

AG ISSUES UPDATE
Edited by Brad Hollabaugh
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Senate Passes Immigration Reform With Agriculture Component

Members of the U.S. Senate have passed comprehensive immigration reform that reflects the unique needs of agriculture. The measure was passed with a vote of 68 to 32. Sen. Robert Casey voted in favor of the bill while Sen. Patrick Toomey voted against it.

The bill includes several provisions for agriculture including a reformed guestworker program that will replace H-2A and an adjustment of status who are in the country without permission. One provision in the bill calls for a Blue Card program, where experienced agriculture workers can obtain legal status by satisfying certain criteria and pay a fine. Blue Card workers would be required to continue working in agriculture before qualifying for a green card.

The bill also establishes a new visa program that will replace the H-2A system and would give supervision of the program to the U.S. Department of Agriculture instead of the Department of Labor. The visa program would allow agriculture employers to hire employees either under contract or at will. Visa terms will be for three years and transferable to any employer designated by the USDA.

Earlier this year, House Speaker John Boehner (R-Ohio), Majority Leader Eric Cantor (R-Va.), and other top lawmakers said in a joint statement that, "The House remains committed to fixing our broken immigration system, but we will not simply take up and accept the bill that is emerging in the Senate if it passes. Rather, through regular order, the House will work its will and produce its own legislation."

Speaker John Boehner (R-Ohio) said near the end of June that for any legislation to pass the House it will need the support of a majority of Republicans. The House bipartisan "gang" continues to meet but isn't expected to unveil a proposal until fall. Judiciary Chairman Bob Goodlatte (R-Va.) is taking a very different approach, considering a series of bills instead of one comprehensive measure.

So, the fate of Immigration Reform lies in the hands of the House at the moment. Don't hesitate to contact your representative and reinforce the need for the Agricultural provisions in any reform legislation.

House Rejects Farm Bill

In a stunning last-minute surprise, the House voted down its 2013 Farm Bill on June 20, 195-234. It is unclear if another bill will be taken to the floor or whether there will even be any Farm Bill this year. A number of major Farm Bill programs expire September 30, 2013.

The Farm Bill failed over disagreement about the level of cuts in the SNAP (food stamp) program. A large number of Democrats opposed its \$20.5 billion cut in funding and objected to a GOP amendment which was adopted to give states the option of imposing work requirements on

recipients. (The Senate Farm Bill would reduce SNAP funding by \$4.1 billion.) An amendment to overturn the dairy program also passed. As a result, only 24 Democrats voted for the bill while over 170 opposed it. 62 conservative Republicans voted against the bill due to its farm subsidies and insufficient cuts to SNAP and other public assistance programs.

In the midst of this uncertainty, there was good news for apples. An amendment to eliminate the MAP program was soundly defeated, 32-98. USApple successfully opposed this amendment offered by Rep. Steve Chabot (R-Ohio). In addition, no objections were raised about our specialty crop programs. The fights were elsewhere. (*USApple Weekly Report - June 21, 2013*)

Administration Delays Key Health Insurance Mandate for One Year

The Obama administration has delayed a mandate that employers with more than 50 workers must offer health care coverage. That provision of the Affordable Care Act will now take effect in 2015.

In announcing the decision, Treasury Department officials said they are responding to concerns from business leaders about the complexity of the requirements. Department officials said they will soon publish guidance documents to help employers meet requirements under the new 2015 deadline.

USDA Calls on Consumers, Food Industry, to Reduce Waste

The U.S. Department of Agriculture, along with the Environmental Protection Agency, is calling on consumers, and food manufacturers and retailers, to reduce and recycle food waste. The agencies announced the formation of the U.S. Food Waste Challenge with the goal of shifting how the country handles food wastes.

The United States wastes and estimated 30 to 40 percent of the food supply, which is around 133 billion pounds of food, the USDA said. The amount of uneaten food in homes and restaurants was valued at almost \$390 per U.S. consumer.

“Not only could this food be going to folks who need it, we also have an opportunity to reduce the amount of food that ends up in America’s landfills,” said USDA Secretary Tom Vilsack.

The USDA will be working with a number of initiatives, such as addressing food waste in school meals, consumer education and streamlined procedures for donating wholesome, but misbranded, meat and poultry products. To learn more visit:

www.usda.gov/oce/foodwaste/index.htm.

State Adopts Budget and Restores Some Agriculture Funding

After several years of taking budget cuts, agriculture in Pennsylvania got a dose of good news in the latest state budget. Gov. Tom Corbett signed a \$28.4 billion budget, representing a roughly 2 percent spending increase, which funds areas critical to Pennsylvania agriculture.

The Pennsylvania Department of Agriculture will receive sufficient funding to continue its day-to-day operations, without needing to cut staff or programs. Penn State Cooperative Extension and Agriculture Research will receive \$46.2 million, which represents a \$1.5 million increase in spending. State fairs will receive \$3 million in spending and the Farm Show also saw an increase.

The Animal Health Commission saw a \$1 million boost in funding, receiving a total of \$5.3 million to operate the state's veterinary labs.

Transportation and Pension Reform Likely Stalled Until Fall

With state lawmakers' attention focused on passing a budget, momentum on finding new sources of revenue for transportation and reforming the state pension appear to have stalled. After this week, the General Assembly will not return to session until the fall, unless a special session is convened by leadership.

Transportation funding was facing a rocky road in the days leading up to the July 1 budget deadline. Members of the Senate had adopted a transportation funding bill that would have raised fees on driver's licenses and registration, along with lifting the Oil Company Franchise Tax, to bring \$2.5 billion in new spending. However, on the House side, lawmakers balked at increasing user fees and were considering a scaled-back transportation package.

The full House did not vote before the summer recess. Attempts to reform the state's pension system made only small strides, and the issue appears off the table until the fall. Lawmakers had considered a bill that would move new employees to a 401k-style system, which would not address the current shortfall in pension obligation.

Wind Power Bill Passes Pennsylvania House

Members of the Pennsylvania House of Representatives have passed a bill, supported by the Pennsylvania Farm Bureau, which will allow for the development of wind power on preserved farms. The bill, introduced by Rep. Curt Sonney, now heads to the Senate for their consideration.

If adopted, the legislation would allow farms preserved under the state's farmland preservation program, to be utilized for the development of wind power. The bill does place reasonable limitations on the amount of land that can be used for wind energy development.

High Tunnel Bill Passes House

Members of the Pennsylvania House have passed a series of bills that would prevent counties from assessing real estate taxes on high tunnels, and exempting the structures from construction codes. The Pennsylvania Senate has previously approved a bill that would exempt high tunnels from real estate taxes, but the bill did not address construction codes.

The issue came to light after a nursery business in Erie County discovered the county was assessing high tunnels as permanent structures. High tunnels, also known as hoop houses, are built out of steel and plastic and can be moved from one location to another.

The structures have become increasingly popular among horticulturists because they can extend the growing season. However, state lawmakers have said that putting the burden of real estate taxes on these temporary structures could take away a farmer's financial benefit for using them.

Agritourism Bill Advances

Members of the state House Judiciary Committee have passed a bill that would grant limited liability protection to farmers that operate Agritourism ventures. House Bill 397, introduced by

Rep. Mark Keller and supported by Pennsylvania Farm Bureau, would protect operators who post at least two written notices to the public that they are “assuming the risk” of injury by participating in Agritourism activities.

Keller said his bill would provide protection in negligence lawsuits, however the immunity will not apply to reckless, knowing or intentional conduct. The bill now heads to the full House of Representatives for its consideration.

“My bill would give them (farmers) the option of supplementing their income by operating an agritainment activity without the fear of being hit with an expensive and frivolous lawsuit that resulted from opening up their land to the public.” Agritourism ventures, like corn mazes and pick-your-own operations, have grown in popularity in recent years as agriculture operators look to diversify their farms.

Pennsylvania Congresswoman Introduces Bill to Add More Grocery Stores and Markets

Rep. Allyson Schwartz has introduced a bill that would help make more grocery stores and farmers markets available in underserved communities. The bill, Healthy Food Financing Initiative, would make one-time start up grants and loan financing available to stores and markets that would bring more healthy foods into so-called “food deserts.”

A U.S. Department of Agriculture study suggests that more than 24 million Americans live in “food deserts”, defined as urban or rural areas without access to a nearby supermarket. The idea is modeled after the Pennsylvania Fresh Food Financing Initiative, a public-private partnership that expands food options.

“More than 25 million Americans lack access to healthy foods and this crisis demands aggressive action. The Healthy Food Financing Initiative will expand food options in underserved areas, improve the health of children and families, and spark local economic development,” Schwartz said. “As we continue to reinvigorate our economy, this public-private partnership will create good-paying jobs, help people live longer and healthier lives, and strengthen our neighborhoods.”

A companion bill in the Senate is sponsored by Sen. Kirsten Gillibrand.

New Slate of FFA Officers Selected

Pennsylvania FFA has selected a new slate of State Officers for the 2013-2014 school year. The new officers are:

- State President-- Christopher Toevs, Cumberland County
- State Vice President-- Stephen Winklosky, Dauphin County
- State Secretary-- Deidra Bollinger, Lancaster County
- State Treasurer-- Lena Bioni, Washington County
- State Reporter-- Kayla Wallace, Indiana County
- State Sentinel-- Austin Shay, Dauphin County
- State Chaplain-- Michala Kuhlman, Chaplain, Bradford County.

The new officers were chosen during the 84th PA FFA Convention held last week in State College.

Officers give up a year of their post-high school career to travel the state promoting agriculture. State officers represent Pennsylvania agriculture at events, and frequently speak to businesses throughout the state about Commonwealth's leading industry.

They also visit chapters to help with leadership development among FFA members. State officer candidates go through an intensive interview process, and are chosen during Pennsylvania FFA Association's summer convention by a committee of their peers.