



CCAP 2020 Priorities Status Report November 2020

CCAP members identified a total of five priority issues for 2020. Grassroots activity on the priorities began following their adoption at the 2019 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.

November 2020 Update

The coronavirus pandemic continues to shape the way 2020 unfolds. While we are long past the days of the spring stay-at-home order and phased reopening in Pennsylvania, COVID-19 and the fall resurgence of cases reminds us that the public health and economic disasters are of top importance at all levels of government and adaptation and recovery will be underway for some time. During what has been a tumultuous and unpredictable year for all, CCAP has maintained focus on our legislative priorities as well as policy issues related to COVID-19 and elections.

The House and Senate continued to meet throughout the late summer and fall in an attempt to wrap up legislative proposals before they expire at the end of this two-year session. Despite that all scheduled legislative session days for the 2019-2020 session of the General Assembly have concluded, Pennsylvania still lacks seven months' worth of the current fiscal year's budget, as the interim budget adopted in late May provides funding only through the end of November amid projections of a serious budget shortfall. It remains to be seen if a sine die session will be scheduled, and if so, if it will focus exclusively on finishing the state's budget, or if other legislative issues will also be considered.

Although elections were not an official 2020 legislative priority chosen by the CCAP membership last fall, several unavoidable factors collided this year to make it a critical legislative matter for counties. CCAP worked tirelessly over the last several months to urge the General Assembly to clarify existing law, settle questions raised by litigation and allow additional pre-canvassing time to stave off delayed election results. However, legislative negotiations between the administration, Senate and House leaders ended with no forward movement and many matters decided, and even still pending, by the state and federal courts.

During these final months of 2020, CCAP continues to advocate for county needs, particularly regarding the second round of budget negotiations. CCAP has been steadfast in requesting sufficient funding for county programs, especially mental health funding as our top county priority. There are no guarantees and fighting for increases in mental health funding, as well as adult probation funding, county property tax reform, rural broadband and EMS solutions will continue to be critical.

A more detailed report of the current status is presented below in priority order, as established by CCAP members.

Increased Funding for Mental Health Services

Counties seek a minimum increase of \$42 million in FY 2020-2021 to strengthen the existing safety net of county-provided mental health services, with a commitment to an additional 3% increase in the following budget years for these important community supports.

CCAP pursued multiple strategies for highlighting funding needs for mental health over the course of the year. Efforts intensified again over the last several months as discussions on finalizing the FY 2020-2021 budget were renewed. In early September, CCAP hosted its first virtual legislative alumni roundtable so that CCAP officers and former county officials who serve in the General Assembly could discuss budget priorities and other matters of interest leading into the fall legislative session. The event was well-received and legislators agreed that they would like CCAP to schedule a similar event for after the General Election. Another virtual alumni gathering was scheduled to be held on Nov. 12. Also, CCAP has been meeting with House and Senate leaders and Appropriations committee chairs to express budget priorities, particularly the need for mental health funding. Further, CCAP president Jeff Snyder sent a call to action to members statewide with materials to be used for conversations with legislators regarding local data on mental health programs and funding needs.

The five-month temporary budget reflects only FY 2019-2020 levels for the partial year and ongoing advocacy and outreach seeking an increase for this line will be critical in the second part of the FY 2020-2021 budget to be considered later this year. While COVID response includes a focus on mental health through the county relief block grant program and several other grants, none of these addresses the issue of the insufficient base dollars, and so state budget support remains critical. However, with an anticipated \$3 billion revenue shortfall and lack of additional federal COVID relief, counties must continue to advocate to ensure that critical dollars are allocated to counties to uphold the partnership in the provision of these essential programs.

Solutions to the Emergency Medical Services Crisis

The Task Force met in late May to review and discuss several concepts for legislation that would authorize the creation of a countywide or multi-municipal EMS authority. Co-chairs Kevin Boozel and Mark Hamilton have also participated in several roundtable discussions on this legislation, hosted by the Senate Veterans Affairs and Emergency Preparedness Committee and including other stakeholders from the EMS community. As a result of these discussions, Sen. Tim Kearney (D-Delaware) introduced [SB 1274](#) in September, and CCAP testified in support of the bill before the Senate Veterans Affairs and Emergency Preparedness Committee on Sept. 21, at a hearing hosted by the Pike County commissioners. Unfortunately, the bill received no further consideration before the end of the legislative session, and so will have to be reintroduced when the new session convenes in January.

In the meantime, however, the General Assembly has considered several other bills intended to help support EMS this session. One of those bills, HB 1459, was signed into law on July 23 as [Act 69 of 2020](#), to create statewide mental health resources for emergency responders, including county 911 dispatchers. CCAP supported this legislation consistent with the recommendations of the EMS Task Force.

In addition, on Oct. 29, Gov. Wolf signed into law [HB 1673](#) (Rep. Frank Farry, R-Bucks) and [HB 1838](#) (Rep. Martin Causer, R-Potter) as Acts 91 and 93, respectively. Act 91 was amended before final approval to incorporate provisions of a number of EMS-related legislation, including expansion of the existing option for municipalities to offer property tax credits to first responders to allow counties and school districts to do the same. In addition, Act 91 reauthorizes the Fire Company and EMS Grant Program for four years and expands the eligible uses of the program to include fire prevention education, recruitment and retention programs, volunteer firefighter length of service awards, construction savings accounts and revenue loss for grants issued during the next two years; increases the loan amounts for facilities, vehicles and equipment through the Volunteer Loan Assistance Program (renamed the Fire and EMS Loan Program); and makes the Office of the State Fire Commissioner responsible for the management of the Fire and EMS Grant Program, the Fire and EMS Loan Program, the Fire Relief Program and the State Fire Academy, as well as serving as chair of the State Fire Advisory Board.

Act 93 increases the citation fee to \$20 and the ARD fee to \$50 to increase funds in the Emergency Medical Services Operating Fund – the fund that supports the regional EMS councils – and increases the share of revenues in the Fund going to EMS systems in rural areas from 10% to 30%. The Senate amended the bill earlier this spring to also require the Legislative Budget and Finance Committee (a bipartisan, bicameral legislative services agency) to review court records to make sure money for the Fund is being properly collected and deposited

County Property Tax Reform

For many years, counties have sought a menu of local taxing options like local earned income taxes, personal income taxes or sales taxes to offset their reliance on the property tax and diversify their tax base. As has been the case for many years, the bulk of property tax reform conversations in Harrisburg remain primarily focused on school property tax reform.

Recently, as a part of a larger conversation surrounding the future of transportation funding, local taxing options were reintroduced in [House Bill 2068](#), which would create an option for counties to levy a tax, including a realty transfer tax, sales and use tax or earned income tax to generate revenue for mass transportation. Mifflin County Commissioner Rob Postal testified on behalf of CCAP before the House Transportation Committee, explaining counties would welcome further discussion on using options to levy those taxes for transportation funding as well, with a focus on leaving discretion of which tax to levy to each county at the local level, but believe this should be a part of the broader conversation surrounding local property tax reform.

At the same time, the impacts of the COVID-19 pandemic have brought counties to the table as part of property tax discussions in another way. CCAP worked with the General Assembly on

emergency legislation that confirmed local government ability to extend the discount and face periods for property tax collection, and that language was signed into law as [Act 15](#) of 2020. Furthermore, a school property tax deadline extension bill was signed into law as Act 75. While counties have little direct impact from this legislation, CCAP has been involved with tax claim bureaus and school stakeholders to discuss coordination on the tax collection side.

Revenue pictures at the state and local level remain uncertain as the impacts of the pandemic continue to evolve. CCAP worked with the other statewide local government associations to ask that the four legislative Local Government Committee chairs request the state's Independent Fiscal Office (IFO) do a study on local government revenue impacts and projections, similar to one that was done for state revenues in the spring. The IFO completed the request and published its [report](#), estimating that property tax revenues for counties would decline about 1.3%, and that revenue collections may be impacted in the second and third quarters of 2020 in those counties that chose to extend their discount and face periods.

Although diversifying revenue options would be helpful to counties' budgets in the long term, the difficult financial challenges resulting from the pandemic created an environment that was not conducive to consideration of broad changes to tax bases, but it is expected to remain on the radar screen going forward.

Rural Broadband Expansion

Rural broadband continues to be echoed at all levels of government as one of the biggest hurdles of the 21st century. COVID-19 has further exposed the lack of availability and the need of Pennsylvanians for high speed and reliable internet access for business, education, health care, emergency services and other key parts of our everyday lives, especially as schools and businesses must constantly adapt to changing pandemic conditions. Counties have been at the forefront of broadband expansion in the commonwealth and are continuing to develop partnerships and creative solutions that work to provide internet connectivity for their residents, especially in rural areas and better bandwidth capacity statewide.

CCAP has continued to engage members of the General Assembly and Administration in education and idea sharing of how counties can be partners and innovators in the field in addressing the roadblocks in broadband, and discussing potential next steps and solutions, particularly at the local level through public private partnerships. While local solutions continue to drive the conversation on the statewide broadband crisis, there have been several legislative initiatives and funds devoted to broadband expansion, including [Act 98](#) of 2020, which would allow an electric co-op to provide broadband services or construct, operate and maintain broadband facilities through an existing easement owned, held or used by the electric cooperative corporation. CCAP has also submitted testimony to committees in both the House and Senate stressing the importance of closing the digital divide to increase access to telehealth and the other everyday components of life as we continue through the pandemic and enter the new normal.

Additionally, many counties have plans to utilize some of the County Relief Block Grant dollars

from the federal CARES Act to develop, deploy and expand broadband. CCAP has been working with the Department of Community and Economic Development and the Department of General Services to create educational, networking and open forum opportunities to allow counties to idea-share best practices and gain a more holistic picture of broadband across the commonwealth. As society transitions into a more digital, physically distanced world, broadband will continue to remain a key focus of budget and legislative conversations at the state and federal levels, particularly as we head into 2021.

Adult Probation Funding

A major component of the Justice Reinvestment Initiative Part 2 (JRI2) has been adopted into law and is now being implemented, with a shift from the Parole Board serving as oversight to having the Pennsylvania Commission on Crime and Delinquency (PCCD) stand in as advocate, implementing a variety of changes but serving to assure best practices. Further, JRI2 will result in savings in state inmate costs redirected to the front end, specifically adult probation, allowing for financial support for a budget that has been unchanged for many years. And now, in a world attempting to reopen from COVID-19 closures and uncertain budget conditions, funding for adult probation services continues at FY 2019-2020 levels, at least during the five-month temporary budget.

The newly formed Adult Probation Advisory Committee established by Act 114 of 2019 has also been initiated, and CCAP president Jeff Snyder has been named to represent the Association. This committee will provide a solid policy basis for implementation of Act 114 probation reforms and justice reinvestment initiatives and impact funding as savings result from the shift from state corrections to community supervision. Through a grant from PCCD, CCAP is also working with the PA Chief Adult Probation Officers Association to facilitate best practices and evidence-based trainings across the state.

Additional amendments to probation services are still needed. Legislation to address the length of probation sentences, as well as technical violations, has been considered but not reported from committee. [Senate Bill 14](#) has been approved by the Senate and was sent to the House Judiciary Committee, but will likely not be considered before the end of the legislative session.