

3156

Kathy Cooper

From: IRRC
Subject: FW: Local Earned Income Tax Collection, IRRC # 3156.

2016 AUG 30 AM 9:26

RECEIVED
IRRC

From: Ronald Grutza [mailto:rgrutza@boroughs.org]
Sent: Monday, August 29, 2016 4:59 PM
To: 'Sanderson, Sean'; lirwin@pa.gov; James Smith
Cc: 'Ed Troxell'
Subject: Local Earned Income Tax Collection, IRRC # 3156.

August 29, 2016

I am writing to comment on DCED's proposed regulations for **Local Earned Income Tax Collection, IRRC # 3156**.

PSAB is a statewide, non-partisan, non-profit organization dedicated to serving 957 borough governments. Since 1911, PSAB has represented the interests of boroughs and helped to shape the laws that laid their foundation. The Association improves and assists local governments through legislative advocacy, research, education and other services. With more than 2.6 million Pennsylvanians residing in borough communities, our members strive to deliver quality leadership and service to citizens across the Commonwealth.

PSAB offers the following comments on the proposed regulations.

- 1) **Section 151.23. Duties of the a tax collection committee in selecting a tax officer.** This section concerns the requirements for appointing or reappointing a tax officer by the tax collection committee (TCC). We suggest a bifurcation of these qualifications so that Section 151.23 (1), (2), (3), (4), & (5) apply to initial appointments of a tax officer, while only Section 151.23 (1), (4), & (5) apply to the reappointment of the same tax officer. The rationale being a tax officer the TCC already employs should be sufficiently known and the TCC would be familiar with their operations facilities. Therefore, Section 151.23 (2) (requiring at least five positive references) & (3) (requiring at least one onsite visit) should not apply to reappointments of the same tax officer.
- 2) **Section 151.41. Rules for mediation.** This section concerns the rules for voluntary and mandatory mediation by the Department. PSAB adamantly opposes the \$500 filing fee a political subdivision must pay when requesting either mandatory mediation or voluntary mediation. There is no statutory authorization for the filing fee in Act 32 of 2008. We request the Department disclose its rationale for the \$500 filing fee and how it derived that figure.
- 3) **Section 151.41. Rules for mediation.** As the draft regulations indicate, a political subdivision could pay the \$500 filing fee to request mandatory mediation and the Department finds it does not meet the threshold conditions. We suggest in this case the filing fee be refunded to the political subdivision(s) making the request.

Thank you for the opportunity to comment on these regulations. We look forward to your response.

Ronald J. Grutza
Regulatory Affairs Coordinator

Pennsylvania State Association of Boroughs
2941 North Front Street
Harrisburg, PA 17110

Phone (717) 236-9526 ext. 1044

Cell (717) 576-1679

Fax (717) 236-8289

rgrutza@boroughs.org

www.boroughs.org