



**Winter 2016**

**Legislative Update**

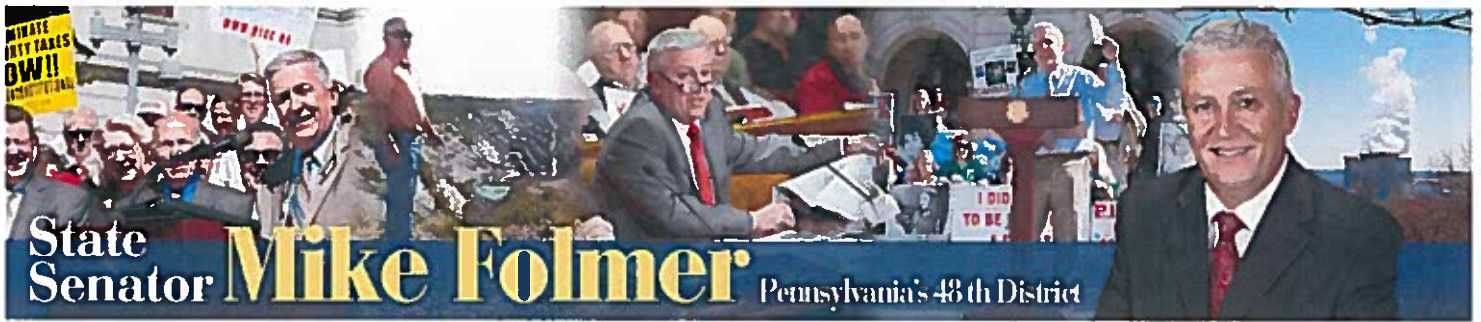
**48th Senatorial District: Lebanon, Dauphin and York Counties**

**Dauphin:** Townships of Conewago, Londonderry, Lower Swatara and Swatara, and; Boroughs of Highspire, Middletown, Paxtang, Royalton and Steelton

**Lebanon:** The City of Lebanon; Townships of Annville, Bethel, Cold Spring, East Hanover, Heidelberg, Jackson, Middlecreek, North Annville, North Cornwall, North Lebanon, North Londonderry, South Annville, South Lebanon, South Londonderry, Swatara, Union, West Cornwall, West Lebanon, and; Boroughs of Cleona, Cornwall, Jonestown, Mount Gretna, Myerstown, Palmyra, Richland

**York:** Townships of Conewago, East Manchester, Newberry and Springettsbury, and; Boroughs of Goldsboro, Lewisberry, Manchester, Mount Wolf and York Haven





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### **Statutes**

#### **Prime Sponsored Legislation Signed into Law**

- Act 150 of 2016:** Amends the Local Tax Enabling Act to simplify taxpayers' filing requirements
- Act 16 of 2016:** Allows the use of medical cannabis in Pennsylvania for certain medical conditions
- Act 15 of 2016:** Requires Independent Fiscal Office analyses of state collective bargaining agreements
- Act 90 of 2015:** Requires "Paid for with Pennsylvania taxpayer dollars" on Commonwealth advertisements
- Act 119 of 2014:** Eliminates Senators signatures on notary applications
- Act 67 of 2014:** Simplifies the process for a "college" to become a "university"
- Act 10 of 2014:** Simplifies certification requirements to teach JROTC
- Act 22 of 2013:** Eliminates unnecessary reports filed with the Pennsylvania Insurance Department
- Act 191 of 2012:** Streamlines procedures for collocation of wireless facilities and support structures
- Act 121 of 2012:** Promotes electronic sharing of health records and other patient information
- Act 69 of 2012:** Gives private colleges and universities flexibility to expand programs and degrees
- Act 38 of 2012:** Exempts Pennsylvania from compliance with the Federal REAL ID Act
- Act 7 of 2012:** Eliminates elected assessors in Townships of the First Class
- Act 92 of 2011:** Increases bid limit thresholds for boroughs
- Act 125 of 2010:** Strengthens farmers' protections from agriculture bioterrorism
- Act 89 of 2010:** Clarifies powers and duties of police at state military installations
- Act 127 of 2008:** Strengthens child custody rights of military personnel deployed overseas
- Act 76 of 2007:** Expands rights of foster parents and children

#### **Various Legislative Initiatives Signed into Law**

- Act 69 of 2016:** Updates the State Civil Service Act
- Act 92 of 2016:** Allows growth and cultivation of industrial hemp for research
- Act 163 of 2016:** Includes my legislation providing for more openness and transparency in the award of state sole-source/no-bid and emergency contracts

**Some provisions of my "Voters' Choice Act" were also incorporated into a court order on the number of petitions required for independent and minor party candidates.**



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## **Promise to Pennsylvania**

The “Promise to Pennsylvania” is the cornerstone of Senator Folmer’s agenda and focuses on:

**Legislative and Political Reform, Taxation and Spending Reform and Legal and Labor Reform**

**Taxpayer Protection Act** - Limits state spending to the rate of inflation and population growth and returns state surpluses to taxpayers and the state’s Rainy Day Fund

**Taxpayer-Funded Advertising Transparency Act - Signed into Law as Act 90 of 2015** - Requires all advertising by state government to include: “Paid for with Pennsylvania Taxpayer Dollars”

**Voters’ Choice Act - Part of this measure was incorporated into a 2016 court order** - Eliminates unfair hurdles obstructing ballot access for minor party and independent candidates

**Tax Me More Fund** - Allows those who do not think government spends or taxes enough to make voluntary financial contributions to the State Treasury

## **Legislative Priorities**

### **The Property Tax Independence Act (Senate Bill 76)**

The Property Tax Independence act would totally eliminate all school property taxes across the Commonwealth by replacing these revenues with a combination of Personal Income Tax and Sales and Use Tax monies. An amendment to add the language of this legislation to another bill was voted during the 2015-2016 Legislative Session, with the Lt. Governor casting the tie-breaking vote, defeating the measure.

“I believe the words of Pennsylvania’s Constitution ensure no one loses their homes due to school property taxes. Article I, Section 1, ‘Inherent Rights of Mankind’ states: ‘All men are born equally free and independent, and have inherent and indefeasible rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing and protecting property and reputation, and of pursuing their own happiness.’”

### **Civil Asset Forfeiture Reform**

Changes how law enforcement may take property of people suspected of crimes. In the 2015-2016 Legislative Session, the Senate overwhelmingly passed this legislation, but there was insufficient time for the House to take action. I plan to reintroduce a modified version of the measure passed by the Senate.

### **Restricting “Swaps”**

Restricts interest rate management agreements or so-called “swaps.” This complicated measure was reported from both the Senate Local Government and Appropriations Committees, but was not considered by the full Senate during the 2015-2016 Legislative Session. I plan to reintroduce a modified version of this measure.



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### **Additional Prime Sponsored Legislation**

**Registered Apprenticeship Program Update:** Establishes and enables the promotion of Registered Apprenticeship programs

**Restricting Public Pensions for Future PA School Board Association Employees**

**0% Inheritance Tax for Disabled Child Beneficiaries**

**Right to Work:** Gives employees the right to decide whether or not to join or financially support a union

**Clarification of the Exclusivity Provision in the Workers' Compensation Law**

### **Small Business Reform Package**

A key to improving our economy is the success of the small businesses, which creates 65% of Pennsylvania's jobs. Removing unfair tax obstacles would help them to better compete, which helps grow more jobs for current and future generations.

**Like-Kind Exchanges** - Allows for tax-deferral when property is exchanged for similar property, and removes the disadvantage Pennsylvania small businesses face as the only state without such a provision.

**Net Operating Loss** - Allows small businesses to use the Net Operating Loss deduction, which helps larger companies with greater capital. The ability to use such tax strategies would greatly help smaller businesses.

**Section 179 Expense Deductions** - Increases the maximum amount a taxpayer may elect to expense for certain assets. While not a tax credit, this clause would simply allow an earlier tax deduction for the useful life of depreciable assets.

**Chairman, State Government**    **Vice-Chairman, Education**  
Communications & Technology    Intergovernmental Operations  
Rules & Executive Nominations    Labor & Industry

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