

PSATS NewsBulletin

A NEWSLETTER
CONTAINING
THE LATEST
INFORMATION
ON LEGISLATION
AND NEWS OF
INTEREST TO
TOWNSHIPS

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PSATS 2023 Annual Conference a Success!

Thank you to the township officials and staff, presenters, and exhibitors who made PSATS' 2023 Annual Conference a success! Township officials were excited to network, visit with vendors at the state's largest municipal exhibit show, and learn about township issues at dozens of workshops. On Tuesday, delegates elected the Association's leadership, adopted a modest dues increase for 2024, and debated 56 resolutions, 47 of which were approved. The adopted resolutions set the Association's policy for the next five years and direct PSATS' legislative agenda. **A copy of the 2023 PSATS Adopted Resolutions is enclosed.**

Delegates heard from state officials, including Gov. Josh Shapiro and U.S. Sen. Bob Casey by video, and in-person from Speaker of the House Joanna McClinton, Sen. Scott Martin, and Lt. Gov Austin Davis. A cabinet secretary's forum was held and the acting secretaries of the state Department of Transportation, the state Department of Environmental Protection, and the state Department of Community and Economic Development, as well as the Director of the Pennsylvania Emergency Management Agency participated. Look for full Conference coverage in the June issue of the *Pennsylvania Township News!*

Capitol Roundup

House Passes OSHA Mandate for Local Governments — The state House of Representatives recently passed [HB 299](#), which would require that the commonwealth and local governments comply with federal OSHA rules and regulations, which would be enforced by a new state board. In addition, any nonprofit organization (*including fire companies*) receiving federal funds from a government would also have to comply with the new rules.

While a strong supporter of worker safety, PSATS opposes HB 299 and its oppressive paperwork reporting and compliance requirements as an unfunded mandate on townships and their residents. The bill now moves to the Senate. Township officials are urged to reach out to their state senators and ask them to oppose this unfunded mandate.

Senate Passes Sterling Act Reforms— The State Senate approved **SB 671**, a Sterling Act reform bill. [SB 671](#) would allow municipalities that levy an earned income tax to collect and retain EIT revenues from their residents who work for a Philadelphia-based business who physically work all or part of the time outside of the city. In addition, the bill would require Philadelphia to provide offsetting credits to the home municipality of a resident who works in the city. Currently, EIT revenues of individuals who work in Philadelphia but reside elsewhere are retained entirely by the city. PSATS strongly supports these reforms, which would restore fairness to our local tax collection system and address PSATS resolutions.

The bill now moves to the House. If you have data on how this bill would benefit your township, please share this information with Brian Rengert, PSATS Deputy Director of Government Relations, at brenkert@psats.org.



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PSATS staff needs to know how much it costs your township to place legal advertisements and any recent experiences with challenges posting advertisements, including newspaper readership.

PSATS Testifies on Legislative Priorities — PSATS Director of Government Relations Joe Gerdes recently testified before the House Local Government Committee about PSATS and its 2023 legislative priorities. Gerdes explained that Association policy is set at the Annual Conference. PSATS priorities are to seek additional legal advertising options, including electronic advertisements; predictable and sustainable local transportation funding as liquid fuels funding decreases; cost recovery for commercial Right-to-Know requests; municipal pension and arbitration reform to reduce the costs for local police service; and full funding for state mandates and opposition to new unfunded mandates. In addition, PSATS supports a wage increase for elected township supervisors and elected auditors. To [read the full comments](#), go to psats.org and choose “Legislation & Policy” and then “Legislative Testimony.”

We Need Your Stories to Make the Case for Legal Advertising Reform — PSATS is working to build legislative support for legal advertising reform and we need your help! PSATS supports legislation that would provide additional options for legal advertising, including township websites and weekly shoppers. We need to know how much it costs your township to place a legal advertisement and how much you spend annually on legal ads. Have you recently experienced a newspaper closing or were unable to publish a needed print advertisement due to unforeseen circumstances and if so, what did you do to deal with the situation? Is a newspaper of general circulation available for delivery in your township or must the newspaper deliver via U.S. mail? How long in advance must advertisements be submitted before publication? Is your submission local or out of town or state?

Any information that you can share would be appreciated, including subscription and readership data. Please send your input to Katie Lizza, PSATS Policy & Research Analyst, at klizza@psats.org or call 717-763-0930, ext. 126. Thank you for your help!

Police Pension Credit Legislation—[SB 464](#) was recently approved by the Senate Law and Justice Committee and would require municipalities to permit full-time police officers who have satisfied vesting requirements to purchase pension credit for prior police service in a different police department.

PSATS opposes SB 464 as an unfunded mandate. While PSATS members strongly support law enforcement personnel and the difficult jobs they perform, the negative financial impact of this bill would be significant on many townships.

Crime Victims, Criminal Defendants May Access Certain Criminal Records — Act 134 of 2022 is now in effect. The act permits crime victims and criminal defendants to obtain from criminal justice agencies (*including municipal police departments*) criminal history investigative information for use in or investigation of an actual or potential civil action. The law contains various exceptions to disclosure, including if, after reasonable redactions, dissemination of the requested information by the agency would adversely affect investigations or ongoing prosecutions or endanger people or public safety. Act 134 does not amend the Right-to-Know Law, but instead is a new requirement under the Criminal History Record Information Act. PSATS is hosting a webinar on June 28 to discuss the new requirements. Learn more and register at learn.psats.org.

Breach of Information Notice Act Now in Effect — [Act 151 of 2022](#) is now in effect. This act requires the state and local governments to notify affected individuals within seven business days following determination of a breach or release of personal information, such as driver’s license numbers, financial account numbers or credit or debit card numbers, medical and health insurance information, and username and password. Local governments are now required to notify the district attorney of a breach within three business days.

HB 246 would require municipalities to notify affected property owners by first class mail when they receive notice from FEMA of changes in a preliminary special hazard area map.

Legislation Impacting Townships Moves Forward

The following bills of interest to townships recently saw action in the Pennsylvania General Assembly:

[SB 188](#) would require **legislative approval for any regulation** that would directly or indirectly cost the commonwealth, political subdivisions, and the private sector over \$1 million annually. This bill would address a PSATS resolution.

[SB 190](#) would **require a one-time review three years after initial approval** of any regulation that would directly or indirectly cost the commonwealth, political subdivisions, and the private sector over \$1 million annually. This bill would address a PSATS resolution.

[SB 355](#) would **amend the Right-to-Know Law to make it a felony of the third degree** for a person to intentionally and unlawfully alter, destroy, conceal, remove, or otherwise impair the verity or availability of any record for which a records request has been made.

[SB 689](#) would allow a municipality to apply to the state Department of Environmental Protection for a **continuous maintenance permit for streams** within their jurisdiction for at least 10 years. This bill would address a PSATS resolution.

[SB 690](#) would authorize county conservation districts to create a **county stream reconstruction program** with approval of the state Department of Environmental Protection to conduct stream reconstruction activities. Districts with such a program may issue emergency permits for stream reconstruction, including to prevent a flooding event. This bill would address a PSATS resolution.

[HB 246](#) would **require municipalities to notify affected property owners by first class mail** when they receive notice from the Federal Emergency Management Agency that there are changes in a preliminary special flood hazard area map. PSATS opposes the bill due to the financial and administrative mandate.

[HB 405](#) would amend the County Assessment Code to provide that **where a township boundary line passes through a house**, if the owner fails to choose the municipality in which the land is to be assessed, it will be assessed in the municipality with the larger portion of the mansion. If the owner does choose, it would be binding on the owner unless the property is subsequently subdivided.

[HB 479](#) would **increase Medicaid reimbursement rates for ambulance ground transportation** at no less than \$4 for each loaded mile, beginning in 2025. PSATS supports this legislation, which would address PSATS resolutions.

To read the bills, go to legis.state.pa.us and type in the bill number.

Federal News

Biden Vetoes Congressional Attempt to Reverse Expanded WOTUS Rule

The U.S. Senate and the U.S. House of Representatives each recently passed a disapproval resolution to overturn a recent Waters of the U.S. (WOTUS) rule that expands the definition of the bodies of water that are subject to protections of the Clean Water Act and return to a narrower definition, which would have been helpful for townships. However, President Joe Biden vetoed the resolution last week. Neither chamber has the votes necessary to override a veto. Federal litigation challenging the rule is pending in the courts, including *Sackett v. EPA*, which is before the U.S. Supreme Court.

Don't Miss PSATS Training Opportunities!

Don't miss these in-person and virtual training options! Go to learn.psats.org for details and to register. The highlights of the PSATS education calendar this month are the Secretary/Administrator Summit, the PSATS Zoning Academy, and the County Convention How-To.

- The first-ever **PSATS Secretary/Administrator Summit** will be held on **June 12** at the Wyndham State College and will feature a series of sessions focused exclusively on the many responsibilities of township secretaries and administrators. These will include a roundtable discussion, Q&A, and a game show to test your knowledge at the end of the event.
- For those with **CDL-related responsibility**, there are **virtual classes on probable cause and records management** on **June 20**.
- The **County Convention How-To** is on **June 22** at PSATS in Enola and is an opportunity for county association teams to share best practices and get ideas to invigorate their county conventions.
- The **PSATS Zoning Academy** is set for **June 26 and 27** in Breinigsville, Lehigh County. If you are looking to better understand how zoning works, as well as the roles that various township officials and employees play in zoning, make sure to sign up.
- **Upcoming Webinars:** Don't miss the lineup of PSATS webinars! The schedule includes ones on drones for emergency management, public finance transactions, stream maintenance, and Pennsylvania's New Criminal History Records requirements for townships.

This and That...

Be sure to check this section each month, where you will find important reminders and information.

- **Townships Encouraged to Adopt America250PA Resolution** America250PA was formed to celebrate the 250th birthday of the United States in 2026 and Pennsylvania's leading role in commemorating this event. Join the celebration by approving a sample commemorative resolution. For a sample resolution, log onto psats.org and choose "Legislation & Policy" then "Resource Center." Please send approved resolutions to your state senator and representative, as well as PSATS Policy & Research Analyst Katie Lizza at klizza@psats.org or mail a copy to PSATS, 4855 Woodland Drive, Enola, PA 17025. Ask your county to join you in supporting this celebration. Learn more at www.America250PA.org!
- **PA Safety Days Scheduled** PA Safety Days are sponsored by Pennsylvania 811 and will be held as in-person events in 2023. Remaining events will be held in York on **June 15**, Cranberry on **August 10**, and State College on **September 14**. Don't miss these events designed to teach attendees about safe digging practices, which are valuable for public works employees. Go to pa1call.org to learn more and register.
- **Intuit Rumor Dispelled** Recent rumors have stated that townships that have QuickBooks will need to upgrade to QuickBooks online. This is incorrect as 2023 QuickBooks Desktop Pro by Intuit will continue to be available for \$549 annually. Desktop Payroll is also available.
- **DCNR Evaluating Regional ATV Connector Pilot** The state Department of Conservation and Natural Resources is now gathering input on experiences with the ATV Regional Trail Connector Pilot in the northcentral region of Pennsylvania. This year's pilot riding area will center on Potter and Tioga counties and will include parts of Clinton and Lycoming counties. The trails include 400 miles of township roads, 163 miles of state forest roads and trails, and 33 miles of PennDOT-administered roads and will open May 26. To comment on the pilot, email RA-NR-ATV-Pilot@pa.gov. DCNR is looking for input on the impact of the trail of communities, other forest users, public safety, and ecological values and is partnering with Penn State to fully evaluate impacts.