



CCAP 2019 Priorities Status Report August 2019

CCAP members identified a total of six priority issues for 2019. Grassroots activity on the priorities began following their adoption at the 2018 Fall Conference. After a formal announcement in January, officers and staff launched efforts to work with the General Assembly and the administration to introduce and advance proposals.

The current status is presented in priority order, as established by CCAP members:

Election Equipment and Voting Systems

In his FY 2019-2020 budget plan, Gov. Wolf proposed \$75 million (\$15 million annually over five years) to counties to cover about half of the cost for the new voting machines counties must purchase in time for the April 2020 primary election pursuant to the state's settlement agreement with the Stein campaign. Throughout the first half of 2019, CCAP met with the administration and legislative leadership on multiple occasions to advocate for funding, as well as legislative alumni in the House, and CCAP along with counties engaged in significant efforts to assure this critical issue remained at the forefront.

The funding meetings built on the foundation established by CCAP at the start of the legislative session on elections issues, through meetings with House and Senate State Government Committee chairs, House and Senate leadership, and with Acting Secretary of the Commonwealth Kathy Boockvar and Deputy Secretary for Elections and Commissions Jonathan Marks.

As part of counties' advocacy on voting systems, CCAP also wrote an editorial highlighting the important work of counties and the 2019 county priorities, focusing in part on the need to work with state partners to achieve maximum funding for equipment replacement and asking for the funding timeline to be shortened to a single year. The editorial was picked up by a number of media outlets statewide.

In late June, the House State Government Committee amended [SB 48](#), Sen. John Gordner's (R-Columbia), which was originally introduced to provide a process for decertification of voting systems by the Department of State (DOS). That amendment provided for a \$90 million bond issuance to fund 60% of the costs of counties' voting equipment, either as a reimbursement if equipment has been purchased, or as funding for a future purchase.

The amendment also retained the original requirement for DOS to submit a written plan to the legislature if the commonwealth intends to decertify voting equipment in 50% or more counties, including a plan for replacing the equipment and funding that replacement that would then be

reviewed by a legislative Voting System Decertification Commission. In addition, amendments included changes to the dates for application, mailing and receipt of absentee ballots, a requirement for counties to keep a log of absentee ballots, including date of application, date mailed to the voter, date postmarked by the voter and date received by the county, and a reduction in the number of ballots counties would be required to print, from 110 percent of the number of registered voters under current law to 110 percent of the highest number of ballots cast over the prior three cycles of the same election.

However, on July 5, Gov. Wolf vetoed [SB 48](#). In his [veto message](#), he clearly noted that his veto came in reaction to language in the bill creating a decertification procedure, citing concerns about the ability of the commonwealth and counties to quickly respond to flaws that would require the decertification of large numbers of machines fewer than 180 days before an election, as well as language eliminating the straight party ballot option, arguing that this would remove a convenient voting option and could lead to voter confusion and longer lines.

The Governor's office emphasized to CCAP that Gov. Wolf understands counties' need for immediate funding for voting equipment, and that the Governor remains committed to funding. To that end, on July 9, Gov. Wolf announced his intent to request a Pennsylvania Economic Development Finance Agency (PEDFA) bond issue to provide \$90M in funding to reimburse counties for up to 60 percent of the cost of purchase of new voting systems. The funds will be available to counties that have purchased, or enter agreements to purchase, new equipment by Dec. 31, 2019. In addition, counties with existing qualified hand marked paper systems will have an option to defer action until June 2021, but would qualify for a reduced reimbursement. The Department of State also sent a more detailed notice to counties. Legislative response has been mixed; their clear preference is a legislative solution and they may challenge the legality of Governor's ability to go to PEDFA borrowing without legislative authority.

Relatedly, the legislature's focus on election issues is unprecedented in recent history, and CCAP and county election directors are positioned as vital resources and partners. On Jan. 29, Sen. Folmer led his colleagues, former Berks County commissioner Sen. Judy Schwank, former Delaware County council member Sen. Tom Killion, former Lancaster County commissioner Scott Martin and Sen. Pat Stefano, at a press conference introducing several election reform bills. CCAP President Kathi Cozzone issued a media statement thanking the senators for opening the door to consider important updates to the Election Code and including county elected officials and election directors in discussions as the bills were developed. CCAP Director of Government Relations Lisa Schaefer appeared before the Senate State Government Committee in late April to provide testimony on this legislative package. The Committee has now started to move the bills.

Snyder County commissioner Joe Kantz, co-chair of CCAP's elections reform committee, Montgomery County commissioner Kenneth Lawrence and Dauphin County commissioner Jeff Haste, along with CCAP Executive Director Doug Hill, testified at a Senate State Government hearing on March 26 regarding the process for state decertification of voting equipment. On April 30, CCAP Director of Government Relations Lisa Schaefer also testified before the same

committee on multiple election reform bills. Their testimony is available at www.pacounties.org on the Legislative Action Center by clicking on Legislative Testimony.

In addition, former Clarion County commissioner Rep. Donna Oberlander invited CCAP to provide a roundtable on voting machines and election reforms on April 17 to the House Republican Policy Committee she chairs. Lehigh County election director Tim Benyo joined Kantz and Hill for a discussion on issues ranging from funding for voting systems to other election reforms. More than 30 House members stopped in for all or part of the meeting.

Forensic Services for Seriously Mentally Ill County Inmates

The Comprehensive Behavioral Health Task Force continues working closely with the Department of Human Services (DHS) in connecting county projects with funding available through the ACLU settlement. The average wait to obtain state hospital services is now below 50 days, and a concurrent goal to reduce the time to under 21 days is being strategically implemented. Counties are also being provided with educational opportunities and best practices through webinars, with a focus on services for juveniles.

A statewide forensics conference will be held in State College on Oct. 31, 2019. Partnering again with DHS, the Task Force is designing an agenda to bring county teams to work together on strengthening their approach to services and programs that avoid jail for those with mental health and substance use issues. Further, the Task Force is preparing advice for counties in working with third party medical providers to maximize the availability of data, which will be included in trainings for the fall.

Finally, the Task Force is preparing a strategy for improved engagement with statewide associations that represent judges, DAs, defenders, jail administrators and others. The involvement of partner associations will strengthen CCAP's ability to provide education as well as impact statewide policy in these areas.

Human Services Funding and System Reform

In January, ahead of Gov. Wolf's FY 2019-2020 budget address, CCAP released its historical funding overview analyzing the multi-year trends in state funding for services that counties provide on behalf of the state. For the first time, the overview presents graphically the flat, and often decreasing, funding across many critical human services programs. The analysis was also highlighted in an article in the February County News magazine, and the full report is posted on the CCAP [Budget News web page](#) as an advocacy resource for counties.

On June 28, Gov. Wolf signed [HB 790](#), the commonwealth appropriations bill for FY 2019-2020, into law, following the Senate's approval by a 42-8 vote on June 27 and a 140-62 vote by the House on June 25. The legislation spends nearly \$34 billion in state funds, representing an increase of about two percent over FY 2018-2019 spending, but less than the \$34.1 billion budget proposed by the Governor in February.

Much of the increase is directed to educational line items, including \$432 million in additional funding for basic education funding, \$50 million for special education funding and \$10 million for career and technical education. Otherwise for counties, the FY 2019-2020 budget again represents generally level funding across most lines that impact them.

Part of the General Fund budget is funded by transfers from environmental funds, including \$16 million from the Environmental Stewardship Fund and \$10 million from the Recycling Fund, the latter of which provides grants to local governments with recycling programs. The budget agreement also transfers the surplus general fund monies remaining from FY 2018-2019, estimated to be around \$300 million, into the state's rainy day fund.

However, important language to delay the implementation of the Medical Assistance Transportation Program (MATP) brokerage model for 180 days was included in amendments to the Human Services Code under [SB 695](#), now Act 19 of 2019. The delay responds to Act 40 of 2018, requiring the Department of Human Services to seek federal approval to move MATP services to a statewide or regional full-risk brokerage model. Under Act 19, the Department of Human Services (DHS), Department of Aging and PennDOT are given 180 days to complete an analysis of current federal and state law and regulations, the effectiveness of the current MATP delivery, and a comparison to other states' models of delivering human services transportation. The analysis must also review the impact on consumers, the quality and availability of services and the positive and negative impacts of the current model versus a brokerage model. Several former CCAP members, including Rep. Jonathan Fritz (R-Wayne), were instrumental in assuring the delay and analysis were amended into SB 695.

Counties were also successful in their efforts to protect the Behavioral HealthChoices program in the face of legislative threats to dismantle the carveout. CCAP's COMCARE Board worked actively on direct lobbying, local grassroots and media outreach to defeat these threats throughout the spring, and several counties authored local editorials and other media efforts highlighting the positive effects the current system has offered clients over the past 20 years. Legislative roundtables were also held on March 21 in Lehigh County and on April 11 in York.

Additional budget details, including program narratives and a spreadsheet with a detailed analysis comparing line items in HB 790 to FY 2018-2019 allocations, are available at www.pacounties.org by clicking on Budget News under the Government Relations tab.

Rural Broadband Expansion

Several broadband initiatives were approved by the Pennsylvania General Assembly at the end of June, signaling the continued importance the issue has among policy makers.

Two Senate resolutions were adopted which authorize studies related to broadband, both introduced by Sen. Kristin Phillips-Hill (R-York). The first, [SR 47](#), establishes a legislative task force on the delivery of high-speed broadband services and directs the Joint State Government Commission (JSGC) to conduct a study on service delivery in unserved and underserved areas. The JSGC is to make recommendations on collaborative partnerships and other means of

extending broadband, as well as possible funding mechanisms. It is to issue its initial report within one year, and another four reports within the following year.

The second resolution, [SR 48](#), directs the JSGC and the Legislative Budget and Finance Committee (LBFC) to conduct a review of telecommunication carriers' compliance with the high-speed broadband deployment mandates of the PUC, and whether carriers have fulfilled their commitments to accelerate broadband availability to 100% of their total retail access lines by Dec. 31, 2015. A similar resolution, [HR 64](#), was introduced in the House by former CCAP member Rep. Pam Snyder (D-Greene).

In addition, as a part of the Fiscal Code amendment, [SB 712](#), that was adopted along with the FY 2019-2020 state budget, \$300,000 was earmarked through the Keystone Communities program to establish a broadband expansion pilot program as a joint venture between two local development districts. Another \$300,000 was designated to fund innovative pilot programs that would provide or expand cost-effective broadband services to underserved rural areas.

Other legislative efforts at the state level are also ongoing. Rep. Snyder has introduced legislation, [HB 305](#), to call for an inventory of state-owned assets that can then be leveraged for the development of mobile broadband services in the commonwealth. The bill was amended by the House State Government Committee in May, at the suggestion of former CCAP member Rep. Jeff Wheeland (R-Lycoming), to include an option for counties to add county-owned assets to the inventory if they would be interested in being part of the state's effort. The bill won the unanimous passage of the House on June 20 and is now in the Senate State Government Committee. Additionally, Rep. Frank Farry (R-Bucks) reintroduced legislation, [HB 1400](#), which would limit the ability of local governments to regulate small wireless development in rights-of-way, with the intent of facilitating deployment of wireless communications services throughout Pennsylvania. The bill is still in the negotiations process among the legislature, local governments, and telecom providers; a hearing had been scheduled in June but was ultimately canceled, although CCAP had submitted written comments asking legislators to maintain a focus on local control in small cell regulation.

Additionally, results of a year-long research project sponsored by the Center for Rural Pennsylvania and conducted by Penn State University were released in June that demonstrate the discrepancies between the FCC's broadband availability data and the true state of availability that Pennsylvanians experience. The FCC figures, based on ISP reporting, claim that every county has broadband access, defined as more than 50% of residents having access to broadband at speeds exceeding 25 Mbps, and that just 800,000 Pennsylvania residents do not have access to broadband. Using more than 11 million broadband speed tests from throughout the commonwealth, the project shows instead that there were zero counties where the 50% test was met. The results also showed that connectivity speeds were substantially slower in rural counties than in urban counties. For the full report, visit www.rural.palegislature.us.

The report mirrors work being done by the National Association of Counties (NACo) to assess broadband download and upload speeds to better provide data about broadband coverage

using NACo's *TestIt* application for mobile devices. The project will compile county broadband speed data of users across the nation to provide a better picture of where service may be overstated and/or underfunded.

At the same time, counties have been engaging in their own local solutions to provide internet connectivity for their residents, especially in rural areas, and better bandwidth capacity statewide. CCAP continues to monitor and catalog initiatives being piloted throughout the state, which include leveraging of existing structures, investment into dark fiber and development of centralized community location hotspots.

Assessment Reform

With the completion of several tools by the Local Government Commission's Assessment Reform Task Force in 2018, CCAP has been working to promote their use among the counties. Specifically, members of CCAP's affiliate, the Assessors Association of Pennsylvania (AAP) presented two breakout sessions at the 2019 Spring Conference to review the public relations guidelines as well as the steps of preparing for a countywide reassessment.

AAP is working to develop training for all members of assessment appeals boards, as required by [Act 155 of 2018](#), beginning in January 2020. CCAP's Assessment and Taxation Committee provided input on the module outlines to AAP as well as delivery methods for the training at its Spring Conference meeting. A test run of the training session for the Assessment Valuations Process module was conducted on July 10 and was open to commissioners who serve on their boards of assessment appeals.

The Assessment Reform Task Force also recommended several other pieces of legislation around sales data verification, building permit reform and certification for third party contractors, which have been reintroduced by members of the Local Government Commission. In June, the House of Representatives unanimously approved [HB 1032](#), introduced by Rep. Lee James (R-Venango), to add two Certified Pennsylvania Evaluators (CPEs, the designation which must be obtained by county assessors who are responsible for valuing property) to the State Board of Certified Real Estate Appraisers. The House also approved [HB 1033](#), sponsored by committee chair Rep. Dan Moul (R-Adams), by a 197-3 vote to clarify that third-party contractors hired to complete countywide reassessments must be certified as CPEs; and Rep. Garth Everett's (R-Lycoming) [HB 1034](#) by a 196-4 vote to improve proper and timely submission of building permits to county assessment offices. These three bills will now go to the Senate for its consideration.

For its part, the Senate Consumer Protection and Professional Licensure Committee reported two companion bills by unanimous vote on May 1. Those included [SB 491](#), Sen. Judy Ward's (R-Blair) legislation mirroring HB 1032, and [SB 492](#), legislation identical to HB 1033 offered by former CCAP member Sen. Scott Martin (R-Lancaster). Finally, in late June, the Senate Local Government Committee reported [SB 493](#), the companion bill to HB 1034 that was introduced by Sen. Tim Kearney (D-Delaware). These bills now await further action by the Senate.

Preventing Substance Abuse

Conversations have continued around the substance abuse and drug overdose crisis, particularly related to opioids. Recent efforts by the state legislature and administration have concentrated on the resources and systematic approaches needed to continue recovery and treatment and to continue education and service to those affected by addiction. However, as Pennsylvania makes progress addressing issues around opioids, alcohol abuse continues to impact health and human services and the state is seeing a resurgence of methamphetamines and other synthetic substances.

CCAP and its affiliate, the Pennsylvania Association of County Drug and Alcohol Administrators (PACDAA), continue to jointly engage the General Assembly and state agencies to highlight the critical role of the Single County Authorities in prevention, intervention and treatment, and the concurrent need for coordination and collaboration between state and local authorities in development and implementation of a comprehensive and holistic approach. Equally critical for the program is finding additional state resources to enable increased local capacity. CCAP staff have been meeting with key committee chairs with jurisdiction over these issues in both the House and Senate to discuss areas of mutual priority and to raise awareness of how counties are experiencing substance abuse service needs beyond the opioid epidemic.

Counties also continue to offer input and solutions to substance abuse and drug overdose issues in other ways, such as the development and distribution of a “warm handoff” protocol with local emergency departments and the College of Emergency Room Physicians to help get overdose survivors directly into treatment of addiction. A second round of regional warm handoff meetings has just concluded, providing an opportunity for hospital staff and SCAs to share successes and challenges and continue to refine local protocols. Other efforts include working with the Centers of Excellence to expand access to Medication Assisted Treatment for overdose survivors.

Additionally, county representation was added to a resolution introduced by Rep. Jim Struzzi (R-Indiana), [HR 268](#), that directs the Joint State Government Commission (JSGC) to study the impact of the Commonwealth's current behavioral health needs and behavioral health care system capacity on hospital emergency departments and patient health. The resolution was adopted in June and the JSGC has already reached out to CCAP and its affiliates for recommendations for appointees to the advisory committee.

Finally, CCAP and the Behavioral Health Coalition were successful in our efforts to avoid threats to the Behavioral HealthChoices program as the 2019-2020 budget was finalized, as noted under the Human Services Funding and System Reform priority. Continuation of Behavioral HealthChoices funding is critical to maintaining the infrastructure that has been established, and counties are actively working to maintain the carveout and the local programs it supports.