

ACTS AFFECTING COUNTY GOVERNMENT, 2007

Following is a list of acts affecting county government that passed in 2007. 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 Legislature's web site by clicking on the link.

ACT 7 (SB 218, P.N. 1056 June 21, 2007) – Amends the Local Tax Enabling Act, renaming the “Emergency Municipal Services Tax” as the “Local Services Tax”. If school districts and municipalities levy an LST greater than \$10, it must be assessed and collected in installments based on payroll periods, and the districts and municipalities are required to exempt people with incomes of \$12,000 or less, active military, and disabled veterans. Employers are required to stop collecting the LST up front if an employee presents an exemption certificate from the Department of Community and Economic Development. In addition to fire, police and emergency medical services, the LST may also be used for road construction and maintenance, as well as property tax reductions by municipalities. The act also provides for sharing the tax if levied by both a municipality and school district.

ACT 10 (HB 906, P.N. 2021 June 28, 2007) – Extends the Volunteer Fire Company and Volunteer Ambulance Service Grant Program until 2012.

ACT 11 (HB 13, P.N. 1536 June 30, 2007) – Protects landowners from liability for injuries caused by recreational hunters on the landowner's property. The act was a CCAP 2007 priority.

ACT 16 (HB 1367, P.N. 2087 June 30, 2007) – Reauthorizes the Nursing Home Assessment, which allows the Commonwealth to draw down federal matching funds adding to the pool of available resources to pay Medicaid rates. The legislation allows the Department of Public Welfare to implement an assessment on county nursing facilities. The act also includes language to address two court cases related to nursing home reimbursement rates and increases in the number of Medicaid nursing home beds. Finally, the Senior Care Services Study Commission is established to review the current care and service offerings and resources available, and project future needs for senior care through 2025.

ACT 20 (SB 815, P.N. 909 June 30, 2007) -- Extends the Underground Storage Tank Environmental Cleanup Program and the Underground Storage Tank Pollution Prevention Program until June 30, 2012. The act also extends a provision allowing up to \$500,000 to be used by underground home heating oil storage tank owners for the costs of corrective action plans.

ACT 21 (HB 369, P.N. 1401 July 2, 2007) -- Adds certified hazardous materials response team members to the list of emergency service providers who are eligible for death benefits from the Commonwealth when they are killed in the performance of their duties.

ACT 22 (HB 635, P.N. 720 July 2, 2007) -- Extends the deadline for county elected auditors to file reports with the Department of Community and Economic Development to July 1 of each year (from May 1).

ACT 30 (HB 10, P.N. 2168 July 13, 2007) – Removes the tie between judges' salaries and their federal equivalents. Also establishes the Criminal Justice Enhancement Account which would be used to fulfill the Commonwealth's obligation to reimburse counties 65% of the cost of a full-time district attorney's salary. Funding for the Criminal Justice Enhancement Account is derived from fees on certain convictions and fines imposed for certain offenses. The act was a CCAP 2007 priority.

ACT 37 (SB 116, P.N. 1323 July 17, 2007) – Extends the Senior Judge Operational Support Grant program to defray the costs of facilities and staff for senior judges assigned to the courts of common pleas through 2012. Also adds language to Title 42 stating that in the event the total county court reimbursement exceeds the amount appropriated by the General Assembly, the Court Administrator of Pennsylvania shall reduce the

amount of reimbursements proportionally for all counties. Also requires the Court Administrator to compose a list of eligible jurors in a Statewide Jury Information System, and requires certain agencies to submit information to the Court Administrator. The Court Administrator must make available to any county that requests it a list of names for that county.

ACT 38 (SB 413, P.N. 1236 July 17, 2007) – Prohibits a county of the second class, and municipalities within that county, from assessing property taxes on billboards and structures predominately used to support or display signs. This is a companion to Act 142 of 2006, which prohibited the same in third through eighth class counties.

ACT 40 (SB 548, P.N. 1299 July 17, 2007) – Creates the Long Term Care Partnership Program for the purpose of reducing future Medicaid Costs for long term care. Individuals would be allowed to retain assets equal to their LTC insurance policies, within certain limits established in the act. The plan must be approved by the Centers for Medicare and Medicaid Services.

ACT 44 (HB 1590, P.N. 2342 July 20, 2007) – Provides funding for the Commonwealth's transportation needs through tolling of Interstate 80 and borrowing against Turnpike toll revenue. The act includes an additional \$5 million for county bridges and \$30 million for municipal roads. The new county bridge funding will be distributed base on a new formula taking into account relative square footage of bridge decking. The Act also includes a required match of 15% for mass transit, with new local tax options provided only to Allegheny County to meet this match requirement.

ACT 48 (HB 1253, P.N. 2296 July 20, 2007) -- Expands the scope of practice for certified registered nurse practitioners, allowing them to do a number of additional duties including order home health and hospice care, order durable medical equipment, perform physical therapy and dietician referrals, make respiratory or occupational therapy referrals, and perform disability assessments.

ACT 51 (SB 455, P.N. 1243 July 20, 2007) -- Expands the scope of practice for dental hygienists certified as public health dental hygiene practitioners to perform certain procedures without the direct supervision of a dentist at sites such as correctional facilities, health care facilities, and older adult daily living centers. The public health dental hygiene practitioner must meet certain requirements, and must refer a patient to a dentist once per year.

ACT 56- SB 704, P.N. 1272 July 26, 2007) – Requires the Department of Public Welfare to promulgate regulations for assisted living residences.

ACT 64 (SB 117 P.N. 1466 December 4, 2007) -- Re-establishes the Juvenile Court Judges Commission within the Office of General Counsel. The powers and duties of JCJC now reach dependent children in addition to its previous duties for delinquent children. The JCJC is authorized to make grants for development and improvement of juvenile probation services.

ACT 66 (SB 915, P.N. 1436 December 12, 2007) – Establishes a grant program for designated accredited veterans service organizations in order to improve the coordination and distribution of veterans' benefits, and increase veterans' participation and receipt of available federal programs.

ACT 72 (HB 1877, P.N. 2574 December 18, 2007) – Authorizes Dauphin County to increase its hotel tax to 5% (current limit is 3%). Most of the additional revenue must be distributed to the tourism promotion agency and the rest is dedicated to funding for an authority.

Act 73 (HB 1962, P.N. 2832 December 18, 2007) – Makes changes to background checks required for child care services employees beginning July 1, 2008. After July 1, 2008, applicants will be required to submit to a

federal criminal history background check even if they are a current resident of Pennsylvania. Also requires prospective adoptive parents and prospective foster parents, as well as anyone over the age of 18 residing in the same home as the adoptive parents and foster parents, who have lived outside of Pennsylvania during the last five years to submit a certification obtained within the previous year from the statewide central child abuse registry in each state in which the person has resided. Once approved, the foster parent, adoptive parent or individual over 18 years residing in the same home must submit federal criminal history information every two years.

ACT 76 (SB 1156, P.N. 1576 December 18, 2007) – Provides that in child dependency hearings, the court shall consult with the child at a permanency hearing, or to assure the views of the child are represented through consultation with proper interested parties.

ACT 77 (SB 1100, P.N. 1483 December 19, 2007) – Authorizes funding to continue the hazardous sites cleanup program, which had been set to expire December 31. The act provides funding for the remainder of the 2007-2008 fiscal year through contributions from legislative accounts, and then provides \$40 million per fiscal year from capital stock and franchise tax revenues until that tax is entirely phased out in 2010. The act is a temporary solution as the legislature works out details of a permanent funding source.