

United Methodist Advocacy in Pennsylvania September 30, 2017

Following is my UM Advocacy report for September 2017:

In September, on the national scene, President Donald Trump talked trash with North Korean Supreme Leader Kim Jong-un. The nation was struck by hurricanes Irma and Maria, while dealing with the aftermath of Harvey. The Russian campaign-meddling investigation intensified. The Republican-generated Graham-Cassidy bill, intended to overthrow the Affordable Care Act, failed. The Trump administration suspended DACA and unveiled a nebulous outline for tax reform. Overshadowing it all was controversy over NFL players kneeling during the National Anthem.

In Pennsylvania, the drama over the lack of a revenue package to balance the budget took center stage. Grassroots efforts to end gerrymandering intensified. And most Pennsylvanians enjoyed pretty nice weather, most of the time.

Some highlights of my work this month, include: Meeting with the Greater Pittsburgh Community Food Bank's Government Action Team, meeting with the Pennsylvania Council of Churches Public Witness Commission, meeting with the WPAUMC Church & Society Committee, preaching at Christ UMC in Shippensburg, and visiting Muncy prison (details below).

Following are political events of interest for the religious community:

- **Visit to Muncy State Correctional Institution**
- **Is Pennsylvania Capable of Health Insurance Administration**
- **House Passes Revenue Plan**
- **State Revenue Bills in Conference Committee**
- **House Revenue Taps Environmental Funds**
- **September and the State Budget**
- **State Credit Rating**
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- **Frequent Lottery Winners Investigated**
- **PA Poll Watcher**
- **Bannon and Wagner, True Love**
- **No Smoking Poll**

Visit to Muncy State Correctional Institution

On September 29, I visited Muncy prison with a coalition of faith based advocates. We met with prison staff and toured the facility for three hours, led by Superintendent Robert Smith.

There were eight members in our group, including representatives of the Pennsylvania Prison Society, National Coalition Against Torture, Pennsylvania Council of Churches, Unitarian Universalist Legislative Advocacy Network, and Society of Friends. This informal body has maintained a schedule of Corrections Bureau visits. It was first organized to track solitary confinement in Pennsylvania state prisons.

SCI Muncy serves as the diagnostic and classification center for all women entering the state prison system. It is a medium to maximum security facility for adult female offenders. It is one of two dedicated women's prisons in Pennsylvania. The institution's area covers 30 acres inside the perimeter security fence, which encloses 15 permanent and two modular inmate housing units.

In addition to information on solitary confinement, we were interested to hear how the recently introduced Swift and Fair program was being received—Swift and Fair is a voluntary option for inmates for dealing with misconduct. It is being phased into the whole prison system. Apparently, both inmates and staff have reacted positive to the program.

Some of what we learned:

- Muncy houses 1300 to 1350 inmates.
- 1100 of these are on mental health rosters.
- About 70% of Muncy inmates are white.
- Inmate ages range from 16 to 85.
- There are 170 lifers.
- There were 18 in restricted housing (solitary)—we visited the restricted pods.
- The majority of inmates are there for drug or property offenses.
- About 85 % of Muncy inmates are parents.
- The incarcerated in all Pennsylvania prisons are parents to 80,000 children.

Is Pennsylvania Capable of Health Insurance Administration?

In September, the U.S. Senate Republicans made another attempt to repeal and replace the Affordable Care Act (ACA), a.k.a. Obamacare. This was the Graham-Cassidy bill. The effort to pass this legislation was abandoned when a few Republican senators opposed the bill, leaving insufficient votes for passage.

An important rationale behind anti-ACA efforts—such as Graham-Cassidy—is the idea that control of healthcare belongs with the states. “This proposal removes the decisions from Washington and gives states significant latitude over how the dollars are used to best take care of the unique healthcare needs of the patients in each state,” said a statement from primary sponsors Lindsey Graham (R-S.C.) and Bill Cassidy (R-La.).

First, in Pennsylvania, the prospect of the state having the political capability of taking on the complexities of a system of health insurance is unrealistic—“laughable” might be a better word. Partisan gridlock and prolonged disputes are the status quo in Harrisburg. “This bill is a prescription for chaos in 50 state capitols around the country,” said Sabrina Corlette, research professor at the Georgetown University Center on Health Insurance Reforms.

Second, federal administration is likely to be more uniform and reliable. Michael Campbell, professor of law at Villanova University’s Widger School of Law observed, “While there is a certain appeal to crafting health policy at the state level, that is primarily what we had before the ACA, and it was not working well for people who got sick or had an accident. The more local you get in this area, the closer you get to policy by anecdote or policy by squeaky wheel.”

Third, the resources of Pennsylvania, alone, cannot compare to those available to the federal government. A statement from the National Association of Medicaid Directors has said, “States will need to develop overall strategies, invest in infrastructure development, systems changes, provider and managed care plan contracting, and perform a host of other activities.”

House Passes Revenue Plan

On September 13—two and a half months into the fiscal year—the state House voted 103-91, late at night, to pass a revenue plan to balance the budget. I watched the proceedings on the Pennsylvania Cable Network.

The plan uses one-time moves to generate more than \$2 billion, without raising taxes. It includes taking \$600 million from 38 off-budget “special” funds that Republicans say have more money than needed. It also includes a plan to raise \$1 billion by selling the next 10 years’ proceeds from the Tobacco Settlement Funds.

The package would also get \$225 million by an undetermined expansion of gambling and \$400 million by accessing so-called lapsed funds—money left unspent in state accounts at the end of the 2016-17 fiscal year.

The Senate and Governor Tom Wolf both support a different plan that raises several taxes--something the House majority wants to avoid completely.

Debate on the funding plan wasn't just a study in contrasting ideologies between Democrats and Republicans, it was a study in contrasting facts. For example, the existence of a structural deficit—a budget shortfall that recurs due to underfunding. House Democrats insist there needs to be more recurring revenue to balance the structural deficit. Most House Republicans say that there is no structural deficit at all, just a shortfall left over from last year's low revenues—plus several hundred million more dollars that can be plugged with one-time sources.

Opponents of the legislation said that it was based on flawed assumptions, posed cutbacks in mass transit services and will plunder money for popular causes, such as municipal recycling programs.

No Democrats voted approval. 103 Republicans voted yes—one more than the minimum number needed. 15 Republicans left the party line to vote no, mostly moderates from the southeast part of the state.

The House revenue plan was rejected by the Senate on September 20. However, the two chambers are engaged in a conference committee to seek a compromise between the two chambers' plans. Consequently, it is a possibility that any compromise package will contain elements of the House plan.

State Revenue Bills in Conference Committee

On September 20, the state Senate voted 43-7 to reject the House's revenue plan. The House package depends on borrowing and fund-raiding, but no new taxes. It barely passed the House on September 13, with no Democrats in favor. The Senate's plan, passed in July, includes utility tax hikes and a gas drilling severance tax.

Senate Majority Leader Jake Corman (R-Centre), made clear that while rejecting the House package, they are open to including various elements of it in a negotiated settlement. "We want to negotiate together to get to a final conclusion," Corman said.

The House revenue package and the Senate revenue package stand at an impasse. Neither chamber will accept the other's bill. This has led to the creation of a conference committee where three senators and three representatives, named by chamber leaders, form a panel tasked with crafting a common bill for final action in their respective chambers.

House Revenue Taps Environmental Funds

Pennsylvania environmental agencies will be hampered by the plundering of special funds included in the House revenue plan, passed September 13. The Department of Environmental Protection and the Department of Conservation and Natural Resources have hundreds of millions of dollars that are targeted by the revenue plan.

Much of the money is already committed to toxic-site cleanups as well as rehabilitation and repair of state forests. Advocates say it would also impact grants dedicated to open space and local parks.

Before the House passed its revenue plan, DEP Secretary Patrick McDonnell sent a letter to the House Environmental Resources and Energy Committee, saying the GOP proposal "will create serious threats to the health and safety of Pennsylvanians and our environment." For example, Mr. McDonnell cited the possibility of taking \$100 million from an underground tank storage fund meant to pay for cleanups of 1,000 sites with cancer-causing chemicals.

He also said the scheme would hurt the Growing Greener program, which funds farmland preservation, open space, parks maintenance, abandoned-mine cleanups, and other efforts. It would also remove \$17.5 million from an industrial-sites cleanup program.

Secretary McDonnell noted that the state Supreme Court has already declared taking money collected for environmental purposes and using it elsewhere to be unconstitutional.

Cindy Adams Dunn, head of the Department of Conservation and Natural Resources, came out against the plan, saying it would cut \$145 million contractually committed to "hundreds of projects in communities across Pennsylvania....Removing money from these special dedicated funds would mean postponing and canceling projects to help Pennsylvania communities and public lands, without the use of general operating dollars."

September and the State Budget

Because the General Assembly has not settled on a revenue plan and the state budget is not balanced, Pennsylvania is having trouble covering short-term costs. The Wolf administration needed to delay some payments in September. However, the governor said that he would be able to guide the state's financial obligations through the end of the month.

But, at the beginning of October the general fund will hit another low point, said administration spokesman J.J. Abbott. State Treasurer Joe Torsella is currently refraining from making further loans to cover the gap, saying it's irresponsible to lend the commonwealth money while the budget remains unfinished.

In August, Mr. Torsella, set a \$750 million limit on an internal line of credit at Treasury. He stated that he was "disinclined" to lend any more under the current circumstances. Since then he has reiterated that he can't justify higher

levels of internal borrowing. "I can't find a precedent where Treasury has engaged in that type of long-term lending against a budget that's acknowledged to not be balanced, and I don't intend to be the Treasurer that starts that precedent," Torsella said.

State Credit Rating

On September 20, Standard and Poor Global Ratings (S&P) formally lowered its rating for Pennsylvania's future general obligation bonds to A+. Unlike School grades, A+ is not the best. There are two higher rating, AA and AAA. But, it is not bad. A+ denotes a high quality, low risk investment. "A plus is considered medium investment grade," noted Carol Spain, the lead analyst for public finance at S&P. "It's actually a strong rating."

However, only two states have worse rating, Illinois and New Jersey. Generally, states are a highly-rated segment of the bond market because of their size, diversity and ability to raise taxes.

According to S&P, the downgrade was based on the cumulative effect of a chronic gap between expenses and revenues that has gradually weakened the state's cash position to the point where this month, the state has had to delay certain payments. Making matters worse, Ms. Spain wrote, the published plans to close the remaining deficit haven't inspired confidence about the near-term future.

The state will still have credit. No previously approved plans for highway repairs, bridge replacements, prison updates, urban redevelopment, college campus improvements or other good works should be derailed by the downgrade.

That lower credit rating means that the market of prospective buyers for Pennsylvania's bonds will now be a little softer, requiring the bonds themselves to carry slightly higher interest rates to be sold. As a practical matter it will cost the state and its taxpayers an added \$2.5 million to \$5 million in annual debt service for every \$1 billion borrowed. Gov. Tom Wolf's office said that the state had planned \$2.25 billion in new borrowing in this fiscal year. All things taken into account, the downgrade could cost \$10 million in taxpayer funds in total.

Not Really Fair School Funding

Last year, Pennsylvania adopted a new school funding formula based on objective data. But, because the formula only applies to new funding increases, it only accounts for seven percent of the state's distribution of public school money.

An organization called Equity First is encouraging the legislature to use the new formula to distribute a larger proportion of state dollars, accelerating the path toward a more equitable distribution of funding—at the current rate, it will take almost 30 years for even half of state funding to be distributed fairly.

School funding in Pennsylvania continues to be subjective. An example of this is the Educational Access Program. Since 2014, Pennsylvania has allocated about \$40 through this budget line. In this year's budget, lawmakers agreed to put \$23 million into the program. The Erie School District will get \$14.

The Erie School District needs the money! They are in a desperate financial situation. However, the issue of the absence of a fair funding formula was what led to its problem. Fully implementing the new formula would stabilize Erie. And it would have an even bigger impact in places like Reading, Lancaster, Allentown and Shenandoah Valley, where the numbers say the need is at least as great as Erie's.

"These one-offs are exactly what got us into a rotten spot to begin with. They're incredibly unfair, and they're not based on any science other than politics," said Kelly Lewis, a former Republican state representative from Monroe County who now heads Equity First. State Rep. David Hickernel (R-Lancaster), the chair of the House Education Committee, observed, "We really shouldn't be selecting a few special school districts to get bonus money."

Because the new funding formula counts actual student enrollment, it would result in a redistribution of funding. Objectivity, though, is no match for politics. In this case, the politics have held that implementing the new formula more completely would result in too much pain for too many districts that would have to sacrifice their abundance.

Michael Churchill, staff attorney with the Public Interest Law Center, said, "The commission that developed the formula very carefully decided that they were not going to ask how much money was needed. And the fallout is that there are a lot of struggling districts, and when the problem gets bad enough, the legislature reacts in a political fashion, and helps those who can cry the loudest."

Churchill thinks the state should come up with a dollar estimate for what all districts truly need to educate their students, and then work to match that number. His calculations say the state needs to raise another \$3.2 billion for public schools. Under this scenario, almost all districts in the state would receive more school funding—eliminating the problem of taking from one school district to give to another. But, the taxes needed to raise that kind of money are a deal killer.

Can Changing a Name Change the Facts?

On September 11, a House committee approved changing the name of the "impact fee" paid by gas drillers. The committee voted along party lines to rename the fee, calling it a "severance tax."

Heretofore, the terms had different meanings. Impact fees are levied on a per-well basis, so each time drillers make a new hole in the ground, they pay. A “severance tax” is applied when resources are severed from the earth, so it would be a tax on the amount of gas produced.

Pennsylvania currently levies an impact fee, but not a severance tax. There has been recent pressure to add a severance tax. Other gas producing states do. The revenue plan proposed by the state Senate includes a modest severance tax.

When questioned about the difference, amendment sponsor Rep. John Maher (R-Allegheny) called the terms, “artificial constructs. This conversation needs to begin with the clear recognition there is a significant burden placed on that industry,” Maher says. “This would rechristen the ‘impact fee’ as a ‘severance tax.’” The name change is viewed as a parliamentary maneuver by the GOP-led Environmental Resources and Energy Committee, which Maher chairs. The amendment aims to block a resolution filed by Democrats that could have forced a vote on a 3.5 percent severance tax bill.

House Democratic Caucus spokesman, Bill Patton don’t believe that this maneuver matters. “I think there’s enough bipartisan support for a severance tax.” Passing the tax is also a top priority for Governor Tom Wolf.

Among the 7,450 oldest wells in the state, about a quarter were not charged an impact fee at all—either because they’d been plugged or produced so little gas they were exempt.

Hey, what’s in a name?

Marijuana Growers License Ownership Restrictions

This month the Pennsylvania Department of Health dismissed talk of medical marijuana growers trying to shop licenses to other companies. April Hutcheson, a Health Department spokeswoman, said permits are not transferable and cannot be sold, under state law.

But, entities are allowed to change ownership. “The permits were awarded to the entities that applied for them,” she said. “Any change in ownership, either of the individuals involved or the entity itself, has to be approved by the department. For instance, if there are multiple partners and one wants to divest and sell their stake to someone else, that has to be approved and the new investor would have to complete all of the information required in the application. If the department does not approve, the sale cannot move forward. If a change of ownership happens and the department is not informed, the permit can be revoked.”

Marijuana Poll

Support in Pennsylvania to fully legalize marijuana has reached a record high, according to a poll published this month by Franklin and Marshall College. 59 percent replied “yes” when asked if cannabis should be made legal, said polling director Terry Madonna. When pollsters first began asking the question in 2006, only 22 percent agreed.

“Notice the evolution. It’s been a slow and inexorable growth in support during the past decade,” Madonna said. “And it’s important, because Pennsylvania has had a history of being a relatively conservative state on social questions.”

The Center for Opinion Research at Franklin and Marshall interviewed 400 voters on behalf of the Center for Politics and Public Affairs between Sept. 13 and 18.

Legislative Redistricting Reform Overview

This year, I have devoted much space to the movement for legislative redistricting reform. However, the reform movement is very active at this time. This subject is worth a review:

What is being reformed is gerrymandering—the practice of designing districts for the protection of incumbents and/or partisan advantage. In short, the major arguments against gerrymandering are that it often discourages competitive elections, favors politically extreme candidates, works against the spirit of regional representation, and leaves many constituents geographically removed from their lawmakers.

“Gerrymandering is voter suppression, and voter suppression is intentional oppression,” argues Joan Duvall Flynn, state NAACP President who called the current system a modern-day evolution of the poll taxes and literacy tests once designed to suppress African-American votes in the South.

Attempts to objectively identify gerrymandering have found Pennsylvania’s districts to be among the most unfair in the United States. The current legislative district maps are believed to have created large GOP majorities in Pennsylvania’s House, Senate and Congressional districts. Though, Republicans have noted that this situation is a result of fielding better candidates.

Some Republicans have insinuated that the reform movement is primarily led by disillusioned Democrats. But, Carol Kuniholm, founder of Fair Districts PA, has stated, "We don't want Democratic gerrymandering. We don't want Republican gerrymandering. We want a level playing field."

Redistricting is performed every 10 years, based on data compiled from the U.S. Census. The state will need to create new district maps in 2021. In the current process, state-level districts are drawn by a panel comprised of two Democrats and two Republicans, who then appoint a fifth person to head the commission. The congressional districts are drawn through a legislative process. Politics and power have a strong influence.

However, as a way to overcome political influences, reformers are supporting two bills, **Senate Bill 22** and **House Bill 722**. Either would change the current process, creating an 11-person commission that would draw the state and congressional district maps.

The commission would include four Democrats, four Republicans and three independents. Any new district map would need to be approved by a seven-person majority that must also have at least one approving vote from each group. Members would not be allowed to hold political or party office, be related to those who hold office or work for those who hold office. The data used to create the districts would be limited, with party affiliations and voting records taken out of the equation.

Both bills have multiple co-sponsors, 13 for the state bill, 93 for the house version, but are stuck in their respective chamber's State Government Committees. Movement will require cooperation. But, Republican leaders have cited a variety of reasons for not acting. Supporters of legislative redistricting reform are working hard to counter this inertia through a robust grassroots effort to arouse the voters.

Each of the three Annual Conferences of the United Methodist Church in Pennsylvania have passed a resolution calling for legislative redistricting reform in Pennsylvania; Western PA in 2016, Susquehanna and Eastern PA in 2017.

Politics Over Solutions—Gerrymandering

On September 21, former U.S. Congressman Jim Greenwood spoke to an audience of 200 at Wesley Enhanced Living in Doylestown, Pennsylvania. He observed that compromise has disappeared from the halls of government, because legislators have become more devoted to party politics than to finding solutions. "There's little to no penalties for lawmakers being further to the extreme right or left," said Mr. Greenwood. "They know they will get re-elected anyway in their safe districts. It's no surprise they are not compromising."

Mr. Greenwood was invited to speak by the Bucks County chapter of the League of Women Voters and Fair Districts PA, to critique gerrymandering and encourage citizen action in pushing for redistricting reform.

Gerrymandering Lawsuit

There are primarily two ways to create changes in the law. One is through legislation. The other is by lawsuit. This summer, a lawsuit was filed in Commonwealth Court on behalf of the Pennsylvania chapter of the League of Women Voters, with the purpose of having the current map of Pennsylvania's 18 congressional districts declared unconstitutional. My June 2017 report goes into detail regarding this suit.

GOP leaders in the Pennsylvania General Assembly have asked the court to stay all proceedings until the U.S. Supreme Court issues a decision in *Gill v. Whitford*, a similar case from Wisconsin. Commonwealth Court is scheduled to consider the Republicans' request early in October.

At an anti-gerrymandering rally in the state Capitol, September 12, demonstrators argued that the GOP's request is a politically convenient excuse. "There's no reason for lawmakers to avoid discussing these bills unless they're simply trying to run down the clock," said one participant in the rally. The U.S. Supreme Court ruling would have national ramifications, but isn't expected until June 2018.

The plaintiffs in Commonwealth Court think the case should go forward regardless of the U.S. Supreme Court, because it claims violations of the state, not federal, constitution.

Bruce Ledewitz, a law professor at Duquesne University, said the stakes are high as to whether the Pennsylvania case is heard on its merits or shelved until after a Supreme Court ruling. "Our courts hear cases that the federal courts don't hear. That doesn't mean the plaintiffs win. But it does mean that the case gets heard."

If the case is stayed, said Mr. Ledewitz, it's likely a loss for the League of Women Voters. But if the case proceeds, the state legislature and the 2011 redistricting process will be put under a microscope. "Everything they do in districting is going to be examined in a courtroom and they are going to have to be careful about what they do and that will be a very powerful restraint."

In Harrisburg, Sessions Talks Opioid Addiction

On September 22, U.S. Attorney General Jeff Sessions visited Harrisburg to address an audience of law enforcement officers. He told them their grassroots work is critical to fighting the opioid crisis.

Mr. Sessions stressed that people addicted to drugs are "unique, irreplaceable persons—Americans." He offered examples, describing people who are crippled economically by a criminal record related to addiction, and of families torn apart. He emphasized the death toll, saying he expected the final 2016 count to be 64,000.

Sessions expressed disagreement with those who say drug addiction is solely about personal choice. "If our culture and our people are not healthy, we will not have a great country." He observed that overdoses are killing 13 Pennsylvanians per day, the nation's sixth-highest fatal overdose rate.

He recognized addiction as a source of crime and declared a need to crack down on the transnational drug trade, and on drug dealing within the U.S. He said the main legs of the solution will be prevention, law enforcement and treatment. He announced \$20 million in federal funds to help local law enforcement in this matter.

While Sessions devoted most of his talk to the opioid crisis, he also cited a national increase in crime, saying crimes and murders have surged after years of decline.

Campus Sexual Assault

On September 22, the Trump administration withdrew Obama-era guidance on how colleges and universities should respond to campus sexual assaults. The action followed a pledge made by U.S. Education Secretary Betsy DeVos, to replace what she called a "failed system" of civil rights enforcement. In her view, the government under President Barack Obama did not strike the right balance in protecting the rights of victims and the accused.

Under President Obama, in 2011, the Education Department's Office for Civil Rights had declared that schools should use a standard known as "preponderance of the evidence," when judging sexual violence cases.

In civil law, the preponderance standard calls for enough evidence to determine that something is more likely than not to be true. That is lower than the "clear and convincing evidence" standard used previously by some schools.

Schools may now use either standard, while the government begins a process to develop rules on the issue. The interim guidance requires schools to address sexual misconduct that is "severe, persistent or pervasive," and to conduct investigations in a fair, impartial and timely manner. Schools will also be allowed to have informal resolution of cases through mediation, if all parties agree—the Obama administration did not favor mediation, declaring it inappropriate for dealing with sexual assault allegations.

Confederate Flag Burning

On September 22, activist Gene Stilp set fire to a Confederate-Nazi flag at the Columbia County Courthouse. The purpose of the one-person demonstration was to protest a decision by the Bloomsburg Fair board to allow the sale of Confederate items and flags at the Bloomsburg Fair and to stand against racism.

The previous day, Mr. Stilp appeared before the county commissioners to ask permission to burn his flag. He was told that he had a right to do so under the First Amendment. Though he needed no permit, Stilp said the commissioners wanted to make sure there was no public safety concern. Consequently, Stilp burned the flag over a metal trash can to catch the ashes and prevent further spread of the fire.

Mr. Stilp hand-crafted his flag with materials from Jo Ann Fabrics. It consisted of a Confederate flag on one side and a Nazi flag on the other. By burning this flag, Stilp said he wanted to support those who are intimidated by Confederate flags seen flying on porches, cars and other places, but don't feel they can speak out. He noted that both Confederate and Nazi flags represent the same things—racial oppression, bigotry, hatred and death.

PennDOT and Improper Immigrant Voters

An unknown number of noncitizens, legally living in the U.S.A., were improperly registered to vote in Pennsylvania as part of the state's "motor-voter" program—Motor-voter is a federal law that went into effect in 1995 to help encourage voter participation by combining voter registration with the issuing of a driver's licenses. Only U.S. citizens are eligible to vote. But, noncitizens who are in the country legally are permitted to obtain driver's licenses.

Al Schmidt, a member of the Philadelphia elections panel, predicted that "many thousands [of noncitizens] remain registered to vote in Pennsylvania." Mr. Schmidt called on the Pennsylvania Department of State to release to the state's county election boards the names of all noncitizens registered to vote.

The PA Department of State has revealed that 1,160 noncitizens statewide had canceled their voter registrations because they were ineligible to cast ballots.

J.J. Abbott, Gov. Wolf's press secretary, stated, "Let's be clear: This motor-voter glitch has existed for decades, through Republican and Democratic administrations. Gov. Wolf's administration is actually taking action to fix it."

Noncitizens visiting PennDot offices are required to provide documentation that they are in the country legally. Formerly, when it was time to be photographed during the driver's license process, an electronic kiosk would ask, "Would you like to register to vote?" Some noncitizens answered "yes," not realizing that this was improper.

The PA Department of State was informed of this problem in 2015, when Gov. Wolf took office. It began correcting PennDot kiosks in August 2016, to make "Are you a citizen?" the first question asked. A "no" answer now blocks an applicant from being registered to vote.

Schmidt sees the problem as an inadvertent outcome of a flawed PennDot procedure. Others see a more sinister motivation. Hans von Spakowsky, a member of President Donald Trump's election commission, said the improper registrations represent "more evidence that we have a problem."

Mr. Trump said while campaigning that he could only lose if opponents cheated in places like Pennsylvania. After winning the presidency, he claimed that he lost the popular vote because of fraud.

Trump Support in Pennsylvania

A recent poll from Franklin and Marshall College indicates a drop in President Donald Trump's approval rating in Pennsylvania. The results are based on a survey taken September 13-18, the margin of error is 6.2 percentage points.

50 percent of respondents statewide gave President Trump a "failing" rating on improving the health care system, while 19 percent said he'd done an excellent or very good job on the issue. He got his highest ratings on dealing with terrorism, where 39 percent said he was doing very good or excellent, 21 percent said he was average and 39 percent said he was below average or failing. As for how Trump is handling immigration, 32 percent of respondents gave him an A or B while 46 percent gave him an F.

Mr. Trump's job approval remained strong among those identifying as Republican (53 percent) or ideologically conservative (55 percent), with just 11 percent of Democrats and 21 percent of independents giving him good or excellent marks. Polling director Terry Madonna said older, white Pennsylvanians without college degrees remained Trump's strongest supporters.

Trump's job approval rating dropped to 40 percent among his bedrock Southwestern Pennsylvania supporters, while less than a third of voters statewide said he's been doing a good job overall. Trump had enjoyed strong support in Southwestern Pennsylvania counties, excluding Allegheny, with 60 percent of voters polled in May calling his job performance good or excellent. However, 61 percent of the respondents in the southwestern region still self-identified as "Trump supporters." "They may have weakened in their support, but they still call themselves 'Trump supporters,'" Madonna said.

Statewide, 29 percent gave Trump positive ratings in the September poll, compared with 37 percent in May and 32 percent in February. In Allegheny County, which is counted separately in the polling, 15 percent rated his performance as good or excellent and 80 percent said it has been fair or poor.

Planned Parenthood

Gov. Tom Wolf and his wife, Frances, have long supported Planned Parenthood, including serving as patient escorts for women going to the clinic. The Wolfs again showed their commitment to the health care services agency on September 19, when they attended a Planned Parenthood-sponsored community forum at Montgomery County Community College.

"As the U.S. Senate continues to consider changes to the American health care system, we need to reject flawed amendments and support bipartisan efforts to make healthcare more available and affordable for all Americans, including preserving Planned Parenthood," the governor said.

Last year, Planned Parenthood served about 90,000 patients in Pennsylvania and provided nearly 170,000 screenings for sexually transmitted disease, over 9,000 cervical cancer screenings and 11,000 breast wellness exams, the agency said.

Krueger-Braneky Responds to Bernstine

On September 18, State Rep. Leanne Krueger-Braneky (D-Delaware), denounced violent and derogatory comments made by state Rep. Aaron Bernstine (R-Beaver), toward protesters. Reacting to an article about a protest against police violence in St. Louis, Bernstine tweeted, "If anyone ever tries to stop my car on a highway with negative intentions... I will not stop under any conditions."

The situation to which Mr. Bernstine referred was a demonstration after the acquittal of officer Jason Stockley, who had been charged with murder and planting evidence after shooting and killing Anthony Lamar Smith, in 2011. During a vehicular pursuit, Stockley was captured on tape saying, "We're killing this mother---." Stockley then shot Smith five times while he was stopped in his car, killing him.

"The inflammatory comments by Representative Bernstein are outrageous and unacceptable," Ms. Krueger-Braneky said. "No elected official should ever threaten violence, particularly against political protesters or those who do not agree with us. Being a state lawmaker is not just a privilege, but a responsibility to ensure that the rights of all people are protected and that the constitution is upheld."

Ms. Krueger-Braneky added, "More concerning to me is that he referred to protesters as 'thugs,' a term that has been used to defame and oppress people of color for decades and across continents. As a fellow Christian, I pray that Aaron comes to the realization that state-sanctioned violence is unacceptable. There is no shame in admitting you were wrong and asking for forgiveness."

No Such Thing as Women's Issues

On September 18, at Philadelphia's Downtown Marriott, the National Federation of Republican Women held its 39th biennial meeting.

Kentucky state treasurer, Allison Ball, 36, spoke to the assembly. Ball is the youngest woman to hold a state office. Ms. Ball declared that "there's no such thing as women's issues. Only people's issues." Apparently, this was a regular theme at the convention.

It was an event for women, organized by women, that kept insisting that the necessity of political action on behalf of women is a fantasy of the left. To the members of the NFRW, that is not a contradiction. "It's just not fair to put all women in the same basket," said Carrie Almond, the outgoing NFRW president. "It really is about all issues."

Delegates attended workshops on advancing legislative agendas and increasing membership in their hometown chapters. They also voted on several resolutions, including one supporting a border wall and advocating for the withholding of federal funding for sanctuary cities—like the one that hosted their convention.

Child Welfare System Broken

On September 14, Pennsylvania Auditor General Eugene DePasquale reported the findings in his investigation of the state's child welfare system. He said that the caseworkers, those in the front lines, tasked with ensuring the protection and safety of children, are not trained well enough, not paid well enough, are overwhelmed and not given access to the resources they need.

Last year, in the system, 46 children died and 79 others were critically abused and neglected. The 80-page report—entitled "State of the Child"—finds systemic and critical deficiencies across the state's Children and Youth Services, the agency that oversees child-welfare and protection. "What I found...is appalling," DePasquale said. "I'm talking about wholesale system breakdowns that actually prevent CYS caseworkers from protecting our children from abuse and neglect."

The year-long examination of the system played out against the backdrop of changes to child protective services laws in the wake of child sex abuse scandals involving Jerry Sandusky and the Roman Catholic Church.

Among its many recommendations, the report says that the state's child-welfare system should be under the constant review of an independent ombudsman tasked with reviewing complaints and suggesting improvements to the system.

Pennsylvania's child welfare system includes 67 county-level agencies, four regional offices and the state level Office of Children, Youth and Families, which falls under the Pennsylvania Department of Human Services. In 2016, approximately \$1.8 billion in local, state and federal funds were spent on child welfare services with state dollars representing \$1 billion of that overall spending.

DePasquale noted that DHS must appeal to the General Assembly for more money to fund its programs. Public pressure, the report notes, is paramount in assisting the state and county officials in revamping the system.

Elect, then Lobby

Two firms in Harrisburg have cornered the market in providing both campaign and lobbying services. Having helped elect a candidate, they then lobby those office holders on behalf of special interests. Critics say that this practice sustains a culture of favoritism, influence and conflicts of interest. But, founders of the firms say that their work is legal and protected by the First Amendment.

Former Senate staffers Mike Long and Todd Nyquist operate the lobbying firm Long, Nyquist & Associates. They also operate LN Consulting, that manages political campaigns. Many Republican senators turn to Mr. Long and Mr. Nyquist for election help. Of the 34 Republicans in the Senate, LN Consulting helped run the political campaigns of eleven.

Ray Zaborney is the operator of the lobbying firm Maverick Strategies. Its campaign arm is Red Maverick Media and its fundraising arm is Maverick Finance. Maverick has worked for 57 of the 121 Republicans in the House, as well as assisting 16 senators.

Lobbying disclosure reports show that special interest clients of both firms have spent tens of millions of dollars to influence legislation. Few companies handle both campaigning and lobbying. This practice creates an ethical dilemma. If an office holder is beholden to and dependent on such a firm, that firm's influence must be considered to be potentially undue and even corrupting. However, Mr. Long's reply to that idea is to say, "Lobbyists present information on behalf of our clients to members—but it's the members who make the final decision."

Attempts to pass legislation to prevent lobbyists from conducting campaign work have faced resistance and, so far, been unsuccessful. However, some lawmakers continue to push for change.

DACA

On September 5, the Trump administration announce that the Deferred Action for Childhood Arrivals program (DACA) will be phased out.

DACA started in 2012 under the Obama administration. Since then, about 800,000 young immigrants have benefited from the program. According to U.S. Citizen and Immigration Services, Pennsylvania is home to 5,889 DACA recipients. In order to qualify for DACA status, an individual must have arrived in the United States before age 16 and resided in the country since 2007, according to the U.S. Citizen and Immigration Services website.

The program allows undocumented people who are currently in school, have graduated or obtained a certificate of completion from high school, a General Educational Development (GED) certificate or who are honorably discharged veterans of the U.S. Coast Guard or armed forces to remain in the country. The program does not result in citizenship. But it does allow DACA recipients to attend school, hold a job and obtain a driver's license.

The DACA program will be phased out over six months. This means that Congress is now tasked with coming up with a more permanent solution. The government will no longer process new applications for DACA status. However, previous recipients may continue to apply to renew existing DACA status during this six-month period.

DACA eligible persons living in Pennsylvania can get information on assistance and financial aid for renewing DACA status at the Pennsylvania Immigration and Citizenship Coalition (PICC) website: paimmigrant.org

Frequent Lottery Winners Investigated

The Office of the Pennsylvania Auditor General is investigating unusually frequent Pennsylvania lottery winners.

According to an investigation by online news-site PennLive, 200 Pennsylvanians claimed 50 or more lottery prizes worth at least \$600 between 2000 and 2016—a feat that in many cases is improbable. Those winners include more than a dozen current or former Pennsylvania Lottery retailers.

Investigations into unusually frequent winning in other states have sometimes found their wins rooted in crime: from retailers secretly stealing winning tickets from prize claimants; to cheating; to schemes that facilitate debt evasion or money laundering.

Susan Woods, spokeswoman for the Pa. Auditor General's Office, said the department was now reviewing information about Pennsylvania's most frequent lottery winners. "We will also be reaching out to the Attorney General's Office to discuss what might be the next best steps to ensure the integrity of Pennsylvania's lottery."

Pennsylvania's most frequent winner, a Mechanicsburg veterinarian, claimed 209 lottery tickets worth \$600 or more between 2004 and 2016, winning \$348,000. A statistician who has studied lottery probabilities found that even if every Pennsylvania resident spent \$7.8 million on lottery tickets, there would still be less than a 1-in-10 million chance that any of them would win as many prizes as Pennsylvania's most frequent winner. Neither luck nor frequent play are plausible explanations for her wins.

Dianne Berlin, an anti-gambling activist from Penryn, believes lawmakers should be skeptical of the lottery's ability to police itself. Ms. Berlin, a former vice-chair of the National Coalition Against Legalized Gambling, said repeated lottery scandals had shown lotteries prioritize ticket sales over investigating internal issues that they fear could generate bad publicity. She suggested that the Pennsylvania Lottery had been ignoring improbable winning patterns for years despite the possibility that it suggested cheating, fraud or other abuses of the system. "This is not a sign of good government," Berlin said.

Thanks to (United Methodist) Dianne Berlin for bringing this item to my attention.

PA Poll Watchers

The Pennsylvania House of Representatives is reviving legislation that emerged last year as then-Republican presidential nominee Donald Trump urged his supporters to watch Philadelphia closely for cheating at the polls on Election Day. On September 26, the House voted 106-91 to allow a registered voter from anywhere in Pennsylvania to be

appointed as a poll watcher in any election district. Currently, a poll watcher must be registered to vote in the same county. The bill goes to the Senate.

State Rep. Matt Bradford (D-Montgomery) criticized the bill as being inspired by Trump's outrageous allegations, and says he worries that it'll enable intimidation and harassment at polls that threatens elections. The bill's sponsor, Rep. Rick Saccone, (R-Allegheny), says the bill helps ensure polling places are secure.

It can help supply poll watchers for candidates in areas where their party members are relatively scarce, Saccone said, and it gets around what he called an "arbitrary" restriction on a registered voter to serve as a poll watcher outside their county of residence. "There's a lot of misperception out there that these people could be intimidating or disrupt the process," Saccone added. Poll watchers are not allowed to interact with voters, but can report perceived election irregularities at a polling place to a judge of elections.

Bannon and Wagner, True Love

Republican gubernatorial candidate Scott Wagner recently shared a stage, and an airplane flight, with Donald Trump's former advisor, Steve Bannon, publisher of the hard-right website, Breitbart News. The two men appeared in St. Louis at a gathering of the Phyllis Schlafly Eagles—named for the late conservative activist and feminist foe. Mr. Wagner told the crowd he'd spent "two hours on the plane with Steve Bannon. I was pretty emboldened before, but I can tell you right now I'm like 500 percent more emboldened."

During his speech, Mr. Bannon noted, "we're going to start taking it [the country] back ... in November when Scott Wagner runs in Pennsylvania"

In a September 26 phone interview, Mr. Wagner said that he was planning to attend the forum and then "found out through somebody that they got Steve Bannon to speak." He extended an invitation to Mr. Bannon to share a chartered flight. "It's called plane-pooling, like car-pooling." Mr. Bannon "wanted to talk about the issues we have in Pennsylvania, whether it was the [opioid] crisis or the pension crisis. He told me about the experiences he'd had in D.C. and asked about my platform and issues. We had a lot of issues in common."

No Smoking Poll

A new poll released by a coalition of anti-smoking groups shows widespread support among Pennsylvania voters for expanding no-smoking laws. The poll, conducted Sept. 9 to 12, has a margin of error of 4 percentage points.

"In Pennsylvania, tobacco will claim an estimated 22,000 lives this year alone," said Brad Cary, manager of the Breathe Free Pennsylvania Coalition. "We know that comprehensive smoke-free laws save lives and reduce tobacco-related illnesses like heart disease and cancer."

The poll found that by more than a 2-to-1 margin, Pennsylvanians support a sweeping law that would ban smoking in all workplaces, including bars and casinos. A smoking ban enjoys bipartisan support with 72 percent of Democrats, 65 percent of Republicans and 67 percent independents favoring one.

With private clubs also named in the poll, Dwight Fuhrman, the state commander of the Pennsylvania Veterans of Foreign Wars observed, "It is time for the state to end the smoking exemption for all facilities licensed by the Pennsylvania Liquor Control Board, including all private clubs. Removing this exemption for all PLCB license holders will create an even playing field so there won't be a competitive disadvantage for those clubs that become nonsmoking operations."

In May, state Rep. Matt Baker (R-Tioga), chairman of the House Health Committee, introduced House Bill 1309 that would eliminate smoking exemptions for bars, casinos and private clubs, as well as hotels, outdoor patios of restaurants and cigar bars and lounges. It also included electronic cigarettes. Baker's bill remains in the Health Committee and has not received a vote.

The poll also found that 64 percent support local communities being allowed to pass anti-smoking laws stronger than state law.