



March 21, 2017

Dear House Members:

The Pennsylvania NewsMedia Association is the statewide trade association for print and digital news media in Pennsylvania, and counts more than 300 print, digital and related media organizations as members. As proposed, HB 99 expands a borough's ability to bypass current bidding and public notice requirements "for emergencies." The bill does not define, emergency, however, apparently leaving the determination of what is an emergency up to individual borough councils. We are concerned that this could lead to both the public and potential bidders being left in the dark about a wide range of borough actions – and taxpayer spending – with no advance notice.

In this way, HB 99 would expand a borough's ability to bypass bidding and prior public notice, without appropriate guidance, limitations or standards on what 'emergencies' apply. We believe that the language should clearly define 'emergency,' consistent with the Sunshine Act, both to provide guidance to boroughs and to ensure that the public – and potential bidders – continue to receive advance notice of a borough's contracting and spending plans. Under the Sunshine Act, agencies may hold meetings without prior notice, for emergencies that present a "clear and present danger to life or property." We believe that the borough code amendment must be consistent with existing law.

Thank you in advance for your consideration of this issue, and we would welcome the opportunity to discuss it with you in more detail. Please contact me at 717-385-0900 or hollyl@pa-news.org if we can provide any additional information.

Sincerely,

Holly Lubart
Director of Government Affairs