



The JOSEPHS Report

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STATE REPRESENTATIVE BABETTE JOSEPHS • 182ND DISTRICT

September 2008

2008-2009 state budget package

State budget keeps Pa. moving forward

*Pennsylvania avoids tax hikes,
enhances services*

Pennsylvania's \$28.2 billion budget funds essential education, energy and economic development efforts in Pennsylvania without raising taxes.

Every state in the nation is feeling the impact of the national economic slump, inflation, increasing mandates, and reduced funding from the federal government. However, because of responsible budget policies during the past several years, Pennsylvania residents are not facing the tax increases and program cuts that residents in many other states are.

Continued on page 2

Pa. joins Phila. in becoming smoke free

Beginning in September, Philadelphians will not be exposed to second-hand smoke indoors, no matter where they travel in the state, because Pennsylvania's Clean Indoor Air Act becomes effective.

While the law isn't as stringent as Philadelphia's ordinance, it prohibits smoking in most public areas and workplaces, protecting the majority of Pennsylvanians from tobacco smoke.

It is important to note that under the state law, Philadelphia is able to retain its own smoke-free protections that were implemented more than a year ago.

Smoking and second-hand smoke kill and cost the health-care system billions of dollars in Pennsylvania. I am committed to strengthening the statewide ban when we return to the new session in January. I am still fighting to raise the cigarette tax and to tax for the first time ever other tobacco products like cigars, snuff, chaw, and pipe tobacco. When tobacco becomes expensive, young people are discouraged from using it. That's a counterintuitive finding, but a true one, and all the tobacco manufacturers know it. Saving children and youth from this deadly habit is a win-win for us all.

For help in quitting smoking go to www.determinedtoquit.com or call the helpline at 1-800-QUIT-NOW (1-800-784-8669).

Senate tables marriage discrimination bill because of Babette

Just days after civil rights advocates rallied in the state Capitol against legislation (Senate Bill 1250) that would define marriage in the state constitution as between one man and one woman and disallow recognition of any domestic partnerships, the state Senate postponed indefinitely a vote on the legislation after its sponsor acknowledged it would be virtually impossible for the bill to see action in the House.

The amendment's sponsor said on the Senate floor that he was informed the House would refer his bill to the State Government Committee and he added, "The chairman of the State Government Committee would not allow Senate Bill 1250 to be considered by the committee in a timely manner...It has become apparent as the issue stands today that Senate Bill 1250 will not leave the House."

I am the chair of the House State Government Committee. While I would never bury a bill simply because I opposed it, I was glad to learn that the proposal stalled in the Senate. Discrimination should not be written into our state constitution. Pennsylvania should not treat gay and lesbian Pennsylvanians as second-class citizens. We should value the life and contributions of all of our citizens. Pennsylvania should be a place where everybody wants to live, work and visit. Instead of wasting time, money, and energy fighting narrow-minded, right-wing proposals, we ought to be working toward protecting people against discrimination in housing, employment, and public accommodations based on sexual orientation and gender identity and expression. This is what I plan to do when we return.



Rep. Babette Josephs speaks at a rally in opposition to a bill that would define marriage in the Pennsylvania Constitution.

2008-09 state budget package



Rep. Josephs talks to a reporter about the governor's proposed budget in February. The resulting 2008-09 state budget keeps the Commonwealth moving forward without cutting services or increasing taxes.

Continued from page 1

Pennsylvania's budget does include an across-the-board cut of about 1.3 percent for most budget items, but that and a variety of cost-saving measures the governor has instituted at state agencies have allowed the state to continue supporting important programs such as education, job development, health care and energy independence without raising taxes. In addition to accelerating the state's commitment to basic and higher education, the budget also puts in place an energy strategy that will help Pennsylvania reduce its dependence on foreign oil and save businesses and consumers money.

Pennsylvania also continues its commitment to public transportation and roads as well as water, sewer and other infrastructure improvements.

The 2008-09 education budget provides a total of \$9.7 billion for basic education (Pre-K through 12th grade) in Pennsylvania. It includes the largest increase in state funding for basic education in 20 years. The education budget also introduces a new, needs-based school funding formula that should provide relief to local homeowners by increasing the state's share of school funding and reducing school districts' reliance on property taxes. While most schools received a 3 percent increase in basic education funding, the School District of Philadelphia received a 5.76 percent increase.

State funding for student tuition grants through the Pennsylvania Higher Education Assistance Agency will increase by \$21.2 million. The state's community colleges will receive a 3 percent operating increase, and an additional \$14.5 million will be provided to the State System of Higher Education to keep the tuition increases at four-year state universities at record lows. The increase in state-funded student tuition grants and additional support SSHE universities will receive allows families to save an average of nearly \$200 per student, up to \$600 for low-income families.

Rebuild Pennsylvania is a \$365 million state investment in repairing more than 400 of the state's structurally deficient bridges and upgrading rail and airport facilities. The budget will allow repair or replacement work to begin on 411 state bridges within the next year. The spending plan also includes \$800 million over four years, and another \$400 million if voters approve, for local water and sewer system improvements, and repairs and upgrades to flood protection and dam projects.

The budget also continues and enhances economic revitalization programs such as Keystone Opportunity Zones. These zones offer state and local tax abatements to attract new industries and boost economic development and jobs. In addition, the budget allows additional state money to be invested in development projects across the state. This funding will allow more than \$1.6 billion worth of projects that are waiting to move forward, helping local economies and creating jobs.

PA moves toward energy independence

The 2008-09 budget continues my efforts to reduce our dependence on foreign oil while saving businesses and consumers money on energy costs. The state's Energy Independence Strategy will also grow our own energy industries, helping large and small businesses alike create jobs and expand by taking advantage of the growth in alternative energy development and use.

The Energy Independence Strategy includes a total of \$650 million over a number of years to advance solar energy projects, encourage development and production of alternative energy here in Pennsylvania, fund energy efficient "green building" efforts and pollution control technologies, develop wind and geothermal projects and fund programs like LIHEAP (Low Income Home Energy Assistance Program). In that strategy, \$150 million will help consumers weather-proof their homes and adopt energy conservation tools, and assist businesses in developing and building alternative energy projects in Pennsylvania.

Another portion of the budget will help to reduce Pennsylvania's reliance on foreign fossil-based fuels by investing in domestic production and use of cleaner, more efficient fuels for home heating and gasoline. Once in-state production of biodiesel reaches a certain threshold, the plan will require every gallon of diesel sold in Pennsylvania to include an increasing percentage of biodiesel. Similarly, once production of

non-corn based ethanol reaches 350 million gallons a year in Pennsylvania, every gallon of gasoline sold in the state will be required to contain at least 10 percent non-corn based ethanol.

The plan also invests \$5.3 million over the next three years to encourage in-state production of biodiesel and non-corn based ethanol.

Senate refuses to allow homeowners to manage own electricity use

The state Senate has had House Bill 2200 before it for the last six months. The bill would give homeowners the tools to manage their own electricity use through the use of "smart meters." Homeowners could reduce their electric bills by using these smart meters to learn when they use electricity and how it compares to energy demand and price, thereby using electricity when demand is lower and costs less.

This is another important piece in the energy independence strategy. It appears that the public utilities can get the Republican-dominated Senate to do just about anything they want.

Babette sends COLA bill to full House

In May, in my capacity as chair of the House State Government Committee, I shepherded a bill out of the committee that would provide a cost-of-living adjustment to retired public school teachers and state workers.

It was a unanimous committee vote on House Bill 2084, which would give a supplemental annuity to those who

retired on July 1, 2007 or earlier, based on the retiree's retirement date. Those retiring earlier would receive a higher payment.

Unfortunately, H.B. 2084 was not enacted as part of the budget package, in spite of my efforts to move the legislation forward. It's been six years since retirees received a raise. Real

income is shrinking, while the cost of living only continues to rise. In a budget package that addresses many groups of people, it's not fair or just that retirees were left out.

The bill has remained in the House Appropriations Committee. I encourage anyone who would like to see this bill passed to contact Rep. Dwight Evans.

Babette gets a perfect score from environmentalists

In July, I was listed as one of 12 members of the state House who received a 100 percent score from PennEnvironment, (www.pennenvironment.org) a statewide, citizen-based environmental advocacy organization. The votes that were tracked included public transportation funding, open spaces, clean energy and energy efficiency.

I am proud of my award. It demonstrates my philosophy that environmental protection is essential for our future. I will continue to lead this effort.



Rep. Josephs unveils a solar-powered trash compactor. Several of these will be installed on a few city street corners.

OTHER BUDGET HIGHLIGHTS

- \$794 million to expand child-care services across the state
- A \$58 million increase in funding to provide services for people with disabilities, including funds to allow more people to receive assistance and care in their own homes
- An 11 percent increase in funding for health insurance coverage for uninsured children
- Funding to allow an additional 2,100 senior citizens to receive care in their homes as an alternative to nursing home care
- A 6.7 percent increase for the Low Income Home Energy Assistance Program to help low- and moderate-income Pennsylvanians pay their heating and cooling bills
- \$75.75 million in level funding for public libraries
- \$1.2 million in funding for the University of the Arts to help with instruction and student aid

New health care law to help children with autism

There's a new law that I was proud to co-sponsor and support that will ensure fair treatment and better health care for thousands of Pennsylvania children with autism.

It requires private insurers to cover proven treatments of autism spectrum disorders for children and young adults up to age 21 beginning in July 2009. Groups

with 50 or fewer insured employees are exempt, but autism treatment coverage is required by state government insurance programs such as CHIP and adultBasic.

Coverage includes medically necessary diagnostic assessments; evaluations or tests; psychiatric and psychological care; rehabilitative care; therapeutic care to include

speech, occupational or physical therapy services; and prescription drugs.

This will help all insured families get the necessary tools to obtain an early diagnosis of autism spectrum disorders and deal with the challenges that often arise with these conditions.

Property and wage taxes being reduced

In April, the state budget secretary certified that the amount of revenue collected from the state's gaming facilities had reached a high enough threshold to trigger property and wage tax reductions that were anticipated from the implementation of slot machine gaming.

The resident wage tax rate is projected to decrease from 4.169 percent to 3.93 percent in 2009 – a 5 percent overall reduction. This will help our city become more competitive as a result and hundreds of thousands of working people will keep more of their hard-earned money.

Older residents will receive their property tax reduction through an increase in the state's Property Tax/Rent Rebate Program. Senior households in the city with incomes under \$30,000 will see their rebate increase by 50 percent, with the maximum rebate going up from \$650 to \$975. The extra amount will be automatically computed by the Department of Revenue.

For more information on the Property Tax/Rent Rebate Program, please contact my office at 215.893.1515 or email me at RepJosephs@pahouse.net.

State Government Committee actions

My committee continues to focus on a number of issues that the public has repeatedly said were a priority, making for a busy year. Below is a brief summary of some of the various pieces of legislation we have sent to the full House for consideration, including a bill which I prime sponsored and which passed the House that would divest our billions of dollars of pension funds from the Sudan over its policy of genocide.

The committee has approved legislation that would:

- require General Assembly candidates and political committees to file not one but two campaign expense reports prior to each election and primary (House Bill 2065).
- include political robocalls under the state's Do Not Call list (H.B. 295).
- expand the open records law (Act 3 of 2008).
- authorize a study of the state constitution (H.B. 1179).
- end the so-called "lame duck" legislative session after the general election in even-numbered years (H.B. 1652).
- prohibit state pension fund investments in countries that sponsor terrorism and genocide (H.B.s 1086, 1087, 1140).
- change the date of Pennsylvania's presidential primary (H.B. 289, H.R.s 581, 582 and 583).

- prohibit the furlough of Commonwealth employees during budget negotiation deadlocks (S.B. 1122).

Because I believe strongly in transparency and public participation, the House State Government Committee has held 16 public hearings across the state to review various legislative measures.

Committees and the committee process are important parts of the legislative process. The committee – made up of a smaller group of legislators who are experts on the subjects reviewed – is where language is refined, pitfalls are revealed, controversy is addressed, and unintended consequences are brought to light.

The House State Government Committee reviews legislation on issues ranging from voting and campaign finance reform to the regulation of boxing. Additionally, the committee oversees the State Employees' Retirement System, the state lottery commission, state land conveyances, and the Pennsylvania Human Relations and Women's commissions.



Rep. Josephs chairs a State Government Committee public hearing on redistricting, one of several held across the state earlier this year.

New law keeps seniors in prescription benefits

Each year, senior citizens receive a small cost-of-living (COLA) increase in their Social Security, and sometimes that small adjustment can bump seniors out of Pennsylvania's PACE and PACENET programs and make them ineligible for the prescription help they need.

A new law corrects that problem and guarantees that seniors currently enrolled in these prescription drug

programs remain eligible through 2010, even if their Social Security COLA pushes them over the income limit.

If you are 65 or older, a widow or widower 50 or older, or permanently disabled and you need help paying for your prescriptions, please contact my office at 215.893.1515 to learn more about PACE and PACENET.

Making redistricting more transparent

Gerrymandering is a term used for drawing the boundaries of a legislative district to give an unfair advantage to one political party. Some have said this is the method that has been used in redistricting for far too long in Pennsylvania, but the process to change this involves amending the state constitution and is rather lengthy, and it requires cooperation from the Senate, whose leaders have indicated they are not interested.

I have partnered with a House colleague to develop legislation that would positively change the upcoming legislative reapportionment process without having to amend the state constitution.

Redistricting occurs a year after every census, which takes place in years that end in zero. The next redistricting is slated for 2011.

Our goal is to make the way districts are drawn in Pennsylvania an open and nonpartisan process, a reform that will have lasting impact.

The legislation would strengthen public participation by requiring more statewide hearings at all stages of developing the redistricting map and making all meetings open to the public. Data and other information would be available online. Other key provisions would include rules for making districts compact and keeping counties and municipalities intact where at all possible without ignoring the "one person, one vote" rule.

The need to consider minority representation also will be considered when developing the proposal.

The League of Women Voters has joined me in working for this legislation. My colleague and I are in the process of setting up a calendar for public hearings on the proposal, and we intend to seek a commitment from all four caucus leaders to see that this legislation becomes law.

Time to be counted

When citizens think of the most important issues that impact our state's government, the census is not on the top of their list; however the U.S. Census is a critically important tool used by government in almost all of its policy decisions, including the distribution of all kinds of money and services. The next U.S. Census is rapidly approaching in 2010. I urge all of you to take part in it.

Historically, there have been certain groups that consistently remain undercounted and ultimately under-represented. I encourage leaders of minority racial groups, people living in poverty, women, prisoners and those people for whom English is a second language to make sure that their constituents are counted. If they are not, the city will not get the resources, jobs, and money it needs to function, and planning of all kinds will go awry.

The Bush administration has refused to appropriate enough funding to gain an accurate account of the U.S. demographic. Just recently the federal government gave the Census Bureau \$210 million in emergency funding to pay for an estimated budget shortfall for the 2010 decennial census. The gap was brought about by the Bureau's decision, because of contract delays, to forgo use of handheld computers to count the 108 million Americans it estimates will not return paper forms. The decision to revert to paper is expected to increase costs for the 2010 census by as much as \$3 billion.

In addition, the Bureau has stated that gay marriage will not be recognized on the 2010 census, although it is legal in California and Massachusetts claiming that the federal Defense of Marriage Act bars the agency from recognizing gay marriages in the nation's 10-year count. The Census Bureau does not ask people about their sexual orientation, but it does ask about their relationships to the head of the household. Many gay couples are listed in census figures as unmarried, same-sex partners, though this is an imperfect tally of all gay couples.

The Bureau also tends to count prisoners where they are incarcerated, not where they live, thus cutting the numbers of Americans counted as city dwellers. This, of course, hurts those of us in the cities when planning or where appropriations or political representation is concerned.

I am committed to making sure that we are all counted here in our city and that everyone's interests are protected. I want to make sure the 2010 census is a true picture of who we are.



At a Holocaust Civic Commemoration ceremony at the state Capitol, Rep. Babette Josephs reads H.R. 677 that names May 2 to May 9 as "Days of Remembrance of the Victims of the Holocaust." Her resolution was unanimously adopted by the House.

Making progress on casino resiting

In early July, Rep. Dwight Evans added his voice to mine and that of Sen. Vincent Fumo in support of our efforts to force two casino developers to relocate their gambling facilities. I am encouraged by this partnership. The issue of the casinos' locations has been a longstanding one for many of us. This is a major triumph for the neighborhoods and community activists who deserve an enormous amount of credit for their tenacity and creativity.

I do not oppose gambling or casinos, but they do not belong in neighborhoods as the developers of Foxwoods and SugarHouse are insisting. And no one ought to be allowed to push the citizens of Philadelphia around or trample on their communities. I expect that the governor will join in my efforts and those of my colleagues, including Mayor Nutter, and we will have gambling establishments that bring in money for wage tax reductions, but will not hurt our city's precious neighborhoods.

Casinos draw crowds and exponentially increase traffic, noise and pollution where children play on the streets and people have made the largest investment in their lives in their homes. Our neighborhoods are an essential component of a vibrant, vital Philadelphia, and they should be protected. Quality-of-life issues are paramount.

Other locations have been suggested, and they are more appropriate. I am going to make sure that the developers will never again hold neighbors in contempt and that the public is involved in the process from the very beginning, whatever the site.

Real ID is a real problem

In a misguided attempt to uncover terrorists, the federal government has required all states including ours to implement national standards for driver's licenses and state-issued photo identification cards. Not only will this measure do nothing to keep us safe, but Real ID is also an infringement of civil liberties and right to privacy, making us all vulnerable to identity theft. Finally, it will severely strain the finances of the state.

It is expected to cost as much as \$140 million to set up the new technology and re-issue nearly 9 million licenses and cards. Much more private information will be needed from all of us and will be housed in a national database which will not be encrypted or protected in any way.

I have been opposed to this unfunded federal mandate since its enactment, and have helped usher legislation through the House that would free us from having to comply with Real ID. Currently, this legislation (House Bill 2537) is awaiting action in the Senate, and I urge you to contact your state senator and urge support. Ten other states have already rejected Real ID. Pennsylvania needs to follow suit.

Help me save trees!

Visit my Web site and fill out the online form to register to receive The Josephs Report via email rather than via the U.S. Post Office and you can help me save paper, postage and trees.

And, if you missed one of my previous newsletters, they're always available on the Web at www.pahouse.com/Josephs or www.babette.org.



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Rep. Josephs with Rep. Dwight Evans, left, and Tom Caramanico at the Freire Charter School's Bridge to Wisdom Reception.

Babette wants to speak to your civic association, block, building, faith community, or school about what is going on in Harrisburg. Or she can bring an expert speaker to you. Please contact Chief of Staff Jeanette Blize at jblice@pahouse.net or 215.893.1515.

Josephs Takes Action on Important Issues

JOSEPHS' STAND	LEGISLATION	SUMMARY	STATUS
YES	Banning lame duck sessions, H.B. 1652 (Josephs' bill)	Would prohibit legislators from returning to session after the November elections.	Approved by House State Government Committee, in Appropriations Committee.
YES	Military absentee ballots (Josephs' bill)	Would guarantee the right of the military to vote absentee.	To be introduced.
YES	Terror investments, opposing genocide, H.B. 1085 H.B. 1140 (Josephs' bill)	Would prevent Pennsylvania from investing in companies engaged in business with a state sponsor of terror.	In the Senate.
YES	COLA for public school, state worker retirees, H.B. 2084	Would give a cost-of-living adjustment to retired public school and state worker retirees.	Approved by House State Government Committee, in Appropriations Committee.
YES	1,500 slots gaming buffer zone, H.B. 14	Would keep slots facilities 1,500 feet away from schools, churches, playgrounds and homes.	Approved by House State Government Committee, in Appropriations Committee.