

Legislative
Budget
&
Finance
Committee



A Joint Committee of the Pennsylvania General Assembly

2016 Annual Report

January 2017



Legislative Budget and Finance Committee

A JOINT COMMITTEE OF THE PENNSYLVANIA GENERAL ASSEMBLY

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January 2017

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SCOTT CONKLIN

PETER SCHWEYER

TO: All Members of the Pennsylvania General Assembly

This Annual Report of the Legislative Budget and Finance Committee summarizes the seven reports and performance audits completed by the Committee during calendar year 2016 and lists the current projects before the Committee. A list of all reports completed since 1982, categorized by subject area, begins on page 21. The report also describes the duties and responsibilities of the Committee and provides information on the Committee's staff and operations.

The Committee welcomes questions and comments regarding its activities and this report.

Respectfully submitted,

Robert B. Mensch

Chairman

EXECUTIVE DIRECTOR

PHILIP R. DURGIN

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LEGISLATIVE BUDGET AND FINANCE COMMITTEE**

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STATUTORY COMPOSITION

STATUTORY COMPOSITION

Act 1959-195 (46 P.S. §70.1 et. seq.) created the Legislative Budget and Finance Committee as a bipartisan, bicameral legislative agency. The act specifies that the Committee is to consist of 12 members, six Senators and six Representatives. The Committee is divided equally between both parties in the House and Senate.

The President Pro Tempore of the Senate, the Speaker of the House of

Representatives, and Majority and Minority Leaders of each House are designated by law to be members of the Committee, but they may designate other members to serve in their stead. The President Pro Tempore of the Senate and the Speaker of the House of Representatives appoint three additional members of their respective Houses, at least two of whom are from the Minority party.

The Committee elects its own Chairman, Vice Chairman, Secretary, and Treasurer.

2016 OFFICERS AND MEMBERS

OFFICERS

Senator Robert B. Mensch	Chairman
Senator James R. Brewster.....	Vice Chairman
Representative Robert W. Godshall	Secretary
Representative Jake Wheatley	Treasurer

MEMBERS

SENATORS

James R. Brewster
Michele Brooks
Thomas McGarrigle
Robert B. Mensch
Christine M. Tartaglione
John N. Wozniak

REPRESENTATIVES

Stephen E. Barrar
Jim Christiana
Scott Conklin
Robert W. Godshall
Peter Schweyer
Jake Wheatley

ROLE AND RESOURCES

STATUTORY CHARGES

Under Act 1959-195, as amended by Act 1961-645, the Legislative Budget and Finance Committee (LB&FC) is empowered to review Commonwealth revenues and expenditures to identify unnecessary expenditures, promote economy in state government, and ensure that state funds are expended in accordance with legislative intent and law.

The Committee is charged to report “from time to time, to the members of the Legislature and . . . the standing committees of the Senate and House of Representatives with respect to any of its findings or recommendations”

Act 1986-93, as amended by Act 1998-166, requires the LB&FC to conduct a performance audit to examine the PGC’s compliance with its strategic plan every three years. The next report is due in 2018.

Act 1995-17 requires that the Pennsylvania State Police establish a system for conducting instant background checks on prospective firearms purchasers. The act also establishes a \$2 instant background check fee and a \$3 surcharge on each firearms sale, and requires the LB&FC to assess the adequacy of these fees every five years. The next report is due in 2020.

Act 2004-159 amends the Fish and Boat Code to implement a new license fee structure and requires the LB&FC to conduct a performance audit of the Pennsyl-

vania Fish and Boat Commission every three years. A summary of this study is included in this report.

Act 2008-32 requires the Legislative Budget and Finance Committee to assess the implementation and effectiveness of the act’s provisions to modernize and streamline earned income tax (EIT) collections. A summary of this study is included in this report.

Act 2012-121 created the PA eHealth Partnership Authority as an independent agency of the Commonwealth to facilitate voluntary electronic sharing of health records and public health information statewide through regional health information organizations (HIOs), and directed the LB&FC to evaluate the management, viability, and performance of the Authority. A summary of this study is included in this report.

Act 2013-90, an amendment to the Local Option Small Games of Chance Act, requires the LB&FC to conduct an annual study of the impact of tavern gaming on the State Lottery. A summary of the first of these studies is included in this report.

In addition to statutory charges, the Legislative Budget and Finance Committee staff also performs studies as directed by House and Senate resolutions and as initiated by the Legislative Budget and Finance Committee Officers.

REPORT DEVELOPMENT

The key steps involved in an LB&FC performance audit are outlined below.

Overview of Key Steps in the LB&FC Performance Audit Process

1. AUDIT ADOPTION PHASE

- Audit project initiated by statutory mandate, resolution, or proposal by LB&FC member or other member of the General Assembly.
- Audit project formally adopted by LB&FC officers and/or full Committee.
- Audit assigned to LB&FC staff and incorporated into staff audit schedule.

2. ADMINISTRATION AND PLANNING PHASE

- Develop preliminary audit survey questionnaire.
- Develop audit scope and objectives.
- Develop preliminary survey work plans.

3. PRELIMINARY SURVEY PHASE

- Establish agency reference file.
- Conduct entrance conference.
- Review meeting minutes.
- Conduct initial interviews.
- Obtain audit perspectives (agency staff and "outsiders").
- Review prior reports.
- Test legal compliance.
- Test internal controls.
- Develop non-finding sections.
- Identify audit issues to pursue during fieldwork.

4. FIELDWORK PHASE

- Develop fieldwork audit plans.
- Focused audit activities conducted at central office and field locations.
- Data collection, analysis, and verification carried out in all finding areas.
- Develop draft findings and reference report.

5. REPORT REFERENCING AND INTERNAL QUALITY REVIEW PHASE

- Final referenced copy of draft report prepared and reviewed by audit team.
- Draft report reviewed by Executive Director and/or a project manager not previously involved in the audit for internal quality control review.
- Audit team makes necessary report adjustments.

6. REPORT PRODUCTION, RELEASE, AND POST-RELEASE PHASE

- Confidential draft report sent to the agency for their review.
- Agency response received and final report printed.
- Prepare oral presentation and press release.
- Meeting held and report discussed, released, and distributed.
- Audit files archived.

STAFF RESOURCES

At the end of 2016 the Legislative Budget and Finance Committee had a full-time staff complement of 11. The auditing staff includes persons with graduate degrees in public administration and

business administration. The staff also includes a person with a doctorate degree in social work, two attorneys, and a certified public accountant. The LB&FC organizational structure is shown on the following page.

LEGISLATIVE BUDGET AND FINANCE COMMITTEE STAFF

Terry Beam	Executive Secretary	Krista Keisling	Paralegal
Patricia Berger, JD .	Senior Counsel/Project Manager	Christopher Latta	Project Manager
Louis Day	Analyst	Randal Mortimore	Analyst
Philip Durgin	Executive Director	Maryann Nardone, Ph.D. .	Project Manager
Tomeka Jenrette.....	Secretary	Anne Witkonis	Analyst
Rick Jones, JD.....	Counsel		

RESEARCH RESOURCES

To support its research activity, the LB&FC staff maintains a research library. Library materials are also available for use by legislators and their staffs.

well as recent information on Committee and staff activities, including links to videos of Committee meetings.

The LB&FC library includes financial, legislative, and legal resource documents. It also includes books on auditing standards and performance auditing and professional journals and newsletters. Also available are departmental budget presentations.

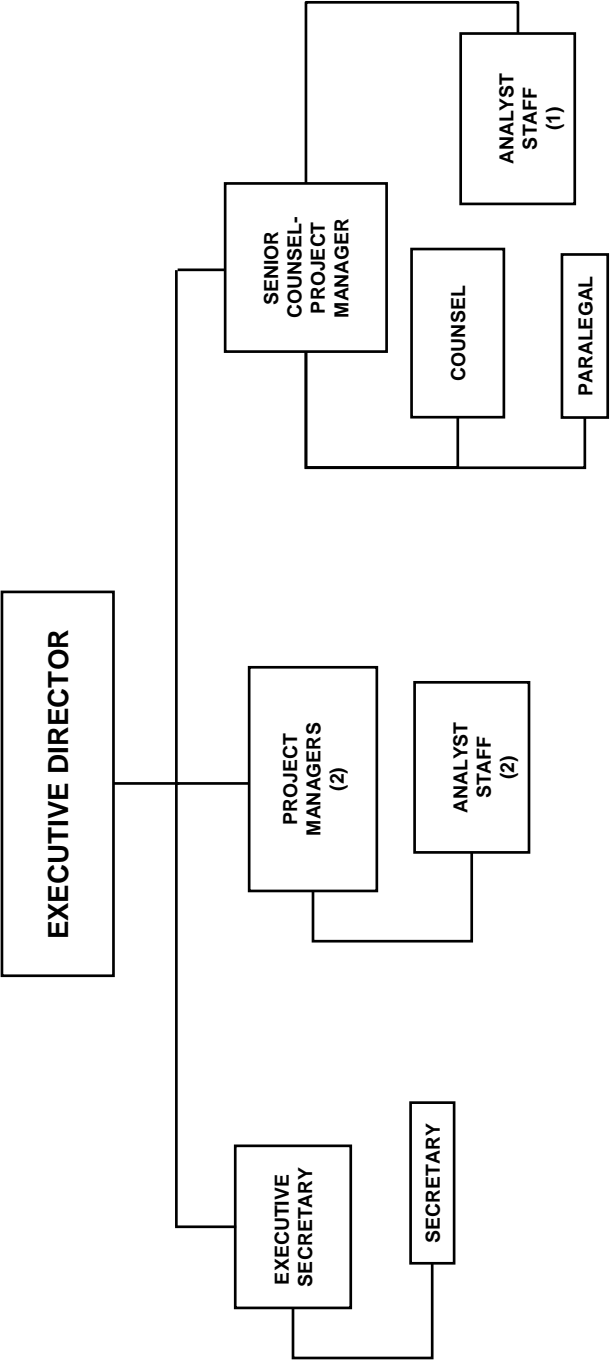
EXPENDITURES

During fiscal year 2015-16, the Committee spent \$1,638,501.

LB&FC UPDATES AND CURRENT ACTIVITIES

Links to one-page summaries of released reports as well as the full reports can be found on the LB&FC website (<http://lbfc.legis.state.pa.us>). The website also lists current Legislative Budget and Finance Committee members and staff as

LEGISLATIVE BUDGET AND FINANCE COMMITTEE



SUMMARIES OF LB&FC REPORTS COMPLETED IN 2016

The LB&FC is charged with conducting informational and evaluative studies and performance audits as directed by the Committee and as mandated by the General Assembly. Further, the Committee is charged to:

. . . make reports, from time to time, to the members of the Legislature and, upon request, to the standing committees of the Senate and House of Representatives with respect to any of

its findings and recommendations...

Seven reports were completed and released in 2016. Summaries of these reports are located on the following pages. Copies of reports can be obtained by contacting our office at 717-783-1600 or 717-787-5487 (fax). Full reports and one-page fact sheets are also available for recent reports via the Committee's website at: <http://lbfc.legis.state.pa.us>.

Pennsylvania's Current and Future Need for Long-term Care Services for Veterans

RELEASE DATE: May 2016

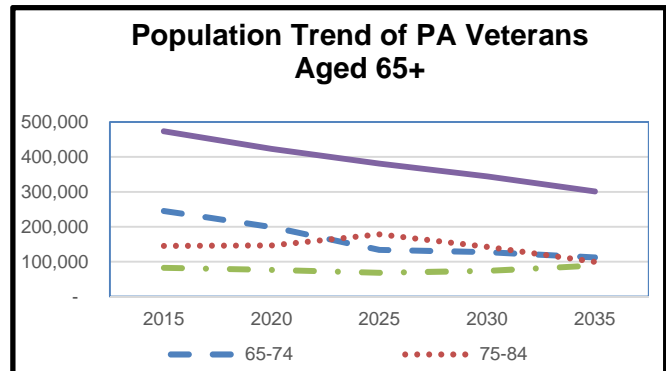
BACKGROUND:

- Senate Resolution 2015-171 called on the Legislative Budget and Finance Committee to conduct a study of the feasibility and cost effectiveness of utilizing privately owned veterans care facilities to augment the Commonwealth's six State Veterans' Homes (SVH). The resolution also directed the study to include information related to the current and future need for long-term care services for Pennsylvania veterans.

- This 41-page report is divided into two major sections plus appendices.

SUMMARY OF FINDINGS:

- **The Pennsylvania Department of Military and Veterans Affairs (DMVA) has a waiting list of 99 veterans waiting for an SVH nursing home bed, with 163 vacant beds available.** The reason SVHs have both waiting lists and vacant beds is primarily due to location; most veterans on the waiting list live in the south east, northwest, or southwest corners of the state, whereas most vacant beds are at the SVH in Huntington County.
- **The number of veterans aged 65+ living in Pennsylvania is projected to decrease by 36 percent over the next 20 years) as follows:**



- **Accordingly, we estimate the number of Pennsylvania veterans aged 65+ needing a nursing home or personal care bed will drop over the next 20 years as follows:**

	2015	2025	2035
PA Vets Aged 65+ Needing Nursing Home Care.....	14,871	12,625	11,071
PA Vets Aged 65+ Needing Personal Home Care.....	7,371	6,291	5,331

- **We further estimate the current number of Pennsylvania veterans aged 65+ with a net worth of less than \$80,000 (and therefore eligible for state assistance at an SVH) to be as follows:**

	2015
PA Vets Aged 65+ Needing Nursing Home Care with Net Worth Below \$80,000	2,633
PA Vets Aged 65+ Needing Personal Home Care with Net Worth Below \$80,000	1,305

- **The number of Pennsylvania veterans aged 65+ currently in need of financial assistance for nursing or personal care home services exceeds the current capacity of the SVHs.** SVHs have 1,246 skilled/dementia and 362 personal care/domiciliary beds. However, for many of these veterans, care is also available through the USDVA and Medicaid.
- **The DMVA believes the demand for SVH beds has been limited due largely to a lack of marketing and the lack of an SVH in some regions of the Commonwealth.** The FY 2007-08 Capital Budget provides for a new SVH in southcentral Pennsylvania at a cost of \$87 million (65 percent federal, 35 percent state), but no funds have yet been appropriated. The DMVA has also requested \$22.9 million (to be matched with \$42.6 million in federal funds) to construct a new 200-bed facility to replace the Hollidaysburg home which was constructed in the early 1950s.
- **State General Fund expenditures for the SVHs totaled \$82.4 million in FY 2014-15.** In two years (FY 2016-17), state costs are projected to increase by 27 percent, to \$104.7 million.
- **The report lists several additional opportunities to improve care for veterans needing long-term care services.** These include adult day health care, converting personal care beds to skilled care beds, and privatizing some or all operations at the SVHs.

Recommendations:

- **The DMVA take the lead in contacting the USDVA regarding piloting an independent living program for older veterans.** Similar pilots have been done in several other states.
- **The DMVA consider privatizing more of the functions performed at State Veterans' Homes.** The DMVA has privatized some functions, but other states have gone much further.
- **The DMVA consider creating a pilot program to assess the feasibility of providing services in private nursing homes.**
- **If a decision is made to construct a new SVH, the DMVA consider contracting out management of that home to a private entity.**
- **The DMVA initiate a joint effort to identify veterans who are currently in or who may soon need nursing home services to ensure they are receiving all the federal veteran benefits to which they are entitled.**

The Impact of Tavern Gaming on the Pennsylvania State Lottery

RELEASE DATE: May 2016

BACKGROUND:

- Act 2013-90, an amendment to the Local Option Small Games of Chance Act, requires the LB&FC to conduct an annual study of the impact of tavern gaming on the State Lottery. Under the act, the Governor may request the General Assembly to transfer money from the General Fund to the State Lottery Fund up to the amount identified in the study. This is the first such report under this mandate.
- This is a three-page memo report.

SUMMARY OF FINDINGS:

- **As of April 2016, the PA Liquor Control Board had licensed 52 establishments in 27 counties.** This is far below the Governor's Office initial estimates of 2,000 licensees. Expensive up-front license fees, intrusive background checks, and an unfavorable tax scheme have been cited as some of the reasons for low participation among tavern owners.
- **In 2015, tavern games generated \$1.42 million in state tax revenue.** In 2014, tavern games generated approximately \$153,000 in state tax revenues. These figures are far below the Governor's Office initial estimates of \$93.6 million annually.
- **Tavern gaming has not had a material impact on the State Lottery.** As the \$1.42 million in tavern revenue collected by the Commonwealth in 2015 represents only about one-tenth of 1 percent (0.12 percent) of the \$1.14 billion collected in Lottery net revenue, we concluded tavern gaming could not have a material impact on the State Lottery.

A Performance Audit of the Pennsylvania Fish and Boat Commission

RELEASE DATE: June 2016

BACKGROUND:

- Act 2004-159 amended the Fish and Boat Code to implement a new license fee structure and requires the Legislative Budget and Finance Committee to conduct a performance audit of the Pennsylvania Fish and Boat Commission (PFBC) every three years. This is the fourth cyclical report.
- This 107-page report is divided into six major sections plus appendices.

SUMMARY OF FINDINGS:

- **Total Fish Fund and Boat Fund revenues have decreased by 1.5 percent over the last three years** – In FY 2014-15, PFBC revenues totaled \$49.9 million, including \$36.4 million (73 percent) deposited in the Fish Fund and \$13.5 million (27 percent) deposited in the Boat Fund. Licenses and fees accounted for 71 percent of all Fish Fund revenues and 56 percent of all Boat Fund revenues.
- **The PFBC continues to make efforts to contain the growth in spending** – The PFBC implemented a Spending Reallocation Plan (SRP) in FY 2014-15 that limits expenditures to no more than the amount of revenues received in any given fiscal year until it can maintain an average of one

year's worth of funding in uncommitted reserves. This is in addition to cost containment efforts made in prior years. Since FY 2012-13, total combined spending has decreased 1.0 percent even as combined personnel spending increased 6.5 percent over the last three years, although salaried staff has decreased 5.7 percent. PFBC officials attribute this to rising health care costs, contractual labor increases, and pension costs.

- **The Fish Fund and Boat Fund reserve balances are projected to be sufficient to meet cash flow needs through FY 2020-21; however, increasing costs may impact operations** – Since FY 2012-13, the year-end balance for the Fish Fund has increased from \$67.4 million to \$74.9 million. The Boat Fund balance has increased from \$23.3 million to \$24.5 million. Although the SRP will keep the funds solvent, increasing pension and healthcare costs will continue to consume more of the operating revenues. Without additional revenue, there will be a need to reduce services.
- **The PFBC implemented many of the objectives of its Strategic Plan July 2010 – June 2015 but, due to funding issues, adopted a new strategic plan in July 2014** – Since the completion of our 2013 audit, the PFBC completed 5 additional goals, carried 18 goals into the new strategic plan and eliminated 6 subgoals.

- **Timely implementation of the Strategic Plan July 2014 – June 2017 has been impeded by funding constraints** – The PFBC has focused this plan on four key areas: funding; conservation; recreation; and internal resources. Lack of staff has slowed the use of restricted revenue accounts and the timely completion of the Trout Management Plan, among others.
- **The PFBC has increased the number of anglers with the sale of multi-year licenses but, the reduction in license fees for 2015 resulted in a net loss of revenue to the Commission** – In an effort to increase the number of licenses sold, annual license fees were reduced by \$1 for 2015. Multi-year licenses purchased in December 2014 were also reduced by \$3 and \$5 (for 3-year and 5-year licenses, respectively). We reviewed the sales for the license categories for which the fee reduction was applicable and found that while the overall number of licensed anglers increased somewhat, the fee reduction resulted in a loss of approximately \$700,000 in license sales revenues. This does not include impacts or revenues from other sources, e.g., Federal Sport Fish Restoration funds. A PFBC consultant study of resident sales that included anticipated federal funds calculated the fee reductions resulted in a \$467,000 net loss.
- evaluate the need to staff a restricted revenue account manager to access funds that are currently available to pursue agency priorities;
- include its advisory bodies more directly in strategic plan goals; and
- continue with its plan to use the results of the Pennsylvania State University team analysis of its operations to inform its next strategic plan.

Recommendations:

The PFBC should:

- consider offering a retention reward to encourage multi-year license holders to purchase a new multi-year license when their current license expires;

Afterschool Programs in Pennsylvania

RELEASE DATE: June 2016

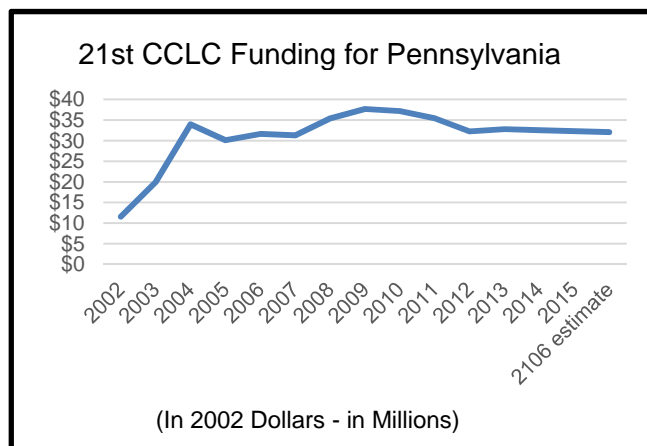
BACKGROUND:

- In December 2015, the LB&FC directed its staff to conduct an update of a report we released in May 2009 on the availability and affordability of afterschool/out-of-school time (OST) programs in the Commonwealth.
- This 106-page report is divided into three major sections plus an appendix.

SUMMARY OF FINDINGS:

- **Since our 2009 report, new legislation has passed, both nationally and in various states, to expand the concept of afterschool/OST programming.** New emphasis on continuous quality improvement, expanded learning time, and STEM (science, technology, engineering and mathematics) and enrichment programs are some of the key developments. For example, over 2/3rds of the programs we surveyed offered some type of STEM program.
- **Most public funding for afterschool programs is targeted to young children (ages 6-12) from low-income families.** Although over 120 federal programs can provide at least some level of funding for afterschool/summer programs, Title 1, subsidized child care and 21st Century Community of Learning Center funds comprise the bulk of federal/state funding.

- **21st CCLC funding, the only dedicated source of federal funds for afterschool programs, has been stagnant for years.**



- **Most afterschool programs depend on parent fees to provide 50 percent or more of their funding.** Federal and state funds were also a major source of funding, with about 30 percent of providers who responded to our survey indicating they received 50 percent or more of their funding from federal sources.
- **Workforce Development Boards (WDBs) are now very limited in their ability to fund afterschool programs.** The new federal act is more restrictive in how much money WDBs can spend on supporting afterschool programs.
- **Approximately 6,700 children are on the waiting list for subsidized child care.** Because the demand for subsidized child care is greater than the funding available, there is a

waiting list. In February 2016, the Department of Human Services estimated the waiting list was two to four months.

- **The Afterschool Alliance estimates about 190,000 Pennsylvania children participate in afterschool programs.** It also estimates an additional 600,000 children would participate in afterschool programs if an affordable one were available to them.
- **Aftercare providers cite staff recruitment and retention, sustainable funding, and parent engagement as their top challenges.** Seventy-two percent of afterschool providers cited staff recruitment and retention as their top challenge, citing low wages and the part-time nature of many of the jobs. Sustainable funding was the second most common challenge cited.
- **Capacity issues appear to be more prevalent in urban areas of the state.** Fifty-eight percent of afterschool providers in urban areas reported their programs were at full capacity, versus 45 percent in suburban areas and 43 percent in rural areas. Staffing limitations, due to funding restraints and/or the inability to attract and retain staff, was the most common reason as to why they cannot accept more students.
- **Over one-third of the 93 school districts responding to our questionnaire reported that more afterschool programs are needed.** This varied somewhat by the age of the student, with the greatest need being cited for middle school (grades 6-8) students.

- **Many states dedicate state funding toward afterschool programs or have undertaken other steps to help support these programs.** About 20 states (Pennsylvania is not among them) have budgeted at least some state funding for afterschool programs.

Recommendation:

We recommend an informal “working group” be created to be comprised of representatives from key Departments and offices (e.g., Education, Human Services, Labor and Industry) and key stakeholders from the afterschool advocate and provider community as well as interested members of the General Assembly.

Pennsylvania eHealth Partnership Evaluation

RELEASE DATE: October 2016

BACKGROUND:

- Act 2012-121 created the PA eHealth Partnership Authority as an independent agency of the Commonwealth to facilitate voluntary electronic sharing of health records and public health information statewide through regional health information organizations (HIOs), and directed the LB&FC to evaluate the management, viability, and performance of the Authority, which was scheduled to expire July 2017. In July 2016, Act 2016-76 eliminated the Authority as an independent agency and created the PA eHealth Partnership Program within the Department of Human Services (DHS) with an advisory board to be appointed within 90 days by the General Assembly and the Secretary of DHS.
- This page report is divided into three major sections plus appendices.

SUMMARY OF FINDINGS:

- **Act 2012-121 reinforced prior public and private efforts, nationally and in Pennsylvania, to promote and support adoption of health information technology and statewide electronic health information exchange.** They included the state medical society, hospital and health system association, and major health insuring organizations forming the non-profit PA eHealth Initiative

(PAeHI), and some Pennsylvania health systems forming regional HIOs. Pennsylvania was also awarded a \$17.1 million one-time, multi-year federal grant for a statewide exchange with governance through a public-private partnership created in state legislation. Act 121 provided such governance, and made Pennsylvania one of 33 states (including Delaware, Maryland, New York, and West Virginia) with statewide exchange legislation.

- **Significant private and public funds have been invested thus far to promote electronic health records (EHRs) and health information exchange.** The federal Centers for Medicare and Medicaid Services (CMS), for example, as of early 2016, had paid over \$1.45 billion in incentive payments to 22,000 unique Pennsylvania providers and 172 hospitals to adopt EHRs and demonstrate their “meaningful use.” By 2014, 76 percent of Pennsylvania physicians had adopted some form of EHR systems, and 87 percent of Pennsylvania hospitals electronically exchanged health information with outside providers.
- **The Authority accomplished many responsibilities assigned by Act 121.** It:
 - Established the statewide exchange known as P3N (PA Patient and Provider Network), with one HIO fully operational with the state exchange as of June 2016, and others with the potential to cover

much of the state positioned to become operational in summer 2016.

- Invested about 40 percent of Pennsylvania's \$17.1 million grant in local and regional exchanges.
- Obtained through DHS about \$5 million in CMS funds for regional HIOs to help link over 70 hospitals and ambulatory centers to regional and state exchanges.
- **As of June 2016, the Authority Board had been without a hospital representative for more than one and a half years, and a consumer representative for almost a year.** This despite significant efforts to involve key stakeholders, develop and conduct consumer education programs, and establish a consumer opt-out-registry as part of the state exchange.
- **Private revenues will not be sufficient to sustain statewide exchange operations.** Pennsylvania's exchange was designed to build on existing local networks and information service providers and not supplant them. It, therefore, anticipates only \$500,000 annually in private source revenue. To sustain efforts for statewide and national exchange, DHS's FY 2016-17 budget includes about \$4 million for Act 76's new program, with about half from federal sources.
- The hospital and consumer representative seats should be filled.
- The General Assembly may wish to require the new DHS program be evaluated in three to five years in light of the many changes that are occurring in health information technology and exchange, the implementation of federal payment reform initiatives, and to assess the effect of the transfer of Authority activities to DHS.

Recommendations:

- DHS and the General Assembly should form an advisory board for Act 76's new program.

Cost Estimates to Implement the Recommendations of the Task Force on Lyme Disease and Related Tick-borne Diseases

RELEASE DATE: October 2016

BACKGROUND:

- In recognition of the seriousness of the Lyme disease problem in Pennsylvania, the General Assembly enacted Act 2014-83, the Lyme and Related Tick-Borne Disease Surveillance, Education, Prevention and Treatment Act. The Act directed the Department of Health (DOH) to establish a Task Force on Lyme Disease and report their recommendations. The final recommendation of the Task Force asked the Legislative Budget and Finance Committee to “provide a useful estimate of costs for key recommendations” contained in their report. The Committee subsequently agreed to conduct the study.
- This 77-page report is divided into three major sections plus appendices.

SUMMARY OF FINDINGS:

- **Pennsylvania had the most confirmed cases of Lyme disease in 2014.** At nearly 6,500 confirmed cases, Pennsylvania had nearly 3,000 more than the next closest state. From 2009 to 2014, Pennsylvania had the most confirmed cases of any state in five out of six years.
- **The Center for Disease Control (CDC) believes its recommended tests for detecting Lyme disease**

“have very good sensitivity.” Others believe the CDC testing approach is seriously flawed. Efforts are underway to develop more reliable tests.

- **Routine maintenance (e.g., mowing) and low-cost personal safety steps (e.g., DEET-based insect repellent) can reduce tick habitat/bites in parks and schools.** Other steps include improved signage and installing a “4-Poster System” to reduce ticks. This system uses rollers to “paint” a small amount of insecticide onto the neck and ears of deer and has shown to reduce tick populations by up to 90 percent. Costs to install such devices in schools and parks would be about \$4.4 million, with annual maintenance costs of \$2.7 million.
- **The Department of Conservation and Natural Resources (DCNR) has been very proactive regarding tick awareness and prevention of tick-borne illness.** About one-quarter of DCNR state park and forest staff work in areas where ticks thrive, and DCNR provides insect repellent clothing and takes other steps to protect its staff from Lyme disease. DCNR also has a high rate of workers’ compensation claims associated with tick bites.
- **To develop and send informational brochures to Pennsylvania family practice physicians would cost about \$772,000.** If delivered by persons competent to speak about Lyme

disease, costs would be about \$2.2 million.

- **No state has dedicated significant state resources to fund Lyme disease research, at least in recent years.** Many states, however, receive federal funding for various Lyme disease programs. Pennsylvania has received few such funds (\$4.60 per confirmed case). Rhode Island received \$804 per case.
- **Lyme disease public awareness campaigns in other states have received very little state funding.** Most states used a combination of free media and websites hosted by their health departments and the CDC to disseminate information to the public and medical professionals. Costs to conduct a statewide public awareness campaign in Pennsylvania would range from nominal costs (if limited to free advertising) to \$11.5 million for a comprehensive 5-year campaign.
- **The Task Force recommends DOH encourage development of accurate diagnostic tests.** However, the DOH laboratory is a surveillance lab, not a research lab. We also found numerous efforts are already underway to develop more reliable tests.
- **Improved reporting of Lyme disease is a significant goal of the Task Force.** However, automated electronic reporting of Lyme disease cases could cost upwards of \$60 million. If new reporting requirements included other diseases, costs would likely be significantly lower on a per disease basis.
- **An epidemiologic study would cost about \$8.8 million.** Such a study would provide more detailed geographic data on where state resources might be used most productively.
- **The DOH already has an online Lyme-disease clearinghouse and could use many existing resources to help with Lyme disease issues at little or no cost.**

The Impact of Act 32 on the Collection of Local Earned Income Taxes

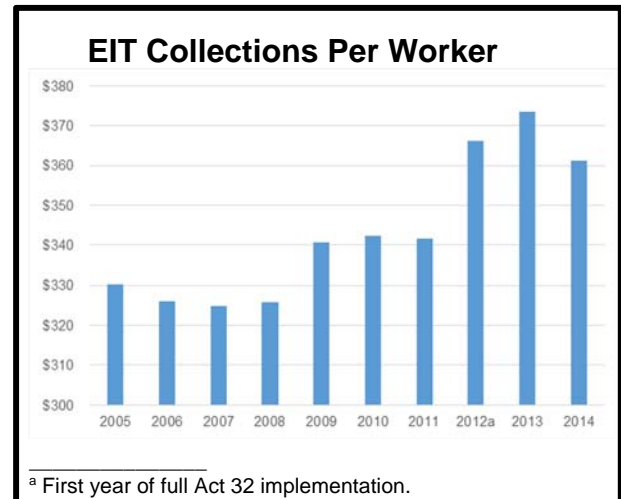
RELEASE DATE: October 2016

BACKGROUND:

- Act 2008-32 required the Legislative Budget and Finance Committee to assess the implementation and effectiveness of the act's provisions to modernize and streamline earned income tax (EIT) collections.
- This 60-page report is divided into three major sections plus an appendix.

SUMMARY OF FINDINGS:

- **We found widespread agreement among tax collectors, municipalities, and employers that Act 32 has been a marked success.** Prior to Act 32, each of Pennsylvania's 2,900 jurisdictions selected an EIT collector, resulting in about 560 tax collectors. After Act 32, this was reduced to 69 tax collection districts and fewer than 20 tax collectors. While some organizations offered suggestions for how the act could be improved, the most common recommendation was to use Act 32 as a model to modernize the collection of other local taxes, such as property taxes, the local services taxes, and business privilege taxes.
- **Act 32 appears to have increased EIT collections by about \$173 million annually.** We estimated that EIT collections increased by about \$29 per worker, or \$158 million on a statewide basis, due to the improved efficiencies of Act 32.



We also found that in the two years after Act 32 was enacted, EIT collections as a percentage of Personal Income Tax compensation, increased by 0.07 percent, or \$188 million annually. Averaging these two estimates yield an annual projected increase in EIT collections of \$173 million since 2012, the first full year of Act 32 implementation.

- **Not all tax collection committees (TCCs) are conducting or submitting the required annual audits.** Act 32 requires all TCCs to have audits conducted of the EIT receipts and distributions made by their tax collector. The audits are then to be submitted to the Department of Community and Economic Development and, if there is a finding of noncompliance, to the Auditor General. We reviewed the 2014 audits and found seven TCCs that did not complete an audit in 2014 and six TCCs that had audits completed, but they were not filed with DCED. Five other audits were not

done in the recommended format, were missing key pieces of information, or should have been filed with the Auditor General's office but were not.

- **Sixty-one (of 69) tax collection committees and 16 (of 17) tax officers responded to our questionnaires.** We were not able to visit/inspect all the TCCs or tax officers, so we largely relied on questionnaires and the Act 32 audits to assess compliance with Act 32. While the responses we obtained contain various recommendations for how Act 32 could be improved, as a whole they express widespread praise for the improvements enacted by Act 32.
- **DCED has proposed regulations to significantly strengthen the level of internal controls at tax collector offices.** The regulations, which are currently under review by the IRRRC (Independent Regulatory Review Commission), would, among other requirements, require tax collectors to under-go a more rigorous "SSAE 16" audit of their internal controls at least every two years.

Recommendations

- DCED monitor the tax collection committees to ensure that annual audits are submitted as required.
- DCED post summary information on tax collector costs on its internet website.
- DCED continue its efforts to promulgate regulations regarding the administration of Act 32.

**PROJECTS READY FOR RELEASE/IN PROCESS/ASSIGNED
AT YEAR'S END**

Compensation for Members of Boards and Commissions – SR 138 calls for the Legislative Budget and Finance Committee to study Commonwealth expenditures for salaries and other compensation and benefits of members of state boards and commissions. This report is planned for release in spring 2017.

Access to Justice – Act 2012-79 (HB 1026) changes the termination date of the Access to Justice Act to November 1, 2017, and requires an audit to determine if there is a continuing justification for the activities and level of financial support provided under the act. This report is planned for release in early 2017.

Motor License Fund Support for the Pennsylvania State Police – HR 622 calls on the LB&FC to conduct a comprehensive review of the appropriate and justifiable level of Motor License Fund support for the Pennsylvania State Police given the constitutional protection of that fund. This report is planned for release in early 2017.

Overtime Costs Incurred by the Department of Corrections – SR 263 requires the LB&FC to study overtime costs incurred by the Department of Corrections relating to staffing shortages. This report is planned for release in early 2017.

Beneficial Use of Sewage Sludge – HR 60 calls on the LB&FC to review the Commonwealth's program for beneficial use of sewage sludge by land application.

This report is planned for release in spring 2017.

County Recorder of Deeds – HR 1073 requires the LB&FC to conduct a comprehensive review of the scope of records maintained and fees collected by the county recorder of deeds offices in the Commonwealth and to make recommendations. This report is planned for release by June 2017.

Charter School Funding – The members of the Legislative Budget and Finance Committee directed the staff to study the financial implications of charter schools and cyber charter schools on public school finances and the totality of costs faced by taxpayers on the state and local levels. This report is planned for release by June 2017.

Personal Care Homes/Assisted Living Facilities – The LB&FC Officers adopted a follow up to the LB&FC 2007 report on personal care homes/assisted living facilities, with a focus on how other states use Medicaid funds to support entry into assisted living facilities. This report is planned for release by June 2017.

State Grant Information – The Officers of the Legislative Budget and Finance Committee directed the staff to compile information on the grants administered by state agencies, including the purpose of the grants, eligible recipients, grant dollars, geographic location of recipients, and monitoring requirements. This report is planned for release in spring 2017.

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