

## **RESOLUTIONS ADOPTED AT THE CCAP ANNUAL CONFERENCE**

The following resolutions were adopted by the delegates in attendance at the CCAP Annual Conference in Philadelphia on August 5, 2003. In italics after each resolution is a description of the content and intent of the resolution.

**RESOLUTION NO. 1** *(Submitted by the CCAP Resolutions Committee)* -- The Association supports legislation to reinstate the ability to assess oil and gas interests as real property.

*A Pennsylvania Supreme Court case has declared oil and gas interests not to be real property for property tax assessment purposes, despite what had been considered by prior courts for more than a century to be clear legislative language and intent. The decision affects about 28 counties currently, and along with their municipalities and school districts exposes them to as much as \$40 million in refunds. The Association is a participant in litigation concerning these claims. The resolution calls for legislative reinstatement of the taxability of these interests.*

**RESOLUTION NO. 2** *(Submitted by the CCAP Community and Economic Development Committee)* -- 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.

*A study by the University of Tennessee indicates that Pennsylvania is losing as much as \$1 billion in the current fiscal year in uncollected sales taxes on internet sales. Because Pennsylvania levies its tax as a sales and use tax (point of delivery rather than point of sale), taxes are owed on these sales the same as taxes on catalog sales. However, a federal moratorium prevents states from collecting these taxes until states adopt resolutions on common standards and Congress follows with authorizing legislation. Collection of the tax brings equity back to the marketplace, since uncollected taxes on internet sales give internet retailers an advantage over local "bricks and mortar" retailers.*

**RESOLUTION NO. 3** *(Submitted by the CCAP Resolutions Committee)* -- 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.

*The resolution is in response to reports out of the General Assembly that consideration is being given to increasing Commonwealth revenues by reducing the rate of the sales tax but broadening its base to include, among other things, currently-exempt food and some clothing. The resolution addresses a concern that, although this is being done to provide revenues to backfill budget gaps, it would make the tax less progressive and harm the people the additional funds were intended to benefit. An additional concern is that the deletion of these exemptions would harm retailers in counties that border states where these items are taxable.*

**RESOLUTION NO. 4** *(Submitted by the CCAP County Governance Committee)* -- 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.

The Association opposes legislation or administrative action to limit county choices in election systems, or to require a statewide uniform voting methodology.

*The Help America Vote Act includes provisions that will require all Pennsylvania counties that have lever machines to replace them with direct recording electronic (DRE) or similar equipment, all counties with scan or punch card systems to have equipment in the polling place to warn voters of incorrectly cast ballots, and all counties to have at least one handicap accessible machine per precinct. It also makes changes in provisions for overseas electors, and requires a statewide voter registration system. Some federal funding is provided, but it is between one third and one half of the anticipated cost. The resolution calls for state and federal funding to help counties meet these mandates, and reinforces the need for counties to retain authority to make election systems choices, albeit within the HAVA framework.*

**RESOLUTION NO. 5** (Submitted by the CCAP County Governance Committee) -- 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. County and independent third party monitoring of the effectiveness and utility of the system.

The Association supports review by the state of voter registration data warehouse software developed and implemented by other states and, if technologically acceptable, acquisition of this software for use in Pennsylvania as a potentially cost-effective and expedient solution.

*Legislation is now in place to create the Statewide Uniform Registry of Electors (SURE), intended to meet the objective of the resolution. However, the pilot counties and others are reporting problems with the system and are urging the Department of State to review the basis for the system's design. Common complaints are that the system is undersized, relies on old hardware, and contains few of the features that counties use regularly with their current systems. The resolution recognizes these issues, and clarifies the Association's intent relative to the system.*

**RESOLUTION NO. 6** (Submitted by the CCAP Agriculture and Energy, Environment and Land Use Committees) -- 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.

*Land application of biosolids remains a controversial issue, with competing claims on its safety, health, and environmental effects. While parts of the agricultural community value the resource for its nutrient qualities and some in the environmental community recognize its basic recycling goal, others express concern and it is a divisive matter in most communities. The resolution seeks a more scientific basis on which to base these discussions.*

**RESOLUTION NO. 7** *(Submitted by the CCAP Energy, Environment and Land Use Committee) --* 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.

*The intent of the resolution is to update the existing plank, recognizing the passage of water planning legislation but also recognizing that little has been done yet to implement the act.*

**RESOLUTION NO. 8** *(Submitted by the CCAP Resolutions Committee) --* 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.

*The Commonwealth, in conjunction with efforts to comply with federal requirements to reduce the blood alcohol content threshold for DUI to 0.08, is considering significant changes to the assessment, treatment, and penalty provisions of the DUI statute. The resolution recognizes these concerns, but calls for full and careful review of any changes, and commitment for Commonwealth funding of unreimbursed costs, prior to any change being made.*

**RESOLUTION NO. 9** *(Submitted by the CCAP Resolutions Committee) --* The Association supports, in the event of approval of slots or other gambling in the Commonwealth, concurrent 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.

*Increased alcohol consumption encouraged by free or reduced price drinks, and the availability of credit, check cashing, and cash machines in close proximity to gaming, can impair judgment and encourage addictive behaviors. The resolution, in anticipation of legalized gambling, calls for concurrent legislation to be approved that prevents operators from engaging in these practices.*

**RESOLUTION NO. 10** *(Submitted by the CCAP Resolutions Committee and the Community and Economic Development Committee)* -- The Association supports the development and rapid deployment of a plan for the telecommunication needs of rural communities across the Commonwealth, including appropriate modification and reauthorization of Chapter 30 of the Public Utility Code relating to telecommunications deregulation and broadband deployment, in order to help these communities to be more competitive in attracting business and industry.

*Under Chapter 30 of the Public Utility Code, tradeoffs were made allowing Verizon to maintain some monopolistic activities in the local market in exchange for their accelerated development of broad-band and high speed communications infrastructure. Chapter 30, enacted in 1993, is set to expire December 31, 2003 and is currently up for renewal. Concern has been expressed that Verizon has not met the deadlines of the original legislation, so a number of alternatives are under consideration to modify the statute to meet its original deployment objective to "maintain universal telecommunications service at affordable rates while encouraging the accelerated deployment of a universally available, state-of-the-art, interactive, public-switched broadband telecommunications network in rural, suburban and urban areas, including deployment of broadband facilities." The resolution expresses counties' interest in seeing a system that encourages cost effective and prompt deployment.*

**RESOLUTION NO. 11** *(Submitted by the CCAP Resolutions Committee)* -- The Association supports review of federal telecommunications demarcations that, by their routing, cause disproportionate costs for residential, business, governmental, and emergency management communications.

*In some areas of the Commonwealth, and particularly rural and border areas, federal telecommunications demarcations cause what would otherwise be local calls to be long distance, and create particular fiscal burdens for local governments and businesses that rely on dedicated trunk lines crossing these demarcation boundaries. The resolution seeks strategies that lessen this burden.*

**RESOLUTION NO. 12** *(Submitted by the CCAP Community and Economic Development Committee)* -- The Association urges retention of Pennsylvania military bases and facilities and urges the Department of Community and Economic Development, the Governor's Base Realignment And Conversion Action Team, and the General Assembly to assume the role of coordinating strategy among bases for the purpose of adopting policies supporting creation and retention of federal jobs, and coordination of other industry and support efforts.

*The Governor has convened a Base Realignment and Conversion Action Team to help deal with the next projected round of federal consideration of military base conversion and closure. The resolution recognizes the regional economic importance of these bases and the necessity for federal consideration of, and if necessary mitigation of, this local impact.*

**RESOLUTION NO. 13** *(Submitted by the CCAP Resolutions Committee)* -- The Association supports funding assistance for GIS and coordination between and among federal, state, and local agencies on GIS technologies and data.

*Governor's Executive Order 1 has expired, and that, along with evolving technological and practical considerations such as the importance of this data relative to homeland security, require revision of the resolution to recognize this important and ongoing need.*

**RESOLUTION NO. 14** *(Submitted by the CCAP Resolutions Committee)* -- The Association directs its Community and Economic Development Committee to perform a comprehensive review of the transportation elements of the *County Platform*, with particular attention to urban issues, rural issues, federal administrative and funding issues, and related matters.

*Counties are increasingly involved in many facets of local transportation planning and service delivery. Federal and state policy is continually evolving on these matters, with an impact on local economic activity and quality of life. The membership has not previously recognized this as an issue area for strong Association involvement, and the resolution calls on the Association to increase its activity.*

**RESOLUTION NO. 15** *(Submitted by the CCAP / WIB Association Workforce Reauthorization Task Force)* – (This resolution is a comprehensive rewrite of the *Pennsylvania County Platform* provisions on workforce development:)

**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 commissioners 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.

*The Association’s former policy on workforce was targeted to initial development and subsequent reauthorization of the federal and state workforce development systems. The resolution deletes these elements of the Platform and replaces them with a more comprehensive and more generalized statement of workforce objectives. The resolution recognizes that the health of our counties is directly related to the overall economic prosperity at the local, regional and state level. The Commonwealth and our counties are increasingly facing new economic challenges as a result of changing national and international economic conditions, currently resulting in large scale lay-offs and plant closing in those wealth generating industries that have traditionally ensured sustainable employment and a high quality of life. Strong economic development and workforce development systems are vital to ensuring that our counties can retain existing businesses and grow new economic opportunities. As states aggressively compete with tax-free inducements, land, and financial incentives, the Association believes that Pennsylvania’s workforce and workforce development systems, if adequately funded, coordinated and integrated, could offer Pennsylvania a competitive advantage as a select state among new industry prospects. The Association also believes that the economic vitality of the Commonwealth is just as dependent upon ensuring that our*

*existing key industries are served well, and so believes it necessary to bolster, and then maintain, business retention efforts.*

**RESOLUTION NO. 16** *(Submitted by the CCAP Resolutions Committee and the Community and Economic Development Committee)* -- The Association supports county governing bodies partnering with tourism industry representatives to direct the use of hotel tax revenue or other sources of new funding for needs consistent with attracting and promoting tourism, emphasizing promotion but including projects or programs that preserve and enhance the county as a destination market, such as infrastructure and historic preservation, to the extent they are directly related to tourism within the Commonwealth's communities.

*There continues to be an element of controversy between the tourism industry and some counties on the allowable use of county hotel tax revenues. The resolution more clearly states the intent of the tax as discussed during legislative deliberations of the authorizing statute, Act 142 of 2000. It makes clear counties' intent to be a partner in deciding how a tax they raise will be spent, while at the same time assuring the industry that all expenditures will have a clear tie to the tourism product.*

**RESOLUTION NO. 17** *(Submitted by the CCAP Resolutions Committee)* -- 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.

*As part of the consideration of limitations on county use of locally-enacted hotel taxes, the General Assembly is also considering limitations of the circumstances under which counties may decertify existing tourism promotion agencies. At the same time, concern has been expressed about the functional and administrative relationship between the counties and TPAs, composition of TPA boards, issues relative to regional cooperation, and the like. The resolution calls for comprehensive review of these issues by the Association' Community and Economic Development Committee, with the potential to develop recommendations for legislative change.*

**RESOLUTION NO. 18** *(Submitted by the CCAP Resolutions Committee)* -- 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.

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 concerning their responsibilities and prerogatives regarding emergency management functions.

*The resolution updates two planks in the County Platform to recognize the role of the Department of Homeland Security at the federal level and the Office of Homeland Security at the state level.*

**RESOLUTION NO. 19** *(Submitted by the CCAP Resolutions Committee)* -- 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.

*With the advent of nationwide radio operations such as Clear Channel, and cable operators carrying stations from multiple external markets, the viability of the traditional emergency warning systems for use in natural disasters or homeland security occurrences is compromised. The resolution calls for technological solutions to this problem so that local emergency messages can reach the broadest possible number of listeners / viewers.*

**RESOLUTION NO. 20** *(Submitted by the CCAP County Governance Committee and the Board of Directors)* – (This resolution repeals from the Pennsylvania County Platform former language in opposition to gambling and support for county-wide referenda should any gambling legislation be considered:)

~~The Association opposes any legislation legalizing casino gambling, riverboat gambling, slot machines, and video game devices.~~

~~The Association believes that any act legalizing a new form of gambling must include a local option provision stipulating that the provisions of the bill may not take effect unless a majority of those qualified electors residing in a county vote for the implementation of the provisions of the bill in a countywide primary or general municipal election.~~

*Recognizing the current debate on expansion of gambling and its interrelationship with a number of other state policy and fiscal deliberations, and the need to give CCAP staff and policy committees more negotiating room during these deliberations, the resolution deletes the Association's previous opposition to gambling expansion and its call for countywide referenda on the issue. No substitute policy position was offered or adopted, so the Association's position is now neutral on gambling.*