



May 11, 2018

### COMMISSION ON SENTENCING: MEETINGS SCHEDULED

The Commission on Sentencing announced the following meetings to be held at the Harrisburg Hilton and Towers Hotel, One North Second Street, Harrisburg, and at the Pennsylvania Judicial Center, 601 Commonwealth Avenue, Harrisburg:

- June 13, 2018 3 p.m., public hearing at the Pennsylvania Judicial Center
- June 13, 2018 6:30 p.m., dinner meeting at the Harrisburg Hilton and Towers Hotel
- June 14, 2018 9 a.m., Policy Committee Meeting at the Pennsylvania Judicial Center
- June 14, 2018 11 a.m., Quarterly Commission Meeting at the Pennsylvania Judicial Center

### THE GENERAL ASSEMBLY: RECENT ACTIONS DURING THE 2018 REGULAR SESSION OF THE GENERAL ASSEMBLY

A summary of recent actions of the General Assembly during the 2018 Regular Session can be found at [www.pabulletin.com](http://www.pabulletin.com).

### DCNR: TRANSFER OF STATE PARK LAND TO THE TURNPIKE COMMISSION; FUNDING FOR THE ACQUISITION OF LAND BY THE PENNSYLVANIA TURNPIKE COMMISSION FOR LANDS TO BE ACQUIRED BY THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES TO BE ENCUMBERED WITH CERTAIN STATUTORY RESTRICTIONS

The Turnpike Commission has begun a Total Reconstruction and Widening project from milepost 308 to 312, located through and adjacent to Marsh Creek State Park, Upper Uwchlan Township, Chester County. This project falls within the Commission's main line, I-76. By and through its authority, the Commission proposed to permanently take 4.302 acres of Marsh Creek State park land needed to reconstruct the highway. Project documents will be available for review from May 15, 2018, until June 30, 2018, at the Marsh Creek State Park Office and on the Commission's website at [www.patpconstruction.com/mp298to312/](http://www.patpconstruction.com/mp298to312/). Questions or comments can be directed to John Hallas, Director, Bureau of State Parks, Attn: RMPD—Planning Section, PO Box 8551, Harrisburg, PA 17105-8551, [RA-Park-Operations@pa.gov](mailto:RA-Park-Operations@pa.gov) within 30 days.

### DEP: AVAILABILITY OF FINAL BENEFICIARY MITIGATION PLAN RELATING TO THE VOLKSWAGEN SETTLEMENT

The Commonwealth was certified as a Beneficiary of the Environmental Mitigation Trust Agreement for State Beneficiaries, in the case *In Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation*. The Department of Environmental Protection has been designated the Lead Agency to implement the State Trust Agreement for the commonwealth. The commonwealth is currently allocated \$118.5 million of the State Mitigation Trust to fund eligible projects that reduce oxides of nitrogen, including the costs of Eligible Mitigation Action Administrative Expenditures relating to those projects for the commonwealth or the applicants. The commonwealth's final Beneficiary Mitigation Plan is available on the department's website at [www.dep.pa.gov/drivePAforward](http://www.dep.pa.gov/drivePAforward) or by calling (717) 787-9702.

### **DEP: GROWING GREENER PLUS GRANT PROGRAMS**

The Department of Environmental Protection announced the availability of grant funding in the nineteenth year of the Growing Greener Plus Grant Program. Growing Greener Plus refers to four grant programs: Growing Greener, 319 Nonpoint Source (NPS), Surface Mining Conservation and Reclamation Act Bond Forfeiture, and Abandoned Mine Drainage (AMD) Set Aside grants. To access the application or obtain more information visit the Growing Greener website at [www.dep.pa.gov](http://www.dep.pa.gov), send an e-mail to [GrowingGreener@pa.gov](mailto:GrowingGreener@pa.gov) or contact the Grants Center at (717) 705-5400. Applications may be submitted on or after May 14, 2018, at the Commonwealth's Electronic Single Application website.

### **DGS: COMMONWEALTH OF PENNSYLVANIA UNIVERSAL RESTROOM POLICY**

The Department of General Services added Chapter 67b, relating to Commonwealth of Pennsylvania universal restroom policy—statement of policy. It establishes guidelines for the design and implementation of universal restrooms, which are single occupancy restrooms that do not designate a gender and can be used by anyone, and requires at least one universal single occupancy restroom to be created per floor/story for each floor/story that contains restrooms in all Capital Projects for new construction. This will result in an additional cost of approximately \$7,850 per restroom for all new construction or renovation projects. Effective immediately. Questions can be directed to Mary W. Fox, Assistant Counsel, Department of General Services, Office of Chief Counsel, 603 North Office Building, 401 North Street, Harrisburg, PA 17120.

### **DEPARTMENT OF HEALTH: RULES AND REGULATIONS: MEDICAL MARIJUANA; DISPENSARIES; AMENDED TEMPORARY REGULATIONS**

The Department of Health published amended temporary regulations in Chapter 1161, relating to dispensaries—temporary regulations. The department amended the regulation for the sake of consistency, and to take into account the need for changes that have arisen as each new set of temporary regulations has been implemented by the department and from recommendations by the Medical Marijuana Advisory Board. The changes are effective May 17, 2018, and will expire May 12, 2020. Comments can be submitted to John J. Collins, Office of Medical Marijuana, Department of Health, Room 628, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 547-3047, [RA-DHMedMarijuana@pa.gov](mailto:RA-DHMedMarijuana@pa.gov).

### **DEPARTMENT OF HEALTH: RULES AND REGULATIONS: MEDICAL MARIJUANA; GENERAL PROVISIONS; GROWERS/PROCESSORS; AMENDED TEMPORARY REGULATIONS**

The Department of Health published amended temporary regulations in Chapters 1141 and 1151, relating to general provisions—temporary regulations; and growers/processors—temporary regulations. The department amended the regulation for the sake of consistency, and to take into account the need for changes that have arisen as each new set of temporary regulations has been implemented by the department and from recommendations by the Medical Marijuana Advisory Board. The changes are effective May 17, 2018, and will expire May 12, 2020. Comments can be submitted to John J. Collins, Office of Medical Marijuana, Department of Health, Room 628, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 547-3047, [RA-DHMedMarijuana@pa.gov](mailto:RA-DHMedMarijuana@pa.gov).

### **DEPARTMENT OF HEALTH: RULES AND REGULATIONS: MEDICAL MARIJUANA; LABORATORIES; AMENDED TEMPORARY REGULATIONS**

The Department of Health published amended temporary regulations in Chapter 1171, relating to laboratories—temporary regulations. The department amended the regulation for the sake of consistency, and to take into account the need for changes that have arisen as each new set of temporary regulations has been implemented by the department and from recommendations by the Medical Marijuana Advisory Board. The changes are effective May 17, 2018 and will expire May 12, 2020. Comments can be submitted to John J. Collins, Office of Medical Marijuana, Department of Health, Room 628, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 547-3047, [RA-DHMedMarijuana@pa.gov](mailto:RA-DHMedMarijuana@pa.gov).

### **DEPARTMENT OF HEALTH: RULES AND REGULATIONS: MEDICAL MARIJUANA; PATIENTS AND CAREGIVERS; AMENDED TEMPORARY REGULATIONS**

The Department of Health published amended temporary regulations in Chapter 1191, relating to patients and caregivers—temporary regulations. The department amended the regulation for the sake of consistency, and to take into account the need for changes that have arisen as each new set of temporary regulations has been implemented by the department and from recommendations by the Medical Marijuana Advisory Board. The changes are effective May 17, 2018, and will expire May 12, 2020. Comments can be submitted to John J. Collins, Office of Medical Marijuana, Department of Health, Room 628, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 547-3047, [RA-DHMedMarijuana@pa.gov](mailto:RA-DHMedMarijuana@pa.gov).

### **DEPARTMENT OF HEALTH: RULES AND REGULATIONS: MEDICAL MARIJUANA; PHYSICIANS AND PRACTITIONERS; AMENDED TEMPORARY REGULATIONS**

The Department of Health published amended temporary regulations in Chapter 1181, relating to physicians and practitioners—temporary regulations. The department amended the regulation for the sake of consistency, and to take into account the need for changes that have arisen as each new set of temporary regulations has been implemented by the department and from recommendations by the Medical Marijuana Advisory Board. The changes are effective May 17, 2018, and will expire May 12, 2020. Comments can be submitted to John J. Collins, Office of Medical Marijuana, Department of Health, Room 628, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 547-3047, [RA-DHMedMarijuana@pa.gov](mailto:RA-DHMedMarijuana@pa.gov).

### **DEPARTMENT OF HEALTH: RULES AND REGULATIONS: MEDICAL MARIJUANA; PRACTICE AND PROCEDURE; TEMPORARY REGULATIONS**

The Department of Health published temporary regulations in Chapter 1230, relating to practice and procedure—temporary regulations. The chapter pertains to growers/processors, dispensaries, laboratories, disappointed medical marijuana organization permit applicants and any other person choosing to challenge an action taken by the Office of Medical Marijuana under the act. The temporary regulations are effective May 17, 2018, and will expire May 12, 2020. Comments can be submitted to John J. Collins, Office of Medical Marijuana, Department of Health, Room 628, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 547-3047, [RA-DHMedMarijuana@pa.gov](mailto:RA-DHMedMarijuana@pa.gov).

### **DEPARTMENT OF HEALTH: MEDICAL MARIJUANA PROGRAM; MEDICAL MARIJUANA ADVISORY BOARD'S REPORT AND THE SECRETARY OF HEALTH'S DECISION TO EFFECTUATE THE RECOMMENDATIONS**

The Department of Health gave notice of the decision by the Secretary of Health to effectuate the recommendations of the Medical Marijuana Advisory Board as set forth in the board's Report, adopted at a public meeting on April 9, 2018. The recommendations can be found at [www.pabulletin.com](http://www.pabulletin.com). Comments can be submitted to John J. Collins, Office of Medical Marijuana, Department of Health, Room 628, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 547-3047, [RA-DHMedMarijuana@pa.gov](mailto:RA-DHMedMarijuana@pa.gov).

### **DEPARTMENT OF HEALTH: NEWBORN HEARING SCREENING PROGRAM; CHANGE IN REPORTING REQUIREMENTS**

The Department of Health announced a change in the method of reporting monthly aggregate data. As of July 1, 2018, the submission of monthly hearing screening aggregate reports mailed, faxed or e-mailed paper forms will be discontinued for all submitters utilizing iCMS to report hearing screening data. For more information, contact Stacey Gustin, Program Manager, Division of Newborn Screening and Genetics, (717) 783-8143.

### **DEPARTMENT OF HEALTH: RARE DISEASE ADVISORY COUNCIL MEETING**

The Department of Health will hold a public meeting of the Rare Disease Advisory Council on Wednesday, May 16, 2018, from 10 a.m. to 3 p.m. at the Dixon University Center, 2986 North Second Street, Administrative Building, Conference Room A/B, Harrisburg. For more information contact the Bureau of Health Promotion and Risk Reduction, Room 1000, Health and Welfare Building, Harrisburg, (717) 787-6214.

### **DEPARTMENT OF TRANSPORTATION: STATE TRANSPORTATION COMMISSION MEETING**

The State Transportation Commission will meet on Thursday, May 17, 2018, from 10 a.m. to 12 p.m. at the Holiday Inn Williamsport, 100 Pine Street, Williamsport. For more information, contact Ellen E. Sweeney, PhD, (717) 787-2913, [ellsweeney@pa.gov](mailto:ellsweeney@pa.gov).

### **EXECUTIVE BOARD: REORGANIZATION OF THE OFFICE OF INSPECTOR GENERAL**

The Executive Board approved a reorganization of the Office of Inspector General effective April 26, 2018. The organization chart can be found at [www.pabulletin.com](http://www.pabulletin.com).

### **EXECUTIVE BOARD: REORGANIZATION OF THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY**

The Executive Board approved a reorganization of the Pennsylvania Emergency Management Agency effective April 26, 2018. The organization chart can be found at [www.pabulletin.com](http://www.pabulletin.com).

### **EXECUTIVE BOARD: REORGANIZATION OF THE PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM**

The Executive Board approved a reorganization of the Public School Employees' Retirement System effective April 26, 2018. The organization chart can be found at [www.pabulletin.com](http://www.pabulletin.com).

### **EXECUTIVE BOARD: REORGANIZATION OF THE STATE CIVIL SERVICE COMMISSION**

The Executive Board approved a reorganization of the State Civil Service Commission effective April 26, 2018. The organization chart can be found at [www.pabulletin.com](http://www.pabulletin.com).

### **FISH AND BOAT COMMISSION: ADDITIONS TO LIST OF CLASS A WILD TROUT WATERS**

The Fish and Boat Commission approved the addition of 38 stream sections to its list of Class A Wild Trout Streams as set forth at 48 Pa.B. 1069, February 17, 2018.

### **FISH AND BOAT COMMISSION: CLASSIFICATION OF WILD TROUT STREAMS; ADDITIONS AND REVISIONS**

The Fish and Boat Commission approved the addition of 99 new waters to its list of wild trout streams and the revision of the section limits of one water already on the list as published at 48 Pa.B. 1065, February 17, 2018. The commission's Fisheries Management Division maintains the complete list of wild trout streams, and it is available on the Commission's [website](#).

### **FISH AND BOAT COMMISSION: SPECIAL REGULATION DESIGNATIONS**

The Fish and Boat Commission took the following actions with respect to waters subject to special fishing regulations under 58 Pa. Code Chapter 65, relating to special fishing regulations, effective January 1, 2019:

- Removed the designation as a panfish enhancement water from Lake Chillisquaque in Montour County
- Designated Shenango River Lake in Mercer County as a panfish enhancement water

### **FISH AND BOAT COMMISSION: TEMPORARY CHANGE TO FISHING REGULATIONS; LAKE WILLIAMS, YORK COUNTY**

The Executive Director of the Fish and Boat Commission has taken immediate action to temporarily modify fishing regulations at Lake Williams, York County, in anticipation of a drawdown of the lake. The Executive Director is lifting all seasons, sizes and creel limits for all species, effective May 2, 2018, until the lake is closed to public use.

### **GAME COMMISSION: PROPOSED RULEMAKING: HUNTING AND TRAPPING; MOURNING DOVES**

The Game Commission proposed to add § 141.29, relating to hunting mourning doves over managed fields, to authorize the hunting and taking of mourning doves in areas where grain or other feed has been distributed or scattered solely as a result of manipulation of an agricultural crop or other feed where grown. Comments can be submitted until July 26, 2018, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

**INSURANCE DEPARTMENT: EXPORT LIST OF INSURANCE COVERAGES; REQUEST FOR COMMENTS**

The Insurance Commissioner published a notice at 48 Pa.B. 1405, March 3, 2018, soliciting comments to the export list published at 47 Pa.B. 2854, May 13, 2017. Consideration was given to all comments received. The Commissioner proposed to amend the May 13, 2017, list by adding Vacant Properties, excluding 1—4 family unit residential dwellings and individually owned residential units in larger residential buildings. Comments can be submitted within 15 days to Cressinda Bybee, Office of Corporate and Financial Regulation, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, [cbybee@pa.gov](mailto:cbybee@pa.gov).