



CCAP 2021 Priorities Status Report November 2021

CCAP members identified a total of five priority issues for 2021. Grassroots activity on the priorities began following their adoption at the 2020 Fall Conference. After a formal announcement in January, officers and staff launched efforts to work with the General Assembly and the administration to introduce and advance proposals. Work has continued throughout the year to meet with members of the General Assembly, educate, and discuss priorities in terms of the most pressing items related to the state's budget and elections reforms. Below are specific developments on each priority issue.

Elections Reforms: Pre-canvassing and Mail-in Ballot Application Deadlines

While there had appeared to be some interest in moving forward on elections reform legislation during the fall legislative session, movement on bills has been limited. CCAP continues to engage with leaders and committee chairs in the Senate, House of Representative and members of the administration to advocate counties top two elections reforms priorities, as well as represent counties' positions and feedback on various other provisions being considered for legislative change.

The Senate kicked off fall session with a hearing on September 9 held by the Senate Intergovernmental Operations Committee on the 2020 General Election and the 2021 Primary Election, led by newly appointed chairman Sen. Cris Dush (R-Jefferson). CCAP submitted [written testimony](#), which applauded the unwavering efforts of counties to not only implement Act 77 of 2019 for the first time during a global pandemic. In addition, the testimony noted that counties had to deal with constantly changing legal and Department of State (DOS) guidance in the lead up to the November 2020 election, with more than three dozen election-related lawsuits filed, and the resulting court rulings and DOS communications containing both directives and guidance on how to administer the elections. Not long after the hearing, the same committee voted to subpoena the administration for specific voter information, which then became the subject of a Commonwealth Court lawsuit filed by attorney general Josh Shapiro. The case is still pending.

Just a few weeks later, on September 23, CCAP executive director Lisa Schaefer testified before the Senate State Government Committee on a new bill introduced by Sen. David Argall (R-Schuylkill), [SB 878](#), which makes several substantial changes to the Pennsylvania Election Code that CCAP has been actively working with Senate staff to assure that the legislation best reflects the needs of counties and is operationally as sound as possible. The bill includes counties' top two elections reform priorities: an expanded pre-canvassing period (however, only three days) and moving back the deadline for mail-in ballot application to 14 days prior to an election. Counties expressed several concerns with the bill as currently drafted, including allowing

additional time for voters to apply over the counter for a mail-in ballot and provisions related to video monitoring, live streaming and public availability of any elections-related video monitoring. Also testifying were Tim Benyo, chief clerk for registrations and elections from Lehigh County, and Forrest Lehman, director of elections for Lycoming County. Senate Bill 878 has not been brought up for a vote by the Senate State Government Committee to date, but CCAP continues to advocate members' needs in the negotiations.

After several weeks of working with the Senate on SB 878, CCAP received notice that another bill sponsored by Sen. Argall, [SB 784](#), was being scheduled for consideration by the committee on November 9; this bill contains only language allowing for seven days of prec canvassing and moving the mail-in ballot application ballot back to 15 days before an election. CCAP indicated its strong support for SB 784 and activated several grassroots efforts to support the bill, but the bill was ultimately not considered. CCAP will continue to advocate counties' support for SB 784 over the coming weeks and seek additional paths forward with legislation to achieve counties' two top elections priorities in the Senate.

In the House, the House State Government Committee met on September 27 to consider [HB 1800](#), another omnibus Election Code bill introduced by Rep. Seth Grove (R-York). The bill tracks the provisions of HB 1300 previously approved by the General Assembly and vetoed by Gov. Wolf in June, with a few additional provisions. While counties again appreciate that HB 1800 addresses the top two county elections reforms priorities, additional time to pre-canvass and moving the mail-in ballot application deadline, the bill also contains a multitude of amendments to the Election Code beyond these two requests that would significantly impact county election operations and resources. In some cases, the impacts would change existing practices and in others add entirely new requirements. Most of the counties' questions and concerns from HB 1300 remain unaddressed in HB 1800, while additional ones have been raised regarding the new provisions of the bill. The bill was potentially scheduled for consideration by the full House the week of November 15.

CCAP staff and members engaged in several significant advocacy efforts to achieve the top two CCAP priorities and to continue to emphasize that counties must be brought to the table to negotiate and assist with technical feedback on any bill to be considered. CCAP will continue to work on elections reforms throughout the remainder of the fall legislative session and will be engaging counties in an attempt to achieve progress on elections reforms that counties need, despite the passing of another election absent necessary reform legislation.

Broadband Expansion

Broadband continues to be echoed at all levels of government as one of the biggest hurdles of the 21st century. With the promise of significant federal funding that can be used for broadband expansion and other infrastructure projects to the state and counties, CCAP has continued to engage the General Assembly, administration and other stakeholders in targeted conversations to share the work of counties in broadband expansion efforts and identify opportunities to partner in education, planning and deployment initiatives.

One of the biggest hurdles to date is the cost of deploying broadband infrastructure. Federal discussions and negotiations on infrastructure have culminated into the passage of the Infrastructure Investments and Jobs Act (IIJA), which aims to invest \$973 billion over five years for infrastructure, including \$550 billion in new investments for all modes of transportation, water, power and energy, environmental remediation, public lands, broadband and resilience. This historic funding provided by the IIJA coupled with American Rescue Plan Act funding put the state and counties in a position to strategically invest heavily in infrastructure, including developing and deploying broadband in a way that ensures these once-in-a-lifetime investments are being made efficiently.

While details on exactly how federal funding will be driven down are still pending, the state House of Representatives recently considered [HB 2071](#), introduced by Rep. Martin Causer (R-McKean), to create a Pennsylvania Broadband Development Authority responsible for strategic planning and funding for broadband development to unserved areas. While counties are supportive of this streamlined-approach to solving broadband issues in the commonwealth, HB 2071 does not seem to include or acknowledge the local-level data gathering and information that counties have conducted. It also does not take into account the level of investments local governments have made as a part of this solution. House Bill 2071 does specify that local governments would be given the opportunity to submit a localized broadband plan to the authority and comment on initial statewide broadband plan proposal; however it is unclear what the expectation is for leveraging local experts or county-level data under the proposed authority or during development of a statewide plan.

CCAP staff have ongoing dialogue with various state agencies and the General Assembly on the role counties have been playing and can continue to play as the commonwealth thinks through strategic investment of these funds. Additionally, CCAP is continuing to identify areas where counties can share and showcase their ideas amongst each other, with the state and with the public.

Solutions to the Emergency Medical Services Crisis

On October 12, Butler County commissioner and CCAP president Kevin Boozel, along with Fayette County commissioner Scott Dunn, shared counties' support for [SB 698](#) with the Senate Veterans Affairs and Emergency Preparedness Committee. This legislation would allow the creation of countywide or multi-municipal public safety authorities, which is part of counties' 2021 priority on solutions to the EMS crisis.

Boozel focused on the work of the CCAP EMS Task Force, which brings stakeholders together to make recommendations on how counties might play a role in addressing issues raised in the SR 6 and SR 60 reports. One of the Task Force's top priorities is to advance legislation clarifying that counties, or multiple municipalities, can create authorities for countywide or regional EMS delivery. These authorities could be used to address staffing challenges, optimize service deployment and service areas, and create dedicated funding sources. Counties worked closely with Sen. Lisa Baker (R-Luzerne) and Sen. Tim Kearney (D-Delaware) on the development of their legislation, SB 698, to achieve this goal. Dunn offered additional local perspectives on how the

EMS crisis is affecting Fayette County's communities, and how the options and flexibility of a public safety authority could help. Both commissioners also stressed SB 698 simply provides an option to engage local stakeholders to develop resources and solutions.

The summer edition of the CCAP County News was focused on CCAP's EMS priority. Articles include an overview of the CCAP EMS Task Force work, an article from the sponsors of the EMS authority legislation, as well as insights from Pike County and others.

The EMS Task Force is continuing to review the funding needs to support the variety of service models in operation in the commonwealth, and is working to develop a toolbox of resources that can assist counties in bringing stakeholders and resources together to address local issues. The DCED Center for Local Government Services' pilot project to evaluate the current status of EMS services had been slightly delayed, but a new vendor has been identified to assist with the project and will be moving forward. The project will include data gathering and working with local stakeholders, to develop a report and recommendations on potential local solutions to improve the delivery of EMS in those counties. The outcomes and report will serve as the basis for further development of a broader toolbox.

Protect Funding for County Human Services

Pennsylvania counties deliver crucial human services on behalf of the state and federal government – services that protect our most vulnerable citizens, among them children suffering from abuse, those fighting substance abuse addictions, individuals with mental illness and developmental disabilities, and seniors in need of long-term care. However, even though mandates and caseloads continue to increase, state funding support has been unable to keep up with demand.

In the FY 2021-2022 budget, counties saw primarily flat funding for most line items, though additional federal funding for long-term care facilities was allocated along with additional funding for the creation of a county health department in Delaware County. Despite flat funding, counties must face the reality of ever-stagnant state funds to support community needs.

Counties continue to deal with the daily challenge of serving the ever-growing needs of their residents, such as the significant increases in workloads to county human service agencies, workforce shortages, the toll of the opioid epidemic on families and their children and the lasting, unknown impacts of the COVID-19 pandemic on Pennsylvania's residents and communities. These impacts, coupled with the implementation of the Family First Prevention Services Act, proposed regulations to nursing homes and drug and alcohol service provider and recovery house regulations, further stress the system, calling for ongoing and future funding that meets caseloads, regulations and standards of care.

Counties regularly express these concerns with state agencies and are continuing to educate agency staff on the history of funding, county role in service provision and innovative ways counties are being good stewards of this funding, but that it is simply not enough for current needs. Conversations and ongoing educational efforts with the General Assembly,

administration and state agencies will continue as Pennsylvania gears up for a gubernatorial transition.

Increased Funding for Mental Health Services

In the 2021-2022 budget, mental health services saw a nominal increase in funding. While the increase in state funding to counties was minuscule, the Department of Human Services received an estimated \$12 million in federal funding aimed at addressing mental illness and supporting both the Office of Mental Health and Substance Abuse Services' and the Office of Developmental Programs.

Throughout 2021 CCAP has continued to meet with new legislators and staff, committee chairs and executive directors, discussing the necessity of additional mental health funding. One roadblock we have experienced in conversation is that as some counties have had to return unspent funds for mental health to the commonwealth. We continue to stress that while some counties may have returned funds, it was not due to a lack of demand or need, but rather due to logistical program challenges brought on by the pandemic, ability to offer in-person treatment and individuals waiting to seek care until they felt safer from the virus to do so. Counties returning funding can give the wrong impression to officials, the demand for additional funding is present and needs to be satisfied in the future, especially in a post-pandemic world.

CCAP has worked to further educate and advocate on this key priority, working to supply additional talking points and education to our district representatives and members for targeted conversations with legislative leaders and others who may need more information on the complex funding situation for 2021 and 2022. The targeted education included discussing the historical level-funding for community-based mental health that counties have faced over the last decade causing the need for an investment in this line item, as well as the unique circumstances caused by the COVID-19 pandemic that will put additional strain on programs and services funded by base dollars at the county level.

Additionally, CCAP continues to have discussions with the Department of Human Services and Department of Health, most of which have been positive. While the efforts to protect Behavioral HealthChoices program were successful in the FY 2021-2022, the association continues to demonstrate the benefits of the program as well as educating legislators and staff.