

# Legislative Locator

*The Legislative Locator is a Monthly Publication of The Pennsylvania Municipal League*



March 2022

## Take Action: Revive Local Use of Radar – House Bill 606

Local use of radar legislation has been stalled in the House since spring of 2021. House Bill 606 awaits consideration in the House Appropriations Committee, where it has been sitting for a year.

The non-radar speed timing devices and technology used by local police are becoming more and more obsolete. There are only three PennDOT approved non-radar technologies available to municipal police, one being a stop watch. This very unsettling development will further hinder local law enforcement operations and will negatively impact public safety. Furthermore, speed-related fatalities have increased in Pennsylvania in recent years.

The League, as a member of the Radar Coalition, signed onto a [letter](#) sent to the House including this new information regarding the sharp decline in access to non-radar speed timing devices. The Coalition also held a virtual press conference on March 23 to revive the issue of local use of radar in an effort to pass House Bill 606 before the end of the legislative session. You can view the press conference [here](#) and read the press release [here](#).

Amy Sturges, Deputy Executive Director – Advocacy, joined WITF's *Smart Talk* program along with Radar Coalition partner Scott Bohn, Executive Director of the PA Chiefs of Police Association, to discuss the need for local use of radar. Listen to the broadcast [here](#).

To aid in our advocacy efforts, we ask you to please contact your House Member using these [talking points](#) and encourage their support to move House Bill 606 to the Senate. **Please ask if they will vote in favor of the legislation if it is brought to the Floor; and let us know their response.**

Please find your House Member's contact information [here](#).

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## Take Action: Act 111 Cosponsors Needed

The League has advocated for Act 111 public-safety binding arbitration reform over the last several legislative sessions. The significant fiscal impact of Act 111 on municipal budgets, as well as the fact that it has not been updated in over 50 years, warrants changes to make Act 111 a more balanced and fair process. In order to encourage sound, fiscal stability, Act 111 needs to reflect today's realities.

Representative Donna Bullock introduced a [cosponsor memo](#) amending Act 111 binding arbitration reform in a six bill package intending to:

1. expand the pool of arbitrators from which the third and neutral arbitrator is chosen;
2. allow a municipality to conduct a public hearing prior to collective bargaining negotiations to obtain public insight and priorities;
3. require findings of the arbitrators to be based in fact and conclusions of law, provide analysis based on evidence provided to the arbitrators, and allow appeals when findings are contrary to public policy;
4. provide public access to records and hearings, except for bargaining sessions prior to the hearing, executive sessions, and other meetings conducted between the arbitrators before, during, or after the hearing;
5. allow police officer discipline policies and procedures to be subject to collective bargaining or arbitration; and
6. share the costs of the arbitration process.

Representative Bullock is circulating her proposals for cosponsorship. Please reach out to your House Member and ask them to support commonsense amendments to Act 111 by signing on as a cosponsor.

Please find your House Member's contact information [here](#).

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## The League's Spring District Meetings and Resolutions Process

As a member driven organization, it is important we hear from you to accurately represent your municipality's needs with the General Assembly.

Each spring, League members receive the opportunity to submit policy suggestions through resolutions, shaping The League's policy agenda. Simply propose a policy resolution during our Virtual District Meetings **rescheduled for May 17**. Resolutions adopted at the district level will go to the Annual Municipal Leadership Summit for consideration by the Resolutions Committee and full League membership. This is a very important process because it sets the future policy priorities and positions of The League.

View The League's [2021 adopted resolutions](#) as a sample to prepare for this year's Spring District Meetings. Please contact Amy Sturges, Deputy Executive Director – Advocacy, at [asturges@pml.org](mailto:asturges@pml.org) if you have any questions.

League Members Register Here

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# League Capitol Conference

**June 8 - 9, 2022**

**Hilton Harrisburg**

League/PSATC Member  
Registration Fee: \$25  
Non-Member Registration  
Fee: \$100

\*Registration opens on April 8th\*



**Stay tuned for the  
program agenda!**

## Speakers:

**Governor Tom Wolf** (invited)  
**Dr. G. Terry Madonna**, Senior Fellow, Millersville University

## Topics:

- Local Impact of Highly Autonomous Vehicle Testing
- The Prevalence of State Legislation Preempting Local Government
- Local Government's Role in New Efforts to Deploy Broadband
- The Sunshine Act: Remote and Recorded Meetings Post-COVID
- Local Use of Radar Lobbying

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## Municipal Outreach Session

Through PennDOT Connects, the Pennsylvania Department of Transportation and its regional planning partners are strengthening their partnerships with communities by involving local government at the very beginning of the planning process so that land use, development, and transportation are better integrated and more effective.

The municipal outreach/peer exchange sessions will consist of interactive workshops that engage participants in peer exchange and idea-sharing. Municipalities will have the opportunity to interact with PennDOT, their local metropolitan planning organization or rural planning organization (MPO or RPO) staff and one another. Beginning with an overview of the PennDOT Connects Municipal Resources Program, the session will present the strategic priorities of PennDOT Connects and the community outcomes it supports. Participants will be encouraged to contribute their own ideas on how to take advantage of the program and to share their own best practices in planning, land use and project delivery.

PennDOT Connects is an opportunity for communities to be heard and to improve transportation projects in ways that may have not been considered before or were recognized too late in the project delivery process. Attend a session near you to learn more about PennDOT Connects and the free resources available to municipalities.

District	Date	Time	Facility	City
District 1	May 5th	1-3 PM	PennDOT District 1	Oil City
District 2	March 31st	9-11 AM	PennDOT District 2	Clearfield
District 3	April 28th	9-11 AM	Virtual*	
District 4	April 22nd	9-11 AM	PennDOT District 4	Dunmore
District 5	May 2nd	9-11 AM	PennDOT District 5	Allentown
District 6	April 21st	1-3 PM	Virtual*	
District 8	April 14th	9-11 AM	PennDOT District 8	Harrisburg
District 9	May 6th	9-11 AM	Virtual	
District 10	March 30th	9-11 AM	PennDOT District 10	Indiana
District 11	March 29th	1-3 PM	Virtual	
District 12	May 4th	1-3 PM	Virtual	
*May change to a hybrid meeting if COVID-19 restrictions change				

*Note: These sessions will focus on the resources available to municipalities through PennDOT Connects and not on specific projects on the Transportation Improvement Program (TIP) in PennDOT Districts.*

[Register Here](#)

## Cosponsor Memos

Representative Anthony DeLuca has announced intention to introduce legislation requiring municipalities to file a report with the Office of Attorney General when a company purchases five or more properties within a six-month period.

Senator Amanda Cappelletti has announced intention to introduce legislation amending the Covered Device Recycling Act to allow counties to participate in an e-waste recycling collection program.

## Legislation of Interest

### Municipal Enforcement of State Law

[House Bill 2358 \(PN 2772\)](#), introduced by Representative Timothy Bonner, would amend Title 18 (Crimes and Offenses) making it a first degree misdemeanor for local public officials to vote for, direct or induce any law enforcement officer to not enforce a state law.

Elected officials would commit a misdemeanor of the first degree if they vote for or approve a regulation, law or policy that: permits or decriminalizes an illegal activity under state law; prohibits enforcement of a penalty or enforces a different penalty than required by state law; prohibits an officer from enforcing state law; or provides an alternate method to address the penalties under state law.

Further, both elected and appointed local officials would commit a misdemeanor of the first degree if they direct or induce an officer to: permit an illegal activity under state law; not enforce a penalty or enforce a different penalty than required by state law; provide an alternate method to address the penalties under state law; or not enforce a state law.

Lastly, any municipal law, regulation or policy limiting or negating a state law would be declared null and void.

*Location: House Judiciary Committee, March 8, 2022*

## **Signage Requirements for Subdivisions and Land Development**

**House Bill 2374 (PN 2785)**, introduced by Representative Joe Ciresi, would amend the Municipalities Planning Code. Upon the municipal approval of a plat, this bill would require a sign of at least three square feet to be conspicuously posted on each subdivision or land development of any lot, tract or parcel of land included in the plat. The sign must include the type of development and the construction schedule. The sign shall be removed within 90 days following completion of construction.

*Location: House Local Government Committee, March 8, 2022*

## **Constitutional Amendment: Tax and Fee Ballot Questions**

**House Bill 2432 (PN 2846)**, introduced by Representative David Rowe, is a Joint Resolution that would amend the Constitution requiring a question be placed on each primary ballot regarding the increase, expansion or new taxes or fees enacted since the previous primary election by the Commonwealth, a municipality or an authority. The Commonwealth, a municipality or an authority may not establish the new tax or fee, or increase or expand an existing tax or fee if the electorate disapproves. The General Assembly may override the disapproval of the electorate with a two thirds vote.

This legislation is a Joint Resolution. This means that it must pass the General Assembly in two separate legislative sessions and be advertised upon each passage in every county in the Commonwealth, followed by acceptance by the voting electorate at a primary, general or municipal election to successfully amend the Constitution.

*Location: House Finance Committee, March 17, 2022*

## **Consumer Gas Prices Relief**

**Senate Bill 10 (PN 1499)**, introduced by Senator Jake Corman, would amend Title 75 (Vehicles) adding Chapter 90A as the Consumer Gas Prices Relief.

This bill would reduce the state gas tax by 33.3 percent until January 1, 2023. It would appropriate \$500 million from the Commonwealth's ARPA money to fund the Pennsylvania State Police operations for the 2022-2023 fiscal year. Additionally, the bill would authorize the Department of Transportation to issue no more than a \$650 million bond, in which the Motor License Fund would be responsible for the repayment of the debt.

*Location: Senate Transportation Committee, March 21, 2022*

## **Sunshine Act Amendments: Meeting Broadcasts and Remote Public**

## Comments

[Senate Bill 1130 \(PN 1479\)](#) and [House Bill 2428 \(PN 2837\)](#), introduced by Senator Cris Dush and Representative Jerry Knowles respectively, would amend The Sunshine Act creating rules for political subdivisions and authorities regarding online broadcasting of meetings and remote public comment.

Under the bill, a political subdivision or authority would be authorized to adopt rules governing the broadcast of meetings. A website, mobile application or social media platform may be used to broadcast a meeting in its entirety, except executive sessions. If the meeting recording is made available for later viewing, the hyperlink to the video must be entered into the meeting minutes. The posted recording shall not omit or mute any portion of the broadcast. In addition to broadcasting meetings, the bill would authorize the adoption of rules permitting acceptance of remote public participation. A process must be created for remote individuals seeking to be recognized to be placed in a queue. Remote public comments must be provided through an “authorized telecommunications device,” which is defined as a device that permits, at a minimum, audio communication between individuals.

Political subdivisions and authorities allowing for remote public comment must create a contingency plan to ensure the public can still participate over speaker phone if there is a technical issue or outage preventing public comment through the advertised method. If remote public comment becomes impossible, official action must be postponed until the next meeting.

Lastly, if a political subdivision or authority intends to offer a broadcast of its meetings and/or provide for remote public comment, it must include information regarding the broadcast and means to comment remotely in its public notices.

*Location: Senate Bill 1130: Senate Local Government Committee, March 9, 2022*

*House Bill 2428: House Local Government Committee, March 16, 2022*



## NATIONAL LEAGUE OF CITIES UPDATE

### Understanding the Fiscal Year 2022 Funding Bill

On March 15, 2022, President Biden signed the Consolidated Appropriations Act of 2022 into law. The Act represents the finalized federal budget for Fiscal Year 2022. It establishes the amount of federal funding available for grants to local governments (and other entities) and funding levels for other federal programs important to cities and towns. This annual appropriations is in addition to funding provided to programs under the Bipartisan Infrastructure Law (BIL).

[Read More](#)

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