

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, SEPTEMBER 28, 2005

FIRST SPECIAL SESSION OF 2005-2006

No. 1

HOUSE OF REPRESENTATIVES

The House convened at 11 a.m., e.d.t.

**THE SPEAKER (JOHN M. PERZEL)
PRESIDING**

CALL TO ORDER

The SPEAKER. This being the day and the hour fixed by His Excellency, the Governor of the Commonwealth of Pennsylvania, in his proclamation convening the General Assembly in special and extraordinary session by virtue of the authority conferred upon him under Article II, section 4; Article IV, section 12; Article III, section 12, of the Constitution of the Commonwealth of Pennsylvania, the members of the House of Representatives will come to order.

PRAYER

HON. MATTHEW E. BAKER, member of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.
Please pray with me.

Lord God, eternal and beyond our ability to imagine or measure difficult times, bring us to bow our heads and invite us to be one in prayer with our sisters and brothers who are suffering the most during bad days. With loving affection and act of charity, we raise up to You all the innocent victims of war, terrorism, natural disaster, and injustice. As we pray for the grace and determination to set things right, by Your holiness, free us from any self-righteous judgment of others.

Lord, You challenge both the secure and the deprived, both the successful and the indigent. All are called to a conversion of heart. Whether we are exhorted by circumstances to move beyond the paralysis of complacency or helplessness or the self-centeredness of anger, all of us are called to be holy as You alone are holy.

Grant us wisdom, virtue, and faith so that truth and justice will prevail. In these difficult times help us to be grateful, gracious to one another, self-giving, and creative as well as practical in our desire to be one and at peace now and forever.

We humbly pray in the name of our Lord. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was recited by members and visitors.)

ANNOUNCEMENT BY SPEAKER

The SPEAKER. While we are in special session, the bill clerk will accept only bills relating to the special session and that agenda.

PROCLAMATION BY THE GOVERNOR

The SPEAKER. The Chair submits for the record the proclamation of the Governor of the Commonwealth with respect to the special session.

The following proclamation was submitted:

Commonwealth of Pennsylvania
Governor's Office

PROCLAMATION

SPECIAL AND EXTRAORDINARY SESSION TAX RELIEF

By virtue of the authority vested in me by Article II, Section 4; Article IV, Section 12; and Article III, Section 12, of the Constitution, I, Edward G. Rendell, Governor of the Commonwealth of Pennsylvania, do hereby convene the General Assembly in Special and Extraordinary Session, to meet in the Capitol at Harrisburg, on Wednesday, September 28, 2005, at 11 o'clock am, to bring tax relief to every qualifying home owner of the Commonwealth utilizing revenues gained from those generated by Act 71 of 2004 or any other sources by considering legislation to amend the Homeowner Tax Relief Act and any other relevant statutes.

GIVEN under my hand and the Seal of the Governor, at the City of Harrisburg, this fifteenth day of September in the year of our Lord two thousand and five, and of the Commonwealth the two hundred and thirtieth.

(SEAL)

EDWARD G. RENDELL
Governor

ATTEST:

Kenneth A. Rapp
Deputy Secretary of the Commonwealth (SEAL)

LEAVES OF ABSENCE

The SPEAKER. The Chair turns to leaves of absence.

The Chair recognizes the majority whip, who moves for a leave of absence for the gentleman from Delaware,

Mr. CIVERA, for the day. Without objection, that leave will be granted.

It is the information of the Chair that the Democrat whip does not have any additional leaves of absence.

MASTER ROLL CALL

The SPEAKER. The Chair is about to take the master roll. The members will proceed to vote.

The following roll call was recorded:

PRESENT—199

Adolph	Feese	Mackereth	Ruffing
Allen	Fichter	Maher	Sainato
Argall	Fleagle	Maitland	Samuelson
Armstrong	Flick	Major	Santoni
Baker	Forcier	Manderino	Sather
Baldwin	Frankel	Mann	Saylor
Barrar	Freeman	Markosek	Scavello
Bastian	Gabig	Marsico	Schroder
Bebko-Jones	Gannon	McCall	Semmel
Belardi	Geist	McGeehan	Shaner
Belfanti	George	McGill	Shapiro
Benninghoff	Gerber	McIlhatten	Siptroth
Beyer	Gergely	McIlhinney	Smith, B.
Biancucci	Gillespie	McNaughton	Smith, S. H.
Birmelin	Gingrich	Melio	Solobay
Bishop	Godshall	Metcalfe	Sonney
Blackwell	Good	Micozzie	Staback
Blaum	Goodman	Millard	Stairs
Boyd	Grell	Miller, R.	Steil
Bunt	Grucela	Miller, S.	Stern
Butkovitz	Gruitza	Mundy	Stetler
Buxton	Habay	Mustio	Stevenson, R.
Caltagirone	Haluska	Myers	Stevenson, T.
Cappelli	Hanna	Nailor	Sturla
Casorio	Harhai	Nickol	Surra
Causar	Harhart	O'Brien	Tangretti
Cawley	Harper	Oliver	Taylor, E. Z.
Clymer	Harris	O'Neill	Taylor, J.
Cohen	Hasay	Pallone	Thomas
Cornell	Hennessey	Parker	Tigue
Corrigan	Herman	Payne	True
Costa	Hershey	Petrarca	Turzai
Crahalla	Hess	Petri	Veon
Creighton	Hickernell	Phillips	Vitali
Cruz	Hutchinson	Pickett	Walko
Curry	James	Pistella	Wansacz
Daley	Josephs	Preston	Waters
Dally	Kauffman	Pyle	Watson
DeLuca	Keller, M.	Quigley	Wheatley
Denlinger	Keller, W.	Ramaley	Williams
Dermody	Kenney	Rapp	Wilt
DeWeese	Killion	Raymond	Wojnaroski
DiGirolamo	Kirkland	Readshaw	Wright
Diven	Kotik	Reed	Yewcic
Donatucci	LaGrotta	Roberts	Youngblood
Eachus	Leach	Roebuck	Yudichak
Ellis	Lederer	Rohrer	Zug
Evans, D.	Leh	Rooney	
Evans, J.	Lescovitz	Ross	Perzel,
Fabrizio	Levdansky	Rubley	Speaker
Fairchild			

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

Civera

Petrone

Reichley

Rieger

GUESTS INTRODUCED

The SPEAKER. The Chair would like to welcome to the hall of the House several special guests of Representative Mark Keller. They are Mr. and Mrs. Miles Beaston, Joseph Reaney, Rita Campbell, Marilyn Cockley, and Dolores Shambaugh. They are in the balcony. Would those guests please rise and be recognized by the House of Representatives.

SENATE MESSAGE

JOINT SESSION

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate
September 28, 2005

RESOLVED, (the House of Representatives concurring), That the Senate and House of Representatives meet in Joint Session, Wednesday, September 28, 2005, at 11:30 a.m., in the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, Governor Edward G. Rendell; and be it further

RESOLVED, That a committee of three, on the part of the Senate, be appointed to act with a similar committee, on the part of the House of Representatives, to escort His Excellency, the Governor of the Commonwealth of Pennsylvania, to the Hall of the House of Representatives.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

COMMUNICATION FROM GOVERNOR

REQUEST FOR JOINT SESSION

The Speaker laid before the House the following communication in writing from the office of His Excellency, the Governor of the Commonwealth:

Commonwealth of Pennsylvania
Office of the Governor
Harrisburg

September 20, 2005

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly, I would like to address the Members in Joint Session on Wednesday, September 28, 2005, at a time convenient to the General Assembly.

Sincerely,
Edward G. Rendell
Governor

RESOLUTION

COMMITTEE TO ESCORT GOVERNOR

Mr. S. SMITH offered the following resolution, which was read, considered, and adopted:

In the House of Representatives
September 28, 2005

RESOLVED, That the Speaker appoint a committee of three to escort the Governor to the hall of the House for the purpose of attending a joint session of the General Assembly.

COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a committee to wait upon His Excellency, the Governor, the gentleman from York, Mr. Saylor; the gentelady from Lancaster, Mrs. True; and the gentleman from Montgomery, Mr. Gerber.

The committee will proceed with the performance of its duties.

FILMING PERMISSION

The SPEAKER. The Chair wishes to advise the members that permission has been granted to Carolyn Kaster of the Associated Press to take still photographs of the joint session.

CALENDAR

RESOLUTION

Mr. S. SMITH called up **HR 1, PN 1**, entitled:

A Resolution adopting Rules of the House for Special Session No. 1 of 2005.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

Adolph	Fairchild	Levdansky	Rubley
Allen	Feese	Mackereth	Ruffing
Argall	Fichter	Maher	Sainato
Armstrong	Fleagle	Maitland	Samuelson
Baker	Flick	Major	Santoni
Baldwin	Forcier	Manderino	Sather
Barrar	Frankel	Mann	Saylor

Bastian	Freeman	Markosek	Scavello
Bebko-Jones	Gabig	Marsico	Schroder
Belardi	Gannon	McCall	Semmel
Belfanti	Geist	McGeehan	Shaner
Benninghoff	George	McGill	Shapiro
Beyer	Gerber	McIlhattan	Siptroth
Biancucci	Gergely	McIlhinney	Smith, B.
Birmelin	Gillespie	McNaughton	Smith, S. H.
Bishop	Gingrich	Melio	Solobay
Blackwell	Godshall	Metcalfe	Sonney
Blaum	Good	Micozzie	Staback
Boyd	Goodman	Millard	Stairs
Bunt	Grell	Miller, R.	Steil
Butkovitz	Grucela	Miller, S.	Stern
Buxton	Gruitza	Mundy	Stetler
Caltagirone	Habay	Mustio	Stevenson, R.
Cappelli	Haluska	Myers	Stevenson, T.
Casorio	Hanna	Nailor	Sturla
Causer	Harhai	Nickol	Surra
Cawley	Harhart	O'Brien	Tangretti
Clymer	Harper	Oliver	Taylor, E. Z.
Cohen	Harris	O'Neill	Taylor, J.
Cornell	Hasay	Pallone	Thomas
Corrigan	Hennessey	Parker	Tigue
Costa	Herman	Payne	True
Crahalla	Hershey	Petrarca	Turzai
Creighton	Hess	Petri	Veon
Cruz	Hickernell	Phillips	Vitali
Curry	Hutchinson	Pickett	Walko
Daley	James	Pistella	Wansacz
Dally	Josephs	Preston	Waters
DeLuca	Kauffman	Pyle	Watson
Denlinger	Keller, M.	Quigley	Wheatley
Dermody	Keller, W.	Ramaley	Williams
DeWeese	Kenney	Rapp	Wilt
DiGirolamo	Killion	Raymond	Wojnaroski
Diven	Kirkland	Readshaw	Wright
Donatucci	Kotik	Reed	Yewcic
Eachus	LaGrotta	Roberts	Youngblood
Ellis	Leach	Roebuck	Zug
Evans, D.	Lederer	Rohrer	
Evans, J.	Leh	Rooney	Perzel,
Fabrizio	Lescovitz	Ross	Speaker

NAYS—0

NOT VOTING—1

Yudichak

EXCUSED—4

Civera

Petrone

Reichley

Rieger

The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

STANDING COMMITTEES CONTINUED

The SPEAKER. The standing committees and members thereof as constituted by the House in the 2005-2006 regular session will continue for the extraordinary session except for the additional members that will be added to the Finance Committee pursuant to HR 1 of the special session.

SENATE MESSAGE**RECESS RESOLUTION
FOR CONCURRENCE**

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate
September 28, 2005

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when Special Session No. 1 of the Senate recesses this week, it reconvene on Monday, October 17, 2005, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when Special Session No. 1 of the House of Representatives recesses this week, it reconvene on Monday, October 3, 2005, unless sooner recalled by the Speaker of the House of Representatives; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when Special Session No. 1 of the House of Representatives recesses the week of October 3rd, it reconvene on Monday, October 17, 2005, unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,
Will the House concur in the resolution of the Senate?
Resolution was concurred in.
Ordered, That the clerk inform the Senate accordingly.

**HOUSE BILL
INTRODUCED AND REFERRED**

No. 1 By Representatives CIVERA, MICOZZIE, BUNT, BAKER, BEYER, FLICK, GANNON, GEORGE, GODSHALL, HENNESSEY, LaGROTTA, McCALL, PETRI, RAYMOND, SCAVELLO, TIGUE, WRIGHT, YOUNGBLOOD and ZUG

An Act amending the act of July 5, 2004 (P.L.654, No.72), known as the Homeowner Tax Relief Act, further providing for limitations, for general tax authorization, for property tax limits on reassessment, for qualifying contribution, for adoption of referendum, for public referendum requirements for increasing certain taxes, for disposition of income tax revenue and property tax reduction allocations, for homestead and farmstead exclusion process, for definitions, for certification and calculation of minimum and maximum modifiers and for State property tax reduction allocation.

Referred to Committee on APPROPRIATIONS,
September 28, 2005.

PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman, Mr. Vitali, rise?

Mr. VITALI. Parliamentary inquiry.

The SPEAKER. The gentleman will state his—

Mr. VITALI. By way of background, my parliamentary inquiry concerns HR 1. As we did not caucus on that and as it was not on the screen as we voted on it, I am wondering if someone could explain the contents. I understand in looking at it, it appears to be very similar to the House rules we operate under the regular session. So my question is, is HR 1 a set of rules identical in every respect to the rules of the normal session or are there differences?

The SPEAKER. The few changes that were made were agreed by both parties, the majority and the minority. We are sending back a list of the minor changes that were made. The gentleman can read them. If there is another question you have later on, the gentleman can stand up again.

Mr. VITALI. I mean, if I could just follow up on that inquiry. Again, this was not discussed by Democratic leadership to rank-and-file members—

The SPEAKER. Mr. Vitali, it was explained by the Chair that the Democrat and the Republican leaders agreed to this.

Mr. VITALI. That very well may be true.

My inquiry really is, could we, for the benefit of the members, explain what the differences are in these new rules for the special session?

The SPEAKER. It is the indication of the Chair the majority leader, the gentleman from Jefferson, Mr. Smith, will explain the minor changes that were made, for the information of Mr. Vitali.

Mr. S. SMITH. Thank you, Mr. Speaker.

Essentially, the overall rules that would be applied to the special session are consistent with the rules for regular session. The main exception is a change to the Finance Committee, which would be expanded. It would consist of 37 members so that we could have a greater input from the body as a whole.

Additionally, the Finance Committee will be changed to have five subcommittees that will be targeted towards some of the specific tax reform proposals that we anticipate to be introduced. The Finance Committee will then refer these bills to those subcommittees, whose charge will be to basically analyze the pros and cons and then report that back to the legislature, and that will be their primary function.

There were a couple of other changes relative to debate on the floor, to try to contain some of that debate in terms of just a time limit, that we would have something similar to what we have done with the budget process in the past, and I believe that encompasses the bulk of the changes that are embodied in this set of rules.

The SPEAKER. For what purpose does the gentleman, Mr. Vitali, rise?

Mr. VITALI. Mr. Speaker, either to interrogate the majority leader or to continue with a parliamentary inquiry.

My question really is, what are those time limits on debate? It seems to me that is an important piece of information the members should know.

Mr. S. SMITH. Mr. Speaker, the rules would propose that the debate on an amendment or bill – well, I will just read it: “RULE 10...Debate on any bill or amendment or debatable motion shall be limited to five minutes each time a member is recognized. This limitation shall not apply to...” floor leaders. “No member, except the...” floor leaders “...may speak more than twice on a bill or amendment. On a debatable motion, the maker of the motion shall be entitled to be recognized twice, and all other members shall be entitled to be recognized once.”

Mr. VITALI. Thank you, Mr. Speaker.

The SPEAKER. For what purpose does the gentleman, Mr. Samuelson, rise?

Mr. SAMUELSON. Thank you, Mr. Speaker.

I have a concern about the way those rules were just adopted. The computer screens are set up so that we can get copies of bills and resolutions from the regular session of the legislature, but the computers are not yet set up so that we can see copies of the special session. I did get a copy of what was just proposed, and the majority leader talked about some of the changes, but it also includes a sentence right at the beginning, "...the Rules of the House for the 2005-2006 Regular Session of the House of Representatives be adopted as the Rules of the House for Special Session...." Now, the day that we passed those regular rules, there was quite a controversy over the ghost-voting provision, which, unfortunately, is in the regular rules of the House. Here, without debate, it looks like in that one sentence on a text that was not available to the members, those rules which included the ghost voting were just rolled into the special—

The SPEAKER. Does the gentleman have a question?

Mr. SAMUELSON. I would ask that we reconsider that vote so we could discuss this or at least wait until the members of the House have these 14 pages. Right now they are not on the computers. I believe I have the only copy out here on the House floor. We should get these printed up so that everybody can read exactly what we are voting on for these House rules for the special session and at least have an opportunity to caucus in both the Republican and Democratic caucuses. We have not done that.

The SPEAKER. If the gentleman would like to submit a reconsideration motion, the gentleman is entitled to send it up to the desk.

MOTION TO RECONSIDER HR 1

The SPEAKER. The Chair has before it a reconsideration motion signed by the gentleman, Mr. Vitali, and the gentleman, Mr. Samuelson, who move that the vote by which HR 1, PN 1, was passed on the 28th day of September be reconsidered.

On the question,
Will the House agree to the motion?

The SPEAKER. Mr. Vitali.

Mr. VITALI. Mr. Speaker, it is my understanding that a reconsideration motion is a debatable motion, and I wish to debate. Am I so recognized?

The SPEAKER. Yes, you are, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

Mr. Speaker, here we go again. This is a situation where we have an item of importance, something that sets the rules. The ground rules for an important issue are being handed to us without the opportunity to read it, just like the pay raise vote, without the opportunity to know what is in it to debate it, and I think we just have to draw the line somewhere and send a message to leadership: This is not the way to do business.

Mr. Speaker, we need to reconsider this motion because, one, we have not had a chance to discuss this in caucus, something very essential; two, we have not had a chance to actually read it; three, this was not on our computer screens when we voted on it.

What I am suggesting is that we reconsider this, and once we reconsider it, it will give us the opportunity to stop the proceedings, to pause the proceedings, so we can read it and amend it if necessary. This contains important issues which govern the scope of debate. I think we take the first step today and say the way we have done business in the past has to stop. I ask that this be reconsidered.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Jefferson, the majority leader, Mr. Smith.

Mr. S. SMITH. Mr. Speaker, I would oppose the motion to reconsider this.

This resolution is not complex. It is essentially adopting the rules that we currently operate under. If you do not like the rules we currently operate under, then by all means, you know, you can be opposed to them, obviously. The changes to the rules I read, virtually all the changes, they are not complex; they are not something that anyone could not understand in a microsecond on the floor.

Now, I guess if people want to start throwing up red herrings, they have the right to do so, but a previous speaker mentioned, implied, that voting for these rules was somehow voting for ghost voting. Well, I have got to tell you, Mr. Speaker, that was a red herring when it was brought up before and it is a red herring today, and the Speaker could maybe, obviously, rhetorically make an observation, but I think if you look at the attendance on the floor and how it is managed, it has actually been better since these rules have been in place where we account for members who may have to go off the floor for a meeting with constituents or some other Capitol business, and to suggest that somehow this is reenacting something that was bad before is just crazy and a total red herring.

These are the rules that we operate under. They have been working quite well. If you do not like it, I guess you have the right to vote however you want, but I am going to ask members to vote against the motion to reconsider and allow us to proceed forward into the business of this special session.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I urge a "yes" vote on the motion to reconsider.

All we are asking for is some time, perhaps an hour or two, so that the members of this House of Representatives can read the proposal that the leaders are asking us to vote for. The proposal itself is 14 pages. I went up front. I did request a copy, and I was given a copy, but when I looked on my computer screen, you cannot find it. If you look on the House calendar — I called up two different House calendars for today's session — I could not find it as a vote to be considered. I looked on the summary sheet for what votes are going to come up today. There were four rule 35 resolutions. Those, as you know, are the noncontroversial resolutions.

Now, I respect the majority leader, and I appreciate the summary he gave. I do have to note that the summary he gave was after the vote was taken, but in his summary he did talk about some of the changes. One of the changes which I think makes sense is that we are adding members to the Finance Committee, adding nine additional members to the Finance Committee, so that as the tax reform proposals are

being considered, we can get more expertise from the rank-and-file members on that Finance Committee. That is a very good suggestion, but when you do get a copy of the 14 pages, please read the first sentence, because the first sentence says, "Adopting Rules of the House for Special Session...of 2005."

"RESOLVED, That the Rules of the House for the 2005-2006 Regular Session of the House of Representatives be adopted as the Rules of the House for Special Session No. 1 of 2005...."

I was here January 31. I remember the controversy. I remember the debate we had. On January 31 there was a new provision put in this House. I use the word "ghost voting," but some people call it Harrisburg legislative leave. That was new for the House of Representatives in 2005, and here you are asking us to adopt that for the special session when the topic is tax reform. I do not think that is appropriate. I think we should have a chance to read the rules. I think we should have a chance to propose amendments to the rules. I ask for reconsideration so that each caucus can take some time, talk about this, and we can come back and we can still adopt these rules in a timely manner.

Thanks, Mr. Speaker. I ask for a "yes" vote for reconsideration.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Greene, the minority leader, the gentleman, Mr. DeWeese.

Mr. DeWEESE. The majority leader, I believe, is correct. The honorable colleagues who momentarily attempt to contravene him I think becloud the issue. There are two very modest changes otherwise. The rules for our special session are the rules of the House. They are the rules that we have adopted and have been guided by essentially for many, many years but certainly in this session. So there is no mischief abroad as has been adumbrated, Mr. Speaker.

There is one change. We are trying to add five Republicans and four Democrats to the Finance Committee. The second and final change is a 5-minute limitation on debate in the special session; 200 people, 5 minutes each, makes sense. Those are the two changes.

This is a parliamentary procedure that would normally be adopted in a comparatively perfunctory manner. Now, thanks to the dilatory arrival of some other guests in the House, we have a chance to explain it. If we were to go to caucus, it would be explained as I am explaining it. I think that notwithstanding some of the remarks and ostensible indignation that we monitored a few moments ago, this is no trickery; this is no chicanery. We want the rules of the House to be the rules of the special session. There are two differentiations, Mr. Speaker: One, we are adding a few members – five Republicans and four Democrats – and we are going to put a 5-minute limit for each member on debate.

So the comments to the contrary notwithstanding, I would support the majority leader. Our leadership team supports the Republican leadership team on this. It is time to get down to serious business and allow these comparatively peripheral cachinnations of some of our more obstreperous membership to be just recognized as that.

Thank you, sir.

The SPEAKER. The Chair thanks the gentleman.

For what purpose does the gentleman, Mr. Vitali, rise?

Mr. VITALI. To speak on the motion.

The SPEAKER. The gentleman has already spoken. Under the rules of the House as they are right now, the gentleman is entitled to speak one time. The gentleman has done that.

The gentleman, Mr. Schroder.

Mr. SCHRODER. Thank you, Mr. Speaker.

Mr. Speaker, trickery or chicanery or not, the fact remains that I do not recall, at least in our caucus, that we caucused on this rule change as well. I am informed by some members of the House that members of the Finance Committee were apprised of this yesterday, but I just want the record to reflect that we did not caucus on the rule changes. I am not saying that they are a bad idea from what I have heard on the floor, but that certainly should have been done and should guide our votes accordingly.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—44

Armstrong	Hanna	Mundy	Schroder
Benninghoff	Hutchinson	Myers	Shaner
Cawley	Josephs	Nailor	Shapiro
Creighton	Kauffman	Pallone	Solobay
Curry	Kirkland	Petrarca	Steil
Denlinger	LaGrotta	Reed	Stevenson, R.
Ellis	Leach	Roberts	Tangretti
Freeman	Maher	Roebuck	Tigue
Gerber	Manderino	Rohrer	Turzai
Grucela	Melio	Sainato	Vitali
Haluska	Metcalf	Samuelson	Waters

NAYS—155

Adolph	Evans, D.	Lederer	Ross
Allen	Evans, J.	Leh	Rubleby
Argall	Fabrizio	Lescovitz	Ruffing
Baker	Fairchild	Levdansky	Santoni
Baldwin	Feese	Mackereth	Sather
Barrar	Fichter	Maitland	Saylor
Bastian	Fleagle	Major	Scavello
Bebko-Jones	Flick	Mann	Semmel
Belardi	Forcier	Markosek	Siptroth
Belfanti	Frankel	Marsico	Smith, B.
Beyer	Gabig	McCall	Smith, S. H.
Biancucci	Gannon	McGeehan	Sonney
Birmelin	Geist	McGill	Staback
Bishop	George	McIlhatten	Stairs
Blackwell	Gergely	McIlhinney	Stern
Blaum	Gillespie	McNaughton	Stetler
Boyd	Gingrich	Micozzie	Stevenson, T.
Bunt	Godshall	Millard	Sturla
Butkovitz	Good	Miller, R.	Surra
Buxton	Goodman	Miller, S.	Taylor, E. Z.
Caltagirone	Grell	Mustio	Taylor, J.
Cappelli	Gruitza	Nickol	Thomas
Casorio	Habay	O'Brien	True
Causer	Harhai	Oliver	Veon
Clymer	Harhart	O'Neill	Walko
Cohen	Harper	Parker	Wansacz
Cornell	Harris	Payne	Watson
Corrigan	Hasay	Petri	Wheatley
Costa	Hennessey	Phillips	Williams
Crahalla	Herman	Pickett	Wilt
Cruz	Hershey	Pistella	Wojnaroski
Daley	Hess	Preston	Wright
Dally	Hickernell	Pyle	Yewcic
DeLuca	James	Quigley	Youngblood
Dermoddy	Keller, M.	Ramaley	Yudichak

DeWeese	Keller, W.	Rapp	Zug
DiGirolamo	Kenney	Raymond	
Diven	Killion	Readshaw	Perzel,
Donatucci	Kotik	Rooney	Speaker
Eachus			

NOT VOTING—0

EXCUSED—4

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Less than the majority having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

ARRIVAL OF SENATE

The SPEAKER. The Senate is now entering the hall of the House. The members and guests will please rise.

The Chair recognizes the Sergeant at Arms of the House of Representatives.

The SERGEANT AT ARMS. Mr. Speaker, the Senate is now present in the hall of the House.

The SPEAKER. The Chair requests the Lieutenant Governor, the Honorable Catherine Baker Knoll, to preside over the proceedings of the joint session of the General Assembly.

The President pro tem of the Senate, the Honorable Robert C. Jubelirer, is invited to be seated at the rostrum.

The members of the House and the Senate will please be seated.

JOINT SESSION OF THE GENERAL ASSEMBLY

THE LIEUTENANT GOVERNOR (CATHERINE BAKER KNOLL) PRESIDING

The LIEUTENANT GOVERNOR. Would the Senate and the House please come to order and take your seats. Would the Senate and the House please come to order and take your seats.

This being the day and the hour agreed upon by a concurrent resolution of the Senate and the House of Representatives to hear an address by His Excellency, the Governor, the Honorable Edward G. Rendell, this joint session will please come to order.

The General Assembly will be at ease a moment while it awaits the arrival of the Governor.

REPORT OF COMMITTEE ESCORTING GOVERNOR

The LIEUTENANT GOVERNOR. The General Assembly will come to order.

The Governor is entering the hall of the House. Members and guests will please rise.

The Chair recognizes the chair of the committee to escort the Governor, the gentleman from Lancaster, Senator Wenger.

Mr. WENGER. Madam President, Mr. Speaker, members of the General Assembly, as chairman of the committee to escort the Governor, I wish to report that His Excellency, the

Governor, is present and is prepared to address this joint session.

The LIEUTENANT GOVERNOR. The Chair thanks Chairman Wenger and the committee.

Members of the General Assembly, I now have the honor and the privilege of presenting His Excellency, the Governor, Edward G. Rendell, who will now address our joint session.

ADDRESS OF GOV. EDWARD G. RENDELL

The GOVERNOR. Thank you. Thank you all.

Good morning.

Since the legislature adjourned on July 7, 13 more Pennsylvanians have died defending our freedom and our liberty in Operation Enduring Freedom and Operation Iraqi Freedom. Ten of those were members of our Pennsylvania National Guard. Since we adjourned, hundreds of our countrymen perished in the natural disasters of Hurricane Katrina and Hurricane Rita. I ask that you rise and join me in a moment of silence in their memory.

(A moment of silence was observed.)

Thank you.

I know you all shared the pride that was felt by every Pennsylvanian by the fact that no State has done more to aid the victims of the hurricanes in the Gulf than our great Commonwealth. I am sure you have joined us and all Pennsylvanians in the pride that no State has devoted more members of their National Guard than the 2,500 brave Pennsylvanians who are helping out the victims of Hurricanes Katrina and Rita, and I am sure that you join Pennsylvanians in being proud that no State responded more quickly to the call for help from Mississippi, Louisiana, Alabama, and Florida than Pennsylvania did.

Now, I typically do not have the opportunity to address you midyear, and I appreciate this opportunity today.

But before my remarks on the purpose of this special session, I want to take this extraordinary opportunity to thank you for all that we have accomplished together.

Over the last 32 months, we have debated, negotiated, and legislated a set of laws that dramatically improve the conditions of this Commonwealth.

Together we added 100,000 Pennsylvanians to our nationally recognized prescription drug program.

We launched the accountability block grant and for the first time funded Head Start and full-day kindergarten. These investments in our public and early childhood education systems are giving renewed hope and critically needed resources to students in some of our most challenged schools.

Our economic stimulus program is now the envy of other States. Already more than \$880 million in job-creating investments are on the street, and our economy is beginning to grow and our employment picture is brightening.

Our alternative energy portfolio standard has prepared us to be in the forefront of the States who are preparing to deal with the energy challenges brought home by the ravages of Hurricanes Katrina and Rita.

And of course our Growing Greener II bond investments will clean our rivers and green our State, ensuring that future

generations enjoy the splendor that the Lord has bestowed on this great Commonwealth.

With a series of legislative changes and the passage of the Mcare (Medical Care Availability and Reduction of Error) abatement, we stabilized Pennsylvania's medical malpractice crisis, and for the first time in years, new private insurers are writing malpractice insurance for Pennsylvania doctors. We cooperated in passing ACRE (Agriculture, Communities and Rural Environment), and I know we share great hopes that this legislation will sow the seeds of a more positive relationship between local government and their farmers.

And with your support, we have measures in place to cut down on the extraordinary waste in the way we do business. Every tax dollar goes further today than it did in the past.

I am sincerely grateful for the unprecedented spirit of cooperation and for your continued willingness to work together to do all we can to ensure the future vitality and prosperity of Pennsylvania.

Three years ago this body gathered in a special session to find a way to reduce the property taxes of our homeowners. While good work was begun, that session did not deliver on its goal of reducing property taxes.

And as a result, homeowners across this great Commonwealth were disappointed once again, as they have been for close to 30 years, and the embers of constituent discontent were set afire.

Eighteen months after I took office, we together ended this 30-year stalemate by passing a substantive, fair, and carefully constructed law that was intended to ensure that all Pennsylvania homeowners would see real property tax cuts in the very short term.

All of those who worked hard and voted for the passage of this bill hailed it as a sound bipartisan compromise. In the words of Senate President Pro Tem Robert Jubelirer, and I quote, "This bill is fair, it is workable and it is responsible and most of all it is responsible to taxpayers."

Since this bill's passage, we have witnessed the critical commitment expressed in that legislation crumble. Our goal of providing statewide property tax relief in every one of your districts was undermined by the disturbing fact that only 111 of our 501 school districts now qualify to receive State funds to reduce the taxes on their homeowners.

In calling this special session, I ask you to work with me to rebuild the compact we made with our citizens – the compact that we explained to each and every one of the citizens – that if they would support our efforts to permit a limited expansion of gaming, we would guarantee them that all the funds raised from slot machine gaming would be used to fund property tax cuts for every Pennsylvania homeowner.

I ask you to use this special session to reaffirm this compact with even stronger supports so that at the end of this special session, homeowners will once again be certain that we uphold and honor the trust they placed in our hands.

Let me describe to you how far our compact has disintegrated. Under our current law, 8 out of every 10 homeowners in this State will pay property tax bills that are unnecessarily higher than they can and should be and higher than many of our homeowners can afford.

As you gavel into special session and each and every day as you gavel out, I urge you to consider these facts:

Since the 1999-2000 school year, more than a third of the school districts have increased their property taxes by at least

25 percent. Think of it – in just 5 years, a 25-percent jump in millage rates.

Set that fact against the reality of our seniors, whose cumulative cost-of-living adjustment in their Social Security checks in that same 5-year period was only 12.9 percent. Close to half of our school districts raised taxes faster than senior citizens' ability to pay.

For all other homeowners, median income is a good measure of what our residents can afford to pay, but the median income in Pennsylvania rose by only 16.9 percent over the last 5 years. One hundred eighty of our school districts raised taxes faster than working families can afford to pay.

Now, some have suggested that instead of automatically giving every homeowner property tax relief, we ask the voters in each school district to cast a ballot to opt in. I understand the desire to put this message to the voters and sympathize with it.

But if we put this matter to a local vote, once again our best intentions to lower property tax will be debated by forces that seek to foment ugly and divisive battles intended to undermine our mutual goal.

Even worse, those forces do not recognize or they simply do not care about the urgent and sometimes dire consequences of escalating property taxes.

More fundamentally, to put this matter to the voters will mean that we will have permanent winners and losers – some school districts where homeowners get relief and others where homeowners do not. This is simply not fair. All of Pennsylvania homeowners should be guaranteed to benefit from property tax relief by our actions right now.

If this matter is put to the voters in each school district and in some it fails, how will we respond to the homeowner who voted "yes" but whose district defeated the measure when he asks, "Why is the State not helping me out with lower property tax bills?" What will we say?

Well, we might all try very hard to answer this question. We will refer to our great reservoir of facts and figures and sound traditions of local control.

But in the end there is no question that the Sonderrmanns from Upper Darby will know that we simply let them down and that as a result they will not see their \$391 of tax relief. They will think that it is just not fair, and they will be right.

Neither will Geri Zimmerman from York, whose bill will be \$616 higher than it should be. She will not think it is fair either.

Nor will Eleanor Watts from Lancaster, who will pay \$632 more than she should. She will not think that is very fair at all.

And the same holds true for Lottie Hoskey in Pittsburgh, Mary Jean Moran-Naughton in Scranton, the Hodges in Riverview, the Peccons in Carmichaels, the Lamnins in King of Prussia, the Ferencins in Bethlehem, or the Hornbostels in Saylorsburg.

Passing the Homeowner Tax Relief Act was not easy. You will all remember it took hours of negotiations and extraordinary compromises were necessary to give birth to this bill. Mostly those compromises made this tax relief plan better.

The formula for giving out funds is exceedingly well constructed and fair.

The exceptions to the voter controls are sensitive to the real needs of school districts and offer our taxpayers finally a voice in controlling the extraordinary growth in school tax rates. These two parts of the bill are the good product of our work together.

The requirement that every school district impose an increase in their earned income tax in order to be eligible to receive the State funds to reduce property taxes was also a result of our compromises.

There is no question that we should give our school districts the tools they need to create a more equitable tax system and a more robust system to fund their schools.

But the local earned income tax mandate is like a concrete barrier that will stop the delivery of property tax relief dead in its tracks.

If we are to fulfill our compact, no obstacle should be put in the way of every homeowner benefiting from the very funds intended to lower their property tax bills.

Therefore, we need to eliminate the mandate that school districts must raise taxes to qualify for a State-funded tax relief. The current law requires a tax shift that for some of our residents will in fact be a tax increase.

The proposal I have put before you today delivers a clean, simple, and responsible property tax cut for every homeowner, period.

There is no question in the minds of anyone in this room that the voters of the State are going to watch this special session more intently than perhaps any special session since 1794, when Governor Mifflin called a special session to respond to the great Whiskey Rebellion.

The level of discontent among our inhabitants at that point was at the boiling point. Today the fire is not hot enough to make the water boil, but the temperature is rising and so are the expectations of those who ask us to serve on their behalf.

Our work will not be done until we find a way to remove any and all barriers to lower the school tax bills of every single homeowner with our gaming proceeds. Our work will not be done until we ensure both property tax cuts and more voter control.

In this 38th Special Session of the General Assembly, let us keep the faces of homeowners who under current law will not see their property tax lowered fresh in our minds.

Earlier I mentioned just a few of the homeowners in this State who are depending on us to act. They are sitting up front in this room today and watching as we begin to take the final actions necessary to live up to the intent of our compact with the citizens – to lower the property taxes for every homeowner, every single homeowner, including the 2.4 million Pennsylvania households who are still waiting for us to do what is necessary to lower their property tax bills with State funds from our slots venues.

Some of you, on both sides of the aisle, have suggested that a 20-percent-plus average reduction in school property taxes is not enough, and you have expressed a desire to reduce these taxes more significantly or to eliminate them altogether.

I am willing to work with you to pursue these goals and would support additional legislation towards that end if it was fiscally feasible, if it protects our schools' ability to continue to provide quality education, and if such legislation does not place additional burdens on Pennsylvania's working families.

But before turning to new ideas, I ask that you address what we all know is simple and deliverable – corrections to the Homeowner Tax Relief Act.

The funds necessary to guarantee these tax reductions are already enabled in our laws and soon are about to be realized. The method for distribution, formulas for distribution, and time frames are well defined and already agreed to. The

Homeowner Tax Relief Act is real and ready with the two changes I proposed today to guarantee property tax relief to every homeowner in this State. Let us get this law cleaned up first and then look at other ways to further eliminate property taxes.

It is up to us to make sure that Pennsylvania's school property taxes do not break the backs of those who try to keep a home nor rob the dream of those who wish to own one. So I look forward to this special session delivering on this reasonable and urgent goal – rekindling this year and for years to come the compact we share with the great citizens of the Commonwealth of Pennsylvania.

Thank you. Good luck in your work and deliberations.

JOINT SESSION ADJOURNED

The LIEUTENANT GOVERNOR. The Chair asks the members of the House and the visitors to please remain seated for just a moment while the members of the Senate leave the hall of the House.

The business for which the joint session has been assembled having been transacted, the session is adjourned.

THE SPEAKER (JOHN M. PERZEL) PRESIDING

The SPEAKER. The House will come to order.

MOTION TO PRINT PROCEEDINGS OF JOINT SESSION

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that the proceedings of the joint session of the Senate and House held this 28th day of September 2005 be printed in full in this day's Legislative Journal.

On the question,

Will the House agree to the motion?

Motion was agreed to.

The SPEAKER. The Chair at this time recognizes the majority leader, the gentleman from Jefferson, Mr. Smith, for remarks. The Chair rescinds.

The Chair recognizes at this time the gentleman from Greene, the minority leader, Mr. DeWeese, for brief remarks. Mr. DeWeese.

Mr. DeWEESE. Mr. Speaker, politely and respectfully, would it be possible for me to reserve my remarks for a moment until my good friend, the majority leader, is able to go to the rostrum? I think there is incipient collegiality, and we want to work together on this. The tradition is that the majority leader would speak initially, and I am looking forward to being supportive of his remarks. So I think he may be a minute or two away. I am not certain, but I would prefer to go after him as is our custom.

The SPEAKER. Not a problem. The Chair thanks the gentleman.

The House will be at ease awaiting the majority leader.

RULE 15 SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move to suspend rule 15 so that on October 3 when we come into session, we can come in at 11 o'clock as opposed to 1 o'clock; that is a nonvoting session.

On the question,

Will the House agree to the motion?

Motion was agreed to.

HARRISBURG LEGISLATIVE LEAVE

Mr. DeWEESE. Mr. Speaker?

The SPEAKER. Mr. DeWeese.

Mr. DeWEESE. An ancillary element of business; the gentleman from Fayette County, Mr. ROBERTS, would like to be placed on Capitol leave for the rest of today.

The SPEAKER. Without objection, that leave will be granted.

Mr. DeWEESE. Thank you, Mr. Speaker.

STATEMENT BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader, the gentleman, Mr. Smith.

Mr. S. SMITH. Thank you, Mr. Speaker.

Mr. Speaker, just to spread a few comments on the record in reaction to the proclamation by the Governor. Something that I like to say and that a friend of mine back home says quite a bit, one of those little sayings you pick up, that satisfaction is a function of expectation. I think it is something that we will have to keep in mind as we proceed into this special session.

By way of background, I mean, obviously – and the Governor, I think, highlighted a lot of these things – that, you know, as property taxes have skyrocketed, I think it is important for us not to be caught up in a blame game at this juncture. I think we all, whether it is State government, the Federal government, local government, school boards, educators, parents, and perhaps even taxpayers, are a part of the problem. We can focus it more here or there, but I think that we all have to recognize that we play a role in this and that we need to consider it in that light. Obviously, past attempts at property tax reform have come up short at best. Act 50 and Act 72 are perceived as failures for various and/or parochial reasons.

In 2002 a bipartisan special committee met, held 16 hearings across the Commonwealth, but could not come up with a consensus on where we need to go. Now in 2005 we are still debating about what to do about property taxes, and at this very moment, I would suggest that no consensus for a true solution exists. Part of it is because of the diversities of this State. We all recognize our own regions that have different characteristics in terms of the tax structure or the nature of the communities that makes that difficult. I think it is important for us to recognize that those that are most affected – and again, the Governor, I believe, highlighted this – those that are most affected by the constantly rising property taxes are those on fixed incomes – senior citizens and the poor – and I would echo the Governor's comments relative to that.

Sometimes we have to recognize in reality, looking in the mirror, that part of the problem is that people want to control everything at the local level. That is something that many of us on this side of the aisle feel is a tenet of basic education, that there is great control at the local level. We need to recognize that there is a price associated with that as well.

As we define this problem, I think it is important for us to talk about what property tax reform is. Everybody has a little different definition perhaps. It goes back to my opening comment that satisfaction is a function of expectation. What is it that people are expecting of us? Does property tax reform lower taxes? Is property tax reform a shift in taxes? Does property tax reform mean more money for education? Does property tax reform mean limiting the amount of money that is to be spent on education?

In reality, there are different people across the Commonwealth that share those and perhaps other definitions of what property tax reform is and what it is we are to do about it. My interpretation generally is that most people when they say, I am tired of property taxes, they are not saying property taxes; they are saying, I do not want to pay more taxes. They emphasize the property taxes because it is the one that is more onerous; it is the one that kind of smacks you in the face, because your income taxes are taken out with a paycheck or your sales taxes are paid with each item that you purchase, and the property tax bill just kind of comes up and smacks you in the face. But I think when they say they want property tax reform, in part what they are saying is, I want lower taxes, period, whether it is a real estate tax or an income tax or a sales tax, and I think it is important for us to put that on the table and at least make it a part of the debate. Maybe we cannot fulfill certain parts of those expectations, but I think it is important for us to acknowledge it and not ignore that that is part of this debate.

During the special session on property taxes that we commenced today, I believe that there will be, you know, dozens of bills that will be introduced. We are going to have special subcommittees of the Finance Committee that will examine and extract from each of these plans the pros and cons. It is my hope that the Finance Committee, through the vehicle of these subcommittees, which will be working in a public forum, in a publicly open meeting, that they will be able to gain greater input from the members of the legislature so that we can better identify and digest just what the pros and cons are of each of these plans. In the end the hope would be that one of the plans would emerge as a consensus, one that we can all share in as a plan that will truly, positively reach the goals of what the public's expectations are for property tax reform.

The SPEAKER. Mr. Smith?

The gentleman is entitled to be heard. Would the conferences in front of the minority leader's desk please break up.

The gentleman, Mr. DeWeese, did ask for the opportunity of speaking second. We would hope that he would give the gentleman who is speaking first an opportunity to be heard, along with the rest of the members.

Mr. Smith. I am sorry.

Mr. S. SMITH. Thank you, Mr. Speaker.

I was saying that at the end of the day we would hope that one of the plans would emerge as a consensus, one that we can gain a majority of the House, the Senate, and the Governor's support, that would truly address and fulfill the expectations of the people of Pennsylvania. It is very possible that that

consensus may be a hybrid of one of the many plans that we are somewhat familiar with and that have been introduced over the past year or so.

As we do that, I think it is also important for us to examine a little bit about where the money will come from. Obviously, you know, the Governor has continued to pursue the distribution of the moneys that will one day come in from gaming, and that is one, you know, pot of money that we can talk about. But I think we also need to consider just what we have here at the Commonwealth level. We have a \$24 billion State budget, and again, these are things I think that we need to just be conscious of as we enter this debate, all of the factors that are on the table. They all play a role in this decisionmaking process.

We have a \$24 billion State budget, of which approximately 42 percent, \$10.1 billion, goes to education, that is K through 12 and higher education; \$8 1/2 billion for welfare and medical assistance represents about 35 percent of the budget; \$3 billion for public protection and security, which represents around 12 1/2 percent; around \$190 million for the environment, which represents 1 percent; about \$500 million in our community and economic development line items, which represents roughly 2 percent; and the rest, which I think is around 7 percent or so – I did not add the numbers up – is all the other programs of State government. So you can see where 42 percent of the State budget goes to, and that also includes higher education – \$10.1 billion. That is a huge chunk. School property taxes generated at the local level represented roughly \$9 billion last year and expected to be higher this year. Local per capita taxes raised \$15.5 million, and income taxes at the local level generated around \$847 million. So at the local level, you have roughly \$10 billion being raised, and at the State level we have approximately \$10 billion being put into education in general.

The gambling money I mentioned, you know, maybe it is \$500 million, maybe it is \$600 million, perhaps it will be a billion one day, who knows. Regardless, it is still years away, and I think we need to keep that in mind. It is not available at this moment. So perhaps cutting from the State budget is something that we need to consider. That would certainly fulfill one interpretation of an expectation of what people may have. Perhaps a 5-percent cut would generate \$1.1 billion in savings that could be generated into property tax relief. Many school districts need to hold the line on spending, and that is another factor that we should consider. So I suspect that as a part of this debate there will be some level of discussion on accountability measures and discuss the possibility that that will be incorporated.

I have a couple more comments, Mr. Speaker, and I will finish. I realize members are restless.

A couple facts of life. In many ways the State has no control over what the local governments spend. Those priorities remain locally, and we have to recognize that and that all taxpayers ultimately will foot the bill, no matter if it is at the local, State, or Federal level where the money is coming from. Our charge today, Mr. Speaker, as I see it, our charge: After these special subcommittees do their work and the bills and their concepts are developed, the challenge will be for us to come to a consensus. I do not think any plan currently before us is perfect nor does any plan that actually fulfills the expectations of taxpayers have a majority of support at this time, and I think that is important for us to recognize going in. So automatically, Mr. Speaker, our challenge, our responsibility, and our charge is to set aside some of our parochial views, to set aside some of our personal views,

to set aside some of our political views, so that we might be able to meet the expectations of the taxpayers.

My hope, Mr. Speaker, is that we will be able to work through this special session in a responsible manner, not necessarily watching the clock but watching the outcome of our product, and by that is what we will be judged.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

STATEMENT BY DEMOCRATIC LEADER

The SPEAKER. The Chair recognizes the gentleman from Greene, the minority leader, the gentleman, Mr. DeWeese.

Mr. DeWEESE. Thank you very much, Mr. Speaker.

The gentleman, Mr. Smith, I guess has encapsulated our dilemma. This is going to be a challenging ordeal. The primordial chaos that has punctuated the Pennsylvania property tax debate since the inception of my career three decades ago seems to go on with unrelenting fervency, and yet Dennis Leh and David Levdansky, our two chairmen, and their able committees are anxious and excited about smashing into the tough, gnarly, knotty, challenging problems that presented themselves in the last session and in this session, and I have high confidence that Governor Rendell's focus and Chairman Smith's bipartisan declarations will help us reach our goal.

A couple quick points and then I will relinquish the microphone. One, this is going to happen only if four caucuses come together. My colleague, Mr. Smith, has already stated that, but I want to say it again. We have an antiquated tax structure in our State. Everyone knows that. The Governor has focused on it. Mike Fisher, his counterpart in the gubernatorial race last cycle, focused upon it. This is the intractable problem that we need to confront, and we are confronting it in a special session. If we are successful, the average Pennsylvania taxpayer, every one of them, will get at least \$330 in tax reform and tax relief. Three hundred and thirty dollars is not insignificant. In the last administration \$100 checks were forwarded to our taxpayers, and there was, I guess, a good deal of momentum coming out of this room in favor of that. We would do over three times that kind of redress.

The money coming in from the slots venues that the Governor momentarily opined about is a solid and conservative and achievable estimate. One billion dollars from these slot operations is not out of reach. It is a conservative number. It is a solid number. It is an achievable number. And I am very, very happy that the Rendell-Sturla effort will also eradicate the earned income tax that so many local school districts had been countervailed against and so many of our constituents were dubious about.

There are many good things that have happened vis-a-vis property tax in the debates of the last several months. I would laud the enthusiasms of my Commonwealth Caucus cohorts, although I do not embrace their efforts. In fact, I call their efforts to hike sales taxes to 6.5 percent and spread them onto caskets and Bibles and flags, I call it the Norman Rockwell tax, because including apple pie – apple pie as a food – I think we should probably come a little bit short of the Norman Rockwell tax that my honorable friend from Butler County and my honorable friend from Berks are so assiduously advocating.

But again, like the majority leader, I am willing to listen, anxious to listen, and be a part of this debate, and I commend Chairman Leh and Chairman Levdansky, and I hope that at Governor Rendell's instigation today we will come marching back into this chamber in short order, in a matter of weeks and months, and have a work product that will give property tax relief to every single Pennsylvania property tax payer in excess of \$300 a year, and I would like to also thank Greg and Joyce Peccon of my legislative district for being here with me today, taxpayers who would be beneficiaries of this work.

Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Lycoming, the gentleman, Mr. Feese.

Mr. FEESE. Thank you, Mr. Speaker.

Mr. Speaker, a committee announcement.

There will be a meeting of the House Appropriations Committee in special session at the declaration of the recess of the regular session; immediately upon that call of the declaration of the recess for the regular session, there will be a House Appropriations Committee meeting, in special session.

The SPEAKER. There will be a meeting of the Appropriations Committee for special session at the recess of the regular session.

RECESS

The SPEAKER. The special session of the House of Representatives stands in recess to the call of the Chair.

AFTER RECESS

The time of recess having expired, the House was called to order.

THE SPEAKER PRO TEMPORE (PATRICK E. FLEAGLE) PRESIDING

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1, PN 2

By Rep. FEESE

An Act amending the act of July 5, 2004 (P.L.654, No.72), known as the Homeowner Tax Relief Act, further providing for limitations, for general tax authorization, for property tax limits on reassessment, for qualifying contribution, for adoption of referendum, for public referendum requirements for increasing certain taxes, for disposition of income tax revenue and property tax reduction allocations, for homestead and farmstead exclusion process, for definitions, for certification and calculation of minimum and maximum modifiers and for State property tax reduction allocation.

APPROPRIATIONS.

RECESS

The SPEAKER pro tempore. This House stands in recess until the call of the Chair.

AFTER RECESS

The time of recess having expired, the House was called to order.

THE SPEAKER PRO TEMPORE (JERRY BIRMELIN) PRESIDING

RECESS

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Buxton, from the county of Dauphin.

Mr. BUXTON. Mr. Speaker, I move that this House do now recess until Monday, October 3, 2005, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 10:59 a.m., e.d.t., Monday, October 3, 2005, the House recessed.