
WUC

Water Utility Council of the
PA-Section, American Water
Works Association (PA-AWWA)



GOVERNMENT RELATIONS UPDATE

From Milliron & Goodman Government Relations, LLC.

200 North 3rd Street ♦ Suite 1500 ♦ Harrisburg, PA 17101 ♦ Phone: 717-232-5322 ♦ Erik A. Ross, Senior Associate ♦ www.millirongoodman.com

Harrisburg, PA

Erik@millirongoodman.com

February 1, 2021 -- Issue 1218

House Republican Caucus Announces New Leadership Team

On January 25, 2021, the Pennsylvania House Republican Caucus elected members to an open leadership positions following a vacancy in the position of caucus chairman following the passing of Rep. Mike Reese (R-Westmoreland/Somerset).

After Monday's election, the following members comprise the leadership team for the House Republican Caucus for the remainder of the 2021-22 Legislative Session:

- **Speaker:** Rep. Bryan Cutler (R-Lancaster)
- **Majority Leader:** Rep. Kerry Benninghoff (R-Centre/Mifflin)
- **Appropriations Committee Majority Chairman:** Rep. Stan Saylor (R-York)
- **Caucus Chairman:** Rep. George Dunbar (R-Westmoreland)
- **Caucus Secretary:** Rep. Martina White (R-Philadelphia)
- **Caucus Administrator:** Rep. Kurt Masser (R-Columbia/Montour/Northumberland)
- **House Republican Policy Committee Chairman:** Rep. Martin Causer (R-Cameron/Potter/McKean)

On the election of the new leadership team, House Majority Leader Kerry Benninghoff (R-Centre/Mifflin) made the following statement:

"As Pennsylvania continues to face a number of unique challenges, I am excited for the opportunities this leadership team is going to have to make Pennsylvania a better place for everyone who lives here. Looking ahead, this team will be steering a dynamic caucus that will be focusing on economic recovery, protecting families and making our state government better while standing up for taxpayers.

"This new leadership team includes a diversity of our caucus's membership and has representation from different regions of Pennsylvania. Working collaboratively, I know we can help accomplish great things for Pennsylvania and make this Commonwealth the 'Envy of the East.'"

Source: House Republican Caucus, 1/25/2021

Gov. Wolf Urges Congress to Prioritize Critical Infrastructure Needs to Move PA Forward

As a new legislative session begins in the U.S. Congress, Governor Tom Wolf urged the Pennsylvania Congressional Delegation to prioritize critical infrastructure needs for the

commonwealth as a part of any potential new stimulus package and infrastructure package.

In a **letter** <https://www.governor.pa.gov/wp-content/uploads/2021/01/2021.1.27-TWW-PA-Congressional-delegation-Letter.pdf> to the delegation, the governor emphasized that an investment in our infrastructure is critical to address current needs and help move Pennsylvania forward.

Throughout his administration Governor Wolf has emphasized the need to invest in our infrastructure, from high-speed internet access and blighted properties to our aging transportation and stormwater infrastructures and greenspaces.

"Record job losses continue to impact Pennsylvania even as we are taking steps to recover from the COVID-19 pandemic," Gov. Wolf said. "It is vital to the future success of our commonwealth that additional funding be allocated through a comprehensive and robust infrastructure package, as well as stimulus funding, to address the immediate and long-term needs of those left behind by the changing dynamics of our industries, as well as provide additional job opportunities across many sectors."

The effects of the COVID-19 pandemic have exacerbated the need for high-speed internet to bridge the digital divide. Without broadband access, Pennsylvanians lack the ability to find job opportunities, school-aged children cannot engage in remote learning, and emergency service communications are drastically reduced. According to the Federal Communications Commission, more than 800,000 Pennsylvanians lack access to robust, reliable, high-speed internet, with more than 520,000 of those residents living in rural areas.

"It is absolutely critical that additional funding for broadband access be included in federal legislation, so that our commonwealth can meet the challenges of the 21st century and embrace new opportunities for growth and competitiveness," Gov. Wolf said.

The governor also called for additional funding to remediate blighted properties, which is one of the main challenges to revitalizing

communities and neighborhoods. Further, the governor is calling for **federal support for lead, PFAS and other chemical cleanup and remediation efforts**, as well as abandoned former industrial and commercial sites to allow for new growth and development on these properties.

"Revitalizing these locations improves the health and quality of life of our citizens, while also injecting much-needed revenue into our local communities by returning once lifeless properties to the tax rolls," Gov. Wolf said.

As Pennsylvania continues to be a significant producer of clean-burning natural gas, federal funding is critical to help Pennsylvania to build new and revitalize old manufacturing facilities, so businesses and individuals can use our natural gas, creating jobs, lowering costs, and improving energy efficiency.

The governor also emphasized the need for federal infrastructure funding to address the state's massive and aging transportation network.

The American Society of Engineers' 2018 "infrastructure report card" gives Pennsylvania a D+ rating for the quality of its roads and bridges, and a D for its transit.

"This is unacceptable but can easily be remedied with additional funding from the federal government to improve our highways, bridges, and secondary roads as well upgrade our strained transit systems," Wolf said.

Further, the state's stormwater infrastructure has not kept pace with new development and the effects of climate change. The governor called for a substantial federal investment to **develop proper stormwater management**, including the diversion of rain from overflowing sewers to prevent the flooding of streets and homes, improvement of local water quality, and the lessening of runoff and pollution.

"As we continue to see record high precipitation levels, it is critical that additional funding be provided to update our stormwater systems to not only protect Pennsylvanians, but our environment as well," Gov. Wolf said.

Maintaining Pennsylvania's natural resources - parks, trails, greenways, riverfronts and open spaces - is critical to protecting our environment but also attracting individuals and families to communities, offering recreational opportunities and retaining the workforce that will power Pennsylvania's economy. The governor called for additional investments to upgrade and fix park and forest infrastructure, including buildings and trails, to protect and maximize our green spaces and preserve them for generations to come.

"The potential for Pennsylvania is endless, but additional funding is needed to achieve the goals of vibrant towns and cities, with new development and opportunities in rural and disadvantaged areas, creating a modern, interconnected commonwealth," Gov. Wolf said. "These priorities of reinvesting in our communities, if given robust funding through stimulus money and a comprehensive infrastructure package, will ensure Pennsylvania is ready and able to compete in our post-pandemic economy."

Source: Governor Wolf's Press Office, 1/29/2021

SRBC to Hold Public Hearing on Water Project Applications and the Proposed 2021 Update of the Comprehensive Plan for the Water Resources of the Susquehanna River Basin

Written comments accepted through February 19, 2021

The Susquehanna River Basin Commission (SRBC) will receive public comment at a hearing on Thursday, February 4, 2021. The subjects covered by the hearing include applications for several water withdrawal and consumptive use projects including one Commission-initiated project approval modification, as well as the proposed 2021 update of the Comprehensive Plan for the Water Resources of the Susquehanna River Basin. The SRBC Commissioners are scheduled to vote on the

water project applications and other action items at their next business meeting on March 12, 2021. Commissioner adoption of the updated comprehensive plan is tentatively scheduled for the business meeting on June 17th, 2021.

Due to COVID-19 precautions and the relevant orders in place in the Commission's member jurisdictions, the Commission will hold this hearing telephonically, conference call number 1-888-387-8686, conference room code #9179686050. The hearing will begin at 2:30 p.m. and end at 5 p.m. or when public testimony concludes, whichever comes first.

Members of the public who are planning to present oral testimony during the public hearing are strongly encouraged to pre-register prior to the hearing by e-mailing Jason Oyler at joyler@srbc.net. Written comments may be sent to Jason E. Oyler, General Counsel and Secretary to the Commission, Susquehanna River Basin Commission, 4423 N. Front Street, Harrisburg, PA 17110, Telephone: (717) 238-0423, ext. 1312, Fax: (717) 238-2436.

The list of project applications and Commission-initiated project approval modifications along with options for submitting comments electronically are all accessible on **SRBC's Meetings and Events** <https://www.srbc.net/about/meetings-events/> webpage. SRBC will accept written comments until February 19, 2021. Comments may be submitted electronically by being emailed or faxed to Mr. Oyler.

Source: SRBC Press Release, 1/28/2021

Governor Wolf 2021 Agenda Prioritizes Economic Recovery, Building on Bipartisan Measures, Government Reform

As the General Assembly convenes for a new legislative session, Governor Tom Wolf today outlined his agenda, in which he continues to prioritize ensuring that Pennsylvania businesses and workers have a path toward recovery

following the COVID-19 pandemic, building on bipartisan progress by removing barriers to help everyday Pennsylvanians succeed, and demanding accountability through government reform.

“The COVID-19 pandemic has fundamentally changed Pennsylvania and exacerbated existing barriers for too many Pennsylvanians. It continues to have negative consequences for businesses, workers, and families throughout the commonwealth,” Gov. Wolf said. “To get Pennsylvania back on track from the disruptions the pandemic is causing, we need to make major, targeted investments to strengthen our economy, support workers and small business owners, rebuild our infrastructure, and help all Pennsylvanians build a path to financial security.”

As the governor prepares to make his annual Budget Address on February 2, he is calling for action on the following issues, which will retool our approach to break down these new obstacles and move Pennsylvania forward.

Get Pennsylvania Back on Track After the Pandemic

The COVID-19 pandemic has fundamentally changed Pennsylvania and exacerbated existing barriers for too many.

The pandemic has uniquely interrupted the everyday lives of workers and small business owners throughout the commonwealth. Governor Wolf understands that businesses and workers need each other to thrive, and both are key to economic recovery from the COVID-19 pandemic, so he has remained steadfast and is doubling down on his commitment to make Pennsylvania the best place to live, work, and do business.

Pennsylvania’s economic vitality is dependent on swift and targeted action to get Pennsylvanians back to work quickly in well-paying jobs in sectors that will lead our economy back to prosperity.

Immediately Allocate \$145 Million to Pennsylvania Businesses

Governor Wolf is once again calling on the General Assembly to appropriate \$145 million in

reserves from the Workers Compensation Security Fund to immediately allocate to businesses harmed by the COVID-19 pandemic.

Inject Billions into a Reformed Workforce Development System

The COVID-19 pandemic has caused major disruptions and layoffs to Pennsylvania’s workforce, disproportionately impacting low-wage workers, people of color, people with disabilities, and certain industries. Our economic recovery requires a strategic investment in workforce development that addresses these inequities, supports workers most significantly impacted by the pandemic, and focuses on high-quality, well-paying jobs and careers. Building on the bipartisan **Keystone Economic Development and Workforce Command Center** <https://www.governor.pa.gov/wp-content/uploads/2020/01/20200127-Workforce-Command-Center-Annual-Report.pdf>, the governor is proposing a multi-billion-dollar injection into the workforce development system to provide rapid re-employment assistance to workers impacted by the pandemic and address barriers to employment.

Invest in Public Infrastructure, Including School Buildings

Last year, the governor proposed a plan to remediate lead, asbestos and other hazardous materials from our schools using the Redevelopment Assistance Capital Program (RACP). The pandemic has shown that the digital divide in our schools is also a significant concern. The governor is proposing using the RACP program to fund not just hazard remediation to keep students safe when they return to school but also efforts to close the digital divide among our students by broadening the RACP eligibility criteria to include broadband providers and schools.

Urge the Federal Government to Take Action

With a new administration, the governor is asking the federal government to increase funding for broadband expansion, flood mitigation, contaminant remediation, blight, green infrastructure, and transportation projects that will

help address local road and bridge upgrades and support new capital transit projects.

Increase the Minimum Wage to \$12/hour, with a path to \$15/hour

As of 2021, 29 states and the District of Columbia have increased their minimum wages above the federal minimum wage of \$7.25/hour. Pennsylvania's minimum wage of \$7.25 (\$15,080 per year), has not increased in more than 10 years and is keeping Pennsylvania families living in poverty. While the cost of living for Pennsylvanians is increasing, the minimum wage has remained stagnant, limiting the purchasing power of low-wage workers trying to afford necessities.

The governor is proposing to increase the state minimum wage to \$12 per hour effective July 1, 2021, with annual increases of \$0.50 until the minimum wage reaches \$15 per hour on July 1, 2027.

The COVID-19 pandemic has made raising the state's embarrassingly low minimum wage more crucial than ever as thousands of essential workers are struggling to buy food and avoid homelessness.

A living wage lets people work their way out of poverty, improves productivity and morale for millions of workers, and reduces reliance on public benefits. Raising the wage floor also provides critical workforce needs, including early childhood educators and direct care workers caring for the most vulnerable Pennsylvanians.

Build on Bipartisan Progress

Over the past five years, Governor Wolf and the General Assembly have come together to take on big challenges by reforming pensions, taking nation-leading steps to reform our criminal justice system such as the passage of the nation's first Clean Slate law, approving medical marijuana, and other major legislation that has modernized our commonwealth. Governor Wolf calls for building on this bipartisan progress by removing barriers for everyday Pennsylvanians to succeed.

Reform the Criminal Justice System

Building on efforts to reform our criminal justice system, the governor is proposing bail reform, indigent defense funding, a comprehensive expansion to our Clean Slate Law, probation reform and other policies that will build on bipartisan efforts to reform our criminal justice system.

Build on Bipartisan Health Reform

Building on the overwhelming bipartisan support to establish the state-based health insurance exchange in Pennsylvania, increasing access to affordable care and saving money for both the state and taxpayers, Governor Wolf offers a plan that addresses comprehensive health reforms focusing on both physical and behavioral health and promoting affordability, accessibility and value in health care. The Health Value Commission, a key component to the health reform package, would be charged with keeping all payors and providers accountable for health care cost growth, to provide for the long-term affordability and sustainability of our health care system, and to promote whole-person care.

Make it Easier for Pennsylvanians to Enter High-Demand Professions

Since developing his 2018 recommendations, Governor Wolf has worked with the legislature to significantly improve the professional licensing process in Pennsylvania, including knocking down obstacles for military spouses and those reentering the workforce after incarceration. Building on this work, the governor and the administration will continue to examine what licensure barriers still exist, particularly for veterans and new Pennsylvanians, and pursue additional reforms, so that we can better support workers and strengthen our economy.

Reduce the Corporate Net Income Tax and Close the Delaware Loophole

Governor Wolf is once again proposing to reduce the Corporate Net Income Tax from 9.99 to 9.49 percent on January 1, 2022, then continue to reduce the tax incrementally to 6.49 percent by

2026. The governor is also proposing to close the Delaware Loophole and shift to combined reporting to tax corporations as a single entity.

Legalize Adult-Use Cannabis

In 2017, Pennsylvania legalized medical marijuana through bipartisan legislation. Now as our neighbors move toward legalizing recreational marijuana, Pennsylvania cannot afford to be left behind. Legalizing adult-use cannabis has strong bipartisan support among Pennsylvanians. The revenue generated from legalization will be used to support historically disadvantaged small businesses through grant funding and provide them the assistance they need to build back from the economic crisis and strengthen our economy.

Additionally, a portion of the revenue will support restorative justice programs to help the individuals and communities that have been adversely harmed by the criminalization of marijuana.

Change Harrisburg by Demanding Accountability

Governor Wolf has proposed comprehensive government reform each year of his administration. He has implemented a gift ban and demanded transparency and accountability in his administration. The governor is again introducing a comprehensive plan to reform Harrisburg and meet the challenges before us.

Reintroduce the Governor's Government Reform Plan

On his first day in office, the governor banned members of his administration from accepting gifts. All public officials should be held to the same standard. Pennsylvania is one of 10 states with no specific law limiting gifts to public officials. Outside the executive branch, politicians in Harrisburg can take unlimited gifts from special interests. Legislative action is needed to make the gift ban expanded and permanent, so all state elected officials are accountable to it.

The governor is calling for enacting new campaign finance laws that would place limits on

contributions to candidates seeking elected office, implement aggregate limits for races, place sensible restrictions on Political Action Committees (PACs), and strengthen reporting and disclosure requirements across the board to restore confidence in government, and curtail the role of campaign spending in our political process.

Curb Special Interest Influence

The governor is calling for implementing broader "pay-to-play" provisions requiring the disclosure of campaign contributions made by parties seeking state contracts.

The governor is calling for requiring public officials to submit receipts for taxpayer-funded expenses. In Governor Wolf's administration and most of the private sector, employees pay for expenses, provide receipts and then are reimbursed. Currently, receipts are not required for all officials to be reimbursed with taxpayer dollars. The system should be reformed to cover all those serving in government, only allowing them to be reimbursed for the reasonable cost of travel, lodging, or food with an itemized receipt.

The governor's plan would ban lobbyists from campaign work. In Pennsylvania, lobbying firms are allowed to operate campaign arms that work to elect or reelect legislators and once in office, those same firms then lobby legislators directly on behalf of their clients, creating a culture of undue access for big firms with deep pockets. This practice undermines public confidence and promotes a culture of political access that can only be bought with money, putting special interests ahead of the voters of Pennsylvania. The legislature should also more clearly define the relationships between legislators, lobbyists and political consultants.

Build on Election Reform

Governor Wolf is calling on the legislature to allow pre-canvassing of ballots before Election Day to increase the speed and efficiency of counting ballots and reduce the window for misinformation that is inherent when ballot counting cannot begin until Election Day and there is a high demand for swift and accurate results. Following a successful election in 2020 where more Pennsylvanians voted

by mail than ever before, allowing for pre-canvassing of ballots would further efforts to increase transparency and confidence in our election process.

The governor's plan calls for same day voter registration. Currently, eligible voters have until 15 days prior to an election to register to vote, regardless of whether they register online, through the mail, or in person. With new opportunities to vote with no-excuse mail ballots, and early voting at county election offices, same-day registration would allow new voters to go to their precinct, register, and vote all in one visit. To verify their identification, eligible voters would need to provide a proof of residency and a form of identification. Funding would be allocated to assist counties in purchasing electronic poll books (EPBs), and to allow the commonwealth to build a closed network.

The governor is calling for strengthening voter intimidation restrictions. Voter intimidation can take many forms. For all voters to feel safe from intimidation when casting their ballot, legislation should be passed to prohibit firearms from being allowed in all polling locations.

Source: Governor Wolf's Press Office, 1/28/2021

Benninghoff: There Should Be No Other Top Priority Than Getting People Vaccinated

Gov. Tom Wolf announced his tax and spend priorities on January 28th that included selecting winners and losers in Pennsylvania's economy and targeting critical industry during a pandemic.

On the announcement, House Majority Leader Kerry Benninghoff (R-Centre/Mifflin) made the following statement:

"The governor and his administration should have no other top priority than getting Pennsylvanians vaccinated. Pennsylvania ranks near

the bottom of the country in terms of vaccine deployment efficiency, and the confusing and short-sighted guidance from the administration has caused significant public angst. Getting vaccines into the arms of Pennsylvanians is the most significant key to getting Pennsylvania back to normal and beginning to solve many of the problems the governor outlined today.

"Otherwise, this announcement was as disappointing as it was unsurprising. Today Gov. Wolf outlined the continuation of his tax and spend pattern of picking winners and losers and targeting Pennsylvania growth industries.

"Over the next several months, the House Republican Caucus will work toward advancing our priorities of economic recovery, protecting families, and creating a government Pennsylvanians can be proud of. I implore the administration and our colleagues on the other side of the aisle to work constructively with us for the betterment of Pennsylvania."

Source: House Majority Leader Benninghoff Press Release, 1/28/2021

#####

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.