

Pennsylvania Municipal League

2021 Adopted Resolutions

Resolution 1

Adoption of National League of Cities' 2021 Municipal Policy and 2021 Federal Action Agenda

Resolution 2

Preservation of Local Government Transportation Funding

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Liquid Fuels Distribution Formula Reform

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Vexatious Requests Under the Right to Know Law

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Local Elected Official Training

Resolution #1-2021 – ADOPTED

Submitted by: The League’s Legislative Committee

NLC’s 2021 National Municipal Policy Statement and Federal Action Agenda

Whereas, Pennsylvania’s municipalities are concerned with a wide range of issues at the federal level; and

Whereas, when appropriate, The League sets forth these issues in correspondence with the members of the Pennsylvania congressional delegation; and

Whereas, federal devolution has pushed the responsibilities for funding and administration of many programs onto states and localities; and

Whereas, federal devolution and the federal budget process continue to result in fewer dollars available for municipal programs; and

Whereas, municipalities cannot continue to meet the growing fiscal and societal demands for services and programs without their federal partner; and

Whereas, The League, as a State Municipal League member of the National League of Cities (NLC), takes its lead on federal issues from NLC; and

Whereas, NLC in its *2021 Federal Action Agenda* is asking Congress and the Administration to work in partnership with local governments to maximize support for programs vital to municipalities across the nation.

Therefore, be it resolved: The League reaffirms as its basic federal policy the *2021 Federal Action Agenda* of the National League of Cities.

Be it further resolved: The League reaffirms as its 2021 federal agenda, NLC’s *2021 Federal Action Agenda*:

- Building sustainable and resilient infrastructure;
- Advancing workforce readiness;
- Increasing fair and affordable housing;
- Reimagining public safety and health;
- Stabilizing local government operations;
- Digital equity; and
- Monitor federal budget and appropriations process

This resolution adopts NLC’s 2021 National Municipal Policy Statement, as well as its 2021 Federal Action Agenda.

Resolution #2-2021 – ADOPTED

Submitted by: The North Central District

Preservation of Local Government Transportation Funding

Whereas, Pennsylvania utilizes the gas tax as the main funding mechanism for the state's highway fund, with the Pennsylvania Department of Transportation (PennDOT) receiving 74 percent of its bridge and highway funding from the gas tax alone; and

Whereas, municipalities receive a local share of the gas tax to fund a transportation projects and acquire necessary transportation equipment for their communities, and

Whereas, Pennsylvania's gas tax is one of the highest is the country, but the tax rate has remained stagnant, becoming an unreliable and outdated funding source while transportation costs soared, and ultimately resulting in a substantial and steady decrease of gas tax revenue; and

Whereas, due to the state's gas tax revenue shortfall, municipalities received seven percent less in liquid fuels funds in 2021 compared to the previous year; and

Whereas, in March 2021, Governor Wolf established the Transportation Revenue Options Commission (TROC) comprised of transportation, economic and community stakeholders to develop comprehensive transportation funding alternatives; and

Whereas, TROC funding recommendations include replacing the gas tax by implementing a user fee on vehicle miles traveled, a fee on package deliveries and increasing vehicle registration rates among other considered revenue alternatives; and

Whereas, a restructuring of state transportation funding mechanisms and formulas away from the gas tax cannot result in a decrease of funds to local governments; and

Whereas, any new transportation funding mechanisms and formulas must keep local governments whole and provide robust, meaningful and sustainable transportation funding for local governments to preserve and improve critical local transportation infrastructure.

Therefore, be it resolved: The League supports the state's efforts to research and implement alternative means to modernize the Commonwealth's transportation funding to more reliable and sustainable sources of revenue.

Be it further resolved: The League calls for local government transportation funding to remain whole and insists any new transportation funding mechanisms and formulas provide additional and meaningful funding for local governments to undertake critical community transportation projects.

This resolution recognizes the need to seek alternative transportation revenue options and calls for the full, robust and meaningful funding for local governments in any newly adopted transportation funding mechanisms or formulas.

Resolution #3-2021 – ADOPTED

Submitted by: The Northwest District

Liquid Fuels Distribution Formula Reform

Whereas, The Liquid Fuels Tax Municipal Allocation Law provides all municipalities with the opportunity to receive an annual allocation of Liquid Fuels Tax funds from the state's Motor License Fund; and

Whereas, to be eligible for liquid fuels funding, municipalities must formally adopt their roadways that meet certain speed and dimension criteria as public streets, as well as fulfilling annual reporting and payment requirements; and

Whereas, municipalities may use their Liquid Fuels Tax allocation to fund a range of transportation related projects and to purchase necessary equipment; and

Whereas, of the 120,596 miles of public road in Pennsylvania, 73,091 miles are owned by municipalities eligible for liquid fuels funding, meaning a majority of the Commonwealth's public roads rely on local liquid fuels funds for maintenance and repair; and

Whereas, the Municipal Liquid Fuels Allocation formula is based on a municipality's actual miles of locally-owned road and its population using the latest official census; and

Whereas, this formula does not capture the reality and need of communities that have a significantly smaller property tax base due to a high number of tax exempt or tax immune properties; and

Whereas, municipalities that have 50 percent or more tax exempt and tax immune properties combined need additional assistance to help supplement property tax revenue shortfalls; and

Whereas, the current liquid fuels allocation in such communities is not enough to fund necessary transportation projects, leading to the state subsidy of locally-owned roads; and

Whereas, the liquid fuels formula should take tax exempt and tax immune properties into account when determining funding allocations for municipalities.

Therefore, be it resolved: The League supports amending the Municipal Liquid Fuels Allocation formula to provide weight to municipalities that have 50 percent or more of tax exempt and tax immune properties combined to ensure a more equitable distribution of funds based on need.

This resolution calls for an amendment to the Municipal Liquid Fuels Allocation formula to provide weight to communities that have 50 percent or more tax exempt and tax immune properties combined. The League currently has a policy calling for the Municipal Liquid Fuels Allocation formula to be based on lane of mile instead of linear miles.

Resolution #4-2021 – ADOPTED

Submitted by: The League’s Legislative Committee

Vexatious Requests Under the Right to Know Law

Whereas, the Right to Know Law was implemented in 2008 to foster greater access to public records and to develop standards for the sharing of public information; and

Whereas, local governments have and continue to work to comply with the Law; and

Whereas, burdensome or vexatious requests submitted to local governments for public records that are considered voluminous or repetitive in nature have become more of a problem; and

Whereas, many times these vexatious requests have the intent to harass or unreasonably burden a local government, which has to devote personnel time and taxpayer dollars to generate these onerous requests; and

Whereas, while the Right to Know Law is important to increasing governmental transparency, it is equally important that the Law is not used to overburden a local government from performing other vital duties in its service to its community; and

Whereas, an introduced legislative proposal would create a process for local governments and other agencies to petition the Office of Open Records seeking relief from an alleged vexatious requestor under the Right to Know Law; and

Whereas, these proposals would require the Office of Open Records to provide a final opinion with appropriate relief, including an order that a local government or agency need not comply with future requests from the vexatious requestor for no more than one year.

Therefore, be it resolved: The League supports legislation creating a process for local governments to seek appropriate relief from an alleged vexatious requestor.

This resolution supports amendments to the Right to Know Law establishing a process for local governments to seek appropriate relief from an alleged vexatious requestor.

Resolution #5-2021 – ADOPTED

Submitted by: The League’s Legislative Committee

Local Elected Official Training

Whereas, the complexity of the day to day operation and management of local governments in Pennsylvania grows every year; and

Whereas, in their capacity as local leaders, local elected officials must make decisions on multifaceted issues that have financial and other long-term implications for their municipalities, residents and businesses; and

Whereas, local elected officials also need to be knowledgeable of ever-changing state and federal laws that impact operations at the local level; and

Whereas, uninformed decisions have the potential to lead to legal issues and unnecessary expenses to the detriment of taxpayers; and

Whereas, local officials currently must seek out education on their own to learn about issues and stay abreast of new developments impacting local government operations; and

Whereas, training and continuing education are required in many fields; and

Whereas, Pennsylvania’s local elected officials and their constituents would benefit from a more robust training protocol at the state level.

Therefore, be it resolved: The League supports a minimum local elected official training curriculum provided by the Department of Community and Economic Development free of charge to newly elected local officials.

This resolution supports the establishment of an official training curriculum for newly elected local officials to be offered and funded by the Department of Community and Economic Development.