

Legislative Locator

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



December 2020

A Look at the 2021/2022 Legislative Session

A new legislative session is set to start on January 5, 2021. The General Assembly will look different this year, as several members resigned or lost reelection in 2020. Thirty-one new members are to be sworn in across the House and Senate, and despite this turnover, the Republicans retained a majority in both chambers.

In addition to swearing in new members, the Senate and House experienced a shakeup in leadership. Majority Leader Jake Corman was elevated to President Pro Tempore of the Senate after the retirement of Senator Joseph Scarnati, while Senator Kim Ward became Senate Majority Leader. In the House, Representative Joanna McClinton was elected House Minority Leader, taking over the position after Representative Frank Dermody, who served as the Democratic leader for 10 years, lost reelection.

Senate and House leadership will determine the top legislative priorities to address during the next session; however, legislators have already expressed intention to introduce legislation of various importance to local government. While January 5th is still a few days away, over 1,000 co-sponsorship memos have been introduced, including memos addressing the COVID-19 pandemic, local use of radar, blight remediation, Act 111 and police reform, taxation and many other issues affecting our communities.

The League will continue to remain vigilant and proactive as session starts, and most importantly, we will continue to engage our members through our advocacy efforts in 2021.

Join The League's Legislative Committee

Become engaged and become a stronger advocate for your community by joining The League's Legislative Committee! The Legislative Committee helps to set a plan of action and implement the goals of The League's legislative agenda. If you would like to be a member of the Committee in 2021, please reach out to Amy Sturges, Director of Governmental Affairs, at asturges@pml.org.

2021 Governor's Awards For Local Government Excellence

The call for project submissions for the 2021 Governor's Awards for Local Government Excellence is open. Each year, the Governor's Awards for Local Government Excellence are presented to local government leaders who have demonstrated exceptional dedication to improving public services through innovative projects or initiatives. [Submit your](#)

[nominations](#) for the 2021 Governor's Awards for Local Government Excellence through January 31, 2021.

PA CARES 21

Earlier this month, the Pennsylvania Senate Democrats announced a proposal for the [PA Coronavirus Aid, Relief and Economic Security Act of 2021](#) (PA CARES 21). The plan would issue \$4 billion in emergency debt to recapitalize programs previously funded with federal monies pursuant to state budget bills passed in 2020, as well as creating new programs to provide assistance and relief.

This plan would provide direct funding to counties and municipalities, and unlike the previous federal CARES Act requirements, local governments could use those state funds to replace lost revenues due to the pandemic. This plan is still in the early stages, so the allocation method of the funds is still being determined. The proposal would prioritize funding for the entities and issues below:

- \$594 million in local government assistance;
- \$800 million in business assistance;
- \$1 billion in unemployment compensation benefits;
- \$135 million in hazard pay;
- \$318 million in PA Department of Human Services programs;
- \$250 million in basic education;
- \$136 million in higher education;
- \$100 million to hospitals;
- \$100 million to utility assistance;
- \$75 million in child care;
- \$100 million in housing assistance;
- \$50 million in food security;
- \$25 million in pre-k education;
- \$25 million for PPE and vaccines;
- \$15 million for mental health funding; and
- \$180 million in transportation funding.

The federal COVID-19 stimulus package agreed to Christmas week unfortunately does not include direct funding to local and state governments, making this state proposal even more necessary.

The League will ensure our members' interests are represented throughout the development of legislation to implement the PA CARES 21 proposal.

Enacted Legislation

Act 131 of 2020
House Bill 2296
Signed: November 25, 2020
Effective: Immediately

[Act 131](#) comprises a variety of changes to the driver license laws regarding commercial driver's licenses (CDL), including relief for local governments unable to find qualified snow plow drivers.

The Act allows a person, without a CDL, to operate a commercial vehicle for snow or ice removal from a roadway as long as the person is 18 years or older and is employed by a political subdivision. Such a driver may be used if the licensed employee is unable to operate the vehicle for snow removal or if the political subdivision requires additional assistance during a winter weather emergency. The driver must have a certificate of authorization from the head of the political subdivision while operating the commercial vehicle.

Legislation Vetoed by the Governor

Immunity from Liability

[House Bill 1737](#) was vetoed by the Governor on November 30th. The bill would have amended Title 42 (Judiciary) providing immunity from liability in several circumstances after significant amendments from the Senate. First, the legislation would have added land banks to the list of economic development agencies immune from liability related to environmental hazards found on property purchased by such agencies for redevelopment, which was the original intent of the bill. Second, and added by the Senate, the legislation would have provided immunity from liability to the agritourism industry in PA. And third, also added by the Senate, the legislation would have provided immunity from COVID related lawsuits to a number of entities including schools, higher education, childcare facilities, PPE manufacturers, healthcare providers, businesses and government units. The entities listed would have been immune if they, in good faith, followed CDC and state guidelines related to COVID, and intentional or reckless acts would not have been immune.

2021/2022 Cosponsor Memos

Municipal Pension Reform

Representative Keith Greiner has announced intention to reintroduce legislation, formerly House Bill 2081, to implement pension reform by addressing the Auditor General's recommendations from the 2015 Municipal Pension Task Force Report.

Workers' Compensation and PTSI

Representative Clint Owlett has announced intention to reintroduce legislation, formerly House Bill 432, providing emergency service and public safety officials benefits under workers' compensation for a post-traumatic stress injury (PTSI), regardless of whether or not the injury is accompanied by a physical injury.

Clarifying Municipal Remote Meeting Authorization

Representative Joseph Ciresi has announced intention to reintroduce legislation, formerly House Bill 2619, to clarify that the provisions added to Title 35 (Health and Safety) by Act 15 of 2020 regarding remote meetings during a disaster emergency applies to the boards and commissions of political subdivisions.

Local Use of Radar

Senator Mario Scavella has announced intention to reintroduce legislation, formerly Senate Bill 607, permitting all municipal police officers to utilize radar for speed enforcement.

Representative Rothman also expressed his intention to reintroduce legislation, formerly House Bill 74, creating a six-year pilot program for accredited municipal and regional police to use radar for speed enforcement.

Local Government Advertising Flexibility

Senator John DiSanto has announced intention to reintroduce legislation, formerly Senate Bill 1222, providing local governments with various methods to advertise notices, including both print and online media.

Removal of Negligent Municipal Officials

Senator Patrick Stefano and Senator Scott Martin have announced intention to reintroduce legislation, formerly Senate Bill 1068, providing the General Assembly authorization to enact legislation providing a process for the removal of locally elected officials that neglect their official duties.

Optional Prevailing Wage Alternatives

Senator Kristin Phillips-Hill has announced intention to reintroduce legislation, formerly Senate Bill 838, granting municipalities and school entities the option to choose whether or not to follow the existing Prevailing Wage Act requirements or pursue an alternative method.



2021 Bid Limits Announced

The PA Department of Labor and Industry has announced changes to the base amounts triggering the requirement for public bids, telephonic bids, or separate bids, for certain contracts. There is a 1.4% change for this year. The base amount for public bids is \$21,300 and the base amount for written or telephonic bids is \$11,500, effective January 1, 2021. [Click here](#) for the complete list of base values.

NATIONAL LEAGUE OF CITIES UPDATE

Water, Energy Legislation Hitch Ride on Omnibus Appropriations Bill

As Congress wrapped up the 116th session with several priority items remaining on the to-do list, Congressional leaders attached several bills to the must-pass [omnibus appropriations bill](#) funding the federal government in FY21.

[Read More](#)



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EARLY BIRD PRICING ENDS JANUARY 15

HOUSE AND SENATE SESSION DAYS 2021

House:

January 5, 11-13, 25-27

February 1-3

March 15-17, 22-24

Senate:

January 5, 25-27

February 1-3

March 15-17, 22-24

**reminder - session dates are subject to change*