

AG ONE Newsletter
Issue 2018.16 ***November 7, 2018

AG ONE is a periodic newsletter on legislation, regulations and agricultural topics produced by Phillips Associates expressly for the Pennsylvania State Council of Farm Organizations (PSCFO), an organization of over 60 organizations sharing an interest in promoting Pennsylvania's Number One industry, Agriculture. Questions or comments should go to PSCFO leadership or to 717/232-9665 or email to xenobun@aol.com. AG ONE Newsletter, PA State Council of Farm Organizations, 26 North Ninth Street, Lemoyne, PA 17043. Material may be cited as long as PSCFO is given appropriate credit.

Dear Reader:

Please pardon the length of this special issue of AG ONE Newsletter. This election may cause changes in Washington and Harrisburg affecting PA Agriculture. If you know any of the re-elected legislators or newly minted lawmakers on a personal basis, do not hesitate to let your association know or simply email me at xenobun@aol.com . **Sincerely, Vince Phillips**

PENNSYLVANIA ELECTION RESULTS: CONGRESS

Democratic Senator Bob Casey won a third term defeating Republican Lou Barletta 55.6% to 42.8%

In the U.S. House, Democrats were able to flip seats, achieving a new ratio of nine D seats to nine R seats. Formerly, Democrats previously held six.

Democrat Mary Scanlon defeated Republican Pearl Kim 65% to 35% in the 5th congressional district which includes Delaware and parts of Philadelphia and Montgomery Counties. **Democrat Chrissy Houlahan prevailed over Republican Greg McCauley 58.8% to 41.2% in the 6th district** including Berks/Chester Counties. **Democrat Susan Wild won over Republican Marty Nothstein 53.4% to 43.8% in the 7th district** including Lehigh/Northampton/Monroe Counties. Another southeastern PA seat (4th district Berks/Montgomery) **was taken by Democratic State Representative Madeline Dean who beat Republican Dan David by 63-37%**. There was no incumbent since the new 5th was built out of the former 13th district.

Democrat incumbent Conor Lamb was able to defeat incumbent Republican Keith Rothfus 56.1% to 43.9% in the new 17th congressional district including Beaver/Allegheny/Butler. When the PA Supreme Court redrew the district lines, it dramatically improved Democrats' chances and pitted the two incumbents against each other.

Other House races were won decisively with 55% or more.

- **Incumbent Democrats: Dwight Evans** 93.4% representing Philadelphia; **Mike Doyle (D-18)** representing Allegheny County was unopposed; **Brendan Boyle (D-3) representing Philadelphia, with 78.8% of the vote.**
- **Incumbent Republicans: Lloyd Smucker (R-11)** representing Lancaster/York/Chester Counties **66.2%**; **Tom Marino (R-12)** ranging from Bradford County to Perry County) **66.2%**; **Glenn Thompson (R-15)** from Armstrong County in the west to Centre County in the east) **67.9%**

Other incumbents returning to office are: Reps. Brian Fitzpatrick (R-10) in Bucks/Montgomery Counties; **Matt Cartwright (D-8)** in Lackawanna/Pike/Luzerne/Pike Counties; **Scott Perry (R-10)** representing Cumberland/Dauphin/York Counties; and **Mike Kelly (R-16)** representing Butler County north to Erie.

Other open seats were won by Republicans. Former Secretary of the Corbett Administration Revenue Department **Dan Meuser** defeated dairy farmer and former Rendell Administration PA Secretary of Agriculture Denny Wolff in the **9th congressional district** which includes Carbon/Lebanon/Montour/Schuylkill/Luzerne/Northumberland Counties. **State Senator Guy Reschenthaler** defeated Democrat **Bibiana Boerio** in the **14th district** (Fayette/Greene/Washington/Westmoreland Counties). The **13th congressional district** (Adams County to the south to Blair in the north, Cumberland east to Westmoreland in the west) was **won by dermatologist John Joyce.**

PA STATE SENATE

The Republicans lost some ground and no longer have a veto-proof majority but still control the Senate 28 to 21. Five seats that flipped to Democrats are:

- **Incumbent Senate Majority Transportation Committee Chair John Rafferty (R-Berks/Chester/Montgomery) was defeated by Democrat Katie Muth 52-48%.** Muth is currently an adjunct professor of kinesiology. (Kinesiology is the study of the principles of mechanics and anatomy in relation to human movement.)
- **Incumbent Tom McGarrigle (R-Delaware/Chester), Majority Chair of the Senate Urban Affairs & Housing Committee, lost to Swarthmore Mayor Democrat Tim Kearney 54.1 to 45.9%.**
- **Retiring Senator Stewart Greenleaf's son Stewart, Jr. was unable to retain this Montgomery County seat for the GOP. He was defeated by Democrat Maria Collett, a nurse and former attorney. The margin was 52.7 to 43.3%.**
- **Incumbent Republican Randy Vulakovich (Allegheny) was defeated in the primary by Jeremy Shaffer. Shaffer lost in the general election by ½ of 1% to Democrat Lindsey Williams, a teachers' union employee. She campaigned for a single payer health system. The vote margin was 549.**
- **Retiring Republican Chuck McIlhinney (Bucks) was not succeeded by fellow Republican Marguerite Quinn who lost 52.5 to 47.5 percent against former Democratic State Representative Steve Santarsiero, an attorney and teacher.**

Republicans held on to the open York County Senate seat vacated by Scott Wagner who ran for Governor. Winner is current Rep. Kristin Phillips-Hill (R-York). Another open Senate seat retained by the GOP is where State Rep. Judy Ward (R-Blair) takes over from John Eichelberger.

Senator Tommy Tomlinson (R-Bucks), Majority Chair of the Consumer Protection & Professional Licensure Committee eked out a 100-vote victory over Democratic Rep. Tina Davis. Rep. Davis did win re-election to her House seat with 62% of the vote. PA state law allows a candidate to run for two different offices at the same time. Senate Majority Appropriations Committee Chair **Republican Pat Browne (Lehigh) edged out Democrat Mark Pinsley 51.4 to 48.6%** while **Senate Majority Caucus Chair Republican Bob Mensch survived an election scare by beating Democrat Linda Fields 52.5 to 47.5%.**

PA HOUSE RESULTS

The 2018 election continued the trend of Democrats picking up seats in the southeast while Republicans did better in western PA.

- **Majority Chair of the House Local Government Committee Republican Kate Harper (Montgomery County) lost by eight percentage points to Democratic attorney Liz Hanbridge.** Rep. Harper has served since 2003.
- **Incumbent Rep. Becky Corbin (R-Chester) lost 55-45% against Democrat anti-pipeline activist Danielle Friel Otten.** Corbin was elected in 2012.
- **Fellow Chester County Republican Duane Milne was defeated 52-48% by county children's caseworker Kristine Howard.** Milne has been in office since 2007.
- **Incumbent Tom Quigley (R-Montgomery) was defeated by Democrat and Kimmel Center for the Performing Arts promotions director Joseph Ciresi.** Quigley served 2005-2012, was defeated and regained his seat in 2014.
- **Rep. Warren Kampf (R-Chester/Montgomery) lost 57-44% to Democrat Melissa Shusterman** who runs a digital video company. Kampf has served in the PA House since 2011.
- **Delaware County first-term Republican Alex Charlton lost to Democrat Jennifer O'Mara** by a razor-thin margin of 154 votes. O'Mara is employed by the University of Pennsylvania.
- **Chester County first-term Rep. Eric Roe was defeated by Democrat Christina Sappey,** who was chief of staff for Rep. Carolyn Comitta (D-Chester).
- **Incumbent two-term Republican James Santora (Delaware) lost to Democrat Michael Zabel,** an attorney and former assistant district attorney.

Several retiring southeast Republican-held open seats also went Democratic.

- Rep. John Taylor's Philadelphia seat was taken by **Democrat Joe Hohenstein,** an immigrant rights attorney.
- Rep. Bob Godshall's Montgomery County seat went to **Democrat Steven Malagari,** a beer distributor.
- The seat held by Rep. Harry Lewis (R-Chester) will now be represented by **Democratic pastor and former Teamster Dan Williams.**
- **The seat held by Rep. Marguerite Quinn (R-Bucks) will now be held by Democrat Wendy Ullman,** a community college English teacher.
- The seat held by Rep. Michael Corr (R-Montgomery) went to **Democrat Joe Webster,** a vice president of Accenture, a global technology/business strategies company,
- Rep. Nick Miccarelli (R-Delaware)'s seat was taken by **Democrat Dave Delloso,** a Teamster official.

Democrats retained a Democratic seat in Montgomery County where attorney **Ben Sanchez** took over from congressional winner Madeline Dean. Philadelphia Democratic Rep. Bill Keller's seat went to WHYY reporter **Elizabeth Fiedler.** Gay rights activist **Malcolm Kenyatta** succeeds his cousin, Rep. Curtis Thomas in Philadelphia. Replacing deceased Rep. Mike O'Brien is **Mary Isaacson,** his chief of staff.

Despite the beating Republicans took in southeast PA, first-term Democratic Rep. Helen Tai (Bucks), who won in a special election this year, lost to Republican Wendi Thomas by 354

votes. Winner Thomas was also her opponent earlier this year. Thomas is a former school board member and advocated patient interests for HealthAdvocate.

- **Republicans also retained the seat held by Rep. Bernie O’Neill (R-Bucks) who retired.** Winner **Meghan Schroeder** was a staff person for **Rep. O’Neill**. Another GOP win came with the re-election of **Rep. Martina White**. She will be the only Republican from Philadelphia although returning Rep. Tom Murt’s Montgomery County based district does include part of the city. The Bucks County seat vacated by Rep. Kathy Watson was retained by Republican **F. Todd Polinchock**, a realtor. **Incumbent Tim Hennessey (R-Chester)**, Majority Chair of the House Aging & Older Adult Services Committee **was able to save his seat 52.8 to 47.2% from Democrat Pam Hacker**, a union electrician. Early returns showed Hennessey as having lost the contest.

Three Democratic seats were taken by GOP candidates:

- **Rep. Bryan Barbin (D-Cambria), Minority Chair of the House Game & Fisheries Committee, lost to Republican Jim Rigby**, a former police officer. This was Rigby’s third attempt to take the Barbin seat. Rep. Barbin was elected in 2008.
- **Rep. Helen Tai (D-Bucks) lost to Wendi Thomas.**
- **Rep. Mike Hanna (D-Clinton)’s son Michael Hanna, Jr.** was unable to hold onto this Democratic seat. He lost to **Republican Stephanie Borowicz**, a homemaker and pastor’s wife. The Democrats held that seat for twenty years.

SOME OF THE NEW FACES TO NOTE

- **Democrat Kyle Mullins**, an aide to Senator Blake, replaces fellow Democrat Kevin Haggerty who did not seek re-election for this Lackawanna County seat.
- Replacing long-time Rep. Ron Marsico (R-Dauphin) is fellow Republican **Andrew Lewis**, a construction company Chief Operating Officer. The 512-vote margin was closer than expected.
- Rep. Judy Ward (R-Blair) who won a race for PA Senate is succeeded by fellow Republican WRTA radio host and school board member **James Gregory**.
- The new Republican Representative from Adams/Cumberland Counties is attorney and self-described cattle hand **Torren Ecker**. He replaced Rep. Will Tallman who retired.
- Beaver County attorney **Joshua Kail** keeps this open seat vacated by Rep. Jim Christiana in the Republican column.
- Also staying with the GOP is the Allegheny/Washington Counties seat that was held by outgoing Rep. Rick Saccone. The Representative-elect is **Michael Puskaric** who holds a title insurance license.
- Replacing retiring Rep. John Maher (R-Washington/Allegheny) is Republican **Natalie Mihalek**, whose bio says that she works for a ‘large financial institution’. She is an attorney.
- Retiring Rep. Mark Mustio (R-Allegheny)’s replacement is Republican **Valerie Gaydos** who started the PA Angel Network (investments).
- Murrysville Republican Mayor **Robert Brooks** kept this Allegheny/Westmoreland in GOP hands, formerly represented by Rep. Eli Evankovich.

- President of the Indiana County Chamber of Commerce Republican **James Struzzi** succeeded retiring Rep. Dave Reed.
- Succeeding retiring Rep. Hal English (R-Allegheny) is Republican township commissioner **Lori Mizgorski**.

SPECIAL ELECTION NOTES

There will be two special elections in Democratic House districts. Unopposed **Rep. Sid Kavulich** (Lackawanna) passed away. **Unopposed Rep. Vanessa Lowery Brown (Phila.)** was conflicted for violating the state's conflict of interest law.

Republican Guy Reschenthaler's congressional win means a special election for the Washington/Allegheny Senate seat.

BITS AND PIECES

Following are items that readers may find interesting.

- **Brandon Markosek** is succeeding his dad to represent his Allegheny County House district. He will have big shoes to fill as Rep. Joe Markosek had not missed a single vote in his 36 years in the House of Representatives. Brandon Markosek has been a legislative aide and won with 57.6% of the vote.
- Even though **Marty Nothstein** did not win against Susan Wild in the 7th congressional district, the Allentown Morning Call reports 11/7 that he may have won the special election to fill out former U.S. Rep. Charlie Dent's term. If the votes go his way, he will be sworn into Congress and serve for six weeks before Wild begins the new term.
- Allies of **Rep. Dom Costa (D-Allegheny)** mounted an unsuccessful general election write-in campaign against Democratic Socialist-endorsed **Sara Innamorato** who had defeated him in the primary.
- The new Representative from Juniata/Mifflin/Franklin Counties, **Jonathan Hershey** is the nephew of former Rep. Art Hershey (R-Chester) who was the former Chair of the House Agriculture & Rural Affairs Committee. Hershey served as an agriculture legislative assistant to former Rep. Charlie Dent.
- As of this point, with one exception, no new legislators appear to have insurance licenses.

FARMING BACKGROUNDS

There are several legislators with farming backgrounds including re-elected **Rep. Mark Keller** (R-Perry) and Rep. **Aaron Bernstein** (R-Lawrence/Beaver/Butler).

Newcomer Representative-elect **Barb Gleim** (R-Cumberland) who replaced departing Rep. Steven Bloom also farms..

COMMITTEE UPDATES

The Senate Agriculture & Rural Affairs Committee had no changes in membership due to the election.

The House Agriculture & Rural Affairs Committee will have at least four member vacancies: Rep. Steve Bloom (R-Cumberland) and Rep. Kevin Haggerty (D-Lackawanna) who did not run for re-election; Rep. Emilio Vasquez (D-Phila.) who lost in the primary; and Rep. Sid Kavulich (D-Lackawanna) who passed away.

The Senate Environmental Resources & Energy Committee had no changes in membership due to this election.

The House Environmental Resources & Energy Committee will need a new Majority Chair since Rep. John Maher (R-Washington/Allegheny) did not run for re-election. The committee loses two additional members: Rep. Becky Corbin (R-Chester) and Rep. Steve Bloom (R-Cumberland). Corbin lost her re-election bid. Bloom did not run for re-election.

SIGNED BY THE GOVERNOR

- **House Bill 544 as Act 98 of 2018** (Moul-R-Adams) limits liability for property owners who permit recreational use of property where no admission fee is charged.
- **House Bill 1346** sponsored by Rep. Jeff Pyle (R-Armstrong/Indiana/Butler) was signed into law as **Act 78 of 2018**. It bans drone flying over restricted areas (correctional institutions) and where there is an intentional invasion of privacy.
- **Senate Bill 1171 as Act 162 of 2018** (Brooks-R-Mercer/Crawford/Warren/Erie) seeks to make regulatory oversight of Concentrated Animal Feeding Operations (CAFO) easier for farmers by allowing for active consultation on rule-making with the Farm Animal Advisory Board. Two members must have active CAFO permits.
- **House Bill 1216 AS Act 104 of 2018** (Farry-R-Bucks) permits rescues of dogs and cats from closed cars in hot conditions. It also establishes what amounts to an animal's Bill of Rights (although the bill does not use that phrase). A person commits an offense if he/she does not provide for basic needs of food and water, clean and sanitary shelter and protection from the weather, and necessary veterinary care.

VETOED BY THE GOVERNOR

- **House Bill 2157** (Grove-R-York) codifies classification of instructional vocational technical programs and directs the Commission for Agriculture Education Excellence to issue guidelines under which a student may apply credit towards completion of an agriculture education program. Veto message: <https://www.governor.pa.gov/governor-wolf-takes-action-multiple-bills>

SENATE ADOPTS AG RESOLUTIONS

Senate Resolution 418 sponsored by Senator Michele Brooks (R-Crawford/Mercer/Warren/Erie) urges the U.S. Congress and USDA to include milk in the Senior Farmers' Market Nutrition Program. **Senate Resolution 421** sponsored by Senator Sharif Street (D-Phila.) urges the U.S. Congress to remove commercial industrial hemp from the Schedule 1 Controlled Substance list.

ALMOST TO THE FINISH LINE

Several bills simply ran out of time before seeing final action by the General Assembly. Next year, they can be re-introduced although they will likely have different bill numbers.

- Sponsored by Senator Lisa Baker (R-Luzerne/Pike/Susquehanna/Wayne/Wyoming), **Senate Bill 1237** would establish the Rural Health Redesign Center, a public-private partnership to help rural hospitals upgrade care and address solvency issues.
- **House Bill 1550** (Klunk-R-York) would allow for voluntary relinquishment of a preserved farmland's additional residence provision.
- **House Resolution 429** sponsored by Representatives Kristin Phillips-Hill (R-York) and Pam Snyder (D-Greene/Fayette/Washington) would establish a special legislative task force on delivery of high-speed Broadband for rural areas..
- **House Bill 2131** (Quigley-R-Montgomery), use of native plants by PennDOT and **Senate Bill 792** (Alloway-R-Franklin), regarding fertilizer.

PDA ANNOUNCES FY 2018-19 FAIR FUNDING

On October 20, the PA Department of Agriculture announced its annual plan for awarding grants under the PA Agricultural Fair Act. for agricultural fairs, statewide Ag organizations which contribute to the development of agriculture and agribusiness, and to 4-H and FFA. Applications

for Fair Reimbursements from statewide Organizations, and FFA/4-H reimbursements for FY 2017-18 are due to PDA by November 15, 2018.

https://www.agriculture.pa.gov/Business_Industry/pafairfund/Pages/default.aspx

NASS NEWS

The USDA National Agricultural Statistics Service (NASS) reported on the response rate by farmers for the 2017 Census of Agriculture. Pennsylvania was ranked 8th nationally with a 75.15 percent response rate. The national response rate was 71.5 percent. In all, more than 67,000 questionnaires were mailed to Pennsylvanians. **In another development**, NASS announced that it is collecting data from vegetable growers from October 25 to December 20, 2018, with results reported in the Annual Vegetable Release February 12, 2019. The research will obtain final acreage production and value of sales for fresh and processed vegetables. Details: King Whetstone 717-787-3904; king.whetstone@usda.gov.

REGULATORY UPDATE

The PA Department of Agriculture issued a new organizational chart October 13 in the PA Bulletin, <https://www.pabulletin.com/secure/data/vol48/48-41/1588.html>, as did the PA Game Commission <https://www.pabulletin.com/secure/data/vol48/48-41/1589.html>.

CORRECTION: The last issue of AG ONE Newsletter contained an error spotted by Kerry Golden, Executive Director, House Agriculture & Rural Affairs Committee. Accurately stated, Act 77 of 2018 (House Bill 1917) dealing with humane society police DOES NOT subject humane societies to the Right To Know Law. Please accept an apology if the error caused confusion.

REST IN PEACE... Rep. Sid Michaels Kavulich (D-Lackawanna) died from complications relating to recent heart surgery. He was a member of the House Agriculture & Rural Affairs Committee.