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MEMO

To: Members of the Senate Local Government Committee
From: Amy Sturges, Director of Governmental Affairs, PA Municipal League
Re: Position on bills before the Committee, Tuesday, October 19
Date: October 18, 2021

On behalf of the members of the PA Municipal League, please see our positions below on bills scheduled for Committee consideration tomorrow.

SB 275 – Oppose – in seeking a preemption of local action regulating utilities, the language in SB 275 is overreaching. It is broadly written and includes terminology that is subjective, such as “discrimination” and “has the effect of.” This subjective language will result in legal action at taxpayer expense. The League can agree to a general preemption of local action to regulate utilities, as the PA PUC is charged with this authority. The League cannot, however, agree to the loosely written language that could easily be argued to apply to and prohibit local policies and incentives that address energy efficiencies, energy costs and the environmental impacts of climate change. Many municipalities have developed such local policies to varying degrees, not only concerning municipal operations, but on a community level, as well. We argue that SB 275 exposes these initiatives to legal challenge because the language in the bill is open to interpretation. We ask for a negative vote on SB 275.

SB 448 – Oppose – the bill penalizes a municipality for establishing local gun regulations. It also encourages lawsuits by giving broad standing to third-party member organizations and individuals. Furthermore, the League is opposed to the general preemption of local regulation of firearms on municipally owned property. The Commonwealth, counties, courts and schools have the authority to regulate firearms on their property; municipalities should not be treated any differently. Municipalities are charged with protecting the public and have the same duty as other government entities to ensure the safety of those attending public meetings and enjoying municipal parks.

SB 755 – Support – this bill adds modernizing language to the Municipalities Planning Code allowing land use plans and documents to be transmitted and submitted electronically.

HB 430 – Support – this bill provides a waiver of penalties imposed on taxpayers who do not receive a tax bill in the first year to property ownership.

Thank you.