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# WUC

Water Utility Council of the  
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## GOVERNMENT RELATIONS UPDATE

From Milliron & Goodman Government Relations, LLC.

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*PA- Section, American Water Works Association  
National Association of Water Companies  
Water Works Operators' Association of Pennsylvania*

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### Different Approach for Pennsylvania: Governor Wolf's Budget Cuts Costs, Protects Education and Seniors

*Balanced Budget Contains No Sales or Income Tax  
Increases, Includes over \$2 Billion in Cost-Cutting  
Measures, and Protects Education, Seniors,  
Substance Use Treatment*

**O**n February 7, 2017, Governor Tom Wolf outlined a different approach for Pennsylvania's budget by tackling a \$3 billion deficit without raising taxes on families, while protecting schools, seniors, and resources used to battle the opioid epidemic, in addition to creating new tools for manufacturing and small businesses.

The governor's budget eliminates the deficit by identifying cuts and savings initiatives in excess of \$2 billion, imposing a severance tax, and closing corporate loopholes. Additionally, this budget bolsters education at all levels by increasing support by \$209 million, expands efforts to combat the opioid epidemic, protects programs for seniors and

individuals with disabilities, and makes new investments in job training.

"I'm offering a budget proposal that represents a responsible solution to our deficit challenge – and a different approach from the way things have been done in Harrisburg for almost a generation. Let's start here: In my proposed budget, there are no broad-based tax increases," said Governor Tom Wolf. "At the same time, my budget protects the investments we've made in education, in senior services, in fighting the scourge of opioids, and in growing Pennsylvania's economy.

"This proposal also closes corporate loopholes that have helped big companies avoid paying their fair share. I have nothing against successful businesses. I used to run one. But Pennsylvania families are already paying too much to help fund our government. And when big corporations get special treatment, Pennsylvania families and small businesses wind up shouldering more of a burden than they can bear."

[Finding Savings, Cutting Bureaucracy and  
Eliminating Waste](#)

Since his first months in office, Governor Wolf has focused on finding savings in state government, eliminating waste and bureaucracy in Harrisburg and shrinking the size of state government so that

we can provide better services to Pennsylvanians and protect families and seniors. This budget takes on tax loopholes and corporate handouts, rather than asking middle class families for more of their hard-earned money.

“By identifying specific programs that could be working more efficiently – and others that are no longer working at all – this budget proposes reforms that, altogether, will save taxpayers more than \$2 billion,” Governor Wolf said.

The governor’s \$2 billion in cuts and savings rely on reforming government, eliminating waste and modernizing and improving state services for customers by getting rid of red tape and bureaucracy - not slashing important programs. This budget would also put the commonwealth back on a path of long-term fiscal stability by growing the rainy day fund from only \$245,000 to nearly \$500 million in five years.

### Investing in our Children’s Future

Fair and increased education funding for all Pennsylvania schools continues to be one of Governor Wolf’s top priorities in the budget to ensure students are college and career ready.

“Over the past two years, we’ve taken a different approach - instead of allowing schools to become the first casualty of our budget deficit, we’ve made them our first priority,” Wolf said. “We’ve undone nearly two-thirds of those short-sighted cuts to our public school system and we’ve made a historic investment in education for the commonwealth.”

The governor’s budget proposal includes a \$100 million increase in Basic Education Funding, a \$25 million increase in Special Education Funding, a \$75 million increase in high-quality early childhood education, and \$8.9 million increase for the 14 universities of the Pennsylvania State System of Higher Education.

### Creating Jobs that Pay for the Middle-Class

The governor’s budget includes \$5 million in a manufacturing training-to-career grant partnership and creates a new apprenticeship grant program funded with revenue recovered from companies that

fail to live up to commitments for job creation under economic development programs.

Additionally, this plan would generate \$95 million in revenue annually by raising Pennsylvania’s minimum wage from \$7.25 to \$12.00 per hour, while tying it to inflation to maintain its purchasing power over time. Governor Wolf’s budget also creates a one-stop shop for small businesses in DCED to consolidate functions across departments and make it easier for businesses to start and grow.

### Investing in What Matters Most to Pennsylvanians

For many years, the commonwealth has faced grave budget challenges. The previous administration, when faced with these challenges, slashed funding for schools and our most vulnerable Pennsylvanians while employing shifty accounting maneuvers that only worsened our shortfall in the long run.

By creating a new, unified Department of Health and Human Services by merging four separate agencies, Pennsylvania will be able to provide more streamlined services to older Pennsylvanians. This will result in less confusion and easier access as constituents and their families seek services and will bolster resources for seniors seeking prescription drug assistance and care in their own homes.

Governor Wolf has taken a different approach in order to protect services that matter most to Pennsylvanians. The 2017-2018 budget continues to invest in battling the opioid epidemic by placing significant emphasis on expanding access to treatment and diverting those suffering from substance use disorder away from the criminal justice system and into supportive programs. This budget also provides \$26.2 million to move individuals with intellectual disabilities and autism from the waiting list and protects the lottery fund and programs that seniors depend on.

The transcript of the budget address as prepared is available [here](#).

Pennsylvanians can find out more about Governor Wolf’s budget at [governor.pa.gov/budget](http://governor.pa.gov/budget).

Source: Governor Wolf's Press Office, 2/7/2017

## Senate Leaders Comment on Governor's Budget Proposal: Raise Concerns about Future Cost-Drivers, Including Pensions

**R**esponding to Governor Wolf's budget address today, Senate Republicans said they will continue to advocate fiscal responsibility, as they have done in previous budgets, and prioritize the process of finding government efficiencies.

They raised concerns that the Governor's plan includes \$1 billion in new taxes and contains many proposals funded by one-time revenues, while failing to address substantial cost-drivers, including skyrocketing pension costs and long-term spending.

**Senate President Pro Tempore Joe Scarnati** (R-25): "Today we heard a very different budget proposal from Governor Wolf than we have heard in his prior budget addresses. In previous years the Governor pushed for massive tax increases – but this year he is proposing significant cuts within state government. I look forward to reviewing the details of the Governor's proposal over the coming weeks, as the Legislature engages in a thorough review of his proposal during Appropriations Committee budget hearings."

**Senate Majority Leader Jake Corman** (R-34): "This budget contains many proposals for one-time revenues, including a long-term lease of the Farm Show building while asking Pennsylvanians for \$1 billion in new taxes and fees. It includes a limited number of ideas about how the state can save money and we will give those ideas a thorough review. The concern is that all of these changes are just window dressing. This budget proposal does nothing to address the pension crisis. It does little to address long-term spending. It appears to do little to address the growth in Medicaid spending. This proposed budget falls short of addressing the real issues in state government."

**Senate Appropriations Chair Pat Browne** (R-16): "I am pleased to see after two years of budget proposals based on large spending increases and massive tax hikes that the Governor has acknowledged what the Legislature has been saying -- that we need to first look at state finances and identify ways we can reduce costs, eliminate duplication of services and rein in spending before asking our hardworking taxpayers and job creators to pay more in taxes."

On the surface, this budget proposal provides significant savings and spending reductions, while still providing funding for vital programs and services. However, it is now the responsibility of legislators to look at these proposals more closely and determine if they will actually provide the results and savings the Governor projects. The most significant question that will need to be answered during our review is whether this budget proposal addresses the primary cost-drivers the Commonwealth faces: pensions, mandated human services and corrections. If this budget does not meet these substantial fiscal challenges then significant holes remain that must be addressed"

Source: Senate Republican Communications, 2/7/2017

## Wolf's 2017-18 Budget Ushers in Reinvention of Government Plan increases education funding, cuts billions in expenses, no broad-based tax increase

**G**ov. Tom Wolf presented his budget plan for Fiscal Year 2017-18 that calls for an increase in education funding, cuts of \$2 billion in government expenses and no broad-based tax increase, state Senate Democratic Leader Jay Costa (D-Allegheny) said today.

"The governor offered a responsible spending plan and a blueprint for reinventing government," Costa said. "The approach utilizes consolidations

and efficiencies to cut more than \$2 billion in expenses to balance the \$32.3 billion plan.

“Pennsylvania faces a \$3 billion budget hole and there is no appetite for broad-based tax increase so the governor devised a responsible alternative that is a balanced and fair starting point.”

The Democratic Leader said the upcoming budget hearings provides an opportunity for Senate Democrats to weave their priorities such as jobs, education, health care and property tax relief into the final fiscal year budget.

Costa said that Wolf’s plan employs a strategy for significantly changing state government. He calls for the consolidation of four agencies, the closing of a prison and the streamlining of operations in an effort to trim costs by \$250 million.

Importantly, Costa said, the plan also provides for increases in education and a focus on issues important to the middle class. The budget calls for an increase of \$100 million in basic education, \$75 million more funding for pre-K and \$25 million for special education.

“Senate Democrats believe that we must invest in education and job creation,” Costa said. “The plan is a starting point and a foundation for even more in-depth discussions on economic development and helping our schools.”

Costa said that the governor also tapped into a priority of Senate Democrats through his call to increase the minimum wage to \$12 per hour. He said that not only does this increase help those who are struggling to make ends meet, but it generates \$95 million in revenues to help balance the budget.

“Minimum wage workers deserve a raise,” Costa said. “It makes economic sense and is the responsible thing to do.”

The proposed budget increases spending by 1.8 percent. The plan includes new revenues such as a responsible Marcellus Shale extraction tax. Under this governor’s plan, the severance tax would generate \$293 million more in revenues, while the

local impact fee payments that are currently made to municipalities would be credited.

Another focus of the plan is an effort to combat opioid abuse, Costa said. The governor has called for an extra \$10 million to expand access to naloxone for first responders and there is another \$3.4 million to expand drug courts.

The Senate begins three weeks of budget hearing on Feb. 21.

**Source:** Senator Costa Press Release, 2/7/2017

## **Governor’s Budget Proposal is a Realistic Starting Point, Says Reed**

**O**n February 7, 2017, House Majority Leader Dave Reed (R-Indiana) joined his colleagues in listening to Gov. Tom Wolf present his 2017-18 budget proposal during a joint session of the House and Senate. He issued the following statement in reaction to the governor’s \$32.3 billion spending plan:

“We look at this as a 180-degree turn for the governor. It is a more realistic starting point to the budget process. Two years ago, the governor proposed \$12 billion in new taxes, including higher income and sales taxes – which are gone from this spending plan.

“We are very pleased he has joined us in looking at ways to reshape how we do budgeting in the Commonwealth. We are heartened that he took the time to put together \$2 billion worth of cost efficiencies, spending reductions, mergers and consolidations, while still investing in the core functions of state government – basic education, early childhood education, transportation, economic development and human services.

“We have other prioritized issues we want to examine in conjunction with the budget process, such as resolving our debt situation. We want to take a look at reforming our pension system, so that we not only get short-term savings but long-term

sustainability. We also have many members who want to change the property tax system, as well.

“There will be a lot of questions about philosophy and logistics as we begin the budget process in the coming days. There will obviously be concern regarding his billion-dollar revenue package. But, we view the governor’s address as a step in the right direction. We want to continue moving in that direction with House Democrats, the Senate and the administration.

“It is time to move forward with this opportunity to restructure and reinvent our state government.”

For more information on Reed and his legislative priorities, please visit [www.repdavereed.net](http://www.repdavereed.net) or [www.Facebook.com/RepReed](http://www.Facebook.com/RepReed) .

**Source:** Rep. Reed Press Release, 2/7/2017

## House Democrats like middle-class focus in Wolf budget

**P**ennsylvania House Democrats praised Gov. Tom Wolf’s “smart and responsible” approach to the 2017-18 state budget, introduced by the governor today during an address to a joint session of the General Assembly.

“Governor Wolf’s plan represents a different approach,” Democratic Leader Frank Dermody said. “It is a welcome shift from the reckless and damaging across-the-board cuts that marked Pennsylvania’s four Republican budgets from 2011 to 2014.”

He said Wolf’s proposed budget builds on the last two state budgets by boosting investments in education and fighting the opioid crisis while making significant inroads in eliminating Pennsylvania’s ongoing fiscal deficit.

“This budget plan streamlines government and cuts costs responsibly while maintaining core services and protecting what really matters to the people of Pennsylvania,” Dermody said. “I’m especially pleased that the governor answered our

call to make a wise investment in pre-kindergarten and early childhood programs.”

The governor’s proposed budget makes a serious commitment to the middle class. The governor focuses on restoring previous budget cuts, but without resorting to tax increases on middle-class families. The budget does not call for an increase in the Personal Income Tax or sales taxes, but instead seeks an end to tax loopholes for giant corporations and a competitive severance tax on gas drillers to ensure everyone is paying their fair share.

“This is really a jobs-and-families budget,” said Democratic Whip Mike Hanna. “The proposal aims to continue the bipartisan progress Governor Wolf and legislators made the last two budgets on increasing support for schools, and includes new investments in pre-K, Head Start and school breakfasts to serve more children. It also boosts support for basic education, special education, and the 14 universities in the State System of Higher Education.”

Hanna said Wolf’s budget would also target funding to train workers in the technical jobs most in demand today, and create a one-stop site to help small businesses navigate state programs. The proposed budget also supports better wages and job security for Pennsylvania workers to support the economy, increase state revenues and cut the need for assistance programs, he said.

One of the centerpieces of the governor’s proposed budget is its focus on making state government work better for Pennsylvanians at less cost. The budget would fully fund the coming year’s pension obligations to avoid further debt, reduce waiting lists for intellectual disability services, and streamline and simplify services through health and corrections agency-related consolidation. These savings and efficiencies are targeted at saving the state as much as \$2.1 billion.

“The governor’s budget proposal is an important starting point for cutting waste and inefficiencies, giving Pennsylvanians a more convenient and positive experience with state government, and addressing the state’s serious fiscal challenges,” said Democratic Appropriations Chairman Joe Markosek.

"The real wild card in this process isn't necessarily going to be the governor's proposal or the legislature's response to it, but uncertainty over what the federal government is going to do with programs and policies that have a tremendous impact on Pennsylvania, such as the Affordable Care Act and the environment. Right now, there is no way of knowing how changes at the federal level might impact our state budget."

Hearings of the House Appropriations Committee to review the budget plan will begin later this month.

Source: House Democratic Caucus, 2/7/2017

## Gov. Wolf Proposes New Budget With Little New For The Environment

Gov. Tom Wolf proposed a \$32.3 billion General Fund budget which he said includes \$2 billion in cuts and savings resulting from reinventing and reforming the way the public's money is spent and [\\$1 billion in new taxes, mostly on business](#).

The proposal is a slight increase from last year. The [FY 2016-17 budget was \\$31.52 billion](#) on paper. On January 25 the Independent Fiscal Office projected [FY 2017-18 revenue to be \\$32.6 billion](#). The proposal does include more funding for cleaning up Pennsylvania's rivers and streams flowing into the Chesapeake Bay, but goes back to relying on using the Oil and Gas Lease Fund to pay for DCNR's administrative expenses.

It also proposes a several part plan to fund the continuation of the Hazardous Sites Cleanup Program through several fund transfers.

The proposed budget does not end the downward spiral of funding and staffing at the Department of Environmental Protection.

Here are some highlights:

**-- Chesapeake Bay Watershed Restoration Funding:** The 3 year bond funding proposed by the

Governor includes \$15 million per year for – DEP - - \$8.3 million for farm conservation measures, DCNR -- \$2 million for riparian buffers and Agriculture -- \$4.7 million for erosion and sedimentation plan development) to fund watershed restoration work.

**-- Environmental Stewardship (Growing Greener) Fund Cut:** The Governor's plan for this Fund has several parts:

- The required transfer of \$35 million in Act 13 drilling impact fees into the Fund is cut to \$25 million;
- A new proposed \$37 million transfer out of the Fund to DCNR's Oil and Gas Lease Fund to then allow the transfer of funding to the Hazardous Sites Cleanup Fund. The Oil and Gas Lease Fund would resume its role of funding DCNR operations;
- A proposal to backfill the new money transfer out of the Fund by floating a new \$387.4 million bond issue through the Commonwealth Financing Agency part of which would give the Growing Greener Fund \$52 million in 2017-18, \$53 million in 2018-19 and \$54 million in 2019-20. The current year [Growing Greener funding is \\$57 million](#).
- After 3 years the funding would revert to existing levels since Environmental Stewardship Fund revenue sources would continue to go into the Fund.

### DEP Funding

Here's a quick summary of DEP's proposed funding:

**-- General Fund Support Plummetts:** General Fund support for its programs dropped from \$245.6 million in 2003 (14 years ago) to \$148.8 million this year-- a 40 percent drop-- and is significantly [below 1994 levels](#)-- \$165.6 million (23 years ago). In FY 2017-18 General Fund support would increase slightly to \$152 million.

DEP has attempted to make up for these cuts by

significantly increasing permit review fees and adopting new annual permit administration fees. DEP is also more reliant on federal funds to keep its programs going.

-- **Number Of Staff Plummetts:** The number of staff at DEP is 802 below where it was in 2003-- a 25 percent drop- and 778 below where it was in 1994. DEP has shifted its staff from other programs, particularly water quality protection, to what has become its largest program-- Oil and Gas Management.

-- **Total Budget Retreats To 2002-03 Levels:** In total, DEP's budget is just \$600,000 below where it was in 2003, essentially retreating 15 years. While it is \$198.1 million more than in 1994, that funding is primarily grants given out to others from the Growing Greener and Act 13 drilling fees, for example, and increases in federal funding and permit fee revenue.

-- **Cannot Enforce Minimum Federal Standards:** DEP's Safe Drinking Water, Air Quality, Surface Coal Mine Regulation, Chesapeake Bay, Drinking Water and Clean Water State Revolving Fund and other programs have all been warned they lack sufficient staff resources to enforce minimum federal standards required by primacy and DEP (rather the General Assembly and the Governor) need to address these deficiencies.

-- **Major Sources Of Funding:** Overall, roughly 22 percent of DEP's costs are funded by the General Fund, 28 percent are federal funds and 50 percent come from permit review and administration fees and a small percentage from penalties.

Here's a chart comparing the current and past budget years.

DEP	1994-95	2002-03	2015-16	2017-18
General Fund	165.6	245.6	148.8	152.0
Special Fund	117.0	37.6	0	0
Federal	102.4	142.2	193.0	217.9
Other Funds	223.8	302.8	341.7	357.7

<b>Total</b>	492.1	728.3	691.0	727.7
<b>Staff</b>	3,187 (95-96)	3,211	2,689	2,409*

### Department of Conservation & Natural Resources

As noted, the FY 2017-18 budget returns to using revenue in the Oil and Gas Lease Fund to support DCNR's administrative expenses. Here are some highlights:

-- **General Fund Support Plummetts:** General Fund support for DCNR dropped from \$108.8 million in 2003 to a low of \$14.5 million in 2014-15, but was bumped up again in 2016-17 to \$59.9 million, but is down to \$53.7 million. Much of the drop was made up by pulling money from DCNR's Oil and Gas Lease Fund to support personnel and operating costs, rather than promoting long term conservation objectives.

-- **Number Of Staff Drops:** DCNR staffing levels now-- 1,312-- are below the 2003 complement level of 1,391 and approaching 1994 levels of 1,275.

-- **Total Budget Up, But:** While DCNR's total budget is up since 2003-- \$47 million in 14 years-- and significantly since 1994, the added funding has come from more grant programs like Growing Greener and Act 13 drilling fees, its own Oil and Gas Lease Fund revenues and an increasing dependence on federal funds.

Here's a chart comparing the current and past budget years.

DCNR	1994-95	2002-03	2015-16	2017-18
General Fund	73.7	108.8	59.9	53.7
Special Fund	0	119.0	7.0	7.0
Federal	16.7	18.4	41.3	32.5
Other Funds	53.1	76.5	223.7	276.6
<b>Total</b>	143.6	322.9	332.0	369.9
<b>Staff</b>	1,275 (95-96)	1,391	1,426	1,312*

## Notes

- [2015-16 Budget Numbers](#)
- [2002-03 Budget Numbers](#)
- [1995-96 Budget Numbers](#)
- [1995-96 Complement Numbers](#)
- \*Complement numbers as of December 1, 2016 (Right-To-Know Requests)

## Tax Credits

The proposed budget retains existing environment-related tax credits, and increase others. A quick view:

- \$10 million Resource Enhancement and Protection (REAP) Tax Credit
- \$10 million Coal Refuse Energy and Reclamation Tax Credit
- \$3 million Historic Preservation Incentive Tax Credit
- \$1.5 million Waterfront Development Tax Credit
- No changes to Education Improvement Tax Credit, Entertainment Production Tax Credit

There is a 6.5 percent severance tax on natural gas production raising about \$293.8 million, but there's nothing for the environment. The amount paid in unconventional gas well impact fees can be taken as a credit against the new tax.

## Overall Reductions Since 2003

From 2003 through 2015, the General Assembly and several Governors [cut or diverted over \\$2.4 billion of environmental funding](#) to help balance the budget or to support programs that could not get funding on their own.

[Click Here](#) for Governor's Executive Budget Document (the big book). [Click Here](#) for a copy of the proposed FY 2017-18 budget spreadsheet.

[Click Here](#) for Budget Secretary's presentation.

[Click Here](#) for Gov. Wolf's budget address.

[Click Here](#) for proposed legislation to implement the FY 2017-18 budget.

[Click Here](#) for House Democratic Appropriations Committee summary of the proposal.

Source: PA Environmental Digest, 2/13/2017

## Growing Greener Coalition: Wolf Budget Falls Short in Protecting Water and Other Natural Resources

The Pennsylvania Growing Greener Coalition, the largest coalition of conservation, recreation and preservation organizations in Pennsylvania, today issued the following statement from Executive Director Andrew Heath in response to Governor Wolf's proposed budget:

"Governor Wolf's proposed budget falls short when it comes to protecting Pennsylvania's water, land, forests, parks, trails and other natural resources, and the economic benefits and jobs they provide.

"Any transfers from or reductions to the current Growing Greener Environmental Stewardship Fund are unacceptable and do not advance Pennsylvania's commitment to clean streams, public recreation and locally grown food.

"We need to invest more in the state's environment, not less.

"Pennsylvania's Growing Greener program needs at least \$315 million annually to keep our water clean, preserve our open space and family farms, and ensure children and families continue to have access to parks, trails and other outdoor recreational opportunities, which are vital to our communities and quality of life here in Pennsylvania.

"Our elected leaders can no longer delay when it comes to investing in the Growing Greener program. The Coalition strongly urges the Governor and the Legislature to work together to identify a sustainable revenue source to Keep Pa Growing Greener now and for generations to come."



Source: Growing Greener Coalition Press Release, 2/8/2017

## Auditor General DePasquale Issues Statement on Pittsburgh Water and Sewer Authority

**A**uditor General Eugene DePasquale issued the following statement regarding the Pittsburgh Water and Sewer Authority's vote today to invite him to conduct an audit of the organization:

"I am pleased that the members of the Pittsburgh Water and Sewer Authority voted today to invite the Department of the Auditor General and the Office of Attorney General to conduct reviews of the authority's operations.

"My team is already evaluating our options for such an examination so that we can offer as much help as possible to the authority and to the city to ensure that all Pittsburghers can be assured of a safe and abundant supply of clean drinking water.

"The situation in the city is simply indefensible. The residents of Pittsburgh deserve better.

"By the end of this month, I will outline plans for our review."

Source: Auditor General Press Release, 2/7/2017

## Executive Director Testifies on Pharmaceuticals Impact in Waterways

**A**ppearing before the Senate Environmental Resources and Energy Committee, Pennsylvania Fish and Boat Commission (PFBC) Executive Director John Arway described how fish and aquatic life are impacted by complex mixtures of pharmaceuticals and other compounds released into waste streams and found in runoff

from landscapes and urged the public to properly dispose of expired and unused medications.

"Research beginning in 1999 first showed that chemicals found in medications were being absorbed by fish and were contributing factors to a number of fish health problems," Arway said. "Perhaps the most troubling condition is intersex fish. This is where male fish develop female egg cells in their testis."

Arway noted that the U.S. Geological Survey Fish Health Laboratory reported in 2013 that approximately 50 percent of male bass in the Delaware River had intersex condition, 10 percent in the Ohio River drainage were affected, and up to 100 percent of the males sampled in the Susquehanna River were found to have intersex. More recent samples in the Susquehanna confirm that 90-100 percent of male Smallmouth Bass have intersex condition and that this condition is more severe than found in other drainages.

"How can we as a society make progress in reducing pharmaceuticals from getting into our lakes, streams and rivers?" Arway said. "Removing unused pharmaceuticals from homes and providing proper disposal alternatives is an important first step in reducing the amount of compounds getting into lakes, rivers and streams. Improving wastewater treatment processes to provide more effective removal of medications is another effective solution."

Last month, the PFBC announced that it had partnered with Geisinger Health System to install a drug take-back box in the agency's Harrisburg headquarters to provide a way for citizens to safely dispose of unused medications and help improve the health of the Susquehanna River and its Smallmouth Bass.

The full text of Director Arway's testimony can be found [here](#).

Video of today's hearing can be found on the website <http://environmental.pasenategop.com/> of Sen. Gene Yaw (R-23), who chairs the committee with Sen. John Yudichak (D-14).

Source: PFBC Press Release, 2/7/2017

## Senate Passes Reschenthaler's Sanctuary City bill

Seeking to promote greater public safety, the State Senate approved legislation sponsored by Senator Guy Reschenthaler (R-37) to prevent municipalities from obstructing federal efforts to deport illegal immigrants who pose a danger to Pennsylvania communities and residents.

Click [here](#) view Sen. Reschenthaler's comments on the Senate floor.

[Senate Bill 10](#) prohibits governing bodies such as counties or municipalities from adopting rules or ordinances that contradict federal immigration policy. The bill passed with a bipartisan and veto-proof majority. The final vote was 37-12.

"I am grateful for the overwhelming support from my Senate colleagues," Reschenthaler stated. "It is encouraging to see such strong support from both Democrat and Republican colleagues for a bill to end sanctuary cities."

These so-called "Sanctuary Cities" are commonly defined as municipalities where officials deliberately ignore requests from the federal government to detain illegal immigrants and do not report the individuals to the Department of Homeland Security for deportation.

The legislation would require cities and counties to honor detainer requests from Immigration and Customs Enforcement (ICE) for persons of interest who are arrested by local authorities.

Reschenthaler said on the Senate floor the issue gained national attention when Kathryn Steinle was shot by Francisco Sanchez, an illegal immigrant from Mexico with seven felony convictions who had been deported five times. However, due to the city of San Francisco's policy not to report Sanchez's incarceration to the appropriate federal agency, he was released and Kathryn was murdered a few months later.

"Sanctuary cities are dangerous and irresponsible. 1,800 crimes in 2014, including over 121 murders in a few year span, is a steep price to pay so that sanctuary city legislators can score cheap political points," Reschenthaler said. "Refusing to honor federal detainer requests for dangerous criminals already in police custody increases the likelihood of those dangerous criminals returning to our communities, putting the public at greater risk."

Under the bill, municipalities that do not enforce federal immigration policy would not be eligible for state grants and could be sued for negligence for releasing an individual with a detainer who subsequently committed another crime.

Senate Bill 10 now goes to the House of Representatives for consideration.

**Source:** Senator Reschenthaler Press Release, 2/8/2017

## Senate Fails To Take Any Action on Acting DEP Secretary McDonnell's Nomination

Gov. Wolf nominated Acting Secretary of Environmental Protection Patrick McDonnell to serve permanently in that role on January 3, but so far his nomination has not been referred to the Senate Environmental Resources and Energy Committee for a hearing.



The paperwork on McDonnell's nomination was complete and in the hands of the Senate the week of

January 16, but no action was taken. The Senate has been in session 9 days when they could have acted.

The Senate cannot take any action on the nomination until it returns to session after the break for budget hearings on March 20.

Source: PA Environmental Digest, 2/13/2017

## **Senate Appropriations Committee Hearing On DEP Budget Request Now March 9**

**T**he Senate Appropriations Committee will now hold a hearing on the budget request for the Department of Environmental Protection on March 9. The hearing was scheduled for March 8. The hearing will start at 10:00 a.m. in Hearing Room 1 of the North Office Building.

Source: PA Environmental Digest, 2/13/2017

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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.*