THE GOVERNOR

GOVERNOR'S OFFICE

Proclamation; House Bill No. 21, Printer's No. 4619

I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, have caused this Proclamation to issue and, in compliance with the provisions of Section 15 of Article IV of the Constitution of Pennsylvania, do hereby give notice that I have filed in the Office of the Secretary of the Commonwealth, with my objections thereto, the following bill passed by both houses of the General Assembly at the Regular Session of 2019-2020:

House Bill No. 21, Printer's No. 4619, entitled "An Act [a]mending the act of July 10, 1990 (P.L. 404, No. 98), entitled 'An act providing for the certification of real estate appraisers; specifying requirements for certification; providing for sanctions and penalties; and making an appropriation,' further providing for title of act, for definitions, for State Board of Certified Real Estate Appraisers, for powers and duties of board and for application and qualifications; providing for application and qualifications of home inspectors and home inspectors-in-training and for conduct of home inspection; further providing for reciprocity, for certification renewal, licensure renewal and records, for disciplinary and corrective measures, for reinstatement of certificate or license, for reporting of multiple certification, for surrender of suspended or revoked certificate or license, for penalties and for injunctive relief; providing for remedies for home inspection services consumers, for home inspection contracts and for home inspection reports; and making a related repeal."

Given under my hand and the Great Seal of the Commonwealth, at the County of Dauphin, this thirtieth day of November, in the year of our Lord two thousand and twenty, and of the Commonwealth the two hundred and forty-fifth.

Governor

Attest:

JONATHAN M. MARKS,

Tan Wolf

Deputy Secretary for Elections and Commissions

[Pa.B. Doc. No. 20-1717. Filed for public inspection December 11, 2020, 9:00 a.m.]

GOVERNOR'S OFFICE

Proclamation; House Bill No. 1737, Printer's No. 4625

I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, have caused this Proclamation to issue and, in compliance with the provisions of Section 15 of Article IV of the Constitution of Pennsylvania, do hereby give notice that I have filed in the Office of the Secretary of the Commonwealth, with my objections thereto, the following bill passed by both houses of the General Assembly at the Regular Session of 2019-2020:

House Bill No. 1737, Printer's No. 4625, entitled "An Act [a]mending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in particular rights and immunities, providing for economic development agency, fiduciary and lender environmental liability protection, for agritourism activity protection and for COVID-19-related liability; and making a related repeal."

Given under my hand and the Great Seal of the Commonwealth, at the County of Dauphin, this thirtieth day of November, in the year of our Lord two thousand and twenty, and of the Commonwealth the two hundred and forty-fifth.

Governor

Attest:

JONATHAN M. MARKS,

I an Wolf

Deputy Secretary for Elections and Commissions

[Pa.B. Doc. No. 20-1718. Filed for public inspection December 11, 2020, 9:00 a.m.]

GOVERNOR'S OFFICE

Proclamation; House Bill No. 1747, Printer's No. 2338

I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, have caused this Proclamation to issue and, in compliance with the provisions of Section 15 of Article IV of the Constitution of Pennsylvania, do hereby give notice that I have filed in the Office of the Secretary of the Commonwealth, with my objections thereto, the following bill passed by both houses of the General Assembly at the Regular Session of 2019-2020:

House Bill No. 1747, Printer's No. 2338, entitled "An Act [a]mending Titles 18 (Crimes and Offenses) and 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for prohibited conduct during emergency; and, in Commonwealth services, further providing for general authority of Governor."

Given under my hand and the Great Seal of the Commonwealth, at the County of York, this twenty-fifth day of November, in the year of our Lord two thousand and twenty, and of the Commonwealth the two hundred and forty-fifth.

Governor

Attest:

JONATHAN M. MARKS,

I am Wolf

Deputy Secretary for Elections and Commissions

[Pa.B. Doc. No. 20-1719. Filed for public inspection December 11, 2020, 9:00 a.m.]

GOVERNOR'S OFFICE

Proclamation; House Bill No. 2440, Printer's No. 3776

I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, have caused this Proclamation to issue and, in compliance with the provisions of Section 15 of Article IV of the Constitution of Pennsylvania, do hereby give notice that I have filed in the Office of the Secretary of the Commonwealth, with my objections thereto, the following bill passed by both houses of the General Assembly at the Regular Session of 2019-2020:

House Bill No. 2440, Printer's No. 3776, entitled "An Act [p]roviding for the designation of shooting ranges, sportsman clubs, hunting facilities and business relating to the sale and production of firearms and ammunition as life-sustaining."

Given under my hand and the Great Seal of the Commonwealth, at the County of York, this twenty-fifth day of November, in the year of our Lord two thousand and twenty, and of the Commonwealth the two hundred and forty-fifth.

Governor

Attest:

JONATHAN M. MARKS,

Tan Wolf

Deputy Secretary for Elections and Commissions

 $[Pa.B.\ Doc.\ No.\ 20\text{-}1720.\ Filed\ for\ public\ inspection\ December\ 11,\ 2020,\ 9\text{:}00\ a.m.]$

GOVERNOR'S OFFICE

Proclamation; Senate Bill No. 790, Printer's No. 1446

I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, have caused this Proclamation to issue and, in compliance with the provisions of Section 15 of Article IV of the Constitution of Pennsylvania, do hereby give notice that I have filed in the Office of the Secretary of the Commonwealth, with my objections thereto, the following bill passed by both houses of the General Assembly at the Regular Session of 2019-2020:

Senate Bill No. 790, Printer's No. 1446, entitled "An Act [r]elating to conventional wells and the development of oil, gas and coal; imposing powers and duties on the Department of Environmental Protection; providing for preliminary provisions, for general requirements, for enforcement and remedies, for related funds and for miscellaneous provisions; and making an appropriation."

Given under my hand and the Great Seal of the Commonwealth, at the County of York, this twenty-fifth day of November, in the year of our Lord

two thousand and twenty, and of the Commonwealth the two hundred and forty-fifth.

Governor

Attest:

JONATHAN M. MARKS.

Tan Wolf

Deputy Secretary for Elections and Commissions

[Pa.B. Doc. No. 20-1721. Filed for public inspection December 11, 2020, 9:00 a.m.]

GOVERNOR'S OFFICE

Notice of Veto; House Bill 21, Printer's No. 4619

November 30, 2020

To the Honorable House of Representatives of the Commonwealth of Pennsylvania

Pursuant to Article IV, Section 15 of the Pennsylvania Constitution, I am returning herewith, without my approval, House Bill 21, Printer's Number 4619.

This legislation creates a new license for home inspectors regulated by the State Board of Certified Real Estate Appraisers. When determining whether an occupation needs to be regulated, consideration should be given to how to best protect the public from potential harm, and whether there is a more cost-effective and less restrictive manner that achieves this purpose. After decades of expanding professional licensing, there is a national awareness of the need to modernize job licensing to reduce restrictions while protecting consumers and benefiting workers. Over-licensing makes it harder for skilled workers to get into a profession, reducing their career opportunities and lowering their pay, while increasing costs to consumers.

In 2000, the Pennsylvania Home Inspection Law, Act 114 of 2000, was enacted for the purpose of providing a much-needed regulatory framework for home inspectors in Pennsylvania. Act 114 of 2000 requires, in part, home inspectors to be in good standing with a national home inspector association, conduct themselves under an ethical code of conduct, attend continuing professional education classes, generate home inspector reports consistent with standards, maintain liability insurance, and be subject to criminal penalties for violations of the law.

Since 2018, my administration has been committed to occupational licensing reform that will protect the public while reducing barriers to employment. In those two years, working alongside the General Assembly, I have signed into law significant reforms, including acts 41 and 53 of 2020. Instead of creating a new licensure class imposing new barriers to entry for home inspectors, we should evaluate targeted amendments to Act 114 of 2000 to improve the existing framework and appropriately protect Pennsylvanians.

For the reasons set forth above, I must withhold my signature from House Bill 21, Printer's Number 4619.

Sincerely,

Tan Wolf

Governor

[Pa.B. Doc. No. 20-1722. Filed for public inspection December 11, 2020, 9:00 a.m.]

GOVERNOR'S OFFICE

Notice of Veto; House Bill 1737, Printer's No. 4625

November 30, 2020

To the Honorable House of Representatives of the Commonwealth of Pennsylvania

Pursuant to Article IV, Section 15 of the Pennsylvania Constitution, I am returning herewith, without my approval, House Bill 1737, Printer's Number 4625.

This legislation provides broad, overreaching immunity from civil liability during the current pandemic. I support, and provided, protections against liability for emergency and disaster services activities taken by health care practitioners under my May 6, 2020, executive order. However, this bill significantly expands these protections by limiting liability to various entities, including manufacturers, distributers, labelers and users of personal protective equipment, business services and covered providers. Shielding entities from liability in such a broad fashion as provided under this bill invites the potential for carelessness and a disregard for public safety.

Furthermore, COVID-19 immunity protections need to be paired with worker protections, including paid sick leave for employees. Providing immunity for a business that does not rigorously comply with public health orders does not ensure the safety of the public, its employees and is not in the public interest. At a time when the COVID-19 virus is spreading rapidly, we need to be taking measures to ensure compliance with public health orders and improve safety practices. We should not be providing protection for noncompliance or carelessness.

For the reasons set forth above, I must withhold my signature from House Bill 1737, Printer's Number 4625.

Sincerely,

Governor

 $[Pa.B.\ Doc.\ No.\ 20\text{-}1723.\ Filed\ for\ public\ inspection\ December\ 11,\ 2020,\ 9:00\ a.m.]$

GOVERNOR'S OFFICE

Notice of Veto; House Bill 1747, Printer's No. 2338

November 25, 2020

To the Honorable House of Representatives of the Commonwealth of Pennsylvania

Pursuant to Article IV, Section 15 of the Pennsylvania Constitution, I am returning herewith, without my approval, House Bill 1747, Printer's Number 2338.

This legislation will limit emergency powers related to firearms during disaster emergencies. While the powers repealed under this legislation were not utilized in response to the COVID-19 disaster emergency, the ongoing pandemic underscores the need for flexibility in the law to deal with unforeseen and unfathomable situations.

Tough choices must be made during a disaster emergency in order to protect the public safety and welfare of the people of Pennsylvania in accordance with the Emergency Management Services Code and our Constitution. Possessing the appropriate tools to protect Pennsylvanians from the various threats posed by disaster emergencies is critical. Even though the specific powers repealed by this bill have not been utilized to respond to the current disaster emergencies, this legislation is an infringement on the authority and responsibility of the executive during a disaster emergency and risks placing our citizens and emergency responders in jeopardy during future responses to disaster emergencies.

For the reasons set forth above, I must withhold my signature from House Bill 1747, Printer's Number 2338.

Sincerely,

Tan Wolf

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 $[Pa.B.\ Doc.\ No.\ 20\text{-}1724.\ Filed\ for\ public\ inspection\ December\ 11,\ 2020,\ 9:00\ a.m.]$

GOVERNOR'S OFFICE

Notice of Veto; House Bill 2440, Printer's No. 3776

November 25, 2020

To the Honorable House of Representatives of the Commonwealth of Pennsylvania

Pursuant to Article IV, Section 15 of the Pennsylvania Constitution, I am returning herewith, without my approval, House Bill 2440, Printer's Number 3776.

We are continuing to confront extraordinary challenges with the COVID-19 pandemic. In the past week, the number of COVID-19-attributable deaths has quadrupled, and the average daily case count is seven times higher than it was two months ago. To help stop the spread of the virus during this critical time, we have instituted new targeted mitigation measures.

Instead of assisting with efforts to control the COVID-19 virus, this bill attempts to unnecessarily carve out shooting ranges, sportsman clubs,

hunting facilities, and the firearm industry from any mitigation efforts. This bill represents another meaningless attempt to alter the necessary tools for fighting the pandemic. Instead of focusing on health and safety and mitigation efforts, this bill distracts from the fight against the emergency in front of us.

Lastly, this bill contains constitutional infirmities, as it attempts to take away executive authority which has been granted under the Emergency Management Services Code and our Constitution.

For the reasons set forth above, I must withhold my signature from House Bill 2440, Printer's Number 3776.

Sincerely,

Tan Wolf

Governor

[Pa.B. Doc. No. 20-1725. Filed for public inspection December 11, 2020, 9:00 a.m.]

GOVERNOR'S OFFICE

Notice of Veto; Senate Bill 790, Printer's No. 1446

November 25, 2020

To the Honorable Senate of the Commonwealth of Pennsylvania

Pursuant to Article IV, Section 15 of the Pennsylvania Constitution, I am returning herewith, without my approval, Senate Bill 790, Printer's Number 1446.

While this legislation attempts to address the distinct challenges associated with the conventional oil and gas industry, it does so in a manner that does not adequately protect the environment and the public health and safety of the citizens of the Commonwealth, and would contribute to a legacy of environmental degradation.

The Department of Environmental Protection has repeatedly offered to engage collaboratively with the General Assembly and the regulated community to develop requirements specifically tailored to the conventional oil and gas industry's operations. Unfortunately, instead of seeing that collaborative approach through, this legislation was pursued, which rolls back protections for safe drinking water, weakens protections of public resources, allows more spills to go unreported, and avoids erosion and sediment control permitting requirements. This legislation poses an unacceptable risk to the environment and the public health and safety of our citizens.

At a time when the conventional industry is still incurring violations at three to four times the rate of the unconventional industry, this legislation is completely unacceptable. Finally, several provisions in the bill relating to burdens of proof, municipal input, public participation, and inadequate authority to regulate and enforce environmental standards run afoul of the Pennsylvania Constitution and, based on precedent, would likely not withstand judicial scrutiny. The substantive issues outlined herein only address a fraction of the concerns related to this legislation.

For the reasons set forth above, I must withhold my signature from Senate Bill 790, Printer's Number 1446.

Sincerely,

Tan Wolf

Governor

 $[Pa.B.\ Doc.\ No.\ 20\text{-}1726.\ Filed\ for\ public\ inspection\ December\ 11,\ 2020,\ 9:00\ a.m.]$

PENNSYLVANIA BULLETIN, VOL. 50, NO. 50, DECEMBER 12, 2020