

MCA

Summary of Legislation

March 2009

Anti Union Construction Bills Piling Up

Each session numerous legislative proposals are introduced that would make it harder for the unionized construction industry. In the past couple of weeks, a slew of such bills have been offered. Many of them amend the Prevailing Wage Act. For example, **Senate Bills 646 through 649** would do everything from redefine what constitutes "maintenance" under the Act to allowing local governments to opt out of paying prevailing wages. The maintenance bills are an attempt to reverse a PA Supreme Court decision that determined that road milling work is covered by prevailing wage law. **House Bill 787** does the same thing. The "opt out" bills are just another way of narrowing the scope of the Act.

Another recently introduced bill, **Senate Bill 677**, mandates that the apprenticeship ratio for all industries and all trades be set at one to one. Add to the list **Senate Bill 563** which would amend the mechanic's lien law by undoing some of the hard won improvements enacted in 2006. There is also a package of bills that increase public advertising and bidding thresholds for local governments. The bills raise the thresholds from \$10,000 to \$25,000 for virtually any type of political subdivision, from boroughs to school districts. As the bills are currently written, this threshold increase would apply to construction projects. But, our lobbyists expect an amendment exempting construction from the new thresholds to be adopted before the bills pass the Senate.

All of the bills mentioned above have been listed below under "Legislative Activity".

Pennsylvania's Stimulus Program Takes Shape

The details of "how" and "for what" are taking shape as Governor Ed Rendell moves forward with plans for spending the Commonwealth's share of the federal stimulus funds. Pennsylvania's total share is estimated to be about 10.4 billion dollars. More than \$1 billion is directed towards highway and bridge projects. Just this week, Governor Rendell signed three letters of certification confirming that over \$1 billion in federal stimulus money will be spent by Pennsylvania on new transportation projects in compliance with federal highway standards. He estimated that within 90 days, thousands of Pennsylvanians will begin going to work on construction projects around the state. The State is in line for even more to be used for mass transit, aviation and rail projects. Additional categories such as "community and economic development", "energy investments", "housing", and "education and training" may also involve construction work. That is particularly the case with some of the education and energy dollars that are likely to be used for school or other public building construction/renovations.

The Governor has named the Secretary of the Department of General Services, Jim Creedon, to serve as the stimulus Czar. Creedon is charged with making sure that the funds are spent responsibly and within the scope of their intended purpose. Work groups have been established by various state agencies to map out the spending plans. Penn Dot has even posted a list of economic recovery project on its web site. In short, the Administration is underway with its efforts to role out projects. But battle lines are already being drawn with the Legislature. In light of the stimulus funding, Republicans in both the House and Senate are urging the Governor to redo the Commonwealth budget he proposed in February. Rendell has already said he doesn't plan on doing that. The Governor also commented on a proposal by Senator Mike Brubaker (R-Lancaster) to create a state Commission on Stimulus Accountability, saying "I would veto such a bill." Republicans will raise the question of whether or not the Administration can legally spend monies not authorized by the Pennsylvania Legislature. Expect to hear more debate on this in the coming weeks and months.

L&I: UNIFORM CONSTRUCTION CODE (UCC) REVIEW AND ADVISORY COUNCIL; SCHEDULE OF MEETINGS

<http://www.pabulletin.com/secure/data/vol39/39-12/539.html>

The Department of Labor and Industry announced the following meetings:

- April 2, 16 and 30, 2009, 10:00 a.m.- 5:00 p.m., Department of Labor and Industry 651 Boas Street, Room E-100.
- April 8 and 22, 2009, 10:00 a.m.- 5:00 p.m., 651 Boas Street, Department of Labor and Industry 12 Floor Conference Room A

Additional information concerning the meetings may be found on the Department of Labor and Industry's web site at www.dli.state.pa.us/codes scroll down and click on the link for UCC Review and Advisory Council. Questions concerning this may be directed to Edward Leister at (717) 783-6304.

Legislative Activity

[HB 444](#) RE: Standards for State Funded Buildings (by Rep. Matt Smith, et al)

An Act requiring the design, construction and renovation of buildings that receive a State appropriation to comply with specified energy and environmental building standards.

Referred to House Environmental Resources and Energy Committee, 2/13/2009

Reported as committed from House Environmental Resources and Energy, read first time, and laid on the table, 3/17/2009

Removed from the table and rereferred to House Appropriations Committee, 3/17/2009

[HB 687](#) RE: Energy Conservation Measure (by Rep. Frank Dermody, et al)

Amends Title 62 (Procurement), in guaranteed energy savings contracts, amending the definition of "energy conservation measure" to include technology upgrades designed to reduce water and wastewater consumption or operating costs, and inserting water and wastewater-related provisions into language relating to contract procedures and provisions.

Introduced and referred to House Urban Affairs Committee, 3/3/2009

Reported as committed from House Urban Affairs Committee, read first time, and laid on the table, 3/11/2009

Removed from the table and rereferred to House Appropriations Committee, 3/16/2009

[HR 78](#) RE: Minority-owned businesses (by Rep. Jake Wheatley, et al)

Resolution providing for the establishment of a select committee to investigate the degree to which minority-owned business enterprises, women-owned business enterprises and disadvantaged-owned business enterprises have been utilized in contracts awarded by the Commonwealth of Pennsylvania.

Adopted, 3/25/2009 (192-0)

[SB 89](#) RE: HC4 Reinstatement (by Sen. Patricia Vance, et al)

Amends the Health Care Cost Containment Act further providing for the Health Care Cost Containment Council and its powers and duties, for data submission and collection and for access to council data; and providing for the establishment of a Health Care Cost Containment Council Act Review Committee and extending the sunset of act to June 30, 2014. The committee would be charged with studying, reviewing and recommending changes to the act and issuing a report on such recommended changes.

Reported as committed from Senate Appropriations Committee, 3/23/2009

Passed Senate, 3/24/2009 (50-0)

Referred to House Health and Human Services Committee, 3/25/2009

[SB 162](#) RE: Veteran-owned Businesses (by Sen. Tommy Tomlinson, et al)

Amends Title 62 (Procurement) adding a chapter related to veteran-owned businesses, outlining a goal of 5% participation by veteran-owned businesses for all agencies authorized by law to enter into contracts for itself or as the agent of another Commonwealth agency. The bill provides for the duties of the Department of General Services in assisting veteran-owned businesses, and for the establishment of business assistance offices throughout the state. The bill also provides for reports made to the Veterans Affairs and Emergency Preparedness committees of the House and Senate, and for compliance with federal requirements.

Rereferred to Senate Appropriations Committee, 3/23/2009

[SB 195](#) RE: Industrialized/commercial Modular Buildings (by Sen. Mike Waugh, et al)
Amends the Industrialized Housing Act adding definitions for "industrialized/commercial modular building" and "industrialized/commercial building module" and authorizing the Department of Community and Economic Development to enter into a multistate agreement for the purpose of regulating the construction of components of industrialized/commercial modular buildings. The department shall adopt regulations to administer the program.
Reported as committed from Senate Labor and Industry Committee, and read first time, 3/17/2009
Read Second time, 3/23/2009
Passed Senate, 3/24/2009 (50-0)

[SB 205](#) RE: Sewer Systems Connections (by Sen. John Pippy, et al)
Amends the act entitled "An act to provide for and regulate the accumulation, investment, and expenditure of funds by cities, boroughs, incorporated towns and townships for preparing plans for sewage disposal systems, and for the construction, improvement or replacement of sewage disposal systems for which plans have been approved by the Sanitary Water Board of the Commonwealth," further providing for definitions and allowing municipalities and municipal authorities to use public funds for the improvement, extension, repair or rehabilitation of private lateral sewer lines connected to public sewer systems; providing requirements and definitions.
Referred to Senate Environmental Resources and Energy committee, 2/19/2009
Reported as committed from Senate Environmental Resources and Energy Committee and read first time, 3/17/2009
Rereferred to Senate Appropriations Committee, 3/23/2009

[SB 317](#) RE: County Contract Bidding Thresholds (by Sen. John Eichelberger, et al)
Amends The County Code further providing for commissioners sole contractors for county, contract procedures, terms and bonds and advertising for bids and for evasion of advertising requirements. The bill articulates that all contracts and purchases totaling less than \$25,000 must be signed by the county commissioners or a designee and filed in the office of the controller. Further, for all contracts exceeding \$7,000, written or telephonic price quotations from at least three "qualified and responsible" contractors must be requested. The legislation provides for the annual adjustment of these amounts based on the Consumer Price Index for All Urban Consumers.
Referred to Senate Local Government Committee, 2/20/2009
Reported as committed from Senate Local Government Committee, and read first time, 3/25/2009

[SB 318](#) RE: Third Class City Contract Bidding Thresholds (by Sen. Bob Robbins, et al)
Amends The Third Class City Code providing that council contracts over \$25,000 are subject to annual adjustments based on the Consumer Price Index for All Urban Consumers. The Department of Labor and Industry shall give notice in the Pennsylvania Bulletin prior to January 1 of each calendar year of the annual percentage change that has been determined.
Referred to Senate Local Government Committee, 2/20/2009
Reported as committed from Senate Local Government Committee, and read first time, 3/25/2009

[SB 319](#) RE: Second Class Township Contract Bidding Thresholds (by Sen. Lisa Baker, et al)
Amends The Second Class Township Code further providing for competitive bidding of contracts by adding that all contracts or purchases in excess of the required advertising amount of \$25,000 (increased from \$10,000) may not be made except with and from the lowest responsible bidder after due notice in one newspaper of general circulation in the township. Additionally, written or telephonic price quotations from at least three qualified and responsible contractors would be requested for all contracts that exceed \$7,000 (increased from \$4,000). The legislation provides for the annual adjustment of these amounts based on the Consumer Price Index for All Urban Consumers.
Referred to Senate Local Government Committee, 2/20/2009
Reported as committed from Senate Local Government Committee, and read first time, 3/25/2009

[SB 320](#) RE: First Class Township Contract Bidding Thresholds (by Sen. John Eichelberger, et al)
Amends The First Class Township Code further providing for contracts and acquisition of property and for general regulations concerning contracts. The bill adjusts the minimum amount of contracts or purchases made by any township requiring the publishing of the text of the contract or purchase in a newspaper from \$10,000 to \$25,000. Further, for all contracts exceeding \$7,000, written or telephonic price quotations from at least three qualified and responsible contractors must be requested. The legislation provides for the annual adjustment of these amounts based on the Consumer Price Index for All Urban Consumers.
Referred to Senate Local Government Committee, 2/20/2009
Reported as committed from Senate Local Government Committee, and read first time, 3/25/2009

[SB 321](#) RE: Boroughs Contract Bidding Thresholds (by Sen. Jake Corman, et al)

Amends The Borough Code further providing for competitive bidding of contracts by adding that all contracts or purchases in excess of the required advertising amount of \$25,000 (increased from \$10,000) may not be made except with and from the lowest responsible bidder after due notice in one newspaper of general circulation in the township. Additionally, written or telephonic price quotations from at least three qualified and responsible contractors would be requested for all contracts that exceed \$7,000 (increased from \$4,000). The legislation provides for the annual adjustment of these amounts based on the Consumer Price Index for All Urban Consumers.

Referred to Senate Local Government Committee, 2/20/2009

Reported as committed from Senate Local Government Committee, and read first time, 3/25/2009

[SB 322](#) RE: Contract Bidding Thresholds (by Sen. John Gardner, et al)

Amends the act entitled "An act relating to and regulating the contracts of incorporated towns and providing penalties," further providing for regulation of contracts; providing for annual adjustment; further providing for evasion of advertising requirements, for contracts between \$750 and \$10,000 and for separate bids for plumbing, heating, ventilating and electrical work. The bill states that all purchases or contracts more than \$25,000 (increased from \$10,000) must be from the lowest responsible bidder and made after properly advertised. Written or telephonic bids would be required for all contracts between \$750 and \$25,000 (increased from \$10,000). The legislation provides for the annual adjustment of these amounts based on the Consumer Price Index for All Urban Consumers.

Referred to Senate Local Government Committee, 2/20/2009

Reported as committed from Senate Local Government Committee, and read first time, 3/25/2009

[SB 323](#) RE: Intergovernmental Units Contract Bidding Thresholds (by Sen. Jim Ferlo, et al)

Amends Title 53 (Municipalities Generally) and 74 (Transportation) further providing for competitive bidding of contracts by intergovernmental units, by parking authorities, by municipal authorities and by metropolitan transportation authorities by stating that purchases and contracts over \$25,000 (increased from \$10,000) are subject to bid and notification requirements. Written or telephonic price quotes would be required from at least three qualified and responsible contractors for a contract that exceeds \$7,000 (increased from \$4,000). The legislation provides for the annual adjustment of these amounts based on the Consumer Price Index for All Urban Consumers.

Referred to Senate Local Government Committee, 2/20/2009

[SB 324](#) RE: Second Class County Contract Bidding Thresholds (by Sen. John Rafferty, et al)

Amends the Second Class County Code further regulating contracts and purchases by adding that all contracts or purchases in excess of \$25,000 (increased from \$10,000) must be made in writing and must be from the lowest responsible bidder after due notice in one newspaper of general circulation. Additionally, written or telephonic price quotations from at least three qualified and responsible contractors would be requested for all contracts that exceed \$7,000 (increased from \$4,000). The legislation provides for the annual adjustment of these amounts based on the Consumer Price Index for All Urban Consumers.

Referred to Senate Local Government Committee, 2/20/2009

Reported as committed from Senate Local Government Committee, and read first time, 3/25/2009

[SB 325](#) RE: Contract Bidding Thresholds (by Sen. Jim Ferlo, et al)

Amends act entitled "An act to authorize and empower cities, boroughs, towns, and townships, separately or jointly, to provide for protection against floods by erecting and constructing certain works and improvements, located within or without their territorial limits, and within or without the county in which situate; and to expend moneys and incur indebtedness; to assess benefits against property benefited; to issue improvement bonds imposing no municipal liability; and to acquire, take, injure or destroy property for such purposes," providing for competitive bidding by articulating that all contracts for municipal works or improvements totaling more than \$25,000 must be advertised once a week for two successive weeks in at least one newspaper of general circulation. Further, for all contracts exceeding \$7,000, written or telephonic price quotations from at least three qualified and responsible contractors must be requested. The legislation provides for the annual adjustment of these amounts based on the Consumer Price Index for All Urban Consumers.

Referred to Senate Local Government Committee, 2/20/2009

Reported as committed from Senate Local Government Committee, and read first time, 3/25/2009

[SB 326](#) RE: Political Subdivision Joint Purchase Law Contract Bidding Thresholds (by Sen. Mike Brubaker, et al)

Amends Political Subdivision Joint Purchase Law increasing the amount of purchases that may be made subject to certain conditions to \$25,000 from \$10,000. Additionally, written or telephonic price quotations from at least three qualified and responsible contractors would be requested for all contracts that exceed \$7,000 (increased from \$4,000). The legislation provides for the annual adjustment of these amounts based on the Consumer Price Index for All Urban Consumers.

Referred to Senate Local Government Committee, 2/20/2009

Reported as committed from Senate Local Government Committee, and read first time, 3/25/2009

[SB 328](#) RE: Flood Control Contract Bidding Thresholds (by Sen. John Eichelberger, et al)

Amends the Flood Control Law further providing for contracts and acquisition of property by adding that all work involving an expenditure of more than \$25,000, subject to annual adjustment based on the CPI-U (increased from \$4,000) must be performed under written contract let by the board to the lowest responsible bidder after due advertisement. The legislation also provides for evasion of advertising requirements by adding that no board member may evade the advertising requirements by purchasing or contracting for services and personal properties piecemeal to obtain prices under the required advertising price.

Referred to Senate Environmental Resources and Energy Committee, 2/20/2009

Reported as committed from Senate Environmental Resources and Energy Committee, and read first time, 3/17/2009

Rereferred to Senate Appropriations Committee, 3/23/2009

[SB 329](#) RE: Public School Buildings Contract Bidding Thresholds (by Sen. Mike Brubaker, et al)

Amends the State Public School Building Authority Act increasing the dollar amount from \$4,000 to \$25,000 for the minimum amount required for the Authority to advertise for competitive bids in the awarding of contracts subject to annual adjustment by the Department of Labor and Industry. Also makes it unlawful for a member of the Authority to evade the advertising requirements by making a series of purchases or contracts each for less than the advertising requirement or by making several simultaneous purchases or contracts, each below said price, when in either case, the transactions involved should have been made as one transaction for one price.

Reported as committed from Senate Education Committee, 3/24/2009

[SB 331](#) RE: Housing Authorities Contract Bidding Thresholds (By Sen. Mike Waugh, et al)

Amends The Housing Authorities Law further providing for awards of contracts, completion bond, additional bond for protection of materialmen and others by stating that purchases or contracts exceeding \$25,000 (increased from \$10,000) may not be made except with and from the lowest responsible bidder after meeting notice requirements. Additionally, written or telephonic price quotations from at least three qualified and responsible contractors would be requested for all contracts that exceed \$7,000 (increased from \$4,000). The legislation provides for the annual adjustment of these amounts based on the Consumer Price Index for All Urban Consumers.

Referred to Senate Urban Affairs and Housing Committee, 2/20/2009

Reported as committed from Senate Urban Affairs and Housing Committee, and read first time, 3/25/2009

[SB 332](#) RE: Public Schools Contract Bidding Thresholds (by Sen. John Eichelberger, et al)

Amends The Public School Code further providing for work to be done under contract let on bids and exception, for purchase of supplies, for contracts for construction, repair, renovation or maintenance, for project contracts and for powers and duties of institution presidents by stating that purchases or contracts exceeding \$25,000 (increased from \$10,000) may not be made except with and from the lowest responsible bidder after meeting notice requirements. Additionally, written or telephonic price quotations from at least three qualified and responsible contractors would be requested for all contracts that exceed \$7,000 (increased from \$4,000). The legislation provides for the annual adjustment of these amounts based on the Consumer Price Index for All Urban Consumers.

Reported as committed from Senate Education Committee, 3/24/2009

New Bills Introduced

The following bills have been introduced since the last report.

[HB 383](#) RE: Competitive Bidding (by Rep. Doug Reichley, et al)

Amends Title 62 (Procurement) inserting language providing every Commonwealth agency, every independent Commonwealth agency, the State Treasurer, the Attorney General, the Auditor General, the General Assembly and all legislative agencies and the Judiciary shall use competitive bidding in awarding any contract having an initial value in excess of \$100,000. Further provides this shall also apply to the procurement of any legal services having an initial value in excess of \$100,000.

Referred to House State Government Committee, 3/12/2009

[HB 400](#) RE: Construction Industry Independent Contractor Act (by Rep. Bryan Lentz, et al)

For the purposes of the Minimum Wage Act, the Wage Payment and Collection Law, the Unemployment Compensation Law and the Workers' Compensation Act, an individual engaging in or performing services in the commercial or residential building construction industry for remuneration is presumed to be an employee unless: (1) the individual has been and will continue to be free from control or direction over performance of such services both under the contract of service and in fact; and (2) as to such services, the individual is customarily engaged in an independently established trade, occupation, profession or business. The bill outlines twelve criteria for deeming an

individual to be an independent contractor in the construction industry and states improper classification of employees is subject to penalties, remedies or actions outlined in the legislation. The Department of Labor and Industry shall annually report to the General Assembly detailing data on the previous calendar year's administration and enforcement of this act.

Referred to House Labor Relations Committee, 3/19/2009

House Labor Relations Committee Meeting set for April 2, 2009, 9:30 a.m., Room 8E-A, East Wing

[HB 530](#) RE: Lawsuit Certificate of Merit (by Rep. Mike Turzai, et al)

Amends Title 42 (Judiciary and Judicial Procedure) by stating that no cause of action asserting a professional liability claim may be filed with the court unless a certificate of merit is included. When filing, the plaintiff would include with the complaint a certificate of merit containing a written and signed statement from an appropriate licensed professional, identified by name and professional designation. A person must meet certain criteria to execute a certificate of merit or offer an expert opinion in a professional liability action.

Referred to House Judiciary Committee, 3/3/2009

[HB 535](#) RE: Allegheny Port Authority (by Rep. Mike Turzai, et al)

Amends the Second Class County Port Authority Act removing language providing the authority exclusive jurisdiction with respect to all matters regarding its transportation system within the service area as set forth in the plan of operation or as from time to time changed in the section. The bill also removes language granting the authority the exclusive right to operate a transportation system within the service area as set forth in the plan of integrated operation.

Referred to House Transportation Committee, 3/3/2009

[HB 724](#) RE: Prevailing Wage and Subcontractors (by Rep. Rick Taylor, et al)

Amends the Pennsylvania Prevailing Wage Act adding language providing a contractor or subcontractor performing public work under a contract with a school district shall certify that each employee of the contractor or subcontractor working at the school construction site has complied with section 111 of the Public School Code of 1949. Further provides the records indicating certification of compliance shall be submitted to the school district and the Department of Labor & Industry. Further provides a contractor shall ensure that its employees wear at all times while on a school construction site an identification badge exhibiting that the employee is in compliance with the requirements and no contractor, subcontractor or employee thereof may be granted access to a site unless the person is wearing the identification badge. Also provides in the event the department shall determine after notice and hearing as required under the Act, that a contractor or subcontractor knowingly or willingly failed to comply with the requirements, the department shall notify all school districts of the name of the contractor or subcontractor, and no contract may be awarded to the contractor, subcontractor or to any firm, corporation or partnership in which the contractor or subcontractor has an interest until three years have elapsed from the date of notice to the school districts and may assess a civil penalty not to exceed \$2,500, or both.

Referred to House Labor Relations Committee, 3/5/2009

[HB 743](#) RE: Building Acquisition Costs And Construction Expenses (by Rep. Mike McGeehan, et al)

Amends Capital Facilities Debt Enabling Act adding language providing expenditure of State and non-State funds shall be made on a proportional basis for direct land and building acquisition costs and construction expenses.

Referred to House Appropriations Committee, 3/5/2009

[HB 772](#) RE: Contract Bid Threshold (by Rep. Scott Petri, et al)

Amends the Public School Code further providing for work to be done under contract let on bids and exception by adding that the rate must be at least \$20,000; for approved reimbursable rental for leases hereafter approved and approved reimbursable sinking fund charges on indebtedness by adding that the rate must be at least \$5,900 for elementary projects, \$7,700 for secondary projects and \$9,500 for vocational-technical projects; and for approved reimbursable annual rental for leases of buildings and facilities for school use by adding that the reimbursement rates would be at least \$640 for elementary schools, \$880 for secondary schools and \$1,080 for vocational schools. The department would annually adjust the limits established in accordance with the US Department of Commerce Construction Cost Index.

Referred to House Education Committee, 3/6/2009

[HB 787](#) RE: Definition of "Public Work" (by Rep. Ron Marsico, et al)

Amends the PA Prevailing Wage Act by adding that "public work" includes combination rehabilitation/reconstruction projects where non-maintenance items exceed fifteen percent of the total project cost; and "maintenance work" includes the following actions taken on roads: (1) replacement in kind, or compliance with current Department of Transportation design criteria and standards, of guide rails, curbs, pipes, line painting and other related road equipment; (2) repair of pavement service by laying bituminous material up to three and a half

inches thick or up to four hundred twenty pounds per square yard on asphalt pavement, cement concrete or other hard surface, including associated milling, and related work raising existing paved shoulders to new grade; or patching of cement concrete surface to include joint spalling and repair work; (3) widening of existing alignment which does not result in additional lanes or new shoulders; and (4) bridge cleaning, washing, resurfacing with blacktop, minor non-structural repairs or improvements and painting except when combined with complete bridge rehabilitation.

Referred to House Labor Relations Committee, 3/6/2009

[HB 823](#) RE: Codes Enforcement (by Rep. Matt Baker, et al)

Amends the Pennsylvania Construction Code Act further providing for administration and enforcement by adding that a decision of a code administrator must contain written notification that the decision can be appealed to the municipality's board of appeals. The written notification must state the basis for an appeal and the time frames, and must provide specific information on where and how to file the appeal in that municipality.

Referred to House Labor Relations Committee, 3/10/2009

[HB 840](#) RE: The PVC Pipe Prohibition Act (By Rep. Mike O'Brien, et al)

Prohibits the use of Polyvinyl chloride, or PVC, pipe in the following buildings constructed after the effective date of this act: (1) Residential buildings that are more than three stories in height; (2) Residential buildings that contain five or more separate family units; (3) Structures used for commercial purposes; or (4) Structures used for industrial purposes.

Referred to House Consumer Affairs Committee, 3/10/2009

[HB 900](#) RE: WC Appeals (By Rep. Gordon Denlinger, et al)

Amends the Workers' Compensation Act providing for appeals concerning the State Workers' Insurance Fund and establishing the State Workers' Insurance Appeal Board. The legislation states a subscriber aggrieved by the application of the board's auditing or premium findings has the right to a hearing before the appeal board, in person or by the subscriber's authorized representative, on the findings. A subscriber must exhaust the fund's policy dispute procedures before filing an appeal. The legislation provides for the membership of the board.

Referred to House Labor Relations Committee, 3/12/2009

[HB 972](#) RE: Contractor's And Subcontractor's Payment Obligations (by Rep. Neal Goodman, et al)

Amends the Contractor and Subcontractor Payment Act, further providing for owner's payment obligations and for contractor's and subcontractor's payment obligations.

Referred to House Consumer Affairs Committee, 3/18/2009

[HB 1011](#) RE: Second Class Township Bidding Thresholds (by Rep. Mark Keller, et al)

Amends The Second Class Township Code by stating that all contracts or purchases in excess of \$25,000 (increased from \$10,000) must be competitively bid. Written or telephonic quotes would be required for any contracts over \$10,000 (increased from \$4,000). These minimums would be adjusted annually based on the consumer price index.

Referred to House Local Government Committee, 3/19/2009

[HB 1012](#) RE: First Class Township Bidding Thresholds (by Rep. John Payne, et al)

Amends The First Class Township Code by stating that all contracts or purchases in excess of \$25,000 (increased from \$10,000) must be competitively bid. Written or telephonic quotes would be required for any contracts over \$10,000 (increased from \$4,000). These minimums would be adjusted annually based on the consumer price index.

Referred to House Local Government Committee, 3/19/2009

[HB 1013](#) RE: Third Class Cities Bidding (by Rep. Mark Keller, et al)

Amends the act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto, further regulating contracts as to purchasing and advertising requirements.

Referred to House Local Government Committee, 3/19/2009

[HB 1014](#) RE: Boroughs Bidding Thresholds (by Rep. Mauree Gingrich, et al)

Amends The Borough Code by stating that all contracts or purchases in excess of \$25,000 (increased from \$10,000) must be competitively bid. Written or telephonic quotes would be required for any contracts over \$10,000 (increased from \$4,000). These minimums would be adjusted annually based on the consumer price index.

Referred to House Local Government Committee, 3/19/2009

[HB 1015](#) RE: Bidding Thresholds (by Rep. Dave Millard, et al)

Amends the act entitled "An act relating to and regulating the contracts of incorporated towns and providing penalties" by stating that contracts or purchases in excess of \$25,000 (increased from \$10,000) must be

competitively bid. Written or telephonic quotes would be required for any contracts over \$10,000 (increased from \$4,000). These minimums would be adjusted annually based on the consumer price index.

Referred to House Local Government Committee, 3/19/2009

[HB 1016](#) RE: Separation Act (by Rep. Mark Keller, et al)

Amends the Separation Act increasing the minimum bid requirement; and providing for evasion of requirements.

Referred to House Labor Relations Committee, 3/24/2009

[HB 1017](#) RE: Bidding Thresholds (by Rep. Mark Keller, et al)

Amends Titles 53 (Municipalities Generally) & 74 (Transportation) by stating that contracts or purchases in excess of \$25,000 (increased from \$10,000) must be competitively bid. Written or telephonic quotes would be required for any contracts over \$10,000 (increased from \$4,000). These minimums would be adjusted annually based on the consumer price index.

Referred to House Local Government Committee, 3/19/2009

[HB 1018](#) RE: County Bidding Thresholds (by Rep. David Hickernell, et al)

Amends The County Code by stating that contracts or purchases in excess of \$25,000 (increased from \$10,000) must be competitively bid. Written or telephonic quotes would be required for any contracts over \$10,000 (increased from \$4,000). These minimums would be adjusted annually based on the consumer price index.

Referred to House Local Government Committee, 3/19/2009

[HB 1019](#) RE: School Bidding (by Rep. Mike Fleck, et al)

Amends Public School Code providing for adjustments based on Consumer Price Index; & further providing for work to be done under contract let on bids & exception, for purchase of supplies, etc. & for powers & duties of institution presidents.

Referred to House Education Committee, 3/24/2009

[HB 1020](#) RE: Joint Purchase Law (by Rep. Julie Harhart, et al)

Amends Political Subdivision Joint Purchase Law increasing the amount of purchases that may be made subject to certain conditions to \$25,000 from \$10,000. Additionally, written or telephonic price quotations from at least three qualified and responsible contractors would be requested for all contracts that exceed \$7,000 (increased from \$4,000). The legislation provides for the annual adjustment of these amounts based on the Consumer Price Index for All Urban Consumers.

Referred to House Local Government Committee, 3/19/2009

[HB 1021](#) RE: Housing Authorities Law Contracting (by Rep. Matt Baker, et al)

Amends the Housing Authorities Law, further providing for awards of contracts, completion bond, additional bond for protection of material men and others.

Referred to House Urban Affairs Committee, 3/24/2009

[HB 1022](#) RE: Public Auditorium Authorities Law (by Rep. Matt Baker, et al)

Amends the Public Auditorium Authorities Law by stating that contracts or purchases in excess of \$25,000 (increased from \$10,000) must be competitively bid. Written or telephonic quotes would be required for any contracts over \$10,000 (increased from \$4,000). These minimums would be adjusted annually based on the consumer price index.

Referred to House Local Government Committee, 3/19/2009

[HB 1023](#) RE: Flood Protection Contracting (by Rep. Mark Keller, et al)

Amends the act to authorize & empower cities, boroughs, towns & townships, separately or jointly, to provide for protection against floods by erecting & constructing certain works & improvements further providing for competitive bidding.

Referred to House Local Government Committee, 3/24/2009

[HB 1048](#) RE: Public Work (by Rep. Stan Saylor, et al)

Amends the Pennsylvania Prevailing Wage Act further providing for the definition of "public work" by increasing the estimated cost of a project that must use prevailing wage from \$25,000 to \$185,000. The bills provides for annual adjustment based on the consumer price index.

Referred to House Labor Relations Committee, 3/23/2009

[HB 1078](#) RE: Apprenticeship Training Tax Credit (by Rep. Ron Waters, et al)

Amends the Tax Reform Code providing for apprenticeship training tax credit.

Referred to House Finance Committee, 3/24/2009

[HB 1094](#) RE: Workers Comp Schedules (by Rep. Jesse White, et al)
Amends the Workers' Compensation Act further providing for schedules of compensation.
Referred to House Labor Relations Committee, 3/25/2009

[HB 1096](#) RE: Apprenticeship and Training Act (by Rep. Scott Boyd, et al)
Referred to House Labor Relations Committee, 3/25/2009

[HB 1101](#) RE: Mechanics' Lien (by Rep. Rich Grucela, et al)
Amends the Mechanics' Lien Law further providing for definitions, for right to lien and amount, for waiver of lien by claimant, for contents of claim and for priority of lien.
Referred to House Judiciary Committee, 3/25/2009

[SB 235](#) RE: Flood Control Plans (by Sen. John Wozniak, et al)
Amends the Flood Control Law, modifying and adding several definitions, and providing for the duties of DEP related to Surveys and Plans, and outlining its powers and responsibilities with respect to Federal Flood Control Works and Improvements, Contracts and Acquisition of Property, eminent domain, and federal regulations.
Referred to Senate Environmental Resources and Energy committee, 2/19/2009

[SB 330](#) RE: Separations Act (by Sen. Mike Folmer, et al)
Amends the Separations Act by increasing the minimum bid requirement from \$4,000 to \$25,000. The legislation provides for the annual adjustment of these amounts based on the Consumer Price Index for All Urban Consumers.
Referred to Senate Labor and Industry Committee, 2/20/2009

[SB 530](#) RE: Free Enterprise and Taxpayer Protection Act (by Sen. Pat Browne, et al)
Prohibits governments and other public bodies from funding, capitalizing, securing the indebtedness of, or leasing the obligations of, or subsidizing, any charitable or not-for-profit institution which would use such support to compete against private enterprise. The bill provides for excepted functions and services and authorizes those entities already in operation to continue operating.
Referred to Senate State Government Committee, 3/2/2009

[SB 563](#) RE: Mechanics' Lien Law (by Sen. Pat Browne, et al)
Amends the Mechanics' Lien Law further providing for definition of "residential property", for waiver of lien by claimant, for right to limit claims to unpaid balance of contract price and for priority of lien. The legislation states the maximum amount for which an interest in real property may be subject to a lien for one or more lien claims filed shall not be greater than the price of the contract between the owner and the contractor less the amount of payments made by the owner to the contractor or to another lien claimant prior to receipt by the owner of a notice of intention to file a lien claim pursuant to section 501. The bill provides for liens file by subcontractors.
Referred to Senate Labor and Industry Committee, 3/2/2009

[SB 646](#) RE: "Maintenance Work" (by Sen. Mike Waugh, et al)
Amends the Pennsylvania Prevailing Wage Act by amending the definition of "maintenance work" to include actions taken on roads as described in the legislation and the definition of "public work" adding language providing the term includes combination rehabilitation/ reconstruction projects where non-maintenance items exceed 15% of the total project cost.
Referred to Senate Labor and Industry Committee, 3/19/2009

[SB 647](#) RE: "Maintenance Work" (by Sen. Mike Waugh, et al)
Amends the Pennsylvania Prevailing Wage Act by amending the definition of "maintenance work" to include actions taken on roads as described in the legislation and the definition of "public work" adding language increasing the minimum amount of the estimated cost of the total project from \$25,000 to \$175,000 and providing the term includes combination rehabilitation/reconstruction projects where non-maintenance items exceed 15% of the total project cost.
Referred to Senate Labor and Industry Committee, 3/19/2009

[SB 648](#) RE: Prevailing Wage (by Sen. Mike Waugh, et al)
Amends the Pennsylvania Prevailing Wage Act excluding political subdivisions or any authority, agency or instrumentality created by one or more political subdivisions from the act and authorizing optional prevailing wage ordinances.

Referred to Senate Labor and Industry Committee, 3/19/2009

[SB 649](#) RE: Prevailing Wage (by Sen. Mike Waugh, et al)

Amends the Pennsylvania Prevailing Wage Act adding language providing a political subdivision may elect, by ordinance or resolution, to remove itself from the jurisdiction of this act. Also provides upon adoption of the ordinance or resolution, the political subdivision shall notify the Department of Labor & Industry and shall include the date that the ordinance or resolution became effective.

Referred to Senate Labor and Industry Committee, 3/19/2009

[SB 677](#) RE: Apprenticeship and Training Council (by Sen. Rob Wonderling, et al)

Amends the Apprenticeship and Training Act further providing for powers and duties of the council by adding that the numeric ratio of apprentice to skilled journeyperson established by the program sponsor must be established in consideration of the necessary proper supervision, training, safety and continuity of employment of the apprentice throughout the apprenticeship. The standard ratio for all trades in all industries shall be one to one.

Referred to Senate Labor and Industry Committee, 3/23/2009

Remaining Spring 2009 Session Schedules

SENATE SESSION SCHEDULE FOR MARCH – JUNE 2009

March 30, 31

April 1, 20, 21, 22, 27, 28, 29

May 4, 5, 6, 11, 12, 13

June 1, 2, 3, 8, 9, 10, 15, 16, 17, 22, 23, 24, 25, 26, 29, 30

HOUSE SESSION SCHEDULE FOR MARCH – JUNE 2009

March 30, 31

April 1, 20, 21, 22, 27, 28, 29

May 4, 5, 6, 11, 12, 13

June 1, 2, 3, 8, 9, 10, 15, 16, 17, 22, 23, 24, 25, 26, 29, 30

Copies of all bills of interest can be accessed via the Internet at:

<http://www.legis.state.pa.us/WU01/LI/BI/billroom.htm>.