

# Board of Directors - Meeting Agenda February 11, 2020

**ACEC/PA Office** Harrisburg, PA 1:00pm

Call to Order	Frary
Report by Auditors/990	Sherman
Action Items	
Nominating Committee	Schweiss
Minutes – November 20, 2019	M. Bougher
Financial Report	R. Bougher
Investment Report	M. Bougher
Membership Report	Veydt
Membership Definition Change	Veydt/Sherman
National Directors Report	Schweiss
a. ACEC PAC	
b. CEPA PAC	
Reports	
ACEC Report	Art Barrett
Finance Committee Report	Bougher/Nichols
President's Report	Frary
Executive Director Report	Sherman
a. ACEC/PA Committee Report	
Government Affairs Report	Girman
a. HB 2101 Professional Licensure	
b. SB 596 Transportation Fueling Infrastructure De	ev.
c. HB 1887 Indemnification	
d. HB 2172 QBS	
Open Discussion	Frary
Adjourn	Frary



American Council of Engineering Companies of Pennsylvania

### 2020-2021 Board of Directors Slate

#### Eastern Chapter

Michael Girman, AECOM, nominated as new At-Large Director

#### **Central Chapter**

Sandy Basehore, Skelly & Loy, Inc.., nominated as new At-Large Director Paul McNamee, KCI Technologies, Inc., elevate to Chapter President Lonnie Young, RETTEW, appointed as new Chapter Vice President

#### Western Chapter

Mark Markosky, The Markosky Engineering Group, nominated as Secretary Damon Rhodes, Larson Design Group, Inc., nominated as new At-Large Director





### ACEC/PA Board Meeting Minutes November 20, 2019 at 4:30pm Hershey Lodge & Convention Center Hershey, PA

<u>Attendees Present</u> Board members:	Eric Frary, Perry Schweiss, Roseline Bougher, Mike Bougher, Mark Markosky, Matt Marquardt, Matt Natale, Joseph Riley, Rosanna Smithnosky, Jeff Guzy, Paul McNamee, Ryan Gargan, Casey Moore, Derek Rogers, Sandy Basehore, Eric Veydt
Ex-officio:	Michael Girman

Absent: Troy Holloway

Non-board members: Maggie Talarico

ACEC/PA staff: Leeann Sherman, Executive Director

Call to Order

Eric Frary called the meeting to order at 4:32pm.

#### Action Items

#### Approval of August 20<sup>th</sup>, 2019 Board Meeting Minutes

August 20th, 2019 4:30pm Board Meeting minutes were presented by Mike Bougher. *Jeff Guzy motioned to approve; Casey Moore seconded and the Board unanimously approved.* 

Paul McNamee asked where we are with regards to the Independent Expenditure Committee noted on page two of the minutes. Eric Frary stated that the Independent Expenditure Committee was brought up as an option when we were discussing using the old PaCE PAC funds but we determined not to go that route.

Paul McNamee asked in that same section in the minutes about Sherry Messimer from CCS getting back to us on what/how the communication about activities between both entities and organizational structure of the two PACs. Eric Frary stated that this is the same as the previous question, since we decided not to go the Independent Expenditure route, this information is not needed.

Paul McNamee raised a question about the Gifts/Hospitality entertainment for the PAC on page 2 of the minutes. Is there a form or reporting that needs completed? Leeann stated that there is not a form, but

### **MEETING MINUTES**

ACEC/PA AMERICAN COUNCIL OF ENGINEERING COMPANIES of Pennsylvania

once the \$3K or 20 hours of time/quarter levels are met, notification must occur to register as a lobbyist and make the Executive Director of ACEC/PA aware.

August 20<sup>th</sup>, 2019 Board minutes should be changed to reflect this change on page 2 under Gifts/hospitality entertainment section: "......that is grass roots lobbying, there is a \$3K threshold per individual per quarter or <del>and</del> 20 hours of time/quarter."

Paul McNamee raised the question about whether spending/approval limits for ACEC/PA staff is in the Financial Policy and/or in the Employee Handbook. Leeann stated that it is not in the Financial Policy, it is the Employee Handbook.

Paul McNamee asked about the development of a Governance Committee and the status. Eric Frary stated that he and Troy Holloway are discussing how to get it started and who will make up the Committee.

Mark Markosky motioned to approve the minutes with above change from AND to OR; Perry Schweiss seconded and the Board unanimously approved.

#### **Financial Report**

Eric Frary presented the Financial Report in Rose's absence. Monthly reports were distributed by Leeann in advance.

Paul McNamee asked if it was possible to add a column to the Statement of Financial Position that shows where we were at the previous year. Leeann stated she will look into adding the column or a manual report, but it would be discussed with the Treasurer, leadership and would be considered. Leeann is not comfortable with manual financial reports therefore more research is needed and we will report back.

Paul McNamee asked about the dues owed to National and when they will be paid. Leeann stated that they are paid every quarter.

Paul McNamee asked how is accrued vacation is handled. Leeann stated that accrued vacation is a use or lose it although it can be carried over into the 1<sup>st</sup> quarter.

Paul McNamee asked about the July to October statement showing no budget items, why are we showing no budget items. Leeann stated that every line item has a budget that will eventually show up once an expenses or revenue is accrued.

Paul McNamee asked what the Scholarship Gift was. Leeann stated that it is the actual scholarships that were given to the recipients. The Scholarship account is within our Wells Fargo account in a separate account that is only used for the Scholarship activities (Restricted).

Paul McNamee asked about the Statement of Financial Position for the PaCE PAC, what is the -\$19,282.15. Eric Frary stated that it is the expenses for accounting and legal fees related to the former PaCE PAC issues.

### **MEETING MINUTES**

ACEC/PA AMERICAN COUNCIL OF ENGINEERING COMPANIES of Pennsylvania

Paul McNamee suggested that we have a separate accounting/reporting for the CEPA PAC, it should include a separate CEPA PAC committee, CEPA PAC meeting, CEPA PAC meeting minutes, etc. Eric Frary stated that he will work on establishing that and have something in place for the next Board meeting.

Joe Riley asked about the salaries, he thought they would show being under budget and wanted clarification. Leeann stated that the salaries in the budget will vary based on number of pays per month.

Motion was made by Paul McNamee, seconded by Matt Marquardt and the Board unanimously approved Financial Report as presented.

#### Finance Committee

Eric Frary discussed the development of the Finance Committee and sending a letter inviting/announcing the Committee. A seven-member committee was established to include the President, Treasurer, Secretary, 3 At Large Directors, and an outside member with financial a background. Brenda Nichols was nominated as the outside member and has accepted the position.

Paul McNamee suggested that it be mandatory that the Finance Committee report back to the Board.

Paul McNamee questioned whether is should be in addition to the Audit Committee or the same, he feels they should be separate. Eric Frary and Rose believe it is the same Committee. A Charter for the Finance Committee will be developed spelling out the roles and responsibilities of the committee.

The Finance Committee will be a subcommittee of the Board. The outside Finance Committee member will be an Ex Officio member of the Board.

Motion was made by Mark Markosky, seconded by Matt Natale and the Board unanimously approved Finance Committee as presented.

#### Membership

Eric Veydt reported that three members dropped in September and we picked up one in October and one in November.

Eric Veydt brought up that Mike Bougher, Leeann and himself need to discuss the ENR recruitment list.

Eric stated that as a member firm, we need to continue promoting ourselves as an organization both internal to our own firms as well as outside of our firms.

Eric Frary discussed about talking with Hill International about joining. If they do not join, we will need to find a replacement for Dan Laird.

Leeann discussed the Greater Pittsburgh Association and talking with Mike Joos about possibly getting them under our umbrella. Leeann stated that T3, Mike Joos's firm, is planning to join ACEC/PA, but is working the Greater Pittsburgh Association to come under our umbrella.

## **MEETING MINUTES**

ACEC/PA AMERICAN COUNCIL OF ENGINEERING COMPANIES of Pennsylvania

Motion was made by Perry Schweiss, seconded by Derek Rogers and the Board unanimously approved Membership Report as presented.

<u>National Directors Report</u> Perry Schweiss presented the PAC Report.

The National PAC goal is \$33,958, we are currently at about 63% to date at \$21,225.

CEPA PAC goal of \$25,000, we are currently at \$2,150 for the CEPA PAC and \$19,700 combined with PaCE PAC.

Paul McNamee believes we should have a separate PaCE PAC report at the board meeting.

Paul McNamee feels that we should be going after the accounting or legal firm who set up the PaCE PAC at the time. Leeann stated that it was setup correctly, but the lobbyist did not file the paperwork correctly.

Motion was made by Paul McNamee, seconded by Matt Marquardt and the Board unanimously approved National Directors Report as presented.

#### Western Board Vacancy

Eric Frary stated that Dan Laird is with Hill International now and they are not members and we need to move forward to fill his vacancy.

Leeann stated that a solicitation has been developed and the solicitation will be going out to entire membership to fill the slot.

#### **Reports**

#### President's Report

Eric Frary discussed the Fall Conference and requested feedback. The new sessions seem to have been engaging and went well. Some improvements can be made, but in general the changes appear to have been good.

Derek Rogers brought up that we lost the importance of the committee session at the Fall Conference by being overlapped with Board training.

Derek Rogers brought up that with the Board meeting only having 1 hour, he believes we are too rushed. Rose Bougher spoke up in agreement that we should not be rushing through the Board meetings, we should allot enough time for the agenda and discussion.

Casey Moore suggested to have the board meeting the night before (Tuesday) the Fall Conference.

Leeann discussed the possibility of moving the Diamond Awards to Tuesday evening, the Tuesday prior to the Fall Conference, with Board meeting that afternoon. It was decided that moving the Diamond Awards to the same week is too much in one week.

ACEC/PA AMERICAN COUNCIL OF ENGINEERING COMPANIES of Pennsylvania

Derek Rogers asked if we are planning another Strategic Planning meeting. Leeann stated yes, we are at the Annual Leadership Meeting in June.

#### **Government Affairs**

Mike Girman discussed the upcoming meetings:

- September we only had 2 of the Transportation Chairs
- October we had Charlie Dent (correction is that we had the Governor's Office)
- January we have Leslie scheduled, but not sure what message she will be bringing due to her job change

ACEC/PA Legislative Day will happen in March.

ACEC National legislative visits are scheduled for April 26-28.

Mike Girman mentioned that Mark Compton is pushing strongly for sunsetting Act 44. We have heard that Senator Corman may put out a bill to move it quicker.

House Republican Infrastructure Committee released their report today.

Maggie Talarico mentioned that Conner Lamb was appointed to National Transportation Committee.

Executive Director's Report

Leeann stated that Committees are active.

Cardno did a demerger splitting into 3 companies. We lost our Energy Chair, but the Co-Chair has stepped up.

The BPT Committee decided they would better be described as the Multi-modal Committee which was approved by Eric Frary.

Spring conference topics and speakers are now being developed/solicited from committees.

The deadline for Diamond Awards (Client of Distinction, Award of Merit and new Diversity & Inclusion) submissions are due Dec 13<sup>th</sup>.

#### **Open Discussion**

Rosanna Smithnosky has been promoted to President of Susquehanna Civil, congratulations!

An offer was made and accepted by Amanda Crouse, a third staff member, who is starting on December 9<sup>th</sup>.

#### <u>Adjourn</u>

Motion was made by Rose Bougher to adjourn the board meeting at 6:04pm, seconded by Joe Riley and unanimously concurred by the Board.

### Consulting Engineers of Pennsylvania PAC

#### STATEMENT OF ACTIVITY

January 2020

	TOTAL
Revenue	
4001 Contributions	3,650.00
Total Revenue	\$3,650.00
GROSS PROFIT	\$3,650.00
Expenditures	
6002 CC Fees	56.60
6003 Legal & Professional Services	500.00
Total Expenditures	\$556.60
NET OPERATING REVENUE	\$3,093.40
NET REVENUE	\$3,093.40

### Consulting Engineers of Pennsylvania PAC

#### STATEMENT OF FINANCIAL POSITION

As of January 31, 2020

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
1001 Wells Fargo Checking	10,889.14
Total Bank Accounts	\$10,889.14
Total Current Assets	\$10,889.14
TOTAL ASSETS	\$10,889.14
LIABILITIES AND EQUITY	
Total Liabilities	
Equity	
Retained Earnings	7,795.74
Net Revenue	3,093.40
Total Equity	\$10,889.14
TOTAL LIABILITIES AND EQUITY	\$10,889.14

### PA Consulting Engineers PAC

#### STATEMENT OF ACTIVITY

January 2020

	TOTAL
Revenue	
Total Revenue	
GROSS PROFIT	\$0.00
Expenditures	
6000 General & Administrative	
6003 Legal & Professional Services	1,035.00
Total 6000 General & Administrative	1,035.00
Total Expenditures	\$1,035.00
NET OPERATING REVENUE	\$ -1,035.00
NET REVENUE	\$ -1,035.00

### PA Consulting Engineers PAC

#### STATEMENT OF FINANCIAL POSITION

As of January 31, 2020

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
1001 Wells Fargo Checking	59,451.70
Total Bank Accounts	\$59,451.70
Other Current Assets	
1200 Bank Clearing Account	0.00
Total Other Current Assets	\$0.00
Total Current Assets	\$59,451.70
TOTAL ASSETS	\$59,451.70
LIABILITIES AND EQUITY	
Total Liabilities	
Equity	
3000 Retained Earnings	60,486.70
Net Revenue	-1,035.00
Total Equity	\$59,451.70
TOTAL LIABILITIES AND EQUITY	\$59,451.70

### American Council of Engineering Companies of Pennsylvania

BUDGET VS. ACTUALS: FY 2019-2020 - FY20 P&L

July 2019 - January 2020

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGE
Revenue				
3000 Dues Income				
3001 Base ACEC/PA Dues	55,500.00	56,500.00	-1,000.00	98.23 %
3002 ACEC/PA Dues	369,424.86	352,680.00	16,744.86	104.75 %
3003 Affiliate Dues	32,754.00	33,725.00	-971.00	97.12 %
Total 3000 Dues Income	457,678.86	442,905.00	14,773.86	103.34 %
3009 ACEC BIT Royalty	1,560.00	1,200.00	360.00	130.00 %
3015 Member Directory Income	5,200.00		5,200.00	
3300 Meetings				
3301 Central Chapter Meeting	10,515.00	12,000.00	-1,485.00	87.63 %
3302 Eastern Chapter Meeting	19,490.00	20,000.00	-510.00	97.45 %
3303 Western Chapter Meeting	22,285.00	20,000.00	2,285.00	111.43 %
3304 Govt Affairs Breakfast	16,495.95	12,000.00	4,495.95	137.47 %
3305 Annual Meeting				
3305.1 Annual Meeting Sponsorships	3,632.00	0.00	3,632.00	
3305.2 Annual Meeting Registrations	2,025.00	0.00	2,025.00	
Total 3305 Annual Meeting	5,657.00	0.00	5,657.00	
3306 Spring Conference				
3306.1 Spring Conference Sponsorships	4,633.00	0.00	4,633.00	
3306.2 Spring Conference Registrations	1,196.00	0.00	1,196.00	
Total 3306 Spring Conference	5,829.00	0.00	5,829.00	
3307 ACEC/PA Fall Conference				
3307.1 Fall Conference Sponsorships	15,432.00	9,000.00	6,432.00	171.47 %
3307.2 Fall Conference Registrations	37,652.95	27,750.00	9,902.95	135.69 %
Total 3307 ACEC/PA Fall Conference	53,084.95	36,750.00	16,334.95	144.45 %
3308 Diamond Awards				
3308.1 Diamond Awards Sponsorships	12,560.00	20,000.00	-7,440.00	62.80 %
3308.2 Diamond Awards Registrations	23,930.00	36,000.00	-12,070.00	66.47 %
3308.3 Diamond Awards Project Submission Fee	14,700.00	9,600.00	5,100.00	153.13 %
Total 3308 Diamond Awards	51,190.00	65,600.00	-14,410.00	78.03 %
3309 Scholarship Golf Outing				
3309.1 Golf Outing Sponsorships	12,520.00	12,000.00	520.00	104.33 %
3309.2 Golf Outing Registrations	13,490.00	10,740.00	2,750.00	125.61 %
3309.3 Golf Outing Mulligans/Raffle	4,392.00	4,900.00	-508.00	89.63 %
Total 3309 Scholarship Golf Outing	30,402.00	27,640.00	2,762.00	109.99 %
3403 Legislative Day	4,307.00	1,000.00	3,307.00	430.70 %
Total 3300 Meetings	219,255.90	194,990.00	24,265.90	112.44 9
3900 Investment Income				
3901 Interest	115.40	700.00	-584.60	16.49 %
3902 Dividends	2,511.79	350.00	2,161.79	717.65 %
Total 3900 Investment Income	2,627.19	1,050.00	1,577.19	250.21 %

TOTAL				
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
3951 Misc Income	750.37		750.37	
Total Revenue	\$687,072.32	\$640,145.00	\$46,927.32	107.33 %
GROSS PROFIT	\$687,072.32	\$640,145.00	\$46,927.32	107.33 %
Expenditures				
4000 Payroll Expenditures				
4001 Salaries	144,777.74	149,800.00	-5,022.26	96.65 %
4002 Payroll Taxes	11,530.40	14,700.00	-3,169.60	78.44 %
4003 Employee Benefits	8,402.68	8,400.00	2.68	100.03 %
4004 Retirement	4,873.53	5,992.00	-1,118.47	81.33 %
4005 Payroll Fees	430.00	420.00	10.00	102.38 %
Total 4000 Payroll Expenditures	170,014.35	179,312.00	-9,297.65	94.81 %
4015 Member Directory Expenses		750.00	-750.00	
4300 Meetings Expense				
4302 Central Chapter Mtg Expense				
4302.2 Central Chapter Mtg Travel	12.50	30.00	-17.50	41.67 %
4302.3 Central Chapter Mtg F&B	2,869.02	3,591.00	-721.98	79.89 %
Total 4302 Central Chapter Mtg Expense	2,881.52	3,621.00	-739.48	79.58 %
4303 Eastern Chapter Mtg Expense	_,	-,		
4303.2 Eastern Chapter Mtg Travel	48.16	140.00	-91.84	34.40 %
4303.3 Eastern Chapter Mtg F&B	8,981.46	9,520.00	-538.54	94.34 %
4303.4 Eastern Chapter Mtg AV/Rm Rental	1,227.48	9,320.00 700.00	-538.54 527.48	94.34 % 175.35 %
· · ·				
Total 4303 Eastern Chapter Mtg Expense	10,257.10	10,360.00	-102.90	99.01 %
4304 Western Chapter Mtg Expense				
4304.2 Western Chapter Mtg Travel	244.96	180.00	64.96	136.09 %
4304.3 Western Chapter Mtg F&B	9,514.63	8,800.00	714.63	108.12 %
Total 4304 Western Chapter Mtg Expense	9,759.59	8,980.00	779.59	108.68 %
4305 Govt Affairs Bfast Expense				
4305.2 Govt Affairs Bfast Travel	11.11		11.11	
4305.3 Govt Affairs Bfast F&B	3,181.50	2,475.00	706.50	128.55 %
Total 4305 Govt Affairs Bfast Expense	3,192.61	2,475.00	717.61	128.99 %
4306 Diamond Awards Expense				
4306.1 Awards Expense	-250.00	0.00	-250.00	
4306.2 Diamond Awards Travel	51.90	0.00	51.90	
4306.3 Diamond Awards F&B	6,000.00	0.00	6,000.00	
4306.4 Diamond Awards AV/Rm Rental		0.00	0.00	
4306.5 Diamond Awards Supplies/Misc.		0.00	0.00	
Total 4306 Diamond Awards Expense	5,801.90	0.00	5,801.90	
4307 Annual Meeting Expense				
4307.2 Annual Meeting Travel	667.38	0.00	667.38	
4307.3 Annual Meeting F&B	6,000.00	0.00	6,000.00	
4307.4 Annual Meeting AV/Rm Rental	, <b>-</b>	0.00	0.00	
4307.5 Annual Meeting Supplies		0.00	0.00	
4307.6 Annual Meeting Activities		0.00	0.00	
Total 4307 Annual Meeting Expense	6,667.38	0.00	6,667.38	
4308 Spring Conference Expense	, -			
4308.3 Spring Conference F&B		0.00	0.00	
4308.4 Spring Conference AV/Rm Rental		0.00	0.00	

	TOTAL				
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET	
4308.5 Spring Conference Supplies		0.00	0.00		
4308.7 Spring Conference Speaker		0.00	0.00		
Total 4308 Spring Conference Expense		0.00	0.00		
4309 ACEC/PA Fall Conference Expense					
4309.2 Fall Conference Travel	31.39	50.00	-18.61	62.78 %	
4309.3 Fall Conference F&B	13,643.24	10,316.00	3,327.24	132.25 %	
4309.4 Fall Conference AV/Rm Rental	3,460.90	1,650.00	1,810.90	209.75 %	
4309.5 Fall Conference Supplies	165.92	500.00	-334.08	33.18 %	
Total 4309 ACEC/PA Fall Conference Expense	17,301.45	12,516.00	4,785.45	138.23 %	
4310 Scholarship Golf Outing Expense	,	·	·		
4310.1 Scholarship Gift Given	12,000.00	2,500.00	9,500.00	480.00 %	
4310.2 Golf Outing Travel	82.01	50.00	32.01	164.02 %	
4310.3 Golf Outing F&B	4,675.30	4,670.00	5.30	100.11 %	
4310.4 Golf Outing Green/Cart Fees	4,480.00	3,880.00	600.00	115.46 %	
4310.5 Golf Outing Supplies	2,471.93	4,245.00	-1,773.07	58.23 %	
4310.6 Other Golf Outing Expenses	1,826.00	1,800.00	26.00	101.44 %	
4310.7 Scholarship Income Tfr	1,820.00	10,495.00	-10,495.00	101.44 /6	
4310.8 Golf Outing Staff Time	3,925.73	10,495.00	3,925.73		
Total 4310 Scholarship Golf Outing Expense	29,460.97	27,640.00	1,820.97	106.59 %	
	29,400.97	27,040.00	1,020.97	100.59 %	
4351 Legislative Day Expenses					
4351.1 Legislative Day Printing/Postage		0.00	0.00		
4351.2 Legislative Day Travel		0.00	0.00		
4351.3 Legislative Day F&B		0.00	0.00		
4351.5 Legislative Day Supplies		0.00	0.00		
Total 4351 Legislative Day Expenses		0.00	0.00		
Total 4300 Meetings Expense	85,322.52	65,592.00	19,730.52	130.08 %	
4350 Special Events Expenses					
4353 Tri-State Conference Expense	262.45		262.45		
Total 4350 Special Events Expenses	262.45		262.45		
4400 Insurance					
4401 Business Insurance	630.00	0.00	630.00		
4402 Workers Comp Insurance	1,073.16	0.00	1,073.16		
4403 Auto Insurance	1,695.68	1,470.00	225.68	115.35 %	
4404 Directors & Officers Liability	1,528.00	0.00	1,528.00		
Total 4400 Insurance	4,926.84	1,470.00	3,456.84	335.16 %	
4500 Office Supplies and Expenses					
4501 Supplies	1,857.04	3,700.00	-1,842.96	50.19 %	
4502 Copier Supplies/Equipment	11,496.17	2,050.00	9,446.17	560.79 %	
4503 Office Expense/Gifts	731.72	210.00	521.72	348.44 %	
Total 4500 Office Supplies and Expenses	14,084.93	5,960.00	8,124.93	236.32 %	
4600 Office/Admin Expense					
4601 Bank CC Monthly Charges	279.65	350.00	-70.35	79.90 %	
4602 CC Transaction Fees	5,553.84	8,400.00	-2,846.16	66.12 %	
4603 Internet Services	1,365.39	1,855.00	-489.61	73.61 %	
			500.00		
4604 Printing		500.00	-500.00		
4604 Printing 4605 Postage	1.30	500.00 210.00	-500.00 -208.70	0.62 %	

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
4607 Advertising	185.00		185.00	
4608 Telephone	4,303.60	4,900.00	-596.40	87.83 %
4609 Other Misc Svc Costs	1,675.68		1,675.68	
4610 Investment Acct Bank Fees	150.00		150.00	
Total 4600 Office/Admin Expense	37,856.89	40,575.00	-2,718.11	93.30 %
4900 Board Expenses	2,418.73	1,200.00	1,218.73	201.56 %
4910 Prof Dev/Meetings	418.06	600.00	-181.94	69.68 %
4920 Lobbying Expenses	1,208.69	1,825.00	-616.31	66.23 %
4940 Tenant Improvements	3,510.00	700.00	2,810.00	501.43 %
5000 Committee Expenses	755.80	375.00	380.80	201.55 %
5100 Member-Related (non-travel)	1,179.13	2,000.00	-820.87	58.96 %
5210 Dues/Subscriptions				
5211 Publication Subscriptions	3,700.00	3,850.00	-150.00	96.10 %
5212 Prof Memberships	2,050.00	2,000.00	50.00	102.50 %
5213 Subscriptions	7,766.17	8,600.00	-833.83	90.30 %
Total 5210 Dues/Subscriptions	13,516.17	14,450.00	-933.83	93.54 %
5520 Professional Services				
5521 Legal	3,205.50	5,831.00	-2,625.50	54.97 %
5522 Accountant	2,884.05	8,750.00	-5,865.95	32.96 %
5523 Computer/IT	4,865.78	3,050.00	1,815.78	159.53 %
5524 Internet Survey	1,876.00	1,500.00	376.00	125.07 %
5525 Public Relations	30,157.50	37,800.00	-7,642.50	79.78 %
Total 5520 Professional Services	42,988.83	56,931.00	-13,942.17	75.51 %
5600 Travel Expenses				
5601 ACEC/NACEC Travel Expenses	6,719.52	7,500.00	-780.48	89.59 %
5604 Legislative Travel Expense	2,907.76	1,750.00	1,157.76	166.16 %
5605 Staff/Membership Related Travel	589.27	2,100.00	-1,510.73	28.06 %
Total 5600 Travel Expenses	10,216.55	11,350.00	-1,133.45	90.01 %
5610 Auto Expenses				
5611 Vehicle Maintenance	206.55	105.00	101.55	196.71 %
5612 Vehicle Lease	3,678.01	3,682.00	-3.99	99.89 %
5613 Vehicle Gas/Tolls/Parking	741.31	525.00	216.31	141.20 %
Total 5610 Auto Expenses	4,625.87	4,312.00	313.87	107.28 %
6010 Depreciation Expense	325.11		325.11	
Total Expenditures	\$393,630.92	\$387,402.00	\$6,228.92	101.61 %
NET OPERATING REVENUE	\$293,441.40	\$252,743.00	\$40,698.40	116.10 %
Other Expenditures				
Reconciliation Discrepancies-1	0.02		0.02	
Total Other Expenditures	\$0.02	\$0.00	\$0.02	0.00%
NET OTHER REVENUE	\$ -0.02	\$0.00	\$ -0.02	0.00%
NET REVENUE	\$293,441.38	\$252,743.00	\$40,698.38	116.10 %

### American Council of Engineering Companies of Pennsylvania

BUDGET VS. ACTUALS: FY 2019-2020 - FY20 P&L

July 2019 - June 2020

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
Revenue				
3000 Dues Income				
3001 Base ACEC/PA Dues	55,500.00	57,500.00	-2,000.00	96.52 %
3002 ACEC/PA Dues	369,424.86	356,070.00	13,354.86	103.75 %
3003 Affiliate Dues	32,754.00	36,875.00	-4,121.00	88.82 %
Total 3000 Dues Income	457,678.86	450,445.00	7,233.86	101.61 %
3009 ACEC BIT Royalty	1,560.00	1,200.00	360.00	130.00 %
3015 Member Directory Income	5,200.00		5,200.00	
3300 Meetings				
3301 Central Chapter Meeting	10,515.00	16,250.00	-5,735.00	64.71 %
3302 Eastern Chapter Meeting	19,490.00	27,300.00	-7,810.00	71.39 %
3303 Western Chapter Meeting	22,285.00	27,300.00	-5,015.00	81.63 %
3304 Govt Affairs Breakfast	16,495.95	16,250.00	245.95	101.51 %
3305 Annual Meeting				
3305.1 Annual Meeting Sponsorships	3,632.00	8,000.00	-4,368.00	45.40 %
3305.2 Annual Meeting Registrations	2,025.00	25,875.00	-23,850.00	7.83 %
Total 3305 Annual Meeting	5,657.00	33,875.00	-28,218.00	16.70 %
3306 Spring Conference				
3306.1 Spring Conference Sponsorships	4,633.00	14,500.00	-9,867.00	31.95 %
3306.2 Spring Conference Registrations	1,196.00	31,835.00	-30,639.00	3.76 %
Total 3306 Spring Conference	5,829.00	46,335.00	-40,506.00	12.58 %
3307 ACEC/PA Fall Conference				
3307.1 Fall Conference Sponsorships	15,432.00	9,000.00	6,432.00	171.47 %
3307.2 Fall Conference Registrations	37,652.95	27,750.00	9,902.95	135.69 %
Total 3307 ACEC/PA Fall Conference	53,084.95	36,750.00	16,334.95	144.45 %
3308 Diamond Awards				
3308.1 Diamond Awards Sponsorships	13,480.00	20,000.00	-6,520.00	67.40 %
3308.2 Diamond Awards Registrations	27,035.00	38,085.00	-11,050.00	70.99 %
3308.3 Diamond Awards Project Submission Fee	14,700.00	9,600.00	5,100.00	153.13 %
Total 3308 Diamond Awards	55,215.00	67,685.00	-12,470.00	81.58 %
3309 Scholarship Golf Outing				
3309.1 Golf Outing Sponsorships	12,520.00	12,000.00	520.00	104.33 %
3309.2 Golf Outing Registrations	13,490.00	10,740.00	2,750.00	125.61 %
3309.3 Golf Outing Mulligans/Raffle	4,392.00	4,900.00	-508.00	89.63 %
Total 3309 Scholarship Golf Outing	30,402.00	27,640.00	2,762.00	109.99 %
3403 Legislative Day	4,307.00	7,500.00	-3,193.00	57.43 %
Total 3300 Meetings	223,280.90	306,885.00	-83,604.10	72.76 %
3900 Investment Income				
3901 Interest	115.40	1,200.00	-1,084.60	9.62 %
3902 Dividends	2,511.79	600.00	1,911.79	418.63 %
Total 3900 Investment Income	2,627.19	1,800.00	827.19	145.96 %

TOTAL				
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
3951 Misc Income	750.37		750.37	
Total Revenue	\$691,097.32	\$760,330.00	\$ -69,232.68	90.89 %
GROSS PROFIT	\$691,097.32	\$760,330.00	\$ -69,232.68	90.89 %
Expenditures				
4000 Payroll Expenditures				
4001 Salaries	144,777.74	256,800.00	-112,022.26	56.38 %
4002 Payroll Taxes	11,530.40	25,200.00	-13,669.60	45.76 %
4003 Employee Benefits	8,402.68	14,400.00	-5,997.32	58.35 %
4004 Retirement	4,873.53	10,272.00	-5,398.47	47.44 %
4005 Payroll Fees	430.00	720.00	-290.00	59.72 %
Total 4000 Payroll Expenditures	170,014.35	307,392.00	-137,377.65	55.31 %
4015 Member Directory Expenses		750.00	-750.00	
4300 Meetings Expense				
4302 Central Chapter Mtg Expense				
4302.2 Central Chapter Mtg Travel	12.50	50.00	-37.50	25.00 %
4302.3 Central Chapter Mtg F&B	2,869.02	5,985.00	-3,115.98	47.94 %
Total 4302 Central Chapter Mtg Expense	2,881.52	6,035.00	-3,153.48	47.75 %
4303 Eastern Chapter Mtg Expense	_,	-,	-,	
4303.2 Eastern Chapter Mtg Travel	48.16	210.00	-161.84	22.93 %
4303.3 Eastern Chapter Mtg F&B	8,981.46	14,280.00	-5,298.54	62.90 %
4303.4 Eastern Chapter Mtg AV/Rm Rental	1,227.48	1,050.00	177.48	116.90 %
Total 4303 Eastern Chapter Mtg Expense	10,257.10	15,540.00	-5,282.90	66.00 %
	10,207.10	10,040.00	0,202.00	00.00 /0
4304 Western Chapter Mtg Expense	044.00	070.00	25.04	00 70 %
4304.2 Western Chapter Mtg Travel	244.96	270.00	-25.04	90.73 %
4304.3 Western Chapter Mtg F&B Total 4304 Western Chapter Mtg Expense	9,514.63	13,200.00 <b>13,470.00</b>	-3,685.37	72.08 % <b>72.45 %</b>
	9,759.59	13,470.00	-3,710.41	12.43 %
4305 Govt Affairs Bfast Expense				
4305.2 Govt Affairs Bfast Travel	11.11	4 4 9 5 9 9	11.11	77 40 00
4305.3 Govt Affairs Bfast F&B	3,181.50	4,125.00	-943.50	77.13 %
Total 4305 Govt Affairs Bfast Expense	3,192.61	4,125.00	-932.39	77.40 %
4306 Diamond Awards Expense				
4306.1 Awards Expense	-250.00	2,000.00	-2,250.00	-12.50 %
4306.2 Diamond Awards Travel	51.90	200.00	-148.10	25.95 %
4306.3 Diamond Awards F&B	6,000.00	32,000.00	-26,000.00	18.75 %
4306.4 Diamond Awards AV/Rm Rental		10,600.00	-10,600.00	
4306.5 Diamond Awards Supplies/Misc.		8,100.00	-8,100.00	
Total 4306 Diamond Awards Expense	5,801.90	52,900.00	-47,098.10	10.97 %
4307 Annual Meeting Expense				
4307.2 Annual Meeting Travel	667.38	3,000.00	-2,332.62	22.25 %
4307.3 Annual Meeting F&B	6,000.00	13,000.00	-7,000.00	46.15 %
4307.4 Annual Meeting AV/Rm Rental		2,500.00	-2,500.00	
4307.5 Annual Meeting Supplies		600.00	-600.00	
4307.6 Annual Meeting Activities		5,500.00	-5,500.00	
Total 4307 Annual Meeting Expense	6,667.38	24,600.00	-17,932.62	27.10 %
4308 Spring Conference Expense				
4308.3 Spring Conference F&B		18,835.00	-18,835.00	
4308.4 Spring Conference AV/Rm Rental		5,750.00	-5,750.00	

		TO	TAL	
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
4308.5 Spring Conference Supplies		500.00	-500.00	
4308.7 Spring Conference Speaker		2,000.00	-2,000.00	
Total 4308 Spring Conference Expense		27,085.00	-27,085.00	
4309 ACEC/PA Fall Conference Expense				
4309.2 Fall Conference Travel	31.39	50.00	-18.61	62.78 %
4309.3 Fall Conference F&B	13,643.24	10,316.00	3,327.24	132.25 %
4309.4 Fall Conference AV/Rm Rental	3,460.90	1,650.00	1,810.90	209.75 %
4309.5 Fall Conference Supplies	165.92	500.00	-334.08	33.18 %
Total 4309 ACEC/PA Fall Conference Expense	17,301.45	12,516.00	4,785.45	138.23 %
4310 Scholarship Golf Outing Expense				
4310.1 Scholarship Gift Given	12,000.00	2,500.00	9,500.00	480.00 %
4310.2 Golf Outing Travel	82.01	50.00	32.01	164.02 %
4310.3 Golf Outing F&B	4,675.30	4,670.00	5.30	100.11 %
4310.4 Golf Outing Green/Cart Fees	4,480.00	3,880.00	600.00	115.46 %
4310.5 Golf Outing Supplies	2,471.93	4,245.00	-1,773.07	58.23 %
4310.6 Other Golf Outing Expenses	1,826.00	1,800.00	26.00	101.44 %
4310.7 Scholarship Income Tfr	,	10,495.00	-10,495.00	
4310.8 Golf Outing Staff Time	3,925.73		3,925.73	
Total 4310 Scholarship Golf Outing Expense	29,460.97	27,640.00	1,820.97	106.59 %
4351 Legislative Day Expenses	,	·	,	
4351.1 Legislative Day Printing/Postage		2,550.00	-2,550.00	
4351.2 Legislative Day Travel		20.00	-20.00	
4351.3 Legislative Day F&B		4,000.00	-4,000.00	
4351.5 Legislative Day Supplies		900.00	-900.00	
Total 4351 Legislative Day Expenses		7,470.00	-7,470.00	
Total 4300 Meetings Expense	85,322.52	191,381.00	-106,058.48	44.58 %
4350 Special Events Expenses	00,022.02	191,001.00	-100,000.40	-+.50 %
4350 Special Events Expenses 4353 Tri-State Conference Expense	262.45		262.45	
Total 4350 Special Events Expenses	<b>262.45</b>		<b>262.45</b>	
·	202.45		202.45	
4400 Insurance			~~~~	
4401 Business Insurance	630.00	650.00	-20.00	96.92 %
4402 Workers Comp Insurance	1,073.16	700.00	373.16	153.31 %
4403 Auto Insurance	1,695.68	2,520.00	-824.32	67.29 %
4404 Directors & Officers Liability	1,528.00	1,800.00	-272.00	84.89 %
Total 4400 Insurance	4,926.84	5,670.00	-743.16	86.89 %
4500 Office Supplies and Expenses				
4501 Supplies	1,857.04	6,200.00	-4,342.96	29.95 %
4502 Copier Supplies/Equipment	11,496.17	14,250.00	-2,753.83	80.67 %
4503 Office Expense/Gifts	731.72	360.00	371.72	203.26 %
Total 4500 Office Supplies and Expenses	14,084.93	20,810.00	-6,725.07	67.68 %
4600 Office/Admin Expense				
4601 Bank CC Monthly Charges	279.65	600.00	-320.35	46.61 %
4602 CC Transaction Fees	5,553.84	14,400.00	-8,846.16	38.57 %
4603 Internet Services	1,365.39	3,180.00	-1,814.61	42.94 %
4604 Printing		500.00	-500.00	
4605 Postage	4 00	000.00	050 70	0.00.0/
4000 1 05lago	1.30	360.00	-358.70	0.36 %

		т	OTAL	
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
4607 Advertising	185.00		185.00	
4608 Telephone	4,303.60	8,400.00	-4,096.40	51.23 %
4609 Other Misc Svc Costs	1,675.68		1,675.68	
4610 Investment Acct Bank Fees	150.00		150.00	
Total 4600 Office/Admin Expense	37,856.89	69,200.00	-31,343.11	54.71 %
4900 Board Expenses	2,418.73	3,200.00	-781.27	75.59 %
4910 Prof Dev/Meetings	418.06	1,100.00	-681.94	38.01 %
4920 Lobbying Expenses	1,208.69	2,700.00	-1,491.31	44.77 %
4940 Tenant Improvements	3,510.00	1,200.00	2,310.00	292.50 %
5000 Committee Expenses	755.80	750.00	5.80	100.77 %
5100 Member-Related (non-travel)	1,179.13	2,000.00	-820.87	58.96 %
5210 Dues/Subscriptions				
5211 Publication Subscriptions	3,700.00	3,850.00	-150.00	96.10 %
5212 Prof Memberships	2,050.00	2,200.00	-150.00	93.18 %
5213 Subscriptions	7,766.17	9,000.00	-1,233.83	86.29 %
Total 5210 Dues/Subscriptions	13,516.17	15,050.00	-1,533.83	89.81 %
5520 Professional Services				
5521 Legal	3,205.50	10,000.00	-6,794.50	32.06 %
5522 Accountant	2,884.05	10,000.00	-7,115.95	28.84 %
5523 Computer/IT	4,865.78	5,900.00	-1,034.22	82.47 %
5524 Internet Survey	1,876.00	1,500.00	376.00	125.07 %
5525 Public Relations	30,157.50	64,800.00	-34,642.50	46.54 %
Total 5520 Professional Services	42,988.83	92,200.00	-49,211.17	46.63 %
5600 Travel Expenses				
5601 ACEC/NACEC Travel Expenses	6,719.52	11,000.00	-4,280.48	61.09 %
5604 Legislative Travel Expense	2,907.76	3,000.00	-92.24	96.93 %
5605 Staff/Membership Related Travel	589.27	3,600.00	-3,010.73	16.37 %
Total 5600 Travel Expenses	10,216.55	17,600.00	-7,383.45	58.05 %
5610 Auto Expenses				
5611 Vehicle Maintenance	206.55	180.00	26.55	114.75 %
5612 Vehicle Lease	3,678.01	6,312.00	-2,633.99	58.27 %
5613 Vehicle Gas/Tolls/Parking	741.31	900.00	-158.69	82.37 %
Total 5610 Auto Expenses	4,625.87	7,392.00	-2,766.13	62.58 %
6010 Depreciation Expense	325.11		325.11	
Total Expenditures	\$393,630.92	\$738,395.00	\$ -344,764.08	53.31 %
NET OPERATING REVENUE	\$297,466.40	\$21,935.00	\$275,531.40	1,356.13 %
Other Expenditures				
Reconciliation Discrepancies-1	0.02		0.02	
Total Other Expenditures	\$0.02	\$0.00	\$0.02	0.00%
NET OTHER REVENUE	\$ -0.02	\$0.00	\$ -0.02	0.00%
NET REVENUE	\$297,466.38	\$21,935.00	\$275,531.38	1,356.13 %

### American Council of Engineering Companies of Pennsylvania

#### STATEMENT OF FINANCIAL POSITION

As of January 31, 2020

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	11 750 10
1604 Merril Edge - Reserved	44,758.13
4135 Scholarship Account	26,966.46
5407 Wells Fargo Checking 9758 Wells Fargo Invest Reserved	369,897.87 87,352.20
Total Bank Accounts	\$528,974.66
Accounts Receivable	φοεο,ο/ 4.00
1200 *Accounts Receivable	7,788.90
1201 Allowance for Bad Debts	0.00
Total Accounts Receivable	\$7,788.90
Other Current Assets	<i>•••••••••••••••••••••••••••••••••••••</i>
1010C1 Unrealized G (L) ML Reserved	730.92
1010D1 Unrealized G (L)Wells Fargo-Inv Reserved	-8,364.11
1010R Investment Acct - cash reclass	0.00
1010SN Investment acct - cash portion	0.00
1210 Prepaid Expenses	0.00
1210.1 Prepaid Meetings and Events	900.00
Total 1210 Prepaid Expenses	900.00
1499 Undeposited Funds	1,250.00
3210 Scholarship Fund - check deposits	0.00
Total Other Current Assets	\$ -5,483.19
Total Current Assets	\$531,280.37
Fixed Assets	
1062 Office Equipment	0.00
1062A Original Cost	14,064.06
1062B Accumulated Depreciation	-10,573.90
Total 1062 Office Equipment	3,490.16
Total Fixed Assets	\$3,490.16
TOTAL ASSETS	\$534,770.53
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2200 *Accounts Payable	3,890.99
Total Accounts Payable	\$3,890.99
Other Current Liabilities	
2206 Prepaid Dues	0.00
2206.1 Prepaid Firm Dues	0.00
2206.2 Prepaid Index Dues	0.00
2206.3 Prepaid ACEC Dues	0.00

	TOTAL
2206.4 Prepaid Affiliate Dues	0.00
Total 2206 Prepaid Dues	0.00
2209 PAC Clearing Account	0.00
2210 Due to PAC	0.00
2211 Deferred Income	0.00
25600 Dues Owed to National	0.00
25610 Dues Owed to National - Current	27,384.19
25620 Dues Owed to National - Past Due	27,549.04
Total 25600 Dues Owed to National	54,933.23
25700 Accrued Payroll and Taxes	6,226.60
25800 ACCRUED VACATION	11,587.19
3315 Scholarship Donations	1,000.00
PA Department of Revenue Payable	0.00
Total Other Current Liabilities	\$73,747.02
Total Current Liabilities	\$77,638.01
Total Liabilities	\$77,638.01
Equity	
2900 Opening Bal Equity	0.00
2960 Retained Earnings	138,170.32
3100 Scholarship (Golf Outing) Restricted Net Assets	25,520.82
Net Revenue	293,441.38
Total Equity	\$457,132.52
OTAL LIABILITIES AND EQUITY	\$534,770.53

#### American Council of Engineering Companies of Pennsylvania 2019-2020 Meeting Profitability Snapshot

Central Chapter			
To Date Revenue	\$	10,515.00	
To Date Expense \$ 2,881.52			
To Date Net	\$	7,633.48	

Fall Conference				
To Date Revenue	\$	53,084.95		
To Date Expense	\$	17,301.45		
To Date Net	\$	35,783.50		

Eastern Chapter			
To Date Revenue	\$	19,490.00	
To Date Expense	\$	10,257.10	
<i>To Date Net</i> \$ 9,232.90			

Diamond Awards			
To Date Revenue	\$	51,190.00	
To Date Expense	\$	5,801.90	
To Date Net	\$	45,388.10	

Western Chapter			
To Date Revenue	\$	22,285.00	
To Date Expense	\$	9,759.59	
To Date Net	\$	12,525.41	

Legislative Day				
To Date Revenue	\$	4,307.00		
To Date Expense	\$	-		
To Date Net	\$	4,307.00		

Government Affairs Breakfast			
To Date Revenue	\$	16,495.95	
To Date Expense	\$	3,192.61	
To Date Net	\$	13,303.34	

Spring Conference			
To Date Revenue	\$	5,829.00	
To Date Expense	\$	-	
To Date Net	\$	5,829.00	

Annual M	1eeti	ng
To Date Revenue	\$	5,657.00
To Date Expense	\$	6,667.38
To Date Net	\$	(1,010.38)

1/30/2020 ac

132,992.35



#### January 2020 Membership Report Member Firms

Month	Starting	Starting #	New Index	New #	Drop Index	Drop #	2019-2020	Employee									
Wonth	Index	Employees	New muex	Employees	Drop muex	Employees	Index	Count		New Member Firms		New Member Firms				Drop Member	Firms
July	1306.63	11431.00	0.00	0.00	15.34	83.00	1291.29	11348.00		Firm Name	<u>Index</u>	Employee Count	Firm Name	Index	Employee Count		
Aug.	1291.29	11348.00	1.00	1.00	0.00	0.00	1292.29	11349.00									
Sept.	1292.29	11349.00	2.51	5.00	31.77	172.00	1265.52	11182.00									
Oct.	1265.52	11182.00	5.85	22.00	0.00	0.00	1287.52	11204.00									
Nov.	1287.52	11204.00	3.98	4.00	0.00	0.00	1291.52	11208.00									
Dec.	1291.52	11208.00	6.98	30.00	0.00	0.00	1298.50	11238.00									
Jan.	1291.52	11208.00	6.98	30.00	0.00	0.00	1298.50	11238.00									
Feb.								0.00									
Mar.								0.00									
Apr.								0.00									
May								0.00									
June								0.00	] '								







#### **Affiliate Members**

	Starting	New	Dropped	
Month	Members	Members	Members	2019-2020 Affiliate Members
July	21	0	0	21
Aug.	21	1	1	21
Sept.	21	1	1	21
Oct.	21	0	0	21
Nov.	21	0	0	21
Dec.	21	0	0	21
Jan.	21	0	0	21
Feb.				
Mar.				
Apr.				
May				
June				

New Affiliate Members	Drop Affiliate Members



#### **Recommended Member Descriptions for ACEC/PA**

#### ACEC Ohio Member Firm

This class of membership is available only to a business organization that holds a Certificate of Authorization from the State Board of Registration for Professional Engineers & Surveyors, permitting the organization to offer engineering services to the public (see <u>Ohio Revised Code Section 4733.16</u>) and have an office in the state of Ohio. Such an organization may be a sole proprietorship, partnership, corporation or an independent engineering department, division or subsidiary of a private, non-engineering company. All Member Firms must maintain simultaneous membership in ACEC Ohio's national affiliate, the American Council of Engineering Companies.

#### ACEC Ohio Affiliate Member

This class of membership is available to a business organization that supports the goals of ACEC Ohio and provides professional services of a scientific and technical nature that are complementary to the services provided by Member Companies. Examples of eligible entities would be archeologists, biologists, environmental scientists, planners, geologists, architects and construction management firms.

Business organizations that provide professional services or products used in the internal operation of Member Companies such as attorneys, insurance brokers, bankers, accountants, management consultants, computer and software vendors and blueprint/reproduction companies are also eligible for membership.

Business organizations that produce or market construction materials that are routinely specified by engineers are not eligible for membership.

Only firms that are NOT eligible for membership as a Member Firm (i.e., firms that do NOT hold a Certificate of Authorization from the State Board of Registration for Professional Engineers & Surveyors) are eligible to become Affiliate Member Firms. Principals of Affiliate Member Firms shall not be eligible to vote, hold office nor serve as chair of a committee. The <u>State Registration Board for Professional Engineers</u>, <u>Land Surveyors and Geologists</u> regulates the practice, licensure and registration of engineers, land surveyors and geologists in the Commonwealth of Pennsylvania in order to safeguard life, health and property and promote the general welfare.

For questions on your professional license, contact the Pennsylvania State Registration Board for Professional Engineers, Land Surveyors and Geologists directly at:

P.O. Box 2649, Harrisburg, PA 17105-2649 Phone: (717) 783-7049 <u>Click here to be redirected to the State Registration Board website.</u>

#### **REFERENCE MATERIAL:**

Act 367 of 1945 (PDF)

<u>Pennsylvania Code CHAPTER 37.</u> State Registration Board for Professional Engineers, Land Surveyors and Geologists



#### 2020 CEPA PAC Contributors

As of January 31, 2020

2020 CEPA PAC Goal - \$25,000 Contributions received to-date - \$3,650

\$500 - \$999

David Hamlet, Gannett Fleming, Inc. D. Eric Veydt, Gannett Fleming, Inc. Joe Riley, WSP USA, Inc. Derek Rogers, RIG Consulting, Inc. Maggie Talarico, Foresight Construction Services, LLC

<u>\$250 - \$499</u> Tom Bice, Gannett Fleming, Inc. Jeff Guzy, RK&K Scott Zeevaart, Gannett Fleming, Inc.

\$1 - \$249

Thomas Leckrone, Gannett Fleming, Inc. Jesse Love, Gannett Fleming, Inc. Douglas Smith, Prime AE Brian Teles, Gannett Fleming, Inc.

### Engineer, Land Surveyor and Geologist Registration Act Changes

The Engineer, Land Surveyor and Geologist Registration Act (Pennsylvania) governs how these design professions practice. <u>House Bill 2101</u> addresses fundamental aspects of the act such as:

- Clarifies the definitions of "practice of engineering" and "practice of land surveying"
- Changes "Engineer in Training" to "Engineer Intern" to be consistent with other states and the model law of the NCEES
- Clarification of continuing education delivered via distance learning must be measurable in hours the same as face to face courses
- Delineates the difference between Land Surveying and use of GIS (Geographic Information System) data.

The most significant change is in response to a recent court decision which suggests that the practice of engineering and surveying is limited only to activities that involve an actual design. There are many examples of how problematic that interpretation is (e.g. rendering a structural analysis or conducting an engineering study). The language in <u>House Bill 2101</u> does not expand the scope of practices but simply eliminates the confusion created by the Commonwealth Court's opinion.

All changes proposed in <u>House Bill 2101</u> are intended to modernize the act and enhance public safety. PSPE supports this legislation and encourages licensees to urge their state Representatives and Senators to support the bill.

#### AEPRESENTA:

### HOUSE OF REPRESENTATIVES REPUBLICAN COMMITTEE BILL SUMMARY

Bill No:	HB 2101, PN 2980	<b>Prepared By:</b>	Nicole Sidle
Sponsor:	Emrick	Phone:	0-6520
Committee:	Professional Licensure	Date:	1/30/20

#### A. <u>SYNOPSIS</u>:

Amends the Engineer, Land Surveyor and Geologist Registration Law to clarify provisions and update the law to reflect current practice.

#### B. BILL SUMMARY:

HB 2101 amends the Engineer, Land Surveyor and Geologist Registration Law (Act 367 of 1945) to do the following:

- Amends the definition of "*Practice of Engineering*" to clarify that it includes not only the initial design of projects, but also the analysis of completed buildings, structures, etc. and the performance of engineering land surveys.
- Amends the definition of "*Engineering Land Surveys*", something both Professional Engineers and Professional Land Surveyors are authorized to perform, to clarify that it includes determining the position of fixed objects, whether for project design or analysis, by use of any mapping or positioning technology that requires professional understanding for the appropriate and safe usage.
- Replaces the title "Engineer-in-training" with "Engineer Intern."
- Clarifies that distance learning courses shall satisfy continuing education requirements provided they are verifiable and measurable by the actual hours of instruction.
- Modifies the license exemption provided in Section 5(b), which allows licensees from other states to practice in PA for up to 30 days per year if the other state's standards are equal to PA's, by clarifying that the individual must apply for reciprocity.
- Adds a license exemption for employees or agents of electric cooperative corporations that is similar to the exemption already provided for PUC regulated utilities.
- Adds a license exemption for employees, contractors or agents of a cable television company, provider of enhanced telecommunications services or provider of telecommunications services as long as the work is conducted in connection with or related to products of, services provided by the company.
- Amends the definition of "*Practice of Land Surveying*" to clarify that it includes not only determining boundary lines, but also determining the position of structures or permanently installed equipment and the performance of engineering land surveys. The term also includes the following:
  - Creating maps and geospatial databases that represent authoritative locations of boundaries, fixed-location structures, or topography.
  - Collection of original data, or resolving conflicts between differing sources of data, if used for specifying the authoritative location of certain features, including private

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and public land boundaries, fixed-location structures, and satellite imagery with a geographically consistent scale.

- Certification of the location accuracy of maps or measurement data.
- Correcting and interpreting raw data collected during surveying.
- Using GIS (geographic information systems) to create property or tax maps to define boundaries for cases where land title or land development rights for individual parcels of land could be affected.
- Resolving conflicting land data by reviewing and interpreting maps, deeds and other title documents.
- Acquiring field data required to knowledgeably locate fixed structures or tax map boundaries related to a predetermined geometric network of fixed geographic points.
- Analyzing or changing tax map data of property lines by using predetermined geographic points to establish authoritative positional accuracy.
- The bill also excludes the following activities from the scope of practice of a land surveyor:
  - Creation of general maps for educational, reference, public guide, or illustrative purposes.
  - Transcribing data into a GIS or LIS (local information system) that is clearly not intended to authoritatively identify property boundaries or the placement of fixed-location structures.
  - Preparation and dissemination of maps, imagery and other documents that do not authoritatively identify real property boundaries.
  - Original collection of data and the creation of inventory maps and databases created for limited use by an organization regarding the physical features, facilities or infrastructure located entirely on property the organization controls.
  - Maps and geographic databases depicting the distribution of natural resources or phenomena by qualified scientists and professionals, such as historians, foresters, and geologists.
  - Original data collection, maps and geographic databases prepared by any government agency where the access to such data is restricted by law.
  - Original data collection, maps and geographic databases for emergency operations such as 911 dispatch.
  - Non-authoritative GIS and LIS activities and related activities by any government organization.

Effective date: 60 days.

#### C. CURRENT LAW:

The Engineer, Land Surveyor and Geologist Registration Law outlines the qualifications, licensure requirements and scope of practice for engineers, geologists and land surveyors. Currently, Act 367 of 1945 uses the term "Engineer-in-Training" rather than the more universally used term "Engineer Intern."

The definition of "*Practice of Engineering*" states it is the application of the mathematical and physical sciences for the design of buildings, structures, etc., and does not specifically include the analysis of completed projects.

The definition of "*Practice of Land Surveying*" references determining boundary lines but does not specifically include determining the position of fixed objects. It also does not make a distinction between land surveying for authoritative purposes, meaning presented as definitive

with respect to products, processes, applications or data to be used as a survey product, or land surveying for non-authoritative purposes. Under this bill, authoritative location mapping and data acquisition would require credentials, while non-authoritative activities would not require a license.

The definition of "*Engineering Land Surveys*" states it includes determining the position of fixed objects by means of measuring lines and angles and applying the principles of mathematics, photogrammetry or other measurement methods, but it does not specifically include mapping or positioning methods which rely on technology.

Section 4.5 authorizes completion of continuing education courses through distance learning sources (correspondence, televised, videotaped, etc.), but it does not specify the hours of instruction must be verifiable and measurable.

Section 5 provides 11 categories or situations under which an exemption from the license requirement is granted.

NS/db

a.

#### THE GENERAL ASSEMBLY OF PENNSYLVANIA

# SENATE BILL No. 596 Session of 2019

INTRODUCED BY MENSCH, KILLION, BOSCOLA, BROWNE, COSTA, YUDICHAK, FARNESE, SANTARSIERO, BREWSTER, FONTANA, STREET, BLAKE, COLLETT, LEACH, ARGALL, LANGERHOLC, BARTOLOTTA, IOVINO, L. WILLIAMS, LAUGHLIN, J. WARD, PITTMAN, KEARNEY AND STEFANO, APRIL 30, 2019

SENATOR TOMLINSON, CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, AS AMENDED, OCTOBER 30, 2019

#### AN ACT

1 2 3 4	Amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in restructuring of electric utility industry, providing for transportation fueling infrastructure development.
5	The General Assembly of the Commonwealth of Pennsylvania
6	hereby enacts as follows:
7	Section 1. Title 66 of the Pennsylvania Consolidated
8	Statutes is amended by adding a section to read:
9	<u>§ 2816. Transportation fueling infrastructure development.</u>
10	(a) Findings and declarationsThe General Assembly finds
11	and declares as follows:
12	(1) Rapid improvements in battery, fuel-cell, vehicle
13	and equipment technologies are making electrified vehicles
14	and equipment more competitive options for families,
15	businesses, institutions and governmental organizations.
16	(2) Increased deployment of electric vehicles, equipment
17	and infrastructure offers the opportunity to meet more of the

1	Commonwealth's transportation needs with Pennsylvania-based
2	resources while reducing dependence on the importation of
3	transportation fuels.
4	(3) Approximately 5.6 million Pennsylvanians live in
5	counties that are classified as being in nonattainment status
6	with Federal clean air requirements and increased deployment
7	of electric transportation technologies can improve public
8	health and support economic development.
9	(4) Deploying infrastructure to support transportation
10	electrification will require coordinated planning of
11	transportation systems and electric infrastructure networks.
12	(5) Pennsylvania is a large and diverse state, and
13	planning for infrastructure investment should appropriately
14	reflect differences in regions and communities.
15	(6) Natural gas and hydrogen vehicles and equipment
16	offer additional opportunities to meet the Commonwealth's
17	transportation needs while investing in new technologies and
18	reducing environmental impacts.
19	(b) Transportation electrification opportunity assessment
20	In order to support economic development opportunities arising
21	from new transportation technologies, the Governor or a designee <
22	of the Governor shall conduct a Statewide transportation
23	electrification opportunity assessment, including opportunities
24	for hydrogen and other fuel-cell electric vehicles supported by
25	electrical infrastructure, and INCLUDING OPPORTUNITIES FOR <
26	HYDROGEN AND OTHER FUEL CELL ELECTRIC VEHICLES SUPPORTED BY
27	ELECTRICAL INFRASTRUCTURE, THE COMMISSION SHALL establish a goal
28	for Statewide expansion of transportation electrification that
29	is 50% above current market forecasts for December 31, 2030, in <
30	the assessment. The assessment shall be based on the forecasts

1	of no less than three independent, nationally recognized
2	analysts with expertise in transportation and energy market
3	forecasting BASED ON EXISTING GOVERNMENTAL AND PRIVATE SECTOR <
4	FORECASTS. The goal shall be established within 60 days of the
5	effective date of this section. At the time the Statewide goal
6	is established, the Governor or a designee of the Governor <
7	COMMISSION may also establish regional goals for each group of <
8	priority alternative transportation infrastructure counties that
9	are served, in whole or in part, by an electric distribution
10	company.
11	(c) Commission guidelinesNo later than 180 days after the
12	effective date of this section, the commission shall issue
13	transportation electrification infrastructure development plan
14	guidelines for electric distribution companies addressing the
15	following:
16	(1) The establishment of an essential public access
17	network, including utility-owned electric vehicle charging
18	stations and nonutility-owned THIRD-PARTY OWNED stations <
19	participating in a utility incentive program.
20	(2) The electrification of public transit, school bus,
21	port, freight, rail and airport infrastructure, and central
22	charging facilities serving medium, heavy-duty and
23	governmental fleets. For the purpose of this paragraph,
24	infrastructure may include connective and inductive charging
25	technologies and electric infrastructure supporting hydrogen-
26	fueled vehicles and equipment.
27	(3) The deployment of nonutility-owned THIRD-PARTY OWNED <
28	electric vehicle charging stations.
29	(4) Requirements to ensure that electric distribution
30	company development plans with utility-owned charging

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1	stations and incentive programs are implemented in a
2	competitive and nondiscriminatory manner and do not limit
3	public access to charging stations owned by third parties not
4	participating in utility incentive programs.
5	(5) Open standard communication protocols for electric
6	vehicle charging stations and flexible payment options,
7	including credit card reader and mobile payment options, to
8	facilitate electric vehicle travel throughout this
9	Commonwealth.
10	(6) Policies to encourage the deployment of charging
11	infrastructure for electric vehicles and equipment in <del>low</del> <
12	<u>income</u> DISADVANTAGED communities and transit serving these <
13	communities.
14	(7) The procedures for approval of transportation
15	electrification infrastructure development plans.
16	(d) Revised guidelinesNo later than one year before
17	filing an updated transportation electrification infrastructure
18	development plan required under subsection (j), the commission
19	may issue revised guidelines to reflect technological
20	developments and changes in market conditions.
21	(e) Transportation electrification infrastructure regional
22	framework
23	(1) An electric distribution company serving one or more
24	priority alternative transportation infrastructure counties
25	shall contract with a qualifying independent transportation
26	analyst to develop a transportation electrification
27	infrastructure regional framework for those counties.
28	(2) The regional framework development process shall
29	include representatives from the Department of
30	Transportation, the Department of Environmental Protection,

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1	county and municipal governments of the priority alternative
2	transportation infrastructure counties served by the electric
3	distribution company, public transit organizations and the
4	electric distribution company. Electric distribution
5	companies shall invite representatives of regional planning
6	commissions, school districts, owners of vehicle fleets,
7	transportation network companies, nonprofit environmental
8	organizations, experts in transportation electrification
9	charging infrastructure, manufacturers of transportation
10	electrification equipment and other participants and
11	stakeholders in the transportation electrification market to
12	participate in the regional framework development process.
13	(3) If multiple electric distribution companies serve a
14	single priority alternative transportation infrastructure
15	county, the electric distribution companies may elect to
16	collaborate on the selection of a qualifying independent
17	transportation analyst for the county and allocate framework-
18	related costs proportionally based upon the number of
19	customers served in the county or by another mutually
20	agreeable method. An electric distribution company serving
21	less than 50,000 customers in a county is not required to
22	participate in the development of the framework for that
23	<u>county.</u>
24	(f) Transportation electrification infrastructure
25	<u>development plan</u>
26	(1) An electric distribution company serving one or more
27	priority alternative transportation infrastructure counties
28	shall, consistent with the guidelines established under
29	subsections (c) and (d), file a transportation
30	electrification infrastructure development plan with the
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| 1  | commission within one year of the establishment of a            |
|----|---|
| 2  | Statewide goal under subsection (b). The electric               |
| 3  | distribution company shall provide its transportation           |
| 4  | electrification infrastructure regional framework as part of    |
| 5  | the TRANSPORTATION ELECTRIFICATION infrastructure development < |
| 6  | plan filing.  |
| 7  | (2) The TRANSPORTATION ELECTRIFICATION infrastructure <         |
| 8  | development plan shall describe the company's proposal to       |
| 9  | support deployment of the transportation electrification        |
| 10 | infrastructure reasonably necessary to achieve the applicable   |
| 11 | regional goal established in accordance with subsection (b)     |
| 12 | or, if no regional goal is established, the Statewide goal      |
| 13 | established in accordance with subsection (b) as applied to     |
| 14 | the priority alternative transportation infrastructure          |
| 15 | counties served by the electric distribution company. The       |
| 16 | TRANSPORTATION ELECTRIFICATION infrastructure development <     |
| 17 | plan shall include strategies to optimize the use of the        |
| 18 | electric distribution grid and provide opportunities for the    |
| 19 | reduction of electric charging costs for customers, including   |
| 20 | time-of-use, demand management and other innovative rates.      |
| 21 | (3) Subject to the guidelines established under                 |
| 22 | subsections (c) and (d), the TRANSPORTATION ELECTRIFICATION <   |
| 23 | infrastructure development plan may include transportation      |
| 24 | electrification charging stations owned and operated by the     |
| 25 | electric distribution company and third parties, incentives     |
| 26 | for customers and third-party charging station owners and       |
| 27 | customer education programs related to installing or using      |
| 28 | transportation electrification charging stations.               |
| 29 | <u>(g) Commission approval</u>                                  |
| 30 | (1) The commission shall, after reasonable notice and           |

1	hearing and within 270 days of submission, approve or
2	<pre>disapprove each TRANSPORTATION ELECTRIFICATION infrastructure_&lt;</pre>
3	development plan filed under subsection (f).
4	(2) If the commission does not approve a plan, the
5	commission shall describe in detail the reasons for
6	disapproval and the electric distribution company shall have
7	60 days to file a revised plan to address the deficiencies
8	identified by the commission.
9	(3) A revised plan shall be approved or disapproved by
10	the commission within 60 days.
11	(h) Recovery
12	<del>(1)</del> An electric distribution company <del>shall</del> MAY recover, <
13	in distribution rates established under section 1308
14	(relating to voluntary changes in rates) or 1330 (relating to
15	alternative ratemaking for utilities), all reasonable and
16	prudent costs incurred in the implementation of this section,
17	including the costs of transportation electrification
18	infrastructure regional frameworks and TRANSPORTATION <
19	ELECTRIFICATION infrastructure development plans,
20	transportation electrification infrastructure, including
21	annual depreciation costs, capital costs over the life of
22	transportation electrification charging technology and
23	required distribution system upgrades, incentives and
24	education provided in accordance with an A TRANSPORTATION <
25	ELECTRIFICATION infrastructure development plan approved
26	under subsection (g). The commission may determine the
27	appropriate rate structure and cost allocation for the just
28	and reasonable recovery of prudently incurred costs, which
29	may include any payments by customers related to a specific
30	electric vehicle charging station or other transportation

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1	electrification infrastructure.
2	(2) The costs recovered under paragraph (1) by an <
3	electric distribution company may not be otherwise
4	recoverable from ratepayers.
5	(i) Limitation on costsThe total annual costs charged to
6	customers by an electric distribution company in implementing
7	this section may not exceed 0.25% of the total annual customer
8	bill amount for an electric distribution company, excluding bill
9	amounts for electric energy, for the MOST RECENT 12-month period <
10	ending December 31, 2019, or the test year upon which
11	distribution rates were established in the electric distribution
12	company's most recent base distribution rate case proceeding.
13	(j) Additional regional frameworks and TRANSPORTATION <
14	ELECTRIFICATION infrastructure development plansAn electric
15	distribution company shall contract for an update of the
16	regional framework required under subsection (e) and file an
17	updated transportation electrification infrastructure
18	development plan required under subsection (f) after five years.
19	Additional regional frameworks and infrastructure development <
20	plans shall be developed after December 31, 2025, as directed by
21	the commission.
22	(k) Voluntary development of transportation electrification
23	infrastructure development plans An electric distribution
24	company may file a transportation electrification infrastructure
25	development plan for commission approval in accordance with this <
26	section for counties within the company's service territory that
27	do not qualify as priority alternative transportation
28	infrastructure counties. The commission approval requirements of <
29	subsection (g) do not apply to plans filed under this
30	subsection. Plans filed under this subsection must include an
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1	affirmative written statement of support by the majority of the
2	elected county representatives for any county included in the
3	plan.
4	(1) Open access for public electric vehicle charging
5	stations
6	(1) An electric vehicle operator who chooses to use a
7	public electric vehicle charging station installed or
8	operated with incentives authorized under a transportation
9	electrification infrastructure development plan or by an
10	electric distribution company shall not be required to enroll
11	in a club, association or membership organization or pay a
12	subscription fee as a condition to use the station. Nothing
13	in this section shall prevent nonutility THIRD-PARTY owners <
14	and operators of electric vehicle charging stations that are
15	installed or operated without incentives authorized under a
16	transportation electrification infrastructure development
17	plan from including those stations in a subscription or
18	membership network with variable rate structures.
19	(2) The owner or lessee of a publicly available parking
20	<pre>space, whose primary business is not electric vehicle &lt;</pre>
21	charging services WITH AN ELECTRIC VEHICLE CHARGING STATION, <
22	may restrict the use of that parking space, including by
23	limiting use to EMPLOYEES, customers and visitors of the <
24	business.
25	(3) The owner or operator of a public electric vehicle
26	charging station installed or operated with incentives
27	authorized under a transportation electrification
28	infrastructure development plan or by an electric
29	distribution company shall disclose the station's geographic
30	location, hours of operation, charging level, hardware

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1	<u>compatibility, schedule of fees, accepted methods of payment</u>
2	and the amount of network roaming charges for nonmembers, if
3	any, on an ongoing basis to the commission, the Department of
4	Revenue and the United States Department of Energy National
5	Renewable Energy Laboratory.
6	(m) Publicly funded electric vehicle charging stationsAny
7	<pre>publicly funded PUBLIC electric vehicle charging station using &lt;</pre>
8	electric distribution company ratepayer funds must use open
9	standard communication protocols and be capable of being
10	networked and submetered at the charging station or other on-
11	site access location. A third-party owned and operated electric
12	vehicle charging station may not be subject to the requirements
13	of this subsection solely because:
14	(1) the electric distribution company has completed or
15	will complete a necessary line extension to provide
16	distribution service to the station; or
17	(2) the station takes services under an electric vehicle
18	incentive rate offered by the electric distribution company.
19	(n) ConstructionThis section may not be construed to
20	limit in any manner the establishment of third-party owned and
21	operated electric vehicle charging stations or establish
22	commission jurisdiction to regulate third-party owned and
23	operated electric vehicle charging stations that are established
24	without ratepayer funds.
25	(o) Natural gas and propane-fueled transportation
26	<u>infrastructure assessment</u>
27	(1) Within one year of the effective date of this
28	<pre>section, the Governor or a designee of the Governor_</pre> <
29	COMMISSION shall complete a Statewide assessment of current <
30	natural gas and propane-fueled vehicle usage and fueling

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1	infrastructure in this Commonwealth. The assessment shall
2	identify opportunities and goals for the expansion of natural
3	gas and propane-fueled vehicle usage and fueling
4	infrastructure in this Commonwealth and make recommendations
5	to the General Assembly and the commission to support the <
6	expansion.
7	(2) The Governor or a designee of the Governor shall <
8	transmit the assessment and recommendations to the commission
9	for posting THE ASSESSMENT SHALL BE POSTED on the <
10	commission's publicly accessible Internet website.
11	(p) Alternative fuels taxAn electric distribution company
12	or third party which owns an electric vehicle charging station
13	shall be subject to the alternative fuels tax under 75 Pa.C.S. §
14	9004 (relating to imposition of tax, exemptions and deductions).
15	(q) PenaltiesNo electric distribution company shall be
16	subject to penalties for failure to meet the applicable goal
17	established under subsection (b).
18	(r) DefinitionsAs used in this section, the following
19	words and phrases shall have the meanings given to them in this
20	subsection unless the context clearly indicates otherwise:
21	"Battery electric vehicle." A motor vehicle that is powered
22	partly or solely by a battery that can be recharged wirelessly
23	or by plugging it into an external source of electricity and
24	which motor vehicle meets the applicable Federal and State
25	safety standards for on-road vehicles.
26	"Electric infrastructure supporting hydrogen-fueled vehicles
27	and equipment." Electric infrastructure and equipment used to
28	produce hydrogen for hydrogen-fueled vehicles and equipment.
29	"Electric vehicle charging station." A facility or equipment
30	designed to charge batteries within battery electric vehicles by
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1	permitting the transfer of electric energy to a battery or other
2	storage device in a battery electric vehicle. The facilities and
3	equipment may charge batteries through connective or inductive
4	means. The term includes stations which provide hydrogen to
5	fuel-cell electric vehicles.
6	"Essential public access network." A system of charging
7	stations located on high-volume transportation corridors and in
8	high-population density urbanized areas for the purpose of
9	ensuring public-access charging in these areas.
10	"NATURAL GAS VEHICLE." A MOTOR VEHICLE THAT CAN OPERATE ON <
11	COMPRESSED NATURAL GAS OR LIQUID NATURAL GAS FUEL, INCLUDING
12	DEDICATED BI-FUEL AND DUAL FUEL VEHICLES.
13	"Priority alternative transportation infrastructure county."
14	A county in this Commonwealth with at least 200,000 people that
15	includes all or part of a metropolitan statistical area with a
16	population of at least 500,000 people as defined by the United
17	<u>States Census Bureau.</u>
18	"Public electric vehicle charging station." An electric
19	vehicle charging station located at a publicly available parking
19 20	vehicle charging station located at a publicly available parking space.
20	space.
20 21	<u>space.</u> <u>"Publicly available parking space." A parking space or other</u>
20 21 22	<u>space.</u> <u>"Publicly available parking space." A parking space or other</u> <u>location that has been designated by a property owner or a</u>
20 21 22 23	<pre>space.    "Publicly available parking space." A parking space or other    location that has been designated by a property owner or a    lessee to be available to and accessible by the public,</pre>
20 21 22 23 24	space. "Publicly available parking space." A parking space or other location that has been designated by a property owner or a lessee to be available to and accessible by the public, including on-street parking spaces and parking spaces in surface
20 21 22 23 24 25	space. "Publicly available parking space." A parking space or other location that has been designated by a property owner or a lessee to be available to and accessible by the public, including on-street parking spaces and parking spaces in surface lots or parking garages. The term does not include a parking
20 21 22 23 24 25 26	<pre>space.     "Publicly available parking space." A parking space or other     location that has been designated by a property owner or a     lessee to be available to and accessible by the public,     including on-street parking spaces and parking spaces in surface     lots or parking garages. The term does not include a parking     space that is part of or associated with a private residence, a</pre>
20 21 22 23 24 25 26 27	space. "Publicly available parking space." A parking space or other location that has been designated by a property owner or a lessee to be available to and accessible by the public, including on-street parking spaces and parking spaces in surface lots or parking garages. The term does not include a parking space that is part of or associated with a private residence, a parking space provided as a service by a producer of electric
20 21 22 23 24 25 26 27 28	space. "Publicly available parking space." A parking space or other location that has been designated by a property owner or a lessee to be available to and accessible by the public, including on-street parking spaces and parking spaces in surface lots or parking garages. The term does not include a parking space that is part of or associated with a private residence, a parking space provided as a service by a producer of electric vehicles or a parking space that is reserved for the exclusive

of a common interest development or residents of an adjacent 1 2 building. "Oualifving independent transportation analyst." A regional 3 planning commission established in accordance with the laws of 4 5 this Commonwealth or an independent analyst with demonstrated expertise in transportation modeling and forecasting. 6 "Transportation electrification." The use of electricity 7 from external sources of electrical power, including the 8 9 electrical grid, for all or part of vehicles, vessels, trains, 10 boats or other equipment that are mobile sources of air pollution and greenhouse gases and the related programs and 11 12 charging and propulsion infrastructure investments to enable and 13 encourage this use of electricity. 14 "Transportation electrification infrastructure regional framework." A framework that provides the following information 15 16 for the priority alternative transportation infrastructure counties served by the electric distribution company: 17 18 (1) The extent of ownership, leasing and usage of battery electric vehicles, including heavy-duty battery 19 20 electric vehicles, as well as projected ownership, leasing and usage through December 31, 2030, or 15 years after the 21 22 effective date of this section, whichever is later. 23 (2) The extent of nonroad transportation electrification 24 usage and transportation electrification charging 25 infrastructure. 26 (3) The additional transportation electrification charging infrastructure that is reasonably necessary to 27 achieve the applicable regional goal established in 28 accordance with subsection (b) or, if no regional goal is 29 established, the Statewide goal established in accordance 30

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1	with subsection (b) as applied to the priority alternative
2	transportation infrastructure counties served by the electric
3	distribution company.
4	(4) Recommendations regarding the geographic
5	distribution and general specifications of transportation
6	electrification charging infrastructure identified in
7	accordance with paragraph (3), including recommendations
8	specific to the deployment of electric vehicle charging
9	infrastructure to serve low-income communities, multiunit
10	commercial, residential and mixed-use buildings and single-
11	family residential homes.
12	Section 2. This act shall take effect in 60 days.

# Senate of Pennsylvania Democratic Committee BILL ANALYSIS

Bill No.: SB 596 - PR. No.: 1343

Committee: Consumer Protection & Professional Licensure

Sponsor: Sen. Mensch Date: November 18, 2019

### Summary

This legislation creates a new section to the Public Utility Code by regulating electric vehicle charging stations and infrastructure development and deployment.

### **Analysis**

Under the bill, the Public Utility Commission (PUC) would be responsible for the deployment of future charging stations and infrastructure as voluntarily developed and submitted by electricdistribution companies (EDCs) and also have responsibility for establishing guidelines for deployment for future, non-utility owned electric vehicle charging stations.

The bill also directs the PUC to submit future recommendations to the legislature on current and future goals in order to promote other clean transportation options like compressed natural gas (CNG) and hydrogen. The goal is for statewide expansion of these options that is 50% above current market forecasts for December 31, 2030. The goal will be established within 60 days of the effective date of this act. PUC may establish regional goals for each group of priority alternative transportation infrastructure counties that are served by an electric distribution company.

The commission will issue, no later than 180 days after the effective date of this act, transportation electrification infrastructure development plan guidelines for electric distribution companies addressing the following:

- The establishment of an essential public access network, including utility-owned electric vehicle charging stations and third-party owned stations participating in a utility incentive program.
- The electrification of public transit, school bus, port, freight, rail and airport infrastructure, and central charging facilities serving medium, heavy-duty and governmental fleets. For the purpose of this paragraph, infrastructure may include connective and inductive charging technologies and electric infrastructure supporting hydrogen-fueled vehicles and equipment.
- The deployment of third-party owned electric vehicle charging stations.
- Requirements to ensure that electric distribution company development plans with utilityowned charging stations and incentive programs are implemented in a competitive and nondiscriminatory manner and do not limit public access to charging stations owned by third parties not participating in utility incentive programs.

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- Open standard communication protocols for electric vehicle charging stations and flexible payment options, including credit card reader and mobile payment options, to facilitate electric vehicle travel throughout this Commonwealth.
- Policies to encourage the deployment of charging infrastructure for electric vehicles and equipment in disadvantaged communities and transit serving these communities.
- The procedures for approval of transportation electrification infrastructure development plans.

An electric distribution company serving one or more priority alternative transportation infrastructure counties will contract with a qualifying independent transportation analyst to develop a transportation electrification infrastructure regional framework for those counties.

The regional framework development process shall include representatives from the Department of Transportation, the Department of Environmental Protection, county and municipal governments of the priority alternative transportation infrastructure counties served by the electric distribution company, public transit organizations and the electric distribution company.

If multiple electric distribution companies serve a single priority alternative transportation infrastructure county, the electric distribution companies may elect to collaborate on the selection of a qualifying independent transportation analyst for the county and allocate framework-related costs proportionally based upon the number of customers served in the county or by another mutually agreeable method. An electric distribution company serving less than 50,000 customers in a county is not required to participate in the development of the framework for that county.

The PUC shall, after reasonable notice and hearing and within 270 days of submission, approve or disapprove each infrastructure development plan.

If the PUC does not approve a plan, they shall describe in detail the reasons for disapproval and the electric distribution company will have 60 days to file a revised plan to address the deficiencies identified. A revised plan will be approved or disapproved by the commission within 60 days.

An electric vehicle operator who chooses to use a public electric vehicle charging station installed or operated with incentives shall not be required to enroll in a club, association or membership organization or pay a subscription fee as a condition to use the station. The owner or lessee of a publicly available parking space may restrict the use of the parking space. The owner or operator of a public electric vehicle charging station installed with incentives shall disclose pertinent information about the station such as location, fees and method of payment to the PUC, Department of Revenue, and US Department of Energy National Renewal Energy Laboratory. An EDC or third party which owns an electric vehicle charging station shall be subject to the Alternative Fuels Tax.

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Prepared By: J.J. Livingston & T.J. McNulty\_\_\_\_\_\_Reviewed By: \_\_\_\_\_



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# THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL No. 1887 <sup>Session of</sup> 2019

#### INTRODUCED BY DRISCOLL, STEPHENS, GALLOWAY, DeLUCA, HOHENSTEIN, ZABEL, CIRESI, HILL-EVANS, DIGIROLAMO, THOMAS, POLINCHOCK, TOEPEL, MCNEILL, MUSTELLO AND WARREN, SEPTEMBER 25, 2019

REFERRED TO COMMITTEE ON COMMERCE, SEPTEMBER 25, 2019

#### AN ACT

1 2 3 4 5 6	Amending the act of July 9, 1970 (P.L.484, No.164), entitled "An act relating to indemnification agreements between architects, engineers or surveyors and owners, contractors, subcontractors or suppliers," further providing for title of act; and providing for indemnification agreements relative to construction contracts.
7	The General Assembly of the Commonwealth of Pennsylvania
8	hereby enacts as follows:
9	Section 1. The title of the act of July 9, 1970 (P.L.484,
10	No.164), entitled "An act relating to indemnification agreements
11	between architects, engineers or surveyors and owners,
12	contractors, subcontractors or suppliers," is amended to read:
13	AN ACT
14	Relating to indemnification agreements between architects,
15	engineers or surveyors and owners, contractors,
16	<pre>subcontractors or suppliers[.] and indemnification agreements</pre>
17	relative to construction contracts.
18	Section 2. The act is amended by adding sections to read:
19	Section 1.1. Any provision or term in any construction

1	contract in which an owner, contractor, subcontractor or
2	supplier or the agents or employes of the owner, contractor,
3	subcontractor or supplier shall be indemnified or held harmless
4	for damages, claims, losses or expenses arising out of bodily
5	injury to persons or damage to property caused by or resulting
6	from the negligence, in whole or in part, of the owner,
7	contractor, subcontractor, supplier or the agents or employes of
8	the owner, contractor, subcontractor or supplier, shall be void
9	as against public policy and unenforceable.
10	Section 1.2. As used in this act, the term "construction
10 11	Section 1.2. As used in this act, the term "construction contract" means a covenant, agreement or understanding in, or in
11	contract" means a covenant, agreement or understanding in, or in
11 12	contract" means a covenant, agreement or understanding in, or in connection with any contract or agreement made and entered into
11 12 13	contract" means a covenant, agreement or understanding in, or in connection with any contract or agreement made and entered into by an owner, contractor, subcontractor or supplier or the agents
11 12 13 14	contract" means a covenant, agreement or understanding in, or in connection with any contract or agreement made and entered into by an owner, contractor, subcontractor or supplier or the agents or employes of the owner, contractor, subcontractor or supplier
11 12 13 14 15	contract" means a covenant, agreement or understanding in, or in connection with any contract or agreement made and entered into by an owner, contractor, subcontractor or supplier or the agents or employes of the owner, contractor, subcontractor or supplier relative to the construction, reconstruction, alteration,

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# THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL No. 2172 Session of 2020

INTRODUCED BY TOPPER, SONNEY, SCHROEDER, BENNINGHOFF, BRIGGS, BROWN, DRISCOLL, EVERETT, GAYDOS, HARKINS, JAMES, JONES, KIM, KORTZ, MASSER, McCLINTON, MILLARD, MOUL, MUSTELLO, OBERLANDER, OWLETT, PICKETT, RADER, ROAE, ROTHMAN, ROZZI, SAYLOR, SHUSTERMAN, STAATS AND STRUZZI, JANUARY 22, 2020

REFERRED TO COMMITTEE ON EDUCATION, JANUARY 22, 2020

#### AN ACT

1	Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2	act relating to the public school system, including certain
3	provisions applicable as well to private and parochial
4	schools; amending, revising, consolidating and changing the
5	laws relating thereto," in the State System of Higher
6	Education, further providing for definitions, for
7	establishment of the State System of Higher Education and its
8	institutions, for purposes and general powers, for project
9	contracts, for power and duties of institution presidents,
10	for method of disposition and consideration by the General
11	Assembly and for campus police powers and duties.
12	The General Assembly of the Commonwealth of Pennsylvania
13	hereby enacts as follows:
14	Section 1. Section 2001-A of the act of March 10, 1949
15	(P.L.30, No.14), known as the Public School Code of 1949, is
16	amended by adding paragraphs to read:
17	Section 2001-A. DefinitionsThe following words and
18	phrases when used in this article shall, for the purpose of this
19	article, have the following meanings, respectively, except in
20	those instances where the context clearly indicates a different
21	meaning:

1 \* \* \*

2 (10.1) "Non-State-appropriated funds" shall mean any funds 3 that the system or an institution receives or are generated from other sources, such as gifts, tuition, student fees, including 4 student activity fees, grants and assistance from Federal and 5 State agencies, a local political subdivision, foundations, 6 7 corporations or any other source. \* \* \* 8 9 (13.1) "State-appropriated funds" shall mean any funds 10 appropriated to the system by the General Assembly. \* \* \* 11 12 Section 2. Section 2002-A of the act is amended to read: Section 2002-A. Establishment of the State System of Higher 13 14 Education and its Institutions.--(a) Subject to the regulatory powers conferred by law upon the State Board of Education, there 15 16 is hereby established a body corporate and politic constituting

17 a public corporation and government instrumentality that enjoys

18 sovereign immunity and official immunity and remains immune from

19 <u>suit as the General Assembly may specifically waive immunity,</u> 20 which shall be known as the State System of Higher Education,

21 independent of the Department of Education, hereinafter referred 22 to as the system, which shall consist of the following 23 institutions and such other institutions, presently existing or 24 newly created, as may hereafter be admitted by the board in 25 concurrence with other agencies as required by law:

(1) Bloomsburg [State College] <u>University of Pennsylvania;</u>
(2) California [State College] <u>University of Pennsylvania;</u>
(3) Cheyney [State College] <u>University of Pennsylvania;</u>
(4) Clarion [State College] <u>University of Pennsylvania;</u>
(5) East Stroudsburg [State College] <u>University of</u>

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1	<u>Pennsylvania</u> ;
2	(6) Edinboro [State College] <u>University of Pennsylvania</u> ;
3	(7) Indiana University of Pennsylvania;
4	(8) Kutztown [State College] <u>University of Pennsylvania</u> ;
5	(9) Lock Haven [State College] <u>University of Pennsylvania</u> ;
6	(10) Mansfield [State College] <u>University of Pennsylvania</u> ;
7	(11) Millersville [State College] <u>University of</u>
8	<u>Pennsylvania;</u>
9	(12) Shippensburg [State College] <u>University of</u>
10	<u>Pennsylvania</u> ;
11	(13) Slippery Rock [State College] <u>University of</u>
12	<u>Pennsylvania</u> ; and
13	(14) West Chester [State College] <u>University of</u>
14	<u>Pennsylvania</u> .
15	(b) [Each of the said institutions shall hereafter be known
16	as the (Name) University of Pennsylvania of the State System of
17	Higher Education, except for Indiana University of Pennsylvania,
18	which shall retain its name.] As successor institutions to the
19	State Normal Schools, appropriations for [their] <u>each of the</u>
20	institutions' operation are ordinary expenses of government,
21	requiring only a majority vote of each House of the General
22	Assembly. The State System of Higher Education shall have the
23	same preferred status for appropriations as is enjoyed by its
24	
	constituent institutions. [State funds appropriated to the
25	
	constituent institutions. [State funds appropriated to the
25	constituent institutions. [State funds appropriated to the system shall be allocated] Except for funds allocated for system
25 26	constituent institutions. [State funds appropriated to the system shall be allocated] Except for funds allocated for system expenditures on behalf of the system's institutions, the system
25 26 27	constituent institutions. [State funds appropriated to the system shall be allocated] Except for funds allocated for system expenditures on behalf of the system's institutions, the system shall allocate State-appropriated funds to the individual
25 26 27 28	constituent institutions. [State funds appropriated to the system shall be allocated] Except for funds allocated for system expenditures on behalf of the system's institutions, the system shall allocate State-appropriated funds to the individual institutions on a formula based on, but not limited to, such

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construction procured for or by the system or institutions with 1 2 State-appropriated funds shall comply with the provisions of 62 3 Pa.C.S. (relating to procurement). The procurement of goods, services, supplies and construction procured for or by the 4 system or institutions with non-State-appropriated funds shall 5 not be subject to the provisions of 62 Pa.C.S., but shall comply\_ 6 7 with board policy. 8 (d) As a government instrumentality of the Commonwealth, any real property owned and titled to the system shall be immune 9 from taxation. Local regulation of real property owned and 10 titled to the system may only occur based upon a specific grant 11 12 of authority to a local subdivision by the General Assembly. 13 Section 3. Section 2003-A(a) and (b)(3) of the act are 14 amended and subsection (b) is amended by adding a paragraph to 15 read:

16 Section 2003-A. Purposes and General Powers.--(a) The State System of Higher Education shall be part of the Commonwealth's 17 18 system of higher education. Its purpose shall be to provide high 19 quality education at the lowest possible cost to [the] students. 20 The primary mission of the system is the provision of 21 instruction for undergraduate and graduate students to and beyond the master's degree in the liberal arts and sciences and 22 23 in applied fields, including the teaching profession. Graduate 24 instruction at the doctoral level, except for doctoral programs 25 provided for in the act of December 16, 1965 (P.L.1113, No.430), 26 known as the "Indiana University of Pennsylvania Act," only may be offered jointly with Indiana University or an institution 27 28 chartered to offer work at the doctoral level. Programs of 29 research and service may be provided which are approved by the 30 Board of Governors, and which are consistent with the primary

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mission of the system. Each institution shall provide 1 2 appropriate educational facilities, student living facilities 3 and such other facilities as deemed necessary by the board. The system is hereby granted and shall have and may 4 (b) exercise all the powers necessary or convenient for the carrying 5 out of the aforesaid purposes, including, but without limiting 6 7 the generality of the foregoing, the following rights and 8 powers:

9 \* \* \*

(3) To acquire, purchase, hold, lease as lessee and use any 10 property, real, personal or mixed, tangible or intangible, or 11 any interest therein, lease as lessor any property, real, 12 personal or mixed, tangible or intangible, necessary or 13 14 desirable for carrying out the purposes of the system, and to 15 sell, transfer and dispose of any property acquired by gift, 16 grant, devise or bequest, whether the property is real, personal or mixed, tangible or intangible, or any interest therein; to 17 18 take, demand, receive and possess all moneys, real property and 19 goods which shall be appropriated, given or granted to for the 20 use of the system and to apply the same according to the will of 21 the donors; to sell, transfer and dispose of real property acquired by and titled to the system [upon approval by the 22 23 General Assembly] as provided in [section 2018-A] subsection 24 (b.1); and by gift, purchase or devise to receive, possess, 25 enjoy and retain forever any and all real and personal estate 26 and funds, of whatsoever kind, nature or quality the same may be, in special trust and confidence that the same, and the 27 28 profits thereof, shall be applied to and for the use and purpose 29 of endowing the system, and shall have power to receive donations from any source whatever, to be exclusively devoted to 30

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the purposes of the system or according to the terms of 1 2 donation: Provided, however, That the system shall have no power 3 at any time or in any manner, to indemnify third parties, to pledge the credit or taxing power of the Commonwealth, nor shall 4 5 any of its obligations or debts be deemed to be obligations of the Commonwealth, nor shall the Commonwealth be liable for the 6 7 payment of principal or interest on such obligations. [Nothing 8 herein shall empower the Board of Governors or the chancellor to take or receive any moneys, goods or other property, real or 9 10 personal, which is given or granted to specific institutions.] 11 (4) To sell, transfer or dispose of real property titled to the system to an individual, organization, firm or corporation, 12 13 political subdivision of the Commonwealth or the Government of 14 the United States or a branch or agency thereof. 15 \* \* \* 16 Section 4. Section 2003-A.1(b), (c.2), (d), (e) and (f) of the act are amended to read: 17 18 Section 2003-A.1. Project Contracts.--\* \* \* 19 [(b) The system shall review the work, experience and qualifications of architects and engineers seeking contracts 20 from the system under this section and, on the basis of merit, 21 select and appoint architects and engineers for the design, 22 23 contract administration and, at the system's discretion, 24 inspection of a project authorized by this section. The board 25 shall give public notice in the manner provided by law of 26 projects which require the services of architects and engineers. The board shall include, but not be limited to, consideration of 27 28 the following factors in the selection of architects and 29 engineers: 30 (1) equitable distribution of contracts among qualified

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1 architects and engineers;

2 (2) capability to perform the design and construction

3 services for the contract being considered;

4 (3) geographic proximity of the architect or engineer to the5 proposed facility;

6 (4) ability of the architect or engineer to furnish the
7 necessary available manpower to perform the services required by
8 the project; and

9 (5) any other related circumstances peculiar to the proposed 10 contract.]

11 (c.2) All contracts, other than contracts for the retention 12 of architects and engineers or contracts procured with non-13 State-appropriated funds, authorized by this section which 14 exceed a base amount of eighteen thousand five hundred dollars 15 (\$18,500), subject to adjustment under subsection (c.3), shall 16 be advertised in the manner provided by law and competitively bid and awarded to the lowest responsible bidder. In case of 17 18 emergencies and notwithstanding any other provision of this 19 section to the contrary, the chancellor may make or authorize 20 others to make an emergency procurement whenever a threat exists to public health, welfare or safety or circumstances outside the 21 22 control of the State system and creates an urgency of need which 23 does not permit the delay involved in using more formal 24 competitive methods. Whenever practical, in the case of a 25 procurement of a supply, at least two (2) bids shall be 26 solicited. A written determination of the basis for the 27 emergency and for the selection of the particular contractor 28 shall be included in the contract file.

29 \* \* \*

30 [(d) The power and authority granted by this section shall 20200HB2172PN3202 - 7 -

not be exercised by the system, the board or an institution for 1 a project to modify, repair or renovate any facility erected by 2 the Department of General Services unless prior written notice 3 setting forth the nature, scope, extent and description of such 4 project has been given to the Department of General Services.] 5 Nothing in this section shall be construed as amending, 6 (e) 7 repealing or otherwise modifying the provisions of the act of 8 [May 1, 1913 (P.L.155, No.104), entitled "An act regulating the letting of certain contracts for the erection, construction, and 9 alteration of public buildings," or the act of] August 15, 1961 10 (P.L.987, No.442), known as the "Pennsylvania Prevailing Wage 11 Act." The act of May 1, 1913 (P.L.155, No.104), referred to as 12 13 the "Separations Act," shall not apply to any person, entity, 14 contract or activity provided for by this article.

(f) The system is authorized to transfer and convey any easements or licenses [necessitated by any construction project which has been previously authorized by the board] <u>as necessary</u>. Section 5. Section 2010-A of the act is amended by adding a paragraph to read:

20 Section 2010-A. Power and Duties of Institution Presidents.--The president of each institution shall be 21 appointed by the board. The president shall be the chief 22 executive officer of that institution. He shall have the right 23 24 to attend all meetings of the council of that institution and 25 shall have the right to speak on all matters before the council but not to vote. Subject to the stated authority of the board 26 and the council, each president shall have the following powers 27 28 and duties:

29 \* \* \*

30 (10.2) The provisions of subsection (10.1) shall only apply 20200HB2172PN3202 - 8 -

1 to contracts purchased with State-appropriated funds. \* \* \* 2 Section 6. Section 2018-A of the act is amended to read: 3 [Section 2018-A. Method of Disposition; Consideration by the 4 General Assembly.--(a) Whenever the system deems that it is 5 6 necessary or desirable to sell, transfer or dispose of real 7 property acquired by and titled to it, it shall request 8 authorization from the General Assembly to sell, transfer or dispose of said real property; and from time to time, as 9 10 necessary, the system shall submit to the Chief Clerk of the House of Representatives and the Secretary of the Senate 11 requests to sell, transfer or dispose of real property acquired 12 13 by and titled to the system for consideration by the General 14 Assembly. 15 (b) Each request for authorization to sell, transfer or 16 dispose of real property transmitted to the General Assembly shall be proposed as a resolution, and shall be placed on the 17 18 calendar of each house for the next legislative day following 19 its receipt, and shall be considered by each house within thirty 20 (30) calendar days of continuous session of the General 21 Assembly. 22 (c) Each request for authorization to sell, transfer or 23 dispose of real property shall take effect if it is approved by 24 a majority vote of the duly elected membership of each house 25 during such thirty-day period or may be disapproved by either 26 house during that period by a majority vote of the duly elected 27 membership of each house. No resolution shall be effective: 28 (d) 29 (1) unless it designates the number of the request for authorization to sell, transfer or dispose of real property and 30

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1 the date on which it was transmitted to the General Assembly; or 2 (2) if it specifies more than one request for authorization 3 to sell, transfer or dispose of real property except as otherwise provided by subsection (q) of this section. 4 5 (e) The effective date of each request for authorization to sell, dispose or transfer real property shall be the date of 6 7 approval of the last of the two houses to act. Upon the 8 expiration of the thirty-day period after the delivery of the request for authorization to sell, dispose or transfer real 9 10 property to the two Houses of the General Assembly and the 11 failure to act as provided in subsection (c) of this section, each request for authorization to sell, dispose or transfer real 12 13 property shall become effective. 14 (f) For the purposes of subsection (b) of this section: Continuity of session shall be considered as broken only 15 (1) 16 by an adjournment of the General Assembly sine die. 17 (2) In the computation of the thirty-day period, there shall 18 be excluded the days on which either house is not in session 19 because of an adjournment of more than ten (10) days to a day 20 certain. 21 (q) Any provision of the request for authorization to sell, dispose or transfer real property may, under provisions 22 23 contained therein, be made operative at a time later than the 24 date on which the request for authorization to sell, transfer or 25 dispose of real property otherwise takes effect.] 26 Section 7. Section 2019-A of the act is amended by adding a 27 subsection to read: 28 Section 2019-A. Campus Police Powers and Duties. --\* \* \* 29 (d) Campus police are authorized to disseminate investigative information as defined in 18 Pa.C.S. § 9102 30 20200HB2172PN3202 - 10 -

(relating to definitions) to university officials for use in 1 student disciplinary matters subject to 22 Pa. Code Ch. 505 2 (relating to student personnel). Notwithstanding the exception 3 contained in this section, all other provisions of 18 Pa.C.S. 4 Ch. 91 (relating to criminal history record information) shall 5 apply to campus police. 6 Section 8. All acts and parts of acts are repealed and all 7 8 regulations and parts of regulations are abrogated insofar as 9 they are inconsistent with this act. 10 Section 9. This act shall apply to contracts and purchases advertised on or after January 1 of the year following the 11 effective date of this section. 12 Section 10. This act shall take effect as follows: 13 The addition of section 2002-A(c) of the act shall 14 (1)15 take effect January 1 of the year following the effective date of this section. 16 The remainder of this act shall take effect in 60 17 (2)18 days.

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