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Network



WEEK IN REVIEW

October 25, 2013

News for the Week of October 21

The next issue of the Week In Review will be published on November 8.

Legislative News

Transportation Funding Plan on Hold as Lawmakers Head Home

The General Assembly is on recess until November 12, when the House is expected to resume the ongoing transportation funding debate. This week, an anticipated vote in the House on a comprehensive transportation funding plan did not happen as discussions were ongoing.

Reports indicate that all four caucuses and the Governor's office are actively negotiating on a transportation funding plan and the House is expected to vote on the plan when they return. One reoccurring stumbling block in the negotiations has been the linkage of transportation funding to prevailing wage reform. As was previously reported, many Republican House members have indicated that they will not vote in favor of a transportation funding plan unless it includes changes to the prevailing wage law, while Democratic House members are refusing to vote for a plan that does include such changes. The unions have been lobbying against any proposed changes to the prevailing wage law. The two changes that were on the table during negotiations this week were increasing the threshold from \$25,000 to \$100,000 only for highway projects and an exemption for road maintenance activities to address the *Youngwood* decision. [Click here](#) to read more about the efforts to link prevailing wage reform to transportation funding from the Pittsburgh Tribune Review article.

Stay tuned as this critical issue is expected to come to a head when legislators return to session on November 12.

Governor Corbett Talks Transportation

This week, Gov. Tom Corbett highlighted the critical need for transportation funding reform and urged the House to act. As reported by Pennsylvania Legislative Services, Corbett stated, "There are thousands of bridges in Pennsylvania that are crumbling and we do not have the money to fix them. It's that simple."

Corbett continued, "The legislature can fix this and now is the time to do it. Our citizens deserve better than crumbling concrete. Our citizens deserve a transit system that is working. Now the General Assembly has that opportunity to fix it. A 'yes' vote for transportation is a vote that will

ensure safety for our 1.5 million children riding 31,000 school buses every day to school in Pennsylvania, riding across roads and bridges that need to be repaired. Four thousand bridges, 10,000 miles of road that need to be repaired. We can ensure the flow of commerce so that our industries and businesses can continue to operate. And, this bill will create jobs.”

Senate Committee Votes to Restrict Swaps Use

According to the Harrisburg Patriot News, the Senate Local Government Committee voted this week to advance SB 901, which would restrict the use of complicated financial transactions known as interest-rate swaps by local governments and school districts, but not to eliminate them. Swaps, which depend on local governments issuing variable-rate bonds and notes to finance projects, have been in the spotlight in recent years because of state audits highlighting their risky nature and documenting taxpayer losses from swaps and the mounting debt tied to a Harrisburg incinerator project. [Click here](#) to read the Patriot News Article.

Sports Betting Approved by Senate

According to the Pittsburgh Tribune Review, volunteer groups and clubs in Pennsylvania might be able to run sports pools legally in time for the Super Bowl. Sports betting is currently illegal in Pennsylvania, but two pieces of legislation, HB 290 and HB 1098, which would amend the Small Games of Chance Act passed the state Senate on Wednesday and are now before the House. [Click here](#) to read the Tribune Review article.

Corbett Signs New Law Outlawing Triple-Dipping

According to the Harrisburg Patriot News, Governor Tom Corbett signed into law a bill sent to him on Wednesday that bars state government retirees from collecting jobless benefits when they return to commonwealth service for a temporary assignment. The Senate and House both voted unanimously this week to ban this “triple-dipping” practice that allows the retirees to collect their pension, salary, and then unemployment compensation. [Click here](#) to read the Patriot News article.

More News From Around The State

Chief Justice Castille on November Ballot

According to the Philadelphia Inquirer, voters will have to decide on Nov. 5: Should they keep the most powerful jurist in Pennsylvania on the bench? Supreme Court Chief Justice Ronald D. Castille, a Democrat, seeks to retain the seat he has held for 20 years. At 69, Castille would be eligible to serve only one year of the 10-year term before reaching the mandatory retirement age of 70, creating turnover on the court once again. [Click here](#) to read the Philadelphia Inquirer article.

*** * * Looking for this week’s issue of the Pennsylvania Bulletin? [Click here](#).* ***

Legislation Action

The township-related legislation below saw action this week in the Pennsylvania General Assembly:

Electronic advertising — [SB 733](#) (PN 765) would authorize local governments to electronically publish legal notices in place of newspaper advertisements. It would also direct the Department of Community and Economic Development to maintain a list of the names of all websites used by local governments for this purpose, including a link to access legal notices.

Note: this legislation would address a PSATS resolution.

Action: Reported as committed from the Senate Local Government Committee; first consideration in the Senate.

Status: Before the Senate.

Operating reserve fund — [SB 1046](#) (PN 1304) would amend the Second Class Township Code to increase the cap on operating reserve fund from 5 percent to 25 percent of the general fund.

Note: this legislation would address a PSATS resolution.

Action: Third consideration and final passage in the Senate (48-0).

Status: Has passed the Senate and is before the House Local Government Committee.

Ordinance adoption — [SB 1082](#) (PN 1355) would amend the Second Class Township Code to give townships the option to electronically submit newly adopted township ordinances to the county law library, as an alternative to paper copies, through a method established by the county.

Note: this legislation would address a PSATS resolution.

Action: Third consideration and final passage in the Senate (48-0).

Status: Has passed the Senate and is before the House Local Government Committee.

Ordinance adoption — [HB 1529](#) (PN 2039) would amend the Second Class Township Code to give townships the option to electronically submit newly adopted township ordinances to the county law library, as an alternative to paper copies, through a method established by the county.

Note: this legislation would address a PSATS resolution.

Status: Third consideration and final passage in the House (198-0).

Action: Has passed the House and is before the Senate.

Volunteer emergency responder tax credit for businesses — [HB 1632](#) (PN 2512) would amend Title 35 (*Health and Safety*) of the Pennsylvania Consolidated Statutes to create the Volunteer Emergency Responder's Employer Tax Credit Act, which would provide state tax credits for employers that permit employees to leave work in response to an emergency call and employers that permit employees to use paid leave for the purpose of attending emergency service training for up to five days per year. The tax credits would be for the period during which an employee is absent from work because of their response to an emergency call or training. Employees must comply with the employer's prearranged, preapproved release policy.

Note: this legislation would address a PSATS resolution.

Action: Amended on second consideration in the House; third consideration and final passage in the House (197-0).

Status: Has passed the House and is before the Senate.

Loans for volunteer emergency responders — [HB 1706](#) (PN 513) would amend Title 35 (*Health and Safety*) of the Pennsylvania Consolidated Statutes to update the Volunteer Loan and Assistance Program, which provides 2 percent loans to volunteer fire, ambulance, and rescue services, by increasing the maximum loan amounts and payment periods, limiting the number of outstanding loans that a service may have to three at one time, and making the Office of Fire Commissioner responsible for the administration of the program.

Action: Amended on second consideration in the House; third consideration and final passage in the House (202-0).

Status: Has passed the House and is before the Senate.

Military leave — [HB 88](#) (PN 539) would amend Title 51 (*Military Affairs*) of the Pennsylvania Consolidated Statutes to provide further clarification for the calculation of military leave for employees of the Commonwealth and local government.

Action: Third consideration and final passage in the Senate (50-0).

Status: Has passed both the House and Senate and is before the Governor.

Tax certification for mobile homes — [HB 1263](#) (PN 2021) would amend Title 75 (*Vehicles*) of the Pennsylvania Consolidated Statutes to require sellers of mobile and manufactured homes to obtain a real estate tax status certification and ensure that all taxes are paid as a condition of the sale.

Action: Reported as committed from the Senate Transportation Committee; first consideration in the Senate.

Status: Has passed the House and is before the Senate Appropriations Committee.

Small games of chance — [HB 290](#) (PN 2581) would amend Small Games of Chance (*Act 156 of 1988, as amended*) to clarify that club licensees may raise and use funds for public interest purposes, including charitable activities and operations of a nonprofit for the provision of fire and rescue services. In addition, the bill would reduce the reporting requirements and increase the winnings thresholds for small games of chance.

Action: Reported as amended from the Senate Rules Committee and received third consideration and final passage in the Senate (45-5).

Status: Has passed the House and the Senate and is before the House for concurrence on Senate amendments.

Electronic publication of Second Class Township Code — [SB 935](#) (PN 1121) would authorize the Local Government Commission to publish, maintain, and update publically-accessible online versions of the Second Class Township Code as well as the other municipal codes. The legislation would make the electronic versions of the codes and their supplements publically available in addition to, or in lieu of, the printed versions of the codes currently provided by the Commission.

Status: Reported as committed from the Senate Local Government Committee; second consideration in the Senate.

Action: Before the Senate.

Elected tax collector — [HB 1617](#) (PN 2228) would amend the Local Tax Collection Law to clarify that the estate of a deceased tax collector has the same powers to settle unpaid taxes as the deceased collector.

Status: Third consideration and final passage in the House (198-0).

Action: Has passed the House and is before the Senate.

Agriculture building exemption — [HB 1439](#) (PN 2141) would Title 53 (*Municipalities Generally*) to add “high tunnels” to the definition of an “agricultural building” and exempting high tunnels from real estate tax.

Action: Second consideration in the Senate.

Status: Has passed the House and is before the Senate Appropriations Committee.

Rewrite of the Third Class City Code — [SB 497](#) (PN 1293) would update and re-enact the Third Class City Code.

Action: third consideration and final passage in the Senate (50-0).

Status: Has passed the Senate and is before the House Urban Affairs Committee.

Capitol Calendar

Legislative Committee Meetings for the week of October 28 & November 4:

MONDAY - 10/28/13

House Democratic Policy Committee

3:00 p.m., Slippy Rock University, Robert M. Smith Student Center, Ballroom A, 1 Morrow Way, Slippy Rock

Public hearing on: [HB 1192](#) Gibbons, Amends Title 23 re division of marital property.

TUESDAY - 10/29/13

House Education

10:00 a.m., Room G-50, Irvis Office Building

Public hearing on: [HB 1588](#) Saylor, Amends School Code re religious education facilities.

House Tourism and Recreational Development

1:00 p.m., National Constitution Center, 525 Arch Street, Philadelphia

Public hearing on: [HB 871](#) Day, Amends Title 53 re excise tax on hotel room; [HB 872](#) Day, Amends the Tax Reform Code re sales tax; [HB 873](#) Day, Amends County Code re hotel room tax; [HB 874](#) Day, Amends Community and Economic Improvement Act; [HB 875](#) Day, Amends Title 64 re hotel room rental tax.

Senate Judiciary

1:00 p.m., Koppers Building, 436 Seventh Avenue, 9th Floor, Grant Room, Pittsburgh

Public hearing to discuss civil legal representation of the indigent: Have we achieved equal access to justice?

WEDNESDAY - 10/30/13

Senate Democratic Policy Committee

10:00 a.m., Green Tree Municipal Center, 10 W. Manilla Avenue, Pittsburgh

Roundtable discussion on community colleges and workforce development.

House Democratic Policy Committee

6:00 p.m. West Lake Fire Department, 3762 West Lake Road, Erie

Public briefing with PA Fire Commissioner Edward Mann about financial assistance programs for fire, ambulance, and rescue organizations.

THURSDAY - 10/31/13

House Democratic Policy Committee

9:00 a.m., Millcreek Township Municipal Building, Assembly Room, 3608 West 26th Street, Erie

Public hearing on jobs and the economy.

FRIDAY - 11/1/13

Joint Legislative Conservation Committee

10:00 a.m., Greater PA Regional Council of Carpenters Hall, 650 Ridge Road, Suite 200, Collier Township, Pittsburgh

Public hearing on emerging municipal drinking water treatment technologies.

THURSDAY - 11/7/13

Independent Regulatory Review Commission

10:00 a.m., 14th Floor Conference Room, 333 Market Street, Harrisburg

To consider the following regulations: 2923 Department of Transportation #18-423: Delivery of Certificates of Title; 3013 Department of Transportation #18-432: Intrastate Motor Carrier Safety Requirements; 3007 PA Public Utility Commission #57-293: Paper Copy and Electronic Copy Filing Requirements; 3010 Board of Coal Mine Safety #7-481: Maintenance of Incombustible Content of Rock Dust; 3023 PA Liquor Control Board #54-77: Repeals; 3031 Unemployment Compensation Board of Review: #12-97: Telephone Hearings; 2980 Environmental Quality Board #7-478: Air Quality Title V Fee Amendment; 2972 Bureau of Professional and Occupational Affairs #16A-6917: Schedule of Civil Penalties - Social Workers, Marriage and Family Therapists and Professional Counselors; 2973 State Board of Social Workers, Marriage/Family Therapists and Professional Counselors #16A-6918: Continuing Education Audit and Enforcement; 2997 State Board of Dentistry #16A- 4627: Fees; 3000 State Board of Funeral Directors #16A-4822: Fees.

2013 Session Days for the Pennsylvania General Assembly:

The General Assembly is scheduled for session on the following days:

- **November:** 12, 13, 18, 19, 20
- **December:** 3 (*Senate only*), 4 (*Senate only*), 9, 10, 11, 16 (*House only*), 17 (*House only*), 18 (*House only, non-voting*)

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