



REP. GARY DAY

187TH Legislative District

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Dear Friends and Neighbors,

My chief responsibility is to serve the constituents I represent in the 187th Legislative District as best as possible. As your representative, I continue to focus on the pressing issues of our times – the state budget, protecting our citizens and families, and ensuring your money is used efficiently. Our collective district voice must be heard in Harrisburg by focusing on these and other issues you have indicated are important.

In just the first several months of the session, we have launched an aggressive voting calendar. By the end of June, we passed more than 130 bills addressing substantive issues. This is the most productive first six months in recent legislative sessions.

In addition to the work I do for you in Harrisburg, I strive to maintain open lines of communication with you so that you know what is going on at the State Capitol. I use both traditional communication tools like the telephone and postcards, as well as visiting neighborhoods, email, website and Facebook, which are all more economical ways.

This spring, I hosted two State of the Commonwealth Town Hall meetings, and if you came out, thank you. I also hosted a telephone town hall meeting in April. I'm sure you'll agree that these meetings are an important way for me to learn and understand the issues you face every day.

I also hosted a town hall meeting focused on agricultural issues for our farmers. One of the most pressing issues facing our local agriculture industry is the federal transportation regulations. We



With my daughter at my side, I took the oath of office for the second time during a ceremony held Jan. 4 in the House chamber. I joined 199 other legislators in taking the oath that day.

need to address these regulations so that they do not adversely affect farmers doing their jobs and putting food on the table of the people of the world.

If you are in need of any type of government service, please contact my office. Complete contact information is at the top.

If you have any questions regarding the information in this newsletter, please contact me at gday@pahousegop.com or at (610) 760-7082.

Rep. Gary Day
187th District

House Passes More Than 130 Bills of Substance

As evidenced by the 136 substantive bills passing the House since January, the first six months of the year have produced one of the most active starts of a legislative session in recent memory.

In January and February, we hit the ground running in terms of advancing policy to help protect children and change the culture in the state Capitol. These included improvements to the state's Megan's Law and reforms to state government and the gaming industry.

As we worked to develop the new 2011-12 budget (See related story on Page 2), we passed other important proposals to protect citizens from costly mandates; increase our state's competitiveness to create and keep good jobs; address documented cases of waste, fraud and abuse within the welfare system; and continue to make state government more accessible and accountable through an online, searchable database of all state spending.

These pieces of legislation, in some way or another, impact the daily lives of our citizens. From lawsuit abuse reform to implementing consumer protections, we are fighting to ensure that Pennsylvania is a good place to live, work and raise our families.

More information about several new laws is included inside. If you have any questions about any of the new laws, please contact my office.

During our fall legislative session, we will be looking to advance proposals to further improve the jobs climate, end pay-to-play in government contracts, establish public-private partnerships, review drilling impacts and continue to reform state government.

Inside This Newsletter:

- 2011-12 State Budget
- Legislative Accomplishments
- Important Issues Still to Come

No Tax Increase, On-Time, Fiscally Responsible State Budget Adopted

The new state budget for 2011-12, which represents the first on-time passage in eight years, refocuses government's priorities back to the taxpayer while seeing that the Commonwealth's most critical needs are met.

This budget, which spends \$27.15 billion, is 4 percent less than the 2010-11 spending plan and it represents a delicate but necessary balance between the revenues we have available and the priorities we need to fund. We knew that with the loss of federal stimulus funding and a \$4 billion structural deficit, achieving an on-time, fiscally responsible budget would be an uphill struggle. Fortunately, we were able to accomplish that task, and put our Commonwealth back on a path of financial stability.

From the governor's original proposal in March, my colleagues and I voiced major concerns about the reductions in education funding, both for basic and higher education. Significant cuts were proposed, reflected by the loss of federal stimulus funding, but by reprioritizing education over welfare, restorations were made.

Basic and higher education will receive a total of \$10 billion, or one-third of the total state budget. Schools will receive no less than the state funding they received in the 2008-09 fiscal year and will be able to again take advantage of the highly successful Accountability Block Grant program, where \$100 million will be available.

Also of considerable concern was funding for the State

System of Higher Education, of which Kutztown University is a member, and the state-related schools like Penn State, Pitt, Temple and Lincoln. Instead of the 50 percent-plus reductions in state funding, the schools will receive 82 percent and 81 percent, respectively, of the funding they received for 2010-11.

This is being made possible by a reprioritization of funding that was originally directed to the Department of Public Welfare (DPW). By adjusting DPW's line items to address the documented error rate, as well as cases of waste, fraud and abuse, \$404 million will be redirected to education funding. The department will still receive more than \$10.5 billion to provide services to the most vulnerable citizens.

In agriculture-related items, funding for the Penn State Agriculture Extension Offices and the agriculture research program are being transferred from the university's overall state funding to the Department of Agriculture, where they rightfully belong. Just a few years ago, these programs were only combined with Penn State as a matter of practicality for federal stimulus funding.

Although this budget was a challenging process and many programs and services will not be funded at the levels they may have been in the past, I believe the new spending plan reflects an appropriate compromise that takes into account the recurring revenue we have available to us with the priorities we have to fund.

State House Approves Bill to Address Abortion Clinic Atrocities

This spring, my colleagues and I responded to the tragedy that happened at an abortion facility in West Philadelphia where a doctor was charged with eight counts of murder. Sadly, the situation was allowed to exist because of a lack of state inspections over the course of nearly a decade.

As chairman of the Subcommittee on Health Facilities within the House Health Committee, I knew something needed to change so this never happens again.

While Gov. Tom Corbett has made changes within the administration, my colleagues and I want to make sure that conditions like these aren't al-

lowed to exist in any type of health care clinic. We passed House Bill 574 to hold abortion clinics to the same high standards as the state's ambulatory surgical facilities. This would mean that abortion clinics would be held to the same fire and safety standards, personnel and equipment requirements, and quality assurance procedures as other freestanding ambulatory surgical centers if they provide surgical abortions.

House Bill 574 would expand the definition of what an abortion facility is and hold such facilities to the same high standards as other health care facilities in order to ensure that patients who use clinics for abortion procedures and other

gynecological services are treated by trained personnel in a safe and sanitary manner.

This is not an attempt to legislate a woman's right to choose. It simply would make sure that anyone going to such a clinic for care would be treated humanely and with respect.

More than 200 ambulatory surgery centers in the Commonwealth already are regulated.

House Bill 574 passed the House of Representatives 148-43. Similar legislation passed the Senate and is expected to be considered by the House this fall.

Castle Doctrine Now Law

Legislation that will further protect law-abiding citizens who use self-defense when faced with an imminent threat was signed into law on June 28.

The Castle Doctrine clarifies state law so that legal protection is afforded to law-abiding citizens who use lethal force in protecting themselves, their families and their properties.

Under previous law, criminals have greater protection than law-abiding citizens, who have faced civil lawsuits from intruders or their families. Residents who are protecting themselves, their families and their homes should not have to fear criminal prosecution or a civil lawsuit if using force against an intruder is warranted.

If an attacker or intruder intends to inflict bodily harm, this measure creates the presumption that deadly force may be used to protect oneself, family and others while in their home, an occupied vehicle or anywhere they have a right to be.

That presumption also applies if a person is trying to unlawfully remove an occupant against his or her will from a home or vehicle. The legislation is based on a similar bill enacted in Florida that addresses the use of deadly force in self-defense and others within an individual's residence or occupied vehicle.

The presumption would not apply if the person entering a home was another resident of the home, a law enforcement officer, a parent, grandparent or other guardian removing a child from the home or vehicle. In addition, this legislation would not apply if a person was using his or her home or vehicle to engage in criminal activity.

It is important to emphasize that this legislation does not endorse unlawful aggression. It merely provides individuals with the necessary legal protection to respond to such aggression.

Job Friendly Bill Signed by Governor

Legislation that reforms the way in which liability lawsuits are handled in Pennsylvania was signed into law by Gov. Tom Corbett on June 28.

Unfortunately, Pennsylvania has one of the most hostile-to-business tax and regulatory environments in the country. Two-thirds of small business owners say they make business decisions to avoid lawsuits, 23 percent say those decisions have forced them to cut employee benefits, and 11 percent say those decisions have forced them to lay off employees.

Up until the new law, Pennsylvania still retained what lawyers call full “joint liability” along with eight other states and the District of Columbia. This meant that if a lawsuit named multiple defendants, the one with the deepest pockets can then be held liable for all of the plaintiff’s damages, even if this solvent defendant’s actions had little to do with the injuries alleged.

A state’s civil liability laws are almost always considered by business executives who make expansion and relocation decisions. It’s simple: Legal liability costs scare jobs away. Unfortunately, the abuse of our legal system through frivolous lawsuits is making that task more difficult.

With this new law, we are seeking to prevent abuse of the legal system, thereby encouraging employers and businesses to keep jobs, create jobs and attract more jobs. Under the Fair Share Act, a defendant will be held responsible only for his or her proportionate share of the total damages awarded to compensate a plaintiff.

According to the National Federation of Independent Business in Pennsylvania, six out of every 10 businesses feel they would be able to increase revenues



Rep. Mike Tobash and I joined Gov. Tom Corbett after he signed the Fair Share Act into law. This new law will help Pennsylvania be more competitive in the business world.

and invest these earnings in their businesses if they were assured they would be protected from frivolous lawsuits.

We must stress that our goal with these reforms is not to deny anyone with a legitimate claim the right to seek compensation. Rather, we are attempting to rid our legal system of the frivolous lawsuits that are delaying justice for those who truly deserve it.

Sale of Concentrated Bath Salts Now Banned in Pennsylvania

In June, Pennsylvania joined a growing list of states that banned the sale of synthetic marijuana and bath salts marketed as synthetic cocaine.

Act 7 of 2011 adds chemical compounds in these drugs to the state’s list of controlled substances. The effects of these salts are comparable to methamphetamine abuse.

The spread of concentrated bath salts has rapidly penetrated our communities, namely because many users believe that because the drugs are legal, they must be safe to use. That is far from the reality of the situation and why we needed to prohibit the sale of these chemicals and get them off store shelves.

Cases of smoking, injecting or inhaling bath salts are making headlines because users are getting high and turning violent. Some users have committed crimes while high and others

have injured themselves to the point of emergency room visits. Several people throughout the state have died taking the drug.

Under the new law, the state’s Controlled Substance, Drug, Device and Cosmetic Act is expanded to ban the sale of substances with chemicals known as salvia divinorum, salvinorin A, divinorin A, synthetic marijuana and synthetic cocaine, all of which have a high potential for abuse.

The bath salts that are now banned do not include those sold at specialty retailers or department stores. The bath salts with the chemical compound are traditionally found at hemp stores, tobacco shops and other outlets that sell brands like “Ivory Wave,” “White Lightning” and “Hurricane Charlie.”

The legislation takes effect in August, but Gov. Tom Corbett has asked stores to remove the substances in advance of the effective date of the ban.

Want to Receive This Newsletter Electronically Instead?

In an effort to cut costs, I am offering the opportunity for people to sign up to receive my newsletter electronically instead of by mail.

Simply go to RepGaryDay.com and click on the “e-newsletter” icon on the upper right corner of the page to sign up.

Even if you already receive regular e-mail updates, you must complete this form and include your full mailing address so you can be removed from the newsletter mailing list. You will be notified via email when a new edition of the e-newsletter is available.

Customer Service Rating Helps Us Serve You

I want to make sure my office, indeed all of government, is responsive to the people and taxpayers it serves. During my first term, I implemented a simple accountability customer service rating system I used when I was in the private sector. I am continuing this into the new session this year.

This customer service metric will give us feedback as to how well we are serving you and your neighbors. For the months of January through June, our satisfaction rate was 92 percent.

The success of our operation’s efficiency and courteousness is a direct result of the hard work of my staff in the district and Harrisburg offices. If you have any state-related issues, please contact us and give us the opportunity to assist you.

If you have contacted my office with a question or problem involving state government, please take the time to fill out a brief survey about the job myself and my staff are doing to fulfill your needs.



Several members from the agriculture community in the 187th District joined me for a Farmers Town Hall meeting at the Fogelsville Fire Company on Feb. 22. The group discussed a wide range of issues impacting agriculture in the Lehigh Valley.

Marcellus Shale Discussion Set for This Fall

Gas extraction tax versus impact fee

One of the more controversial issues discussed during the spring session wasn't included as part of the final budget package, but is expected to be addressed during our fall session. That's the Marcellus Shale.

Colleagues in both the House and Senate – and on both sides of the aisle – favor making the drillers and gas companies pay their fair share. While energy companies are already paying hundreds of millions of dollars in other taxes, many people believe that we are sitting atop an enormous revenue stream that we would be foolish to let slip away.

Others believe that Pennsylvania should tax the natural gas as it's being extracted from the ground. This would be recurring revenue that could be used in a multitude of ways: the General Fund, property tax relief, education, environmental programs, transportation, etc.

Some believe that instead of a tax, companies should be assessed an impact fee every time a well is drilled. The charges would be higher for an impact fee but the revenue would cease some time after the last well is drilled. Many believe an impact fee should be targeted to benefit the areas that are most impacted by gas drilling.

There are numerous proposals in the House and Senate that call for a tax or a fee and they all differ on where and how the money should be spent.

What do you think? Are in favor of an impact fee if not a dollar benefits the 187th District? Or would you prefer a tax on the drilling? What should it benefit?

Give me a call at my district office, send me an email or post on my Facebook wall.

What Do You Think....About School Choice?

Legislation that will reform Pennsylvania's charter schools and allow for school choice will be a focus of discussion during the fall session.

I firmly believe that providing a quality education to our students is among our foremost priorities, but there is considerable debate about what's best for our students while maintaining a commitment to public schools. School choice is not only focused on the personal decision of where to send a child, but the overriding factor of how to pay for it – and if public dollars should be used to give out vouchers to be put toward tuition at other schools.

Should school choice be focused on helping get students out of at-risk or low-performing schools? Should school choice help lower-income families send their children to the schools of their choice, whether it's a private school or a public school just a few more miles down the road? Should school choice not come down to a question of family income?

And we must also consider the obvious outcomes if school choice is allowed. Will our public school system suffer and how so? Will it cause higher property taxes? A voucher system would cause our budgeting to focus on why people are leaving a particular system and entering another one.

Personally, I believe the schools in the 187th District are good schools that rightfully focus on continual improvement.

I encourage people to learn more about this legislation and the various reforms and proposals being drafted. I also urge educators, parents, students, and administrators, as well as the community at large, to contact me with their thoughts, concerns and suggestions.

Ultimately, the decision may come down to whether we make a plan for everyone to take advantage of or just low-income students or students in poor performing schools. What do you think? Please drop me a line, email me or communicate with me via social media. All of my contact information is on page 1.

Senior Expos Set for September

Residents age 55 and older who live in the 187th Legislative District are invited to my second annual Senior Expo, to be held from 10 a.m. until 1 p.m. on Thursday, Sept. 8, at the Kutztown Fire Company, located at 310 Noble St. in Kutztown.

Our senior expo is a wonderful event where older residents can come to one convenient place to learn more about various programs and services offered by local, state and federal governments as well as private agencies. With the wide variety of programs and services available to older Pennsylvanians, some may have questions about eligibility or how the program operates. This expo gives them a one-stop-shop to find out more about what's available in our community and at the county, state and federal levels.

Participants can take advantage of free balance screenings and blood pressure checks by the Lehigh Valley Health Network, as well as free blood pressure checks by Bayada Nurses. In addition, the Northeast Pennsylvania Lions Eye Bank will collect old prescription eyeglasses. Much more will be available.

Door prizes and refreshments will be offered.

The event is free and open to senior citizens of the 187th District, their families and caregivers.

For more information, contact my office.

North Whitehall Township will hold its Senior Day on Thursday, Sept. 15, from 8:30 a.m. to 1 p.m. at the Schnecksville Fire Company. RSVPs are required by Aug. 31 by calling the township at (610) 799-3411.

2011-12 Committee Assignments

- Urban Affairs
- Health
 - Insurance
 - Professional Licensure

