

Committee on Law and Government
February 3, 2020

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON LAW AND GOVERNMENT

Room 400, City Hall
1400 John F. Kennedy Boulevard
Philadelphia, Pennsylvania 19107
Monday, February 3, 2020
10:10 a.m.

PRESENT:

COUNCILWOMAN CHERELLE PARKER, CHAIR
COUNCILMAN DEREK S. GREEN, VICE-CHAIR
COUNCILWOMAN HELEN GYM
COUNCILMAN CURTIS JONES, JR.
COUNCILMAN DAVID OH
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ
COUNCILWOMAN CINDY BASS
COUNCILMAN BRIAN O'NEILL
COUNCILMAN MARK SQUILLA

BILLS: 200008 and 200015
RESOLUTIONS: 200042 and 200056

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2 COUNCILWOMAN PARKER: Good
3 morning. This is the public hearing of
4 the City Council Committee on Law and
5 Government. The purpose of this public
6 hearing is to hear testimony on Bill
7 Nos. 200008 and 200015 and Resolution
8 Nos. 200042 and 200056. Bill Nos.
9 200014 and 200017 and Resolution Nos.
10 200055 and 200058 are being held at the
11 request of their sponsors and they will
12 not be heard today.

13 I want to recognize the
14 presence of a quorum of Committee
15 members. Members of the Committee in
16 attendance are Vice-chair Councilman
17 Green. To my left, Councilwoman Helen
18 Gym. To my right, Councilman Jones
19 along with Councilmember David Oh.

20 Councilmember Green,
21 Councilmember Gym, any members of the
22 Committee, does anyone have any
23 comments before we get started?

24 COUNCILWOMAN GYM: I'll do it
25 when our bill gets introduced.

1 COUNCILWOMAN PARKER: Okay.

2 The Clerk will now read the title of
3 the first bill today in resolution
4 being considered.

5 THE CLERK: Bill No. 200015,
6 an Ordinance providing for the
7 submission to the qualified electors of
8 the City of Philadelphia, a proposal
9 set forth in a Resolution approved by
10 Council of an amendment of The
11 Philadelphia Home Rule Charter to
12 revise and clarify rules pertaining to
13 prohibited activities of City officers
14 and employees, including the
15 restrictions on City officials and
16 employees with respect to political
17 activities.

18 And Resolution No. 200056, a
19 Resolution proposing an amendment to
20 The Philadelphia Home Rule Charter to
21 revise and clarify rules pertaining to
22 prohibited activities of City officers
23 and employees, including restrictions
24 on City officials and employees with
25 respect to political activities, and

1 providing for the submission of the
2 amendment to the electors of
3 Philadelphia.

4 COUNCILWOMAN PARKER: Will
5 the Clerk please call the first panel
6 of witnesses to testify?

7 THE CLERK: James Engler,
8 Michael Cooke and Pat Christmas.

9 (Panel approached
10 Witness Table.)

11 COUNCILWOMAN PARKER: Thank
12 you all for being here. Just please
13 state your name for the record and feel
14 free to proceed with your testimony.

15 MR. ENGLER: Good morning,
16 Chairperson Parker and members of the
17 Committee on Law and Government. My
18 name is James Engler, Chief of Staff to
19 Mayor Kenney. I'm here today to
20 testify in support of Bill No. 200015
21 and Resolution No. 200056 which is
22 proposed to amend The Philadelphia Home
23 Rule Charter to revise and clarify
24 rules pertaining to prohibited
25 political activities of certain City

1 officials and employees.

2 The Charter's current
3 restrictions on political volunteering
4 by most employees as well as by unpaid
5 members of many City Boards and
6 Commissions are among the strictest in
7 the nation. This means over 30,000
8 individuals are currently prohibited
9 from expressing political speech by
10 volunteering for a political party or
11 for any political campaign, even when
12 they're off-duty, not on City property
13 and not using their City titles or City
14 resources.

15 Covered City employees and
16 Board and Commission members are banned
17 from volunteering for campaigns
18 anywhere in the country and for any
19 elective office. The proposed
20 amendment would allow individuals to
21 volunteer in nonmanagerial roles in
22 support of candidates for any post
23 except a City office or a
24 Philadelphia-based state office, so
25 long as it is not done while on-duty

1 using City resources while using one's
2 City title.

3 The more restrictive rules on
4 political volunteering currently in
5 place would still apply to those
6 working for the City Commissioners, the
7 District Attorney's Office, the Police
8 Department, the Board of Ethics, and by
9 amendment today the Sheriff's Office.

10 The Administration appreciates the
11 importance of regulating City
12 employees' political activities in
13 order to avoid real or perceived
14 appearances of corruption.

15 Many of the current
16 prohibited political activity rules are
17 untouched by the proposed Charter
18 amendment. For instance, most City
19 employees cannot serve as committee
20 people or ward leaders. No appointed
21 City employees can engage in political
22 fundraising, but almost 70 years after
23 the Home Rule Charter was adopted and
24 after decades of changing an expanded
25 interpretations of political speech,

1 now is the right time to revisit the
2 continuation of these prohibitions.

3 This is particularly
4 important because these restrictions
5 require employees to surrender their
6 basic First Amendment right as private
7 citizens. The proposed Charter change
8 is a sensible balance between
9 preserving and respecting employees'
10 constitutional rights while at the same
11 time keeping political volunteering out
12 of the workplace.

13 If approved by the voters,
14 most City employees and Board and
15 Commission members will be permitted to
16 volunteer in off-city time for
17 candidates for federal offices such as
18 U.S. President, U.S. Congress,
19 Pennsylvania statewide offices such as
20 the governor, lieutenant governor,
21 attorney general, treasurer, auditor
22 general and the Superior, Commonwealth
23 and Supreme courts and non-Philadelphia
24 seats in the General Assembly. They
25 could also volunteer for candidates

1 running in races outside of
2 Pennsylvania.

3 With the remaining
4 prohibitions in place, the City's
5 political activity restrictions
6 will still remain amongst the strongest
7 in the country. The Administration's
8 confident that the balance struck here
9 poses little risk of undue political
10 influence and the increased penalties
11 for noncompliance will provide an
12 additional deterrent. Thank you for
13 providing me the opportunity to testify
14 on this important issue and I am happy
15 to answer any questions you may have.

16 MR. COOKE: Good morning,
17 Chair Parker, Vice-chair Green, members
18 of the Committee. My name is Michael
19 Cooke. I am the general counsel for
20 the City's Board of Ethics. Thank you
21 for this opportunity to speak on this
22 legislation which would revise the
23 political activity restrictions found
24 at Section 10-107 of the Home Rule
25 Charter.

1 Since its inception, the
2 Board has administered the City's
3 political activity restrictions. I've
4 been with the Board since 2008. At the
5 outset, I note that since this
6 legislation was introduced on January
7 23rd, the Board has not had an
8 opportunity yet to deliberate on it and
9 determine what position, if any, it
10 would like to take.

11 I expect that the Board will
12 do so at its February 20th meeting, but
13 as a result I can't offer testimony
14 today on behalf of the Board. Rather
15 my testimony will be staff's historical
16 and technical perspective on this
17 legislation. And as far as that goes,
18 I note that this is a revised version
19 of legislation that came before this
20 Committee this past December.

21 I testified at that hearing
22 on behalf of the Board to express their
23 concern that given that the drafters of
24 the Charter saw the political activity
25 restrictions as extremely important to

1 the new form of City government, it is
2 critical to take great care in making
3 any changes to these provisions.

4 Others who testified at that
5 hearing and at least one member of the
6 Committee expressed concerns about the
7 type of activity that the proposed
8 change would permit City employees to
9 engage in and also, the fact that the
10 rules would be changed for all
11 employees regardless of the nature of
12 their duties.

13 As I testified in December,
14 the Board's primary concern was that
15 time be taken to evaluate these issues
16 and avoid hasty changes that could
17 result in unintended consequences or a
18 rule that would be difficult for City
19 employees to comply with. Given that
20 it's only been about a month since the
21 last hearing or a little more than a
22 month and given that this legislation
23 is moving quickly, I expect that the
24 Board will voice similar concerns when
25 it takes up the matter at its February

1 meeting.

2 But with that said, I
3 anticipate that the Board will
4 appreciate the fact that the revised
5 legislation does address most of the
6 substantive concerns raised at the
7 December hearing, and I expect the
8 Board will also appreciate that staff
9 have been able to engage with
10 Councilmember Green's office in order
11 to explore areas of concern and discuss
12 specific legislative provisions and
13 responses to the concerns that were
14 raised at the hearing.

15 In particular, I think that
16 the maintenance of stricter rules for
17 the City Commissioners, the District
18 Attorney's Office, Board of Ethics and
19 the Police Department are extremely
20 important given the role that those
21 offices play in administering elections
22 and with regard to public safety, and
23 agree with the proposed amendment that
24 the addition of the Sheriff's Office to
25 that list would also be beneficial.

1 I think that the limitation
2 of permissible activity to
3 nonmanagerial volunteer work is
4 important to ensure that City employees
5 do not become overly entangled in
6 partisan politics or in campaigns. And
7 then lastly, given that when the Board
8 discussed the prior legislation in I
9 guess it was November, at its November
10 Board meeting, it expressed interest in
11 seeing an update to the penalty section
12 of the Charter. I expect it will be
13 pleased to see that this version of the
14 legislation does that as well.

15 So in closing, I would say
16 that while I do think that the proposed
17 change would present some compliance
18 challenges for City employees but with
19 new rules and the fact that they will
20 be able to participate in some, but not
21 all, campaigns that are based in
22 Philadelphia, it will be a challenge
23 with the new legislation going into
24 effect; and our office would of course
25 update our education materials and our

1 regulations and would try to offer
2 expanded training to help employees
3 with the transition to the new rules,
4 and that of course will put further
5 demands on our already limited
6 resources, but it would in any event be
7 something that we would prioritize
8 certainly to make sure that City
9 employees know what they are able to do
10 and not able to do under the revised
11 rules. So that concludes my testimony
12 and I would be happy to answer any
13 questions that members of the Committee
14 may have.

15 MR. CHRISTMAS: Good morning,
16 Chair Parker. Can you hear me? There
17 we go. Good morning, Chair Parker,
18 Vice-chair Green and members of the
19 Committee. My name's Pat Christmas.
20 I'm the Policy Director for the
21 Committee of Seventy. I am also
22 pleased to be back here testifying
23 about the newest version of this
24 particular proposal. To avoid touching
25 on ground that we've already covered, I

1 will avoid reading my testimony
2 verbatim.

3 As Michael Cooke expressed
4 before, these rules go to the heart of
5 our Charter and the concerns the
6 drafters had 70 years ago. So the
7 fundamental question that we raised in
8 December and that we still have today
9 is have we made enough progress really
10 to loosen some of these rules, and
11 after having a little bit of time to
12 reflect more on the proposed changes
13 and also speak to folks in other
14 cities, especially cities with similar
15 politics with political histories to
16 ours, New York City and Chicago in
17 particular, it's our assessment that
18 Philly has made another progress to
19 have these changes move forward to the
20 voters.

21 In particular, I wanted to
22 highlight this morning the improvements
23 upon the proposal that was just put out
24 there at the end of 2019. As Mr. Cooke
25 noted, the nonmanagerial volunteer

1 limitation in particular is an
2 extremely valuable improvement.

3 There's a big, big difference
4 between any City employee where it's a
5 clerk or typist or someone who is
6 fairly high profile doing partisan
7 volunteering that's relatively
8 anonymous, phone banking, canvassing,
9 et cetera, as opposed to managing a
10 campaign, and that limitation takes
11 care of that concern.

12 As Mr. Cooke also noted, the
13 carve-outs for those particularly
14 sensitive offices here in town, it
15 would also be troubling and problematic
16 for those folks to be engaging in
17 partisan volunteering -- partisan
18 activity on their own time. That's
19 also a good improvement.

20 And lastly, the penalty
21 provisions. I don't think we ever put
22 someone in jail, at least not for an
23 awfully long time for violating one of
24 our political activity rules, but sure,
25 that's quite a severe punishment and

1 updated fine structure, especially
2 something similar to the campaign
3 finance fines that we currently have,
4 would be far more appropriate and would
5 be on the table if this sort of
6 amendment were to hopefully pass. So
7 that's all I have this morning. I'm
8 happy to take any questions. Thank
9 you.

10 COUNCILWOMAN PARKER: The
11 Chair wants to recognize the presence
12 of Councilwoman Maria Quinones-Sanchez
13 and Councilwoman Cindy Bass, and all
14 also recognizes Councilman Derek Green.

15 COUNCILMAN GREEN: Thank you,
16 Madam Chair. Thank all of you here for
17 testifying on this legislation. This
18 conversation actually started during
19 the summer, early fall. Actually some
20 City employees approached me regarding
21 their concern of not being able to
22 participate in certain activities that
23 would be occurring in 2020, especially
24 the presidential election being very
25 important, and felt that our current

1 laws as it relates to political
2 activities are overly restrictive.

3 If you look at the federal
4 level even under the Hatch Act, you can
5 participate in political activity as
6 long as you are not doing so during
7 your work time or not doing things in a
8 way that designate you're associated
9 with a specific office or your public
10 service. So to me this legislation is
11 trying to balance between some of the
12 challenges we've had historically in
13 reference to activity and also when
14 someone says not giving City employees
15 a right of freedom association or the
16 First Amendment right of speech. So
17 tried to find a way to balance that I
18 think through the conversations I know
19 we've had over the past number of weeks
20 and months which the amendments allowed
21 us to go in that direction.

22 Mr. Cooke, I just want to ask
23 you a question. I know you can't opine
24 on what the Ethics Board would say, but
25 needs would be additional regulations

1 adopted based on this legislation if
2 voted upon by the voters. Can you give
3 a sense of where you would see those
4 needs occurring?

5 MR. COOKE: Where we see
6 those -- which occurring? I'm sorry.

7 COUNCILMAN GREEN: The
8 representative additional regs from the
9 Ethics Board.

10 MR. COOKE: So one of the
11 things that I think is beneficial about
12 the proposed legislation is that it
13 does provide a good amount of detail
14 and guidance, so I think it's pretty
15 clear what is intended to be changed
16 and what would be covered and not
17 covered under the new rules. So I
18 think that the challenge with the
19 regulations will not so much be
20 interpretive as more practical in terms
21 of just taking the two or three months
22 to go through the process and doing the
23 revisions and making sure that City
24 employees are aware of it.

25 I'm sure there will be some

1 questions that will hit along the way
2 about exactly what a particular
3 provision means, but I don't anticipate
4 that there will be anything especially
5 significant. I think they will be more
6 sort of ancillary pieces of it, because
7 again the way the legislation is
8 drafted, I think it does lay out pretty
9 clearly what the rules are intended to
10 be.

11 COUNCILMAN GREEN: And just
12 to follow up on that, I think one of
13 the questions that may need additional
14 clarification from a regulatory is what
15 is considered management.

16 MR. COOKE: Yes.

17 COUNCILMAN GREEN: And I know
18 we've tried to work with the Ethics
19 Board and the staff over the years in
20 trying to give more guidance on
21 different things. From my perspective,
22 management would be campaign manager or
23 political director as opposed to just
24 someone giving out literature. I know
25 you can't give a full perspective, but

1 those are some of the things I think we
2 would need to provide some guidance,
3 some clarity.

4 I think part of the challenge
5 of why this type of legislation is
6 needed and we'll also need to do a
7 public education campaign about this is
8 that you have a number of City
9 employees who believe they can't sign a
10 petition. You have a number of City
11 employees who believe they can't make a
12 contribution which is their right if
13 they want to in their early
14 perspective, because that's one of the
15 issues because of some of our very
16 strong restriction on political
17 activity.

18 You have various employees
19 that feel they can't participate which
20 should be their civic right to do. So
21 this helps to provide additional
22 opportunities. Also, we have not had
23 the participation levels that we need
24 from a city as a whole in elections.
25 And so, anything that we can do that

1 can provide those opportunities, I
2 think, is beneficial.

3 MR. COOKE: Understood.

4 COUNCILWOMAN PARKER: Chair
5 recognizes Councilman Jones, Councilman
6 Oh.

7 COUNCILMAN JONES: So when we
8 look at a 15 percent on average
9 participation rate for elections, every
10 little bit helps. I -- for people not
11 to have fear of retribution based on
12 their employment is a very important
13 clarification to people. So let me get
14 this right, when you say no municipal
15 elections, you're talking about the row
16 offices as well, correct? You can't
17 have a municipal employee work on the
18 City Commissioner's or District
19 Attorney's or any of those.

20 And I guess the spirit of
21 that part of the law is so there's no
22 intimidation available by a department
23 head to say, vote for Joe or Jane, this
24 is in our Department's interest, so it
25 takes that possibility out. But they

1 are allowed to do statehouse races
2 within the City of Philadelphia?

3 COUNCILMAN OH: No.

4 COUNCILMAN JONES: So you
5 can't -- that's the clarification I
6 need.

7 MR. COOKE: So under the
8 proposed amendment, City employees
9 would not be permitted to volunteer for
10 the local City campaigns like you said
11 nor for races for the state legislature
12 where it's something that Philadelphia
13 voters vote for that person, so a state
14 rep or senator who's based in
15 Philadelphia, City employees would not
16 be able to volunteer on those
17 campaigns.

18 COUNCILMAN JONES: So is
19 there a distinction for Council or
20 we're governed by all of that?

21 MR. COOKE: That would -- do
22 you mean for generally speaking City
23 employees to volunteer for Council
24 campaigns or for Council staffers to
25 participate?

1 COUNCILMAN JONES: No,
2 staffers. Because there are exceptions
3 that City Council staffers have based
4 on being an independent body. So how
5 does that apply in this case?

6 MR. COOKE: So in the
7 proposed legislation, it specifies that
8 City Council employees would not be
9 restricted to the same extent so that
10 they could volunteer for or even take a
11 managerial role in campaigns for
12 whatever election may be on offer.

13 COUNCILMAN JONES: Got it.
14 Thank you for bringing that to my
15 attention. Thank you, Madam Chair.

16 COUNCILWOMAN PARKER:
17 Councilman Oh?

18 COUNCILMAN OH: Thank you
19 very much, Chairwoman. As far as I
20 understand and -- so I'm going to ask
21 you this, I mean basically the Charter
22 kind of created this protection of City
23 workers so they would not be Mased and
24 bullied and provided good government
25 standards and we have civil service to

1 protect the workers.

2 So what I'm kind of getting
3 at, at this point in time is that at
4 least two of you out of three believe
5 that the amendments are something that
6 you're in favor of because it allows
7 City workers on their own time, not
8 using City resources, to volunteer for
9 political campaigns outside of the
10 City, except certain things like you
11 can't be a manager, that type of thing.

12 And my question is, based on
13 where we are today that makes you
14 comfortable, why not just enact the
15 Hatch Act, why not just go ahead and
16 allow -- what is the distinction
17 between the Hatch Act that allows
18 federal workers to do certain things,
19 including on their own time without
20 City resources to get engaged in City
21 elections, which probably is the
22 paramount concern to them? So why
23 outside of Philadelphia, not inside of
24 Philadelphia?

25 MR. COOKE: So the first

1 thing I would say is that I think that,
2 in fact, if the legislation were to go
3 forward, it would create a set of rules
4 that is very similar to the federal
5 system, what we call the Hatch Act, in
6 that there would be two groups. Most
7 City employees would be allowed to
8 engage in a wide array of political
9 activity, including volunteering on
10 campaigns.

11 And then just at the federal
12 level, there is a smaller group of more
13 restricted employees based on the
14 nature of their work. So I actually
15 think we will end up with quite similar
16 to the Hatch Act, with the notable
17 difference being that they're -- under
18 the City rules if they were to go
19 forward, there would be some races that
20 the more strict rules would apply to,
21 just as you were saying the City races
22 or state races.

23 And I think just, you know,
24 sort of from the implementation or the
25 legal perspective when you compare

1 federal and local government, local
2 government impacts and interacts with
3 citizens' lives in a much more intimate
4 day-to-day basis than the federal
5 government does.

6 You might not always feel
7 that way, especially when it's tax
8 season, but the fact is the basic
9 services that we all rely on are
10 provided by municipal government. And
11 that one of the main concerns coming
12 out of the Charter reform movement that
13 put these rules into place was not just
14 of course that very real concern that
15 you mentioned about the intimidation of
16 City employees and the coercion of
17 them, but also the need to ensure that
18 the delivery of City services were
19 separate from partisan politics. And
20 so, the citizens of Philadelphia would
21 have the confidence that whether it was
22 their trash service or their water
23 service or the issuance of bonds, that
24 those decisions were being made for the
25 best public policy reasons and not

1 because of entanglement with local
2 politics.

3 And so, the critical
4 importance of maintaining the public's
5 faith in government, I think, is the
6 real driving force to say that it's
7 still important to maintain that
8 separation between City employees and
9 campaigns for local office.

10 COUNCILMAN OH: So given what
11 you're saying, why then is it okay to
12 now say that City workers can now get
13 involved in campaigns outside of
14 Philadelphia, volunteer, phone bank, go
15 out and host different partisan type
16 things, if that is a concern?

17 And on the other side of it,
18 me personally -- I mean First
19 Amendment-wise, I don't actually have
20 that concern. I just think that if
21 you're a City employee and you want to
22 run for office in Philadelphia on your
23 own time, your own expense, your own
24 resources, go ahead. So why split
25 there? Why split the baby there? Why

1 not just go all out? You know, if
2 you're a City employee, be responsible,
3 use your own resources, go campaign for
4 City Council, be my guest. But why cut
5 the line there?

6 MR. COOKE: So I think the
7 difference would be as an example under
8 the new rules, a City employee, say
9 they had a friend or a family member
10 who was running for office in
11 Harrisburg, so they could go volunteer
12 for that -- more than volunteer. They
13 could take a -- well, volunteer, help
14 with the campaign for the relative in
15 Harrisburg.

16 The key difference is people
17 in Philadelphia don't have to rely on
18 Harrisburg City government to pick up
19 their trash or to make sure the
20 municipal services are being delivered.
21 And so, if the folks who know that City
22 employee who's working on that
23 campaign, they know of it, it's not
24 going to raise a question for them, is
25 there something going on here where

1 there's an entanglement between City
2 employment and the delivery of City
3 services and political campaign and
4 partisan political politics, which was
5 the very real case in the years before
6 the Charter and why these restrictions
7 are so much apart of what the Charter
8 framers were looking to do.

9 So I think again it's that
10 distinction between is it involvement
11 in a race that can really directly
12 impact the day-to-day lives of the
13 citizens of Philadelphia or is it
14 something that's a step removed so
15 those concerns are much more lessened,
16 and I would imagine that's the
17 reasoning behind proposing the change
18 in this way.

19 COUNCILMAN OH: Thank you for
20 sharing your opinion.

21 COUNCILWOMAN PARKER:
22 Councilwoman Gym?

23 COUNCILWOMAN GYM: Thank you
24 very much, Madam Chair. So I think
25 before us is a conversation about, you

1 know, changing a law that's been on the
2 City Charter since its inception. So
3 for me I generally tend to take a
4 thoughtful and careful approach and I
5 appreciate the bill sponsor using the
6 last month to make adjustments, I
7 think, based on some of the
8 conversations that we saw here.

9 But I did want to ask some
10 clarity, and this may be for the bill
11 sponsor himself, but if the bill -- if
12 this goes on to the Charter and the
13 voters were to approve it, how soon
14 would the bill then -- how soon would
15 this go into effect for City employees?
16 The election I believe is on April
17 28th, and I assume the goal would be to
18 put it onto the April 28th ballot. So
19 how quickly would it go into effect?

20 MR. COOKE: So I believe the
21 legislation become effective when the
22 election is certified, although I would
23 have to personally double check with
24 the Law Department, but that is my
25 understanding, that it will be -- the

1 change would take effect in the Charter
2 by the spring and then of course the
3 Board would have to do the implementing
4 regulations which it would do over the
5 summer.

6 COUNCILWOMAN GYM: Does it
7 actually not go into effect until the
8 Board of Ethics does the regulations on
9 it or does it go into effect in
10 concurrent with the Board of Ethics
11 regulations around it?

12 MR. COOKE: It would go in
13 effect on its own. And with the
14 regulations, it would be again on the
15 more practical side, making sure that
16 the clearest possible guidance of some
17 of the rules are in the hands of the
18 City employees as soon as possible.

19 COUNCILWOMAN GYM: And then I
20 assume that should Council -- should
21 the bill make it out of Committee if it
22 went through Council, you would be
23 working fairly quickly on it or are you
24 planning to wait until the electorate
25 would vote on it or would you

1 anticipate that you would be looking at
2 regulations should they have to change?

3 MR. COOKE: We would want to
4 do the regulations as quickly as
5 possible so I expect that if it was
6 passed out of Council and was on the
7 ballot in the spring, we would start
8 working on it.

9 COUNCILWOMAN GYM: The Board
10 hasn't met since the last time that we
11 discussed this in December and before
12 this current time in order to discuss
13 this particular ordinance; is that
14 correct?

15 MR. COOKE: So the Board's
16 last meeting was in mid-January which
17 was before this legislation was
18 introduced.

19 COUNCILWOMAN GYM: And you
20 weren't aware that it was going to be
21 reintroduced?

22 MR. COOKE: I had heard that
23 it was a possibility, but we didn't
24 know with any certainty or even what
25 the legislation itself would be.

1 COUNCILWOMAN GYM: Were you
2 involved in any conversations between
3 December and January about potential
4 change to the law?

5 MR. COOKE: Yes. As I said
6 in my testimony, we're very glad that
7 Councilman Green's office was open to
8 having those kinds of conversations
9 with us and in particular, hearing
10 suggestions that we had to make.
11 Again, from the sort of technical
12 perspective of we heard these concerns
13 at the hearing, anticipate the Board
14 would share those concerns and, you
15 know, in terms of how you might address
16 them, there could be specific
17 provisions in the legislation in order
18 to mitigate those types of risks and
19 concerns.

20 COUNCILWOMAN GYM: And when
21 does the Board of Ethics meet next?

22 MR. COOKE: They meet on
23 February 20th.

24 COUNCILWOMAN GYM: And you
25 expect at that time that the Board will

1 have a formal statement or you are not
2 delivering a formal statement on behalf
3 of the Board of Ethics; is that
4 correct?

5 MR. COOKE: No, the Board
6 hasn't had had a chance to discuss or
7 deliberate on this legislation so I
8 expect they would do that in February,
9 that they would talk through the
10 legislation and would welcome any
11 members of the Committee or staff
12 members of theirs, if they wanted to
13 come to the meeting, if they had any
14 thoughts to share or just participate
15 in the conversation. But the Board
16 after having that conversation would, I
17 expect, take a position one way or the
18 other with what it thought about the
19 legislation.

20 COUNCILWOMAN GYM: Do you
21 personally have any concerns about your
22 ability to implement regulations and
23 clarity and deliver it to City
24 employees in enough time?

25 MR. COOKE: So I always have

1 a concern when something significant
2 changes just as a practical matter.
3 You know, you never know exactly how
4 it's going to play out or how folks
5 will react to the new rules. I'm
6 confident that we will get the
7 regulations done. I'm confident that
8 they will do a good job of explaining
9 the rules. We'll get the opportunity
10 for members of the public to
11 participate in the regulatory process
12 of the hearing and sharing their
13 thoughts. So I think what will come
14 out of that will be good.

15 I think the bigger challenge
16 is going to be the educational
17 component that Councilmember Green
18 touched on of really reaching out and
19 educating City employees to make sure
20 they understand what they can and can't
21 do. I mean at -- fortunately, we have
22 been for the past few months really
23 increasing the number of staff that are
24 participating in training, really
25 ramping up our training program. And

1 so, this will fit into that and will
2 sort of fit into a framework where we
3 can reach out to people, but I think
4 that's going to be the biggest
5 challenge.

6 COUNCILWOMAN GYM: Okay. And
7 I just want to clarify one thing. I
8 think that you had said earlier that
9 we've eliminated local offices which I
10 think makes sense, but you mentioned
11 that any state level offices in which
12 Philadelphian voters would have a
13 significant impact, and I assume you
14 mean District level, whether it's
15 senate or state senate or state
16 representative, but I mean state level
17 offices in the state of Pennsylvania
18 where Philadelphians comprise a
19 significant chunk of the vote will
20 still be able to weigh in on auditor
21 general, attorney general, lieutenant
22 governor and of course the governorship
23 themselves; is that correct?

24 MR. COOKE: Yes, City
25 employees will be permitted to

1 volunteer for those statewide
2 campaigns.

3 COUNCILWOMAN GYM: Okay. And
4 you don't see a distinction because
5 you're saying that the state senate and
6 state representative races are so
7 restricted to our area?

8 MR. COOKE: I mean the
9 statewide offices certainly don't have
10 the same level of connection that a
11 Philadelphia-based state rep or state
12 senator would. Of course, you know
13 we're all impacted by state government
14 as well. Whether it's the Attorney
15 General's Office or the governor
16 whatever, that does have a lot of
17 impact on citizens' lives.

18 COUNCILWOMAN GYM: And is
19 this the dividing line, and this may be
20 a question for the bill's sponsor, but
21 is the dividing line whether it comes
22 into any contact with Philadelphia
23 voters, so like a state
24 representative's seat such as I'm
25 thinking the one that goes between

1 Roxborough and Lower Merion where I
2 don't actually know the divisions, but
3 if at all hedges in on Philadelphia,
4 that would be eliminated from this --
5 they would not be able to engage in
6 that election; is that correct?

7 MR. COOKE: Yes. For any
8 district, for any state house district
9 that Philadelphia voters even if it's
10 only a small number of Philadelphia
11 voters cast a vote for, then employees
12 would not be permitted to volunteer.

13 COUNCILWOMAN GYM: So there's
14 no threshold minimum? It's just if
15 there is a Philadelphia voter that
16 votes in that area, no City employee
17 would be able to participate in the
18 elected campaign at that particular
19 official?

20 MR. COOKE: Yes, although of
21 course it's going to be more than one
22 person. How the district is drawn, it
23 covers part of Philadelphia.

24 COUNCILWOMAN GYM: But
25 there's no threshold minimum is what

1 I'm saying?

2 MR. COOKE: No.

3 COUNCILWOMAN GYM: All right.

4 And then my last question is for
5 Committee of Seventy. I know that you
6 have been generally conservative when
7 it comes to changes in ethics laws. So
8 given the changes in ethics law, what
9 do you think makes Philadelphia's laws
10 still one of the strongest in the area
11 around this limited political activity,
12 but still let's it be as strong as
13 possible?

14 MR. CHRISTMAS: Well,
15 especially with the three changes to
16 this particular version, we would still
17 be by far the strictest among major
18 cities in the United States.

19 COUNCILWOMAN GYM: In what
20 sense?

21 MR. CHRISTMAS: Well, first
22 the dividing line we were just talking
23 about between the covered offices and
24 the uncovered offices, the limitation
25 on the sort of partisan work that would

1 be allowable, the nonmanagerial
2 volunteering as opposed to anything.
3 And then lastly, the fact that our
4 penalty provisions will be updated so
5 that we're not stuck with either a \$300
6 fine per violation which was probably
7 too little. That was a lot of money
8 several years ago but not so much
9 anymore and putting someone in jail I
10 don't think we're going to do, we
11 haven't done that either. So latitude
12 to modernize the upline structure there
13 is a notable improvement, so those
14 changes make us feel much more
15 comfortable.

16 I'll acknowledge this
17 particular reform is not at the top of
18 our wish list for Charter changes, but
19 I think it's important to acknowledge
20 if things have gotten better in Philly,
21 then our rules should reflect that.

22 And I think --

23 COUNCILWOMAN GYM: I haven't
24 often heard you say that things have
25 gotten significantly better in

1 Philadelphia, so I'm interested in
2 hearing why you would support or be
3 generally neutral.

4 MR. CHRISTMAS: Things have
5 gotten better. I think that's actually
6 a story that doesn't get told enough in
7 this town.

8 COUNCILWOMAN GYM: Yes, you
9 heard it, Chairwoman Parker.

10 MR. CHRISTMAS: We've had an
11 awful lot of headlines come up. Some
12 are around real things, some not. And
13 then there's still a lot of folks who
14 do break the rules and sometimes
15 they're not City officials. They're
16 state and federal folks who don't have
17 the same rules or oversight, but I
18 think it's important to note that a lot
19 of things have changed between now and
20 the mid 20th century.

21 And then over the last 15, 20
22 years as well, I was stressing this in
23 December, our independent Board of
24 Ethics, Pay to Play rules, Finance, all
25 of that stuff is having real effects

1 and I think we have to acknowledge
2 that. The other thing I was able to do
3 over the past couple of months is speak
4 to folks in other jurisdictions and
5 what I learned generally is that the
6 issues of local activity violations can
7 kind of fall into two camps.

8 One is around folks who
9 accidentally trip over the rules, I
10 think that's -- especially given these
11 changes would go into effect this year,
12 I think that's a concern. And I know
13 Mr. Cooke and his office will do
14 everything they can to get the
15 regulations done and get the training
16 materials out. They run the trainings,
17 but that's still a concern of ours,
18 folks will accidentally trip over the
19 rules.

20 And then also less common,
21 there are also instances, we've had
22 them here in Philly, other cities have
23 had them as well where there's pretty
24 egregious violators. In New York City,
25 for example, the D.A. race in 2013 the

1 District Attorney, incumbent District
2 Attorney, a handful of his associates
3 met all sorts of time on City resources
4 doing whatever they wanted to do. So
5 for those sorts of folks, I'm not sure
6 if it matters what the rules are, but
7 those instances are generally pretty
8 rare.

9 So you're right, we are
10 certainly conservative about changing
11 the Charter, especially around these
12 rules which is why it was pause in the
13 last year, but we do feel much more
14 comfortable with it especially given
15 these changes.

16 COUNCILWOMAN GYM: Okay.
17 Thank you very much. Madam Chair?

18 COUNCILWOMAN PARKER: Chair
19 wants to recognize the presence of
20 Councilman Brian O'Neill. Councilwoman
21 Sanchez?

22 COUNCILWOMAN QUINONES-
23 SANCHEZ: I'm going to try to ask this
24 question, and the irony of me asking
25 this question. We have such a hard

1 time recruiting people to be committee
2 people, election boards and I say this
3 because I know folks who've worked with
4 us, for instance, working in a Council
5 office, on an election board, given
6 your recent rules and stuff. How do
7 the folks from those offices that we're
8 now restricting further, the Sheriff's
9 Office, D.A.'s Office and
10 Commissioner's Office feel about this?

11 MR. COOKE: So, Councilwoman,
12 with regard to the restriction on
13 employees serving on election boards,
14 that's actually restricted not by the
15 political activity restrictions, but by
16 the dual office-holding provision of
17 the Charter and by the State Election
18 Code, so this legislation wouldn't
19 affect it and actually our office
20 doesn't administer those provisions.

21 So I don't certainly hear
22 very often from the folks at the City
23 Commissioner's Office the challenge
24 they have recruiting folks to
25 participate on election boards and I

1 don't think that this legislation would
2 affect that one way or the other since
3 it's not this provision that prohibits
4 them serving on them. So
5 unfortunately, there's not going to be
6 from this legislation really for them
7 in that regard.

8 COUNCILWOMAN QUINONES-
9 SANCHEZ: But we are adding more
10 restrictions to the D.A.'s Office or
11 Sheriff's Office, aren't we, or
12 codifying those?

13 MR. COOKE: So they would
14 stay the same as they currently are.
15 That legislation would be for folks in
16 our office and those other ones that
17 you mentioned, the rules would just
18 stay the same. They would become more
19 relaxed for the other City employees in
20 the sense of allowing them to volunteer
21 for certain campaigns.

22 COUNCILWOMAN QUINONES-
23 SANCHEZ: Okay. So as I read the law,
24 maybe the bill's sponsor can clarify
25 this for me around the amendment, in

1 Section B it says, the exemption for
2 participation in nonmanagerial
3 volunteer activity in support of a
4 candidate should not apply to an
5 employee office, City Commissioner's or
6 District Attorney's, so why are we
7 listing them?

8 MR. COOKE: I believe the
9 concern was -- and it was something
10 expressed at the hearing in December,
11 was that given that these offices
12 administer or have a very significant
13 rule in the administration of elections
14 and also that's true for all of them,
15 including the Police Department but
16 also with the Police Department with
17 public safety, also the District
18 Attorney's Office public safety, those
19 are offices where from the point of
20 view of maintaining the public
21 confidence and ensuring the separation
22 of the delivery of those services that
23 are so essential to the functioning of
24 the campaigns themselves, that that's
25 something that is important to keep in

1 any partisan politics who are entangled
2 with campaigns out of -- which again is
3 the same approach that they take at the
4 federal level which is the Hatch Act.

5 COUNCILWOMAN QUINONES-

6 SANCHEZ: So I guess the devil is how
7 you operationalize it and I just want
8 to make sure that in our messaging, we
9 want to have increased participation.

10 That is the spirit by which this is
11 being introduced, how do we create a
12 pathway for folks to have their First
13 Amendment right to be engaged.

14 So my concern is just, again,
15 because I know between the
16 Commissioner's Office and other places,
17 filling these volunteer roles gets more
18 complicated, right. We have hundreds
19 of spots that are open, that the
20 messaging in how we message this and
21 how would you operationalize it is
22 important, because then it becomes the
23 people who know how to get around the
24 rules, who are better-informed, who
25 have the good lawyers to figure it out,

1 and then everybody else is like I got
2 to be hands-off because we're scared.
3 And so, we have to be cognizant of
4 that, and again, the irony of me saying
5 that. Thank you very much.

6 MR. COOKE: Absolutely.

7 COUNCILWOMAN PARKER:
8 Councilman Green?

9 COUNCILMAN GREEN: Thank you,
10 Madam Chair. I just want to go over a
11 couple of things in reference to the
12 legislation and then clarify a couple
13 of statements, and I think, Mr. Cooke,
14 you provided some of that in reference
15 to the fact that this is kind of a
16 compromise on a lot of different issues
17 from trying to make it closer to the
18 Hatch Act, dealing with the ability for
19 people to exercise their First
20 Amendment right to participate in the
21 civic process of elections, but also a
22 timing issue.

23 Part of the timing issue and
24 the concern is that our primary is
25 April 28th. If we want to have

1 anything on that ballot, it would have
2 to come out of Committee basically this
3 week. And so, there are those who
4 really want to participate in political
5 activity in 2020 because of the
6 importance of this year.

7 I take the opinion that this
8 aspect of our City laws would have been
9 changed years before if someone that
10 had resources decided that I'm going to
11 sue the City, and I think based on the
12 commentary made by the law professor at
13 the hearing in December, that person
14 probably would have won from my
15 perspective and my legal analysis.

16 People can differ with that,
17 but I do think that it would have been
18 somewhat hard to defend the overly
19 restricted nature of our restrictions
20 on political activity if I want to
21 express in the privacy of my own time,
22 not designating or showing them part of
23 the City employment that I want to
24 volunteer for a campaign. And we could
25 have gotten into a situation where it

1 has become much more liberal than what
2 we're trying to do today.

3 And this impacts us in a very
4 real way. I was talking to Pat Eiding
5 from the AFL-CIO last week. He could
6 not be here to testify because they
7 have their regional conference in
8 Atlantic City this week, but he was
9 going to participate in the Mayor's
10 Educational Panel, which is going to
11 review potential nominees for the
12 School Board. He could not participate
13 in that process because he's engaged in
14 political activity.

15 So this does have impact on
16 people who you want to have participate
17 in the civic process. The timing was
18 challenging because people want to
19 participate in activity in 2020. I
20 know, Mr. Cooke, you can't speak for
21 the Board, but you also provide them a
22 lot of guidance. And from my
23 experience, I've been working with the
24 Ethics Board on a number of issues
25 going back to the inception of making

1 them an independent entity.

2 I think they generally rely,
3 not all the time, but generally
4 following your advice and guidance.

5 And I think our conversation is
6 compromised, was trying to get the
7 voice of the Ethics Board involved in
8 this legislation while at the same time
9 dealing with a challenging timing issue
10 and also provide the opportunity for as
11 many City employees to participate in a
12 real way in campaigns in 2020. So we
13 try to balance between allowing City
14 employees to participate in statewide
15 elections that are at the state level
16 and also the federal level, but also I
17 know some of the concerns that
18 eventually Committee of Seventy and all
19 the Ethics Board staff had about being
20 engaged in local races, even a local
21 congressional race that voters are in
22 the City of Philadelphia.

23 So we try to look at all of
24 those issues and concerns and come up
25 with a piece of legislation that does

1 the best ability to provide more access
2 and more opportunity for people to be
3 engaged in political activity on their
4 own time in their own way. So thank
5 you, Madam Chair.

6 COUNCILWOMAN PARKER: You're
7 welcome. Are there any other questions
8 or comments from members of the
9 Committee for these witnesses?

10 (No response.)

11 COUNCILWOMAN PARKER: I also
12 want to acknowledge the presence of
13 Councilman Mark Squilla. Seeing none,
14 I want to say thank you very much for
15 your testimony. Is there anyone else
16 here to testify on Bill No. 200015 and
17 Resolution No. 200056?

18 (No response.)

19 COUNCILWOMAN PARKER: Seeing
20 none, I will ask the Clerk to read the
21 title of the second bill and resolution
22 for consideration today.

23 THE CLERK: Bill No. 200008,
24 an Ordinance providing for the
25 submission to the qualified electors of

1 the City of Philadelphia of the
2 proposal set forth in a resolution
3 approved by Council, proposing an
4 amendment to the Philadelphia Home Rule
5 Charter, to provide for the creation of
6 a Department of Labor and a Board of
7 Labor Standards, to provide for the
8 powers and duties of such Department
9 and Board, and otherwise provide for an
10 incorporation of the Department and
11 Board into the City government, and
12 authorizing the appropriate officers to
13 publish notice and to make arrangements
14 for the special election.

15 And Resolution No. 200042, a
16 Resolution proposing an amendment to
17 The Philadelphia Home Rule Charter, to
18 provide for the creation of a
19 Department of Labor and a Board of
20 Labor Standards, to provide for the
21 powers and duties of such Department
22 and such Board, and to otherwise
23 provide for incorporation of the
24 Department and Board into the City
25 government, and providing for the

1 submission of the amendment to the
2 electors of Philadelphia.

3 COUNCILWOMAN PARKER: The
4 Clerk will please call the first panel
5 of witnesses to testify.

6 THE CLERK: Rich Lazer, Gabe
7 Morgan and Kat Payne.

8 COUNCILWOMAN PARKER: While
9 the witnesses are approaching, Chair
10 recognizes Councilwoman Gym for
11 comment.

12 (Panel approached
13 Witness Table.)

14 COUNCILWOMAN GYM: First of
15 all, thank you very much, Madam Chair,
16 and thank you to this room for coming
17 out today as we talk about this
18 bill and resol -- or this ordinance and
19 resolution before us. First of all, I
20 want to thank the Mayor and his
21 administration and leadership on the
22 issue of recognizing the importance of
23 really having somebody dedicated to
24 labor rights and uplifting workers here
25 in the City of Philadelphia.

1 All of us in this room
2 understand that the City's economic
3 growth and future has to be tied to
4 improving the quality of our jobs and
5 not just counting the number of jobs
6 that we have. And it is incumbent upon
7 us right now, especially given the fact
8 that we haven't seen significant
9 advances at the state level. We're
10 still the lowest minimum wage in the
11 entire region.

12 We still have a Congress that
13 is actually rolling back labor rights
14 and standards and an Administration
15 that is doing so. And so, when those
16 things happen, it's got to be up to us.
17 And here in one of the biggest cities
18 in the nation, with such a strong
19 history of labor rights, labor
20 organizing and powerful and progressive
21 labor unions, we have the chance to
22 really lead the way.

23 I am so proud to be part of a
24 City Council that has truly lead the
25 way on groundbreaking labor reforms.

1 Things like a Domestic Worker Bill of
2 Rights, like Fair Workweek, like
3 Prevailing Wage --

4 (Applause.)

5 COUNCILWOMAN GYM: All of us
6 in this room know how transformative
7 that is, even as we work to raise the
8 minimum wage here in the state of
9 Pennsylvania. And that is why we're
10 here, because we have an opportunity to
11 match labor-dedicated workers
12 supporting City Council with an
13 Administration and create a robust
14 dedicated and powerful agency to work
15 in the interest of workers here in the
16 City of Philadelphia.

17 So our rights, the rights
18 that we've created here through City
19 Council, are only as good as our
20 ability to educate the public and our
21 fellow neighbors that they have these
22 rights, to educate our employers that
23 we will enforce these rights and to
24 ensure that we have a path to making
25 sure that these things are upheld here

1 in the City of Philadelphia.

2 This ordinance will allow us
3 to create a permanent Office of Labor
4 that will continue to uphold and
5 support labor relations for
6 representative City employees, ensure
7 that our City contracts and our City
8 laws are upheld for them, to ensure
9 that we have robust enforcement of our
10 laws, and one of the most important
11 ones for me, to ensure that we are
12 truly invested in educating the
13 Philadelphians and the companies and
14 businesses that do work here and hire
15 our employees, that we have a powerful
16 labor enforcement agency that will
17 enforce the rights that are in play.

18 So I am proud to have worked
19 with a number of my Councilmembers,
20 including Councilmembers Henon, I'm
21 trying to think about the other
22 Councilmembers who are co-sponsored on
23 the bill. Sorry that I'm forgetting
24 them really fast, but Squilla, Johnson,
25 Henon, Brooks, Bass and Thomas, and

1 thank everybody for being supportive of
2 this, thank the audience for turning
3 out today and in partnership with us.
4 And thank you, Madam Chair.

5 COUNCILWOMAN PARKER: Thank
6 you. Will each of you just please
7 state your name for the record and
8 provide your testimony.

9 MR. LAZER: Thank you. Good
10 morning, Chair Parker, members of the
11 Committee. My name is Rich Lazer and I
12 am the Deputy Mayor for Labor. I
13 appear before you today to testify in
14 support of Ordinance No. 200008 and
15 Resolution No. 200042.

16 Taken together, the ordinance
17 and resolution will allow City Council
18 to propose an amendment to The
19 Philadelphia Home Rule Charter, to
20 provide for the creation of the
21 Department of Labor and a Board of
22 Labor Standards, provide for the powers
23 and duties of such Department and such
24 Board and to otherwise provide for
25 incorporation of the Department and

1 Board into the City government, and
2 providing for the submission of the
3 amendment to the electors of
4 Philadelphia.

5 This Charter change
6 represents a pivotal moment in the
7 history of Philadelphia. Our residents
8 have fought long and hard for their
9 rights as employees. They fought
10 equally hard for a City government that
11 they view as a partner in protecting
12 their interest. They have found that
13 partnering in this Administration and
14 you will -- and with all our
15 Councilmembers.

16 Mayor Kenney has been
17 committed to workers rights since the
18 beginning of his time as a public
19 servant, during his time in Council and
20 more recently as Mayor. He's backed up
21 the commitment by becoming the first
22 mayor to establish an integrated Office
23 of Labor to serve as a central location
24 for both internal and external workers
25 rights issues.

1 However, as we all are aware,
2 mayors offices rise and fall depending
3 on the priority of the City mayor.

4 This Administration is aligned in
5 thinking that there should not be a
6 threat to the Office of Labor simply
7 going away when this term is done.

8 Every day my staff hears from private
9 sector workers who suffer from
10 workplace abuses such as wage theft,
11 refusal of sick leave and threats of
12 retaliation.

13 We hear internally from
14 dedicated City employees who may be the
15 victims of harassment and turning to us
16 for support, and we hear from our Labor
17 unions about grievances and the
18 technical details of the contract
19 rules. And we know that these issues
20 will not go away after this
21 Administration completes its last term.

22 Establishing Department of
23 Labor through Charter change is the
24 right way to ensure this these issues
25 remain at the forefront of any future

1 administration. It is the natural
2 evolution for the Mayor's Office of
3 Labor and is the culmination of years
4 of work put in both by my staff to
5 build out a reinforcement capacity and
6 by City Council through the success of
7 worker protection ordinance that you
8 have passed.

9 On behalf of the Mayor, I'd
10 like to say thank you and also thank
11 the sponsors of this Charter change
12 amendment, and also thank Council for
13 working with us to establish a
14 permanent Department of Labor and look
15 forward to all our continued
16 collaboration on worker protection
17 issues. That's all my testimony at this
18 time. Thank you.

19 MR. MORGAN: Hello. My name
20 is Gabe Morgan. I'm the Vice-president
21 of SEIU 32BJ which represents 15,000
22 cleaners, engineers, maintenance
23 workers, security officers, airport
24 service workers, the majority of the
25 blue collar workers in the Philadelphia

1 School District and 175,000 other
2 members in similar cities throughout
3 the Northeast.

4 I guess more importantly for
5 this, we are a union that's organized
6 5,000 low-wage workers in Philadelphia
7 in the past four years and what we've
8 seen over the past four years in the
9 City has been a very dramatic change in
10 the way the City itself has approached
11 both the issues of poverty and the
12 issues that people experience at work,
13 a change for the better.

14 In this country and in this
15 city, the vast majority of people work
16 in the service sector. That is where
17 most people are going to work for the
18 next 30, 40 years in this city and in
19 this country. And unfortunately,
20 throughout the service sector,
21 employers have long had practices of
22 doing things like not giving paid sick
23 days, not paying living wage, not
24 giving people paid time off, not giving
25 people childcare leave.

1 The biggest employers in this
2 country are known for those sorts of
3 practices, Walmart and you can kind of
4 go through the whole list. And we've
5 seen that, we saw that with thousands
6 of security officers and hotels across
7 the City, and I know you will speak to
8 that. We saw that with 3,000 airport
9 workers who were making, many of them,
10 \$5 an hour with none of the things five
11 years ago that have been passed by
12 Council.

13 Most recently, this Council
14 passed the first just cause legislation
15 to address parking workers, where we
16 found folks were routinely exploited at
17 work and not given the slightest bit of
18 dignity at work and continued to be
19 paid poverty level wages. And because
20 the state government and the federal
21 government have failed to act, not just
22 over the past five years but over the
23 past 30 years to really address those
24 issues, it's fallen on cities to step
25 in, everyone in the country, to stand

1 up and fight for the workers in those
2 cities.

3 (Applause.)

4 MR. MORGAN: And that makes
5 sense, because frankly that's where the
6 economy of this country is. It's in
7 cities like Philadelphia. That's where
8 most people live. That's where most
9 people work. That's where most people
10 are going to live and that's where most
11 people are going to work. It's major
12 metropolitan areas like Philadelphia.

13 And so, when employers won't
14 do it and the federal government won't
15 do it and the state government won't do
16 it, you need folks like this Council
17 and like this Administration to step up
18 and fight for the citizens, and that's
19 what we've seen happen. But after
20 these laws get passed, that's really
21 when the hard part starts. It's when
22 you have to enforce the law. It's fine
23 to pass a law.

24 I know -- I mean, I worked
25 with a lot of you, almost all of you,

1 and you guys have done really amazing
2 things for workers in the City over the
3 past five years. And this will be the
4 first time that we've had an
5 Administration, at least in my
6 experience, that's actually tried to
7 figure out how to enforce the things
8 that Council does to try and help
9 workers.

10 But I think what they found
11 and what we found is that enforcing
12 these sorts of legislations is
13 difficult and it requires people to get
14 up every day and think it's their job
15 to make sure that workers get the
16 things that this body has legislated
17 for them. And --

18 (Applause.)

19 MR. MORGAN: And that job at
20 this point has fallen to the political
21 will of an Administration trying to
22 figure out how to corral lots of
23 different departments, trying to make
24 that happen and they've made much more
25 progress with that. I mean, our

1 members can speak to that. In
2 prevailing wage, for example, where
3 that law was passed and in some ways
4 you would think would be the easiest
5 one, someone gets a hand-out from the
6 City. And in return for getting huge
7 amounts of public dollars, all they
8 have to do is follow a wage rate that
9 they get from, you know, the City
10 office. Instead two years of some of
11 the biggest wealthiest institutions in
12 the town, Penn, Temple, Drexel, CCP,
13 the Community College of Philadelphia
14 saying, we don't care what law you
15 passed, yet we took the money, we don't
16 think it should apply to us. And then
17 what happens is it takes the Mayor,
18 which they've done, and calculating the
19 wage, going after the money, fighting
20 one of the biggest institutions in town
21 and making progress. But that's really
22 what happens when you pass laws that
23 are new where you're really trying to
24 make things better for workers, you
25 have to put the infrastructure in place

1 to let that happen.

2 I represent a union. And in
3 a union, there's a whole infrastructure
4 in place to go fight for workers. But
5 I have to wonder for those folks who
6 are prevailing wage sites, for example,
7 or just cause locations or sick leave,
8 where there's not a worker organization
9 already in place constantly pushing for
10 these laws to be implemented. Do they
11 know that such a law applies to them,
12 is anybody telling them about it, is
13 anybody trying to make sure that they
14 get the things that you guys expect
15 them to do? There's a reason why you
16 passed these laws, to address a
17 fundamental need that the City has.

18 But if there's no enforcement
19 mechanism and there aren't people to go
20 enforce it, then it's as if Council did
21 nothing at all in the life of a regular
22 worker. So we really support this. I
23 think -- and now is the time to do it.
24 I think that we've had really five
25 years of Council attempting to address

1 these issues, passing good laws that
2 really do address issues, for some
3 cases hundreds of thousands of workers.
4 Fed administration has been trying to
5 figure out how to enforce them and has
6 learned a lot of lessons from that,
7 creating a department that will
8 actually make that their job to
9 coordinate all the stuff in the City
10 and move forward for future laws and
11 future generations, is really the right
12 thing to do.

13 (Applause.)

14 MS. PAYNE: Good morning. My
15 name is Kat Payne. I work at Marriott
16 on 13th and Market Street. I pass
17 through the City Hall every day. I am
18 non-union, so you can see why this is
19 so, so important. At my job because we
20 are non-union and when the work gets
21 slow, we might not get our days.

22 We might get phone calls the
23 day of when we're getting ready for
24 work. I've been on the train on my way
25 to work and will receive a call, hey,

1 Kat, you don't have to come in today,
2 we're slow, we have too many people.
3 Imagine a mother that has children. I
4 am one of them. Imagine having to pay
5 your bills and you get that phone call,
6 don't come in today, we don't need you.

7 At the hotel we clean rooms
8 for people that can afford it. I clean
9 rooms so I can afford the room where I
10 live in for me and my children as the
11 many other non-union workers. We are
12 fighting poverty. We are fighting
13 homelessness. We are fighting for our
14 dignity when we go to our jobs every
15 day. It's not secured. So when the
16 Fair Workweek passed and when I was
17 asked to help to pass this bill, I was
18 so excited and willing, like I am
19 today, to speak to many of you in
20 asking for your support in getting it
21 passed. And because of your efforts
22 and your hard work, you were able to
23 get it passed for us citizens of
24 Philadelphia that work in the service
25 industry. Thank you so, so much for

1 caring about the little people.

2 I also was asked to talk
3 about making the Labor Office
4 independent and again, it talks about
5 support. Philadelphia is also a Greek
6 word. I think I heard it this morning
7 in a commercial. It's Phileo. So
8 aren't we the City of Brotherly Love?
9 Aren't we a family? Union workers get
10 support. Non-union, we always fight
11 for support. So in having the Labor
12 union be independent, it will ensure
13 our wages, our rights, our dignity, our
14 financial situation for our children
15 and for us to have a room. Don't just
16 have me just cleaning rooms and then I
17 become homeless. Don't just have me
18 cleaning rooms and I don't know how I'm
19 going to pay my bills if I don't go to
20 work.

21 We need the Labor Office to
22 be independent. Ya'll have helped us
23 so much so far. We are in 2020. We
24 are a city of progress. I walk through
25 the streets every day and I see the

1 progress that's being made. We are in
2 2020. We are a city on the move. Help
3 us in making the next decade great.
4 Thank you.

5 (Applause.)

6 COUNCILWOMAN PARKER: Let me
7 just start by thanking each of you for
8 your testimony. Mr. Lazer, prior to us
9 getting started, you and I talked about
10 the text of the resolution relative to
11 the Board. And it says, the Board of
12 Labor Standards shall be composed of
13 five appointed members and then it
14 gives a list.

15 However, I just want to note
16 for the record as we see who is listed
17 here, one member shall be among
18 representatives of labor organizations
19 and the building and construction
20 fields, one member from among employers
21 in the building and construction
22 fields, two members of the public and
23 one City employee.

24 I look forward to working
25 with the Administration. And we don't

1 have to scramble to try to get it done
2 today, but on first reading I will be
3 offering an amendment to include other
4 unions like SEIU or UNITE HERE and to
5 codify it so that it is very clear, in
6 addition to that, our municipal union,
7 District Council 33, we also have 47.
8 So we will work to figure out how we
9 can ensure that we sort of even further
10 enhance and include that different
11 parties have a seat at the table. So I
12 look forward to working with you on
13 that one.

14 Next, I want you to just tell
15 me, if you will, how will the
16 Department of Labor function? Give me
17 an idea, if you can, what will staffing
18 levels look like. What are the
19 reporting structures, primary
20 functions, performance metrics?

21 MR. LAZER: So just -- when
22 we first came in and we created this
23 Mayor's Office of Labor, we kind of
24 went through government and pulled out
25 different units that were in MDO, maybe

1 in Commerce or solely on their own
2 created by executive order. We kind of
3 pulled them into three different units
4 underneath of myself to lay it out.

5 The three units, our Employee
6 and Labor Relations, that's the
7 internal group that handles all
8 contracts, CVA work, all grievances,
9 unfair labor practices and also does
10 the training and enforcement for sexual
11 harassment, EEO complaints, so that
12 will all be internal and that deals
13 with all our internal workforce.

14 The other two that are
15 external mostly are Prevailing Wage
16 Labor Unit that sets prevailing wage
17 for public works projects, and as Gabe
18 had mentioned, also sets prevailing
19 wage for institutions that give
20 financial interest from the City, so we
21 set those rates as all building service
22 workers, so that unit does that. And
23 then the third unit, the newest unit,
24 which a lot of members in here have
25 worked with very closely is the Office

1 for Benefits and Wage Compliance.
2 That's the group that handles all of
3 our external worker protection laws,
4 paid sick leave, wage theft, Fair
5 Workweek coming, Domestic Workers Bill
6 of Rights, and also 21st Century Wage,
7 so that unit also works on all of those
8 bills. So that's the newest unit that
9 we've created over this year with the
10 help of many folks up here in front of
11 us.

12 COUNCILWOMAN PARKER: Okay.
13 Thank you. Chair recognizes Councilman
14 Green. And then we will come to you,
15 Councilman Jones.

16 COUNCILMAN GREEN: Thank you,
17 Madam Chair. I want to thank the
18 sponsors and all the people who worked
19 on this legislation to bring this to
20 the voters to change the Charter to
21 make this a permanent office, it was
22 definitely very needed. But I also
23 have a question since we are getting
24 into the budget season and get a sense
25 of -- and the Chair asked questions in

1 reference to the organization of this
2 department and you kind of laid it out.
3 But also the question is, what type of
4 resource will be allocated for this new
5 department because in order to really
6 have the ability to help the young lady
7 who testified today and others who
8 really want the benefit of the work
9 they give, and so many people have done
10 to get this type of legislation on the
11 books is the enforcement, so I want to
12 get a perspective. And I wish Jim
13 Engler was still here, to give us some
14 perspective on the type of resources
15 that will be allocated to really make
16 this a functioning department,
17 especially to enforce some of the
18 issues that need to be enforced in our
19 city.

20 MR. LAZER: So as I said,
21 thanks to all the folks up here, we
22 have gotten increases specifically in
23 the one unit that does a lot of the
24 outsource protection, but we're going
25 through the budget process now and I'm

1 sure we can meet and I can speak about
2 our priorities. I don't want to jump
3 in front of the Mayor's budget address,
4 but we are asking for additional
5 resources for staff in all the units so
6 that we can do more work without
7 reaching enforcement, but also in some
8 of our work internally to deal with any
9 type of training for sexual harassment,
10 EEO complaints and trying to more
11 centralize that complaint process and
12 investigation process, so there will be
13 a budget asked for us to continue and
14 grow in employees in those units, but I
15 only can speak --

16 COUNCILMAN GREEN: So right
17 now within the Mayor's Office of Labor,
18 how many employees are there?

19 MR. LAZER: In total, it's
20 about 33 in the whole group, in all of
21 myself, folks that work for me and then
22 the three different units.

23 COUNCILMAN GREEN: Okay. So
24 when you gave a breakdown of how this
25 new Department of Labor would function,

1 I got the sense that the existing
2 entity, that would be that 33; am I
3 correct?

4 MR. LAZER: Correct.

5 COUNCILMAN GREEN: And
6 there's two entities that are coming
7 on?

8 MR. LAZER: So the 33 is all
9 the groups, so I can break it down. So
10 the Employee and Labor Relations unit,
11 there's 14 folks in that group.
12 There's 10 in the Labor Standards and
13 Prevailing Wage group and there's 6 in
14 the newest which is the Benefits and
15 Wage Compliance group. That's the
16 newest group that we continue to grow.

17 COUNCILMAN GREEN: Okay. Do
18 you anticipate any increase in the
19 staffing for the newest group?

20 MR. LAZER: Yes.

21 COUNCILMAN GREEN: Can you
22 give us a range of that increase?

23 MR. LAZER: I would like to
24 get the numbers somewhere to the other
25 two groups. I don't know if we can get

1 there all in one swoop, but I would
2 like to get that number to the other --
3 the same as the other two groups,
4 between 10 and 15.

5 COUNCILMAN GREEN: 10 to 15.

6 And based on that --

7 MR. LAZER: Total.

8 COUNCILMAN GREEN: --

9 increase of additional employees, do
10 you think that will be sufficient to do
11 all the things that are needed to
12 really do the enforcement because we
13 have adopted a number of piece of
14 legislation that requires a lot of
15 enforcement and even just one of those
16 bills would require a certain level of
17 staffing?

18 MR. LAZER: Yeah, I mean one
19 thing that we're also looking is the
20 community regrant program like other
21 cities do to help promote the laws, so
22 I think that's the big piece. As the
23 Councilman said, you really want to
24 make sure -- we want to make sure
25 people know about them and can even

1 call and ask questions about it even if
2 they're not sure if they are going to
3 get it or not.

4 And I think the goal is how
5 do we continue to outreach because then
6 the outreach then drives the questions
7 whether it's enforced and whether we
8 need to do more enforcement in a
9 certain area, and then also spread the
10 word that these laws are on the books.
11 I think the biggest issue is outreach,
12 that we have to continually hammer home
13 on.

14 COUNCILMAN GREEN: And so, in
15 order to do that outreach and also not
16 only having the staff, but also
17 anticipates doing information in
18 publications --

19 MR. LAZER: Yeah, we do all
20 of that.

21 COUNCILMAN GREEN: --
22 website, all that type of material
23 which also cost resources too.

24 MR. LAZER: Correct.

25 COUNCILMAN GREEN: So are you

1 able to give a perspective on what your
2 budget ask was?

3 MR. LAZER: I think -- I
4 mean -- I don't want to jump in front
5 of them for the whole because we're
6 still going back and forth with budget
7 like all the other departments are. So
8 I can sit there and we can go over it,
9 but I don't want to talk about it now
10 because it's not finalized.

11 COUNCILMAN GREEN: Well, I'm
12 not asking you to say what the Finance
13 director said what the numbers are
14 going to be, but can you give us your
15 perspective of what your ask was?

16 MR. LAZER: My ask was for
17 additional --

18 COUNCILMAN GREEN: You made
19 an ask so --

20 MR. LAZER: Um?

21 COUNCILMAN GREEN: You made
22 an ask to the Administration --

23 MR. LAZER: I did.

24 COUNCILMAN GREEN: -- like
25 you need to have this range.

1 MR. LAZER: Yeah, I think
2 it's --

3 COUNCILMAN GREEN: To the
4 extent you feel comfortable --

5 MR. LAZER: -- between an
6 additional \$500,000 to \$800,000.

7 COUNCILMAN GREEN: Additional
8 what?

9 MR. LAZER: \$500,000 to
10 \$800,000.

11 COUNCILMAN GREEN: Okay. I'm
12 just -- that can help us get an
13 understanding of what your ask is
14 compared to the staffing. And as we go
15 through this process, that will give us
16 some perspective reference to where the
17 Finance department Budget Director
18 decided regarding allocating resources.

19 MR. LAZER: Correct.

20 COUNCILMAN GREEN: Okay.
21 Thank you.

22 COUNCILWOMAN PARKER:
23 Councilman Jones?

24 COUNCILMAN JONES: Thank you,
25 Madam Chair. So this is a private joke

1 and the people who get it will get it.
2 People who won't, won't, but it's
3 funny. I remember being out at the
4 airport at shift changes at 4:00 in the
5 morning not even knowing that there was
6 such a thing until we got out of there
7 and did that and marched until people
8 got a living wage increase, and it's
9 still going on. And that was probably
10 in my top 10 most proud things I've
11 ever done as an elected official
12 because it was real help for real
13 people.

14 I remember testimony about
15 paid sick leave that made me never want
16 another piece of chocolate cake ever
17 again. It was very graphic and that
18 compelled us to vote for that. I
19 remember Maria Sanchez and I in that
20 hallway when the W Hotel was being
21 proposed and that people were slapping
22 each other high five because of the 17
23 different trades that were going to
24 experience the labor piece, but they
25 had forgotten about the people that

1 were going to change the sheets. They
2 said we'll get to that later. And
3 Maria and I said, no, you'll get to
4 that now.

5 So we are all for -- we look
6 at this not just as a labor issue but
7 as an anti-poverty issue like bringing
8 people from sub-assistance to being
9 able to be providers for their family.
10 I say all of that to say most recently
11 with the security guards, we took a
12 stand in the middle of Broad Street and
13 said, if you come through here, we're
14 going to support folk for getting those
15 kinds of things, so we're not new to
16 this. And we've been supportive of
17 what labor can do. But I'm going to
18 tell you right now, it's not enough
19 because here's what I want: I want you
20 to also when you're checking on there,
21 to look at wages and all those other
22 things, is there an inclusion of
23 minority and female staff, because
24 that's a box that can get checked right
25 now.

1 MR. LAZER: Yeah.

2 COUNCILMAN JONES: When we're
3 looking at OSHA, because you had us sit
4 right at this table and fight for over
5 75 OSHA recommendations to make sure
6 that people on those work sites are
7 safe, so I need to be assured that that
8 box and those boxes are being checked
9 equally to the amount of people's pay,
10 because what is a paycheck if you're
11 not safe and your family has to prepare
12 because a crane fell on your head and
13 killed you.

14 So we want a complete list of
15 what you are going to be checking for
16 and one of them needs to be female and
17 minority participation because I didn't
18 hear any of that in any of this.

19 MR. LAZER: Right.

20 COUNCILMAN JONES: So before
21 I approve or sign off on any of that.
22 I know Cindy Bass stood in the middle
23 of this place. I thought we were going
24 to have to call 911 Rescue fighting
25 over for the inclusion of minorities

1 and females on Rebuild. I remember
2 that fight. So we're not going to just
3 atta boy and pass it on.

4 I'm looking for those boxes
5 to be checked because as important as
6 these checked boxes are, some of these
7 people may decide that I no longer just
8 want to work there, I want to own a
9 business that participates in the
10 contract and that needs to be a clear
11 path to that as well, so I'm looking
12 for those boxes as we look for this.

13 MR. LAZER: I'd like to -- I
14 do apologize for not mentioning it, but
15 we do -- the Labor Standards unit does
16 do workforce diversity reports on
17 public works contracts and we go
18 through that whole process and
19 Councilwoman has been very helpful with
20 that. We also have two staffers that
21 work with Rebuild, on all the Rebuild
22 projects, to make sure we hit the
23 diversity numbers, but also we work
24 very closely with Rebuild on the
25 workforce diversity training programs

1 that are enacted to make sure that we
2 are finding qualified folks that can
3 actually work into a pathway career
4 into the trades, so we do all of that.

5 COUNCILMAN JONES: So that's
6 usually clearly articulated so that
7 people out there that are watching
8 understand that we're looking out for
9 each of those checkboxes.

10 MR. LAZER: Correct.

11 COUNCILMAN JONES: And
12 there's no box I'm checking for
13 formerly incarcerated individuals as
14 well, right?

15 MR. LAZER: Correct.

16 COUNCILMAN JONES: We don't
17 look for that box, right?

18 MR. LAZER: Right. And we
19 work very -- the Office of Workforce
20 reports to myself and the Commerce
21 department, so we work very closely
22 with Sheila Ireland and our folks to
23 make sure that we're looking at all of
24 these options and all of these boxes
25 when we're working hard to make sure we

1 put all Philadelphians to work.

2 COUNCILMAN JONES: I look for
3 that in all final renditions of this
4 legislation. Thank you, Madam Chair.

5 COUNCILWOMAN PARKER:
6 Councilwoman Bass?

7 COUNCILWOMAN BASS: Thank
8 you. Thank you, Madam Chair. Good
9 morning.

10 MR. LAZER: Good morning.

11 COUNCILWOMAN BASS: Is it
12 still morning? I just wanted to say a
13 couple of things. And first, I wanted
14 to thank you -- tell me your name
15 again.

16 MS. PAYNE: Kat Payne. I'm
17 Kat.

18 COUNCILWOMAN BASS: Kat,
19 thank you so much for your testimony
20 and I have to say that I think your
21 testimony -- with all due respect, I
22 think that your testimony was really
23 the most powerful testimony that we've
24 heard to date about how important this
25 issue is and really what is at stake

1 here.

2 And so, I have a sister who
3 works for Septa in the subway system
4 and she usually closes down and she's
5 the last shift at the end of the night.
6 And on many occasions, she's spoken
7 about hospital workers, hotel workers,
8 stadium workers who are coming home at
9 that last shift and how they're getting
10 off in the neighborhood, going home
11 after doing a full day's work and it
12 feels as if this City has left them
13 behind.

14 And when you spoke about
15 progress and how much progress there is
16 in the City, it feels as if there's
17 progress for some people but with all
18 of the bright new shiny buildings that
19 we have going up, it doesn't mean a
20 thing if it doesn't connect with the
21 people in the neighborhoods. So I just
22 really wanted to say thank you for your
23 testimony. I think it really went a
24 long way. Even though this bill is
25 fine anyway, but I think that it really

1 went a long way in terms of people
2 being able to hear how important it is
3 and just really the importance of this
4 issue.

5 I did have a quick question,
6 Mr. Lazer, in terms of I just want to
7 go back, I think it was Councilman
8 Green who was asking about your budget.
9 Certainly, this is something that
10 should be implemented and I know you
11 don't have an exact figure, but could
12 you speak briefly in terms of what
13 we're spending now, chasing folks down,
14 trying to enforce but the instability
15 of the enforcement. There's a cost to
16 that. There's a cost on the City's
17 side and there's also a cost most
18 importantly to the workers who are
19 affected, so I don't know if you or
20 Gabe both could speak to that.

21 MR. LAZER: Yeah, I
22 definitely will get you a total number
23 because we did get during the transfer,
24 we got additional money to hire a few
25 more folks in that unit. I think the

1 goal -- the real increase that I'd like
2 to see if we are able to get is
3 definitely an outreach, because I think
4 the outreach is the most important
5 piece.

6 You all could pass as many
7 laws as possible, we can enforce them.
8 But if folks don't know about them,
9 we're not going to get phone calls,
10 we're not going to have people coming
11 in to ask what am I entitled to,
12 because a lot of times we find that the
13 violators of these laws are not great
14 employers at all.

15 And then when we peel back,
16 it's like peeling back an onion. When
17 you peel back the first layer, you end
18 up seeing all these other issues that
19 -- and then whether we refer them to
20 other City departments to handle that
21 that are not under our purview, but
22 that goal is once you see these
23 employees coming and they're talking to
24 us and they're starting to tell us what
25 happens on the job or what's going on

1 with their employer, we can start
2 peeling all that back and see what else
3 is going on in that company or
4 business.

5 But there are other goals, we
6 don't always want to be a hammer too.
7 I mean, there are great businesses,
8 especially small businesses that want
9 to continue to treat their employees
10 the right way but may not have the
11 resources to do it or not know all the
12 laws that are on the books and they're
13 not meaningfully violating them, so a
14 lot of times we get businesses that
15 call us because of outreach that we've
16 done.

17 We do outreach to businesses
18 all the time that will come in and say
19 -- and we'll help them write a policy
20 and make sure it's compliant, make sure
21 they're getting it out to their folks,
22 so I think it's a two-way street and we
23 also have to be open in the business
24 sector as well to work with especially
25 small businesses to make sure they're

1 complying because they want to. Most
2 businesses want to comply and they'll
3 come in and they'll say, we want to
4 comply, we didn't know we were
5 violating the law, and we want to make
6 sure that we help those folks and also
7 help the employee as well.

8 COUNCILWOMAN BASS: Okay.
9 Did you want --

10 MR. MORGAN: Yeah, I just
11 will respond in a couple ways. As I
12 said, one, imagine you're working at
13 the hotel, you're a cleaner, you're et
14 cetera. Even if you know that you're
15 supposed to be given paid sick days,
16 the idea that you're just going to go
17 your employer and be like, did you know
18 the law in Philadelphia says you should
19 do this, is a sure pathway to risking
20 your livelihood in real life. This is
21 what we see workers experience all the
22 time every day.

23 People are doing everything
24 they can do just to feed their families
25 and even when there are federal laws

1 that are in place that everyone knows,
2 most workers are just frankly too
3 scared to say something. So having an
4 office they could reach out to us,
5 reaching out to people gives them a way
6 to do that.

7 And what the economic
8 ramifications are to the City if these
9 laws actually be enforced are really
10 all to the positive. Most good
11 employers only want a level playing
12 field. If everyone's operating the
13 same rules, then they're fine. Most
14 bad employers actually end up costing
15 the City money because you're the ones
16 who have to step in to fix all of their
17 problems, right. You have to take care
18 of the employees housing. You have to
19 take care of the employees everything
20 because they're not doing it.

21 I will give you one example.
22 Prevailing wage, so 1,000 security
23 officers who should be making dollars
24 and dollars more an hour right now
25 which will be revenue for the City,

1 payroll taxes and et cetera, are not
2 getting it even though the City gave
3 the person who hired their employees
4 millions of dollars. So the economic
5 cost of non-enforcing these laws, if
6 you said a law that says we want to
7 help economic and equality of fighting
8 poverty, we want to make sure you have
9 public money, you have to pay a decent
10 wage. And then someone doesn't
11 actually enforce that law or the person
12 who is supposed to be doing doesn't do
13 it, then the City basically loses
14 credibility, money, you name it. And
15 then it's continuing to hand out money
16 to that very entity so -- or the City
17 could be getting a much bigger public
18 good for the money it's already getting
19 if there was another staff person or
20 two who are able to spend their time to
21 make sure that happened.

22 COUNCILWOMAN BASS: Okay. I
23 think that the SEIU has done a good job
24 in calling out those bad actors in
25 making us aware, so keep that work up

1 because we want to certainly make sure
2 that we know who the bad actors are and
3 that we are in no way, shape or form
4 supporting folks who are treating
5 workers here in the City of
6 Philadelphia inappropriately.

7 And just one last thing I
8 wanted to say is just following up
9 Mr. Lazer on Councilman Jones' comments
10 in terms of the diversity in the Labor
11 Office, I just want to strongly,
12 strongly encourage that when we have
13 the conversation again, that you have
14 had some conversations with us in
15 Council so that the diversity looks and
16 feels appropriate for this office.

17 MR. LAZER: Definitely.
18 Thank you.

19 COUNCILWOMAN BASS: Thank
20 you.

21 COUNCILWOMAN PARKER:
22 Councilwoman Sanchez?

23 COUNCILWOMAN QUINONES-
24 SANCHEZ: Thank you, gentlemen, and
25 good afternoon. Gabe, I want to thank

1 you. SEIU over the last 12 years have
2 really taught me getting a fairness in
3 equity is not always easy, but I think
4 that the work started by former
5 Councilman Wilson Goode around this
6 area has brought us here today, right,
7 at a place where we now recognize that
8 this has to go beyond one
9 administration, right, and really look
10 at how do we infuse and
11 institutionalize this work in a way
12 that workers do feel protected, because
13 ultimately it's about when something
14 hits the fan, that there's a place to
15 call and there's a team of folks who
16 have the experience and the know-how to
17 navigate that for good employers as
18 well as good employees, because you're
19 right, one of the things I've learned
20 in this process is that there are a lot
21 of folks who just want to do well but
22 they do want the level playing field.

23 And again, I have not talked
24 to the bill sponsors. But in addition
25 to what Councilperson Parker spoke

1 about around ensuring that the table
2 and we went through this with 21st
3 Century wages and others, that the
4 table be brought in to include folks
5 that don't normally participate in
6 these conversations but bring a wealth
7 of experience, in that I really do want
8 to ask that a role for Council be in
9 there.

10 We don't know who the next
11 mayor's going to be, but we know that
12 the last mayor wasn't always with us
13 when we were navigating this. This
14 Mayor has come in with the willingness
15 obviously led by Deputy Mayor Lazer and
16 others to figure out how to navigate
17 this, but I would say to you that over
18 the next decade we're going to have
19 even more challenges around this,
20 right.

21 You hear the narratives
22 around whether it's the underground
23 economy and other stuff. My fear is
24 those are buzzwords for excluding
25 people who have been historically

1 marginalized from certain sectors as
2 well as feeling unprotected. I learned
3 from SEIU, undocumented workers feeling
4 like they're protected, with domestic
5 workers we saw that.

6 And so, in that spirit I want
7 to make sure that there's a balance in
8 the power, in the decision-making as we
9 shape these laws and operationalize
10 them because the next Administration
11 may not be as friendly, right, and then
12 we're back to a Council-led kind of
13 reform movement.

14 And so, I will formally put
15 that in because I think to Councilman
16 Jones' point and Councilwoman Bass',
17 what we've done for worker unions in
18 the City has been significant. But we
19 still have a few sectors who have been
20 slow to come on board, so this office
21 has to work for everyone. And in that
22 spirit, there are some voices that are
23 missing in that and I definitely want
24 to see more power from Council or the
25 ability to appoint people on that Board

1 to balance it out, because many times
2 when you can't get the Mayor, it lays
3 on us. You know that. SEIU knows
4 that, so that's why I think there
5 should be some shared acknowledgment of
6 that and that should be reflected on
7 this Board, so I want to echo what
8 Councilwoman Parker said, that we need
9 to broaden that table. Thank you.

10 Thank you very much.

11 COUNCILWOMAN PARKER:

12 Councilwoman Gym?

13 COUNCILWOMAN GYM: Yes. I
14 just wanted to say again how much I'm
15 grateful to the members of this
16 Committee, to our Administration but
17 especially to Vice-president Morgan and
18 to Kat Payne. It is a different world
19 for us when we're here in City Council.
20 We don't get to hear enough about what
21 happens when we pass the laws, so it is
22 amazing when this gallery fills up and
23 people come out and we cheer it on.

24 But honestly, the hard work
25 and listening to you tell us what it

1 looks like to wait 15 months for Fair
2 Workweek to go into effect, to know
3 that there are employers who won't
4 enforce it until that date starts and
5 if they don't feel like it's going to
6 be enforced on that date, maybe it
7 doesn't.

8 Mr. Morgan, I think the
9 tremendous work that you've done to
10 show us how much it takes to get
11 prevailing wage with City-represented,
12 you know, with unions at sites that
13 receive City subsidies to get just
14 cause for our parking workers, you've
15 had to hold rallies, you've had to get
16 the Mayor directly involved and then,
17 and maybe then, can we show it.

18 But if this City government
19 puts its full weight with an
20 enforcement agency with investigators
21 and with collaboration, I think that's
22 the big thing, I do not want this to
23 look like it's going to be the weight
24 of City government coming down on a
25 handful of businesses, that's not true.

1 I think it's what you said exactly,
2 Mr. Morgan. It's about saying there's
3 a level playing field.

4 So if we follow the rules and
5 you follow the rules, it makes sense.
6 But if you get away with it because
7 you're a bigger company or you've got
8 more ability to dodge it through
9 franchises and other smaller things,
10 then none of this makes sense, what are
11 we doing here at the end of the day.

12 So I just wanted to echo
13 Councilwoman Bass' sentiments that,
14 Mr. Morgan, your being here and just
15 sharing and having seen you out there
16 with your members demanding that basic
17 rules that seem like they're fairly
18 commonsense, pretty easy to enforce, on
19 the books for a while, that we have to
20 struggle to get it.

21 And of course, Ms. Payne, for
22 the tremendous and heroic work you did
23 on Fair Workweek but also just
24 reminding us you're not in a union and
25 that it is up to you and to your

1 ability to give confidence to your
2 other coworkers, to your friends and
3 neighbors, we fought for this, we're
4 going to make it happen and it's going
5 to make a difference. So I just wanted
6 to echo and say thank you again.

7 MS. PAYNE: Thank you.

8 COUNCILWOMAN PARKER:
9 Councilman Green?

10 COUNCILMAN GREEN: Thank you,
11 Madam Chair. I just have a quick
12 question. Gabe, as you were talking,
13 it made me think about at the federal
14 level on the Department of Labor, there
15 are certain things that have to be
16 posted on work sites, and I was
17 thinking that -- and this is actually a
18 question for Mr. Lazer, a way that we
19 could find a way in a cost-effective
20 way that does not negatively impact the
21 City to make sure people have a better
22 understanding of these requirements,
23 because I know like I said from the
24 federal level, you've got to post
25 certain things in your work site for

1 your employees to see. So is that
2 something that as this new department
3 is coming together to think about some
4 type of way so these additional
5 benefits were providing for the people
6 of the City of Philadelphia, for those
7 who are represented and not represented
8 can see in that job site. So if you
9 can comment on that, Mr. Lazer.

10 MR. LAZER: Yeah, I know some
11 of the laws now do have posting
12 requirements and we do have posters
13 that we give out to businesses and that
14 we have accessibly available in
15 multiple different languages, but I
16 think we can continue to push that and
17 make sure that's at one of the
18 forefronts of our outreach piece.

19 COUNCILMAN GREEN: Okay.
20 Thank you.

21 COUNCILWOMAN PARKER: Thank
22 you. Are there any other questions or
23 comments for members of the Committee
24 for this panel?

25 (No response.)

1 COUNCILWOMAN PARKER: We want
2 to thank each of you for your
3 testimony. We appreciate you being
4 here. Will the Clerk please call the
5 second panel of witnesses to testify?

6 THE CLERK: Ahmad Mitchell,
7 Junior Brainard and Sam Jones.

8 (Panel approached
9 Witness Table.)

10 COUNCILWOMAN PARKER: Good
11 morning to each of you. Can you please
12 state your name for the record?

13 MR. MITCHELL: Good morning,
14 Chair Parker and other members of
15 Council. My name is Ahmad Mitchell.
16 I'm here representing One Pennsylvania
17 and the Coalition to Respect Every
18 Worker.

19 (Applause.)

20 MR. MITCHELL: I'm a line
21 cook at Spice Fish Restaurant at the
22 Warwick Hotel. I'm here today to
23 persuade members of this Committee to
24 vote yes on Bill 200008 and Resolution
25 200042, a resolution and the bill that

1 would institute an independent Labor
2 Office and support workers in
3 Philadelphia. Specifically, this
4 office would protect workers by
5 processing and reporting instances of
6 employer misconduct about provide
7 information to workers about their
8 rights in the workplace.

9 As someone who works in the
10 food service industry, I work with
11 people who do not speak -- many of our
12 coworkers are people who are not fluent
13 English, who have disabilities and none
14 of us can afford to lose our jobs. We
15 deserve to have independent Labor
16 Office.

17 (Applause.)

18 MR. MITCHELL: Based on the
19 study conducted by the Sheller Center
20 for Social justice in 2015, the
21 Philadelphia metro area had 120,000
22 minimum wage violations, 100,000
23 overtime violations and 83,000
24 off-the-clock violations. Violations
25 of workplace labor laws outweighs the

1 -- cause families to become food
2 insecure, meaning they have to choose
3 between necessities like food, housing,
4 clothes but they also hurt our local
5 economy.

6 According to the same report
7 conducted by Temple University Sheller
8 Center for Social Justice, wage theft
9 accounts for more than \$10 million lost
10 in business tax revenue. By voting yes
11 to this ballot, you are supporting our
12 City and us as workers. Thank you for
13 your time.

14 (Applause.)

15 MR. JONES: Good morning. My
16 name is Samuel Jones and I'm the
17 Director of the Restaurant Opportunity
18 Center of Pennsylvania, better known as
19 ROC Pennsylvania. I am providing
20 testimony on behalf of CREW, the
21 Coalition to Respect Every Worker,
22 which is comprised of One Pennsylvania,
23 the Pennsylvania Domestic Worker
24 Alliance, Make the Road Pa, ROC and our
25 supporting partners PathWays Pa,

1 Community Legal Services, the New
2 Working Majority, Jobs with Justice and
3 UNITE HERE.

4 Philadelphia has been cited
5 both nationally and locally for having
6 enacted some of the most progressive
7 work protections in the country. We
8 applaud our City Councilmembers for the
9 passage of Paid Sick Leave, Fair
10 Workweek, Prevailing Wage and the
11 Domestic Workers Bill of Rights
12 legislation.

13 We the members of CREW firmly
14 believe that in order for the great
15 working people of Philadelphia to reap
16 the full benefits of this legislation,
17 we need a fully-staffed permanent
18 Department of Labor to oversee the two
19 essential components that make the
20 legislation work, education and
21 enforcement.

22 One Pennsylvania and Make The
23 Road Pa have recently conducted surveys
24 which have concluded that the vast
25 majority of Philadelphia workers are

1 unaware of their rights. Philadelphia
2 workers began earning paid sick days on
3 May 13 of 2015. Yet many workers have
4 no knowledge of these rights.

5 I had restaurant workers come
6 and speak with me as recently as three
7 weeks ago and did not understand that
8 they have the right to paid sick leave.
9 A permanent and fully-staffed and
10 funded Philadelphia Department of Labor
11 is absolutely essential for these
12 strong labor laws to have any meaning.
13 Therefore, CREW strongly supports the
14 ballot initiative that would create a
15 permanent Philadelphia Department of
16 Labor. Thank you.

17 (Applause.)

18 MR. BRAINARD: Good morning.
19 My name is Junior Brainard and I'm
20 Co-president of the Faculty and Staff
21 Federation at Community College of
22 Philadelphia. In my role as a union
23 officer at CCP, I'm here in support of
24 the establishment of a Department of
25 Labor and a Board Labor Standards in

1 the City of Philadelphia. We're glad
2 to see support for this initiative from
3 Councilmembers Gym and Henon as well as
4 Brooks, Johnson and Bass and the rest
5 of the Committee here today. We hope
6 to see this new department on the
7 ballot on April 28, 2020.

8 As a union representing 1200
9 workers in the City's only community
10 college, we know the importance of
11 organized labor. And when we
12 collectively bargain for our working
13 conditions, we are also bargaining for
14 our students' learning conditions. Our
15 student body is predominantly students
16 of color, including immigrants,
17 first-generation college students,
18 older adults returning to school for a
19 new career and veterans. These are the
20 students and future workers who benefit
21 from the hard-fought contract
22 provisions that include class-sized
23 caps, staffing ratios as well as
24 counselors, advisors, librarians and
25 learning lab faculty.

1 A Department of Labor that
2 recognizes the importance of workers,
3 our contributions to our City's public
4 institutions and to the overall economy
5 of this city is critical. A Department
6 of Labor is one step towards building
7 an economy centered on the needs of
8 working people in Philadelphia where
9 one job is enough.

10 At CCP, adjunct faculty often
11 piece together a living teaching at
12 multiple schools each semester while
13 most of our staff regularly work
14 weekends and evening jobs to supplement
15 their full-time employment at CCP. And
16 too many full-time faculty take on
17 extra work because of the burden of
18 student debt and the rising cost of
19 living in Philadelphia.

20 Our students, many of whom
21 are part of the most vulnerable class
22 of laborers in the City and who also
23 benefit directly from Fair Workweek
24 also deserve to graduate and move into
25 a career where they can support their

1 families. As the poorest big city in
2 America, it's time for Philadelphia to
3 recognize that unions can provide a
4 pathway out of poverty and a Department
5 of Labor can help us use organized
6 labor as a key anti-poverty measure.

7 A Department of Labor could
8 also serve as a counterweight to the
9 Department of Commerce in Philadelphia.

10 At CCP, we need a Board of Trustees
11 that reflect such a balance that
12 represents the needs of students and
13 workers, not just employers.

14 Recognizing workers is essential to
15 governance through processes like
16 co-determination in which workers vote
17 for a portion of all Board seats which
18 would help everyday Philadelphians and
19 a Department of Labor could lead these
20 kinds of conversations.

21 In our last contract
22 settlement, we were forced to make
23 countless concessions because the City
24 has disinvested in CCP for over 30
25 years. To reverse that trend means

1 investing in the people who do the
2 work. Our union T-shirts says CCP
3 works because we do. It's time to
4 create a permanent office in the City
5 that can be an advocate for working
6 people, for organized labor and for all
7 Philadelphians. Thank you.

8 (Applause.)

9 COUNCILWOMAN PARKER: We
10 thank each of you for your testimony.
11 Councilwoman Gym?

12 COUNCILWOMAN GYM: Yes.
13 Thank you, Madam Chair. I just want to
14 say thank you again to the three of you
15 who've been incredible partners to the
16 groups that you've brought and members
17 that you've brought here with you and
18 just sharing how important this work
19 is.

20 And I think, Mr. Brainard,
21 you also brought up one of the
22 important issues, which is that the
23 Labor Office does need to help a little
24 bit with policy. We need more heads on
25 how we're going to be advancing and

1 strengthening policy, and I think that
2 because they will be closer to workers,
3 hearing exactly what's happening,
4 especially around wage theft, paid sick
5 leave, to recognize that these laws
6 have been on the books for years but
7 that workers may not know, may not
8 understand but more as we heard earlier
9 may also be afraid to raise them if
10 they're not sure that the office is
11 going to be the ones bringing the
12 energy and heat around making sure that
13 those laws are enforced. But I think
14 you've pointed other areas that we hope
15 that the office will be able to uplift,
16 but thank you very much for taking the
17 time to be out here. We really
18 appreciate it.

19 COUNCILWOMAN PARKER: Thank
20 you also very much. Just as a matter
21 of personal privilege, I just wanted to
22 note for the record that if you look at
23 this panel, this is also a very
24 powerful intergenerational advocacy.
25 And, Councilman O'Neill, I'm not sure

1 if somebody at that table looks
2 familiar to you. I know it's been a
3 long time and maybe it's because they
4 were an infant during this time, but
5 the last name is Mitchell, but that's
6 also a Clark.

7 COUNCILMAN O'NEILL: Okay.

8 COUNCILWOMAN PARKER: All
9 right. Thank you all so, so very much
10 for being here. Thank you. Are there
11 any other questions or comments from
12 members of the Committee for these
13 witnesses?

14 (No response.)

15 COUNCILWOMAN PARKER: Okay.
16 Thank you so very much. Is there
17 anyone else to testify on Bill No.
18 200008 and Resolution 200042? So we
19 have one coming. And I also just want
20 to note for the record that we have
21 written testimony from Nicole
22 Kligerman, the Pennsylvania Director of
23 the National Domestic Workers Alliance
24 and we will be submitting that to the
25 stenographer so that it can be entered

1 into the record.

2 (Witness approached
3 Witness Table.)

4 COUNCILWOMAN PARKER: Sir,
5 please state your name for the record?

6 MR. ALI: My name is Jihad
7 Ali, Council Chairwoman Parker. I
8 wanted to come here today to give
9 testimony on Bill No. 200008 and
10 200042. Listening to all the things
11 that you've all said, I agree with
12 that. One of the things that brought
13 me down here was when I looked at the
14 panel and how is the Board and how it
15 was going to be composed, and
16 immediately when I saw there was going
17 to be two members of the Building
18 Trades, think about it, it's going to
19 be a member of the Building Trades
20 representing the employees of the
21 Building Trades and a member of the
22 Building Trades representing the union
23 employers of the Building Trades, and I
24 thought that was interesting.

25 I think that for the things

1 that you said, Chairwoman, I think you
2 have the power now. I think you should
3 cross those two names out and put
4 District 33 and 47 and then you can
5 work on the other things going forward
6 to get SEIU and IPA, because District
7 33 and 47, they both comprise of
8 building trades in their departments
9 and they comprise all the other fields
10 in their departments, so I think that
11 will be good.

12 But, you know, it's serious
13 business what you're about to do. And
14 I support everything that you've all
15 said, but there is two cities in
16 Philadelphia. There's a city of the
17 union and a non-union. And if you look
18 at the diversity of all these people
19 that came down here, one time,
20 Councilwoman Sanchez, you had a meeting
21 and you called the Building Trades and
22 when we looked at the panel, they were
23 all White.

24 And when you come down here,
25 you see the diversity of Philadelphia.

1 If you look up there, we see the
2 diversity of the City of Philadelphia.
3 We'll never change it unless you take
4 the stand now. So you're on the right
5 path. You just got to look them in the
6 eye and know that they say different
7 things.

8 Now, I had some comments to
9 talk about the current Department of
10 Labor, but in fairness to Mr. Lazer, he
11 asked me to -- he would meet with me so
12 I'll table that. But I wanted to
13 mention that now to you so in case
14 public testimony comes, I want to be
15 able to say -- I don't want to be
16 questioned why I didn't say it then.

17 Another thing, I'm a member
18 of the Carpenters Union so I need to
19 afford myself the rights under the
20 Department of Labor that if I come down
21 here in opposition to my union, I'm
22 protected by the Department of Labor.
23 And I'm down here to voice some
24 concerns I have about the Carpenters
25 Union. So that's all my testimony for

1 the day. I'll get back to you at
2 public testimony.

3 COUNCILWOMAN PARKER: Thank
4 you, Mr. Ali, for your testimony. Let
5 me just also note for the record and
6 for your information that we have been
7 in communication with the
8 Administration. Mr. Lazer, we talked
9 this morning. We are working on an
10 amendment that will just further expand
11 it so that we can add some other
12 workers and leaders to that table.

13 The Administration was ready,
14 willing and able immediately and
15 interested in working with us in
16 getting that amendment drawn up. We
17 just didn't want to scramble to try to
18 get it off today, but we will have the
19 amendment ready and it will get passed
20 and we will expand it. We won't
21 attempt to exclude anybody, but we will
22 be working to just expand what it looks
23 like. But thank you very much for your
24 testimony. Councilwoman Gym?

25 COUNCILWOMAN GYM: Yes. I

1 just wanted to clarify again as well
2 that we want to be thoughtful about not
3 naming organizations and specific
4 organizations. We want to expand the
5 category of who gets to be represented
6 there and make sure that it is
7 representative of the full labor force
8 of the City of Philadelphia.

9 So I just want people to
10 understand that there are many
11 different organizations and groups that
12 are covered under the City's labor
13 laws. We don't want to get involved in
14 a back and forth about specifically
15 naming different groups. I think what
16 we're going to be working with is
17 ensuring that labor organizations much
18 more broadly are represented and if
19 there are specific area categories that
20 are particularly covered, then we'll be
21 more broad about what they can be.

22 MR. ALI: Well, I think
23 that's a great point because the
24 Administration was the one that put the
25 Building Trades in there and Building

1 Trades is just what it says. It's
2 union, building trades and union
3 employees so they weren't inclusive of
4 the rest of the City. I think that's a
5 great point.

6 COUNCILWOMAN GYM: Yes. And
7 we heard that and we'll make those
8 changes.

9 MR. ALI: Thank you.

10 COUNCILWOMAN PARKER: Again,
11 Mr. Ali, let me just thank you again
12 for your testimony and just want to
13 note for the record, eagle eyes as my
14 grandmother would say, they are really
15 good to have. And prior to coming into
16 this hearing this morning when we began
17 to have conversations with the
18 Administration about this, we
19 recognized that we needed to make some
20 adjustments to make it broad-based and
21 more inclusive and that is how we came
22 to the position of needing to amend it
23 and we're working with them to get it
24 done. Chair recognizes
25 Councilman Oh.

1 COUNCILMAN OH: Thank you
2 very much, Chairwoman. I appreciate
3 your consistency in raising the issues
4 of discrimination against qualified
5 workers of the City of Philadelphia.
6 You have been here on a number of
7 occasions, certainly different
8 hearings. I want to say that I believe
9 the members of Council are very attuned
10 to what you're saying. They have
11 mentioned it, some different items.

12 I myself mentioned Bill
13 170726, the Equal Opportunity Plan
14 Enforcement bill. That's specifically
15 on City-funded construction sites. If
16 there is discrimination, anyone can
17 come to Council to complain if they are
18 not getting action from the City, for
19 us to suspend payment to that entire
20 construction site. I think
21 enforcement -- the law is there.
22 Whether people actually use it and as
23 you are doing now, ensuring that when
24 we put a labor -- when the City puts a
25 labor department together, that it is

1 not an enforcement mechanism for just
2 some, but for everyone, and this city
3 has a history of discriminatory
4 practices.

5 I do think about Community
6 College and the City's failure to fund
7 Community College. These are
8 challenges that I hope when this
9 department is created, it will be
10 broad-minded to consider all the harms
11 done from every place, including the
12 local government itself. But your
13 issue should be represented in this
14 department. I hope that it will be.
15 Thank you.

16 MR. ALI: You're welcome.

17 COUNCILWOMAN PARKER:
18 Councilwoman Sanchez?

19 COUNCILWOMAN QUINONES-
20 SANCHEZ: Yes. I just want to add for
21 the purpose of process, Madam Chair, in
22 addition to the issue of broadening the
23 Board, I made a request about the fact
24 that before we had a cooperative Mayor
25 we had a very proactive Council and I'd

1 like to see that table broadened and
2 continue to include Council where a lot
3 of this body of work has been developed
4 in partnership with the stakeholders.
5 So that is a request I made as the bill
6 sponsors and others.

7 I'm happy to formalize that,
8 because again, there is a lot of
9 discussion and code words that are
10 being used, particularly as it relates
11 to the undocumented population which
12 these worker unions have taught me how
13 to better manage it, that I want to
14 ensure gets incorporated and infused in
15 here so that this office and it's
16 checking off the box, are not utilized
17 particularly on work sites to target
18 certain constituencies that
19 historically they have not dealt with.

20 So I just want to put that on
21 the record and insist that I would feel
22 much better that any board that is
23 developed in this kind of Charter
24 change includes representation of the
25 appropriate committees in Council so

1 that there is a voice that is infused
2 in there. Thank you, Madam Chair.

3 COUNCILWOMAN PARKER: Thank
4 you, Councilwoman. Are there any other
5 comments or questions from members of
6 the Committee?

7 (No response.)

8 COUNCILWOMAN PARKER: Is
9 there anyone else here to testify on
10 Bill No. 200008 and Resolution No.
11 200042?

12 (No response.)

13 COUNCILWOMAN PARKER: There
14 being no one else to testify on the
15 bills and resolutions before this
16 Committee, this concludes the public
17 hearing. We will now go into a public
18 meeting to consider the action to be
19 taken on the legislation heard today.

20 The Chair wants to recognize
21 Councilmember Green for a motion on the
22 amendment to Bill No. 200015.

23 COUNCILMAN GREEN: Thank you,
24 Madam Chair. I offer amendment to Bill
25 No. 200015, a copy of which has been

1 circulated to all members of this
2 Committee. I move that the amendment
3 to Bill No. 200015 be approved.

4 (Duly seconded.)

5 COUNCILWOMAN PARKER: It's
6 been moved and properly seconded that
7 the amendment to Bill No. 200015 be
8 approved. All those in favor of the
9 motion will signify by saying aye.

10 (Aye.)

11 COUNCILWOMAN PARKER: Those
12 opposed?

13 (No response.)

14 COUNCILWOMAN PARKER: The
15 ayes have it and the motion carries,
16 and the amendment to Bill No. 200015
17 has been approved. The Chair
18 recognizes Councilmember Green for a
19 motion on Bill No. 200015 as amended.

20 COUNCILMAN GREEN: Thank you,
21 Madam Chair. I move that Bill No.
22 200015 as amended be reported from
23 Committee with a favorable
24 recommendation and further move that
25 the rules of Council be suspended so

1 this bill can be heard in our next
2 session of Council.

3 (Duly seconded.)

4 COUNCILWOMAN PARKER: It's
5 been moved and properly seconded that
6 Bill No. 200015 as amended be reported
7 from this Committee with a favorable
8 recommendation and further move that
9 the rules of Council be suspended to
10 permit first reading of this bill at
11 the next session of Council. All those
12 in favor of the motion will signify by
13 saying aye.

14 (Aye.)

15 COUNCILWOMAN PARKER: Those
16 opposed?

17 COUNCILMAN OH: Nay.

18 COUNCILWOMAN PARKER: One.
19 The ayes have it and the motion
20 carries. Bill No. 200015 as amended
21 will be reported from this Committee
22 with a favorable recommendation with
23 the request that the rules of Committee
24 be suspended to permit first reading at
25 the next session of Council. Chair

1 recognizes Councilmember Green for a
2 motion on the amendment to resolution
3 No. 200056.

4 COUNCILMAN GREEN: Thank you,
5 Madam Chair. I offer amendment to
6 Resolution No. 200056, a copy in which
7 has been circulated to all members of
8 the Committee. I move that amendment
9 to Resolution No. 200056 be approved by
10 this body.

11 (Duly seconded.)

12 COUNCILWOMAN PARKER: It's
13 been moved and properly seconded that
14 the amendment to Resolution No. 200056
15 be approved. All those in favor of the
16 motion will signify by saying aye.

17 (Aye.)

18 COUNCILWOMAN PARKER: Those
19 opposed?

20 (No response.)

21 COUNCILWOMAN PARKER: The
22 ayes have it and the motion carries,
23 and the amendment to Resolution No.
24 200056 has been approved. The Chair
25 recognizes Councilmember Green for a

1 motion on Resolution No. 200056 as
2 amended.

3 COUNCILMAN GREEN: Thank you,
4 Madam Chair. I move that Resolution
5 No. 200056 as amended be voted out of
6 this Committee with a favorable
7 recommendation.

8 (Duly seconded.)

9 COUNCILWOMAN PARKER: It has
10 been moved and properly seconded that
11 Resolution No. 200056 as amended be
12 reported from this Committee with a
13 favorable recommendation. All those in
14 favor of the motion will signify by
15 saying aye.

16 (Aye.)

17 COUNCILWOMAN PARKER: Those
18 opposed?

19 COUNCILMAN OH: Nay.

20 COUNCILWOMAN PARKER: One
21 opposed. The ayes have it and the
22 motion carries. Resolution No. 2000156
23 as amended will be reported from this
24 Committee with a favorable
25 recommendation. Now, the Chair

1 recognizes Councilwoman Gym for a
2 motion on Bill No. 200008.

3 COUNCILWOMAN GYM: Thank you,
4 Madam Chair. I move that Bill No.
5 200008 be reported from this Committee
6 with a favorable recommendation and
7 further move that the rules of Council
8 be suspended to permit first reading of
9 the bill on the next session of City
10 Council.

11 (Duly seconded.)

12 COUNCILWOMAN PARKER: It has
13 been moved and properly seconded that
14 Bill No. 200008 be reported from this
15 Committee with a favorable
16 recommendation and further move that
17 the rules of Council be suspended to
18 permit first reading of this bill at
19 the next session of Council. All those
20 in favor with the motion will signify
21 by saying aye.

22 (Aye.)

23 COUNCILWOMAN PARKER: Those
24 opposed?

25 (No response.)

1 COUNCILWOMAN PARKER: The
2 ayes have it and the motion carries.

3 Bill No. 20008 will --

4 (Applause.)

5 COUNCILWOMAN PARKER: -- be
6 reported from this Committee with a
7 favorable recommendation with a request
8 that the rules of Council be suspended
9 to permit the first reading at the next
10 session of Council. The Chair
11 recognizes Councilmember Gym for a
12 motion on the amendment on Resolution
13 No. 200042.

14 COUNCILWOMAN GYM: Thank you,
15 Madam Chair. I offer an amendment to
16 Resolution No. 200042, a copy of this
17 amendment has been circulated to all
18 members of the Committee, and I move
19 that the amendment to Resolution 200042
20 be approved.

21 (Duly seconded.)

22 COUNCILWOMAN PARKER: It's
23 been moved and properly seconded that
24 the amendment to Resolution No. 200042
25 be approved. All those in favor of the

1 motion will signify by saying aye.

2 (Aye.)

3 COUNCILWOMAN PARKER: Those
4 opposed?

5 (No response.)

6 COUNCILWOMAN PARKER: The
7 ayes have it and the motion carries,
8 and the amendment to Resolution 200042
9 has been approved. The Chair
10 recognizes Councilmember Gym for a
11 motion on Resolution No. 200042 as
12 amended.

13 COUNCILWOMAN GYM: Thank you,
14 Madam Chair. I move that Resolution
15 No. 200042 as amended be reported from
16 this Committee with a favorable
17 recommendation.

18 (Duly seconded.)

19 COUNCILWOMAN PARKER: It's
20 been moved and properly seconded that
21 Resolution No. 200042 as amended be
22 reported from this Committee with a
23 favorable recommendation. All those in
24 favor of the motion will signify by
25 saying aye.

1 (Aye.)

2 COUNCILWOMAN PARKER: Those
3 opposed?

4 (No response.)

5 COUNCILWOMAN PARKER: The
6 ayes have it and the motion carries.
7 Resolution No. 200042 as amended will
8 be reported from this Committee with a
9 favorable recommendation. This
10 concludes the business of the City
11 Council Committee on Law and
12 Government. We want to thank each and
13 every one of you for being here today
14 and we look forward to seeing you in
15 the future.

16 (Committee on Law and
17 Government concluded at 12:05 p.m.)

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C E R T I F I C A T I O N

I, hereby certify that the
proceedings and evidence noted are contained
fully and accurately in the stenographic
notes taken by me in the foregoing matter,
and this is a correct transcript of the
same.

Court Reporter - Notary Public

(The foregoing certification of
this transcript does not apply to any
reproduction of the same by any means,
unless under the direct control and/or
supervision of the certifying reporter.)

Committee on Law and Government
February 3, 2020

Page 1

A	9:24 10:7	80:22 96:9	114:23	17:20 24:5	appoint	76:13	32:20 60:1
a.m 1:6	12:2 15:18	98:10	allocated	America	98:25	117:11	94:25
ability 34:22	15:24 17:5	99:16	75:4,15	111:2	appointed	asking 43:24	awful 41:11
48:18 52:1	17:13	118:8,13	allocating	amount	6:20 71:13	69:20 76:4	awfully 15:23
56:20 75:6	20:17 25:9	119:24	81:18	18:13 84:9	appreciate	80:12 89:8	aye 125:9,10
98:25	39:11 42:6	120:18	allow 5:20	amounts 66:7	11:4,8 30:5	aspect 49:8	126:13,14
101:8	44:15 46:3	Administra...	24:16 57:2	analysis	104:3	Assembly	127:16,17
102:1	49:5,20	8:7	58:17	49:15	113:18	7:24	128:15,16
able 11:9	50:14,19	adopted 6:23	allowable	ancillary	121:2	assessment	129:21,22
12:20 13:9	52:3	18:1 78:13	40:1	19:6	appreciates	14:17	131:1,2,25
13:10	actors 94:24	adults 109:18	allowed	and/or	6:10	associated	132:1
16:21	95:2	advances	17:20 22:1	133:22	approach	17:8	ayes 125:15
22:16	add 118:11	55:9	25:7	anonymous	30:4 47:3	associates	126:19
36:20 38:5	122:20	advancing	allowing	15:8	approached	43:2	127:22
38:17 42:2	adding 45:9	112:25	45:20	answer 8:15	4:9 16:20	association	128:21
69:22 80:1	addition	advice 51:4	51:13	13:12	54:12	17:15	130:2
83:9 89:2	11:24 72:6	advisors	allows 24:6	anti-poverty	62:10	assume 30:17	131:7
90:2 94:20	96:24	109:24	24:17	83:7 111:6	104:8	31:20	132:6
113:15	122:22	advocacy	amazing 65:1	anticipate	115:2	36:13	
117:15	additional	113:24	99:22	11:3 19:3	approaching	assured 84:7	B
118:14	8:12 17:25	advocate	amend 4:22	32:1 33:13	54:9	Atlantic 50:8	B 46:1
absolutely	18:8 19:13	112:5	120:22	77:18	appropriate	atta 85:3	baby 27:25
48:6	20:21 76:4	affect 44:19	amended	anticipates	16:4 53:12	attempt	back 13:22
108:11	78:9 80:17	45:2	125:19,22	79:17	95:16	118:21	50:25
abuses 60:10	81:6,7	afford 69:8,9	126:6,20	anybody	123:25	attempting	55:13 80:6
access 52:1	89:24	105:14	128:2,5,11	67:12,13	approve	67:25	89:7 90:15
accessibly	103:4	117:19	128:23	118:21	30:13	attendance	90:16,17
103:14	address 11:5	AFL-CIO	131:12,15	anymore	84:21	2:16	91:2 98:12
accidentally	33:15	50:5	131:21	40:9	approved 3:9	attention	118:1
42:9,18	63:15,23	afraid 113:9	132:7	anyway	7:13 53:3	23:15	119:14
accounts	67:16,25	afternoon	amendment	88:25	125:3,8,17	attorney 7:21	backed 59:20
106:9	68:2 76:3	95:25	3:10,19 4:2	apart 29:7	127:9,15,24	36:21	bad 93:14
accurately	adjunct	agency 56:14	5:20 6:9,18	apologize	130:20,25	37:14 43:1	94:24 95:2
133:4	110:10	57:16	7:6 11:23	85:14	131:9	43:2	balance 7:8
acknowledge	adjustments	100:20	16:6 17:16	appear 58:13	April 30:16	Attorney's	8:8 17:11
40:16,19	30:6	ago 14:6 40:8	22:8 45:25	appearances	30:18	6:7 11:18	17:17
42:1 52:12	120:20	63:11	47:13	6:14	48:25	21:19 46:6	51:13 98:7
acknowled...	administer	108:7	48:20 53:4	applaud	109:7	46:18	99:1
99:5	44:20	agree 11:23	53:16 54:1	107:8	area 37:7	attuned	111:11
act 17:4	46:12	115:11	58:18 59:3	Applause	38:16	121:9	ballot 30:18
24:15,17	administered	ahead 24:15	61:12 72:3	56:4 64:3	39:10 79:9	audience	32:7 49:1
25:5,16	9:2	27:24	118:10,16	65:18	96:6	58:2	106:11
47:4 48:18	administeri...	Ahmad 104:6	118:19	68:13 71:5	105:21	auditor 7:21	108:14
63:21	11:21	104:15	124:22,24	104:19	119:19	36:20	109:7
action 121:18	administra...	airport 61:23	125:2,7,16	105:17	areas 11:11	authorizing	bank 27:14
124:18	6:10 46:13	63:8 82:4	127:2,5,8	106:14	64:12	53:12	banking 15:8
activities	54:21	Ali 115:6,7	127:14,23	108:17	113:14	available	banned 5:16
3:13,17,22	55:14	118:4	130:12,15	112:8	arrangeme...	21:22	bargain
3:25 4:25	56:13	119:22	130:17,19	130:4	53:13	103:14	109:12
6:12 16:22	59:13 60:4	120:9,11	130:24	applies 67:11	array 25:8	average 21:8	bargaining
17:2	60:21 61:1	122:16	131:8	apply 6:5	articulated	avoid 6:13	109:13
activity 6:16	64:17 65:5	aligned 60:4	Amendmen...	23:5 25:20	86:6	10:16	based 12:21
8:5,23 9:3	65:21 68:4	Alliance	27:19	46:4 66:16	asked 69:17	13:24 14:1	18:1 21:11
	71:25	106:24	amendments	133:20	70:2 74:25	aware 18:24	22:14 23:3

Committee on Law and Government
February 3, 2020

Page 2

24:12	123:13,22	8:20 9:2,4	108:18,19	88:18	candidates	century	4:16
25:13 30:7	better-info...	9:7,11,14	112:20	bullied 23:24	5:22 7:17	41:20 74:6	Chairwoman
49:11 78:6	47:24	9:22 10:24	break 41:14	burden	7:25	97:3	23:19 41:9
105:18	beyond 96:8	11:3,8,18	77:9	110:17	canvassing	certain 4:25	115:7
basic 7:6 26:8	big 15:3,3	12:7,10	breakdown	business 85:9	15:8	16:22	116:1
101:16	78:22	17:24 18:9	76:24	91:4,23	capacity 61:5	24:10,18	121:2
basically	100:22	19:19 31:3	Brian 1:14	106:10	caps 109:23	45:21	challenge
23:21 49:2	111:1	31:8,10	43:20	116:13	care 10:2	78:16 79:9	12:22
94:13	bigger 35:15	32:9 33:13	briefly 89:12	132:10	15:11	98:1	18:18 20:4
basis 26:4	94:17	33:21,25	bright 88:18	businesses	66:14	102:15,25	35:15 36:5
Bass 1:13	101:7	34:3,5,15	bring 74:19	57:14 91:7	93:17,19	123:18	44:23
16:13	biggest 36:4	41:23 44:5	97:6	91:8,14,17	career 86:3	certainly	challenges
57:25	55:17 63:1	50:12,21,24	bringing	91:25 92:2	109:19	13:8 37:9	12:18
84:22 87:6	66:11,20	51:7,19	23:14 83:7	100:25	110:25	43:10	17:12
87:7,11,18	79:11	53:6,9,11	113:11	103:13	careful 30:4	44:21 89:9	97:19
92:8 94:22	bill 2:6,8,25	53:19,22,24	broad 83:12	buzzwords	caring 70:1	95:1 121:7	122:8
95:19	3:3,5 4:20	58:21,24	119:21	97:24	Carpenters	certainty	challenging
109:4	30:5,10,11	59:1 71:11	broad-based		117:18,24	32:24	50:18 51:9
Bass' 98:16	30:14	71:11	120:20	C	carries	certification	chance 34:6
101:13	31:21	98:20,25	broad-min...	C 133:1,1	125:15	133:19	55:21
becoming	52:16,21,23	99:7	122:10	cake 82:16	126:20	certified	change 7:7
59:21	54:18 56:1	108:25	broaden 99:9	calculating	127:22	30:22	10:8 12:17
began 108:2	57:23	111:10,17	broadened	66:18	128:22	certify 133:2	29:17 31:1
120:16	69:17 74:5	115:14	123:1	call 4:5 25:5	130:2	certifying	32:2 33:4
beginning	88:24	122:23	broadening	54:4 68:25	131:7	133:23	59:5 60:23
59:18	96:24	123:22	122:22	69:5 79:1	132:6	cetera 15:9	61:11 62:9
behalf 9:14	104:24,25	Board's	broadly	84:24	carve-outs	92:14 94:1	62:13
9:22 34:2	107:11	10:14	119:18	91:15	15:13	Chair 1:10	74:20 83:1
61:9	114:17	32:15	Brooks 57:25	96:15	case 23:5	8:17 13:16	117:3
106:20	115:9	boards 5:5	109:4	104:4	29:5	13:17	123:24
believe 20:9	121:12,14	44:2,13,25	Brotherly	called 116:21	117:13	16:11,16	changed
20:11 24:4	123:5	body 23:4	70:8	calling 94:24	cases 68:3	21:4 23:15	10:10
30:16,20	124:10,22	65:16	brought 96:6	calls 68:22	cast 38:11	29:24	18:15
46:8	124:24	109:15	97:4	90:9	categories	43:17,18	41:19 49:9
107:14	125:3,7,16	123:3	112:16,17	campaign	119:19	48:10 52:5	changes 10:3
121:8	125:19,21	127:10	112:21	5:11 15:10	category	54:9,15	10:16
beneficial	126:1,6,10	bonds 26:23	115:12	16:2 19:22	119:5	58:4,10	14:12,19
11:25	126:20	books 75:11	budget 74:24	20:7 28:3	cause 63:14	74:13,17,25	35:2 39:7,8
18:11 21:2	129:2,4,9	79:10	75:25 76:3	28:14,23	67:7	81:25 87:4	39:15
benefit 75:8	129:14,18	91:12	76:13 80:2	29:3 38:18	100:14	87:8	40:14,18
109:20	130:3	101:19	80:6 81:17	49:24	106:1	102:11	42:11
110:23	bill's 37:20	113:6	89:8	campaigns	CCP 66:12	104:14	43:15 82:4
benefits 74:1	45:24	Boulevard	build 61:5	5:17 12:6	108:23	112:13	120:8
77:14	bills 1:17	1:5	building	12:21	110:10,15	120:24	changing
103:5	69:5 70:19	box 83:24	71:19,21	22:10,17,24	111:10,24	122:21	6:24 30:1
107:16	74:8 78:16	84:8 86:12	73:21	23:11 24:9	112:2	124:2,20,24	43:10
best 26:25	124:15	86:17	110:6	25:10 27:9	Center	125:17,21	Charter 3:11
52:1	bit 14:11	123:16	115:17,19	27:13 37:2	105:19	126:25	3:20 4:23
better 40:20	21:10	boxes 84:8	115:21,22	45:21	106:8,18	127:5,24	6:17,23 7:7
40:25 41:5	63:17	85:4,6,12	115:23	46:24 47:2	centered	128:4,25	8:25 9:24
62:13	112:24	86:24	116:8,21	51:12	110:7	129:4	12:12 14:5
66:24	blue 61:25	boy 85:3	119:25,25	camp 42:7	central 59:23	130:10,15	23:21
102:21	board 5:16	Brainard	120:2	candidate	centralize	131:9,14	26:12 29:6
106:18	6:8 7:14	104:7	buildings	46:4	76:11	Chairperson	29:7 30:2

Committee on Law and Government
February 3, 2020

Page 3

30:12 31:1	39:18	53:1,11,24	50:17	codifying	95:9	commonse...	116:7,9
40:18	42:22	54:25	civil 23:25	45:12	103:23	101:18	comprised
43:11	55:17 62:2	55:24	clarification	coercion	114:11	Commonw...	106:22
44:17 53:5	63:24 64:2	56:12,16,18	19:14	26:16	117:8	7:22	compromise
53:17	64:7 78:21	57:1,6,7,7	21:13 22:5	cognizant	124:5	communica...	48:16
58:19 59:5	116:15	58:17 59:1	clarify 3:12	48:3	Commerce	118:7	compromised
60:23	citizens 7:7	59:10 60:3	3:21 4:23	collaboration	73:1 86:20	community	51:6
61:11	26:20	60:14 61:6	36:7 45:24	61:16	111:9	66:13	concern 9:23
74:20	29:13	62:9,10,15	48:12	100:21	commercial	78:20	10:14
123:23	64:18	62:18 63:7	119:1	collar 61:25	70:7	107:1	11:11
Charter's 5:2	69:23	65:2 66:6,9	clarity 20:3	collectively	Commission	108:21	15:11
chasing	citizens' 26:3	67:17 68:9	30:10	109:12	5:16 7:15	109:9	16:21
89:13	37:17	68:17 70:8	34:23	college 66:13	Commissio...	122:5,7	24:22
check 30:23	city 1:1,4 2:4	70:24 71:2	Clark 114:6	108:21	21:18	companies	26:14
checkboxes	3:8,13,15	71:23	class 110:21	109:10,17	44:10,23	57:13	27:16,20
86:9	3:22,24	73:20	class-sized	122:6,7	46:5 47:16	company	35:1 42:12
checked	4:25 5:5,12	75:19	109:22	color 109:16	Commissio...	91:3 101:7	42:17 46:9
83:24 84:8	5:13,13,15	88:12,16	clean 69:7,8	come 34:13	6:6 11:17	compare	47:14
85:5,6	5:23 6:1,2	90:20 93:8	cleaner 92:13	35:13	Commissions	25:25	48:24
checking	6:6,11,18	93:15,25	cleaners	41:11 49:2	5:6	compared	concerns
83:20	6:21 7:14	94:2,13,16	61:22	51:24 69:1	commitment	81:14	10:6,24
84:15	10:1,8,18	95:5 98:18	cleaning	69:6 74:14	59:21	compelled	11:6,13
86:12	11:17 12:4	99:19	70:16,18	83:13	committed	82:18	14:5 26:11
123:16	12:18 13:8	100:13,18	clear 18:15	91:18 92:3	59:17	complain	29:15
cheer 99:23	14:16 15:4	100:24	72:5 85:10	97:14	committee	121:17	33:12,14,19
CHERELLE	16:20	102:21	clearest	98:20	1:2 2:4,14	complaint	34:21
1:10	17:14	103:6	31:16	99:23	2:15,22	76:11	51:17,24
Chicago	18:23 20:8	106:12	clearly 19:9	108:5	4:17 6:19	complaints	117:24
14:16	20:10,24	107:8	86:6	115:8	8:18 9:20	73:11	concessions
Chief 4:18	21:18 22:2	109:1	clerk 3:2,5	116:24	10:6 13:13	76:10	111:23
childcare	22:8,10,15	110:5,22	4:5,7 15:5	117:20	13:19,21	complete	concluded
62:25	22:22 23:3	111:1,23	52:20,23	121:17	31:21	84:14	107:24
children 69:3	23:8,22	112:4	54:4,6	comes 37:21	34:11 39:5	completes	132:17
69:10	24:7,8,10	116:16	104:4,6	39:7	44:1 49:2	60:21	concludes
70:14	24:20,20	117:2	closely 73:25	117:14	51:18 52:9	compliance	13:11
chocolate	25:7,18,21	119:8	85:24	comfortable	58:11	12:17 74:1	124:16
82:16	26:16,18	120:4	86:21	24:14	99:16	77:15	132:10
choose 106:2	27:8,12,21	121:5,18,24	closer 48:17	40:15	103:23	compliant	concurrent
Christmas	28:2,4,8,18	122:2	113:2	43:14 81:4	104:23	91:20	31:10
4:8 13:15	28:21 29:1	129:9	closes 88:4	coming 26:11	109:5	complicated	conditions
13:19	29:2 30:2	132:10	closing 12:15	54:16 74:5	114:12	47:18	109:13,14
39:14,21	30:15	City's 8:4,20	clothes 106:4	77:6 88:8	124:6,16	comply 10:19	conducted
41:4,10	31:18	9:2 55:2	co-determi...	90:10,23	125:2,23	92:2,4	105:19
chunk 36:19	34:23	89:16	111:16	100:24	126:7,21,23	complying	106:7
Cindy 1:13	35:19	109:9	Co-president	103:3	127:8	92:1	107:23
16:13	36:24	110:3	108:20	114:19	128:6,12,24	component	conference
84:22	38:16	119:12	co-sponsored	120:15	129:5,15	35:17	50:7
circulated	41:15	122:6	57:22	comment	130:6,18	components	confidence
125:1	42:24 43:3	City-funded	Coalition	54:11	131:16,22	107:19	26:21
127:7	44:22	121:15	104:17	103:9	132:8,11,16	composed	46:21
130:17	45:19 46:5	City-repres...	106:21	commentary	committees	71:12	102:1
cited 107:4	49:8,11,23	100:11	code 44:18	49:12	123:25	115:15	confident 8:8
cities 14:14	50:8 51:11	civic 20:20	123:9	comments	common	comprise	35:6,7
14:14	51:13,22	48:21	codify 72:5	2:23 52:8	42:20	36:18	Congress

Committee on Law and Government
February 3, 2020

Page 4

7:18 55:12 congressio... 51:21 connect 88:20 connection 37:10 consequences 10:17 conservative 39:6 43:10 consider 122:10 124:18 considerati... 52:22 considered 3:4 19:15 consistency 121:3 constantly 67:9 constituenc... 123:18 constitutio... 7:10 construction 71:19,21 121:15,20 contact 37:22 contained 133:3 continually 79:12 continuation 7:2 continue 57:4 76:13 77:16 79:5 91:9 103:16 123:2 continued 61:15 63:18 continuing 94:15 contract 60:18 85:10 109:21 111:21 contracts 57:7 73:8	85:17 contribution 20:12 contributions 110:3 control 133:22 conversation 16:18 29:25 34:15,16 51:5 95:13 conversatio... 17:18 30:8 33:2,8 95:14 97:6 111:20 120:17 cook 104:21 Cooke 4:8 8:16,19 14:3,24 15:12 17:22 18:5 18:10 19:16 21:3 22:7,21 23:6 24:25 28:6 30:20 31:12 32:3 32:15,22 33:5,22 34:5,25 36:24 37:8 38:7,20 39:2 42:13 44:11 45:13 46:8 48:6,13 50:20 cooperative 122:24 coordinate 68:9 copy 124:25 127:6 130:16 corral 65:22 correct 21:16 32:14 34:4 36:23 38:6 77:3,4 79:24 81:19	86:10,15 133:6 corruption 6:14 cost 79:23 89:15,16,17 94:5 110:18 cost-effective 102:19 costing 93:14 Council 1:1 2:4 3:10 22:19,23,24 23:3,8 28:4 31:20,22 32:6 44:4 53:3 55:24 56:12,19 58:17 59:19 61:6 61:12 63:12,13 64:16 65:8 67:20,25 72:7 95:15 97:8 98:24 99:19 104:15 115:7 121:9,17 122:25 123:2,25 125:25 126:2,9,11 126:25 129:7,10,17 129:19 130:8,10 132:11 Council-led 98:12 Councilman 1:11,12,12 1:14,14 2:16,18 16:14,15 18:7 19:11 19:17 21:5 21:5,7 22:3 22:4,18 23:1,13,17 23:18 27:10	29:19 33:7 43:20 48:8 48:9 52:13 74:13,15,16 76:16,23 77:5,17,21 78:5,8,23 79:14,21,25 80:11,18,21 80:24 81:3 81:7,11,20 81:23,24 84:2,20 86:5,11,16 87:2 89:7 95:9 96:5 98:15 102:9,10 103:19 113:25 114:7 120:25 121:1 124:23 125:20 126:17 127:4 128:3,19 Councilme... 2:19,20,21 11:10 35:17 124:21 125:18 127:1,25 130:11 131:10 Councilme... 57:19,20,22 59:15 107:8 109:3 Councilper... 96:25 Councilwo... 1:10,11,13 1:13 2:2,17 2:24 3:1 4:4,11 16:10,12,13 21:4 23:16 29:21,22,23 31:6,19 32:9,19	33:1,20,24 34:20 36:6 37:3,18 38:13,24 39:3,19 40:23 41:8 43:16,18,20 43:22 44:11 45:8 45:22 47:5 48:7 52:6 52:11,19 54:3,8,10 54:14 56:5 58:5 71:6 74:12 81:22 85:19 87:5 87:6,7,11 87:18 92:8 94:22 95:19,21,22 95:23 98:16 99:8 99:11,12,13 101:13 102:8 103:21 104:1,10 112:9,11,12 113:19 114:8,15 115:4 116:20 118:3,24,25 120:6,10 122:17,18 122:19 124:3,4,8 124:13 125:5,11,14 126:4,15,18 127:12,18 127:21 128:9,17,20 129:1,3,12 129:23 130:1,5,14 130:22 131:3,6,13 131:19 132:2,5 counsel 8:19 counselors	109:24 counterwei... 111:8 counting 55:5 countless 111:23 country 5:18 8:7 62:14 62:19 63:2 63:25 64:6 107:7 couple 42:3 48:11,12 87:13 92:11 course 12:24 13:4 26:14 31:2 36:22 37:12 38:21 101:21 Court 133:12 courts 7:23 covered 5:15 13:25 18:16,17 39:23 119:12,20 covers 38:23 coworkers 102:2 105:12 crane 84:12 create 25:3 47:11 56:13 57:3 108:14 112:4 created 23:22 56:18 72:22 73:2 74:9 122:9 creating 68:7 creation 53:5 53:18 58:20 credibility 94:14 CREW 106:20 107:13 108:13 critical 10:2	27:3 110:5 cross 116:3 culmination 61:3 current 5:2 6:15 16:25 32:12 117:9 currently 5:8 6:4 16:3 45:14 CURTIS 1:12 cut 28:4 CVA 73:8 D D 1:13 D.A 42:25 D.A.'s 44:9 45:10 date 87:24 100:4,6 David 1:12 2:19 day 60:8 65:14 68:17,23 69:15 70:25 92:22 101:11 118:1 day's 88:11 day-to-day 26:4 29:12 days 62:23 68:21 92:15 108:2 deal 76:8 dealing 48:18 51:9 deals 73:12 dealt 123:19 debt 110:18 decade 71:3 97:18 decades 6:24 December 9:20 10:13 11:7 14:8 32:11 33:3 41:23	46:10 49:13 decent 94:9 decide 85:7 decided 49:10 81:18 decision-m... 98:8 decisions 26:24 dedicated 54:23 56:14 60:14 defend 49:18 definitely 74:22 89:22 90:3 95:17 98:23 deliberate 9:8 34:7 deliver 34:23 delivered 28:20 delivering 34:2 delivery 26:18 29:2 46:22 demanding 101:16 demands 13:5 department 6:8 11:19 21:22 30:24 46:15,16 53:6,8,10 53:19,21,24 58:21,23,25 60:22 61:14 68:7 72:16 75:2 75:5,16 76:25 81:17 86:21 102:14 103:2 107:18 108:10,15
--	--	---	--	---	--	--	--

Committee on Law and Government
February 3, 2020

Page 5

109:6	10:18	divisions 38:2	earning	21:15	120:3	engage 6:21	91:8,24
110:1,5	65:13	dodge 101:8	108:2	24:21	employees'	10:9 11:9	99:17
111:4,7,9	dignity 63:18	doing 15:6	easiest 66:4	46:13	6:12 7:9	25:8 38:5	113:4
111:19	69:14	17:6,7	easy 96:3	48:21	employer	engaged	essential
117:9,20,22	70:13	18:22 43:4	101:18	51:15	91:1 92:17	24:20	46:23
121:25	direct 133:22	55:15	echo 99:7	elective 5:19	105:6	47:13	107:19
122:9,14	direction	62:22	101:12	electorate	employers	50:13	108:11
Departmen...	17:21	79:17	102:6	31:24	56:22	51:20 52:3	111:14
21:24	directly	88:11	economic	electors 3:7	62:21 63:1	engaging	establish
departments	29:11	92:23	55:2 93:7	4:2 52:25	64:13	15:16	59:22
65:23 80:7	100:16	93:20	94:4,7	54:2 59:3	71:20	engineers	61:13
90:20	110:23	94:12	economy	eliminated	90:14	61:22	Establishing
116:8,10	director	101:11	64:6 97:23	36:9 38:4	93:11,14	Engler 4:7,15	60:22
depending	13:20	121:23	106:5	employee	96:17	4:18 75:13	establishme...
60:2	19:23	dollars 66:7	110:4,7	15:4 21:17	100:3	English	108:24
Deputy 58:12	80:13	93:23,24	educate	27:21 28:2	111:13	105:13	et 15:9 92:13
97:15	81:17	94:4	56:20,22	28:8,22	115:23	enhance	94:1
Derek 1:11	106:17	domestic	educating	38:16 46:5	employment	72:10	ethics 6:8
16:14	114:22	56:1 74:5	35:19	71:23 73:5	21:12 29:2	ensure 12:4	8:20 11:18
deserve	disabilities	98:4	57:12	77:10 92:7	49:23	26:17	17:24 18:9
105:15	105:13	106:23	education	employees	110:15	56:24 57:6	19:18 31:8
110:24	discriminat...	107:11	12:25 20:7	3:14,16,23	enact 24:14	57:8,11	31:10
designate	121:4,16	114:23	107:20	3:24 5:1,4	enacted 86:1	60:24	33:21 34:3
17:8	discriminat...	double 30:23	educational	5:15 6:19	107:6	70:12 72:9	39:7,8
designating	122:3	drafted 19:8	35:16	6:21 7:5,14	encourage	123:14	41:24
49:22	discuss 11:11	drafters 9:23	50:10	10:8,11,19	95:12	ensuring	50:24 51:7
detail 18:13	32:12 34:6	14:6	EEO 73:11	12:4,18	energy	46:21 97:1	51:19
details 60:18	discussed	dramatic	76:10	13:2,9	113:12	119:17	evaluate
determine	12:8 32:11	62:9	effect 12:24	16:20	enforce 56:23	121:23	10:15
9:9	discussion	drawn 38:22	30:15,19	17:14	57:17	entangled	evening
deterrent	123:9	118:16	31:1,7,9,13	18:24 20:9	64:22 65:7	12:5 47:1	110:14
8:12	disinvested	Drexel 66:12	42:11	20:11,18	67:20 68:5	entangleme...	event 13:6
developed	111:24	drives 79:6	100:2	22:8,15,23	75:17	27:1 29:1	eventually
123:3,23	distinction	driving 27:6	effective	23:8 25:7	89:14 90:7	entered	51:18
devil 47:6	22:19	dual 44:16	30:21	25:13	94:11	114:25	everybody
differ 49:16	24:16	due 87:21	effects 41:25	26:16 27:8	100:4	entire 55:11	48:1 58:1
difference	29:10 37:4	Duly 125:4	efforts 69:21	30:15	101:18	121:19	everyday
15:3 25:17	district 6:7	126:3	egregious	31:18	enforced	entities 77:6	111:18
28:7,16	11:17	127:11	42:24	34:24	75:18 79:7	entitled	everyone's
102:5	21:18	128:8	Eiding 50:4	35:19	93:9 100:6	90:11	93:12
different	36:14 38:8	129:11	either 40:5	36:25	113:13	entity 51:1	evidence
19:21	38:8,22	130:21	40:11	38:11	enforcement	77:2 94:16	133:3
27:15	43:1,1 46:6	131:18	elected 38:18	44:13	57:9,16	Equal 121:13	evolution
48:16	46:17 62:1	duties 10:12	82:11	45:19	67:18	equality 94:7	61:2
65:23	72:7 116:4	53:8,21	election	51:11,14	73:10	equally 59:10	exact 89:11
72:10,25	116:6	58:23	16:24	57:6,15	75:11 76:7	84:9	exactly 19:2
73:3 76:22	diversity	E	23:12	59:9 60:14	78:12,15	equity 96:3	35:3 101:1
82:23	85:16,23,25	E 133:1	30:16,22	76:14,18	79:8 89:15	especially	113:3
99:18	95:10,15	eagle 120:13	38:6 44:2,5	78:9 90:23	100:20	14:14 16:1	example 28:7
103:15	116:18,25	earlier 36:8	44:13,17,25	91:9 93:18	107:21	16:23 19:4	42:25 66:2
117:6	117:2	113:8	53:14	93:19 94:3	121:14,21	26:7 39:15	67:6 93:21
119:11,15	dividing	early 16:19	elections	96:18	122:1	42:10	exceptions
121:7,11	37:19,21	20:13	11:21	103:1	enforcing	43:11,14	23:2
difficult	39:22		20:24 21:9	115:20	65:11	55:7 75:17	excited 69:18

Committee on Law and Government
February 3, 2020

Page 6

exclude 118:21	F F 1:5 133:1	125:23	69:12,12,13	fluent 105:12	forth 3:9 53:2	functions 72:20	121:18
excluding 97:24	fact 10:9 11:4	126:7,22	84:24 94:7	folk 83:14	80:6	fund 122:6	give 18:2
executive 73:2	12:19 25:2	128:6,13,24	figure 47:25	folks 14:13	119:14	fundamental 14:7 67:17	19:20,25
exemption 46:1	26:8 40:3	129:6,15	65:7,22	15:16	fortunately 35:21	funded 108:10	72:16
exercise 48:19	48:15 55:7	130:7	68:5 72:8	28:21 35:4	forward 14:19 25:3	fundraising 6:22	73:19 75:9
existing 77:1	122:23	131:16,23	89:11	41:13,16	25:19	funny 82:3	75:13
expand 118:10,20	faculty 108:20	132:9	97:16	42:4,8,18	61:15	further 13:4	77:22 80:1
118:22	109:25	fear 21:11	filling 47:17	43:5 44:3,7	68:10	future 55:3	80:14
119:4	110:10,16	97:23	fills 99:22	44:22,24	71:24	60:25	81:15
expanded 6:24 13:2	failed 63:21	February 1:6	final 87:3	45:15	72:12	68:10,11	93:21
expect 9:11	failure 122:6	9:12 10:25	finalized 80:10	47:12	116:5	109:20	102:1
10:23 11:7	Fair 56:2	33:23 34:8	finance 16:3	63:16	132:14	132:15	103:13
12:12 32:5	69:16 74:4	Fed 68:4	41:24	64:16 67:5	fought 59:8,9		115:8
33:25 34:8	100:1	federal 7:17	80:12	74:10	102:3		given 9:23
34:17	101:23	17:3 24:18	81:17	76:21	found 8:23	126:8	10:19,22
67:14	107:9	25:4,11	financial 70:14	77:11 86:2	59:12	129:7,16	11:20 12:7
expense 27:23	110:23	26:1,4	73:20	86:22	63:16	future 55:3	27:10 39:8
experience 50:23	fairly 15:6	41:16 47:4	find 17:17	89:13,25	65:10,11	68:10,11	42:10
62:12 65:6	31:23	51:16	90:12	90:8 91:21	four 62:7,8	109:20	43:14 44:5
82:24	101:17	63:20	102:19	92:6 95:4	framers 29:8		46:11 55:7
92:21	fairness 96:2	64:14	finding 86:2	96:15,21	framework 36:2		63:17
96:16 97:7	117:10	92:25	fine 16:1 40:6	97:4	franchises 101:9	G	92:15
explaining 35:8	faith 27:5	102:13,24	64:22	follow 19:12	frankly 64:5	Gabe 54:6	gives 71:14
exploited 63:16	fall 16:19	Federation 108:21	88:25	66:8 101:4	93:2	61:20	93:5
explore 11:11	fallen 63:24	feed 92:24	93:13	101:5	free 4:14	73:17	giving 17:14
express 9:22	65:20	feel 4:13	finer 16:3	following 51:4 95:8	freedom 17:15	89:20	19:24
49:21	familiar 114:2	20:19 26:6	firmly 107:13	food 105:10	friend 28:9	95:25	62:22,24,24
expressed 10:6 12:10	families 92:24	40:14	first 3:3 4:5	force 27:6	friendly 98:11	102:12	glad 33:6
14:3 46:10	106:1	43:13	7:6 17:16	119:7	friends 102:2	gallery 99:22	109:1
expressing 5:9	111:1	44:10 81:4	24:25	forefront 60:25	front 74:10	general 7:21	go 13:17 14:4
extent 23:9	family 28:9	96:12	27:18	forefronts 103:18	76:3 80:4	7:22,24	17:21
81:4	70:9 83:9	100:5	39:21	foregoing 133:5,19	full 19:25	8:19 36:21	18:22
external 59:24	84:11	123:21	47:12	forgetting 57:23	88:11	36:21	24:15 25:2
73:15 74:3	fan 96:14	feeling 98:2,3	48:19 54:4	forgotten 82:25	100:19	General's 37:15	25:18
extra 110:17	far 9:17 16:4	feels 88:12,16	54:14,19	form 10:1	107:16	generally 22:22 30:3	27:14,24
extremely 9:25 11:19	23:19	95:16	59:21	95:3	119:7	39:6 41:3	28:1,3,11
15:2	39:17	97:16	63:14 65:4	formal 34:1,2	full-time 110:15,16	42:5 43:7	30:15,19
eye 117:6	70:23	fell 84:12	72:2,22	formalize 123:7	fully 133:4	51:2,3	31:7,9,12
eyes 120:13	fast 57:24	fellow 56:21	87:13	formerly 98:14	fully-staffed 107:17	generations 68:11	42:11
	favor 24:6	felt 16:25	90:17	former 96:4	function 72:16	gentlemen 95:24	48:10
	125:8	female 83:23	126:10,24	formally 86:13	76:25	getting 24:2	60:20 63:4
	126:12	84:16	129:8,18			66:6 68:23	67:4,19
	127:15	females 85:1	130:9			69:20 71:9	69:14
	128:14	field 93:12	first-gener... 109:17			74:23	70:19 80:8
	129:20	96:22	Fish 104:21			83:14 88:9	81:14
	130:25	101:3	fit 36:1,2			91:21 94:2	85:17 89:7
	131:24	101:3	five 63:10,22			94:17,18	92:16 96:8
	favorable	116:9	65:3 67:24			96:2	100:2
		fight 64:1,18	71:13			118:16	124:17
		67:4 70:10	82:22				goal 30:17
		84:4 85:2	fix 93:16				79:4 90:1
		fighting 66:19					90:22
							goals 91:5
							goes 9:17

Committee on Law and Government
February 3, 2020

Page 7

30:12	Goode 96:5	76:16,23	38:13,24	64:21	2:17	99:24	6:11 27:4
37:25	gotten 40:20	77:5,17,21	39:3,19	69:22	Hello 61:19	hope 109:5	49:6 54:22
going 12:23	40:25 41:5	78:5,8	40:23 41:8	86:25	help 13:2	113:14	89:3
23:20	49:25	79:14,21,25	43:16	99:24	28:13 65:8	122:8,14	109:10
28:24,25	75:22	80:11,18,21	54:10,14	hard-fought	69:17 71:2	hopefully	110:2
32:20 35:4	governance	80:24 81:3	56:5 99:12	109:21	74:10 75:6	16:6	important
35:16 36:4	111:15	81:7,11,20	99:13	harms 122:10	78:21	hospital 88:7	7:4 8:14
38:21	governed	89:8 102:9	109:3	Harrisburg	81:12	host 27:15	9:25 11:20
40:10	22:20	102:10	112:11,12	28:11,15,18	82:12	hotel 69:7	12:4 16:25
43:23 45:5	government	103:19	118:24,25	hasty 10:16	91:19 92:6	82:20 88:7	21:12 27:7
49:10 50:9	1:2 2:5	124:21,23	120:6	Hatch 17:4	92:7 94:7	92:13	40:19
50:10,25	4:17 10:1	125:18,20	129:1,3	24:15,17	111:5,18	104:22	41:18
60:7 62:17	23:24 26:1	127:1,4,25	130:11,14	25:5,16	112:23	hotels 63:6	46:25
64:10,11	26:2,5,10	128:3	131:10,13	47:4 48:18	helped 70:22	hour 63:10	47:22
66:19	27:5 28:18	Green's		head 21:23	helpful 85:19	93:24	57:10
70:19	37:13	11:10 33:7	H	84:12	helps 20:21	house 38:8	68:19 85:5
75:24 79:2	53:11,25	grievances	Hall 1:4	headlines	21:10	housing	87:24 89:2
80:6,14	59:1,10	60:17 73:8	68:17	41:11	Henon 57:20	93:18	90:4
82:9,23	63:20,21	ground 13:25	hallway	heads 112:24	57:25	106:3	112:18,22
83:1,14,17	64:14,15	groundbre...	82:20	hear 2:6	109:3	huge 66:6	importantly
84:15,23	72:24	55:25	hammer	13:16	heroic 101:22	hundreds	62:4 89:18
85:2 88:10	100:18,24	group 25:12	79:12 91:6	44:21	hey 68:25	47:18 68:3	improvement
88:19 90:9	122:12	73:7 74:2	hand 94:15	60:13,16	high 15:6	hurt 106:4	15:2,19
90:10,25	132:12,17	76:20	hand-out	84:18 89:2	82:22		40:13
91:3 92:16	governor	77:11,13,15	66:5	97:21	highlight	I	improveme...
97:11,18	7:20,20	77:16,19	handful 43:2	99:20	14:22	idea 72:17	14:22
100:5,23	36:22	groups 25:6	100:25	heard 2:12	hire 57:14	92:16	improving
102:4,4	37:15	77:9,25	handle 90:20	32:22	89:24	imagine	55:4
112:25	governorship	78:3	handles 73:7	33:12	hired 94:3	29:16 69:3	inappropri...
113:11	36:22	112:16	74:2	40:24 41:9	historical	69:4 92:12	95:6
115:15,16	graduate	119:11,15	hands 31:17	70:6 87:24	9:15	immediately	incarcerated
115:18	110:24	grow 76:14	hands-off	113:8	historically	115:16	86:13
116:5	grandmother	77:16	48:2	120:7	17:12	118:14	inception 9:1
119:16	120:14	growth 55:3	happen 55:16	124:19	97:25	immigrants	30:2 50:25
good 2:2 4:15	graphic	guards 83:11	64:19	126:1	123:19	109:16	include 72:3
8:16 13:15	82:17	guess 12:9	65:24 67:1	hearing 2:3,6	histories	impact 29:12	72:10 97:4
13:17	grateful	21:20 47:6	102:4	9:21 10:5	14:15	36:13	109:22
15:19	99:15	62:4	happened	10:21 11:7	history 55:19	37:17	123:2
18:13	great 10:2	guest 28:4	94:21	11:14 33:9	59:7 122:3	50:15	includes
23:24 35:8	71:3 90:13	guidance	happening	33:13	hit 19:1 85:22	102:20	123:24
35:14	91:7	18:14	113:3	35:12 41:2	hits 96:14	impacted	including
47:25	107:14	19:20 20:2	happens	46:10	hold 100:15	37:13	3:14,23
56:19 58:9	119:23	31:16	66:17,22	49:13	home 3:11,20	impacts 26:2	24:19 25:9
68:1,14	120:5	50:22 51:4	90:25	113:3	4:22 6:23	50:3	46:15
87:8,10	Greek 70:5	guys 65:1	99:21	120:16	8:24 53:4	implement	57:20
93:10	Green 1:11	67:14	happy 8:14	124:17	53:17	34:22	109:16
94:18,23	2:17,20	Gym 1:11	13:12 16:8	hearings	58:19	implement...	122:11
95:25	8:17 13:18	2:18,21,24	123:7	121:8	79:12 88:8	25:24	inclusion
96:17,18	16:14,15	29:22,23	harassment	hears 60:8	88:10	implemented	83:22
104:10,13	18:7 19:11	31:6,19	60:15	heart 14:4	homeless	67:10	84:25
106:15	19:17	32:9,19	73:11 76:9	heat 113:12	70:17	89:10	inclusive
108:18	35:17 48:8	33:1,20,24	hard 43:25	hedges 38:3	homelessness	implementi...	120:3,21
116:11	48:9 74:14	34:20 36:6	49:18 59:8	held 2:10	69:13	31:3	incorporated
120:15	74:16	37:3,18	59:10	Helen 1:11	honestly	importance	123:14

Committee on Law and Government
February 3, 2020

Page 8

incorporati... 53:10,23 58:25 increase 77:18,22 78:9 82:8 90:1 increased 8:10 47:9 increases 75:22 increasing 35:23 incredible 112:15 incumbent 43:1 55:6 independent 23:4 41:23 51:1 70:4 70:12,22 105:1,15 individuals 5:8,20 86:13 industry 69:25 105:10 infant 114:4 influence 8:10 information 79:17 105:7 118:6 infrastruct... 66:25 67:3 infuse 96:10 infused 123:14 124:1 initiative 108:14 109:2 insecure 106:2 inside 24:23 insist 123:21 instability 89:14 instance 6:18 44:4 instances 42:21 43:7	105:5 institute 105:1 institutiona... 96:11 institutions 66:11,20 73:19 110:4 integrated 59:22 intended 18:15 19:9 interacts 26:2 interest 12:10 21:24 56:15 59:12 73:20 interested 41:1 118:15 interesting 115:24 intergenera... 113:24 internal 59:24 73:7 73:12,13 internally 60:13 76:8 interpretati... 6:25 interpretive 18:20 intimate 26:3 intimidation 21:22 26:15 introduced 2:25 9:6 32:18 47:11 invested 57:12 investigation 76:12 investigators 100:20 investing 112:1 involved	27:13 33:2 51:7 100:16 119:13 involvement 29:10 IPA 116:6 Ireland 86:22 irony 43:24 48:4 issuance 26:23 issue 8:14 48:22,23 51:9 54:22 79:11 83:6 83:7 87:25 89:4 122:13,22 issues 10:15 20:15 42:6 48:16 50:24 51:24 59:25 60:19,24 61:17 62:11,12 63:24 68:1 68:2 75:18 90:18 112:22 121:3 items 121:11	107:2 110:14 Joe 21:23 John 1:5 Johnson 57:24 109:4 joke 81:25 Jones 1:12 2:18 21:5,7 22:4,18 23:1,13 74:15 81:23,24 84:2,20 86:5,11,16 87:2 104:7 106:15,16 Jones' 95:9 98:16 JR 1:12 jump 76:2 80:4 Junior 104:7 108:19 jurisdictions 42:4 justice 105:20 106:8 107:2	111:20 Kligerman 114:22 know 13:9 17:18,23 19:17,24 25:23 28:1 28:21,23 30:1 32:24 33:15 35:3 35:3 37:12 38:2 39:5 42:12 44:3 47:15,23 50:20 51:17 56:6 60:19 63:7 64:24 66:9 67:11 70:18 77:25 78:25 84:22 89:10,19 90:8 91:11 92:4,14,17 95:2 97:10 97:11 99:3 100:2,12 102:23 103:10 109:10 113:7 114:2 116:12 117:6 know-how 96:16 knowing 82:5 knowledge 108:4 known 63:2 106:18 knows 93:1 99:3	58:12,21,22 59:23 60:6 60:16,23 61:3,14 70:3,11,21 71:12,18 72:16,23 73:6,9,16 76:17,25 77:10,12 82:24 83:6 83:17 85:15 95:10 102:14 105:1,15,25 107:18 108:10,12 108:16,25 108:25 109:11 110:1,6 111:5,6,7 111:19 112:6,23 117:10,20 117:22 119:7,12,17 121:24,25 labor-dedic... 56:11 laborers 110:22 lady 75:6 laid 75:2 languages 103:15 lastly 12:7 15:20 40:3 latitude 40:11 law 1:2 2:4 4:17 21:21 30:1,24 33:4 39:8 45:23 49:12 64:22,23 66:3,14 67:11 92:5 92:18 94:6 94:11 121:21 132:11,16	laws 17:1 39:7,9 49:8 57:8,10 64:20 66:22 67:10,16 68:1,10 74:3 78:21 79:10 90:7 90:13 91:12 92:25 93:9 94:5 98:9 99:21 103:11 105:25 108:12 113:5,13 119:13 lawyers 47:25 lay 19:8 73:4 layer 90:17 lays 99:2 Lazer 54:6 58:9,11 71:8 72:21 75:20 76:19 77:4 77:8,20,23 78:7,18 79:19,24 80:3,16,20 80:23 81:1 81:5,9,19 84:1,19 85:13 86:10,15,18 87:10 89:6 89:21 95:9 95:17 97:15 102:18 103:9,10 117:10 118:8 lead 55:22,24 111:19 leaders 6:20 118:12 leadership 54:21 learned 42:5 68:6 96:19	98:2 learning 109:14,25 leave 60:11 62:25 67:7 74:4 82:15 107:9 108:8 113:5 led 97:15 left 2:17 88:12 legal 25:25 49:15 107:1 legislated 65:16 legislation 8:22 9:6,17 9:19 10:22 11:5 12:8 12:14,23 16:17 17:10 18:1 18:12 19:7 20:5 23:7 25:2 30:21 32:17,25 33:17 34:7 34:10,19 44:18 45:1 45:6,15 48:12 51:8 51:25 63:14 74:19 75:10 78:14 87:4 107:12,16 107:20 124:19 legislations 65:12 legislative 11:12 legislature 22:11 lessened 29:15 lessons 68:6 let's 39:12 level 17:4 25:12 36:11,14,16
---	--	--	--	--	--	---	--

Committee on Law and Government
February 3, 2020

Page 9

37:10 47:4	local 22:10	75:23	66:21 70:3	MDO 72:25	112:16	114:5	126:8
51:15,16	26:1,1 27:1	78:14	71:3 93:23	mean 22:22	114:12	mitigate	127:8
55:9 63:19	27:9 36:9	90:12	94:25	23:21	115:17	33:18	128:4
78:16	42:6 51:20	91:14	113:12	27:18	121:9	modernize	129:4,7,16
93:11	51:20	96:20	manage	35:21	124:5	40:12	130:18
96:22	106:4	123:2,8	123:13	36:14,16	125:1	moment 59:6	131:14
101:3	122:12	lots 65:22	management	37:8 64:24	127:7	Monday 1:6	moved 125:6
102:14,24	locally 107:5	Love 70:8	19:15,22	65:25	130:18	money 40:7	126:5
levels 20:23	location	low-wage	manager	78:18 80:4	mention	66:15,19	127:13
72:18	59:23	62:6	19:22	88:19 91:7	117:13	89:24	128:10
liberal 50:1	locations	Lower 38:1	24:11	meaning	mentioned	93:15 94:9	129:13
librarians	67:7	lowest 55:10	managerial	106:2	26:15	94:14,15,18	130:23
109:24	long 5:25		23:11	108:12	36:10	month 10:20	131:20
lieutenant	15:23 17:6	M	managing	meaningfully	45:17	10:22 30:6	movement
7:20 36:21	59:8 62:21	Maced 23:23	15:9	91:13	73:18	months 17:20	26:12
life 67:21	88:24 89:1	Madam	marched	means 5:7	121:11,12	18:21	98:13
92:20	114:3	16:16	82:7	19:3	mentioning	35:22 42:3	moving 10:23
limitation	longer 85:7	23:15	marginalized	111:25	85:14	100:1	multiple
12:1 15:1	look 17:3	29:24	98:1	133:21	Merion 38:1	Morgan 54:7	103:15
15:10	21:8 51:23	43:17	Maria 1:13	measure	message	61:19,20	110:12
39:24	61:14	48:10 52:5	16:12	111:6	47:20	64:4 65:19	municipal
limited 13:5	71:24	54:15 58:4	82:19 83:3	mechanism	messaging	92:10	21:14,17
39:11	72:12,18	74:17	Mark 1:14	67:19	47:8,20	99:17	26:10
line 28:5	83:5,21	81:25 87:4	52:13	122:1	met 32:10	100:8	28:20 72:6
37:19,21	85:12	87:8	Market	meet 33:21	43:3	101:2,14	
39:22	86:17 87:2	102:11	68:16	33:22 76:1	metrics 72:20	morning 2:3	N
104:20	96:9	112:13	Marriott	117:11	metro 105:21	4:15 8:16	N 133:1
list 11:25	100:23	122:21	68:15	meeting 9:12	metropolitan	13:15,17	name 4:13,18
40:18 63:4	113:22	124:2,24	match 56:11	11:1 12:10	64:12	14:22 16:7	8:18 58:7
71:14	116:17	125:21	material	32:16	Michael 4:8	58:10	58:11
84:14	117:1,5	127:5	79:22	34:13	8:18 14:3	68:14 70:6	61:19
listed 71:16	132:14	128:4	materials	116:20	mid 41:20	82:5 87:9	68:15
listening	looked	129:4	12:25	124:18	mid-January	87:10,12	87:14
99:25	115:13	130:15	42:16	member 10:5	32:16	104:11,13	94:14
115:10	116:22	131:14	matter 10:25	28:9 71:17	middle 83:12	106:15	104:12,15
listing 46:7	looking 29:8	main 26:11	35:2	71:20	84:22	108:18	106:16
literature	32:1 78:19	maintain	113:20	115:19,21	million 106:9	118:9	108:19
19:24	84:3 85:4	27:7	133:5	117:17	millions 94:4	120:16	114:5
little 8:9	85:11 86:8	maintaining	matters 43:6	members	minimum	mother 69:3	115:5,6
10:21	86:23	27:4 46:20	mayor 4:19	2:15,15,21	38:14,25	motion	name's 13:19
14:11	looks 95:15	maintenance	54:20	4:16 5:5,16	55:10 56:8	124:21	names 116:3
21:10 40:7	100:1	11:16	58:12	7:15 8:17	105:22	125:9,15,19	naming 119:3
70:1	114:1	61:22	59:16,20,22	13:13,18	minorities	126:12,19	119:15
112:23	118:22	major 39:17	60:3 61:9	34:11,12	84:25	127:2,16,22	narratives
live 64:8,10	loosen 14:10	64:11	66:17	35:10 52:8	minority	128:1,14,22	97:21
69:10	lose 105:14	majority	97:12,14,15	58:10 62:2	83:23	129:2,20	nation 5:7
livelihood	loses 94:13	61:24	99:2	66:1 71:13	84:17	130:2,12	55:18
92:20	lost 106:9	62:15	100:16	71:22	misconduct	131:1,7,11	National
lives 26:3	lot 37:16 40:7	107:2,25	122:24	73:24	105:6	131:24	114:23
29:12	41:11,13,18	making 10:2	mayor's 50:9	99:15	missing 98:23	132:6	nationally
37:17	48:16	18:23	61:2 72:23	101:16	Mitchell	move 14:19	107:5
living 62:23	50:22	31:15	76:3,17	103:23	104:6,13,15	68:10 71:2	natural 61:1
82:8	64:25 68:6	50:25	97:11	104:14,23	104:20	110:24	nature 10:11
110:11,19	73:24	56:24 63:9	mayors 60:2	107:13	105:18	125:2,21,24	25:14

Committee on Law and Government
February 3, 2020

Page 10

49:19 navigate 96:17 97:16 navigating 97:13 Nay 126:17 128:19 necessities 106:3 need 19:13 20:2,6,23 22:6 26:17 64:16 67:17 69:6 70:21 75:18 79:8 80:25 84:7 99:8 107:17 111:10 112:23,24 117:18 needed 20:6 74:22 78:11 120:19 needing 120:22 needs 17:25 18:4 84:16 85:10 110:7 111:12 negatively 102:20 neighborho... 88:10 neighborho... 88:21 neighbors 56:21 102:3 neutral 41:3 never 35:3 82:15 117:3 new 10:1 12:19,23 13:3 14:16 18:17 28:8 35:5 42:24 66:23 75:4 76:25	83:15 88:18 103:2 107:1 109:6,19 newest 13:23 73:23 74:8 77:14,16,19 Nicole 114:21 night 88:5 nominees 50:11 non-enforci... 94:5 non-Philad... 7:23 non-union 68:18,20 69:11 70:10 116:17 noncompli... 8:11 nonmanage... 5:21 12:3 14:25 40:1 46:2 normally 97:5 Northeast 62:3 Nos 2:7,8,9 notable 25:16 40:13 Notary 133:12 note 9:5,18 41:18 71:15 113:22 114:20 118:5 120:13 noted 14:25 15:12 133:3 notes 133:5 notice 53:13 November 12:9,9 number 17:19 20:8 20:10 35:23	38:10 50:24 55:5 57:19 78:2 78:13 89:22 121:6 numbers 77:24 80:13 85:23 O O 133:1 O'Neill 1:14 43:20 113:25 114:7 obviously 97:15 occasions 88:6 121:7 occurring 16:23 18:4 18:6 off-city 7:16 off-duty 5:12 off-the-clock 105:24 offer 9:13 13:1 23:12 124:24 127:5 130:15 offering 72:3 office 5:19,23 5:24 6:7,9 11:10,18,24 12:24 17:9 27:9,22 28:10 33:7 37:15 42:13 44:5 44:9,9,10 44:19,23 45:10,11,16 46:5,18 47:16 57:3 59:22 60:6 61:2 66:10 70:3,21 72:23 73:25 74:21 76:17	86:19 93:4 95:11,16 98:20 105:2,4,16 112:4,23 113:10,15 123:15 office-holdi... 44:16 officer 108:23 officers 3:13 3:22 53:12 61:23 63:6 93:23 offices 7:17 7:19 11:21 15:14 21:16 36:9 36:11,17 37:9 39:23 39:24 44:7 46:11,19 60:2 official 38:19 82:11 officials 3:15 3:24 5:1 41:15 Oh 1:12 2:19 21:6 22:3 23:17,18 27:10 29:19 120:25 121:1 126:17 128:19 okay 3:1 27:11 36:6 37:3 43:16 45:23 74:12 76:23 77:17 81:11,20 92:8 94:22 103:19 114:7,15 older 109:18 on-duty 5:25 once 90:22 one's 6:1 ones 45:16	57:11 93:15 113:11 onion 90:16 open 33:7 47:19 91:23 operating 93:12 operational... 47:7,21 98:9 opine 17:23 opinion 29:20 49:7 opportunities 20:22 21:1 opportunity 8:13,21 9:8 35:9 51:10 52:2 56:10 106:17 121:13 opposed 15:9 19:23 40:2 125:12 126:16 127:19 128:18,21 129:24 131:4 132:3 opposition 117:21 options 86:24 order 6:13 11:10 32:12 33:17 73:2 75:5 79:15 107:14 ordinance 3:6 32:13 52:24 54:18 57:2 58:14,16 61:7 organization 67:8 75:1 organizatio... 71:18 119:3,4,11 119:17 organized	62:5 109:11 111:5 112:6 organizing 55:20 OSHA 84:3,5 outreach 79:5,6,11 79:15 90:3 90:4 91:15 91:17 103:18 outset 9:5 outside 8:1 24:9,23 27:13 outsource 75:24 outweighs 105:25 overall 110:4 overly 12:5 17:2 49:18 oversee 107:18 oversight 41:17 overtime 105:23 P p.m 132:17 Pa 106:24,25 107:23 paid 62:22,24 63:19 74:4 82:15 92:15 107:9 108:2,8 113:4 panel 4:5,9 50:10 54:4 54:12 103:24 104:5,8 113:23 115:14 116:22 paramount 24:22 Parker 1:10 2:2 3:1 4:4	4:11,16 8:17 13:16 13:17 16:10 21:4 23:16 29:21 41:9 43:18 48:7 52:6,11,19 54:3,8 58:5 58:10 71:6 74:12 81:22 87:5 95:21 96:25 99:8 99:11 102:8 103:21 104:1,10,14 112:9 113:19 114:8,15 115:4,7 118:3 120:10 122:17 124:3,8,13 125:5,11,14 126:4,15,18 127:12,18 127:21 128:9,17,20 129:12,23 130:1,5,22 131:3,6,19 132:2,5 parking 63:15 100:14 part 20:4 21:21 38:23 48:23 49:22 55:23 64:21 110:21 participate 12:20 16:22 17:5 20:19 22:25 34:14 35:11 38:17	44:25 48:20 49:4 50:9,12,16 50:19 51:11,14 97:5 participates 85:9 participating 35:24 participation 20:23 21:9 46:2 47:9 84:17 particular 11:15 13:24 14:17,21 15:1 19:2 32:13 33:9 38:18 39:16 40:17 particularly 7:3 15:13 119:20 123:10,17 parties 72:11 partisan 12:6 15:6,17,17 26:19 27:15 29:4 39:25 47:1 partner 59:11 partnering 59:13 partners 106:25 112:15 partnership 58:3 123:4 party 5:10 pass 16:6 64:23 66:22 68:16 69:17 85:3 90:6 99:21 passage 107:9 passed 32:6 61:8 63:11 63:14
--	--	---	--	--	--	---	---

Committee on Law and Government
February 3, 2020

Page 11

64:20 66:3	47:23	person 22:13	108:1,10,15	please 4:5,12	possibility	presidential	96:20
66:15	48:19	38:22	108:22	54:4 58:6	21:25	16:24	122:21
67:16	49:16	49:13 94:3	109:1	104:4,11	32:23	pretty 18:14	processes
69:16,21,23	50:16,18	94:11,19	110:8,19	115:5	possible	19:8 42:23	111:15
118:19	52:2 62:12	personal	111:2,9	pleased 12:13	31:16,18	43:7	processing
passing 68:1	62:15,17,24	113:21	116:16,25	13:22	32:5 39:13	101:18	105:5
Pat 4:8 13:19	62:25 64:8	personally	117:2	point 24:3	90:7	prevailing	professor
50:4	64:9,9,11	27:18	119:8	46:19	post 5:22	56:3 66:2	49:12
path 56:24	65:13	30:23	121:5	65:20	102:24	67:6 73:15	profile 15:6
85:11	67:19 69:2	34:21	Philadelphi...	98:16	posted	73:16,18	program
117:5	69:8 70:1	perspective	39:9	119:23	102:16	77:13	35:25
pathway	74:18 75:9	9:16 19:21	Philadelphi...	120:5	posters	93:22	78:20
47:12 86:3	78:25 82:1	19:25	5:24 37:11	pointed	103:12	100:11	programs
92:19	82:2,7,13	20:14	Philadelphi...	113:14	posting	107:10	85:25
111:4	82:21,25	25:25	36:12	Police 6:7	103:11	provisions	progress 14:9
PathWays	83:8 84:6	33:12	Philadelphi...	11:19	potential	10:3	14:18
106:25	85:7 86:7	49:15	36:18	46:15,16	33:3 50:11	primary	65:25
pause 43:12	88:17,21	75:12,14	57:13 87:1	policy 13:20	poverty	10:14	66:21
pay 41:24	89:1 90:10	80:1,15	111:18	26:25	62:11	48:24	70:24 71:1
69:4 70:19	92:23 93:5	81:16	112:7	91:19	63:19	72:19	88:15,15,17
84:9 94:9	97:25	persuade	Phileo 70:7	112:24	69:12 94:8	prior 12:8	progressive
paycheck	98:25	104:23	Philly 14:18	113:1	111:4	71:8	55:20
84:10	99:23	pertaining	40:20	political 3:16	power 98:8	120:15	107:6
paying 62:23	102:21	3:12,21	42:22	3:25 4:25	98:24	priorities	prohibited
payment	103:5	4:24	phone 15:8	5:3,9,10,11	116:2	76:2	3:13,22
121:19	105:11,12	petition	27:14	6:4,12,16	powerful	prioritize	4:24 5:8
Payne 54:7	107:15	20:10	68:22 69:5	6:21,25	55:20	13:7	6:16
68:14,15	110:8	Philadelphia	90:9	7:11 8:5,9	56:14	priority 60:3	prohibitions
87:16,16	112:1,6	1:1,5 3:8	pick 28:18	8:23 9:3,24	57:15	privacy	7:2 8:4
99:18	116:18	3:11,20 4:3	piece 51:25	14:15	87:23	49:21	prohibits
101:21	119:9	4:22 12:22	78:13,22	15:24 17:1	113:24	private 7:6	45:3
102:7	121:22	22:2,12,15	82:16,24	17:5 19:23	powers 53:8	60:8 81:25	projects
payroll 94:1	people's 84:9	24:23,24	90:5	20:16 24:9	53:21	privilege	73:17
peel 90:15,17	perceived	26:20	103:18	25:8 29:3,4	58:22	113:21	85:22
peeling 90:16	6:13	27:14,22	110:11	39:11	practical	proactive	promote
91:2	percent 21:8	28:17	pieces 19:6	44:15 49:4	18:20	122:25	78:21
penalties	performance	29:13	pivotal 59:6	49:20	31:15 35:2	probably	properly
8:10	72:20	37:22 38:3	place 6:5 8:4	50:14 52:3	practices	24:21 40:6	125:6
penalty 12:11	permanent	38:9,10,15	26:13	65:20	62:21 63:3	49:14 82:9	126:5
15:20 40:4	57:3 61:14	38:23 41:1	66:25 67:4	politics 12:6	73:9 122:4	problematic	127:13
Penn 66:12	74:21	51:22 53:1	67:9 84:23	14:15	predomina...	15:15	128:10
Pennsylvania	107:17	53:4,17	93:1 96:7	26:19 27:2	109:15	problems	129:13
1:5 7:19	108:9,15	54:2,25	96:14	29:4 47:1	prepare	93:17	130:23
8:2 36:17	112:4	56:16 57:1	122:11	poorest 111:1	84:11	proceed 4:14	131:20
56:9	permissible	58:19 59:4	places 47:16	population	presence 2:14	proceedings	property
104:16	12:2	59:7 61:25	Plan 121:13	123:11	16:11	133:3	5:12
106:18,19	permit 10:8	62:6 64:7	planning	portion	43:19	process 18:22	proposal 3:8
106:22,23	126:10,24	64:12	31:24	111:17	52:12	35:11	13:24
107:22	129:8,18	66:13	play 11:21	poses 8:9	present 1:9	48:21	14:23 53:2
114:22	130:9	69:24 70:5	35:4 41:24	position 9:9	12:17	50:13,17	propose
people 6:20	permitted	92:18 95:6	57:17	34:17	preserving	75:25	58:18
21:10,13	7:15 22:9	103:6	playing 93:11	120:22	7:9	76:11,12	proposed
28:16 36:3	36:25	105:3,21	96:22	positive	President	81:15	4:22 5:19
44:1,2	38:12	107:4,15,25	101:3	93:10	7:18	85:18	6:17 7:7

Committee on Law and Government
February 3, 2020

Page 12

10:7 11:23 12:16 14:12 18:12 22:8 23:7 82:21 proposing 3:19 29:17 53:3,16 protect 24:1 105:4 protected 96:12 98:4 117:22 protecting 59:11 protection 23:22 61:7 61:16 74:3 75:24 protections 107:7 proud 55:23 57:18 82:10 provide 8:11 18:13 20:2 20:21 21:1 50:21 51:10 52:1 53:5,7,9,18 53:20,23 58:8,20,22 58:24 105:6 111:3 provided 23:24 26:10 48:14 providers 83:9 providing 3:6 4:1 8:13 52:24 53:25 59:2 103:5 106:19 provision 19:3 44:16 45:3 provisions 11:12 15:21 33:17 40:4	44:20 109:22 public 2:3,5 11:22 17:9 20:7 26:25 35:10 46:17,18,20 56:20 59:18 66:7 71:22 73:17 85:17 94:9 94:17 110:3 117:14 118:2 124:16,17 133:12 public's 27:4 publications 79:18 publish 53:13 pulled 72:24 73:3 punishment 15:25 purpose 2:5 122:21 purview 90:21 push 103:16 pushing 67:9 put 13:4 14:23 15:21 26:13 30:18 61:4 66:25 87:1 98:14 116:3 119:24 121:24 123:20 puts 100:19 121:24 putting 40:9 Q qualified 3:7 52:25 86:2 121:4 quality 55:4 question 14:7 17:23	24:12 28:24 37:20 39:4 43:24,25 74:23 75:3 89:5 102:12,18 questioned 117:16 questions 8:15 13:13 16:8 19:1 19:13 52:7 74:25 79:1 79:6 103:22 114:11 124:5 quick 89:5 102:11 quickly 10:23 30:19 31:23 32:4 QUINONES- 43:22 45:8 45:22 47:5 95:23 122:19 Quinones-S... 1:13 16:12 quite 15:25 25:15 quorum 2:14 R R 133:1 race 29:11 42:25 51:21 races 8:1 22:1,11 25:19,21,22 37:6 51:20 raise 28:24 56:7 113:9 raised 11:6 11:14 14:7 raising 121:3 rallies 100:15 ramifications 93:8 ramping 35:25 range 77:22	80:25 rare 43:8 rate 21:9 66:8 rates 73:21 ratios 109:23 reach 36:3 93:4 reaching 35:18 76:7 93:5 react 35:5 read 3:2 45:23 52:20 reading 14:1 72:2 126:10,24 129:8,18 130:9 ready 68:23 118:13,19 real 6:13 26:14 27:6 29:5 41:12 41:25 50:4 51:12 82:12,12 90:1 92:20 really 14:9 29:11 35:18,22,24 45:6 49:4 54:23 55:22 57:24 63:23 64:20 65:1 66:21,23 67:22,24 68:2,11 75:5,8,15 78:12,23 87:22,25 88:22,23,25 89:3 93:9 96:2,9 97:7 113:17 120:14 reap 107:15 reason 67:15 reasoning 29:17 reasons	26:25 Rebuild 85:1 85:21,21,24 receive 68:25 100:13 recognize 2:13 16:11 43:19 96:7 111:3 113:5 124:20 recognized 120:19 recognizes 16:14 21:5 54:10 74:13 110:2 120:24 125:18 127:1,25 129:1 130:11 131:10 recognizing 54:22 111:14 recommen... 125:24 126:8,22 128:7,13,25 129:6,16 130:7 131:17,23 132:9 recommen... 84:5 record 4:13 58:7 71:16 104:12 113:22 114:20 115:1,5 118:5 120:13 123:21 recruiting 44:1,24 refer 90:19 reference 17:13 48:11,14 75:1 81:16 reflect 14:12	40:21 111:11 reflected 99:6 reform 26:12 40:17 98:13 reforms 55:25 refusal 60:11 regard 11:22 44:12 45:7 regarding 16:20 81:18 regardless 10:11 region 55:11 regional 50:7 regrant 78:20 regs 18:8 regular 67:21 regularly 110:13 regulating 6:11 regulations 13:1 17:25 18:19 31:4 31:8,11,14 32:2,4 34:22 35:7 42:15 regulatory 19:14 35:11 reinforcem... 61:5 reintroduced 32:21 relates 17:1 123:10 relations 57:5 73:6 77:10 relative 28:14 71:10 relatively 15:7 relaxed 45:19 rely 26:9 28:17 51:2	remain 8:6 60:25 remaining 8:3 remember 82:3,14,19 85:1 reminding 101:24 removed 29:14 renditions 87:3 rep 22:14 37:11 report 106:6 reported 125:22 126:6,21 128:12,23 129:5,14 130:6 131:15,22 132:8 reporter 133:12,23 reporting 72:19 105:5 reports 85:16 86:20 represent 67:2 representat... 123:24 representat... 18:8 36:16 37:6 57:6 119:7 representat... 37:24 representat... 71:18 represented 103:7,7 119:5,18 122:13 representing 104:16 109:8 115:20,22 represents 59:6 61:21 111:12	reproduction 133:21 request 2:11 122:23 123:5 126:23 130:7 require 7:5 78:16 requirements 102:22 103:12 requires 65:13 78:14 Rescue 84:24 residues 59:7 resol 54:18 resolution 2:7,9 3:3,9 3:18,19 4:21 52:17 52:21 53:2 53:15,16 54:19 58:15,17 71:10 104:24,25 114:18 124:10 127:2,6,9 127:14,23 128:1,4,11 128:22 130:12,16 130:19,24 131:8,11,14 131:21 132:7 resolutions 1:18 124:15 resource 75:4 resources 5:14 6:1 13:6 24:8 24:20 27:24 28:3 43:3 49:10 75:14 76:5 79:23 81:18 91:11
---	--	---	--	---	--	---	--

Committee on Law and Government
February 3, 2020

Page 13

respect 3:16 3:25 87:21 104:17 106:21	109:18 revenue 93:25 106:10	risking 92:19 risks 33:18 Road 106:24 107:23	129:7,17 130:8 run 27:22 42:16	seat 37:24 72:11 seats 7:24 111:17	senate 36:15 36:15 37:5 senator 22:14 37:12	sexual 73:10 76:9 shape 95:3 98:9	25:4,15 62:2 simply 60:6 Sir 115:4
respecting 7:9	reverse 111:25	robust 56:13 57:9	running 8:1 28:10	second 52:21 104:5	sense 18:3 36:10 39:20	share 33:14 34:14 shared 99:5 29:20	sister 88:2 sit 80:8 84:3 site 102:25 103:8
respond 92:11	review 50:11 revise 3:12 3:21 4:23	ROC 106:19 106:24	S S 1:11	seconded 125:4,6 126:3,5	45:20 64:5 74:24 77:1 101:5,10	sharing 35:12 101:15 112:18	sites 67:6 84:6 100:12
response 52:10,18 103:25 114:14 124:7,12 125:13 127:20 129:25 131:5 132:4	8:22 revised 9:18 11:4 13:10 revisions 18:23 revisit 7:1 Rich 54:6 58:11 right 2:18 7:1 7:6 17:15 17:16 20:12,20 21:14 39:3 43:9 47:13 47:18 48:20 55:7 60:24 68:11 76:16 83:18,24 84:4,19 86:14,17,18 91:10 93:17,24 96:6,9,19 97:20 98:11 108:8 114:9 117:4 rights 7:10 54:24 55:13,19 56:2,17,17 56:22,23 57:17 59:9 59:17,25 70:13 74:6 105:8 107:11 108:1,4 117:19 rise 60:2 rising 110:18 risk 8:9	23:11 97:8 108:22 roles 5:21 47:17 rolling 55:13 room 1:4 54:16 55:1 56:6 69:9 70:15 rooms 69:7,9 70:16,18 routinely 63:16 row 21:15 Roxborough 38:1 rule 3:11,20 4:23 6:23 8:24 10:18 46:13 53:4 53:17 58:19 rules 3:12,21 4:24 6:3,16 10:10 11:16 12:19 13:3 13:11 14:4 14:10 15:24 18:17 19:9 25:3,18,20 26:13 28:8 31:17 35:5 35:9 40:21 41:14,17,24 42:9,19 43:6,12 44:6 45:17 47:24 60:19 93:13 101:4,5,17 125:25 126:9,23	safe 84:7,11 safety 11:22 46:17,18 Sam 104:7 Samuel 106:16 Sanchez 43:21,23 45:9,23 47:6 82:19 95:22,24 116:20 122:18,20 saw 9:24 30:8 63:5,8 98:5 115:16 saying 25:21 27:11 37:5 39:1 48:4 66:14 101:2 121:10 125:9 126:13 127:16 128:15 129:21 131:1,25 says 17:14 46:1 71:11 92:18 94:6 112:2 120:1 scared 48:2 93:3 school 50:12 62:1 109:18 schools 110:12 scramble 72:1 118:17 season 26:8 74:24	seats 7:24 111:17 second 52:21 104:5 seconded 125:4,6 126:3,5 127:11,13 128:8,10 129:11,13 130:21,23 131:18,20 section 8:24 12:11 46:1 sector 60:9 62:16,20 91:24 sectors 98:1 98:19 secured 69:15 security 61:23 63:6 83:11 93:22 see 12:13 18:3,5 37:4 68:18 70:25 71:16 90:2 90:22 91:2 92:21 98:24 103:1,8 109:2,6 116:25 117:1 123:1 seeing 12:11 52:13,19 90:18 132:14 seen 55:8 62:8 63:5 64:19 101:15 SEIU 61:21 72:4 94:23 96:1 98:3 99:3 116:6 semester 110:12	senate 36:15 36:15 37:5 senator 22:14 37:12 sense 18:3 36:10 39:20 45:20 64:5 74:24 77:1 101:5,10 sensible 7:8 15:14 sentiments 101:13 separate 26:19 separation 27:8 46:21 Septa 88:3 serious 116:12 servant 59:19 serve 6:19 59:23 111:8 service 17:10 23:25 26:22,23 61:24 62:16,20 69:24 73:21 105:10 services 26:9 26:18 28:20 29:3 46:22 107:1 serving 44:13 45:4 session 126:2 126:11,25 129:9,19 130:10 set 3:9 25:3 53:2 73:21 sets 73:16,18 settlement 111:22 Seventy 13:21 39:5 51:18 severe 15:25	sexual 73:10 76:9 shape 95:3 98:9 share 33:14 34:14 shared 99:5 29:20 35:12 101:15 112:18 sheets 83:1 Sheila 86:22 Sheller 105:19 106:7 Sheriff's 6:9 11:24 44:8 45:11 shift 82:4 88:5,9 shiny 88:18 show 100:10 100:17 showing 49:22 sick 60:11 62:22 67:7 74:4 82:15 92:15 107:9 108:2,8 113:4 side 27:17 31:15 89:17 sign 20:9 84:21 significant 19:5 35:1 36:13,19 46:12 55:8 98:18 significantly 40:25 signify 125:9 126:12 127:16 128:14 129:20 131:1,24 similar 10:24 14:14 16:2	25:4,15 62:2 simply 60:6 Sir 115:4 sister 88:2 sit 80:8 84:3 site 102:25 103:8 121:20 sites 67:6 84:6 100:12 102:16 121:15 123:17 situation 49:25 70:14 slapping 82:21 slightest 63:17 slow 68:21 69:2 98:20 small 38:10 91:8,25 smaller 25:12 101:9 Social 105:20 106:8 solely 73:1 somebody 54:23 114:1 somewhat 49:18 soon 30:13,14 31:18 sorry 18:6 57:23 sort 16:5 19:6 25:24 33:11 36:2 39:25 72:9 sorts 43:3,5 63:2 65:12 speak 8:21 14:13 42:3 50:20 63:7 66:1 69:19 76:1,15 89:12,20 105:11 108:6

Committee on Law and Government
February 3, 2020

Page 14

speaking 22:22	staffers 22:24 23:2,3	48:13 States 39:18	students' 109:14	108:13	117:12	terms 18:20	95:18,19,24
special 53:14	85:20	statewide	study 105:19	supposed	118:12	33:15 89:1	95:25 99:9
specific 11:12	staffing	7:19 37:1,9	stuff 41:25	92:15	123:1	89:6,12	99:10
17:9 33:16	72:17	51:14	44:6 68:9	94:12	take 9:10	95:10	102:6,7,10
119:3,19	77:19	stay 45:14,18	97:23	Supreme	10:2 16:8	testified 9:21	103:20,21
specifically	78:17	stenographer	sub-assista...	7:23	23:10	10:4,13	104:2
75:22	81:14	114:25	83:8	sure 13:8	28:13 30:3	75:7	106:12
105:3	109:23	stenographic	submission	15:24	31:1 34:17	testify 4:6,20	108:16
119:14	stake 87:25	133:4	3:7 4:1	18:23,25	47:3 49:7	8:13 50:6	112:7,10,13
121:14	stakeholders	step 29:14	52:25 54:1	28:19	93:17,19	52:16 54:5	112:14
specifies 23:7	123:4	63:24	59:2	31:15	110:16	58:13	113:16,19
speech 5:9	stand 63:25	64:17	submitting	35:19 43:5	117:3	104:5	114:9,10,16
6:25 17:16	83:12	93:16	114:24	47:8 56:25	taken 10:15	114:17	118:3,23
spend 94:20	117:4	110:6	subsidies	65:15	58:16	124:9,14	120:9,11
spending	standards	stood 84:22	100:13	67:13 76:1	124:19	testifying	121:1
89:13	23:25 53:7	story 41:6	substantive	78:24,24	133:5	13:22	122:15
Spice 104:21	53:20	street 68:16	11:6	79:2 84:5	takes 10:25	16:17	124:2,3,23
spirit 21:20	55:14	83:12	subway 88:3	85:22 86:1	15:10	testimony 2:6	125:20
47:10 98:6	58:22	91:22	success 61:6	86:23,25	21:25	4:14 9:13	127:4
98:22	71:12	streets 70:25	sue 49:11	91:20,20,25	66:17	9:15 13:11	128:3
split 27:24,25	77:12	strengtheni...	suffer 60:9	92:6,19	100:10	14:1 33:6	129:3
spoke 88:14	85:15	113:1	sufficient	94:8,21	talk 34:9	52:15 58:8	130:14
96:25	108:25	stressing	78:10	95:1 98:7	54:17 70:2	61:17 71:8	131:13
spoken 88:6	start 32:7	41:22	suggestions	102:21	80:9 117:9	82:14	132:12
sponsor 30:5	71:7 91:1	strict 25:20	33:10	103:17	talked 71:9	87:19,21,22	thanking
30:11	started 2:23	stricter 11:16	summer	113:10,12	96:23	87:23	71:7
37:20	16:18 71:9	strictest 5:6	16:19 31:5	113:25	118:8	88:23	thanks 75:21
45:24	96:4	39:17	Superior	119:6	talking 21:15	104:3	theft 60:10
sponsors 2:11	starting	strong 20:16	7:22	surrender	39:22 50:4	106:20	74:4 106:8
61:11	90:24	39:12	supervision	7:5	90:23	112:10	113:4
74:18	starts 64:21	55:18	133:23	surveys	102:12	114:21	theirs 34:12
96:24	100:4	108:12	supplement	107:23	talks 70:4	115:9	thing 24:11
123:6	state 4:13	strongest 8:6	110:14	suspend	target 123:17	117:14,25	25:1 36:7
spots 47:19	5:24 22:11	39:10	support 4:20	121:19	taught 96:2	118:2,4,24	42:2 68:12
spread 79:9	22:13	strongly	5:22 41:2	suspended	123:12	120:12	78:19 82:6
spring 31:2	25:22	95:11,12	46:3 57:5	125:25	tax 26:7	text 71:10	88:20 95:7
32:7	36:11,15,15	108:13	58:14	126:9,24	106:10	thank 4:11	100:22
Squilla 1:14	36:16,17	struck 8:8	60:16	129:8,17	taxes 94:1	8:12,20	117:17
52:13	37:5,6,11	structure	67:22	130:8	teaching	16:8,15,16	things 17:7
57:24	37:11,13,23	16:1 40:12	69:20 70:5	swoop 78:1	110:11	23:14,15,18	18:11
stadium 88:8	38:8 41:16	structures	70:10,11	system 25:5	team 96:15	29:19,23	19:21 20:1
staff 4:18	44:17	72:19	83:14	88:3	technical	43:17 48:5	24:10,18
11:8 19:19	51:15 55:9	struggle	105:2	T	9:16 33:11	48:9 52:4	27:16
34:11	56:8 58:7	101:20	108:23	T 133:1,1	60:18	52:14	40:20,24
35:23	63:20	stuck 40:5	109:2	T-shirts	tell 72:14	54:15,16,20	41:4,12,19
51:19 60:8	64:15	student	110:25	112:2	83:18	58:1,2,4,5,9	48:11
61:4 76:5	104:12	109:15	116:14	table 4:10	87:14	61:10,10,12	55:16 56:1
79:16	115:5	110:18	supporting	16:5 54:13	90:24	61:18	56:25
83:23	statehouse	students	56:12 95:4	72:11 84:4	99:25	69:25 71:4	62:22
94:19	22:1	109:15,17	106:11,25	97:1,4 99:9	telling 67:12	74:13,16,17	63:10 65:2
108:20	statement	109:20	supportive	104:9	Temple 66:12	81:21,24	65:7,16
110:13	34:1,2	110:20	58:1 83:16	114:1	106:7	87:4,7,8,14	66:24
staff's 9:15	statements	111:12	supports	115:3	tend 30:3	87:19	67:14
					term 60:7,21	88:22	78:11

Committee on Law and Government
February 3, 2020

Page 15

82:10	121:20	116:19	133:6,20	116:3,15	116:17	verbatim	36:19
83:15,22	122:5	times 90:12	transfer	two-way	117:18,21	14:2	38:11
87:13	thinking	91:14 99:1	89:23	91:22	117:25	version 9:18	82:18
96:19	37:25 60:5	timing 48:22	transforma...	type 10:7	120:2,2	12:13	104:24
101:9	102:17	48:23	56:6	20:5 24:11	unions 55:21	13:23	111:16
102:15,25	third 73:23	50:17 51:9	transition	27:15 75:3	60:17 72:4	39:16	voted 18:2
115:10,12	Thomas	title 3:2 6:2	13:3	75:10,14	98:17	veterans	128:5
115:25	57:25	52:21	trash 26:22	76:9 79:22	100:12	109:19	voter 38:15
116:5	thought	titles 5:13	28:19	103:4	111:3	Vice-chair	voters 7:13
117:7	34:18	today 2:12	treasurer	types 33:18	123:12	1:11 2:16	14:20 18:2
think 11:15	84:23	3:3 4:19	7:21	typist 15:5	unit 73:16,22	8:17 13:18	22:13
12:1,16	115:24	6:9 9:14	treat 91:9	U	73:23,23	Vice-presid...	30:13
15:21	thoughtful	14:8 24:13	treating 95:4	U.S 7:18,18	74:7,8	61:20	36:12
17:18	30:4 119:2	50:2 52:22	tremendous	ultimately	75:23	99:17	37:23 38:9
18:11,14,18	thoughts	54:17 58:3	100:9	96:13	77:10	victims 60:15	38:11
19:5,8,12	34:14	58:13 69:1	101:22	Um 80:20	85:15	view 46:20	51:21
20:1,4 21:2	35:13	69:6,19	trend 111:25	unaware	89:25	59:11	74:20
25:1,15,23	thousands	72:2 75:7	tried 17:17	108:1	UNITE 72:4	violating	votes 38:16
27:5,20	63:5 68:3	96:6	19:18 65:6	uncovered	107:3	15:23	voting 106:10
28:6 29:9	threat 60:6	104:22	trip 42:9,18	39:24	United 39:18	91:13 92:5	vulnerable
29:24 30:7	threats 60:11	109:5	troubling	underground	units 72:25	violation	110:21
35:13,15	three 18:21	115:8	15:15	97:22	73:3,5 76:5	40:6	W
36:3,8,10	24:4 39:15	118:18	true 46:14	underneath	76:14,22	violations	W 82:20
39:9 40:10	73:3,5	124:19	100:25	73:4	University	42:6	wage 55:10
40:19,22	76:22	132:13	truly 55:24	understand	106:7	105:22,23	56:3,8
41:5,18	108:6	told 41:6	57:12	understand	unpaid 5:4	105:24,24	60:10
42:1,10,12	112:14	top 40:17	Trustees	23:20	unprotected	violators	62:23 66:2
45:1 48:13	threshold	82:10	111:10	35:20 55:2	98:2	42:24	66:8,19
49:11,17	38:14,25	total 76:19	try 13:1	86:8 108:7	untouched	90:13	67:6 73:15
51:2,5	tied 55:3	78:7 89:22	43:23	113:8	6:17	voice 10:24	73:16,19
57:21	time 7:1,11	touched	51:13,23	119:10	update 12:11	51:7	74:1,4,6
65:10,14	7:16 10:15	35:18	65:8 72:1	understand...	12:25	117:23	77:13,15
66:4,16	14:11	touching	118:17	30:25	updated 16:1	124:1	82:8 93:22
67:23,24	15:18,23	13:24	trying 17:11	81:13	40:4	voices 98:22	94:10
70:6 78:10	17:7 24:3,7	town 15:14	19:20	102:22	upheld 56:25	volunteer	100:11
78:22 79:4	24:19	41:7 66:12	48:17 50:2	Understood	57:8	5:21 7:16	105:22
79:11 80:3	27:23	66:20	51:6 57:21	21:3	uphold 57:4	7:25 12:3	106:8
81:1 87:20	32:10,12	trades 82:23	65:21,23	undocumen...	uplift 113:15	14:25 22:9	107:10
87:22	33:25	86:4	66:23	98:3	uplifting	22:16,23	113:4
88:23,25	34:24 43:3	115:18,19	67:13 68:4	123:11	54:24	23:10 24:8	wages 63:19
89:7,25	44:1 49:21	115:21,22	76:10	undue 8:9	upline 40:12	27:14	70:13
90:3 91:22	51:3,8 52:4	115:23	89:14	unfair 73:9	use 28:3	28:11,12,13	83:21 97:3
94:23 96:3	59:18,19	116:8,21	turning 58:2	unfortunat...	111:5	37:1 38:12	wait 31:24
98:15 99:4	61:18	119:25	60:15	45:5 62:19	121:22	45:20 46:3	100:1
100:8,21	62:24 65:4	120:1,2	two 18:21	unintended	usually 86:6	47:17	walk 70:24
101:1	67:23	train 68:24	24:4 25:6	10:17	88:4	49:24	Walmart
102:13	91:18	training 13:2	42:7 66:10	union 62:5	utilized	volunteering	63:3
103:3,16	92:22	35:24,25	71:22	67:2,3 70:9	123:16	5:3,10,17	want 2:13
112:20	94:20	42:15	73:14 77:6	70:12 72:6	V	6:4 7:11	17:22
113:1,13	106:13	73:10 76:9	77:25 78:3	101:24	valuable 15:2	15:7,17	20:13
115:18,25	111:2	85:25	85:20	108:22	various 20:18	25:9 40:2	27:21 30:9
116:1,2,10	112:3	trainings	94:20	109:8	vast 62:15	vote 21:23	32:3 36:7
119:15,22	113:17	42:16	107:18	112:2	107:24	22:13	47:7,9
120:4	114:3,4	transcript	115:17	115:22		31:25	

