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GPNNP Policy Briefs

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Southwestern PA Forces of Change Survey

Our region's transportation planning body, Southwestern PA Commission, is in the midst of its current long-range plan. This plan decides how state and federal transportation funds – roughly \$1 billion/yr, including public transit – are spent throughout southwestern PA. We need your help in representing your community's desires through this survey and spreading the word through your networks. [Click here for the survey.](#)

To capture a variety of perspectives across Southwestern Pennsylvania, we ask for your help to spread the word. Please share this survey and information to friends, family, and colleagues. The survey only takes about 10 minutes and can be done via desktop or mobile device.

Federal Policy News

- ["Trump moves to roll back Obama emission standards," The Hill, 8/2/18](#)
- ["Meet the group funding the fight to expand Medicaid in red states," The Hill, 8/2/18](#)
- ["Four cities sue Trump saying ObamaCare 'sabotage' violates Constitution," The Hill, 8/2/18](#)

- ["Senate clears \\$154B 'minibus' spending measure," The Hill, 8/1/18](#)
- ["Trump expands non-ObamaCare plans in effort to open up cheaper options," The Hill, 8/1/18](#)
- ["Senators introduce legislation to bolster election infrastructure," The Hill, 7/31/18](#)
- ["Senate GOP, Dems reach deal to move major domestic spending bill," The Hill, 7/31/18](#)

Election Updates

- ["Trump visits Wilkes-Barre tonight, an area key to his 2016 victory," Post gazette, 8/2/18](#)
- ["Pa. millennials are sick of the BS in Harrisburg — so they're running for office" Billy Penn, 8/2/18](#)
- ["HRC Endorses PA Rep. Conor Lamb for Re-election," HRC, 8/1/18](#)
- ["Greens Run Candidates for Pennsylvania Governor, US Senate," U.S. news & world Report, 8/1/18](#)
- ["Red or blue? These 6 Pa. counties will offer a test for Casey, Barletta in Senate race," York Daily Record](#)

Pennsylvania News

DCNR report shows slack in Marcellus Shale forest drilling

Marcellus Shale gas drilling in the state forests has not impacted water quality in ecologically important headwater streams, but it has served as a pathway for invasive plants which are a major concern throughout Pennsylvania, according to a new state monitoring report. The Department of Conservation and Natural Resources released its second shale gas monitoring report since 2014 during a meeting Wednesday of the agency's Advisory Council. The report looks at the period from 2013 to 2016, when gas drilling activity declined as a result of market forces leading to lower prices, State Forestry official Ken Duren told the council. A key indicator in this regard is the decline in total forest acres "converted" for drilling purposes. The total dropped from 1,425 acres during the shale gas boom years, from 2008 to 2012, to 334 acres converted from 2013 to 2016. Pennsylvania's state forests include 2.2 million acres of which 1.5 million acres are in areas with deep Marcellus Shale gas deposits.

The report found no water quality problems along the 3,400 miles of streams in state forests in the Shale region. While water quality hasn't been affected, the report indicates Pennsylvania is battling the spread of invasive non-native plant species, such as Japanese stillgrass, Oriental bittersweet and Goat's' rue, on many fronts. These species thrive where drill pads and pipelines are located, the report said. The report monitors 15 drilling impacts including water, plants, animals, invasive species, soil, recreation, infrastructure, community engagement, air, revenue, incidents, forest landscapes, forest health, timber products and energy.

DCNR officials said they will continue to try to keep forest land from being fragmented into separate parcels by drilling activities. This fragmentation can disrupt wildlife habitat and the sense of being deep in a forest. One way to do that is to locate gas pipelines along existing roads. Gov. Tom Wolf put a moratorium on the leasing of additional forest acres for Marcellus drilling in 2015. This action

followed the first lease of 74,000 acres of forest land for Shale gas development, in 2008 during then-Gov. Ed Rendell's term. DCNR anticipates that as the natural gas market's conditions improve, more drilling will occur on acres of state forest land already leased to drilling companies.

The monitoring report was released as DCNR conducts a series of public meetings in the 20 forest districts on a new management plan for the state forests. During the council's public comment period, an official representing Shale drillers highlighted the importance of state impact fees paid by the industry. Impact fee revenue supports DEP oversight, Growing Greener grants, the Marcellus Legacy Fund and other conservation programs, said Patrick Henderson with the Marcellus Shale Coalition.

Source: Capitolwire: "DCNR report shows slack in Marcellus Shale forest drilling" by Robert Swift

Tug-of-war about speed camera bill still leaves ambiguities

More than 20 pages of crossed out text characterize a bill that's been going back and forth between the two houses of General Assembly. [Senate Bill 172](#), which would place speed cameras in active work zones, saw a number of changes during the month of June. Pennsylvania Department of Transportation (PennDOT) statistics indicated 1,935 crashes in work zones, including 23 deaths, in 2015 and 2,075 work-zone crashes with 16 deaths in 2016. After the Senate sent the bill to the House, it was amended by the chamber, but after getting it back from the House, the Senate made its own changes, meaning the House must review it once more. Not yet referred to a House committee, the bill would appear to be somewhere between the Senate President's desk and the House Speaker's desk. The bill could next see action in September, when the Legislature returns from its current post-budget summer break.

SB172 seeks to create an automated speed enforcement system for highway work zones as part of a 5-year pilot program. With a speed timing device, the electronic traffic sensor automatically detects vehicles exceeding the posted speed limit. As a result, the system records an image of the license plate, the location of the work zone and the date and time of the incident.

The Senate passed the amended version on the last session day of June 22. Agreements were made about where revenue would go and who would have oversight of the program. The Pennsylvania Turnpike Commission (PTC) estimates the five-year pilot program could produce net revenue of \$45.3 million from just the PennDOT and PTC portion of SB172. Revenue would be disbursed differently in the first three years and the last two. They decided in the first three years, after paying administrative costs, fines from the program would be disbursed with 45 percent going to the Pennsylvania State Police, 40 percent to the Motor License Fund - which would be distributed by the General Assembly - and 15 percent for PennDOT and the PTC for work zone safety initiatives. In years four and five, 100 percent goes to PennDOT and the PTC for highway safety initiatives and transportation enhancements.

In all cases, State Police troopers will certify the issuance of citations. The first work zone offense results in a \$75 fine and \$150 for every citation thereafter. Another unclear component arises as to how to enforce this. The work zone offenses aren't considered moving violations or infractions against the driver, so at this point, it is uncertain how this will be enforced because PennDOT wouldn't keep the records and the vendor can only do so for up to a year.

Source: Capitolwire: "Tug-of-war about speed camera bill still leaves

Clergy sex abuse report to be released, but not the full report ... at least not yet

The Pennsylvania Supreme Court late Friday afternoon issued a King Solomon-esque decision regarding the 900-page clergy child sex abuse grand jury report that has been challenged by some for potentially containing unsubstantiated claims of sexual abuse. The justices’ [opinion](#), written by Chief Justice Thomas Saylor, allows much of the report – which, according to the court, found “that more than 300 people, identified by name, committed criminal and/or morally reprehensible conduct” - to be released; what will not be released are the sections including those unsubstantiated claims challenged by petitioners (so it’s unlikely all 300 names will appear in the interim report that will eventually be released) – a topic on which the Supreme Court would like some additional discussion, with the plan being to hold a hearing for oral argument in September as part of the court’s session in Philadelphia.

More than a dozen petitioners [argued to the state’s high court](#) the report contains allegations that are not supported by evidence and errors that have not been corrected or redacted, all denying due process to those petitioning for the report to remain sealed. The Office of the Attorney General (also referred to as “the Commonwealth” in the opinion) and the judge who supervised the grand jury argue all individuals identified in the report were given an opportunity to submit documents to rebut the findings of the report – what the justices’ opinion refers to as a “remedial pre-deprivation process” - so no due process rights were denied. The court was notably unhappy with the “remedial pre-deprivation process,” at one point questioning “if any remedial pre-deprivation process can be found to be sufficient” to ensure due process rights, and equally unhappy with the Commonwealth’s dismissal of the right to reputational security as a right of lesser importance.

Given the concerns raised by the justices regarding the “remedial pre-deprivation process” employed by the grand jury for the report, the court has ordered an exhaustive process to redact from the report, at least temporarily (until further argument can be held and considered by the court), “discrete, false or unsupported information.” The court will employ a special master who will adjudicate all issues and employ protocols “affording Appellants -- and all others with challenges to the grand jury report pending in other cases -- the opportunity to voice discrete objections.”

“In this way, the Court will continue to proceed with the unwavering objective that fairness must be consistently administered to all parties in the context of grand jury reports, as is the case otherwise in the process of orderly judicial review,” Saylor wrote.

The court’s order gives anyone wishing to file an appeal to contents of the report until 1 p.m. on Aug. 7 to file such an appeal. If no appeals are received, the special master is directed to release the interim report and its associated responses on Aug. 8 (by 2 p.m.). If challenges are received, the special master has about a week to review them and make additional changes to the report,

Source: Capitolwire: “Clergy sex abuse report to be released, but not the full report ... at least not yet,” by Chris Comisac

On Monday, the Independent Fiscal Office issued its estimates for how much revenue should be generated each month of Fiscal Year 2018-19 for the General Fund to hit the IFO's \$33.9 billion revenue target for the year. The overall General Fund revenue estimate for FY2018-19 used by the IFO isn't much different than the one employed by lawmakers for the state budget (within \$100 million), so it's likely a fairly decent representation of what to expect – if the Commonwealth is going to have balanced budget by the end of June next year – each month when General Fund revenue collections are announced. As is the case every year, the big collection months are March and April, with IFO revenue targets of \$4.551 billion and \$3.905 billion, respectively. Corporation tax revenue collections (expected to be \$2.246 billion) drive March's big number, while Personal Income Tax (PIT)-related collections (totaling \$2.207 billion) are the primary source of April's estimate. As for the current month for which revenue collections will be announced in the coming day or two, the IFO estimates total General Fund revenue will be \$2.246 billion, with the overwhelming majority of that coming from consumption tax collections (\$1.1 billion) and the PIT (\$857 million). [CLICK HERE](#) for the IFO's estimates, which also include FY2018-19 quarterly projections for the state's Motor License Fund and Lottery Fund.

Source: Capitolwire: Under the Dome

Review begins of PA's public pension system investment management

A commission created to review the investment management of Pennsylvania's two public pension systems held its first meeting on Monday. Tasked with finding a combined \$1.5 billion in cost savings (over a 30-year period) from the Commonwealth's State Employees' Retirement System (SERS) and Public School Employees' Retirement System (PSERS), the Public Pension Management and Asset Investment Review Commission (PPMAIRC) has begun its six-month review of what's being paid to those managing the SERS and PSERS investments, and what returns they are producing. The membership of the commission includes state Rep. Mike Tobash, R-Schuylkill (Chair of the commission), state Treasurer Joe Torsella (Vice-Chair), James Bloom, Michael Torbert and Bernie Gallagher. The commission engaged in an informational hearing Monday. While ever little bit helps, the commission's directive by Act 5 of 2017 to "identify \$1.5 billion in savings over 30 years for each of the two systems" is paltry when compared to the combined more-than-\$60 billion SERS and PSERS pension accrued unfunded liability the systems have today (which has improved during the last year, due mostly to the strong performance of the financial markets in which both systems are invested, but is far more massive when considering how much will have to be paid by taxpayers to satisfy the debt during the next 20 to 30 years).

Source Capitolwire: Under the Dome

Legislation

- [HB 2571: Amends Public Employe Relations Act re rights](#)
- [HB 2572: Amends Title 18 re cyber harassment education](#)
- [HB 2573: Amends Public School Code re graduation reqs.](#)
- [HB 2574: Amends Public School Code re religious garb](#)
- [HB 2576: Act re sale and lease of properties](#)

- [HB 2577: Joint Resolution re property tax exemptions](#)
- [HB 2578: Amends Health Care Facilities Act re monitors](#)
- [HB 2582: Amends Title 18 re social media abuse](#)
- [HB 2579: Amends Older Adults Protective Services Act](#)
- [HB 2581: Amends Title 18 re financial exploitation](#)

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