



# Legislative Locator

A Monthly Publication of The Pennsylvania Municipal League

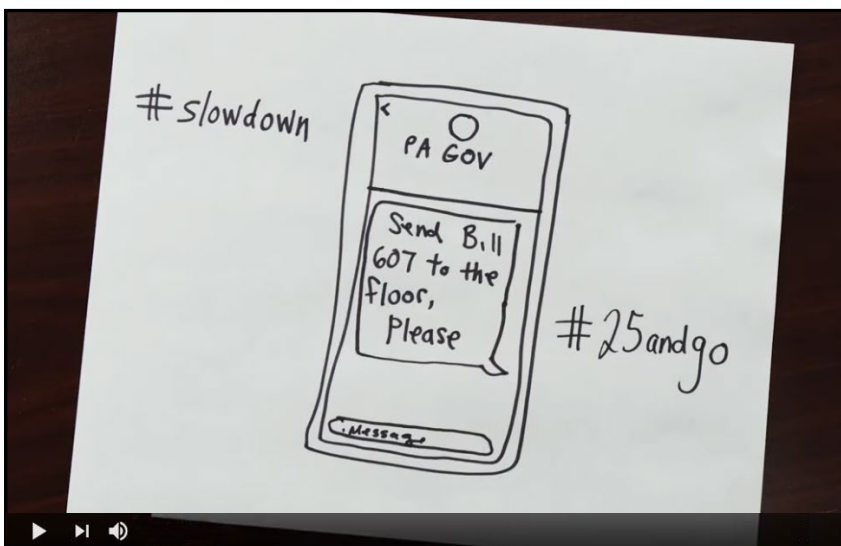
October 2019

## TAKE ACTION!

### Watch It, Post It, Tweet It...

Courtesy of the City of Lancaster, here is a fantastic and timely [video](#) supporting the **local use of radar** and **Senate Bill 607**. Please share this with your constituents by posting it on your municipal website and by pushing it out on other social media platforms your municipality uses. This video is perfect for helping constituents understand that radar must be authorized by the PA General Assembly before municipal police can use it on neighborhood roads to control speeding.

Thank you Lancaster!



### Save the Date

**2020 Capitol Conference**  
Tuesday, March 31, Hilton Harrisburg

The Capitol Conference is the League's annual legislative conference.

Topic ideas are welcome.

Contact Amy Sturges at  
[asturges@pml.org](mailto:asturges@pml.org).



## COSPONSOR MEMOS TO WATCH

### Municipal Pension Reform

Senator John Blake issued a co-sponsorship memo as intent to introduce a municipal pension reform bill that is a companion to legislation sponsored by Representatives Keith Greiner and Seth Grove. The reform measures are recommendations made by Auditor General DePasquale in 2015 and were the result of the Governor's Task Force on Municipal Pension Reform.

### Billing for Volunteer Fire Services

Senator Tom Killion issued a co-sponsorship memo as intent to introduce a bill that authorizes volunteer fire companies to charge for real and reasonable costs incurred when responding to a 911 emergency.

### Criminal Background Checks for Candidates

Representative Chris Rabb issued a co-sponsorship memo as intent to introduce a bill requiring all candidates running for elected office to complete criminal background clearances when filing their nominating petitions.

## LEGISLATION OF INTEREST

### Municipal Hospital Law Repeal

**House Bill 917 (PN 1055)**, introduced by Representative Schmitt, repeals Act 598 of 1929 authorizing municipalities (other than townships) to acquire, operate and maintain a hospital and to provide poor residents of the municipality with free treatment.

**Location:** *Received First Consideration in the Senate, October 22, 2019*

### Main Street Program

**House Bill 1243 (PN 1447)**, introduced by Representative Freeman, amends the Main Street Act to allow DCED to extend the grants to hire a main street manager for an additional five years for municipalities participating in the program. This would bring the program to a total of ten years.

**Location:** *Senate Community, Economic, and Recreational Development Committee, October 8, 2019*

## LEGISLATION OF INTEREST

### Pre-registration of Tax Sale Bidders

**House Bill 1559 (PN 2042)**, introduced by Representative Heffley, amends the Real Estate Tax Sale Law (RETSL) requiring potential bidders at tax sales to appear and register 14 days prior to each tax sale in which they wish to bid. Registration requires providing contact information and an affidavit stating the applicant: has no delinquent real estate taxes in the Commonwealth; has no municipal utility bills that are over one year outstanding in the Commonwealth; is not acting for a person barred from participating in the sale; and has not failed to correct housing code violations or maintain property in a safe, legal and sanitary manner for three years preceding the application to bid. Tax claim bureaus may establish registration fees and must provide the list of potential bidders to all municipalities within a county at least 10 days prior to the scheduled sale. The legislation bars repurchase by the property owner or immediate family members.

The bill also authorizes a tax claim bureau, with the consent of all taxing districts where the property is located, to establish a minimum purchase price for sales of property in repository. A bureau may also require the purchaser to provide an affidavit stating the above requirements to bid.

**Senate Bill 775**, introduced by Senator Argall, encompasses the same provisions as House Bill 1559.

**Location:** *Hearing in House Urban Affairs Committee, October 30, 2019*

### Local Gun Regulation

**House Bill 1066 (PN 2571)**, introduced by Representative Mark Keller, amends Titles 18 (Crimes and Offenses) adding penalty provisions to reinforce that a local government may not regulate the ownership, possession, transfer or transportation of firearms, ammunition or ammunition components.

The bill provides avenues for relief to any person adversely affected by an action promulgated or taken by a local government in violation of existing federal or state firearms laws.

An adversely affected person is defined as:

- person adversely affected in any manner by a local regulation;
- a resident of the Commonwealth who legally possesses a firearm;
- a membership organization whose members fall into the above two categories.

An adversely affected person may seek declarative and injunctive relief and actual damages attributable to the violation. If the plaintiff provides 60 days notice of an intention to file a claim, the court shall award reasonable expenses to the plaintiff if the claim results in a final determination for the person adversely affected or if it results in repeal of the challenged local regulation prior to a final court determination. The bill also establishes an award of reasonable expenses to be paid by the local government if a proceeding results in favor of a defendant.

Finally, the bill also amends Title 53 (Municipalities Generally) stating that it is the intention of the General Assembly that only it has the authority to regulate the entire field of firearms and ammunition ownership, transfer, possession, use, discharges, etc.



## LEGISLATION OF INTEREST

**Senate Bill 531**, introduced by Senator Langerholc, contains similar provisions and received first consideration in the Senate in April.

**Location:** *Received First Consideration in the House, September 24, 2019*

### Elimination of School Property Tax

**House Bill 76 (PN 2497)**, introduced by Representative Jim Cox, establishes the Property Tax Independence Act which eliminates school property taxes and replaces the revenue with a broadened Sales Tax and an increased Personal Income Tax. The broadened Sales Tax is expected to generate two-thirds of the replacement revenue. The shift would occur over two years. In the first year, school property taxes are frozen; in the second year, they are eliminated except for a small portion that will be retained in each school district to be used to retire outstanding long-term debt. The Act replaces funds dollar for dollar and fully funds all districts at their current levels. Locally, school boards would be authorized to enact, through voter referendum, a Local Earned Income Tax or a Local Personal Income Tax for major expenditures.

**Location:** *House Finance Committee, September 18, 2019*

### Calibration of Speed Timing Devices

**House Bill 1825 (PN 2487)**, introduced by Representative Wheeland, amends Title 75 (Vehicles) bringing all mechanical, electrical and electronic devices approved by the Department of Transportation under a requirement to have been tested for accuracy within one year of a violation. The bill also allows certificates of accuracy to be completed, signed and submitted to the department electronically.

**Location:** *Received First Consideration in the House, October 21, 2019*

## House and Senate Session Days:

**Senate:** November: 18, 19, 20  
December: 16, 17, 18

**House:** November: 12, 13, 14, 18, 19, 20  
December: 9, 10, 11, 16, 17, 18

*\*Session dates are subject to change.*



## OTHER NEWS

### Survey on Municipal Regulation of Single-use Plastic Bags

Municipalities are prohibited from enacting any type of ban or fee on single-use plastic items. This prohibition remains in effect until July 1, 2020, while two legislative service agencies conduct additional research on the matter. To that end, **the Legislative Budget and Finance Committee** will be distributing an email survey to all municipalities about single-use plastic bans and/or fees. We encourage all members to complete the survey.

### 2019 Policy Resolutions Adopted at Annual Summit

The League's Resolution Committee considered 12 policy resolutions earlier this month at the Annual Summit. Some of the topics include: preserving local ability to regulate e-scooters; supporting repeal of the PA Separations Act; supporting the adoption of a PA Health Care Plan; supporting options for local tax collection; supporting the adoption of universal background checks prior to the purchase of firearms; and support for an extreme risk protection order law. The adopted policy will be incorporated into our 2020 Policy Statement. [Click here](#) to read the resolutions.

Please remember that any municipal member can propose policy resolutions at our spring [district meetings](#) for consideration by the district and eventually the full membership.

#### **Annual Summit Video**

[Click here](#) to watch a video recapping all that took place during our 120<sup>th</sup> Annual Summit in Gettysburg. Feel free to share this video link and be sure to join us in Pittsburgh, October 1-4, for the 2020 League/PSATC Joint Annual Summit!

### Register Now for The League's Fall Sustainability Conference

**November 13 at the Chubb Hotel & Conference Center in Lafayette Hill**

[For More Info and To Register](#)

### 2020 Local Government Center Awards For Local Government Excellence

#### **Call for project submissions**

2020 Governor's Awards for Local Government Excellence — 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 2020 Governor's Awards for Local Government Excellence through December 13.



## Which Federal Programs Will Be Funded? Tracking the FY20 Congressional Budget

In August, Congress approved a bipartisan two-year budget deal for fiscal years 2020 and 2021. The agreement raises overall spending caps for defense and non-defense discretionary programs by \$321 billion over two years. Funding for domestic programs will increase by 4.5%, or \$27 billion, over the FY19 level.

NLC's [Fiscal Year 2020 budget tracker](#) tracks specific FY20 spending bills as they are introduced so you can find where the numbers stand on the programs that matter most to your city, town or village. You can easily search for your bill priorities by searching through the drop-down menus, which are organized by federal agency.

Though the August budget deal, which NLC supported, lessens the possibility of another federal government shutdown, Congress must still pass the 12 annual appropriations bills. It is important to note: the budget bill is different from the spending bills. First, Congress passes the budget, establishing overall spending levels. Then, Congress passes spending (appropriations) bills that allocate that funding to specific programs.

This year, Congress was unable to pass any spending bills by the fiscal year deadline of October 1st. Instead, Congress approved a short term, stopgap funding measure, or Continuing Resolution, to keep the government open and operating until November 21st, by which time Congress must pass the spending bills or another Continuing Resolution to prevent another government shutdown.

NLC opposes government shutdowns.

For more information on funding for specific priorities, visit NLC's [Fiscal Year 2020 budget tracker](#). NLC updates the tracker as FY20 spending bills are introduced. Search through the drop-down menus, organized by federal agency, to find where the numbers currently stand for the programs that matter most to your city, town or village.



[CitySummit.NLC.org](http://CitySummit.NLC.org)