

ACTS AFFECTING COUNTY GOVERNMENT, 2001

Following is the list of acts affecting county government that passed in 2001. Included are the bill number and printer's number (bill version), and the date the act was signed into law. Copies of each act are available from the Association or at the Legislature's web site (www.legis.state.pa.us/WU01/LI/BI/billroom.htm); enter the bill number and at the next screen select the correct printer's number. Our thanks to the Local Government Commission, from whose act summaries this list is drawn.

ACT 3 (H.B. 328, P.N. 345, May 4, 2001) – Amends the Crimes Code by making the sale or attempted sale of grave markers placed by counties a misdemeanor of the second degree.

ACT 13 (H.B. 193, P.N. 173, May 30, 2001) – Amends the Municipalities Code to provide that all Commonwealth departments and agencies in the performance of their administrative duties shall deem as a legal entity a council of governments, consortium, or other similar entities established by two or municipalities (including counties) pursuant to an intergovernmental cooperation agreement.

ACT 14 (H.B. 101, P.N. 1448, May 30, 2001) – Amends the Agricultural Area Security Law by allowing counties and local government units, in certain circumstances, to purchase agricultural conservation easements on a tract that is divided by county boundaries, specifying the criteria by which such land is purchased and the responsibilities for recording and notification; by eliminating the limit of \$10,000 per acre that the state can pay for the purchase of an agricultural easement; by adding land that qualifies for federal soil conservation funding to the definition of land in eligible agricultural production; and by recodifying the Supplemental Agricultural Conservation Easement Purchase Program.

ACT 16 (H.B. 23, P.N. 2032, June 8, 2001) – Amends the Second Class County Code to provide that, in the year following a court-ordered reassessment, a second class county and any of its political subdivisions may enact an ordinance freezing the homestead property assessments for qualified senior citizens to the pre-assessment values.

ACT 18 (S.B. 330, P.N. 817, June 8, 2001) – Full rewrite and recodification of the Uniform Commercial Code, providing for uniform filing exclusively with the Commonwealth and eliminating filings with county prothonotaries, and providing for a recalculation and redistribution of fees for UCC filings made with county recorders.

ACT 22 (S.B. 780, P.N. 1186, June 19, 2001) – Recodification of the Parking Authority Law and the Municipal Authorities Act into the Municipalities Code, with amendments affecting, among other things, appointment of boards and administration of the authorities.

ACT 24 (H.B. 550, P.N. 2339, June 22, 2001) – Creates the Optional Occupation Tax Elimination Act, authorizing school districts currently levying the occupational assessment tax, by referendum, to replace the tax with a revenue neutral increase in the district's earned income tax.

ACT 25 (H.B. 168, P.N. 435, June 22, 2001) – Amends the Local Tax Collection Law by providing for the Department of Community and Economic Development, in consultation

with the Pennsylvania Tax Collectors Association, to adopt and implement a voluntary program of basic training, examination, and qualification for real property tax collectors in political subdivisions other than counties.

ACT 28 (H.B. 1697, P.N. 2094, June 22, 2001) – Amends the Judicial Code to provide for a temporary common pleas judgeship in Fayette County, necessitated by a change in the Pennsylvania Constitution relative to mandatory judges' retirement.

ACT 29 (H.B. 975, P.N. 2294, June 22, 2001) – Creates the Conservation and Preservation Easement Act, which provides for uniform conservation and preservation easement laws applying to both public and private acquisition of easements intended for the preservation of natural, scenic or open-space values of real property and assuring its availability for agricultural, forest, recreational or open-space use.

ACT 30 (H.B. 1048, P.N. 1993, June 22, 2001) – Amends the Pennsylvania Commission on Crime and Delinquency Law by adding a county commissioner as a member of the Commission, and by putting into statute the Commission's Juvenile Justice and Delinquency Prevention Committee and the Commission's related juvenile justice initiative.

ACT 6A (S.B. 1, P.N. 1234, June 22, 2001) – This is the Commonwealth General Appropriations Act of 2001, setting out the Commonwealth 2001-2002 budget. From the counties' perspective, the budget is almost uniformly good news; one highlight, fulfilling an Association 2001 priority, is allocation of \$8.5 million to create a central voter registry database, and another is a new allocation of \$3 million to support county senior judges. Significant increases are included in Children and Youth and Mental Health and Mental Retardation programs.

ACT 31 (S.B. 877, P.N. 1237, June 22, 2001) – Creates the Industrial Resources Center Partnership Act, which requires the Department of Community and Economic Development to take responsibility for overall funding allocation, establish criteria for, select, and certify nonprofit corporations as industrial resource centers (IRCs), direct policy development, and foster coordination among IRCs.

ACT 33 (S.B. 236, P.N. 1172, June 22, 2001) – Amends the Vehicle Code by, among other things, establishes procedures to be followed by political subdivisions in establishing road or bridge size or weight limitations differing from those in the Vehicle Code, and providing penalties for failure to follow these procedures.

ACT 35 (S.B. 485, P.N. 1236, June 22, 2001) – Amends the School Code by, among other things, providing the means for dissolution of certain community colleges, and establishing a system in order to identify noncredit courses at community colleges that emphasize work force development and for which additional state reimbursement may be required.

ACT 36 (S.B. 926, P.N. 1087, June 22, 2001) – Amends the Library Code by further providing for the funding of library systems, by replacing the definition of "regional resource center" with the term "state-wide library resource center", by eliminating the definition of "library trainee" and by adding the definition "library system".

ACT 38 (S.B. 876, P.N. 1247, June 22, 2001) – Creates the Ben Franklin Technology Development Authority Act, which establishes the authority and charges it with coordination of programs and investments that advance the competitiveness of Commonwealth companies in the global economy, and repeals the Ben Franklin/IRC Partnership Act insofar as it refers to Ben Franklin technology centers.

ACT 39 (S.B. 130, P.N. 1098, June 22, 2001) – Amends the Protection from Abuse Act to recognize and provide for the enforcement of protection from abuse orders issued by courts outside the Commonwealth.

ACT 42 (S.B. 810, P.N. 1030, June 22, 2001) – Amends the Transportation Code by expanding the definition of “local transportation organization”, for the purpose of public transportation assistance, to include any nonprofit association of public transportation providers.

ACT 43 (H.B. 1235, P.N. 1779, June 22, 2001) – Amends the Pennsylvania Construction Code Act by creating an exemption from the Uniform Construction Code to accommodate beliefs of an established religious sect.

ACT 46 (H.B. 343, P.N. 2102, June 22, 2001) – Amends the Pennsylvania Commission on Crime and Delinquency Law to require the PCCD to prepare a prison population impact analysis of any bill having an impact on state or county prison, corrections, probation, or parole systems, upon request of the chairman of any legislative committee to which a bill has been referred.

ACT 57 (S.B. 597, P.N. 1076, June 25, 2001) – Amends the County Code to clarify the procedures for holding an election to replace the auditors with a controller; to remove the limitation on the number of assistant solicitors that can be appointed by the commissioners; to allow counties to sell real property to authorities under the Urban Redevelopment Law or Economic Development Financing Law at less than market value; and making a technical change relative to valuing county property prior to sale.

ACT 61 (S.B. 4, P.N. 1230, June 25, 2001) – Extensive amendments to the Pennsylvania Voter Registration Act to improve voter registration administration by dealing with a number of practical complaints raised by elections officials in the years since its passage. In particular, while the act does not change the purge standards, it clarifies and adds to the list of methodologies counties can use to remove voters or place them on the inactive lists. It also limits the duration of “fail-safe” voting, and it clarifies voter registration requirements for state agencies, standards for disabled electors, and procedures for transfer of records. The Act also creates the Statewide Uniform Registry of Electors (SURE), requiring the Department of State to develop recommendations for legislative consideration and enactment.

ACT 75 (H.B. 155, P.N. 2379, June 26, 2001) – Amends the Vehicle Code by, among other things, requiring PennDOT to establish and administer a shared-ride pilot program for persons with disabilities.

ACT 77 (H.B. 2, P.N. 2378, June 26, 2001) – Implements the Tobacco Settlement, establishing the Tobacco Settlement Fund and other funds and including, for projects within each county, an annual appropriation for prevention and cessation activities equivalent to 12% of the settlement, expected to mean an annual distribution of about \$41 million.

ACT 80 (H.B. 869, P.N. 2598, October 30, 2001) – Amends the Second Class County Code by requiring Allegheny County to provide for a pension cost of living increase when the pension fund exceeds certain actuarial thresholds; by changing the procedures relative to freezing homestead assessments following a court-ordered reassessment (see Act 16 of 2001); and establishing alternate provisions for management of juvenile detention facilities in second class counties.

ACT 81 (H.B. 910, P.N. 2631, October 30, 2001) – Amends the Judicial Code provisions relative to “Good Samaritan” civil protections to include design professionals who volunteer professional services in the event of a declared national, state or local emergency, or who do so at the request of a public official.

ACT 82 (S.B. 773, P.N. 1103, October 30, 2001) – Amends the Vital Statistics Law by, among other things, allowing clerks of orphans’ courts to file statistical summaries, rather than actual marriage license applications, with the Department of Health.

ACT 83 (S.B. 640, P.N. 1473, October 30, 2001) – Amends the Education Code by, among other things, establishing the Pennsylvania Medical Education Loan Assistance Program, which allows partial student loan forgiveness for nursing graduates who agree to work in a Pennsylvania personal care setting (such as a nursing home) for a period of at least three consecutive years, and low-cost loans for physicians who agree to practice for three years in an underserved area of the Commonwealth.

ACT 84 (H.B. 494, P.N. 2717, November 21, 2001) and **ACT 85** (H.B. 495, P.N. 2718, November 21, 2001) – These acts amend the First Class Township Code and the Borough Code, respectively, to authorize those units of local government to make appropriations to conservation districts within which the township or borough is located.

ACT 86 (H.B. 1541, P.N. 2719, November 21, 2001) – Amends the Judicial Code by, among other things, increasing from two to five years the statute of limitations for neglect of care-dependent persons.

ACT 88 (S.B. 977, P.N. 1441, November 21, 2001) – Amends the Judicial Code to establish a program to be administered by the Administrative Office of Pennsylvania Courts to make grants to counties to defray the costs for facilities and staff for Common Pleas senior judges.

ACT 95 (H.B. 846, P.N. 2587, December 13, 2001) – Creates the Long Term Care Resident and Employee Immunization Act, requiring every long term care facility to request residents and employees to be immunized for influenza virus and pneumococcal disease, and requiring the Department of Health to maintain statistics on influenza and pneumococcal outbreaks.

ACT 96 (H.B. 454, P.N. 2967, December 13, 2001) – Creates the Bloodborne Pathogen Standard Act, requiring the Department of Health to adopt a bloodborne pathogen standard governing public employees, putting in place needleless or sharps protection systems and requiring employers to develop an effective written exposure control plan.

ACT 106 (H.B. 1408, P.N. 1654, December 17, 2001) – Amends the Public Works Contractors' Bond Law to make conforming additions to the law necessary as a result of the expansion of authorized types of financial security under Act 171 of 1991. The amendment is retroactive to February, 1991.

ACT 107 (H.B. 1405, P.N. 3089, December 17, 2001) – Amends the County Code by altering the population parameters for third, fourth, and fifth class counties (changes affect Cumberland, Luzerne, and Fayette Counties); by providing that in the case of vacancy in the office of district attorney in fourth through eighth class counties is to be filled by the first assistant district attorney; by eliminating the requirement for counties to use the Department of Community and Economic Development form to prepare the county budget; and by eliminating the requirement to file a copy of the approved budget with DCED.

ACT 108 (H.B. 476, P.N. 2189, December 17, 2001) – Amends the Pennsylvania Board of Probation and Parole Law by requiring at least one member of the Advisory Committee on Probation to be a chief county probation officer.

ACT 110 (S.B. 1215, P.N. 1582, December 17, 2001) – Amends the Municipal Authorities Act by, among other things, clarifying the applicability of the prior Authorities Act to previous financing; and by correcting authority board appointment provisions that were in conflict following passage of Act 22 of 2001.

ACT 112 (S.B. 611, P.N. 1626, December 17, 2001) – Amends the Domestic Relations Code provisions regarding child medical support.

ACT 113 (H.B. 1806, P.N. 3091, December 17, 2001) – Amends the Judicial Code by, among other things, providing for eligibility of potential jurors convicted of certain vehicle offenses; and by making a technical change in the effective date of new judgeships created by Act 105 of 2000.

ACT 114 (H.B. 3, P.N. 3060, December 17, 2001) – Creates the Workforce Development Act, putting into statute the unified workforce investment system created by executive order. Among other things, the act creates the Pennsylvania Workforce Investment Board; provides for the creation of local workforce investment areas and boards; provides for workforce investment programs; and provides a temporary Rapid Response Committee composed of Commonwealth secretaries to respond to economic events that trigger significant job losses or critical shortages of trained workers.

ACT 115 (H.B. 1633, P.N. 3033, December 20, 2001) – Amends the Workers' Compensation Act by adding hepatitis C to the list of occupational diseases; by creating a presumption that contraction of hepatitis C is presumed to be job related for certain

nursing, emergency, and law enforcement employees; and providing means for automatic rebuttal of the presumption if certain workplace testing systems are in place.

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