



Capitol Correspondence

from
State Senator

Daylin Leach



Serving Delaware and Montgomery Counties

Summer 2011

Dear Friend,

For this newsletter I wanted to write to you about what I view to be the grave danger posed to public education by two proposals Governor Corbett has put forth. I do so not only because I have chosen to involve myself in these matters very directly, but also because I perceive the course the governor has proposed to be an existential threat to our public schools and the values embodied by having a public education system.

The first bill to which I refer is Governor Corbett's proposed budget. That budget calls for a \$1.2 billion cut to K-12 education in Pennsylvania, the most dramatic cut in the state's history. Worse, the cuts come disproportionately from the poorest school districts.

Because we rely heavily on a locally-based property tax system for funding public schools, we have never adequately funded schools in poor neighborhoods. A bipartisan look at the problem called the "Costing Out Study" found that we were underfunding poor public schools by \$4.62 billion. In response to that, we passed a new funding formula that increased aid to schools in poorer areas, and we've seen dramatic results. Pennsylvania has become the most improved state in the nation for test scores in reading and math. The governor's budget seeks to reverse this progress and leaves poorer schools worse off than they were before the new formula was passed.

The other troubling bill is Senate Bill 1, which would create a system of vouchers that children could theoretically use to go to private schools willing to accept them and the voucher. There are many problems with this bill, but the primary one is how it is funded. Every dime of each voucher comes from the poor school a child leaves. So, if a school receives \$10,000 per child on average, and a child gets a voucher for another school, the original school would lose \$10,000 in funding for that year.

The problem is that the old school would not save \$10,000 by that child leaving. Most school costs are fixed and do not change based on a few children coming or going. Even if a larger number of children left, the amount saved would be nowhere near the amount of funding lost. That means that all the children remaining at the old, underfunded school would have even less money to struggle along with. According to supporters of S.B. 1, a best-case scenario for when the voucher program is fully ramped up is that 7 percent of the students would be able to take advantage of them. That means we would essentially be abandoning the other 93 percent of the kids in poor schools.

Things are even worse when you juxtapose the budget and S.B. 1. Since both bills target the poorest schools for cuts, the result is compounded. Some of our poorest schools would see their funding cut anywhere from 30 to 40 percent. According to superintendents I spoke with, this could mean 40 to 45 kids per class. No gym, music, art, guidance counselors, librarians, tutors, etc. In other words, we would be condemning kids in Pennsylvania to a third-world level education.

I view this approach to education to be not only a threat to our future as a state, educationally and economically, but also fundamentally immoral. I have been very vocal in opposing these bills and supporting what we know works, which is providing adequate resources, coupled with strict accountability to even children in the poorest neighborhoods. We owe our children, ALL of our children, nothing less.

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♦ Protecting Pennsylvania's Students ♦ Marcellus Shale



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VOTER

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◆ PA Works: A Budget Plan Working for You

Each year, the legislature and the governor spend weeks crafting a balanced budget that will move our state forward into the following fiscal year with as little financial pain as possible.

This year, Pennsylvania is at a crossroads – and the question is how to balance a budget without the ability to raise revenue and without making significant cuts? This year's budget will call for some difficult decisions to be made, but slashing programs and public services is not the answer.

To combat this dilemma, the Senate Democratic Caucus has unveiled an alternative proposal

called PA Works. The plan is a cost-saving measure that could save the Commonwealth \$1.14 billion and restore funding to education, health care and human services.

The generated funds would be used to restore basic and higher education funding to fiscal 2010-11 levels; restore critical county programs such as the Human Services Development Fund; save the HEMAP (Homeowners' Emergency Mortgage Assistance Program) and mortgage foreclosure assistance programs; and restore funding to the adultBasic program using tobacco settlement dollars.

PA WORKS INCLUDES PLANS TO PROVIDE:

- \$750 million in savings from fiscal responsibility initiatives in Public Welfare, Corrections, procurement and maximizing revenues
- \$290 million in savings generated through a tax fairness plan that includes a Marcellus Shale tax levy but eliminates other tax breaks suggested by the governor
- \$100 million from higher state stores revenues

◆ Human Trafficking

Every year, billions of dollars are generated by victimizing millions of people and forcing them into labor or sexual exploitation. The lucrative business of human trafficking is a dark issue that no one wants to talk about and that no one thinks can happen in their communities, but it can happen anywhere. In fact, an estimated 200,000 American children are at risk for trafficking each year.

Because of that frightening statistic, I have introduced two bills that would shine a light on this criminal practice and bring

perpetrators to justice. Senate Bill 338 would require posting of the Human Trafficking Resource Center Hotline number in certain Pennsylvania establishments, such as those with a liquor license, massage parlors, spas, certain hotels and motels, adult entertainment clubs, and places of transit. Senate Bill 885, known as the "Vacating Convictions" bill, would remove previous convictions and act as a defense for those proven to be victims of human trafficking.

I am confident that, if brought to a full Senate vote, both bills would pass unanimously.

Legislative Update

From Daylin's Desk

◆ Protecting Pennsylvania's Students

As I mentioned in the article on the cover of this newsletter, I have been leading the fight against S.B. 1, also known as "the voucher bill". In the context of that article I talked about my objections to the way the bill is funded. I'd like to elaborate and expand on that theme.

I have no blanket objection to putting resources into sending kids to better schools than can be found in their neighborhoods. I have supported the Educational Improvement Tax Credit (EITC) which does precisely that. Also, while I would prefer we put money into improving disadvantaged schools, if there was legislation that took money from the general fund, which we all contribute to, and put it towards some form of school choice, I could potentially support that.

S.B. 1, however, takes the money entirely from the poorest schools. The supporters of S.B. 1 are saying that while they support vouchers, they don't want to contribute towards funding them. Instead, every penny is taken from poor kids, and this is just wrong.

Additionally, this bill does not require any school to take or keep any child. Schools can cherry-pick the best or perhaps the most athletic kids and reject the rest. They are also free to discriminate against kids based on things like sexual orientation and willingness to participate in specific religious services.

S.B. 1 also sends taxpayer dollars to schools with no accountability. Under this bill, teachers are not certified, the kids do not take the PSSA tests, we are not permitted to see how private schools spend taxpayer money and these schools are not required to follow state curriculum standards. We will be using tax dollars to fund schools that may not teach evolution, or may teach that certain forms of discrimination are acceptable. In no other context would we just give out taxpayer dollars with so little accountability.

Finally, I believe S.B. 1 is unconstitutional. I am not referring to the broadly worded First Amendment to the United States Constitution, but to the very specifically worded Pennsylvania Constitution which forbids public money to go to private, especially religious, schools. I would also note that earlier this session I introduced an amendment that said any child at a religious school on a voucher could opt out of religious services. If religious freedom means anything, it must mean that no citizen must worship a specific God to be eligible for participation in a tax-payer funded program. My proposed amendment was defeated.

There is much we can do to improve public schools. But abandoning any effort to make them better in order to send a small percentage of children to unaccountable private schools is not the answer.

Sen. Daylin Leach stands with Upper Merion High School students at his Student Art Gallery Reception in King of Prussia.



◆ B-Corps

This session, I introduced a bill that would change the structure of business in Pennsylvania by creating a new class of corporation. That new class would provide for the recognition of Benefit Corporations ("B Corps") – businesses that have the ability to more positively impact their communities – and create a new incentive to encourage corporate activism. The Benefit Corporation class would reclassify the fiduciary duties of corporation directors, allowing them to take non-financial interests into consideration when making decisions for the corporation.

The bill, Senate Bill 433, would allow companies that aim to make a positive social and environmental impact on their communities to make those "for benefit" operations part of their corporate mission. Other corporation classes do not currently allow directors to take not-for-profit benefits into account. Under the new corporate classification model, Benefit Corporations could not be held liable for lost monetary value as a result of socially-conscious decisions made.

The process of becoming a Benefit Corporation is entirely voluntary and based on shareholder desire. If a business chooses to become a Benefit Corporation, it must provide yearly disclosures to shareholders of the public benefit efforts the company has undertaken.

As of August 2010, there are more than 320 certified B Corporations in more than 60 industries. Similar legislation has been enacted in Maryland and Vermont, is being considered in California, New York, North Carolina, Oregon and Colorado. The legislation is supported by the Pennsylvania Bar Association.

Legislative Update

◆ Marcellus Shale

The Marcellus Shale formation lies about a mile below ground and covers nearly 60 percent of Pennsylvania. Large quantities of natural gas are embedded in the Marcellus Shale formation, and can be released using an advanced drilling technique known as hydro-fracturing or "fracking." Fracking collects natural gas by pumping millions of gallons of water mixed with chemicals into the ground to fracture the shale, allowing access to the natural gases trapped below.

At this point, no one knows what the impact of such extensive drilling will be on state forests or how it will affect the quality of drinking water in the region. With that in mind, I have introduced two bills that would impose regulations on natural gas drilling in Pennsylvania and would stop the leasing of state forest land until its impact on our state can be assessed.

Senate Bill 425 would address the impact of hydro-fracking. The measure would require more inspections of Marcellus wells and extend the "pollution zone" in which groundwater contamination is presumed to be caused by a well operator from 1,000 feet for 2,500 feet. Additionally, the bill would require drillers to disclose the specific chemical concentrations found in fracking fluid, information which many drillers currently withhold.

Senate Bill 426 would impose a temporary moratorium on leasing state forest lands for the purposes of natural gas exploration, drilling or production. The bill would also require that the Department of Conservation and Natural Resources monitor and report on the impact of natural gas activities on state forest land, and implement a study of the environmental, economic and societal impacts of leasing state lands for drilling purposes.



Sen. Leach speaks at a press conference in Harrisburg urging a tax on Marcellus Shale drilling.

◆ Video Game Production Tax Credit

The video game industry is an untapped market in Pennsylvania, and one with a lot of potential. It's an industry that is situated for growth and has the base talent and resources to sustain that growth. I believe there is an opportunity for Pennsylvania to use state involvement in this venture to bring in new revenues.

For those reasons, I have introduced a bill similar to the highly successful Film Tax Credit that

offers incentives to production companies and encourages them to film in Pennsylvania. The new legislation, the Video Game Production Tax Credit bill, would offer a tax break to gaming companies that relocate to Pennsylvania. The credits would be given per employee hired, for relocation expenses, for capital expenditures and infrastructure expenses, for real estate costs, and for in-state company expenditures.

The potential return on every dollar invested in growing this industry is huge, and the makeup of the industry means that growth will be more stable and more anchored to the community than the fleeting boom of a movie set or an album recording. I believe that bringing these jobs and companies to our state can boost economic growth and fuel huge returns on investment in the form of tax receipts and sustained re-investment.

Go Green!

Sign up for paperless newsletters and updates by visiting www.senatorleach.com

Around the 17th District



Sen. Leach takes part in the Upper Merion Township Black History Celebration.



Sen. Leach meets with teachers and administrators from Lower Merion High School.



Sen. Leach meets with constituents at Haverford Senior Center.

◆ The Date of my Veteran's Trip has Changed!

On Friday, September 23, I will host a Veteran's Trip to Brandywine Battlefield & Longwood Gardens. Lunch, transportation and admission to the battlefield and Longwood Gardens will be provided for veterans or spouses of veterans of the 17th District and one guest.

We need to remember our past in order to build a better future, and to celebrate the foundation upon which this great state was built. I am eager to join local veterans and honor the commitment they made for us. I hope you'll join us.

RSVP by Calling

Sen. Leach's King of Prussia Office at 610-768-4200.

Space is Limited, so Please Call Soon.



◆ My King of Prussia office is now accepting donations!

Please consider bringing in any new toiletries, clothing or cosmetic products to help women in the 17th District. The donations will benefit "Why Not Prosper," a foundation that helps female ex-offenders discover their own strength by providing them with the basic resources that will empower them to become self-sufficient and contributing members of our community. Your generous donation can give incarcerated women a head start to successfully transition back to the community.

◆ 3rd Annual Kids' Fair

August 4 • Elmwood Park Zoo • Norristown

During the event, parents will have the opportunity to meet with representatives of federal, state and local agencies. In addition to face painting, clowns, Zoo programs, and free food, there will be educational programs focusing on environmental protection and conservation.

Each year, the Kids' Fair gets better and better. If you're a resident of the 17th District and have not yet joined us for this enjoyable evening at the zoo, I encourage you to make this the year you do.

Admission to the event is free to all families in the 17th Senatorial District.

**RSVP is Necessary for Admission.
Call 610-768-4200 to Reserve Your Spot.**



Kids' Fair



An Expo at the ZOO



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Students participate in Sen. Leach's third annual Good Government Seminar at Cabrini College.

◆ Librarians of the Year

This April, I presented awards to two local librarians at the third annual Librarians of the Year awards celebration held at the American Reading Company in King of Prussia. Jayne Dambman from Chestnutwold Elementary School was named the 2011 School Librarian of the Year and Jane Leven from Conshohocken Free Library was named the 2011 Public Librarian of the year.

The Librarians of the Year event, part of National Library Week, honors two outstanding librarians from the 17th district each year – one who works in the local school system and one who serves the public library system. The event is sponsored by the American Reading Company.



Sen. Leach joins Jayne Dambman and Jane Leven—2011 Librarians of the Year—after the ceremony at the American Reading Company in King of Prussia.