all or a portion of a tax credit that is included in the same federal consolidated tax return as the taxpayer may utilize the film tax credit to the same extent allowable for the taxpayer. Effective in 60 days.

Introduced and referred to Senate Finance Committee, 2/8/2019

Cosponsor memos filed

[HCO 980](#) (Freeman) - Enhances the market value of credits by allowing credits to be transferred more easily and affording purchasers and transferees more certainty, offers a higher credit percentage to workforce housing and provides better reporting.

Filed, 1/30/2019

[SCO 546](#) (Killion) - Creates a state housing tax credit to incentivize private investment to create new and preserve existing affordable rental housing.

Filed, 1/30/2019

[SCO 550](#) (Santarsiero) - Creates the Commuter and Commerce Toll Tax Credit.

Filed, 1/30/2019

Local/State Government Regulations

[HB 139](#) RE: Growing Greener III (by Rep. Chris Quinn, et al)

Amends Title 27 (Environmental Resources), in environmental stewardship and watershed protection, further providing for legislative findings and for agencies and establishing duties for the Department of Community and Economic Development, the Pennsylvania Fish and Boat Commission, the Pennsylvania Game Commission and the Pennsylvania Historical and Museum Commission. The bill is intended to create a **Growing Greener III** program.

Introduced and referred to Senate Environmental Resources and Energy Committee, 2/1/2019

[HB 177](#) RE: Riparian Buffers (by Rep. Chris Quinn, et al)

Amends the Clean Streams Law, in other pollutions and potential pollution, further providing for potential pollution. The bill establishes that a project that is eligible for an exception or waiver or allowable within riparian buffers shall be exempt from the requirements in sections one and two.

Introduced and referred to House Environmental Resources and Energy Committee, 1/28/2019

[HB 275](#) RE: Strategic Management Planning Program (by Rep. Tom Mehaffie, et al)

Amends the Municipalities Financial Recovery Act, in Early Intervention Program, further providing for definitions, for program objectives and for authorization; in municipal financial distress, further providing for limitation of status; and making an editorial change. The Early Intervention Program is renamed the Strategic Management Planning Program.

Introduced and referred to House Local Government Committee, 1/29/2019

Reported as committed from House Local Government Committee, read first time, laid on the table and Removed from the table, 2/4/2019

Read second time, and rereferred to House Appropriations Committee, 2/5/2019

Reported as committed from House Appropriations Committee, read third time, and passed House, 2/6/2019 (193-0)

Received in the Senate and referred to Senate Local Government Committee, 2/8/2019

[HB 473](#) RE: [Storm Water Management](#) (by Rep. Garth Everett, et al)

Amends the First Class Township Code, providing for storm water management plans and facilities.

Introduced and referred to House Local Government Committee, 2/11/2019

[SB 119](#) RE: Regulatory Replacement (by Sen. John DiSanto, et al)

Amends the Regulatory Review Act providing for regulatory reduction and for regulatory baseline and public availability. The bill requires that each proposed regulation shall include a regulatory replacement request as part of the regulatory analysis form. A regulatory replacement request shall include the following: (1) The regulatory requirements that are proposed to be repealed; (2) The number of regulatory requirements proposed to be repealed through the proposed regulation and regulatory replacement request; (3) The number of new regulatory requirements proposed to be promulgated through the proposed regulation and regulatory replacement request; and (4) The net number of new regulatory requirements proposed to be promulgated. Additionally, each state agency shall complete an internal review of all regulatory requirements within the purview of the agency and shall submit their findings to the Governor, both the Senate and the House of Representatives and the commission.

Introduced and referred to Senate Inter-Governmental Operations Committee, 2/1/2019

Local/Property Taxes

[HB 324](#) RE: Microenterprise Loan Programs (by Rep. Keith Gillespie, et al)

Amends Title 72 (Taxation & Fiscal Affairs), establishing microenterprise loan programs and abating real property assessment. The bill establishes that an administrative entity shall have the powers to: issue loans to microenterprises that will operate on property owned by the administrative entity and leased to the microenterprise; negotiate for loans and grants from both public and private sources; acquire property to lease to start-up entrepreneurs in order to facilitate the establishment of a microenterprise; and enter into an intergovernmental cooperation agreement with other administrative entities or municipalities.

Introduced and referred to House Urban Affairs Committee, 2/1/2019

Minimum Wage

NONE

Permitting

[HB 99](#) RE: Pennsylvania Permit Tracking and Notification Law (by Rep. David Zimmerman, et al)

Imposes a duty on the Department of Environmental Protection to maintain a system for applicants to track the status of certain permit applications; and provides for permit notifications. Effective in 60 days.

Introduced and referred to House Environmental Resources and Energy Committee, 1/28/2019

[HB 103](#) RE: Nonbuilding Lots (by Rep. David Maloney, et al)

Amends the Pennsylvania Municipalities Planning Code, in subdivision and land development, providing for nonbuilding lots by adding that the creation of a nonbuilding lot shall be exempt from regulation under a subdivision and land development plan except as provided. The subdivision and land development ordinance shall include: (1) provisions allowing for the creation of two nonbuilding lots when presented with a waiver form obtained from the Department of Environmental Protection; and (2) in the event that the owner or applicant of a subdivided parcel that has been granted a nonbuilding waiver subsequently desires to build upon or develop the property, the owner or applicant shall comply with all applicable statutes, regulations or ordinances in effect at the time of the desired construction or development.

Introduced and referred to House Local Government Committee, 1/28/2019

Sales/Use Taxes

[HB 19](#) RE: Canned Software (by Rep. Tommy Sankey, et al)

Amends the Tax Reform Code, in sales and use tax relative to the definition of "canned software." Also stipulates that fees on financial services provided by financial institutions are not subject to sales and use tax. Effective in 60 days.

Introduced and referred to House Finance Committee, 1/28/2019

[SB 148](#) RE: Solar Energy Sales and Use Tax (by Sen. Vincent Hughes, et al)

Amends the Tax Reform Code excluding from the sales and use tax the sale at retail or use of a solar energy system or a component of a solar energy system that complies with applicable national and industry equipment, installation and performance standards.

Introduced and referred to Senate Finance Committee, 2/1/2019

Workforce Development

[HB 501](#) RE: [Workforce Development Program Accountability](#) (by Rep. Aaron Kaufer, et al)

Amends the Workforce Development Act, in board, providing for local program accountability. The legislation that would require local Workforce Investment Boards (WIBs) to hold program providers accountable when they are the cause of a WIB's failure to meet performance benchmarks.

Filed, 2/11/2019

[SB 38](#) RE: Pay History (by Sen. Judy Schwank, et al)

Amends the Equal Pay Law further providing for wage rates and for collection of unpaid wages. The bill establishes that it shall be an unlawful practice for an employer to: require as a condition of employment that an employee refrain from inquiring about, discussing or disclosing information about the amount of the employee's wages or any other employee's wages; rely on the wage history of a prospective employee from any current or former employer of the individual in determining the wages for the individual, except that an employer may rely on prior wage history when it is provided by a prospective employee to support a wage higher than the wage offered by the employer; request or require as a condition of being interviewed, or as a condition of continuing to be considered for an offer of employment or as a condition of employment, that a prospective employee disclose wages from a current or former employer; seek from a current or former employer the previous wages of a prospective employee, except that an employer may seek to confirm prior wage information after an offer of employment with compensation has been made to the prospective employee; contract with an employee to avoid complying with this act; or discharge or in any other manner retaliate against any employee or prospective employee who made a report alleging violation of this act or opposing any of this act. Effective in 30 days.

Introduced and referred to Senate Labor and Industry Committee, 1/11/2019

[SB 57](#) RE: Employer Credit Checks (by Sen. Anthony Williams, et al)

The Equal Employment for All Act prohibits employers from using a consumer credit report in making a determination in whether to hire an applicant for employment. The legislation provides exceptions to this general rule and states a violation shall be considered an unlawful employment practice under the Pennsylvania Human Relations Act. Effective in 60 days.

Introduced and referred to Senate Labor and Industry Committee, 1/11/2019

[SB 75](#) RE: Wage Enforcement Fund (by Sen. Christine Tartaglione, et al)

Amends the Wage Payment and Collection Law further providing for definitions; providing for duty of department to report; further providing for civil remedies and penalties, for liquidated damages and for criminal penalties; providing for employer liability; and establishing the Wage Enforcement Fund. The department is required to collect, on a quarterly basis, certain data categorized by industry, such as information on violations, complaints, and investigations. The department shall report semiannually to the legislature and conduct investigations and other duties. Penalties are changed to \$1,000 per violation or twice the underpaid wages, and the secretary may issue civil penalties in some instances. The money in the Wage Enforcement Fund shall consist of the fines and penalties collected under sections 9.1 and 11.1 and section 12 of The Minimum Wage Act and shall be appropriated to the department for periodic inspections, for investigations of violations and for enforcement. Effective in 60 days.

Introduced and referred to Senate Labor and Industry Committee, 1/23/2019

[SB 91](#) RE: [Forward-facing Employment Data](#) (by Sen. Vincent Hughes, et al)

Amends the Workforce Development Act, in industry partnerships, further providing for definitions, for industry clusters, for interdepartmental cooperation and for industry and labor market research and providing for dissemination of industry and labor market research to educational institutions. The bill establishes that each educational institution that receives labor market information and forward-facing employment data shall provide copies of the information and data to the individuals responsible for vocational and educational guidance at an educational institution for use in planning and developing career education programs and providing vocational and education guidance to career education pupils.

Introduced and referred to Senate Labor and Industry Committee, 1/24/2019

[SB 105](#) RE: Apprentice Supervision (by Sen. Scott Martin, et al)

Amends the Apprenticeship and Training Act further providing for powers and duties; providing for supervision; and abrogating a regulation. Regulations under section 4(a) (2) may not require more than one supervisor for each apprentice or trainee.

Introduced and referred to Senate Labor and Industry Committee, 1/24/2019

[SB 118](#) RE: Recovery-to-work Act (by Sen. Wayne Langerholc, et al)

Establishes Recovery-to-work as a pilot program within the Department of Labor and Industry. Provides for local recovery-to-work pilot programs, for incentives to encourage business participation and for powers and duties of the Department of Labor and Industry.

Introduced and referred to Senate Labor and Industry Committee, 1/31/2019

Cosponsor memos filed

[HCO 979](#) (Kim) - Raises the minimum wage to \$12 per hour and increases each year until it reaches \$15 per hour.

Filed, 1/30/2019

[HCO1016](#) (Kail) - Introduces the Keystone Energy Enhancement Act (KEEA) to create and retain family-sustaining jobs, facilitate economic growth, and encourage capital investment within the natural gas, manufacturing, and petrochemical industries.

Filed, 1/30/2019

[HCO1096](#) (Roebuck) - Allows Career and Technical Education (CTE) programs or a cluster of programs to establish occupational advisory committees at the Intermediate Unit (IU) level to serve multiple school districts or Career and Technical Centers (CTCs).

Filed, 2/5/2019

[HCO1097](#) (Roebuck) - Requires each Workforce Development Board (WDB) to include in its membership at least one administrator of a Career & Technical Centers (CTC) whose attendance area is covered by the service area of the WDB.

Filed, 2/5/2019

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/>

TUESDAY - 2/19/19

House Environmental Resources and Energy Committee

10:00 a.m., Room G-50, Irvis Office Building

Informational meeting with the Secretary of the Dept. of Environmental Protection to discuss the Department's budget structure and different funding mechanisms for the programs the Department oversees and how the funding is used

House Labor and Industry Committee

11:00 a.m., Room 205, Ryan Office Building

Public hearing on workforce development

House Urban Affairs Committee

11:00 a.m., Room B31, Main Capitol

To consider:

[HB 324](#) (Gillespie) - Amends Title 72 (Taxation & Fiscal Affairs), establishing microenterprise loan programs and abating real property assessment; and

[HB 407](#) (Masser) - [Uniform Definition of Blight](#)

Senate Appropriations Committee

1:00 p.m., Hearing Room 1, North Office Building

Budget Hearing - Independent Fiscal Office

WEDNESDAY - 2/20/19

House Finance Committee

9:00 a.m., Room 205, Ryan Office Building

Informational meeting on Job creation tax credits and any other business that may come before the committee

House Commerce Committee

10:00 a.m., Room 140, Main Capitol

Informational meeting on DCED Workforce Programs

House Environmental Resources and Energy Committee

10:00 a.m., Room B31, Main Capitol

Informational meeting with the PA Manufacturers' Association & PA Chamber on the Forge the Future report which discusses five key economic growth drivers associated with the natural gas industry

WEDNESDAY - 2/27/19

House Appropriations Committee

1:00 p.m., Room 140, Main Capitol

Budget Hearing - Department of Community & Economic Development

THURSDAY - 2/28/19

Senate Appropriations Committee

3:00 p.m., Hearing Room 1, North Office Building

Budget Hearing - Dept. of Environmental Protection

WEDNESDAY - 3/6/19

Senate Appropriations Committee

3:00 p.m., Hearing Room 1, North Office Building

Budget Hearing - Ben Franklin Technology Partners

THURSDAY - 3/7/19

Senate Appropriations Committee

1:00 p.m., Hearing Room 1, North Office Building

Budget Hearing - Department of Community & Economic Development

WEDNESDAY - 3/20/19

House Urban Affairs Committee

9:30 a.m., Room 205, Ryan Office Building

Informational meeting with PIDC on Opportunity Zones and PA Opportunities

2019 SENATE SESSION SCHEDULE

March	18, 19, 20, 25, 26, 27
April	8, 9, 10, 29, 30
May	1, 6, 7, 8
June	3, 4, 5, 10, 11, 12, 17, 18, 19, 24, 25, 26, 27, 28

2019 HOUSE SESSION SCHEDULE

February	19, 20, 21
March	11, 12, 13, 18, 19, 20, 25, 26, 27
April	8, 9, 10, 15, 16, 17, 29, 30
May	1, 6, 7, 8, 13, 14, 15, 22
June	3, 4, 5, 10, 11, 12, 17, 18, 19, 20, 24, 25, 26, 27, 28

Commonwealth Financing Authority Meeting Schedule (Subject to Change)

2019 schedule (subject to change): January 29 (cancelled), March 26, May 21, July 16

All meetings are held beginning at 10:30 AM, in the

**Forest Room, CKB Meeting Center, 1st Floor (plaza) Commonwealth Keystone Building
400 North Street, Harrisburg**

The public is welcome.

For more information:

<https://dced.pa.gov/programs-funding/commonwealth-financing-authority-cfa/>

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

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