

## PSAB Adds Focus to Regulatory Affairs

PSAB IS EXPANDING ITS GOVERNMENT AFFAIRS DEPARTMENT BY ADDING A FOCUS ON REGULATORY AFFAIRS ISSUES. Ron Grutza, who previously served as the assistant director of government affairs, will now serve as the regulatory affairs coordinator and will be responsible for analyzing regulations that affect local governments to ensure they are in compliance with municipal laws and the Borough Code. Grutza will also be responsible for researching laws and will work with PSAB members to ensure they understand new regulations and how to implement changes as they occur.

Grutza will monitor an array of issues including prevailing wage, transportation and environmental, including the gas and oil regulations that fall under Act 13. **(B)**

## Radar Use by Municipal Police

REP. MARIO SCAVELLO (R-MONROE) HAS INTRODUCED LEGISLATION (H.B. 38) THAT WOULD ALLOW FULL-TIME MUNICIPAL POLICE OFFICERS WHO ARE EMPLOYED AS A MEMBER OF A FULL SERVICE MUNICIPAL OR REGIONAL POLICE DEPARTMENT TO USE RADAR AS A SPEED TIMING DEVICE. Officers will have to successfully complete a training course approved by the Pennsylvania State Police and the Municipal Police Officers' Education and Training Commission. Scavello also offered the measure during the last session.

Pennsylvania is the only state that prohibits use of radar by municipal police, according to a study by the Pennsylvania Mayor's Association Radar Coalition, of which PSAB is a member.

Pennsylvania law currently states that radar may only be used by the Pennsylvania State Police. A summary of the report can be viewed at [www.pamayors.org](http://www.pamayors.org).

Upon conviction of a speeding violation, 50 percent of the fine shall be payable to the municipality in



**WATCH YOUR SPEED** Pennsylvania is the only state that prohibits the use of radar by municipal police officers; proposed legislation would allow full-time municipal officers to use radar upon successful training

which the offense occurred, with \$1 payable to the Municipal Law Enforcement Accreditation Fund. This fund, established under this legislation, will be a non-lapsing restricted receipt account within the State Treasury and will fund the Pennsylvania Commission on Crime

and Delinquency's administration of the Municipal Law Enforcement Accreditation grant program.

House Bill 38 has been referred to the House Transportation Committee. **(B)**

# Expanding Loans for Equipment and Facilities

SEN. RANDY VULAKOVICH (R-ALLEGHENY) HAS INTRODUCED LEGISLATION THAT WOULD MODERNIZE THE LOCAL GOVERNMENT CAPITAL PROJECT LOAN FUND. **Senate Bill 591** would increase the amount that municipalities may receive for equipment loans from \$25,000 to \$50,000 and for facility loans from \$50,000 to \$100,000. PSAB supported the measure during the last legislative session.

The Center for Local Government Services at the Department

of Community and Economic Development currently administers the Local Government Capital Loan Program, which provides low-interest, 2 percent loans to municipalities with less than 12,000 residents for equipment (up to \$25,000) and facilities (up to \$50,000). Municipalities have 10 years to repay loans. Loan repayments constitute a revolving fund, so there is no annual appropriation allocated in the state budget. The higher loan amounts (\$50,000 for equipment and \$100,000

for facilities) were temporarily put in place in 2007, but have since reverted back to the lower levels.

PSAB recognizes that the modernization will allow local governments to reflect the true needs of the equipment and facilities they manage. It also offers resources to municipalities that can be difficult to obtain.

The bill was voted out of the Senate Local Government Committee on March 12 and is now before the Appropriations Committee. **(B)**

# EPA Eliminating Unfunded Mandate

THE ENVIRONMENTAL PROTECTION AGENCY (EPA) HAS ISSUED A DECISION TO ALLOW WATER AUTHORITIES TO SEND CONSUMER CONFIDENCE REPORTS ELECTRONICALLY, THEREBY ELIMINATING A GOVERNMENT PAPERWORK MANDATE. This will save local governments across Pennsylvania millions of dollars each year.

U.S. Senator Pat Toomey introduced a change in regulation in September 2011 called the Unnecessary Mailers Act. The proposal received bipartisan support

and passed during consideration of the 2012 Farm Bill. Since 1996, the EPA has required water authorities to mail annual non-emergency consumer confidence reports on water quality, which was a great expense to water authorities.

“This decision removes excessive paperwork burdens from Pennsylvania’s local communities and will save water authorities tens of thousands of dollars a year,” Toomey said. “By allowing water

authorities to post their reports online instead of paying for mailers few will read, these utilities will be able to pass on the savings to consumers or improve their services by investing in infrastructure.”

With the new changes in effect, water authorities can now post the information online and direct customers to the information via their bill. The change does not alter regulations for emergency water containment notification. **(B)**

# Tax Break Proposed for Firefighter Gear

IN AN ATTEMPT TO HELP MAKE EQUIPMENT MORE AFFORDABLE FOR FIREFIGHTERS, REP. GARY HALUSKA (D-CAMBRIA) HAS INTRODUCED **HOUSE BILL 574** THAT WOULD EXEMPT INDIVIDUAL FIREFIGHTERS FROM PAYING THE STATE’S 6 PERCENT SALES TAX ON PERSONAL PURCHASES OF EQUIPMENT.

Under current law, fire departments are already exempt from paying sales tax on purchases made for the department. The proposed law would expand the sales tax exemption on personal purchases made on helmets, suits and other equipment.

“The network of volunteer fire responders we have across Pennsylvania saves residents and businesses literally billions of dollars each year; but for them personally, protecting their communities can be very expensive,” Haluska said. “Much of the gear they need to stay safe during fire and other emergency calls, they have to purchase themselves. Individual firefighters should receive the same exemption when they personally have to purchase their own helmets, suits and other equipment.”

The bill is currently being reviewed in the House Finance Committee. **(B)**



**SUIT UP** Under proposed legislation, individual firefighters would not have to pay the state’s 6 percent sales tax on helmets, suits and other equipment

# Proposal Would Reduce Size of Legislature

**HOUSE SPEAKER SAM SMITH (R-JEFFERSON) WILL AGAIN OFFER A PROPOSAL THAT WOULD REDUCE THE SIZE OF THE STATE HOUSE.** During the last legislative session, Smith introduced a bill that would reduce the House from 203 to 153 members. The House passed the measure in April 2012 by a vote of 140-49, but included a provision to also reduce the Senate from 50 to 38. No action was taken in the Senate.

Smith has said that in addition to cost savings on salaries, benefits and other expenses, he believes the legislature would operate more efficiently. The bill he will introduce this session will only call for a reduction in the state House; he said he believes the state Senate should consider its own measure independently, and by eliminating the provision will encourage action in the Senate.

## Top 5 Largest State Legislatures

RANKING	STATE	POPULATION	SIZE
1	New Hampshire	1.3 million	424
2	Pennsylvania	12.6 million	253
3	Georgia	9.1 million	236
4	New York	19.3 million	212
5	Minnesota	5.1 million	201

*\*Information courtesy of National Conference of State Legislatures*

A reduction in the size of the legislature requires an amendment to the state constitution. The same bill must also be passed in two consecutive sessions and subsequently approved by referendum vote.

The last such effort to reduce the legislature in Pennsylvania failed in the 1970s. According to the National Conference of State Legislatures,

Pennsylvania has the second largest legislature in the country and represents 12.7 million people; the largest is New Hampshire which represents 1.3 million people and has 424 members. New Hampshire's legislature, however, does not operate full-time. By comparison, California, which represents 36 million people, has 120 legislators. The complete list can be viewed at [www.ncsl.org](http://www.ncsl.org). **(B)**

# Creation of Municipal Stormwater Authorities

**SENATOR EDWIN ERICKSON (R-CHESTER) HAS INTRODUCED LEGISLATION TO HELP LOCAL GOVERNMENTS RESPOND TO THE ESCALATING COSTS OF STORMWATER MANAGEMENT TO ADDRESS REGULATIONS AND FLOODING ISSUES.** Erickson's bill, **Senate Bill 351**, would create stormwater authorities to help create a stable source of funding for municipal stormwater management planning and projects.

These authorities could also provide incentives for private stormwater management that would reduce costs to local governments and taxpayers. Several municipalities in Pennsylvania that have considered creating stormwater authorities have been reluctant to do so in the absence of express authorization by the General Assembly.

Erickson's bill was voted out of the Senate Local Government Committee on March 12. Rep. Kate Harper (R-Montgomery) has introduced the companion bill, **House Bill 821**, in the House, and it was referred to the House Local Government Committee. **(B)**



**STORMWATER MANAGEMENT** A proposal would create stormwater authorities to address regulations and flooding issues

# Natural Gas Vehicle Grant Program Opens

**APPROXIMATELY \$10 MILLION IN GRANTS WILL BE AVAILABLE THROUGH THE ALTERNATIVE FUELS INCENTIVE GRANT PROGRAM FOR ORGANIZATIONS, NON-PROFIT AGENCIES, FOR-PROFIT COMPANIES, COMMONWEALTH OR MUNICIPAL AUTHORITIES AND LOCAL TRANSPORTATION ORGANIZATIONS.** The grant funds available will include an opportunity to propose projects which will convert or purchase

natural gas vehicles weighing less than 14,000 pounds as well as convert or purchase electric, propane, or other alternative fuel vehicles of any size.

As done with the heavy-duty natural gas vehicle (NGV) grants, applicants interested in purchasing or converting one or two alternative fuel vehicles will be encouraged to join forces and aggregate into a single

application to satisfy the five vehicle minimum required for application. Applications will also be accepted for innovation in alternative fuel transportation, including non-road vehicles, such as natural gas trains or tug boats.

To learn more about this NGV Grant Program as it becomes available, send an email to [RA-EPNGVehicles@pa.gov](mailto:RA-EPNGVehicles@pa.gov). **(B)**

# Proposal Would Merge Fish, Game Commissions

REP. MARTIN CAUSER (R-CAMERON) HAS OFFERED HOUSE RESOLUTION 129 THAT WOULD CALL FOR A STUDY TO ASSESS THE POSSIBILITY OF MERGING THE PENNSYLVANIA GAME COMMISSION AND THE PENNSYLVANIA FISH AND BOAT COMMISSION. Causer is chairman of the House Game and Fisheries Committee.

Causer said he introduced the bill because Pennsylvania is the only state where fish, boat and wildlife activities are managed by two, separate independent agencies. He hopes to conduct a study to assess the operations of each agency.

“Clearly, funding is a concern,” Causer said. “If we can eliminate some duplication and pool our resources, it would save money that could instead be invested in boosting our fish and wildlife populations, benefitting sportsmen and anglers across the Commonwealth.”

A similar study was conducted 10 years ago, and although no legislation resulted, it was recommended that a merger was feasible and would save money.

The Legislative Budget & Finance Committee will complete a study. **(B)**



**POSSIBLE MERGER** The state House is considering a measure that would merge the Game Commission and the Fish and Boat Commission

# Proposal Would Regulate Gas Drilling and Production

REP. SCOTT CONKLIN (D-CENTRE) HAS INTRODUCED THREE BILLS DESIGNED TO BETTER REGULATE OIL AND GAS DRILLING AND PRODUCTION IN PENNSYLVANIA.

“Natural gas drilling and extraction is a new industry in Pennsylvania. With any new industry, there are a great deal of unknowns, and the natural gas extraction industry is no exception,” Conklin said. “We need to do all we can to make sure the public health and our environment are safeguarded as we venture further into this new industry.”

Conklin’s first bill (**H.B. 880**) would require well operators to provide public notice of their intent to drill in the area. Public notice would consist of an advertisement published in the local newspaper before the permit application is filed with the Department of Environmental Protection (DEP). The ad would run once a week for four consecutive weeks, and proof of publication would be required



**DRILLING REGULATIONS** A series of bills was introduced to streamline oil and gas drilling and production operations in the Commonwealth

to be submitted with the permit application.

Conklin’s second bill (**H.B. 881**) would create a statewide toll-free telephone number for reporting suspected oil and gas violations. DEP would be responsible for the number’s administration.

Conklin’s third bill (**H.B. 882**) would create a special response team to address emergencies related to drilling and producing oil and gas wells. Under the bill, these response teams would be in place during exploration drilling and

while the well is under construction. Team members would keep current with their training and be state certified, and would be responsible for informing local emergency personnel and the Department of Labor and Industry when an emergency occurs.

**House Bill 880** and **House Bill 881** were referred to the House Environmental Resources and Energy Committee and **House Bill 882** was referred to the House Labor and Industry Committee. **(B)**