

## United Methodist Advocacy in Pennsylvania

March 31, 2017

Following is my UM Advocacy report for March 2017:

An unusually high percentage of political news and attention has been focused on the federal government, in March. The Trump administration has been at the center of things. The leading political issues for the month of March have been: The President's address to Congress, the President's budget blueprint, the President's second attempt at a travel ban, the President and Russian influence, the President's Supreme Court nomination, the President's accusation of wiretapping by the Obama administration, not to mention the failed Republican attempt to replace the Affordable Care Act.

Though national-level stories have attracted attention, Pennsylvania state-level political activity has also been robust. Of course, this report will highlight some of that activity.

March has been a busy month for me. At the beginning of the month, I attended a briefing by GBCS staff at the UM Building in Washington, D.C. In Western PA I attended meetings of the Poverty Team and Church & Society. I made a presentation to a class at Christ UMC, Pittsburgh. In Susquehanna, I preached at Howard UMC, Centre County. In Eastern PA I attended the Berks County Detention Center vigil with Bishop Johnson. Near the end of the month I attended the Executive Committee meeting of the PA Council of Churches, as Bishop Johnson's proxy.

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## **GBCS Health Care Imperative Project**

The United Methodist General Board of Church & Society has targeted three states in which to emphasize health care education and advocacy. Pennsylvania is one of those states—the others are Tennessee and Ohio.

The underlying concept for this initiative is “Health Care is a basic human right” (United Methodist Social Principles). It focuses on three elements: Affordable access for all, Quality Health Care, and Health Care Reform.

The GBCS is seeking United Methodist churches, clusters and organizations that are willing to participate in this effort. Those which are already engaging in some form of health ministry would be natural candidates.

There is great flexibility in how to participate in this initiative. Activities can range from one-time Sunday School lessons to sustained political advocacy.

To learn more, please email me at: [daimorgan@comcast.net](mailto:daimorgan@comcast.net)

## **Legislators Fight Illegal Alien Invasion**

On March 13, Pennsylvania House State Government Committee Chairman, Rep. Daryl Metcalfe (R-Butler), along with a cadre of colleagues, unveiled a legislative package intended to fight what he called the “illegal alien invasion.” The press conference was held at the Capitol’s Media Center. Joining Mr. Metcalfe were Representatives Doyle Heffley (R-Carbon), Rob Kauffman (R-Franklin), Jerry Knowles (R-Berks/Carbon/Schuylkill) and Ryan Warner (R-Fayette/Westmoreland). They announced five pieces of proposed legislation. They are calling this legislation the “National Security Begins at Home” package.

“Article 4, Section 4 of the U.S. Constitution clearly states that our government ‘shall guarantee to every state in this Union a Republican form of government and shall protect each of them against INVASION,’” said Rep. Metcalfe. “With several signed executive orders that will enhance border security, properly resource enforcement efforts and compel illegal alien sanctuary cities to comply with the law, clearly there is a new sheriff in the Oval Office who is serious about exercising his rightful authority to keep our nation safe from the illegal alien invasion.”

Each of the following bills, highlighted at the news conference, will be referred to Metcalfe’s House State Government Committee for consideration:

**House bill 856** (Metcalfe): Modeled after the Legal Arizona Workers Act that has been upheld by the U.S. Supreme Court, Metcalfe’s legislation would require all Commonwealth employers and government entities to enroll in the federal government’s free E-Verify program to confirm the validity of Social Security numbers for prospective employees. Under this bill, failure to comply would result in the suspension of all state licenses, permits, registrations or certificates held by any private business caught employing illegal aliens. Passage of this legislation would further enhance a 2012 state law that requires all state contractors and subcontractors to confirm the working status of their employees through E-Verify. “As long as illegal aliens know that there are unscrupulous employers waiting to hire them and sustain their unlawful presence they will continue to infiltrate our borders in order to steal American jobs,” said Metcalfe. Rep. Dom Costa (D-Allegheny), is the first co-sponsor of HB 856.

**HB 28** (Kauffman): If enacted, the Professional Licensees Illegal Employment Act would revoke the license of any licensed professional, such as a nursing home administrator or a landscape architect, who knowingly employed or permitted the employment of an unauthorized alien. “The business community needs to be doing their part and making sure those they hire are United States citizens or have a permit to work here,” said Kauffman. “Employers who circumnavigate the law and knowingly employ illegal immigrants would be penalized under my bill.” HB 28 would establish criminal and economic sanctions against any illegal alien sanctuary city within the Commonwealth.

**HB 14** (Knowles): Major institutions of higher learning across the nation have announced the adoption of campus-wide sanctuary policies for illegal aliens, including Swarthmore College and the University of

Pennsylvania. Knowles's bill would prohibit any sanctuary campuses from receiving state funding. "The issue of illegal immigration is very controversial in our country right now, but this bill is very simple," Knowles said. "It would prohibit any sanctuary university from receiving state dollars until such time as those policies are rescinded."

**HB 826** (Heffley): Federal law grants individual states the authority to require an applicant for state public benefits to provide valid proof of identity. Several states have enacted such laws. Under Heffley's bill, any Commonwealth agency that administers public benefits must verify that those benefits are being paid to only those who are eligible through the Systematic Alien Verification of Entitlement (SAVE) program operated by the U.S. Department of Homeland Security. "Our public resources are not limitless, and my legislation would ensure that our hard-earned tax dollars are spent helping our legal residents. We are morally obligated to provide assistance to those who are legally residing in Pennsylvania, not illegal immigrants," said Heffley.

**HB 28** (Warner): This bill would require state and local law enforcement agencies to fully comply with federal law and cooperate with U.S. Immigration and Customs Enforcement (ICE) in the capture and detainment of illegal aliens. "Detainers are issued when the federal government has decided that illegal aliens should not be returned to the community," Warner said. "State and local law enforcement should not have the power to overrule the federal government, which has many more resources to draw upon to make these informed decisions."

In response to Rep. Metcalfe's news conference, Sundrop Carter, Executive Director of the Pennsylvania Immigration and Citizenship Coalition said, "It is hard for me to respond to these bills, as none of them address any documented problems facing residents of Pennsylvania. There is no invasion, there is no widespread fraudulent use of public benefits, there is no crime spree. These bills are based on the fears and prejudices of people who have never spent time with immigrant communities, and prefer to legislate based on their unfounded fears than on the real problems facing residents of our states...In their effort to legislate their hatred and fear of immigrants, these legislators are taking Pennsylvania down the wrong path, and will harm every resident of the state in the process. These bills, if passed, would make it harder for U.S. Citizens to obtain unemployment insurance, will decrease public safety by breaking the already strained relationship between police and communities of color, and will open towns and counties to expensive lawsuits."

## **Guns for At-Risk Veterans**

The U.S. Congress approved the Veterans Second Amendment Protection Act on March 16, by a margin of 240 to 175. The purpose of this act is to roll back a Veterans Administration rule restricting gun purchases by veterans deemed to be mentally incompetent because a fiduciary has been appointed to manage their benefits.

Supporters of the bill say that the VA rule denied veterans a constitutional right to due process and incidentally restricted firearm purchases by veterans who are no danger to themselves or others.

Critics of the bill say it would allow at-risk veterans easy access to firearms and increase their risk of suicide, which is already statistically higher than the general population.

I do not usually report on federal legislation. However, I make exceptions regarding the subject of firearms, because gun legislation is an important topic for Pennsylvanians.

## **Local Gun Ordinance Restrictions**

On March 28, the Senate Local Government Committee reported Senate Bill 5 to the full Senate. SB 5 would prevent local municipalities from imposing gun ordinances more restrictive than laws passed by the state General Assembly. The bill also allows individuals and groups affected by local gun ordinances to sue that municipality. If such a lawsuit is successful in court, reasonable expenses can be awarded by the court to the affected person or group that initiated the lawsuit.

“Municipalities must realize that these local ordinances and regulations are in direct contravention with existing state law and severely impact the rights of law-abiding citizens of this commonwealth,” said bill sponsor Sen. Wayne Langerholc (R-Cambria), noting his legislation would offer those citizens the ability to seek redress.

However, if the bill should get to Gov. Tom Wolf’s desk, he would veto the legislation, indicated Committee Minority Chairman John Blake (D-Lackawanna), who said he spoke to Wolf by phone.

“I think this bill is doing something rather unprecedented in Pennsylvania jurisprudence, and perhaps even nationally, in allowing a membership organization to sue a local government and allow for actual injunctive relief,” said Mr. Blake. Opponents of this legislation have argued that it inappropriately allows the National Rifle Association to sue municipalities that have local gun ordinances.

## **Audit of Child Welfare Services**

Auditor General Eugene DePasquale announced he is launching a special statewide examination into the county child welfare systems in Pennsylvania. Mr. DePasquale said the need for the investigation is the result of findings in his audits of various county offices that are experiencing high caseworker turnover, increasing caseloads, and constant reports of at-risk children falling through the social safety net. Furthermore, DePasquale noted that doing a better job up front would save tax dollars on the back end.

Mr. DePasquale said he intends to make a full study by investigating thirteen sample counties, examining shortcomings in the system leading to improvements. He said his goal is to help them do a better job.

Mr. DePasquale acknowledged that his special report, to be titled "State of the Child," is stepping outside the traditional reports from his office, which regard the proper use and accounting of public funds. But, he contends this effort falls well within the purview of program audits his office has performed from time to time over the years.

## **Legalization of Recreational Marijuana?**

On March 6, I watched a Capitol news conference on the Pennsylvania Cable Network, by Auditor General Eugene DePasquale, where he recommended legalizing the recreational use of marijuana.

He estimated that the regulating and taxing of marijuana would generate \$200 million per year for Pennsylvania and employ more than 280,000 over the next decade. This projection is based on the model of Colorado, which Mr. DePasquale said generated \$129 million last year, with a population less than half that of Pennsylvania’s. In addition to the revenue, Mr. DePasquale said that legalization would also reduce arrests and incarcerations.

Eight states and the District of Columbia allow small amounts of marijuana for recreational use by adults, according to the National Conference of State Legislatures. In November 2016, voters in California, Maine, Massachusetts and Nevada approved recreational use by adults. Alaska also allows recreational use. New Jersey is considering similar legislation.

In April 2016, Pennsylvania passed a law allowing the medical use of marijuana. As I have reported in previous months, the process is underway to accomplish this program.

Mr. DePasquale acknowledged that there might be reasons to doubt that Pennsylvania will legalize recreational marijuana any time soon, “It is an entirely fair and appropriate question to say: Can this even happen in Pennsylvania?” But, he noted that a little more than a decade ago, people might not have expected that gay couples would now be allowed to marry or that medical marijuana would have been overwhelmingly approved.

Senate Minority Leader Jay Costa (D-Allegheny) said Pennsylvania should get its medical-marijuana program running before it considers expanding to other types of marijuana use. Gov. Tom Wolf supports decriminalizing the possession of small amounts of marijuana, but the governor has stopped short of

backing complete legalization the recreational use of marijuana. The Pennsylvania District Attorneys Association is opposed to both legalizing marijuana for recreational use and decriminalizing possession of small amounts of the drug. The Trump administration supports medical marijuana, but opposes its recreational use.

## **Marijuana an Economic Boon?**

Braddock Mayor John Fetterman recently gave support to the idea of a medical marijuana cultivation site coming to his town—Fetterman might be remembered for his 2016 run in the Democratic primary for the U.S. Senate.

Mr. Fetterman suggested that the site could replace many of the jobs lost during the downfall of the region's steel industry, near Pittsburgh. Community members in Braddock have applied for state approval to build a medical marijuana growing facility on a lot once occupied by an industrial building.

Mayor Fetterman told local media that acquiring the growing facility would be a “giant step forward” for the town's economy.

So, how many people will a marijuana growing facility employ?

## **The Day Without Women**

*The Day Without Women* event took place on March 8. This nationwide event was conceived and organized by The Women's March on Washington organizers. The idea was to show what would happen without the contribution of women in culture, society and the economy.

Women were encouraged to skip school and work, to not spend money, to dress in red, and to participate in local marches and demonstrations. The idea was perhaps inspired by *The Day Without an Immigrant* event held in February, and was part of the U.N.-designated *International Women's Day*.

Hundreds of women gathered in solidarity in many American cities. About 1,000 women demonstrated in New York City at Trump Tower. In some places, schools were canceled after teachers called off. In Providence, RI, the municipal court closed. In Washington D.C., 20 Democratic female representatives walked out of the Capitol to address a cheering crowd.

In New York City, a statue of a fearless-looking girl was placed in front of Wall Street's famous charging bull sculpture. The girl appeared to be staring down the animal. A plaque at her feet read: "Know the power of women in leadership. SHE makes a difference."

Internationally:

- In Warsaw, thousands of women showed Poland's conservative government red cards and made noise with kitchenware to demand full birth control rights, respect and higher pay.
- In Rome, hundreds of women marched from the Colosseum to demand equal rights.
- Thousands marched in Istanbul, despite restrictions on demonstrations. Turkish police did not interfere.
- Germany's Lufthansa airline arranged for six all-female crews to fly into Berlin.
- Finland announced a new \$160,000 International Gender Equality Prize.

President Trump took to Twitter to salute "the critical role of women" in the U.S. and around the world. He tweeted that he has "tremendous respect for women and the many roles they serve that are vital to the fabric of our society and our economy." The White House reported that none of its female staff members skipped work in support of International Women's Day.

Women make up more than 47 percent of the U.S. workforce and are dominant among registered nurses, dental assistants, cashiers, accountants and pharmacists, according to the U.S. Census. Women make up at least a third of physicians and surgeons, and the same with lawyers and judges. Women also account for 55 percent of all college students.

## **PA Budget**

Six weeks into the budget season, with potentially months to go, Pennsylvania's Republican legislative majorities might be developing a willingness to increase taxes to deal with the state's persistent deficit.

Republican leadership is saying that a tax increase is a last resort—which they said last year, before they approved a tax package anchored by an additional \$1 per-pack tax on cigarettes. But, this year, many rank-and-file Republicans seem to accept that the deficit cannot be ignored. "Our solution is always to cut spending, but we know we're at a pretty bare point right now," said Rep. Jeff Pyle (R-Armstrong). "So we know we have to come up with some revenue."

In my February report, I provided a fairly extensive briefing on Gov. Wolf's budget plan. The governor's budget did not include an income tax or sales tax increase. It proposed reductions and consolidations to reduce costs. A relatively modest revenue generator would be a tax on the natural-gas industry—a tax that Republicans have rejected for nearly a decade. Mr. Wolf would close what he characterizes as tax loopholes for out-of-state corporations, custom software sales, insurance policies and commercial storage. He would raise some revenue through non-tax initiatives.

A significant objective for both the Republicans and Democratic governor is to avoid another 10-month stalemate that marked their first budget go-round; forcing layoffs, service cuts and borrowing by school districts, counties and social services providers. While Wolf and the Republicans are trying to soften those fears with a gentler tone, the state's underlying fiscal imbalance is bad.

Governor Wolf has put the ball in the General Assembly's court. What will they do?

## **Fair Share Tax Proposal**

On March 22, Democratic lawmakers announce a Fair Share Tax proposal. They are hoping to convince the Republican dominated General Assembly to address the state's financial problems by simply increasing taxes on the wealthy.

Senate Appropriations Committee Minority Chairman Vince Hughes (D-Philadelphia) said, "Our state's current tax structure, the Personal Income Tax is the same, whether you are wealthy, middle class or struggling, which means average Pennsylvanians bear the tax burden. It's time for those at the top to pay their fair share. This plan would ensure more fairness in our Personal Income Tax structure, provide a break for many taxpayers and bring in much-needed new revenue to Pennsylvania."

The Fair Share Tax Plan is defined in a report from the liberal think tank, the Pennsylvania Policy and Budget Center. The report states, "Currently, eight classes of income, which are defined under federal law, are subject to the Pennsylvania Personal Income Tax: gross compensation (mostly wages, salaries, and tips); interest; dividends; net income (from a business, profession, or farm); capital gains; net income from rents, royalties, patents, and copyrights; gambling and lottery winnings; and income from estates or trusts. We propose taxing two classes of income, wages and salaries, at a lower rate and the other seven classes of income at a higher rate. We call those other seven categories 'income from wealth' because they mostly include income that is earned from the ownership of some kind of wealth (including, among other things, intangible and real property) as opposed to income from work."

The PBPC argues for the "fairness" of their plan by stating that 20 percent of taxpayers with the lowest income pay 12 percent of their income in state and local taxes, while the top 1 percent of taxpayers pay only 4.2 percent of their income in state and local taxes.

## **God the Polluter**

On March 18, U.S. Representative Scott Perry conducted a public forum in Red Lion, PA.

During the course of the public meeting, Perry was asked how he intended to reclaim and protect air and water reserves, given the proposed budget cuts to the U.S. Environmental Protection Agency. Perry said appropriate levels of protection are needed. He pointed to the Chesapeake Bay cleanup strategy that he claims focused unfairly on point sources. Then, to support his contention, he said, "If you are spiritual and believe in God, one of the violators was God because the forests were providing a certain amount of nitrates and phosphates to the Chesapeake Bay."

His response swiftly generated heckling from the several hundred constituents in attendance.

Later, his communications staff-person explained that Rep. Perry was just joking and his comment was intended to point out "the folly of some of the EPA standards that have been forced upon both states and municipalities in a relatable, easy-to-understand way for the benefit of the immediate audience."

Apparently, it wasn't as easy-to-understand as he thought. In my experience, politicians should avoid making jokes.

### **Sen. Wagner's Science Lesson**

On March 28, as the keynote at a Harrisburg event for natural gas drilling advocates, gubernatorial candidate Sen. Scott Wagner (R-York) offered an explanation for climate change, "I haven't been in a science class in a long time, but the earth moves closer to the sun every year—you know the rotation of the earth. We're moving closer to the sun...We have more people. You know, humans have warm bodies. So, is heat coming off? Things are changing, but I think we are, as a society, doing the best we can."

Upon hearing the story, Joe Rao, an associate and lecturer at the Hayden Planetarium in New York, called Wagner's comment "total, utter nonsense," adding that if he had a copy of Wagner's speech, it would best be shredded for cat litter. "This is just a statement of stupidity."

The next day, via email, Mr. Wagner stated, "I believe that the climate is changing every day, and some of that change is certainly man-made. I think that we have a responsibility to future generations to be good stewards, and I support efforts to do that. However, the real question isn't 'Is the climate changing?' but what role should the government play in trying to alter it."

Wagner further explained that he needed to weigh any climate change action against the Commonwealth's economy. *And there is the real truth!—money trumps the environment.*

### **Online Gambling**

Gov. Tom Wolf's budget proposal for 2017-18 depends on \$150 million from *new* gambling revenue, yet to be determined. Internet-based online gambling, operated by the casinos, is being recognized as the most likely source to provide that revenue. On March 7, online gambling was the topic of a hearing conducted by the joint House and Senate committees responsible for gambling issues.

New Jersey, Delaware and Nevada have already legalized online gambling. Last year, New Jersey experienced its first increase in casino revenue in a decade, due to online betting. Pennsylvania is seeing online gambling as an activity that needs to be regulated and, consequently, taxed.

Most of Pennsylvania's casino operators believe that offering poker and other games via smartphones, tablets and laptops will add more players than it subtracts from their physical casinos. In fact, because online players are typically younger than the casino crowd, they are perceived to be an expanded market. David Satz, senior vice president of Caesars Entertainment Inc., noted that 80 percent of Caesars' on-line customers in New Jersey "are customers we did not know," and nearly half of the rest were old customers that had not set foot in the casino for over a year.

The March 7 hearing was the first of several. Other hearings are expected to cover proposals to permit video gaming terminals in bars and taverns, and to address the question of how municipalities receive payment from casinos (as ordered by the state Supreme Court, last year).

If Gov. Wolf has any preference about how all this should work out, he hasn't said anything. The governor has said that his only principle is making sure the state isn't locked into a "zero-sum game," where revenue from new games is offset by losses to existing ones, "If all we're doing is shifting revenue from one form of gambling to another form of gambling and the state comes out of this flurry of activity with no new revenue, that's not acceptable. Why do it?"

## **Fantasy Sports**

The General Assembly wants to regulate internet fantasy sports. Bill Patton, press secretary for the House Democratic Caucus, observed that there is renewed interest in legislating fantasy sports gambling. The legislature failed to pass an omnibus gambling bill during the last legislative session. Mr. Patton noted that fantasy sports contests are already happening, but they are unregulated and providing no revenue for the state. "It could be one step in the effort to close the large budget deficit Pennsylvania must face in 2017," Patton said. "We want to make sure it's developed in a way that not only raises revenue for the state but protects consumers from getting ripped off and prevents underage gamblers from taking part."

Rep. George Dunbar (R-Westmoreland), introduced House Bill 865, solely focused on the licensing and regulation of fantasy sports contests. Mr. Dunbar also introduced HB 392, focusing on internet gambling and various other gambling-related matters, but not fantasy sports. Dunbar explained that to get things moving with regulating fantasy sports leagues, he decided the issue should be kept separate from wider gambling bills.

Fantasy sports operators say that they support state regulatory efforts. According to Marc La Vorgna, spokesperson for DraftKings and FanDuel, "Nine other states now have similar laws in place and we've seen it will work as intended." Laws regulating fantasy sports contests passed in Maryland in 2012, Kansas in 2015 and Mississippi, Virginia, Indiana, Montana, Colorado, Tennessee, Massachusetts and New York in 2016,

Rep. Dunbar's HB 865 has been referred to the Gaming Oversight Committee and its Chair, Rep. Scott Petri (R-Bucks), stated that his committee will be scheduling a hearing.

When asked if he believes fantasy sports to be gambling, Petri said, "It is about whether you think it is a game of skill or a game of chance. It is a game of chance because you don't even know if the player is going to play or not. Those people would say that it is a game of chance. Other people would say that it is a game of skill because you are picking which players they think will do the best." When asked the same question, Dunbar said, "There is no doubt in my mind that daily fantasy sports is skill-based gambling. But it's not luck, it's skill."

If HB 865 passes, it will regulate around 50 fantasy sports companies. It has been estimated that about 2 million fantasy sports players live in Pennsylvania.

## **Corman Will Not Run**

State Senator Jake Corman (R-Centre) will not run for governor in 2018. The Pennsylvania Senate majority leader said that he gave a lot of thought to the governor's race, but ultimately he decided not to challenge Gov. Tom Wolf in the next election. Mr. Corman, who is in his second term as majority leader, said that he enjoys the job. He observed that he thinks it's important to not use the position as a "springboard" to something bigger. Mr. Corman is a United Methodist.

## **Another Casey Challenger**

Last month I reported that State Representative Rick Saccone (R-Allegheny) had filed to run for U.S. Senator in opposition to Democratic Senator Bob Casey.

Another Republican, Andrew Shecktor, has also filed candidacy paperwork to run for Mr. Casey's office. 60-year-old Shecktor is a Berwick Borough councilman in northeastern Pennsylvania. Mr. Shecktor was elected as a delegate for Donald Trump to the Republican National Convention. Though having a history of political involvement, he has never run for statewide elected office.

Other potential candidates have declared that they are exploring the possibility of running against Casey.

## **Sealing Criminal Records**

On March 22, a Senate "Clean Slate" bill was announced. Senator Scott Wagner (R-York) is the primary sponsor. Twenty-five senators from both parties have signed on as co-sponsors. When introduced, this legislation will be Senate Bill 529. Similar legislation is being drafted in the House.

The "Clean Slate" refers to the automatic sealing of non-violent criminal records after a few years, if another crime has not been committed.

A poll of 500 registered voters in Pennsylvania found "81 percent of Pennsylvanians support a 'Clean Slate' proposal." The poll also found bipartisan agreement among voters: over 90 percent of both Democrats and Republicans agree with the effort to "break down barriers for ex-offenders so they can get jobs, support their families, and stop being dependent on government services that cost Pennsylvania taxpayers money."

Reducing recidivism, prison populations and crime, along with saving money for the state, while increasing the success of nonviolent offenders re-entering society were the main ideas expressed by legislators, the courts and law enforcement. Gov. Tom Wolf has also expressed support for the Clean Slate legislation.

"Nine in 10 employers and four in five landlords use criminal record background checks, putting ex-offenders at a distinct disadvantage when trying to get a job, find housing and improve their education. Men who have been incarcerated take home, on average, 40 percent less pay annually than those who never served time," wrote Wolf in a 2016 op-ed piece to The Washington Times.

The automatic sealing of a non-violent offender's record will save that person from the currently lengthy and expensive processes of expungement and/or pardoning.

## **DEP to EPA**

In response to President Trump's budget blueprint, Pennsylvania Department of Environmental Protection (DEP) Acting Secretary Patrick McDonnell sent a letter to federal Environmental Protection Agency (EPA) Administrator Scott Pruitt, explaining the ramifications the proposed cuts to the EPA would have for Pennsylvania

"These budget cuts do not reduce any of the responsibilities that DEP has to the people of Pennsylvania, but does decrease the resources available to fulfill those responsibilities," Mr. McDonnell said in the letter. "These cuts, if enacted, would harm businesses seeking permits, and harm residents' clean water, air, and land."

The letter described impacts from the proposed cuts, including reductions to safe drinking water inspections, sewage and industrial wastewater inspections, brownfield redevelopment, and eliminated funding for radon protection.

Additionally, the proposed budget would eliminate funding to restore waterways, like the Susquehanna River, that feed into the Chesapeake Bay—in which Pennsylvania has recently improved.

"Pennsylvania has benefited from a long partnership with the federal government to address environmental concerns, which has resulted in great improvements to the health, quality of life, and economic prosperity of Pennsylvania residents," said McDonnell. "We urge the Trump administration not to turn its back on those very federal-state partnerships that have produced these many benefits."

The DEP is already operating at reduced capacity.

Secretary McDonnell's letter is one example of similar reactions to the perceived effects of President Trump's budget proposal—which is heavy in defense and security spending while reducing everything else. Many Pennsylvania department heads and program administrators are using the same word, “Disaster,” to describe what they foresee for their work areas.

## **Legislative Redistricting Reform**

State Senators Lisa Boscola (D-Lehigh/Northampton) and Mario Scavello (R-Monroe/Northampton) have reintroduced legislation to reform how the state maps out its legislative and congressional districts. Senate Bill 22 would establish an independent 11-member commission; four from each of the two major political parties and three not affiliated with either party. Commission members would not be allowed to hold a political or party office, be related to those who hold office, or work for those who hold office. The districts would be redrawn using modern technology and software. “It's time to take the stakeholders out of the redistricting process and turn it over to the people,” Boscola said in a statement. “We can't fix how we're governed until we fix how we choose who governs us.”

Redistricting reform is also known as gerrymandering reform.

In current practice, the most senior legislators draw the district lines (after each Census). The General Assembly and the Governor must then approve this work. In practical terms, the party in the majority ends up controlling the process and gaining an advantage.

Fair Districts PA is the special interest group that is spearheading education and advocacy for legislative redistricting reform. Fair Districts PA is a task group of the Pennsylvania League of Women Voters.

The movement in favor of redistricting reform appears to have captured the popular imagination. This is an uncomplicated issue with a clear and definable goal. People who have become interested in political action, after the fall elections, have especially been attracted to redistricting reform. The groundswell of electorate support for this movement has been significant.

The WPAUMC approved a resolution in favor of redistricting reform at its 2016 Annual Conference. The Susquehanna and EPAUMC Annual Conferences will consider redistricting reform resolutions in 2017.

## **REAL ID Act**

The U.S. Congress passed the REAL ID Act in 2005, to establish security standards for state-issued driver's licenses and identification cards. The state of Pennsylvania is out of compliance with this federal legislation.

Beginning January 2018, TSA officials will stop accepting PA driver's licenses as acceptable ID for boarding airplanes. If the state does not come into compliance before the deadline, Pennsylvanians who wish to board commercial flights will need to use a passport.

In 2012, Pennsylvania lawmakers passed a law that prohibited participation in the REAL ID program, citing an estimated \$140 million cost to come into compliance and calling it an unfunded federal mandate.

Department of Homeland Security originally gave the state until Jan. 30, 2017 to come into compliance. Without compliance, federal agencies would reject Pennsylvania driver's licenses as identification for entering military bases, nuclear power plants and other federal facilities, with a commercial air travel prohibition set to follow in 2018.

This past January, DHS extended the first deadline after Gov. Tom Wolf and lawmakers pledged to resolve the problem. However, at this time, state officials do not have an estimate on the cost of coming into compliance and nothing appears to be happening.

Estimates of the total cost for those needing to acquire passports ranges from \$408 million to \$966 million in 2018. According to the U.S. Department of State, first-time passport applicants above 16-years-old will pay \$110, plus a \$25 “execution fee.”

## **An Example of the Campaign Funding Problem**

Rob McCord served as the Pennsylvania Treasurer during 2009-15. In February 2016, Mr. McCord pleaded guilty to two counts of attempted extortion related to seeking contributions for his failed 2014 gubernatorial campaign. McCord is awaiting sentencing.

For most of the month of March, Mr. McCord served as a government witness at the bribery trial of Chester County businessman Richard Ireland. On March 27, midway through the trial, a federal judge dismissed the corruption case against Ireland, saying prosecutors had failed to prove he tried to bribe McCord with campaign contributions.

However, neither Mr. McCord's conviction nor the Ireland trial are the subject of this entry. What is interesting to me is Mr. McCord's testimony regarding the potential for corruption in the Pennsylvania political system. McCord's testimony, along with recordings of conversations made by the FBI while McCord was Pennsylvania's elected treasurer, painted a stark portrait of how political business gets done in a state without campaign finance limits. His testimony pointed out the immense influence of people who can make big campaign donations.

An FBI investigation dating back to 2009—when it set up a fake company in Harrisburg and began engaging lobbyists—ensnared John H. Estey, who had been a prominent behind-the-scenes player. Mr. Estey was once the chief of staff to former Gov. Ed Rendell. Estey began cooperating with the FBI. He secretly taped McCord for the FBI. The FBI also listened on McCord's phone calls when he was running for governor in the Democratic primary. In a case that became public in early 2015, McCord was recorded attempting to use his position as state treasurer to strong-arm donations to his campaign.

During McCord's testimony against Ireland he admitted awarding a \$50 million investment contract to a \$100,000 campaign donor who hid a connection to the contribution by giving through a joint acquaintance. This transaction included promising to help a donor's son acquire an investment contract and offering to slow down a state payment to the competitor of a donor.

Donations are routinely given in someone else's name, or filtered through other fundraisers to veil the giver, McCord suggested. The cashing of a check can also be timed to ensure the money isn't reported publicly for more than a year. It was routine to hear "governors and others" swap fundraising favors.

Pennsylvania prohibits donations from corporations. But, it allows contributions from partnerships, which help donors hide their identity because those business entities do not have to identify their owners.

Ireland was accused of trying to bribe McCord with more than \$500,000 in secret campaign contributions. For example, Ireland allegedly reimbursed employees who made contributions to McCord.

Mr. McCord's testimony portrayed a broken campaign finance system in Pennsylvania—one of 12 states that allows unlimited campaign contributions to candidates. McCord was frank about the real need to negotiate with big donors, including those offering an illegal contribution in exchange for a political favor. Senate Minority Leader Jay Costa (D-Allegheny), who has fruitlessly pushed legislation to limit campaign contributions for eight years, said the system is getting out of hand.

Pennsylvania needs campaign financing reform.

## **Top 10 Corrupt States**

Everyone likes top-ten-lists. On March 30, PennLive (the online source for the Harrisburg Patriot-News), posted a piece titled "Is PA More Corrupt than Other States?" It is a top-ten-list of the most corrupt states.

How is that determined? Apparently, through several different means. To find out more, you can easily locate the article via an internet search. Pennsylvania made the list. Counting down from tenth (VA) to first (NY), here they are: Virginia, Louisiana, New Jersey, Ohio, Texas, **Pennsylvania**, Florida, Illinois, California, New York.

## **Relief for the Unemployment Compensation System**

The state's Unemployment Compensation (UC) system has been distressed for months. On March 29, the Senate passed Senate Bill 250, by a margin of 39-8, to transfer \$15 million from the UC (benefits) Fund to be used to more quickly process applications for jobless benefits.

The measure includes accountability measures requiring the state Department of Labor and Industry to provide the General Assembly with information about how the department is using the funding it receives, as well as reporting how the department plans to eliminate its need for additional fund transfers.

The Wolf administration had sought a \$57 million transfer from the UC Fund to the Service and Infrastructure Improvement Fund for the current fiscal year. But, Senate Republicans stopped that transfer last fall, questioning the use of nearly \$200 million of prior fund transfers during the past four years.

Without the \$57 million in requested funding, Governor Wolf closed three UC call centers and furloughed nearly 500 employees in December 2016, claiming the closures and furloughs were necessary to keep the rest of the call centers operational for the remainder of the fiscal year. Since the center closures, wait times when applying for unemployment benefits, as well as for receipt of those benefits, have increased.

Bill sponsor, Sen. Kim Ward (R-Westmoreland) said, "This is a temporary funding bill meant to alleviate the backlog and...put some people back to work to help the folks who need that unemployment check...Chances are that if you're applying for unemployment, you don't have two weeks, maybe not even one week, of income to buy your food, pay your utility bills, etc."

## **PASSHE Consultant**

This is a follow-up to an item in my January 2017 report:

The Pennsylvania State System of Higher Education (PASSHE), this month, hired a Boulder, Colo. nonprofit organization, the National Center for Higher Education Management Systems (NCHEMS), to develop recommendations for reordering the system. The overall system has been plagued by rising costs, decreasing revenue, decreasing enrollments and mediocre retention rates.

Student retention rates are a critical indicator for universities. Statewide, an average of 78 percent of first-time full-time freshmen stay enrolled beyond their first year. But, of the 14 universities in the system, 12 fell below this 78 percent-level. According to 2014 statistics, the lowest retention rate was Cheyney University, at 44 percent. The highest rates belonged to West Chester (88 percent) and Slippery Rock (83 percent).

However, system officials point out that the collective retention rate is slightly better than the rate of peer institutions—which, like PASSHE, serve large numbers of low-income and first-generation students. Students with family incomes low enough to qualify for need-based Pell Grants averages 38 percent overall, in the Pennsylvania system. But again, the rates vary, with Cheyney at 73 percent and West Chester at 24 percent.

Slippery Rock and West Chester have experienced enrollment gains since 2010. Slippery Rock emphasizes helping students to cope socially as well as academically. "Enrollment increases don't just come from recruitment," said Amanda Yale, associate provost for enrollment management at Slippery Rock. "It also comes from retaining our students and graduating them."

A representative from NCHEMS said that it is too early to draw conclusions about whether consolidations or other system changes might be needed. But, retention will be one part of a broader analysis of those schools.

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