

HYBRID BUSINESS MEETING OF THE LOCAL GOVERNMENT COMMISSION

Wednesday, May 12, 2021

The hybrid meeting of the Local Government Commission (Commission) was called to order by Senator Scott E. Hutchinson at 9:05 a.m. in Room 515 Irvis Office Building with the following Commission Members, staff and guests participating in person and remotely:

MEMBERS

Senator Scott E. Hutchinson, Chair
Senator Cris Dush
Senator Timothy P. Kearney
Representative R. Lee James
Representative Dan Moul
Representative Jerry Knowles
Representative Robert Freeman
Representative Christina D. Sappey

STAFF

David A. Greene, Executive Director
Kristopher J. Gazsi, Assistant Director
Danette H. Magee, Senior Research Analyst
Julia E. Frey, Research Analyst
Karen S. Bear, Executive Assistant
Sonya I. Ebersole, Fiscal Administrator

GUESTS

Justin Leventry, Senator Hutchinson's Office
Matt Maniskas, Senator Schwank's Office
Sam Arnold, Senator Kearney's Office
Bre Medevich, Representative Freeman's Office
Mary Yoder, Senate Local Government Committee (R)
Rob Gaertner, House Local Government Committee (R)
Kyle Schaeffer, House Local Government Committee (R)
Jon Castelli, House Local Government Committee (D)
Tim Scott, House Urban Affairs Committee (D)
Rick Vilello, Department of Community and Economic Development
Ted Ritsick, Department of Community and Economic Development
Evelyn Chianelli, Department of Community and Economic Development
Ashley White, County Commissioners Association of Pennsylvania
Ron Grutza, Pennsylvania State Association of Boroughs
Tammy Shearer, Pennsylvania State Association of Elected County Officials
Eric Feder, Pennsylvania State Association of Elected County Officials
Joseph Gerdes, Pennsylvania State Association of Township Supervisors
Joe Regan, Pennsylvania State Fraternal Order of Police
Benjamin Dannels, Greenlee Partners

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The recorded hybrid meeting was conducted with both Member and Commission staff participation. On Wednesday, May 5, 2021, notice of the meeting was posted on the committee meeting pages of the Senate of Pennsylvania and the House of Representatives through the Legislative Data Processing Center. The meeting information was posted on the Commission's website, www.lgc.state.pa.us, on Monday, May 10, 2021. Any questions on agenda items for consideration by the Commission were addressed during the meeting. After adjournment, the recording of the meeting will be posted on the Commission's website at www.lgc.state.pa.us.

Three legislative proposals were presented to the Members for their review and consideration at today's meeting. The Executive Director explained that the first proposal would amend the County Code and the Second Class County Code to delay the impact of census-based county classification changes. Due to the pandemic, the United States Census Bureau announced that the 2020 census results will be postponed until September 30, 2021. Under current provisions of the County Code, county classifications are based on population and any change in classification due to the 2020 census would take effect January 1, 2022. For a county to move up in class, the county population must exceed the current classification threshold tier to automatically move into another level. For a county to move down in classification, the county population must fall below the current classification rank for two consecutive censuses. A change in classification could result in differing provisions relating to salary thresholds and row office structures. With more limited time this year, counties are seeking an amendment to the County Code and Second Class County Code that would freeze any county classification changes until 2030, unless a change based on population outcome is otherwise adopted via ordinance or resolution because the county deems it to be in their constituents' best interests. Based on the projected 2020 census figures the subsequent classification changes would be as follows:

- Lancaster: currently 3rd would move to 2A
- Chester: currently 3rd would move to 2A
- Union: currently 7th would move to 6th
- Cambria: currently 4th would move to 5th
- Fayette: currently 4th would move to 5th
- Elk: currently 6th would move to 7th

The County Commissioners Association of Pennsylvania (CCAP) submitted a letter to the Members, which conveys CCAP's support for the proposed legislation. After a lengthy debate, the Members unanimously approved on a motion by Representative Freeman and a second by Senator Kearney to introduce the language into both chambers with Senator Kearney and Representative Knowles as the prime sponsors in the Senate and House, respectively. The Members also suggested that future exploration of county classification consolidation should be considered.

The second legislative proposal would add Section 110 to the Pennsylvania Municipalities Planning Code to authorize municipalities to electronically transmit proposed or adopted comprehensive plans, land use ordinances or amendments, as well as comments and recommendations, to other governmental bodies. Municipalities are also required to retain a written or electronic record of every transmittal. This language was requested by the Pennsylvania Chapter of the American Planning Association and the Department of Community and Economic Development. After a discussion, the Members unanimously agreed to introduce

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the proposal in both chambers with Senator Kearney and Representative Sappey as the prime sponsors in the Senate and House, respectively.

The third legislative proposal presented for the Members' review was submitted to the Commission by the Pennsylvania Recorder of Deeds Association (PRODA). The suggested language will amend section 321 of Title 57 (Notaries Public) of the Pennsylvania Consolidated Statutes to enable recorders of deeds or prothonotaries to choose to record notary signatures with the recorder of deeds and allow the use of digital technology to capture signatures and store signature cards. The proposed amendment would also allow prothonotaries to increase the notary public fee collected for the official signature of each notary public from 50 cents to up to five dollars, as reflected in the Recorder of Deeds Fee Law. The PRODA maintains that current law pertaining to notary signature cards is outdated and that technology has improved to allow for the collection of signature cards electronically for future verifications; thereby, providing constituents with improved public service. The Members questioned the fee imposed by the recorder of deeds and prothonotaries. Tammy Shearer, President of the Pennsylvania State Association of Elected County Officials, stated that the procedure for obtaining electronic signatures is more important than the fee. Ms. Shearer further explained that the amount of money accumulated from the notary public fees is negligible. After further discussion and analysis, the Members unanimously agreed to eliminate the fee reference from the proposed language and directed that the revised amendment be presented to them for their consideration at the June business meeting.

The Members discussed the minutes of the April 21, 2021, business meeting, which were unanimously approved on a motion by Representative Sappey and a second by Senator Dush. The financial reports for the month of April 2021 were presented, and an explanation was given by the Executive Director. The financial reports were unanimously approved on a motion by Representative James and a second by Representative Freeman.

As the last order of business, the Executive Director announced that due to a scheduling conflict with the municipal associations, the date of the Local Government Commission Symposium has been moved from October 7, 2021, to October 21, 2021.

The next Commission business meeting is scheduled for Wednesday, June 16, 2021, at 9:00 a.m. The hybrid meeting will afford in-person and remote participation. At the June meeting, boundary change language will be presented to the Members for consideration.

The meeting adjourned at 9:45 a.m.

ATTESTED: _____
June 7, 2021