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Below is a summary of key public policy issues impacting the Pittsburgh region's nonprofit sector.

FEDERAL NEWS

Last Chance to Register!

Register Here

How Tax Reform Will Impact Nonprofits ***With an emphasis on nonprofit fundraising***

Hosted by Cohen & Grigsby

April 12, 2018

9:00 – 10:30 a.m.

EQT Building, 2nd Floor
625 Liberty Avenue
Pittsburgh, PA 15222
(please bring photo identification)

Presenter: Michael Dana, Cohen & Grigsby, Tax

Michael focuses his practice on providing U.S. tax advice to nonprofits, businesses and their owners -in connection with all aspects of business formation, operation and disposition. Michael will provide an update on the recently enacted Tax Cut and Jobs Act focusing on provisions most relevant for nonprofits challenges to deal with these changes.. In particular, the seminar will discuss:

- Overview of the Legislation (Very General / Discuss Scope of Legislation)
- Specific Areas of Tax Reform Focusing on How the Changes Could Affect Non-Profits' Fundraising
 - Corporate Tax Reform
 - Individual Tax Reform
 - Estate & Gift Tax Reform

- Provisions Specific to Tax Exempt Entities
- Non-Profit Traps for the Unwary

[“HHS proposed rule lowers the bar for care and discriminates against certain people,” The Hill, 4/4/18](#)

[“Trump's pick to oversee wildlife policy has history of opposing Endangered Species Act,” The Hill, 4/4/18](#)

[“Pruitt takes over authority for water protections policy,” The Hill, 4/4/18](#)

[“Don’t Get Tripped Up By The IRS Tweak To Health Savings Accounts,” Kaiser Health News, 4/3/18](#)

[“Americans Have Mixed Feelings About The ACA’s Future — But Like Their Plans,” Kaiser Health News, 4/3/18](#)

[“Medicare Advantage Plans Cleared To Go Beyond Medical Coverage — Even Groceries,” Kaiser Health News, 4/3/18](#)

[“CMS tweaks opioid proposal after backlash,” The Hill, 4/3/18](#)

[“ObamaCare enrollment dips just slightly after Trump cuts to promotion,” The Hill, 4/3/18](#)

[“Business groups worried about Trump's China tariffs plan,” The Hill, 4/3/18](#)

[“Treasury proposes updates to law meant to boost lending in poor communities,” The Hill, 4/3/18](#)

[“Trump hopes to have renegotiated NAFTA deal to present by mid-April: report,” The Hill, 4/2/18](#)

[“Breast cancer page scrubbed from women's health website: report,” The Hill, 4/2/18](#)

PA STATE POLICY NEWS



Do you have questions about the Human Services budget?

Check out PA Budget on the Run

**Hosted by John Denny of Denny Civic Solutions
and Donna Malpezzi, Esquire of DMMConsulting**

Special Guest

**Jen DeBell, Associate Executive Director of PennAEYC and Former PA
DHS Policy Director**

[Click Here to Watch Video](#)

New proposal seeks to further chip away at Keystone Exam graduation requirement, offer multiple graduation options

The seesaw that is public education policy could soon be sawing back to where it was, roughly, pre-Keystone Exams. Lawmakers postponed (twice) the effective date of a requirement that all students pass the Keystone Exams in Literature, Algebra I and Biology in order to graduate, but it's still on the books (currently scheduled to become effective with the 2019-20 school year) unless state law is changed.

And that appears to be exactly what state Sen. Tom McGarrigle, R-Delaware, would like to do with legislation that he'll soon introduce. "With the delay in the Keystone Exam graduation requirement set to expire in the 2019-20 school year, schools are uncertain about how to plan programming," writes McGarrigle in [a co-sponsorship memo which he began circulating last month for his bill](#). The bill, in essence, it makes the Keystone Exams mostly irrelevant, as it seeks to allow students to both meet local grade-based requirements and demonstrate competency through completion of one of several pathways: passing all three Keystone Exams; passing a variety of alternate assessments (such as a subject-specific advanced placement, international baccalaureate, or an armed services vocational aptitude test), gaining acceptance in a registered apprenticeship program after graduation, or attainment of a career readiness certificate (for career and technical education students); or presenting at least three approved pieces of "rigorous and compelling" evidence relating to a student's postsecondary or career objectives that reflect readiness for graduation. While it's as yet unclear what statewide standards might be applied to some of those pathways, the proposal has already gotten the support of the [Pennsylvania State Education Association](#) (the state's largest teachers' union) and the [Pennsylvania School Boards Association](#).

Source: Capitolwire: "New proposal seeks to further chip away at Keystone Exam graduation requirement, offer multiple graduation options" by Chris Comisac

Gov. Wolf to renew disaster declaration regarding opioid abuse

Gov. Tom Wolf is expected to renew his 90-day opioid disaster declaration. On Jan. 10, the governor first declared a state of disaster emergency with regard to opioids, an uncommon use of Pennsylvania's disaster emergency statute, but which allows Commonwealth agencies to use all available resources and personnel, as necessary, to cope with the magnitude and severity of the situation. In past states of emergency, normal bid and contract procedures, as well as other formalities prescribed by law, have been waived for the duration of the proclamation. [Subchapter A of Chapter 73 of Pennsylvania Consolidated Statutes Title 35 \(Health and Safety\)](#) relates to the governor and declarations of "disaster emergencies," and it prescribes a state of disaster emergency may be continued by the governor for no more than 90 days, unless renewed by the governor. A concurrent resolution by the General Assembly may terminate the state of disaster emergency at any time. With the clock running out on the first 90-day period, the governor's office says Wolf will announce he's renewing the declaration to continue the "all-hands-on-deck approach" to opioid abuse, as well as discuss what has been done under the auspices of the first 90-day declaration. According to the event announcement, Senate Minority Leader Jay Costa, D-

Allegheny, will join Wolf to announce the introduction of new legislation regarding public health emergencies.

Source: Capitolwire: Under the Dome

PA's General Fund revenue total remains in the black despite March collections being \$274 million short of estimates

Pennsylvania's General Fund revenue didn't meet expectations for the month of March, but that less-than-good news doesn't appear to be all that bad. Last month's result can, at least in part, be chalked up to some extenuating circumstances, and even with the monthly shortfall the year-to-date General Fund revenue total remains \$221.7 million, or 0.9 percent, ahead of estimate. However, the off-timing of certain expected revenues is making it difficult to fully determine how things stand, right now, for the General Fund.

March and April are normally two of the largest revenue months of any fiscal year in Pennsylvania, with March usually being a big month for corporate tax revenue collections and April's focus being on personal income tax collections. Federal tax changes may impact when those taxes produce their revenue, as well as the ultimate amount they produce this fiscal year. As for last month, the state Revenue Department reports March General Fund revenue totaled \$4.3 billion, which was \$274.2 million, or 6 percent, less than anticipated. Compared to March 2017, last month's collected revenue was a decrease of \$97 million, or 2.2 percent. A good deal of the shortfall was due to corporation taxes coming up \$121.4 million, or about 5.2 percent, short of expectations.

Within that figure, the Corporate Net Income Tax (CNIT) and the Gross Receipts Tax (GRT) underperformed by a combined \$215.2 million, with financial institutions taxes — which include bank shares and mutual thrift institutions taxes — and the insurance premiums tax helping to blunt that deficiency by beating their revenue estimates in March by a combined \$95.2 million. In its Monthly Trends [report for March](#), the Independent Fiscal Office suggested the weak showing by the CNIT could be due to a temporary timing issue related to a change in tax due dates effective for certain payments made beginning in calendar year 2017. If it does have an impact, how much remains unclear, said the IFO. However, the cause of the GRT shortfall, according to the IFO, is clearer: it's primarily due to lower than anticipated electric receipts. Recent data from the U.S. Energy Information Administration indicate a decline in both electric utility prices and demand for calendar year 2017, the IFO stated.

The two remaining major revenue generators for Pennsylvania — the Personal Income Tax (PIT) and the Sales and Use Tax (SUT) — produced revenue figures that were closer to expectations, although neither actually met their estimates for March. SUT receipts totaled \$787.1 million for March, which was \$9 million, or 1.1 percent, below estimate; year-to-date collections are also slightly off the mark, by \$13.4 million, or 0.2 percent. Last month's PIT revenue was \$1.1 billion, which missed expectations by \$23.1 million, or nearly 2.3 percent. For the year thus far, PIT collections are \$115.1 million, or 1.3 percent, above estimate.

The one, and only, tax that did better than anticipated in March? The state's realty transfer tax generated \$40.3 million, which was \$5.7 million, or roughly 15.7 percent, above estimate. The tax's year-to-date total is closer to the projected mark: \$4.2 million, or 1.1 percent, ahead of expectations, at the moment. The state's inheritance tax, and Pennsylvania's "sin" taxes on gambling, alcohol and tobacco products, all came in short of estimates by a combined \$28.9 million (\$14.7 million, or 14.1 percent, for inheritance tax revenue; \$14.2 million, or 16.8 percent, for "sin" tax revenue). However, both aren't too far off estimate for the

year through March: the inheritance tax is \$16.9 million, or 2.3 percent, below estimate, while the “sin” taxes are \$18.3 million, or 1.4 percent, below estimate.

The other big “loser” of the month - as it came up short of estimate - was non-tax revenue, although this was mostly expected due to some non-tax revenue being received by the General Fund ahead of time (February’s non-tax revenue total was \$398.8 million above estimate), as well as some planned revenues being delayed. March’s \$97.4 million below-estimate non-tax revenue figure had \$70 million from iGaming license fees included in it. Those licensing fees now aren’t expected until Fiscal Year 2018-19 (as the Gaming Control Board is still working on the internet gambling regulations and has not set roll out date for the new gaming option). Additionally, there was to have been another Category 4 (mini-casino) license auction in March, but it had to be rescheduled to Wednesday, April 4, due to a winter storm.

Mini-casino license revenue through February is \$84.5 million above estimate, which has been helpful in keeping the year-to-date non-tax revenue total well above expectations. A \$1.5 billion borrowing against Pennsylvania Tobacco Settlement Fund (to be used to satisfy the FY2016-17 budget shortfall), a \$200 million loan secured by Gov. Tom Wolf’s administration at the end of January, as well as an earlier-than-expected transfer of \$185 million from the Pennsylvania Liquor Control Board’s State Stores Fund, have all helped to push non-tax revenue to a year-to-date total of nearly \$2.26 billion.

*Source: Capitolwire: “PA’s General Fund revenue total remains in the black despite March collections being \$274 million short of estimates”
By Chris Comisac*

Gaming Board moves ahead with internet gambling plans

The Pennsylvania Gaming Control Board is moving ahead with plans to introduce internet gambling as it prepares for another mini-casino auction. The board will consider approval of a third set of temporary regulations for internet gambling at a regular meeting following the auction. Up to ten mini-casinos and casino-run internet gambling are authorized under the state revenue package enacted last October to pay for the Fiscal Year 2018-19 state budget.

The auction will be the first under the gaming board’s rules for a “subsequent round” of mini-casino auctions since the fifth auction held in early March had no bids from Category 1 and 2 casinos that hadn’t already won an auction. Under the rules for a subsequent round, the pool of potential bidders is expanded to include all Category 1 and 2 casinos, including the four that have won earlier auctions, and the two Category 3 (tourism casinos) Valley Forge and Lady Luck Casino Nemocolin. The previous four auctions have yielded \$119.5 million from winning bids which goes to support the state General Fund.

Concerning internet gambling, the board plans to accept petitions from Pennsylvania casinos starting April 16 to obtain an “interactive gaming certificate.” Companies that want to operate interactive games can submit their applications to the board starting June 4. A casino would be authorized to offer three categories of games with a certificate. These include “peer to peer” or non-banking games where players compete directly against other players like poker, non-peer or banking games that simulate table games and games that simulate slot machines.

The gambling expansion law requires internet players to be 21 and in Pennsylvania. The board plans to use identity monitoring and confirmation software to help verify the identity, age, address and other information about players. The gaming board doesn’t have a roll out date for internet gambling and is implementing the program one step at a time, board spokesman Doug

Harbach said Monday.

*Source: Capitolwire: "Gaming Board moves ahead with internet gambling plans"
by Robert Swift*

PA lawmakers offer some ideas for school safety improvements

With some of the conversation following the school shooting in Florida on school safety (although the majority of focus thus far seems to have been on gun control), one state senator has proposed an idea he says should help to begin addressing those safety issues. "Given the tragic school shootings, we have to explore all ways of improving school safety and keeping our children safe," said Sen. Jim Brewster, D-Allegheny, in an announcement regarding his planned bill. "New or refurbished school buildings must be equipped with state-of-the-art safety features to prevent trespass, stop assailants and secure space for children." According to Brewster, his legislation would prohibit state reimbursement for any school building construction or rehabilitation through Pennsylvania's "PlanCon" process unless baseline safety elements are included in the plans. PlanCon is the state's Planning and Construction Workbook process, through which hundreds of millions of dollars flow to reimburse school districts for approved school construction projects. The senator indicated "basic safety elements" would include such things as the installation of safety stops, emergency lights and panic buttons, impenetrable strong glass, secure access points and surveillance cameras. Such elements would be approved through a statewide school safety panel that Brewster hopes to create legislatively "so that experts would have the opportunity to express their ideas about best practices." Another lawmaker, Rep. Will Talman, R-Adams, wrote in a recent editorial that finding the funding for school safety improvements will likely be the biggest hurdle to overcome in the effort to make schools safer, and that moving toward more-uniform school construction in Pennsylvania could help.

Source: Capitolwire: Under the Dome

GOP gubernatorial candidate Ellsworth headlines PA Press Club

Republican gubernatorial candidate Laura Ellsworth, in remarks to the Pennsylvania Press Club on Wednesday, portrayed herself as the candidate with the best chance to defeat Wolf in the general election and end a long-standing culture of sexual harassment at the state Capitol. "When the culture has a woman in that [top] seat, people will behave different," Ellsworth, a Pittsburgh lawyer, said. She also said she's on board with placing a work requirement on "able-bodied" adult recipients of medical assistance, a key state budget priority of many GOP lawmakers. Ellsworth said the state-run MA program is important for people who need medical services. "To have the money to do that, we have to make sure people who can work do work," said Ellsworth. Emphasizing the value of work, Ellsworth said, "I found my dignity when I stepped out of my childhood and earned my own money." She is competing for the GOP gubernatorial nomination in the May 15 primary with Sen. Scott Wagner, R-York; and Pittsburgh businessman Paul Mango. During agency hearings regarding Democratic Gov. Tom Wolf's state budget for Fiscal Year 2018-19, GOP lawmakers repeatedly raised the issue of Wolf's vetoing a bill last October requiring a 20-hour-a-week work requirement for able-bodied Medicaid recipients. When asked during those hearings if her department had applied for any federal waivers under a new Trump administration policy to try out a work requirement, Department of Human Services Secretary Teresa Miller said her agency is interested in removing barriers, such as the lack of a driver's license, that prevent individuals from getting jobs. House Speaker Mike Turzai, R-Allegheny, briefly a candidate for governor himself, said the Legislature should send a second work requirement bill to Wolf.

LEGISLATION

- [HB 2209: Act re State agency audits](#)
- [HB 2210: Amends Public School Code re offenses](#)
- [HB 2213: Amends Human Services Code re adoption subsidy](#)
- [HB 2215: Amends Public School Code re evacuation drills](#)
- [HB 2216: Amends Title 18 re prohibited weapons](#)
- [HB 2204: Amends Public School Code re vocational ed](#)
- [HB 2217: Amends Public School Code re bullying](#)
- [HB 2218: Amends Public School Code re bullying](#)
- [HB 2219: Amends Public School Code re bullying](#)
- [HB 2220: Amends Title 35 re firefighter service](#)
- [SB 1029: Amends Titles 18, 23 & 34 re firearms](#)
- [SB 1096: Amends Title 75 re automated work zone vehicle](#)

Prepared By:



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