

Pennsylvania Society of Land Surveyors

Summary of Legislation

January 2012

PSLS meets with DEP

Representatives from the Society met with officials of the PA Department of Environmental Protection in January to discuss concerns about the proper preparation and accuracy of Oil and Gas permit applications. Members have shared with PSLS that those applications often include boundary surveys but they apparently aren't always prepared by a registered land surveyor. DEP appears to recognize the importance of accurate surveys and made several suggestions on how to proceed. Action with either the State Registration Board or the Legislature are options that may correct the problem with unqualified persons preparing these permit applications.

House Passes LEED Legislation

On January 25th the Pennsylvania House passed legislation that would require state buildings to comply with energy and environmental standards referenced in the bill. The "High Performance, State Buildings Standards Act" would require building projects larger than 20,000 gross square feet to be designed to achieve energy star ratings. Similar legislation passed the House last legislative session but did not advance in the Senate. House Bill 193 passed 170 to 18 and has since been referred to the Senate Environmental Resources and Energy committee. Quick action is not expected in the Senate.

Court Throws Out State Redistricting Plan

By a 4-3 vote the Pennsylvania Supreme Court threw out the redistricting plan approved late last year by the bipartisan Legislative Reapportionment Commission (LRC). The reversal means the boundaries for the state's 203 House districts and 50 Senate districts must be redrawn. The Court also ordered the current boundaries – drawn in 2001 – to remain in effect until replaced. Together, that has thrown the state's Primary Election campaign into disarray. Several districts, including two that were vacated by sitting House members who won local offices in the 2011 elections (the 22nd House District in Allegheny County that was moved to Allentown and remade into a majority-Latino district and the new 169th House seat that moved from NE Philadelphia to the Hanover area in York County) were moved in the struck down redistricting plan. The new 45th state Senate seat, moved from Allegheny County and centered in Monroe County, had enticed a local state Representative, Mario Scavello, to announce he would run for that seat, rather than his own.

House Speaker Sam Smith has filed a federal lawsuit to reverse the Supreme Court's decision. If the Court's objections are upheld, that would result in another redraw that could force the 2012 legislative races (and the special elections) to be run on the current 2001 boundaries and put off the new districts until the 2014 elections.

More Retirements Announced

There have been a few additions to the list of legislators who will not be seeking re-election since the last report. Those names are in bold-face in the list below.

In The Senate: Sen. Jeffrey Piccola, R-Dauphin

Sen. Jane Earll, R-Erie

Sen. Mary Jo White, R-Venango

Sen. John Pippy, R-Allegheny

In The House:

Rep Jennifer Mann, D-Lehigh

Rep. John Evans, R-Erie

Rep. Ed Staback, D-Lackawanna

Rep. Scott Boyd, R-Lancaster

Rep. Ron Buxton, D-Dauphin

Rep. Tom Creighton, R-Lancaster

Rep. Curt Schroder, R-Chester

Rep. Doug Reichley, R-Lehigh (resigned because of local election win)

Rep. Josh Shapiro, D-Montgomery (resigned because of local election win)

Rep. Chelsa Wagner, D-Allegheny (resigned because of local election win)

Rep. Jewell Williams, D-Philadelphia (resigned because of local election win)

Rep. Dennis O'Brien, R(ish)-Philadelphia (resigned because of local election win)

Rep. Kenyatta Johnson, D-Philadelphia (resigned because of local election win)
Rep. Camille "Bud" George, D-Clearfield
Rep. Lawrence Curry, D-Montgomery
Rep. John Myers, D-Philadelphia
Rep. Dante Santoni, D-Berks

Legislative Activity

The following bills were acted upon by the General Assembly this past month.

HB 3 RE: Public-Private Transportation Partnerships (By Rep. Rick Geist, et al)

Amends Title 74 (Transportation) adding a chapter providing for public-private transportation partnerships and making a related repeal.

Laid on the table, Removed from the table, 1/17/2012

HB 193 RE: High-Performance, State Buildings Standards Act (By Rep. Kate Harper, et al)

Provides for the creation of high-performance building standards. All projects in facilities owned by a Commonwealth agency shall meet or exceed the prescribed level of achievement under the high-performance building standard. The Department of General Services shall promulgate rules and regulations for compliance and shall report annually to the legislature.

Removed from the table, 1/17/2012

Amended on House floor, read second time, and rereferred to House Appropriations Committee, 1/24/2012

Reported as committed from House Appropriations Committee, read third time, and passed House, 1/25/2012 (170-18)

HB 490 RE: Green Roof Tax Credit (by Rep. Matt Smith, et al)

Amends the Tax Reform Code establishing a green tax roof credit of up to \$100,000 in any fiscal year. "Green roof" is defined as an addition to a roof that supports living vegetation and includes a synthetic, high-quality waterproof membrane, drainage layer, soil layer and lightweight medium plants. The credit would be available to individuals and businesses that provide the Department of Revenue with certain required information. A business or individual that has received and taken the credit must repay the credit to the Commonwealth if it fails to maintain the green roof in accordance with the provisions of the commitment agreement.

Reported as committed from House Finance Committee, read first time, and laid on the table, 1/18/2012

New Bills Introduced

The following bills have been introduced in the General Assembly this month.

Upcoming meetings of Interest

2012 SPRING SENATE SESSION SCHEDULE

February 6, 7, 8
March 5, 6, 7, 12, 13, 14, 26, 27, 28
April 2, 3, 30
May 1, 2, 7, 8, 9, 21, 22, 23
June 4, 5, 6, 11, 12, 13, 18, 19, 20, 25, 26, 27, 28, 29

**** Budget Hearings: February 13, 14, 15, 16, 21, 22, 23, 27, 28, 29 and March 1st.**

2012 SPRING HOUSE SESSION SCHEDULE

February 6, 7, 8, 13, 14, 15
March 12, 13, 14, 26, 27, 28
April 2, 3, 4, 30
May 1, 2, 7, 8, 9, 21, 22, 23
June 4, 5, 6, 11, 12, 13, 18, 19, 20, 21, 22, 25, 26, 27, 28, 29

**** Budget Hearings: February 21, 22, 23, 24, 27, 28, 29 and March 1, 2, 5, 6, 7, 8, 9**

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

<http://www.legis.state.pa.us/WU01/LI/BI/billroom.htm>