

Malady & Wooten, LLP

Legislative Report
November 1, 2013

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Pennsylvania Golf Course Owners Association

LEGISLATIVE UPDATE

Session Schedule:

2013 HOUSE SESSION SCHEDULE

November 12, 13, 18, 19, 20

December 9, 10, 11, 16, 17, 18 (NV)

2013 SENATE SESSION SCHEDULE

November 12, 13, 18, 19, 20

December 3, 4, 9, 10, 11

FERTILIZER USE ON TURF – SEN. BRUBAKER INTRODUCES BILL

Sen. Brubaker's fertilizer bill was formally introduced as SB 1149 and was referred to the Senate Agriculture and Rural Affairs Committee on October 29, 2013.

Click [HERE](#) to view the bill.

PENNSYLVANIA BULLETIN ANNOUNCEMENTS

DEPARTMENT OF ENVIRONMENTAL PROTECTION Notices

[Nutrient Credit Trading Program; interbasin trading request](#)

DRBC PUBLISHES NEW ONLINE INTERACTIVE MAPS

WEST TRENTON, N.J. (Oct. 31) – The Delaware River Basin Commission (DRBC) is pleased to announce the release of two new interactive maps on its web site that allow the public to access select commission docket and permit holder information, as well as certain data from non-tidal Delaware River Basin water quality monitoring locations.

"The creation of these new interactive maps marks the completion of another step in a multi-phase technology upgrade, which is being undertaken to help DRBC become more transparent, efficient, and better able to share electronic information with the public," said DRBC Executive Director Carol R. Collier.

The docket and permit holder information map shows the location of projects having a current approval from DRBC or those currently engaged in the renewal process. When a project is selected on the map, a pop-up menu provides a list of key attributes and a link to view the DRBC approval document. Projects approved since January 1, 2005 are available for display on the map.

The water quality monitoring map provides the user with an image of the selected monitoring site (if available) and a link to view a time-series analysis of the monitored parameters. The currently available water quality data are specific conductance results from six real-time HOB0® monitors deployed in the upper Delaware River Basin and barium and strontium data for samples taken from various locations in the non-tidal watershed.

These maps were created using ESRI ArcGIS Online software. Utilizing this recently released software gives DRBC the ability to create and update the maps in-house at a significant cost savings.

The DRBC was formed by compact in 1961 through legislation signed into law by President John F. Kennedy and the governors of the four basin states with land draining to the Delaware River. The passage of this compact marked the first time in our nation's history that the federal government and a group of states joined together as equal partners in a river basin planning, development, and regulatory agency.

Visit the DRBC web site at www.drbc.net to access the new interactive maps.

COMMITTEE MEETINGS

Senate Democratic Policy Committee

THURSDAY - 11/14/13

10:00 a.m., Bedford Springs Resort, 2138 US 220 Business, Bedford

Roundtable discussion on economic development and tourism in rural areas

BILL REPORT

ATTACHED TO THE REPORT

STATE NEWS

PENN STATE TRUSTEES CANCEL MEETING ON NEW PRESIDENT

An abrupt about-face by Penn State officials who canceled a public meeting to name a university president triggered more complaints from critics who say the university's culture of secrecy erodes public trust. Trustees told the Tribune-Review that the board's 12-member search committee was prepared to introduce a candidate for president on Thursday evening and vote the next morning. When several of the 32 board members balked, saying no one consulted them, officials called off the meeting.

POLL: MANY REPUBLICANS THINK CORBETT SHOULDN'T RUN

Republicans who say Gov. Tom Corbett should step aside and let the party run someone else for governor next year outnumber those who say he should stay a poll by Franklin & Marshall College shows. But the numbers are very close: more than four in 10 (44 percent) think he should step aside and a similar proportion (42 percent) believe he should run. The others interviewed (14 percent) said they don't know

COURT LIMITS NEW SENTENCES FOR JUVENILE LIFERS

Dashing hope for hundreds of juvenile offenders serving mandatory life sentences in Pennsylvania prisons, the state Supreme Court has ruled that a landmark decision banning the penalty does not apply to those who have run out of appeals. Last year, the U.S. Supreme Court ruled that automatically sentencing juvenile killers to life in prison without parole is cruel and unusual punishment. In a 4-3 decision, Pennsylvania's highest court found that the Supreme Court's decision does not apply to those offenders whose sentences have become final.

IN THE NEWS

EPA Administrator McCarthy Announces \$6.6 Million in Funding to Support Chesapeake Bay Projects

EPA funding is part of \$9.2 million in grant money to support cleaner local waters across Bay region

WASHINGTON - This morning, U.S. Environmental Protection Agency (EPA) Administrator Gina McCarthy and Maryland Senator Ben Cardin joined the National Resources Conservation Service (NRCS), the Chesapeake Bay Program and the National Fish and Wildlife Foundation (NFWF) to announce the recipients of \$9.2 million in grants for restoration and outreach initiatives in the Chesapeake Bay Watershed's six states and the District of Columbia.

This year's 40 projects will use both innovative and well-known ways to create cleaner waters, restore habitat and strengthen iconic species such as brook trout and oysters, and engage homeowners and residents in environmental work supporting their community's quality of life.

The funding for these environmental initiatives was awarded through the Chesapeake Bay Stewardship Fund via the Small Watershed Grants Program and the Chesapeake Bay Innovative Nutrient and Sediment Reduction Grants Program, both of which are administered by NFWF. Officials and guests announced the awards at the waterfront center of the Earth Conservation Corps at Diamond Teague Park in Washington, D.C., the site of a wetland funded by NFWF in 2012 and subsequently restored by ECC youth volunteers.

"We're proud to support these projects because they work. They are community driven and they are great example of people coming together to restore a national treasure like the Chesapeake Bay," said EPA Administrator Gina McCarthy. "Investing in our regional watersheds, along with initiatives in green infrastructure and green jobs, are keys to a healthy environment, resilient communities, and a thriving economy."

"Through the Chesapeake Bay Stewardship Fund, NFWF and our partners are making important investments across the Bay watershed that restore water quality, benefit fish and wildlife habitat, and strengthen local communities," said David O'Neill, Vice President for Conservation Programs at NFWF. "This innovative public-private partnership, supported by the Environmental Protection Agency, and other federal agencies including the Natural Resources Conservation Service and the U.S. Forest Service, and private companies including Altria, Shell, CSX, Wal-Mart, and FedEx continues to provide a critical local funding source for conservation that maximizes outcomes for Bay restoration."

"New science is helping us focus work in areas where we will generate larger benefits with our conservation investment, which is particularly important in the Chesapeake Bay region" NRCS Chief Jason Weller said. "The National Fish and Wildlife Foundation and other partners are crucial to putting conservation practices on the ground, leading to cleaner water and air, healthier soil and stronger rural communities. We're grateful for our strong partnership with NFWF and all of their hard work to accelerate conservation on private lands."

The Innovative Nutrient and Sediment Reduction Grants Program (INSR), funded by EPA, awarded \$6.6 million to 20 projects in the Chesapeake Bay watershed with recipients providing more than \$14 million in matching funds. The INSR Program provides grants to innovative and cost-effective projects that dramatically reduce or eliminate the flow of nitrogen, phosphorus and sediment pollution into local waterways and the Chesapeake Bay. This year, many awardees' projects show creative, collaborative partnerships that will engage everyone – local government, businesses and citizens – in better approaches for managing runoff from urban, suburban and agricultural lands.

The Small Watershed Grants (SWG) Program, funded by a combination of public agencies and private support, awarded \$2.6 million to 20 projects in the Chesapeake Bay Watershed with recipients providing \$2.2 million in matching funds. The SWG program provides grants to organizations and municipal governments that are working to improve the condition of their local watershed through on-the-ground restoration, habitat conservation and community engagement. Many grant recipients expect to reduce pollution not only through infrastructures such as greener landscapes but through community outreach initiatives to promote sustainable landscaping and improved practices for managing runoff.

Examples of this year's Chesapeake Stewardship Fund grant recipients in the DC metro region include:

- Low Impact Development Center, Inc. (\$249,873) will work with 8 to 10 communities in Prince George's County in the Anacostia and urban watersheds as a liaison with Prince George's Department of Environmental Resources and the development community to implement superior water quality solutions that enhance the sustainability and economic viability of the community.
- Anacostia Watershed Society (\$200,000) and its partners will work to restore more than 10 acres of tidal wetlands in the Anacostia River, improving flood control in the National Capital region and increasing areas for outdoor recreation.
- City of Greenbelt (\$147,960) will build on existing partnerships to remove 17,000 square feet of asphalt

from the city and install permeable, articulating concrete block. The project will serve as a model for future public parking lot retrofit projects.

- Since 2006, the Innovative Nutrient and Sediment Reduction Grant Program has provided \$40 million to 94 projects that reduce the amount of nitrogen, phosphorus, and sediment in the Chesapeake Bay Watershed. Since 1999, the Small Watershed Grants Program has provided more than \$34.2 million to support 704 projects in the region and has further leveraged close to \$115.1 million in local matching funds for a total conservation investment in on-the-ground restoration of over \$189.3 million.

More information about the Chesapeake Bay program: <http://www.chesapeakebay.net/>

More information about the Chesapeake Bay Small Watershed Grants Program and the Chesapeake Bay Innovative Nutrient and Sediment Reduction Grants Program: <http://www.nfwf.org/chesapeake>

SRBC SETS NOVEMBER 13 PUBLIC HEARING ON WATER PROJECT APPLICATIONS

Written Comments Accepted Through November 25, 2013

HARRISBURG, Pa. – The Susquehanna River Basin Commission (SRBC; www.srbc.net) will conduct a public hearing on November 13 to accept public comments on 26 water withdrawal and consumptive use project applications. The hearing will be held at the Pennsylvania State Capitol, Room 8E-B, East Wing, Commonwealth Avenue, Harrisburg, Pa. The hearing will begin at 2:30 p.m. and end at 5:00 p.m. or when the public testimonies conclude, whichever comes first.

The list of 26 project applications (2 involving a diversion) and options for submitting comments electronically are all available on SRBC's Public Participation Center at www.srbc.net/pubinfo/publicparticipation.htm.

Persons planning to present oral testimony at the public hearing are encouraged to notify SRBC prior to the hearing of their intent to testify and to indicate which projects they plan to comment on. The notices are to be directed to Richard Cairo, General Counsel, Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110, Telephone: (717) 238-0423, ext. 1306, Fax: (717) 238-2436.

SRBC will also accept written comments on the project applications until November 25, 2013. Comments may be submitted via the internet at www.srbc.net/pubinfo/publicparticipation.htm or mailed or faxed to Mr. Cairo.

10-30-2013 **[Stream surveys by Pennsylvania Fish and Boat Commission yield mixed results](#)**
Sometimes the answer is no. In much the same way that they've been looking at previously unassessed coldwater streams for trout, Pennsylvania Fish and Boat Commission biologists over the past few years have been examining warmwater streams for smallmouth bass, rock bass and other species. The idea has been to... - [Pittsburgh Tribune-Review](#)

10-30-2013 **[Pa. Legislators Re-examine Hotel Tax Formulas For Online Booking Sites](#)**
HARRISBURG, Pa. (CBS) — The Pennsylvania House is looking into closing what some consider a loophole in the way hotel occupancy taxes are collected, allowing online travel companies to keep more of the money. If you call the hotel for a \$100 room and there's a 10-percent... - [KYW News Radio 1060](#)

WEEK IN REVIEW

- 11-01-2013 **Gov. Corbett to announce re-election bid next week**
HARRISBURG -- Gov. Tom Corbett will return to Pittsburgh next week to kick off a formidable task: a bid for re-election in the face of approval ratings that have energized Democrats and prompted some Republicans to question if he is the best candidate to lead their ticket.... - [Pittsburgh Post-Gazette](#)
- 11-01-2013 **Big business backs bill to end default electricity**
State Sen. Bob Mensch hails from little Marlborough Township, population 3,178, in a rural corner of Montgomery County. But his controversial bill to end default electricity service in Pennsylvania has the backing of some big out-of-state corporations with deep pockets, such as the world's largest retailer, Walmart.... - [Allentown Morning Call](#)
- 10-31-2013 **Corbett urges passage of a transportation funding bill during Pittsburgh visit**
Gov. Tom Corbett urged the Legislature on Wednesday to pass a transportation funding bill to fix crumbling roads and bridges, and said it is "reasonable" to adjust prevailing wage law in order to get Republican votes to get the bill passed. "I'm for whatever gets the bill done. It's that simple," Corbett... - [Pittsburgh Tribune-Review](#)
- 10-31-2013 **Pa. bill would deregulate phone companies**
As wireless phones continue to eclipse landlines, does traditional home phone service still merit the kind of special oversight provided by agencies such as Pennsylvania's Public Utility Commission and New Jersey's Board of Public Utilities? Descendants of the old Ma Bell monopoly, led by Verizon and AT&T, say no,... - [Philadelphia Inquirer](#)
- 10-30-2013 **NCAA argues Paterno family, others not eligible to sue it**
BELLEFONTE — Attorneys for the NCAA told a judge on Tuesday that the estate of former Penn State University football coach Joe Paterno and more than a dozen other plaintiffs lack legal standing to sue the governing body of college sports. Judge John Leete heard oral arguments for more than three hours and will... - [Pittsburgh Tribune-Review](#)
- 10-30-2013 **Report gives rare glimpse inside LCB**
After a year of intense debate about the future and, at times, the transparency of the state Liquor Control Board, the agency on Tuesday released a rare detailed report. It's the first time in years that the LCB has put out an annual report, and it's unclear exactly when the last report was put out, according to top LCB... - [Pittsburgh Tribune-Review](#)
- 10-29-2013 **Gov. Tom Corbett administration defends its lottery privatization exploration**
If privatizing the Pennsylvania Lottery's management isn't the answer to ensuring reliable and predictable funding for programs for older Pennsylvanians, what is? That's the question that a spokesman for Gov. Tom Corbett raised in responding to state Treasurer Rob McCord call on Monday to pull the plug on... - [Harrisburg Patriot-News](#)
- 10-29-2013 **Penn State to Pay Nearly \$60 Million to 26 Abuse Victims**
Penn State has agreed to pay \$59.7 million to 26 sexual abuse victims of the former assistant football coach Jerry Sandusky in exchange for an end to their claims against the university, Penn State announced Monday. Of the 26 settlements, 23 are fully signed and three are agreed to in... - [New York Times](#)
- 10-28-2013 **Pressure builds for approval of US Airways merger**
A well-orchestrated effort to persuade the Justice Department to drop its lawsuit opposing the US Airways-American Airlines merger has stretched from the halls of Congress to the office of the U.S. attorney general. Employees of both airlines recently rallied near the Capitol, expressing... - [Philadelphia Inquirer](#)
- 10-28-2013 **Taverns wait for their turn to gamble**
HARRISBURG - Through several decades of debate over legalized gambling in Pennsylvania, interests representing nonprofit groups, casinos and taverns have competed against each other to win approval

to offer gambling to patrons. Nonprofits hit the jackpot first with small games of chance in 1988,... - [Wilkes-Barre Citizens' Voice](#)