

LEGISLATIVE BULLETIN

COUNTY COMMISSIONERS ASSOCIATION OF PENNSYLVANIA THE VOICE OF PENNSYLVANIA COUNTIES

COUNTY PRIORITIES SPOTLIGHT: INTERGOVERNMENTAL PARTNERSHIPS AND SHARED ISSUES

During the CCAP Spring Conference, counties addressed intergovernmental partnerships, collaboration, and how local governments can work together to address shared issues. Joining 2024 CCAP President and Berks County Commissioner **Michael Rivera** on the panel were **William Ross**, Lower Saucon Authority, Northampton County, president of the Pennsylvania Municipal Authorities Association (PMAA); **Andrew Boni**, Perry Township Supervisor, Fayette County, president of the Pennsylvania State Association of Township Supervisors (PSATS); and **Michael Gossert**, Cumberland Valley School District, Cumberland County, president of the Pennsylvania School Boards Association (PSAB).

Among the topics of discussion included top [priorities](#) for counties this year related to increasing the prevailing wage threshold and reforming the state Right-to-Know law (RTKL). Under Pennsylvania's Prevailing Wage Act, the Pennsylvania Department of Labor and Industry sets minimum hourly wages for specific occupations that must be paid to workers on publicly funded projects of more than \$25,000. These wage rates are typically higher than local market rates, increasing the cost of construction, maintenance and infrastructure projects for local governments. Because local governments are subject to the \$25,000 threshold under the Prevailing Wage Act, local governments are spending significantly more money on projects that could otherwise be utilized in other areas of their overall budgets. Furthermore, local governments continue to work together to address shared concerns around the Right-to-Know Law (RTKL) and the increasing burden on local governments to respond to requests that continue to increase in number and complexity for the amount of information being sought.

Panelists also discussed how counties and other local governments could enhance their partnerships to break down barriers and address collective issues in communities in areas like public safety, economic development, cybersecurity, and addressing aging infrastructure. Strong intergovernmental connections are needed as local governments face increasingly complex issues.

LEGISLATURE RETURNS TO SESSION; NEW HOUSE MEMBER SWORN IN

On March 18, the state Senate and House of Representatives returned to Harrisburg to kick off the legislature's first full legislative session week of 2024.

Rep. James Prokopiak (D-Bucks), who won the special election to fill the vacant 140th House District seat, was officially sworn into office on the return to session, and Democrats now hold a 102-100 majority in the House. There remains one vacant House seat that opened when Rep. Joe Adams (R-Wayne/Pike), a former Wayne County Commissioner, announced his resignation from his 139th House District seat on February 9; House Speaker Joanna McClinton (D-Philadelphia) has called for a special election to be held concurrently with the 2024 primary election on April 23 to fill that vacancy.

LEGISLATIVE COMMITTEES CONSIDER BILLS OF INTEREST

The House Environmental Resources and Energy Committee recently considered [HB 597](#), introduced by Rep. Patty Kim (D-Cumberland), which would provide counties the option to levy a recycling and waste management fee on municipal solid waste generated within a county's borders. The fee would not be permitted to exceed \$4 per ton initially but could be raised every five years to account for inflation. HB 597 was reported from committee by a vote of [14-11](#).

In the House Local Government Committee, [SB 945](#), introduced by Sen. Rosemary Brown (R-Monroe), was voted out of committee [unanimously](#) on March 20. This bill is the culmination of several sessions of work to codify the consolidation of the freestanding County Code into Title 16 of the Consolidated Statutes. While SB 945 is substantively the same as the current County Code, the bill does provide several modifications to conform to case law developments, removes obsolete provisions, and incorporates other minor substantive changes. Counties worked closely with the Local Government Commission over several sessions to move this process and bill forward. Both bills are now before the full House for consideration.

In the Senate, the State Government Committee recently approved several bills that would impact the county administration of elections. [SB 250](#), sponsored by Sen. Cris Dush (R-Jefferson), would require counties to print ballots on specialized paper with additional measures such as holographic images and watermarks. Several amendments were offered but ultimately failed, including an amendment that counties support to provide counties 21 days of pre-canvassing of mail-in and absentee ballots. Counties voiced concerns with the legislation and expressed a desire to work with the sponsor to better understand the issue the bill is aiming to address, but the bill was reported from committee as amended on a vote of [7-4](#). In addition, the committee considered [SB 99](#), also sponsored by Sen. Dush, which aims to eliminate the use of drop boxes and satellite election bureau offices for mail-in ballots. SB 99 was reported as committed by a [7-4](#) vote. Both bills now head to the full Senate for consideration.

OFFICE OF OPEN RECORDS ANNUAL REPORT AVAILABLE

On March 11, the Office of Open Records (OOR) released its [2023 Annual Report](#) which highlights the work of the Department related to Right-To-Know Law requests and appeals. The report denotes 2023 as the busiest year on record for OOR with appeals growing in both volume and complexity. More information on the report and OOR can be found on the OOR [website](#).

FULL FEDERAL FUNDING PACKAGE NEARS FINISH LINE

At the time of this publication, Congress is on track to approve the second half of the federal appropriations measure to keep federal government agencies open through September 2024. Congressional leaders agreed on a final government funding bill earlier in the week, which would finally end the need for regular continuing resolutions to fund the federal government if it passes the House and Senate before the deadline on March 22. The six-bill package will fund the departments of Defense, State, Labor, Health and Human Services, Homeland Security and the legislative branch until Sept. 30 — the last day of fiscal year 2024 — and covers a larger portion of federal spending than the \$467.5 billion “minibus” Congress passed March 8.

Counties urge the resolution of budget negotiations for the new fiscal year as alternatives to a completed budget, including continuing resolutions and government shutdowns, create costly delays and uncertainty in providing federal assistance, funding and programs to counties and our residents.

More information on the Continuing Resolution can be found on the National Association of Counties (NACo) [website](#).

ACT 13 REPORTS DUE APRIL 15

Local Government Unconventional Gas Well Fund Usage Reports required under Act 13 of 2012 will be due to the PUC by April 15, 2024. All Local Government Unconventional Gas Well Funds received in 2023 must be reported. Details about the usage reports, including all necessary information regarding the online and paper reporting systems, can be found on CCAP’s Act 13/Shale Gas Resources [web page](#). Reports can be filed electronically via the [Act 13 Reporting website](#).

CCAP RESOLUTIONS PROCESS

During the end of May and beginning of June, CCAP policy committees will be holding their annual virtual meetings to consider resolutions amending the [Pennsylvania County Platform](#), CCAP’s comprehensive policy document determined by counties. All CCAP members are invited to review the Platform and to send any proposed resolutions for additions, changes or deletions to CCAP Government Relations staff at PACountiesGR@pacounties.org, or to

discuss them with CCAP policy committee chairs. A membership discussion and vote on the resolutions will be held in conjunction with the CCAP Annual Conference in early August. An overview of the process, timeline and related materials can be found on the CCAP Policy [webpage](#).

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