

## AMENDMENTS TO HOUSE BILL NO. 1032

Sponsor: SENATOR GEBHARD

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1 Amend Bill, page 1, lines 9 through 14; page 2, lines 1  
2 through 7; by striking out all of said lines on said pages

3 Amend Bill, page 2, line 8, by striking out "3" and inserting  
4 2

5 Amend Bill, page 2, lines 15 through 22, by striking out all  
6 of said lines and inserting

7 (1) A school entity as defined in the act of March 10,  
8 1949 (P.L.30, No.14), known as the Public School Code of  
9 1949, including:

10 (i) A school district.

11 (ii) An intermediate unit.

12 (iii) An area career and technical school.

13 (iv) A charter school.

14 (v) A cyber charter school.

15 (vi) A regional charter school.

16 (2) A chartered school for the education of the deaf or  
17 the blind.

18 (3) A community college.

19 (4) The Thaddeus Stevens College of Technology.

20 (5) The Pennsylvania College of Technology.

21 Amend Bill, page 2, lines 24 through 26, by striking out "  
22 including prepayment" in line 24 and all of lines 25 and 26

23 Amend Bill, page 2, line 27, by striking out "approved by the  
24 department" and inserting

25 directly related to a solar energy project

26 Amend Bill, page 3, line 1, by striking out "4" and inserting

27 3

28 Amend Bill, page 3, by inserting between lines 1 and 2

1 "Qualified provider." A person or business that is capable  
2 of evaluating, recommending, designing, implementing and  
3 installing a solar energy project.

4 Amend Bill, page 3, by inserting between lines 7 and 8

5 "Solar facility site assessment." An evaluation of a school  
6 facility performed by a qualified provider to ascertain whether  
7 a school facility is capable of supporting a solar energy  
8 project and estimates of the amounts by which an eligible  
9 applicant's energy or operating costs will be reduced by a solar  
10 energy project.

11 Amend Bill, page 3, line 8, by striking out "4" and inserting  
12 3

13 Amend Bill, page 3, line 17, by inserting after "duties"  
14 to the extent that money is appropriated for such purposes

15 Amend Bill, page 3, lines 22 and 23, by striking out "the  
16 minimum information to be included in a solar feasibility" and  
17 inserting

18 standards for the conduct of a solar facility site

19 Amend Bill, page 3, line 24, by striking out "schools" and  
20 inserting

21 eligible applicants

22 Amend Bill, page 3, lines 25 and 26, by striking out  
23 "conducting solar assessments." and inserting

24 maintaining a list of qualified providers.

25 Amend Bill, page 4, lines 1 through 4, by striking out all of  
26 said lines

27 Amend Bill, page 4, by inserting between lines 4 and 5

28 (7) To ensure that a qualified provider that performs a  
29 solar facility site assessment for an eligible applicant may  
30 not contract with the eligible applicant to complete the  
31 solar energy project.

32 Amend Bill, page 4, line 9, by striking out "feasibility" and  
33 inserting

34 facility site

35 Amend Bill, page 4, lines 9 and 10, by striking out "solar

1 installer" and inserting

2 provider

3 Amend Bill, page 4, lines 11 through 30; page 5, lines 1  
4 through 9; by striking out all of said lines on said pages and  
5 inserting

6 (2) The application shall include an affidavit to ensure  
7 that a contractor or subcontractor performing construction,  
8 reconstruction, demolition or repair on a solar energy  
9 project funded under this act meets all of the following  
10 requirements:

11 (i) Maintains all valid licenses, registrations or  
12 certificates required by the Federal Government, the  
13 Commonwealth or a local government entity that is  
14 necessary to do business or perform applicable work.

15 (ii) Maintains compliance with the act of June 2,  
16 1915 (P.L.736, No.338), known as the Workers'  
17 Compensation Act, the act of December 5, 1936 (2nd  
18 Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment  
19 Compensation Law, and bonding and liability insurance  
20 requirements as specified in the contract for the solar  
21 energy project.

22 (iii) Has not defaulted on a project, declared  
23 bankruptcy, been debarred or suspended on a project by  
24 the Federal Government, the Commonwealth or a local  
25 government entity within the previous three years.

26 (iv) Has not been convicted of a misdemeanor or  
27 felony relating to the performance or operation of the  
28 business of the contractor or subcontractor within the  
29 previous 10 years.

30 (v) Has completed a minimum of the United States  
31 Occupational Safety and Health Administration's 10-hour  
32 safety training course or similar training sufficient to  
33 prepare workers for any hazards that may be encountered  
34 during their work.

35 Amend Bill, page 5, lines 14 through 30, by striking out all  
36 of said lines and inserting

37 (e) Payment.--If a grant is awarded to an eligible applicant  
38 for the construction, rehabilitation, renovation or site work on  
39 a school facility, the eligible applicant shall ensure that all  
40 contractors and subcontractors engaged during the on-site  
41 construction, renovation, rehabilitation, reconstruction,  
42 demolition, alteration and repair work, other than maintenance  
43 work, on any segment of work at the school facility pay to their  
44 workers not less than the prevailing minimum wage and benefit  
45 rates for all crafts or classifications, as determined by the

1 Department of Labor and Industry under the act of August 15,  
2 1961 (P.L.987, No.442), known as the Pennsylvania Prevailing  
3 Wage Act.

4 (f) Project delivery.--The following apply:

5 (1) An eligible applicant shall comply with the  
6 contracting procedure under the act of May 1, 1913 (P.L.155,  
7 No.104), referred to as the Separations Act.

8 (2) If the department or the Department of Labor and  
9 Industry determines that an eligible applicant that received  
10 a grant under the program failed to comply with the  
11 Separations Act or Pennsylvania Prevailing Wage Act, the  
12 eligible applicant shall refund to the department the total  
13 amount of grants awarded for the solar energy project.

14 Amend Bill, page 6, line 1, by striking out "(f)" and  
15 inserting

16 (g)

17 Amend Bill, page 6, lines 4 through 30; page 7, lines 1  
18 through 30; page 8, lines 1 through 8; by striking out all of  
19 said lines on said pages and inserting

20 (h) Grant awards.--The department shall develop a rubric to  
21 prioritize grant awards under this section. The rubric shall  
22 consider all of the following:

23 (1) The geographical dispersement of grants throughout  
24 this Commonwealth based on applications received. The  
25 department shall establish three regions of equal population  
26 within this Commonwealth under this paragraph and allocate an  
27 equal percentage of available funds to each region.

28 (2) Whether the eligible applicant is seeking funding  
29 under the Inflation Reduction Act.

30 (3) Whether the applicant is within 50 miles of a coal-  
31 powered electric generation plant that has closed or will  
32 close within one year of the effective date of this  
33 paragraph.

34 (4) The amount of solar energy projected to be produced  
35 relative to the existing energy usage at the school facility  
36 proposed for the solar energy project.

37 (5) Whether the eligible applicant qualifies for the  
38 Low-Income Communities Bonus Credit Program established under  
39 the Inflation Reduction Act.

40 (6) Whether the equipment, including photovoltaic or  
41 solar thermal devices, related to the solar energy project is  
42 being produced or manufactured in the United States. For the  
43 purpose of this paragraph, equipment shall be considered  
44 produced or manufactured in the United States if at least 75%  
45 of the articles, materials and supplies are produced or  
46 manufactured in the United States if available.

1 (h.1) Limitations.--A grant award received under this act by  
2 a school district shall not be included when calculating the  
3 amount to be paid under section 1725-A of the act of March 10,  
4 1949 (P.L.30, No.14), known as the Public School Code of 1949.

5 Amend Bill, page 8, line 9, by striking out "(j)" and  
6 inserting

7 (i)

8 Amend Bill, page 8, lines 13 through 17, by striking out all  
9 of lines 13 through 16 and "(l)" in line 17 and inserting

10 (j)

11 Amend Bill, page 8, line 17, by inserting after "use"  
12 up to 3% of the

13 Amend Bill, page 8, line 20, by inserting after "assistance"  
14 to eligible applicants

15 Amend Bill, page 8, line 21, by striking out "5" and  
16 inserting

17 4

18 Amend Bill, page 8, line 22, by striking out "2023" and  
19 inserting

20 2024