
The Pennsylvania County Platform

2008-2009 Official Policy Statement

2009 OFFICERS

PRESIDENT

Jim Kennedy (*Butler County*)

BOARD OF DIRECTORS CHAIR

Dave Coder (*Greene County*)

FIRST VICE PRESIDENT

Joe Giles (*Erie County*)

SECOND VICE PRESIDENT

Mark Hamilton (*Tioga County*)

TREASURER

Donna Hartle (*Clarion County*)

County Commissioners Association of Pennsylvania

17 North Front Street
Harrisburg, PA 17101
717-232-7554
Fax 717-232-2162
www.pacounties.org

Douglas E. Hill
Executive Director

TABLE OF CONTENTS

<u>Statement of Purpose</u>	1
I <u>Assessment and Taxation</u>	3
A. Tax Fairness	
B. Assessment	
C. Tax Limitations and Exemptions	
D. Other Revenues	
E. Tax Collection and Administration	
II <u>Intergovernmental Relations</u>	6
III <u>County Administrative and Fiscal Responsibilities</u>	7
A. Administrative	
B. Fiscal	
C. Insurance and Liability	
IV <u>County Code</u>	8
A. Code Rewrite	
B. Elective and Appointive Office	
C. Corporate Powers	
V <u>County Personnel/Retirement Systems</u>	10
A. Staffing	
B. Compensation	
C. Retirement and Pension	
VI <u>Elections</u>	12
A. General	
B. Qualifications and Petitions	
C. Polling Places	
D. Ballots and Election Systems	
E. Voter Registration	
VII <u>Energy, Environment, and Land Use</u>	14
A. General	
B. Solid Waste	
C. Recycling	
D. Hazardous and Low Level Radioactive Waste	
E. Hazardous Materials	
F. Land Use	
G. Sewage	
H. Water	

Table of Contents (Continued)

VIII	<u>Human Services</u>	18
	A. Preamble	
	B. Children and Youth	
	C. Long Term Care	
	D. Alcohol, Tobacco, and Other Drugs	
	E. Mental Health and Mental Retardation	
	F. Juvenile Detention	
IX	<u>Prisons and Corrections</u>	25
	A. Prevention	
	B. Population Management	
	C. Health Services	
	D. Intergovernmental Relations	
	E. Probation and Parole	
X	<u>Courts</u>	28
	A. Administration and Finance	
	B. Sentencing	
	C. General	
XI	<u>Community and Economic Development</u>	30
	A. Economic Development	
	B. Community Development	
	C. Agriculture	
	D. Transportation	
	E. Infrastructure	
	F. Workforce Development	
	G. Tourism	
	H. Sustainable Communities	
XII	<u>Emergency Management</u>	37
	A. Intergovernmental Cooperation	
	B. County Emergency Management	
	C. Communications	
	D. Local Emergency Management	
	E. Other	
XIII	<u>Miscellaneous</u>	40
	A. State Government	
	B. Police Powers	
	C. Libraries	
	D. Other	

STATEMENT OF PURPOSE

The County Commissioners Association of Pennsylvania is a statewide, nonprofit, bipartisan association representing the commissioners, chief clerks, and solicitors, and their home rule counterparts, in all of Pennsylvania's 67 counties.

The Association serves to strengthen Pennsylvania counties' ability to govern their own affairs and improve the well-being and quality of life of their constituents. To this end, the Association effects the achievement of favorable state legislation, programs and policies, and provides appropriate programs and services to member counties.

Association legislative and regulatory policy is based on the resolutions adopted by the general membership at the Annual Conference. These resolutions, taken as a body, are incorporated in this County Platform. Responsibility for developing and pursuing strategies for their implementation falls to the Association Board of Directors, Standing Committees, Special Committees, and staff, with the grassroots assistance of the membership.

The general theme of the Association's legislative and regulatory policy is to seek greater flexibility and autonomy for county government, in the context of the broader intergovernmental system. With most issues, this translates into resolutions favoring generalization of authority in the office of county commissioner or its home rule counterpart, an office closely responsive to the needs and circumstances of the electorate. Comparably, it results in general opposition to actions at the state and federal levels which tend to limit fiscal, administrative or programmatic authority, or which superimpose state and federal priorities over the priorities developed locally.

However, recognizing the interdependence of federal, state, county, and local government, the Association will in some circumstances support legislation or regulations contrary to this general rule of flexibility and autonomy. For this to occur, there must be a rational need for the directive or mandate, and it must be vested with sufficient resources, both fiscal and structural, to permit counties to administer the directive or mandate in a manner which it determines best meets the needs of its constituents.

I ASSESSMENT AND TAXATION

A. Tax Fairness

1. The Association strongly supports action by the Pennsylvania General Assembly to grant to counties the authority to create fairness for county tax payers by providing counties with taxing options, in addition to real estate tax, that include the following elements:
 - a. Participation at the discretion of county government;
 - b. Authorization for a county to levy a county income tax of up to 1%, on the state personal income tax base, as the primary tax base alternative for counties;
 - c. Authorization for a county to levy a county sales tax of up to 1%, on the same base as the state sales tax, to be shared with municipalities in the county to address the special fiscal needs of entities which cannot generate sufficient funds from their own tax base;
 - d. Implementation by action of the county governing body, without referendum;
 - e. Provisions to require a county that adopts a new tax base or bases to reduce or repeal existing taxes to assure taxpayers that the county will receive no windfall in revenues; and
 - f. Inclusion of language permitting counties not to implement any new state mandate that is not accompanied by state funding. (Amended 2000; amended 2002; amended 2006)

2. The Association supports legislation to require school districts within the county to perform administration of assessments for the occupation assessment tax in any county where the county does not levy the tax. (Amended 1992, Readopted 2000)

B. Assessment

1. The Association supports uniformity and equity in property reassessment, and to that end supports enactment of a new assessment law containing the following elements:
 - a. Consolidation of existing assessment laws into a single statute;
 - b. Maintenance of the base year assessment methodology, with tools to maintain uniformity and equity of assessments between full-scale reassessments. Such tools may include use of the common level ratio, statistical revaluation, and allowing counties to use current market values to calculate and implement adjustments to values in areas of the county that have appreciated at a faster or slower rate than the remainder of the county, or classes of property that have appreciated at a faster or slower rate than the other classes, without such adjustments being considered spot reassessment;
 - c. Provide for an appropriate state agency to oversee the assessment function, including development of attainable standards of fair and equitable assessments, administration of funding programs for county assessment, and auditing sales transactions and other factors used in determining formulas and ratios;
 - d. Adequate testing and evaluation of assessments utilizing standards no less stringent than those established by the International Association of Assessment Officials;
 - e. Improved building permit reporting systems providing consistent municipal permit issuance thresholds and mandatory reporting to the county;
 - f. Effective representation of counties in the development and administration of state functions relating to property assessment;
 - g. Statewide uniform assessment ratio based on the base year of, and implemented concurrent with, the county's reassessment;

-
- h. Maintain minimum training, certification, and recertification standards for county-appointed assessors, with state funding for training costs and with encouragement to counties to authorize training above minimum standards;
 - i. Authority to use statistical revaluation, with appropriate standards, as a methodology for performing reassessments;
 - j. Standards for appeals that are appropriate and equitable for each class of property, and include the ability to use stratified common level ratios pertinent to each class of property;
 - k. A grant of the greater of twenty-five percent of the state share of realty transfer tax collections generated in the county or \$15 per parcel to any county achieving or maintaining the required measure of equity in its assessment program;
 - l. Independent verification of the formula and sampling standards used to determine the coefficient of dispersion and the common level ratio;
 - m. The establishment of a state grant fund or revolving loan fund to assist counties in performing reassessments;
 - n. In the case of assessment errors or unreported property improvements that have resulted in underassessment of a property, to allow the taxing jurisdictions to recover underpaid taxes from the time of the error or improvement, to a maximum of five tax years;
 - o. Provide limitations on challenges to assessors' professional certifications that are based solely on dissatisfaction with an individual's assessment, and provide for county indemnification of legal costs for successful defense of such challenges; and
 - p. Provide and encourage training for members of boards of appeals and for auxiliary boards on fundamental assessment law and the conduct of quasi-judicial hearings. (l and m added 1992; subsection amended 1999; n added 2004; d amended 2005; o added 2006, subsection rewritten 2007)
2. The Association supports mandatory reassessment for real property, but only if all conditions are met:
 - a. Mandatory reassessment is triggered only when a county's coefficient of dispersion exceeds a pre-set standard for two successive years;
 - b. Tools are provided to enable counties to maintain uniformity and equity of assessments between full-scale reassessments. Such tools may include use of the common level ratio, statistical revaluation, and allowing counties to use current market values to calculate and implement adjustments to values in areas of the county that have appreciated at a faster or slower rate than the remainder of the county, without such adjustments being considered spot reassessment;
 - c. The Commonwealth establishes a state grant fund or revolving loan fund to assist counties in performing reassessments; and
 - d. Annual incentive payments for counties that achieve and maintain standards of assessment equity. (Added 2007)
 3. The Association supports legislation that would compel the schools and municipalities within a county performing reassessment to pay a portion of the cost of reassessment, with shares being determined based on relative millage.
 4. The Association supports the assignment of standardized valuations for underground oil and natural gas storage facilities so that they may be assessed for real property tax purposes pursuant to the applicable assessment law, or provision of a fee or other means to generate revenue from such facilities
-

in an amount equivalent to the tax revenue that would be available for counties, municipalities, and schools in which such facilities are located. (Added 2001, amended 2007)

5. The Association supports legislation to reinstate the ability to assess oil and gas interests as real property. (Added 2003)

6. The Association supports an amendment to the various assessment laws to prohibit a taxing body from appealing a property assessment when a property is sold for more than the assessed value unless there is also a substantive change, such as improvement, demolition, division, change in use, or countywide reassessment. (Added 2008)

C. Tax Limitations and Exemptions

1. The Association opposes constitutional or statutory municipal spending limits, believing that locally elected officials should have the sole responsibility for determining and levying the taxes necessary to fund public services.

2. The Association opposes any constitutional amendment or statute that would provide special tax status to any class of individuals or taxpayers.

3. Tax revenues foregone or lost by any grant of special status should be reimbursed by the state.

4. The Association supports direct state subsidies, such as property tax rebates, for property owners with proven need, and opposes special tax exemptions for such individuals.

5. The Association supports legislation allowing counties to develop and implement locally-suitable tax incentives to spur economic development.

D. Other Revenues

1. The Association supports legislation providing for payment in lieu of taxes on all currently owned state property. The Association also supports legislation which calls for all real estate which is acquired by the Department of Conservation and Natural Resources, the Pennsylvania Fish and Boat Commission, the Pennsylvania Game Commission or the Federal government by purchase, eminent domain, donation or otherwise after the effective date of the section shall be subject to assessment, levy and imposition of real estate taxes by the county, municipality and school district in which such real estate is situated. For purposes of taxation, the assessment shall be based on the market value of the land as used by the Federal government or the Commonwealth, as the case may be. (Amended 1998)

2. The Association supports an equitable increase in payments in lieu of taxes for federally exempt property, and an increase to \$6.00 per acre of the in lieu of tax payment made to counties for state forest and game lands. (Amended 1994, 1997)

3. The Association supports legislation that provides to the state, counties, schools, and municipalities a percent of the revenue derived from timber sales on state lands.

4. The Association supports legislation that would provide for a simple means to tax property owners for natural resources production.

5. The Association supports legislation giving the county governing body discretion to adopt or modify fee structures for county services commensurate with the cost of providing those services. (Added 1996; amended 2002)

6. The Association supports, as a matter of equity for local retailers and in recognition of changing purchasing habits among the general public, federal authorization and state implementing legislation providing for collection of sales taxes on internet sales. (Added 2003)

7. The Association opposes legislation to include certain essential items in the state's sales tax base, such as groceries and clothing items, that would tend to make the tax regressive or would adversely affect retail sales in border counties. (Added 2003)

8. The Association supports legislation that enables counties, at their discretion, to levy a real estate transfer tax at a level no greater than one percent for the definitive purpose of generating revenue to preserve agriculture and open space within the county imposing the tax. (Added Spring 2005)

E. Tax Collection and Administration

1. The Association supports legislation giving counties the option to collect their own taxes.

2. The Association opposes legislation providing for the redemption of delinquent tax properties after the tax sale has been completed.

II INTERGOVERNMENTAL RELATIONS

1. The Association will remain neutral on all state budget matters not affecting counties, although the Association will support efforts to guarantee adequate funding of state mandated county programs.

2. The Association supports legislation that establishes a reasonable minimum and a more reasonable maximum which would be paid to the counties for collecting the state inheritance tax.

3. The Association opposes efforts by the Department of Agriculture to require counties to administer Dog Law grants on its behalf.

4. As a matter of local governments' right of self-determination in raising revenue, the Association supports maintenance of the tax exempt status of municipal bonds and the deductibility of state and local taxes.

5. The Association supports examination of funding formulas for existing mandated programs to ensure an equitable distribution of funds.

6. The Association supports whatever action necessary, including court action, to seek reimbursement from the State for loss of investment income, or interest costs paid, due to the lack of a state budget and delay of state payments owed to each county.

-
7. The Association supports establishment of current payment schedules for state services provided by the county.
 8. The Association supports an amendment to the Pennsylvania Constitution requiring the Commonwealth to fully fund any existing or new service provided by counties as a result of state mandate.
 9. The Association supports relief from federal mandates, such as Davis-Bacon prevailing wage requirements, that place financial obligations upon counties. (Amended 2002)
 10. The Association supports as its highest Commonwealth budget priority the assurance of allocations to the various program bases sufficient to stabilize the ongoing operation of these programs, and opposes expansion of present programs or addition of new programs until funding responsibilities for current programs are met.
 11. The Association supports reallocation of federal expenditures to provide for reinstatement of the Federal General Revenue Sharing Program as a means for the federal government to recognize the impact of federal mandates on local taxes. (Added 1992)
 12. The Association supports development of all legislation in a manner which anticipates and permits adaptation to technological change, without references and terminology that can render the statute obsolete. (Added 1995)

III COUNTY ADMINISTRATIVE AND FISCAL RESPONSIBILITIES

A. Administrative

1. The Association supports any legislation that provides for the greatest grants of administrative flexibility to county commissioners and their home rule counterparts. (Amended 2002)
2. The Association supports consideration by counties of adoption of local “Buy American” policies to be used as a part of contracting and procurement specifications. (Added 1992)

B. Fiscal

1. The Association supports periodic review of all legislation setting fees or providing for administrative costs to be collected by counties. All such fees and costs should reflect the actual cost of providing services.
2. The Association supports mandatory acceptance of the federal single audit by state departments.
3. The Association supports legislation authorizing creation of the position of Chief Financial Officer, reporting to the County Commissioners, and responsible for the auditing and fiscal control responsibilities currently vested with the controller/auditors. (Added 1993)
4. The Association, based on a review of the matter of the county fiscal year by its County Code Committee, supports retention of the calendar year as the county fiscal year. (Added 1995)

5. The Association supports a requirement that all fund transfers from the Commonwealth be made available on an electronic basis as a means to improve efficiency and security of fiscal systems. (Added 1997)

6. The Association supports amendments to the County Code to increase options for the investment of idle funds held for dedicated purposes in segregated accounts, consistent with the investment options available under the County Pension Law and subject to the same standards of prudence. (Added 2000)

C. Insurance and Liability

1. The Association supports tort reform at the federal level, including limitations on liability for suit brought under Section 1983 of the Civil Rights Law, limitations on joint and several liability, and a more equitable approach to the rules of civil procedure.

IV COUNTY CODE

A. Code Rewrite

1. The Association supports a comprehensive revision of the County Code and related laws to provide for a better governmental structure, including revision of the roles of certain offices.

2. The Association supports legislation to update the bonding provisions for county officials, including:

- a. Retention of language permitting crime insurance as an alternative to bonds;
- b. Provision for blanket bonds instead of individual bonds;
- c. Establishment of more appropriate levels of coverage for both crime insurance and blanket bonds;
- d. Establishment of a uniform and annual reporting requirement for bond or insurance coverage; and
- e. Simplification and standardization of reporting requirements to the state. (Added 2008)

B. Elective and Appointive Office

1. The Association, recognizing the increased standards for accounting and reporting required by the County Code and by GASB standards, supports an amendment to the County Code to give counties the local option, when selecting a Certified Public Accountant to perform the necessary and required audits of the counties' fiscal affairs, to elect not to use the elected auditors for that purpose while allowing the auditors to retain any remaining statutory functions, and limiting the auditors' annual reporting requirements to the financial and compliance audit filed with the commissioners and president judge to reflect the revenues and expenses of county offices, and compliance with bidding, advertising, and similar matters relating to the conduct of county business. (Amended 2005, 2008)

2. The Association supports legislation permitting county commissioners to abolish the office of jury commissioner by vote of the county commissioners, effective the end of the term of the jury commissioners then in office. (Amended 2005)

-
3. The Association supports an amendment to the County Code to provide a mechanism for a combination of, or division of, row offices.
 4. The Association supports legislation that removes the county treasurer or controller as a permanent sitting member of the salary board.
 5. The Association supports legislation authorizing the county president judge to make appointments to fill vacancies in the office of district justice and, based on recommendations by the local party, to make appointments from the same party to fill vacancies in row offices. (Added 1992)
 6. The Association supports an amendment to the County Code to provide that a vacancy in the office of commissioner is filled by action of the remaining two commissioners (subject to the existing party, age, and residency requirements) or, if they are not able to reach agreement within 30 days of the vacancy, by a vacancy board comprised of the commissioners and a registered elector appointed for such purpose at the quadrennial organizational meeting, and if the vacancy board fails to reach a conclusion in 15 days, then by the court of common pleas, and further providing that the appointee will serve until the first Monday in January following a municipal election occurring more than 60 days after the vacancy occurs, at which election an eligible person shall be elected for the unexpired term. (Added 2008)
 7. The Association supports amendments to the County Salary Law to provide an annual salary for the county elected auditors established in the same manner as the salaries for other county elected officials, and to remove the auditor provisions on per diem and mileage pay. (Added 2008)

C. Corporate Powers

1. The Association supports legislation amending section 2317 of the County Code to permit counties to seek separate or consolidated bids for construction projects at the discretion of the county commissioners.
2. The Association supports an amendment to Article XIX of the County Code, defining Special Powers, which would remove all of the listed special powers provisions and replace them with the following language:

Article XIX. Special Powers and Duties of Counties

Section 1901. Exercise of powers and functions not denied by law; liberal construction.-- A county may exercise any powers and perform any function not denied by the Constitution of Pennsylvania, by the General Assembly, or by an enactment of the federal government, at any time. All grants of power to counties governed by this act, whether in the form of specific enumeration or general terms, shall be liberally construed in favor of the county.

Section 1902. Limitation on county powers.--(a) No county shall engage in any proprietary or private business except as authorized by the General Assembly, or exercise powers contrary to, or in limitation or enlargement of powers granted by acts of the General Assembly which are applicable in every part of the Commonwealth.

(b) Acts of the General Assembly in effect on the effective date of this act that are uniform and applicable in every part of the Commonwealth shall remain in effect and

shall not be changed or modified by this act. Acts of the General Assembly enacted after the effective date of this act that are uniform and applicable in every part of the Commonwealth shall supersede any county ordinance or resolution on the same subject.

(c) No county shall at any time hereunder determine duties, responsibilities or requirements placed upon businesses, occupations and employers, including the duty to withhold, remit or report taxes or penalties levied or imposed upon them or upon persons in their employment, except as expressly provided by acts of the General Assembly, which are applicable in every part of the Commonwealth or which are applicable to all counties or to a class or classes of counties: Provided, however, that this subsection shall not be construed as a limitation in fixing rates of taxation on permissible subjects of taxation. (Added 1995, Amended 1997)

3. The Association supports an amendment to the County Code to permit counties to provide a limited bid preference for local or domestic suppliers or contractors. (Added 2004)

V. COUNTY PERSONNEL/RETIREMENT SYSTEMS

A. Staffing

1. The Association supports legislation that allows counties to determine the number and types of employees they deem necessary, and opposes any legislation that would place restrictions upon these employment prerogatives.
2. The Association opposes any legislation that grants preferential employment status to a class of individuals, unless the legislation also provides for the payment by the state of any costs incurred.
3. The Association opposes any legislation that would prohibit counties from requiring residency for county employees.
4. The Association opposes the establishment of hiring and training standards for probation and parole officers employed by counties.
5. The Association opposes the legislative establishment of associations for non-elected county officials. Any other association in which county employees participate should be defined as a professional association.
6. The Association supports a joint effort by the state and counties to develop strategies and provide resources targeted to address the human resource needs of county human service programs and their contract agencies.
7. The Association supports reform of the civil service system to produce a higher volume of qualified candidates or, alternatively, another option for county recruitment and selection.
8. The Association opposes legislation establishing a Pennsylvania Occupational Safety and Health Act applying to local government.

9. The Association supports a statewide moratorium on regulations that have the effect of requiring counties to hire additional personnel in response to state layoffs unless the positions are fully funded by the state.

10. The Association supports incorporating provisions in state and federal grant programs to allow counties flexibility in establishing job descriptions for positions created under the grant programs, and limiting the ability of the agencies to dictate the elements of the job. (Added 1999)

B. Compensation

1. The Association opposes any legislation that would authorize state or federal agencies to determine minimum levels of county employee compensation.

2. The Association supports legislation at the federal level to specifically exclude state and local governments from coverage under the federal Fair Labor Standards Act.

3. The Association supports legislation that “decouples” commissioner salary increases from those for row offices, maintaining the uniform percentage requirement for row offices while allowing commissioner salaries to increase at a different rate.

4. The Association opposes designation of Pennsylvania constables as employees of county government for IRS withholding and Social Security taxation purposes. (Amended 1997; amended 2002)

5. The Association recognizes that salary information for public officials and employees is a public record but opposes legislation to require publication of individual salary information on the internet, out of concern that the information would be too freely accessible and too prone to use for illegal or improper purposes. (Added 2007)

C. Retirement and Pension

1. The Association opposes retirement reform legislation that would “bail out” poorly funded pension systems at the expense of well-funded systems.

2. The Association opposes any efforts to subject county retirement system options to collective bargaining.

3. The Association opposes any representation for county employees on county retirement boards.

4. The Association opposes any legislation that would authorize county employees to use retirement funds as collateral for loans.

5. The Association supports an amendment to the County Pension Law to permit members selecting the withdrawal option to still receive cost of living increases on the remaining county-funded portion.

6. The Association opposes any effort to change the interest crediting provisions of the County Pension Law.

-
7. The Association supports state legislation to permanently extend the window offered under Act 174 of 2006 for counties to adopt 1/50 or 1/40 pension benefit levels. (Added 2004, amended 2007)
 8. The Association supports development of recommendations by the Public Employee Retirement Commission, with county participation, on legislation to provide appropriate, secure, interim relief to county plans that from time to time suffer from adverse market conditions. (Added 2005)

VI ELECTIONS

A. General

1. The Association believes that the Pennsylvania Election Code contains many conflicting and antiquated provisions and, as a result, supports a complete rewrite or codification of the law.
2. The Association supports federal and state reimbursement to counties for the expense of conducting federal and state elections, on the basis of a percentage of the cost of printing the ballots.
3. The Association opposes any change in the date for primary election unless all other necessary changes in the Registration Laws and Election Code are also made at the same time.
4. The Association supports legislation to coordinate the Presidential primary scheduling among the states, for the purpose of improving the interest of the electorate and improving the ability of each state to have a meaningful role in the outcome of the primary; provided, however, that the schedule adopted by the states must not create conflicts with voter registration, candidate reporting, advertising, absentee ballot, and other matters relative to election administration, and provided further that Pennsylvania's Presidential and local and state primaries must remain unified.
5. The Association opposes any legislation that would authorize initiative and referendum where the referendum would be binding on local officials.
6. The Association supports the authorization of referenda at the discretion of elected officials.
7. The Association supports the elimination of the "yes" retention question for judges.
8. The Association supports an amendment to the Election Code to require the Commonwealth to reimburse counties, in the same manner as is done for special elections for Pennsylvania House and Senate seats, for the cost of special elections for Congressional races. (Added 2002)
9. The Association opposes any requirement that voters furnish picture identification at the polling place, believing such a requirement is unnecessary and may inhibit voter participation, and cause voter and poll worker frustration. (Added 2002)
10. The Association supports implementation of the recommendations contained in the Governor's Election Reform Task Force report, dated May 12, 2005, with the exception of the recommendation to move the date of the Presidential Primary from the fourth Tuesday in April to the first Tuesday in March, which the Association opposes. (Added 2005)

11. The Association supports an amendment to Section 1626.1 of the Campaign Expense Reporting Law to increase the amount of funds that certain candidates may receive or expend before being required to file a detailed campaign expense report from the current \$250 per any reporting period to \$1,000 per any reporting period. (Added 2005)

12. The Association supports an amendment to Section 1626(g) of the Campaign Expense Reporting Law to increase the amount of funds that an individual can make as an independent expenditure during a calendar year before being required to file a campaign expense report from \$100 to \$500. (Added 2005)

13. The Association supports a requirement that federal agencies, upon request of each state's Secretary of State or other chief election official, assist in voter registration and absentee ballot applications with clients of that agency, and under reasonable rules permit nonpartisan voter registration activities within agency facilities. (Added 2008)

B. Qualifications and Petitions

1. The Association supports elimination of the privilege of cross filing in all offices where it is currently permitted.

2. The Association supports the standardization of petitions used for all elective positions.

C. Polling Places

1. The Association believes that constables should no longer be required to be present at each polling place in every election district, and the decision to eliminate or maintain their presence should be at the option of the local election board.

2. The Association supports the closing of schools on election day where they are used as polling places.

3. The Association supports making voting facilities fully accessible to the extent practical, but authorization of appropriate alternatives at specific polling places, including direct voter assistance, curbside voting, paper ballots, and absentee ballots, when full accessibility is not attainable. (Added 1999)

D. Ballots and Election Systems

1. The Association supports full federal funding, or in absence of full federal funding full Commonwealth funding, of the equipment, registration, accessibility, and related provisions of the Help America Vote Act, including limited retroactivity to assist counties that have recently completed upgrades. (Added 2003)

2. The Association opposes legislation or administrative action to limit county choices in election systems, or to require a statewide uniform voting methodology. (Added 2001, amended 2003)

3. The Association supports election system certifications based on objective criteria, including the quality of the equipment, its utility to the electors, and its compliance with Pennsylvania statute and

practice, and supports legislation to allow expedited consideration of new and updated technologies. (Added 2001)

4. The Association opposes the use of voting systems, such as internet voting, that do not afford the privacy of the polling place. (Added 2001; amended 2006)

5. The Association opposes state or federal legislation mandating the implementation of a Voter Verified Paper Audit Trail for use on Direct Recording Electronic voting systems in Pennsylvania, although not prohibiting the optional use of a Voter Verified Paper Audit Trail system for those counties that choose to do so. (Added 2004)

E. Voter Registration

1. The Association opposes legislation permitting same day voter registration.

2. The Association supports a uniform computerized statewide central registry of electors that includes:

- a. A computerized state voter registration data warehouse which is accessible to counties on an on line basis;
- b. Full state funding for equipment, data entry, and training costs associated with the state data warehouse;
- c. Full system functionality permitting counties at minimum the same administrative capabilities they enjoyed when operating independent systems; and
- d. Ongoing review by the State, county end-users and IT staff, and third parties as necessary, with regular improvements to increase accessibility, stability, and utility. (Added 1994, amended 1995, 1996, 1998, 2003, and 2006)

VII ENERGY, ENVIRONMENT, AND LAND USE

A. General

1. The Association urges study of newer technologies for the solution of our environmental problems, financing of research and development in these areas, subsidies for pilot projects, and incorporation of the findings from these initiatives into bipartisan and innovative legislation which provides strong incentives for solutions to our array of environmental problems.

2. The Association supports uniformity of enforcement priorities and regulatory standards among Department of Environmental Protection regions. (Added 1999)

3. The Association supports state legislation that directs the Pennsylvania Public Utility Commission to adopt regulations establishing minimum energy efficiency standards for new products sold, offered for sale, or installed in the Commonwealth of Pennsylvania that would serve to promote energy conservation and would be cost-effective for consumers who purchase and use such new products. (Added 2004)

4. The Association supports programs to promote use of alternatives to fossil-based transportation fuels, including incentives for counties and mass transit agencies to deploy hybrid vehicles and vehicles operated by alternative fuels. (Added 2006, amended 2007)

5. The Association supports development of alternative energy sources in Pennsylvania to generate electricity, including wind, solar, hydropower, clean coal and alternative coal, hydrogen, biomass, natural gases including methane, and nuclear technologies. The Association also supports state technical and financial assistance to help counties install generating facilities to offset electricity requirements for county buildings, as well as laws and regulations that assure customer generators receive fair market value for the electricity generated. (Added 2007)

6. The Association supports action by the administration and General Assembly to broadly view and address issues associated with oil and gas exploration in order to minimize negative impacts on local communities, including water quality, water quantity, pipelines, maintenance of county and municipal roads and bridges, permitting, planning, and taxation. (Added 2008)

B. Solid Waste

1. The Association supports changes to the Solid Waste Management Act Section 504 regulations to relieve all counties of any and all liability connected with the review of these applications.

2. The Association supports the transfer of solid waste responsibility to counties under Act 101 of 1988, the Municipal Waste Planning, Recycling and Waste Reduction Act, with the following additions:

a. Disposal of wastes generated from out-of-state should be at the discretion of the county, and addressed in the county plan. Private disposal facilities accepting only out-of-state wastes must still fall within the county plan; and

b. There should be some provision that, upon approval of a plan, municipalities could not amend zoning ordinances for the purpose of frustrating the plan. Absent such a provision, counties should be given some limited zoning exception, similar to the "certificate of public need" provisions available to the Department of Environmental Protection for other types of waste disposal. (Amended 2002)

3. The Association opposes any legislation that would impose a moratorium on the issuance of construction permits for waste-to-energy plants.

4. The Association supports permanent reauthorization of the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101 of 1988) state tip fee. (Added 1997, amended 2007)

5. The Association supports legislation to grant counties authority to fund county solid waste and recycling programs through a fee on trash collected within the county. (Added 1997, amended 2007)

6. The Association opposes legislation that would give counties or municipalities a veto of landfill permit applications, believing that a veto represents no true choice and that solid waste disposal issues must be dealt with regionally to ensure availability of environmentally sound disposal options. Instead, the Association supports legislation to provide strong options for effective county and municipal participation in the permitting process. The Association supports a legislative moratorium on the issuance of any landfill permits or landfill expansion permits by the Commonwealth until such time as there is a demonstrated capacity need. (Added 2001)

C. Recycling

1. The Association supports a returnable beverage container law that provides for a deposit determined by the capacity of the container and that is integrated with the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101 of 1988) to ensure that returned containers are recycled and not sent to a landfill after redemption. (Amended 2002)
2. The Association supports tax incentive packages to encourage the use of and demand for recycled materials.

D. Hazardous and Low Level Radioactive Waste

1. The Association supports inclusion of adequate funding in the state budget for the immediate cleanup of hazardous waste sites.
2. The Association supports legislation that provides an appropriate balance among the needs of the environment, the need for community and public safety, the need to emphasize proper reduction of waste volume, and the need to store and dispose of hazardous wastes.
3. The Association supports legislation prohibiting issuance of certificate of public necessity permits to hazardous waste facilities that accept out of state waste. (Added 1992)
4. The Association opposes the location of any toxic waste facility or hazardous waste incinerator within Pennsylvania, and supports an immediate moratorium on the permitting of any toxic or hazardous waste facility until such time that need can be reliably verified or alternate methods identified. (Added 1993)
5. The Association supports legislation providing for proven, responsible and safe means of dealing with toxic and hazardous wastes, including promotion of source reduction, reuse, and recycling. (Added 1993)

E. Hazardous Materials

1. The Association supports continued review of the manner of implementation of the Hazardous Materials Emergency Response Planning Act by the Pennsylvania Emergency Management Agency and the receipts under the funding mechanisms of the act, to ensure that counties retain adequate flexibility in meeting the act's requirements and to ensure that the funding mechanisms are sufficient. (Amended 1992)

F. Land Use

1. The Association opposes any legislation that would authorize the state to supersede local zoning ordinances when building or constructing state properties.
2. The Association supports legislation giving counties the authority to levy building permit fees of up to five dollars for the first one thousand dollars of construction and up to two dollars for each thousand dollars after the first thousand dollars. (Added 1992)

3. The Association supports legislation to require approval of the county for the purchase of privately owned property by the Commonwealth or the federal government. (Added 1996, amended 1997)

4. The Association supports study and planning for future energy needs, but it opposes federal laws that pre-empt state and local control over land use policies for the siting of electric transmission lines. Siting decisions for electric transmission lines should be compatible with local land use policies, including protections for preserved farmland and open space, and other natural and environmentally significant areas. (Added 2007)

5. The Association supports legislation to facilitate structural and nonstructural methods to assist local governments with flood mitigation and prevention. (Added 2008)

G. Sewage

1. The Association supports legislation providing funding to the Department of Agriculture to support research and development for improving on-lot septic systems.

2. The Association supports an amendment to the Pennsylvania Sewage Facilities Act (Act 537 of 1966) requiring the Pennsylvania Department of Environmental Resources to obtain county planning agency review of all Act 537 plans, plan amendments, and modules, to ensure consistency with the county comprehensive plans and growth management objectives, and further, to afford county comments equal weight relative to those obtained from local units of government and other reviewing agencies. (Added 1994, amended 2002)

3. The Association opposes any amendment to the Pennsylvania Sewage Facilities Act (Act 537 of 1966) which would eliminate or weaken requirements for county planning agencies to review, comment, and provide recommendations to state or regional officials in regard to plans prepared in accordance with Act 537, plan amendments, and land development modules. (Added 1994, amended 2002)

4. The Association supports and recommends additional scientific study by the United States Environmental Protection Agency and the Pennsylvania Department of Environmental Protection to address unresolved issues over the potential for adverse human health effects from exposure to air emissions, pathogens, and chemicals from the land application of biosolids. (Added 2003)

H. Water

1. The Association supports development and implementation of an enhanced State Water Plan that takes into account the Commonwealth's economic, demographic, geologic, and geographic diversity, and that:

- a. Provides for watershed-based plan development by regional water planning boards, which include county representation;
- b. Provides for the collection of data on the location, quality, and productivity of new and existing water supplies and wells;
- c. Integrates surface and ground water into a complete hydrologic picture for the decision-making process;

-
- d. Provides for implementation through integration and consistency with the Pennsylvania Municipalities Planning Code, specifically concerning county and municipal comprehensive plans and ordinances;
 - e. Provides incentives for water conservation;
 - f. Uses terms based on scientific definitions; and
 - g. Includes consumer protection measures designed to maintain a level playing field. (Added 2002, amended 2003)
2. The Association supports legislation setting uniform, statewide standards for water wells and the licensing of water well drillers. (Added 2002)
 3. The Association opposes legislation that would require additional water permits, metering of water wells, and water payments for agricultural use. (Added 2002)
 4. The Association supports legislation that would provide incentives for private entities to invest in best management practices for agricultural operations and storm water management in order to reduce nutrient loads in Pennsylvania's waterways and enhance water quality. (Added 2007)
 5. The Association supports statutory authority for a county or multiple counties to form an authority, or other similar entity, which has the ability to raise revenues and to undertake activities such as establishing and improving storm water management facilities, as well as managing water quality and subsurface water issues in support of a comprehensive approach to the Commonwealth's storm water management goals. (Added 2008)
 6. The Association supports increased state funding to help local communities meet more stringent state and federal water quality standards.

VIII HUMAN SERVICES

A. Preamble

1. The Association supports a participatory role for county government in the development of all state human services policy. (Amended 2007)
2. The Association supports flexible human services funding options and is dedicated to adequate federal and state funding for human services to eliminate waiting lists, including annual Cost of Living Adjustments, new initiatives and advance quarterly payments to cover the costs of services and administration. (Amended 2007)
3. The Association supports maximum local authority and flexibility for public human services. Counties require the option of managing services including access, quality and cost. The Association opposes any efforts to consolidate or regionalize human service programs that are the responsibility of Counties or their affiliates. (Rewritten 2007)
4. The Association supports continued efforts to provide services to individuals and families with multiple needs. The state and federal governments should remove all programmatic, administrative, and

regulatory barriers to county government to work collaboratively in designing comprehensive services to meet the individual and/or family's needs. (Added 2007)

5. The Association supports comprehensive review and restructuring of the Commonwealth's data collection systems. Data systems should support administrative functions within and among all human services systems. (Added 1994, amended 1998, 1999, and 2007)

6. The Association supports aggressively seeking an increase in funding for the Human Services Development Fund (HSDF) adequate to address the needs of the most vulnerable citizens, and to explore means to assure the equitable distribution of HSDF funds to counties. (Added 1997)

7. The Association supports outcome based management with vested authority in counties. (Added 1996, amended 2007)

8. The Association supports aggressive efforts by counties, the Commonwealth, and the members of the Pennsylvania Congressional delegation to ensure adequate federal funding of local services that are provided to meet federal and state mandates. (Added 1998, amended 2007)

9. The Association supports an effort to establish a 2-1-1 system in Pennsylvania for information and referral of health and human services only if there is dedicated funding from the Commonwealth and/or the federal government to cover the entire cost of the service with no negative impact on county budgets or services. (Added 2002, amended 2007)

10. The Association supports enactment of an appropriate legislative remedy to allow counties to be reimbursed for the behavioral health and health care services provided to youth in detention facilities and inmates in county jails. (Added 2007)

11. The Association recognizes the significant increases in costs to counties and employers to provide health care coverage benefits to their employees; the trend for many employers to reduce the level of benefits offered to their employees; the decreasing availability of affordable health care to American families; and the increased vulnerability of parts of our population as cuts are made to Medicaid budgets. The Association calls on policy makers to work with state and local government, employers, and the health care industry, to develop solutions to these pressing health care needs in an effort to ensure affordable health coverage for all citizens. (Added 2005, amended 2007)

12. The Association supports remedies that will ensure the continuation of county human service programs at levels commensurate with need instead of the availability of county match.

13. The Association supports a vigorous public and private effort to prevent and reduce homelessness in this Commonwealth. (Amended 2007)

14. The Association opposes any attempts to supplant existing state funds to county operated human service programs with earned or anticipated increases in federal revenues. (Amended 2007)

15. The Association opposes all efforts of the Commonwealth that either extract payments from counties without due process or reduce payments to Commonwealth citizens who are recipients of unrelated services. (Amended 2007)

16. The Association supports the development with the Department of Welfare of mechanisms to facilitate redistribution of unspent funds among counties at the close of the fiscal year. Such redistribution would occur for funds appropriated by the Department of Public Welfare for services administered by the counties, and would be accomplished according to plans acceptable to both the state and the respective affiliate associations representing the county programs. (Added 2000, amended 2007)

17. The Association opposes legislation to establish a state false claims act, based on concern that it will lead to increased costs as providers incur higher defense costs, face multiple lawsuits, and become subject to duplicative penalties for the same alleged act. Further, the Association opposes legislation to enact a state false claims act that rewards a whistle blower who is also a participant in criminal activity because it provides an incentive for employees to commit fraud. (Added 2008)

18. The Association supports statewide implementation of best practices for individuals with mental health and substance abuse disorders who are involved in the criminal justice system, including diversion, specialty courts, intermediate punishment, alternative housing and specialized treatment initiatives. Concurrently, CCAP supports making maximum use of state, federal and local funds without a reduction of resources for persons who are not involved in the criminal and juvenile justice system. County human services personnel, corrections administrators and court personnel should be partners in planning and implementation of these initiatives. (Added 2008)

B. Children and Youth

1. The Association supports reductions in regulatory requirements that will enable children and youth workers to spend more time with clients and less time with paper work.

2. The Association supports development and implementation of managed care behavioral health services that assure provision of quality care to children, youth and families served by County Children and Youth Services agencies. (Amended 1997)

3. The Association supports reform of the provision of county children and youth services, including:

- a. The Needs Based Plan and Budget process should be consistent and in compliance with Act 30 of 1991, while allowing counties flexibility to meet local needs and conditions. The state funding of the annual plan including new initiatives needs to be predictable for the county.
- b. Change county match requirements from the current schedule to:
 - i. 100% state reimbursement for competitive salaries for all children and youth staff, regardless of cost center;
 - ii. 100% reimbursement by the Commonwealth for both adoption services and adoption subsidies; and
 - iii. 90% state reimbursement for all Children and Youth services.
- c. Payment of children and youth funds in advance of each quarter, with fiscal year-end reconciliation;
- d. State regulations and licensing procedures which are general in nature and have flexibility and latitude for the provision of services;
- e. Implementation of a proven method of assessing the degree of risk of serious harm to individual children;

-
- f. Both authority for the prioritization of service delivery and county discretion as to which children to serve based on the risk and resources available.
 - g. Promotion of family preservation;
 - h. Emphasis on prevention services; and
 - i. A shift to the “most appropriate” from the “least restrictive” placement as the best criteria for determining an out-of-home placement. (Amended 2007, 2008)
4. The Association supports early intervention legislation that is fully funded by the state, and repeal of the requirement for county match.
 5. The Association supports a Title IV-D support agreement with the Department of Public Welfare and the courts that encourages the collection of child support funding and maximizes state and federal funding, while providing for the least amount of federal and state intrusion into the local management of this program.
 6. The Association supports efforts to ensure adequate funding and performance standards which will enable reasonable child welfare caseloads. (Added 1998)
 7. The Association supports a state-funded statewide standardized data collection system with common service definitions that reflects the data needs of County Children and Youth Services agencies, Results Based Management, and federal Adoption and Foster Care Analysis and Reporting System (AFCARS) and State-wide Child Welfare Information Systems (SACWIS) requirements. (Amended 1997; amended 2002, amended 2007)
 8. The Association supports state legislation or regulations that will use Medicaid as a new funding source for services to children for whom the counties are responsible. (Added 1992)
 9. The Association supports legislation that would grant funding parity to county Juvenile Probation services. (Added 1993)
 10. The Association supports legislation to reallocate unspent state funds under Act 148 of 1976 to those counties still experiencing children and youth overmatch. (Added 1993; amended 2002)
 11. The Association supports county and state monitoring of the development of any federal revenue maximization initiatives by the DPW, with adequate provisions to make counties whole if the initiative fails to meet expectations. (Added 1994, amended 2007)
 12. The Association supports a requirement of both a clean criminal background check and a clean child abuse background check from all potential individual providers of child care services under the Relative/Neighbor Provider Program prior to the placement of children in their care, with the costs associated with these background checks being the responsibility of the private provider agency or the individual. (Added 2000)
 13. The Association supports federal or state legislation that would reinstate or match federal funds jeopardized by the elimination of federal matching funds in the Title IV-D incentive program. (Added 2007)

C. Long Term Care

1. The Association supports continuation of the designation of local Area Agencies on Aging as assessment access points for Long Term Care services. (Added 2007)
2. The Association supports the repeal or amendment of Act 132 of 1976. Such repeals or amendment will help to equalize county homes at the same financial level as other non-county nursing facilities. (Rewritten 1996; amended 2002, amended 2007)
3. The Association will continue to support a nursing home assessment, Certified Public Expenditure or any other revenue enhancement vehicles under federal regulations that would benefit county and county affiliated homes. (Rewritten 1996, amended 2007)
4. The Association opposes any additional requirements concerning operation of nursing facilities without adequate reimbursement from the Commonwealth for such activities. (Rewritten 1996, amended 2007)
5. The Association supports efforts to make the survey and enforcement process of nursing facilities a fair, consistent, equitable, and objective process and portrays results to the public in a way that is basic, understandable, and free from extraneous data and prejudicial influences. (Added 1999)
6. The Association supports federal development of a new regulatory system for the nursing home industry that focuses more on a supportive and assistive role for the majority of quality nursing facilities, while at the same time allowing the government to be more aggressive in applying sanctions against continually poor performing facilities, and that encourages states to pilot new regulatory approaches to accomplish both actions. (Added 2001)
7. The Association supports reform of the Department of Health's Informal Dispute Resolution (IDR) process for licensure of nursing homes to assure an impartial and independent review of the issues in dispute, including utilization of hearing officers from outside of the DOH survey agency or management of the IDR process by an independent, third party organization. (Added 2006)
8. The Association remains committed to the continuum of care for Medicaid recipients and will continue to monitor developments in that area. (Added 2007)

D. Alcohol, Tobacco and Other Drugs

1. The Association supports increased state funding for Drug and Alcohol services.
2. The Association supports legislation through which the Commonwealth would ensure the provision of a locally based administrative structure to maintain a comprehensive substance abuse system of care to prevent, reduce, or eliminate alcohol and other drug problems. (Added 1997)
3. The Association supports direction of any Commonwealth substance abuse programming funds to the designated local authorities to be used in the manner already identified through the local planning process, along with development of a mechanism that will allow for a partnership between the state, counties, and SCAs to insure the direct involvement of each sector in planning short and long term objectives. (Amended 2007)

-
4. The Association opposes involuntary drug and alcohol commitment legislation unless it includes:
 - a. Adequate funding such that any new costs are borne by the state through new funding or by parents or other third party payers;
 - b. Development of programs that will insist on the involvement of the family in the treatment process;
 - c. Adequate safeguards or immunity provisions for SCAs and providers;
 - d. Adequate due process protections; and
 - e. Clearly defined criteria for assessment, placement, and placement review.
 5. The Association supports a higher level of authority within state government to provide a coordinated, comprehensive response to substance abuse issues in Pennsylvania, while maintaining the county role as local decision-maker. (Added 2001, amended 2007)
 6. The Association supports appropriate assessment, treatment, and incarceration strategies for DUI offenders, based on thorough and objective review of the efficacy and costs of these strategies, and providing for full Commonwealth funding of any anticipated unreimbursed costs incurred by county human services and corrections programs. (Added 2003)
 7. The Association supports legislation that would prohibit operator practices, such as free or reduced price alcoholic beverages and easy credit or check cashing, that can exacerbate addictive behaviors associated with gambling. (Added 2003, amended 2007)
 8. The Association supports cooperative efforts among the full spectrum of interests, comparable to the efforts of the National Association of Counties to develop a methamphetamine policy, that yield comprehensive strategies giving county human services and corrections agencies and law enforcement agencies the tools to deal effectively with prevention and treatment, human services consequences, individual, family, and community consequences, and environmental consequences arising from the growing use of methamphetamines as well as continuing problems such as heroin and misuse of prescription drugs. (Added 2005, amended 2008)
 9. The Association believes that local needs should be reflected in planning and program decisions for tobacco prevention and cessation. (Added 2007)
 10. The Association supports the right of first opportunity for local management of managed behavioral health care. The Association supports the right of first opportunity being offered at the expiration of contracts executed by the state.
 11. The Association supports the ability of local governments to enact and enforce ordinances stricter than what is required through any statewide ban on smoking in public places. (Added 2007)
 12. The Association opposes any legislative effort mandating county responsibility and financial burden for enforcement and prosecution of any state smoking law. (Added 2007)

E. Mental Health and Mental Retardation

1. The Association supports legislation permitting counties to be reimbursed under the state's 90/10 criteria for the costs incurred for court-ordered mental health examinations.

-
2. The Association supports legislation to increase appropriations to community base MH/MR programs to address direct care salary needs, in conjunction with Cost of Living Adjustments appropriated to the counties. (Amended 2007)
 3. The Association supports adequate funding by the Commonwealth for the Community Hospital Integration Program Projects, particularly as evidenced by the legislative appropriation and Departmental allocation of regular and sufficient cost of living adjustments for the purpose of maintaining this program. (Added 1998)
 4. The Association supports the right of first opportunity for local management of managed behavioral health care. The Association supports the right of first opportunity being offered at the expiration of contracts executed by the state.
 5. The Association supports aggressive intervention with the Department of Public Welfare and its Office of Developmental Programs to satisfactorily resolve issues that surround the roles and responsibilities of county MH/MR Programs and those of the state. (Added 2007)
 6. The Association supports coordination between counties and the Department of Public Welfare in the administration and services to individuals with autism who are also diagnosed with mental retardation and/or behavioral health issues. (Added 2007)

F. Juvenile Detention

1. The Association supports a long-term funding solution for juvenile detention services consisting of an increase in the Act 148 reimbursement rate from 50% State / 50% Counties, to a 90% State /10 Counties, with a commensurate increase in Act 148 funding. (Section rewritten 2007)
2. The Association supports the Department of Public Welfare, Office of Children, Youth and Families in finding a stable, state-level funding source for the development and ongoing administration of a comprehensive training program which meets the training requirements defined by the 3800 regulations including the current training needs of juvenile detention and shelter care facilities. (Section rewritten 2007)
3. The Association, in recognition of the growing number of juveniles with behavioral health needs being placed in juvenile detention:
 - a. Supports the aggressive development of additional community based behavioral health services for adjudicated delinquents within the state;
 - b. Supports adequately training detention center staff to manage the needs of these youth by providing stable, state-level funding for the development and ongoing administration of a comprehensive training program for secure juvenile detention centers that would provide training on behavior management, crisis intervention skills, cognitive functioning and psychopathology;
 - c. Supports providing behavioral health services to juveniles while in detention to maintain their safety, effectively meet their needs and help prevent the exacerbation of problems; and
 - d. Supports the examination of systemic issues around access to services, ability to obtain services and models for responding to the behavioral health needs of detained juveniles. (Section rewritten 2007)

4. The Association supports quality year-round education for youth in juvenile detention and shelter care facilities. (Section rewritten 2007)

5. The Association views the responsibility for children and youth in detention as a mandated service, and supports state policies that encourage juvenile detention facilities and staff to utilize best practices, protocols, and procedures in order to assure the safety of youth in their care and of staff, while protecting the community especially during emergency situations. Those best practices, tools, and protocols recognize that restrictive procedures should be employed only as a last resort, that through training of staff in de-escalation and other interventions strategies these emergency situations may be reduced in intensity and duration, and that when implemented, oversight and review must occur. (Added 2008)

IX PRISONS AND CORRECTIONS

A. Prevention

1. The Association supports development of legislation and related implementation strategies, within both the human services and corrections fields, to encourage counties and communities within them to take responsibility for the implementation of prevention programs, including family and individual support and intervention programs, designed to slow the growth in need for expenditures for prisons and juvenile justice placements. (Added 1994)

2. The Association supports joint development with the state of legislation and related implementation strategies of a local continuum of care of sufficient capacity that treatment, education and life skills training are available, along with intensive probation and after care, for both adults and juveniles. (Added 1994)

3. The Association supports joint development with the state of programs promoting statewide public awareness of the limitations of the criminal justice system, and of the value of increased investment in prevention programs. (Added 1994, Amended 1995)

B. Population Management

1. The Association supports consideration of using certain state and federal installations as alternative prison housing for less hardened criminals who are about to be paroled.

2. The Association supports legislation authorizing privately-owned or privately-operated prisons in the Commonwealth of Pennsylvania only if the legislation includes:

- a. Strict and comprehensive regulation by the Department of Corrections;
- b. Recognition of legitimate host county concerns; and
- c. Limitation of the use of private prisons to minimum security prisoners. (Amended 2001)

3. The Association supports legislation to allow county prison boards to use prisoners convicted of nonviolent crimes to work on public service work crews.

4. The Association supports the development of a jail industries strategy that is supported by state and federal dollars, including any necessary state or federal legislation. (Amended 2006)

5. The Association supports intermediate punishment as an alternative sentencing mechanism for persons convicted of nonviolent crimes at the county and state level, contingent upon the continued and permanent funding by the Commonwealth for the cost of implementation, operation, and capital expenditures for alternative sentencing programs in the counties, with funding based on performance measures of program success. (Amended 1993, 1994, 1995, and 2004)

6. The Association opposes any change to the state sentencing guidelines that would increase the county correctional population without funding from the Commonwealth for the cost of the implementation, operation, and capital expenses associated with these offenders. (Added 1995)

7. The Association supports the authorization for state assistance for the expansion, improvement, or creation of local adult and juvenile correctional facilities, including the development of policy provisions to reduce crowded conditions based upon recommendations of the CCAP Prison Overcrowding Task Force. (Added 1992, amended 1993, 1995, and 2004)

8. The Association supports legislation amending the Pennsylvania Municipalities Planning Code to permit counties to supersede local zoning ordinances for the purpose of expansion of county adult and juvenile correctional facilities. (Added 1993, amended 1995)

9. The Association supports legislation and administrative policy to promote more effective use of criminal justice resources by limiting the system's responsibility for minor cases and cases of a civil nature that tax the resources of law enforcement, the courts, and corrections without affecting public safety. (Added 1994)

10. The Association supports expanded awareness and use by counties of pretrial programs to ease the financial burden of bail on poor defendants, by making use of non-financial pretrial options where there is a reasonable expectation that public safety will not be threatened. (Added 1994)

11. The Association strongly supports a grant of statutory authority to counties to develop mechanisms to recover from prisoners and detainees the costs associated with providing services to the prisoners and detainees. (Added 1995, amended 2004)

12. The Association supports the enactment of a Pennsylvania mentally ill offender and crime reduction program with county involvement in the development of the specifics of the program. (Added 2004)

C. Health Services

1. The Association supports changes to appropriate statutes or regulations to extend Medicaid or Medicare eligibility or other sources of health care reimbursements to prisoners and detainees in county jails, and amendment of state policy to allow Medicaid or Medicare eligibility to pre-trial detainees. (Amended 2000, 2004, and 2006)

2. The Association supports eligibility for the Medical Assistance Fee-For-Service programs for all juveniles during the entire period of care in a county operated or a county affiliated secure juvenile detention facility to ensure timely access to physical and behavioral healthcare and to promote the continuity of care. (Added 2004)

3. The Association supports the development of federal and state policies and procedures to assist counties when they must handle inmates with serious illness or injuries. (Added 2006)

4. The Association supports development of a drug and alcohol assessment tool, with commensurate funding, specifically targeting offenders in the criminal justice system. (Added 1994)

D. Intergovernmental Relations

1. The Association supports state reimbursement to counties for costs incurred as a result of any mandatory sentencing statute and opposes any new mandatory sentencing statute unless it is accompanied by Commonwealth funding or other funding sources to recover the costs imposed by those sentences. (Added 1995)

2. The Association supports the clarification of state statutes to provide that inmates sentenced to serve maximum terms of two or more years be committed to the Department of Corrections for confinement. (Amended 2000)

3. The Association supports legislation to provide a per prisoner per diem state reimbursement to counties for inmates in county prisons who are subject to the paroling decision of the Pennsylvania Board of Probation and Parole, at no less than the same rate as the calculated and reported cost for maintaining prisoners in state facilities. (Amended 1998, 2001, and 2004)

4. The Association supports state legislation providing for place of confinement to be the determining factor for parole jurisdiction for a sentenced inmate. (Added 2000, amended 2004)

5. The Association supports legislation to require the Commonwealth to reimburse counties for the costs associated with state parole detainees. (Added 1995)

6. The Association urges the State Board of Probation and Parole to improve the hearing process for parole violators so as to facilitate their return to the state correctional institution rather than being held at the counties' expense within the county facilities. (Added 2000)

7. The Association supports a change in federal and state law and regulations to provide for the Department of Public Welfare to transfer public assistance payments and related benefits of previously eligible offenders to the county as reimbursement for county prison costs of housing that offender. (Added 2002)

8. The Association supports legislative or regulatory change that would permit a county to utilize an independent third party inspector, such as the American Jails Association, the American Corrections Association, or a similarly recognized body, contracted by the county to serve as the annual inspection as required by the Department of Corrections. (Added 2005)

9. The Association supports legislation requiring the Department of Corrections to cover any medical costs and medically related transportation costs for any inmate temporarily in county custody who has been sentenced to a state correctional facility but not yet transferred. (Added 2007)

10. The Association believes Act 57 of 2005 requires the Commonwealth to reimburse counties for 65% of the salaries of full time district attorneys, regardless of the funding source. While the

Association will consider support of legislation to provide a dedicated funding source, in the interim, and at any time dedicated funds are insufficient, the Association insists that annual appropriations be made from the Commonwealth General Fund and that reimbursements be made expeditiously. (Added 2007)

E. Probation and Parole

1. The Association supports an amendment to the Adult Probation Grant-in-Aid reimbursement formula to fund 100% of county probation costs and in the interim calls on the Commonwealth to fund the program at the current statutory level of 80% of allowable personnel costs. (Amended 1998)
2. The Association supports the expansion of the juvenile justice cost reimbursement to include operation of juvenile probation offices and juvenile detention facilities. (Added 1995)
3. The Association supports the changes necessary to Act 35 of 1991, relating to probation supervision fees, to authorize the county commissioners or their home rule counterparts the control and use of all adult probation supervision fees. (Added 1995; amended 2002)

X. COURTS

A. Administration and Finance

1. The Association concurs in the decision of the Pennsylvania Supreme Court in *Allegheny v Commonwealth*, urges the Legislature to use all haste in complying with the decision, without commensurate reduction in other county programs, and opposes any legislation that purports to negate the Supreme Court lower court funding decision. (Amended 1992, 1993 and 1996)
2. The Association supports reinstatement of the district justice reimbursement or equivalent funding, for the general purposes use of the county, regardless of the manner of resolution of court funding generally. (Amended 1996)
3. The Association supports legislation providing for appropriate budgeting, accounting, and auditing of drug forfeiture receipts, including the ability of the commissioners or their home rule counterparts to allocate the funds for general county purposes. (Added 1992, amended 1996; amended 2002 and 2004)
4. The Association supports legislation requiring the state to pay the cost of arbitrators impaneled on behalf of the court of common pleas. (Added 1994)
5. The Association supports legislation requiring the Commonwealth to pay the costs for the public defenders office. (Added 2002)
6. The Association supports state legislation to provide full and permanent funding for the establishment of drug courts and other treatment courts in Pennsylvania where such courts might be effective. (Added 2004)

7. The Association supports amendments to the schedule of fines, fees, and costs to increase the county court cost fees for traffic and non-traffic criminal violations by \$5.00. (Added 2005)

8. The Association supports legislation to permit counties additional mechanisms to collect fines, costs, and judgments, including such strategies as wage attachments, freezing bank accounts through credit bureau reporting systems, garnishment of federal and state income tax refunds, denial of driver's licenses except where wage attachments have been agreed to, garnishment of lottery winnings, attachment of workers' compensation or other insurance payments, denial of passports, and publishing the offender's name and fiscal delinquency data in a statewide databank for ease of tracking. (Added 2006)

9. The Association supports transfer of juror costs to the Commonwealth, consistent with the Allegheny court funding decision, and supports mechanisms to encourage juror participation such as employer tax deductions or credits to enable maintenance of salary while on jury duty. (Added 2008)

10. The Association supports legislation to increase the funding from the Commonwealth to each county for reimbursement of costs associated with each judge in the various judicial districts from the current \$70,000 per year to \$150,000 per year, with corresponding adjustment annually by the same percentage as the cost of living increases in judicial pay. (Added 2008)

B. Sentencing

1. The Association supports legislation that would provide an additional sentencing alternative of payment in lieu of fines, with such payment made for the use of the county.

C. General

1. The Association supports legislation requiring plaintiffs to reimburse counties their actual cost to have themselves excused from cases in which they were wrongfully sued.

2. The Association supports legislation authorizing the county governing body to abolish the office of constable. (Added 1993; amended 2002)

3. The Association supports an increase of \$5 in court filing fees to be set aside as a dedicated fund under the discretion of the commissioners or their home rule counterparts for the implementation and ongoing administration of security measures within county facilities. (Added 2000, amended 2004 and 2006)

4. The Association supports amendment to PA Code 201, Chapter 50, Rule 5000 relating to court reporting, to provide that fees for copies of court transcripts are paid to the county general fund for its use and not to the court reporters. (Added 2004)

5. The Association supports "smart courtroom" or comparable technologies that provide for electronic and visual recording and transcription of courtroom proceedings. (Added 2006)

6. The Association supports legislation that provides for the electronic recording, including recognition of electronic notarization or other certification, of various legal instruments such as deeds,

mortgages, survey coordinates on property corners, and others normally recorded with the county for legal purposes. (Added 2006)

XI. COMMUNITY AND ECONOMIC DEVELOPMENT

A. Economic Development

1. The Association supports development and implementation of a coordinated state policy for rural economic development. (Readopted 1999)
2. The Association supports the establishment of a technical assistance office within the Department of Community and Economic Development or the Center for Local Government Services to assist counties and municipalities with economic development issues. The purpose of this office would include but not be limited to:
 - a. Develop a comprehensive manual on economic development statutes, programs and funding mechanisms available through the Commonwealth;
 - b. Create a state program to fund a circuit rider position for smaller communities and/ or counties;
 - c. Fund a demonstration program for innovative, regional economic development initiatives.
 - d. Designation of the department to be the single point of contact for economic development programs. (Amended 1999)
3. The Association believes that primary responsibility for redevelopment efforts lies with the counties and cities and therefore opposes legislation that would allow for duplication among Pennsylvania's municipalities. (Amended 1999)
4. The Association supports an amendment to Act 137 of 1992, which authorizes counties to increase the recorder fees to create affordable housing trust funds, to establish a further increase in the fees to create an economic development trust fund to support desirable economic development, land use planning and business objectives including the attraction of private and public investment, which in turn supports revitalization and infrastructure improvement. (Added 2002)
5. The Association supports specific and full inclusion of counties in Act 2 of 1996, the Land Recycling and Environmental Remediation Standards Act. (Added 1996)
6. The Association supports review of federal telecommunications demarcations that, by their routing, cause disproportionate costs for residential, business, governmental, and emergency management communications. (Added 2003)
7. The Association urges retention of Pennsylvania military bases and facilities and supports the role of the Department of Community and Economic Development, the Pennsylvania Base Development Committee, and the General Assembly in coordinating strategy among bases for the creation and retention of federal jobs, and coordination of other industry and support efforts. (Added 2003, amended 2006)

8. The Association supports imposition by Congress of a moratorium on all new trade agreements, to investigate and review all current free trade agreements and policies of the United States, to investigate and review participation of the United States in international trade organizations, and to ensure that the agreements, policies, and participation are in the best interests of the citizens of Pennsylvania and the United States. (Added 2007)

B. Community Development

1. The Association supports the allowance of alternate strategies to meet federal environmental and historical requirements for Community Development programs. (Readopted 1999)

2. The Association supports a continued commitment of funding for the Community Development Block Grant Program. (Added 1999)

3. The Association supports funding assistance for GIS and coordination between and among federal, state, and local agencies on GIS technologies and data. (Added 1999, amended 2003)

4. The Association should work with the various state agencies to facilitate a better understanding of project timetables versus project funding cycles at the local level in an effort to reduce the time for processing applications, including PIDA and PEDFA funding. (Added 1999)

5. The Association believes the state should continue to target affordable housing opportunities within the Five Year Consolidated Plan and work with partners including county and city housing authorities to increase the supply of safe and affordable housing for all Pennsylvanians. (Added 1999)

C. Agriculture

1. The Association encourages all counties to involve the agricultural community in local decision-making and to emphasize agricultural issues in the preparation of the county comprehensive plan and related land use documents.

2. The Association supports the financial treatment of agriculture in a manner equal to any other business in the Commonwealth.

3. The Association supports the elimination of transfer taxes on land assets for intra-family transfers of agricultural land.

4. The Association supports efforts to expand and increase funding from the Commonwealth and other sources for farmland preservation, including state bond initiatives. (Amended 2008)

5. The Association supports county discretion to determine those farmlands to be included in county farmland preservation plans and programs, and opposes any state interference or discretion in their determination. (Added 1995; amended 2001)

6. The Association supports nutrient management legislation and regulations allowing local administration of the program, contingent on the Commonwealth appropriating sufficient funds for county conservation districts to assume this delegation, and contingent on clarification that the conservation districts can charge a fee for this service. (Added 1995; amended 2001)

7. The Association supports the maintenance and expansion of the Pennsylvania Produce Promotional Program and the Farmers Market Nutrition Program by the Federal Government and the Commonwealth in present and subsequent fiscal years. (Added 2002)

8. The Association supports an increase in the state's share of funding for conservation districts. (Added 2004)

9. The Association supports state funding for Cooperative Extension services at historic levels, including annual cost of living increases. (Added 2007)

D. Transportation

1. The Association supports a half cent increase in the county portion of the liquid fuels tax, with concurrent revision of the county liquid fuels tax distribution formula to provide that any new revenues be distributed to counties based on relative lane-miles of qualifying county bridges, and to allow the funds to be put in reserve, without being subjected to forced distribution, affording the opportunity to accumulate sufficient revenues to undertake more significant bridge renovations. (Amended 1992, 1994, 1999, and 2004)

2. The Association opposes, except as a temporary, last-resort measure, allowing flexing federal transportation funds between capital costs and mass transit operating costs, and instead supports state and federal action to develop revenue sources and enact appropriations sufficient to meet critical needs in transportation infrastructure, mass transit, and other transit programs. (Added 2006)

3. The Association opposes the use of federal gasoline excise tax, state motor license fund, state liquid fuels funds, or any other dedicated transit tax for a purpose other than that dedicated purpose, including use of dedicated state transportation funds to support Department of Agriculture or Pennsylvania State Police operations. (Readopted 1999, amended 2008)

4. The Association supports legislation to address the issue of bridge ownership and offers the following:

- a. Require the state to assume ownership and control of all bridges on state highways;
- b. Create a reverse turnback program, similar to that of the road program, for bridges which would include a state funding component;
- c. Create new funding options and reimbursement for existing bridges under county control;
- d. Resolve liability issues when bridges intersect with municipal roads;
- e. Revise PennDOT policy to allow covered bridges which are of a historical nature or serve as a tourist attraction to be reconstructed when destroyed; and
- f. Facilitate PennDOT's guidance on bridges under PUC authority when involved in Rails to Trails projects. (Amended 1999)

5. The Association supports simplification of state and federal requirements for obtaining bridge plan approval on liquid fuels projects, including concurrency of engineering and environmental reviews, enabling counties to expedite projects and to reduce design and construction costs. (Added 2008)

6. The Association believes that public transportation, including rural transportation, is critical in meeting the needs of those in need of services as well as the workforce. To that end, the Association:

-
- a. Urges increased and dedicated funding for all forms of public transportation across the Commonwealth;
 - b. Supports further exploration and enhancement of publicly funded transportation options, such as “shared ride”, paratransit, and mass transit, with the necessary caution to avoid concerns of unfunded mandates to counties, potentially increased county funding match requirements, added prohibitive burden on the counties’ transportation infrastructure, or the potential for negative fiscal impact on other populations currently being served; and
 - c. Promotes active participation of counties working together with state agencies in a synergetic effort to identify all available opportunities to coordinate transportation services within the Commonwealth, and to overcome real and perceived barriers in order to avoid duplication of services and to offer affordable transportation to the greatest number of Commonwealth residents. (Added 1999, amended 2000)

7. The Association advocates that the Turnpike Commission be required to receive public comment through a public hearing process and not an open house format on proposed ramp and other projects which impact communities and that proposed projects be consistent with county and municipal plans. (Added 1999, Amended 2000)

8. The Association supports a requirement that proposed PennDOT projects be reviewed for consistency with county and municipal plans. (Added 1999)

9. The Association supports an increase in the annual maintenance payment to municipalities under the state Turnback of Roads Program and a process for the periodic increase in the amount per mile reimbursement to reflect current maintenance costs. (Added 2000)

10. The Association supports, and incorporates by reference, the comprehensive transportation platform offered by the National Association of Counties, including provisions relating to implementation of SAFETEA-LU, including transportation philosophy, comprehensive planning, national highway program, surface transportation, public transportation, airport development, railroads, and research and development. (Added 2003, amended 2004 and 2006)

E. Infrastructure

1. The Association supports a funding mechanism for a county optional infrastructure program that would allow counties to offer assistance on projects directly, or through municipalities, for infrastructure such as roads, mass transit, rail, air, water and sewer and telecommunications. (Added 1999)

2. The Association believes that water and sewer expansions, either public authorities or private companies, should be consistent with county and municipal plans. (Added 1999)

F. Workforce Development

1. The Association supports a philosophical approach to workforce development by federal, state and local leaders that includes:

- a. A consolidated national workforce development system mandated by Congress, principally funded by the federal government, coordinated in the Commonwealth by the Governor and State Workforce Investment Board, with the maximum amount of funds allocated to local Workforce Investment Areas, and with Workforce funding and policies

-
- in local Workforce Investment Areas managed by Workforce Investment Boards and county commissioners (or other local elected officials) and coordinated through local systems including the CareerLinks;
- b. A broad and flexible interpretation of workforce development systems, requiring that federal and state laws support and fund the local Workforce Investment Areas through a broad range of related workforce initiatives and funding streams include federal workforce programs operated by the US Department of Labor, Health and Human Services, Housing and Urban Development, Commerce, and Agriculture and state workforce programs operated by the Pennsylvania Departments of Labor and Industry, Public Welfare, Community and Economic Development, Education and Aging, as well as any other State department or bureau with delineated workforce programs; and
 - c. Consolidation of workforce funding programs wherever possible into a single funding stream, allocated to local Workforce Investment Areas to be managed by Workforce Investment Boards in a manner that is compatible with broad state policies and local economic conditions, goals and objectives.
2. The Association supports structural shifts in the relationship between the Commonwealth, and the local Workforce Investment Boards and county commissioners that:
- a. Ensure that federal mandates and state policies are fully implemented and utilized at the local Workforce Investment Area level while maintaining maximum flexibility for local Workforce Investment Boards and County Commissioners;
 - b. Establish the role of the Commonwealth as one of ensuring that all workforce resources are aligned, consolidated and coordinated to optimize available resources;
 - c. Recognize that Workforce Investment Boards and county commissioners must be in a position to coordinate, authorize, and ensure accountability of the program; and
 - d. Assures that local Workforce Investment Boards and county commissioners are, at a minimum, notified of every state funded workforce related initiative, including purpose and allocations, occurring within a workforce area.
3. The Association supports alignment of workforce development resources in a system that:
- a. Gives the State Workforce Investment Board, lead by a private sector majority and chair, oversight to determine how to equitably and efficiently integrate, consolidate and distribute the funds that the Governor designates as components of the Commonwealth's workforce development system;
 - b. Gives local Workforce Investment Boards and county commissioners the responsibility to coordinate services in a local Workforce Investment Area, according to their strategic plans, including funds that do not flow through the CareerLink system;
 - c. Mandates that base funding for the Commonwealth's CareerLink infrastructure be equitably secured through all partners as identified in the federal Workforce Investment Act and any additional partners as identified by the Commonwealth;
 - d. Supports the creation of mechanisms that require joint economic development, workforce, and education planning at the local workforce investment area level, with a focus on supporting existing key industries and industry clusters as well as developing strategies on the type of industries that should be attracted to a local and regional area; and
 - e. Uses the county commissioners as the conveners and facilitators of local planning efforts while including the local Workforce Investment Boards, county planning offices, educators, and economic development partners.
-

4. The Association supports development of a customer focus in the workforce development program, recognizing the diversity and number of customers and stakeholders of the workforce development system in a manner that:

- a. Develops a renewed single, unified, and comprehensive approach to identifying employer needs, maintaining employer contacts, and disseminating their needs to all organizations supporting these employers;
- b. Focuses services to improve the skill levels of incumbent workers and serves as a means of business retention, by coordinating training needs and programs locally through local Workforce Investment Boards;
- c. Assists dislocated workers by recognizing their skills and talents and focusing efforts on reemployment in family sustaining jobs and by using the skill-sets and talent of our dislocated worker population as an incentive to grow existing business or attract new industry;
- d. Promotes self-sufficiency by recognizing the need for training, skill enhancement, and placement of workers who are economically disadvantaged, low skilled, or face other barriers to employment to enter the workforce in the short term, augmented with longer term strategies such as “career ladders” and life long learning systems.
- e. Includes an emerging workforce component that contains more than the traditional intervention with at risk youth, but that also recognizes existing and future needs of our employers by providing information and relevant exposure to all youth, their parents, and the educational system on the employment opportunities, and the occupational needs of these most important industries, ideally complementing a K-12 educational system that assures that the achievement levels of Pennsylvania’s students are globally competitive.

5. The Association strongly encourages the Commonwealth to offer local Workforce Investment Areas and the county governing body maximum flexibility in implementing workforce development programs and systems, and discourages the Commonwealth, wherever possible, from placing additional restrictions on programs that have been designated as workforce development.

6. To ensure that the workforce development system is meeting the needs of industry, while offering a greater return on the Commonwealth’s investment and increasing interaction between local workforce systems and the Commonwealth’s community college programs, the Association supports a requirement that the Commonwealth offer 90% funding for those programs and certifications that are critically in demand as identified by employers through local workforce development systems.

7. The Association supports a comprehensive accountability and performance system to measure both workforce and economic development programs, involving the local Workforce Investment Boards and county commissioners and reporting how well the programs are impacting individuals’ training completion, sustained employment, and earnings; business expansion, attraction, and production; and private sector investment, to ensure that the services and programs that are being delivered in our counties are aligned and are meeting the needs of the counties and the populations they serve. (Section added 2001, amended 2002 and 2003)

G. Tourism

1. The Association seeks an amendment to the County Code to allow counties to fund tourist promotion agencies at a greater level than that specified by the Code. (Added 1999)

-
2. The Association should work with PennDOT to encourage the placement of the location of county park systems on the official state road map in an effort to further stimulate tourism. (Added 1999)
 3. The Association supports the dedication of a portion of Key 93 funding to target county parks and municipal parks when consistent with county comprehensive plans. (Added 1999)
 4. The Association urges the Department of Community and Economic Development to consult with the Association, as well as with the affected county governing bodies and tourism agencies, prior to consolidation of promotional agencies, urges the Department to provide voluntary incentives for consolidation rather than forced mergers, and supports, with appropriate safeguards for individual county tourism promotion programs, priority distribution of a portion of Commonwealth tourism promotion grants based on regional approaches and consistency with Commonwealth tourism promotion efforts. (Added 2000; amended 2002, amended 2007)
 5. The Association directs its community and economic development committee to review statutes providing for tourism promotion agencies, including issues such as composition of boards, regional cooperation, funding, planning, administration, certification, and decertification. (Added 2003)
 6. The Association supports a substantial increase in funding for preservation of county owned buildings through a special set-aside under the Pennsylvania Historical Museum Commission's Keystone Grant program. (Added 2000)
 7. The Association supports continuation of funding support for regional recreation and heritage-based tourism initiatives established in partnership by the Commonwealth's Department of Conservation and Natural Resources and Department of Community and Economic Development, such as "Pennsylvania Wilds" and similar initiatives in the "Pittsburgh and Its Countryside", "Northeast PA Mountains" and "Philadelphia and Its Countryside" tourism regions, and acknowledges the dual objectives of developing the tourism trade while conserving our natural attractions and assets. (Added 2008)

H. Sustainable Communities

1. The Association supports the creation of state and federal incentives to allow for county-level or multi-county regional planning agencies, which include the county and all or part of its municipalities, to properly coordinate transportation, economic development, infrastructure, multi-use developments, and other uses that have significance for the area. (Added 1999)
2. In order to promote collaboration and consistency between county and municipal planning, the Association supports:
 - a. State legislation that would provide incentives and reduce statutory constraints on intergovernmental cooperation and functional consolidation;
 - b. County review of state funded economic development, environmental, transportation, and land use projects and grants coming into a county to ensure the coordination of regional priorities;
 - c. Inclusion of conservation districts in the review process for projects with significant land use impact;

-
- d. Consistency between a municipal and county comprehensive plan as an incentive for receiving state funding for a municipal project;
 - e. State incentives that promote the consistency of local comprehensive plans with county comprehensive plans and/or the use of county zoning and subdivision ordinances; and
 - f. The allocation of state funding that would enable counties to assist municipalities within their borders with cross-municipal communication, cooperation, and functional consolidation. (Added 2004)
3. The Association encourages the Administration and the General Assembly to embrace the concepts of sustainability as a policy priority and use these in facilitating better coordination of programs, policies, and guidelines at the state level as well as with the municipalities and counties. (Added 1999)
 4. The Association supports legislation to aid county and municipal government in preventing or rehabilitating blighted properties. (Added 2008)

XII. EMERGENCY MANAGEMENT

A. Intergovernmental Cooperation

1. The Association and counties will work toward improved coordination on policy and practice issues, including lines of responsibility and communication, among emergency responders from federal, state, PEMA, Homeland Security, DEP, Health, EPA, municipalities, law enforcement, emergency medical services, hazardous materials teams, coroners, private sector, hospitals, and others. (Added 2002, amended 2003)
2. The Association supports collaborative establishment of state-level standards for first responder and emergency management capabilities so that state and local personnel can be trained, equipped and exercised to those standards. (Added 2002)
3. The Association supports federal, state, and local efforts to enhance emergency and disaster response and recovery capabilities for all hazards, including specialized planning and response for bioterrorism, chemical terrorism, weapons of mass destruction, pandemic, and nuclear events. (Added 2002, amended 2007)
4. The Association supports, and adopts by reference, the National Association of Counties Policy Agenda to Secure the People of America's Counties, as its statement of homeland security objectives. (Added 2002)
5. The Association calls on the state and federal government to recognize that counties and municipalities have disparate fiscal capacities and that dedicated and permanent funding sources, including an increase of the Emergency Management Performance Grant from 50% reimbursement to 75% reimbursement and an expansion of eligible staffing authorization, are needed for training, all-hazard planning, communications, and response capability (including staffing, supplies, general and specialized equipment, and specialized response such as urban search and rescue, dive teams, and mass casualty incidents) . (Added 2002, amended 2004)

6. The Association opposes FEMA distribution of funding based solely on capability and relation to performance standards, believing it also necessary to recognize levels of fiscal capacity and levels of risk. (Added 2002)

7. The Association will work with the Office of Homeland Security, PEMA and DCED to provide training for commissioners, and support education of state and local elected officials of their responsibilities and prerogatives regarding emergency management functions. (Added 2002, amended 2003)

8. The Association opposes National Fire Protection Association proposed fire staffing levels, which do not recognize volunteer staffing issues. (Added 2002)

9. The Association supports general public education on disaster management and response issues. (Added 2002)

10. The Association supports deployment of additional flood and rain gauges to improve the capacity and accuracy of the official early warning system administered by the Pennsylvania Emergency Management Agency, the National Weather Service, and their partners. (Added 2006)

11. The Association supports a comprehensive rewrite of Title 35, the Emergency Management Services Code, to bring it into conformity with current needs and practice, conditioned on the rewrite providing a proper balance among state, county, and local agencies, appropriate flexibility to meet local conditions, and balance between funding and other incentives for compliance and sanctions for failure to comply. (Added 2008)

B. County Emergency Management

1. The Association seeks legislation amending the Emergency Management Services Code authorizing proper local officials to order and enforce mandatory evacuations when lives are in jeopardy. (Amended 2002)

2. The Association supports legislation to recognize the inability of smaller counties to meet the high initial cost of installation of Enhanced 911 systems by providing funding from the state general fund or some other dedicated source for this purpose. (Added 1993)

3. The Association supports an amendment to the Public Safety Emergency Telephone Act to remove the cap for the telephone subscriber surcharge and allow counties to levy rates, with PUC approval, sufficient to fund county 911 operations. (Added 2002)

C. Communications

1. The Association urges federal and state government to assist county and local government by providing the broadest possible interoperability between public safety agencies across voice, data and geo-data, and wireless technologies, and by providing additional spectrum to address interoperability and dead zone problems created by congestion and interference with commercial services. (Added 2002)

-
2. The Association supports legislation to require all responders to be trained in and use the National Incident Management System. (Added 2002, amended 2007)
 3. The Association supports development of security clearance protocols to enable communications between designated local responders and specific state and federal agencies. (Added 2002)
 4. The Association supports development of a communication network capable of delivering information in a timely manner between federal, state and local governments, and the general public. (Added 2002)
 5. The Association supports development of, and funding for, reverse 911 systems as a tool to provide timely notice to the public. (Added 2002)
 6. The Association supports legislation to require cable operators and radio stations to transmit emergency messages, including development of systems to allow transmission of emergency messages over non-local cable channels rebroadcast by the cable operator within that market, and over radio stations set to operate automatically or functioning as repeating stations. (Added 1998, amended 2003)

D. Local Emergency Management

1. The Association recognizes our strong reliance on fire and emergency services volunteers, and supports innovative state and local incentives and other efforts toward recruitment and retention. (Added 2002)
2. The Association supports efforts to assure that all emergency services volunteers are adequately covered by workers' compensation. (Added 2002)
3. The Association supports county involvement, and urges counties to find ways to support locals, in the Fire Incident Reporting System (PennFIRS). (Added 2002)
4. The Association supports legislation or regulations giving municipalities specific and exclusive responsibility for, and clear guidance standards for, the selection of primary Emergency Medical Services responders. (Added 1996; amended 2001)
5. The Association supports legislation providing for universal intrastate mutual aid, including:
 - a. Commonwealth maintenance of contact and capability information;
 - b. County activation and incident management;
 - c. Provisions for appropriate assignment and indemnification of liability, workers' compensation, and property and casualty coverage;
 - d. Clear chain of command; and
 - e. Accommodation of existing mutual aid agreements. (Added 2007)

E. Other

1. The Association seeks legislative and regulatory relief from laws and rules that unnecessarily or disproportionately restrict the provision of emergency medical services in rural areas.

2. The Association supports legislation to amend the Radiation Protection Act to increase nuclear utilities' annual fee to \$300,000, to make funds available to counties in the ingestion pathway on a 75% state/25% local match basis, and to require cooperation among the state, counties, municipalities, and school districts. (Amended 2001; amended 2002)

3. The Association supports Congress, the Commonwealth, NACo, each Pennsylvania county, and counties nationwide joining the Sudden Cardiac Arrest Association and other heart-related agencies in adopting a resolution designating the first week in October as "Sudden Cardiac Arrest Awareness Week", increasing awareness of CPR, Automated External Defibrillators, and Implantable Cardioverter Defibrillators, and their availability or need among emergency and other medical treatments. (Added 2007)

XIII MISCELLANEOUS

A. State Government

1. The Association believes it is the prerogative of the Governor to appoint his cabinet, and will not take any position on individuals being nominated for cabinet level positions.

B. Police Powers

1. The Association supports clarification of sheriff powers in the wake of the *Kopko v. Miller* decision, but only to the extent necessary to restore powers generally accepted historically and only as supported by operating consensus in the years following the *Leet* and *Kline* decisions. The Association opposes any other, or any further, extension of police powers to sheriffs. To the extent police powers are granted by the legislature, courts, or otherwise, legislation should be developed to:

- a. Provide for ultimate control by the county governing body;
- b. Specify that expanded powers are permissive but not a duty, making expansion of powers discretionary on a county-by-county basis, rather than requiring expansion statewide;
- c. Create a standardized procedure that could be followed in any county to delineate how decisions will be reached in the event an expanded scope of authority for a county sheriff's department is desired;
- d. Place review of the sheriff's department under some civilian review panel to assure immediate public accountability;
- e. Require training, with reimbursement for training costs on the same terms as municipal police officers;
- f. Place the sheriff's department under statutes applicable to municipal police administration, including those relating to mutual response agreements, command and control, hot pursuit, civil service procedures and the like;
- g. Provide for liability and indemnification;
- h. If patrol and other police services are to be provided to municipalities in the county, name the county governing body as the contracting agent, with the ability to establish reimbursement for services, or special taxing authority for counties to cover costs;
- i. If patrol and other police services are to be undertaken within municipalities in the county, provide a mechanism requiring notice and municipal approval or acknowledgement;

-
- j. Preserve the integrity of the county governing body's ability and prerogatives to execute contracts and to establish the budget for the sheriff's department; and
 - k. Clarify the role of sheriffs in the serving of criminal warrants. (Amended 1994 and 2006)

2. The Association supports a legislative study of all offices and positions vested by statute with police powers for the purpose of developing legislation to clarify powers, define lines of accountability, limit liability, and promote uniformity of procedures. (Added 1992)

C. Libraries

1. The Association supports improvements in the Commonwealth's system of local libraries, including:

- a. Increased state aid to local libraries;
- b. Maintaining local library operating systems;
- c. Providing incentives for municipalities to maintain or increase their funding share;
- d. Recognition of the varying needs among libraries and library systems;
- e. Allow libraries to bank funds for planned projects without adversely affecting the state funding share; and
- f. Allow libraries to accept an increased state funding share without a requirement for additional local match. (Section and subsection added 1998)

D. Other

1. The Association endorses the expansion of the Pennsylvania Rural Leadership Program.

2. The Association supports the appointment of a panel of scientists and health experts at the state level to investigate and resolve issues regarding the effect of high voltage transmission lines on the health and welfare of county residents, animals, and agricultural areas and operations, with such report to be made publicly to the Public Utility Commission, and supports making this panel a permanent body to study and report their findings to the PUC on similar problems arising from the development of public utility services throughout the state.

