



CCAP 2019 Priorities Status Report November 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

On Oct. 31, Gov. Wolf signed [SB 421](#) into law as Act 77 of 2019, which includes several election reform measures, as well as \$90 million in bonds for the purpose of reimbursing counties for the purchase of voting systems. CCAP was present at the bill signing, at which Acting Secretary of the Commonwealth Kathy Boockvar offered pointed and repeated thanks to CCAP, counties and county election directors for their work in support of the bill and for all counties do in administering elections.

On balance, the bill accomplishes counties' top [priority](#) for 2019, to achieve state funding to assist counties with the cost of purchasing new voting systems under the requirements of the Stein settlement agreement. The House approved the legislation by a 138-61 vote and the Senate by a 35-14 vote. CCAP has already been in touch with, and will be working closely with, Acting Secretary of the Commonwealth Kathy Boockvar and Deputy Secretary for Elections and Commissions Jonathan Marks on implementation and process moving forward.

Funding

Securing \$90 million to reimburse counties for new election systems caps a tumultuous process throughout 2019, which began when Gov. Wolf proposed \$75 million (\$15 million annually over five years) in his FY 2019-2020 budget plan to cover about half of the cost to counties. Throughout the first half of 2019, CCAP met with the administration and legislative leadership, as well as chairs and staff of the House and Senate State Government Committees, on multiple occasions to advocate for funding, as well as legislative alumni in the House. Counties also engaged in significant efforts to assure this critical issue remained at the forefront.

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) legislation, 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 systems, either as a reimbursement if equipment has been purchased, or as funding for a future purchase.

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 understood counties' need for immediate funding for voting systems, and that the Governor remained 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 \$90 million in funding to reimburse counties for up to 60 percent of the cost of purchase of new voting systems. The funds would have been available to counties that have purchased, or enter agreements to purchase, new systems 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 to the Governor's proposal was mixed; their clear preference was a legislative solution, noting they might challenge the legality of Governor's ability to go to PEDFA borrowing without legislative authority. This set the stage for SB 421, which consistent with the Governor's proposal, authorizes PEDFA to issue \$90 million in bonds for up to 60 percent reimbursement to counties.

Election Reforms

Relatedly, the legislature's focus on election issues is unprecedented in recent history, and CCAP and county election directors have been positioned as vital resources and partners. On Jan. 29, former Sen. Mike 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.

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.

Ultimately, these efforts resulted in a number of welcome election reform measures in SB 421, such as creation of a new mail-in voter provision that would effectively be a no-fault absentee ballot, changes in ballot printing requirements sought by counties to reduce wasted resources and unnecessary cost, and a provision to prohibit the use of stickers for write-in candidates.

Other provisions of the bill:

- Eliminates straight party voting
- Incorporates a concept from prior legislation to require the Department of State to file with the legislature if it intends to decertify election systems affecting more than 50% of the counties.
- Moves the deadline for delivery of absentee ballots to the county election office from Friday before the election to 8 p.m. on election day, while providing for central count of absentee ballots to accommodate the deadline change
- Individuals who vote by absentee ballot would be prohibited from voting at the polls
- New provisions for emergency applications apply for Tuesday prior to the election to the close of polls
- Voters making in-person requests could cast their ballots at the time of request
- Moves the date to begin canvassing ballots up to the Friday after the election, and allows counties to begin canvassing on election night
- Changes the voter registration deadline to 15 days before an election, a compromise from calls for same-day registration
- Requires counties to pay poll workers an additional amount, at their discretion, for attending training, and to pay election judges an additional amount, at their discretion, for carrying materials to the polls
- Requires counties to post specimen ballots on their publicly accessible websites

CCAP issued a media statement in response to the passage of SB 421, and was sought after by multiple statewide and local media outlets for comment. In addition, CCAP Executive Director Doug Hill appeared on PCN's On The Issues on Nov. 4 and WITF's Smart Talk on Nov. 5 to discuss this important legislation.

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 currently at

zero days, but without additional community capacity, that number will begin to climb once again. Counties are also being provided with educational opportunities and best practices through webinars, and connections to DHS resources that can fund further community capacity.

A statewide forensics conference was held in State College on Oct. 31, 2019. Partnering again with DHS, the conference served more than 250 people representing nearly 50 counties, most attending in teams of judges, commissioners, DAs, defenders, law enforcement, treatment staff, and jail staff. A pre-conference "poster session" was held the night prior to showcase the work of four counties through a networking reception. This event was very well received. The conference began with a special "lived experience" panel, comprised of four young adults and family members who have encountered jail and the criminal justice system while struggling to address behavioral health needs. This panel provided a wonderful reminder of the purpose for the day, and the reasons why counties must take a lead in addressing mental illness and substance abuse in jails and the courts. A tabletop exercise focused on scenarios and use of the SteppingUp resources for local teams to develop plans. County project presentations were followed by a statewide leadership panel comprised of key DHS, DOC, AOPC and PCCD officials who support the work of the counties through policy and funding assistance.

For 2020, the Task Force is preparing a strategy for improved engagement with statewide associations that represent judges, DAs, defenders, jail administrators and others in our educational efforts and the annual conference. 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.

CCAP has had an active role on the MATP work group conducting the study, with the final report expected to be released by the end of 2019. In the interim, in late October the House Transportation Committee held a separate hearing on the proposed shift to a brokerage model. Jefferson County commissioner Jack Matson, Tioga County commissioner Mark Hamilton and Wayne County commissioner Wendell Kay appeared before the Committee to talk about their local MATP structures and how the proposal would impact their constituents; CCAP's testimony can be found on the Legislative Testimony [web page](#).

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, on April 11 in York and on Nov. 7 in Allegheny County.

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

In August and September, the Senate Communications and Technology Committee held a statewide tour of hearings on improving access to high-speed broadband internet across the commonwealth. Indiana County commissioner Rod Ruddock testified on the need to expand broadband capacity during the kick-off hearing on August 7 with a focus on local government and broadband expansion. With the hearing focused largely on the logistics and strategy for improving broadband service in the commonwealth, Ruddock was able to share the innovative

ways counties have been trying to develop their own local solutions to provide internet connectivity and better bandwidth capacity for their residents, especially in rural areas. However, he also noted that despite counties' best efforts, they struggle to see success due to a lack of funding, installation obstacles and stalled partnerships from industry.

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. Those initiatives included a legislative task force on the delivery of high-speed broadband service and the identification of collaborative partnerships, funding for broadband expansion pilot programs, and a Legislative Budget and Finance Committee (LBFC) review of telecommunication carriers' compliance with the high-speed broadband deployment mandates of the PUC.

Other legislative efforts at the state level are also ongoing. Rep. Snyder's 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, continued to move through the legislative process and is now on the Senate floor for potential consideration this fall. However, language that was inserted in the House 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, was removed by amendment of the Senate Communications and Technology Committee.

Additionally, Rep. Frank Farry (R-Bucks) has 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.

CCAP has met with other stakeholders, including PA Partnerships for 5G and Comcast, to further explore potential public-private partnerships. All stakeholders seem to agree that the issue of rural broadband is not one that can be solved by any one entity, but rather through collaborative efforts between industry, government and communities.

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. Final preparations, including selection of delivery methods, will be underway throughout the balance of 2019.

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.

The Senate Local Government Committee reported HB 1034 on Oct. 22, after previously considering the companion bill [SB 493](#), that was introduced by Sen. Tim Kearney (D-Delaware), in late June. However, the committee adopted an amendment to HB 1034 that removed language that would have required the Department to take corrective action against a third party agency if the county assessment office filed a complaint that the agency was continually noncompliant in submitting building permits to the county. That bill has now been referred to the Senate Appropriations Committee, while the remaining House bills are before the Senate Consumer Protection and Professional Licensure Committee.

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). Both of these bills were further reported by the Senate Appropriations Committee in late October.

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.

Finally, CCAP and the Behavioral Health Coalition were successful in our efforts to avoid threats to the Behavioral HealthChoices program as the FY 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.