

# **United Methodist Advocacy in Pennsylvania**

## **January 31, 2019**

The 2019-2020 session of the Pennsylvania General Assembly convened for the first time this month. Senators and representatives were sworn-in on New Year's Day. Senate and House rules were formulated. The Governor and Lieutenant Governor were sworn-in at mid-month.

Legislative committee chairs were appointed early-on and committee membership finalized later in the month. Caucuses were formed. And since all legislation must start anew, this month was a time to begin writing legislation and making announcements concerning bills. By the end of the month, a few bills were even introduced and assigned to a committee.

January is a time of gearing up in the Capitol. Even though there has been relatively little legislative action, a lot has been going on in Harrisburg. In fact, I visited the Capitol on business several times.

Below is political news that might be of interest to United Methodists:

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### **Many Newcomers in PA Legislature.**

On January 1, the Pennsylvania General Assembly began a new two-year session. Twenty percent of its members are taking office for the first time. The Pennsylvania Constitution mandates a new session start on the first Tuesday of the year.

Forty-three new representatives took the oath in the state House of Representatives and seven new senators took the oath. That's 50 freshmen out of a legislative body of 253 members.

There are 110 Republicans and 91 Democrats in the House with two vacancies, and 29 Republicans and 21 Democrats in the Senate with one pending vacancy. The breakdown among freshmen is 24 Democrats and 19 Republicans in the House, five Democrats and two Republicans in the Senate.

This session also marks the highest number of women legislators, accounting for one-quarter of the body.

House Speaker Mike Turzai and Senate Pro Tempore Joe Scarnati were reelected to new two-year terms without serious opposition. Both urged their colleagues to find ways to work together.

Turzai said that creating family-sustaining jobs and strengthening families are commonplace goals. Scarnati said that passing a balanced state budget that protects taxpayers and steering business growth and investment are key goals.

### **New Judiciary Committee Chairs**

The leadership of both the state Senate and House Judiciary Committees has changed for the 2019-2020 legislative session. Sen. Lisa Baker (R-Luzerne) and Rep. Rob Kauffman (R-Franklin) are the new judiciary chairs of the Senate and House, respectively. They replace Sen. Stewart Greenleaf and Rep. Ron Marsico, both of whom retired at the end of the last session.

Committee chairs hold significant power and can single-handedly move or kill legislation. The Judiciary Committees, in particular, are high-profile bodies at this period in time, where criminal justice reform is one of the hottest political issues. The Judiciary Committees oversee legislation concerning criminal justice, crime, crime victims, public safety, the state police, prisons, the judiciary branch, firearms and animal abuse.

Sen. Baker said her first priority is obtaining the needed second-time passage of “Marsy's Law,” a proposed constitutional amendment for crime victims' rights, so it can be placed on the ballot for voter approval. The measure passed the Legislature last session and needs to pass in this session as well.

Rep. Kauffman said, “...I anticipate addressing many issues critical to the citizens of Pennsylvania. With many of them, we will pick up where Chairman Marsico left off. But whether it is the decriminalization of marijuana, criminal justice reform, or any other major issue, these public policy initiatives require serious study and deliberation.”

One example of legislation that would pass through the Judiciary Committee is being proposed by Senators Anthony Williams (D-Philadelphia) and Camera Bartolotta (R-Washington). It would be a probation reform bill with the goal of helping ex-inmates fully reintegrate back into society. The bill would minimize punishments for minor violations of probation terms and allow judges to shorten probation time for good behavior. The senators point out that probation terms can exceed the sentence and create periods during which a minor violation can result in confinement again.

Other legislation pending at the start of this session would decriminalize possession of a small amount of marijuana, shorten probation periods, and put more emphasis on rehabilitation of criminal offenders.

### **New House and Senate Operating Rules Focus on Misconduct**

Both the Pennsylvania House of Representatives and Senate adopted new operating rules during the opening day of the 2019-20 legislative session.

For example, the new rules in the House include changes resulting from concerns about misdeeds by former lawmakers, the rise of the #MeToo movement, the timetable for voting on legislation and a push by Republican leaders to expand legislative oversight of state government.

House Majority Leader Bryan Cutler (R-Lancaster) stated, “Our rules reflect a shared goal of improving House operations, imposing clear requirements in the handling of matters of sexual harassment, creating accountability when a member violates trust of his or her office.”

The House Ethics Committee will be given the task of investigating sexual harassment allegations against a member or officer of the House, ending a practice where each caucus handled cases involving their own members. The panel will provide one hour of training on sexual harassment and discrimination in the workplace to each member.

The Ethics Committee will also consider expulsion resolutions when a member is convicted or pleads guilty to a crime “of embezzlement of public moneys, bribery, or perjury” relating to his office and therefore is considered no longer eligible to serve in the General Assembly. This rule replaces a practice where such action was taken after sentencing.

A new House Committee on Government Oversight was created under the 2019-20 rules. The committee will have power to investigate matters involving administrative actions and executive agencies. Cutler said the panel's creation will help House members exercise their constitutional duty to provide oversight of the executive and judicial branches of government.

### **Governor Calls on Two Legislators to Resign**

On January 24, after learning of published reports of allegations involving sexual misconduct against Rep. Brian Ellis (R-Butler) and Sen. Daylin Leach (D-Montgomery), Gov. Tom Wolf called for their resignations.

It was reported that the Dauphin County District Attorney’s office is investigating claims that Rep. Ellis sexually assaulted a woman he encountered at a bar in Harrisburg in 2015.

In a separate report, Senate Democratic Caucus leaders announced that they have launched an investigation into a private criminal complaint involving Sen. Leach, claiming that he coerced a then-17-year-old woman into a sex act in 1991.

Neither Ellis nor Leach has been charged with a crime. But, the governor said both should resign. On January 28, Leach filed a defamation lawsuit against his accuser.

As for Ellis, on January 25, the state House Republican Leaders removed him as chair of the Consumer Affairs Committee. They said they were focused on the institution's integrity, staff safety and "the best paths forward for the individuals involved.” They also called on Ellis to resign.

### **Sen. Leach Sues Accuser**

On January 28, state Sen. Daylin Leach (D-Montgomery) filed a defamation suit in Common Pleas Court in Philadelphia, against a woman who has accused him of luring her into performing oral sex when she was a teenager and he was an attorney representing her mother in a criminal case, 28 years ago.

Sen. Leach contends that Cara Taylor, along with two Philadelphia-area women, have defamed him by promulgating what he calls a “fictional 1991 encounter” of sexual assault. He is seeking at least \$50,000 in damages.

“The three defendants have sought to achieve their goals by seeking to exploit for their own malicious purposes an important political movement in order to broaden the audience of their false claim among a trusting, unknowing, and unsuspecting public, to wrongfully mobilize and incite unwitting accomplices

against plaintiff, and to inflict maximum harm on plaintiff and his family based on accusations they know to be false,” Leach contends in the suit.

In filing the suit, Leach has taken a legal route not often used by public officials who have been accused of misconduct by the #MeToo movement. In addition to Ms. Taylor, Leach’s lawsuit targets two other woman, Colleen Kennedy and Gwen Snyder, both activists in the #MeToo movement. He contends Kennedy and Snyder have “shown a reckless disregard for the truth in gleefully republishing and embellishing upon the serial liar’s fabrication.”

Senate Democrats announced last week that they had hired an outside law firm to conduct an investigation into Taylor’s allegations. The move came after Taylor distributed to the offices of nearly every senator copies of a private criminal complaint that described the alleged sexual assault. Taylor claimed the incident occurred while Leach was representing her mother in an attempted homicide case. Taylor was convicted of perjury after she falsely took the blame for the crime, for which her mother was ultimately convicted.

Lehigh County District Attorney Jim Martin said last week that Taylor had met with a prosecutor and investigator from his office, but that his office had not received a formal copy of her complaint. Martin said Taylor was told that her case fell outside the statute of limitations for criminal charges, and that on that fact alone, his office would not pursue it.

## **Criminal Justice Reform Caucus Formed**

In mid-January, state Representatives Jordan Harris (D-Philadelphia) and Sheryl Delozier (R-Cumberland) announced the organization of a bipartisan Criminal Justice Reform Caucus in the state House of Representatives, to focus on producing further reforms within Pennsylvania’s criminal justice system.

“I am committed to making changes to the criminal justice system that give a strong voice to the rights of the victims and also work to have released offenders become productive members of our communities,” Delozier said. “We all have made stupid mistakes. Those mistakes should not define our lives. People deserve a second chance, especially those who have long ago changed their ways.”

A memo announcing the formation of the House Criminal Justice Reform Caucus resulted in more than 30 members joining in the first two days. The caucus will address issues such as barriers to employment, education and workforce skills during incarceration, probation and parole issues and successful rehabilitation and re-entry into society. The House caucus will work closely with the Senate Criminal Justice Reform Caucus, chaired by Sen. Camera Bartolotta (R-Washington) and Sen. Art Haywood (D-Montgomery).

## **Bill to Update Probation System**

On January 28, a bipartisan pair of state senators unveiled a bill that they cosponsored, intended to renew the state probation system, to make it easier for ex-inmates to integrate back into society.

Their bill, Senate Bill 14, would minimize prison time for minor violations of probation terms such as minor traffic violations and failure to report a change of status and to allow judges to shorten probation time for good behavior. The measure, sponsored by Sens. Anthony Williams (D-Philadelphia) and Camera Bartolotta (R-Washington), has been referred to the Senate Judiciary Committee.

Supporters are touting the measure as both a human rights issue for people on long-term probation, and a way to save the state money on prison costs.

Under current law, Pennsylvania doesn't limit possible probation length or additional time in state or county prisons for violating probation. Furthermore, judges can tack on probation time for perceived courtroom violations, or if defendants can't pay restitution. It is a major problem that prison terms for probation violations can exceed the original sentence for an offender, bill sponsors said.

"While the prison population is decreasing, those individuals who are now on parole are increasing," Sen. Williams said. "The consequences of them being on parole, and the manner in which parole is enforced, is antiquated and needs guidelines."

Sen. Bartolotta said the probation bill is a priority for the new criminal justice reform caucus in the Senate, which she-co-chairs.

Proposals to reform how probation works are one part of an ongoing review of the criminal justice system called the Justice Reinvestment Initiative.

### **Next Steps for Marsy's Law**

On January 29, at the state Capitol, Rep. Sheryl Delozier (R-Cumberland) announced that she has introduced House Bill 276, Marsy's Law, to protect the rights of crime victims. Marsy's Law requires an amendment to the Pennsylvania Constitution.

For the state constitution to be amended, legislation must pass in two consecutive legislative sessions before being added to the ballot for voter approval. During the 2017-18 legislative session, Marsy's Law, Senate Bill 1011 was passed unanimously in the state Senate and the House. HB276 is the required second version of the bill.

Referring to victims of crime, Rep. Delozier said, "People have been made part of the judicial system, not through anything they did, but through something that someone else did. Someone did something to them to make them a victim."

The Pennsylvania Constitution enumerates rights for individuals accused and convicted of crimes, but victims have no enumerated rights in the constitution and, therefore, no recourse when their statutory rights are violated. The proposed constitutional amendment would ensure crime victims have the rights to:

- Receive information about their rights
- Receive notification of proceedings in their criminal cases
- Be present at court proceedings
- Be heard at plea and sentencing proceedings
- Assert additional statutory rights
- Be treated with fairness, respect and dignity

With significant legislative support, Marsy's Law is expected to pass both chambers by June, allowing for the measure to appear on the November 2019 ballot as a referendum for Pennsylvania voters.

### **Buyer Beware: Human Trafficking Legislation**

On January 9, state Rep. Seth Grove (R-York) and state Sen. Kristen Phillips-Hill (R-York) conducted a news conference, along with other government officials and advocates, to unveil the "Buyer Beware Act"—I was a participant in the news conference.

The legislation—designated House Bill 12—is designed to strengthen penalties in certain human trafficking criminal cases, targeting those who pay money for sexual acts with victims of human trafficking.

“The sex trade operates like any other trade, based on the law of supply and demand; unfortunately our crimes code often minimizes the penalties for those who purchase sex, thus not creating enough disincentive,” explained Rep. Grove, prime sponsor of HB12. “In order to create this disincentive, the Commonwealth must bring the full force of our justice system against those who would commit this heinous crime.”

HB12 and the Senate version, SB 60, would mirror current federal law related to human trafficking and include anyone who purchases sex from a victim of trafficking as part of the definition of the crime of human trafficking. Additionally, the legislation mirrors federal law by expanding the offense for patronizing a victim of trafficking to include any person who should have known or acted with reckless disregard to the fact the individual was a victim of human trafficking.

The bill would upgrade the crime from a second degree felony to a first degree felony carrying a maximum penalty up to 20 years in prison, doubling the maximum jail time under current law. In addition, those who patronize a victim of sexual trafficking would see an increased fine from \$500 to between \$1,000 and \$30,000, to be set at the discretion of the court. If the victim is a minor at the time of the offense, the fine is increased to a minimum of \$5,000 and a maximum of \$100,000.

The proposal also increases the fine for repeat offenders patronizing prostitutes, which the sponsors say is in recognition of the connection between prostitution and human trafficking.

Grove said a 2016 study identified 152 cases of human trafficking through Pennsylvania, adding, “The true number of human trafficking cases is likely much higher since this crime is vastly under-reported and hidden among other crimes, such as prostitution, theft and drug dealing, among others.”

In an effort to help address under-reporting of human trafficking, officials of Gov. Tom Wolf’s administration urged the public to learn about human trafficking and be ready to call a national hotline. The National Human Trafficking Hotline (1-888-373-7888), operating since 2007, has received nearly 4,000 calls that generated 1,046 cases in Pennsylvania alone, officials said. PennDOT is one of the first state agencies in the nation to train its employees to watch for signs of human trafficking.

Pennsylvania appears to be a high-volume human trafficking “pass through” region, because of its networks of interstates and highways. Human trafficking has been discovered in every county in the state.

January was Human Trafficking Awareness Month.

## **National Criminal Justice Reform Organization Created**

On January 23, Pennsylvania Governor Tom Wolf, Lt. Governor John Fetterman and Pennsylvania Department of Corrections Secretary John Wetzel joined leaders from the worlds of sports, entertainment and business in New York City as they announced the launch of *REFORM Alliance*, an organization focused on transforming the American justice system.

REFORM’s founding partners include award-winning recording artist Meek Mill; Philadelphia 76ers co-owner and Fanatics executive chairman Michael Rubin; entrepreneur and business mogul Shawn “JAY-Z” Carter; Kraft Group CEO and New England Patriots owner Robert Kraft; Brooklyn Nets co-owner and philanthropic investor Clara Wu Tsai; Third Point LLC CEO and founder Daniel S. Loeb; Galaxy Digital CEO and founder Michael E. Novogratz; and Vista Equity Partners founder, chairman and CEO Robert F. Smith.

REFORM named activist, author and CNN host Van Jones to serve as the organization’s Chief Executive Officer.

Governor Wolf said. "The passionate supporters of criminal justice reform here today invited my administration to attend this announcement because Pennsylvania is a leader in commonsense reforms. I'm pleased to be here today." The governor pledged his continued support for additional criminal justice reforms, including:

- Focus on probation reform to ensure individuals have the right level of supervision and that technical probation violations do not mean an immediate return to incarceration.
- Reform the pre-trial system to make certain that those accused of a crime have access to competent legal counsel and a reasonable bail system.
- Reform the post-trial criminal justice system to ensure work towards rehabilitation of individuals and preparation to reenter society.

Wolf said. "My hope is that REFORM Alliance, working together with states, advocates and legislators can continue to make a difference in advancing criminal justice reforms."

To learn more about the REFORM Alliance, visit: [www.reformnow.com](http://www.reformnow.com)

## **Legalizing Marijuana**

On January 24, the Wolf administration announced that the lieutenant governor will hold a series of town hall-style listening sessions on the subject of legalization of marijuana in Pennsylvania. Lt. Gov. John Fetterman said he will hold meetings in each of the state's 67 counties.

Gov. Tom Wolf has said that the state should take a serious look at legalizing marijuana. Wolf said that gauging opinion is the responsible thing to do as states increasingly legalize marijuana or, in the case of New Jersey and New York, strongly consider it. The governor said that a similar tour in his first term, concerning the opioid epidemic, proved valuable for crafting state policy.

Wolf signed Pennsylvania's medical marijuana law in 2016. But, legalizing the sale of marijuana for recreational use might be problematic. It would require action by Pennsylvania's Republican-controlled Legislature. While lawmakers overwhelmingly approved Pennsylvania's medical marijuana program, the Legislature has been hostile to the idea of legalizing recreational use. Senate Majority Leader Jake Corman (R-Centre) has voiced opposition to the idea.

Fetterman said he supports legalizing marijuana because criminal penalties tend to be imposed disproportionately on minorities and enforcing the law over possession of small amounts is a waste of law enforcement resources. He also said legalizing it's sale could mean new tax revenue for the state and so many people already use it "it's not like it's not already out there."

However, Fetterman said the listening tour will hear from all sides. He noted that he hopes the feedback helps make the case for legalization.

A 2017 poll by Franklin and Marshall College in Lancaster found that 59 percent of those Pennsylvanians surveyed supported the legalization of marijuana use.

Colorado and Washington first approved the sale of recreational marijuana in 2012.. Currently, 10 states allow use of recreational marijuana. Each of those states, except Vermont, legalized marijuana through voter referendum. But, in Pennsylvania the decision must come from the legislature.

## **Hemp Farming in Pennsylvania**

On January 22, Pennsylvania announced new rules to allow the expansion of hemp growing in the state. Hemp had long been banned due to its association with marijuana, even though industrial hemp lacks the chemical compounds that produce a marijuana high.

According to the Pennsylvania Hemp Industry Council, there are thousands of uses for the product. For example, hemp fibers can be used for textiles and clothes. Hemp pulp is used for fiberboard, insulation and animal bedding. Hempseed oil is used for salad oil, paints and varnishes, soap and shampoo.

“Pennsylvania’s story is shaped by agriculture and the products that help grow the commonwealth, and industrial hemp presents an exciting new chapter in that story,” said Pennsylvania Agriculture Secretary Russell Redding.

Pennsylvania’s regulations come on the heels of the passage of the federal 2018 Farm Bill, ending the ban on growing hemp as a farm product. The state is eliminating limits on how many acres of hemp a farm can produce. Previously, hemp growing in the state was limited to products for use in research.

While the Farm Bill ended the federal ban, growing rules are set by each state. As a result, only Pennsylvania and Kentucky have submitted plans to the federal government explaining how commercial growing of hemp will be regulated.

### **Safe2Say School Threat Warning System**

On January 23, state Attorney General Josh Shapiro announced that a new statewide system designed to collect reports of threats against schools has produced hundreds of tips in its first week. The program, Safe2Say, enables students, teachers, administrators and others to anonymously report potential threats of violence, including bullying, drug use, suicide threats and threats to schools.

The reporting system has received 615 tips and calls from across Pennsylvania. Crisis center analysts processed each tip and forwarded several hundred to local police and school officials, Shapiro said.

Safe2Say is modeled after a Colorado-based program created after the Columbine High School massacre in 1999. At least five other states have created similar programs. The program now includes 3,774 public and private schools across Pennsylvania.

“Pennsylvania students deserve a safe place to learn, free from the threat of violence from classmates or other individuals,” Mr. Shapiro said in news release. “I’m proud my office was entrusted by the legislature to run this new program focused on school safety. Working together with local law enforcement and school officials, we can make Pennsylvania safer for families, teachers and, most importantly, our students.”

According to the AG’s office, Safe2Say includes close to 3,800 public and private schools across the state in its network.

Learn more online at: [www.safe2saypa.org](http://www.safe2saypa.org)

One can call 844-723-2729 (844-saf2say) to report information.

### **Pittsburgh Considers Ban on Certain Firearms**

On January 24, the City of Pittsburgh conducted a hearing regarding a proposed firearms ban within city limits. The hearing before city council was staged on the first floor of Pittsburgh’s City-County Building, to accommodate more people than could be contained in the hearing room.

The 110 registered speakers included 57 listed as opposed to the proposals, 43 in favor and 10 with no identified position. For nearly four hours, persons argued for three minutes each, either for or against the firearms ban. Fiery rhetoric was displayed throughout the night.



The focus of the hearing was three pieces of city legislation aiming to ban certain styles of firearms, ammunition and accessories within city limits, as well as allow courts to remove weapons from those who pose an “extreme risk” to themselves or others.

Police along the room’s perimeter occasionally approached clapping or yelling members of the crowd. But, Public Safety reported no arrests or problems.

The city council’s proposed firearms ban would defy state law that prohibits municipalities from regulating firearms. What is significant is that Mayor Peduto and the city council appear to be prepared to pass the ban and to challenge the lawsuits that are bound to follow. If they follow this course, the ripples that ensue could have statewide implications.

On January 29—in related news—Gov. Tom Wolf called for tougher gun laws at an anti-gun violence rally in the Capitol. He was joined by the wife of a man badly wounded in the October 27 Tree of Life Synagogue shooting and a trauma surgeon who helped treat the victims.

### **Supreme Court First Case on Gun Rights in 9 Years**

On January 22, the U.S. Supreme Court said it will hear a case challenging New York City’s prohibition on carrying a licensed, locked and unloaded handgun outside the city limits. The appeal was filed by three New York residents and New York’s National Rifle Association affiliate.

This is the first gun rights case to come before the Supreme Court in nine years.

Joining in support of gun rights, 17 states said the court should break its years-long silence and use the case to define the scope of gun rights under the Constitution and the level of scrutiny, or skepticism, judges should apply to gun laws.

New York’s ordinance allows people licensed to have handguns to carry them outside the home to gun ranges in the city. The guns must be locked and unloaded. The city residents who filed suit want to practice shooting at target ranges outside the city or take their guns to second homes elsewhere in New York state.

The case will not be argued until October.

### **Governor Seeks to Raise the Minimum Wage**

On January 30, Gov. Tom Wolf expressed his desire, at a Capitol news conference, to raise the minimum wage in Pennsylvania. He proposes to raise the current rate of \$7.25 per hour to \$15, over time. His plan is to increase the hourly minimum to \$12, this summer. It would then increase 50 cents per year through 2015, when it would reach \$15. Afterward, the governor is recommending that the minimum wage be tied to the rate of inflation.

Wolf will include this recommendation in his 2019-20 budget proposal. He also intends to ask the General Assembly to eliminate the separate minimum wage for tipped workers that has remained at \$2.83 an hour for 21 years

According to the left-leaning Keystone Research Center, this action would result in raises for 2.2 million Pennsylvanians who now earn less than \$12 an hour.

Twenty-nine states have increased their minimum wages since Pennsylvania adjusted its rate to the federal minimum in 2009, when the federal minimum was last changed.

Wolf maintained that raising the minimum wage would result in a savings of \$36 million in Medicaid costs next year and \$119 million the following year. He pledged to direct a portion of those savings

into public assistance programs to provide a minimum wage of at least \$12 for workers who provide childcare and home care services for senior citizens and people with disabilities.

But representatives from organizations representing employers across Pennsylvania have opposed an increase in the minimum wage. They resisted when Wolf tried to raise the minimum wage to \$10.10 per hour in 2015. Opponents of the measure say the cost of raising the minimum wage is too great.

## **Goals to Reduce Greenhouse Gas Emissions**

On January 8, Gov. Tom Wolf signed an executive order setting “greenhouse gas” emission goals for Pennsylvania. The intention of the order is to reduce energy consumption by all Commonwealth agencies under the governor’s jurisdiction.

“The Commonwealth shall strive to achieve a 26-percent reduction of net greenhouse gas emissions statewide by 2025 from 2005 levels, and an 80-percent reduction of net greenhouse gas emissions by 2050 from 2005 levels,” according to the signed order.

To accomplish this, the order directs state government agencies to: Reduce overall energy consumption by 3 percent per year, and 21 percent by 2025 from 2017 levels. Replace 25 percent of the state passenger car fleet with electric powered vehicles. Explore opportunities for the reduction of vehicle miles traveled. Procure renewable energy to offset at least 40 percent of the Commonwealth’s annual electricity use. In new building construction, the structure is to be designed as an energy reduction “high-performance building.”

The order also reestablishes the Governor’s Green Government Council, which is now being called the “GreenGov Council.” Its purpose is to encourage environmental sustainability in the state government's policy and practices.

## **Mariner East 1 Pipeline Shut Down**

On January 20, The Pennsylvania Public Utility Commission shut down a 7-mile section of Sunoco’s Mariner East 1 pipeline, due to a 10-foot sinkhole exposing active pipeline in Chester County.

State Sen. Andy Dinniman (D-Chester) commented, “So, residents will never know exactly what happened on Lisa Drive and we still don’t know what happened with the explosion in Beaver County.” He continued, “That lack of transparency is a major part of the problem with the PUC. In addition, they take Sunoco’s word (and that of its consultants) at face value when it comes to geophysical reports and testing. There’s no scrutiny whatsoever and very little oversight or meaningful regulation when it comes to pipeline placement and safety in Pennsylvania.”

The majority of Mariner East 1, which stretches across southern Pennsylvania, was built in the 1930s. The 8-inch diameter line was originally designed to carry gasoline to the western part of the state. It is now used to transport natural gas liquids from the Marcellus and Utica shale fields. The line delivers liquids to processing facilities in the Philadelphia area and to ports for export.

## **Election Reform Package**

On January 29, a bipartisan group of lawmakers at the state Capitol announced a package of bills to reform Pennsylvania elections.

Sen. Mike Folmer (R-Lebanon), chair of the Senate State Government Committee said, “Let’s be real here, these issues of good government... These are issues about the people of Pennsylvania, about establishing and making sure that our elections are run properly, they’re secure, that votes count, make it easier to vote—all these things.”

The reforms include proposed constitutional amendments seeking to make it easier to vote by absentee ballot, ease the effort of recruiting poll workers and reduce confusion when voting on judicial retention questions.

Also included are bills that would make changes to the absentee ballot process (including a permanent absentee ballot voting list, where once voters opt in, they will receive an absentee ballot for all future elections); allow the option for county-wide voting centers and offer “curbside voting” to better serve people with disabilities; and require that write-in candidates receive the same number of write-in votes as would be required if they had filed signed nomination petitions.

One bill in the package would eliminate the requirement for counties to have enough ballots to cover 110 percent of the number of registered voters in each precinct. Instead, it would give counties the discretion to print 10 percent more than the highest number of ballots cast in the previous three Primaries or General Elections in an election district.

Sen. Folmer said this package is only the start of the process and there will be public hearings on these measures, noting it’s entirely possible that more “tweaks” are in store for the proposals. He also noted that legislation to allow independent voters to vote in primary elections has been introduced by Senate President Pro Tempore Joe Scarnati (R-Jefferson). Folmer said while the Scarnati bill isn’t part of the announced election reforms package, it’s something he would like to see enacted, so it will get consideration by his committee.

## **Pennsylvania Gaming Control Board News**

According to a January 22 press release, the Pennsylvania Gaming Control Board reported Fantasy Sports Gambling revenue in December as \$429,075. Tax is derived through a 15 percent assessment on the adjusted revenue reported by Fantasy Contests Operators. The operators took in \$2,860,503 in December.

Also on January 22, Harrah’s Philadelphia Casino and Racetrack became the sixth Pennsylvania outlet to launch sports betting.

The state’s casino industry currently consists of 10 stand-alone and racetrack casinos, along with two smaller resort casinos. These facilities collectively employ 17,000 people and annually generate approximately \$1.4 billion in tax revenue from slot machine and table games play. The largest portion of that money is used for property tax reduction for Pennsylvania homeowners.

## **Court Ruling Supports Limits on Transgender Military Service**

On January 4, the U.S. Court of Appeals for the District of Columbia Circuit determined that restrictions on transgender individuals serving in the military can stand. The decision would lift an injunction preventing the federal government from limiting the military service of transgender people.

President Donald Trump initially announced a ban on transgender military service via Twitter in July 2017, citing the “tremendous medical costs and disruption.” It reversed President Barack Obama’s policy of allowing transgender men and women to serve openly and receive funding for sex-reassignment surgery.

The appeal court's decision has no immediate impact, because federal judges in three other cases have temporarily prevented enactment of the President's policy. However, the ruling, reversing a lower-court decision, was a setback to civil rights and gay rights organizations.

In its decision, the three judge panel wrote, "the District Court made an erroneous finding that the [administration's policy] was the equivalent of a blanket ban on transgender service." They cautioned that their decision was not a final ruling on the merits of the challenge, but that judges must give deference to military leaders when it comes to policy decisions about standards for service.

Shannon Minter, legal director of the National Center for Lesbian Rights, said that the decision "rests on the utter fiction that this ban is not a ban."

**Dai Morgan**