

AMENDMENTS TO SENATE BILL NO. 269

Sponsor: SENATOR WARD

Printer's No. 256

1 Amend Bill, page 7, line 19, by inserting after "members"

2 who are legal residents of this Commonwealth and are

3 Amend Bill, page 8, line 14, by striking out "official" and
4 inserting

5 officials

6 Amend Bill, page 8, line 17, by striking out "possess" and
7 inserting

8 who possesses

9 Amend Bill, page 8, line 18, by inserting after
10 "certifications"

11 but does not need to possess a fire inspector
12 certification,

13 Amend Bill, page 8, line 19, by striking out "hold" and
14 inserting

15 who holds

16 Amend Bill, page 8, line 21, by striking out "have" and
17 inserting

18 has

19 Amend Bill, page 8, lines 22 through 24, by striking out "The
20 code-certified building" in line 22 and all of lines 23 and 24

21 Amend Bill, page 9, line 2, by inserting after "be"

22 a

23 Amend Bill, page 10, line 13, by striking out "only"

24 Amend Bill, page 10, line 27, by inserting after "inspector."

1 A member shall present documentation to the secretary that the
2 member meets the qualifications of the member's appointment, and
3 the secretary shall maintain the documentation for public
4 inspection.

5 Amend Bill, page 11, line 1, by striking out the bracket
6 before the period after "vacancy"

7 Amend Bill, page 11, line 1, by inserting a bracket before
8 "If"

9 Amend Bill, page 11, lines 3 and 4, by striking out "and any
10 new council member appointed shall serve the" in line 3 and all
11 of line 4 and inserting

12 If the appointing authority fails to act within 30 business
13 days, the council chairperson shall appoint an individual to
14 fill the vacancy.

15 Amend Bill, page 11, line 16, by inserting after "Governor."

16 A council member who does not meet the qualifications of his
17 appointment shall be removed.

18 Amend Bill, page 11, line 18, by inserting a bracket before
19 "A"

20 Amend Bill, page 11, line 18, by inserting after "A"

21] Except as otherwise provided under this subsection, a

22 Amend Bill, page 11, lines 24 through 26, by striking out all
23 of said lines and inserting

24 (2) The term of a member appointed under subsection (c)
25 (1), (2), (3), (4) or (5) (xvii) shall commence immediately
26 upon appointment and shall expire June 30, 2020, and until a
27 successor is appointed.

28 (3) A member appointed to the council before the
29 effective date of this section shall serve on the council
30 according to the following:

31 (i) If the member meets the qualifications as
32 specified under subsection (c) (5) (x) or (xiv), the member
33 shall fill the appointment under subsection (c) (5) (x) or
34 (xiv) until June 30, 2017, and until a successor is
35 appointed.

36 (ii) If the member meets the qualifications as
37 specified under subsection (c) (5) (i), (ii), (iv), (vi),
38 (viii), (ix) or (xv), the member shall fill the

1 appointment under subsection (c)(5)(i), (ii), (iv), (vi),
2 (viii), (ix) or (xv) until June 30, 2018, and until a
3 successor is appointed.

4 (iii) If the member meets the qualifications as
5 specified under subsection (c)(5)(iii), (v), (vii), (xi),
6 (xii), (xiii) or (xvi), the member shall fill the
7 appointment under subsection (c)(5)(iii), (v), (vii),
8 (xi), (xii), (xiii) or (xvi) until June 30, 2019, and
9 until a successor is appointed.

10 (4) If a member serving the council under paragraph (3)
11 (i), (ii) or (iii) resigns or is removed in accordance with
12 subsection (e), the member's successor shall serve for the
13 remainder of the member's term and until a successor is
14 appointed.

15 Amend Bill, page 15, lines 9 through 12, by striking out "so
16 as" in line 9 and all of lines 10 through 12 and inserting

17 to ensure that the technical advisory committee as a
18 whole has, at minimum, representation from affected
19 contractor associations, affected building trade
20 organizations, the code enforcement community, the design
21 professional community and other relevant industries.

22 Amend Bill, page 15, line 21, by striking out "Decisions" and
23 inserting

24 Recommendations

25 Amend Bill, page 15, line 22, by inserting after "received"
26 and shall be non-binding

27 Amend Bill, page 16, line 15, by striking out "December 31"
28 and inserting

29 September 30

30 Amend Bill, page 16, line 16, by striking out "December 31"
31 and inserting

32 October 1

33 Amend Bill, page 16, line 22, by striking out all of said
34 line and inserting

35 accordance with provisions of this act, except that:
36 (A) the

37 Amend Bill, page 16, line 24, by striking out ", and except
38 that" and inserting

1 :

2 (B) notwithstanding the requirements under
3 paragraph (3) (viii),

4 Amend Bill, page 16, line 25, by inserting after "which"

5 shall be held within 30 days after the end of
6 the public comment period and

7 Amend Bill, page 16, lines 25 and 26, by striking out the
8 comma after "Harrisburg" in line 25 and all of line 26 and
9 inserting

10 :

11 (C) the council shall not be required to
12 establish a technical advisory committee as required
13 under section 107(m) and may establish a committee
14 based on past practices of the council provided that
15 the committee shall follow the process as specified
16 under this act to the furthest extent practicable;
17 and

18 (D) the council may rely on technical analysis
19 of the 2015 edition of the triennial codes performed
20 by the council during the council's previous review.

21 Amend Bill, page 17, lines 6 through 16, by striking out
22 "during two meetings of the council, the first" in line 6 and
23 all of lines 7 through 16 and inserting

24 prior to commencement of the review process.

25 Amend Bill, page 18, lines 14 and 15, by striking out "Any
26 modification must further the" in line 14 and all of line 15 and
27 inserting

28 A proposed modification shall meet or exceed the
29 standards of the section in effect or being reviewed and
30 the proposed modification shall be within the standards
31 under review.

32 Amend Bill, page 20, line 25, by inserting after "group."

33 A motion to exclude shall only be in order if it
34 is supported by written explanation, made available
35 to the council, describing new information not
36 considered by the technical advisory committees and
37 the underlying rationale for the motion.

38 Amend Bill, page 20, lines 28 through 30; page 21, line 1; by
39 striking out "There shall be no limit to" in line 28, all of

1 lines 29 and 30 on page 20 and "group." in line 1 on page 21

2 Amend Bill, page 21, line 3, by striking out "deemed"

3 Amend Bill, page 21, line 3, by striking out "unless
4 rejected"

5 Amend Bill, page 21, line 4, by striking out "two-thirds"

6 Amend Bill, page 21, line 4, by striking out the period after
7 "council" and inserting

8 members. If unopposed sections fail to be
9 adopted by a majority vote, the council shall conduct
10 a subsequent vote to reject unopposed sections by a
11 two-thirds majority vote of the council members. If
12 the council fails to reject unopposed sections by a
13 two-thirds majority vote, the unopposed sections
14 shall be adopted.

15 Amend Bill, page 21, lines 7 through 11, by striking out "For
16 each" in line 7 and all of lines 8 through 11

17 Amend Bill, page 21, lines 16 through 20, by striking out "If
18 the council's decision" in line 16 and all of lines 17 through
19 20 and inserting

20 A modification shall meet or exceed the
21 standards of the section in effect or being reviewed,
22 and the modification shall be within the standards
23 under review.

24 Amend Bill, page 21, line 30, by striking out "June" and
25 inserting

26 May

27 Amend Bill, page 22, line 20, by striking out "December 31"
28 and inserting

29 October 1

30 Amend Bill, page 25, line 22, by striking out "\$5" and
31 inserting

32 \$4.50

Amend Bill, page 25, line 30, by inserting after "Account."

The department shall separately account for revenue and spending for each account.

Amend Bill, page 26, lines 6 through 12, by striking out all of said lines and inserting

(i) Forty-two and one-half percent of the fee shall be deposited in the Municipal Code Official Training Account for the purpose of education and training programs for municipal code officials and individuals employed by third-party agencies under contract to a municipality.

(ii) Fifteen percent of the fee shall be deposited in the Review and Advisory Council Administration Account for the following purposes:

(A) expenses of the council as authorized under section 107(l);

(B) technical assistance as provided under section 107(k);

(C) administrative assistance as provided under section 107(j);

(D) fees associated with contracting with the ICC to establish and publish code manuals that contain the standards of the Uniform Construction Code as provided under section 304(a)(4); and

(E) as otherwise determined necessary by the department as money is available.

(iii) Forty-two and one-half percent of the fee shall be deposited in the Construction Contractor Training Account for a Pennsylvania-based housing research center located at a land grant university for the construction industry. To assure the programs meet the needs of the construction industry, the education, training and other activities provided by such a housing research center shall be approved by its industry advisory committee.

Amend Bill, page 26, line 14, by striking out "(i) and (ii)"

Amend Bill, page 26, line 15, by inserting a bracket before "Department"

Amend Bill, page 26, line 16, by inserting after "Development"

] department

Amend Bill, page 26, line 16, by inserting a bracket before

1 "for"

2 Amend Bill, page 26, line 17, by striking out the bracket
3 before "provided"

4 Amend Bill, page 26, line 18, by striking out the bracket
5 after "Academy"

6 Amend Bill, page 26, line 25, by inserting after "committee."
7] as provided under paragraph (1).

8 Amend Bill, page 26, lines 26 through 30; page 27, lines 1
9 through 5; by striking out all of said lines on said pages and
10 inserting

11 (3) Any remaining unencumbered balance in the Municipal
12 Training Account as of June 30, 2017, that was previously
13 authorized to be expended by the Department of Community and
14 Economic Development shall be transferred to the department
15 to be deposited in the accounts established under subsection
16 (b).

17 (4) The department shall not receive any money
18 appropriated to the Municipal Code Official Training Account
19 and Construction Contractor Account for department
20 administrative or program expenses. The department shall
21 utilize Review and Advisory Council Administration Account
22 funds to administer all accounts established in this section.

23 (5) The department shall not be required to utilize
24 other sources of funding to carry out activities provided for
25 in this act if funds provided under this section are
26 insufficient.

27 (d) Report.

28 (1) No later than November 1 of each calendar year, the
29 department shall provide a report to the chair and minority
30 chair of the Labor and Industry Committee of the Senate and
31 the chair and minority chair of the Labor and Industry
32 Committee of the House of Representatives. The report shall
33 detail expenditures for the most recently completed fiscal
34 year. The report shall include:

35 (i) The number of construction and building permits
36 issued and total fees collected.

37 (ii) A separate accounting of revenue and
38 expenditures for each account. The Review and Advisory
39 Council Administration accounting shall include:

40 (A) The amount utilized by the Review and
41 Advisory Council for reimbursement of travel
42 expenses.

1 (B) The amount utilized by the Review and
2 Advisory Council for other purposes and a description
3 of those expenditures.

4 (C) The amount utilized by the department for
5 personnel, including the position title, hours
6 charged, amount paid and description of the duties
7 and responsibilities of each individual paid in whole
8 or in part by the account.

9 (D) The amount utilized by the department for
10 operational costs and a description of those
11 expenditures.

12 (E) The amount utilized by the department for
13 other program purposes and a description of those
14 expenditures.

15 Amend Bill, page 27, line 12, by striking out the comma after
16 "(b)" and inserting

17 or

18 Amend Bill, page 27, line 13, by inserting a bracket before
19 "or"

20 Amend Bill, page 27, line 14, by striking out the bracket
21 before the comma after "Code"

22 Amend Bill, page 27, line 14, by striking out "];"

23 Amend Bill, page 27, line 14, by inserting after "the" where
24 it occurs the second time

25 1. The

26 Amend Bill, page 27, by inserting between lines 29 and 30

27 (1) The amendment of section 703 of the act shall take
28 effect July 1, 2017, or immediately, whichever is later.

29 Amend Bill, page 27, line 30, by striking out "(1)" and
30 inserting

31 (2)

32 Amend Bill, page 28, line 2, by striking out "(2)" and
33 inserting

34 (3)