To: Members of the Pennsylvania House of Representatives

From: Amy Sturges, Director of Governmental Affairs, PML and PSATC

Date: January 13, 2020

Re: House Bill 2073 – Opposition to Miller Amendments

I am writing on behalf of the PA Municipal League and the PA State Association of Township Commissioners, to express opposition to Representative Brett Miller’s amendments to House Bill 2073 slated for second consideration today.

House Bill 2073 is the modernization of the First Class Township Code. One particular update authorizes an inflationary adjustment to commissioner salary caps which are based on township population. These caps have not been adjusted in 25 years. Currently, a township may offer a salary based on the caps stated in the Code; commissioners are not obligated to take a salary. Further, a township may also offer insurance to its commissioners. If offered, a commissioner is not obligated to take the insurance. If insurance is offered and accepted, whether the township or the individual commissioner pays the insurance premiums is determined locally. As such, all of these decisions are decided at the local level.

Taken as a whole, Representative Miller’s various amendments either do not allow the salary cap adjustment and/or require commissioners to choose between a salary or insurance. We believe these currently local decisions must remain local.

Consequently, the three other municipal codes are all reflect the same local decision making on these particular issues. Therefore, amending the First Class Code Township Code as suggested by the Miller amendments will be treating township commissioners differently than their counterparts in third class cities, boroughs and second class townships.

Finally, local taxpayers are the appropriate entity to decide if their local elected officials should receive a salary or insurance. Any of these local decisions must be put in place by ordinance. Furthermore, an elected official would not be allowed to receive that benefit until re-elected in a new term.

For the above stated reasons we request that you vote “no” on all of the Miller amendments that come before you. This Rewrite project was a three-year, section by section review process with the Local Government Commission and representatives of the PA State Association of Township Commissioners. Loss of any local decision making authority was not contemplated during that process.

We respectfully request that the bill move to third consideration and receive final passage without further amendments. Thank you.