

the PACOG News

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Spring 2021



Pennsylvania's Keystone for Intergovernmental Cooperation

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PACOG

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American Rescue Plan

The American Rescue Plan Act, which was recently enacted March 11, 2021, provides \$1.9 trillion in funding, program changes and tax policies to mitigate the effects of the COVID-19 pandemic. It provides funding to states, counties and other local governments, provides tax credits to municipalities that offer certain employment benefits, and has other pandemic relief programs.

Pennsylvania is scheduled to receive \$13.7 billion:

- \$7.2 billion for state government
- \$2.8 billion for counties
- \$2.3 billion for entitlement communities
- \$936 million for non-entitlement communities
- \$279 million for Coronavirus Capital Projects

State/local governments can use these restricted funds to cover costs incurred to:

- Respond to the COVID-19 emergency and address its negative economic impacts, including through aid to households, small businesses, nonprofits, and industries such as tourism and hospitality
- Provide premium pay to essential employees or grants to their employers. Premium pay couldn't exceed \$13 per hour or \$25,000 per worker
- Provide government services affected by a revenue reduction during the pandemic (relative to revenues collected by the local government in the most recent full fiscal year prior to the emergency)
- Make investments in water, sewer, and broadband infrastructure.

State and local governments cannot use the funds towards pensions or to offset, directly or indirectly, revenue from a tax cut enacted since March 3, 2021.

States have 30 days to distribute payments to smaller non-entitlement municipalities that do not receive direct allocations from the federal government. Payments to non-entitlement municipalities are capped at 75% of their most recent budget as of January 27, 2020.

Funds must be used by December 31, 2024.

A full summary of the bill is available at <https://ncsl.org/ncsl-in-dc/publicationsandresources>. From the National Conference of State Legislatures.

COG Talk... What's Happening in Our COGs?

Centre Region COG has a Centre County Strong Pledge that businesses/organizations sign, pledging to keep employee and customers safe during the COVID-19 pandemic. There is a belief that the community depends on each person doing their part and being a part of the solution. Business and community partners, local chambers, and elected officials are collectively working to drive economic growth and improve the quality of life in Centre County, PA.

Capital Region COG (CapCOG) has continued to work with and serve their 42 municipalities even during COVID. They have been actively involved in joint bidding and salt bid efforts, the issue concerning the collection of storm water fees, the Uniform Construction Code Appeals Board, and the Public Safety Committee. The COG applied for a SAFER Grant on behalf of 20 volunteer fire companies, but were unsuccessful, but resubmitted another application just recently, in an effort to enhance firefighter recruitment, retention and training.

Beaver County Regional Council of Governments (BCRCOG) will hold a virtual event April 15 on Zoom to bring together legislators, elected officials, law enforcement officials, and first responders for a courageous conversation and breakout sessions focused on racial equity, reform, and quality relationships. The effects of racial disparities and strategies for their elimination will be explored. Attendees will engage in courageous conversations about race, expand their racial consciousness and make action plans for addressing racial inequities. The event is entitled “Bridging the Racial Divide: Courageous Conversation Leadership.”

SEDA-COG has been actively promoting the availability of Homelessness Prevention Grants being offered in response to COVID-19, to support hard-hit residents in the region. The grants typically can be used to pay rent or mortgage payments, to prevent eviction or foreclosure and utility payments to prevent cutoff. The programs are on a first-come, first-serve basis and ends when the funds are spent. The COG is also urging eligible for-profit hospitality industry businesses to apply for the COVID-19 Hospitality Industry Recovery Program (CHIRP) grants. The grants will help alleviate revenue losses and pay eligible operating expenses due to the COVID-19 pandemic.

Warren County COG is examining itself and its approach to addressing problems in the region. The current issues the COG is debating include: public education regarding reassessment, lobbying the General Assembly on relevant issues, actions on blighted properties, possible education partnerships, the ongoing EMS crisis, and how structured the COG should be.

Department of Conservation and Natural Resources (DCNR)

DCNR is accepting applications for the Community Conservation Partnership Program (C2P2). C2P2 grants can fund: planning, acquisition, and development of public parks; recreation areas; motorized and non-motorized trails; river conservation and access; and conservation of open space. The three major projects for funding are (1) Community Recreation and Conservation Planning (2) Park Rehabilitation and Development and (3) Land Acquisition and Conservation. **The application deadline is April 21, 2021.** For more information, go to brcgrants.dcnr.pa.gov or call 1-800-326-7734.

PennDOT News

The enhanced **Pennsylvania Move Over Law** (Act 105 of 2020) goes into on effect April 27. This law requires motorists to move to an adjacent lane as they approach an emergency area, or if they are unable to safely merge into another lane, to slow down to at least 20 miles per hour. An emergency area is where an emergency vehicle has its lights flashing, or where road crews or emergency responders have lighted flares, posted signs, or try to warn travelers. Noncompliance can result in fines or points on the drivers license, with escalated fines for second or third time offences and possible license suspension. Emergency responders will mark response areas with road flares, caution signs, or other traffic-control devices. For more information, go to www.penndot.gov.

Blight

Act 61 of 2020 gave municipalities another tool to address blight and went into effect in September 2020. It allows local taxing authorities to provide a tax exemption for up to 10 years for any improvements and new construction on blighted properties in designated mixed-use areas. The amount of the exemption would decline by 5 to 15 percent per year, before expiring after the 10th year. As a condition, the owner must agree to correct all code violations, pay all delinquent taxes, and increase the value of the property by at least 25%.

Earth Day

Earth Day 2021 is an annual event celebrated globally to support environmental protection. The day is celebrated on April 22nd every year. Originated in 1970, the event is now coordinated and celebrated internationally by the Earth Day Network in more than 193 countries across the globe. The theme for 2021 for this worldwide event is “Restore Our Earth.” Parallel to the Biden Administration’s global climate summit, **EARTHDAY.ORG** will have its second Earth Day Live digital event, beginning at 12 PM Eastern Time.

Workshops, panel discussions, and special performances will focus on Restore Our Earth™, covering natural processes, emerging green technologies, and innovative thinking that can restore the world’s ecosystems. Topics will include:

- Climate and environmental literacy
- Climate restoration technologies
- Reforestation efforts
- Regenerative agriculture
- Equity and environmental justice
- Citizen science
- Cleanups, and more.
- World climate leaders, grassroots activists, nonprofit innovators, thought leaders, industry leaders, artists, musicians, influencers, and the leaders of tomorrow will come to push us towards a better world. For more information, go to www.earthday.org.

PA One Call

On April 21 PA One Call will host a Virtual Safety Day. The following three learning tracks will be offered: (1) Complete overview of the construction process from design to complex project meeting prior to the dig date (2) Working with 811 including member services, tolerance zone training, excavator obligation, designer obligations and paradigm pipeline safety (3) Public agency speakers discussing working on curved roads, renting equipment, and meeting 811 obligations. Visit www.pa1call.org/events for more information.

FRIDAY, APRIL 23, 2021, 1:30 PM
PACOG SPRING BOARD OF DELEGATES
REMOTE MEETING
VIA TELEPHONE CONFERENCE CALL
DETAILS TO FOLLOW

Enacted Legislation

- **Act 114 of 2020** – authorizes **local governments to borrow money with Tax Anticipation Notes for two years, rather than just one year**, so they can maintain operations. Tax payment deadlines were extended for residents to alleviate some of the financial burdens caused by COVID-19, which necessitated deadline extensions for local governments. This bill was amended by the Senate to also include the 2020-2021 Fiscal Code, which is the legislation that dictates how the 2020-2021 state budget is spent.
- **Act 108 of 2020** – ensures that **all active volunteers and integral members of a volunteer fire, ambulance or rescue company are covered for Workers' Compensation through the State Workers Insurance Fund (SWIF)**.
- **Act 131 of 2020** – improves safety by **placing more stringent incident reporting requirements on holders of commercial driving licenses (CDL)**. It requires that a CDL driver who is cited, arrested or charged with a motor vehicle traffic control violation (other than a parking violation) notify the employer in writing within 30 days. The bill also expands driving opportunities for people with disabilities and assists homeless citizens by offering free state IDs.
- **Act 132 of 2020** – creates the **Unserved High-Speed Broadband Funding Program** to be administered by the Commonwealth Financing Authority. The Act provides \$5 million to fund grants for projects to get high-speed broadband to areas of Pennsylvania currently without the service.

Pending Legislation

- **NO BILL NUMBER YET** – would allow open primaries, enabling citizens who are not affiliated with either major party to vote in primary elections.
- **HB 47** – would merge different state agencies to create a new **Department of Local Government and Community Affairs (DLGCA) to address local community needs and concerns**. The intent is to enable the state to better meet the needs of the state's nearly 5,000 local government entities. The bill is part of a four-bill package that aims to establish Better Government, Economic Prosperity, Stronger and Healthier Communities for Taxpayers in Harrisburg. The four bills would merge eight existing state agencies into four new ones. Each merger in the legislation would require the adoption of a strategic plan detailing how the agencies described in the legislation would be combined. Each merger/strategic plan would have a timetable and specific requirements to be met.
- **HB 70** – would establish a **Flood Insurance Premium Assistance Task Force** to help reduce the cost of flood insurance premiums. It would address the financial issue that resulted from the Federal Emergency Management Agency's redrawing of its flood maps, which in turn resulted in requiring more properties in Pennsylvania to hold flood insurance.
- **HB 160** – would give municipalities the power to **deny permits to a limited liability corporation not only if they have delinquencies, but also if one of its principals has any delinquencies in the municipality**.
- **HB 606** – allows any municipal police officer to use **RADAR or LIDAR for speed enforcement**.
- **HB 664** – referred to as the "**Free Lemonade Stands**" bill, would preempt a municipality from requiring a business license for businesses run by minors. Applies to businesses that operate less than 84 days a year and gross less than \$5,000 annually.
- **SB 312** – amends the **Right-to-Know Law to allow agencies to charge search, review and duplication fees when responding to public record requests for commercial purposes**. This commercial requester fee includes charges for staff time required to respond to the requests.