AAP Journal
Assessors' Association of Pennsylvania

AAP
ASSESSORS' ASSOCIATION OF PENNSYLVANIA
Winter 2021
Issue 1 Volume 18

CCAP
COUNTY COMMISSIONERS Association of Pennsylvania
An affiliate of the County Commissioners Association of Pennsylvania

What [does] this is the MEANING OF THE bill [say]?

Danette H. Magee, Senior Research Analyst, Local Government Commission

Some of you may remember learning how to diagram a sentence in English class. For those of you who escaped this experience in school, a sentence diagram uses horizontal and vertical lines to create a graphical representation of the construction of a sentence by showing how words in a sentence work and relate to each other.

When reading legislation, other forms of graphical representations are used to show changes and additions to a law or proposed law—brackets, strikeouts, underscores, capital letters and ellipses. JR Hardester recently commented, "The first time I read legislation, the only thing I understood was the language being removed by the strikeout type. I never understood the meaning of the capital letters, underlining or brackets. It was like trying to put together a puzzle and then understand what some of the legal jargon meant."

The Legislative Reference Bureau, an agency of the Pennsylvania General Assembly, crafted a document to facilitate reading of legislative bills.[1] I'll review the basics below using examples from House Bill 1033, Printer's number 4539[2] (Act 88 of 2020), which amends the Assessors Certification Act (Act 28 of 1992).

[Light face brackets] are used only in bills amending an existing law. They indicate that the enclosed language appears in the existing law, but will be removed from law if the bill is enacted. By way of example, see the definition of "Assessor" on page two of HB 1033, PN 4539. HB 1033 is amending an existing law and removing the definition of assessor.

Underscoring is used only in bills amending an existing law. It indicates that the underscored matter does not appear in the existing law, but will be added to the law if the bill is enacted. Again, refer to page two of HB 1033. The definitions of "property valuation model" and "revaluation company personnel" are being added to Act 28.

Ellipses (* * *) are used only in bills amending an existing law. They indicate existing law which is not proposed to be changed in the bill. Pages 6 and 7 of the bill illustrate the use of ellipses. Sections 7 and 8 are being amended, in part, but the portions of these two sections that are not being amended are represented by the ***.

[Dark] face brackets are used only in bills that have been amended, either in committee or on the floor of either chamber. These brackets have the same effect as light face brackets. HB 1033 does not contain an example of dark face brackets, but see House Bill 21, Printer's number 3905, page five, line 13[3].

[1] https://bit.ly/3kBbiYM
[2] https://bit.ly/35yZT7I
[3] https://bit.ly/3f2KUpL

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AAP Events Calendar

Spring 2021 CPE Classes
Via Zoom
Intro - March 15 – 19
Site/Market - March 22 – 26
Cost - April 12 – 16
Income - April 19 – 23

CPE Review Classes
Via Zoom
June 7 to 9

USPAP
Via Zoom
June 22

AAP 2021 Annual Conference
Location TBD
May 3 to 5

Fall 2021 CPE Classes
Location TBD
Intro - August 23 – 27
Site/Market - Aug 30 – Sept 3
Cost - September 13 – 17
Income - September 20 – 24

CPE Review Class
Location TBD
November 15 to 17

AAP 2021 Fall Conference
Kalahari Resort, Mount Pocono
November 4 to 5

** Check the AAP website, www.paassessors.org, for more details!*

What's Inside

President's Message, Legislative Update, 2020 AAP Award Winners, AAP People, Winter Driving Tips

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President's Message

Hello Everyone,

As I write this article, it's early December and I hope all of you had a thankful and enjoyable Thanksgiving holiday and Christmas and New Year's celebrations. Hopefully, it is a time of peace, good health, and happiness for all of us. With winter, our thoughts turn to cold temperatures, snow and ice, and I hope you check out an article in this edition from our editor entitled "Winter Driving – Do's and Don'ts". Thanks Kristin, for this advice. Danette Hobbs Magee with the Local Government Commission has written the feature article for this issue on "Reading Legislation". I had the opportunity to take a class on this subject, with Danette, at one of our conferences and it was a great learning experience. I know so much more on how to read a proposed bill. After taking the class, I felt more confident navigating my way through the process!

Our association had a busy fall season. Most importantly, we were able to offer our membership a "virtual" week of classes via "zoom" November 16th – 19th. It was a tremendous success, and many of us were able to obtain continuing education credits needed to fulfill the CPE license renewal requirement for this cycle. We had over 400 people sign up for the four days of classes. I can't give enough credit to our Conference Planning Committee, our Education and Training Committee, AAP staff and others who made this event possible. A special "thank you" to Vision Government Solutions and Rachel Quinn who partnered with us to assist with the technical side of our conference. Also, to our other sponsors, thank you for your support. We look forward to in-person conferences again and meeting with all of you.

We held our fall Board of Governors' meeting via Zoom on October 23rd. It was decided that our upcoming winter board meetings will be virtual as well. Our affiliation agreement with the County Commissioners Association of Pennsylvania (CCAP) has been renewed for the next three years, and we are excited about our continuing affiliation with CCAP. The annual membership meeting and awards ceremony, which is normally held at spring conference, was held on November 6th via Zoom. Congratulations to this past year's award winners and all the new CPEs, who were recognized.

During the last legislative session, Governor Wolf signed Act 87 (House Bill 1032) into law. This will allow for 2 CPEs as representatives on the PA State Board of Certified Real Estate Appraisers. This is good news for our association and our profession. Many years of lobbying efforts have made this possible. Also, the governor signed Act 88 (House Bill 1033) providing for qualifications and training for revaluation company personnel.

As you know COVID-19 continues to wreak havoc. I know it's beginning to sound redundant. However, case numbers are on the rise in our counties. The virus is still with us, and we continue to put forth our best mitigation efforts in order to do our jobs and serve the public. Recently, our county assessment office moved to "scheduled appointments" only. Personally, I have a full bottle of hand sanitizer on my desk, and my mask goes with me every time I get up from my chair. As the new year begins, I'm hopeful for more positive news. Let's get back to normal.

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Legislative Update

By Jonathan B. Schuck, Chair
Government Information Committee and
Director of Assessment/Tax Claim, Chester County

Greetings fellow assessment professionals throughout the Commonwealth of Pennsylvania! By the time you receive this issue of the *AAP Journal*, we will have embarked upon a new year – a year likely to be filled with continued pandemic-related challenges as well as new learning opportunities. In addition, a new legislative session will commence this month. Therefore, it seems appropriate to review some highlights from the 2019-2020 session.

Overall, the following legislation was introduced: 2869 House bills, 1089 House resolutions, 1333 Senate bills and 410 Senate resolutions. From this small tsunami of activity, 44 House bills and 23 Senate bills were assessment-related and eight were ultimately enacted/approved. Following is a sample:

Act No. 46 (House Bill 1564)

Approved 7/1/2020

This amendment extends the Board of Assessment Appeal training deadline to six months after the termination of the current disaster declaration or the final extension of the declaration. Also, this amendment stipulates special provisions relating to countywide revisions of assessments in the event of a disaster emergency declaration by the governor; this subsection is most relevant to Delaware County's reassessment and shall expire December 31, 2020. In addition, this amendment requires county assessment offices to assess all manufactured homes or mobile homes according to actual value; the assessor may consider five factors in arriving at actual value, as detailed in the amendment. This requirement shall take effect January 1, 2021.

https://www.legis.state.pa.us/cfdocs/billinfo/billinfo.cfm?syear=2019&sind=0&body=H&type=B&bn=1564

Act No. 87 (House Bill 1032)

Approved 10/29/2020

This amendment increases the size of the State Board of Certified Real Estate Appraisers from eight to ten. Six of the members are certified real estate appraisers, two are certified Pennsylvania evaluators and two are public members. An appointee can be both a certified real estate appraiser and a certified Pennsylvania evaluator, but the appointment has to specify in which capacity they are being appointed. Effective 60 days from enactment and the Governor then has 90 days to appoint one CPE for a two-year term and a second CPE for a four-year term.
https://www.legis.state.pa.us/cfdocs/billinfo/billinfo.cfm?syear=2019&sind=0&body=H&type=B&bn=1032

Act No. 88 (House Bill 1033)

Approved 10/29/2020

This amendment changes the definitions of "assessor", "Certified Pennsylvania Evaluator" and "revaluation company" and adds definitions for "property valuation model" and "revaluation company personnel". It also requires that ALL persons responsible for the valuation of real property for ad valorem taxation purposes be certified. This now includes counties of the 1st class and those employed by revaluation companies who are directly responsible for valuation of real property or the development of a property valuation model.
https://www.legis.state.pa.us/cfdocs/billinfo/billinfo.cfm?syear=2019&sind=0&body=H&type=B&bn=1033

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The *AAP Journal* is published four times a year.
Deadline for the Spring 2021 issue is March 6, 2021.

Article submissions are welcome.

Please send to:
Terry Cochran
AAP Executive Director

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Meaning of the Bill?

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~~Strikeout type~~ is used only in bills that have been amended either in committee or on the floor of either chamber. They indicate that text appeared in a previous print of the bill but is to be deleted[4]. See page five, line 4, of HB 1033.

CAPITAL LETTERS[5] are used only in bills that have been amended, either in committee or on the floor of either chamber. They indicate that the matter in capital letters did not appear in prior print of the bill. For example, see page 8, Section 11.1. This section was not part of the original legislation. Section 11.1 was added by a Senate Committee. Another example can be found on page 6, lines 10-16. Section 7(4) was not being amended under the original House version. The Senate added and amended Section 7(4) when the bill was on third consideration in the Senate.

Finally, the line immediately preceding the title of the bill shows the stage of passage at which the amendments appearing on that print were made. All preceding printer's numbers of each bill are shown in consecutive order in a line at the top of the first page of each bill. Note that HB 1033 has two previous printer's numbers and reflects that the bill was amended by the Senate on third consideration.

Got all of that?!

A colleague of mine remarked, **"Reading a bill is like paleontology; sometimes you're putting the bones together, sometimes it's just a rock."**

[4]Strikeouts are applied to both proposed new language in a prior print (underlined), and to any existing law set forth in the prior print but deemed to be no longer necessary to be set forth in the bill.

[5]There are other rules that relate to CAPITAL LETTERS but for purposes of this article, we'll keep it simple!





Legislative Update

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Act No. 91 (House Bill 1673)

Approved 10/29/2020

In 2016, PA enacted a law to allow municipalities to adopt a property tax credit for active volunteer fire and EMS personnel. This act permits counties and school districts to offer a similar tax credit and expand the credit from a maximum of 20 percent of an active volunteer's tax liability to a maximum of 100 percent. The credits and their level remain optional for all taxing districts.
https://www.legis.state.pa.us/cfdocs/billinfo/billinfo.cfm?syear=2019&sind=0&body=H&type=B&bn=1673

Wishing each of you a blessed and productive new year!

AAP People & Chapter News

North West Chapter

New Chapter Officers

President:
Tyler Daniels, Elk County
Vice President:
Janet Courson, Crawford Co.
Treasurer:
Chad Cochran, Venango Co.
Secretary:
Megan Park, Elk County

Future chapter meeting dated are April 23, June 25, August 13 and October 22. For information about topics and locations, please contact Rita Yannayon at Yannayon, *RYannayon@eriecountypa.gov*.

Bradford County

The county's chief assessor, **Donna Roof**, retired in late October 2020! We wish her a long and happy retirement!

Colleen Duser is the county's new chief assessor. Congratulations, Colleen!

Dauphin County

Happy retirement to **Steve Howe** who retired from the county on January 4! Steve, an AAP past president, has long been a CPE and USPAP instructor as well as a Conference instructor. Steve has been an invaluable part of AAP during his distinguished career, not only with his classroom instruction but with his dedication to the assessment profession and the AAP membership. He will be greatly missed but we wish him the best!

Fayette County

We are saddened to share news of the passing of **Bill Lukach**, the county's past chief assessor on October 31. Our thoughts are with his family and colleagues.

Montgomery County

Congratulations to **Jarred Jaffe** for passing his CPE exam!

Jim Selken also passed his CPE exam! He will be working as a commercial/industrial assessor.

Perry County

On November 9 **Anne Teal**, a longtime member of the assessment office, an AAP chapter representative board member and co-chair of the Policies and Procedures Committee, passed away after a long illness. Please keep her husband and son in your thoughts.

AAP News

Don't forget to send your county or chapter news to Terry Cochran at *tcochran@pacounties.org* for the Spring 2021 issue of the *AAP Journal*. Our next deadline is **March 6.**

AAP 2020 Membership Meeting and Awards

On November 6, the AAP membership met over Zoom for the postponed membership meeting. The business meeting, presided over by President Robbie Roland, started with the association's business session and ended with a virtual awards presentations along with the recognition of the newest CPEs.

After a review of 2020's virtual learning opportunities, AAP's partnership with CCAP, the association's financial status and a vote on an amendment to the AAP's Policies and Procedures, the association honored many of our colleagues with the awards that were postponed from May 2020.

Thank you to all members who participated!

Trailblazer Award Recipients
(20-29 Years of Service)
Jennifer Pettina, Centre County
Veronica Zeigler, Armstrong Co.

Board of Governors' Award Recipients
(30-39 Years of Service)
Mary Fraccica, Northampton Co.
John Mazur, Luzerne County
Shane Murray, Northampton Co.

Presidents' Award Recipient
(40-49 Years of Service)
Cheryl Johnson, Northampton Co.

Chudy Award
Anthony Alu, Luzerne County

Matylda Zurowska Hudak Award
Wendy Cook, Snyder County

Hanisits/Hettinger Award
Dave Good, Columbia County

Naessig Award
Catherine Voda, Wyoming County

President's Recognition Award
Mark Kellerman, Centre County

President's Appreciation Award
Centre County
Assessment Office Staff

Congratulations to all of the 2020 awards recipients!



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WINTER DRIVING – Do's and Don'ts

by: Kristin Montgomery, AAP Journal Editor

As I started on my 54-mile trek to work in the first snow of the season this year, seeing three disabled vehicles and many flashing lights along my way, I thought maybe it would be a good time to address winter driving do's and don'ts.

If you're simply going to work or you're doing field work, be sure to be equipped! Although it's best to be a fair weather assessor, (there's really no need to go out during a storm to pick up new construction) you may get caught in an unexpected storm while you're out. Here is some guidance.

Especially if you're traveling in a rural area, be sure to have a shovel, and a small bag or cat litter or other anti-skid material in your car. Good things to also keep in the car are matches, a flashlight, blanket, heavy coat, hat, and gloves. It may also be a good idea to keep a pack of crackers, a small bag of pretzels or chips (Not chocolate; a good hot sun will melt that!) and a bottle of water. If the water freezes and thaws, it's still drinkable in an emergency.



The first and, I feel, most important don't is **DON'T** drive if you're uncomfortable driving in inclement weather. You are not only a hazard to yourself but also to others on the road. Some people don't mind driving in bad weather but it's not for everyone. Carpool!

The first, and most important, do is **DO** get good tires on your vehicle. Although I have an all-wheel-drive SUV, I get winter tires. It's amazing how much of a difference it makes!

DON'T drive too fast OR too slow. It's best to keep rolling at a medium speed. (For some of us that tend to zip right along, this means to go the speed limit!)

DON'T tailgate; when roads are snow-covered, your stopping time is greater and you need more space.

DO notify someone when you get to your destination so they're not worried. (or use social media so EVERYONE knows!)

DO leave earlier than usual to get to your destination on time.

DO plan to have patience above the normal driving patience (if you had any to begin with).

DO clean off your entire vehicle from snow/ice. If ice breaks loose and hits another vehicle, you are responsible for that. You may also be fined if pulled over.

DO be sure your license plate is visible. It cannot be too dirty or snow covered. Yes, this too is a finable offence.

Of high importance, leave the motorcycle in the garage on a snowy day. Pay attention always! Watch for snowmobile and 4-wheeler crossings and watch out for runaway sleds!

More Winter Safety Tips!

In addition to annual maintenance, here are some tips to winterize your car:

- Test your battery; battery power drops as the temperature drops
- Make sure the cooling system is in good working order
- Have winter tires with a deeper, more flexible tread put on your car
- If using all-season tires, check the tread on your tires and replace if less than 2/32 of an inch
- Check the tire pressure; tire pressure drops as the temperature drops
- Check your wiper blades and replace if needed
- Add wiper fluid rated for -30 degrees
- Keep your gas tank at least half full to avoid gas line freeze

Tips are from the National Safety Council
https://www.nsc.org/home-safety/tools-resources/seasonal-safety/winter/driving

President's Message

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One final thought - as I am writing this - our AAP Executive Director, Terry Cochran, is away from her job for a few weeks resting and recovering. Terry, from all of us in the Assessor's Association of Pennsylvania, many prayers and well wishes. We look forward to having you back and working with you in the new year.

Please, stay safe everyone!

Robbie

Robert Roland
AAP President

AAP

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