

## **MEETING OF THE LOCAL GOVERNMENT COMMISSION**

**Wednesday, June 13, 2012**

The meeting of the Local Government Commission was called to order by Senator Robert D. Robbins at 8:45 a.m. in Room 14 East Wing-Main Capitol Building, Harrisburg, Pennsylvania, with the following individuals present:

### **MEMBERS**

**Senator Robert D. Robbins, Chairman  
Senator Edwin B. Erickson  
Senator John H. Eichelberger, Jr.  
Senator John P. Blake  
Senator John N. Wozniak  
Representative Chris Ross  
Representative Mauree Gingrich  
Representative Robert L. Freeman**

### **STAFF**

**Michael P. Gasbarre, Executive Director  
Philip H. Klotz, Assistant Director  
David A. Greene, Legal Counsel  
Karen S. Bear, Secretary**

### **GUESTS**

**Chris Yniguez, Senator Robbins' Office  
Luc Miron, Senator Blake's Office  
Kyle Mullins, Senator Blake's Office  
Christine Goldbeck, House Republican Research Office  
Ron Grutza, Pennsylvania State Association of Boroughs  
Stephanie Drake, Pennsylvania State Association of Boroughs  
Alexa Moser, Pennsylvania School Boards Association**

As the first order of business, the Members discussed the minutes of the May 9, 2012, business meeting, which were unanimously approved on a motion by Senator Wozniak and a second by Representative Ross. The financial report for the month of May 2012 was presented, and relevant portions thereof were explained by the Executive Director. The financial report was unanimously approved on a motion by Representative Gingrich and a second by Representative Ross.

The Executive Director discussed the printing of the recodified *Borough Code* (Act 43 of 2012) and indicated that a number of variables should be considered in deciding how to proceed. Foremost, the Local Government Commission Law (Act 102 of 1935) requires the Commission to compile and distribute the municipal codes and supplements to officials of political subdivisions governed by the codes. However, House Bill (HB) 1441, which authorizes the electronic publication of the municipal codes, has passed the House of Representatives and has been referred to the Senate Appropriations Committee. Furthermore, the Pennsylvania State Association of Boroughs (PSAB) revealed that it is going to print the recodified *Code* for sale at cost in the near future. Moreover, Senate Leadership staff, prior to the enactment of Act 43, suggested that the recodified *Code* be placed into Title 8 (Boroughs) of the Pennsylvania Consolidated Statutes (Pa.C.S.), which Commission staff suggested delaying at that time to maintain transparency with Senate amendments to the bill. The Director indicated that staff could consult with the Legislative Reference Bureau (LRB) about placing the *Code* into the Pa.C.S. this summer and work with the LRB to prepare legislation, including any identified necessary technical or clarifying amendments to the *Code*, for introduction at the start of the 2013-2014 legislative session. The Members concurred that, given the impending availability of the recodified *Borough Code* from PSAB and through the Commission's website, and the prospect of passing HB 1441 and placing the *Code* in Title 8 of the Pa.C.S., the printing and dissemination of the *Code* at the end of this legislative session should be deferred. The Director said that he would meet with the senior staff of the LRB after passage of the budget to discuss placing the Act 43 into the Pa.C.S.

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Page 2 –June 13, 2012

David Greene, Commission Legal Counsel, updated the Members concerning the work being accomplished on the grantee acknowledgment legislation. Mr. Greene explained that legislation was drafted and is currently being examined by several interested parties. Mr. Greene is awaiting their comments and suggestions and predicts that the two-bill legislative package could be introduced sometime in the fall. At a previous meeting with the Pennsylvania State Association of Elected County Officials, the Executive Director was approached by Janet Kalajainen, representing the Pennsylvania Recorder of Deeds Association, who had asked for support of House Bill 740, Printer's Number 757. House Bill 740 provides the form of deeds for conveying or releasing lands, which must be signed by the grantee. Ms. Kalajainen contended that on occasion deeds had been conveyed without knowledge of the grantees. The Executive Director had shared this information with the Members of the Local Government Commission at the March 28, 2012, business meeting and stated that the issue of fraudulent transfers of ownership of property is widespread. The Commission Members directed Commission staff to have legislation drafted to address this matter.

The Members unanimously agreed to the Director's request that he, in concert with Chairman Robbins, begin to investigate the availability of office space in State office buildings. The Commission's lease agreement at Forum Place building expires in June 2014. It is the desire of the Commission to relocate into a State office building, thereby freeing the Commission from monthly lease payments.

The Director announced that the final Senate Resolution (SR) 323 Task Force meeting is scheduled for Tuesday, July 31, 2012, at 10:00 a.m. in Room 60 East Wing-Main Capitol Building. The purpose of the meeting is to present a preliminary draft of the SR 323 Report. Members of the Task Force will be asked to provide any comments on the report that they may have prior to August 31, 2012, so that it can be finalized and submitted to the Senate of Pennsylvania by the October 15, 2012, deadline. Members of the Commission were encouraged to attend.

As the last order of business, the Members unanimously agreed to cancel the July 11, 2012, business meeting. The next scheduled business meeting is September 26, 2012, at 8:45 a.m. in Room 14 East Wing-Main Capitol Building.

The meeting adjourned at 9:05 a.m.

ATTESTED: \_\_\_\_\_  
June 14, 2012