

COUNCIL OF THE CITY OF PHILADELPHIA  
COMMITTEE ON LAW AND GOVERNMENT

Room 400, City Hall  
Philadelphia, Pennsylvania  
Wednesday, June 18, 2014  
10:10 a.m.

PRESENT:

COUNCILMAN WILLIAM K. GREENLEE, CHAIR  
COUNCILWOMAN JANNIE BLACKWELL  
COUNCILMAN W. WILSON GOODE, JR.  
COUNCILMAN BOBBY HENON  
COUNCILMAN CURTIS JONES, JR.  
COUNCILMAN JAMES KENNEY  
COUNCILMAN DENNIS O'BRIEN  
COUNCILWOMAN MARIAN B. TASCO

BILL 140514 and RESOLUTION 140527

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COUNCILMAN GREENLEE: Good morning, everyone. This is the Committee on Law and Government.

Can I have everybody's attention, please.

We have established a quorum with Councilman Kenney, Vice Chair of the Committee; Councilwoman Tasco; Councilman Goode; and Councilman O'Brien.

Ms. Marconi, will you please read the title of the bill and resolution before us today.

THE CLERK: Bill No. 140514, an ordinance providing for the submission to the qualified electors of the City of Philadelphia of an amendment to Article VIII, Chapter 5 of The Philadelphia Home Rule Charter, entitled "Referenda Approved by the Voters," by adding a new section providing that the citizens of Philadelphia call upon the Pennsylvania General Assembly and the Governor to abolish the School Reform Commission and return local control of Philadelphia's

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       schools, as proposed by a petition  
3       presented to the Council and approved for  
4       submission to the electors by Resolution;  
5       fixing the date of a special election for  
6       such purpose; prescribing the form of  
7       ballot question to be voted on; and  
8       authorizing the appropriate officers to  
9       publish notice and to make arrangements  
10      for the special election.

11               Resolution 140527, resolution  
12      submitting to the electors of the City an  
13      amendment to Article VIII, Chapter 5 of  
14      The Philadelphia Home Rule Charter,  
15      entitled "Referenda Approved By the  
16      Voters," by adding a new section  
17      providing that the citizens of  
18      Philadelphia call upon the Pennsylvania  
19      General Assembly and the Governor to  
20      abolish the School Reform Commission and  
21      return local control of Philadelphia's  
22      schools, as proposed by a petition filed  
23      with the Council.

24               COUNCILMAN GREENLEE: Thank  
25      you.

1           6/18/14 - LAW & GOV. - BILL 140514, etc.

2                   Before we get into our  
3           witnesses, any member of the Committee  
4           has any statement?

5                   (No response.)

6                   COUNCILMAN GREENLEE: Seeing  
7           none, I have some thoughts, but I'll mix  
8           them in with questions to the witnesses.

9                   Ms. Marconi, will you please  
10          call the first witness, please.

11                  THE CLERK: Hillary  
12          Lindardopoulos.

13                  (Witness approached witness  
14          table.)

15                  COUNCILMAN GREENLEE: Good  
16          morning.

17                  MS. LINARDOPOULOS: Good  
18          morning.

19                  COUNCILMAN GREENLEE: And just  
20          for the record, anyone that has submitted  
21          written testimony, the full testimony  
22          will be made part of the record. Feel  
23          free to summarize any statements.

24                  Thank you. Please proceed.

25                  MS. LINARDOPOULOS: Good

1        6/18/14 - LAW & GOV. - BILL 140514, etc.  
2        morning, Chairman Greenlee and members of  
3        City Council. My name is Hillary  
4        Linardopoulos and I am representing the  
5        Philadelphia Federation of Teachers. On  
6        behalf of Jerry Jordan and the members we  
7        represent, we want to thank you for  
8        holding this hearing today regarding Bill  
9        No. 140514 and Resolution No. 140527,  
10       both introduced by Councilwoman Blackwell  
11       on June 5th.

12                    Throughout the winter, PFT  
13       members and PCAPS allies worked to  
14       collect more than 3,000 surveys of  
15       Philadelphia residents. The surveys were  
16       used to assess not only the key issues of  
17       concern regarding our schools, but also  
18       to assess how Philadelphians feel about  
19       the governance of our schools. The  
20       results of our survey were clear:  
21       Philadelphians want schools returned to  
22       local control. Of the 3,157 respondents  
23       to the question about local control, a  
24       mere 102 favored remaining with the  
25       current SRC structure, 102. Having

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       nearly 97 percent of respondents give the  
3       same message is certainly a powerful  
4       statement.

5               Parents and other Philadelphia  
6       residents are cognizant of the fact that  
7       the SRC has not done what it was brought  
8       in to do, provide support for a  
9       struggling district. The District is in  
10      worse condition today than it was upon  
11      the inception of the SRC in 2001.

12             Month after month, community  
13      members testify in front of a  
14      disconnected and aloof body of School  
15      Reform Commissioners uninterested in  
16      working towards solving the real issues  
17      plaguing the School District,  
18      underfunding and lack of resources.

19             When you have three members of  
20      a five-member board appointed by a  
21      governor who has yet to step foot into a  
22      Philadelphia public school, that calls  
23      into question the true commitment of the  
24      SRC to Philadelphia's school children.

25             Upon the release of our survey

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       report, of which I provided copies today,  
3       the Federation and PCAPS began to work  
4       closely with the Working Families  
5       organization to further demonstrate  
6       Philadelphians' desire to return schools  
7       to local control. In doing so, we worked  
8       together to gather more than 40,000  
9       signatures for a ballot initiative. What  
10      started with a whisper has now turned  
11      into a full rally cry for the dissolution  
12      of the SRC.

13               Parents and residents  
14      understand that many challenges -- that  
15      there are many challenges facing our  
16      schools. They know that it takes more  
17      than a change in a governing body to  
18      address these issues. But they want to  
19      know that they are being heard by the men  
20      and women making decisions that impact  
21      them and their children.

22               That's why it wasn't hard to  
23      get 3,000 Philadelphians to take our  
24      local control survey. That's why we  
25      received over 40,000 signatures on our

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       local control petitions. And that's why  
3       when parents at Steel and Marin  
4       Elementary Schools, when they were  
5       finally given the opportunity, voted  
6       overwhelmingly to keep charter companies  
7       out of their schools.

8               We recognize that the ballot  
9       initiative being put forth would be  
10      non-binding, but we also believe that the  
11      statement would be very, very powerful  
12      that it would make legislators in  
13      Harrisburg really hear the voices of the  
14      people of Philadelphia.

15             We appreciate Council's  
16      willingness to move this process forward  
17      expeditiously, and we thank you for  
18      allowing PFT to once again testify before  
19      this honorable body.

20             Thank you. I'm happy to take  
21      any questions.

22             COUNCILMAN GREENLEE: Thank  
23      you. Thank you for your remarks.

24             I guess I might as well get  
25      this out on the record. One of the

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       problems I've had with this -- and I know  
3       you do indicate in here it's non-binding.  
4       The question as it's proposed doesn't  
5       necessarily sound -- like we know as  
6       people who do this stuff every day that  
7       that's non-binding. If you read the  
8       question, do you think the average person  
9       understands it's non-binding? And should  
10      that make a difference?

11               MS. LINARDOPOULOS: That's a  
12      good question, and I think that it's  
13      clear that the message that we have been  
14      giving folks is that it is a non-binding  
15      referendum. We have been -- when we  
16      collected our signatures, we repeated  
17      again and again this is non-binding.  
18      This is not something that Philadelphia  
19      legislators are able to change. However,  
20      it can send a strong message. And, no, I  
21      don't think that it should influence the  
22      process.

23               COUNCILMAN GREENLEE: Now, you  
24      say on here that in the question, because  
25      I'm trying to stay to the issue itself,

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       should the Home Rule Charter be amended  
3       to call upon the Pennsylvania General  
4       Assembly and the Governor to abolish the  
5       School Reform Commission. As I  
6       understand it, is that the way the School  
7       Reform Commission would be abolished?  
8       That's not my understanding how exactly  
9       it would be done.

10                   MS. LINARDOPOULOS: Our  
11       understanding is that it does -- that  
12       there are various ways that it could  
13       happen, that the SRC could vote to  
14       dissolve themselves upon being fiscally  
15       stable and that it would take -- that  
16       with an amendment or revocation of Act  
17       46, that there could be a change in the  
18       governance of the schools.

19                   COUNCILMAN GREENLEE: So that  
20       what you're saying is that your  
21       understanding is that by a vote of the  
22       Assembly and agreeing by the Governor,  
23       that it could be abolished?

24                   MS. LINARDOPOULOS: Yes.

25                   COUNCILMAN GREENLEE: All

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       right.

3                   Councilwoman Tasco.

4                   MS. LINARDOPOULOS: Good  
5       morning, Councilwoman.

6                   COUNCILWOMAN TASCO: Since the  
7       abolishment of the SRC would have to come  
8       from the state, what are your actions to  
9       get that message and to get them to take  
10      action?

11                  MS. LINARDOPOULOS: That's  
12      another great question. I think that  
13      when -- in the fall when we started  
14      talking about this more steadily at the  
15      Federation, we wanted to ensure that we  
16      were capturing the voices of the parents  
17      of Philadelphia, and that is why we took  
18      the time to have our members survey 3,000  
19      Philadelphia residents. So we want to  
20      make sure that the message that we're  
21      giving to Harrisburg is a message that is  
22      being talked about in the schoolyard in  
23      the morning and is a message that parents  
24      in Philadelphia are saying.

25                  So I think that the collection

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       of the surveys was a really good start in  
3       ensuring that what we are giving to  
4       Harrisburg is the will of the people of  
5       Philadelphia, and I think that following  
6       that, I think that the collection of the  
7       40,000 signatures -- we have been keeping  
8       legislators of the Philly delegation  
9       involved in the process throughout,  
10      letting them know what we're doing. When  
11      we had our press conference at the  
12      Federation about our surveys, we had  
13      several State Representatives and  
14      Senators speak and attend. And once we  
15      have this ballot initiative, I think that  
16      the message that it will send to the  
17      state is going to be a very, very strong  
18      one and I think that it will be very hard  
19      to ignore.

20                So we will continue to lobby at  
21      the state level, setting up our  
22      appointments and meeting and so forth,  
23      but I think that when you have this  
24      public cry from Philadelphia, which the  
25      voices of Philadelphians are often

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       unheard in Harrisburg, and when you have  
3       this public outcry, it will make it  
4       harder for legislators there not to  
5       listen to our efforts.

6               COUNCILWOMAN TASCO: Well, you  
7       have 40,000 signatures.

8               MS. LINARDOPOULOS: Yes.

9               COUNCILWOMAN TASCO: And so  
10      without making it a ballot referendum,  
11      because what you're asking for people to  
12      confirm, what they have already stated  
13      that this is what they want, to take  
14      those signatures to the state and give it  
15      to those leaders would serve the same  
16      purpose, because what we do when we --  
17      and I don't want you to think I'm not --

18              MS. LINARDOPOULOS: No. I  
19      understand.

20              COUNCILWOMAN TASCO: --  
21      supportive of what you're trying to  
22      achieve. How you get there is what does  
23      it do for our Charter. We've started to  
24      use the Charter to just be a spokesperson  
25      for what we want, but we really never get

1       6/18/14 - LAW & GOV. - BILL 140514, etc.

2       what we want and nothing -- it's not  
3       binding because -- it's not binding.

4                   MS. LINARDOPOULOS: So I think  
5       that part of the purpose of having  
6       something on the ballot is that now  
7       that -- we are hoping that now that  
8       Council sees, which I know that you have,  
9       you've been hearing us testify on this  
10      for quite some time, but now that I think  
11      that a recognition by City Council that  
12      this is something that the Council wants  
13      members to discuss as well, that it makes  
14      the process look more official.

15                   I think that petitions are  
16      helpful and they serve a purpose at  
17      times, but I think that there's some  
18      amount of fatigue from legislators in the  
19      Capitol saying, Okay, this many people  
20      signed this. And I know 40,000 is a  
21      whole different ball game. That's a huge  
22      number. But I think that regardless,  
23      even though it's non-binding, it still is  
24      an official proclamation and there is no  
25      discussion about whether it's the will of

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       the people. It's there. It's happening  
3       at the voting booth.

4                   And we are hoping also that the  
5       ballot initiative will be able to be used  
6       to bring voters to the polls in November  
7       as well, because education is the number  
8       one issue. That is the issue. Talking  
9       about how we educate our students is the  
10      issue, and I think that when we have --  
11      I'm hoping that that is enough to bring  
12      voters to the poll, but we're hoping to  
13      augment those numbers by talking about an  
14      additional issue that parents of  
15      Philadelphia school children and  
16      Philadelphia residents have on their  
17      minds, that that will bring other folks  
18      to the polls as well.

19                   COUNCILWOMAN TASCO: The other  
20      concern I have -- and I'm looking at  
21      unintended consequences.

22                   MS. LINARDOPOULOS: Sure.

23                   COUNCILWOMAN TASCO: Because it  
24      is a political issue, and you get it  
25      before someone in Harrisburg decides,

1       6/18/14 - LAW & GOV. - BILL 140514, etc.

2       Okay, why don't we just give them what  
3       they want, and then they give you a piece  
4       of legislation that you really don't  
5       want.

6                   MS. LINARDOPOULOS: Right.  
7       Right. And I think you're right, you --

8                   COUNCILWOMAN TASC0: And so  
9       because we only have, what, 25? How many  
10      members do we have?

11                  COUNCILMAN GREENLEE: About  
12      that.

13                  COUNCILWOMAN TASC0: We have 25  
14      members in the Legislature out of 203,  
15      and the majority of them are from all  
16      over the state, and they all hate  
17      Philadelphia. Not all of them; some of  
18      them. And so, okay, let's just see what  
19      we can do to give them what they want and  
20      what strings do they add and how do we  
21      make it more difficult for them to  
22      operate.

23                  So, I mean, those are things  
24      that really -- because that issue is a  
25      negotiated issue and certainly having the

1       6/18/14 - LAW & GOV. - BILL 140514, etc.

2       voice of the people, but I don't know if  
3       it will flow the way you think it might.

4               MS. LINARDOPOULOS: Sure. And  
5       I think that's a risk that we'll take,  
6       but we would continue to be talking to  
7       legislators in Harrisburg about this,  
8       about dissolving the SRC, and I think  
9       that how the legislation ends up looking  
10      is a different issue than whether we want  
11      to have a ballot initiative to augment  
12      our efforts with the legislators. And I  
13      understand what you're saying, and that's  
14      definitely step by step something that we  
15      will need to be very, very cognizant of  
16      and make sure that we are not being  
17      duped. Absolutely.

18             COUNCILWOMAN TASCO: Thank you.

19             MS. LINARDOPOULOS: Thank you.

20             COUNCILMAN GREENLEE: Thank  
21      you, Councilwoman.

22             And the Councilwoman raises  
23      some questions that I kind of share the  
24      same feeling on. And first just kind of  
25      a comment, and I'll get political here

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       for a minute. With the Governor's race  
3       on the ballot, if we need any other  
4       initiative to get people to the polls, we  
5       got a problem.

6                   MS. LINARDOPOULOS: Sure.

7                   COUNCILMAN GREENLEE: Because,  
8       I mean, if the idea of Philadelphia we  
9       don't need another -- we don't need a  
10      change at the top, I don't know what else  
11      other than a fire bomb under them will  
12      get them to the polls.

13                   And just to state on the  
14      record, my other problem -- and the  
15      Councilwoman alluded to it -- is -- and  
16      certainly this isn't the first time we've  
17      done it, but I guess I'm having a little  
18      problem with we're slowly turning the  
19      City Charter into an opinion poll, and  
20      that concerns me. I don't think that's  
21      what it was there for. And, look, I've  
22      been Chair of the Law and Government  
23      Committee for a while and we passed  
24      things that had to do with Iraq and  
25      nuclear warheads and all kind of stuff,

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       and looking back, I think that was  
3       probably, with all due respect to the  
4       sponsors -- and one of them was the guy  
5       who employed me for 26 years -- I think  
6       was probably a mistake. I think we  
7       started down the wrong road, in my  
8       opinion. And even though this is  
9       obviously closer to home than Iraq, I  
10      still have some concern that we keep  
11      doing this. And this is no disrespect to  
12      40,000 signatures.

13                   MS. LINARDOPOULOS: Sure.

14                   COUNCILMAN GREENLEE: But it's  
15      hard for me personally to get past that,  
16      that what's next? And if we're doing it  
17      by signatures -- and I throw this out to  
18      everybody who is here today -- I mean, do  
19      we always just go by that? I mean, what  
20      if the churches all got together and  
21      wanted a ballot question to ban gay  
22      marriage? Would everybody that's here  
23      saying -- would you want that on the  
24      ballot? Do we keep going in that  
25      direction?

1           6/18/14 - LAW & GOV. - BILL 140514, etc.

2                       And that's my concern. I don't  
3       know if you have an opinion on that. And  
4       I guess I throw it out for everybody that  
5       may come up here. It's just -- so it's  
6       the specific issue, and I think  
7       Councilwoman Tasco raised the concerns  
8       very well, but it's also the more broader  
9       issue of the continuing amendments to the  
10      Charter that are non-binding.

11                   MS. LINARDOPOULOS: So you  
12      brought up two issues. The first is that  
13      if we don't get folks out to the polls  
14      for the Governor's race, then we're in  
15      trouble. You're right, and I think that  
16      a lot of our canvassing and a lot of our  
17      effort on bringing the community out will  
18      be to get them out for the Governor's  
19      race, but also that this ballot  
20      initiative, if it has the results of  
21      showing really what the Philadelphia  
22      residents want, that it will be a mandate  
23      for the new Governor. It will be a  
24      mandate and that it will be very hard for  
25      a Governor to ignore that. And so that's

1           6/18/14 - LAW & GOV. - BILL 140514, etc.

2           sort of where we stand with that.

3                   COUNCILMAN GREENLEE: Can I  
4           just interrupt you on that a second. In  
5           all reality, though, I think depending on  
6           who wins this election, it's clear which  
7           way they're going to go. If Governor  
8           Corbett is reelected, he's not favorable  
9           to this issue. I think if Tom Wolf is  
10          elected, it sounds very strongly in his  
11          statements during the primary that he is  
12          favorable to a change.

13                   So, I mean -- and I guess the  
14          other thing, I know you said it will send  
15          a strong message to the legislators. It  
16          will send a strong message, I guess, to  
17          Philadelphia legislators. Do you really  
18          think it sends a strong message to a  
19          legislator from Greene County or  
20          something like that? Do you really think  
21          they --

22                   MS. LINARDOPOULOS: I do. And  
23          perhaps that's my naivete, but I'm  
24          looking at it through a different lens  
25          than you are, obviously, but I think that

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       when you have a legislator outside of the  
3       City looking and saying, Okay, well,  
4       Philadelphians took all this time, did  
5       all this, okay, you know, that's  
6       powerful.

7               COUNCILMAN GREENLEE: You got  
8       more faith than I do.

9               MS. LINARDOPOULOS: Well, yes.  
10       I'm a teacher. I have to believe these  
11       things.

12              COUNCILMAN GREENLEE: Okay.

13              COUNCILWOMAN TASC0: Go back  
14       and read some history.

15              MS. LINARDOPOULOS: So the  
16       other --

17              COUNCILMAN GREENLEE: Yes. I'm  
18       sorry. I interrupted you. Please.

19              COUNCILWOMAN TASC0: I'm sorry.

20              MS. LINARDOPOULOS: Now I've  
21       forgotten what I was going to say.

22              COUNCILMAN GREENLEE: You said  
23       there were two issues. I'm sorry.

24              MS. LINARDOPOULOS: Yes. And I  
25       think that regarding the City Charter,

1       6/18/14 - LAW & GOV. - BILL 140514, etc.

2       this was an issue of the City Charter.

3       The governance of the school was in the

4       City Charter before Act 46 came along and

5       took over our schools to fix them. So I

6       think that this is very, very different

7       than another ballot referendum which

8       really doesn't have anything to do with

9       the City Charter. This was something

10      that was in the Charter, and we are sort

11      of looking at it from all different

12      angles, this being one of them.

13               COUNCILMAN GREENLEE: All

14      right. I appreciate what you're saying,

15      and I'm conflicted in this too, but I

16      just --

17               MS. LINARDOPOULOS: And I

18      understand your reservations, and

19      obviously we think that it is worth the

20      effort and worth the risk and worth all

21      of it. We wouldn't have spent six months

22      working on it if we didn't believe in it.

23               COUNCILMAN GREENLEE: I

24      understand. I know how hard you worked

25      on the education issues in general, and

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       we certainly appreciate it.

3               Before I go further, I want to  
4       recognize that Councilman Henon, a member  
5       of the Committee, is present, also  
6       Councilwoman Blackwell, sponsor of the  
7       bill and resolution, and our Majority  
8       Leader, Councilman Jones is present.

9               Any other questions or comments  
10      for this particular witness?

11              Councilman Goode.

12              COUNCILMAN GOODE: I agree with  
13      your point exactly. The truth of the  
14      matter is that it's all about home rule.  
15      At the end of the day, this is not  
16      something that was just in the Charter.  
17      It's something that is in the Charter.  
18      So if the SRC were to do the right thing  
19      and just disband itself, we would revert  
20      back to the Charter, and that's what the  
21      question is asking to do.

22              Thank you.

23              MS. LINARDOPOULOS: Thank you,  
24      Councilman.

25              COUNCILMAN GREENLEE: Thank

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       you.

3                   Any other questions or  
4       comments?

5                   Councilwoman Blackwell.

6                   COUNCILWOMAN BLACKWELL: Yes.

7       Thank you, Mr. Chair. And certainly I  
8       know the minority will have its say and  
9       the majority will have its way, but I'm  
10      concerned. I don't believe this hurts in  
11      the Governor's race. I want a new  
12      Governor as badly as we all do. I  
13      believe that part of what we sell in our  
14      jobs is hope that we're concerned that  
15      we're doing things.

16                  I'm always for the City and  
17      Council having taxing authority. That  
18      I'm for. I'm not for giving that up.  
19      But in terms of 38,000 people so far  
20      saying that they want a change, that they  
21      want a local board, I'm even for local  
22      elected, and I don't know if anybody else  
23      is there. They may want local appointed.

24                  (Applause.)

25                  COUNCILWOMAN BLACKWELL: But I

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       believe that this may help to get people  
3       out to vote, because it may show them  
4       that we are trying to do something to  
5       change things. It's not working like it  
6       is. People want a change.

7               So I'm saying I believe that  
8       everybody in the School Board should have  
9       some relationship to school children, to  
10      schools, whether you went to public  
11      school like I did when I was born in the  
12      projects or whether you have children.  
13      Whatever the relationship is, I believe  
14      that people want to see a connection  
15      between schools and the people who  
16      represent the schools, the School Board.

17              So I don't think this hurts us  
18      when it comes to Governor. I mean, in  
19      Philadelphia we still have a whole lot of  
20      democrats. I just don't think that  
21      people are going to say if they vote for  
22      this, other people won't turn out and  
23      vote. I think it motivates people to  
24      come out and vote and gives them hope  
25      that some positive change will happen.

1           6/18/14 - LAW & GOV. - BILL 140514, etc.

2                           (Applause.)

3                   COUNCILWOMAN BLACKWELL:   And  
4           that is why I was more than happy to  
5           introduce it.  And as I said, maybe I go  
6           further than a lot of other people are in  
7           my thinking, but I wanted to certainly  
8           just put my views on the record, and  
9           certainly I respect the will of the  
10          Committee.

11                   COUNCILMAN GREENLEE:  I  
12          appreciate that, Councilwoman, but let me  
13          just make clear, I wasn't saying it was  
14          going to hurt turnout.  I was going to  
15          say I don't see -- with the importance of  
16          the Governor's race, if people aren't  
17          turning out for that, I don't know what  
18          else they're going to turn out for.  I  
19          guess that was my point.

20                   COUNCILWOMAN BLACKWELL:  Thank  
21          you.

22                   COUNCILMAN GREENLEE:  
23          Councilman O'Brien.

24                   Thank you, Councilwoman.

25                   Councilman O'Brien.

1           6/18/14 - LAW & GOV. - BILL 140514, etc.

2                   COUNCILMAN O'BRIEN: Thank you,  
3           Mr. Chairman.

4                   Echoing some of the other  
5           comments that are made here, I feel I  
6           might be stating the obvious and, that  
7           is, when you look at the numbers, we're  
8           getting \$2 or \$3 million less from  
9           Harrisburg than we did in 2007.

10                   Having said that, we didn't  
11           create this mess. This was inflicted  
12           upon us. And I don't want to be someone  
13           who is doom and gloom, but I will say as  
14           authentically and as genuinely as I  
15           possibly can, because I come from that  
16           discussion, that if we don't raise a  
17           billion and a half dollars this year,  
18           we're lost. We are lost. And this won't  
19           be what happens in the next few months  
20           and what happens in September. We'll be  
21           doing this every day for the next four  
22           years. And our ask should fundamentally  
23           be that we want a statewide funding  
24           formula. And if we don't raise the money  
25           this year in this budget that carries

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       over to next year, then we will still be  
3       talking about how we're going to pay for  
4       it instead of what we're going to give  
5       our kids in a solid education.

6               City Council has a  
7       responsibility, but we also have to draw  
8       a line in the sand. Accept  
9       responsibility for what we are  
10      responsible for, but also hold other  
11      people accountable. We owe that to our  
12      children. We fundamentally owe that to  
13      our children.

14             This discussion is going to be  
15      more horrific next year if we don't fix  
16      this problem the right way, and that  
17      means that this may be a bump in the road  
18      to the people in Harrisburg, but if we  
19      don't raise a billion and a half dollars  
20      through Marcellus Shale, then they do a  
21      hit on Marcellus Shale to come back next  
22      year and say we can't do that because we  
23      already hit that, we can't hit them  
24      again, well, then the only alternative is  
25      you have a PIT, personal income tax.

1       6/18/14 - LAW & GOV. - BILL 140514, etc.

2       They're the only things that can raise  
3       enough dollars to solve this problem. It  
4       is a statewide problem.

5               A few years ago in 2012, there  
6       were -- there's 500 school districts.  
7       Four hundred forty of them got increases,  
8       60 got decreases. There's something  
9       wrong with that picture. We have to tell  
10      the truth. The story as it unfolds and  
11      the evidence of how we got here is going  
12      to continue to be brought before us, we  
13      as policymakers, and I believe my  
14      colleagues in City Council are here to  
15      tell the truth, but we have to have a  
16      unified front. And we're not going to be  
17      able to continue to raise these monies  
18      locally year after year after year. The  
19      reality is, they're in a budget crunch in  
20      Harrisburg. They have to fix it the  
21      right way, otherwise we're going to be  
22      here again and again and again.

23               COUNCILMAN GREENLEE: Thank  
24      you, Councilman.

25               Councilman Jones.

1           6/18/14 - LAW & GOV. - BILL 140514, etc.

2                   COUNCILMAN JONES: Thank you,  
3           Mr. Chairman.

4                   I've gotten a lot of  
5           information over the last -- well,  
6           actually it started four years ago when I  
7           was sitting two seats over with my  
8           colleague Wilson Goode about what we  
9           should do, and sometimes he's a man of  
10          few words, but very resonating words when  
11          we should have done some things that we  
12          could have done.

13                  Having said that, more  
14          recently, I've gotten a lot of  
15          information and sometimes even propaganda  
16          about what we should do, but some of the  
17          things that came out of the discussion  
18          and some good things that -- I've never  
19          seen this much public involvement on an  
20          issue in recent years since gambling. I  
21          think it might have gone as far back as  
22          gambling. So that is a good thing.  
23          People are paying attention --

24                  MS. LINARDOPOULOS: Absolutely.

25                  COUNCILMAN JONES: -- to the

1       6/18/14 - LAW & GOV. - BILL 140514, etc.

2       product that we produce and the way that  
3       we receive resources for the product.

4               I think most advocates will  
5       admit, if not even -- if only to  
6       themselves, that this body over the last  
7       four years has stepped up to the plate in  
8       a major way. Some of the wisdom I got  
9       was from a republican, and I won't name  
10      which one, but I will say when they put  
11      it in an analogy that at one point it was  
12      a complement to education from the  
13      state's Charter responsibility to do  
14      that, somehow along the way we've gotten  
15      the bulk of the responsibility and have  
16      stepped up in a mighty way, have stepped  
17      up in a mighty way. I've seen my  
18      colleagues take tough tax votes, and I  
19      was proud of them when they did it.

20             Here's where we are: We are  
21      playing a very dangerous game of poker,  
22      and the unfortunate part is that we have  
23      to put our cards down first, and because  
24      people know that we have to put our cards  
25      down first, they can hold back on what

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       they should be contributing, hold back on  
3       what they should be contributing. And  
4       it's a clever trick that they've played  
5       for the last five or six fiscal years,  
6       and we wind up dealing with -- somebody  
7       said to me that budgeting is complicated,  
8       imperfect information decided upon by  
9       often imperfect people that must do  
10      what's in the best interest of all the  
11      people, and I think that's a good way of  
12      putting it.

13                     Here's where we are, that there  
14      are three easy steps that Harrisburg  
15      could take. Three, very easy.  
16      Extraction tax on Marcellus Shale, number  
17      one; a fair funding formula for cities of  
18      the first class that have issues that  
19      deal with poverty to special needs to  
20      those kinds of things. It could take  
21      care of this. And then at the end of the  
22      day, we could do that.

23                     So I applaud and understand why  
24      we should have -- there are some good  
25      merits as to why we should have an

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       elected School Board. I agree with my  
3       colleague that that's representative of  
4       the people, but symbolically at the end  
5       of the day, broke is broke.

6                   MS. LINARDOPOULOS: Absolutely.

7                   COUNCILMAN JONES: Broke is  
8       broke. And if you don't have money to  
9       put in, whether it's an elected body,  
10      appointed body, you wind up not having  
11      the resources to deal with our babies and  
12      their needs.

13                  So we struggle with this and  
14      we're going to continue to struggle with  
15      it, but I do think that it is important,  
16      important that we continue to involve the  
17      public in this process.

18                  MS. LINARDOPOULOS: Absolutely.

19                  COUNCILMAN JONES: Thank you,  
20      Mr. Chairman.

21                  COUNCILMAN GREENLEE: Thank  
22      you.

23                  Any other questions or  
24      comments?

25                  (No response.)

1           6/18/14 - LAW & GOV. - BILL 140514, etc.

2                   COUNCILMAN GREENLEE: Seeing  
3           none, thank you. Thank you for your  
4           time.

5                   MS. LINARDOPOULOS: Thank you  
6           very much. Thank you for your time.

7                   COUNCILMAN GREENLEE: Ms.  
8           Marconi, our next witness, please.

9                   THE CLERK: Sophie Bryan.

10                  COUNCILMAN GREENLEE: And while  
11           Ms. Bryan is approaching, obviously we  
12           can talk about -- and this is for  
13           everybody, all the witnesses and people  
14           coming up. Sophie, you and I had a  
15           conversation before. I really am trying  
16           to -- the issue before us today is the  
17           ballot question, and I know obviously  
18           there's school funding and all comes into  
19           this, but I'm asking everybody to try to  
20           stick to the issue of whether there  
21           should be a question on the ballot. And  
22           Ms. Bryan, your testimony will be made  
23           part of the record, but I respectfully  
24           ask that you stick to that issue. We  
25           could have a very long hearing talking

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       about funding for the schools and the  
3       whole issue of the School District, but I  
4       would ask you just to go to the yes/no  
5       issue of whether there should be a ballot  
6       question, and I appreciate that. Thank  
7       you.

8                       MS. BRYAN: Absolutely,  
9       Mr. Chairman.

10                      Good morning, Chairman Greenlee  
11       and members of the Committee. I am  
12       Sophie Bryan, the Chief of Staff for the  
13       School Reform Commission, or SRC.

14                      I appreciate the opportunity to  
15       appear before you today to talk about  
16       this bill and companion resolution that  
17       together would ask Philadelphians to vote  
18       on whether the Charter should be amended  
19       to add a section calling on the state to  
20       return to local control for the schools.

21                      On the issue of governance,  
22       which I think is fairly within the topic  
23       of discussion this morning, Dr. Hite put  
24       it best when he said, it doesn't matter  
25       who is in charge of the School District

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       if there are not sufficient resources.  
3       Appreciating this, the SRC members are  
4       entirely focused right now on securing  
5       sufficient funds for the District and for  
6       all public schools in Philadelphia.

7               The Commissioners have said  
8       publicly that they will vote to put the  
9       SRC out of business once stable revenue  
10      is provided. The mechanism under state  
11      law for dissolving the SRC, as the  
12      Committee talked about with the PFT, is,  
13      number one, the majority of SRC members  
14      recommend dissolution and then, number  
15      two, the state Secretary of Education  
16      issues a declaration dissolving the SRC.

17             At that point, governance of  
18      the District would return to the Board of  
19      Education. This form of local control,  
20      as the Councilmembers certainly know  
21      better than I do, does involve a  
22      nine-member Board of Education that's  
23      appointed by the Mayor based on  
24      recommendations from a nominating panel.

25             The Charter is explicit that

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       the Board members should, quote, "reflect  
3       the diversity of backgrounds, experience,  
4       and training that's representative of the  
5       City," and that includes being the parent  
6       or parents of a current or former public  
7       school student, having training or  
8       experience in the areas of business,  
9       finance, education, housing or community  
10      areas. These are attributes that the  
11      current SRC members do possess between  
12      them.

13                   On the issue of accountability,  
14      the SRC and District are committed to  
15      being transparent about finances and  
16      activity. So in partnership with the  
17      City's Open Data initiative, the District  
18      has posted all of its budget information,  
19      including detail about its contracts,  
20      online in searchable, manipulable format,  
21      and detailed personnel information,  
22      including names, job titles, and  
23      salaries, is going to be released in the  
24      next several weeks.

25                   Additionally, as the Council is

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       aware, the District is subject to annual  
3       audits by the Controller's Office. Our  
4       most recent audit for last year was clean  
5       with no findings. And we're undergoing a  
6       four-year audit right now by the state's  
7       Auditor General DePasquale.

8                   The District and SRC also  
9       welcome additional Council engagement on  
10      District finances. Under the Charter,  
11      Council already has significant oversight  
12      powers, including convening public  
13      hearings, which it does. And also as we  
14      noted in response to budget questions,  
15      the District and SRC are open to  
16      additional oversight mechanisms,  
17      including an accountability committee,  
18      periodic briefings, additional financial  
19      reports, and various notice provisions  
20      that were scoped out in an accountability  
21      agreement developed by the Council  
22      President and the then SRC Chair last  
23      year.

24                   So these tools provide Council  
25      with contemporaneous access to

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       information and the opportunity to pose  
3       questions, address concerns, and work  
4       collaboratively to solve some of the  
5       financial challenges facing the District.

6               I will conclude my remarks then  
7       and don't want to sort of miss this  
8       opportunity to again request that City  
9       Council please consider amending the  
10      borrowing legislation tomorrow to access  
11      an additional \$28 million.

12              Thank you for your  
13      consideration.

14              COUNCILMAN GREENLEE: Thank  
15      you. I knew you had to sneak that one in  
16      there.

17              MS. BRYAN: Of course.

18              COUNCILMAN GREENLEE: First  
19      Councilman Goode, then Councilwoman  
20      Tasco.

21              COUNCILMAN GOODE: Thank you,  
22      Mr. Chairman.

23              Good morning, Ms. Bryan.

24              MS. BRYAN: Good morning.

25              COUNCILMAN GOODE: Part of our

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       decision as a committee of Council and  
3       then hopefully the full Council is what  
4       we think of the governance structure.  
5       Thirty-eight thousand people have already  
6       spoke, and then they posed a question to  
7       us in terms of whether we think there  
8       should be a change.

9               Now, in terms of why we think  
10       there should be a change, you've outlined  
11       in your testimony what Council already  
12       has in terms of at its disposal in terms  
13       of requests for information and the  
14       ability to hold hearings. I'm going to  
15       be very direct now. The SRC made a  
16       request to the Council for funding in  
17       writing. When was that done?

18              MS. BRYAN: I think it was --  
19       so I want to answer your question  
20       precisely. I believe that there was a  
21       request for funding in writing included  
22       both with responses to budget questions  
23       after the May budget hearing and then  
24       also in Chairman Green's letter to the  
25       Council President. I believe both of

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       those had specific requests of funding.

3               COUNCILMAN GOODE: I'm  
4       specifically referring to Chairman  
5       Green's letter to the Council President.  
6       When was that?

7               MS. BRYAN: I believe it was  
8       transmitted on Monday, June 2nd, 3rd.

9               COUNCILMAN GOODE: That's  
10      correct. And what did that letter say in  
11      terms of request?

12              MS. BRYAN: The letter  
13      articulated again, as the SRC and the  
14      District publicly communicated, a request  
15      for \$75 million in local funding for next  
16      year.

17              COUNCILMAN GOODE: To be done  
18      how?

19              MS. BRYAN: It outlined -- it  
20      actually did not take a position on how  
21      Council could do that, but outlined a  
22      range of options, which would include  
23      either revenue reductions that would  
24      support a grant or raising tax increases,  
25      as examples.

1           6/18/14 - LAW & GOV. - BILL 140514, etc.

2                   COUNCILMAN GOODE: It said take  
3           it out of your budget and/or raise taxes  
4           2 percent across the board; is that  
5           correct?

6                   MS. BRYAN: It said that those  
7           were two of the mechanisms that Council  
8           could pursue to support additional  
9           funding.

10                  COUNCILMAN GOODE: And that was  
11           just two weeks ago, 14 days?

12                  MS. BRYAN: Yes.

13                  COUNCILMAN GOODE: And the SRC  
14           has changed its position since then,  
15           haven't they?

16                  MS. BRYAN: I think the SRC has  
17           identified a mechanism where Council  
18           could provide additional funding that  
19           would require neither of those difficult  
20           choices, either cutting the City budget  
21           or raising taxes.

22                  COUNCILMAN GOODE: That was  
23           just 14 days ago the SRC outlined how  
24           they wanted money.

25                  MS. BRYAN: I think the SRC --

1           6/18/14 - LAW & GOV. - BILL 140514, etc.

2                   COUNCILMAN GOODE: And has  
3           since that time, within a week's time,  
4           changed its position again. So Council  
5           should have a problem with that. We made  
6           a formal request in terms of information  
7           at budget saying tell us what you want  
8           and how to get there. You sent us a  
9           formal letter in writing and then changed  
10          your mind after it. You sent us a formal  
11          letter on June 2nd and have since changed  
12          your mind. That's just wrong.

13                   I'll ask one last question for  
14          the record. The response in the letter  
15          was regarding the \$440 million, not the  
16          216. What portion of 216 were we  
17          supposed to put up and where is that in  
18          writing?

19                   MS. BRYAN: We haven't  
20          sub-allocated it, Councilman.

21                   COUNCILMAN GOODE: Exactly.  
22          Thank you.

23                   COUNCILMAN GREENLEE: Thank  
24          you.

25                   (Applause.)

1           6/18/14 - LAW & GOV. - BILL 140514, etc.

2                   COUNCILMAN GREENLEE: Before I  
3 recognize Councilwoman Tasco, just for  
4 the record, does the SRC have a position  
5 on whether this should move forward or  
6 not?

7                   MS. BRYAN: The SRC has not  
8 taken a position on the ballot question.

9                   COUNCILMAN GREENLEE: All  
10 right.

11                  COUNCILMAN KENNEY: Then why  
12 are you here?

13                  COUNCILMAN GREENLEE: What was  
14 the point? And I'm not trying to be  
15 sarcastic. See, that's what I was trying  
16 to get at. I'm trying to really focus --  
17 and I understand the emotion and the  
18 feeling about school funding generally.  
19 We had a Finance Committee hearing where  
20 you stated. And obviously anybody can  
21 come here, but I guess I'm trying to  
22 figure out -- we're trying to focus on  
23 whether Council, this Committee, should  
24 move forward a question on the ballot,  
25 and you're saying you don't have a

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       position one way or the other on that?

3               MS. BRYAN: Yes. Because I  
4       think as we've expressed, we  
5       appreciate -- and I think that your  
6       questions elicited this already. This is  
7       a non-binding, in some ways sort of  
8       rhetorical statement, and we're focused,  
9       the District is focused, Dr. Hite is  
10      focused, on securing enough funding to  
11      make sure that schools don't have  
12      additional cuts next year.

13             COUNCILMAN KENNEY: Just point  
14      of information.

15             With all that on your plate,  
16      why would you take the time to come here  
17      and tell us you don't have an opinion?

18             (Applause.)

19             MS. BRYAN: Because it's  
20      another opportunity to talk to the  
21      Councilmembers about the need for next  
22      year and to make the request.

23             COUNCILMAN KENNEY: But there's  
24      a phone for that. I mean, you could just  
25      pick up the phone and call.

1           6/18/14 - LAW & GOV. - BILL 140514, etc.

2                       MS. BRYAN: We're happy to call  
3           too.

4                       COUNCILMAN KENNEY: Thank you.

5                       COUNCILMAN GREENLEE:

6           Councilwoman Tasco.

7                       COUNCILWOMAN TASCO: The state  
8           Legislature and the Governor is  
9           responsible -- the state's responsible  
10          for funding public education. What is  
11          the SRC Commission doing in Harrisburg to  
12          seek more money from them?

13                      MS. BRYAN: That's a great  
14          question. So the Chairman of the SRC and  
15          the Commissioners and Dr. Hite are  
16          lobbying aggressively in Harrisburg, and  
17          there's three basic mechanisms that  
18          they're pursuing. So mechanism number  
19          one -- and we know that City Council is  
20          also supportive of this obviously, having  
21          passed the legislation locally -- is the  
22          \$2 a pack cigarette tax.

23                      Mechanism number two is to make  
24          the case aggressively in Harrisburg that  
25          if there's additional education spending

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       in the state budget, which could be  
3       funded, for instance, through an  
4       extraction tax, through the Medicaid  
5       reimbursement, that it be allocated to  
6       districts across the state using the  
7       Charter reimbursement formula. The  
8       elimination of that line item in the  
9       budget had a disproportionate effect on  
10      districts like Philadelphia, York,  
11      Reading, Pittsburgh that have charter  
12      populations.

13                   And then number three, we  
14      really are working very hard in  
15      Harrisburg to try to maintain the \$39  
16      million in additional funding and  
17      spending flexibility that was already  
18      included in the Governor's proposed  
19      budget. As the legislators in Harrisburg  
20      are considering their budget for next  
21      year, they're using as their sort of  
22      template last year's budget, and so we're  
23      trying to reinforce with them that in the  
24      Governor's proposed budget, there  
25      actually was \$39 million that we've

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       assumed in our budget already and that  
3       it's essential for us to preserve.

4               COUNCILWOMAN TASCO: What's the  
5       feeling of the Legislature in terms of  
6       funding public education?

7               MS. BRYAN: I think that  
8       legislators -- what we're hearing is that  
9       legislators are definitely hearing from  
10      their constituents, as the PFT testified,  
11      that education is a huge issue for  
12      residents of Pennsylvania and they care  
13      deeply about it. There was news this  
14      week about, I think it was, Bethlehem  
15      School District or Bethlehem Board of  
16      Education enacting a local tax increase  
17      to try to avoid cuts. So certainly  
18      places across the state are feeling the  
19      impact of the decline in funding going  
20      straight to schools over the past several  
21      years. It's a major topic of discussion.

22              COUNCILWOMAN TASCO: So what  
23      happens if the scenario becomes -- this  
24      is not for you. Thank you. That's not  
25      the question for you. Thank you.

1           6/18/14 - LAW & GOV. - BILL 140514, etc.

2                   COUNCILMAN GREENLEE: Thank  
3           you.

4                   Any other questions or  
5           comments?

6                   (No response.)

7                   COUNCILMAN GREENLEE: Seeing  
8           none, again, I appreciate you coming  
9           down, but I really am trying to keep  
10          focused on what's before us today. So I  
11          wasn't trying to say what you should say,  
12          but I'm just trying to -- again, this is  
13          for anybody else that wants to speak too.

14                  MS. BRYAN: Thank you,  
15          Mr. Chairman.

16                  COUNCILMAN GREENLEE: Thank  
17          you, Ms. Bryan. Thank you for your work.

18                  Ms. Marconi, who do we have  
19          next?

20                  THE CLERK: Kati Sipp.  
21                  (Witnesses approached witness  
22          table.)

23                  COUNCILMAN GREENLEE: Please  
24          identify yourself and proceed.

25                  MS. SIPP: Good morning.

1           6/18/14 - LAW & GOV. - BILL 140514, etc.

2                   COUNCILMAN GREENLEE: Good  
3 morning.

4                   MS. SIPP: And thank you for  
5 allowing me to testify. My name is Kati  
6 Sipp and I'm the Director of Pennsylvania  
7 Working Families, a newly formed  
8 progressive organization fighting for an  
9 economy that works for all of us and a  
10 democracy where every voice matters.

11                   (Applause.)

12                   MS. SIPP: No Philadelphia  
13 voter was given a vote when the School  
14 District was taken over by the state. No  
15 set of voters got to weigh in on how the  
16 School Reform Commission was created, and  
17 certainly no group of voters have had the  
18 chance to reject the policies of the SRC  
19 through a democratic process.

20                   I don't think there is a single  
21 person in this room who would say that  
22 Philly schools are in better shape than  
23 they were when Governor Corbett and his  
24 appointees assumed control. Years of  
25 draconian budget cuts from the state,

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       coupled with questionable choices on the  
3       part of the School Reform Commission as  
4       to how the state's limited funds have  
5       been spent, have left us with schools  
6       that have to fight harder every year just  
7       to stay even. Parents, teachers, support  
8       staff, and students are doing the best  
9       they possibly can, but Governor Corbett  
10      and his allies make it harder every year.

11               And the people in this room,  
12      frankly, are not alone in feeling  
13      disappointed at the state of the schools.  
14      Whether Philadelphians are holding bake  
15      sales to restore funding for beloved  
16      teachers or walking out of school to  
17      protest a lack of music programs or  
18      sitting down in the street to demand that  
19      our government pay attention, we are  
20      taking action to fix our schools.

21               The symbolic nature of this  
22      ballot measure is powerful, just as the  
23      arrest of Andy Perez, Ron Whitehorn, and  
24      Kia Hinton, who are here in the room  
25      today, were powerful and, frankly,

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       symbolic gestures are what we have at our  
3       disposal at the moment.

4               We started this petition drive  
5       on Tuesday, April 8th, and all of the  
6       groups engaged were able to collect  
7       almost 40,000 signatures from registered  
8       voters in the City in seven weeks. I  
9       know that those of you who have had to  
10      collect petition signatures for your own  
11      campaigns understand that what Herculean  
12      task that was and what a hunger there  
13      must be in Philadelphia for real  
14      democratic control of our schools.

15             I am joined today by many of  
16      the canvas staff and volunteers from  
17      various organizations who worked  
18      throughout the spring to collect these  
19      petition signatures, and we are all very  
20      pleased that Council has begun the  
21      process through today's hearing to put  
22      this Charter change on the ballot for  
23      Philadelphia voters in the fall. We  
24      strongly support the move to put this  
25      question on the ballot in November and

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       urge this Committee to recommend it to  
3       the full Council.

4               Let Philadelphians vote, let us  
5       take action at the ballot box like we've  
6       been taking it in the street, and let us  
7       send a message to legislators and the  
8       Governor in Harrisburg that we won't  
9       stand for their priorities for our kids.

10              (Applause.)

11              COUNCILMAN GREENLEE: Just one  
12       quick question. You heard me have the  
13       discussion already, and we've talked  
14       before about this. Do you basically  
15       think that on any issue if there's a  
16       required number of signatures, a question  
17       should go on a ballot? Do you think that  
18       should be no matter what the question is?

19              MS. SIPP: Is this a democracy?

20              COUNCILMAN GREENLEE: Yes.

21              MS. SIPP: Then I believe -- I  
22       mean --

23              (Applause.)

24              MS. SIPP: I mean, I'm not a  
25       lawyer. I brought one with me in case

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       you have legal questions about our  
3       Charter amendment, but it's my  
4       understanding that this is the process  
5       that is outlined in the City Charter,  
6       that citizens do have a right to put  
7       questions on the ballot.

8                       (Applause.)

9               MS. SIPP: And to answer your  
10      question from earlier or your supposition  
11      about the gay marriage, people who are  
12      opposed to those ballot measures have an  
13      opportunity to organize against them and  
14      to try to get people to vote them down.

15                     (Applause.)

16              MS. SIPP: And I personally  
17      would certainly do that if someone in  
18      this city tried to say that gay marriage  
19      shouldn't be legal in Philadelphia. I  
20      would work to make sure that that got  
21      voted down at the ballot, and I would  
22      suggest that people -- if there are folks  
23      who want to organize to keep this from  
24      getting approved by Philadelphia voters,  
25      they are certainly free to do that.

1           6/18/14 - LAW & GOV. - BILL 140514, etc.

2                           (Applause.)

3                   COUNCILMAN GREENLEE: I guess  
4           in fairness, just to have the record  
5           straight, it does say that these  
6           petitions would have it submitted to City  
7           Council, which it was, and that Council  
8           would consider it, which we are doing  
9           now, but it is still --

10                   MS. SIPP: Obviously, yes. It  
11           is the right of Council.

12                   COUNCILMAN GREENLEE: You got  
13           to let me finish the sentence before you  
14           tell me it's obvious.

15                   Obviously City Council then has  
16           a decision to make. And as I said  
17           before, I understand the argument for. I  
18           still think, in my personal opinion,  
19           that -- and there's difference of opinion  
20           on this Committee -- that amending the  
21           City Charter on a non-binding opinion  
22           is -- I have questions about that. I  
23           understand the argument, but I also have  
24           questions about it, and that's what I was  
25           trying to raise. It has nothing to do

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       with being a democracy. Democracy has  
3       laws. These are the laws, and we are  
4       following those laws, but part of that  
5       law is that in the end, this Committee  
6       and the full Council have a decision to  
7       make too. That's part of the democracy.

8               MS. SIPP: Absolutely. And I  
9       would, I guess, to some degree pose a  
10      question back to you. If 40,000  
11      signatures isn't enough to trigger a  
12      ballot measure, how many do we need?

13             COUNCILMAN GREENLEE: Well, I  
14      guess the question back is, is putting  
15      non-binding questions on the ballot to  
16      amend the Charter, is that appropriate?  
17      That's the question. Obviously people  
18      feel yes, some people feel no. And  
19      that's the question. It's really not to  
20      me the issue of whether the SRC should be  
21      abolished. I certainly have an opinion  
22      on that myself. But it's the continuing  
23      piece by piece putting these Charter  
24      amendments -- these amendments in the  
25      Charter that doesn't directly affect.

1       6/18/14 - LAW & GOV. - BILL 140514, etc.

2       And I know there's an argument that this  
3       could at least in some ways directly  
4       affect. So there's arguments both ways,  
5       but that's my -- so it's not just about  
6       democracy and respecting democracy and  
7       respecting the 40,000 signatures. That's  
8       why we're here. That's why we're  
9       considering it, but it is, I think in the  
10      end too, according to the law, we have a  
11      decision in this too.

12                   Councilwoman Tasco.

13                   COUNCILWOMAN TASCO: Thank you.

14                   Good morning. Thank you for  
15      your testimony. If the question goes on  
16      the ballot, at the end of the day what is  
17      your next step?

18                   MS. SIPP: The next step after  
19      the election?

20                   COUNCILWOMAN TASCO: After the  
21      election, what's the next step for your  
22      group? What are you expecting?

23                   MS. SIPP: Well, I would say  
24      that to some degree it makes -- what  
25      happens in the larger election will

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       affect the strategy, in both looking at  
3       what happens at the Governor's race and  
4       what happens in the control of the  
5       Legislature or either body of the  
6       Legislature. I wouldn't want to outline  
7       a sort of strategy without knowing the --  
8       for moving forward local control of the  
9       Philadelphia schools that doesn't reflect  
10      the fact that there are two different  
11      ways that that election could go. The  
12      gubernatorial election and also -- you  
13      know, the strategy would change if, for  
14      example, one body of the state  
15      Legislature were to change from  
16      republican to democratic control.

17                   I mean, the strategy would be  
18      to go to the state in some way, but it's  
19      going to kind of depend on what  
20      happens -- what the will of the voters  
21      are in the statewide elections.

22                   Am I answering your question or  
23      not?

24                   COUNCILWOMAN TASC0: Well, I  
25      guess I'm asking you if we pass this --

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       if this goes on the ballot and it passes  
3       with whatever number of people vote, at  
4       the end of the day what impact does that  
5       have in Harrisburg? Given the makeup of  
6       the Legislature and the philosophical  
7       views of the Legislature, what impact  
8       does it have?

9                   MS. SIPP: Well, as I said in  
10       my testimony, it, I think, sends a  
11       message that tens of thousands of  
12       Philadelphians wanted it on the ballot  
13       and that most likely more than a hundred  
14       thousand Philadelphians voted for it.  
15       And I think that, you know, to be honest,  
16       having spent the last nine years of my  
17       life working on state-level politics, I  
18       would say there are different viewpoints  
19       from different parts of the state about  
20       whether or not Philadelphia should have  
21       local control of its schools, and there  
22       are in some ways unlikely or possibly  
23       unlikely allies that we could find about  
24       moving that through the Legislature as  
25       well, and working with a new Governor

1       6/18/14 - LAW & GOV. - BILL 140514, etc.

2       theoretically and a new Secretary of

3       Education --

4                       (Applause.)

5                       MS. SIPP: -- theoretically, we

6       might have a different path to take to

7       get to local control through that process

8       as well.

9                       COUNCILWOMAN TASC0: With only

10      out of the 203 legislators, 25 are from

11      Philadelphia.

12                      MS. SIPP: In the House.

13                      COUNCILWOMAN TASC0: In the

14      House. How many across the -- none of

15      the people in Philadelphia who are voting

16      on the referendum will impact any of

17      those legislators outside of

18      Philadelphia. They don't vote for them.

19                      MS. SIPP: But other school

20      districts in other parts of the state

21      have been taken over, and the legislators

22      who represent those school districts

23      sometimes are not very happy about it

24      either.

25                      COUNCILWOMAN TASC0: Happy

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       about?

3                   MS. SIPP: The fact that their  
4       school districts --

5                   COUNCILWOMAN TASCO: Well, have  
6       you all mounted a collaborative effort  
7       across the state with other school  
8       districts to have -- can they put a  
9       non-binding resolution on their ballot?

10                  So if there is a broader effort  
11       other than just Philadelphia, across the  
12       state sends a stronger message than just  
13       Philadelphia, because they say, Oh,  
14       that's Philadelphia, and we don't really  
15       have to listen. They don't listen to us  
16       anyway. But a larger, broader coalition  
17       of people doing the same kind of thing.

18                  Now, if you don't get the  
19       Governor that you like, it doesn't mean  
20       anything, and the Governor that you might  
21       want already is committed to something.  
22       But I'm not saying -- I'm not criticizing  
23       you for doing it. I did this myself. I  
24       in 1971 was recalling my Councilmember,  
25       who I didn't even know, because they

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       didn't fund public education, along with  
3       Americans for Democratic Action. So it's  
4       been a turmoil ever since I can remember,  
5       the whole issue around public school  
6       funding.

7                   But if you're going to impact  
8       the Legislature on anything, the state  
9       Legislature, you got to have a broader  
10      coalition.

11                  MS. SIPP: Absolutely. I  
12      totally agree. I'm not aware of there  
13      being a binding referendum process in  
14      most other localities in the State of  
15      Pennsylvania, but, you know, we are  
16      looking at other ways of engaging voters  
17      in other municipalities where the schools  
18      have been taken over.

19                  COUNCILMAN GREENLEE: Thank  
20      you, Councilwoman.

21                  I had one more question, but  
22      first Councilman Goode.

23                  COUNCILMAN GOODE: This  
24      question is for the record. I think the  
25      ballot question is clear, but I want to

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       bring some more clarity for the record.

3               You're not suggesting a  
4       different governing structure for the  
5       School District. You're simply  
6       suggesting that the School Reform  
7       Commission be abolished and returned to  
8       local control?

9               MS. SIPP: That is correct.

10              COUNCILMAN GOODE: And so  
11       essentially what you're saying is revert  
12       back to the Home Rule Charter?

13              MS. SIPP: Yes.

14              COUNCILMAN GOODE: Thank you.  
15       (Applause.)

16              COUNCILMAN GREENLEE: Thank  
17       you.

18              Just one question. I don't  
19       know if you folks can answer this or  
20       maybe a subsequent witness. Just say  
21       that this ballot question gets on,  
22       passes. And I think if it gets on, it's  
23       going to pass. What changes at that  
24       moment? Because I assume -- my  
25       understanding -- and I could be wrong on

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       this -- the whole issue is if the School  
3       District is still in distress, financial  
4       distress, obviously that isn't likely to  
5       change right after November, whatever it  
6       is, 5th, 6th. So what, I guess,  
7       substantive changes happen right after  
8       that? I mean, it would still stay in the  
9       same position, right?

10               MS. SIPP: Right. Absolutely.  
11       I mean, we don't have the ability to  
12       effect the makeup of the -- or the  
13       existence of the SRC through this  
14       process. I don't think anyone is  
15       asserting that.

16               COUNCILMAN GREENLEE: Okay.  
17       All right.

18               Any other questions or  
19       comments?

20               (No response.)

21               COUNCILMAN GREENLEE: Thank  
22       you. Thank you both.

23               MS. SIPP: Thank you very much.

24               (Applause.)

25               COUNCILMAN GREENLEE: Ms.

1           6/18/14 - LAW & GOV. - BILL 140514, etc.

2           Marconi, our next one.

3                       THE CLERK: Ellen Kaplan.

4                       (Witness approached witness  
5           table.)

6                       COUNCILMAN GREENLEE:

7           Ms. Kaplan, I repeat what I repeated to  
8           other people. If you could keep your  
9           testimony to specifically whether there  
10          should be a ballot question, I'd  
11          appreciate it. Thank you.

12                      MS. KAPLAN: I will.  
13          Absolutely.

14                      Good morning. I'm Ellen  
15          Mattleman-Kaplan. I'm the Vice President  
16          and Policy Director of the Committee of  
17          Seventy. I am here to urge this  
18          Committee not to put this question on the  
19          November ballot, and I'm going to --

20                      (Audience members booing.)

21                      COUNCILMAN GREENLEE: Hold on.  
22          Whoa, whoa, whoa.

23                      Excuse me, Ms. Kaplan.

24                      I think democracy was mentioned  
25          here before. All right? So it just

1           6/18/14 - LAW & GOV. - BILL 140514, etc.

2           doesn't have to do with people you agree  
3           with. Okay? That's democracy.

4                       Excuse me. Ms. Kaplan, please.

5                       MS. KAPLAN: Thank you,  
6           Councilman Greenlee.

7                       The Committee of Seventy shares  
8           your concern about ballot questions that  
9           are non-binding going into the Home Rule  
10          Charter. And I think you brought up the  
11          best example of that, which was the  
12          ballot question that passed calling on  
13          the President and the U.S. Congress to  
14          remove the troops from Iraq. That's not  
15          what the Charter is about, and to clog up  
16          the Charter with non-binding expressions  
17          of the sentiments of Philadelphians is  
18          not the purpose of the Charter.

19                      I agree that the issue of  
20          public school governance is a Charter  
21          question. I don't think we're there yet.  
22          And I fear, incidentally, another issue  
23          that you raise, which is will the average  
24          person understand this. I don't believe  
25          that members of the public should be

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       diluted into thinking, as I am concerned  
3       that many will, that putting it on the  
4       ballot means that the School District's  
5       governance will change. It will not.  
6       The way that it will change is if the  
7       Secretary of Education files a  
8       declaration upon the request of a  
9       majority of the five members of the  
10      School Reform Commission, and that's  
11      something that is in the Governor's  
12      control, because it's going to be either  
13      Tom Wolf or Tom Corbett's appointment for  
14      the Secretary of Education. And,  
15      incidentally, of course, it's not that  
16      the three Governor-controlled members'  
17      terms are coterminous with the Governor.  
18      Some of those terms are going to  
19      continue. So I think that is the  
20      process.

21                   Now, I am not unsympathetic  
22      with the sentiments expressed in the  
23      petition, because the Committee of  
24      Seventy too believes that optimally the  
25      schools should be controlled locally and

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       not by state government. But the  
3       question today is should a non-binding  
4       question that will have no effect  
5       whatsoever go on a ballot, and I'm here  
6       to say it should not.

7                   COUNCILMAN GREENLEE: Okay.  
8       Thank you, Ms. Kaplan. I appreciate your  
9       comments.

10                  Councilman Kenney.

11                  COUNCILMAN KENNEY: Thank you,  
12       Mr. Chairman.

13                  I was just curious, how long  
14       have you been with this Committee of  
15       Seventy?

16                  MS. KAPLAN: Since 2005.

17                  COUNCILMAN KENNEY: So it was  
18       before or after the takeover by Act 46?

19                  MS. KAPLAN: If you're asking  
20       when Zack came, Zack came in February  
21       2005 and I came in April 2005.

22                  COUNCILMAN KENNEY: I'm trying  
23       to remember the date of Act 46 passage.  
24       What year was it?

25                  MS. KAPLAN: The takeover was

1           6/18/14 - LAW & GOV. - BILL 140514, etc.

2           2001.

3                   COUNCILMAN KENNEY: Thank you.

4                   COUNCILMAN GREENLEE: Thank

5           you.

6                   Councilman Goode.

7                   COUNCILMAN GOODE: Thank you,

8           Mr. Chairman.

9                   Good morning, Ms. Kaplan. Did  
10          you write your own testimony?

11                  MS. KAPLAN: Do I write it?

12          Yes.

13                  COUNCILMAN GOODE: Did you  
14          consult with anyone?

15                  MS. KAPLAN: I always consult  
16          with Zack Stalberg when we're writing  
17          testimony.

18                  COUNCILMAN GOODE: Did anyone  
19          other than the two of you contribute to  
20          your testimony?

21                  MS. KAPLAN: Pardon me?

22                  COUNCILMAN GOODE: Did anyone  
23          other than the two of you contribute to  
24          your testimony?

25                  MS. KAPLAN: No.

1           6/18/14 - LAW & GOV. - BILL 140514, etc.

2                   COUNCILMAN GOODE: So it  
3           represents two opinions?

4                   MS. KAPLAN: It represents  
5           the -- it represents the opinion of the  
6           Policy Director and the CEO. And also,  
7           just so you understand, that we, Zack and  
8           I, testify, we make statements based on  
9           what we believe are the sentiments of the  
10          Board of the Committee of Seventy.

11                  COUNCILMAN GOODE: So how many  
12          people does that represent?

13                  MS. KAPLAN: At this point, I'd  
14          have to count. I can get you an exact  
15          count. Maybe about 60.

16                  COUNCILMAN GOODE: So you  
17          disagree with 38,000 people?

18                  MS. KAPLAN: I disagree?

19                  COUNCILMAN GOODE: You disagree  
20          with 38,000 people?

21                  MS. KAPLAN: With?

22                  COUNCILMAN GOODE: 38,000  
23          people.

24                  MS. KAPLAN: I don't disagree  
25          on the sentiment. I disagree that it

1           6/18/14 - LAW & GOV. - BILL 140514, etc.

2           should be on the ballot, which is why  
3           we're here. And, incidentally, as --

4                   COUNCILMAN GOODE: My question  
5           is, do you disagree with 38,000 people  
6           about whether it should be on the ballot?

7                   MS. KAPLAN: I actually  
8           believe -- and I don't mean to speak for  
9           them. I believe that they want local  
10          control. I think if they thought they  
11          could do it by any other way --

12                  COUNCILMAN GOODE: You've made  
13          it very clear that you speak for  
14          yourself, you speak along with Zack  
15          Stalberg --

16                  MS. KAPLAN: And represent the  
17          Board of the Committee of Seventy.

18                  COUNCILMAN GOODE: That  
19          represents no more than 60 people?

20                  MS. KAPLAN: That's correct.

21                  COUNCILMAN GOODE: So you  
22          disagree with 38,000 people about whether  
23          it should go on the ballot?

24                  MS. KAPLAN: Yes.

25                  COUNCILMAN GOODE: And so you

1           6/18/14 - LAW & GOV. - BILL 140514, etc.

2           think your opinion matters more than  
3           38,000 people?

4                       (Applause.)

5                       MS. KAPLAN: No, I don't think  
6           it matters more than 38,000 people, but I  
7           believe that the 38,000 people want local  
8           control. I think the question is do they  
9           really want it on a ballot. I don't know  
10          the answer to that.

11                      COUNCILMAN GOODE: So do you  
12          believe that you could benefit from  
13          learning the opinion of those 38,000  
14          people?

15                      MS. KAPLAN: I do, and that's  
16          why actually I have said in our testimony  
17          that City Council and the Mayor could do  
18          what you did with the task force on --

19                      COUNCILMAN GOODE: I'm not  
20          talking about task force. I said do you  
21          believe that you could benefit from  
22          learning the opinion of those 38,000  
23          people?

24                      MS. KAPLAN: I believe I know  
25          their opinion.

1           6/18/14 - LAW & GOV. - BILL 140514, etc.

2                   COUNCILMAN GOODE: You believe  
3           you know their opinion?

4                   MS. KAPLAN: About whether the  
5           schools should return to local control?  
6           I think I do.

7                   COUNCILMAN GOODE: But you  
8           don't believe they think it should be on  
9           the ballot and they should get a chance  
10          to vote for it?

11                  MS. KAPLAN: I believe that  
12          it's this Council's responsibility to  
13          protect the Charter against meaningless,  
14          non-binding referendums.

15                  COUNCILMAN GOODE: I'm going to  
16          ask you two more questions. One, don't  
17          you think that the ballot question  
18          suggests that we revert back to the Home  
19          Rule Charter and that has meaning?

20                  MS. KAPLAN: I don't believe it  
21          needs to be accomplished through a ballot  
22          question. City Council could pass a  
23          resolution, as you did with Citizens  
24          United.

25                  COUNCILMAN GOODE: Well, 38,000

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       people disagree with you, and your  
3       opinion is not worth more than that.

4               Thank you.

5               MS. KAPLAN: Okay.

6               (Applause.)

7               COUNCILMAN GREENLEE:

8       Councilwoman Tasco.

9               COUNCILWOMAN TASCO: Good  
10       morning. How are you?

11              MS. KAPLAN: Good morning.

12              COUNCILWOMAN TASCO: As you  
13       said earlier, you and Zack make a lot of  
14       statements, and you have a Board of 60  
15       members. How do you gauge their opinion  
16       about what you say?

17              (Applause.)

18              COUNCILWOMAN TASCO: So do you  
19       think they believe what you are  
20       commenting on or have you taken a poll or  
21       have you had a meeting and had a  
22       discussion, what do they think about  
23       public education, what do they think  
24       about the issue, or you and Zack just  
25       decide, Well, I think they believe this

1           6/18/14 - LAW & GOV. - BILL 140514, etc.

2           and we're going to say it?

3                   MS. KAPLAN: Well, in the case  
4           of public education, we actually had a  
5           Committee on Education, which is a policy  
6           committee, which is one of the committees  
7           that I oversee. We interviewed a lot of  
8           people, former superintendents, Arlene  
9           Ackerman when she was the Superintendent,  
10          Dr. Hite, and a number of people in an  
11          effort to figure out where the Committee  
12          of Seventy could play a meaningful role  
13          in public education.

14                   So I believe on this issue I do  
15          know the sentiments of the Board. I talk  
16          to many Board members during the week, as  
17          does Zack. We have many meetings, and I  
18          think if we had to actually check in with  
19          our Board members on every single issue,  
20          we wouldn't be able to say anything,  
21          because there's 60 of them.

22                   So I think that in 95 percent  
23          of the cases, we know where our Board  
24          stands, and they have given us the  
25          freedom to talk, and that's how it works.

1           6/18/14 - LAW & GOV. - BILL 140514, etc.

2                   COUNCILWOMAN TASCO: It hasn't  
3           been very effective either.

4                   MS. KAPLAN: Pardon me?

5                   COUNCILWOMAN TASCO: It hasn't  
6           been very effective.

7                   MS. KAPLAN: Well, I know that  
8           you feel that way, Councilwoman, and I  
9           appreciate that you pick up the phone and  
10          argue with me. I've said that to you in  
11          the past as opposed to --

12                   COUNCILWOMAN TASCO: But there  
13          are a lot of people who read your  
14          opinions, and some believe that your word  
15          is the last word, and I think that if you  
16          have 60 members, there ought to be some  
17          way to gauge their thinking on this issue  
18          and -- so I'll just stop there, because  
19          you know how I feel about the Committee  
20          of Seventy. It's not very good. So I'll  
21          stop there.

22                   MS. KAPLAN: I certainly do.

23                   And, Councilman Greenlee, I  
24          just wanted to add what I have in my  
25          written testimony, which is that if the

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       governance of the School District is to  
3       change, and certainly it could, we all  
4       know where Tom Wolf is on local control,  
5       he favors it, that there could be a task  
6       force that was put together by Council  
7       and the Mayor. You did it with the task  
8       force on ethics and campaign finance  
9       reform in 2009. It yielded a number of  
10      reforms. Louisiana did it. I gave you  
11      some information on that in my testimony.  
12      It included a lot of stakeholders,  
13      including local and state government  
14      officials, union members, principals,  
15      parents. So that there could be a  
16      collective determination of what we want  
17      local control to look like. It doesn't  
18      have to be the way it is in the Charter.  
19      That is the way it happened in the past,  
20      and I know this, as you all know, from  
21      personal knowledge because my own father  
22      was a member and President of the  
23      Philadelphia School Board in the 1980s.  
24      But that doesn't mean that we  
25      shouldn't -- that we should have a

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       mayoral-appointed School Board. Maybe  
3       City Council should get confirmation  
4       power. Maybe it should be elected.  
5       Maybe it should be elected with taxing  
6       authority. Maybe the School District  
7       should be broken out into different  
8       governance units. There are a lot of  
9       options, and I think it would benefit the  
10      38,000 people and everybody else if we  
11      knew exactly what we wanted the  
12      governance of the schools to look like  
13      when we return to local control.

14                   COUNCILMAN GREENLEE:  
15      Councilman Goode.

16                   I was going to say, you might  
17      quit while you're ahead.

18                   Councilman Goode.

19                   COUNCILMAN GOODE: Ms. Kaplan,  
20      where does the governance structure come  
21      from in the Charter currently?

22                   MS. KAPLAN: Pardon me?

23                   COUNCILMAN GOODE: Where does  
24      the governance structure come from in the  
25      Charter currently?

1           6/18/14 - LAW & GOV. - BILL 140514, etc.

2                   MS. KAPLAN: For schools? It  
3       has been in the past in the City Charter.  
4       And I'm not saying it doesn't belong  
5       there. It does. It's just --

6                   COUNCILMAN GOODE: Where did it  
7       come from, the current structure within  
8       the Charter?

9                   MS. KAPLAN: The current  
10      structure? No. It comes from the state,  
11      and the state enabling act says how the  
12      SRC should be dissolved.

13                  COUNCILMAN GOODE: No, no.  
14      Where does the current structure related  
15      to the School Board come from in the  
16      Charter?

17                  MS. KAPLAN: Well, the old  
18      system, Article X of the Charter. I  
19      believe it's Article X.

20                  COUNCILMAN GOODE: I'm sorry.  
21      I didn't hear you.

22                  MS. KAPLAN: I believe it's in  
23      Article X of the Charter.

24                  COUNCILMAN GOODE: Let me  
25      ask --

1           6/18/14 - LAW & GOV. - BILL 140514, etc.

2                   MS. KAPLAN: The old structure.

3                   COUNCILMAN GOODE: No. There's  
4 a new structure.

5                   MS. KAPLAN: The SRC structure?

6                   COUNCILMAN GOODE: No. There's  
7 a new structure that was put in place in  
8 1999.

9                   MS. KAPLAN: Well, I think once  
10 we decide where it works, then it could  
11 go in the Charter. We don't know what we  
12 want to return to.

13                  COUNCILMAN GOODE: I'm asking  
14 the questions. You're answering the  
15 questions. Okay?

16                  It went in in 1999. It was a  
17 Charter amendment sponsored by then  
18 Councilman Nutter. So how did it get  
19 into the Charter? People voted for it.  
20 So the people actually approved the  
21 governance structure that's in the  
22 Charter now in 1999. Then state law took  
23 it away. If the people want to take it  
24 back, they have a right to do that,  
25 because that's the structure they

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       approved.

3                   (Applause.)

4                   MS. KAPLAN: With all due  
5       respect, people -- that was a long time  
6       ago, and now people have a different --  
7       may have a different opinion after the  
8       state takeover.

9                   COUNCILMAN GOODE: You sat here  
10      and you've defended the Charter from the  
11      1950s, but that action that people took  
12      creating this current structure happened  
13      in 1999, which is not that long ago.

14                   Thank you.

15                   MS. KAPLAN: Well, it was long  
16      enough ago and it was before the state  
17      takeover, and the question is again --

18                   COUNCILMAN GOODE: The question  
19      is whether we should revert back to the  
20      Charter. That's the question.

21                   MS. KAPLAN: Should it revert  
22      back to the Charter?

23                   COUNCILMAN GOODE: Should we  
24      revert back to home rule. That's the  
25      question. This is a home rule city. It

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       should be a home rule city. We should  
3       revert back to home rule. We should  
4       control the School District ourselves.

5               MS. KAPLAN: Well, I suggest  
6       that since you can't --

7               COUNCILMAN GOODE: And the  
8       people who set up a structure for that  
9       through a democracy in 1999 are trying to  
10      set up a structure for that right now.

11              Thank you for your testimony.

12              MS. KAPLAN: With all due  
13      respect, I don't think that -- do you  
14      think that the --

15              (Applause.)

16              MS. KAPLAN: With all due  
17      respect, do you think that passing the  
18      ballot question is a step in that  
19      direction?

20              COUNCILMAN GOODE: I absolutely  
21      believe that it's making a statement that  
22      we want to revert back to home rule.  
23      It's a simple statement. It's a powerful  
24      statement. It's the right statement.

25              Thank you.

1           6/18/14 - LAW & GOV. - BILL 140514, etc.

2                           (Applause.)

3           COUNCILMAN GREENLEE: Any other  
4           questions or comments for Ms. Kaplan?

5                           (No response.)

6           COUNCILMAN GREENLEE: Seeing  
7           none, thank you.

8           MS. KAPLAN: Thank you.

9           COUNCILMAN GREENLEE: Thank  
10          you.

11                        Ms. Marconi, who -- come on  
12          now, folks. Really.

13                        THE CLERK: Kia Hinton Philpot.  
14                           (Applause.)

15                           (Witness approached witness  
16          table.)

17                        COUNCILMAN GREENLEE: If I  
18          could just ask -- I think that's all we  
19          have on our list. Is there anyone else  
20          here that wants to testify?

21                           (No response.)

22                        COUNCILMAN GREENLEE: After  
23          Ms. Philpot, that will conclude the  
24          testimony.

25                           Good morning. Please identify

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       yourself for the record and proceed.

3               MS. PHILPOT: Good morning. My  
4       name is Kia Hinton Philpot. I'm a member  
5       of Action United.

6               (Applause.)

7               MS. PHILPOT: So far the  
8       decisions of the SRC have not improved  
9       education for all students. What I'm  
10      seeing in this city is two educational  
11      systems created, one that is supported by  
12      the Governor and SRC, which would be the  
13      Charter system, while public schools are  
14      stripped of all resources. This  
15      expansion of charter schools is not the  
16      answer to our educational problems. In  
17      fact, the expansion of charter schools  
18      and an SRC that is not accountable to  
19      anyone aside from who appoints them does  
20      not help the vulnerable students and  
21      families from my community.

22              Of course, we need more money,  
23      along with a fair funding formula to  
24      allocate dollars, but with an SRC who  
25      again is accountable to no one in my

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       community has the ability to continue to  
3       underfund our neighborhood schools.

4               The parents I've talked to  
5       recognize that charters are doing better  
6       than public, but also recognize that it's  
7       not a choice afforded to all families and  
8       students.

9               The expansion of charter  
10      schools has been prioritized over the  
11      ability of Philadelphia public school  
12      students to even have access to the most  
13      basic educational resources, in part, due  
14      to the decisions of the SRC, who have no  
15      accountability to the people most  
16      affected.

17              I was reading this book and I  
18      recently read that after the 1831  
19      rebellion led by Nat Turner -- he was an  
20      educated slave and the leader of the Nat  
21      Turner Rebellion -- that stronger laws  
22      were passed that made it a criminal act  
23      to educate slaves. And then a Virginia  
24      legislator went so far as to declare, We  
25      have closed every avenue by which light

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       might enter their minds. If you could  
3       extinguish the capacity to see the light,  
4       our work would be completed. They would  
5       then be on a level with beasts of the  
6       field and we would be safe.

7                   And so that quote made me think  
8       of the many underfunded schools, the lack  
9       of staff, and the violence that has  
10      erupted in our schools; in particular,  
11      Bartram High School that's in my  
12      neighborhood. The decisions of the SRC  
13      has extinguished the light for far too  
14      many. So this is why I support putting  
15      the SRC to bring back local control on  
16      the ballot. We really need that.

17                   Thank you.

18                   (Applause.)

19                   COUNCILMAN KENNEY: Thank you  
20      for your testimony.

21                   Are there any questions for  
22      this witness?

23                   (No response.)

24                   COUNCILMAN KENNEY: Thank you  
25      very much.

1           6/18/14 - LAW & GOV. - BILL 140514, etc.

2                   MS. PHILPOT: Thank you.

3                   COUNCILMAN KENNEY: There was  
4           no one else on the list to testify. Is  
5           there anyone else that needs to testify?

6                   (No response.)

7                   COUNCILMAN KENNEY: Seeing  
8           none, we will -- Councilman Jones. I'm  
9           sorry. You were pointing.

10                  COUNCILMAN JONES: I was  
11           talking to someone else. I'm sorry, Mr.  
12           Chairman.

13                  COUNCILMAN KENNEY: Thank you  
14           very much. That will conclude our public  
15           hearing. We'll take a short break until  
16           the Chairman -- oh, he's back. We will  
17           soon go into our public meeting.

18                  (Pause.)

19                  COUNCILMAN GREENLEE: Excuse  
20           me. Can I just have your attention for  
21           one minute.

22                  We are now in the public  
23           meeting of the Committee on Law and  
24           Government. Before I recognize  
25           Councilman Kenney for the motions, let me

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       just state for the record -- this is just  
3       my personal opinion, if anybody else has  
4       one. I would support at this present  
5       time, in due respect to the 38,000 plus  
6       that signed this petition, to move this  
7       out of Committee today.

8                       (Applause.)

9                       COUNCILMAN GREENLEE: And the  
10       next thing I say you're probably not  
11       going to applaud. It would be my  
12       recommendation that we do it with no  
13       recommendation, but that we still move it  
14       forward, that it could be considered by  
15       the full Council in September.

16                      I've stated my concerns about  
17       this, and I certainly respect other  
18       people's different opinion on this, but I  
19       still have concerns about continuing to  
20       put non-binding amendments into the City  
21       Charter. I think Councilman Goode is  
22       right, we're way, way closer to this  
23       being directly related to the Home Rule  
24       Charter than the war in Iraq or nuclear  
25       warheads are, but I still have some

1       6/18/14 - LAW & GOV. - BILL 140514, etc.  
2       concerns.

3               So I want it just noted for the  
4       record, and I probably should not say  
5       this and keep everybody happy, but I want  
6       it noted for the record that moving this  
7       forward for me does not assume that I'll  
8       be voting for it in September. I'm still  
9       weighing that. And, again, that's just  
10      me.

11             Any other comments or  
12      questions?

13             (No response.)

14             COUNCILMAN GREENLEE: Seeing  
15      none, the Chair recognizes Councilman  
16      Kenney.

17             COUNCILMAN KENNEY: Thank you,  
18      Mr. Chairman. I move that we accept the  
19      amendment to Bill No. 140514.

20             (Duly seconded.)

21             COUNCILMAN GREENLEE: It's been  
22      moved and seconded the amendment be  
23      approved.

24             All in favor?

25             (Aye.)

1           6/18/14 - LAW & GOV. - BILL 140514, etc.

2                   COUNCILMAN GREENLEE: Opposed?

3                   (No response.)

4                   COUNCILMAN GREENLEE: Hearing

5           none, the amendment is adopted.

6                   Councilman Kenney.

7                   COUNCILMAN KENNEY: Thank you,

8           Mr. Chairman. I move that Bill No.

9           140514, as amended, be reported out of

10          this Committee with no recommendation and

11          a rules suspension to allow for first

12          reading at our next Council session.

13                   (Duly seconded.)

14                   COUNCILMAN GREENLEE: It's been

15          moved and seconded.

16                   All in favor?

17                   (Aye.)

18                   COUNCILMAN GREENLEE: Opposed?

19                   (No response.)

20                   COUNCILMAN GREENLEE: Hearing

21          none, Bill No. 140514, as amended, is

22          reported out of this Committee with no

23          recommendation and a rules suspension to

24          allow for first reading at our next

25          session of Council.

1           6/18/14 - LAW & GOV. - BILL 140514, etc.

2                   Councilman Kenney.

3                   COUNCILMAN KENNEY: Thank you,  
4           Mr. Chairman. I move that Council  
5           approve Resolution No. 140527 to move it  
6           to the full Council.

7                   (Duly seconded.)

8                   COUNCILMAN GREENLEE: It's been  
9           moved and seconded.

10                  All in favor?

11                  (Aye.)

12                  COUNCILMAN GREENLEE: Opposed?

13                  (No response.)

14                  COUNCILMAN GREENLEE: Hearing  
15           none, Resolution No. 140527 is reported  
16           out of this Committee with a favorable  
17           recommendation -- I'm sorry. I said that  
18           wrong. I'm sorry. Let me amend that.  
19           Resolution 140527 is recommended out of  
20           this -- it's moved out of this Committee  
21           with no recommendation.

22                  If I haven't further confused  
23           people, that concludes our Law and  
24           Government Committee today. Thank you  
25           all for your participation.

1           6/18/14 - LAW & GOV. - BILL 140514, etc.

2                       (Committee on Law and

3           Government concluded at 11:25 a.m.)

4                       - - -

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CERTIFICATE

I HEREBY CERTIFY that the  
proceedings, evidence and objections are  
contained fully and accurately in the  
stenographic notes taken by me upon the  
foregoing matter, and that this is a true and  
correct transcript of same.

-----  
MICHELE L. MURPHY  
RPR-Notary Public

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| <b>ability</b> 41:14<br>65:11 86:2,11<br><b>able</b> 9:19 15:5<br>30:17 53:6<br>76:20<br><b>abolish</b> 2:24 3:20<br>10:4<br><b>abolished</b> 10:7,23<br>57:21 64:7<br><b>abolishment</b> 11:7<br><b>absolutely</b> 17:17<br>31:24 34:6,18<br>36:8 57:8 63:11<br>65:10 66:13<br>83:20<br><b>accept</b> 29:8 90:18<br><b>access</b> 39:25<br>40:10 86:12<br><b>accomplished</b><br>74:21<br><b>accountability</b><br>38:13 39:17,20<br>86:15<br><b>accountable</b><br>29:11 85:18,25<br><b>accurately</b> 94:5<br><b>achieve</b> 13:22<br><b>Ackerman</b> 76:9<br><b>act</b> 10:16 23:4<br>69:18,23 80:11<br>86:22<br><b>action</b> 11:10<br>52:20 54:5 63:3<br>82:11 85:5<br><b>actions</b> 11:8<br><b>activity</b> 38:16<br><b>add</b> 16:20 36:19<br>77:24<br><b>adding</b> 2:20 3:16<br><b>additional</b> 15:14<br>39:9,16,18<br>40:11 43:8,18<br>46:12 47:25<br>48:16<br><b>Additionally</b><br>38:25 | <b>address</b> 7:18 40:3<br><b>admit</b> 32:5<br><b>adopted</b> 91:5<br><b>advocates</b> 32:4<br><b>affect</b> 57:25 58:4<br>59:2<br><b>afforded</b> 86:7<br><b>aggressively</b><br>47:16,24<br><b>ago</b> 30:5 31:6<br>43:11,23 82:6<br>82:13,16<br><b>agree</b> 24:12 34:2<br>63:12 67:2,19<br><b>agreeing</b> 10:22<br><b>agreement</b> 39:21<br><b>ahead</b> 79:17<br><b>allies</b> 5:13 52:10<br>60:23<br><b>allocate</b> 85:24<br><b>allocated</b> 48:5<br><b>allow</b> 91:11,24<br><b>allowing</b> 8:18<br>51:5<br><b>alluded</b> 18:15<br><b>aloof</b> 6:14<br><b>alternative</b> 29:24<br><b>amend</b> 57:16<br>92:18<br><b>amended</b> 10:2<br>36:18 91:9,21<br><b>amending</b> 40:9<br>56:20<br><b>amendment</b> 2:17<br>3:13 10:16 55:3<br>81:17 90:19,22<br>91:5<br><b>amendments</b> 20:9<br>57:24,24 89:20<br><b>Americans</b> 63:3<br><b>amount</b> 14:18<br><b>analogy</b> 32:11<br><b>Andy</b> 52:23<br><b>and/or</b> 43:3 94:22<br><b>angles</b> 23:12<br><b>annual</b> 39:2<br><b>answer</b> 41:19 | 55:9 64:19<br>73:10 85:16<br><b>answering</b> 59:22<br>81:14<br><b>anybody</b> 25:22<br>45:20 50:13<br>89:3<br><b>anyway</b> 62:16<br><b>appear</b> 36:15<br><b>applaud</b> 33:23<br>89:11<br><b>Applause</b> 25:24<br>27:2 44:25<br>46:18 51:11<br>54:10,23 55:8<br>55:15 56:2 61:4<br>64:15 65:24<br>73:4 75:6,17<br>82:3 83:15 84:2<br>84:14 85:6<br>87:18 89:8<br><b>apply</b> 94:20<br><b>appointed</b> 6:20<br>25:23 34:10<br>37:23<br><b>appointees</b> 51:24<br><b>appointment</b><br>68:13<br><b>appointments</b><br>12:22<br><b>appoints</b> 85:19<br><b>appreciate</b> 8:15<br>23:14 24:2<br>27:12 36:6,14<br>46:5 50:8 66:11<br>69:8 77:9<br><b>Appreciating</b><br>37:3<br><b>approached</b> 4:13<br>50:21 66:4<br>84:15<br><b>approaching</b><br>35:11<br><b>appropriate</b> 3:8<br>57:16<br><b>approve</b> 92:5<br><b>approved</b> 2:20 | 3:3,15 55:24<br>81:20 82:2<br>90:23<br><b>April</b> 53:5 69:21<br><b>areas</b> 38:8,10<br><b>argue</b> 77:10<br><b>argument</b> 56:17<br>56:23 58:2<br><b>arguments</b> 58:4<br><b>Arlene</b> 76:8<br><b>arrangements</b> 3:9<br><b>arrest</b> 52:23<br><b>Article</b> 2:17 3:13<br>80:18,19,23<br><b>articulated</b> 42:13<br><b>aside</b> 85:19<br><b>asking</b> 13:11<br>24:21 35:19<br>59:25 69:19<br>81:13<br><b>Assembly</b> 2:23<br>3:19 10:4,22<br><b>asserting</b> 65:15<br><b>assess</b> 5:16,18<br><b>assume</b> 64:24<br>90:7<br><b>assumed</b> 49:2<br>51:24<br><b>attend</b> 12:14<br><b>attention</b> 2:6<br>31:23 52:19<br>88:20<br><b>attributes</b> 38:10<br><b>Audience</b> 66:20<br><b>audit</b> 39:4,6<br><b>Auditor</b> 39:7<br><b>audits</b> 39:3<br><b>augment</b> 15:13<br>17:11<br><b>authentically</b><br>28:14<br><b>authority</b> 25:17<br>79:6<br><b>authorizing</b> 3:8<br><b>avenue</b> 86:25<br><b>average</b> 9:8 67:23<br><b>avoid</b> 49:17 | <b>aware</b> 39:2 63:12<br><b>Aye</b> 90:25 91:17<br>92:11<br><b>a.m</b> 1:7 93:3                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | B                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>B</b> 1:13<br><b>babies</b> 34:11<br><b>back</b> 19:2 22:13<br>24:20 29:21<br>31:21 32:25<br>33:2 57:10,14<br>64:12 74:18<br>81:24 82:19,22<br>82:24 83:3,22<br>87:15 88:16<br><b>backgrounds</b><br>38:3<br><b>badly</b> 25:12<br><b>bake</b> 52:14<br><b>ball</b> 14:21<br><b>ballot</b> 3:7 7:9 8:8<br>12:15 13:10<br>14:6 15:5 17:11<br>18:3 19:21,24<br>20:19 23:7<br>35:17,21 36:5<br>45:8,24 52:22<br>53:22,25 54:5<br>54:17 55:7,12<br>55:21 57:12,15<br>58:16 60:2,12<br>62:9 63:25<br>64:21 66:10,19<br>67:8,12 68:4<br>69:5 72:2,6,23<br>73:9 74:9,17,21<br>83:18 87:16<br><b>ban</b> 19:21<br><b>Bartram</b> 87:11<br><b>based</b> 37:23 71:8<br><b>basic</b> 47:17 86:13<br><b>basically</b> 54:14<br><b>beasts</b> 87:5<br><b>began</b> 7:3<br><b>begun</b> 53:20<br><b>behalf</b> 5:6 |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| <b>believe</b> 8:10 22:10<br>23:22 25:10,13<br>26:2,7,13 30:13<br>41:20,25 42:7<br>54:21 67:24<br>71:9 72:8,9 73:7<br>73:12,21,24<br>74:2,8,11,20<br>75:19,25 76:14<br>77:14 80:19,22<br>83:21<br><b>believes</b> 68:24<br><b>belong</b> 80:4<br><b>beloved</b> 52:15<br><b>benefit</b> 73:12,21<br>79:9<br><b>best</b> 33:10 36:24<br>52:8 67:11<br><b>Bethlehem</b> 49:14<br>49:15<br><b>better</b> 37:21<br>51:22 86:5<br><b>bill</b> 1:15 2:12,14<br>3:1 4:1 5:1,8 6:1<br>7:1 8:1 9:1 10:1<br>11:1 12:1 13:1<br>14:1 15:1 16:1<br>17:1 18:1 19:1<br>20:1 21:1 22:1<br>23:1 24:1,7 25:1<br>26:1 27:1 28:1<br>29:1 30:1 31:1<br>32:1 33:1 34:1<br>35:1 36:1,16<br>37:1 38:1 39:1<br>40:1 41:1 42:1<br>43:1 44:1 45:1<br>46:1 47:1 48:1<br>49:1 50:1 51:1<br>52:1 53:1 54:1<br>55:1 56:1 57:1<br>58:1 59:1 60:1<br>61:1 62:1 63:1<br>64:1 65:1 66:1<br>67:1 68:1 69:1<br>70:1 71:1 72:1<br>73:1 74:1 75:1 | 76:1 77:1 78:1<br>79:1 80:1 81:1<br>82:1 83:1 84:1<br>85:1 86:1 87:1<br>88:1 89:1 90:1<br>90:19 91:1,8,21<br>92:1 93:1<br><b>billion</b> 28:17<br>29:19<br><b>binding</b> 14:3,3<br>63:13<br><b>Blackwell</b> 1:10<br>5:10 24:6 25:5,6<br>25:25 27:3,20<br><b>board</b> 6:20 25:21<br>26:8,16 34:2<br>37:18,22 38:2<br>43:4 49:15<br>71:10 72:17<br>75:14 76:15,16<br>76:19,23 78:23<br>79:2 80:15<br><b>BOBBY</b> 1:11<br><b>body</b> 6:14 7:17<br>8:19 32:6 34:9<br>34:10 59:5,14<br><b>bomb</b> 18:11<br><b>booing</b> 66:20<br><b>book</b> 86:17<br><b>booth</b> 15:3<br><b>born</b> 26:11<br><b>borrowing</b> 40:10<br><b>box</b> 54:5<br><b>break</b> 88:15<br><b>briefings</b> 39:18<br><b>bring</b> 15:6,11,17<br>64:2 87:15<br><b>bringing</b> 20:17<br><b>broad</b> 20:8<br>62:10,16 63:9<br><b>broke</b> 34:5,5,7,8<br><b>broken</b> 79:7<br><b>brought</b> 6:7 20:12<br>30:12 54:25<br>67:10<br><b>Bryan</b> 35:9,11,22<br>36:8,12 40:17 | 40:23,24 41:18<br>42:7,12,19 43:6<br>43:12,16,25<br>44:19 45:7 46:3<br>46:19 47:2,13<br>49:7 50:14,17<br><b>budget</b> 28:25<br>30:19 38:18<br>39:14 41:22,23<br>43:3,20 44:7<br>48:2,9,19,20,22<br>48:24 49:2<br>51:25<br><b>budgeting</b> 33:7<br><b>bulk</b> 32:15<br><b>bump</b> 29:17<br><b>business</b> 37:9<br>38:8<br><hr/> <b>C</b><br><hr/> <b>call</b> 2:22 3:18<br>4:10 10:3 46:25<br>47:2<br><b>calling</b> 36:19<br>67:12<br><b>calls</b> 6:22<br><b>campaign</b> 78:8<br><b>campaigns</b> 53:11<br><b>canvas</b> 53:16<br><b>canvassing</b> 20:16<br><b>capacity</b> 87:3<br><b>Capitol</b> 14:19<br><b>capturing</b> 11:16<br><b>cards</b> 32:23,24<br><b>care</b> 33:21 49:12<br><b>carries</b> 28:25<br><b>case</b> 47:24 54:25<br>76:3<br><b>cases</b> 76:23<br><b>CEO</b> 71:6<br><b>certainly</b> 6:3<br>16:25 18:16<br>24:2 25:7 27:7,9<br>37:20 49:17<br>51:17 55:17,25<br>57:21 77:22<br>78:3 89:17 | <b>CERTIFICATE</b><br>94:2<br><b>certification</b><br>94:19<br><b>CERTIFY</b> 94:3<br><b>certifying</b> 94:23<br><b>Chair</b> 1:10 2:8<br>18:22 25:7<br>39:22 90:15<br><b>Chairman</b> 5:2<br>28:3 31:3 34:20<br>36:9,10 40:22<br>41:24 42:4<br>47:14 50:15<br>69:12 70:8<br>88:12,16 90:18<br>91:8 92:4<br><b>challenges</b> 7:14<br>7:15 40:5<br><b>chance</b> 51:18 74:9<br><b>change</b> 7:17 9:19<br>10:17 18:10<br>21:12 25:20<br>26:5,6,25 41:8<br>41:10 53:22<br>59:13,15 65:5<br>68:5,6 78:3<br><b>changed</b> 43:14<br>44:4,9,11<br><b>changes</b> 64:23<br>65:7<br><b>Chapter</b> 2:18<br>3:13<br><b>charge</b> 36:25<br><b>charter</b> 2:19 3:14<br>8:6 10:2 13:23<br>13:24 18:19<br>20:10 22:25<br>23:2,4,9,10<br>24:16,17,20<br>32:13 36:18<br>37:25 39:10<br>48:7,11 53:22<br>55:3,5 56:21<br>57:16,23,25<br>64:12 67:10,15<br>67:16,18,20 | 74:13,19 78:18<br>79:21,25 80:3,8<br>80:16,18,23<br>81:11,17,19,22<br>82:10,20,22<br>85:13,15,17<br>86:9 89:21,24<br><b>charters</b> 86:5<br><b>check</b> 76:18<br><b>Chief</b> 36:12<br><b>children</b> 6:24<br>7:21 15:15 26:9<br>26:12 29:12,13<br><b>choice</b> 86:7<br><b>choices</b> 43:20<br>52:2<br><b>churches</b> 19:20<br><b>cigarette</b> 47:22<br><b>cities</b> 33:17<br><b>citizens</b> 2:21 3:17<br>55:6 74:23<br><b>city</b> 1:2,6 2:16<br>3:12 5:3 14:11<br>18:19 22:3,25<br>23:2,4,9 25:16<br>29:6 30:14 38:5<br>40:8 43:20<br>47:19 53:8 55:5<br>55:18 56:6,15<br>56:21 73:17<br>74:22 79:3 80:3<br>82:25 83:2<br>85:10 89:20<br><b>City's</b> 38:17<br><b>clarity</b> 64:2<br><b>class</b> 33:18<br><b>clean</b> 39:4<br><b>clear</b> 5:20 9:13<br>21:6 27:13<br>63:25 72:13<br><b>CLERK</b> 2:14<br>4:11 35:9 50:20<br>66:3 84:13<br><b>clever</b> 33:4<br><b>clog</b> 67:15<br><b>closed</b> 86:25<br><b>closely</b> 7:4 |
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|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>closer</b> 19:9 89:22<br><b>coalition</b> 62:16<br>63:10<br><b>cognizant</b> 6:6<br>17:15<br><b>collaborative</b><br>62:6<br><b>collaboratively</b><br>40:4<br><b>colleague</b> 31:8<br>34:3<br><b>colleagues</b> 30:14<br>32:18<br><b>collect</b> 5:14 53:6<br>53:10,18<br><b>collected</b> 9:16<br><b>collection</b> 11:25<br>12:6<br><b>collective</b> 78:16<br><b>come</b> 11:7 20:5<br>26:24 28:15<br>29:21 45:21<br>46:16 79:20,24<br>80:7,15 84:11<br><b>comes</b> 26:18<br>35:18 80:10<br><b>coming</b> 35:14<br>50:8<br><b>comment</b> 17:25<br><b>commenting</b><br>75:20<br><b>comments</b> 24:9<br>25:4 28:5 34:24<br>50:5 65:19 69:9<br>84:4 90:11<br><b>Commission</b> 2:24<br>3:20 10:5,7<br>36:13 47:11<br>51:16 52:3 64:7<br>68:10<br><b>Commissioners</b><br>6:15 37:7 47:15<br><b>commitment</b> 6:23<br><b>committed</b> 38:14<br>62:21<br><b>committee</b> 1:3 2:3<br>2:9 4:3 18:23 | 24:5 27:10<br>36:11 37:12<br>39:17 41:2<br>45:19,23 54:2<br>56:20 57:5<br>66:16,18 67:7<br>68:23 69:14<br>71:10 72:17<br>76:5,6,11 77:19<br>88:23 89:7<br>91:10,22 92:16<br>92:20,24 93:2<br><b>committees</b> 76:6<br><b>communicated</b><br>42:14<br><b>community</b> 6:12<br>20:17 38:9<br>85:21 86:2<br><b>companies</b> 8:6<br><b>companion</b> 36:16<br><b>complement</b><br>32:12<br><b>completed</b> 87:4<br><b>complicated</b> 33:7<br><b>concern</b> 5:17<br>15:20 19:10<br>20:2 67:8<br><b>concerned</b> 25:10<br>25:14 68:2<br><b>concerns</b> 18:20<br>20:7 40:3 89:16<br>89:19 90:2<br><b>conclude</b> 40:6<br>84:23 88:14<br><b>concluded</b> 93:3<br><b>concludes</b> 92:23<br><b>condition</b> 6:10<br><b>conference</b> 12:11<br><b>confirm</b> 13:12<br><b>confirmation</b><br>79:3<br><b>conflicted</b> 23:15<br><b>confused</b> 92:22<br><b>Congress</b> 67:13<br><b>connection</b> 26:14<br><b>consequences</b><br>15:21 | <b>consider</b> 40:9<br>56:8<br><b>consideration</b><br>40:13<br><b>considered</b> 89:14<br><b>considering</b> 48:20<br>58:9<br><b>constituents</b><br>49:10<br><b>consult</b> 70:14,15<br><b>contained</b> 94:5<br><b>contemporaneo...</b><br>39:25<br><b>continue</b> 12:20<br>17:6 30:12,17<br>34:14,16 68:19<br>86:2<br><b>continuing</b> 20:9<br>57:22 89:19<br><b>contracts</b> 38:19<br><b>contribute</b> 70:19<br>70:23<br><b>contributing</b> 33:2<br>33:3<br><b>control</b> 2:25 3:21<br>5:22,23 7:7,24<br>8:2 36:20 37:19<br>51:24 53:14<br>59:4,8,16 60:21<br>61:7 64:8 68:12<br>72:10 73:8 74:5<br>78:4,17 79:13<br>83:4 87:15<br>94:22<br><b>controlled</b> 68:25<br><b>Controller's</b> 39:3<br><b>convening</b> 39:12<br><b>conversation</b><br>35:15<br><b>copies</b> 7:2<br><b>Corbett</b> 21:8<br>51:23 52:9<br><b>Corbett's</b> 68:13<br><b>correct</b> 42:10<br>43:5 64:9 72:20<br>94:8<br><b>coterminous</b> | 68:17<br><b>Council</b> 1:2 3:3<br>3:23 5:3 14:8,11<br>14:12 25:17<br>29:6 30:14<br>38:25 39:9,11<br>39:21,24 40:9<br>41:2,3,11,16,25<br>42:5,21 43:7,17<br>44:4 45:23<br>47:19 53:20<br>54:3 56:7,7,11<br>56:15 57:6<br>73:17 74:22<br>78:6 79:3 89:15<br>91:12,25 92:4,6<br><b>Councilman</b> 1:10<br>1:11,11,12,12<br>1:13 2:2,8,9,10<br>3:24 4:6,15,19<br>8:22 9:23 10:19<br>10:25 16:11<br>17:20 18:7<br>19:14 21:3 22:7<br>22:12,17,22<br>23:13,23 24:4,8<br>24:11,12,24,25<br>27:11,22,23,25<br>28:2 30:23,24<br>30:25 31:2,25<br>34:7,19,21 35:2<br>35:7,10 40:14<br>40:18,19,21,25<br>42:3,9,17 43:2<br>43:10,13,22<br>44:2,20,21,23<br>45:2,9,11,13<br>46:13,23 47:4,5<br>50:2,7,16,23<br>51:2 54:11,20<br>56:3,12 57:13<br>63:19,22,23<br>64:10,14,16<br>65:16,21,25<br>66:6,21 67:6<br>69:7,10,11,17<br>69:22 70:3,4,6,7 | 70:13,18,22<br>71:2,11,16,19<br>71:22 72:4,12<br>72:18,21,25<br>73:11,19 74:2,7<br>74:15,25 75:7<br>77:23 79:14,15<br>79:18,19,23<br>80:6,13,20,24<br>81:3,6,13,18<br>82:9,18,23 83:7<br>83:20 84:3,6,9<br>84:17,22 87:19<br>87:24 88:3,7,8<br>88:10,13,19,25<br>89:9,21 90:14<br>90:15,17,21<br>91:2,4,6,7,14,18<br>91:20 92:2,3,8<br>92:12,14<br><b>Councilmember</b><br>62:24<br><b>Councilmembers</b><br>37:20 46:21<br><b>Councilwoman</b><br>1:10,13 2:9 5:10<br>11:3,5,6 13:6,9<br>13:20 15:19,23<br>16:8,13 17:18<br>17:21,22 18:15<br>20:7 22:13,19<br>24:6 25:5,6,25<br>27:3,12,20,24<br>40:19 45:3 47:6<br>47:7 49:4,22<br>58:12,13,20<br>59:24 61:9,13<br>61:25 62:5<br>63:20 75:8,9,12<br>75:18 77:2,5,8<br>77:12<br><b>Council's</b> 8:15<br>74:12<br><b>count</b> 71:14,15<br><b>County</b> 21:19<br><b>coupled</b> 52:2<br><b>course</b> 40:17 |
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|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 68:15 85:22<br><b>create</b> 28:11<br><b>created</b> 51:16<br>85:11<br><b>creating</b> 82:12<br><b>criminal</b> 86:22<br><b>criticizing</b> 62:22<br><b>crunch</b> 30:19<br><b>cry</b> 7:11 12:24<br><b>curious</b> 69:13<br><b>current</b> 5:25 38:6<br>38:11 80:7,9,14<br>82:12<br><b>currently</b> 79:21<br>79:25<br><b>CURTIS</b> 1:12<br><b>cuts</b> 46:12 49:17<br>51:25<br><b>cutting</b> 43:20 | <b>definitely</b> 17:14<br>49:9<br><b>degree</b> 57:9 58:24<br><b>delegation</b> 12:8<br><b>demand</b> 52:18<br><b>democracy</b> 51:10<br>54:19 57:2,2,7<br>58:6,6 66:24<br>67:3 83:9<br><b>democratic</b> 51:19<br>53:14 59:16<br>63:3<br><b>democrats</b> 26:20<br><b>demonstrate</b> 7:5<br><b>DENNIS</b> 1:13<br><b>DePasquale</b> 39:7<br><b>depend</b> 59:19<br><b>depending</b> 21:5<br><b>desire</b> 7:6<br><b>detail</b> 38:19<br><b>detailed</b> 38:21<br><b>determination</b><br>78:16<br><b>developed</b> 39:21<br><b>difference</b> 9:10<br>56:19<br><b>different</b> 14:21<br>17:10 21:24<br>23:6,11 59:10<br>60:18,19 61:6<br>64:4 79:7 82:6,7<br>89:18<br><b>difficult</b> 16:21<br>43:19<br><b>diluted</b> 68:2<br><b>direct</b> 41:15 94:22<br><b>direction</b> 19:25<br>83:19<br><b>directly</b> 57:25<br>58:3 89:23<br><b>Director</b> 51:6<br>66:16 71:6<br><b>disagree</b> 71:17,18<br>71:19,24,25<br>72:5,22 75:2<br><b>disappointed</b><br>52:13 | <b>disband</b> 24:19<br><b>disconnected</b> 6:14<br><b>discuss</b> 14:13<br><b>discussion</b> 14:25<br>28:16 29:14<br>31:17 36:23<br>49:21 54:13<br>75:22<br><b>disposal</b> 41:12<br>53:3<br><b>disproportionate</b><br>48:9<br><b>disrespect</b> 19:11<br><b>dissolution</b> 7:11<br>37:14<br><b>dissolve</b> 10:14<br><b>dissolved</b> 80:12<br><b>dissolving</b> 17:8<br>37:11,16<br><b>distress</b> 65:3,4<br><b>district</b> 6:9,9,17<br>36:3,25 37:5,18<br>38:14,17 39:2,8<br>39:10,15 40:5<br>42:14 46:9<br>49:15 51:14<br>64:5 65:3 78:2<br>79:6 83:4<br><b>districts</b> 30:6 48:6<br>48:10 61:20,22<br>62:4,8<br><b>District's</b> 68:4<br><b>diversity</b> 38:3<br><b>doing</b> 7:7 12:10<br>19:11,16 25:15<br>28:21 47:11<br>52:8 56:8 62:17<br>62:23 86:5<br><b>dollars</b> 28:17<br>29:19 30:3<br>85:24<br><b>doom</b> 28:13<br><b>Dr</b> 36:23 46:9<br>47:15 76:10<br><b>draconian</b> 51:25<br><b>draw</b> 29:7<br><b>drive</b> 53:4 | <b>due</b> 19:3 82:4<br>83:12,16 86:13<br>89:5<br><b>Duly</b> 90:20 91:13<br>92:7<br><b>duped</b> 17:17 | <b>elimination</b> 48:8<br><b>Ellen</b> 66:3,14<br><b>emotion</b> 45:17<br><b>employed</b> 19:5<br><b>enabling</b> 80:11<br><b>enacting</b> 49:16<br><b>ends</b> 17:9<br><b>engaged</b> 53:6<br><b>engagement</b> 39:9<br><b>engaging</b> 63:16<br><b>ensure</b> 11:15<br><b>ensuring</b> 12:3<br><b>enter</b> 87:2<br><b>entirely</b> 37:4<br><b>entitled</b> 2:19 3:15<br><b>erupted</b> 87:10<br><b>essential</b> 49:3<br><b>essentially</b> 64:11<br><b>established</b> 2:7<br><b>ethics</b> 78:8<br><b>everybody</b> 19:18<br>19:22 20:4 26:8<br>35:13,19 79:10<br>90:5<br><b>everybody's</b> 2:5<br><b>evidence</b> 30:11<br>94:4<br><b>exact</b> 71:14<br><b>exactly</b> 10:8 24:13<br>44:21 79:11<br><b>example</b> 59:14<br>67:11<br><b>examples</b> 42:25<br><b>Excuse</b> 66:23 67:4<br>88:19<br><b>existence</b> 65:13<br><b>expansion</b> 85:15<br>85:17 86:9<br><b>expecting</b> 58:22<br><b>expeditiously</b><br>8:17<br><b>experience</b> 38:3,8<br><b>explicit</b> 37:25<br><b>expressed</b> 46:4<br>68:22<br><b>expressions</b> 67:16<br><b>extinguish</b> 87:3 |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| <b>extinguished</b> 87:13<br><b>extraction</b> 33:16 48:4<br><hr/> <b>F</b><br><b>facing</b> 7:15 40:5<br><b>fact</b> 6:6 59:10 62:3 85:17<br><b>fair</b> 33:17 85:23<br><b>fairly</b> 36:22<br><b>fairness</b> 56:4<br><b>faith</b> 22:8<br><b>fall</b> 11:13 53:23<br><b>families</b> 7:4 51:7 85:21 86:7<br><b>far</b> 25:19 31:21 85:7 86:24 87:13<br><b>father</b> 78:21<br><b>fatigue</b> 14:18<br><b>favor</b> 90:24 91:16 92:10<br><b>favorable</b> 21:8,12 92:16<br><b>avored</b> 5:24<br><b>avors</b> 78:5<br><b>fear</b> 67:22<br><b>February</b> 69:20<br><b>Federation</b> 5:5 7:3 11:15 12:12<br><b>feel</b> 4:22 5:18 28:5 57:18,18 77:8,19<br><b>feeling</b> 17:24 45:18 49:5,18 52:12<br><b>field</b> 87:6<br><b>fight</b> 52:6<br><b>fighting</b> 51:8<br><b>figure</b> 45:22 76:11<br><b>filed</b> 3:22<br><b>files</b> 68:7<br><b>finally</b> 8:5<br><b>finance</b> 38:9 45:19 78:8 | <b>finances</b> 38:15 39:10<br><b>financial</b> 39:18 40:5 65:3<br><b>find</b> 60:23<br><b>findings</b> 39:5<br><b>finish</b> 56:13<br><b>fire</b> 18:11<br><b>first</b> 4:10 17:24 18:16 20:12 32:23,25 33:18 40:18 63:22 91:11,24<br><b>fiscal</b> 33:5<br><b>fiscally</b> 10:14<br><b>five</b> 33:5 68:9<br><b>five-member</b> 6:20<br><b>fix</b> 23:5 29:15 30:20 52:20<br><b>fixing</b> 3:5<br><b>flexibility</b> 48:17<br><b>flow</b> 17:3<br><b>focus</b> 45:16,22<br><b>focused</b> 37:4 46:8 46:9,10 50:10<br><b>folks</b> 9:14 15:17 20:13 55:22 64:19 84:12<br><b>following</b> 12:5 57:4<br><b>foot</b> 6:21<br><b>force</b> 73:18,20 78:6,8<br><b>foregoing</b> 94:7,19<br><b>forgotten</b> 22:21<br><b>form</b> 3:6 37:19<br><b>formal</b> 44:6,9,10<br><b>format</b> 38:20<br><b>formed</b> 51:7<br><b>former</b> 38:6 76:8<br><b>formula</b> 28:24 33:17 48:7 85:23<br><b>forth</b> 8:9 12:22<br><b>forty</b> 30:7<br><b>forward</b> 8:16 45:5 45:24 59:8 | 89:14 90:7<br><b>four</b> 28:21 30:7 31:6 32:7<br><b>four-year</b> 39:6<br><b>frankly</b> 52:12,25<br><b>free</b> 4:23 55:25<br><b>freedom</b> 76:25<br><b>front</b> 6:13 30:16<br><b>full</b> 4:21 7:11 41:3 54:3 57:6 89:15 92:6<br><b>fully</b> 94:5<br><b>fund</b> 63:2<br><b>fundamentally</b> 28:22 29:12<br><b>funded</b> 48:3<br><b>funding</b> 28:23 33:17 35:18 36:2 41:16,21 42:2,15 43:9,18 45:18 46:10 47:10 48:16 49:6,19 52:15 63:6 85:23<br><b>funds</b> 37:5 52:4<br><b>further</b> 7:5 24:3 27:6 92:22<br><hr/> <b>G</b><br><b>gambling</b> 31:20 31:22<br><b>game</b> 14:21 32:21<br><b>gather</b> 7:8<br><b>gauge</b> 75:15 77:17<br><b>gay</b> 19:21 55:11 55:18<br><b>general</b> 2:23 3:19 10:3 23:25 39:7<br><b>generally</b> 45:18<br><b>genuinely</b> 28:14<br><b>gestures</b> 53:2<br><b>getting</b> 28:8 55:24<br><b>give</b> 6:2 13:14 16:2,3,19 29:4<br><b>given</b> 8:5 51:13 60:5 76:24<br><b>gives</b> 26:24 | <b>giving</b> 9:14 11:21 12:3 25:18<br><b>gloom</b> 28:13<br><b>go</b> 19:19 21:7 22:13 24:3 27:5 36:4 54:17 59:11,18 69:5 72:23 81:11 88:17<br><b>goes</b> 58:15 60:2<br><b>going</b> 12:17 19:24 21:7 22:21 26:21 27:14,14 27:18 29:3,4,14 30:11,16,21 34:14 38:23 41:14 49:19 59:19 63:7 64:23 66:19 67:9 68:12,18 74:15 76:2 79:16 89:11<br><b>good</b> 2:2 4:15,17 4:25 9:12 11:4 12:2 31:18,22 33:11,24 36:10 40:23,24 50:25 51:2 58:14 66:14 70:9 75:9 75:11 77:20 84:25 85:3<br><b>Goode</b> 1:11 2:10 24:11,12 31:8 40:19,21,25 42:3,9,17 43:2 43:10,13,22 44:2,21 63:22 63:23 64:10,14 70:6,7,13,18,22 71:2,11,16,19 71:22 72:4,12 72:18,21,25 73:11,19 74:2,7 74:15,25 79:15 79:18,19,23 80:6,13,20,24 81:3,6,13 82:9 | 82:18,23 83:7 83:20 89:21<br><b>gotten</b> 31:4,14 32:14<br><b>GOV</b> 3:1 4:1 5:1 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1 46:1 47:1 48:1 49:1 50:1 51:1 52:1 53:1 54:1 55:1 56:1 57:1 58:1 59:1 60:1 61:1 62:1 63:1 64:1 65:1 66:1 67:1 68:1 69:1 70:1 71:1 72:1 73:1 74:1 75:1 76:1 77:1 78:1 79:1 80:1 81:1 82:1 83:1 84:1 85:1 86:1 87:1 88:1 89:1 90:1 91:1 92:1 93:1<br><b>governance</b> 5:19 10:18 23:3 36:21 37:17 41:4 67:20 68:5 78:2 79:8,12,20 79:24 81:21<br><b>governing</b> 7:17 64:4<br><b>government</b> 1:3 2:4 18:22 52:19 69:2 78:13 88:24 92:24 93:3 |
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|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>governor</b> 2:23<br>3:19 6:21 10:4<br>10:22 20:23,25<br>21:7 25:12<br>26:18 47:8<br>51:23 52:9 54:8<br>60:25 62:19,20<br>68:17 85:12<br><b>Governor's</b> 18:2<br>20:14,18 25:11<br>27:16 48:18,24<br>59:3 68:11<br><b>Governor-cont...</b><br>68:16<br><b>grant</b> 42:24<br><b>great</b> 11:12 47:13<br><b>Greene</b> 21:19<br><b>Greenlee</b> 1:10 2:2<br>3:24 4:6,15,19<br>5:2 8:22 9:23<br>10:19,25 16:11<br>17:20 18:7<br>19:14 21:3 22:7<br>22:12,17,22<br>23:13,23 24:25<br>27:11,22 30:23<br>34:21 35:2,7,10<br>36:10 40:14,18<br>44:23 45:2,9,13<br>47:5 50:2,7,16<br>50:23 51:2<br>54:11,20 56:3<br>56:12 57:13<br>63:19 64:16<br>65:16,21,25<br>66:6,21 67:6<br>69:7 70:4 75:7<br>77:23 79:14<br>84:3,6,9,17,22<br>88:19 89:9<br>90:14,21 91:2,4<br>91:14,18,20<br>92:8,12,14<br><b>Green's</b> 41:24<br>42:5<br><b>group</b> 51:17<br>58:22 | <b>groups</b> 53:6<br><b>gubernatorial</b><br>59:12<br><b>guess</b> 8:24 18:17<br>20:4 21:13,16<br>27:19 45:21<br>56:3 57:9,14<br>59:25 65:6<br><b>guy</b> 19:4<br><hr/> <b>H</b><br><hr/> <b>half</b> 28:17 29:19<br><b>Hall</b> 1:6<br><b>happen</b> 10:13<br>26:25 65:7<br><b>happened</b> 78:19<br>82:12<br><b>happening</b> 15:2<br><b>happens</b> 28:19,20<br>49:23 58:25<br>59:3,4,20<br><b>happy</b> 8:20 27:4<br>47:2 61:23,25<br>90:5<br><b>hard</b> 7:22 12:18<br>19:15 20:24<br>23:24 48:14<br><b>harder</b> 13:4 52:6<br>52:10<br><b>Harrisburg</b> 8:13<br>11:21 12:4 13:2<br>15:25 17:7 28:9<br>29:18 30:20<br>33:14 47:11,16<br>47:24 48:15,19<br>54:8 60:5<br><b>hate</b> 16:16<br><b>hear</b> 8:13 80:21<br><b>heard</b> 7:19 54:12<br><b>hearing</b> 5:8 14:9<br>35:25 41:23<br>45:19 49:8,9<br>53:21 88:15<br>91:4,20 92:14<br><b>hearings</b> 39:13<br>41:14<br><b>help</b> 26:2 85:20 | <b>helpful</b> 14:16<br><b>Henon</b> 1:11 24:4<br><b>Herculean</b> 53:11<br><b>High</b> 87:11<br><b>Hillary</b> 4:11 5:3<br><b>Hinton</b> 52:24<br>84:13 85:4<br><b>history</b> 22:14<br><b>hit</b> 29:21,23,23<br><b>Hite</b> 36:23 46:9<br>47:15 76:10<br><b>hold</b> 29:10 32:25<br>33:2 41:14<br>66:21<br><b>holding</b> 5:8 52:14<br><b>home</b> 2:18 3:14<br>10:2 19:9 24:14<br>64:12 67:9<br>74:18 82:24,25<br>83:2,3,22 89:23<br><b>honest</b> 60:15<br><b>honorable</b> 8:19<br><b>hope</b> 25:14 26:24<br><b>hopefully</b> 41:3<br><b>hoping</b> 14:7 15:4<br>15:11,12<br><b>horrific</b> 29:15<br><b>House</b> 61:12,14<br><b>housing</b> 38:9<br><b>huge</b> 14:21 49:11<br><b>hundred</b> 30:7<br>60:13<br><b>hunger</b> 53:12<br><b>hurt</b> 27:14<br><b>hurts</b> 25:10 26:17<br><hr/> <b>I</b><br><hr/> <b>idea</b> 18:8<br><b>identified</b> 43:17<br><b>identify</b> 50:24<br>84:25<br><b>ignore</b> 12:19<br>20:25<br><b>impact</b> 7:20 49:19<br>60:4,7 61:16<br>63:7<br><b>imperfect</b> 33:8,9 | <b>importance</b> 27:15<br><b>important</b> 34:15<br>34:16<br><b>improved</b> 85:8<br><b>inception</b> 6:11<br><b>incidentally</b> 67:22<br>68:15 72:3<br><b>include</b> 42:22<br><b>included</b> 41:21<br>48:18 78:12<br><b>includes</b> 38:5<br><b>including</b> 38:19<br>38:22 39:12,17<br>78:13<br><b>income</b> 29:25<br><b>increase</b> 49:16<br><b>increases</b> 30:7<br>42:24<br><b>indicate</b> 9:3<br><b>inflicted</b> 28:11<br><b>influence</b> 9:21<br><b>information</b> 31:5<br>31:15 33:8<br>38:18,21 40:2<br>41:13 44:6<br>46:14 78:11<br><b>initiative</b> 7:9 8:9<br>12:15 15:5<br>17:11 18:4<br>20:20 38:17<br><b>instance</b> 48:3<br><b>interest</b> 33:10<br><b>interrupt</b> 21:4<br><b>interrupted</b> 22:18<br><b>interviewed</b> 76:7<br><b>introduce</b> 27:5<br><b>introduced</b> 5:10<br><b>involve</b> 34:16<br>37:21<br><b>involved</b> 12:9<br><b>involvement</b><br>31:19<br><b>Iraq</b> 18:24 19:9<br>67:14 89:24<br><b>issue</b> 9:25 15:8,8<br>15:10,14,24<br>16:24,25 17:10 | 20:6,9 21:9 23:2<br>31:20 35:16,20<br>35:24 36:3,5,21<br>38:13 49:11<br>54:15 57:20<br>63:5 65:2 67:19<br>67:22 75:24<br>76:14,19 77:17<br><b>issues</b> 5:16 6:16<br>7:18 20:12<br>22:23 23:25<br>33:18 37:16<br><b>item</b> 48:8<br><hr/> <b>J</b><br><hr/> <b>JAMES</b> 1:12<br><b>JANNIE</b> 1:10<br><b>Jerry</b> 5:6<br><b>job</b> 38:22<br><b>jobs</b> 25:14<br><b>joined</b> 53:15<br><b>Jones</b> 1:12 24:8<br>30:25 31:2,25<br>34:7,19 88:8,10<br><b>Jordan</b> 5:6<br><b>JR</b> 1:11,12<br><b>June</b> 1:7 5:11<br>42:8 44:11<br><hr/> <b>K</b><br><hr/> <b>K</b> 1:10<br><b>Kaplan</b> 66:3,7,12<br>66:23 67:4,5<br>69:8,16,19,25<br>70:9,11,15,21<br>70:25 71:4,13<br>71:18,21,24<br>72:7,16,20,24<br>73:5,15,24 74:4<br>74:11,20 75:5<br>75:11 76:3 77:4<br>77:7,22 79:19<br>79:22 80:2,9,17<br>80:22 81:2,5,9<br>82:4,15,21 83:5<br>83:12,16 84:4,8<br><b>Kati</b> 50:20 51:5<br><b>keep</b> 8:6 19:10,24 |
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| 50:9 55:23 66:8<br>90:5<br><b>keeping</b> 12:7<br><b>Kenney</b> 1:12 2:8<br>45:11 46:13,23<br>47:4 69:10,11<br>69:17,22 70:3<br>87:19,24 88:3,7<br>88:13,25 90:16<br>90:17 91:6,7<br>92:2,3<br><b>key</b> 5:16<br><b>Kia</b> 52:24 84:13<br>85:4<br><b>kids</b> 29:5 54:9<br><b>kind</b> 17:23,24<br>18:25 59:19<br>62:17<br><b>kinds</b> 33:20<br><b>knew</b> 40:15 79:11<br><b>know</b> 7:16,19 9:2<br>9:5 12:10 14:8<br>14:20 17:2<br>18:10 20:3<br>21:14 22:5<br>23:24 25:8,22<br>27:17 32:24<br>35:17 37:20<br>47:19 53:9 58:2<br>59:13 60:15<br>62:25 63:15<br>64:19 73:9,24<br>74:3 76:15,23<br>77:7,19 78:4,20<br>78:20 81:11<br><b>knowing</b> 59:7<br><b>knowledge</b> 78:21<br><hr/> <b>L</b><br><hr/> <b>L</b> 94:14<br><b>lack</b> 6:18 52:17<br>87:8<br><b>larger</b> 58:25<br>62:16<br><b>law</b> 1:3 2:4 3:1<br>4:1 5:1 6:1 7:1<br>8:1 9:1 10:1 | 11:1 12:1 13:1<br>14:1 15:1 16:1<br>17:1 18:1,22<br>19:1 20:1 21:1<br>22:1 23:1 24:1<br>25:1 26:1 27:1<br>28:1 29:1 30:1<br>31:1 32:1 33:1<br>34:1 35:1 36:1<br>37:1,11 38:1<br>39:1 40:1 41:1<br>42:1 43:1 44:1<br>45:1 46:1 47:1<br>48:1 49:1 50:1<br>51:1 52:1 53:1<br>54:1 55:1 56:1<br>57:1,5 58:1,10<br>59:1 60:1 61:1<br>62:1 63:1 64:1<br>65:1 66:1 67:1<br>68:1 69:1 70:1<br>71:1 72:1 73:1<br>74:1 75:1 76:1<br>77:1 78:1 79:1<br>80:1 81:1,22<br>82:1 83:1 84:1<br>85:1 86:1 87:1<br>88:1,23 89:1<br>90:1 91:1 92:1<br>92:23 93:1,2<br><b>laws</b> 57:3,3,4<br>86:21<br><b>lawyer</b> 54:25<br><b>leader</b> 24:8 86:20<br><b>leaders</b> 13:15<br><b>learning</b> 73:13,22<br><b>led</b> 86:19<br><b>left</b> 52:5<br><b>legal</b> 55:2,19<br><b>legislation</b> 16:4<br>17:9 40:10<br>47:21<br><b>legislator</b> 21:19<br>22:2 86:24<br><b>legislators</b> 8:12<br>9:19 12:8 13:4<br>14:18 17:7,12 | 21:15,17 48:19<br>49:8,9 54:7<br>61:10,17,21<br><b>Legislature</b> 16:14<br>47:8 49:5 59:5,6<br>59:15 60:6,7,24<br>63:8,9<br><b>lens</b> 21:24<br><b>letter</b> 41:24 42:5<br>42:10,12 44:9<br>44:11,14<br><b>letting</b> 12:10<br><b>let's</b> 16:18<br><b>level</b> 12:21 87:5<br><b>life</b> 60:17<br><b>light</b> 86:25 87:3<br>87:13<br><b>limited</b> 52:4<br><b>Linardopoulos</b><br>4:17,25 5:4 9:11<br>10:10,24 11:4<br>11:11 13:8,18<br>14:4 15:22 16:6<br>17:4,19 18:6<br>19:13 20:11<br>21:22 22:9,15<br>22:20,24 23:17<br>24:23 31:24<br>34:6,18 35:5<br><b>Lindardopoulos</b><br>4:12<br><b>line</b> 29:8 48:8<br><b>list</b> 84:19 88:4<br><b>listen</b> 13:5 62:15<br>62:15<br><b>little</b> 18:17<br><b>lobby</b> 12:20<br><b>lobbying</b> 47:16<br><b>local</b> 2:25 3:21<br>5:22,23 7:7,24<br>8:2 25:21,21,23<br>36:20 37:19<br>42:15 49:16<br>59:8 60:21 61:7<br>64:8 72:9 73:7<br>74:5 78:4,13,17<br>79:13 87:15 | <b>localities</b> 63:14<br><b>locally</b> 30:18<br>47:21 68:25<br><b>long</b> 35:25 69:13<br>82:5,13,15<br><b>look</b> 14:14 18:21<br>28:7 78:17<br>79:12<br><b>looking</b> 15:20<br>17:9 19:2 21:24<br>22:3 23:11 59:2<br>63:16<br><b>lost</b> 28:18,18<br><b>lot</b> 20:16,16 26:19<br>27:6 31:4,14<br>75:13 76:7<br>77:13 78:12<br>79:8<br><b>Louisiana</b> 78:10<br><hr/> <b>M</b><br><hr/> <b>maintain</b> 48:15<br><b>major</b> 32:8 49:21<br><b>majority</b> 16:15<br>24:7 25:9 37:13<br>68:9<br><b>makeup</b> 60:5<br>65:12<br><b>making</b> 7:20<br>13:10 83:21<br><b>man</b> 31:9<br><b>mandate</b> 20:22,24<br><b>manipulable</b><br>38:20<br><b>Marcellus</b> 29:20<br>29:21 33:16<br><b>Marconi</b> 2:11 4:9<br>35:8 50:18 66:2<br>84:11<br><b>MARIAN</b> 1:13<br><b>Marin</b> 8:3<br><b>marriage</b> 19:22<br>55:11,18<br><b>matter</b> 24:14<br>36:24 54:18<br>94:7<br><b>matters</b> 51:10 | 73:2,6<br><b>Mattleman-Ka...</b><br>66:15<br><b>Mayor</b> 37:23<br>73:17 78:7<br><b>mayoral-appoi...</b><br>79:2<br><b>mean</b> 16:23 18:8<br>19:18,19 21:13<br>26:18 46:24<br>54:22,24 59:17<br>62:19 65:8,11<br>72:8 78:24<br><b>meaning</b> 74:19<br><b>meaningful</b> 76:12<br><b>meaningless</b><br>74:13<br><b>means</b> 29:17 68:4<br>94:21<br><b>measure</b> 52:22<br>57:12<br><b>measures</b> 55:12<br><b>mechanism</b> 37:10<br>43:17 47:18,23<br><b>mechanisms</b><br>39:16 43:7<br>47:17<br><b>Medicaid</b> 48:4<br><b>meeting</b> 12:22<br>75:21 88:17,23<br><b>meetings</b> 76:17<br><b>member</b> 4:3 24:4<br>78:22 85:4<br><b>members</b> 5:2,6,13<br>6:13,19 11:18<br>14:13 16:10,14<br>36:11 37:3,13<br>38:2,11 66:20<br>67:25 68:9,16<br>75:15 76:16,19<br>77:16 78:14<br><b>men</b> 7:19<br><b>mentioned</b> 66:24<br><b>mere</b> 5:24<br><b>merits</b> 33:25<br><b>mess</b> 28:11<br><b>message</b> 6:3 9:13 |
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|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 9:20 11:9,20,21<br>11:23 12:16<br>21:15,16,18<br>54:7 60:11<br>62:12<br><b>MICHELE</b> 94:14<br><b>mighty</b> 32:16,17<br><b>million</b> 28:8<br>40:11 42:15<br>44:15 48:16,25<br><b>mind</b> 44:10,12<br><b>minds</b> 15:17 87:2<br><b>minority</b> 25:8<br><b>minute</b> 18:2 88:21<br><b>mistake</b> 19:6<br><b>mix</b> 4:7<br><b>moment</b> 53:3<br>64:24<br><b>Monday</b> 42:8<br><b>money</b> 28:24 34:8<br>43:24 47:12<br>85:22<br><b>monies</b> 30:17<br><b>month</b> 6:12,12<br><b>months</b> 23:21<br>28:19<br><b>morning</b> 2:3 4:16<br>4:18 5:2 11:5,23<br>36:10,23 40:23<br>40:24 50:25<br>51:3 58:14<br>66:14 70:9<br>75:10,11 84:25<br>85:3<br><b>motions</b> 88:25<br><b>motivates</b> 26:23<br><b>mounted</b> 62:6<br><b>move</b> 8:16 45:5<br>45:24 53:24<br>89:6,13 90:18<br>91:8 92:4,5<br><b>moved</b> 90:22<br>91:15 92:9,20<br><b>moving</b> 59:8<br>60:24 90:6<br><b>municipalities</b><br>63:17 | <b>MURPHY</b> 94:14<br><b>music</b> 52:17<br><hr/> <b>N</b><br><b>naivete</b> 21:23<br><b>name</b> 5:3 32:9<br>51:5 85:4<br><b>names</b> 38:22<br><b>Nat</b> 86:19,20<br><b>nature</b> 52:21<br><b>nearly</b> 6:2<br><b>necessarily</b> 9:5<br><b>need</b> 17:15 18:3,9<br>18:9 46:21<br>57:12 85:22<br>87:16<br><b>needs</b> 33:19 34:12<br>74:21 88:5<br><b>negotiated</b> 16:25<br><b>neighborhood</b><br>86:3 87:12<br><b>neither</b> 43:19<br><b>never</b> 13:25 31:18<br><b>new</b> 2:20 3:16<br>20:23 25:11<br>60:25 61:2 81:4<br>81:7<br><b>newly</b> 51:7<br><b>news</b> 49:13<br><b>nine</b> 60:16<br><b>nine-member</b><br>37:22<br><b>nominating</b> 37:24<br><b>non-binding</b> 8:10<br>9:3,7,9,14,17<br>14:23 20:10<br>46:7 56:21<br>57:15 62:9 67:9<br>67:16 69:3<br>74:14 89:20<br><b>noted</b> 39:14 90:3<br>90:6<br><b>notes</b> 94:6<br><b>notice</b> 3:9 39:19<br><b>November</b> 15:6<br>53:25 65:5<br>66:19 | <b>nuclear</b> 18:25<br>89:24<br><b>number</b> 14:22<br>15:7 33:16<br>37:13,14 47:18<br>47:23 48:13<br>54:16 60:3<br>76:10 78:9<br><b>numbers</b> 15:13<br>28:7<br><b>Nutter</b> 81:18<br><hr/> <b>O</b><br><b>objections</b> 94:4<br><b>obvious</b> 28:6<br>56:14<br><b>obviously</b> 19:9<br>21:25 23:19<br>35:11,17 45:20<br>47:20 56:10,15<br>57:17 65:4<br><b>Office</b> 39:3<br><b>officers</b> 3:8<br><b>official</b> 14:14,24<br><b>officials</b> 78:14<br><b>oh</b> 62:13 88:16<br><b>okay</b> 14:19 16:2<br>16:18 22:3,5,12<br>65:16 67:3 69:7<br>75:5 81:15<br><b>old</b> 80:17 81:2<br><b>once</b> 8:18 12:14<br>37:9 81:9<br><b>online</b> 38:20<br><b>open</b> 38:17 39:15<br><b>operate</b> 16:22<br><b>opinion</b> 18:19<br>19:8 20:3 46:17<br>56:18,19,21<br>57:21 71:5 73:2<br>73:13,22,25<br>74:3 75:3,15<br>82:7 89:3,18<br><b>opinions</b> 71:3<br>77:14<br><b>opportunity</b> 8:5<br>36:14 40:2,8 | 46:20 55:13<br><b>opposed</b> 55:12<br>77:11 91:2,18<br>92:12<br><b>optimally</b> 68:24<br><b>options</b> 42:22<br>79:9<br><b>ordinance</b> 2:15<br><b>organization</b> 7:5<br>51:8<br><b>organizations</b><br>53:17<br><b>organize</b> 55:13,23<br><b>ought</b> 77:16<br><b>outcry</b> 13:3<br><b>outline</b> 59:6<br><b>outlined</b> 41:10<br>42:19,21 43:23<br>55:5<br><b>outside</b> 22:2<br>61:17<br><b>oversee</b> 76:7<br><b>oversight</b> 39:11<br>39:16<br><b>overwhelmingly</b><br>8:6<br><b>owe</b> 29:11,12<br><b>O'Brien</b> 1:13 2:10<br>27:23,25 28:2<br><hr/> <b>P</b><br><b>pack</b> 47:22<br><b>panel</b> 37:24<br><b>Pardon</b> 70:21<br>77:4 79:22<br><b>parent</b> 38:5<br><b>parents</b> 6:5 7:13<br>8:3 11:16,23<br>15:14 38:6 52:7<br>78:15 86:4<br><b>part</b> 4:22 14:5<br>25:13 32:22<br>35:23 40:25<br>52:3 57:4,7<br>86:13<br><b>participation</b><br>92:25 | <b>particular</b> 24:10<br>87:10<br><b>partnership</b><br>38:16<br><b>parts</b> 60:19 61:20<br><b>pass</b> 59:25 64:23<br>74:22<br><b>passage</b> 69:23<br><b>passed</b> 18:23<br>47:21 67:12<br>86:22<br><b>passes</b> 60:2 64:22<br><b>passing</b> 83:17<br><b>path</b> 61:6<br><b>Pause</b> 88:18<br><b>pay</b> 29:3 52:19<br><b>paying</b> 31:23<br><b>PCAPS</b> 5:13 7:3<br><b>Pennsylvania</b> 1:6<br>2:22 3:18 10:3<br>49:12 51:6<br>63:15<br><b>people</b> 8:14 9:6<br>12:4 13:11<br>14:19 15:2 17:2<br>18:4 25:19 26:2<br>26:6,14,15,21<br>26:22,23 27:6<br>27:16 29:11,18<br>31:23 32:24<br>33:9,11 34:4<br>35:13 41:5<br>52:11 55:11,14<br>55:22 57:17,18<br>60:3 61:15<br>62:17 66:8 67:2<br>71:12,17,20,23<br>72:5,19,22 73:3<br>73:6,7,14,23<br>75:2 76:8,10<br>77:13 79:10<br>81:19,20,23<br>82:5,6,11 83:8<br>86:15 92:23<br><b>people's</b> 89:18<br><b>percent</b> 6:2 43:4<br>76:22 |
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| <b>Perez</b> 52:23<br><b>periodic</b> 39:18<br><b>person</b> 9:8 51:21<br>67:24<br><b>personal</b> 29:25<br>56:18 78:21<br>89:3<br><b>personally</b> 19:15<br>55:16<br><b>personnel</b> 38:21<br><b>petition</b> 3:2,22<br>53:4,10,19<br>68:23 89:6<br><b>petitions</b> 8:2<br>14:15 56:6<br><b>PFT</b> 5:12 8:18<br>37:12 49:10<br><b>Philadelphia</b> 1:2<br>1:6 2:17,18,22<br>3:14,18 5:5,15<br>6:5,22 8:14 9:18<br>11:17,19,24<br>12:5,24 15:15<br>15:16 16:17<br>18:8 20:21<br>21:17 26:19<br>37:6 48:10<br>51:12 53:13,23<br>55:19,24 59:9<br>60:20 61:11,15<br>61:18 62:11,13<br>62:14 78:23<br>86:11<br><b>Philadelphians</b><br>5:18,21 7:6,23<br>12:25 22:4<br>36:17 52:14<br>54:4 60:12,14<br>67:17<br><b>Philadelphia's</b><br>2:25 3:21 6:24<br><b>Philly</b> 12:8 51:22<br><b>philosophical</b><br>60:6<br><b>Philpot</b> 84:13,23<br>85:3,4,7 88:2<br><b>phone</b> 46:24,25 | 77:9<br><b>pick</b> 46:25 77:9<br><b>picture</b> 30:9<br><b>piece</b> 16:3 57:23<br>57:23<br><b>PIT</b> 29:25<br><b>Pittsburgh</b> 48:11<br><b>place</b> 81:7<br><b>places</b> 49:18<br><b>plaguing</b> 6:17<br><b>plate</b> 32:7 46:15<br><b>play</b> 76:12<br><b>played</b> 33:4<br><b>playing</b> 32:21<br><b>please</b> 2:6,11 4:9<br>4:10,24 22:18<br>35:8 40:9 50:23<br>67:4 84:25<br><b>pleased</b> 53:20<br><b>plus</b> 89:5<br><b>point</b> 24:13 27:19<br>32:11 37:17<br>45:14 46:13<br>71:13<br><b>pointing</b> 88:9<br><b>poker</b> 32:21<br><b>policies</b> 51:18<br><b>policy</b> 66:16 71:6<br>76:5<br><b>policymakers</b><br>30:13<br><b>political</b> 15:24<br>17:25<br><b>politics</b> 60:17<br><b>poll</b> 15:12 18:19<br>75:20<br><b>polls</b> 15:6,18 18:4<br>18:12 20:13<br><b>populations</b> 48:12<br><b>portion</b> 44:16<br><b>pose</b> 40:2 57:9<br><b>posed</b> 41:6<br><b>position</b> 42:20<br>43:14 44:4 45:4<br>45:8 46:2 65:9<br><b>positive</b> 26:25<br><b>possess</b> 38:11 | <b>possibly</b> 28:15<br>52:9 60:22<br><b>posted</b> 38:18<br><b>poverty</b> 33:19<br><b>power</b> 79:4<br><b>powerful</b> 6:3 8:11<br>22:6 52:22,25<br>83:23<br><b>powers</b> 39:12<br><b>precisely</b> 41:20<br><b>prescribing</b> 3:6<br><b>present</b> 1:9 24:5,8<br>89:4<br><b>presented</b> 3:3<br><b>preserve</b> 49:3<br><b>President</b> 39:22<br>41:25 42:5<br>66:15 67:13<br>78:22<br><b>press</b> 12:11<br><b>primary</b> 21:11<br><b>principals</b> 78:14<br><b>priorities</b> 54:9<br><b>prioritized</b> 86:10<br><b>probably</b> 19:3,6<br>89:10 90:4<br><b>problem</b> 18:5,14<br>18:18 29:16<br>30:3,4 44:5<br><b>problems</b> 9:2<br>85:16<br><b>proceed</b> 4:24<br>50:24 85:2<br><b>proceedings</b> 94:4<br><b>process</b> 8:16 9:22<br>12:9 14:14<br>34:17 51:19<br>53:21 55:4 61:7<br>63:13 65:14<br>68:20<br><b>proclamation</b><br>14:24<br><b>produce</b> 32:2<br><b>product</b> 32:2,3<br><b>programs</b> 52:17<br><b>progressive</b> 51:8<br><b>projects</b> 26:12 | <b>propaganda</b><br>31:15<br><b>proposed</b> 3:2,22<br>9:4 48:18,24<br><b>protect</b> 74:13<br><b>protest</b> 52:17<br><b>proud</b> 32:19<br><b>provide</b> 6:8 39:24<br>43:18<br><b>provided</b> 7:2<br>37:10<br><b>providing</b> 2:15,21<br>3:17<br><b>provisions</b> 39:19<br><b>public</b> 6:22 12:24<br>13:3 26:10<br>31:19 34:17<br>37:6 38:6 39:12<br>47:10 49:6 63:2<br>63:5 67:20,25<br>75:23 76:4,13<br>85:13 86:6,11<br>88:14,17,22<br>94:15<br><b>publicly</b> 37:8<br>42:14<br><b>publish</b> 3:9<br><b>purpose</b> 3:6 13:16<br>14:5,16 67:18<br><b>pursue</b> 43:8<br><b>pursuing</b> 47:18<br><b>put</b> 8:9 27:8 32:10<br>32:23,24 34:9<br>36:23 37:8<br>44:17 53:21,24<br>55:6 62:8 66:18<br>78:6 81:7 89:20<br><b>putting</b> 33:12<br>57:14,23 68:3<br>87:14 | 36:6 41:6,19<br>44:13 45:8,24<br>47:14 49:25<br>53:25 54:12,16<br>54:18 55:10<br>57:10,14,17,19<br>58:15 59:22<br>63:21,24,25<br>64:18,21 66:10<br>66:18 67:12,21<br>69:3,4 72:4 73:8<br>74:17,22 82:17<br>82:18,20,25<br>83:18<br><b>questionable</b> 52:2<br><b>questions</b> 4:8 8:21<br>17:23 24:9 25:3<br>34:23 39:14<br>40:3 41:22 46:6<br>50:4 55:2,7<br>56:22,24 57:15<br>65:18 67:8<br>74:16 81:14,15<br>84:4 87:21<br>90:12<br><b>quick</b> 54:12<br><b>quit</b> 79:17<br><b>quite</b> 14:10<br><b>quorum</b> 2:7<br><b>quote</b> 38:2 87:7 |
| <b>R</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>race</b> 18:2 20:14<br>20:19 25:11<br>27:16 59:3<br><b>raise</b> 28:16,24<br>29:19 30:2,17<br>43:3 56:25<br>67:23<br><b>raised</b> 20:7<br><b>raises</b> 17:22<br><b>raising</b> 42:24<br>43:21<br><b>rally</b> 7:11<br><b>range</b> 42:22<br><b>read</b> 2:12 9:7<br>22:14 77:13                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Q</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>qualified</b> 2:16<br><b>question</b> 3:7 5:23<br>6:23 9:4,8,12,24<br>11:12 19:21<br>24:21 35:17,21                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

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|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 86:18<br><b>reading</b> 48:11<br>86:17 91:12,24<br><b>real</b> 6:16 53:13<br><b>reality</b> 21:5 30:19<br><b>really</b> 8:13 12:2<br>13:25 16:4,24<br>20:21 21:17,20<br>23:8 35:15<br>45:16 48:14<br>50:9 57:19<br>62:14 73:9<br>84:12 87:16<br><b>rebellion</b> 86:19,21<br><b>recalling</b> 62:24<br><b>receive</b> 32:3<br><b>received</b> 7:25<br><b>recognition</b> 14:11<br><b>recognize</b> 8:8<br>24:4 45:3 86:5,6<br>88:24<br><b>recognizes</b> 90:15<br><b>recommend</b><br>37:14 54:2<br><b>recommendation</b><br>89:12,13 91:10<br>91:23 92:17,21<br><b>recommendatio...</b><br>37:24<br><b>recommended</b><br>92:19<br><b>record</b> 4:20,22<br>8:25 18:14 27:8<br>35:23 44:14<br>45:4 56:4 63:24<br>64:2 85:2 89:2<br>90:4,6<br><b>reductions</b> 42:23<br><b>reelected</b> 21:8<br><b>Referenda</b> 2:19<br>3:15<br><b>referendum</b> 9:15<br>13:10 23:7<br>61:16 63:13<br><b>referendums</b><br>74:14<br><b>referring</b> 42:4 | <b>reflect</b> 38:2 59:9<br><b>reform</b> 2:24 3:20<br>6:15 10:5,7<br>36:13 51:16<br>52:3 64:6 68:10<br>78:9<br><b>reforms</b> 78:10<br><b>regarding</b> 5:8,17<br>22:25 44:15<br><b>regardless</b> 14:22<br><b>registered</b> 53:7<br><b>reimbursement</b><br>48:5,7<br><b>reinforce</b> 48:23<br><b>reject</b> 51:18<br><b>related</b> 80:14<br>89:23<br><b>relationship</b> 26:9<br>26:13<br><b>release</b> 6:25<br><b>released</b> 38:23<br><b>remaining</b> 5:24<br><b>remarks</b> 8:23<br>40:6<br><b>remember</b> 63:4<br>69:23<br><b>remove</b> 67:14<br><b>repeat</b> 66:7<br><b>repeated</b> 9:16<br>66:7<br><b>report</b> 7:2<br><b>reported</b> 91:9,22<br>92:15<br><b>reporter</b> 94:23<br><b>reports</b> 39:19<br><b>represent</b> 5:7<br>26:16 61:22<br>71:12 72:16<br><b>representative</b><br>34:3 38:4<br><b>Representatives</b><br>12:13<br><b>representing</b> 5:4<br><b>represents</b> 71:3,4<br>71:5 72:19<br><b>reproduction</b><br>94:20 | <b>republican</b> 32:9<br>59:16<br><b>request</b> 40:8<br>41:16,21 42:11<br>42:14 44:6<br>46:22 68:8<br><b>requests</b> 41:13<br>42:2<br><b>require</b> 43:19<br><b>required</b> 54:16<br><b>reservations</b><br>23:18<br><b>residents</b> 5:15 6:6<br>7:13 11:19<br>15:16 20:22<br>49:12<br><b>resolution</b> 1:15<br>2:12 3:4,11,11<br>5:9 24:7 36:16<br>62:9 74:23 92:5<br>92:15,19<br><b>resonating</b> 31:10<br><b>resources</b> 6:18<br>32:3 34:11 37:2<br>85:14 86:13<br><b>respect</b> 19:3 27:9<br>82:5 83:13,17<br>89:5,17<br><b>respectfully</b> 35:23<br><b>respecting</b> 58:6,7<br><b>respondents</b> 5:22<br>6:2<br><b>response</b> 4:5<br>34:25 39:14<br>44:14 50:6<br>65:20 84:5,21<br>87:23 88:6<br>90:13 91:3,19<br>92:13<br><b>responses</b> 41:22<br><b>responsibility</b><br>29:7,9 32:13,15<br>74:12<br><b>responsible</b> 29:10<br>47:9,9<br><b>restore</b> 52:15<br><b>results</b> 5:20 20:20 | <b>return</b> 2:25 3:21<br>7:6 36:20 37:18<br>74:5 79:13<br>81:12<br><b>returned</b> 5:21<br>64:7<br><b>revenue</b> 37:9<br>42:23<br><b>revert</b> 24:19<br>64:11 74:18<br>82:19,21,24<br>83:3,22<br><b>revocation</b> 10:16<br><b>rhetorical</b> 46:8<br><b>right</b> 11:2 16:6,7<br>16:7 20:15<br>23:14 24:18<br>29:16 30:21<br>37:4 39:6 45:10<br>55:6 56:11 65:5<br>65:7,9,10,17<br>66:25 81:24<br>83:10,24 89:22<br><b>risk</b> 17:5 23:20<br><b>road</b> 19:7 29:17<br><b>role</b> 76:12<br><b>Ron</b> 52:23<br><b>room</b> 1:6 51:21<br>52:11,24<br><b>RPR-Notary</b><br>94:15<br><b>rule</b> 2:19 3:14<br>10:2 24:14<br>64:12 67:9<br>74:19 82:24,25<br>83:2,3,22 89:23<br><b>rules</b> 91:11,23<br><hr/> <b>S</b><br><hr/> <b>safe</b> 87:6<br><b>salaries</b> 38:23<br><b>sales</b> 52:15<br><b>sand</b> 29:8<br><b>sarcastic</b> 45:15<br><b>sat</b> 82:9<br><b>saying</b> 10:20<br>11:24 14:19 | 17:13 19:23<br>22:3 23:14<br>25:20 26:7<br>27:13 44:7<br>45:25 62:22<br>64:11 80:4<br><b>says</b> 80:11<br><b>scenario</b> 49:23<br><b>school</b> 2:24 3:20<br>6:14,17,22,24<br>10:5,6 15:15<br>23:3 26:8,9,11<br>26:16 30:6 34:2<br>35:18 36:3,13<br>36:25 38:7<br>45:18 49:15<br>51:13,16 52:3<br>52:16 61:19,22<br>62:4,7 63:5 64:5<br>64:6 65:2 67:20<br>68:4,10 78:2,23<br>79:2,6 80:15<br>83:4 86:11<br>87:11<br><b>schools</b> 3:2,22<br>5:17,19,21 7:6<br>7:16 8:4,7 10:18<br>23:5 26:10,15<br>26:16 36:2,20<br>37:6 46:11<br>49:20 51:22<br>52:5,13,20<br>53:14 59:9<br>60:21 63:17<br>68:25 74:5<br>79:12 80:2<br>85:13,15,17<br>86:3,10 87:8,10<br><b>schoolyard</b> 11:22<br><b>scoped</b> 39:20<br><b>searchable</b> 38:20<br><b>seats</b> 31:7<br><b>second</b> 21:4<br><b>seconded</b> 90:20<br>90:22 91:13,15<br>92:7,9<br><b>Secretary</b> 37:15 |
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| 61:2 68:7,14<br><b>section</b> 2:21 3:16<br>36:19<br><b>securing</b> 37:4<br>46:10<br><b>see</b> 16:18 26:14<br>27:15 45:15<br>87:3<br><b>seeing</b> 4:6 35:2<br>50:7 84:6 85:10<br>88:7 90:14<br><b>seek</b> 47:12<br><b>seen</b> 31:19 32:17<br><b>sees</b> 14:8<br><b>sell</b> 25:13<br><b>Senators</b> 12:14<br><b>send</b> 9:20 12:16<br>21:14,16 54:7<br><b>sends</b> 21:18 60:10<br>62:12<br><b>sent</b> 44:8,10<br><b>sentence</b> 56:13<br><b>sentiment</b> 71:25<br><b>sentiments</b> 67:17<br>68:22 71:9<br>76:15<br><b>September</b> 28:20<br>89:15 90:8<br><b>serve</b> 13:15 14:16<br><b>session</b> 91:12,25<br><b>set</b> 51:15 83:8,10<br><b>setting</b> 12:21<br><b>seven</b> 53:8<br><b>Seventy</b> 66:17<br>67:7 68:24<br>69:15 71:10<br>72:17 76:12<br>77:20<br><b>Shale</b> 29:20,21<br>33:16<br><b>shape</b> 51:22<br><b>share</b> 17:23<br><b>shares</b> 67:7<br><b>short</b> 88:15<br><b>show</b> 26:3<br><b>showing</b> 20:21<br><b>signatures</b> 7:9,25 | 9:16 12:7 13:7<br>13:14 19:12,17<br>53:7,10,19<br>54:16 57:11<br>58:7<br><b>signed</b> 14:20 89:6<br><b>significant</b> 39:11<br><b>simple</b> 83:23<br><b>simply</b> 64:5<br><b>single</b> 51:20 76:19<br><b>Sipp</b> 50:20,25<br>51:4,6,12 54:19<br>54:21,24 55:9<br>55:16 56:10<br>57:8 58:18,23<br>60:9 61:5,12,19<br>62:3 63:11 64:9<br>64:13 65:10,23<br><b>sitting</b> 31:7 52:18<br><b>six</b> 23:21 33:5<br><b>slave</b> 86:20<br><b>slaves</b> 86:23<br><b>slowly</b> 18:18<br><b>sneak</b> 40:15<br><b>solid</b> 29:5<br><b>solve</b> 30:3 40:4<br><b>solving</b> 6:16<br><b>somebody</b> 33:6<br><b>soon</b> 88:17<br><b>Sophie</b> 35:9,14<br>36:12<br><b>sorry</b> 22:18,19,23<br>80:20 88:9,11<br>92:17,18<br><b>sort</b> 21:2 23:10<br>40:7 46:7 48:21<br>59:7<br><b>sound</b> 9:5<br><b>sounds</b> 21:10<br><b>speak</b> 12:14 50:13<br>72:8,13,14<br><b>special</b> 3:5,10<br>33:19<br><b>specific</b> 20:6 42:2<br><b>specifically</b> 42:4<br>66:9<br><b>spending</b> 47:25 | 48:17<br><b>spent</b> 23:21 52:5<br>60:16<br><b>spoke</b> 41:6<br><b>spokesperson</b><br>13:24<br><b>sponsor</b> 24:6<br><b>sponsored</b> 81:17<br><b>sponsors</b> 19:4<br><b>spring</b> 53:18<br><b>SRC</b> 5:25 6:7,11<br>6:24 7:12 10:13<br>11:7 17:8 24:18<br>36:13 37:3,9,11<br>37:13,16 38:11<br>38:14 39:8,15<br>39:22 41:15<br>42:13 43:13,16<br>43:23,25 45:4,7<br>47:11,14 51:18<br>57:20 65:13<br>80:12 81:5 85:8<br>85:12,18,24<br>86:14 87:12,15<br><b>stable</b> 10:15 37:9<br><b>staff</b> 36:12 52:8<br>53:16 87:9<br><b>stakeholders</b><br>78:12<br><b>Stalberg</b> 70:16<br>72:15<br><b>stand</b> 21:2 54:9<br><b>stands</b> 76:24<br><b>start</b> 12:2<br><b>started</b> 7:10 11:13<br>13:23 19:7 31:6<br>53:4<br><b>state</b> 11:8 12:13<br>12:17,21 13:14<br>16:16 18:13<br>36:19 37:10,15<br>47:7 48:2,6<br>49:18 51:14,25<br>52:13 59:14,18<br>60:19 61:20<br>62:7,12 63:8,14<br>69:2 78:13 | 80:10,11 81:22<br>82:8,16 89:2<br><b>stated</b> 13:12<br>45:20 89:16<br><b>statement</b> 4:4 6:4<br>8:11 46:8 83:21<br>83:23,24,24<br><b>statements</b> 4:23<br>21:11 71:8<br>75:14<br><b>statewide</b> 28:23<br>30:4 59:21<br><b>state's</b> 32:13 39:6<br>47:9 52:4<br><b>state-level</b> 60:17<br><b>stating</b> 28:6<br><b>stay</b> 9:25 52:7<br>65:8<br><b>steadily</b> 11:14<br><b>Steel</b> 8:3<br><b>stenographic</b> 94:6<br><b>step</b> 6:21 17:14,14<br>58:17,18,21<br>83:18<br><b>stepped</b> 32:7,16<br>32:16<br><b>steps</b> 33:14<br><b>stick</b> 35:20,24<br><b>stop</b> 77:18,21<br><b>story</b> 30:10<br><b>straight</b> 49:20<br>56:5<br><b>strategy</b> 59:2,7,13<br>59:17<br><b>street</b> 52:18 54:6<br><b>strings</b> 16:20<br><b>stripped</b> 85:14<br><b>strong</b> 9:20 12:17<br>21:15,16,18<br><b>stronger</b> 62:12<br>86:21<br><b>strongly</b> 21:10<br>53:24<br><b>structure</b> 5:25<br>41:4 64:4 79:20<br>79:24 80:7,10<br>80:14 81:2,4,5,7 | 81:21,25 82:12<br>83:8,10<br><b>struggle</b> 34:13,14<br><b>struggling</b> 6:9<br><b>student</b> 38:7<br><b>students</b> 15:9<br>52:8 85:9,20<br>86:8,12<br><b>stuff</b> 9:6 18:25<br><b>subject</b> 39:2<br><b>submission</b> 2:15<br>3:4<br><b>submitted</b> 4:20<br>56:6<br><b>submitting</b> 3:12<br><b>subsequent</b> 64:20<br><b>substantive</b> 65:7<br><b>sub-allocated</b><br>44:20<br><b>sufficient</b> 37:2,5<br><b>suggest</b> 55:22<br>83:5<br><b>suggesting</b> 64:3,6<br><b>suggests</b> 74:18<br><b>summarize</b> 4:23<br><b>Superintendent</b><br>76:9<br><b>superintendents</b><br>76:8<br><b>supervision</b> 94:22<br><b>support</b> 6:8 42:24<br>43:8 52:7 53:24<br>87:14 89:4<br><b>supported</b> 85:11<br><b>supportive</b> 13:21<br>47:20<br><b>supposed</b> 44:17<br><b>supposition</b> 55:10<br><b>sure</b> 11:20 15:22<br>17:4,16 18:6<br>19:13 46:11<br>55:20<br><b>survey</b> 5:20 6:25<br>7:24 11:18<br><b>surveys</b> 5:14,15<br>12:2,12<br><b>suspension</b> 91:11 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 91:23<br><b>symbolic</b> 52:21<br>53:2<br><b>symbolically</b> 34:4<br><b>system</b> 80:18<br>85:13<br><b>systems</b> 85:11                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>tax</b> 29:25 32:18<br>33:16 42:24<br>47:22 48:4<br>49:16<br><b>taxes</b> 43:3,21<br><b>taxing</b> 25:17 79:5<br><b>teacher</b> 22:10<br><b>teachers</b> 5:5 52:7<br>52:16<br><b>tell</b> 30:9,15 44:7<br>46:17 56:14<br><b>template</b> 48:22<br><b>tens</b> 60:11<br><b>terms</b> 25:19 41:7<br>41:9,12,12<br>42:11 44:6 49:5<br>68:17,18<br><b>testified</b> 49:10<br><b>testify</b> 6:13 8:18<br>14:9 51:5 71:8<br>84:20 88:4,5<br><b>testimony</b> 4:21,21<br>35:22 41:11<br>58:15 60:10<br>66:9 70:10,17<br>70:20,24 73:16<br>77:25 78:11<br>83:11 84:24<br>87:20<br><b>thank</b> 3:24 4:24<br>5:7 8:17,20,22<br>8:23 17:18,19<br>17:20 24:22,23<br>24:25 25:7<br>27:20,24 28:2<br>30:23 31:2<br>34:19,21 35:3,3<br>35:5,6 36:6<br>40:12,14,21<br>44:22,23 47:4<br>49:24,25 50:2<br>50:14,16,17<br>51:4 58:13,14<br>63:19 64:14,16<br>65:21,22,23<br>66:11 67:5 69:8<br>69:11 70:3,4,7 | 75:4 82:14<br>83:11,25 84:7,8<br>84:9 87:17,19<br>87:24 88:2,13<br>90:17 91:7 92:3<br>92:24<br><b>theoretically</b> 61:2<br>61:5<br><b>thing</b> 21:14 24:18<br>31:22 62:17<br>89:10<br><b>things</b> 16:23<br>18:24 22:11<br>25:15 26:5 30:2<br>31:11,17,18<br>33:20<br><b>think</b> 9:8,12,21<br>11:12,25 12:5,6<br>12:15,18,23<br>13:17 14:4,10<br>14:15,17,22<br>15:10 16:7 17:3<br>17:5,8 18:20<br>19:2,5,6 20:6,15<br>21:5,9,18,20,25<br>22:25 23:6,19<br>26:17,20,23<br>31:21 32:4<br>33:11 34:15<br>36:22 41:4,7,9<br>41:18 43:16,25<br>46:4,5 49:7,14<br>51:20 54:15,17<br>56:18 58:9<br>60:10,15 63:24<br>64:22 65:14<br>66:24 67:10,21<br>68:19 72:10<br>73:2,5,8 74:6,8<br>74:17 75:19,22<br>75:23,25 76:18<br>76:22 77:15<br>79:9 81:9 83:13<br>83:14,17 84:18<br>87:7 89:21<br><b>thinking</b> 27:7<br>68:2 77:17 | <b>Thirty-eight</b> 41:5<br><b>thought</b> 72:10<br><b>thoughts</b> 4:7<br><b>thousand</b> 41:5<br>60:14<br><b>thousands</b> 60:11<br><b>three</b> 6:19 33:14<br>33:15 47:17<br>48:13 68:16<br><b>throw</b> 19:17 20:4<br><b>time</b> 11:18 14:10<br>18:16 22:4 35:4<br>35:6 44:3,3<br>46:16 82:5 89:5<br><b>times</b> 14:17<br><b>title</b> 2:12<br><b>titles</b> 38:22<br><b>today</b> 2:13 5:8<br>6:10 7:2 19:18<br>35:16 36:15<br>50:10 52:25<br>53:15 69:3 89:7<br>92:24<br><b>today's</b> 53:21<br><b>Tom</b> 21:9 68:13<br>68:13 78:4<br><b>tomorrow</b> 40:10<br><b>tools</b> 39:24<br><b>top</b> 18:10<br><b>topic</b> 36:22 49:21<br><b>totally</b> 63:12<br><b>tough</b> 32:18<br><b>training</b> 38:4,7<br><b>transcript</b> 94:8,20<br><b>transmitted</b> 42:8<br><b>transparent</b><br>38:15<br><b>trick</b> 33:4<br><b>tried</b> 55:18<br><b>trigger</b> 57:11<br><b>troops</b> 67:14<br><b>trouble</b> 20:15<br><b>true</b> 6:23 94:7<br><b>truth</b> 24:13 30:10<br>30:15<br><b>try</b> 35:19 48:15<br>49:17 55:14 | <b>trying</b> 9:25 13:21<br>26:4 35:15<br>45:14,15,16,21<br>45:22 48:23<br>50:9,11,12<br>56:25 69:22<br>83:9<br><b>Tuesday</b> 53:5<br><b>turmoil</b> 63:4<br><b>turn</b> 26:22 27:18<br><b>turned</b> 7:10<br><b>Turner</b> 86:19,21<br><b>turning</b> 18:18<br>27:17<br><b>turnout</b> 27:14<br><b>two</b> 20:12 22:23<br>31:7 37:15 43:7<br>43:11 47:23<br>59:10 70:19,23<br>71:3 74:16<br>85:10 |
| <b>T</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>table</b> 4:14 50:22<br>66:5 84:16<br><b>take</b> 7:23 8:20<br>10:15 11:9<br>13:13 17:5<br>32:18 33:15,20<br>42:20 43:2<br>46:16 54:5 61:6<br>81:23 88:15<br><b>taken</b> 45:8 51:14<br>61:21 63:18<br>75:20 94:6<br><b>takeover</b> 69:18,25<br>82:8,17<br><b>takes</b> 7:16<br><b>talk</b> 35:12 36:15<br>46:20 76:15,25<br><b>talked</b> 11:22<br>37:12 54:13<br>86:4<br><b>talking</b> 11:14<br>15:8,13 17:6<br>29:3 35:25<br>73:20 88:11<br><b>Tasco</b> 1:13 2:9<br>11:3,6 13:6,9,20<br>15:19,23 16:8<br>16:13 17:18<br>20:7 22:13,19<br>40:20 45:3 47:6<br>47:7 49:4,22<br>58:12,13,20<br>59:24 61:9,13<br>61:25 62:5 75:8<br>75:9,12,18 77:2<br>77:5,12<br><b>task</b> 53:12 73:18<br>73:20 78:5,7 | <b>U</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>underfund</b> 86:3<br><b>underfunded</b><br>87:8<br><b>underfunding</b><br>6:18<br><b>undergoing</b> 39:5<br><b>understand</b> 7:14<br>10:6 13:19<br>17:13 23:18,24<br>33:23 45:17<br>53:11 56:17,23<br>67:24 71:7<br><b>understanding</b><br>10:8,11,21 55:4<br>64:25<br><b>understands</b> 9:9<br><b>unfolds</b> 30:10<br><b>unfortunate</b><br>32:22<br><b>unheard</b> 13:2<br><b>unified</b> 30:16<br><b>unintended</b> 15:21<br><b>uninterested</b> 6:15<br><b>union</b> 78:14                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                     |

|                          |                          |                          |                         |                         |
|--------------------------|--------------------------|--------------------------|-------------------------|-------------------------|
| <b>United</b> 74:24 85:5 | 19:23 20:22              | 25:14,15 28:7            | 23:20 75:3              | <b>11:25</b> 93:3       |
| <b>units</b> 79:8        | 24:3 25:11,20            | 28:18 29:3,4             | <b>wouldn't</b> 23:21   | <b>14</b> 43:11,23      |
| <b>unsympathetic</b>     | 25:21,23 26:6            | 30:16,21 34:14           | 59:6 76:20              | <b>140514</b> 1:15 2:14 |
| 68:21                    | 26:14 28:12,23           | 39:5 45:22 46:8          | <b>write</b> 70:10,11   | 3:1 4:1 5:1,9 6:1       |
| <b>urge</b> 54:2 66:17   | 40:7 41:19 44:7          | 47:2 48:22 49:8          | <b>writing</b> 41:17,21 | 7:1 8:1 9:1 10:1        |
| <b>use</b> 13:24         | 55:23 59:6               | 58:8,8 67:21             | 44:9,18 70:16           | 11:1 12:1 13:1          |
| <b>U.S</b> 67:13         | 62:21 63:25              | 70:16 72:3 76:2          | <b>written</b> 4:21     | 14:1 15:1 16:1          |
|                          | 72:9 73:7,9              | 89:22                    | 77:25                   | 17:1 18:1 19:1          |
| <b>V</b>                 | 78:16 81:12,23           | <b>we've</b> 13:23 18:16 | <b>wrong</b> 19:7 30:9  | 20:1 21:1 22:1          |
| <b>various</b> 10:12     | 83:22 90:3,5             | 32:14 46:4               | 44:12 64:25             | 23:1 24:1 25:1          |
| 39:19 53:17              | <b>wanted</b> 11:15      | 48:25 54:5,13            | 92:18                   | 26:1 27:1 28:1          |
| <b>Vice</b> 2:8 66:15    | 19:21 27:7               | <b>whatsoever</b> 69:5   | <b>X</b>                | 29:1 30:1 31:1          |
| <b>viewpoints</b> 60:18  | 43:24 60:12              | <b>whisper</b> 7:10      | <b>X</b> 80:18,19,23    | 32:1 33:1 34:1          |
| <b>views</b> 27:8 60:7   | 77:24 79:11              | <b>Whitehorn</b> 52:23   | <b>Y</b>                | 35:1 36:1 37:1          |
| <b>VIII</b> 2:18 3:13    | <b>wants</b> 14:12 50:13 | <b>whoa</b> 66:22,22,22  |                         | 38:1 39:1 40:1          |
| <b>violence</b> 87:9     | 84:20                    | <b>WILLIAM</b> 1:10      |                         | 41:1 42:1 43:1          |
| <b>Virginia</b> 86:23    | <b>war</b> 89:24         | <b>willingness</b> 8:16  | <b>year</b> 28:17,25    | 44:1 45:1 46:1          |
| <b>voice</b> 17:2 51:10  | <b>warheads</b> 18:25    | <b>Wilson</b> 1:11 31:8  | 29:2,15,22              | 47:1 48:1 49:1          |
| <b>voices</b> 8:13 11:16 | 89:25                    | <b>wind</b> 33:6 34:10   | 30:18,18,18             | 50:1 51:1 52:1          |
| 12:25                    | <b>wasn't</b> 7:22 27:13 | <b>wins</b> 21:6         | 39:4,23 42:16           | 53:1 54:1 55:1          |
| <b>volunteers</b> 53:16  | 50:11                    | <b>winter</b> 5:12       | 46:12,22 48:21          | 56:1 57:1 58:1          |
| <b>vote</b> 10:13,21     | <b>way</b> 10:6 17:3     | <b>wisdom</b> 32:8       | 52:6,10 69:24           | 59:1 60:1 61:1          |
| 26:3,21,23,24            | 21:7 25:9 29:16          | <b>witness</b> 4:10,13   | <b>years</b> 19:5 28:22 | 62:1 63:1 64:1          |
| 36:17 37:8               | 30:21 32:2,8,14          | 4:13 24:10 35:8          | 30:5 31:6,20            | 65:1 66:1 67:1          |
| 51:13 54:4               | 32:16,17 33:11           | 50:21 64:20              | 32:7 33:5 49:21         | 68:1 69:1 70:1          |
| 55:14 60:3               | 46:2 59:18 68:6          | 66:4,4 84:15,15          | 51:24 60:16             | 71:1 72:1 73:1          |
| 61:18 74:10              | 72:11 77:8,17            | 87:22                    | <b>year's</b> 48:22     | 74:1 75:1 76:1          |
| <b>voted</b> 3:7 8:5     | 78:18,19 89:22           | <b>witnesses</b> 4:3,8   | <b>yes/no</b> 36:4      | 77:1 78:1 79:1          |
| 55:21 60:14              | 89:22                    | 35:13 50:21              | <b>yielded</b> 78:9     | 80:1 81:1 82:1          |
| 81:19                    | <b>ways</b> 10:12 46:7   | <b>Wolf</b> 21:9 68:13   | <b>York</b> 48:10       | 83:1 84:1 85:1          |
| <b>voter</b> 51:13       | 58:3,4 59:11             | 78:4                     | <b>Z</b>                | 86:1 87:1 88:1          |
| <b>voters</b> 2:20 3:16  | 60:22 63:16              | <b>women</b> 7:20        | <b>Zack</b> 69:20,20    | 89:1 90:1,19            |
| 15:6,12 51:15            | <b>Wednesday</b> 1:7     | <b>word</b> 77:14,15     | 70:16 71:7              | 91:1,9,21 92:1          |
| 51:17 53:8,23            | <b>week</b> 49:14 76:16  | <b>words</b> 31:10,10    | 72:14 75:13,24          | 93:1                    |
| 55:24 59:20              | <b>weeks</b> 38:24       | <b>work</b> 7:3 40:3     | 76:17                   | <b>140527</b> 1:15 3:11 |
| 63:16                    | 43:11 53:8               | 50:17 55:20              | <b>\$</b>               | 5:9 92:5,15,19          |
| <b>votes</b> 32:18       | <b>week's</b> 44:3       | 87:4                     |                         | <b>18</b> 1:7           |
| <b>voting</b> 15:3 61:15 | <b>weigh</b> 51:15       | <b>worked</b> 5:13 7:7   | <b>\$2</b> 28:8 47:22   | <b>1831</b> 86:18       |
| 90:8                     | <b>weighing</b> 90:9     | 23:24 53:17              | <b>\$28</b> 40:11       | <b>1950s</b> 82:11      |
| <b>vulnerable</b> 85:20  | <b>welcome</b> 39:9      | <b>working</b> 6:16 7:4  | <b>\$3</b> 28:8         | <b>1971</b> 62:24       |
|                          | <b>went</b> 26:10 81:16  | 23:22 26:5               | <b>\$39</b> 48:15,25    | <b>1980s</b> 78:23      |
| <b>W</b>                 | 86:24                    | 48:14 51:7               | <b>\$440</b> 44:15      | <b>1999</b> 81:8,16,22  |
| <b>W</b> 1:11            | <b>we'll</b> 17:5 28:20  | 60:17,25                 | <b>\$75</b> 42:15       | 82:13 83:9              |
| <b>walking</b> 52:16     | 88:15                    | <b>works</b> 51:9 76:25  | <b>1</b>                | <b>2</b>                |
| <b>want</b> 5:7,21 7:18  | <b>we're</b> 11:20 12:10 | 81:10                    | <b>10:10</b> 1:7        | 2 43:4                  |
| 11:19 13:13,17           | 15:12 18:18              | <b>worse</b> 6:10        | <b>102</b> 5:24,25      | <b>2nd</b> 42:8 44:11   |
| 13:25 14:2 16:3          | 19:16 20:14              | <b>worth</b> 23:19,20    |                         |                         |
| 16:5,19 17:10            |                          |                          |                         |                         |

|                           |                      |  |  |  |
|---------------------------|----------------------|--|--|--|
| <b>2001</b> 6:11 70:2     | 33:1 34:1 35:1       |  |  |  |
| <b>2005</b> 69:16,21,21   | 36:1 37:1 38:1       |  |  |  |
| <b>2007</b> 28:9          | 39:1 40:1 41:1       |  |  |  |
| <b>2009</b> 78:9          | 42:1 43:1 44:1       |  |  |  |
| <b>2012</b> 30:5          | 45:1 46:1 47:1       |  |  |  |
| <b>2014</b> 1:7           | 48:1 49:1 50:1       |  |  |  |
| <b>203</b> 16:14 61:10    | 51:1 52:1 53:1       |  |  |  |
| <b>216</b> 44:16,16       | 54:1 55:1 56:1       |  |  |  |
| <b>25</b> 16:9,13 61:10   | 57:1 58:1 59:1       |  |  |  |
| <b>26</b> 19:5            | 60:1 61:1 62:1       |  |  |  |
|                           | 63:1 64:1 65:1       |  |  |  |
| <b>3</b>                  | 66:1 67:1 68:1       |  |  |  |
| <b>3rd</b> 42:8           | 69:1 70:1 71:1       |  |  |  |
| <b>3,000</b> 5:14 7:23    | 72:1 73:1 74:1       |  |  |  |
| 11:18                     | 75:1 76:1 77:1       |  |  |  |
| <b>3,157</b> 5:22         | 78:1 79:1 80:1       |  |  |  |
| <b>38,000</b> 25:19       | 81:1 82:1 83:1       |  |  |  |
| 71:17,20,22               | 84:1 85:1 86:1       |  |  |  |
| 72:5,22 73:3,6,7          | 87:1 88:1 89:1       |  |  |  |
| 73:13,22 74:25            | 90:1 91:1 92:1       |  |  |  |
| 79:10 89:5                | 93:1                 |  |  |  |
|                           | <b>60</b> 30:8 71:15 |  |  |  |
| <b>4</b>                  | 72:19 75:14          |  |  |  |
| <b>40,000</b> 7:8,25 12:7 | 76:21 77:16          |  |  |  |
| 13:7 14:20                |                      |  |  |  |
| 19:12 53:7                | <b>8</b>             |  |  |  |
| 57:10 58:7                | <b>8th</b> 53:5      |  |  |  |
| <b>400</b> 1:6            |                      |  |  |  |
| <b>46</b> 10:17 23:4      | <b>9</b>             |  |  |  |
| 69:18,23                  | <b>95</b> 76:22      |  |  |  |
| <b>5</b>                  | <b>97</b> 6:2        |  |  |  |
| 5 2:18 3:13               |                      |  |  |  |
| <b>5th</b> 5:11 65:6      |                      |  |  |  |
| <b>500</b> 30:6           |                      |  |  |  |
| <b>6</b>                  |                      |  |  |  |
| <b>6th</b> 65:6           |                      |  |  |  |
| <b>6/18/14</b> 3:1 4:1    |                      |  |  |  |
| 5:1 6:1 7:1 8:1           |                      |  |  |  |
| 9:1 10:1 11:1             |                      |  |  |  |
| 12:1 13:1 14:1            |                      |  |  |  |
| 15:1 16:1 17:1            |                      |  |  |  |
| 18:1 19:1 20:1            |                      |  |  |  |
| 21:1 22:1 23:1            |                      |  |  |  |
| 24:1 25:1 26:1            |                      |  |  |  |
| 27:1 28:1 29:1            |                      |  |  |  |
| 30:1 31:1 32:1            |                      |  |  |  |