

# LEGISLATIVE BULLETIN

## COUNTY COMMISSIONERS ASSOCIATION OF PENNSYLVANIA THE VOICE OF PENNSYLVANIA COUNTIES

### COUNTY PRIORITIES SPOTLIGHT: COUNTIES PREPARE FOR APRIL 23 PRESIDENTIAL PRIMARY ELECTION

With the April 23 Primary Election less than a month away, counties are currently preparing absentee and mail-in ballots, mailing and receiving military and overseas ballots, educating voters on timelines and rules surrounding elections processes and recruiting and training poll workers. **April 8** is the deadline for voter registration for the Primary, and **April 16** is the last day to apply for a mail-in or absentee ballot.

As a part of educational efforts, counties are reminding voters that ballots must be completed and placed into the privacy envelope, and then voters must place that envelope into the second outer envelope, with the declaration signed and dated by the voter. Counties are also reminding voters of potential postal delays, meaning ballots should be mailed back promptly or dropped off at the county election office or at an official drop box as applicable before the deadline. If a voter is not participating in the vote-by-mail process, voters may continue to choose to vote in-person on Election Day at their polling place but should verify their polling location. Accurate information can be found at county election offices and their websites. Or, to register or check a voter registration status, find a county election office, verify a polling location or review other election information, visit [vote.pa.gov](http://vote.pa.gov).

**Vote-by-Mail Reform** is a legislative priority for Pennsylvania counties in 2024. Achieving this priority would ensure that counties are able to use their resources efficiently and effectively to continue to run fair, secure, and accurate elections. During a recent segment on CCAP's cable program, **County Connections**, Union County Commissioner Jeff Reber reviewed how pre-canvassing can help counties streamline election results. Check out the link [here](#), and find additional facts in the [2024 County Government Priorities](#) brochure.

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### THIRD CIRCUIT RULING HOLDS MAIL-IN-BALLOT DATING REQUIREMENTS DO NOT VIOLATE FEDERAL LAW

On March 27, a three-judge panel of the Third U.S. Circuit Court of Appeals voted 2-1 to uphold enforcement of the required date on return envelopes. This reverses the decision of the United States District Court for the Western District of Pennsylvania rules that the requirement that the outer envelope of mail-in ballots be dated does not violate federal law.

Specifically, the court wrote that the General Assembly had determined that voters must date the return envelope of their ballot "to make their vote effective." The court further wrote that since the Supreme Court of Pennsylvania "unanimously" viewed the ballot-casting rule as mandatory, "failure to comply renders a ballot invalid under Pennsylvania law." Therefore, the Third Circuit's decision finds that mailed ballots that arrive on time but in envelopes without dates handwritten by Pennsylvania voters or with incorrect dates should not be counted.

It is anticipated that this decision will be appealed to the United States Supreme Court in the near future. However, counties should consult with their solicitor regarding any questions about this ruling. The full text of the Third Circuit's opinion can be found [here](#).

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### LEGISLATURE RECOGNIZING LOCAL GOVERNMENT DAY, WEEK

Ahead of Local Government Week in Pennsylvania, both chambers within the Pennsylvania General Assembly are preparing to recognize local governments in Pennsylvania via **SR 250** and **HR 326**, respectively. These resolutions were recently introduced by Sen.

Rosemary Brown (R-Monroe), Chair of the Senate Local Government Committee, and Rep. Robert Freeman (D-Northampton), Chair of the House Local Government Committee. These resolutions designate the week of April 8-14 as Local Government Week and April 10 as Local Government Day in Pennsylvania.

April is also National County Government Month, with a theme for 2024 of “**Forward**Together” and three key pillars: Connect, Inspire, and Lead. These pillars focus on counties’ nationwide commitment to focusing on building bridges to advance excellence and networks in county government, driving community engagement and residents’ trust in county government, and spearheading local, state, federal and tribal intergovernmental partnerships and common-sense policy solutions. Additional details are available on the [NACo website](#).

Counties can offer their recognition by adopting a resolution honoring National County Government Month and Pennsylvania Local Government Week; a sample is available on the CCAP [Legislative Action Center](#).

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## HEARING FOCUSES ON COUNTY CHILDREN AND YOUTH SYSTEM

On April 3, the Senate Aging and Youth Committee held an informational hearing to highlight the challenges facing children, youth and family services in Pennsylvania and identify solutions. Committee chairs Sen. Judy Ward (R-Blair) and Sen. Maria Collet (D-Montgomery) led the session, which began with testimony from Laval Miller-Wilson, Deputy Secretary for the Office of Youth and Families within the PA Department of Human Services (DHS), Brinda Penyak, Special Adviser to DHS Secretary Val Arkoosh. Of note, DHS testified about its focus of supporting families and children as a means of preventing abuse and neglect, while stressing the ongoing need for DHS and counties to collaborate to deliver critical services.

Brian Bornman, Executive Director for the Pennsylvania Children and Youth Administrators (PCYA), a CCAP affiliate, was joined on a panel by Kelvin Abrashoff, administrator for the Huntingdon County Office of Children’s Services, and Marisa McClellan, administrator for Dauphin County Social Services for Children and Youth, to provide testimony representing the county children and youth agencies. Counties addressed the severe staffing issues in child welfare agencies in Pennsylvania, exacerbated by the COVID-19 pandemic. Testifiers noted vacancy rates as high as 80 percent in some counties and described the impact on caseloads, the difficulty in retaining staff and the challenges of complex cases and regulatory hurdles. Testifiers also emphasized the vacancy rates as unsustainable, calling for solutions to address the staffing crisis in child welfare.

Counties continue to work with state agency partners to address these increasingly difficult circumstances in order to deliver critical services that support children and families.

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## IFO ISSUES MARCH STATE REVENUE UPDATE AND BUDGET REVENUE ANALYSIS

The state’s Independent Fiscal Office (IFO) recently released the monthly revenue **update** for March. According to the IFO, General Fund revenues have already surpassed the projected fiscal-year-to-date amount by \$284 million, or roughly 0.9%. General Fund revenues for March alone exceeded estimates by \$289 million, mainly due to unexpectedly strong gross receipt tax collections.

Additionally, on March 28, the IFO published its annual review of the revenue proposals contained in Governor Shapiro’s FY 2024-2025 budget proposal. This review includes an analysis of proposals to legalize cannabis for adult recreational use, regulate and tax games of skill and increase the state’s minimum wage. The full IFO analysis can be found [here](#).

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## TREASURY RELEASES UPDATED FAQs FOR ARPA’S STATE AND LOCAL FISCAL RECOVERY FUND

On March 29, the U.S. Department of Treasury released **new FAQs** related to its **Obligation Interim Final Rule (IRF)** for the ARPA State and Local Fiscal Recovery Fund (SLFRF). Of note, the FAQs address the major concerns counties voiced to Treasury concerning the Obligation IFR, particularly around payroll, reclassification of funds and the obligation estimates. Key highlights include updated guidance on personnel costs and associated reporting requirements; reaffirming subrecipient obligation deadline requirements; and reclassifying excess funds obligated prior to December 31, 2024. Furthermore, counties are reminded that on April 30, 2024, annual Project and Expenditure Reports are due to the U.S. Department of Treasury for all local governments that received ARPA funds through the SLFRF. These required, periodic reports provide Treasury with

financial and current performance information on projects using Recovery Funds. More information is available on NACo's ARPA recovery fund [resource page](#).

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## CCAP RESOLUTIONS PROCESS

During the end of May and beginning of June, CCAP policy committees will be holding their annual virtual meetings to consider resolutions amending the [Pennsylvania County Platform](#), CCAP's comprehensive policy document determined by counties. All CCAP members are invited to review the Platform and to send any proposed resolutions for additions, changes or deletions to CCAP Government Relations staff at [PAcountiesGR@pacounties.org](mailto:PAcountiesGR@pacounties.org) or to discuss them with CCAP policy committee chairs. A membership discussion and vote on the resolutions will be held in conjunction with the CCAP Annual Conference from August 4-7 in Gettysburg, Adams County. An overview of the process, timeline and related materials can be found on the CCAP Policy [webpage](#). Deadline to submit resolutions for consideration by policy committees is **May 28, 2024**.

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