



**Pennsylvania Municipal League**  
President – Derek Slaughter, Mayor, City of Williamsport



**Pennsylvania State Association of Township Commissioners**  
President – Dennis R. Arthur, Commissioner, Tinicum Township

## MEMO

To: Members of the House Energy Committee

From: Amy Sturges, Deputy Executive Director – Advocacy, The League and PSATC

Date: June 24, 2025

Re: Opposition to House Bill 502

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On behalf of the members of The PA Municipal League (The League) and the PA State Association of Township Commissioners (PSATC), I write in strong opposition to House Bill 502 which establishes The Reliable Energy Siting and Electric Transition (RESET) Board. While we greatly appreciate the willingness of Chair Fiedler to address stakeholder concerns with the legislation, we continue to oppose the bill on the basis of its broad preemption of local zoning.

The bill allows the RESET Board to approve applications for large scale energy facilities on any land except if zoned for residential use, preempting all local zoning authority. Also, the land must have been zoned residential since January 1, 2024. This limitation could impede future local action to designate land as residential. Lastly, the proposed amendment would add additional language regarding local requirements and conditions that are broadly applicable to land development, however, “broadly applicable” is not defined. With the way this is written, it appears that local use and development laws could be easily evaded.

We do not agree that a state board should have the authority to override local zoning authority because local development is just that, local. Zoning decisions are everlasting, as they can substantively change the appearance, character, and sense of a community. Our locally elected officials are voted to office by their constituents to ensure both the preservation and improvement of their community, many powers of which are found in zoning. Local elected officials are in the best position to make these zoning decisions, and such authority should not be circumvented. The availability of reliable energy to sustain current and future usage is important to every Pennsylvanian. The authority of local elected officials to determine the character of a municipality through land-use and other local regulations is equally important.

In addition to our opposition regarding zoning preemption, it appears certain provisions in both House Bill 502 and the proposed amendment further put municipalities at a disadvantage:

- the applicant must provide proof that a copy of the application was sent to each impacted municipality, including a notice to appoint ad hoc representatives to the board – why is this the responsibility of the applicant and not the board itself? What if the municipality does not receive the application or doesn't receive it in a timely manner to make the appointments?;
- the applicant must make a good faith effort to meet with the impacted municipal governing bodies and once again inform the need to name ad hoc representatives to the Board – “good faith effort” is very subjective term, as one simple phone call that goes unanswered could technically be considered a “good faith effort” under the bill. Again, we are not sure why it is the responsibility of the applicant to ensure that municipalities are informed about appointing ad hoc members to the Board;
- there is no requirement for the board to notify the impacted municipality of a public hearing – the municipality would have to find the notice for the hearing in one of the required publications listed in the bill; and
- lastly the bill only requires one public hearing, so if a project impacts multiple municipalities, those that do not have the hearing within their jurisdiction are put at a disadvantage.

While we understand the need to expeditiously bring new, reliable energy generation and storage facilities online, we cannot support this legislation currently as written. We respectfully request that the local preemption in House Bill 502 be removed.

Thank you for your consideration.