

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

MONDAY, FEBRUARY 8, 1999

SESSION OF 1999

183D OF THE GENERAL ASSEMBLY

No. 10

### HOUSE OF REPRESENTATIVES

The House convened at 1 p.m., e.s.t.

#### THE SPEAKER (MATTHEW J. RYAN) PRESIDING

#### PRAYER

REV. D. WAYNE BENDER, Chaplain of the House of Representatives and pastor of Paxton United Methodist Church, Harrisburg, Pennsylvania, offered the following prayer:

Let us pray:

O God of peace and hope, as the world pauses to pay its respect to King Hussein of Jordan, we join in prayer for the people of Jordan and throughout the Middle East. As King Hussein became a friend and peacemaker to his neighbors, may we likewise seek to become peacemakers and friends to our enemies. We join in prayer for the continued peace process throughout the entire Middle East.

O God of hope, as these elected Representatives join together this day and throughout the coming weeks, may they be guided by Your spirit of wisdom and discernment as they seek to resolve issues such as the budget, the possible expansion of gambling, the use of tobacco settlement funds, and other matters of great import to the people of our great State. May they be guided by a concern for the common good of the common citizen, bringing hope for our tomorrow.

O God of peace, may we seek Your peace in all that we do. May we have an appreciation for those who assist us in our tasks, and may we never take advantage of them. May we seek to balance the demands of the job, of the constituents, and of family, so that peace may abound in our work and in our personal lives.

Grant us this day Your vision for peace and hope in our world. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Wednesday, February 3, 1999, will be postponed until printed. The Chair hears no objection.

### LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip, who requests a leave of absence for the lady from Montgomery County, Mrs. COHEN, for today's session. Without objection, leave will be granted. The Chair hears no objection.

I have been advised by the Democratic whip that there will be no requests for leaves at this time.

Mr. COY. Mr. Speaker?

The SPEAKER. Mr. Coy.

Mr. COY. I have to make a slight correction in the request. A temporary leave of absence for the gentleman from Philadelphia, Mr. COHEN. He is expected later in the day.

The SPEAKER. Thank you. Without objection, leave will be granted. The Chair hears none.

### SENATE MESSAGE

#### HOUSE AMENDMENTS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 10, PN 313**.

### BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

#### SB 10, PN 313

An Act providing for borrowing for capital facilities; conferring powers and duties on various administrative agencies and officers; making appropriations; and making repeals.

Whereupon, the Speaker, in the presence of the House, signed the same.

### REPORTS SUBMITTED

The SPEAKER. The Chair acknowledges receipt of two reports submitted by the Legislative Budget and Finance Committee pursuant to HRs 319 and 450 of 1998.

(Copies of reports are on file with the Chief Clerk.)

**GUESTS INTRODUCED**

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guests of Representative Tighe, Mr. Buddy Licata and Butch Serino from the Pittston Housing Authority. The guests are seated in the balcony. Would the guests please rise.

The Chair is pleased to welcome to the hall of the House today, as the guests of Representative Tony Melio, Janet Adkins and Jack Adkins of Bristol Township. Would the guests please rise. They are to the left of the Speaker.

**MASTER ROLL CALL**

The SPEAKER. The Chair is about to take today's master roll call. Members will proceed to vote.

The following roll call was recorded:

**PRESENT—200**

Adolph	Fargo	Markosek	Schroder
Allen	Feese	Marsico	Schuler
Argall	Fichter	Masland	Scrimenti
Armstrong	Fleagle	Mayernik	Semmel
Baker	Flick	McCall	Serafini
Bard	Forcier	McGeehan	Seyfert
Barley	Frankel	McGill	Shaner
Barrar	Freeman	McIlhattan	Smith, B.
Bastian	Gannon	McIlhinney	Smith, S. H.
Battisto	Geist	McNaughton	Snyder
Bebko-Jones	George	Melio	Solobay
Belardi	Gigliotti	Metcalfe	Staback
Belfanti	Gladeck	Michlovic	Stairs
Benninghoff	Godshall	Micozzie	Steelman
Birmelin	Gordner	Miller, R.	Steil
Bishop	Grucela	Miller, S.	Stern
Blaum	Gruitza	Mundy	Stetler
Boyes	Habay	Myers	Stevenson
Browne	Hafuska	Nailor	Strittmatter
Bunt	Hanna	Nickol	Sturla
Butkovitz	Harhai	O'Brien	Surra
Buxton	Harhart	Oliver	Tangretti
Caltagirone	Hasay	Orie	Taylor, E. Z.
Cappabianca	Hennessey	Perzel	Taylor, J.
Carn	Herman	Pesci	Thomas
Casorio	Hershey	Petrarca	Tighe
Cawley	Hess	Petrone	Travaglio
Chadwick	Horsey	Phillips	Trello
Civera	Hutchinson	Pippy	Trich
Clark	Jadlowiec	Pistella	True
Clymer	James	Platts	Tulli
Colafella	Josephs	Preston	Vance
Cornell	Kaiser	Ramos	Van Home
Corrigan	Keller	Raymond	Veon
Costa	Kenney	Readshaw	Vitali
Coy	Kirkland	Reinard	Walko
Curry	Krebs	Rieger	Washington
Dailey	LaGrotta	Roberts	Williams
Daley	Laughlin	Robinson	Will
Dally	Lawless	Roebuck	Wogan
DeLuca	Lederer	Rohrer	Wojnaroski
Dempsey	Leh	Rooney	Wright
Dermody	Lescovitz	Ross	Yewcic
DeWeese	Levdansky	Rubley	Youngblood
DiGirolamo	Lucyk	Ruffing	Yudichak
Donatucci	Lynch	Sainato	Zimmerman
Druce	Maher	Samuelson	Zug
Eachus	Maitland	Santoni	
Egolf	Major	Sather	Ryan,
Evans	Manderino	Saylor	Speaker
Fairchild	Mann		

**ADDITIONS—0****NOT VOTING—0****EXCUSED—2**

Cohen, L. I.      Cohen, M.

**LEAVES ADDED—3**

Maher              Perzel              Strittmatter

**LEAVES CANCELED—2**

Cohen, M.              Perzel

**WEST CHESTER****B. REED HENDERSON HIGH SCHOOL  
GIRLS SOCCER TEAM PRESENTED**

The SPEAKER. The Chair recognizes the lady from Chester County, Mrs. Taylor.

Mrs. TAYLOR. Thank you very much, Mr. Speaker.

I am most pleased to welcome to the hall of the House to receive well-deserved congratulations the 1998 West Chester B. Reed Henderson High School girls soccer team.

On the podium with me, I have the head coach, Peter Rohall; the assistant coach, Pete Donnelly; the team captain, Meredith Jones; the lady who scored the winning goal, Colleen Donnelly; and the AD (athletic director) from Henderson High School, Ken McCormick.

Before I make another statement, I would like to ask the entire team at the rear of the House if they would please stand. We also are joined by the superintendent of schools, the principal of the high school, and three West Chester school board members.

It is a big day because this team has been champions 3 out of the past 4 years and they are the only team that is designated back-to-back winning champions of the PIAA AAA State championships. We all have the honor to bring State champions before this body, but not often do we have the privilege to bring a team that has won two State championships one year after the other.

So again I ask you to give a hearty welcome to a team that really has bragging rights today.

I want to give the citation to the athletic director and read just the fact that it is a well-deserved championship victory; the House praises the outstanding dedication and sportsmanship which contributed to this exceptional team performance; and the House wishes the best for continued success in all future endeavors. Signed by myself and the Speaker of the House, Matthew Ryan.

**DOWNINGTOWN HIGH SCHOOL  
BOYS SOCCER TEAM PRESENTED**

The SPEAKER. The Chair recognizes the gentleman from Chester, Mr. Schroder.

Mr. SCHRODER. Thank you, Mr. Speaker.

Members of the House and guests, today it is my honor to present a citation on behalf of Representative Tim Hennessey,

Representative Chris Ross, and myself to the Downingtown High School boys soccer team for capturing the 1998 PIAA Class AAA State championship.

The Downingtown Whippets earned the title by defeating Peters Township with a score of 1-0 in their final game. En route to the State championship, the team also won the 1998 Ches-Mont championship and the 1998 PIAA Class AAA District I championship. These State champions finished their season with an overall record of 25 wins, 1 loss, and 2 ties. I think we can all agree, it is a very impressive record.

These 25 young men committed themselves to a rigorous training and playing season, and it certainly has paid off.

At this point I would like to ask the team to rise, which is seated in the back of the House. Would you please rise, and let us give them a big round of applause.

In addition to the team, with us today and not here with me at the podium are assistant coach Steve Eldredge; faculty member Mr. Linwood Smith; school board member Cynthia Hallman; and Becky Corbin from my district office. We welcome all of you today as well.

It is my honor to present this citation to head coach Greg Wilson and cocaptains Bob Nye, Aaron Thomas, and Phil Swenda.

### **CENTRAL BUCKS WEST HIGH SCHOOL FOOTBALL TEAM PRESENTED**

The SPEAKER. The Chair recognizes the gentleman from Bucks County, Mr. Druce.

Mr. DRUCE. Thank you, Mr. Speaker.

To my colleague from Chester County, Representative Taylor, this is a day for repeats, because with us today we have the PIAA AAAA State championship football team from Central Bucks West High School, who are here for their second consecutive visit to the floor of the Pennsylvania House of Representatives.

This extraordinary group of young men compiled their second consecutive State championship, their second consecutive 15-and-0 season, when this year they capped off a State championship victory of 56 to 7 over New Castle High School.

I want to just mention one fact about this extraordinary program that exists at CB West, because this is not just a unique incidence that occurred this year. This team holds three PIAA AAAA State championships, a record in their division. They have been to four State championships. They hold the State record for most consecutive wins in the Commonwealth at 53 games, which still stands today, and they have an unbeaten string in their history of 56 consecutive unbeaten games, which still is a State record today.

With me and whom I will present the citation to is Coach Mike Pettine, who this year secured his 300th victory coaching CB West football, second only to one other coach in Pennsylvania high school football sports; a tremendous accomplishment for him and the program that he has at Central Bucks West.

I would ask the House of Representatives at this time to acknowledge and ask the team and the managers to please stand in the back, the PIAA State champion Central Bucks West football team.

Coach Pettine and high school principal Rodney Stone and former athletic director, it is my pleasure to present you with this citation.

Mr. McILHINNEY. Mr. Speaker, my fellow House members, one of the greatest pleasures we as lawmakers have is to bring before this august body those constituents who have distinguished themselves in some way so that they might be recognized for their achievements.

And so it is with great pleasure and privilege for me to come before you today to introduce Ben Carber, a senior at Central Bucks West and a resident of the 143d Legislative District. Ben is the recipient of the Westra Construction Pennsylvania Lineman of the Year Award. As a tackle in the Bucks offensive line, Ben's outstanding performance played a key role in the team's 15-and-0 season and in winning consecutive PIAA AAAA State championships.

Through the hard work and dedication of Ben and his teammates, Central Bucks West currently holds the State's longest winning streak, at 30 consecutive games. I am sure you will all agree with me that this athletic excellence is truly deserving of recognition.

So, Mr. Speaker, I ask the House to join me in recognizing Ben Carber for winning the Pennsylvania Lineman of the Year Award and in wishing him all the best for continued success in his future endeavors. Thank you.

### **REPUBLICAN CAUCUS**

The SPEAKER. It is the understanding of the Chair that both sides of the aisle will immediately go to caucus.

To confirm that, the Chair recognizes the gentleman, Mr. Fargo.

Mr. FARGO. Thank you, Mr. Speaker.

There will be a Republican caucus immediately upon the call of the recess, a very important caucus, and I would appreciate it if everybody attends; immediately upon the call of the recess, and we will plan on coming back at 3 o'clock for further votes.

### **DEMOCRATIC CAUCUS**

The SPEAKER. Mr. Coy.

Mr. COY. Thank you, Mr. Speaker.

Likewise, there will be a Democratic caucus that will commence immediately upon the declaration of the recess, with the anticipation of returning to the floor at 3 p.m.

The SPEAKER. The Chair thanks the gentleman.

### **APPROPRIATIONS COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentleman, Mr. Barley.

Mr. BARLEY. Thank you, Mr. Speaker.

I would like to call a meeting of the House Appropriations Committee in room 235, the conference room of the majority Appropriations Committee complex, immediately upon recess. It should be a brief meeting.

The SPEAKER. The Chair thanks the gentleman.

**RECESS**

The SPEAKER. Any further announcements? Any further announcements?

Hearing none, this House will stand in recess until 3 p.m., unless sooner recalled or extended by the Chair.

**RECESS EXTENDED**

The time of recess was extended until 3:30 p.m.; further extended until 4 p.m.

**AFTER RECESS**

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

**HOUSE BILLS  
INTRODUCED AND REFERRED**

**No. 13** By Representatives STEIL, FREEMAN, YOUNGBLOOD, STURLA, KREBS, MASLAND, MAITLAND, LEVDANSKY, HERSHEY, PLATTS, MUNDY, ARGALL, ORIE, McILHINNEY, CORRIGAN, TRELLO, CLYMER, E. Z. TAYLOR, BELARDI, BARRAR, MELIO, HARHAI, VAN HORNE, RUBLEY, DALLY, BATTISTO, WILLIAMS, S. MILLER, BARD, STEELMAN and ADOLPH

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further providing for the purpose of the act; adding certain definitions; further providing for various matters relating to the comprehensive plan and for compliance by counties; providing for funding for municipal planning; providing for neighboring municipalities, for infrastructure and public services and for county review; further providing for certain ordinances; and adding provisions relating to projects of regional impact.

Referred to Committee on LOCAL GOVERNMENT, February 8, 1999.

**No. 14** By Representatives STEIL, FREEMAN, YOUNGBLOOD, STURLA, KREBS, MASLAND, MAITLAND, LEVDANSKY, HERSHEY, PLATTS, MUNDY, ARGALL, ORIE, McILHINNEY, CORRIGAN, TRELLO, CLYMER, E. Z. TAYLOR, BELARDI, MELIO, HARHAI, VAN HORNE, RUBLEY, DALLY, BATTISTO, WILLIAMS, S. MILLER, BARD, STEELMAN and ADOLPH

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, providing for intergovernmental cooperative planning and implementation agreements.

Referred to Committee on LOCAL GOVERNMENT, February 8, 1999.

**No. 329** By Representatives BEBKO-JONES, READSHAW, GEORGE, PESCI, BISHOP, M. COHEN, THOMAS, YOUNGBLOOD, YEWIC, SCRIMENTI, BELFANTI, LAUGHLIN, CURRY, MYERS, BELARDI, MELIO, PISTELLA, CORRIGAN, WOJNAROSKI, TRELLO, DeLUCA, RAMOS, SHANER, WASHINGTON, SEYFERT, TRICH, WILLIAMS,

MAHER, HARHAI, JOSEPHS, HORSEY, STEELMAN and DAILEY

An Act requiring health insurance providers which furnish coverage for prescription drugs to extend coverage to off-label use of drugs; and imposing a penalty.

Referred to Committee on INSURANCE, February 8, 1999.

**No. 330** By Representatives BEBKO-JONES, THOMAS, WOGAN, READSHAW, PESCI, M. COHEN, GRUCELA, ARGALL, ROONEY, WOJNAROSKI, SAINATO, McCALL, B. SMITH, STABACK, MICHLOVIC, HARHAI, BUNT, YOUNGBLOOD, WASHINGTON, STEELMAN and PETRARCA

An Act amending the act of August 31, 1971 (P.L.398, No.96), known as the County Pension Law, further providing for the definition of "superannuation retirement age" and for special early retirement.

Referred to Committee on LOCAL GOVERNMENT, February 8, 1999.

**No. 331** By Representatives BEBKO-JONES, GEORGE, READSHAW, PESCI, M. COHEN, THOMAS, FAIRCHILD, SCRIMENTI, BELFANTI, WALKO, PRESTON, MYERS, MICHLOVIC, PISTELLA, YOUNGBLOOD, WOJNAROSKI, TRELLO, DeLUCA, RAMOS, TRICH, WASHINGTON, SHANER, HARHAI and HENNESSEY

An Act placing a moratorium on licensure or certification on certain health care facilities by the Department of Health.

Referred to Committee on HEALTH AND HUMAN SERVICES, February 8, 1999.

**No. 332** By Representatives MAITLAND, BAKER, BELARDI and THOMAS

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, providing for additional creditable nonstate service as a municipal employee.

Referred to Committee on STATE GOVERNMENT, February 8, 1999.

**No. 333** By Representatives MAITLAND, BELARDI, FARGO, SATHER, SEMMEL and THOMAS

An Act amending the act of August 6, 1941 (P.L.861, No.323), referred to as the Pennsylvania Board of Probation and Parole Law, further providing for the powers of the Pennsylvania Board of Probation and Parole.

Referred to Committee on JUDICIARY, February 8, 1999.

**No. 334** By Representatives MAITLAND, BELARDI, CLARK and THOMAS

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for an order of probation.

Referred to Committee on JUDICIARY, February 8, 1999.

**No. 335** By Representatives MAITLAND, STERN and E. Z. TAYLOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the use of Court Reporting Network instruments.

Referred to Committee on JUDICIARY, February 8, 1999.

**No. 336** By Representatives MAITLAND, NICKOL, S. MILLER, E. Z. TAYLOR, SATHER, SEMMEL, SEYFERT, STEELMAN and SAYLOR

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for the definition of "sale at retail" and "use"; exempting horses, interests in horses and certain services relating to horses in certain circumstances from the sales and use tax; and exempting feed and certain other equipment from the sales and use tax.

Referred to Committee on FINANCE, February 8, 1999.

**No. 337** By Representatives MAITLAND, BAKER, CLARK, EGOLF, GORDNER, HERSHEY, MASLAND, S. MILLER, PLATTS, SATHER, SEMMEL, B. SMITH, STEELMAN and STERN

An Act providing for a Statewide referendum on the question of whether Pennsylvania should have a Returnable Beverage Container Act.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 8, 1999.

**No. 338** By Representatives MAITLAND, NICKOL, HARHAI, PISTELLA, E. Z. TAYLOR, THOMAS and SAYLOR

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further providing for rescue volunteers.

Referred to Committee on LABOR RELATIONS, February 8, 1999.

**No. 339** By Representatives MAITLAND, MASLAND and PLATTS

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, providing for nonpartisan school board elections.

Referred to Committee on STATE GOVERNMENT, February 8, 1999.

**No. 340** By Representatives MAITLAND, CLARK, GEIST, HERSHEY, SATHER, STERN, E. Z. TAYLOR and THOMAS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for chemical tests of blood or urine to determine the amount of alcohol or controlled substance.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, February 8, 1999.

**No. 341** By Representatives MAITLAND, HERSHEY, S. MILLER, E. Z. TAYLOR, BELARDI, EGOLF, MASLAND, NAILOR, SATHER, SEYFERT, STERN, THOMAS and ROSS

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, exempting transfers of certain farmland from inheritance tax.

Referred to Committee on FINANCE, February 8, 1999.

**No. 342** By Representatives MAITLAND, NICKOL, CLARK, S. MILLER, BELARDI, STERN, E. Z. TAYLOR and THOMAS

An Act amending the act of July 9, 1976 (P.L.817, No.143), known as the Mental Health Procedures Act, further providing for age for voluntary treatment.

Referred to Committee on JUDICIARY, February 8, 1999.

**No. 343** By Representatives MAITLAND, STERN, BELARDI and RAMOS

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for creditable nonstate service.

Referred to Committee on STATE GOVERNMENT, February 8, 1999.

**No. 344** By Representatives MAITLAND, NICKOL, S. MILLER, HERSHEY, EGOLF, FLICK, HUTCHINSON, MASLAND, STERN, E. Z. TAYLOR and TRUE

An Act providing for civil liability relating to equine activities, for exceptions thereto and for the posting and furnishing of certain notices.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, February 8, 1999.

**No. 345** By Representatives MAITLAND, E. Z. TAYLOR and TRUE

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, providing for court house hours and calendars.

Referred to Committee on JUDICIARY, February 8, 1999.

**No. 346** By Representatives MAITLAND, BELARDI and SEYFERT

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further providing for planning commission members.

Referred to Committee on LOCAL GOVERNMENT, February 8, 1999.

**No. 347** By Representatives MAITLAND, CORRIGAN, MASLAND, S. MILLER, E. Z. TAYLOR and TRUE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for tattooing and prohibiting certain body piercing.

Referred to Committee on JUDICIARY, February 8, 1999.

**No. 348** By Representatives MAITLAND and E. Z. TAYLOR

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for alimony pendente lite, counsel fees and expenses.

Referred to Committee on JUDICIARY, February 8, 1999.

**No. 349** By Representatives MAITLAND, ARGALL, FLICK, GEIST, S. MILLER, NAILOR, STABACK, STURLA and E. Z. TAYLOR

An Act authorizing the incurring of indebtedness, with the approval of the electors, of \$100,000,000 to provide additional funding for the acquisition of, improvements to and the rehabilitation of parks, recreational facilities, educational facilities, natural areas, historic sites, zoos and public libraries.

Referred to Committee on APPROPRIATIONS, February 8, 1999.

**No. 350** By Representatives MAITLAND, NICKOL, ARGALL, FLICK, GEIST, MASLAND, S. MILLER, NAILOR, STURLA and E. Z. TAYLOR

An Act authorizing the incurring of indebtedness, with the approval of the electors, of \$100,000,000 to provide additional funding for the purchase of agricultural conservation easements for the preservation of agricultural land; and making a repeal.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, February 8, 1999.

**No. 351** By Representatives MAITLAND, CORRIGAN, PLATTS and E. Z. TAYLOR

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting possession of certain tobacco paraphernalia by minors.

Referred to Committee on JUDICIARY, February 8, 1999.

**No. 352** By Representatives MAITLAND, BUNT, CIVERA, COLAFELLA, FEESE, GIGLIOTTI, HORSEY, LYNCH, MASLAND, S. MILLER, PESCI, PLATTS, RUBLEY, SEYFERT, E. Z. TAYLOR, THOMAS and YOUNGBLOOD

An Act amending the act of February 9, 1984 (P.L.3, No.2), known as the Deputy Sheriffs' Education and Training Act, further providing for continuing education and training.

Referred to Committee on JUDICIARY, February 8, 1999.

**No. 353** By Representatives McNAUGHTON, E. Z. TAYLOR, LAUGHLIN, LEH, HORSEY, DeLUCA, MARSICO, SERAFINI and GRUCELA

An Act prohibiting the issuance of certain permits.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 8, 1999.

**No. 354** By Representatives McNAUGHTON, E. Z. TAYLOR, LAUGHLIN, LEH, HORSEY, DeLUCA, MARSICO, SERAFINI and GRUCELA

An Act amending the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act, prohibiting the issuance of certain permits.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 8, 1999.

**No. 355** By Representatives McNAUGHTON, B. SMITH, MASLAND, GEORGE, SATHER, FEESE, STEIL, FAIRCHILD, GORDNER, E. Z. TAYLOR, BARD, LEH, HORSEY, STEELMAN, DeLUCA, LEVDANSKY, SURRA, MARSICO, SERAFINI, GRUCELA and LAUGHLIN

An Act providing for a moratorium on the issuance of permits for municipal waste disposal facilities.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 8, 1999.

**No. 356** By Representatives McNAUGHTON, S. H. SMITH, MASLAND, GEORGE, SATHER, FEESE, STEIL, FAIRCHILD, GORDNER, E. Z. TAYLOR, BARD, LEH, HORSEY, LEVDANSKY, SURRA, MARSICO, SERAFINI, GRUCELA and LAUGHLIN

An Act amending the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act, providing for a moratorium on the issuance of permits for municipal waste disposal facilities.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 8, 1999.

**No. 357** By Representatives FEESE, SCHULER, NAILOR, DEMPSEY, BELFANTI, PHILLIPS, GEIST, WILT, CLARK, DALLY, E. Z. TAYLOR, RUBLEY, HENNESSEY, STERN, ROSS, GLADECK, L. I. COHEN, HUTCHINSON, PLATTS, JAMES and YOUNGBLOOD

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for increments when employed by another school district; and providing for increments when returning to service within the same school district.

Referred to Committee on EDUCATION, February 8, 1999.

**No. 358** By Representatives FEESE, DEMPSEY, PHILLIPS, GEIST, HERMAN, READSHAW, FAIRCHILD, CORRIGAN, S. MILLER, DALLY, FARGO, WALKO, E. Z. TAYLOR, MICHLOVIC, SATHER, HENNESSEY, STERN, WILLIAMS, ROSS, M. COHEN, ORIE, PLATTS, JAMES, YOUNGBLOOD, HARHAI and STEELMAN

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for neglect of care-dependent person.

Referred to Committee on JUDICIARY, February 8, 1999.

**No. 359** By Representatives FEESE, L. I. COHEN, ORIE, SCRIMENTI, GEIST, HERMAN, READSHAW, CORNELL, CORRIGAN, E. Z. TAYLOR, SURRA, COLAFELLA, MAJOR, TIGUE, J. TAYLOR, GIGLIOTTI, HENNESSEY, WILLIAMS, ROSS, SEYFERT, CHADWICK, ROBINSON, M. COHEN, FREEMAN, PLATTS, HARHART, YOUNGBLOOD, HARHAI, BROWNE, STEELMAN, BENNINGHOFF and PETRARCA

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for protection from abuse definitions and relief.

Referred to Committee on JUDICIARY, February 8, 1999.

**No. 360** By Representatives ROSS, ADOLPH, ARGALL, ARMSTRONG, BAKER, BARD, BARLEY, BARRAR, BASTIAN, BENNINGHOFF, BIRMELIN, BROWNE, BUNT, CAPPABIANCA, CHADWICK, CIVERA, CLARK, CLYMER, L. I. COHEN, CORRIGAN, COY, CURRY, DALLY, DeLUCA, DEMPSEY, DiGIROLAMO, DRUCE, EGOLF, FAIRCHILD, FARGO, FEESE, FICHTER, FLEAGLE, FORCIER, GEIST, GIGLIOTTI, GODSHALL, GORDNER, GRUCELA, HARHAI, HARHART, HENNESSEY, HERMAN, HERSHEY, HESS, HUTCHINSON, JAMES, LAUGHLIN, LYNCH, MAHER, MAITLAND, MAJOR, McCALL, McILHINNEY, McNAUGHTON, R. MILLER, S. MILLER, MUNDY, NAILOR, NICKOL, ORIE, PETRARCA, PIPPY, PISTELLA, PLATTS, RAMOS, READSHAW, RUBLEY, SAINATO, SANTONI, SATHER, SAYLOR, SCHRODER, SCHULER, SCRIMENTI, SEMMEL, SEYFERT, SHANER, B. SMITH, SOLOBAY, STABACK, STEIL, STERN, STEVENSON, TANGRETTI, E. Z. TAYLOR, J. TAYLOR, TRELLO, TRUE, VANCE, WALKO, WILLIAMS, WILT, WOGAN, WOJNAROSKI, WRIGHT, YOUNGBLOOD and ZUG

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for the Pennsylvania State Police.

Referred to Committee on STATE GOVERNMENT, February 8, 1999.

**No. 361** By Representatives PHILLIPS, GEIST, McCALL, FAIRCHILD, GEORGE, YOUNGBLOOD, BELARDI, PESCI, COY, TIGUE, THOMAS, SATHER, BAKER, TRAVAGLIO, KENNEY, RUBLEY, HENNESSEY, PRESTON, GODSHALL, ROHRER, TRELLO, STERN, E. Z. TAYLOR, MAHER, BARD, HESS, DeLUCA, STABACK, ZIMMERMAN, WILLIAMS, S. MILLER, RAMOS, WILT, MICOZZIE and DALEY

An Act amending the act of June 1, 1945 (P.L.1242, No.428), known as the State Highway Law, providing for the maintenance of certain pedestrian crosswalks.

Referred to Committee on TRANSPORTATION, February 8, 1999.

**No. 362** By Representatives DALEY, HANNA, ROBINSON, McGILL, TRICH, SHANER, HARHAI, LESCOVITZ, SOLOBAY, BASTIAN, WALKO, HENNESSEY and LEDERER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for criminal mischief.

Referred to Committee on JUDICIARY, February 8, 1999.

**No. 363** By Representatives PHILLIPS, ORIE, ZIMMERMAN, BAKER, YOUNGBLOOD, FAIRCHILD, SAYLOR, TRELLO, STERN, STABACK and WILT

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for definitions pertaining to snowmobiles.

Referred to Committee on TRANSPORTATION, February 8, 1999.

**No. 364** By Representatives TIGUE, CAWLEY, PESCI, DEMPSEY, CAPPABIANCA, ARMSTRONG, BELFANTI, SCRIMENTI, McCALL, LAUGHLIN, BATTISTO, TRELLO, STABACK, TRAVAGLIO, WOJNAROSKI, PRESTON, JAMES, MYERS, GRUITZA, MICHLOVIC, PISTELLA, CORRIGAN, VAN HORNE, YOUNGBLOOD, BUNT, SEYFERT, SHANER, GEIST, TRICH, DALLY, STERN, SERAFINI, ADOLPH, HARHAI, SAYLOR and M. COHEN

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for administration and procedure relating to homestead property exclusion.

Referred to Committee on LOCAL GOVERNMENT, February 8, 1999.

**No. 365** By Representatives TIGUE, CAWLEY, PESCI, DEMPSEY, CAPPABIANCA, ARMSTRONG, BELFANTI, SCRIMENTI, McCALL, LAUGHLIN, BATTISTO, TRELLO, STABACK, TRAVAGLIO, WOJNAROSKI, PRESTON, JAMES, MYERS, GRUITZA, MICHLOVIC, PISTELLA, CORRIGAN, VAN HORNE, YOUNGBLOOD, BUNT, SEYFERT, SHANER, GEIST, TRICH, DALLY, STERN, SERAFINI, ADOLPH, HARHAI, SAYLOR and M. COHEN

An Act amending the act of June 21, 1939 (P.L.626, No.294), referred to as the Second Class County Assessment Law, further providing for notice of assessments and appeals to the board.

Referred to Committee on URBAN AFFAIRS, February 8, 1999.

**No. 366** By Representatives TIGUE, CAWLEY, PESCI, DEMPSEY, CAPPABIANCA, ARMSTRONG, BELFANTI, SCRIMENTI, McCALL, LAUGHLIN, BATTISTO, TRELLO,

STABACK, TRAVAGLIO, WOJNAROSKI, PRESTON, JAMES, MYERS, GRUITZA, MICHLOVIC, PISTELLA, CORRIGAN, VAN HORNE, YOUNGBLOOD, BUNT, SEYFERT, SHANER, GEIST, TRICH, DALLY, STERN, SERAFINI, ADOLPH, HARHAI, SAYLOR and M. COHEN

An Act amending the act of May 21, 1943 (P.L.571, No.254), known as The Fourth to Eighth Class County Assessment Law, further providing for appeal notices.

Referred to Committee on LOCAL GOVERNMENT, February 8, 1999.

**No. 367** By Representatives TIGUE, CAWLEY, PESCI, DEMPSEY, CAPPABIANCA, ARMSTRONG, BELFANTI, SCRIMENTI, McCALL, LAUGHLIN, BATTISTO, TRELLO, STABACK, TRAVAGLIO, WOJNAROSKI, PRESTON, JAMES, MYERS, GRUITZA, MICHLOVIC, PISTELLA, CORRIGAN, VAN HORNE, YOUNGBLOOD, BUNT, SEYFERT, SHANER, GEIST, TRICH, DALLY, STERN, SERAFINI, ADOLPH, HARHAI, SAYLOR and M. COHEN

An Act amending the act of June 26, 1931 (P.L.1379, No.348), referred to as the Third Class County Assessment Board Law, further providing for appeals of assessments.

Referred to Committee on LOCAL GOVERNMENT, February 8, 1999.

**No. 368** By Representatives WRIGHT, FEESE, SEYFERT, STERN, CORRIGAN, HORSEY, TRELLO and M. COHEN

An Act amending Title 54 (Names) of the Pennsylvania Consolidated Statutes, further providing for change by order of court.

Referred to Committee on JUDICIARY, February 8, 1999.

**No. 369** By Representatives GODSHALL, LUCYK, BARLEY, E. Z. TAYLOR, L. I. COHEN, FEESE, GEIST, HALUSKA, HARHAI, HERMAN, HERSHEY, HUTCHINSON, KENNEY, LEDERER, McILHINNEY, MICHLOVIC, MICOZZIE, S. MILLER, NAILOR, PESCI, ROBINSON, STABACK, THOMAS, TRELLO, WILT, WOGAN, WOJNAROSKI and ZUG

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, providing for the phased reduction and elimination of the tax on amusements and for recovery of extraordinary expenses.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, February 8, 1999.

**No. 370** By Representatives ROHRER, BELFANTI, BENNINGHOFF, CLARK, EGOLF, FARGO, GEIST, HARHAI, HERSHEY, HESS, HORSEY, LEH, PISTELLA, SAYLOR, STABACK, STERN, TRELLO, WILT, WOGAN, YEWIC and BASTIAN

An Act amending the act of December 12, 1994 (P.L.956, No.135), known as the Humane Society Police Officer Enforcement Act, providing for prohibitions and penalties.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, February 8, 1999.

**No. 371** By Representatives SERAFINI, BELARDI, SEMMEL, TRELLO, ARMSTRONG, S. H. SMITH, LAUGHLIN, MAITLAND, TIGUE, CORRIGAN, BAKER, BELFANTI, TRAVAGLIO, READSHAW, NAILOR, HERMAN, FLICK, HENNESSEY, EGOLF, HALUSKA, E. Z. TAYLOR, SAINATO, STERN, MAHER, BARD, DeLUCA, HESS, RAMOS, COLAFELLA, WILT, CIVERA, MELIO, M. COHEN, SCRIMENTI, McILHINNEY, PRESTON, HERSHEY, SAYLOR, HARHAI, SEYFERT, STABACK, FARGO, BARRAR, SURRA, PHILLIPS, ROSS and DALEY

An Act amending the act of July 15, 1976 (P.L.1036, No.208), known as the Volunteer Fire Company, Ambulance Service and Rescue Squad Assistance Act, adding a definition; and further providing for assistance to volunteer fire companies.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, February 8, 1999.

**No. 372** By Representatives SERAFINI, HASAY, GEIST, BARRAR, READSHAW, CHADWICK, BELARDI, SCHRODER, BAKER, TIGUE, TRUE, GIGLIOTTI, LAUGHLIN, CASORIO, WOGAN, LEDERER and TRELLO

An Act requiring public hearings and municipality approval for the operation of methadone treatment centers.

Referred to Committee on HEALTH AND HUMAN SERVICES, February 8, 1999.

**No. 373** By Representatives GEORGE, DeWEESE, SURRA, PESCI, SHANER, GIGLIOTTI, TRAVAGLIO, FEESE, SANTONI, FAIRCHILD, HARHAI, CASORIO, GORDNER, EACHUS, TRELLO, BARD, WALKO, ORIE, DeLUCA, TANGRETTI, WOJNAROSKI, STEELMAN, McCALL, MELIO, M. COHEN, YUDICHAK, FREEMAN, RUFFING, LEVDANSKY, GRUCELA, SOLOBAY and DALEY

An Act establishing a moratorium on the issuance of certain permits relating to municipal waste landfills; and providing for rescission of unused capacity, for municipal control and for rebuttable presumptions and defenses.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 8, 1999.

**No. 374** By Representatives GEORGE, DeWEESE, SURRA, PESCI, TRAVAGLIO, SCRIMENTI, M. COHEN, MUNDY, GIGLIOTTI, LAUGHLIN, TIGUE, MAITLAND, STURLA, SHANER, SANTONI, HARHAI, MICHLOVIC, CALTAGIRONE, PLATTS, GORDNER, EACHUS, VAN HORNE, TRELLO, STABACK, BARD, YOUNGBLOOD, WALKO, BAKER, ORIE, DeLUCA, BELFANTI, TANGRETTI, WOJNAROSKI, MANDERINO, STEELMAN, LEVDANSKY,



McCALL, MELIO, JOSEPHS, CURRY, SOLOBAY, YUDICHAK, FREEMAN, RUFFING, DALEY and GRUCELA

An Act providing for the protection of public participation in environmental matters, for a motion to strike and for certain damages.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 8, 1999.

**No. 375** By Representatives REINARD, McILHINNEY and STEIL

An Act amending the act of December 8, 1982 (P.L.848, No.235), known as the Highway-Railroad and Highway Bridge Capital Budget Act for 1982-1983, providing for the prioritizing of bridge projects.

Referred to Committee on APPROPRIATIONS, February 8, 1999.

**No. 376** By Representatives REINARD and McILHINNEY

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for judgment by confession filed against incorrectly identified debtors.

Referred to Committee on JUDICIARY, February 8, 1999.

**No. 377** By Representatives REINARD and McILHINNEY

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, providing for correction of errors in filed decisions.

Referred to Committee on LABOR RELATIONS, February 8, 1999.

**No. 378** By Representatives REINARD and McILHINNEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for joint costs of certain traffic-control devices; and providing for powers and duties of the Pennsylvania Public Utility Commission.

Referred to Committee on TRANSPORTATION, February 8, 1999.

**No. 379** By Representatives REINARD and McILHINNEY

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, requiring the Department of Environmental Protection to give notice to municipalities of orders for abatement of nuisances; and making editorial changes.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 8, 1999.

**No. 380** By Representatives REINARD and MICOZZIE

An Act amending the act of June 5, 1968 (P.L.140, No.78), entitled "An act regulating the writing, cancellation of or refusal to renew policies of automobile insurance; and imposing powers and duties on the Insurance Commissioner therefor," further providing for noncancellation of insurance.

Referred to Committee on INSURANCE, February 8, 1999.

**No. 381** By Representatives REINARD and MICOZZIE

An Act amending the act of July 22, 1974 (P.L.589, No.205), known as the Unfair Insurance Practices Act, further providing for unfair or deceptive acts or practices.

Referred to Committee on INSURANCE, February 8, 1999.

**No. 382** By Representatives REINARD and MICOZZIE

An Act amending the act of July 3, 1986 (P.L.396, No.86), entitled "An act requiring notice of rate increases, policy cancellations and nonrenewals by property and casualty insurers," further providing for grounds for cancellation or nonrenewal of certain insurance.

Referred to Committee on INSURANCE, February 8, 1999.

**No. 383** By Representatives HANNA, M. COHEN, HERSHEY, PESCI, GODSHALL, YOUNGBLOOD, SURRA, HARHAI, STEELMAN and WOJNAROSKI

An Act amending the act of January 24, 1966 (1965 P.L.1535, No.537), known as the Pennsylvania Sewage Facilities Act, providing for small flow treatment facilities.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 8, 1999.

**No. 384** By Representatives MUNDY, YUDICHAK, MANN, COSTA, SOLOBAY, SAMUELSON, RUFFING, GRUCELA, FREEMAN, GANNON, E. Z. TAYLOR, BUXTON, LAUGHLIN, PESCI, TIGUE, COY, CLARK, SANTONI, STURLA, GEORGE, SHANER, STETLER, TRAVAGLIO, PLATTS, DeWEESE, HENNESSEY, FAIRCHILD, WOJNAROSKI, BEBKO-JONES, WILLIAMS, MICHLOVIC, HALUSKA, JAMES, EACHUS, GORDNER, CARN, TRELLO, SAINATO, STABACK, WALKO, DeLUCA, CORRIGAN, STEELMAN, ORIE, HARHAI, SERAFINI, MANDERINO, McCALL, S. MILLER, ROEBUCK, SURRA, RAMOS, MELIO, JOSEPHS, COLAFELLA, CURRY, WASHINGTON, PETRARCA, SCRIMENTI, M. COHEN, TRICH and DALEY

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, defining "medical necessity" as it relates to quality health care accountability and protection.

Referred to Committee on INSURANCE, February 8, 1999.

**No. 385** By Representatives MUNDY, SOLOBAY, MANDERINO, BUXTON, TULLI, BELARDI, GEIST, GEORGE, SEYFERT, COY, BEBKO-JONES, GIGLIOTTI, MARKOSEK, NICKOL, PESCI, STURLA, MAITLAND, HERMAN, SANTONI, LEDERER, SHANER, TRAVAGLIO,

READSHAW, DRUCE, PLATTS, RUBLEY, TANGRETTI, DeWEESE, McILHINNEY, HENNESSEY, WOJNAROSKI, WILLIAMS, HALUSKA, VAN HORNE, GORDNER, TRELLO, WALKO, SAINATO, BROWNE, STABACK, HORSEY, MAHER, GODSHALL, DeLUCA, CURRY, STEELMAN, ORIE, HARHAI, McCALL, ROEBUCK, L. I. COHEN, BARRAR, SURRA, RAMOS, MELIO, JOSEPHS, COLAFELLA, ROBINSON, SCRIMENTI, M. COHEN, PETRARCA, TRICH, JAMES, YOUNGBLOOD and THOMAS

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, providing for unannounced inspections.

Referred to Committee on AGING AND YOUTH, February 8, 1999.

**No. 386** By Representatives MUNDY, HERMAN, FREEMAN, MARKOSEK, HUTCHINSON, MICOZZIE, RUBLEY, SHANER, MICHLOVIC, McILHINNEY, SAYLOR, CARN, TRELLO, TIGUE, BARD, HORSEY, CURRY, STEELMAN, WILLIAMS, L. I. COHEN, RAMOS, MELIO, JOSEPHS, COLAFELLA, ROBINSON, BROWNE, FLICK, PETRARCA, WILT and M. COHEN

An Act establishing the Inmate Functional Literacy Program for certain inmates in State correctional facilities so that they may become functionally literate; and providing for powers and duties of the Department of Corrections.

Referred to Committee on JUDICIARY, February 8, 1999.

**No. 387** By Representatives MUNDY, GRUCELA, FREEMAN, BUXTON, MICOZZIE, FLICK, BELARDI, LAUGHLIN, MARKOSEK, PESCI, STURLA, COY, SANTONI, SHANER, BEBKO-JONES, TRAVAGLIO, READSHAW, BELFANTI, DeWEESE, MICHLOVIC, EACHUS, GORDNER, CARN, TRELLO, TIGUE, WALKO, STABACK, HORSEY, DeLUCA, CURRY, STEELMAN, MANDERINO, McCALL, SURRA, RAMOS, JOSEPHS, COLAFELLA, ROBINSON, CIVERA, HARHAI, SCRIMENTI, M. COHEN, WILLIAMS, JAMES, THOMAS, YOUNGBLOOD and MYERS

An Act providing for a home purchase loan program to be administered by the Pennsylvania Housing Finance Agency; and establishing the Affordable Housing Trust Fund.

Referred to Committee on URBAN AFFAIRS, February 8, 1999.

**No. 388** By Representatives MUNDY, STEELMAN, BAKER, YOUNGBLOOD, THOMAS, BELARDI, LAUGHLIN, PESCI, MAYERNIK, SATHER, TRAVAGLIO, READSHAW, MICOZZIE, TANGRETTI, WOJNAROSKI, HENNESSEY, TRELLO, TIGUE, WALKO, STABACK, HORSEY, DeLUCA, CURRY, WILLIAMS, McCALL, RAMOS, MELIO, PISTELLA, JOSEPHS, COLAFELLA, HARHAI, M. COHEN, FREEMAN and MYERS

An Act amending the act of October 4, 1978 (P.L.851, No.166), known as the Flood Plain Management Act, requiring that sellers of land provide buyers with a flood plain notification.

Referred to Committee on CONSUMER AFFAIRS, February 8, 1999.

**No. 389** By Representatives MUNDY, GRUCELA, BELARDI, EACHUS, ARMSTRONG, LAUGHLIN, NICKOL, MARKOSEK, PESCI, STURLA, COY, CORRIGAN, SANTONI, WOJNAROSKI, SHANER, STETLER, BEBKO-JONES, TRAVAGLIO, READSHAW, PLATTS, MICOZZIE, BELFANTI, RUBLEY, DeWEESE, WOGAN, WILLIAMS, EGOLF, HALUSKA, COLAFELLA, VAN HORNE, TRELLO, WALKO, SAINATO, BROWNE, STABACK, DeLUCA, STEELMAN, ORIE, McCALL, MELIO, ROBINSON, CIVERA, HARHAI, TRICH, THOMAS and ROSS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for the attendance of expelled students.

Referred to Committee on EDUCATION, February 8, 1999.

**No. 390** By Representatives DeLUCA, READSHAW, BELARDI, TIGUE, LAUGHLIN, NAILOR, DALEY, PRESTON, FREEMAN, CORRIGAN, PESCI, TRELLO, WALKO, GIGLIOTTI, MELIO, McCALL, SOLOBAY, ROBINSON, WOJNAROSKI, JAMES, HARHAI and PETRARCA

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for the date of the general primary in years in which the President of the United States is nominated.

Referred to Committee on STATE GOVERNMENT, February 8, 1999.

**No. 391** By Representatives McGILL, RUBLEY, WILT, E. Z. TAYLOR, SCHRODER, BROWNE, BENNINGHOFF, CORRIGAN, ORIE, HARHAI, WILLIAMS, BARRAR and B. SMITH

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for municipal corporation portion of fines, etc., and for speed timing devices.

Referred to Committee on TRANSPORTATION, February 8, 1999.

**No. 392** By Representatives GODSHALL, WOGAN, ARGALL, BARRAR, BATTISTO, BROWNE, BUNT, CIVERA, CORNELL, DEMPSEY, DRUCE, FICHTER, GEORGE, GIGLIOTTI, HARHAI, HERSHEY, MARSICO, MASLAND, MAYERNIK, McCALL, MELIO, S. MILLER, NAILOR, PLATTS, RAMOS, READSHAW, SAINATO, SCHRODER, SEMMEL, SERAFINI, SEYFERT, STEVENSON, E. Z. TAYLOR, WILT, YOUNGBLOOD, ZIMMERMAN and DALLY

An Act providing for a designated percentage of tobacco litigation master settlement agreement funds to be utilized for cancer research facilities.

Referred to Committee on HEALTH AND HUMAN SERVICES, February 8, 1999.

**No. 393** By Representatives FEESE, GEORGE, MAITLAND, SNYDER, BARRAR, TIGUE, PLATTS, GEIST, NICKOL, FARGO, CORRIGAN, KREBS, SAYLOR, CHADWICK, DEMPSEY, TRELLO, LAUGHLIN, LYNCH, LEH, STAIRS, HERMAN, WALKO, CURRY, HENNESSEY, MASLAND, MAHER, CLARK, STERN, STEIL, BAKER, SCHRODER, McCALL, GANNON, S. H. SMITH, YOUNGBLOOD, SEYFERT and STEELMAN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for participation in environmental law or regulation.

Referred to Committee on JUDICIARY, February 8, 1999.

**No. 394** By Representatives BROWNE, ARMSTRONG, FEESE, PESCI, L. I. COHEN, MAHER, SEMMEL, ROSS, SNYDER, ZUG, NICKOL, FARGO, STERN, SEYFERT, TRELLO, COLAFELLA and ORIE

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for election of the township secretary.

Referred to Committee on LOCAL GOVERNMENT, February 8, 1999.

**No. 395** By Representatives MAYERNIK, CORRIGAN, VAN HORNE, YOUNGBLOOD, E. Z. TAYLOR, HORSEY, STEELMAN and M. COHEN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, prohibiting operators from using handheld mobile telephones.

Referred to Committee on TRANSPORTATION, February 8, 1999.

**No. 396** By Representatives GODSHALL, CORNELL, STABACK, BELFANTI, CLYMER, SEYFERT, SOLOBAY, SURRA and WILT

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for certain activities by persons holding disabled person permits.

Referred to Committee on GAME AND FISHERIES, February 8, 1999.

**No. 397** By Representatives DALLY, GORDNER, PESCI, MAITLAND, CORRIGAN, CLARK, GEIST, RUBLEY, STEIL, PLATTS, SAYLOR, WILT, E. Z. TAYLOR, BROWNE, YOUNGBLOOD, SCHRODER, SERAFINI, S. MILLER, L. I. COHEN, SURRA, MASLAND, WASHINGTON, M. COHEN and ROSS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of purchase or consumption of cigarettes by minors.

Referred to Committee on JUDICIARY, February 8, 1999.

**No. 398** By Representatives WILT, THOMAS, TIGUE, YOUNGBLOOD, McCALL, E. Z. TAYLOR, TRELLO, FORCIER, HARHAI, STERN, MAHER and SAYLOR

An Act amending the act of December 21, 1984 (P.L.1253, No.238), known as the Speech-Language and Hearing Licensure Act, further providing for powers and duties of the board; and providing for impaired professionals.

Referred to Committee on PROFESSIONAL LICENSURE, February 8, 1999.

**No. 399** By Representatives WILT, THOMAS, FARGO, YOUNGBLOOD, HERSHEY, E. Z. TAYLOR, TRELLO, BELARDI, ROSS, CLARK and SAYLOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for accident reports.

Referred to Committee on TRANSPORTATION, February 8, 1999.

**No. 400** By Representatives WILT, THOMAS, MASLAND, GEIST, READSHAW, YOUNGBLOOD, HERSHEY, TRUE, E. Z. TAYLOR, KENNEY, TRELLO, B. SMITH, BELARDI, HARHAI, STERN, EGOLF, BATTISTO, SAYLOR and BARD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for vehicle immobilization for defendants convicted of driving under the influence of alcohol or controlled substances.

Referred to Committee on JUDICIARY, February 8, 1999.

**No. 401** By Representatives WILT, GEORGE, THOMAS, MASLAND, GEIST, NAILOR, TIGUE, HENNESSEY, CAWLEY, FARGO, READSHAW, FAIRCHILD, LEVDANSKY, SANTONI, RAMOS, SEYFERT, YOUNGBLOOD, McCALL, SHANER, HERSHEY, PLATTS, BENNINGHOFF, HERMAN, M. COHEN, RUBLEY, ZUG, E. Z. TAYLOR, SCRIMENTI, SAINATO, TRELLO, FORCIER, STABACK, BAKER, CLYMER, MICHLOVIC, MICOZZIE, BROWNE, MANDERINO, STERN, KAISER, CLARK, PHILLIPS, S. MILLER, MAHER, L. I. COHEN, SAYLOR, BARD, SERAFINI, CIVERA, WILLIAMS and STETLER

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for the amount of the State blind pension.

Referred to Committee on HEALTH AND HUMAN SERVICES, February 8, 1999.

**No. 402** By Representatives EVANS, BARD, CARN, CURRY, M. COHEN, HORSEY, JOSEPHS, MANDERINO, MICHLOVIC, RAMOS, ROBINSON, ROEBUCK, STETLER, WILLIAMS and YOUNGBLOOD

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for a limit on handgun purchases and sales; creating the Violence Prevention Fund; and further providing for municipal regulation of firearms and ammunition.

Referred to Committee on JUDICIARY, February 8, 1999.

**No. 403** By Representatives EVANS, BEBKO-JONES, BELARDI, BROWNE, BUNT, CAPPABIANCA, CARN, M. COHEN, CURRY, DeWEESE, GEORGE, GRUITZA, HARHAI, JAMES, JOSEPHS, LAUGHLIN, MANDERINO, MELIO, MYERS, PESCI, PRESTON, RAMOS, ROBINSON, SAINATO, STABACK, STEELMAN, STURLA, J. TAYLOR, THOMAS, TRELLO, TRICH, VAN HORNE, WALKO, WOJNAROSKI and YOUNGBLOOD

An Act amending the act of November 22, 1978 (P.L.1166, No.274), referred to as the Pennsylvania Commission on Crime and Delinquency Law, authorizing a crime prevention program; and providing for the duties of the commission and for technical and financial assistance to law enforcement agencies.

Referred to Committee on JUDICIARY, February 8, 1999.

**No. 404** By Representatives SCRIMENTI, SEYFERT, BEBKO-JONES, CAPPABIANCA, BELARDI, YOUNGBLOOD, HORSEY, STEELMAN, ZIMMERMAN, LAUGHLIN, HARHAI, JOSEPHS, M. COHEN, TRELLO and JAMES

An Act selecting, designating and adopting the Eastern Box Turtle (*Terrapene carolina carolina*) as the official reptile of the Commonwealth of Pennsylvania.

Referred to Committee on STATE GOVERNMENT, February 8, 1999.

**No. 405** By Representatives SCRIMENTI, SEYFERT, TIGUE, MAYERNIK, BEBKO-JONES, BELARDI, YOUNGBLOOD, ORIE, STEELMAN, HARHAI, M. COHEN, STETLER, FREEMAN and KIRKLAND

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for circulation of school board petitions.

Referred to Committee on STATE GOVERNMENT, February 8, 1999.

**No. 406** By Representatives SCRIMENTI, THOMAS, BELARDI, WOJNAROSKI, SHANER, TIGUE, YOUNGBLOOD, STEELMAN, HARHAI, RAMOS, BEBKO-JONES, M. COHEN, JAMES, GRUCELA, DALEY and KIRKLAND

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing payment for substitute teachers.

Referred to Committee on EDUCATION, February 8, 1999.

**No. 407** By Representatives SCRIMENTI, GEORGE, PESCI, BELARDI, TRAVAGLIO, SHANER, READSHAW, YOUNGBLOOD, STEELMAN, GRUITZA, DeLUCA,

LAUGHLIN, HARHAI, HENNESSEY, McCALL, STABACK, RAMOS, BEBKO-JONES, M. COHEN, WILLIAMS, TRELLO and JAMES

An Act amending the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act, further providing for the distribution of prescription drugs by pharmacies.

Referred to Committee on PROFESSIONAL LICENSURE, February 8, 1999.

### HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 30** By Representatives LAUGHLIN, YOUNGBLOOD, GEORGE, CAPPABIANCA, THOMAS, READSHAW, DeWEESE, BEBKO-JONES, RAMOS, HALUSKA, BELFANTI, TIGUE, TRAVAGLIO, LEVDANSKY, MAYERNIK, WOJNAROSKI, PESCI, MELIO, SEYFERT, LESCOVITZ, LUCYK, McCALL, HERSHEY, LEDERER, MAHER, HARHAI, SOLOBAY, BENNINGHOFF, SHANER, PRESTON, ORIE, DeLUCA, BARD, CORRIGAN, SCRIMENTI, SATHER, VAN HORNE, MARKOSEK, ROBINSON, PETRONE, MICHLOVIC, TRELLO, B. SMITH, BELARDI, STABACK, BARRAR, GRUITZA, TANGRETTI, PISTELLA, ROSS, DALEY, KAISER, ALLEN, PIPPY, VEON, EACHUS, COLAFELLA, GRUCELA and WILLIAMS

A Resolution establishing a Site Selection Committee for the identification of a suitable site for a State veterans' cemetery in western Pennsylvania.

Referred to Committee on RULES, February 8, 1999.

### SENATE BILL FOR CONCURRENCE

The clerk of the Senate, being introduced, presented the following bill for concurrence:

**SB 127, PN 121**

Referred to Committee on FINANCE, February 8, 1999.

### SENATE MESSAGE

#### ADJOURNMENT 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  
February 8, 1999

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, March 8, 1999, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week, it reconvene on Monday, March 8, 1999, 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.

**BILLS REREPORTED FROM COMMITTEE**

**HB 1, PN 216** By Rep. BARLEY

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for imposition of personal income tax.

**APPROPRIATIONS.**

**SB 255, PN 229** By Rep. BARLEY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for purchase, consumption, possession or transportation of liquor or malt or brewed beverages by minors.

**APPROPRIATIONS.**

**SB 273, PN 293** By Rep. BARLEY

An Act amending the act of July 28, 1953 (P.L.723, No.230), entitled, as amended, Second Class County Code, providing for nomination petitions for the offices of district county council member and at large county council member in certain counties of the second class; and making a repeal.

**APPROPRIATIONS.**

**BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED**

**HB 319, PN 326** By Rep. O'BRIEN

An Act requiring public hearings before closing State mental health or mental retardation facilities.

**HEALTH AND HUMAN SERVICES.**

**BILLS ON SECOND CONSIDERATION**

The following bills, having been called up, was considered for the second time and agreed to, and ordered transcribed for third consideration:

**HB 1, PN 216, and SB 273, PN 293.**

**LEAVES OF ABSENCE**

The SPEAKER. The Chair returns to leaves of absence and recognizes the majority whip, who asks that the gentleman from Lancaster County, Mr. STRITTMATTER, be placed on leave for the balance of today's session. Without objection, leave will be granted. The Chair hears no objection.

The Chair returns to leaves of absence and recognizes the majority whip, who asks that the majority leader, Mr. PERZEL, be placed temporarily on leave of absence. Without objection, the leave will be granted. The Chair hears no objection.

**CALENDAR**

**RESOLUTIONS PURSUANT TO RULE 35**

Mrs. RUBLEY called up **HR 26, PN 300**, entitled:

A Resolution designating the week of February 14 through 20, 1999, as "Vocational-Technical Education Week" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—198**

Adolph	Fairchild	Manderino	Saylor
Allen	Fargo	Mann	Schroder
Argall	Feese	Markosek	Schuler
Armstrong	Fichter	Marsico	Scrimenti
Baker	Fleagle	Masland	Semmel
Bard	Flick	Mayernik	Serafini
Barley	Forcier	McCall	Seyfert
Barrar	Frankel	McGeehan	Shaner
Bastian	Freeman	McGill	Smith, B.
Battisto	Gannon	McIlhattan	Smith, S. H.
Bebko-Jones	Geist	McIlhinney	Snyder
Belardi	George	McNaughton	Solobay
Belfanti	Gigliotti	Melio	Staback
Benninghoff	Gladeck	Metcalfe	Stairs
Birmelin	Godshall	Michlovic	Steelman
Bishop	Gordner	Micozzie	Steil
Blaum	Grucela	Miller, R.	Stern
Boyes	Gruitza	Miller, S.	Stetler
Browne	Habay	Mundy	Stevenson
Bunt	Haluska	Myers	Sturla
Butkovitz	Hanna	Nailor	Surra
Buxton	Harhai	Nickol	Tangretti
Caltagirone	Harhart	O'Brien	Taylor, E. Z.
Cappabianca	Hasay	Oliver	Taylor, J.
Carr	Hennessey	Orie	Thomas
Casorio	Herman	Pesci	Tigue
Cawley	Hershey	Petrarca	Travaglio
Chadwick	Hess	Petrone	Trello
Civera	Horsey	Phillips	Trich
Clark	Hutchinson	Pippy	True
Clymer	Jadlowiec	Pistetta	Tulli
Colafella	James	Platts	Vance
Cornell	Josephs	Preston	Van Horne
Corrigan	Kaiser	Ramos	Veon
Costa	Keller	Raymond	Vitali
Coy	Kenney	Readshaw	Walko
Curry	Kirkland	Reinard	Washington
Dailey	Krebs	Rieger	Williams
Daley	LaGrotta	Roberts	Wilt
Dally	Laughlin	Robinson	Wogan
DeLuca	Lawless	Roebuck	Wojnaroski
Dempsey	Lederer	Rohrer	Wright
Dermody	Leh	Rooney	Yewcic
DeWeese	Lescovitz	Ross	Youngblood
DiGirolamo	Levdansky	Rubley	Yudichak
Donatucci	Lucyk	Ruffing	Zimmerman
Druce	Lynch	Sainato	Zug
Eachus	Maher	Samuelson	
Egolf	Maitland	Santoni	Ryan,
Evans	Major	Sather	Speaker

NOT VOTING—0

EXCUSED—4

Cohen, L. I.      Cohen, M.      Perzel      Strittmatter

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

\* \* \*

Mrs. RUBLEY called up **HR 27, PN 301**, entitled:

A Resolution declaring the week of February 14 through 20, 1999, as "Child Passenger Safety Week."

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

Adolph	Fairchild	Manderino	Saylor
Allen	Fargo	Mann	Schroder
Argall	Feese	Markosek	Schuler
Armstrong	Fichter	Marsico	Scrimenti
Baker	Fleagle	Masland	Semmel
Bard	Flick	Mayemik	Serafini
Barley	Forcier	McCall	Seyfert
Barrar	Frankel	McGeehan	Shaner
Bastian	Freeman	McGill	Smith, B.
Battisto	Gannon	McIlhattan	Smith, S. H.
Bebko-Jones	Geist	McIlhinney	Snyder
Belardi	George	McNaughton	Solobay
Belfanti	Gigliotti	Melio	Staback
Benninghoff	Gladeck	Metcalfe	Stairs
Birmelin	Godshall	Michlovic	Steelman
Bishop	Gordner	Micozzie	Steil
Blaum	Grucela	Miller, R.	Stern
Boyes	Gruitza	Miller, S.	Stetler
Browne	Habay	Mundy	Stevenson
Bunt	Haluska	Myers	Sturta
Butkovitz	Hanna	Nailor	Surra
Buxton	Hartai	Nickol	Tangretti
Caltagirone	Harhart	O'Brien	Taylor, E. Z.
Cappabianca	Hasay	Oliver	Taylor, J.
Carn	Hennessey	Orie	Thomas
Casorio	Herman	Pesci	Tigue
Cawley	Hershey	Petrarca	Travaglio
Chadwick	Hess	Petrone	Trello
Civera	Horsey	Phillips	Trich
Clark	Hutchinson	Pippy	True
Clymer	Jadlowiec	Pistella	Tulli
Colafella	James	Platts	Vance
Cornell	Josephs	Preston	Van Horne
Corrigan	Kaiser	Ramos	Veon
Costa	Keller	Raymond	Vitali
Coy	Kenney	Readshaw	Walko
Curry	Kirkland	Reinard	Washington
Dailey	Krebs	Rieger	Williams
Daley	LaGrotta	Roberts	Wilt
Dally	Laughlin	Robinson	Wogan
DeLuca	Lawless	Roebuck	Wojnaroski
Dempsey	Lederer	Rohrer	Wright
Dermody	Leh	Rooney	Yewcic
DeWeese	Lescovitz	Ross	Youngblood
DiGirolamo	Levdansky	Rubley	Yudichak
Donatucci	Lucyk	Ruffing	Zimmerman
Druce	Lynch	Sainato	Zug
Eachus	Maher	Samuelson	
Egolf	Maitland	Santoni	
Evans	Major	Sather	Ryan, Speaker

NAYS—0

NOT VOTING—0

EXCUSED—4

Cohen, L. I.      Cohen, M.      Perzel      Strittmatter

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

\* \* \*

RESOLUTION PASSED OVER

The SPEAKER. HR 25 on page 2 of today's calendar is over.

BILLS ON THIRD CONSIDERATION

BILLS PASSED OVER

The SPEAKER. All the bills on page 1 of today's calendar are over.

RESOLUTIONS PURSUANT TO RULE 35

RESOLUTIONS PASSED OVER

The SPEAKER. All the resolutions on page 1 of today's calendar are over.

GUEST INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guest of Representative Kathy Manderino, Jeremy Rosof, a third-year law student from the University of Pennsylvania and an intern with Representative Manderino this semester. He is seated to the left of the Chair. Would the gentleman please rise. Jeremy.

SUPPLEMENTAL CALENDAR A

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 255, PN 229**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for purchase, consumption, possession or transportation of liquor or malt or brewed beverages by minors.

On the question,  
Will the House agree to the bill on third consideration?

Mr. **DiGIROLAMO** offered the following amendment No. **A0188**:

Amend Title, page 1, line 4, by removing the period after "minors" and inserting

; and providing for a Statewide referendum on slot machines at horse racetracks.

Amend Bill, page 2, line 2, by striking out all of said line and inserting

Section 2. (a) The Secretary of the Commonwealth shall cause to be placed on the ballot, at the primary election occurring at least 30 days next following the effective date of this act, a nonbinding referendum to determine the will of the electorate of this Commonwealth with respect to slot machines at racetracks.

(b) The referendum question shall be in substantially the following form:

Shall the Commonwealth of Pennsylvania generate revenues for educational purposes and economic development by authorizing a limited number of strictly regulated slot machines at the State's racetracks that already permit wagering on horse racing?

(c) The referendum shall be advertised and conducted in accordance with the provisions of the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code.

(d) Should there be more than one referenda question on the ballot, the secretary shall place the slot machine at racetracks referendum question in the first position on said ballot.

Section 3. This act shall take effect as follows:

(1) The amendment of 18 Pa.C.S. § 6308 shall take effect in 60 days.

(2) The remainder to this act shall take effect immediately.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

Mr. Speaker, I would ask for everybody's attention. We are dealing with an issue that is critically important to everyone here in Pennsylvania. I would like to have everybody's undivided attention for 1 minute, please.

The SPEAKER. Will the gentleman yield.

Sergeants at Arms, break up the conferences in the rear of the House. Members, please take your seats; members, please take your seats.

The gentleman may proceed.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

A gentleman by the name of Winston Churchill – and I know our distinguished minority leader might enjoy this – Mr. Winston Churchill once commented that Americans always do the right thing, after they have exhausted every other possibility. Well, Mr. Speaker, it seems to me that when it comes to giving our racetracks in Pennsylvania and the horse racing industry the ability to compete economically – and I think that is an important word, "economically" – on a level playing field with racetracks in neighboring States – namely, Delaware and West Virginia – we here in Pennsylvania and in the General Assembly have exhausted every other possibility.

Today, Mr. Speaker, we have the opportunity to change that and do the right thing, and very briefly, that is why I am offering amendment 0188, which very simply puts the question on the

ballot of allowing slot machines at the existing racetracks here in Pennsylvania, lets the people in Pennsylvania vote on it. What fairer way to do it than that?

Mr. Speaker, for the sake of brevity, I have comments, but I would like to submit them for the record. I ask everyone to seriously consider this, and I ask for an affirmative vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

## REMARKS SUBMITTED FOR THE RECORD

Mr. DiGIROLAMO submitted the following remarks for the Legislative Journal:

Amendment A0188 places a nonbinding referendum on the May 1999 primary election ballot to survey Pennsylvania citizens about the issue of placing a limited number of strictly regulated slot machines at Pennsylvania's racetracks, places already regulated as gaming establishments by State law and regulations. Governor Ridge mandated such a procedure during his first campaign for Governor in 1994. His intention was, and continues to be, to let the people of Pennsylvania decide whether additional gaming should be approved in our Commonwealth before allowing substantive legislation to be considered.

Winning a statewide referendum will be an extremely difficult task. The task becomes more difficult if those who are in opposition to slot machines at Pennsylvania's racetracks are permitted to raise arguments which supporters of racetracks do not have the opportunity to refute. These remarks are meant to clarify these issues solely as relates to slot machines at racetracks as we vote and debate SB 255 today.

The referendum question of amendment A0188 raises the following issues:

1. Limited number of machines;
2. Strictly regulated machines, operators, et cetera;
3. Machines permitted only at operating racetracks;
4. Machines shall generate revenues; and
5. Revenues shall be used for educational purposes and economic development.

In HB 148 of 1997-98, which was approved by the Senate of Pennsylvania on June 3, 1997, most of the issues were addressed. Those of us supporting slot machines at racetracks believe that that legislation is indicative of how legislation will eventually look after the voters approve the racetrack slot machine referendum this May.

### 1. Limited Number of Machines

We will limit the number of machines to permit our State's racetracks to compete with those in West Virginia and Delaware, where slot machines at racetracks are seriously threatening a Pennsylvania racing industry, which is responsible for 35,000 jobs. Looking at West Virginia and Delaware as guidelines, an initial allotment of no more than 1,000 or 1,500 machines per track appears reasonable. We will also mandate payout levels of machines to protect the players.

### 2. Strictly Regulated Machines, Operators, et cetera

State law will be very strict in regulating the machine manufacturers, gaming operators, gaming employees, et cetera. HB 148 contained the kinds of controls that we would expect of all persons, corporations, and other entities who will be involved in the machine portion of the racetracks, in the same manner that racetracks are strictly regulated at present.

We would provide strict reporting requirements also. In HB 148, the reporting requirements relate to finances and financial controls and audits. Also, we would require a Gaming Commission comprised, in part, of the current Racing Commissioners to maintain the integrity of racing while regulating the slot machines. Board members, other than current State agents and/or Racing Commissioners, would need to be comprised of a person or persons with administrative skills, gaming knowledge, and/or law enforcement training.

We would, no doubt, prohibit machines in areas not directly related to the racetrack itself. For example, no machines would be allowed at the nonprimary locations (offtrack locations) or at hotels, built on or near the racetrack grounds.

### 3. Machines Permitted Only at Operating Racetracks

We will also demand that the slot machines be secondary to actual live thoroughbred and harness racing. For example, in HB 148, live races must be run in order to operate slot machines. Losing one's thoroughbred or harness racing license would mean that the ability to operate slots would also be lost.

### 4. Machines Shall Generate Revenues

We would heavily tax the gross revenues of the machines. In HB 148, a 25-percent tax was used and would be appropriate since it relates closely to the tax imposed in West Virginia and Delaware on their slot machines. These revenues would be collected and paid over to the State under tight financial and audited procedures.

### 5. Revenues Shall Be Used for Educational Purposes and Economic Development

These terms have been selected for their broad-based appeal and to provide as much financial assistance as possible for all Pennsylvanians, even though most taxpayers will not have a racetrack with slot machines in their area. Thus, citizens in counties like Erie and Tioga will benefit from the slot machine revenues even though they themselves do not have a racetrack.

As in HB 148, the revenues can, and should, be used to:

- a. Provide funding to all 501 school districts in the Commonwealth;
- b. Financially assist horsemen;
- c. Financially assist breeders;
- d. Financially assist jockeys;
- e. Increase racing purses;
- f. Assist the various municipalities and counties hosting racetracks;
- g. Assist capital projects;
- h. Ensure a limited amount of help for other programs, like volunteer firemen, PACE program, farmland preservation, tax reductions, et cetera; and
- i. Financially assist and support compulsive gambling programs/organizations.

Throughout, it is tantamount to remember that the vast majority of the moneys should be used for public education. In fact, as HB 148 notes, at least half of the revenues should be used for public education throughout the Commonwealth. But, also, it is key that different segments of Pennsylvania be helped by the revenues, even though there are only 4 racetracks in a State of 67 counties and over 12 million people.

### CONCLUSION

I trust that these comments will assist those who vote on the statewide referendum for slot machines at Pennsylvania's racetracks. I hope they will understand the legislative intent of the underlying principles related thereto. The referendum is most important for citizens in order to save jobs in Pennsylvania, to preserve open space in Pennsylvania, and to maintain the competitive viability of an industry that is vital to Pennsylvania's economy.

The SPEAKER. The Chair recognizes the gentleman, Mr. Masland.

Mr. MASLAND. Thank you, Mr. Speaker.

I would ask if the gentleman would stand for interrogation, please.

The SPEAKER. The gentleman indicates he will stand for interrogation. You may begin.

Mr. MASLAND. Mr. Speaker, on line 17 of your amendment—Well, let us just go to line 15. The actual question, I think, is very important for our purposes here today. The question reads, "Shall the Commonwealth of Pennsylvania generate revenues for

educational purposes and economic development by..." Before we get to how you are going to generate these revenues, could you explain what you mean when you say "educational purposes," and what I mean by that is, do you have a plan in mind?

Mr. DiGIROLAMO. Mr. Speaker, the language in the referendum is language that was agreed to by the Governor's Office. It is language that he would sign. As you probably are aware, this is simply a referendum question. The legislature here in the House and the Senate will have oversight on those questions. We will have to come back and visit this issue at a later time, and that is the time that we will work on the substance of the legislation.

Mr. MASLAND. So in other words, you do not have anything specifically in mind with respect to "educational purposes." Is that correct?

I will repeat the question. In other words, is it correct that you do not have any specific plan in mind when you say this will be funding "for educational purposes"? Is that correct?

Mr. DiGIROLAMO. That is correct. There are very broad parameters.

Mr. MASLAND. Okay.

And the same, I guess, is true with "economic development." You do not have anything specifically in mind for "economic development" as to what is involved there. Is that correct?

Mr. DiGIROLAMO. That is also correct.

Mr. MASLAND. The next line you say that these funds will be generated by "authorizing a limited number of strictly regulated slot machines at the State's racetracks that already permit wagering on horse racing." What do you mean by "limited number"?

Mr. DiGIROLAMO. And again, that number will be determined at a later date, when we come back and visit the substance of the legislation.

Mr. MASLAND. Well, you must have had some number in mind when you came up with "limited." Did you mean by that 100 machines?

Mr. DiGIROLAMO. That question will be determined by the General Assembly at a later date.

Mr. MASLAND. Well, I am just trying to get at what you had in mind, Mr. Speaker, whether it was 100 machines or 100,000.

Mr. DiGIROLAMO. And again, that question will be determined at a later date.

Mr. MASLAND. So we really do not know whether it is 1, 100, 1,000, 10,000, 100,000 slot machines at these racetracks. That is correct, Mr. Speaker?

Mr. DiGIROLAMO. That is correct. The amendment is simply allowing the people of Pennsylvania, the citizens of Pennsylvania, the constituents that you represent, to decide whether they would like to see slot machines at the racetracks. I cannot think of a fairer way to do it than that.

Mr. MASLAND. But it is correct, Mr. Speaker, that when our constituents, the constituents that we represent, vote on this issue, that they will have no idea what we have in mind and we will have to come back later on to determine that figure.

Mr. DiGIROLAMO. That is correct, and that is when all of us here, all 203 members, will have a say in that.

Mr. MASLAND. So in other words, my constituents that might say, well, 100 machines are okay but not 10,000 machines, they are going to have a tough time deciding how to vote. Is that correct?



Mr. DiGIROLAMO. They are simply deciding, it is a simple referendum question of whether we are going to allow slot machines at the four existing racetracks here in Pennsylvania and allow our racetracks and the horse racing industry – that is 30,000 jobs – allow them to compete economically with the other racetracks in the other States.

Mr. MASLAND. Okay. Well, let us go on. We do not want to beat that one too much.

We do not know how many machines there are going to be, but they are going to be “strictly regulated.” What do you mean by the use of the term “strictly regulated”?

Mr. DiGIROLAMO. And again, that is going to be implementing legislation.

Mr. MASLAND. Well, I mean, “strictly regulated” is pretty strong, Mr. Speaker. If you would have just said “regulated,” I might have been able to say, well, okay; it is going to be regulated; we will decide. But when you say “strictly regulated,” I would be interested to see what you had in mind when you framed this language as to how strict we are going to be.

Mr. DiGIROLAMO. We worked on this legislation before, before we had a bill that dealt with the legislation and we were going to vote on it. The indication from the Governor’s Office is that he would not sign a bill unless it contained a referendum question. That is why we are doing it this way.

Mr. MASLAND. So in other words, we have this language before us, “for educational purposes,” “economic development,” “limited number,” and “strictly regulated,” because the Governor’s Office has said those are the terms that they like. Is that correct?

Mr. DiGIROLAMO. The Governor’s Office has indicated that this is the language that he will sign.

Mr. MASLAND. He will sign this language. But we do not know really what this language means, because we have not defined it very accurately.

Mr. DiGIROLAMO. That is incorrect. The language simply means that we are going to give the voters in Pennsylvania, your constituents and my constituents, the opportunity to vote on this issue.

Mr. MASLAND. Mr. Speaker, our constituents—

Mr. DiGIROLAMO. This is not rocket science, or this is not brain surgery. It is pretty simple. We are allowing the people in Pennsylvania to vote. What fairer way is there to do it than that? And then you are going to have legislative oversight at a later date.

Mr. MASLAND. I understand, Mr. Speaker, that we are allowing our constituents to vote on a referendum question, but we are not giving them the specifics that you allude to by saying “strictly regulated.” For instance, you do not know who is going to have the police power to enforce this. Is that correct? Is it going to be local or State Police?

Mr. DiGIROLAMO. And again, this is simply a referendum question. We are going to have to go back and visit that legislation at a later date.

Mr. MASLAND. Well, let me ask this then: This is a Title 18 bill you are amending. Correct?

Mr. DiGIROLAMO. Correct.

Mr. MASLAND. Do you make any amendments in your amendment to Title 18 that deal with criminal offenses? Do you create any offenses? Do you remove any offenses? Do you do anything to Title 18 other than insert this language in it, Mr. Speaker?

Mr. DiGIROLAMO. No, Mr. Speaker.

Mr. MASLAND. Okay. It does not do anything to Title 18. Is that correct?

Well, I have one more preliminary question. I have received some fiscal notes with respect to other amendments. I did not receive a fiscal note with respect to A0188. Do you have one, and if so, could you please distribute it?

Mr. DiGIROLAMO. There is one on your desk, Mr. Speaker. They are stapled together. The Veon fiscal note is in front—

Mr. MASLAND. Oh, it is attached to Veon.

Mr. DiGIROLAMO. —and the DiGirolamo fiscal note is in back.

Mr. MASLAND. Okay.

Mr. Speaker, if I could have 1 minute to go back to my desk and see if I have that fiscal note there.

The SPEAKER. The House will stand at ease.

Mr. Masland.

Mr. MASLAND. Thank you, Mr. Speaker.

Mr. Speaker, I have another question. Thank you.

As I look at this fiscal note, Mr. Speaker, it appears to only deal with the cost of advertising the referendum. Is there anything in here about the cost of implementing this issue once it is passed, once the referendum is passed?

Mr. DiGIROLAMO. No, Mr. Speaker, because the only thing before the House right now is amendment 0188, which only deals with the referendum.

Mr. MASLAND. Could you repeat that? I am sorry.

Mr. DiGIROLAMO. The only thing before the House right now is amendment 0188, which only deals with the referendum question.

Mr. MASLAND. Okay.

Yes, I understand it only deals with the referendum, but just to get back to the first issue, “educational purposes,” is there anything in this amendment that would say that those “educational purposes” could or could not be for school vouchers? It could be. Is that not correct?

Mr. DiGIROLAMO. And again, Mr. Speaker, this is simply a question, a referendum question, putting this, slot machines, on the ballot for the people in Pennsylvania to decide. What you are asking me is something that we are going to be visiting at a later time.

Mr. MASLAND. Well, Mr. Speaker, I would not ask these questions if all you said was, let us have a referendum on whether or not to have slots at the racetracks. When you say “educational purposes,” “economic development,” “limited number,” and “strictly regulated,” you raise those issues, Mr. Speaker, not me.

Mr. Speaker, I have concluded my interrogation. Thank you.

### GERMANENESS QUESTIONED

Mr. MASLAND. I would like to make a motion at this time.

The SPEAKER. The gentleman will state his motion.

Mr. MASLAND. Mr. Speaker, I have reviewed this amendment. I am familiar with Title 18. I have spent a lot of time dealing with Title 18 in the district attorney’s office in Cumberland County and I know it deals with crimes. I see nothing in this amendment that has anything to do either establishing or eliminating any criminal penalties. It has nothing to do that I can figure out with Title 18, and for that reason, Mr. Speaker, I would like to challenge this bill based on germaneness; challenge this amendment.

The SPEAKER. The Chair thanks the gentleman.

The gentleman from Cumberland, Mr. Masland, raises the question of whether or not amendment A0188 is germane. Under our House rules, questions involving whether an amendment is germane to the subject shall be decided by the House.

On the question,

Will the House sustain the germaneness of the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. Masland.

Mr. MASLAND. Thank you, Mr. Speaker.

Mr. Speaker, I have the Legislative Journal of the House of Representatives from last year; let us see, I have the Legislative Journal from November 25, 1996, which is the last time this body discussed and debated amendments of this nature. At that time the issue of germaneness was raised in the identical fashion for the identical issue, and it was raised twice with respect to two amendments. Both of those amendments attempted to amend Title 18 with gambling language such as we have before us today. The first time the roll call was 110 "nay," saying it was not germane, and 89 saying it was germane. The second vote was 105 against germaneness and 95 for germaneness. I do not know what happened in the interim. Perhaps we will never know that, but the fact remains, Mr. Speaker, we have dealt with this issue before. We have determined that an amendment of this nature is not germane to a Title 18 bill.

I would suggest that we find the same conclusion here today, because for the life of me, as a former prosecutor, someone who dealt with Title 18 day in and day out, I cannot see how this pertains to the Crimes Code. If we were establishing crimes, yes. If we were eliminating crimes, yes. The fact is, the only relationship this may have to crime is that it will bring more into Pennsylvania, but other than that, it is not germane. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the sponsor of the amendment, the gentleman from Bucks.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

Clearly this amendment is germane; clearly it is germane. There has been precedent that we have dealt with referendum questions in Title 18. It is clearly germane. It is the way the Reference Bureau has drafted it up. I ask for a negative vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. Veon, desire recognition? Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I rise to argue the point that this amendment is in fact very germane.

The gentleman, Mr. Masland, has pointed out, in his own opinion, that this has nothing to do with Title 18. Mr. Speaker, I would take great issue with that. I think that everyone here in this Assembly is well aware that slots are illegal in Pennsylvania today. It is a crime to operate a slot machine in Pennsylvania today. This referendum is an attempt to put on the ballot for the people of Pennsylvania for their determination whether we in fact should make slot machines legal in this State.

I think that is very germane to the Crimes Code, very germane to Title 18, and I would strongly encourage a "yes" vote on germaneness. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

### LEAVE OF ABSENCE CANCELED

The SPEAKER. Without objection, the gentleman from Philadelphia, Mr. Cohen's name will be added to the master roll call for today and the leave of absence will be canceled. The Chair hears no objection.

### CONSIDERATION OF SB 255 CONTINUED

The SPEAKER. On the question, those who believe the amendment to be germane shall vote "aye"; those believing it not germane shall vote "no."

On the question recurring,

Will the House sustain the germaneness of the amendment?

The following roll call was recorded:

#### YEAS—114

Allen	DiGirolamo	Manderino	Ruffing
Argall	Druce	Mann	Sainato
Bard	Eachus	Markosek	Santoni
Barrar	Evans	Marsico	Scrimenti
Bebko-Jones	Feese	Mayernik	Shaner
Belardi	Fichter	McCall	Solobay
Belfanti	Frankel	McGeehan	Staback
Bishop	Gannon	McGill	Stetler
Blaum	George	McIlhinney	Stevenson
Browne	Gigliotti	Melio	Surra
Bunt	Gladeck	Michlovic	Tangretti
Buxton	Godshall	Micozzie	Taylor, J.
Caltagirone	Grucela	Mundy	Tigue
Cappabianca	Gruitza	Myers	Travaglio
Casorio	Haluska	O'Brien	Trello
Cawley	Hanna	Pesci	Trich
Chadwick	Harhai	Petrarca	Tulli
Civera	Hennessey	Petrone	Van Horne
Cohen, M.	Horsey	Pippy	Veon
Colafella	James	Pistella	Waiko
Cornell	Kaiser	Preston	Washington
Corrigan	Kenney	Ramos	Williams
Costa	LaGrotta	Raymond	Wilt
Coy	Laughlin	Readshaw	Wogan
Daley	Lawless	Reinard	Wojnaroski
DeLuca	Lederer	Roberts	Wright
Dempsey	Lescovitz	Rooney	Youngblood
Dermody	Levdansky	Ross	Yudichak
DeWeese	Lucyk		

#### NAYS—82

Adolph	Forcier	Masland	Schuler
Armstrong	Freeman	McIlhattan	Semmel
Baker	Geist	McNaughton	Serafini
Barley	Gordner	Metcalfe	Seyfert
Bastian	Habay	Miller, R.	Smith, B.
Battisto	Harhart	Miller, S.	Smith, S. H.
Benninghoff	Hasay	Nailor	Snyder
Birmelin	Herman	Nickol	Stairs
Boyes	Hershey	Oliver	Steelman
Butkovitz	Hess	Orie	Steil
Clark	Hutchinson	Phillips	Stern
Clymer	Jadlowiec	Platts	Taylor, E. Z.
Curry	Josephs	Rieger	True
Dailey	Keller	Robinson	Vance
Dally	Kirkland	Roebuck	Vitali
Donatucci	Krebs	Rohrer	Yewcic
Egolf	Leh	Rubley	Zimmerman

Fairchild	Lynch	Samuelson	Zug
Fargo	Maher	Sather	
Fleagle	Maitland	Saylor	Ryan,
Flick	Major	Schroder	Speaker

## NOT VOTING—3

Cam	Sturla	Thomas
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## EXCUSED—3

Cohen, L. I.	Perzel	Strittmatter
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was declared germane.

On the question recurring,  
Will the House agree to the amendment?

The SPEAKER. Mr. Clymer.  
Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I wonder if I can just interrogate the maker of the amendment with one question.

The SPEAKER. The gentleman from Bucks agrees to stand for interrogation. You may proceed.

Mr. CLYMER. Thank you.

Mr. Speaker, as many of the members may or may not know, in addition to the four racetrack licenses that are now in order, there are two more racetrack licenses that are held by the Pennsylvania Racing Commission.

My question is, if this legislation should move through the legislative process, would those two licenses then also have the opportunity to have slot machines at the racetracks, assuming that different groups and organizations would apply for them and that permits would be issued? Would those two other licenses, such as Liberty Bell racetrack, which is now inoperative but the license is still there, would those people have the opportunity to have slot machines at those two additional licenses?

Mr. DiGIROLAMO. Mr. Speaker, again, this is simply a referendum question. Those types of issues will be decided at a later time in the legislature.

Mr. CLYMER. Okay. Thank you, Mr. Speaker.

That concludes my interrogation.

Mr. Speaker, what has been presented, the reason for the effort today to put these questions on the ballot is because it is to level the playing field. We heard that. Obviously, some of the racetracks are not doing that well.

Let me take a few minutes this afternoon and we will talk about each of the three racetracks and see how well they are doing or not doing. Mr. Speaker, Philadelphia Park, which happens to be in Bucks County and also happens to be in the county that I represent, is one of the racetracks that we have heard is in severe financial stress. Let us take a moment and look at the ownership of the racetrack. There is a Bob Manoukian, who is an Armenian millionaire, who is the man behind the Philadelphia Park racetrack, according to an article in the Philadelphia Inquirer dated in August of 1998. He owns 80 percent — he owns 80 percent — of the Philadelphia racetrack. It is very interesting. I had sent this article to all the members, both in the House and the Senate, and here is

the point that I want to make: Just how bad off is Philadelphia Park?

I am going to take a few minutes to read from the news article, because it makes the point about the fact that Philadelphia Park may not be—

## POINT OF ORDER

Mr. DiGIROLAMO. Mr. Speaker?

The SPEAKER. For what purpose does the gentleman rise?

Mr. DiGIROLAMO. Mr. Speaker, point of order.

The SPEAKER. The gentleman will state it.

Mr. DiGIROLAMO. Mr. Speaker, my amendment simply deals with the question of a referendum. Mr. Speaker, the gentleman from Bucks County, Mr. Clymer, is getting far afield from the question of a referendum.

The SPEAKER. Mr. DiGirolamo, I am going to suggest that Mr. Clymer is in order by reason of the fact that you, in the course of your debate, brought up the financial conditions of the tracks and how they would be aided by this legislation should the referendum go through and the legislation follow up on it. You brought this subject up.

Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Here is the point that I want to make, and this is in the article: In 1997 “By registering operating losses due to significant interest and penalty payments on its debt, the company” — and they are talking about Philadelphia Park — “reduced its taxable income. Most of the debt payments went to Liechtenstein, where the only tax on an ‘establishment’ . . .,” such as the firm Philadelphia Park was paying, was on the capital.

Again, “Greenwood’s mountainous debt is, in fact, the key to turning the track into a lucrative tax shelter. Because the Manoukian family controls both ends of . . . the debt transactions, it is assured a steady flow of income into its corporate coffers in Liechtenstein.” Again, “. . . the way Greenwood’s debt is structured, the company will be able to send millions overseas for years while offsetting its American income and thus reducing its tax liability.”

Now, putting this all together, 80 percent is owned by this European company — 80 percent. That means the racetrack; that means 80 percent at the offtrack betting parlors. So by structuring a debt that is very severe, they are able to take what moneys that are paid to them from Greenwood racetrack and send it overseas and not have to pay any State or Federal tax. That seems to be a pretty good deal.

There is another interesting part regarding Greenwood’s performance. It said that “In 1996, Penn National made an operating profit of \$9.4 million on revenues of \$62.8 million. Greenwood lost \$162,000 on revenues of \$76.7 million.

“The difference was the debt: Penn National paid \$506,000 in interest expense, whereas Greenwood paid \$13.6 million” in debt.

Now, Mr. Speaker, if the income of Greenwood is greater than that of Penn National and Penn National is to make a profit, why is not, why is not Greenwood able to do equally well? Why is not Philadelphia Park able to do just as well as the other racetracks? So we have to look at that. There is something wrong with the way that debt is structured. That is one point.

Mr. Speaker, as I said before, one of the issues that we are looking at is the total dollars that will be spent at Philadelphia Park, and, Mr. Speaker, I think it is just bad policy for us to

continue to look for ways to take money out of people, from that little guy. We heard a lot about the little guy. Mr. Speaker, once he is addicted to the slot machines, there is no way that we can reach over and protect him. He is going to waste a lot of his money and we are going to see all the social ills that come upon us.

Another issue, Mr. Speaker—

Mr. DALEY. Mr. Speaker?

Mr. CLYMER. —if Philadelphia Park is having such a difficult time, how can they leverage 45 million—

The SPEAKER. Will the gentleman yield. Will the gentleman yield.

### POINT OF ORDER

The SPEAKER. Mr. Daley.

Mr. DALEY. Mr. Speaker, point of order.

I think the Speaker ruled that the gentleman speaking was to the germaneness of the issue at that time. Could you please follow what this gentleman is saying, because I think he is going to the issue here as to the main debate on this amendment—

The SPEAKER. I hope so, because we have passed the question of germaneness and we are now on the issue.

Mr. DALEY. Okay. Thank you, Mr. Speaker.

The SPEAKER. The amendment was found to be germane some minutes ago. You can bet on it.

Mr. CLYMER. Mr. Speaker, thank you.

If I can continue, the other parks that we are looking at are Penn National park and Pocono Downs. Again, these are parks that are supposedly in a diverse financial position and need slots at the racetracks to supplement their income.

I have a report. I think it is from a research broker by the name of Meyerson & Company out of New Jersey, and here is what they say about Penn National park and Pocono Downs. Total revenues in 1997 are predicted at \$126 million. That should rise 100 percent from 1996. Earnings per share before expenses should rise by 41 percent, to 55 cents. Now, that is not bad. That does not indicate to me a company that is hurting financially, but its outlook for 1998 is even greater. Total revenues are projected to increase 45 percent, to \$183 million, and earnings per share for 1998 are to go up to \$1.20, for a gain of 118 percent. Mr. Speaker, does that sound like Penn National and Pocono Downs are having financial difficulty? We know about the Charles Town, West Virginia, park that opened and is providing them a lot of income on their balance to give them these extraordinary profits.

And so with this kind of projection, I do not see how the farmers in central Pennsylvania or in the areas where these two racetracks operate are having difficulty. Why would they have difficulty? Why would they be at risk? Why would half those— If there are 30,000 jobs at risk, as has been mentioned, I think we can say there are 15,000 jobs that are going to be secure with these two racetracks. They seem to be doing extremely well, and probably in 1998 when that report comes in, it is going to be even brighter than what I projected here.

And the final racetrack that we are looking at, number four, is the one that is owned by Ladbroke out in western Pennsylvania. Here is another international company based in England that owns the racetrack. We gave them offtrack betting. They have their six sites. We gave all these racetracks online betting, online phone betting, again another advantage that they have over other

racetracks in order to increase their revenues, and their revenues have been going up, and I will point that out in just a moment.

And so why do we need to put slots at the racetracks? It is simply because it is going to increase their profits at a greater range but only at the expense of Pennsylvania workers, only at the expense of Pennsylvanians who are going to be addicted, and all the other social disorders that come with casino gambling.

Mr. Speaker, let me just point out the point that I have been making here is that some of these companies are not as bad off as indicated. For example — let me turn to the page here — for example, in the “1997 Horse Racing Annual Report,” “The combined handle of all racing activity in the state totaled an all time high” — an all-time high — “of \$1,073,127,507,” and the increase, the amount that was wagered at the thoroughbred tracks and the offbetting track sites in 1997 was \$845 million versus \$764 million the year before. I am giving you these figures because they are increases. They are not showing that any of these racetracks are doing less.

In 1996, going back to Philadelphia Park, the total amount that was wagered was \$303 million. In 1997 that number went up to \$474 million. Why? Because they are doing well with offtrack betting. Offtrack betting continues to increase, and if they cannot make profits because of the way they structure their finances, their debt, well, that should not be the problem of the General Assembly.

Mr. Speaker, this will not end. If we get the slot machines at the racetracks, it is only the next step before we have offtrack betting, casino betting, slots at the offtrack betting sites, and there is, I understand, an amendment that was put out today or some time ago, maybe last week, that would allow slot machines at offtrack betting sites. So it is not going to stop. The effort by those gambling cartels and others who want to bring casino gambling into Pennsylvania is certainly not going to end even with something like a nonbinding referendum that I hope we can vote against, Mr. Speaker, vote against.

As legislators, we should be protecting the interests of Pennsylvanians, not voting to put a referendum that spells crime, corruption, dysfunctional families, suicide. Why in the world would we as responsible legislators want to do that?

And in lieu of the fact that our economy is strong, in a bipartisan effort we have worked hard to turn Pennsylvania around where we are showing surpluses, unemployment is down, job training is up, new job creation is at an all-time high. The State, economically, is doing very well. Why do we want to turn back and bring in casino gambling in the form of slots at the racetracks?

Mr. Speaker, I hope in the short time that I have been here that I have been able to point out the fact that there are a lot of people crying wolf when it comes to the economic development and the financial situation at the racetracks.

Mr. Speaker, I ask for a “no” vote on amendment 0188. Thank you.

The SPEAKER. The Chair thanks the gentleman.

### LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair returns to leaves of absence and notes the presence on the floor of the gentleman, Mr. Perzel, and instructs the clerk to remove him from the leave list.

## CONSIDERATION OF SB 255 CONTINUED

The SPEAKER. Mr. Evans.

Mr. EVANS. Mr. Speaker, I rise to support this particular amendment, and the reason I rise to support it, Mr. Speaker, is because, basically, the only thing the gentleman is attempting to do is give the people of the Commonwealth of Pennsylvania an opportunity to vote on this particular issue.

It is clear to me, Mr. Speaker, that we can certainly have differences of opinion, but this is one time I think, Mr. Speaker, that it is not an issue of a partisan question. It is an issue of putting it on the ballot to allow the people of the Commonwealth of Pennsylvania to have an opportunity to vote on this particular issue. I would hope, Mr. Speaker, that members will allow the people of this State to decide if we are going to have slots. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Wayne, Mr. Birmelin.

Mr. BIRMELIN. Thank you, Mr. Speaker.

Well, here we are. We have been talking about this for months, and it has been labeled as slots for tots; yes, slots for tots. We are going to let the people of Pennsylvania just gamble their lives away and we will couch it in a phraseology and some minor attempt to try to help children in Pennsylvania through so-called educational purposes. I hope those educational purposes include letting them know how monumentally poor the odds are of ever winning at these slot machines. I hope it also points out to our young people how the ability to go out and to spend your week's paycheck on the slot machines is going to make things worse for your family when you get married and have children of your own. And I hope that these educational purposes that are listed in this referendum and we will, in our wisdom, put into legislation include the fact that gambling benefits very few at the expense of very many, you poor slobs who are going to be putting the money in those slots.

It is not unusual for people to try to do something that they know is not popular or is perceived as being ill for society by promoting some good on the side. So even if we were to have all these slot machines in the racetracks and we did donate some small portion or tax some portion of it and then give it to education, is it really going to offset all of the social problems that we create in the process? I think not.

And lastly, let me suggest to you that what we are asking the voters to do if we were to pass this referendum is, to use the old phrase, "to buy a pig in a poke." They do not know what they are voting for here. They do not know what is going to happen. This is voting on something that they have no idea of what is going to happen.

We saw this same concept be defeated years ago under Governor Casey when he proposed tax reform, and it was so nebulous and so uncertain that it was defeated handily, 3 to 1, at the polls.

We are asking our constituents, the voters of Pennsylvania, to vote for something that they really do not know what is going to happen. They really do not know how it is going to affect them. They do not know how bad it is going to be, because we have not passed any legislation whatsoever to tell them what we are asking them to approve.

It reminds me of the story of a man whose daughter, when she became 16, went to him and she said, "Dad, I'd like to begin to

date." The dad says, "Yeah, well, you're 16. I guess it's time for you, that you should begin dating. I guess it's okay for you to date." And the next weekend he found out that his daughter was dating the local sexual predator in the community, and he said, "Oh, wait a minute. That's not what I meant; that's not what I meant." But guess what? It was too late.

We are asking the voters of Pennsylvania to do the same thing — vote for something you do not have any idea what it is going to be, how extensive it is, and trust us to pass legislation that we will use in return with your vote to say that it was okay to do this.

We have got the cart before the horse, Mr. Speaker. We are backwards. We should not vote for this amendment. It is bad for Pennsylvania, and it is certainly going to be bad for the voters.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from York, Mr. Platts.

For the information of the House, the following members in the following order will be called upon on this issue: Mr. Platts, Mr. Vitali, Mr. Trello, Mr. Corrigan, Mr. Yewcic, Mr. Schuler, Mr. Lynch, Mr. Horsey, Mr. Gordner, Mr. Levdansky, and Mr. Rohrer.

Mr. Platts.

Mr. PLATTS. Thank you, Mr. Speaker.

Will the maker of the amendment please stand for interrogation?

The SPEAKER. The gentleman from Bucks indicates he will stand for interrogation. You may proceed.

Mr. PLATTS. Thank you, Mr. Speaker.

I would like to continue a little bit along the lines of the previous speaker from Cumberland County. You talked about, as far as the terms "education," "educational purposes," or "economic development," that you have nothing in mind, and he further questioned. So am I correct in understanding that the purposes of this money could be vouchers or it could be special ed funding under the category of education? It could be anything under that category?

Mr. DiGIROLAMO. That is correct. This money could be used, for instance, for new schoolbooks, to build a new school in your district. That is going to be something that we are going to determine at a later date. This is simply a referendum question allowing the people in Pennsylvania to decide whether they would like to see slot machines at the racetracks.

Mr. PLATTS. See slot machines at the racetracks and the revenue be used for those purposes, is what you are asking them. Correct?

Mr. DiGIROLAMO. That is correct.

Mr. PLATTS. Okay. Could you point out in the bill or the language of the question where it guarantees, that their vote guarantees that any money from slots will only go to educational purposes or economic development, because since you said you are asking them to vote for slots at the racetracks for funding of these two categories, where is the guarantee that that is where the funding will go?

Mr. DiGIROLAMO. It does not guarantee anything. We are just putting it on the ballot for the people to decide. They are going to vote. We are going to be able to come back at a later date and decide exactly what the language will be.

Mr. PLATTS. So my understanding is, it does not guarantee anything. They are going to vote to put slots at the racetracks, not really to fund education, not really to fund economic development,

but perhaps to fund anything. As you have just said, there is no guarantee. Is that what you are telling me here today?

Mr. DiGIROLAMO. Those issues are going to be determined by us here in the General Assembly at a later date.

Mr. PLATTS. Why then does your question say educational purposes and economic development is where the money will be used?

Mr. DiGIROLAMO. This is the question and the language that I have come up with in discussions with the different people that are involved and also with the Governor's Office.

Mr. PLATTS. Why are those people you are involved with suggesting education and economic development as the unguaranteed hope of where the money will go?

Mr. DiGIROLAMO. These are certain issues that are important to the people in Pennsylvania, the people that will be voting on this.

Mr. PLATTS. So it is fair to say that pledging that perhaps money will go to education or economic development rings well with those who will vote on this issue.

Mr. DiGIROLAMO. And again, we will be discussing this at a later time. Once the people here in Pennsylvania are able to vote on this, we will be coming back here in the General Assembly again addressing these issues and every one of us here will have a say on where this money is going to go.

Mr. PLATTS. Mr. Speaker, is it fair to say that when we vote here, it is important that we have the specifics of what we are voting on and we know the details of what we are voting on before we cast a vote?

Mr. DiGIROLAMO. I very respectfully disagree. We do have the specifics of what we are voting on. We are voting on a referendum question of allowing the people in Pennsylvania to decide whether they want to see slot machines at our existing racetracks.

Mr. PLATTS. I agree, and it is imperative that we have those specifics when we cast our votes. Correct?

Mr. DiGIROLAMO. You will have the specifics when you cast a vote, because you will have another vote after you cast your vote today.

Mr. PLATTS. The point of my question is, you are ensuring that we have the specifics, but your statement is that the voters, when they go to the ballot, to the election booth, will not have the specifics; they do not have any guarantees. They do not really know what will happen if they vote "yes." They just know they are giving kind of a finger in the wind and giving us a little guidance, but they do not know what they are voting for, do they?

Mr. DiGIROLAMO. I did not quite understand your question. I did misspeak. The people will decide first. After the referendum, that is when we will come back here and decide what the legislation will be and the substance.

Mr. PLATTS. Okay. If your intent is to get the true feeling of the public, the citizens of Pennsylvania, why place this on the primary ballot when there is traditionally, historically, a low turnout, and third-party registered voters rarely vote because they do not have candidates on the ballot? Why put it on the primary ballot as opposed to the general election ballot when we have a much higher turnout and we have all party registered voters coming out to the polls?

Mr. DiGIROLAMO. There are a couple different reasons for that, Mr. Speaker. First, I think this issue is critically important to the racetrack and the horse racing industry in Pennsylvania.

This is an issue that we have been talking about here in Harrisburg since I have been up here for 4 years, and plus, after the referendum, it will give the people in Pennsylvania more time to talk to their legislators so then we can develop the legislation.

Mr. PLATTS. But you would agree that a much smaller percentage of Pennsylvanians are actually going to voice their opinion when you put it on the primary ballot as opposed to if you put it on the general election ballot.

Mr. DiGIROLAMO. Not necessarily, Mr. Speaker. It is my hope that every Pennsylvanian will come out and vote in the May primary.

Mr. PLATTS. Well, it is also your hope that the money will go to educational purposes and economic development, but there is no guarantee of either of those hopes coming to fruition. I am sorry; that is a rhetorical question.

A final question for you is, we talked about the importance of us having specifics. Let me just share a couple of specifics with you, some statistics on how this will impact the children of Pennsylvania, not adults who hopefully know better, but the children of Pennsylvania.

A 1997 survey of 12,000 6th through 12th graders in Louisiana found that 86 percent had gambled. Almost 6 percent of these students met the criteria for pathological gamblers, and 16 percent could be classified as problem gamblers. In New Jersey, in Atlantic City, a survey found that 64 percent of high school students in Atlantic City had gambled at the city's casinos. And finally, in studies of gambling behaviors among high school students, 1 in 10 report committing illegal acts to obtain gambling money or to pay gambling debts.

Now, those are specifics that we have, I have, and I have shared with you and the other members of this chamber. Are there any guarantees that the voters when they go to vote in the May primary will have access to similar information so they can make an informed vote?

Mr. DiGIROLAMO. Mr. Speaker, there are no guarantees. We are going to put this question on the ballot. We are going to let the citizens of Pennsylvania make an informed decision. I can think of no fairer way to do it than that.

Mr. PLATTS. Thank you, Mr. Speaker.

That ends my interrogation. I just have a brief comment and then I will conclude.

### THE SPEAKER PRO TEMPORE (J. SCOT CHADWICK) PRESIDING

The SPEAKER pro tempore. The gentleman is in order.

Mr. PLATTS. Mr. Speaker, I think having voters make informed decisions statewide on the ballot is a good process, but informed decisions is the key part of that process, and here we are asking voters to vote on undefined types of slots at the racetracks for hopeful use of those funds to be used for education and economic development.

As the prime sponsor of the amendment said, there are absolutely no guarantees that we will use money from slots for education, that we will use money from slots for economic development. There certainly is not the ability for voters to go out and make an informed decision. The analogy would be the homestead amendment. When we put it on the ballot, we asked the voters. They went out in droves and supported the homestead amendment believing that what they would get would be

something that would benefit them and lower their local property taxes. We are now seeing, when the cart was put before the horse in that sense, Act 50 is not doing what we thought it would do and certainly not what the voters thought it would do.

I think that our chamber is charged with pursuing the will of the people and what they want us to do, and I have not seen anywhere in this State an outcry for gambling, for slots at the tracks, and I have not seen an outcry for us to put this on the ballot as there was concerning local tax reform.

We are not doing the will of the people. We are doing the wishes of a very select business, a very select interest group. I do not think that is our charge, and I think our charge is to make informed decisions, and an informed decision on this issue I believe demands a "no" vote on this amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Delaware County, Mr. Vitali, is recognized on the amendment.

Mr. VITALI. Thank you, Mr. Speaker.

I rise in opposition to the DiGirolamo amendment.

Mr. Speaker, when I think of slot machines, I think of last summer at a conference I attended in Las Vegas, and it was around 5 in the morning. I was getting up to do a run, and I went to the lobby of the Bally's Hotel and saw this woman sitting at a slot machine with her perhaps 10-year-old son, bottle of beer next to her, cigarette in the ashtray, just methodically pulling that lever, putting coin after coin after coin in. And I think of that image, and I ask myself, are slot machines really good for Pennsylvania? Is this issue really going to improve Pennsylvania? Mr. Speaker, I say no.

Mr. Speaker, we have heard this slots-for-tots argument about funding, but do we really want to be funding things like education and other good purposes on the weakness of others? Is that really good public policy? Mr. Speaker, sure we should devote more resources to education, but we are dealing with a surplus now. We are dealing with a situation where there are other means to fund these good goals.

We have been given the argument that we should do slots for economic reasons. Mr. Speaker, again, we are in a near full employment situation, and even though it might be good for a very narrow industry, it is not good for the people of Pennsylvania.

Mr. Speaker, substance aside, the narrow issue of this amendment is, is it appropriate to put this issue to a referendum? Let the people decide. What could be wrong with that? That is the argument.

Mr. Speaker, we are a representative democracy. We were elected to deal with these issues ourselves, not pass the buck. Mr. Speaker, the appropriate thing for us to do is not put this to a referendum but to deal with a specific bill and debate it and decide based on our judgments and review. That is what a representative democracy is.

Mr. Speaker, I would submit that a referendum is a very poor way to get a sense for what the people really want. It has been alluded to earlier that in this upcoming primary – and I think the maker of this amendment, despite his optimistic estimations, knows – it will be a very low turnout. Elections, primary elections, always are, Mr. Speaker. If we really are interested in finding out what the people want, there is scientific polling to do that, not this sham. Mr. Speaker, I have done polling in my district, and my district is opposed to slot machines at racetracks.

Those who would suggest, let the people decide, let the people decide these issues, what is wrong with that, let me ask them, how about we put term limits to a referendum? How about if we put campaign finance to a referendum? Is that really your position on that issue?

Mr. Speaker, speaking of buck passing, if this measure is put to a referendum, you are going to see a lot of buck passing. You are going to see buck passing from the owners of these racetracks and owners of other gambling interests. You are going to see them passing a lot of bucks to campaign consultants, and with mass mailings and TV ads and all the rest, Mr. Speaker, you are going to see a situation, and I think everyone in this House knows the power of money in influencing elections. What you are going to see if we put this to a referendum, Mr. Speaker, is an infusion of money trying to distort and blur this process, and those who want this are much better financed than those who would oppose this, so you are not going to have a fair and impartial referendum.

Mr. Speaker, it is our job to decide these issues; it is our job to sense what the people want. It is not our job to pass the buck. A "yes" vote for this would be buck passing. I urge a "no" vote. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Allegheny County, Mr. Trello, is recognized on the amendment.

Mr. TRELLO. Mr. Speaker, I rise to support the amendment.

There has been a lot of talk in this chamber about the voters in their districts do not really know what they are voting on. Well, I would like to have you know that the voters of my district are the most intelligent voters of all, because they reelected me 13 times, so they know what they are doing.

They say we are putting the cart before the horse. I think it is you that is putting the cart before the horse, because the piece of legislation that deals with this gambling at our racetracks is not before us. The only thing that is before us is the question on a referendum. Now, how long do you want this referendum to be – four pages long so nobody has an opportunity to look at it when they go in to vote?

You are talking about gambling and how bad it is. Well, for your information, Pennsylvania is the biggest bookie in the country. We have the most successful numbers game in the United States – \$1.6 billion.

And furthermore, you are talking about young people. Did you know that if you are 18 years old, you can play a number? Do you know that if you have \$10,000 in your pocket and you want to bet on a number, you can walk down to the local 7-Eleven and put the \$10,000 down on that number?

And as far as I know, crime has fallen in Pennsylvania. All your statistics from the FBI and your State Police will tell you crime has not risen, and this has not attracted organized crime because we have gambling in Pennsylvania.

You know, I think there are people that have two sets of rules – one for them and another one for everybody else. If you are so sincere that gambling of any kind is bad for Pennsylvania, why do you not introduce a piece of legislation, and I will cosponsor it, to eliminate playing the lottery in your legislative district? That is gambling.

I think what we have before us today is a wonderful opportunity to allow the people of Pennsylvania to say yes, we want to extend gambling, or no, and their decision will end this debate once and for all. We are not asking them for any other thing except a simple question – do you favor expanding gaming in Pennsylvania? If my



constituents in my district say no, I accept it. If they say yes, I am going to accept that. That is democracy personified. It is allowing the taxpayers and voters in Pennsylvania for a change to tell us what they want or what they do not want, and I think that is the perception we have to take here today. Let the people in your district tell you. Let us not judge them that they are not intelligent enough; the referendum question is not thorough enough. Do not underestimate the intelligence of your voters. They know what is going on and what is before them. Let us let them tell us for a change what they do or do not want, and just say yes to this amendment. By saying yes to the amendment does not say that you favor expanding gambling. The only thing it says is that you are going to allow your constituents to make that decision for you.

I am going to accept the decision my constituents make, and I hope you do, too. Vote "yes" for the question.

Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Northumberland County, Mr. Phillips, on the amendment.

Mr. PHILLIPS. Thank you, Mr. Speaker.

I would hope that we keep in mind that this is a nonbinding referendum. In other words, they can comply with it or do not have to comply with it.

I think it is somewhat misleading when we say putting slot machines in racetracks and the money to be used for education and for economics. We do not know if that will happen or not. There is nothing before us that was said that we have to comply with that. If the referendum would say we want to put slot machines at racetracks period, then it would be a different story, but to say you are going to use it for education and for the economy, for economics, nobody knows that. Nobody knows that because there is nothing in place. If we had something in place before we voted on the referendum, it would be different, but the people out there who are going to be voting in the primary election will look at that referendum and they will think that they are assured, once again State government is assuring them, if there are any profits, that it will go to education, and really, we do not know that at this time. No way do we know whether it will go for that or not.

And then we are speaking about doing it at a primary. What about the independent voter, who is registered independent? He does not really go out and vote in the primary. So with him not going out to vote in the primary, we are not treating him or not giving him a voice. If you are going to do it, it should be done in the general election, and I would hope we would take a good look at that.

And keep in mind, it is nonbinding and there is nothing to say that this money will go where it is supposed to go. You know, will money be going to treat those who get addicted to gambling? We all know by the numbers that is going to increase, and what moneys will be available for that? As long as we do not have something in place, we do not know, and therefore, I would hope that we would oppose this particular amendment. Thank you very much.

The SPEAKER pro tempore. The gentleman from Bucks County, Mr. Corrigan, is recognized on the amendment.

Mr. CORRIGAN. Thank you, Mr. Speaker.

Mr. Speaker, there has been an awful lot said this afternoon about an awful lot of things not pertaining to the issue of putting a question on the ballot. One of the questions that keeps recurring is an informed decision, and the informed decision revolves around

education and economic development. I would like to address those two issues.

I do not know how many members of this chamber have stood on the floor as recently as last week and said, you know, we are not putting enough money into education; we are not doing enough for our children. Well, this bill will help with that concern that you have.

Also, some members have stood on the floor today and have talked about economic development and do you have projects and where will the money go. Well, if you look at the capital budget, there are about 3 billion dollars' worth of projects for economic development that you put into the capital budget, you, the members of the House of Representatives.

We also talked about enforcement. I challenge you to come up with a conviction in the history of the horse racing industry in Pennsylvania. There has been no one convicted of crimes related to organized crime or any other serious issue. So if you are worried about enforcement, talk to our State Police, who I think are the finest in the country; talk to the Attorney General, who is doing a bang-up job, and then go to the district attorneys in the four counties where these tracks operate and you will find the finest law enforcement people in the United States. I think that those charges are smokescreens and not dealing directly with the issue.

If you are afraid or concerned that the people you represent cannot make an informed decision and you give them those kinds of reasons why the legislature voted to put this item on the ballot, I think you are doing a disservice in the district you represent.

This bill today that you will be voting on has to do with four racetracks in Pennsylvania. There are only four existing racetracks in Pennsylvania. The gambling that takes place at that racetrack or wagering at those sites now are licensed to wager. The addition to that site would not include moving anything outside of the existing buildings or off the existing property that those four sites encompass.

We need to address the issue of competition that a business has in Pennsylvania. The four racetracks in Pennsylvania are now competing with racetracks in Delaware and in West Virginia. The horse racing industry in Pennsylvania in 1994 was responsible for creating 35,000 jobs. They paid \$576 million in personal income. They also generated \$752 million in economic output. They are some figures that you can take home with you.

The horse racing industry suffers in Pennsylvania because our surrounding States have decided to add slot machines to their racetracks. The industry is suffering in this way: It is suffering because the purses that are paid in surrounding States are in excess of what the people in Pennsylvania can pay. So the better horses, the better trainers, the better jockeys are leaving the State of Pennsylvania, and I am concerned about that and you ought to be concerned about that, too.

And you ought to be concerned about a letter that the Pennsylvania Farm Bureau wrote to the members of the House of Representatives. I received it, and I assume that you did, too. The Farm Bureau of Pennsylvania, which represents each of the 54 county Farm Bureau affiliates, has done a 180. They have looked at this situation closely, and they say that we now need to have slot machines at racetracks. In their February 1 communication with us, the highlighted part says slot machines to be allowed in horse racing tracks only. Those of you who sell your feed, those of you who house the horses, those of you who grow



the straw and the hay that are consumed by the four racetracks ought to pay attention to that.

I think that the problem we experience today in Pennsylvania has to do with competition with other States, one in New Jersey. The people who are willing and able to gamble because of the amount of disposable income that they have at this time in our history are now traveling long distances to go either to Atlantic City; they will go to Philadelphia, get on an airplane, and go to Las Vegas; they will take a vacation with their family to various spots around the country and around the world that have gambling because they go there to gamble.

The number of people who are habitual gamblers exists today. The number of dollars that are spent at racetracks on slot machines, a portion of that money will go into treating habitual gamblers. I do not know how many other organizations do that.

I want to leave you with one thing. Those members on the Republican side of the aisle who are businessmen compete in a very difficult marketplace in whatever business you are in. If your business had to compete in such a way that you needed to get approval to expand your business in Pennsylvania by going to the legislature to get the House and the Senate and then eventually the Governor to sign legislation and then you were forced to put that question on a ballot to find out if you should be able to expand your business, I do not think you would be interested in doing that. This is the only business in Pennsylvania that is required to do that, and I am not saying that they should not, but I think that the question of a ballot question and a ballot question that is specific as it pertains to education and economic development is one that I can sell in my district and I think you can sell it in yours, and I think the reasons that you are against slots at racetracks are something other than what was stated here today.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Cambria County, Mr. Yewcic, is recognized.

Mr. YEWIC. Thank you, Mr. Speaker.

I think we are all being told that we found an easy way to raise revenues; in this case, for education and economic development. What we do not know is that gambling interests often push for referenda in the guise of letting the people vote. That sounds like that is the democratic process at work, but it really is not. Millions of dollars in media spending is often spent, which corrupts the democratic process and precludes any serious debate.

We are all going to be flooded this spring before the primary election with promises of great prosperity, economic development, more money for our schools, and those ads often drown out the real truth about the devastating social and economic costs. For instance, last year in the St. Louis Post-Dispatch, one in five homeless people admit that gambling contributed to their poverty; last August in the Philadelphia Inquirer, 5 to 8 percent of the American adolescents are already addicted to gambling; and a few years ago in the Daily Journal in Mississippi, more money is spent on gambling in the State of Mississippi than in all retail sales combined.

I think perhaps we ought to look at the State of Nevada, which is our country's gambling mecca, and see the impact that gambling has had on their State. According to the 1997 U.S. Census Bureau, Nevada ranks first in the nation in suicide, first in divorce, first in high school dropouts, and according to the Violence Policy Center in Washington, D.C., first in homicide against women.

We are also being told that this will have a tremendous impact for economic development as on the ballot question. If you look at the statistics across the country where gambling is legal, we find out in Minnesota, for instance, in a survey of 900 restaurant owners, 38 percent said they had lost business due to gambling; only 10 percent recorded an increase in business. In Atlantic City the number of independent restaurants dropped from 48 the year casinos opened to only 16 in 1997; within just 4 years of the casinos' arrival, one-third of the city's retail businesses had closed. In Colorado the number of retail businesses dropped from 31 before gambling to 11 within a couple years after the casinos arrived, and more than 70 percent of the businesses in Natchez, Mississippi, reported declining sales within a few months of the opening of the first riverboat in Mississippi.

You wonder what the rush is and why this is not on the general election when more people vote. Several years ago, 2 years ago, Congress passed the National Gambling Impact Study Commission, which began its work in June of 1997 and is due to give its report to the nation, to Congress, in June of 1999. That is only several months away. Why not wait for that report on the impact of gambling before we ask our people here in Pennsylvania to make a decision in which they are not really well informed? This impact study will outline the impact of gambling across the country and allow people to make an informed choice.

I ask that you vote "no" against this amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Lancaster County, Mr. Schuler, on the amendment.

Mr. SCHULER. Thank you, Mr. Speaker.

Would the gentleman stand for interrogation, the prime sponsor?

Mr. Speaker, the gentleman, Mr. Corrigan, touched on this slightly, but I would like to get a clarification for my own mind and for the record. On line 18 it says, "...State's racetracks that already permit wagering on horse racing?" Does that include offtrack betting parlors?

The SPEAKER pro tempore. Will the gentleman stand for interrogation?

Mr. DiGIROLAMO. No, Mr. Speaker, that does not include them. It just includes the racetracks.

Mr. SCHULER. Then your intent of this amendment is to forbid slots in offtrack betting parlors.

Mr. DiGIROLAMO. That is correct, Mr. Speaker.

Mr. SCHULER. All right. Thank you, Mr. Speaker. Thank you, sir.

The SPEAKER pro tempore. The gentleman from Warren County, Mr. Lynch, is recognized on the amendment.

Mr. LYNCH. Thank you, Mr. Speaker.

What we are looking at here is a nonbinding referendum, and I can assure you that if we pass this nonbinding referendum, the gambling proponents are going to be filling the airwaves, full-page ads in the newspapers, flying airplanes overhead, for crying out loud, all with the good deeds that are going to happen with those profits, which may or may not happen. We do not know that. I think that we as legislators representing the people of Pennsylvania need to try to help make that determination for them.

It is nonbinding. I think that we need to be looking at enabling legislation. I think that we need to spell out so that the voters, if this referendum passes, if the voters vote on this referendum in a "yes" fashion, that they know where those proceeds are going to

go. We do not know that. All we know is that the gambling proponents are going to be filling every type of airwave, newswave, anything you can think of, with all these promises. They are going to make those voters out there vote "yes" without any guarantees.

### MOTION TO RECOMMIT

Mr. LYNCH. Mr. Speaker, I think that we need to be looking at enabling legislation. We obviously have a lot of concern about the magnitude of this bill. I think we are up to over 100 amendments so far. Who knows when it is going to stop. I do not like the fact that because of the size of this legislation, this amendment, this issue, that we are bypassing the committee structure, and so, Mr. Speaker, I am going to move that we commit this to the State Government Committee so that this legislation can be worked on with the gambling proponents and come up with some type of enabling legislation that will allow the voters of Pennsylvania to make the determination, is the money that is going to be funded from these gambling proceeds worth my "yes" vote?

So, Mr. Speaker, I move to commit to the State Government Committee. Thank you.

The SPEAKER pro tempore. The gentleman, Mr. Lynch, moves that the bill be recommitted to the Committee on State Government.

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

The SPEAKER pro tempore. On that question, the gentleman from Bucks County, Mr. DiGirolamo.

Mr. DiGIROLAMO. Mr. Speaker, there is no need to send this amendment back to the State Government Committee. We have been dealing with this issue for up to 4 years now. The time to vote on this issue is now. I ask for a negative vote. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman, Mr. Lynch, is recognized on the motion.

Mr. LYNCH. Thank you, Mr. Speaker.

I would like to point out to the sponsor of the amendment that this legislation has not been in the State Government Committee, that what we are looking at here is an amendment to a bill, and that I did not ask for this issue to be recommitted; I asked for it to be committed to the State Government Committee. They have not seen it yet; they should see it. Thank you, Mr. Speaker.

The SPEAKER pro tempore. On the motion, the gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, it is true what Representative Lynch has said. This bill should have a full hearing. It has a nonbinding referendum in it. When those kinds of bills come forth, they are sent to State Government for us to look at and to have a good hearing, and that is what we have been talking about here today, that there has been no serious debate and discussion on this issue, and we need to do that.

I support the motion to recommit the bill to the State Government Committee.

The SPEAKER pro tempore. On the motion, the Chair recognizes the gentleman, Mr. Masland.

Mr. MASLAND. Thank you, Mr. Speaker.

Very briefly, I support the motion. In the Judiciary Committee 2 years ago, we had hearings on this issue. We raised a lot of questions, many of which have been raised today, but I suggest to you that just raising those questions again is not enough. Before we ask the voters of Pennsylvania to decide, we need to get some resolution to those questions. We need to come up with some solutions to all the problems, all the issues, that have already been raised, and if we do not do that and just present them with a bland issue as a referendum in the spring, we will not have done our job.

Let us do our job. Let us send it back to the committee so we can have some hearings with some real input, more than we are getting today. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman, Mr. Veon, on the motion.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I rise to strongly oppose this motion. With all due respect to those members who have been speaking in opposition to this referendum, we have had a tremendous amount of discussion, some of it in this very Assembly, much discussion all around the State. One of the gentlemen who would like to send this back to committee himself recognizes that we have had hearings in the committee on which he sits. Some members have expressed to me that since 1990 we must have had a dozen hearings on this general subject matter in Harrisburg, in Pittsburgh, in Philadelphia, all across the State. And I know there are well-meaning members on both sides of the aisle that are opposed to gambling, and that is okay, Mr. Speaker, and I think they are making their voice heard here today. But to say that we have not had an opportunity to look at this issue and that we ought to send it back to committee for further debate and discussion and hearings is just not something this General Assembly ought to allow to happen.

Mr. Speaker, we are talking about a nonbinding referendum. Put it on the ballot. Let the people indicate to the legislature and the Governor how they feel about this issue. All of the other good questions that various speakers are raising today about the details of this bill, the details of some future subsequent legislation that we will all have a chance to debate and vote on here in this House in the future, all of those questions should be answered, and before we vote on a bill some date in the future, all those questions will be answered. But we all know this is a nonbinding referendum, a sense of the people of Pennsylvania on how they feel about this issue.

Let us get it done with. We have had this debate a long, long time. I would oppose this motion and ask you to oppose it also. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Levdansky, on the motion.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, in an effort to stop the adoption of this racetrack referendum question, the opponents are ringing every alarm bell that they can think of. They are creative, and I understand their fear tactics. They have filed dozens and dozens and dozens of amendments to try to carry the debate on longer than what we all know is necessary. They now make motions to table and germaneness and constitutionality and send it to different committees. If in some of their wild predictions they can convince enough members, they hope to prevent the public from ever having a voice in this decision. It is ironic that these people who stand here and say they are on a crusade to save us from all the social ills

of gambling do not trust the people to decide for themselves. We are not considering a substantive bill today, Mr. Speaker. That will come at another time after the people have expressed their will through the referendum.

Frankly, Mr. Speaker, I sort of agree with Representative Lynch. I would prefer a substantive bill before us today. It would help the public to know the facts about what slots at the racetracks means, how many slots we would legalize, how they would be regulated and controlled by the gaming commission, and how much tax would be generated and where we would dedicate that revenue. A bill would make it harder for the opponents to make wild and unsubstantiated claims of dire consequences.

But we do not have that substantive bill before us today, Mr. Speaker, because your Governor does not want it before us today. We are considering a referendum-only amendment today because that is what Governor Ridge's precondition is before we can consider a substantive bill. That is his precondition, not those of us that have long supported this legislation. Keep that in mind. What the Governor wants, the Governor gets. Fortunately, we do have something to point to, the answers that many members on the other side of the aisle have raised, and that was contained in HB 148 from last session, which passed this General Assembly—

The SPEAKER pro tempore. Will the gentleman suspend.

The matter before the House is the motion to recommit. The Chair would appreciate it if all the members would limit their remarks to that question. We are all getting a little bit far afield here.

Mr. LEVDANSKY. Yes, Mr. Speaker.

Mr. Speaker, if you are looking for the details of the legislation, you could look at the legislation that has been offered, but the reality is that we are here under these circumstances because of the rules of the game that the Governor laid before us. Now, if those are his rules, I guess we have to follow them. And, Mr. Speaker, if we want to have the people make a decision on it, we have got to decide to pass this referendum and put it on the ballot. To simply send this bill back to committee simply delays the inevitable. Sooner or later, collectively we are going to have to make a decision on what we want to do with this legislation. To recommit this back to committee, Mr. Speaker, is just simply adding time and just delaying the inevitable. We need to save these jobs in this horse-track racing industry, and we need to move on with the question.

So, Mr. Speaker, I urge all those in support of this effort, in support of letting the people decide this matter, to vote against the motion to recommit.

The SPEAKER pro tempore. The gentleman, Mr. Battisto, is recognized on the motion.

Mr. BATTISTO. Thank you, Mr. Speaker.

Mr. Speaker, we are involved in serious public policy discussions today. The fact of the matter is, the best thing we could do would be to commit this bill to the State Government Committee.

Whether we are aware of it or not, major elections in this country, gubernatorial elections, have just been completed – for example, in South Carolina and in Maryland – revolving around this question. This is serious public policy. A Governor of a State put his reputation on the line. He lost, he lost in South Carolina, because the gambling proponents poured in millions and millions of dollars to defeat him, but he ran because he wanted to get rid of those machines that you want to put at racetracks, you see.

This is serious public policy. We ought not to be treating this frivolously. We ought not be afraid of sending this to committee and discussing it more thoroughly and see why Glendening in Maryland put his reputation on the line, see why Voinovich in Ohio did the same thing, you see.

This is serious public policy. We ought to do the right thing and send it to the State Government Committee and thoroughly have hearings and discuss this much more fully than we are treating it today. Thank you.

The SPEAKER pro tempore. The gentleman, Mr. Rohrer, is recognized on the motion.

Mr. ROHRER. Thank you, Mr. Speaker.

Mr. Speaker, would it be in order for me to interrogate the maker of the motion?

The SPEAKER pro tempore. As long as the interrogation relates to recommitment only, the answer is yes.

Mr. ROHRER. It would, sir.

The SPEAKER pro tempore. The gentleman, Mr. Lynch, indicates that he is willing to stand for interrogation. The gentleman may proceed.

Mr. ROHRER. Mr. Speaker, you just made a motion to have this bill committed to the State Government Committee. Now, as I have been listening to the debate here just recently, I have heard an awful lot of suggestions as to your motivation for doing so. Could you please clarify to the House before we vote on this issue as to the real intent for your making this motion?

Mr. LYNCH. Thank you, Mr. Speaker.

First off, Mr. Speaker, it may seem like a small thing, but my motion was not to recommit; it was to commit, and I wish you would change that up there.

The SPEAKER pro tempore. The gentleman may wish it to be a motion to commit, but the proper motion is one to recommit, regardless of which committee it originally came from.

Mr. LYNCH. Okay. When I made my motion to commit, I said nothing about morality, nothing about hearings, nothing about anything else, other than the fact that I think that this legislation, as important as it is to a whole lot of people, as evidenced by the amendments, as evidenced by the public perception, as evidenced by the press, that there should be enabling legislation to precisely spell out where the proceeds from this issue would go. No pie in the sky: If you vote for it, voters, we are going to give you this and we are going to give you this. As I said, they are going to fill everything with it, okay? We need to have enabling legislation to specifically show where it is going to go so that the voters of this Commonwealth of Pennsylvania can make an educated vote.

I said nothing about hearings. I do not care if any more hearings are held. I said nothing about morality. I said nothing except enabling legislation, and please keep in mind that the State Government Committee on this particular piece of legislation has not seen it. Thank you, Mr. Speaker.

Mr. ROHRER. Thank you, Mr. Speaker.

I would assume then by what you said, the intent is for clarification, for the committee to do due process in examining the language that would enable whatever it is we would decide upon, for the purpose that, as the former speaker just said across the aisle just a few minutes ago, that the people of the State would know better what it is that they would be doing. That is our purpose; that is your purpose?

Mr. LYNCH. Yes; it is, Mr. Speaker. As far as I am concerned, and I cannot speak for the chairman, Representative Clymer, of the

State Government Committee, but I do not envision hearings. I envision him and his committee sitting down with the proponents of the gambling to work this out so that there is enabling legislation. I do not see a need to have more hearings, just enabling legislation.

Mr. ROHRER. Thank you, Mr. Speaker.

Mr. LYNCH. Thank you.

The SPEAKER pro tempore. Will both gentlemen please suspend.

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

Mr. CORRIGAN. Is that charade finished?

The SPEAKER pro tempore. It would appear that the interrogation is finished.

Mr. CORRIGAN. Interrogation on explaining his motion? I think he is way off on that.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The gentleman, Mr. Rohrer, may continue his remarks.

Mr. ROHRER. My interrogation is completed. The intent of what I just did was to clarify for the members of the House why, as we all know, this bill, this amendment, this issue, ought to be in committee to do what the committee structure is established to do, and that is simply to make clear what it is and what we are talking about. It is clear from the discussion already on this floor that we do not know what is in this amendment. We have no idea as to what it says, what it may say, and even if we understand what it says, we do not know for sure what it means. The committee structure is here for a very clear purpose: to protect the interests of the citizens of the Commonwealth.

I recommend that we do uphold the motion and that we send this to committee and let the process do what it is intended to do. Thank you, Mr. Speaker.

The SPEAKER pro tempore. On the motion, the gentleman from Philadelphia, Mr. Horsey, is recognized.

Mr. HORSEY. Thank you, Mr. Speaker.

Mr. Speaker, I rise not to support this motion to commit and ask that we go forward with this particular amendment. Why do we think, Mr. Speaker — the people elected us — why do we feel ashamed or why do we think we should not return at points in time issues back to the people when we cannot reach decision on the direction of those particular issues? It is not a disgrace; it is a part of the democratic process. We live in a democracy, and a democracy is that the public and the people rule, Mr. Speaker, and to return an issue to them at the ballot box for them to decide because we cannot decide as legislators, it is no shame. It is a part of the democratic process.

I am not, for one, afraid of the public, Mr. Speaker, and none of us should be, Mr. Speaker. We stand for election probably more than any elected body in the entire country as legislators running every 2 years, and we should not through the referendum process be afraid to lend an issue to the public's ear for them to decide, which relieves us, Mr. Speaker, of a certain level of responsibility as to whether it goes right or wrong. The public, Mr. Speaker, should be able to decide this matter on election day or on the day that we decide to put it on the ballot. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman, Mr. Veon, for the second time on the motion.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, very quickly, again, we have to oppose this motion.

I understand, again, that this is a very emotional debate, and there are members on both sides of the aisle that feel very strongly on both sides of the issue, and they are making their voices heard here today. But to suggest that we ought to move and put this bill back into the committee of a gentleman who, by his own admission, is the strongest antigambling legislator in this House and that somehow we will come out of that process with a bill that we can all vote on, I do not think there is a member here that believes that would happen, with all due respect to the chairman, who does have strong feelings on this.

And, Mr. Speaker, the gentleman that made the motion, I wish we were here debating substantive language. I wish we were here debating how we were going to divide this revenue on the things that we all care about. I wish we were debating how we were going to regulate this industry in Pennsylvania. But the Governor of this State has told this Assembly time and time and time again, he would not sign such a bill if we put it on his desk. He has told us time and time and time again that the only way that you would ever have an opportunity to put a bill like that on my desk is if you pass a referendum first. He has said that to us time and time and time again. And so, Mr. Speaker, we are trying to accommodate exactly what the Governor has asked for.

And please, let us never lose sight of the fact that this is a nonbinding referendum. We cannot have a referendum that would enact the legislation by statute and put that on the ballot. We do not have that referendum law in Pennsylvania.

The SPEAKER pro tempore. Will the gentleman suspend.

The Chair would like to once again remind all the members that the only matter before the House is whether or not we should adopt the motion to recommit.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, for all those reasons I would strongly oppose the motion to recommit and ask that you do also. Thank you, Mr. Speaker.

### PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. The gentleman, Mr. Gruitza, is recognized on the motion.

Mr. GRUITZA. Thank you, Mr. Speaker.

Mr. Speaker, I rise to raise a point of parliamentary inquiry here on this motion.

The SPEAKER pro tempore. The gentleman will state the point.

Mr. GRUITZA. When the gentleman made his motion and what is on the board is a motion to commit SB 255 to the State Government Committee. As the minority chair of that committee I am a little bit confused here, because SB 255 as it sits before us right now in its current form appears to be a Title 18 amendment to the liquor law, and there is really nothing in it that deals with referendum or gambling or anything else. Is the gentleman's motion a motion to recommit SB 255 to the State Government Committee along with all of the proposed amendments? Can we get a clarification on exactly technically what we are dealing with if this motion passes?

The SPEAKER pro tempore. You can only recommit what is in the bill at the time you recommit. So the amendments would not go with the bill.

Mr. GRUITZA. So essentially what we would be committing right now to the State Government Committee would be a piece of

legislation that has nothing to do with gambling in the State of Pennsylvania whatsoever?

The SPEAKER pro tempore. The DiGirolamo amendment would not be in the bill when it was recommitted.

Mr. GRUITZA. So I would be at somewhat of a loss if this was committed back— I guess I would want to move it right back out of the committee, because I think this is a worthwhile piece of legislation as it sits, gambling notwithstanding.

So I guess that being the case, members should consider exactly what this is going to do and vote for it on the face of what we are doing. I guess we would be sending SB 255 to the State Government Committee. If this House would like the State Government Committee to hold hearings, I would think on gambling or enlarging gambling in the State, perhaps a resolution should be introduced directing that the State Government Committee do so. But the effect of this maneuver right now would have no impact whatsoever on gambling.

Thank you, Mr. Speaker, for that clarification.

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

The following roll call was recorded:

YEAS—73

Adolph	Forcier	Maher	Schuler
Armstrong	Freeman	Maitland	Serafini
Baker	Geist	Masland	Seyfert
Barley	Gordner	McIlhatten	Smith, B.
Bastian	Habay	McNaughton	Staback
Battisto	Harhart	Metcalfe	Stern
Belardi	Hasay	Miller, R.	Sturla
Benninghoff	Hennessey	Miller, S.	Surra
Birmelin	Herman	Nickol	Taylor, E. Z.
Boyes	Hershey	Orje	True
Butkovitz	Hess	Phillips	Vance
Clark	Hutchinson	Platts	Vitali
Clymer	Josephs	Robinson	Yewcic
Curry	Keller	Rohrer	Zimmerman
Dally	Kirkland	Rublely	Zug
Egolf	Krebs	Samuelson	
Fairchild	Lederer	Sather	Ryan,
Fleagle	Leh	Saylor	Speaker
Flick	Lynch	Schroder	

NAYS—127

Allen	Druce	Marsico	Santoni
Argall	Eachus	Mayermik	Scrimentti
Bard	Evans	McCall	Semmel
Barrar	Fargo	McGeehan	Shaner
Bebko-Jones	Feese	McGill	Smith, S. H.
Belfanti	Fichter	McIlhenny	Snyder
Bishop	Franke!	Melio	Solobay
Blaum	Gannon	Michlovic	Stairs
Browne	George	Micozzie	Steeiman
Bunt	Gigliotti	Mundy	Steil
Buxton	Gladeck	Myers	Stetler
Caltagirone	Godshall	Nailor	Stevenson
Cappabianca	Grucela	O'Brien	Tangretti
Carn	Gruitza	Oliver	Taylor, J.
Casorio	Haluska	Perzel	Thomas
Cawley	Hanna	Pesci	Tigue
Chadwick	Harhai	Petrarca	Travaglio
Civera	Horshey	Petrone	Trello
Cohen, M.	Jadlowiec	Pippy	Trich
Colafella	James	Pistella	Tulli
Cornell	Kaiser	Preston	Van Horne
Corrigan	Kenney	Ramos	Veon

Costa	LaGrotta	Raymond	Walko
Coy	Laughlin	Readshaw	Washington
Dailey	Lawless	Reinard	Williams
Daley	Lescovitz	Rieger	Wilt
DeLuca	Levdansky	Roberts	Wogan
Dempsey	Lucyk	Roebuck	Wojnaroski
Dermody	Major	Rooney	Wright
DeWeese	Manderino	Ross	Youngblood
DiGirolamo	Mann	Ruffing	Yudichak
Donatucci	Markosek	Sainato	

NOT VOTING—0

EXCUSED—2

Cohen, L. I.                      Srittmatter

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

**THE SPEAKER (MATTHEW J. RYAN)  
PRESIDING**

On the question recurring,  
Will the House agree to the amendment?

The SPEAKER. The question recurs, will the House agree to amendment A0188? The Chair recognizes the gentleman from Philadelphia County, Mr. Horsey.

Mr. HORSEY. Mr. Speaker, will the crafter of the amendment please stand for interrogation?

The SPEAKER. The gentleman from Bucks indicates he will stand for interrogation. The gentleman may proceed.

Mr. HORSEY. Thank you, Mr. Speaker.

Mr. Speaker, can you tell me the States that border Pennsylvania? Can you tell me the States that border Pennsylvania? And it is a key question, Mr. Speaker, because it goes to the heart of those States having gambling and Pennsylvania not.

Mr. DiGIROLAMO. Mr. Speaker, could you repeat the question, please?

The SPEAKER. The gentleman will yield.

Members will please take their seats.

Mr. HORSEY. Let me rephrase the question.

The SPEAKER. The gentleman will yield.

Mr. HORSEY. Yes, Mr. Speaker.

The SPEAKER. Members will please take their seats. Members of staff not involved in this issue, please be seated or leave the floor.

Mr. Horsey, I am tempted to say that is an improper question.

Mr. HORSEY. I am going to rephrase the question, Mr. Speaker.

The SPEAKER. You very well know the States that surround Pennsylvania.

Mr. HORSEY. Yes, Mr. Speaker.

The SPEAKER. That is not the purpose of interrogation.

Mr. Horsey.

Mr. HORSEY. On the amendment, Mr. Speaker.

Mr. Speaker, does West Virginia— Would he stand for interrogation?

The SPEAKER. Yes; he is.

Mr. HORSEY. Mr. Speaker, does West Virginia have the type of gambling that your amendment advocates?

Mr. DiGIROLAMO. I believe that is true that the racetracks in West Virginia do have slot machines.

Mr. HORSEY. Thank you, Mr. Speaker.

Mr. Speaker, does Delaware also?

Mr. DiGIROLAMO. I believe that is also true. The racetracks in Delaware do have slot machines.

Mr. HORSEY. Thank you, Mr. Speaker.

Mr. Speaker, may I, Mr. Speaker, on the issue?

The SPEAKER. On the question, the gentleman, Mr. Horsey.

Mr. HORSEY. Thank you, Mr. Speaker.

Mr. Speaker, we need to move this issue forward and put it to a referendum and initiate this action in this State, because, Mr. Speaker, if we do not, as a State, we are going to lose a great deal of business, not just the individual person who in fact gambles but we are going to lose an entire industry, and that is the horseracing industry, Mr. Speaker. Presently, Pennsylvania is not competing very well in the horseracing industry, because in States like West Virginia and Delaware, their slot machines subsidize racetracks, and as a result, they have the ability to offer a larger purse than Pennsylvania tracks do.

It is written vaguely, Mr. Speaker — meaning the referendum and what it is going to do and not do, so on and so forth — intentionally, Mr. Speaker, for two reasons. First of all, not to confuse the public, Mr. Speaker, but the main reason is because after the public has told us whether they do or do not want this effort in the State on the borders of Pennsylvania, after they have told the legislature at the ballot box, Mr. Speaker, then we will go to phase two, which will be to craft exact legislation to determine what we in Pennsylvania desire and do not desire, where profits will go and will not go, whether we will offer property tax rebates, whether we will offer economic development in terms of fire stations, or whether we will have funding for education or not and what type of funding and what areas of education. All that will be decided after we get back from the public their position on whether we should have gambling or not.

So the first step, Mr. Speaker, is for us to pass it tonight; the second step, Mr. Speaker, is for it to be on a ballot in May; and the third step, Mr. Speaker, if it is approved, if it is approved, Mr. Speaker, if it is approved, is for us as a legislature to develop the process into what we want it to be. And with that, Mr. Speaker, I urge support for the DiGirolamo amendment, amendment 0188, and ask that my colleagues support the same amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

### PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman from Columbia County, Mr. Gordner.

Mr. GORDNER. A parliamentary inquiry.

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. GORDNER. Thank you, Mr. Speaker.

I am aware that Article XI allows for constitutional amendments to be on the ballot. I understand that Article VIII, section 7, allows for items to be put on the ballot that deal with certain terms of

indebtedness. I cannot find in my Constitution the provision that allows for us to put nonbinding referendum on the ballot.

The SPEAKER. Are you raising a constitutional question?

Mr. GORDNER. I am, although— Mr. Speaker?

The SPEAKER. I am not going to pass on the constitutionality of your question. The rules provide that the members pass on it, and the way you stated it, it seems the absence of a provision to do it this way you are raising as a question of constitutional law. Is that fair?

Mr. GORDNER. Yes. I was asking for the guidance of the Speaker. I have paged through the Constitution from beginning to end, and I cannot find any specific provision other than those two — Article XI dealing with constitutional amendments—

The SPEAKER. Mr. Gordner, you do not pay me enough to make constitutional rulings. That is something that the House has held to itself. Accordingly, I would be glad to put the question in a manner that the constitutionality of this amendment is raised, but it would be improper for me and against our rules for me to rule that it was or was not constitutional, and the question you posed requires that type response.

Mr. GORDNER. Thank you, Mr. Speaker.

### CONSTITUTIONAL POINT OF ORDER

Mr. GORDNER. Based upon the fact that there is no constitutional guidance on this issue, I would raise the issue of constitutionality of this amendment.

The SPEAKER. You are challenging the constitutionality of this?

Mr. GORDNER. That is correct, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Gordner, raises the point of order that amendment A0188 is unconstitutional. Under rule 4, the Speaker is required to submit questions affecting the constitutionality of a bill to the House for decision, which the Chair now does.

On the question,

Will the House sustain the constitutionality of the amendment?

The SPEAKER. The Chair recognizes the gentleman, Mr. Gordner.

Mr. GORDNER. Thank you, Mr. Speaker.

I will again repeat that in Article XI of the Constitution, there is specific authority for the General Assembly to put constitutional amendments before the general public at the time of a general election. In Article VIII, section 7, of the Constitution there is specific authority for the General Assembly to put questions dealing with certain terms of indebtedness before the general public for their approval or not. I cannot find anything in the Constitution that allows us or authorizes us to put forward nonbinding referendums on the ballot. In fact, there are commonly known as referendum and initiative processes, which are not allowed in this State.

So therefore, I would ask that this amendment be termed "nonconstitutional."

The SPEAKER. The Chair thanks the gentleman.

On that question, the gentleman, Mr. Masland.

Mr. MASLAND. Thank you, Mr. Speaker.

I want to commend the maker of the motion for being as astute as he is, and you know, usually in the past when there was an issue

like this, me as a Republican, I would look over to the Democrat side in some questionable cases for some guidance on issues like this, and you know, I looked really close to the seat that that gentleman sits in, and I believe he sat next to, yes, Bill Lloyd, the constitutional scholar of the House of Representatives, and I have to believe, I have to believe that some of his expertise rubbed off on the gentleman, Mr. Gordner, and therefore — and just his expertise — but I have to believe that Mr. Gordner really knows what he is talking about.

So I apologize for mentioning names, Mr. Speaker, but without adding anything more to his arguments, which make a lot of sense, I urge you to vote that this is not constitutional.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. DiGirolamo.

Mr. DiGIROLAMO. Mr. Speaker, I believe this issue to be constitutional, and I urge all my colleagues who want to see this amendment pass to vote “yes” on constitutionality. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I rise to suggest to the members that this is in fact constitutional. The gentleman, Mr. Gordner, astute lawyer that he is, has made a couple of good points. But I think it is also important to point out that in this Constitution, there is no prohibition to in fact putting a nonbinding referendum on the ballot. Nowhere in this Constitution does it prohibit this legislature from doing that. And in fact I would make the case, Mr. Speaker, that under Article II, section 1, “Legislative Power” reads that “The legislative power of this Commonwealth shall be vested in a General Assembly, which shall consist of a Senate and a House of Representatives,” and I would argue that that clause in this Constitution gives us more than the ability to in fact say that this is constitutional. And let us remember, Mr. Speaker, that the Governor has been making a case for this very process for several years now, and I am sure that he has indicated to many of us and I am sure that he has more than enough legal opinion since he has been the chief advocate that this in fact is constitutional. He has asked us to put it on the ballot in a nonbinding referendum.

I would suggest that it is constitutional and ask for a vote to indicate such. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The question recurs, is the amendment constitutional? Those voting to declare the amendment to be constitutional shall vote “aye”; those voting “no” will be voting to declare the amendment to be unconstitutional.

On the question recurring,

Will the House sustain the constitutionality of the amendment?

The following roll call was recorded:

YEAS—130

Adolph	Eachus	Mayernik	Scrimenti
Allen	Evans	McCall	Shaner
Argall	Fargo	McGeehan	Smith, S. H.
Bard	Feese	McGill	Snyder
Barrar	Fichter	McIlhinney	Solobay
Bebko-Jones	Flick	Melio	Staback
Belardi	Frankel	Michlovic	Steelman
Belfanti	Freeman	Micozzie	Steil
Browne	Gannon	Mundy	Stetler

Bunt	George	Myers	Stevenson
Buxton	Gigliotti	Nickol	Surra
Caltagirone	Godshall	O'Brien	Tangretti
Cappabianca	Grucela	Oliver	Taylor, J.
Carn	Gruitza	Perzel	Thomas
Casorio	Haluska	Pesci	Tigue
Cawley	Hanna	Petrarca	Travaglio
Chadwick	Harhai	Petrone	Trello
Civera	Hennessey	Pippy	Trich
Cohen, M.	Horsey	Pistella	Tulli
Colafella	James	Preston	Van Horne
Cornell	Kaiser	Ramos	Veon
Corrigan	Kenney	Raymond	Walko
Costa	LaGrotta	Readshaw	Washington
Curry	Laughlin	Reinard	Williams
Dailey	Lawless	Rieger	Wilt
Daley	Lescovitz	Roberts	Wogan
DeLuca	Levdansky	Robinson	Wojnaroski
Dempsey	Lucyk	Roebuck	Wright
Dermody	Major	Rooney	Youngblood
DeWeese	Manderino	Ross	Yudichak
DiGirolamo	Mann	Ruffing	
Donatucci	Markosek	Sainato	Ryan,
Druce	Marsico	Santoni	Speaker

NAYS—67

Armstrong	Forcier	Maher	Schroder
Baker	Geist	Maitland	Schuler
Barley	Gordner	Masland	Semmel
Bastian	Harhart	McIlhattan	Serafini
Battisto	Hasay	McNaughton	Seyfert
Benninghoff	Herman	Metcalfe	Smith, B.
Birmelin	Hershey	Miller, R.	Stairs
Blaum	Hess	Miller, S.	Stem
Boyes	Hutchinson	Nailor	Sturla
Butkovitz	Jadlowiec	Orie	Taylor, E. Z.
Clark	Josephs	Phillips	True
Clymer	Keller	Platts	Vance
Coy	Kirkland	Rohrer	Vitali
Dally	Krebs	Rublely	Yewcic
Egolf	Lederer	Samuelson	Zimmerman
Fairchild	Leh	Sather	Zug
Fleagle	Lynch	Saylor	

NOT VOTING—3

Bishop	Gladeck	Habay
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EXCUSED—2

Cohen, L. I.	Strittmatter
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The majority having voted in the affirmative, the question was determined in the affirmative and the constitutionality of the amendment was sustained.

On the question recurring,

Will the House agree to the amendment?

The SPEAKER. For the information of the members, there are 14 members scheduled to speak — Mr. Levdansky — unless someone wants to be removed from the list. Mr. Levdansky waives off.

Mr. Rohrer. The gentleman will yield.



## LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence and takes under consideration the request for Mr. MAHER to be placed on leave for the balance of today's session. The Chair hears no objections. Leave is granted.

## CONSIDERATION OF SB 255 CONTINUED

The SPEAKER. Mr. Rohrer.

Mr. ROHRER. Thank you, Mr. Speaker.

I would like to interrogate the maker of the amendment, please.

The SPEAKER. The gentleman indicates he will stand for interrogation. You may proceed.

Mr. ROHRER. Mr. Speaker, we have been hearing a lot of interesting discussions on this amendment. At the beginning I noticed that you started out with a quote from Winston Churchill, and you concluded that by saying that this amendment would be in fact us doing the right thing if we passed this. Could you kind of give me a definition of "right"?

Mr. DiGIROLAMO. Mr. Speaker, right now in Pennsylvania, our four existing racetracks and the horseracing industry are not playing on a level economic field because of the existence of slot machines in other racetracks, namely in the States of Delaware and West Virginia. I believe to protect jobs here in Pennsylvania, to keep tax revenue that is going to other States — to West Virginia, to Delaware, and also to New Jersey and Atlantic City — to keep that tax revenue here in Pennsylvania, to put it to good use for the citizens of Pennsylvania, your constituents and my constituents, that allowing slot machines at the racetracks is the right thing to do.

Mr. ROHRER. So the definition of "right" would be relative to the racetracks, because I did not hear a definition of "right."

Mr. DiGIROLAMO. The definition of "right" would be to allow our racetracks, an industry that is here in Pennsylvania, an industry that has almost 30,000 jobs related to it, to allow that industry to compete on a playing field, a level playing field, with racetracks in other States.

Mr. ROHRER. Okay.

Mr. DiGIROLAMO. That is the right thing.

Mr. ROHRER. All right. A second question then for you, Mr. Speaker. If you were to designate perhaps the two top beneficiaries of us doing the "right thing," as you term it, who would they be?

Mr. DiGIROLAMO. Mr. Speaker, as I have included in the language on the referendum, the beneficiaries would be education and economic development, but also those are issues that we can come back at a later time and address after the referendum is passed here in the legislature.

Mr. ROHRER. Okay. Mr. Speaker, I kind of hear what you are saying, but in your definition you said it was the racetrack owners. Are they a beneficiary, a primary beneficiary, of this amendment if it goes through the process? Are they not one of the primary beneficiaries?

Mr. DiGIROLAMO. Mr. Speaker, I would imagine that if this legislation passes and they were allowed to put slot machines at their tracks and they made a profit, yes, they would be a beneficiary.

Mr. ROHRER. Okay. And no doubt a primary beneficiary. As you said at the beginning, it was the right thing to do for them, so

I would have to assume that that means they are a primary beneficiary.

Mr. DiGIROLAMO. Mr. Speaker, to clarify, I do not believe I said that it was the right thing to do for the owners of the racetracks, no.

Mr. ROHRER. Well, you— Okay; the right thing to do for the racetracks in order to level the playing field, or whatever you said would be the case at that point. But relative to that, because I am concerned about doing the right thing, and I think that all of us are sent here to do the right thing, the owners and the racetrack and those who work there are only one segment. I know that you are diligent in what you do and have considered a lot of things on this issue, but could you please share with me what the primary benefits are to a couple of other segments? For instance, how would the passage — the addition of the slots, if this thing happens — how would this primarily benefit, in a few succinct words, the families of the Commonwealth?

Mr. DiGIROLAMO. Mr. Speaker, quite simply, Pennsylvania each and every day is losing millions of dollars—

Mr. ROHRER. How would this benefit the families, Mr. Speaker?

The SPEAKER. The gentleman will yield.

You asked your question. Let the gentleman have an opportunity to answer it.

Mr. ROHRER. Okay. I am sorry.

Mr. DiGIROLAMO. The tax revenue that is now being lost to the other States — namely West Virginia, Delaware, and New Jersey — from Pennsylvania citizens going to these States and playing the slot machines could be kept here in Pennsylvania and could be used for purposes such as education, such as economic development, could be put back into the basic education subsidy, could be used to buy computers and put into our schools, could be used to purchase open space, which is a big concern down in southeastern Pennsylvania, could be put to many good things.

Mr. ROHRER. Okay. Thank you, Mr. Speaker. You are basically describing benefits in the terms of new programs that might be developed. I did not hear anything relative to actually strengthening families. But I know, I know that you at the same time that you have identified benefits would also have had to identify some negatives. Could you share with me a few of the negatives that you have identified that addition of the slots at the tracks and what it would produce would create, for instance, for families of the Commonwealth?

Mr. DiGIROLAMO. Mr. Speaker, I have not identified any negatives. The only negative I have identified is the negative impact that the slot machines in the neighboring States are having on our racetracks.

Mr. ROHRER. Okay, Mr. Speaker.

Mr. Speaker, another question for you just before I give some comments. If you think it is a good idea and that families would be strengthened by this, do you happen to personally participate in gambling?

The SPEAKER. That question is out of order.

Mr. ROHRER. Out of order?

The SPEAKER. I believe so.

Mr. ROHRER. All right.

Thank you, Mr. Speaker. That will conclude my questions here at this moment.

Mr. Speaker, what I attempted to try to do in that little scenario there was to consider both the strengths and the weaknesses of



what would happen if this amendment would be passed and slots would be added. What I heard was that the primary beneficiaries are the tracks in particular; obviously, we know, the owners specifically. I heard some secondary benefits perhaps to families, and one could assume children, or perhaps business, perhaps in a general sense, as a result of revenues that may be created that might result in some new programs that might be tailored in such a way so as to help these groups. But, Mr. Speaker, really, honestly, each of us who sit here know that the facts are clear and that the families are not helped by any form of gambling, including and maybe particularly things as slots. If we really wanted to strengthen the families of this Commonwealth, there are many things that we could do such as reducing taxes, such as doing many other things that would benefit our families. It is a long shot at best to even purport that expanding gambling will in any way strengthen the families of this Commonwealth.

I know that there are many members here who do not participate in gambling nor would they take their children to any place that did. Why? Because it simply is not my idea nor their idea of a good place to take children, nor to raise a family, nor to put family in contact with those things. Mr. Speaker, there are no direct benefits to children or to families or to local business from the expansion of gambling. The beneficiaries are few, and they are the ones who are driving the policy discussion today.

I would say that this amendment is not right. The definition of "right" is that which is not wrong. The definition of "right" has to do with truth, has to do with that which builds up, that which encourages higher standards. That is right. This is not right, because it does just the exact opposite all the way through.

This amendment is not right because it is bad public policy. We not only violate the process by doing this that we are doing today, but we give an amendment that we are all to consider, an amendment that we have already heard is imprecise, that is not clear, that we do not know what it means, and from reading the amendment it says that if we pass this amendment, that it will not even show up on the ballot in the form in which it is written on this amendment. It says all that it has to do is to be in substantially the same form. Well, what in the world is substantially the same form? That means I do not know; that means the maker of the amendment does not know. No one knows except the one who finally sits down and writes the wording of what the voters of this State will see on this amendment if it passes come May, and that leads into the second issue.

We were told that this was fair. This is not fair. How in the world can it be fair to the citizens of the Commonwealth to view an amendment upon which they are going to be asked to vote that we today cannot tell what it is going to be, what it is going to mean, and certainly they will not, and they will not know? How in the world can it be fair? That is not fair and it is not right, and it violates our responsibility as elected Representatives to do that work which we are not now doing.

Mr. Speaker, I think no matter how one looks at it, there are so many unanswered questions that are of a critical nature about just this amendment that anyone doing due diligence in any kind of serious regard for our responsibility as elected Representatives and our duty to the people, we should not pass this amendment, and I would request of my colleagues here today that we do just that and we put our obligation before other commitments perhaps that have been made to others and vote "no" on this amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from York, Mr. Saylor.

Mr. SAYLOR. Thank you, Mr. Speaker.

You know, it is interesting around this House — you know, I have been here for 6 years — and I have heard the echoes in this chamber about helping the poor, helping the poor, and let us do more about fighting crime, and yet today we are sitting here talking about bringing more crime into the Commonwealth and hurting the poor people of this Commonwealth with gambling.

You know, it is a fact, nationally recognized, that gambling brings crime, gambling hurts the poor. Ask the people of Atlantic City if they are happy that they got the casinos in Atlantic City. Look around the neighborhoods of Atlantic City and see what they have got to brag about.

You know, we have got to look at where and what are we going to do if this initiative even passes. We have heard today as we have talked about this, well, there are no promises; we will have to wait until we come back into session and pass the legislation to enact this referendum. But nobody knows where the money is going to go, what it is for, and if it is even going to end up where we intend it to be.

We know we are going to need more money for homeowner assistance, because we know there are going to be more people being threatened with the loss of their homes because the husband or the wife goes out and gambles their paychecks away in this Commonwealth in gambling. Is there going to be money in there for clinics for those gamblers who have gotten to be addicted to it? Where is that money going to come from? And how about the most important people in our whole Commonwealth, people who have worked all their lives in their jobs to be able to save enough to retire but maybe cannot afford to pay their medical bills or their property tax bills in this Commonwealth, but yet we are going to go out and destroy our State lottery, because we already have seen that the money that that lottery has generated over the years has not been increasing and actually has been fairly steady. But while we have continued to expand the PACE Program (Pharmaceutical Assistance Contract for the Elderly), what is going to happen to it? Well, I will tell you what is going to happen to PACE and I am going to tell you what is going to happen to property tax and rent rebate and the property tax in this Commonwealth for senior citizens. We are going to have to find a way to fund those programs. We are going to have to take it out of the General Fund or some other place to provide those programs, because you can be guaranteed that our lottery is going to go downhill from where we are at now.

Before you cast this vote, remember, there are a lot more votes after this that are going to pay a lot of consequences for the people of this Commonwealth, including those working men and women every day that we are going to have to raise their taxes to pay for the programs to benefit the senior citizens that we now have. So when you cast your vote today, you be prepared to raise taxes so you can pay for the property tax and rent rebate program and the PACE Program to continue to survive, because that is exactly what you are voting for today, is to hurt our senior citizens and our people in this Commonwealth.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Delaware County, Mr. Kirkland, on the question of the amendment.

Mr. KIRKLAND. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition of the amendment.

Mr. Speaker, we talked earlier saying that this was simply a referendum. This is more than a referendum, Mr. Speaker. This is simply a gamble, and a gamble that millions and millions and millions of Pennsylvanians will simply lose.

Mr. Speaker, I had the opportunity and the privilege to visit Biloxi, Mississippi, and while down in Biloxi, Mississippi, I was on my way to my hotel room, and the gentleman who was escorting me to my hotel room gave me a little bit of history about the area. And I saw in the hotel area where they had basketball courts and volleyball nets and sandboxes and other things that provided recreational opportunities for young people, but I did not see any young people, Mr. Speaker. So I asked the gentleman who was escorting me to the room, the hotel room, where are the young people? And the gentleman told me that as soon as the gambling boats came, as soon as gambling started, the families started to deteriorate. Young people were no longer looked after. In other words, the adults spent most of their time in the gaming rooms hour after hour after hour away from their young folk. And then I realized even further that there were no more young people within the community itself.

Also, Mr. Speaker, I had the opportunity to years ago visit Atlantic City with my family, and in going to Atlantic City I found it a place where you could go to the shore and have a good time and walk on the boardwalk, but now, Mr. Speaker, in order to go to Atlantic City, you have to have a pocketful of money that you are willing to lose. Mr. Speaker, this is a lose-lose opportunity for Pennsylvania, not a win-win. Gambling in our State and in any other State only allows the rich to get richer and the poor to get poorer.

Mr. Speaker, I heard a few people talk about education and education funding and how this would help. Mr. Speaker, my belief is that if we just cut half of the moneys, the funding that is used to build so-called correctional institutions, and put that into education, that will help, because the only type of education our kids will get or funding our kids will get from this type of referendum is how do you shoot dice, how do you roll craps, how do you play blackjack, and I do not think that is the kind of education we want for our kids today, Mr. Speaker.

Mr. Speaker, this is simply wrong. It is morally wrong, Mr. Speaker; it is socially wrong; and most importantly, Mr. Speaker, it is spiritually wrong. Mr. Speaker, let us get on with the real issues concerning education, Mr. Speaker, concerning welfare, concerning the health of our elderly as well as our young people. Let us get on with the real issues, Mr. Speaker, and let us stop gambling.

In closing, Mr. Speaker, one of the things that I found out that our young people do every day, going back to the educational issue, is that they gamble. They take a gamble every time they walk on these mean streets. They take a gamble every time they walk into the classroom without books. They take a gamble, and, Mr. Speaker, quite frankly, they are losing. Mr. Speaker, this is wrong. Let us do the right thing today and vote "no" on this amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Tioga County, Mr. Baker.

Mr. BAKER. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose this amendment. Before I state my reasons, I would like to credit the sponsor of this amendment, because I really do believe that he represents his district on this issue and that he has the support for this amendment in his district. However, I believe that we need to be reminded that this amendment is a gambling issue. I find it curious when you look through all the various amendments to expand gaming or wagering that the language "gambling" is never used, and I do not think we should lose sight that this is a vote to expand gambling in Pennsylvania. This is a vote to expand gambling in Pennsylvania. I do not know how many times that needs to be repeated, but this opens the gateway, if you will, to further expansion of gambling in Pennsylvania.

In looking at the amendment itself, Mr. Speaker, it looks like it is a push question. We are all familiar with push polls. Look at the referendum question itself. It looks like a push question. I will not read it to you, because I know you can read it yourself, but it talks about economic development and educational benefits, and at the last part of the question, it mentions wagering. It is the last thing that is mentioned. Let there be no mistake about it, this expands gambling in Pennsylvania.

I am very concerned about the process, as well as many of my other colleagues have already articulated. If the informed public is going to make a good decision, we need to have a lot of answers to questions that have already been asked. And we do not have specifics. There is too much ambiguity. There are too many uncertainties. And I do not think the public is ready for a referendum until they have all of these questions answered, and as representatives of the people, it is incumbent upon us to provide those kinds of answers, at least the dialogue, at least the opportunity to learn all of the issues to make an informed decision.

Mr. Speaker, gambling losses in 1992 were \$30 billion across the United States; \$30 billion was lost, people gambling. So it is the losses of the many that are benefiting the few. The social costs, the economic costs, the family costs – there are too many costs involved, and I believe the public needs to hear more about those.

For those reasons and many others, Mr. Speaker, I rise to oppose this amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Battisto, from Monroe County.

Mr. BATTISTO. Mr. Speaker, what is so heavily ironical is that today we are discussing a very important public policy, and as we stand here discussing it, not too far from here – well, quite a distance away, in Virginia – the National Commission on Gambling has begun to convene to discuss their 2-year serious study of this matter. They studied it from east to west across this nation. They listened to many, many people give copious hearings and copious information with respect to the issue of gambling. The least we could do, as a deliberative body, is to understand what they are doing and to at least wait for their report so that we could digest it, and if we digest it and if we decide that it is the best thing to do, then do it. I am opposed to it, but then do it. The fact of the matter is, today we are flying blindly; we are discussing an important public policy while another important body that was constituted by the President and the Congress to study this very important issue sits there, trying to make up their minds with respect to what they should write about. We should listen at least.

We should wait and make a decision after they do what they are doing.

Mr. Speaker, it is the wrong thing to do. I ask us all to vote "no" on this amendment. Thank you very much.

The SPEAKER. The gentleman, Mr. Masland, for the second time.

Mr. MASLAND. Thank you, Mr. Speaker.

Mr. Speaker, obviously, I rise to oppose this amendment. Many of the arguments have already been made. I am going to only touch on a few brief things, primarily those issues that were raised by the proponents. In fact, if I may, by using the words of the proponents, hopefully point out why this amendment should not be passed.

First of all, the prime sponsor has said that we are going to allow the people of Pennsylvania to make an informed decision, but at the same time, he has admitted that we do not have the details of any of this information. We do not know what "educational purposes" are. We do not know about the "economic development." We do not even know what a "limited number" is or what "strictly regulated" means. All we are doing is asking them to vote on a concept, a concept, and that is not an informed concept at that.

Another speaker said, well, let us resolve this once and for all. Well, we know we are not going to resolve it once and for all, because we are going to be back here at a later time. Even the prime sponsor recognized that and said, at a later time we will decide that; at a later time we will decide that. And what forces will come to bear on us at that later time to try to influence our decision, I think the rest of you out there can easily guess.

But one of the most interesting points made by a proponent was that this language was written vaguely intentionally. Oh, that is comforting. We write these referendums vaguely intentionally. Well, why is it vague intentionally? The reason is because we want to somehow get the people in the "t" in central Pennsylvania to come out and support this, and so the way we do that is by putting "educational purposes" in the language, because that will get them to come out, because surely, they are not going to otherwise vote for this, but let us tell them it is for "educational purposes." We know that that is a ruse. We know because the prime sponsor has even admitted there is no guarantee. Remember that. There is no guarantee that any of the funds that we may get from this will go to educational purposes or for economic development, and I would suggest, if the Secretary of State and the Attorney General's Office are perhaps listening to this, that when they draft the final language that is to appear on the ballot, which has to be in substantially the same form, I would suggest that they would be true to themselves and true to the people of the Commonwealth if they deleted that language and just put it on the ballot the way it is: "Do you want to have slot machines at the racetracks?" Period. Forget the ruse that we are going to use the money for anything else.

Now, ironically, on the one hand we are told that there are no guarantees, but then the maker of the amendment seemed to guarantee, when questioned by the gentleman from Lancaster, that there would not be any problem; there would not be any of these slot machines at the offtrack betting parlors. You may recall the specific question: Well, did you contemplate that this would include OTBs? No, I did not contemplate that, and no, they are not included. We do not know what this language is going to look like when we get back to the enabling legislation. The language that we pass could well include OTBs or anything else under the sun. But what it should include, instead of the OTBs, are what many of you

know as the ABCs – addiction, bankruptcy, and crime – because that is really what you get when you pass a bill like this.

We can talk about the cost; we can talk about the fiscal cost. The language in the fiscal note is meaningless, just as the language in the referendum question itself is meaningless. We know that what real money is going to be spent on this is going to be spent trying to influence the votes of people across this Commonwealth. That is where you are going to talk about the real bucks. And for those of you out there on both sides who consider yourself reformers, wanting to do something about campaign finance reform, you are opening yourself up to a real Pandora's box when we put this on the ballot. You know there is going to be a lot of abuse out there. You know there are going to be millions and millions of dollars spent in this Commonwealth.

The real cost, I think, may come down to our legislative integrity. And I will ask you to hearken back to the good old days when we did – yes, Mr. Speaker, "hearken back" – to the good old days when we did the homestead tax exemption. Remember that? Let us have a constitutional amendment that guarantees that we will reduce people's property taxes. Did we have enabling legislation then? I do not recall. No, of course we did not. We did not have enabling legislation then, but everybody back in our districts who voted for it overwhelmingly thought that their property taxes were going to be reduced. So what did we do? We turned around and we came back here and we passed local tax reform. How many people, show of hands, have districts that are satisfied with that local tax reform which we passed? Seeing none, I think that begs the question. We did not have the enabling legislation then and we should have. We should have it now, before we pass something like this and tell people, we are going to help the Commonwealth; we are going to do wonderful things; oh, yes, we are; we are going to educate your children – public, private; who cares? – we will educate them; we will have all kinds of economic development; this will be wonderful. Baloney. You know it, and I know it. We have no control today over what is going to happen, and the voters of Pennsylvania should know that. We should not make the same mistake twice.

Now, for the minority leader, I have to do a little quote here, because I know that he loves these so much. Sir Walter Scott had a saying that all of you are familiar with: "Oh, what a tangled web we weave, When first we practice to deceive!" You have heard that before, many, many times. Well, you know, that was updated; that was updated later on by some poet in the making who decided that we really needed to continue that. So Sir Walter Scott I do not think would complain too much. What that was changed to say was, "Oh, what a tangled web we weave, When first we practice to deceive! Ah, but when we practiced for a while, How greatly it improves our style."

We are getting better, Mr. Speaker. We can pull a ruse so easily now. We have done it before; we will do it again. It is a mistake. This is the Pandora's box. If we pass this amendment, we have opened it. Let us not do that. Let us defeat the amendment. Thank you.

The SPEAKER. The Chair recognizes the gentleman, Mr. Egolf.

Mr. EGOLF. Thank you, Mr. Speaker.

Whether you are for expanding gambling or whether you are against it, and especially, if you are neutral on it, you ought to be against this proposal. I think we will do our citizens a great disservice if we vote to have a referendum on this issue.

Many here have said we should let the people vote, and this, of course, may sound like good democracy and even may be looked at by some as sort of a way of getting off the hook. In other words, we can look and say, you know, whichever way the voters say, then we can use that and say, well, the people have spoken, so I will be safe in voting that way. But really, in reality, it is going to be the people voting based on inadequate and severely biased information, especially, especially, if we rush the referendum to try to have it this May.

It is not a case of intelligence, as some had said earlier, that we are saying, well, the people do not have the intelligence. It is not that they do not have the intelligence; they are not going to have the information, because the gambling industry is going to pour millions of dollars on media spending to influence the citizens on the supposed benefits that gambling is going to bring in jobs and tourism and economic development, and they are going to drown out the truth about legalized gambling's devastating social and economic costs. We all know, I think we all know what repeated and constant and expensive and well-designed advertising can do. We know that. So it is not going to be a level playing field. The opponents of gambling do not have the organization, nor anywhere near the funds, to present the other side. The people are not going to have the facts available to make an informed decision.

An example; here are some of the amounts that have been spent on the gambling issues: In Ohio, in 1996, gambling proponents spent \$8.5 million and actually failed in a campaign to legalize eight dockside casinos; the opponents, compared to the \$8.5 million, the opponents spent \$1.1 million. In Arkansas, gambling boosters spent a total of \$9.2 million — notice, it is going up — and that was on various proposed referenda to expand gambling in the form of casinos and State lottery and video poker and so on; the gambling opponents could only spend \$500,000, compared to the \$9.2 million. In Louisiana, gambling interests outspent the opponents by a margin of 200 to 1; they spent \$10.5 million, while the opponents spent \$53,000. And we know what money can do, so it is not the information that the voters need to vote on. In Michigan, pro-casino groups spent \$10 million and narrowly won to bring casinos to Detroit. In Florida — again, we see the rising amounts — in Florida, proponents spent \$16.5 million to \$1.7 million for the opponents. In Missouri, they spent \$15 million, and the opponents spent \$395,000. In California, last year, a whopping \$89 million was spent to influence the votes. So they are not going to have a level playing field.

We should not approve a referendum, but if we do, at least hold it off until we can have time to hold hearings so that we and the press both can get facts to give to our constituents so that they at least have some information on which to make their decisions.

For example, I would like to know — I have statistics here in Nevada, which, of course, is the gambling capital of our country and the first; they have had it the longest. If you look at the glitz and glamour of Nevada, you know, it looks great, but you scratch beneath the surface of that supposed prosperity and it becomes apparent that a culture that is sewn on greed and exploitation of human weakness invariably reaps the social whirlwind.

For example, consider these facts: In Nevada, it ranks first in the nation in suicide. They rank — and this is of all the 50 States — they rank first in divorce. They rank first in high school dropouts. They rank first in homicide against women. They are at the top in gambling addictions. They are third in bankruptcies. They are third in abortion. They are fourth in rape. They are fourth in

out-of-wedlock births. They are fourth in alcohol-related deaths. They are fifth in crime and sixth in the number of prisoners locked up. Those are really great statistics, are they not? I think we need to find out, is that a trend? We need to look at the other States that have now legalized gambling and see if they are in the same boat, see if that is a trend or see if that is just an aberration.

I think those are the things we need to find out and we need to let our constituents know so they can make an informed, intelligent decision. They do not have these facts, and they are not going to get them from the gambling industry that is going to pour millions and millions and millions of dollars into this. They are not going to tell that side of it.

I think that we should at least have the courage to do what our constituents sent us here to do. We were sent here to represent them. We are not to abdicate our responsibility and put it on the backs of our constituents. Let us not weasel out of our responsibility. Let us vote this down and not do it by referendum. Let us have the courage to stand up and vote on the issue as it stands. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the lady, Mrs. Forcier.

Mrs. FORCIER. Thank you, Mr. Speaker.

I rise in opposition to this amendment.

We have heard a lot of pitfalls today and a lot of statistics, but I want to share with you very briefly what happened this weekend. I had an opportunity to meet with a group of people Saturday. They were not a group of people that had a lot of money. They have time, and they volunteer their time, and I do not know if you figured it out, but it is my volunteer fire department. In Centerville, before I could even get my coat off, the firemen came up to me and they said, "You're going to be addressing the gambling issue down in Harrisburg?" And I said, "Yes." And they said, "Well, we're very much concerned about what's going to happen, because in the rural areas, they depend on bingo to sustain and take care of their expenses," and they said, "If there is going to be competition and problems with opening and expanding gambling, it is definitely going to hurt us." They were very concerned about the impact that this is going to have on them.

I think that we need to take a very serious look at our priorities in our districts. For me, I work very hard for creating jobs and economic development, but I also want to make sure that my volunteer fire departments are taken care of and to be protected. I just would like to ask my colleagues on both sides of the aisle to please think about this vote and to please oppose this amendment. Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

### PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman from Carbon County, Mr. McCall.

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, point of parliamentary inquiry.

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. McCALL. Mr. Speaker, if the House approves this amendment and the DiGirolamo amendment passes the House, what effect would that have on amendments that I have drafted to that same section? I have an amendment that amends the same section. The only difference in the amendment is, my language

asks that the revenues generated be used for property tax relief. Would my amendment be in order if this amendment is adopted?

The SPEAKER. It is the feeling of the Speaker that your amendment is not now before the House. If we allow this to continue and you would come to the desk and discuss it with the Parliamentarian and myself, we maybe can get a resolution to it in time for you to offer an amendment.

For further information of the House — this may be a simpler solution — I have been advised that it is the majority leader's decision that this House will adjourn at 7 o'clock, and he has requested that we come back in at 10 o'clock tomorrow morning and immediately start with the calendar. Right now there are sufficient members asking to be recognized, plus a reconsideration motion, that it is the belief of the Speaker that we otherwise will be here for several hours, and it has been suggested by the majority leader that we break at 7, come back at 10 tomorrow morning.

Over that period of time, we can give some thought to what you have just asked about, and you should consult with the Parliamentarian.

Mr. McCALL. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The last person to be recognized today is the gentleman from Philadelphia, Mr. Thomas. He waives off.

The gentleman, Mr. McNaughton.

Mr. McNAUGHTON. Thank you, Mr. Speaker.

Mr. Speaker, I do not believe that I will have sufficient time to finish my remarks prior to the 7 o'clock break, so I would suggest, Mr. Speaker, that we do that now and continue tomorrow morning at 10 o'clock.

The SPEAKER. The Chair thanks the gentleman.

Does the majority leader or minority leader have any announcements? Any further business?

### VOTE CORRECTION

The SPEAKER. The Chair recognizes the gentleman from Lancaster County, Mr. Sturla, to correct the record.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, on the germaneness vote on amendment 0188, I inadvertently pressed my page button, and I wish to be voted in the "yes," affirmative.

The SPEAKER. The Chair thanks the gentleman.

### JUDICIARY COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Gannon.

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, there is a House Judiciary Committee meeting scheduled for tomorrow at 10 a.m. That meeting will convene in the rear of the House at 10 a.m.

The SPEAKER. The Chair thanks the gentleman.

As the members are leaving, keep in mind we are starting tomorrow at 10 a.m.

### COMMITTEE MEETING POSTPONED

The SPEAKER. Mr. Wogan.

Mr. WOGAN. Thank you, Mr. Speaker.

The meeting of the House Consumer Affairs Committee originally scheduled for 10 o'clock tomorrow morning will be postponed. We will call a meeting in the back of the House floor at some point tomorrow.

The SPEAKER. The Chair thanks the gentleman.

Any further announcements? Any further announcements?

### BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that HB 319 be removed from the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

### BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that HB 319 be recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

### ADJOURNMENT

The SPEAKER. Any further announcements?

Seeing none, the Chair recognizes the gentleman from Northampton, Mr. Grucela.

Mr. GRUCELA. Mr. Speaker, I move that this House do now adjourn until Tuesday, February 9, 1999, at 10 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 6:58 p.m., e.s.t., the House adjourned.