AMENDMENTS TO SENATE BILL NO. 269

Sponsor: SENATOR WARD

Printer's No. 256

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

who are legal residents of this Commonwealth and are

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

officials

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

who possesses

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

but does not need to possess a fire inspector certification,

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

who holds

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

has

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

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

a

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

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

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

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

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

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

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

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

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

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

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

] Except as otherwise provided under this subsection, a

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

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

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

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

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

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

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

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

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

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

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

Recommendations

Amend Bill, page 15, line 22, by inserting after "received"

and shall be non-binding

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

September 30

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

October 1

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

accordance with provisions of this act, except that:

(A) the

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

;

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

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

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

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

;

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

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

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

prior to commencement of the review process.

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

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

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

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

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

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

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

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

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

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

members. If unopposed sections fail to be adopted by a majority vote, the council shall conduct a subsequent vote to reject unopposed sections by a two-thirds majority vote of the council members. If the council fails to reject unopposed sections by a two-thirds majority vote, the unopposed sections shall be adopted.

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

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

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

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

May

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

October 1

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

$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 grand 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

"for"

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

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

Amend Bill, page 26, line 25, by inserting after "committee."

] as provided under paragraph (1).

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

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

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

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

(d) Report.

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

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

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

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

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

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

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

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

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

or

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

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

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

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

]. The

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

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

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

(2)

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

(3)