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Water Utility Council of the
PA-Section, American Water
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GOVERNMENT RELATIONS UPDATE

From Milliron & Goodman Government Relations, LLC.

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Gov. Wolf Renews COVID-19 Disaster Declaration for State Response and Recovery, Stay-at-Home Order Ends June 4

On June 3, 2020, Governor Tom Wolf renewed the 90-day disaster declaration he originally signed on March 6 following the announcement of the first two presumptive positive cases of COVID-19 in the commonwealth. The declaration was set to expire on June 4.

The emergency disaster declaration provides for increased support to state agencies involved in the continued response to the virus and recovery for the state during reopening.

"Pennsylvanians have done a tremendous job flattening the curve and case numbers continue to decrease," Gov. Wolf said. "Renewing the disaster declaration helps state agencies with resources and supports as we continue mitigation and recovery."

The Department of Health's Department Operations Center at the Pennsylvania Emergency Management Agency is still active as is the CRCC there.

Also today, Gov. Wolf announced that he would allow the amended stay-at-home order to expire at

11:59 p.m., June 4. The stay-at-home requirements were only in effect for counties in the red phase.

"As phased reopening continues and all 67 counties are either in the yellow or green phase by Friday, we will no longer have a stay-at-home order in effect," Gov. Wolf said. "I remind Pennsylvanians that yellow means caution and even in the green phase everyone needs to take precautions to keep themselves and their communities healthy."

Read the **amendment to the emergency disaster declaration here**

<https://www.governor.pa.gov/wp-content/uploads/2020/06/20200603-TWW-amendment-to-COVID-disaster-emergency-proclamation.pdf>.

Source: Governor Wolf's Press Office, 6/3/2020

Gov. Wolf Takes Action to Address Law Enforcement Reform and Accountability

After meeting with leaders in Philadelphia and Harrisburg, Governor Tom Wolf announced several actions to improve law enforcement relations with the community and strengthen training and accountability.

"Today, I am taking steps to address concerns about community relations with law enforcement as

well as strengthen accountability of our agencies," Gov. Wolf said. "This effort will commence immediately."

Gov. Wolf outlined multiple actions directed at meaningful reforms, many based on the 21st Century Policing Task Force, created in 2015 under President Obama in response to the Ferguson, Mo., death of black teen Michael Brown that set off weeks of protests.

Highlights of the recommendations include:

- **Creation of a Deputy Inspector General within the Pennsylvania Office of State Inspector General (OSIG)** focused on deterring, detecting, preventing, and eradicating fraud, waste, misconduct, and abuse amongst law enforcement agencies under the Governor's jurisdiction.
- **Creation of a Pennsylvania State Law Enforcement Advisory Commission** that reviews allegations of misconduct by law enforcement personnel under the governor's jurisdiction.
- **Providing technical assistance to municipalities** from the Pennsylvania Commission on Crime and Delinquency (PCCD) to encourage the creation of local citizen advisory boards.
- **Creation of a Racial and Ethnic Disparities Subcommittee** under the Criminal Justice Advisory Committee (CJAC) at PCCD.
- **Reviewing Training and Education of Officers.** All training academies for law enforcement must review current use of force training standards for law enforcement and form a workgroup to develop model training standards to ensure that all officers receive the best instruction in their interactions with the public. Departments should be striving to obtain state and or national accreditation. Accreditation is a key component in assisting departments in evaluation and improvement of their standards and practices.
- **Enhancing Officer Safety and Wellness.** Enhancing current mental health initiatives and offering targeted mental health supports for officers to deal with trauma and reduce stigma for getting help.

- **Supporting Legislative Reforms.** The governor will work with the legislature on reforms, including legislation proposed that provides for improved access to police videos, an oversight board for officer training and continuing education, a special prosecutor in deadly force cases, interdepartmental law enforcement hiring reform and PTSD evaluation for police officers. Earlier this week, members of the Police Reform Working Group, which includes state and local elected officials, the chief defender of the Defender Association of Philadelphia, as well as several attorneys, put forward proposals to address growing frustration with racism, oppression and rooting out law enforcement misconduct.

"We've addressed criminal justice reform on a bipartisan basis, and that's what we'll need to fix these longstanding inequities," Gov. Wolf said. "And as we go forward, we need to address the looming, systemic failings that have created this situation."

The governor also committed to addressing longstanding inequalities against people of color.

"I'm going to continue to fight for more education funding and for help for minority-owned businesses. These fights do not have an end point, and we won't know when we've won, but we have to keep going to make our commonwealth fairer and more equal for everyone."

Source: Governor Wolf's Press Office, 6/4/2020

PUC to Hold Telephonic Damage Prevention Committee Meeting on June 9

The Pennsylvania Public Utility Commission (PUC) will hold a telephonic meeting of the Damage Prevention Committee (DPC) on **Tuesday, June 9, at 9 a.m.** - as part of an ongoing PUC effort to ensure safe public access during the COVID-19 pandemic.

Members of the public, the media and others will be able to access the telephone conference by dialing 888-917-8050, and then entering passcode 9570961# to listen to the meeting. The **meeting agenda** http://www.puc.pa.gov/transport/gassafe/pdf/DPC_Agendas/2020/DPC060920.pdf is available on the PUC's website.

About the DPC

The DPC is a peer-based group of 13 representatives, nominated by their industry or affiliated organization and appointed by the PUC. Creation of the committee was authorized by **Act 50 of 2017** http://www.puc.pa.gov/about_puc/press_releases.aspx?ShowPR=3918, which enhances Pennsylvania's Underground Utility Line Protection Act - also known as the "One Call Law."

Modeled after successful programs in other states, the focus of the DPC is to reduce the number of "hits" on underground lines and utilities.

The DPC meets regularly to review alleged violations of Act 50 and make informal determinations as to the appropriate response including, but not limited to, the issuance of warning letters, mandatory training programs and/or administrative penalties. **Summaries of actions** http://www.puc.pa.gov/utility_industry/transportation/pa_one_call_enforcement/dpc_agendas/Actions.aspx taken at monthly DPC meetings are available on the PUC's website.

Digging Safety - PA One Call

Every year, underground lines across the state are struck more than 6,000 times - which means that during the average workday a pipeline or other vital utility system is hit every 20 minutes. While underground lines are often "out of sight and out of mind," every hit poses a risk to the contractors and homeowners who are doing the digging; to utility workers and emergency responders who are mobilized when lines are struck; and to bystanders who live, work or travel near the locations of the incidents.

State law requires contractors and residents to contact **PA One Call** <https://www.palcall.org/PA811/Public/> at least three business days prior to excavation - triggering alerts to all utilities within an intended digging area and prompting utilities to mark where their facilities are located. Pennsylvanians can dial 8-1-1 to connect with the One Call system, while out-of-state residents or businesses can call 1-800-242-1776.

About the Bureau of Investigation & Enforcement

As the independent investigation and enforcement bureau of the PUC, I&E enforces state and federal pipeline safety, electric safety and motor carrier safety laws and regulations and represents the public interest in ratemaking and service matters before the PUC's Office of Administrative Law Judge. I&E has the authority to bring enforcement action, seek emergency orders from the Commission or take other steps to ensure public safety.

Source: PUC Press Release, 6/3/2020

Clean Water and Drinking Water State Revolving Fund Programs; Federal FY 2020 Intended Use Plans; Public Meeting

The Department of Environmental Protection and Pennsylvania Infrastructure Investment Authority prepared the federal fiscal year 2020 Intended Use Plans. The Drinking Water State Revolving Fund will be capitalized with an approximated maximum of \$33.9 million in federal funds and \$6.8 million in state funds.

Commentators are encouraged to submit comments using the department's online **eComment tool** here <https://www.ahs.dep.pa.gov/eComment/> or by e-mail to ecomment@pa.gov. Written comments can be mailed to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, PO Box 2063, Harrisburg, PA 17105-2063. Use "Clean Water and

Drinking Water State Revolving Funds" as the subject line in written communication.

Additional information can be found on the Pennsylvania Bulletin at <http://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol50/50-23/750.html>.

Source: Pennsylvania Bulletin, 6/6/2020
<http://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol50/50-23/750.html>

Revenue Department Releases May 2020 Collections

Pennsylvania collected \$2.1 billion in General Fund revenue in May, which was **\$439.7 million, or 17.3 percent, less than anticipated**, Revenue Secretary Dan Hassell reported. Fiscal year-to-date General Fund collections total \$29.6 billion, which is **\$2.6 billion, or 8.2 percent, below estimate**.

The department estimates that **approximately \$199.8 million of the \$439.7 million shortfall in May can be attributed to moving due dates for various taxes**. The remaining **\$239.9 million of the May shortfall is due to reduced economic activity during the COVID-19 pandemic**.

"Although we are certainly seeing the effects of the pandemic reflected in the commonwealth's revenue collections, it's also important to recognize that a significant portion of the shortfall in May can be attributed to moving several tax deadlines to provide relief to Pennsylvania taxpayers during the pandemic," Secretary Hassell said. "We expect to receive much of this revenue in the next fiscal year, which means we'll have a clearer picture of the pandemic's effect later in the year."

Here is a full overview of May revenues by tax type:

Sales tax receipts totaled \$699.1 million for May, **\$282.9 million below estimate**. Year-to-date sales tax collections total \$9.8 billion, which is **\$5761 million, or 5.5 percent, less than anticipated**.

Personal income tax (PIT) revenue in May was \$947.2 million, **\$44.8 million above estimate**. This brings year-to-date PIT collections to \$11.8 billion, which is **\$1.5 billion, or 11.2 percent, below estimate**.

May corporation tax revenue of \$145.6 million was **\$164.7 million below estimate**. Year-to-date corporation tax collections total \$4.4 billion, which is **\$560.9 million, or 11.2 percent, below estimate**.

Inheritance tax revenue for the month was \$69.1 million, **\$26 million below estimate**, bringing the year-to-date total to \$1 billion, which is **\$3.7 million, or 0.4 percent, above estimate**.

Realty transfer tax revenue was \$33 million for May, **\$18.1 million below estimate**, bringing the fiscal-year total to \$464.7 million, which is **\$31.5 million, or 6.4 percent, less than anticipated**.

Other General Fund tax revenue, including cigarette, malt beverage, liquor and gaming taxes, totaled \$159.6 million for the month, **\$20.1 million below estimate** and bringing the year-to-date total to \$1.4 billion, which is **\$553 million, or 3.8 percent, below estimate**.

Non-tax revenue totaled \$51.9 million for the month, **\$27.2 million above estimate**, bringing the year-to-date total to \$629.5 million, which is **\$69.8 million, or 12.5 percent, above estimate**.

In addition to the General Fund collections, the **Motor License Fund** received \$220.9 million for the month, **\$59.4 million below estimate**. Fiscal year-to-date collections for the fund - which include the commonly known gas and diesel taxes, as well as other license, fine and fee revenues - total \$2.4 billion, which is **\$180.3 million, or 6.9 percent, below estimate**.

Source: PA Department of Revenue Press Release, 6/1/2020

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This newsletter provides general information, not legal advice as to any specific matter. It should not be used as a substitute for appropriate legal advice.