

AMENDMENTS TO SENATE BILL NO. 1027

Sponsor: REPRESENTATIVE SAYLOR

Printer's No. 1621

1 Amend Bill, page 1, line 21, by inserting after

2 "determined,"

3 in organization of independent administrative boards and
4 commissions, further providing for Pennsylvania Gaming
5 Control Board;

6 Amend Bill, page 1, line 24, by striking out the period after

7 "Board" and inserting

8 ; in Commonwealth agency fees, further providing for Department
9 of Health; in powers and duties of the Department of State
10 and its departmental administrative board, providing for
11 report on implementation of 2020 general primary election;
12 providing for COVID-19 emergency statutory and regulatory
13 suspensions and waivers reporting requirements and for COVID-
14 19 debt cost reduction review; in judicial administration,
15 further providing for surcharges and fees; and making a
16 related repeal.

17 Amend Bill, page 1, lines 27 through 29; page 2, lines 1 and
18 2; by striking out all of said lines on said pages and inserting

19 Section 1. Section 309(b) introductory paragraph of the act
20 of April 9, 1929 (P.L.177, No.175), known as The Administrative
21 Code of 1929, is amended and the section is amended by adding a
22 subsection to read:

23 Section 309. Pennsylvania Gaming Control Board.--* * *

24 (b) In compiling the report under subsection (a), the
25 Pennsylvania Gaming Control Board shall consider and address the
26 following:

27 * * *

28 (c) Notwithstanding any other provision of law, temporary
29 regulations published under 4 Pa.C.S. §§ 13A03 (relating to
30 temporary table game regulations), 13B03 (relating to
31 regulations), 13C03 (relating to temporary sports wagering
32 regulations), 13F07 (relating to temporary regulations) and 3303
33 (relating to temporary regulations) shall expire three years
34 after the date of publication.

1 Section 2. Section 432.1(b)(1)(vii) and (viii) and (j) of
2 the act are amended, subsection (b)(1) is amended by adding a
3 subparagraph and the section is amended by adding a subsection
4 to read:

5 Amend Bill, page 2, line 15, by striking out "employees" and
6 inserting

7 employes

8 Amend Bill, page 3, by inserting between lines 16 and 17

9 Section 3. Section 609-A of the act is amended by adding
10 subsections to read:

11 Section 609-A. Department of Health.--* * *

12 (c) For the issuance of certificates of death by a local
13 registrar under subsection (a)(6)(ii), the following shall
14 apply:

15 (1) A local registrar shall issue certificates of death
16 from original certificates of death in its possession upon
17 completion of a period of instruction on the preparation of
18 certificates by representatives of the Division of Vital
19 Records.

20 (2) Each fee received by the local registrar under
21 subsection (a)(6)(ii) shall be distributed, retained or
22 transmitted to the Department of Health as follows:

23 (i) The following apply:

24 (A) Except as provided under clause (B), \$3
25 shall be retained by the local registrar.

26 (B) If the limitation under subsection (d) has
27 been reached, \$3 shall be transmitted to the
28 Department of Health for deposit into the General
29 Fund.

30 (ii) Sixteen dollars shall be transmitted to the
31 Department of Health for deposit into the Vital
32 Statistics Improvement Account.

33 (iii) One dollar shall be transmitted to the
34 Department of Health for distribution to the county
35 coroner or medical examiner as provided for under section
36 206 of the act of June 29, 1953 (P.L.304, No.66), known
37 as the Vital Statistics Law of 1953.

38 (d) The following shall apply:

39 (1) Notwithstanding section 304(c)(1) of the Vital
40 Statistics Law of 1953, a local registrar may not be
41 compensated in excess of \$85,000 in any one calendar year.

42 (2) Fees received from certificates of death issued
43 after March 6, 2020, and during the duration of the
44 proclamation of disaster emergency issued by the Governor on
45 March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020),
46 and any renewal of the state of disaster emergency, shall not
47 apply to the calculation of compensation under paragraph (1).

1 Section 4. The act is amended by adding a section to read:
2 Section 815. Report on Implementation of 2020 General
3 Primary Election.--(a) No later than sixty days after the 2020
4 general primary election under Article XVIII-B of the act of
5 June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania
6 Election Code, the Department of State shall issue a report to
7 the chairperson and minority chairperson of the State Government
8 Committee of the Senate and the chairperson and minority
9 chairperson of the State Government Committee of the House of
10 Representatives. A copy of the report shall also be made
11 available on the Department of State's publicly accessible
12 Internet website.

13 (b) The report under subsection (a) shall include all of the
14 following relating to the administration of the 2020 general
15 primary election by the Department of State, a county board of
16 elections under Article III of the Pennsylvania Election Code or
17 a registration commission established under 25 Pa.C.S. § 1203
18 (relating to commissions).

19 (1) For each county and the sum for this Commonwealth, the
20 number of applications for an absentee ballot which were
21 received by the county board of elections.

22 (2) For each county and the sum for this Commonwealth, the
23 number of applications for a mail-in ballot which were received
24 by the county board of elections.

25 (3) For each county and the sum for this Commonwealth, the
26 number of applications for an absentee ballot which were
27 approved by the county board of elections.

28 (4) For each county and the sum for this Commonwealth, the
29 number of applications for a mail-in ballot which were approved
30 by the county board of elections.

31 (5) For each county and the sum for this Commonwealth, the
32 number of absentee ballots which were voted by the electors.

33 (6) For each county and the sum for this Commonwealth, the
34 number of mail-in ballots which were voted by the electors.

35 (7) For each county and the sum for this Commonwealth, the
36 number of qualified electors voting by a provisional ballot
37 under section 1306(b)(2) of the Pennsylvania Election Code.

38 (8) For each county and the sum for this Commonwealth, the
39 number of qualified electors voting by provisional ballot under
40 section 1306-D(b)(2) of the Pennsylvania Election Code.

41 (9) For each county and the sum for this Commonwealth, the
42 number of applications for an absentee ballot by an individual
43 who was not a registered elector at the time of the application
44 and for whom a voter registration application was timely
45 received after the application for an absentee ballot was
46 received.

47 (10) For each county and the sum for this Commonwealth, the
48 number of applications for a mail-in ballot by an individual who
49 was not a registered elector at the time of the application and
50 for whom a voter registration application was timely received.

51 (11) For each county and the sum for this Commonwealth, the

1 number of voter registration applications under section 1231 of
2 the Pennsylvania Election Code and 25 Pa.C.S. Pt. IV (relating
3 to voter registration) which were received:

4 (i) Fewer than thirty days before the 2020 general primary
5 election.

6 (ii) Fewer than fifteen days before the 2020 general primary
7 election.

8 (12) For each county and the sum for this Commonwealth, the
9 number of election officers appointed under section 1801-B of
10 the Pennsylvania Election Code.

11 (13) For each county and the sum for this Commonwealth, the
12 number of polling places consolidated under section 1802-B of
13 the Pennsylvania Election Code.

14 (14) For each county and the sum for this Commonwealth, the
15 number of polling places consolidated under section 1802-B of
16 the Pennsylvania Election Code which required approval of the
17 Department of State under section 1802-B(a)(3) of the
18 Pennsylvania Election Code.

19 (15) For each county and the sum for this Commonwealth, the
20 number of polling places located in a location permitted under
21 section 1803-B of the Pennsylvania Election Code.

22 (16) For each county and the sum for this Commonwealth, the
23 number of polling places in school buildings.

24 (17) For each county, the date and time that the county
25 board of elections began pre-canvassing absentee ballots and
26 mail-in ballots under section 1308(g)(2) of the Pennsylvania
27 Election Code.

28 (18) For each county, the date and time that the county
29 board of elections began canvassing absentee ballots and mail-in
30 ballots under section 1308(g)(2) of the Pennsylvania Election
31 Code.

32 (19) For each county and the sum for this Commonwealth, the
33 number of absentee ballots which were challenged under section
34 1302.2(c) of the Pennsylvania Election Code.

35 (20) For each county and the sum for this Commonwealth, the
36 number of mail-in ballots which were challenged under section
37 1302.2-D(a)(2) of the Pennsylvania Election Code.

38 (21) For each county and the sum for this Commonwealth, the
39 number of absentee ballots subject to challenges under paragraph
40 (19) which were not canvassed.

41 (22) For each county and the sum for this Commonwealth, the
42 number of mail-in ballots subject to challenges under paragraph
43 (20) which were not canvassed.

44 (23) The number of incidents known to the Department of
45 State, county board of elections or registration commission
46 relating to each of the following categories:

47 (i) An absentee ballot or mail-in ballot which was sent to
48 the wrong individual or wrong address.

49 (ii) An absentee ballot or mail-in ballot which was voted by
50 an individual other than the individual who applied for the
51 absentee ballot or mail-in ballot.

1 (iii) An absentee ballot or mail-in ballot which was
2 returned to the county board of elections by a means other than
3 the elector sending the absentee ballot or mail-in ballot by
4 mail or delivery in person.

5 (24) To the extent consistent with Federal and State law, a
6 review of any action taken by the Department of State, county
7 board of elections or registration commission in response to an
8 incident under paragraph (23), including determinations made on
9 the incident, legal actions filed and referrals to law
10 enforcement.

11 (25) A review of issues or incidents encountered with an
12 electronic voting system that received the approval of the
13 Secretary of the Commonwealth under section 1105-A of the
14 Pennsylvania Election Code, including any technical issues
15 encountered in polling places.

16 (c) The Department of State shall develop a process to
17 collect data required to be included in the report under
18 subsection (b) from each county board of elections under Article
19 III of the Pennsylvania Election Code or registration commission
20 under 25 Pa.C.S. Pt. IV, as applicable. A county board of
21 elections or registration commission shall comply with the
22 process for submission of data under this subsection no later
23 than forty-five days after the 2020 general primary election
24 under Article XVIII-B of the Pennsylvania Election Code.

25 Section 5. The act is amended by adding articles to read:

26 ARTICLE XXI-C

27 COVID-19 EMERGENCY STATUTORY AND
28 REGULATORY SUSPENSIONS AND WAIVERS
29 REPORTING REQUIREMENTS

30 Section 2101-C. Definitions.

31 The following words and phrases when used in this article
32 shall have the meanings given to them in this section unless the
33 context clearly indicates otherwise:

34 "Order." Any of the following:

35 (1) the declaration of disaster emergency issued by the
36 Governor on March 6, 2020, published at 50 Pa.B. 1644 (March
37 21, 2020); or

38 (2) a declaration of disaster emergency relating to the
39 novel coronavirus known as "COVID-19" which is issued after
40 March 6, 2020.

41 Section 2102-C. Notification required.

42 (a) Suspensions, modifications and waivers requiring
43 modification.--The Office of the Governor shall notify the
44 individuals under subsection (c) no later than provided under
45 subsection (b) when a specific statute or regulation is
46 suspended, modified or waived under the authority of the order
47 or when a specific statute or regulation is first treated as
48 being suspended, modified or waived under a blanket suspension,
49 modification or waiver under the order. A notification under
50 this paragraph shall, at a minimum, notify the individuals of
51 the following:

1 (1) Any provision of regulatory statute or regulation
2 suspended or modified under 35 Pa.C.S. Ch. 73 Subch. A
3 (relating to the Governor and disaster emergencies) under the
4 order.

5 (2) Any provision of law or regulation suspended by the
6 Secretary of Health under the order.

7 (3) Any provision of law or regulation suspended or
8 waived by the Secretary of Education under the order.

9 (4) Any laws or Federal or State regulations related to
10 the drivers of commercial vehicles waived or suspended by the
11 Department of Transportation under the order.

12 (b) Timeline for notification.--The following shall apply:

13 (1) An initial notification under this section shall be
14 made within two days of the effective date of this article
15 and shall include notifications of all suspensions,
16 modifications and waivers under subsection (a) which occurred
17 prior to the effective date of this article.

18 (2) A notification under this section other than an
19 initial report under paragraph (1) shall be made within one
20 day of the suspension, modification or waiver under
21 subsection (a).

22 (c) Individuals to be notified.--A notification required to
23 be issued under this section shall be sent in writing by
24 electronic means to the President pro tempore of the Senate, the
25 Speaker of the House of Representatives, the Majority Leader of
26 the Senate, the Minority Leader of the Senate, the Majority
27 Leader of the House of Representatives and the Minority Leader
28 of the House of Representatives.

29 ARTICLE XXI-D

30 COVID-19 DEBT COST REDUCTION REVIEW

31 Section 2101-D. Review of refinancing opportunities.

32 The Treasury Department, in conjunction with the Secretary of
33 the Budget, the Auditor General and any chairperson of an
34 authority, commission, agency or board that has the power to
35 issue debt, shall identify and review all outstanding debt
36 obligations of the Commonwealth and its authorities,
37 commissions, agencies and boards and submit a report of the
38 findings to the General Assembly no later than September 30,
39 2020. In addition to the identification and review of all
40 outstanding debt obligations, the report shall identify options
41 for the refinancing of the outstanding debt obligations to
42 reduce the costs to the Commonwealth and its authorities. Each
43 agency identified under this section shall provide to the
44 Treasury Department, within 30 days following the effective date
45 of this section, information as may be requested by the Treasury
46 Department, including the following, related to all outstanding
47 debt obligations of the agency:

48 (1) Total outstanding amount of all obligations.

49 (2) Most recent audited financial statement of the
50 agency.

51 (3) Description of each obligation, identifying senior

1 or subordinate debt and Federal tax treatment.
2 (4) Account of all security pledged for each obligation.
3 (5) Most recent rating associated with each debt
4 obligation, including rate covenant and maturity date.
5 (6) List of all additional associated agency obligations
6 or covenants.
7 (7) Annual debt service cost, debt service fund and debt
8 service reserve fund for each debt obligation.
9 (8) Risk factors and disclosure statements associated
10 with each debt obligation.
11 (9) Pending litigation that may financially impact the
12 debt obligations of the agency.

13 Section 6. Section 2802-E(a)(1) of the act is amended to
14 read:

15 Section 2802-E. Surcharge and fees.

16 (a) Imposition of surcharge and fees.--In addition to the
17 fees imposed under 42 Pa.C.S. §§ 3733(a.1) (relating to deposits
18 into account) and 3733.1 (relating to surcharge), except as set
19 forth in subsection (b), the following apply:

20 (1) A surcharge of \$11.25 shall be charged and
21 collected. This paragraph shall expire December 31, [2020]
22 2021.

23 * * *

24 Section 7. Repeals are as follows:

25 (1) The General Assembly declares that the repeal under
26 paragraph (2) is necessary to effectuate the addition of
27 section 609-A(c) and (d).

28 (2) Section 1725-E(a) of the act of April 9, 1929
29 (P.L.343, No.176), known as The Fiscal Code, is repealed.

30 Amend Bill, page 3, line 17, by striking out "2" and
31 inserting