

MEETING OF THE LOCAL GOVERNMENT COMMISSION

Wednesday, September 28, 2016

The meeting of the Local Government Commission was called to order by Senator John Eichelberger, Jr., at 8:45 a.m. in 14 East Wing–Main Capitol Building, Harrisburg, Pennsylvania, with the following individuals present:

MEMBERS

Senator John H. Eichelberger, Jr., Chairman
Senator Thomas J. McGarrigle
Senator Scott E. Hutchinson
Representative Chris Ross (via telephone)
Representative Mauree Gingrich
Representative Kate Harper
Representative Mary Jo Daley

STAFF

Philip H. Klotz, Executive Director
David A. Greene, Assistant Director-Legal Counsel
Wanda L. Snader, Associate Legal Counsel
Danette H. Magee, Research Associate
Karen S. Bear, Secretary

GUESTS

Lee Derr, Senator Eichelberger's Office
Justin Leventry, Senator Hutchinson's Office
Nathan Akers, Senator Hutchinson's Office
Rob Gaertner, House Local Government Committee (R)
Lisa Schaefer, County Commissioners Association of PA
Aubrey Morris, County Commissioners Association of PA
Ron Grutza, Pennsylvania State Association of Boroughs
Don O'Shell, York County Clerk of Courts
Patricia Streams Warman, Indiana County Recorder of Deeds
Randi Reisinger, York County Recorder of Deeds
Jean Marfizo King, Dauphin County Register of Wills
Ben Holland, Butler County Controller
Denny Lebo, Cumberland County Clerk of Courts

As the first order of business, the Members discussed the minutes of the July 12, 2016, business meeting, which were unanimously approved on a motion by Senator McGarrigle and a second by Representative Gingrich. The financial reports for the months of July and August were presented, and a detailed explanation was given by the Executive Director. The financial reports were unanimously approved on a motion by Senator McGarrigle and a second by Representative Harper.

At the Commission's June 15, 2016, business meeting, the Members unanimously agreed that a few Commission legislators should form a working group with the Commission staff's assistance to possibly help effectuate the process of modernizing the property assessment system in Pennsylvania. At today's meeting, the Executive Director stated that a working group consisting of Senator Eichelberger, Senator Blake, Representative Ross, Representative Harper, Representative Daley, and Commission staff met on September 14, 2016, to formulate a draft assessment reform initiative timeline, a task force membership list, a working group list and a draft concurrent resolution that directs the Local Government Commission to form a task force to implement recommendations related to the efficiency, transparency, modernization and fairness of the property assessment process. The task force will work collaboratively with the Assessors' Association of Pennsylvania and the County Commissioners Association of Pennsylvania. The Members reviewed the proposed task force outlines developed by the initial working group and discussed the pros and cons of initiating the task force now as opposed to waiting until the 2017-2018 legislative session. At the conclusion of the debate, the Members unanimously agreed on a motion by Senator McGarrigle and a second by Representative Gingrich to begin the task force promptly by introducing the concurrent resolution this legislative session. Senator McGarrigle and Representative Gingrich will be prime sponsors of the concurrent resolution in the Senate of Pennsylvania and the House of Representatives, respectively. The Executive Director added that at the October 19 Commission business meeting he would update the Members as to the financial resources potentially needed and available to conduct the task force.

Don O'Shell, representing the Pennsylvania State Association of Elected County Officials (PSAECO), thanked the Commission for meeting with them today and introduced Patricia Streams Warman, representing the Pennsylvania Recorder of Deeds Association. Ms. Warman expressed her Association's opposition to Senate Bill 1282, Printer's Number 2066, which would amend Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes by requiring counties that maintain a uniform parcel identifier (UPI) system of indexing to assign a master parcel number to each condominium, cooperative and planned community, and index declaration amendments against the master parcel. The act would also prohibit, in such cases, charging a fee for indexing individual unit parcels. Many counties have index fees based upon every unit (per parcel) in condominiums, cooperatives or planned communities. Ms. Warman stated that her Association is concerned that during title searches amendments filed under the master parcel will be overlooked. Senate Bill 1282 passed the Senate (48-2) and has been tabled in the House on first consideration.

Mr. O'Shell, representing the Pennsylvania State Association of Prothonotaries and Clerks of Courts, declared his Association's opposition to House Bill 30, Printer's Number 3752, which would amend Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes by updating Pennsylvania's Organ Donation Law in accordance with a variety of changes recommended in the Revised Uniform Anatomical Gift Act. Representative Harper stated that an amendment to that bill, which should address the Association's issue, is being prepared by a fellow House Member. Currently, House Bill 30 is on first consideration in the House of Representatives.

Associate Legal Counsel Wanda Snader offered remarks regarding a possible amendment to Title 53 (Municipalities Generally), section 2941 of the Pennsylvania Consolidated Statutes. Ms. Snader explained that Commission staff was contacted by the Department of Community and Economic Development inquiring as to the method by which a home rule municipality that lacks a mayor can apportion the municipality. Presently, there is no process in law that authorizes municipalities without a mayor, which operates under a home rule charter or optional plan, to

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appoint members to an apportionment commission. It was recommended by Ms. Snader that an amendment be added giving the governing body of a home rule municipality without a mayor the authority to make appointments to the apportionment commission. The Members concurred that the oversight ought to be addressed and agreed that Commission staff should seek input from home rule municipalities regarding this issue and bring the findings to the Commission Members at a later date.

As the last order of business, the Director reminded the Members that the next monthly business meeting will be Wednesday, October 19, 2016, at 8:45 a.m. in Room 14 East Wing-Main Capitol Building. Notification of the meeting will be sent to the Members' Capitol and district offices.

The meeting adjourned at 9:30 a.m.

ATTESTED: _____
September 30, 2016