

# Legislative Locator

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



February 2020

## 2020 League Capitol Conference

**Tuesday, March 31 | Hilton Harrisburg**



The Capitol Conference is The League's annual legislative conference where you can learn from colleagues, experts and even legislators about current issues affecting Pennsylvania's municipalities.

Sessions include discussions about blight remediation, tax reform, stormwater management and federal opportunity zones. A legislative leadership panel will also discuss their policy priorities for the rest of the year. For more information,

[click here.](#)

REGISTER NOW

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## TAKE ACTION!

### Help Set The League's Policy Agenda

[Spring district meetings](#) are fast approaching and so is the deadline to submit your policy resolutions.

Our municipalities are facing challenges every day, and chances are, these challenges are not isolated to just one township, borough or city. Each spring, League members receive the opportunity to submit policy suggestions through resolutions, shaping The League's policy agenda. As a member driven organization, The League needs to hear from you to accurately advocate for and represent our member municipalities in Harrisburg.

Make sure your municipality is heard by participating in The League's [resolution process](#). Simply propose a policy resolution during your spring district meeting, which upon a vote, would go to the Annual Municipal Leadership Summit for consideration by the 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 [2019 adopted resolutions](#) as a sample, and please contact Amy Sturges, Director of Governmental Affairs, at [asturges@pml.org](mailto:asturges@pml.org) if you have any questions.

## COSPONSOR MEMOS

### Municipal Secretary Training

Representative Thomas Murt has announced intention to introduce legislation to establish an education program for municipal secretaries through collaborative efforts of the Department of Community and Economic Development and the Local Governmental Secretaries Association.

### Pennsylvania Water Resource Act

Representative Mike Sturla has announced intention to introduce legislation to charge extraordinary water users (those who withdraw more than 10,000 per day) a nominal fee and the fees collected would be used as grants for municipal water improvement projects.

### Municipal Police Pension Buyback Option

Senator Mike Regan has announced intention to introduce legislation to permit a full time police

officer to buyback previous full or part time police employment service for pension benefit purposes.

## LEGISLATION ENACTED

### **Acts 2, 3 and 4 of 2020**

### **Senate Bills 690, 691 and 692**

**Signed: February 5, 2020**

**Effective: April 5, 2020**

Acts 2, 3 and 4 increase the value of municipal real estate requiring competitive bidding when sold by incorporated towns, second class townships, boroughs and third class cities from \$1,500 to \$6,000.

## LEGISLATION OF INTEREST

### **Sale or Lease of Municipal Asset – Prior Notice**

[\*\*House Bill 406 \(PN 2831\)\*\*](#), introduced by Representative Jim Cox, would amend Title 53 (Municipalities Generally) requiring public notification and meeting prior to finalizing an agreement to sell or lease a sewer or water system owned or operated by the municipality.

The new subchapter, titled “Public Notice and Public Meetings,” would require a municipality to provide public notice of intent to sell or lease a sewer or water system owned or operated by said municipality once each week for two successive weeks in a newspaper of general circulation.

The municipality would then be required to hold at least one advertised public meeting no more than 60 days or fewer than seven days prior to entering into the agreement. The potential purchaser or lessee would be required to attend the meeting.

**Location:** *Passed the House, February 4, 2020*

### **Number of Borough Council Members**

[\*\*House Bill 1036 \(PN 1208\)\*\*](#), introduced by Representative Dan Moul, would amend Title 8 (Boroughs) requiring a voter referendum before the Court of Common Pleas grants or denies a petition to reduce the size of a borough council.

In a borough with 3,000 or fewer residents, a petition to decrease the number of borough council members from seven to either five or three members would need to be signed by at least five percent of the borough’s electors. The court would then certify the petition and instruct the board to place the question on the ballot for a referendum vote in the next general election, no sooner than 13 weeks from filing the petition.

After the referendum results, the court would make a final decree granting or denying the petition. No petition would be considered more than once every five years.

**Location:** *Second Consideration in the Senate, January 28, 2020*

## Training Reimbursement for Newly Elected Municipal Officials

[\*\*House Bill 1751 \(PN 3275\)\*\*](#), introduced by Representative Wendi Thomas, would amend Title 8 (Boroughs and Towns) and Title 11 (Third Class Cities) permitting local governments to reimburse newly elected officials for attending municipal training events prior to officially taking office. Senate Bill 316, which amends the Second Class Township Code in the same manner, has been signed into law and became effective this month. Similar provisions for First Class Townships can also be found in HB 2073, the rewrite of the First Class Township Code.

**Location:** *First Consideration in the Senate, February 5, 2020*

## Commingling of Tax Free Motor Fuel

[\*\*House Bill 2233 \(PN 3276\)\*\*](#), introduced by Representative Keith Greiner, would amend Title 75 (Vehicles) allowing political subdivisions and volunteer services (i.e. fire, ambulance and rescue squads) to commingle their tax exempt motor fuel in common storage tanks.

Each exempt entity, a political subdivision and/or volunteer service, would be able to enter into a commingling agreement, and such an agreement would include provisions for purchase, delivery, use and safety. Each entity would also be responsible for their own recordkeeping of their use of the tax exempt motor fuel. The storage tank would need to be located on the property of the political subdivision, and each exempt entity in the commingling agreement would need to separately contract with a distributor for purchase and delivery of fuel.

**Location:** *First Consideration in the House, February 5, 2020*

## Workers' Compensation Coverage for Integral Emergency Service Members

[\*\*Senate Bill 94 \(PN 940\)\*\*](#), introduced by Senator Scott Martin, amends the Workers' Compensation Act by including members of volunteer firefighter departments, fire companies and ambulance corps as eligible for workers' compensation. Additionally, this bill would provide workers' compensation eligibility to certain emergency responders on state game land.

This bill would define "members of volunteer fire departments or volunteer fire companies" as any of the following: an active volunteer firefighter who responds to emergency calls; a member of a fire police unit affiliated with volunteer fire department or fire company; an officer or director of a volunteer fire department or fire company; or a participating member who provides necessary operational support to the volunteer fire department or fire company, but does not

respond to emergency calls. The term would not include a social member of either a volunteer fire department or fire company.

It would also define “members of volunteer ambulance corps” as any of the following: an active volunteer ambulance corpsman who responds to emergency calls; an officer or director of a volunteer ambulance corps; or a participating member of a volunteer ambulance corps who provides necessary operational support to the volunteer. This term would not include a social member of an ambulance corps.

Lastly, whenever members of volunteer fire departments or fire companies, ambulance corps or rescue and lifesaving squad members are injured while performing their duties on state game land, the members would be deemed employees of the PA Game Commission and thusly eligible for workers’ compensation.

**Location:** *Passed the Senate, February 3, 2020*

## **Tax Exemption and Mixed-Use Incentive Program Act**

[Senate Bill 352 \(PN 1192\)](#), introduced by Senator Judy Ward, would allow local taxing authorities to provide tax incentives for new construction and improvements on industrial, commercial, business and residential properties in deteriorated areas designated by a community.

The bill, cited as the Tax Exemption and Mixed-Use Incentive Program Act, would allow a taxing authority, by ordinance or resolution, to exempt from real property tax the assessed value of improvements or new construction on blighted property. The taxing authority would designate an area as deteriorated and hold a public hearing determining that area’s boundaries. Adjacent municipalities and taxing authorities may collaborate to determine boundaries or implement similar tax exemption schedules. A yearly tax abatement schedule terminates after 10 years when the property would be assessed and taxed at full value, including increased property values. The tax exemption would not terminate with the sale or exchange of the property.

A taxing authority may rescind an ordinance or resolution designating an area as deteriorated if the improvements or construction has accomplished the goal of revitalizing the deteriorated area. Additionally, if a serious violation exists on a property within five years following the completion of the new construction, that is not corrected, the taxing authority would be entitled to receive a proportional amount of taxes. The bill further designates regulations, standards and eligibilities for the program.

Realty transfer taxes shall not be affected by the purchase or sale of a property under the program except for specific sales or transfers outlined in the bill.

**Location:** *First Consideration in the House, February 4, 2020*

## Borough Electric and Gross Receipts Tax

[Senate Bill 958 \(PN 1514\)](#), introduced by Senator Doug Mastriano, would amend Title 8 (Boroughs and Incorporated Towns) providing that the sale of electric power to a borough for resale inside the limits of the purchasing borough, and the sale of electric power by a borough inside the limits of the borough, would be exempt from the gross receipts tax.

**Location:** *First Consideration in the Senate, February 5, 2020*

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## Governor Wolf's Proposed 2020-21 Budget

Earlier this month, Governor Wolf unveiled a \$36 billion budget, which is about \$1.5 billion more than the previous year, and it does not suggest any new taxes. Wolf plans to pay for his proposed budget by repurposing funds, borrowing and using existing revenue sources.

The Governor called for greater investment in education, such as an extra \$60 million in state grants for PA college students, \$200 million for State System of Higher Education student scholarships and \$400 million for public schools (of which \$280 million would be reliant on charter school reform). Wolf also requests policy changes and investments to address employment barriers identified by the Keystone Economic Development and Workforce Command Center. Other requests for workforce improvements include \$5 million for the State Facility Closure Transition fund and a minimum wage increase.

Prevention of gun violence, a key theme of the Governor's address, resulted in a \$10 million request. Other investments involve human services needs and programs, environmental protection, and infrastructure improvement. These include a \$1 per ton increase to the tipping fee on municipal waste landfill deposits, \$1 billion for asbestos and lead remediation from schools and \$4.5 billion over four years for projects completed through Restore PA.

Most notably, there is a new proposal to assess fees on all municipalities for State Police support. This fee would be determined by a formula predicated on station coverage costs while considering other factors like population and median income.

The League encourages our members to visit the [Governor's Budget Webpage](#) for more information on these proposals.

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## Senators Propose Using Satellite Auction Funds on Broadband Infrastructure

Senator John Kennedy (R-La.), along with Senators Maria Cantwell (D-Wash.) and Brian Schatz (D-Hawaii) have introduced legislation to spend part of the anticipated revenues from auctions of the spectrum currently used by satellite companies. The spectrum, known as the C-band, is expected to be reallocated by the Federal Communications Commission (FCC) to provide airwaves for future 5G service.

[Read More](#)

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## ATTENTION

### PA Transportation Advisory Commission (TAC) Locally Owned Small Bridges

#### Survey Request

The Pennsylvania State Transportation Commission's (STC) Transportation Advisory Committee (TAC) is requesting your assistance with completing the online survey below to help inform the TAC's special study of locally owned, small bridges in the Commonwealth. For this survey, a locally owned, small bridge is a structure between 8–20 feet in length that is the responsibility of a county or municipal government agency to maintain and repair.

[Take Survey Here](#)

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The survey is to collect responses on the current state of inventory, condition and investment in local small bridges in your respective communities. The information collected will further help identify the critical issues, challenges and needs relative to locally owned small bridges, which are significant elements to our Commonwealth's transportation infrastructure and are of growing concern relative to our local economies and public safety.

**Please complete the survey by Friday, March 31, 2020.**

**Thank you in advance for your time and assistance.**

For more information on the TAC, please visit [talkpatransportation.com/advisory-committees/about-tac](https://talkpatransportation.com/advisory-committees/about-tac).

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## HOUSE AND SENATE SESSION DAYS 2020

**Senate:**

March 16, 17, 18, 23, 24, 25

April 6, 7, 8

May 4, 5, 6, 18, 19, 20

**House:**

March 16, 17, 18, 23, 24, 25

April 6, 7, 8, 14, 15, 16

May 4, 5, 6, 11, 12, 13, 18, 19, 20

***\*reminder - session dates are subject to change***

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**Pennsylvania Municipal League**

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