

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, FEBRUARY 12, 2002

SESSION OF 2002

186TH OF THE GENERAL ASSEMBLY

No. 14

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MATTHEW J. RYAN) PRESIDING

PRAYER

DR. KIRBY NELSON KELLER, Chaplain of the House of Representatives and president of Evangelical School of Theology, Myerstown, Pennsylvania, offered the following prayer:

Let us pray:

Almighty God, the giver of all things good, grant us the spirit to think and do those things that are right and good each day. Teach us, Lord, how to trust You with all our hearts. You always resist the proud who confide in their own strength, but You never forsake those who humbly seek Your help.

You have promised to give wisdom liberally to all who ask. Bless the good people of this House with abundant wisdom today as they debate issues and shape legislation.

Lord, it is not easy being a public servant in this age of cynicism. Give them strength to withstand the pressures and burdens of office and to cope with criticism that is often unfair, and help them be kind and gracious, especially to each other.

Lord, in Your mercy, hear our prayer that we ask in Your name. 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 Monday, February 11, 2002, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2363 By Representatives CORNELL, RUBLEY, M. WRIGHT, STABACK, FICHTER, SATHER, SAYLOR, HERSHEY, HORSEY, CREIGHTON, NAILOR, E. Z. TAYLOR, TIGUE, THOMAS, GRUCELA, CLARK, TRICH, MUNDY, BELFANTI, ALLEN, TRELLO, MELIO, BUNT, CAPPELLI, PISTELLA, YOUNGBLOOD, WOJNAROSKI, WASHINGTON,

SOLOBAY, MARSICO, JAMES, GABIG, WILT, G. WRIGHT, B. SMITH, MCGILL, ADOLPH, CLYMER, STEELMAN and PERZEL

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 "maintaining a place of business in this Commonwealth," for collection of tax and for seizure of property.

Referred to Committee on FINANCE, February 12, 2002.

No. 2364 By Representatives PETRONE, DERMODY, KAISER, COSTA, DIVEN, WALKO, LEVDANSKY, ROBINSON, MARKOSEK, PALLONE, PRESTON, FRANKEL, RUFFING, MICHLOVIC, DeLUCA, PISTELLA, MAYERNIK, DALEY, FICHTER, LAUGHLIN, READSHAW, ROBERTS, HENNESSEY, STETLER, SAYLOR and YOUNGBLOOD

An Act amending the act of April 16, 1992 (P.L.155, No.28), known as the Assessors Certification Act, further providing for nonapplicability.

Referred to Committee on URBAN AFFAIRS, February 12, 2002.

No. 2365 By Representatives LEDERER, MCGEEHAN, WATSON, READSHAW, BEBKO-JONES, ROONEY, LAUGHLIN, PRESTON, PALLONE, SHANER, MELIO, CALTAGIRONE, STABACK, PISTELLA, KIRKLAND, HENNESSEY, YOUNGBLOOD, DALEY, JOSEPHS, ROBINSON, CRUZ, HORSEY, HARHAI, WASHINGTON, BUTKOVITZ, J. TAYLOR, SOLOBAY and SAMUELSON

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further providing for the payment of compensation to widows, widowers and children.

Referred to Committee on LABOR RELATIONS, February 12, 2002.

No. 2366 By Representatives HABAY, CAPPELLI, COSTA, CREIGHTON, DeLUCA, GABIG, HARHAI, HUTCHINSON, LAUGHLIN, MAHER, S. MILLER, PETRARCA, PISTELLA, READSHAW, ROBERTS, ROBINSON, THOMAS, TURZAI, WATERS, WOJNAROSKI and YOUNGBLOOD

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 a sales tax holiday.

Referred to Committee on FINANCE, February 12, 2002.

No. 2367 By Representatives NICKOL, CAPPELLI, L. I. COHEN, COLAFELLA, FAIRCHILD, FLICK, FRANKEL,

HENNESSEY, MACKERETH, MAITLAND, MELIO, NAILOR, PALLONE, PISTELLA, READSHAW, ROSS, RUBLEY, SCRIMENTI, E. Z. TAYLOR and WILT

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for possession or transportation of liquor or alcohol.

Referred to Committee on LIQUOR CONTROL, February 12, 2002.

No. 2368 By Representatives HALUSKA, ARGALL, BELFANTI, COLEMAN, CREIGHTON, GEIST, HARHAI, HERSHEY, HORSEY, KELLER, KIRKLAND, LEH, MELIO, S. MILLER, PALLONE, PISTELLA, PRESTON, SAINATO, STEELMAN, STERN, SURRA, THOMAS, WASHINGTON, WOJNAROSKI 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 the sale of unused and unnecessary lands and buildings.

Referred to Committee on EDUCATION, February 12, 2002.

No. 2369 By Representatives HASAY, GEIST, M. BAKER, CAWLEY, CLARK, L. I. COHEN, CORRIGAN, CREIGHTON, DiGIROLAMO, GEORGE, GORDNER, HARHAI, HENNESSEY, HESS, HORSEY, LAUGHLIN, LEWIS, MAJOR, MARSICO, McGEEHAN, MUNDY, PALLONE, PIPPY, READSHAW, SATHER, SEMMEL, B. SMITH, STABACK, STEELMAN, TANGRETTI, E. Z. TAYLOR, THOMAS, TIGUE, WANSACZ, WATSON and WILT

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for homicide by vehicle.

Referred to Committee on TRANSPORTATION, February 12, 2002.

SENATE MESSAGE

HOUSE BILL
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1948, PN 2537**, with information that the Senate has passed the same without amendment.

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 400, PN 1466**.

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 11, 2002

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, March 11, 2002, 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 11, 2002, 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 REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that HB 959 and SB 955 be taken from the table.

On the question,
Will the House agree to the motion?
Motion was agreed to.

BILLS ON SECOND CONSIDERATION

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

HB 959, PN 1100; and SB 955, PN 1630.

BILLS RECOMMITTED

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

Mr. BARLEY. Mr. Speaker, I move that HB 959 and SB 955 be recommitted to the Committee on Appropriations.

On the question,
Will the House agree to the motion?
Motion was agreed to.

GUESTS INTRODUCED

The SPEAKER. May I have your attention, please.

Representative Dwight Evans came up to see me yesterday, and he made a special request that we permit a group of schoolchildren from his area to be seated in the rear of the hall of the House. There was some question as to whether it met my usual standards of who could or could not be grouped in the back of the House. This is a special group of second graders that Mr. Evans is very proud of, and I am calling special attention to them. There are 26 second graders from the Imani Education Charter School in Philadelphia. They are here as the guests of Mr. Evans as well as Rosita Youngblood and Representative John Myers.

The students are from every part of Philadelphia, every section of the city. This school is located in the Germantown area, which is in Mr. Myers' district. They are studying under something called an Afro-Centered approach to teaching. It is something I am not, frankly, familiar with. We are very pleased to have them here. There are some 425 students from K through eighth who are attending that school.

Now, for the benefit of the students, we have another special guest today, and before we clap for you, I want to introduce this other guest, because I think he is the kind of person our schoolchildren should see and admire and perhaps hope one day to follow in his footsteps, and that is Dr. James P. Bagian, the director of the VA National Center for Patient Safety. He is a guest of Representative Cornell and the Policy Committee.

Now, get this students: Among his many accomplishments, he has flown two space missions. He served as a NASA (National Aeronautics and Space Administration) astronaut taking part in the coordination of the space shuttle missions and coordinated space shuttle flight software and investigated the Challenger accident. Dr. Bagian is standing here in the corner to my left, and I think he and you, you students, are people to be admired, and I would ask the House to acknowledge that with their applause.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes at this time the majority whip, who indicates there is no request for leave from the Republican Caucus.

The gentleman, Mr. Veon, requests a leave for the gentlemen, Mr. BELFANTI of Northumberland County, Mr. ROONEY of Northampton, Mr. LUCYK of Schuylkill, and Mr. TRAVAGLIO of Butler for today's session. Without objection, these four leaves will be granted. The Chair hears no objection.

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—196

Adolph	Evans, D.	Maitland	Saylor
Allen	Evans, J.	Major	Schroder
Argall	Fairchild	Manderino	Schuler
Armstrong	Feese	Mann	Scrimenti
Baker, J.	Fichter	Markosek	Semmel

Baker, M.	Fleagle	Marsico	Shaner
Bard	Flick	Mayernik	Smith, B.
Barley	Forcier	McCall	Smith, S. H.
Barrar	Frankel	McGeehan	Solobay
Bastian	Freeman	McGill	Staback
Bebko-Jones	Gabig	McIlhattan	Stairs
Belardi	Gannon	McIlhinney	Steelman
Benninghoff	Geist	McNaughton	Steil
Birmelin	George	Melio	Stern
Bishop	Godshall	Metcalfe	Stetler
Blaum	Gordner	Michlovic	Stevenson, R.
Boyes	Grucela	Micozzie	Stevenson, T.
Browne	Gruitza	Miller, R.	Strittmatter
Bunt	Habay	Miller, S.	Sturla
Butkovitz	Haluska	Mundy	Tangretti
Buxton	Hanna	Myers	Taylor, E. Z.
Caltagirone	Harhai	Nailor	Taylor, J.
Cappelli	Harhart	Nickol	Thomas
Casorio	Harper	O'Brien	Tigue
Cawley	Hasay	Oliver	Trello
Civera	Hennessey	Pallone	Trich
Clark	Herman	Perzel	Tulli
Clymer	Hershey	Petrarca	Turzai
Cohen, L. I.	Hess	Petrone	Vance
Cohen, M.	Horsey	Phillips	Veon
Colafella	Hutchinson	Pickett	Vitali
Coleman	Jadlowiec	Pippy	Walko
Cornell	James	Pistella	Wansacz
Corrigan	Josephs	Preston	Washington
Costa	Kaiser	Raymond	Waters
Coy	Keller	Readshaw	Watson
Creighton	Kenney	Reinard	Williams, J.
Cruz	Kirkland	Rieger	Wilt
Curry	Krebs	Roberts	Wojnaroski
Dailey	LaGrotta	Robinson	Wright, G.
Daley	Laughlin	Roebuck	Wright, M.
Dally	Lawless	Rohrer	Yewcic
DeLuca	Lederer	Ross	Youngblood
Dermody	Leh	Rublely	Yudichak
DeWeese	Lescovitz	Ruffing	Zimmerman
DiGirolo	Levdansky	Sainato	Zug
Diven	Lewis	Samuelson	
Donatucci	Lynch	Santoni	
Eachus	Mackereth	Sather	Ryan,
Egolf	Maher		Speaker

ADDITIONS—0

NOT VOTING—0

EXCUSED—5

Belfanti	Rooney	Surra	Travaglio
Lucyk			

LEAVES CANCELED—1

Lucyk

FILMING PERMISSION

The SPEAKER. The Chair wishes to advise the members that permission has been granted to Mr. Chuck Ungar of Penn State Public Broadcast to videotape a portion of today's session, and in particular, the presentation of a citation by Representative Egolf.

ASHLEY BOLEN PRESENTED

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

recognizes the gentleman, Mr. Egolf.

Mr. EGOLF. Thank you, Mr. Speaker.

The SPEAKER. Will the gentleman yield for a moment.

Please hold the discussion down.

Mr. Egolf.

Mr. EGOLF. Thank you, Mr. Speaker.

Ladies and gentlemen of the House, I thank you for taking a few moments to honor a very special person from my district. Now, continuing a theme from yesterday in honoring special women for their outstanding accomplishments, today it is my great pleasure to introduce a young lady, Ashley Bolen, from Blain in Perry County.

Ashley has been a member of the 4-H Horse and Pony Club for 9 years, and during that time she has earned many, many awards – in fact, has been here to the floor of the House previously. Those awards include first place, national champion of illustrated speech at the All-American Quarter Horse Congress; third place in illustrated speech at the Eastern National 4-H Horse Roundup; she recently captured the Pennsylvania State championship in the 4-H State Achievement Days in the category of illustrated speech, horse related; and finally, it culminated in the 2001 Pennsylvania State Outstanding 4-H Horse Member Award.

I would like to add, Mr. Speaker, that you and the members may be interested to know that this year the 4-H movement celebrates its centennial, its 100th anniversary of its founding. With more than 6.8 million participants, 4-H is one of the leading youth development organizations in the United States. In Pennsylvania 4-H is a program of the Penn State Cooperative Extension, and I urge anyone who may be listening and watching that would like to learn more about the 4-H program to contact their local club.

Ashley is an excellent example of the positive influence that 4-H can have on the life of a young person, and I would remind you that PBS (Public Broadcasting Service) is here following Ashley to film a documentary for the 4-H centennial.

As we present Ashley with a citation from the House of Representatives, please join me in congratulating Ashley this morning. And also, I would like to introduce, before you applaud, her mother, Linda Bolen, who is over here to the left of the Speaker, and also her grandparents, Donald and Louise Vaughn, are here at the left of the Speaker. Thank you.

GUEST INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, seated in the balcony, David Scott of Shanksville, Pennsylvania, the guest of Dr. Bob Bastian. Dave is a dairy farmer from Somerset County. Would he please rise.

BLACK HISTORY MONTH PROGRAM

The SPEAKER. May I have your attention, please.

As part of the celebration and recognition of Black History Month, we have a group of singers here. We also are going to recognize Ms. Washington and Mr. Kirkland for the purpose of introducing them and making brief comments. I would appreciate the attention of the House.

The Chair at this time recognizes the lady from Philadelphia County, Ms. Washington.

Ms. WASHINGTON. Thank you, Mr. Speaker.

Good morning, colleagues in the House of Representatives.

This morning we are going to talk about gospel music, a style of African-American sacred music that arose in the 20th century incorporating improvisation, blues harmonies, and a strong feeling of swing. Gospel music builds upon longstanding traditions of black religious expression and stands as one of the most significant African-American musical creations.

Gospel music is one of the four most significant musical creations that emerged out of the African-American culture during the 20th century, yet it has received far less attention than have jazz, blues, or rap music, the other main black musical innovations. Jazz, blues, and rap attained greater recognition in part because they offer secular music in an increasingly secular age. They were also at various times perceived as controversial or subversive.

Thank you, Mr. Speaker.

Mr. KIRKLAND. Gospel music incorporates distinctly African-American traditions of performance and worship, reflecting the character of African-American spirituality. The essence of gospel performance is participation. Gospel singers employ a wide range of vocal techniques and colorings to make their music emotionally compelling and to draw their listeners in. As is true in jazz and blues, gospel musicians stress expressive range over tonal purity. They punctuate their singing with growls, dips, slides, blue notes, moans, and falsetto effects, techniques that would not seem musical to anyone schooled in the conventions of European classical music. As in jazz and blues, gospel music highlights individual expression through improvised, spontaneous creation.

Members of the House of Representatives, I introduce to you today for the Black History program Chester's own Gospel Disciples.

(A musical program was presented.)

Mr. KIRKLAND. Thank you, Mr. Speaker, and thank you, members of the House. The Gospel Disciples.

Gospel has played and continues to play an important role in the lives of African Americans, and we just wanted to share that with you today.

Mr. Speaker, I even saw Representative Gannon clapping.

We want to thank you, the Gospel Disciples. Thank you very much.

The SPEAKER. There are a number of band members that accompanied the group to Harrisburg. They are about to leave the premises, but we wanted to say hello while you are here in Harrisburg and welcome you to Harrisburg.

GUESTS INTRODUCED

The SPEAKER. There are a number of guest pages that I would like to introduce at this time.

As a guest page for Representative Steve Barrar, Amanda Wenrich, who is an eighth grader at the West Chester Christian School. She is here accompanied by her father, Philip, seated to the left of the Speaker. Amanda is on the floor. Welcome to Harrisburg.

Patrick Manchester, Todd Mark, and Scot Fuller, students from Blue Ridge School in Susquehanna County, are guest pages, here today as the guests of Representative Sandra Major.

Accompanying the students are Sue Seamans and Cheryl Manchester, who are seated in the balcony. Would this group please stand to be acknowledged.

Dan Rohrer and Dusty Church from the Bible Baptist School in Shiremanstown are here today as the guests of Representative Nailor. They are seated here in the well of the House.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. I have a letter here addressed to me from the staff of Representative Roebuck, and they say, "We would be honored if you would recognize on the House floor today the birthday of Representative James Roebuck of the 188th legislative district. . . ." I have no problem at all doing that, but they did not tell me how old he was. What are you hiding? What do you have to hide? Happy birthday. I will ask the Parliamentarian to get the Pennsylvania Manual out and see if he made a disclosure there.

GUESTS INTRODUCED

The SPEAKER. I would like to welcome to the hall of the House today Rodney Horton, serving as a guest page for Representative John Taylor. Rodney, would you please rise.

According to the Pennsylvania Manual, Mr. Roebuck, you are aged 45. Oh, born in '45. Boy, it is a good thing I cannot add and subtract.

The Chair at this time – may I have your attention, please, please – recognizes the gentleman, Mr. Horsey, for the purpose of making an introduction.

Mr. HORSEY. Thank you, Mr. Speaker.

Mr. Speaker, the person I would like to introduce to the chamber today is to me a true profile in courage, Mr. Speaker, and she also reflects that inevitably we are connected to the hip whether we want to be or not as Americans.

Mr. Speaker, I would like to take the opportunity to introduce a constituent of mine, Ms. Elsie Caldwell. Please stand for a second, Elsie, and stay standing. Ms. Caldwell has three children. She raised them herself, sent them all to college. One runs the psychology department at the University of Oklahoma; the daughter is in college; but one, Mr. Speaker, on September 11, Mr. Speaker, Elsie was in her office and she got a phone call, and it was a phone call from her son. Her son said three or four words, and those three or four words were "Mommy, I love you." Mr. Speaker, Ms. Caldwell's son was on the 102d floor of the World Trade Center, and he has not been recovered. So I would like to take the opportunity to introduce Ms. Caldwell as a true profile in courage and ask for the chamber to do the same.

Also, here in support of Ms. Caldwell for the loss of her son is Ms. Brenda Tisdale. Thank you.

The SPEAKER. The Chair is also pleased to welcome to the hall of the House today, as a guest of Representative Strittmatter and the Lancaster County delegation, Kate Garber, a junior at the – Jere, I cannot read your writing. Daypoint it looks like; Dayspring. He had to prompt me – Dayspring Christian Academy in Lancaster County. She is serving as a legislative assistant for today and is seated to the left of the Speaker. There she is. Would you please stand. Thank you.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. BUTKOVITZ called up **HR 421, PN 3273**, entitled:

A Resolution designating the week of April 7 through 14, 2002, as "Pennsylvania Sleep Awareness Week."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

Adolph	Evans, D.	Maitland	Saylor
Allen	Evans, J.	Major	Schroder
Argall	Fairchild	Manderino	Schuler
Armstrong	Feese	Mann	Scrimenti
Baker, J.	Fichter	Markosek	Semmel
Baker, M.	Fleagle	Marsico	Shaner
Bard	Flick	Mayernik	Smith, B.
Barley	Forcier	McCall	Smith, S. H.
Barrar	Frankel	McGeehan	Solobay
Bastian	Freeman	McGill	Staback
Bebko-Jones	Gabig	McIlhattan	Stairs
Belardi	Gannon	McIlhinney	Steelman
Benninghoff	Geist	McNaughton	Steil
Birmelin	George	Melio	Stern
Bishop	Godshall	Metcalfe	Stetler
Blaum	Gordner	Michlovic	Stevenson, R.
Boyes	Grucela	Micozzie	Stevenson, T.
Browne	Gruitza	Miller, R.	Strittmatter
Bunt	Habay	Miller, S.	Sturla
Butkovitz	Haluska	Mundy	Tangretti
Buxton	Hanna	Myers	Taylor, E. Z.
Caltagirone	Harhai	Nailor	Taylor, J.
Cappelli	Harhart	Nickol	Thomas
Casorio	Harper	O'Brien	Tigue
Cawley	Hasay	Oliver	Trello
Civera	Hennessey	Pallone	Trich
Clark	Herman	Perzel	Tulli
Clymer	Hershey	Petrarca	Turzai
Cohen, L. I.	Hess	Petrone	Vance
Cohen, M.	Horsey	Phillips	Veon
Colafella	Hutchinson	Pickett	Vitali
Coleman	Jadlowiec	Pippy	Walko
Cornell	James	Pistella	Wansacz
Corrigan	Josephs	Preston	Washington
Costa	Kaiser	Raymond	Waters
Coy	Keller	Readshaw	Watson
Creighton	Kenney	Reinard	Williams, J.
Cruz	Kirkland	Rieger	Wilt
Curry	Krebs	Roberts	Wojnaroski
Dailey	LaGrotta	Robinson	Wright, G.
Daley	Laughlin	Roebuck	Wright, M.
Dally	Lawless	Rohrer	Yewcic
DeLuca	Lederer	Ross	Youngblood
Dermody	Leh	Rublely	Yudichak
DeWeese	Lescovitz	Ruffing	Zimmerman
DiGirolamo	Levdansky	Sainato	Zug
Diven	Lewis	Samuelson	
Donatucci	Lynch	Santoni	
Eachus	Mackereth	Sather	Ryan, Speaker
Egolf	Maher		

NAYS—0

NOT VOTING—0

EXCUSED—5

Belfanti Rooney Surra Travaglio
Lucyk

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

* * *

Mr. LEWIS called up **HR 422, PN 3274**, entitled:

A Resolution recognizing the month of March 2002 as “National Colorectal Cancer Awareness Month” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

Adolph Evans, D. Maitland Saylor
Allen Evans, J. Major Schroder
Argall Fairchild Manderino Schuler
Armstrong Feese Mann Scrimenti
Baker, J. Fichter Markosek Semmel
Baker, M. Fleagle Marsico Shaner
Bard Flick Mayernik Smith, B.
Barley Forcier McCall Smith, S. H.
Barrar Frankel McGeehan Solobay
Bastian Freeman McGill Staback
Bebko-Jones Gabig McIlhattan Stairs
Belardi Gannon McIlhinney Steelman
Benninghoff Geist McNaughton Steil
Birmelin George Melio Stern
Bishop Godshall Metcalfe Stetler
Blauum Gordner Michlovic Stevenson, R.
Boyes Grucela Micozzie Stevenson, T.
Browne Gruitza Miller, R. Strittmatter
Bunt Habay Miller, S. Sturla
Butkovitz Haluska Mundy Tangretti
Buxton Hanna Myers Taylor, E. Z.
Caltagirone Harhai Nailor Taylor, J.
Cappelli Harhart Nickol Thomas
Casorio Harper O'Brien Tigie
Cawley Hasay Oliver Trello
Civera Hennessey Pallone Trich
Clark Herman Perzel Tulli
Clymer Hershey Petrarca Turzai
Cohen, L. I. Hess Petrone Vance
Cohen, M. Horsey Phillips Veon
Colafella Hutchinson Pickett Vitali
Coleman Jadlowiec Pippy Walko
Cornell James Pistella Wansacz
Corrigan Josephs Preston Washington
Costa Kaiser Raymond Waters
Coy Keller Readshaw Watson
Creighton Kenney Reinard Williams, J.
Cruz Kirkland Rieger Wilt
Curry Krebs Roberts Wojnaroski
Dailey LaGrotta Robinson Wright, G.
Daley Laughlin Roebuck Wright, M.
Dally Lawless Rohrer Yewcic
DeLuca Lederer Ross Youngblood
Dermody Leh Rubley Yudichak
DeWeese Lescovitz Ruffing Zimmerman
DiGiolamo Levdansky Sainato Zug
Diven Lewis Samuelson
Donatucci Lynch Santoni
Eachus Mackereth Sather Ryan,

Egolf Maher Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Belfanti Rooney Surra Travaglio
Lucyk

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

SUPPLEMENTAL CALENDAR A

RESOLUTIONS PURSUANT TO RULE 35

Mrs. TAYLOR called up **HR 423, PN 3298**, entitled:

A Resolution recognizing and supporting the Chester County Flower Show.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

Adolph Evans, D. Maitland Saylor
Allen Evans, J. Major Schroder
Argall Fairchild Manderino Schuler
Armstrong Feese Mann Scrimenti
Baker, J. Fichter Markosek Semmel
Baker, M. Fleagle Marsico Shaner
Bard Flick Mayernik Smith, B.
Barley Forcier McCall Smith, S. H.
Barrar Frankel McGeehan Solobay
Bastian Freeman McGill Staback
Bebko-Jones Gabig McIlhattan Stairs
Belardi Gannon McIlhinney Steelman
Benninghoff Geist McNaughton Steil
Birmelin George Melio Stern
Bishop Godshall Metcalfe Stetler
Blauum Gordner Michlovic Stevenson, R.
Boyes Grucela Micozzie Stevenson, T.
Browne Gruitza Miller, R. Strittmatter
Bunt Habay Miller, S. Sturla
Butkovitz Haluska Mundy Tangretti
Buxton Hanna Myers Taylor, E. Z.
Caltagirone Harhai Nailor Taylor, J.
Cappelli Harhart Nickol Thomas
Casorio Harper O'Brien Tigie
Cawley Hasay Oliver Trello
Civera Hennessey Pallone Trich
Clark Herman Perzel Tulli
Clymer Hershey Petrarca Turzai
Cohen, L. I. Hess Petrone Vance
Cohen, M. Horsey Phillips Veon
Colafella Hutchinson Pickett Vitali
Coleman Jadlowiec Pippy Walko
Cornell James Pistella Wansacz
Corrigan Josephs Preston Washington
Costa Kaiser Raymond Waters
Coy Keller Readshaw Watson
Creighton Kenney Reinard Williams, J.
Cruz Kirkland Rieger Wilt

Curry	Krebs	Roberts	Wojnaroski
Dailey	LaGrotta	Robinson	Wright, G.
Daley	Laughlin	Roebuck	Wright, M.
Dally	Lawless	Rohrer	Yewcic
DeLuca	Lederer	Ross	Youngblood
Dermody	Leh	Rubley	Yudichak
DeWeese	Lescovitz	Ruffing	Zimmerman
DiGirolamo	Levdansky	Sainato	Zug
Diven	Lewis	Samuelson	
Donatucci	Lynch	Santoni	
Eachus	Mackereth	Sather	Ryan,
Egolf	Maher		Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Belfanti	Rooney	Surra	Travaglio
Lucyk			

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

* * *

Mr. WILLIAMS called up **HR 424, PN 3299**, entitled:

A Resolution honoring the late Senator Roxanne H. Jones, a member of the General Assembly from 1984 to 1996.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-196

Adolph	Evans, D.	Maitland	Saylor
Allen	Evans, J.	Major	Schroder
Argall	Fairchild	Manderino	Schuler
Armstrong	Feese	Mann	Scrimenti
Baker, J.	Fichter	Markosek	Semmel
Baker, M.	Fleagle	Marsico	Shaner
Bard	Flick	Mayernik	Smith, B.
Barley	Forcier	McCall	Smith, S. H.
Barrar	Frankel	McGeehan	Solobay
Bastian	Freeman	McGill	Staback
Bebko-Jones	Gabig	McIlhattan	Stairs
Belardi	Gannon	McIlhinney	Steelman
Benninghoff	Geist	McNaughton	Steil
Birmelin	George	Melio	Stern
Bishop	Godshall	Metcalfe	Stetler
Blaum	Gordner	Michlovic	Stevenson, R.
Boyes	Grucela	Micozzie	Stevenson, T.
Browne	Gruitza	Miller, R.	Strittmatter
Bunt	Habay	Miller, S.	Sturla
Butkovitz	Haluska	Mundy	Tangretti
Buxton	Hanna	Myers	Taylor, E. Z.
Caltagirone	Harhai	Nailor	Taylor, J.
Cappelli	Harhart	Nickol	Thomas
Casorio	Harper	O'Brien	Tigue
Cawley	Hasay	Oliver	Trello
Civera	Hennessey	Pallone	Trich
Clark	Herman	Perzel	Tulli
Clymer	Hershey	Petrarca	Turzai
Cohen, L. I.	Hess	Petrone	Vance
Cohen, M.	Horsey	Phillips	Veon

Colafella	Hutchinson	Pickett	Vitali
Coleman	Jadlowiec	Pippy	Walko
Cornell	James	Pistella	Wansacz
Corrigan	Josephs	Preston	Washington
Costa	Kaiser	Raymond	Waters
Coy	Keller	Readshaw	Watson
Creighton	Kenney	Reinard	Williams, J.
Cruz	Kirkland	Rieger	Wilt
Curry	Krebs	Roberts	Wojnaroski
Dailey	LaGrotta	Robinson	Wright, G.
Daley	Laughlin	Roebuck	Wright, M.
Dally	Lawless	Rohrer	Yewcic
DeLuca	Lederer	Ross	Youngblood
Dermody	Leh	Rubley	Yudichak
DeWeese	Lescovitz	Ruffing	Zimmerman
DiGirolamo	Levdansky	Sainato	Zug
Diven	Lewis	Samuelson	
Donatucci	Lynch	Santoni	
Eachus	Mackereth	Sather	Ryan,
Egolf	Maher		Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Belfanti	Rooney	Surra	Travaglio
Lucyk			

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

* * *

Mrs. MILLER called up **HR 426, PN 3300**, entitled:

A Resolution recognizing the 40th anniversary of the Teen Challenge Training Center in Rehrersburg.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-196

Adolph	Evans, D.	Maitland	Saylor
Allen	Evans, J.	Major	Schroder
Argall	Fairchild	Manderino	Schuler
Armstrong	Feese	Mann	Scrimenti
Baker, J.	Fichter	Markosek	Semmel
Baker, M.	Fleagle	Marsico	Shaner
Bard	Flick	Mayernik	Smith, B.
Barley	Forcier	McCall	Smith, S. H.
Barrar	Frankel	McGeehan	Solobay
Bastian	Freeman	McGill	Staback
Bebko-Jones	Gabig	McIlhattan	Stairs
Belardi	Gannon	McIlhinney	Steelman
Benninghoff	Geist	McNaughton	Steil
Birmelin	George	Melio	Stern
Bishop	Godshall	Metcalfe	Stetler
Blaum	Gordner	Michlovic	Stevenson, R.
Boyes	Grucela	Micozzie	Stevenson, T.
Browne	Gruitza	Miller, R.	Strittmatter
Bunt	Habay	Miller, S.	Sturla
Butkovitz	Haluska	Mundy	Tangretti
Buxton	Hanna	Myers	Taylor, E. Z.
Caltagirone	Harhai	Nailor	Taylor, J.

Cappelli	Harhart	Nickol	Thomas
Casorio	Harper	O'Brien	Tigue
Cawley	Hasay	Oliver	Trello
Civera	Hennessey	Pallone	Trich
Clark	Herman	Perzel	Tulli
Clymer	Hershey	Petrarca	Turzai
Cohen, L. I.	Hess	Petrone	Vance
Cohen, M.	Horsey	Phillips	Veon
Colafella	Hutchinson	Pickett	Vitali
Coleman	Jadlowiec	Pippy	Walko
Cornell	James	Pistella	Wansacz
Corrigan	Josephs	Preston	Washington
Costa	Kaiser	Raymond	Waters
Coy	Keller	Readshaw	Watson
Creighton	Kenney	Reinard	Williams, J.
Cruz	Kirkland	Rieger	Wilt
Curry	Krebs	Roberts	Wojnaroski
Dailey	LaGrotta	Robinson	Wright, G.
Daley	Laughlin	Roebuck	Wright, M.
Dally	Lawless	Rohrer	Yewcic
DeLuca	Lederer	Ross	Youngblood
Dermody	Leh	Rubley	Yudichak
DeWeese	Lescovitz	Ruffing	Zimmerman
DiGirolamo	Levdansky	Sainato	Zug
Diven	Lewis	Samuelson	
Donatucci	Lynch	Santoni	
Eachus	Mackereth	Sather	Ryan,
Egolf	Maier		Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Belfanti	Rooney	Surra	Travaglio
Lucyk			

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

* * *

Mr. SOLOBAY called up **HR 427, PN 3301**, entitled:

A Resolution declaring March 2002 as "American Red Cross Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-196

Adolph	Evans, D.	Maitland	Saylor
Allen	Evans, J.	Major	Schroder
Argall	Fairchild	Manderino	Schuler
Armstrong	Feese	Mann	Scrimenti
Baker, J.	Fichter	Markosek	Semmel
Baker, M.	Fleagle	Marsico	Shaner
Bard	Flick	Mayernik	Smith, B.
Barley	Forcier	McCall	Smith, S. H.
Barrar	Frankel	McGeehan	Solobay
Bastian	Freeman	McGill	Staback
Bebko-Jones	Gabig	McIlhattan	Stairs
Belardi	Gannon	McIlhinney	Steelman
Benninghoff	Geist	McNaughton	Steil
Birmelin	George	Melio	Stern

Bishop	Godshall	Metcalfe	Stetler
Blaum	Gordner	Michlovic	Stevenson, R.
Boyes	Grucela	Micozzie	Stevenson, T.
Browne	Gruitza	Miller, R.	Strittmatter
Bunt	Habay	Miller, S.	Sturla
Butkovitz	Haluska	Mundy	Tangretti
Buxton	Hanna	Myers	Taylor, E. Z.
Caltagirone	Harhai	Nailor	Taylor, J.
Cappelli	Harhart	Nickol	Thomas
Casorio	Harper	O'Brien	Tigue
Cawley	Hasay	Oliver	Trello
Civera	Hennessey	Pallone	Trich
Clark	Herman	Perzel	Tulli
Clymer	Hershey	Petrarca	Turzai
Cohen, L. I.	Hess	Petrone	Vance
Cohen, M.	Horsey	Phillips	Veon
Colafella	Hutchinson	Pickett	Vitali
Coleman	Jadlowiec	Pippy	Walko
Cornell	James	Pistella	Wansacz
Corrigan	Josephs	Preston	Washington
Costa	Kaiser	Raymond	Waters
Coy	Keller	Readshaw	Watson
Creighton	Kenney	Reinard	Williams, J.
Cruz	Kirkland	Rieger	Wilt
Curry	Krebs	Roberts	Wojnaroski
Dailey	LaGrotta	Robinson	Wright, G.
Daley	Laughlin	Roebuck	Wright, M.
Dally	Lawless	Rohrer	Yewcic
DeLuca	Lederer	Ross	Youngblood
Dermody	Leh	Rubley	Yudichak
DeWeese	Lescovitz	Ruffing	Zimmerman
DiGirolamo	Levdansky	Sainato	Zug
Diven	Lewis	Samuelson	
Donatucci	Lynch	Santoni	
Eachus	Mackereth	Sather	Ryan,
Egolf	Maier		Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Belfanti	Rooney	Surra	Travaglio
Lucyk			

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

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HB 1948, PN 2537

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for real property.

SB 400, PN 1466

An Act amending the act of October 10, 1975 (P.L.383, No.110), known as the Physical Therapy Practice Act, further providing for the State Board of Physical Therapy; providing for a certificate of authorization to practice physical therapy without the required referral;

requiring professional liability insurance coverage and continuing education; and providing penalties.

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

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 930, PN 3310 (Amended) By Rep. HERMAN

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for definitions relating to consolidation or merger, for initiative of electors seeking consolidation or merger without home rule; providing for initiative of electors seeking consolidation or merger with a new home rule charter; further providing for conduct of referenda and for consolidation or merger agreement; and making editorial changes.

LOCAL GOVERNMENT.

HB 2005, PN 2629 By Rep. HERMAN

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for compensation of solicitors appointed by county officers.

LOCAL GOVERNMENT.

SB 771, PN 863 By Rep. HERMAN

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, providing for compensation of auditors for attendance at conferences, institutes, schools and conventions.

LOCAL GOVERNMENT.

SB 1011, PN 1258 By Rep. CIVERA

An Act amending the act of October 10, 1975 (P.L.383, No.110), known as the Physical Therapy Practice Act, adding a definition of "mobilization/manual therapy."

PROFESSIONAL LICENSURE.

SB 1012, PN 1259 By Rep. CIVERA

An Act amending the act of December 16, 1986 (P.L.1646, No.188), known as the Chiropractic Practice Act, adding a definition of "manipulation/adjustment."

PROFESSIONAL LICENSURE.

SB 1204, PN 1547 By Rep. HERMAN

An Act amending the act of May 9, 1949 (P.L.908, No.250), entitled, as amended, "An act relating to public records of political subdivisions other than cities and counties of the first class; authorizing the recording and copying of documents, plats, papers and instruments of writing by photostatic, photographic, microfilm or other mechanical process, and the admissibility thereof and enlargements thereof in evidence; providing for the storage of duplicates and sale of microfilm copies of official records and for the destruction of other records deemed valueless; and providing for the services of the Pennsylvania Historical and Museum Commission

to political subdivisions," further providing for methods for the copying of certain records.

LOCAL GOVERNMENT.

REPUBLICAN CAUCUS

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

Mr. ARGALL. Thank you, Mr. Speaker.

At the announcement of the recess, the House Republicans need about a 30-minute caucus downstairs.

The SPEAKER. How much time will you need for lunch and caucus, Mr. Argall?

Mr. ARGALL. An hour and a half.

DEMOCRATIC CAUCUS

The SPEAKER. Mr. Cohen.

Mr. COHEN. That seems reasonable to me, Mr. Speaker.

The SPEAKER. Are you going to have a caucus?

Mr. COHEN. Yes, we will have caucus. We will go over some amendments that we did not go over. There will also be some informal discussions, and maybe 2 o'clock?

The SPEAKER. Are the two of you together? You are going to eat first and then go to caucus or caucus first and then eat?

Mr. ARGALL. We are to go to caucus first.

The SPEAKER. Mr. Cohen.

Mr. COHEN. Do caucus first.

The SPEAKER. Very good.

RECESS

The SPEAKER. Does the majority leader or minority leader have any further business before the declaration of a recess? Any members have anything to report or correct the record?

Hearing none, this House will stand in recess until 1:30 p.m., unless sooner recalled or extended by the Chair.

AFTER RECESS

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

ACTUARIAL NOTES

The SPEAKER. The Chair acknowledges receipt of the following actuarial notes: HB 1547, PN 2789, as amended by amendment 4291; HB 2187, PN 2947; an actuarial note for HB 2227, PN 3051; and another one for HB 1363, PN 3059.

(Copies of actuarial notes are on file with the Journal clerk.)

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 429 By Representatives PIPPY, BENNINGHOFF, ARGALL, ARMSTRONG, M. BAKER, BASTIAN, BUXTON, CALTAGIRONE, CAPPELLI, CLYMER, M. COHEN,

CREIGHTON, DAILEY, DALLY, DeWEESE, DONATUCCI, J. EVANS, FICHTER, GABIG, GEIST, GEORGE, GRUITZA, HARHAI, HENNESSEY, HERSHEY, HESS, KELLER, LAUGHLIN, LESCOVITZ, MANN, MARKOSEK, McCALL, McGEEHAN, McILHATTAN, MELIO, MICHLOVIC, R. MILLER, PETRARCA, READSHAW, ROSS, RUBLEY, SAMUELSON, SANTONI, SATHER, SAYLOR, SHANER, SOLOBAY, R. STEVENSON, T. STEVENSON, STURLA, SURRA, E. Z. TAYLOR, TIGUE, TRICH, TURZAI, WATSON, J. WILLIAMS, WOJNAROSKI, YOUNGBLOOD, LEH, COSTA, ROBERTS, BROWNE, HASAY, ALLEN and JOSEPHS

A Concurrent Resolution urging the President of the United States to act quickly on the recommendations of the International Trade Commission regarding the domestic steel industry.

Referred to Committee on RULES, February 12, 2002.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2053, PN 3295**, entitled:

An Act amending the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921, further providing for the order of distribution of claims from insurer's estate.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that HB 2053 be recommitted to the Committee on Rules.

On the question,
Will the House agree to the motion?
Motion was agreed to.

* * *

The House proceeded to third consideration of **HB 307, PN 324**, entitled:

An Act amending the act of August 24, 1951 (P.L.1304, No.315), known as the Local Health Administration Law, further providing for State grants to county departments of health and to certain municipalities.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that HB 307 be recommitted to the Committee on Rules.

On the question,

Will the House agree to the motion?
Motion was agreed to.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair notes the presence in the hall of the House of the gentleman, Mr. Lucyk, and directs the clerk to remove Mr. Lucyk from the leave list.

RESOLUTION

Ms. STEELMAN called up **HR 396, PN 3162**, entitled:

A Resolution condemning the Aryan Nations and its Youth Congress scheduled to be held April 20, 2002, in Ulysses, Potter County, Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

Adolph	Evans, D.	Maher	Saylor
Allen	Evans, J.	Maitland	Schroder
Argall	Fairchild	Major	Schuler
Armstrong	Feese	Manderino	Scrimenti
Baker, J.	Fichter	Mann	Semmel
Baker, M.	Fleagle	Markosek	Shaner
Bard	Flick	Marsico	Smith, B.
Barley	Forcier	Mayernik	Smith, S. H.
Barrar	Frankel	McCall	Solobay
Bastian	Freeman	McGeehan	Staback
Bebko-Jones	Gabig	McGill	Stairs
Belardi	Gannon	McIlhattan	Steelman
Benninghoff	Geist	McIlhinney	Steil
Birmelin	George	McNaughton	Stern
Bishop	Godshall	Melio	Stetler
Blaum	Gordner	Metcalfe	Stevenson, R.
Boyes	Grucela	Michlovic	Stevenson, T.
Browne	Gruitza	Micozzie	Strittmatter
Bunt	Habay	Miller, R.	Sturla
Butkovitz	Haluska	Miller, S.	Tangretti
Buxton	Hanna	Mundy	Taylor, E. Z.
Caltagirone	Harhai	Myers	Taylor, J.
Cappelli	Harhart	Nailor	Thomas
Casorio	Harper	Nickol	Tigue
Cawley	Hasay	O'Brien	Trello
Civera	Hennessey	Oliver	Trich
Clark	Herman	Pallone	Tulli
Clymer	Hershey	Perzel	Turzai
Cohen, L. I.	Hess	Petrarca	Vance
Cohen, M.	Horsey	Petrone	Veon
Colafella	Hutchinson	Phillips	Vitali
Coleman	Jadlowiec	Pickett	Walko
Cornell	James	Pippy	Wansacz
Corrigan	Josephs	Pistella	Washington
Costa	Kaiser	Preston	Waters
Coy	Keller	Raymond	Watson
Creighton	Kenney	Readshaw	Williams, J.
Cruz	Kirkland	Reinard	Wilt
Curry	Krebs	Rieger	Wojnaroski
Dailey	LaGrotta	Roberts	Wright, G.
Daley	Laughlin	Robinson	Wright, M.
Dally	Lawless	Roebuck	Yewcic
DeLuca	Lederer	Rohrer	Youngblood
Dermody	Leh	Ross	Yudichak
DeWeese	Lescovitz	Rubley	Zimmerman
DiGirolamo	Levdansky	Ruffing	Zug

Diven	Lewis	Sainato	
Donatucci	Lucyk	Samuelson	
Eachus	Lynch	Santoni	Ryan,
Egolf	Mackereth	Sather	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—4

Belfanti	Rooney	Surra	Travaglio
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 978, PN 1174**, entitled:

An Act amending the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, providing for the alternative collection of taxes.

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

Mr. **GEORGE** offered the following amendment No. **A0406**:

Amend Sec. 2 (Sec. 201.1), page 2, by inserting between lines 25 and 26

(c) Any person authorized to perform services as an employe of a private sector entity that is appointed and compensated under this section shall be deemed an employe for purposes of the act of December 12, 1986 (P.L.1559, No.169), known as the "Whistleblower Law."

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. The Chair apologizes to the gentleman, Mr. McNaughton, who had indicated that he wished to speak on this amendment.

The clerk will strike the vote.

Mr. McNaughton.

Mr. McNAUGHTON. Thank you, Mr. Speaker.

I apologize I did not grab you sooner.

This is an amendment, on this particular bill, that has to do with the Whistleblower Law. Now, according to the way I read the Whistleblower Law, which is here in my hand, under the definitions it states an employer is "...an agent of a public body." What this bill is proposing to do is allowing a public body, county governments, to privatize tax collection and hire an agent. The agent for the public body under the Whistleblower Law definition would be any private company. What I am trying to say is that this amendment to this bill is not necessary because this bill is already encompassing the Whistleblower Act. It is a redundant piece of legislation; it is not necessary, and I would vote that we vote this

amendment down and move the bill out of the House of Representatives because it is already covered in the Whistleblower Law.

The SPEAKER. Mr. George.

Mr. GEORGE. Mr. Speaker, there are many times when we will stand before this body and say that this is what we believe is needed and this is why we need it. Whether it be before your time, Mr. Speaker, or mine, there is always a need for remedial attention. My fine colleague came to me yesterday and said, I think what you are trying to do is already in law, and yet, Mr. Speaker, when I talk to people that are learned in the law, three out of four say we do not see where it is in the law.

Mr. Speaker, I am reminded that when I watched TV last night, a little bit on the national channel— Mr. Speaker, I will not be long, if you can keep them just quiet enough that I can hear myself, because I really get a lot of pleasure out of listening to myself.

The SPEAKER. Someone should.

Mr. GEORGE. Well, with a little patience, I will convince you.

The SPEAKER. Please. The gentleman, Mr. George, is entitled to be heard.

Mr. George, I am listening.

Mr. GEORGE. I saw our colleague, Congressman Greenwood, trying to get answers from a multitude of people who for some reason do not have any answers as to why a company was allowed to abscond with not millions but billions of dollars. Now, we will spend millions and millions of dollars in Washington attempting to find out just what happened, and the truth of the matter is that it dare not dare come out of what happened, because there is nothing in the law that would have allowed someone to come forward and say, as I am saying, Mr. Speaker, look, somebody is gouging, somebody is stealing.

Now, I know, Mr. Speaker, that this bill and this amendment is geared toward the private interest, and I know very well that in local government and things of that nature, through your intervention, Mr. Speaker, we have whistleblowing law. But, you know, we can blow and blow and we will not huff anything in until, Mr. Speaker, we have got to take these specific interests, these individual interests, and we have to show an interest, Mr. Speaker, in the well-being and the welfare and the rights of these individuals that have moneys invested.

Now, this bill will allow your counties to go out and intervene and hire individual private tax collectors, and I would not say anything about the gentleman that stood up saying this is no good, but I have been around long enough to watch what some of these private tax collectors have done to some of our people, where they have sent those bills to older people that did not really deserve a bill, where they came in and put a document in the mailbox that was illegal, where they scared these older citizens on a \$10 per capita tax, and before you know it, they were paying a \$35 and \$40 cost just for the school to be able to collect that \$10.

There is not anything in the going law, because, Mr. Speaker, I had people research that that I believe are intelligent, like most of the people are in here that are learned in the law, and all I am saying, that if you are going to force government and government officials and if we are going to continue to say it is only government officials that steal, government officials that are lackadaisical, government officials that do not care about your dollar, government officials that we have to watch with such scrutiny, I am saying to you that Enron was not a government official and many of these insurance companies that will be

looking to bear in the future are not governmental units.

Suppose there would be a school and that school would attempt, because of these Federal or State dollars, to insist that now maybe we are a governmental official, and all this bill does, that if in fact it is already in the law and I have to have five or six people of the genius that we have here to sit around the corner and make a determination of whether it is in the bill or whether it is not in the bill, then my answer to you, Mr. Speaker, let us put the darn thing in the bill. Then I do not need people like you to make a determination at \$300 an hour. That is why I think we ought to pass this bill.

Thank you, Mr. Speaker.

The SPEAKER. Mr. Buxton.

Mr. BUXTON. Thank you, Mr. Speaker.

The SPEAKER. Pardon me, Mr. Buxton.

Mr. George, you were not suggesting that you are paying me now \$300 an hour, were you? Why have you cut my rates?

Mr. GEORGE. Mr. Speaker, I came down here some almost 30 years ago when you were still a young man. I have been proud of the fact that the people in that 74th District elected me in a district that is not Republican or is not Democrat. We vote for the people. I, hopefully, will take a hard look—

The SPEAKER. Mr. George, the question was my fees.

Mr. GEORGE. Mr. Speaker, I am embarrassed to tell you there are very few people that I respect as I do you. You are as partisan as Patty's pig, but you are a gentleman and you are honorable, and I love you dearly. The only thing is, you vote wrong lots of times, Mr. Speaker, I have got to tell you that.

The SPEAKER. And I never learned to keep my big mouth shut, either.

Mr. Buxton.

Mr. BUXTON. Thank you, Mr. Speaker.

My advice will be free.

However, I recognize the passion that the gentleman from Clearfield County has on this issue, but I have been assured that Federal law would preclude his initial amendment today for the whistleblower statute, and therefore, I would request the members to reject the gentleman's amendment so that we can pass this bill and send it on to the Governor clean, the way it has been presented to us by the Senate. I have been assured that if private sector employees are involved in the collection of delinquent taxes, that those collections would fall under the Federal Whistleblower Act, and therefore, there would not be a need for the gentleman's amendment from Centre County.

Therefore, I would ask the House to vote "no" on the George amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Mr. McNaughton, for the second time.

Mr. McNAUGHTON. Thank you, Mr. Speaker.

I am not going to belabor the point. I think my colleague from Dauphin County said it very clearly, but I do want to assure the members that in this piece of legislation, if this is privatized and a private firm does the collections, they have to abide by the same regulations, the same rules, the same timeframes, the same notice, the same everything that the public tax collection agency would have to abide by. There is nothing in this that allows them to do anything different other than allowing the privatization of the collection process. That is all that you are doing here.

The whistleblower statute applies to the idea of agent. It is mentioned in the bill that the private company would be an agent of the public entity. Therefore, it qualifies under the definition of

the Whistleblower Law. The employees therefore would also qualify under the definition of the Whistleblower Law.

It is a redundant amendment; it is not necessary, and I would urge the members for a "no" vote. Thank you.

The SPEAKER. The gentleman, Mr. George, for the second time on the issue.

Mr. GEORGE. Mr. Speaker, I figure if you cannot do it the first time, you do not need three times, but I am again going to make the gentleman aware that if it is wrong, being wrong two times does not make it right.

All we are saying is, please be reminded what a whistleblow activity is. It is a matter where you protect an individual through conscience or appraisal or dedication or simple integrity that absolutely feared for his or her job or position or responsibility, and because they can no longer live with what they are seeing and their family's future and their jobs are at stake, that is why you and I pass whistleblower legislation.

But what I am saying, the man says, do not do it again because we have already got it, but what if we do not got it? I suggest to you, let us get it.

Thank you very much.

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

The following roll call was recorded:

YEAS—85

Bebko-Jones	George	Manderino	Santoni
Belardi	Gordner	Mann	Scrimenti
Bishop	Grucela	McCall	Shaner
Blaum	Gruitza	McGeehan	Solobay
Butkovitz	Haluska	McIlhinney	Staback
Caltagirone	Hanna	Melio	Steelman
Casorio	Harhai	Michlovic	Tangretti
Cawley	Hasay	Mundy	Thomas
Cohen, M.	Herman	Myers	Tigue
Colafella	Horsey	Oliver	Trello
Corrigan	James	Pallone	Trich
Coy	Josephs	Petrarca	Veon
Cruz	Keller	Petrone	Vitali
Curry	Kirkland	Pistella	Wansacz
Daley	LaGrotta	Preston	Washington
DeLuca	Laughlin	Rieger	Waters
Dermody	Lawless	Roberts	Williams, J.
DeWeese	Lederer	Robinson	Wright, G.
Donatucci	Lescovitz	Roebuck	Yewcic
Eachus	Levdansky	Sainato	Youngblood
Evans, D.	Lucyk	Samuelson	Yudichak
Freeman			

NAYS—112

Adolph	Egolf	Maitland	Schroder
Allen	Evans, J.	Major	Schuler
Argall	Fairchild	Markosek	Semmel
Armstrong	Feese	Marsico	Smith, B.
Baker, J.	Fichter	Mayernik	Smith, S. H.
Baker, M.	Fleagle	McGill	Stairs
Bard	Flick	McIlhattan	Steil
Barley	Forcier	McNaughton	Stern
Barrar	Frankel	Metcalfe	Stetler
Bastian	Gabig	Micozzie	Stevenson, R.
Benninghoff	Gannon	Miller, R.	Stevenson, T.
Birmelin	Geist	Miller, S.	Strittmatter
Boyes	Godshall	Nailor	Sturla
Browne	Habay	Nickol	Taylor, E. Z.

Bunt	Harhart	O'Brien	Taylor, J.
Buxton	Harper	Perzel	Tulli
Cappelli	Hennessey	Phillips	Turzai
Civera	Hershey	Pickett	Vance
Clark	Hess	Pippy	Walko
Clymer	Hutchinson	Raymond	Watson
Cohen, L. I.	Jadlowiec	Readshaw	Wilt
Coleman	Kaiser	Reinard	Wojnaroski
Cornell	Kenney	Rohrer	Wright, M.
Costa	Krebs	Ross	Zimmerman
Creighton	Leh	Rubley	Zug
Dailey	Lewis	Ruffing	
Dally	Lynch	Sather	
DiGirolamo	Mackereth	Saylor	Ryan,
Diven	Maher		Speaker

NOT VOTING—0

EXCUSED—4

Belfanti	Rooney	Surra	Travaglio
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Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was not agreed to.

On the question recurring,
Will the House agree to the bill on third consideration?
Bill was agreed to.

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?

(The bill analysis was read.)

The SPEAKER. Mrs. Forcier, on the question of final passage.
Mrs. FORCIER. Thank you, Mr. Speaker.

I had the opportunity this morning to contact Fred Wagner, who is our Crawford County treasurer, plus he also is the head of the tax claim bureau. I had mentioned this bill to him to get his opinion, and he gave me a little heads-up of what his opinion was. I am taking it very seriously, and I thought I would share this with the chamber. He said that what could happen if you privatize does not always mean you are going to save money. He said he can speak for Crawford County that he is diligent with money, and we know that; that is why he gets reelected. However, he told me that there are three entities that we are talking about – local, school, and county. He said if the county commissioners have an option to privatize, it could possibly mean that three different entities of collection agencies would be sending our constituents bills, or if they wanted to go personally pay their bills, they would have to go to three different places, which may not even be local.

So I thought that I would share that with the chamber and let both sides of the aisle know that I will not be supporting this bill.

Thank you, Mr. Speaker.

The SPEAKER. On the question of final passage,
Mr. McNaughton.

Mr. McNAUGHTON. Thank you, Mr. Speaker.

In light of the previous speaker, I would like to clarify one item: this has reference only to delinquent taxes. This is only the collection of delinquent taxes, and this is totally an option for any county; this is absolutely an option. It is not a mandate to provide

anything. It is only for delinquent taxes. It is not for the daily or yearly annual collection of taxes that are not delinquent.

Thank you.

The SPEAKER. The gentleman, Mr. Gordner.

Mr. GORDNER. Thank you, Mr. Speaker.

Likewise, as a previous speaker, I am going to be voting against this bill. The Columbia County Tax Claim Bureau does a good job and a fair job.

It comes to mind of just 2 weeks ago I had a constituent who came to my office and had received notice from a private tax collection agency for the municipality, and they let my constituent know that he owed a per capita tax from '83, '82, '81, and 1980, and they also let him know he had 2 weeks in order to pay those delinquent per capita taxes from '80, '81, '82, '83 along with penalty or interest. Well, he said, I paid those, and the private collection entity said, prove it. If you cannot prove it, you owe it, and if you do not pay it, we are going to go after attaching any income or filing a lien against your property. I contacted the private tax collection agency, and they were unwilling to be helpful or work at all. They said, this person needs to bring forward their checks showing that they paid it 18, 19, 20 years ago or else pay it. The guy ended up paying it because he did not want a lien against his property, but it is an example of how private tax collection agencies that deal with delinquent taxes treat constituents. I do not recall any instance involving my tax claim bureau for the county ever doing something close to those lines, and yet I have had numerous occasions with private tax collection agencies doing that sort of thing. I would not want to allow it for these types of taxes, and so I will be voting "no."

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. Costa.

Mr. COSTA. Mr. Speaker, thank you.

Is it possible to interrogate somebody on this bill, please?

The SPEAKER. Mr. McNaughton?

Mr. Herman will stand for interrogation. You may proceed.

Mr. COSTA. Thank you, Mr. Speaker.

One of the previous speakers, actually my good friend from Dauphin County—

The SPEAKER. Will the gentleman yield, please.

The conferences on the floor, please cease.

Mr. Costa.

Mr. COSTA. Thank you, Mr. Speaker.

Earlier one of the previous speakers, my good friend from Dauphin County, the soon-to-be attorney, made a comment that any county can hire somebody to do this. I just want to clarify for the record, it is my understanding that Philadelphia and Allegheny Counties are excluded from that bill. Is that correct?

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

In fact, the gentleman asked me that question prior to our break, and I informed him at that time that Allegheny County was exempted from the provisions of this bill. However, I wanted to make absolutely certain, and I brought with me a document provided by the Local Government Commission entitled the Pennsylvania Real Estate Tax Sale Law, Act 542 of 1947, and in that, if you refer to page 15 of this document, "Exceptions. The following taxing districts are not included in or subject to the provisions of this law: Philadelphia...County of Allegheny...Scranton." So that clarifies that.

I want to thank the gentleman for bringing it to our attention, and I appreciate making these remarks on the record so that he is assured that Allegheny County and Philadelphia are not part of this legislation.

Mr. COSTA. Thank you, Mr. Speaker.

I appreciate the response.

The SPEAKER. Mr. Herman, on the question.

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

In hearing some of the comments of the previous speakers, I want to apprise the members of what the impact of this bill is on final passage, and that is that this is not a mandate in any way whatsoever. This is an option for county commissioners to implement if they so desire to do so. Many county commissioners may not want to do that on behalf of their constituents in that county; others may want to take advantage of the provisions of the bill. This is an option, not a mandate.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Lewis.

Mr. LEWIS. Thank you, Mr. Speaker.

I also want to emphasize the protaxpayer elements of this bill. It gives county commissioners an additional tool. They do not have to use it; it is not mandatory, but just like in our county, where we are 5 years behind on judiciary sales, on judicial sales in the tax claim department, we are 5 years behind. We need a bill like this to prod along the tax claim bureau to make sure they are following the law.

Thank you, Mr. Speaker.

The SPEAKER. Anyone further?

On the question recurring,

Shall the bill pass finally?

The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—154

Adolph	Diven	Lucyk	Rohrer
Allen	Donatucci	Lynch	Ross
Argall	Egolf	Mackereth	Rubley
Armstrong	Evans, D.	Maher	Sainato
Baker, J.	Fairchild	Maitland	Santoni
Bard	Feese	Major	Saylor
Barley	Fichter	Manderino	Schroder
Barrar	Fleagle	Mann	Scrimenti
Bastian	Flick	Markosek	Semmel
Bebko-Jones	Frankel	Marsico	Smith, B.
Belardi	Gabig	Mayernik	Smith, S. H.
Benninghoff	Gannon	McCall	Solobay
Birmelin	Godshall	McGeehan	Staback
Bishop	Grucela	McGill	Stairs
Blaum	Habay	McIlhattan	Steil
Browne	Hanna	McIlhinney	Stetler
Bunt	Harhart	McNaughton	Stevenson, R.
Butkovitz	Harper	Metcalfe	Stevenson, T.
Buxton	Hennessey	Michlovic	Strittmatter
Caltagirone	Herman	Micozzie	Sturla
Cappelli	Hershey	Miller, R.	Taylor, E. Z.
Cawley	Hess	Myers	Taylor, J.
Civera	Horsey	Nailor	Thomas
Clark	Hutchinson	Nickol	Tigue
Clymer	Jadlowiec	O'Brien	Trich
Cohen, L. I.	James	Oliver	Tulli
Cohen, M.	Josephs	Perzel	Vance
Coleman	Kaiser	Petrone	Vitali
Cornell	Keller	Phillips	Wansacz

Costa	Kenney	Pippy	Washington
Creighton	Kirkland	Pistella	Waters
Cruz	Krebs	Preston	Watson
Curry	LaGrotta	Raymond	Williams, J.
Dailey	Lawless	Readshaw	Wright, G.
Daley	Lederer	Reinard	Wright, M.
Dally	Leh	Rieger	Youngblood
DeLuca	Lescovitz	Robinson	Yudichak
Dermody	Levdansky	Roebuck	Zug
DiGirolamo	Lewis		

NAYS—43

Baker, M.	George	Petrarca	Trello
Boyes	Gordner	Pickett	Turzai
Casorio	Gruitza	Roberts	Veon
Colafella	Haluska	Ruffing	Walko
Corrigan	Harhai	Samuelson	Wilt
Coy	Hasay	Sather	Wojnarowski
DeWeese	Laughlin	Schuler	Yewcic
Eachus	Melio	Shaner	Zimmerman
Evans, J.	Miller, S.	Steelman	
Forcier	Mundy	Stern	Ryan,
Freeman	Pallone	Tangretti	Speaker
Geist			

NOT VOTING—0

EXCUSED—4

Belfanti	Rooney	Surra	Travaglio
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

GUEST INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today a special guest brought here by Representative Youngblood.

Ms. Lynne Carter is being honored today with the Outstanding Citizen Award for Black History Month. She is also celebrating her 20th year as an international boxing judge, if you please. She began that career in Philadelphia and has traveled all over the world to officiate and, on some occasions, has been the first female or African-American female to participate in foreign countries on an international level.

She has judged such boxers as George Foreman, Evander Holyfield, Mike Tyson, Bernard Hopkins, and Roy Jones. She is also the only official who learned the basics of boxing from Smokin' Joe Frazier himself.

The House welcomes the lady. We ask her to stand to be acknowledged. Welcome to Harrisburg. I will bet she could tell some stories.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 769, PN 1671**, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for members of the civil service commission, for organization and a quorum of the commission and for compensation.

On the question,
Will the House agree to the bill on third consideration?
Bill was agreed to.

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?

(The bill analysis was read.)

On the question recurring,
Shall the bill pass finally?

The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—197

Adolph	Evans, D.	Maher	Saylor
Allen	Evans, J.	Maitland	Schroder
Argall	Fairchild	Major	Schuler
Armstrong	Feese	Manderino	Scrimenti
Baker, J.	Fichter	Mann	Semmel
Baker, M.	Fleagle	Markosek	Shaner
Bard	Flick	Marsico	Smith, B.
Barley	Forcier	Mayernik	Smith, S. H.
Barrar	Frankel	McCall	Solobay
Bastian	Freeman	McGeehan	Staback
Bebko-Jones	Gabig	McGill	Stairs
Belardi	Gannon	McIlhattan	Steelman
Benninghoff	Geist	McIlhinney	Steil
Birmelin	George	McNaughton	Stern
Bishop	Godshall	Melio	Stetler
Blaum	Gordner	Metcalfe	Stevenson, R.
Boyes	Grucela	Michlovic	Stevenson, T.
Browne	Gruitza	Micozzie	Strittmatter
Bunt	Habay	Miller, R.	Sturla
Butkovitz	Haluska	Miller, S.	Tangretti
Buxton	Hanna	Mundy	Taylor, E. Z.
Caltagirone	Harhai	Myers	Taylor, J.
Cappelli	Harhart	Nailor	Thomas
Casorio	Harper	Nickol	Tigue
Cawley	Hasay	O'Brien	Trello
Civera	Hennessey	Oliver	Trich
Clark	Herman	Pallone	Tulli
Clymer	Hershey	Perzel	Turzai
Cohen, L. I.	Hess	Petrarca	Vance
Cohen, M.	Horsey	Petrone	Veon
Colafella	Hutchinson	Phillips	Vitali
Coleman	Jadlowiec	Pickett	Walko
Cornell	James	Pippy	Wansacz
Corrigan	Josephs	Pistella	Washington
Costa	Kaiser	Preston	Waters
Coy	Keller	Raymond	Watson
Creighton	Kenney	Readshaw	Williams, J.
Cruz	Kirkland	Reinard	Wilt
Curry	Krebs	Rieger	Wojnaroski
Dailey	LaGrotta	Roberts	Wright, G.
Daley	Laughlin	Robinson	Wright, M.
Dally	Lawless	Roebuck	Yewcic
DeLuca	Lederer	Rohrer	Youngblood
Dermody	Leh	Ross	Yudichak
DeWeese	Lescovitz	Rublely	Zimmerman

DiGirolamo	Levdansky	Ruffing	Zug
Diven	Lewis	Sainato	
Donatucci	Lucyk	Samuelson	
Eachus	Lynch	Santoni	Ryan,
Egolf	Mackereth	Sather	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—4

Belfanti	Rooney	Surra	Travaglio
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

* * *

The House proceeded to third consideration of **SB 768, PN 858**, entitled:

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for borough councils' and mayors' salaries.

On the question,
Will the House agree to the bill on third consideration?
Bill was agreed to.

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?

(The bill analysis was read.)

On the question recurring,
Shall the bill pass finally?

The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—197

Adolph	Evans, D.	Maher	Saylor
Allen	Evans, J.	Maitland	Schroder
Argall	Fairchild	Major	Schuler
Armstrong	Feese	Manderino	Scrimenti
Baker, J.	Fichter	Mann	Semmel
Baker, M.	Fleagle	Markosek	Shaner
Bard	Flick	Marsico	Smith, B.
Barley	Forcier	Mayernik	Smith, S. H.
Barrar	Frankel	McCall	Solobay
Bastian	Freeman	McGeehan	Staback
Bebko-Jones	Gabig	McGill	Stairs
Belardi	Gannon	McIlhattan	Steelman
Benninghoff	Geist	McIlhinney	Steil

Birmelin	George	McNaughton	Stern
Bishop	Godshall	Melio	Stetler
Blaum	Gordner	Metcalfe	Stevenson, R.
Boyes	Grucela	Michlovic	Stevenson, T.
Browne	Gruitza	Micozzie	Strittmatter
Bunt	Habay	Miller, R.	Sturla
Butkovitz	Haluska	Miller, S.	Tangretti
Buxton	Hanna	Mundy	Taylor, E. Z.
Caltagirone	Harhai	Myers	Taylor, J.
Cappelli	Harhart	Nailor	Thomas
Casorio	Harper	Nickol	Tigue
Cawley	Hasay	O'Brien	Trello
Civera	Hennessey	Oliver	Trich
Clark	Herman	Pallone	Tulli
Clymer	Hershey	Perzel	Turzai
Cohen, L. I.	Hess	Petrarca	Vance
Cohen, M.	Horshey	Petrone	Veon
Colafella	Hutchinson	Phillips	Vitali
Coleman	Jadlowiec	Pickett	Walko
Cornell	James	Pippy	Wansacz
Corrigan	Josephs	Pistella	Washington
Costa	Kaiser	Preston	Waters
Coy	Keller	Raymond	Watson
Creighton	Kenney	Readshaw	Williams, J.
Cruz	Kirkland	Reinard	Wilt
Curry	Krebs	Rieger	Wojnaroski
Dailey	LaGrotta	Roberts	Wright, G.
Daley	Laughlin	Robinson	Wright, M.
Dally	Lawless	Roebuck	Yewcic
DeLuca	Lederer	Rohrer	Youngblood
Dermody	Leh	Ross	Yudichak
DeWeese	Lescovitz	Rubley	Zimmerman
DiGirolamo	Levdansky	Ruffing	Zug
Diven	Lewis	Sainato	
Donatucci	Lucyk	Samuelson	
Eachus	Lynch	Santoni	Ryan,
Egolf	Mackereth	Sather	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-4

Belfanti	Rooney	Surra	Travaglio
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

SUPPLEMENTAL CALENDAR C

RESOLUTION PURSUANT TO RULE 35

Mr. SCHRODER called up **HR 428, PN 3311**, entitled:

A Resolution designating February 19, 2002, as "Phi Kappa Psi Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

Adolph	Evans, D.	Maher	Saylor
Allen	Evans, J.	Maitland	Schroder
Argall	Fairchild	Major	Schuler
Armstrong	Feese	Manderino	Scrimenti
Baker, J.	Fichter	Mann	Semmel
Baker, M.	Fleagle	Markosek	Shaner
Bard	Flick	Marsico	Smith, B.
Barley	Forcier	Mayernik	Smith, S. H.
Barrar	Frankel	McCall	Solobay
Bastian	Freeman	McGeehan	Staback
Bebko-Jones	Gabig	McGill	Stairs
Belardi	Gannon	McIlhattan	Steelman
Benninghoff	Geist	McIlhinney	Steil
Birmelin	George	McNaughton	Stern
Bishop	Godshall	Melio	Stetler
Blaum	Gordner	Metcalfe	Stevenson, R.
Boyes	Grucela	Micozzie	Stevenson, T.
Browne	Gruitza	Micozzie	Strittmatter
Bunt	Habay	Miller, R.	Sturla
Butkovitz	Haluska	Miller, S.	Tangretti
Buxton	Hanna	Mundy	Taylor, E. Z.
Caltagirone	Harhai	Myers	Taylor, J.
Cappelli	Harhart	Nailor	Thomas
Casorio	Harper	Nickol	Tigue
Cawley	Hasay	O'Brien	Trello
Civera	Hennessey	Oliver	Trich
Clark	Herman	Pallone	Tulli
Clymer	Hershey	Perzel	Turzai
Cohen, L. I.	Hess	Petrarca	Vance
Cohen, M.	Horshey	Petrone	Veon
Colafella	Hutchinson	Phillips	Vitali
Coleman	Jadlowiec	Pickett	Walko
Cornell	James	Pippy	Wansacz
Corrigan	Josephs	Pistella	Washington
Costa	Kaiser	Preston	Waters
Coy	Keller	Raymond	Watson
Creighton	Kenney	Readshaw	Williams, J.
Cruz	Kirkland	Reinard	Wilt
Curry	Krebs	Rieger	Wojnaroski
Dailey	LaGrotta	Roberts	Wright, G.
Daley	Laughlin	Robinson	Wright, M.
Dally	Lawless	Roebuck	Yewcic
DeLuca	Lederer	Rohrer	Youngblood
Dermody	Leh	Ross	Yudichak
DeWeese	Lescovitz	Rubley	Zimmerman
DiGirolamo	Levdansky	Ruffing	Zug
Diven	Lewis	Sainato	
Donatucci	Lucyk	Samuelson	
Eachus	Lynch	Santoni	Ryan,
Egolf	Mackereth	Sather	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-4

Belfanti	Rooney	Surra	Travaglio
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

RULES COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Smith, calls an immediate

meeting of the Rules Committee.

RESOLUTION REPORTED FROM COMMITTEE

HR 429, PN 3312

By Rep. S. SMITH

A Concurrent Resolution urging the President of the United States to act quickly on the recommendations of the International Trade Commission regarding the domestic steel industry.

RULES.

BILL REREPORTED FROM COMMITTEE

HB 924, PN 2255

By Rep. S. SMITH

An Act amending the act of June 3, 1937 (P.L. 1333, No. 320), known as the Pennsylvania Election Code, further providing for district election boards, for appointment of watchers, for manner of signing nominating petitions or papers and for number of signers required for nomination petitions for candidates at primaries.

RULES.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today James Simmons – he is the president of Future Business Leaders of America – together with Linda White, an adviser, both of them from Waynesboro, the guests of Representative Pat Fleagle. Would these folks please rise.

TRANSPORTATION COMMITTEE MEETING

The SPEAKER. Mr. Geist.

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

While we are at ease a little bit here, I would like to announce a meeting of the Transportation Committee when we are finished here today at the back of the House. Transportation Committee at the back of the House.

The SPEAKER. The Chair thanks the gentleman.

The Chair is awaiting— The minority leader had to leave the floor for a minute, and I know he wants to make comments on the next resolution.

Are there any announcements or anything?

STATEMENT BY MR. CLYMER

The SPEAKER. Mr. Clymer, did you seek recognition?

Mr. CLYMER. Unanimous consent, Mr. Speaker.

The SPEAKER. The gentleman is in order.

Mr. CLYMER. Thank you.

Mr. Speaker, today is February 12, the birthday of Abraham Lincoln, and—

The SPEAKER. Will the gentleman yield?

Mr. CLYMER. Yes.

The SPEAKER. Please—

Mr. CLYMER. And I have before me—

The SPEAKER. The gentleman will yield.

Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

—and I have before me a resume that was submitted by Heather Krout, an eighth grade student at the Pennridge South Middle School in Perkasio, and I thought it would be very appropriate to read this afternoon what she has said about our 16th President, Abraham Lincoln.

On this day, February 12, 1809, in Hardin County, Kentucky, our 16th President, Abraham Lincoln, was born. He was the first-born son of Thomas and Nancy Hanks Lincoln. He was born in a log cabin on the family farm. He had an older sister, Sarah, born in 1807. In 1812 his younger brother Thomas was born and died in infancy. Tragically, on October 5, 1818, his mother died of a long illness. Abe was only 9 years old at that time. In 1819 Thomas Lincoln remarried. Young Abe often referred to his stepmother as “my angel mother.” Nine years later his sister Sarah died in childbirth.

Young Abe Lincoln had less than 1 year of formal education. His stepmother encouraged his quest for knowledge, and although books were scarce on the frontier, he was well versed in the Bible. In 1832 Abe Lincoln was in his first campaign. Although he lost, his interest in politics never left him. He again ran for the legislative office in 1834. This time he was elected. As a State legislator he began his campaign to abolish slavery. He once stated, “slavery was founded on both injustice and bad politics.”

In 1842 and 1844 he ran again for Congress. Finally, in November of 1846 he defeated his opponent to gain his first congressional seat. After serving one term as Congressman, he returned to law. Using his keen shrewdness and oratorical ability, he became one of the most respected lawyers in Illinois.

In 1856 the political issue of slavery increased. Abe Lincoln was nominated as the Republican Party’s congressional candidate in 1858. During his acceptance speech Abraham said, “A house divided against itself cannot stand. I believe this government cannot endure permanently half slave and half free. I do not expect the union to be dissolved; I do not expect the house to fall; but I do expect it will cease to be divided. It will become all one thing or all the other.” Little did he know how much this speech would affect history.

In 1860 Abe Lincoln became the Republican candidate for President. In a landslide victory, he was voted the 16th President of the United States. During his time as President, he faced many challenges. His biggest challenge was reuniting a broken country. On April 16, 1862, President Lincoln signed the Emancipation Proclamation abolishing slavery.

On November 19, 1863, President Lincoln was asked to speak at the dedication of the Gettysburg battlefield. He knew that another great orator, Edward Everett, would also be speaking. During his trip to Gettysburg, he struggled to express his feelings into words. Although brief, his speech would withstand the passage of time. Later it was to be known as the Gettysburg Address.

President Lincoln was shot on April 14 in the year 1865 by John Wilkes Booth. He died the following day. The body of Abraham Lincoln was taken by train to Illinois, his home, for burial.

Although President Lincoln led a tragic and simple childhood, he grew to become one of the greatest Presidents of the United States. His works will continue to ring in the hearts of Americans throughout history.

Mr. Speaker, that concludes my remarks as submitted by

Heather Krout. Thank you very much, and thank you to the House.

The SPEAKER. That was very well done. Thank you, Mr. Clymer.

COMMITTEE MEETING CANCELED

The SPEAKER. Mr. Flick.

Mr. FLICK. Thank you, Mr. Speaker.

Yesterday I had announced that there would be a Labor Relations Committee meeting tomorrow at 10 a.m. I would like to announce that that meeting is being canceled. There will not be a meeting tomorrow of the Labor Relations Committee. Well, I might be able— No; the meeting will be canceled. Thank you.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 2345, PN 3257

By Rep. HERSHEY

An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, further providing for the Environmental Stewardship Fund and for extension of fees.

ENVIRONMENTAL RESOURCES AND ENERGY.

SB 1115, PN 1719 (Amended)

By Rep. HERSHEY

An Act establishing within the Department of Environmental Protection an accreditation program for environmental laboratories.

ENVIRONMENTAL RESOURCES AND ENERGY.

SUPPLEMENTAL CALENDAR B

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 924, PN 2255**, entitled:

An Act amending the act of June 3, 1937 (P.L. 1333, No. 320), known as the Pennsylvania Election Code, further providing for district election boards, for appointment of watchers, for manner of signing nominating petitions or papers and for number of signers required for nomination petitions for candidates at primaries.

On the question,

Will the House agree to the bill on third consideration?

Mr. **VITALI** offered the following amendment No. **A0495**:

Amend Title, page 1, line 14, by removing the period after "PRIMARIES" and inserting ; providing for public financing for candidates for the office of Governor and Lieutenant Governor; establishing the Pennsylvania Fair Campaign Fund; providing qualifications for funding, for payments, for use of funds, for authorized expenditures, for limitation on contributions, for return of funds and for penalties; and making an appropriation.

Amend Bill, page 8, by inserting between lines 12 and 13

Section 6. The act is amended by adding an article to read:

ARTICLE XVI-A

Pennsylvania gubernatorial public financing

Section 1601-A. Short Title.—This article shall be known and may

be cited as the Pennsylvania gubernatorial public financing act.

Section 1602-A. Definitions.—As used in this article:

(a) The word "candidate" means any of the following:

(1) an individual seeking nomination or election to the office of Governor or Lieutenant Governor who has filed a nomination petition or nomination paper;

(2) an individual who receives contributions or makes expenditures in connection with seeking nomination or election to the office of Governor or Lieutenant Governor; or

(3) an individual on behalf of whom a registration statement must be filed in accordance with section 1624.

(b) The word "commission" shall mean the State Ethics Commission.

(c) The word "contribution" shall mean a contribution as defined by section 1621.

(d) The word "expenditure" shall mean an expenditure as defined by section 1621.

(e) The word "fund" shall mean the Pennsylvania Fair Campaign Fund established in section 1605-A.

(f) The words "independent expenditure" shall mean an expenditure by a person made for the purpose of influencing an election without cooperation or consultation with any candidate or any political committee authorized by that candidate and which is not made in concert with or at the request or suggestion of any candidate or political committee or agent thereof.

(g) The words "major political party" shall mean a political party whose candidate for Governor received either the highest or second highest number of votes in the preceding gubernatorial election.

Section 1603-A. Application and Administration of Article.—

(a) The provisions of this article shall be applicable to candidates for the offices of Governor and Lieutenant Governor.

(b) For the purposes of this article insofar as it relates to funding of nominated candidates in the general election, a political party's or political body's nominated candidates for Governor and Lieutenant Governor shall be considered as one candidacy, and the provisions specifically applicable to the Governor shall be applicable to the combined candidacy.

(c) The provisions of this article shall be administered by the State Ethics Commission. The commission may adopt rules and regulations as may be required to implement the provisions of this article and to carry out its purpose.

Section 1604-A. Campaign Committee Required.—Each candidate for Governor or Lieutenant Governor shall form a campaign committee through which all campaign contributions shall be received and all campaign expenditures shall be disbursed.

Section 1605-A. Pennsylvania Fair Campaign Fund Established.—There is hereby established a special restricted receipts fund in the State Treasury to be known as the Pennsylvania Fair Campaign Fund. Payments shall be made into this fund pursuant to section 1606-A, and disbursements shall be made from the fund only upon the warrant of the commission and a warrant of the State Treasurer. As much of the moneys in the fund as are necessary to make payments to candidates as provided

in this article are appropriated from the Pennsylvania Fair Campaign Fund on a continuing basis for the purpose of such payments.

Section 1606-A. Funding the Pennsylvania Fair Campaign.—

(a) Beginning with tax years commencing January 1, 2002, and thereafter, each individual subject to the tax imposed by Article III of the act of March 4, 1971 (P.L. 6, No. 2), known as the "Tax Reform Code of 1971," whose tax liability for the year is five dollars (\$5) or more may designate five dollars (\$5) of his personal income taxes to be paid into the fund. In the case of married taxpayers filing a joint return, each spouse may designate five dollars (\$5) to be paid into the fund if their tax liability is ten dollars (\$10) or more. All of these designated tax revenues shall be paid into the fund. The check-off and instructions shall be prominently displayed on the first page of the return form. The instructions shall readily indicate that these designations neither increase

nor decrease an individual's tax liability.

(b) The General Assembly shall appropriate money to the Fair Campaign Fund sufficient to fully fund all requirements of this article including the administrative, investigative and enforcement responsibilities of the State Ethics Commission. Upon notice by the commission, the General Assembly shall appropriate to the commission out of the General Fund such additional sums as may be required to carry out the purposes of this article if the sums first appropriated become inadequate.

Section 1607-A. Certification of Moneys in Fund.—By June 30 of each year, the State Treasurer shall certify to the commission the current balance available in the fund.

Section 1608-A. Qualification for Funding.—

(a) Any candidate for the offices of Governor and Lieutenant Governor may apply for funding under this article if the candidate meets the contributory thresholds established in subsection (b) and otherwise conforms to the requirements of this article. No candidate shall be obligated to apply for funding under this article and if any candidate elects not to apply, the provisions of this article pertaining to limits on expenditures or the use of his personal funds shall be inapplicable to the person and his candidacy. Any candidate electing to receive funding under this article shall declare his intention to do so and specify the office for which he is a candidate. Any candidate who for any reason has his name withdrawn from the ballot, after receipt of funds under this article, shall return to the fund all unspent money received from the fund.

(b) (1) In order to qualify for funding in a general election, a candidate for Governor must receive subsequent to the date of that candidate's primary election but prior to the date of the candidate's general election two hundred thousand dollars (\$200,000) in qualifying contributions.

(2) In order to qualify for funding in a primary election, a candidate must receive, prior to the date of the primary election but after becoming a candidate, the following amounts:

<u>Office</u>	<u>Qualifying Contributions Required</u>
<u>(i) Governor</u>	<u>\$100,000</u>
<u>(ii) Lieutenant Governor</u>	<u>50,000</u>

(3) Definition:

(i) The term "qualifying contribution" includes any contribution which has all of the following characteristics:

(A) Made by an individual resident of Pennsylvania.

(B) Made by a written instrument which indicates the contributor's full name and mailing address and is not intended to be returned to the contributor or transferred to another political committee or candidate.

(ii) If a contributor receives goods or services of value in return for his contribution, the qualifying contribution shall be calculated as the original contribution, minus the fair market value of the goods or services received.

(c) Each candidate who elects to apply for funding under this article shall provide evidence that the candidate has raised the qualifying contributions required by this section which evidence shall be verified and certified as correct by the auditors of the State Ethics Commission.

(d) The commission shall conduct a complete audit of all candidates receiving funds under this article. Such audits shall be conducted the year following the election for which funds were distributed. The Secretary of the Commonwealth shall provide the commission at no cost all reports of contributions and expenditures filed pursuant to Article XVI by candidates for Governor and Lieutenant Governor, their political committees and all other political committees who have contributed to such candidates.

(e) The auditors shall conduct their audit in accord with sound accounting principles and shall make findings of any possible violations of this article. All audited candidates and their committees shall furnish any records to the accountants which the accountants deem necessary for the completion of their work.

(f) The commission shall make public the report of the auditors and

shall provide a copy to the Attorney General for the institution of such criminal proceedings as he or she shall deem necessary.

Section 1609-A. Funding Formula.—

(a) Every candidate who qualifies for funding for an election pursuant to section 1608-A shall receive matching payments from the fund in the amount of two dollars (\$2) for each dollar of qualifying contribution.

(b) The two dollars (\$2) for each dollar of qualifying contributions provided by this section shall be provided both for qualifying contributions raised which exceed the threshold amounts specified in section 1608-A and for those qualifying contributions which are attributable to meeting the threshold amounts necessary to qualify for funding under this article.

(c) (1) Only those qualifying contributions made during the period between the date of becoming a candidate and the date of the primary election shall be eligible for matching payments from the fund for the primary election.

(2) Only those qualifying contributions made during the period between the primary election and the general election of the year in which that candidate runs for office shall be eligible for matching payments from the fund for the general election.

(d) Matching funds shall not be provided for any qualifying contributions unless the reporting requirements required by the commission are satisfied.

Section 1610-A. Limitations on Funding.—

(a) Every candidate who qualifies for and receives funding pursuant to the formula established by this article shall be entitled to receive no more than the maximum amount specified in subsection (b) for the office the candidate is seeking.

(b) (1) The maximum amount of funding available for each candidate for Governor at a general election under this article shall be five million two hundred thousand dollars (\$5,200,000).

(2) The maximum amount of funding available for the primary election for each candidate under this article shall be as follows:

<u>Office</u>	<u>Maximum Pennsylvania Fair Campaign Funding</u>
<u>(i) Governor</u>	<u>\$2,600,000</u>
<u>(ii) Lieutenant Governor</u>	<u>600,000</u>

Section 1611-A. Time of Payments.—A candidate for Governor and Lieutenant Governor in the case of a primary election may begin to receive public funding payments after he or she has received the qualifying contribution amounts required by section 1608-A(b)(2) in the case of a primary election and section 1608-A(b)(1) in the case of a general election. The commission shall make payments authorized by this article at least every two (2) weeks. However, except for the final payment, no payment shall be due or paid if the payment does not equal at least ten thousand dollars (\$10,000).

Section 1612-A. Use of Funds by Candidates.—

(a) Funds distributed to candidates pursuant to this article may be used only for the election for which they are distributed except that no fund moneys may be used:

(1) To transfer to other candidates or to committees of other candidates or to political committees.

(2) To pay for expenditures incurred as follows:

(i) after the date of the primary election in the case of an unsuccessful primary candidate; or

(ii) after the date of the general election in the case of all other candidates.

(b) Funds distributed to a candidate pursuant to this article shall be placed in a single bank account. Expenditures from this account shall be made only for campaign expenses listed in subsection (a).

Section 1613-A. Expenditures.—

(a) Expenditures made by a candidate for Governor, for all purposes and from all sources, including but not limited to amounts of funds distributed under this article, proceeds of loans, gifts, contributions from any source or personal funds, subsequent to the date of the primary election but prior to the date of the general election, may not exceed

eight million dollars (\$8,000,000).

(b) Expenditures made by a candidate prior to the date of the primary election may not exceed the following unless otherwise provided:

Office	Total Expenditure Limits
(1) Governor	\$4,000,000
(2) Lieutenant Governor	1,000,000

(c) The expenditure limits of this section apply only to candidates who receive public funding pursuant to this article, except that a candidate who accepts public funding but whose major political party opponent in a general election elects not to apply for the public funding shall not be bound by the expenditure limits of this section. A candidate who accepts public funding shall be eligible to qualify for those fair campaign funds which would have otherwise been available to the opponent who has chosen not to apply for funding from the fund.

(d) Notwithstanding any other provision of this article, a candidate who accepts public funding pursuant to the formula established, but whose major political party opponents in a primary election elect to not apply for the public funding, shall not be bound by the expenditure limits specified in this section. If there is more than one candidate in a political party in a primary election, the fair campaign funds which would have otherwise been available to each opponent who has elected to not apply for the public funding shall be divided equally among the candidates who accept public financing.

Section 1614-A. Annual Report.—The commission shall report annually to the Governor and the General Assembly on the operations of funding as provided by this article. This report shall include, but not be limited to, the revenues and expenditures in the fund, the amounts distributed to candidates, the results of any audits performed on candidates in compliance with this article and any prosecutions brought for violations of this article.

Section 1615-A. Return of Excess Funds.—

(a) All unexpended campaign funds in a candidate's and his authorized committees' possession sixty (60) days after a primary election shall be returned to the State board for deposit in the fund, up to the amount of the funds which were distributed to the candidate under this article for the primary election.

(b) All unexpended campaign funds in a candidate's and his authorized committees' possession sixty (60) days after a general election shall be returned to the State board for deposit in the fund, up to the amount of the funds which were distributed to the candidate under this article for the general election.

Section 1616-A. Limitations on Certain Contributions.—

(a) The provisions of this section apply to any contribution made for the purpose of influencing any election to the office of Governor or Lieutenant Governor regardless of whether the candidate for that office has applied for or received funding under this article.

(b) Aggregate contributions, including in-kind contributions, from any person or political committee to any candidate for Governor or Lieutenant Governor, his authorized committee or agent shall not exceed two thousand five hundred dollars (\$2,500) for the candidate's primary election and two thousand five hundred dollars (\$2,500) for the candidate's general election. Furthermore, for each election, no candidate, his authorized committee or agent shall accept or receive more than two thousand five hundred dollars (\$2,500) for the candidate's primary election and two thousand five hundred dollars (\$2,500) for the candidate's general election in aggregate contributions, including in-kind contributions, from any person.

(c) A gift, subscription, loan, advance or deposit of money or anything of value to a candidate shall be considered a contribution both by the original source of the contribution and by any intermediary or conduit if the intermediary or conduit:

(1) exercises any direction over the making of the contribution; or

(2) solicits the contribution or arranges for the contribution made and directly or indirectly makes the candidate aware of such intermediary or conduit's role in soliciting or arranging the contribution for the candidate.

(d) For purposes of subsection (c), a contribution shall not be

considered to be a contribution by an intermediary or conduit to the candidate if:

(1) the intermediary or conduit has been retained by the candidate's committee for the purpose of fundraising and is reimbursed for expenses incurred in soliciting contributions;

(2) in the case of an individual, the candidate has expressly authorized the intermediary or conduit to engage in fundraising, or the individual occupies a significant position within the candidate's campaign organization; or

(3) in the case of a political committee, the intermediary or conduit is the authorized committee of the candidate.

(e) No candidate for Governor or Lieutenant Governor who accepts public funding in accordance with this article may contribute from personal funds more than an aggregate of twenty-five thousand dollars (\$25,000) in connection with his or her primary and general election campaigns.

Section 1617-A. Interactive Gubernatorial Primary and General Election Debates; Participation by Candidates.—

(a) In any year in which a primary election is to be held to nominate candidates for the offices of Governor and Lieutenant Governor, there shall be held among the several candidates for each nomination a series of interactive primary debates in which all candidates who have filed nomination petitions in accordance with this act for these offices and have applied or intend to apply to receive money for election campaign expenses from the fund shall participate and in which any other candidate who would have otherwise qualified for public funding under section 1608-A(b)(2) twenty (20) days before the date of the debate, provided that the other candidate notifies the commission of the candidate's intent to participate no later than twenty (20) days before the date of the debate. In any year in which no candidate or only one candidate for a nomination is required or elects to participate, no primary debate shall be required to be held under this subsection.

(b) In any year in which a general election is to be held for the offices of Governor and Lieutenant Governor, there shall be held a series of interactive debates in which all candidates who have received nominations for these offices at the primary or through the filing of nomination papers in accordance with this act and have applied or intend to apply to receive money for election campaign expenses from the fund shall participate and in which any other candidate, who would have otherwise qualified for public funding under section 1608-A(b)(1) twenty (20) days before the date of the debate, may participate, provided that the other candidate notifies the commission of the candidate's intent to participate no later than twenty (20) days before the date of the debate.

Section 1618-A. Time and Contents: Sponsors.—

(a) There shall be two gubernatorial and two lieutenant gubernatorial primary debates. Each of the debates shall be at least one hour in duration. The first debate shall occur not earlier than the date on which the names of candidates to appear on the primary ballot are certified by the Secretary of the Commonwealth in accordance with section 916 and the second debate shall occur not later than the Tuesday preceding the primary election.

(b) There shall be three gubernatorial and three lieutenant gubernatorial debates. Each of the debates shall be at least one (1) hour. The first debate shall occur not earlier than fifty (50) days before the date of the general election, and the second debate shall occur not later than the Tuesday preceding the election.

(c) Private organizations which are not affiliated with any political party or with any holder of or candidate for public office and which have not endorsed any candidate in the pending primary or general election for the office of Governor shall be eligible to sponsor one or more interactive gubernatorial primary debates or interactive gubernatorial election debates under subsection (a) or (b), respectively.

(d) The commission shall accept applications from eligible private organizations to sponsor one or more of the interactive debates. Applications to sponsor debates under subsection (a) shall be submitted to the commission no later than March 15 of any year in which a primary election is to be held to nominate candidates for the office of

Governor and Lieutenant Governor, and applications to sponsor debates under subsection (b) shall be submitted to the commission no later than July 1 of any year in which a general election is to be held to fill the office of Governor.

(e) Where the number of eligible applicants to sponsor primary debates or election debates exceed the number prescribed under subsections (a) and (b), respectively, the commission shall select the private organizations from among the applicants within thirty (30) days of the last day for submitting those applications, as provided under this subsection. To the maximum extent practicable and feasible, the commission shall select a different private organization to sponsor each of the interactive gubernatorial debates, but shall not be precluded from selecting the same private organization to sponsor more than one debate.

(f) The private organizations selected by the commission shall be responsible for selecting the date, time and location of the debates, subject to the limitations set forth in this section. The rules for conducting each debate shall be solely the responsibility of the private organizations so selected, but shall not be made final without consultation with both the chairman of the State committee of each political party in the case of primary debates, and with a representative designated by each of the participating candidates in the case of general election debates.

Section 1619-A. Failure of Candidate to Participate in Debates; Complaint; Hearing; Determination; Penalties.—

(a) The commission shall have the power and duty, upon receipt of a complaint against a candidate for nomination for election or for election for the office of Governor or Lieutenant Governor who is required to participate in primary debates or election debates, respectively, to hold a hearing to determine whether that candidate has failed to participate in debates. If, at the conclusion of a hearing under this section, the commission determines by majority vote that a candidate required to participate under this act has failed to do so, the chairman shall immediately inform the candidate in writing of that determination, identifying in that writing the date and circumstances of the failure. If, after having found that a candidate required to participate in a primary or election debate has failed to do so, the commission further finds that the failure occurred under circumstances which were beyond the control of the candidate and were of such a nature that a reasonable person, taking into account the purposes of this act and the relevant facts of the case, would find the failure justifiable or excusable, then the candidate shall not be subject to any penalty or liability for failing to participate. The candidate charged with failure to participate shall have the burden of showing justification or excuse.

(b) The campaign of any candidate or former candidate who shall have been required to participate in a primary debate or election debate under this article, but who has been found to have failed to do so without reasonable justification or excuse, shall be liable for return of moneys previously received for use by the candidate to pay primary election campaign expenses or general election campaign expenses, respectively. The commission shall determine the total amount of moneys for election campaign expenses in that year by the commission to the candidate under this article, as appropriate, and shall notify the campaign treasurer of the candidate of the liability as of the date of the notice, for the repayment of those moneys plus interest on the unpaid amount of that liability from that date at the rate of one (1) per cent for each month or fractional a part of a month during which that amount remains unpaid.

Section 1620-A. Severability.—The provisions of this article are severable. If any provision of this article or its application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this article which can be given effect without the invalid provision or application.

Section 1621-A. Applicability.—(a) Funding from the Pennsylvania Fair Campaign Fund shall be provided to candidates for Statewide office beginning with the primary election of 2006 and in each gubernatorial primary and election thereafter.

(b) In addition to subsection (a), the following sections of the act of June 3, 1937 (P.L. 1333, No. 320), known as the "Pennsylvania Election Code," shall apply to the primary election of 2006 and in each

gubernatorial primary and election thereafter: 1604-A, 1608-A, 1609-A, 1610-A, 1612-A, 1613-A, 1615-A, 1616-A, 1617-A, 1618-A and 1619-A.

Section 7. The addition of section 1606-A of the act shall be retroactive to January 1, 2002.

Amend Sec. 6, page 8, line 13, by striking out "6" and inserting
8

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question of the adoption of the Vitali amendment, the gentleman from Delaware is recognized.

Mr. VITALI. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is the first opportunity the House will have to vote on the issue of campaign finance reform this term, and in light at the Federal level of the Enron scandal and how because of the unchecked spread of money, the number of people who have just lost their life savings, and in light of the millions and millions of dollars being spent on our own gubernatorial race, I think the issue is particularly pertinent.

Mr. Speaker, amendment 495 is the Gubernatorial Public Financing Act. This amendment was passed, I am happy to say, by this chamber last term. There are only several minor adjustments to it. But to review what this amendment does is it applies only to the race for Governor and Lieutenant Governor. It does not apply to the General Assembly or any other statewide office. So it is viewed as a first step. It only applies to that race and those two offices, and it basically provides for three things: contribution limits, public financing, and spending limits.

With regard to contribution limits, it basically limits the amount that a person or PAC (political action committee) can contribute to a candidate for Governor or Lieutenant Governor, a total of \$2,500 per election. That would be \$2,500 for the primary and \$2,500 for the general. This is mandatory. This is mandatory whether the candidate opts in to this system or not. So the first item is contribution limits.

The second item is public financing. What this amendment does is provide that for qualified candidates, the State would provide public financing up to \$7.8 million in public financing. Now, in order for a candidate for Governor to receive that, he would have to raise on his own, to show viability, \$100,000 at the primary level and \$200,000 at the general level, the general election level. Once these thresholds were met, the State would provide a \$2-to-\$1 match, as I said, up to \$7.8 million. So the first component of this bill is mandatory contribution limits. The second is public financing.

If the candidate participates in public financing, he must abide by spending limits, and those spending limits are for the primary election \$4 million and the general election \$8 million. This part, this spending limit part, is entirely optional, does not have to be engaged in by the candidate. A candidate could simply choose not to accept public financing, not to take the money, and then would not be bound by spending limits.

In order to fund this program— I also might add that participating candidates would also be required to participate in a total of five debates – two in the primary and three in the general. The program would be funded by a voluntary \$5 checkoff on the Pennsylvania income tax form and an appropriation by the General Assembly to make up any shortfall.

I might add that this is not a new idea; this is a tried-and-true program that has been in effect in New Jersey since the late seventies. It has yielded very competitive elections. It has elected Governors of both parties, Whitman and McGreevey and others. It is a tried-and-true system.

Now, the reason for the importance of this is as follows. One, we need to attract quality candidates to the office of Governor, and the higher the quality candidate we can attract, the broader the field we can attract, the more likely that the citizens of Pennsylvania are to have a quality Governor in the future. The reality is this: Look at the current race for Governor. Casey and Rendell together have raised over \$20 million to date – \$20 million to date – and that is only in the primary. They expect to spend \$20 million between them in the primary. Now, let us be honest. Is it realistic to assume that other people who can compete against that, there will be many other people that can compete against that? How likely is it that anyone who does not have a mass of personal wealth or is wired into special interest groups can really enter the field when candidates are raising that kind of money, \$20 million? What this bill would do would be to allow other qualified candidates, perhaps members of this very General Assembly with higher political ambitions, who do not have a personal fortune, who do not want to compete against people with massive personal fortunes, who realize the unfairness of running against someone with a massive personal fortune, allow those type people to run. Perhaps it might be a brilliant president of our college who might be attracted to this race.

The SPEAKER. The gentleman will yield, please.

Conferences in the hall, please. Sergeants at Arms, ask the gentlemen in the rear of the hall of the House to go the rest of the way out to the lounge area. Conferences in the area of the minority leader, please break up.

Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

One reason to support this bill is so we as a State can attract a high quality of person. Maybe it is a quality mayor of a small town or a university president or even a member of this General Assembly who can throw his hat in the ring even though he is not wealthy or even though he is not wired into this special interest group money. Right now, we cannot. Right now when they are raising that sort of money, this race for Governor is closed off to the overwhelming majority of the citizens of Pennsylvania, and that is just wrong.

Mr. Speaker, the second reason we want to enact this amendment is this: We do not want the office of Governor to be influenced by special interest group money. The reality is, someone will be elected to Governor and they will spend large sums of money, and under the current system, those large sums of money will come from special interest groups in large measure. Historically, that is where they have come from, that is where they are coming from, and the effect of that is this: The effect of that is that our State policy is being affected by this special interest group money.

Right now, the issue before us today, medical malpractice, it is here. We are mired. We cannot make a decision. Hospitals are closing. Doctors are leaving. My doctor has left. Many of your doctors have left because—

The SPEAKER. Mr. Vitali, please. Campaign reform, medical mal – they do not mix. Stay on campaign reform, which is your issue.

Mr. VITALI. The reality, Mr. Speaker, is the influence of special interest group money. Be that the influence of the trial lawyers or the medical society or the insurance industry, campaign contributions skew this system. Campaign contributions skew this system and affect public policy. They have skewed it with Enron; they have skewed it with many issues that this General Assembly faces. In fact, the chairman of our own State Government Committee has just written an article mentioning campaign contributions and casino gambling. The reality is, with regard to every issue we face in this General Assembly of any importance, that is that enormous campaign contributions from special interests skew that system, Mr. Speaker.

Perhaps the most compelling article I read on the subject was an article written in the Inquirer regarding the Governor's Club, which outlined the \$25,000 and \$50,000 contributions made to the previous Governor and the contracts which were awarded to those people, the board appointments that were given to those people. Mr. Speaker, our Governor's Office should not be for sale, and the reality is, if our candidates for Governor are forced to rely on contributions of \$10,000 and \$20,000 and \$50,000 and \$100,000 in order to get into office, once they get into office, Mr. Speaker, it has been and will be payback time unless we do something about it, Mr. Speaker, and what I am suggesting to you is that this bill does something about it. What it does is allow candidates for Governor to run for office largely on private moneys and largely on taxpayer moneys, and the reality is, if they get into office that way, who they will be beholden to will be the taxpayers. That is the way we want it.

Mr. Speaker, as I had mentioned, this system has been in effect in New Jersey now since the late seventies. We are not asking this General Assembly to enact anything that has not been tried right across the river.

Mr. Speaker, Pennsylvania has no campaign finance reform. We have no spending limits. We have no contribution limits. We have no public financing. Mr. Speaker, this bill should be viewed as a first step, as a good first step. And I have no doubt, Mr. Speaker, when I step down, there will be individual questions and concerns of every member, but I would ask those who do have some concerns but believe this system needs to be changed in some fashion simply to view this as a first step, simply to help get this over to the Senate. Do not let the issue die now, right now after this vote, because if it is, we are done. We are just conceding that the status quo is acceptable. If you have some concerns but want to see the issue continue to move, get it over to the Senate. We have no illusions that what we vote on now is going to come back in its current form, but at least keep the issue alive. At least say with your vote, this is an important issue, and say to the Senate, we want you to deal with it, too.

I ask for an affirmative vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the lady from Montgomery County, Mrs. Cohen.

Mrs. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I think if we took a vote right now, 203 members of this body would say, yes, we are in favor of campaign finance reform. However, having said that, this particular amendment is not the vehicle to accomplish campaign finance reform for several reasons.

The SPEAKER. The lady will yield.

Mrs. COHEN. Thank you.

The SPEAKER. Please. The conferences toward the rear of the House— Mr. Vitali, do you desire recognition? I am sorry. The conferences on the side aisle, please break down. Members of staff and pages, please discontinue conversations. Sergeant at Arms, ask the gentlemen in the rear of the House to— Thank you.

Mrs. Cohen.

Mrs. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, first I have to address some of the comments by the sponsor of the amendment, and I want my fellow members of the House to be perfectly clear. The statement was made that a version of this amendment passed last year. In fact, it did not. What you have before you is far different from what was passed by us before.

Secondly, there was a mention of this amendment being close to what has been tried-and-true in New Jersey. The program in New Jersey is vastly different from what we have before us. The intention here by the maker of the amendment may indeed be that he wants this amendment to be as the New Jersey program. It indeed is far different from the New Jersey program.

The maker of the amendment has stated that there are spending limits in this amendment. Indeed there are none, and I will explain in a moment why there are no spending limits in this amendment. If you do not participate, this is not voluntary. This amendment is coercive. Again, the intention may have been that it is voluntary; it is not. This is coercive, and therefore, it is violative of not only the First Amendment of the United States Constitution but Article II of the Pennsylvania Constitution.

The maker of the amendment has pleaded with us by saying this is the first step; let us take the first step. But we have honor in this body. We have integrity in this body. We will not pass anything that is unconstitutional, and worse, unconscionable, and this amendment is unconscionable. We will not hold our heads up and have our own honor just by passing something that is dead wrong and sending it over to the Senate and saying, okay, the 50 of you wise men who know better than the 203 of us, you tell us why we were wrong; we are just giving you the vehicle. That is unconscionable. That is not why we were sent here. We would not be doing our jobs if that is indeed what we sent to the Senate.

I have mentioned that this amendment violates the First Amendment of the United States Constitution. The maker of the amendment talked about New Jersey, and he mentioned also about wealthy people that can buy elections, that can afford to be elected because they are wealthy, shutting out the common man. That is the danger that we face. We face all over this country a government of plutocracy, and the minority leader, who is a student of history, will tell us all that plutocracies fall; they fail. We have seen it in New Jersey in the senatorial race. We have seen it in New York City in the mayoral race. We have seen it right here in Pennsylvania on November 6 in an election for the State Senate in Montgomery County. We cannot permit plutocracies, which, of course, leads me to the First Amendment of the United States Constitution.

The First Amendment will not tolerate government writing a statute to equalize the voices of different political speakers. The beauty of this country is that we are able to hear, to listen, to permit all different voices, all different political views to be heard. This amendment violates the freedom of speech as guaranteed in the First Amendment by providing that a publicly funded candidate will receive more money than the scheme allows. That is right; a publicly funded candidate can actually receive more money. That is not the intent perhaps, but that is the reality. Why?

Because if a candidate does not accept public funding, then his opponent gets his share. If a primary candidate could have accepted money and does not, it is distributed to the other candidate. That is equalization of free speech. That is a violation of the

First Amendment. It is not permitted.

Additionally, what this amendment does is mandate candidates to participate in debates. Well, what happens if somebody does not want to participate in a debate but does collect public funds? Well, then, guess what? That person, that allegedly poor person who relies on public funding, has to give back the money, and that is what is in this. The burden is now on the candidate that does not appear.

Additionally, the effect of this provision is to keep candidates who cannot even meet the threshold of raising \$100,000 in the primary and \$200,000 in the general election, it keeps that candidate out of the opportunity to even participate in debates, and that is wrong. What this amendment does is allow the government to pick and choose speech, and it is manipulating the marketplace of ideas, sometimes compelling people to speak, sometimes refusing to listen to people and give them the opportunity to speak. We must, if we are to have a scheme of public finance, not permit it to be coercive. Candidates must have a free choice whether or not to participate. We cannot force them to participate.

Indeed, when I say that there are no limits on this, if someone, as I have mentioned, declines to take public funding, his money will then go to his opponent who accepts public funding. This means that instead of the maximum being \$5.2 million going to a participant, someone who participates, he now can get \$10.4 million because he has his money and his opponent's money. That is taxpayers' money, that is your money, that he is now getting, and therefore, the spending limits simply do not apply, because \$10.4 million is not his spending limit.

The amendment also violates Article II of the Pennsylvania Constitution; again, the power to appropriate money. Why? Because this money – and this is the clincher – this amendment gives power to the Ethics Commission here in Pennsylvania. Every eighth grader knows that the power to appropriate money starts here with us, the House of Representatives. How dare we give that right away to the Ethics Commission. That is unheard of, and again, it is unconscionable. We are not doing our job if we are giving our powers to appropriate funds to the Ethics Commission of this Commonwealth. Absolutely wrong.

The amendment provides an unconstitutional power grab by the auditors of the Ethics Commission, because again, it gives the Ethics Commission auditors the right and the duty and the authority to audit. We have given away our rights. Additionally, we have taken the rights and the duties from the Attorney General to follow those audits. It is an unconstitutional placement of power in the hands of the auditors of the Ethics Commission.

So you see, Mr. Speaker, there are many, many internal conflicts. I am sure the gentleman sponsor of this amendment means well, but he has created an obstacle, many obstacles, some unconstitutional, some unworkable, some that are allowing us and asking us to give away our powers to the Ethics Commission, and we simply cannot do that.

There are certain unanswered questions in this. Can anybody tell what the numbers really mean, how much will be spent, how much more money a participating candidate can get when his opponent does not ride on the coattails of taxpayers? Who decides? Will participating candidates go to court to get more

money than that which the Ethics Commission thinks the candidates are entitled to, and will the Supreme Court throw up its hands and move the election date, because that is what this says in this amendment, and the Supreme Court has done it before.

Mr. Speaker, if we are going to spend taxpayer money— And remember, we have just had a budget presented to us. This is a lean year. We are talking about budget deficits; we are talking about tapping into other funds. We have to know with certainty how much this amendment will cost, what each candidate is going to get, who decides how big a hole in expenditure limits will be allowed, and what candidates will do if they do not agree. For once and for all, this amendment will not work. What the maker of the amendment says it does it does not do. Read the language carefully. It violates the Federal Constitution, it violates the State Constitution, and most egregious of all, it is asking us to give away our powers to appropriate funds in a bad year, in a year where we have got some dollar difficulties.

Vote “no” on this amendment. We will have the opportunity for campaign finance reform. We want that. We do not want a plutocracy. We do not want the rich to shut out the poor. We want Election Code reform, but this amendment is egregious. Please vote “no.”

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

The Chair recognizes the gentleman from Montgomery, Mr. Lawless.

Mr. LAWLESS. Thank you, Mr. Speaker.

Mr. Speaker, may I interrogate the maker of the amendment?

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

Mr. LAWLESS. Thank you, Mr. Speaker.

Mr. Speaker, not being the constitutional scholar of the last speaker, I have some more general questions; that being, if there is a \$2,500 limit to the office of Lieutenant Governor or Governor, would that be correct the way I am understanding this?

Mr. VITALI. \$2,500 per candidate per election. So you could give \$2,500 for the general, \$2,500 for the primary.

Mr. LAWLESS. Okay. So let me ask this question, and I think although the intent of the maker of the amendment is good, there is a flaw in this, and that is, let us say that I am attorney general, let us say I am a former mayor, let us say that I am an auditor general, and I have not announced for Governor but I am raising a pile of money. There is no limit on either three of those positions, as I understand it, Mr. Speaker, of \$2,500. Would that be correct, Mr. Speaker?

Mr. VITALI. Let me respond in two ways, because – and thank you for bringing that point up – first of all, let me say this with regard to the issue of constitutionality. This has been in effect, these provisions have been in effect, in New Jersey—

The SPEAKER. Mr. Vitali, address constitutionality at some other time. Right now, Mr. Lawless is interrogating you. Respond to the interrogation if you do not mind. I am not trying to block you on the constitutional question, but for the moment, just respond to Mr. Lawless, if you will.

Mr. VITALI. Basically, if you look at the definition of “candidate,” and that is on page 1, line 17 – that is where the candidate is defined – it talks about, on line 21 specifically, it defines a candidate as an individual who receives contributions or makes expenditures. So we thought about that and we made some adjustments to that in response to some questions. So this kicks in

when a person starts to raise money, which may be well before when they file nominating petitions.

Mr. LAWLESS. Mr. Speaker, I do not believe you answered my question. Let me rephrase it one more time, and I will not prolong our debate here. If I am currently an attorney general or I am currently a mayor of a major city or if I am currently an auditor general, and I am thinking that I am just going to raise money for my reelection, but all of a sudden I get the idea that I just might run for Governor after I did such a good job at raising money for attorney general and these other positions that I have \$5, \$10 million in the bank, that all of a sudden I may say, you know what? I have raised enough money; I think I will just run for Governor. Now all of a sudden if you come along and you decide that you want to run for Governor and you have not done that in the past, you are limited to a \$2,500 contribution, whereas the other three gentlemen or gentleladies may not have been limited because they did it before they said that they were a candidate. Would that be correct?

Mr. VITALI. Well, if you were raising money, that is how the definition of “candidate” is defined. Again, page 1, line 21, defines a candidate as an individual who receives contributions. So you start to be a candidate when you raise money, when you begin to raise money.

Mr. LAWLESS. But you would be a candidate for what position? You are telling me that I can only raise, I have a limit on me, if it is \$2,500, for Governor or Lieutenant Governor. What I am asking is, if I have not announced for either of those two positions, then I am not by your definition a candidate for one of those two positions; therefore, as long as I do not announce publicly and everybody still thinks I am just going to be attorney general or I am going to be a mayor of a city or I am going to be an auditor general, they can contribute thousands to me and I can have, instead of a Governor’s Club, I can have an auditor general’s club, and then I can transfer that money. Am I correct?

Mr. VITALI. There are a couple of issues here. One, with regard to transferring moneys, there is a \$2,500 limit on the amount that you can contribute.

With regard to, for example, the opponent of this candidate, they would be benefited by being allowed to equalize the fundraising disadvantage by participating in the public financing component, which would put that person, the opponent of this wealthy person, on equal footing. The person who has this pile of money, if they want the public moneys, would have to abide by spending limits; they would have to abide by spending limits. They would have to abide by the provisions of the act.

Mr. LAWLESS. Mr. Speaker?

The SPEAKER. Mr. Lawless.

Mr. LAWLESS. May I speak on the amendment very briefly?

The SPEAKER. The interrogation is finished?

Mr. LAWLESS. Yes.

The SPEAKER. The Chair thanks the gentleman. The gentleman is in order.

Mr. LAWLESS. Mr. Speaker, very quickly. I know we have got a long night ahead of us with many amendments.

I believe that the gentleman’s intent on the Vitali amendment is good. Unfortunately, I think there is a major flaw here, and I would ask the members to vote “no” on this amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Wilt.

Mr. WILT. Thank you very much, Mr. Speaker. I rise to oppose this amendment.

Mr. Speaker, I want everyone to be perfectly clear about what we are doing here. We have heard a definition of the amendment from the other side; we have heard one of our members talk about some other things. This is the headline in the paper: Welfare for politicians. That is what this bill creates.

I will tell you this much, Mr. Speaker. We are in a tough budget year right now, and we hear from the other side that we have not done enough to fund this program and that program and cutting property taxes. You can pick whatever item you want to. The bottom line is this: Our constituents do not want their tax dollars to fund political campaigns. It is that simple. That is what you are voting on. Do not get lost in the semantics of the amendment and what transfers from here and a limit here, a limit there. The bottom line is this: You vote for this amendment, you get to go home and tell your constituents that you voted to use their hard-earned tax money to fund career politicians that want to run for Governor. It is that simple. That is all we are doing. If you think that is a good sell, put a green light up there. But I urge everyone to vote “no” on this amendment.

The SPEAKER. The gentleman, Mr. Freeman, on the question.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Vitali amendment.

We have heard a lot of red herring spread across the path on this effort to get this legislation passed, very nebulous attacks that somehow it is unconstitutional or that somehow this is welfare for politicians. The reality is that this issue in many respects is truly the defining issue of reforming State government.

If we are all to be honest, I doubt there is a single individual in this chamber today who can deny the fact that special interest money has increasingly had a bigger role in this process. It has seeped into the policymaking process. It has influenced the way that legislation is set on the agenda of this chamber and of our sister chamber, the Senate. If we are serious about reforming government, if we are serious about returning the power of this institution to the people where it rightly belongs, the key is campaign finance reform, and I believe the gentleman, Mr. Vitali, has put forward a very commonsense, a very well thought out proposal to begin us down that road toward full campaign finance reform.

The lady, Mrs. Cohen, had mentioned that this is not New Jersey statute. It may not be identical in terms of what exists in New Jersey, but it is strikingly similar. It is almost identical if not in fact identical. And the reality is in the New Jersey gubernatorial elections, elections are far more competitive. They are competitive because it is an even playing field. Neither party has the advantage of campaign cash, and if anyone here doubts that, look at the election a number of years ago where an unknown politician by the name of Jim McGreevey challenged Christie Todd Whitman, a very wealthy, very famous, very well known Governor of New Jersey, and came within a hairsbreadth of defeating her. He was able to do that because he had an even playing field. The campaign finance law of New Jersey, the public financing of the gubernatorial race in New Jersey, made it possible for him to raise the issues necessary to come within striking distance of what was a very popular Governor. And because of public financing of those campaigns, the focus is truly on issues, not on personalities, not on who raises the most bucks, not who can buy the most TV time, but the issues that the people demand of their candidates to address so that they can make an intelligent

vote as to what direction they want their State to go in as a result of the gubernatorial election.

In that election where Mr. McGreevey came extremely close to Governor Whitman, the issue was automobile insurance reform. That issue could come to the fore again because of the campaign financing system they have for their gubernatorial elections in New Jersey. By contrast, we saw Governor Ridge’s reelection some 4 years ago. There is no denying that Governor Ridge was a very popular Governor in his own right, but there is also no denying that because of his incumbency and because of our campaign finance system, he had a decided advantage in that election. It was not an even playing field. He was able to raise vast sums of money to the office that he held as Governor. His opponent, a former member of this House, a very intelligent individual, Representative Ivan Itkin, did not have a chance from the start because it was not an even playing field. There was not the chance to raise issues, to be able to bring before the public here in Pennsylvania a true debate as to what direction the next Governor and the next Governor’s government of Pennsylvania should take on the issues of this Commonwealth.

I do not deny that this is not a perfect proposal, but it is a vast improvement over what we have currently existing here in the Commonwealth of Pennsylvania when it comes to the way in which we fund our gubernatorial races, and it does begin the process of dealing with the problems of special interest money in the campaigns for Governor and how that influences the legislative agenda and the policy-setting agenda in Harrisburg.

As I said, this is in many respects a defining issue for reform of our government, to ensure that we can restore public integrity and the public control of the agenda-setting process for policymaking in Pennsylvania. In light of the Enron scandal which is engulfing Washington, DC, this is a very timely piece of legislation, and even though we have not seen such a scandal emerge here in Pennsylvania with our own State government, our campaign finance laws as they exist today are just waiting to have an Enron scandal of their own.

I urge the members of this chamber, whom I respect and esteem, to stand up and vote in favor of this much-needed and much-valued reform of our campaign finance system to ensure that our race for Governor in subsequent years, because this provision will not take effect until the year 2006, but in subsequent years will have the opportunity to be open, aboveboard races where the public concern comes first, not the special interest money concern, and where there can be a true debate on the issues affecting the people of the Commonwealth of Pennsylvania because the playing field will be equal. That is what we need in Pennsylvania today, and the Vitali amendment is a very good start in that direction.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Warren, Mr. Lynch.

My list includes Messrs. Lynch, Metcalfe, Argall, Blaum—Mr. Zug, were you asking to be placed on the speakers list? No; all right.

Mr. Lynch.

Mr. LYNCH. Thank you, Mr. Speaker.

I know the maker of the amendment would like to do a lot of things to try to get the, quote, “average Joe” into the mix, if you will, to run for Governor or Lieutenant Governor, but I would bring – and I will be very brief here – bring one thing to his attention, and that is our current Director of Homeland Security, our former Governor, Tom Ridge, who was born in government

housing in a project in Steeltown, USA. I mean, if he had a silver spoon in his mouth, buddy, it was pretty well tarnished.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

I think we have—

The SPEAKER. The gentleman will yield.

The House will come to order.

Mr. Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

I think we have a problem that has been evident here for several years. It is the problem of definitions of words in the English language. I know there was one of our former Presidents that had a problem with the word “is,” and it seems like today we have a problem with the words “campaign finance reform.”

The definition of “campaign finance reform” here today is a twisted and, as was said, un-American definition. When it is unconstitutional, it is obviously un-American. The definition that we hear today of “campaign finance reform” is not a definition that literate, English-speaking, dictionary-referencing people would be using. To define “campaign finance reform” as publicly, underlying taxpayer, funded campaigns is again a misuse of the American language.

The definition of “candidate” is another word that we are having problems with in this amendment here today, as was pointed out by one of the previous speakers. To define whether a candidate is someone who is actually going to end up running for Governor who may be an auditor general or may be a former big-city mayor, to not be able to include that person in the word “candidate” is obviously a large problem, as was pointed out earlier.

The sponsor of this bill also has touted the words “special interests,” “special interests,” “special interests,” using that word to try and demonize those who would try and advance what they believe in in America. Well, I put forth that the sponsor here today is a special interest. He is advancing and advocating for a special interest, and his special interest is what was pointed out earlier also. The sponsor’s special interest is that of a politician. This is incumbency protection if I have ever seen it.

The people out there in Pennsylvania want campaign finance reform in the way of making sure that we have a level playing field when someone would like to run for office and become a citizen involved in their government, as this government was originally designed for. Their idea of campaign finance reform is not to take their money from them and use it to advance the careers of politicians. So here today, let us put up a “no” vote and restore a little of what people think about politicians, and let us make sure that those of us here today that are elected officials actually vote down this political maneuver by politicians.

Thank you.

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

Mr. ARGALL. Thank you, Mr. Speaker.

Mr. Speaker, in terms of public policy and politics, it has been said that timing is everything, and I would suggest to you that while my neighbor from the Lehigh Valley talked about the timing of this bill, this amendment, important because of what has happened in Washington with Enron, I would suggest to you that what has happened in Pennsylvania, the timing on this amendment is bloody awful.

This is not true public financing. This is a multimillion-dollar raid on the public treasury: \$5.2 million per candidate in every gubernatorial election with no limit, of course, on the number of candidates; \$2.6 million per candidate, there is of course no limit on the number of candidates who could reach into the public purse and grab this money in the primary election.

Like many of you, like all of you, I get around my district a good bit, and I can tell you that when I am walking the streets of places like Hamburg and Coaldale, I get asked for more money for public schools, more money for senior citizens programs, more money for cleaning up streams, more money for fixing roads. No one to this date in my almost 18 years here now has ever asked for more money for balloons, bumper stickers, nail files, radio spots, and TV ads for candidates for Governor and Lieutenant Governor.

The timing on this is terrible, and we need to defeat it.

THE SPEAKER PRO TEMPORE (BRETT FEESE) PRESIDING

The SPEAKER pro tempore. The Chair thanks the gentleman. The Chair recognizes the gentleman from Luzerne County, Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Vitali amendment.

The time for the Vitali amendment is perfect, Mr. Speaker. We have before us in Pennsylvania this year, 2002, three very qualified candidates for the high office of Governor of Pennsylvania. I have heard the word “unconscionable” used on this floor several times within the last few minutes. Mr. Speaker, what is unconscionable is how much time these three gentlemen must spend raising money to get their message out to the people of Pennsylvania. That is not right.

Mr. Speaker, we have an opportunity to change this for the future. Traditionally – and this is not a criticism – but traditionally, my friends on the other side of the aisle have opposed this legislation because they have always had the ability to outraise us. Mr. Speaker, I will submit to you that in 2002, that is not the case, that will not be the case; and, Mr. Speaker, in 2006, that will not be the case.

Now is the time to pass this legislation. This is not, this is not taxpayer subsidy for career politicians. I doubt that anyone could hang that label on the gentleman, Mr. Vitali, that he would be advocating a fund for career politicians. Career politicians, Mr. Speaker, have the ability to raise \$8, \$10, \$12, \$16 million to run for the high office of Governor; they have the ability to do that.

This amendment, Mr. Speaker, is not geared towards those who have the experience and the know-how to fund a campaign. This amendment is geared towards the people of Pennsylvania. This amendment is geared toward, just to think if this was law in Pennsylvania in 2002, our three candidates for Governor would be freed up to talk specifically about issues from now until the May primary and from the May primary until the general election in November. How refreshing that would be. Their time would not be all-consumed with the escalating arms race of having to raise money.

We have three very qualified candidates in 2002. I suspect we will have the same in 2006. Let us free them from the shackles of having to go out and raise money.

I heard two gentlemen say, Mr. Speaker, that this is nothing

more than the taxpayers supporting career politicians. I doubt that any of our constituents actually believe that line. They know what campaign finance reform is about. It is about where the money comes from. This could come from the people of Pennsylvania to make sure that their candidates are free to discuss the issues and not beholden to anyone once they are sworn into office, or it could continue as it is, Mr. Speaker, where these three gentlemen, and in 2006, other candidates, will have to go out and spend 18 and 20 hours a day, month after month, raising the money to meet the levels established by their opponent.

That is not the way it should be done, Mr. Speaker. It is the way it has been done in the past. We have the ability to change it. It is constitutional. Other States do it.

Let us free our candidates for Governor. Let us take the burden of having to raise enormous amounts of money off of their shoulders and let them concentrate on the ideas and the theories and the positions on the issues, Mr. Speaker, to make Pennsylvania a better place to live.

It is time for the Vitali amendment; it is time for public financing of our gubernatorial campaigns. Let us make it real, Mr. Speaker, and enact this Vitali amendment. Thank you very much.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny County, Mr. Michlovic.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

Mr. Speaker, one of the earlier speakers predicted tomorrow's headlines, that somehow passage of this bill would draw headlines across the State that would say something to the effect that we career politicians are now dipping into the taxpayers of Pennsylvania. I beg to differ with the gentleman. Tomorrow's headline, tomorrow's headline, is going to read: Kenneth Lay takes the Fifth Amendment in front of Congress. That is what the headlines are going to be – about corruption, about money in politics, about how people in corporate community can afford to influence government and its policies through buying influence from politicians in campaign contributions. I will guarantee you, that is the headline, and there might be a subset of headlines to the effect that Congress passes campaign finance but, oh, by the way, Pennsylvania rejects it.

And the gentleman, Mr. Metcalfe, is right; there is a lot of confusion as to what campaign finance reform means. And if you think there is confusion in this room, just think how much confusion there is out among the 12 million Pennsylvanians that are going to be reading those headlines. They are not going to think to themselves, well, this just really is not campaign finance reform; this is campaign contribution limits. No. The headlines are going to be simple: Kenneth Lay takes the Fifth; Congress does something and Pennsylvania does not.

So I would suggest that we pass this amendment not just because of tomorrow's headlines but because, as the gentleman, Mr. Blaum, says, we can for the first time offer our gubernatorial candidates a chance to talk about issues and not to be spending all of their time trying to put together money.

Mr. Speaker, there has been a tendency on our part to debase what we do. You know, I hear it so many times, people, and if we do not take ourselves seriously, then we should not expect our constituents to. We should not shy away from the name "politician." You could call me a politician anytime you like. I feel that it is an honorable title. I try to make a decision for the public in what I think is their best interest, and I am willing to negotiate

between and among the various members on this floor and on that floor to get that job done. It is not an easy task. And at the same time, I have to go out there to my constituents and not only explain what I do but I have to try to encourage them to get involved in that process as well. And I think that is a positive reflection on the name, and we should not back away from that name or the business that we do.

And I want to bring to your attention that in the last 50 years, in the last 50 years, not one member from this chamber has ever ascended to the Governor of this Commonwealth, and maybe it is because the members of this chamber— And it is not that these members in this chamber have not tried and have not run; it is because we have to spend our time trying to meet the needs of our constituents, doing our job, public policy, trying to keep our seats as well as maybe trying to run, advance, to a higher office in the Governor's Mansion of this Commonwealth.

But I find it ironic that we who are gifted and skilled in this business of politics and winning of elections – I have won over 12 of them; many of you have won even more than that, and we should not be embarrassed about that – we who are very skilled in this process have not been able to find one of our members in the last 50 years, and probably more than that, to be able to get to the top of the rung in this State. Why? Because of money. It is because of money. And the Vitali amendment allows us, people that have been involved in policy, that have experience in policy, many of those like us, to get a shot at it, and you do not have to be, as somebody pointed out, a statewide row officer or a mayor of one of the major cities of this State. You have a chance for people who have the gift, the interest, the desire, to move to a higher office, and there are many of us in this room that ought to have a chance to do that, and I think the Vitali amendment helps do that, and for that reason I think you ought to support it.

Mr. Speaker, there was some comment earlier that the people do not want to see their taxpayers' dollars go into this fund. Well, if that is the case, there will not be any fund; there may be a fund but no money in it, because this is a checkoff, and if people do not put money in the fund, there will not be money in it. My guess is, that fund will be active and it will be full, because the people of Pennsylvania desire the same as you and I, to have the average person make it to the top rung and not to have just the people and the candidates in this State that are well heeled and well financed make it, and the Vitali amendment gives some fairness to the whole process, and we ought to support it for that reason. I think the fund will be supported by our taxpayers for that reason, too, and I ask you to adopt the Vitali amendment.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Will the House come to order. Conferences in the side aisles, please break up.

The Chair recognizes the gentleman from Centre County, Mr. Herman.

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

I had voted against a similar amendment that was previously brought to this floor in the House of Representatives, and I am going to vote against it again.

Since that time that a previous amendment such as this was offered, I think we all watched with great consternation and interest the Presidential election last year. They have similar campaign financing at that level.

The one thing that caught my eye that I would like to share with you – and I wish I had the article with me, but I do not, and I know

it is in my district office, because I did want to keep it for this very occasion or similar occasions – is the fact that Presidential candidate Pat Buchanan qualified for matching funds under that Federal system. However, the article went on to submit that he received millions of dollars of campaign matching funds from the Federal government – those are Federal tax dollars – but yet received a very, very small percentage of the vote. What a waste; what a waste of the taxpayers' dollars.

And that is the kind of thing, I think, that this kind of system is going to have for Pennsylvania, where the taxpayers of Pennsylvania are going to be using their tax dollars to support candidates that they do not have any support for and have no intention to vote for, and that is why we should vote against this amendment, Mr. Speaker. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Greene County, Mr. DeWeese.

Mr. DeWEESE. Thank you.

The SPEAKER pro tempore. Will the gentleman suspend for a moment.

The House will come to order. We have only two speakers remaining. The Democratic floor leader is entitled to be heard.

The gentleman, Mr. DeWeese.

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

When you get to the nubbin of this afternoon's dialogue, I want you to remember the headline in the Pittsburgh Post-Gazette this morning: "Bush quietly seeking to kill campaign reform."

The Republican apparatus in the Federal echelon, as well as its distant cousins here in our own General Assembly, are doing everything they can to vitiate this wonderfully idealistic effort, this long-overdue effort.

Campaign finance reform has never resonated with the clarion sounds that it does today, primarily because of the Enron fiasco that is having national consequences. Enron's corporate panjandrums, as you might recollect, offered millions in mammon to a variety of politicians of both stripes; \$100,000 in one last, frenzied, pulsating gesture to President Bush and a variety of other campaign contributions to the inaugural of President Bush. There was a linkage between the battalion commanders at Enron and the battalion commanders of the Bush campaign team. There has never

been a more opportune moment for campaign finance reform in the United States, and that percolates to Pennsylvania politics as well.

In 1978, Mr. Speaker, Richard Thornburgh spent \$3 million to elevate himself to the chief superintendency of Pennsylvania. In 1986, in an effort to become the chief magistrate of our Commonwealth's executive branch, Bob Casey spent \$8 million. So it went from \$3 to \$8 million. In 1994 the gentleman from Erie, albeit born in public housing but a successful Federal Congressman and a fundraiser par excellence, raised \$14 million – 3, 8, 14.

Mr. Rendell, able to raise money from the Puget Sound to Key Biscayne, is spending at a rate that will top \$20 million if he were to be so fortunate as to campaign in the fall, and Bobby Casey and Michael Fisher are not far behind at the rate of raising money and spending money.

In 1994 – and this amendment is precisely sculpted for gubernatorial campaigns, and it is, as the gentleman, Mr. Vitali, asseverated, a start – in 1994 the Ridge team, as I said, raised \$14 million. Mark Singel, our Lieutenant Governor at the time, became an anchorite somewhere across the road in an anonymous

building and for 8 months, until his fingers wore down to the nub, called everybody with a few bucks in the bank and was able to generate about \$9 million. He almost won the race, but still, it was not enough.

When are we going to settle down and focus on improving our campaign finance situation in this State?

The honorable gentlelady from Montgomery County, who spoke not so obliquely about her own political imbroglios of recent months when she was outgunned at the campaign finance level, lamented the fact that we might indeed send a bill to the Senate that was not exactly what it should be. Those cachinnations and lamentations were offered last week with medical mal, but we sent it over. It is being massaged ever so gently as we speak, and it will come back. We need to do something, Mr. Speaker, about campaign finance reform.

The gentleman from Mercer County was caterwauling a little bit ago about welfare for politicians. Well, if the gentleman from Mercer County feels that indelibly affected by welfare for politicians, I assume he will not use any more mass mailings or press opportunities, will not use the other accoutrements we have inherent in this process for incumbents. What a disingenuous flow of dribble that was.

The gentleman from the 83d District, up in beautiful Lycoming County, was given a newspaper article within the last few days which said he may not have any competition. That caused me great chagrin, but when I read the article a second time, I thought, at least it gives me fodder for this afternoon's dialectic. Mr. Orso, our candidate who did not prevail, spent \$500,000 to try to advance the Democratic flag in faraway Lycoming, and he was thwarted.

We cannot find men and women to participate in many of our districts against all of us in many, many cases because of the prohibitive nature of the modern campaign. Television now is quintessential in so many of our campaign endeavors, and that costs a lot of money. And as the gentleman, Mr. Michlovic, averred, we have not had anyone from our ranks elevate to the gubernatorial level in five decades, and a preeminent reason is money. Money sullies the process.

The gentleman from Easton said a little bit ago, this is a defining moment, and indeed, it is.

The gentleman from Columbia County who sashayed across the aisle not too long ago has voted with us again and again and again, and I hope that his inspirations will infect some of his new Republican colleagues to change their minds, to get a chance after the Enron scandal. After going from \$3 million to \$8 million to \$14 million to \$20 million, when are we going to get it right? How in the world can we justify dithering? How can we be so nonchalant, so casual, and so desultory?

You Republican members, you advocate competition in the marketplace, you advocate economic competition, but you are afraid of political competition, because if you give the little guy or the little gal a few bucks to compete, they will compete.

I am not an attorney, but the lawyers would call what was offered a little while ago a prima facie case. When McGreevey, impecunious but inspired, threw his hat into the ring and decided to compete against Todd Whitman – that elegant, sophisticated plutocrat millionaire, from somewhere over around Princeton, New Jersey; some secluded, boxy estate – he had no chance; he had no chance, but then, boom, New Jersey campaign public finance law kicked in, and McGreevey had 3 million bucks to spend on TV, Todd Whitman had 3 million bucks to spend on

TV, and right down the line, she prevailed by half a percent – not like my poor old buddy, Ivan Itkin.

In 1998 – if you folks cannot see the pellucid clarity of this argument, then your myopia far supersedes anything I would ever have conjectured – Itkin had 400,000 bucks; Ridge goes out and raises another \$14 million – 14 the first time; 14 the second time. Those country clubs were rocking and rolling with golf outings. One hundred millionaires stepped into the front phalanx of the Ridge campaign apparatus and offered \$50,000 apiece; \$50,000 apiece. Then they did it again 4 years later, and the juggernaut kept on rolling, and we are here to say, the mammon that fuels that juggernaut has got to be arrested.

So go ahead, Mr. Speaker; we will listen to whatever paltry excuses you can generate to thwart Mr. Vitali's amendment, but the angels are on our side, and the inexorable good will of inspired destiny will be with the Democrats. The Republicans, the Republicans, the Republicans, are stymieing campaign finance reform today.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

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

I need a minute to let a little air get back into the room. Someone sucked all the air out of the room, I think.

I just wanted to clarify a couple of things first.

There was a previous speaker who suggested that if this amendment became law and people of Pennsylvania chose not to contribute money voluntarily on a checkoff, of which there are five on the tax return already – wildlife resources, Olympics, organ donor, Korean-Vietnam Memorial Fund, and breast cancer-related fund – the suggestion was that if people did not choose to put money into that voluntarily, the fund would just be empty and there would be no money going to finance campaigns. I do not think that is what this amendment says. This amendment says that if there is not enough money voluntarily contributed, the money will come out of the General Fund, and therefore, this amendment is proposing a direct public financing of campaigns at the gubernatorial level.

Now, why the minority leader spent so much time talking about legislative races and how much money was or was not spent on them, I do not know, seeing that this bill strictly deals with the gubernatorial race, but it seems to me that in races at any level, if you have a competitive candidate, on either side of the aisle, you can raise the money. That is what really dictates the fundraising. I do not buy into his argument at all that somehow Republicans get all the money and Democrats do not. You guys have done real well in fundraising from time to time. In some special elections, you have spent every bit as much money as we have. But those are House races, and that is really irrelevant.

The Enron fiasco. I am still totally stymied as to why, why the argument is being suggested that Enron is the reason for campaign finance reform. Enron contributed as much money more or less to Republicans as Democrats at the congressional level. I do not see that they were at all involved in any gubernatorial races to any great magnitude. In fact, at the congressional level, in the same reporting period that was of controversy, one of the major national public employee unions contributed twice as much to the political process as what Enron did. Does that mean that they are equally, you know, somehow a corrupting influence on the process? I think that the record would probably show that a majority of their money

went to Democratic candidates, went to the Democratic National Committee. That does not make that any more corrupt or incorrupt.

The fact is, if you want to do real campaign finance reform, it really circles around disclosure. This bill proposing to get us into some kind of public financing of gubernatorial campaigns does not solve the problem, and besides that, if I do not voluntarily go into the program, I can still go out and raise as much money as I want. It does not solve that problem.

If you want to get into campaign finance, then look at disclosure; let the voters decide. If I take \$100,000 from some individual, then let the voters decide if that somehow is a corrupting influence on my ability to do my job. That is what each of us lives under right now as it is, really. Our campaign finance reports are filed. If your opponent wants to make an issue that you took X number of dollars from PSEA (Pennsylvania State Education Association) or the Pennsylvania Chamber of Business and Industry or whoever the competing interest might be, you have to live with that; you have to tell your voters back home, is that good or bad? Does that corrupt me, or can I deal with that?

It is disclosure in reporting where the money comes from, not through limiting the amount of money that individuals can put into the process and not through public financing of campaigns. I think that is a real problem and a real mistake.

One member talked about the headlines, that the headlines would read that the House voted against or the House voted to kill campaign finance reform here in Pennsylvania. They may read that way, but you know, I have read a lot of things in the paper that were not exactly accurate and an accurate representation of what took place. The fact is, those headlines should read that the House voted against public campaign financing, not campaign finance reform.

Mr. Speaker, this bill is anything but campaign finance reform, and I urge the members to vote against it, and let us come back and do something right on this issue.

THE SPEAKER (MATTHEW J. RYAN) PRESIDING

The SPEAKER. Mr. Vitali, do you desire recognition for the second time?

Mr. VITALI. Yes, Mr. Speaker. I was hoping you could give me the courtesy of being the last speaker.

The SPEAKER. You are.

Mr. VITALI. Thank you, Mr. Speaker.

The SPEAKER. Unless somebody stands up after you. Right now no one has indicated that they are going to rise.

Mr. VITALI. Is anybody going to?

Thank you, Mr. Speaker, and I do appreciate the indulgence of the House on this issue.

I would like to address some of the concerns that were raised by my colleagues.

I would first like to address the issue of constitutionality that the lady from Montgomery County raised and another point.

First of all, this bill was crafted in close consultation with the State of New Jersey. I have met numerous times with the New Jersey Election Law Enforcement Commission, Fred Herrmann; have been up to Trenton numerous times. The bill has been reviewed by them. I know the allegation has been made that it is vastly different from New Jersey, but no, the gentlelady has failed to cite how it differs. The fact of the matter is, it is very similar to New Jersey, and New Jersey has a very successful

system. And in New Jersey they are not saying welfare for politicians; they are not saying that. New Jersey has a good system, and in fact, New Jersey is considered a model for the country in this particular area.

So I think that with regard to the issue of constitutionality, since New Jersey has stood the test of time in the late seventies, this bill will, too. There is nothing unconstitutional about contribution limits. There is nothing unconstitutional about public financing as long as it is induced with spending limits, as long as it is induced by public financing. Constitutionality, in my view, is a red herring here.

This bill does in fact encourage people to participate. There are strong inducements to participate, because that is the public policy we are trying to effectuate. That is what they do in New Jersey, and that is what we are trying to do here. And it does in fact require debates if you want to take the money. Debates are a good thing. Debates are something people expect, especially when you are taking public money.

I would also like to address the comments of the gentleman from Montgomery County, who in fact voted for this bill the last time we voted for it. I do not think I feel that his hypothetical about the candidate who raised large sums of money prior to becoming a candidate, I think that what the bill will provide would be to simply disallow all but that \$2,500 contribution. If some adjustments need to be made with regard to that particular provision, we have the opportunity to do this. Just as we passed medical malpractice, as the minority leader suggested, it can be massaged in the Senate, and if there is a minor flaw in the bill – I do not concede there is, but perhaps there are numerous – then they simply can be adjusted. So I would ask, if you have a concern about one or another particular provision, again, this will not be the final version that we are going to be voting on.

I am mindful of the fact that this is a tough budget year, but the reality is, this bill will not go into effect until the 2006 Governor's race, so there will not be a large expenditure of money this year or next year. But the reality is, the money that in fact will be spent on this is minuscule, is a very small amount compared to some of the larger expenditures we made, and I feel and I think constituents feel that money spent on the integrity of our system is money well spent, and a price needs to be paid by that, and there is a price to be paid in this bill.

The point was made by a gentleman on the other side of the aisle with regard to disclosure, disclosure being what we need. Well, we do need disclosure, and in fact, we have disclosure. Our campaign statements right now provide disclosure, and in fact, these campaign statements are put on the Internet to heighten disclosure. But the reality is, disclosure is not enough. Disclosure alone does not eliminate, does not reduce the pervasive influence of money on the process. Disclosure alone is simply not enough.

Another point was made by the gentlelady of Montgomery County that we are ceding some sort of authority to the State Ethics Commission. I mean, that is simply not the case, and I can only cite the provisions of the bill, you know, section 1606-A, which talks about funding. It comes from the checkoff and an appropriation by the General Assembly. It does in fact require that the General Assembly fund this, and I am not going to run away from that fact. I think it is a good expenditure of our money. There is no, no appropriation authority from the

State Ethics Commission. There is nothing in the bill that says that, and I do not know where that came from.

I think the reality is, taxpayers are paying for campaigns right now. Without this bill, we are already paying for it, but we are paying for it in a very indirect way, and the money is just going to incumbents, and it is going to incumbents because when special interests contribute and get these inflated contracts back, that is tax dollars going to give them those inflated contracts. When they get breaks as far as tax cuts as opposed to tax cuts for individual citizens, they are getting our tax dollars. The public is paying right now, make no mistake about it; the public is funding these campaigns.

When these firms give \$100,000, let us not be naive. They are not doing it just for civic duty; they are doing it because they expect something in return, and they are getting it. These special interests are getting it back right now. So let us not suggest that this bill is going to be giving them some sort of windfall. They are already getting it. What this bill does is make it fair. What this bill does is balance it out. What this bill does is give it to both sides.

Mr. Speaker, I think, I think the gentleman from Luzerne County said it best or at least crystallized my thoughts the best when he said, what this bill is really about is where the money comes from, and that is really what the bill is about, where the money comes from, because you know what? No matter what happens, the money is going to come from somewhere. Right now it is coming from special interest groups. Right now it is coming from the hundreds of thousands and millions of dollars in contributions from special interest groups. That is where the money is coming from now. What we are trying to do is change that so the money which has put our Governor in office comes from the people. We want the money to come from the people, not from special interest groups, because that is whom we want our Governor to be beholden to.

So that is essentially what this bill is about: Where will the money come from to pay for our next Governor? Will it come from special interest groups or come from the people?

Mr. Speaker, a minor point but I think an important point about I think reference was made to Patrick Buchanan and his candidacy and why should we be funding these candidates who have no chances to win and so forth. I discussed this issue with New Jersey and their officials, and they made a very good point, which is, there is a value in attracting third-party candidates, and the value is that they interject ideas and in New Jersey have in fact interjected ideas into the race which have been later adopted by major party candidates and in fact have become public policy in New Jersey. So it is not, it is not necessarily a bad thing that legitimate third-party candidates enter the race. That in fact is a healthy thing. We have set our qualifying contribution limits at the level designed to be high enough to eliminate the fringe candidates but not so high to prevent legitimate candidates from running.

Finally, Mr. Speaker, I have heard a lot of criticism from the other side of the aisle about what is wrong with this bill. Well, you know what? This bill attempts to address the problems about money in politics. What I have not heard, what I have not heard from many of the speakers and what I have not heard since I have been up here over the past 9 years is, what are we going to do? I have heard, no, your ideas are wrong; your ideas are impractical. But I have not heard from you what we are going to do. The reality is, there is a problem, and we all know it, and we need to do something, and this bill is a first step, so unless you have positive things to do, I ask you to support this bill, and let us get this

process moving.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—87

Bebko-Jones	George	Mayernik	Solobay
Belardi	Gordner	McCall	Staback
Blaum	Grucela	McGeehan	Steelman
Buxton	Gruitza	Melio	Stetler
Caltagirone	Haluska	Michlovic	Sturla
Casorio	Hanna	Mundy	Tangretti
Cawley	Harhai	Myers	Thomas
Cohen, M.	Horsey	Pallone	Tigue
Colafella	James	Petrarca	Trello
Corrigan	Josephs	Petrone	Trich
Costa	Kaiser	Pistella	Veon
Coy	Kirkland	Preston	Vitali
Cruz	Krebs	Readshaw	Walko
Curry	LaGrotta	Roberts	Wansacz
Daley	Laughlin	Robinson	Washington
DeLuca	Lederer	Roebuck	Waters
Dermody	Lescovitz	Ruffing	Williams, J.
DeWeese	Levdansky	Sainato	Wojnaroski
Diven	Lucyk	Samuelson	Wright, G.
Eachus	Manderino	Santoni	Youngblood
Frankel	Mann	Scrimenti	Yudichak
Freeman	Markosek	Shaner	

NAYS—109

Adolph	Donatucci	Lynch	Sather
Allen	Egolf	Mackereth	Saylor
Argall	Evans, J.	Maher	Schroder
Armstrong	Fairchild	Maitland	Schuler
Baker, J.	Feese	Major	Semmel
Baker, M.	Fichter	Marsico	Smith, B.
Bard	Fleagle	McGill	Smith, S. H.
Barley	Flick	McIlhattan	Stairs
Barrar	Forcier	McIlhinney	Steil
Bastian	Gabig	McNaughton	Stern
Benninghoff	Gannon	Metcalfe	Stevenson, R.
Birmelin	Geist	Micozzie	Stevenson, T.
Bishop	Godshall	Miller, R.	Strittmatter
Boyes	Habay	Miller, S.	Taylor, E. Z.
Browne	Harhart	Nailor	Taylor, J.
Bunt	Harper	Nickol	Tulli
Butkovitz	Hasay	O'Brien	Turzai
Cappelli	Hennessey	Oliver	Vance
Civera	Herman	Perzel	Watson
Clark	Hershey	Phillips	Wilt
Clymer	Hess	Pickett	Wright, M.
Cohen, L. I.	Hutchinson	Pippy	Yewcic
Coleman	Jadlowiec	Raymond	Zimmerman
Cornell	Keller	Reinard	Zug
Creighton	Kenney	Rieger	
Dailey	Lawless	Rohrer	
Dally	Leh	Ross	Ryan,
DiGirolamo	Lewis	Rubley	Speaker

NOT VOTING—1

Evans, D.

EXCUSED—4

Belfanti Rooney Surra Travaglio

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

On the question recurring,

Will the House agree to the bill on third consideration?

BILL RECOMMENDED

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

Mr. S. SMITH. Mr. Speaker, I move that HB 924, PN 2255, be recommitted to the Rules Committee.

On the question,

Will the House agree to the motion?

Mr. DeWEESE. Mr. Speaker?

The SPEAKER. Mr. DeWeese.

Mr. DeWEESE. May I interrogate the honorable gentleman from Jefferson?

The SPEAKER. If he is willing to stand for interrogation, of course. Mr. Smith? The gentleman indicates he will stand for interrogation.

Mr. DeWEESE. Mr. Speaker, thank you very kindly.

I do not want to belabor the majority party and their scheduling endeavors. I can see from the votes that were manifest on the last issue that at this juncture this bill is not being met with a sanguinary response.

Having said that, I did listen very closely to the honorable gentleman's debate, and he did say that we should come back and do this thing right sometime. Now, "sometime" a few years ago could have been in the next millennium, but we are already there, and if we have to wait for a subsequent millennium, then naturally we will not be here, so—

The SPEAKER. Speak for yourself, not for me.

Mr. DeWEESE. Very good.

I would like the gentleman to at least allow the Assembly to be the beneficiaries of his perspective on roughly when we might be able to address campaign finance reform. Would it be in a month or two? Would it be in the spring? Would it be this session? I am not asking for any exactitude or specificity; I am only asking for a sign of good will that I interpreted from his own remarks.

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

And I am not prepared to give you any specific time. We are going to take the time to do it right, and whatever that amount of time is, that is how long it will be.

Mr. DeWEESE. Mr. Speaker, that was as ambivalent as Punxsutawney Phil. However—

Mr. S. SMITH. Point of order, Mr. Speaker. Is he making a personal statement on that comment?

The SPEAKER. No; I think a factual one, according to Mr. Barley.

Mr. S. SMITH. No more cookies, sir.
 Mr. DeWEESE. Well, Mr. Speaker, I am going to interpret that there will be 6 more weeks of winter relative to campaign finance reform.

The House Democrats, with Messrs. Vitali, Levdansky, et al., leading the charge, will continue to offer our enthusiasms along this line during subsequent weeks when we are back in session.

Thank you very much.
 The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
 Will the House agree to the motion?
 Motion was agreed to.

RULES SUSPENDED

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

Mr. PIPPY. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of HR 429.

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

The following roll call was recorded:

YEAS—191

Adolph	Fairchild	Maitland	Sather
Allen	Feese	Major	Saylor
Argall	Fichter	Manderino	Schroder
Armstrong	Fleagle	Mann	Schuler
Baker, J.	Flick	Markosek	Scrimenti
Baker, M.	Forcier	Marsico	Semmel
Bard	Frankel	Mayernik	Shaner
Barley	Freeman	McCall	Smith, B.
Barrar	Gabig	McGeehan	Smith, S. H.
Bastian	Gannon	McGill	Solobay
Bebko-Jones	Geist	McIlhattan	Staback
Belardi	George	McIlhinney	Stairs
Benninghoff	Godshall	McNaughton	Steelman
Birmelin	Gordner	Melio	Steil
Blaum	Grucela	Metcalfe	Stern
Boyes	Gruitza	Michlovic	Stetler
Browne	Habay	Micozzie	Stevenson, R.
Bunt	Haluska	Miller, R.	Stevenson, T.
Butkovitz	Hanna	Miller, S.	Strittmatter
Buxton	Harhai	Mundy	Sturla
Caltagirone	Harhart	Myers	Tangretti
Cappelli	Harper	Nailor	Taylor, E. Z.
Casorio	Hasay	Nickol	Taylor, J.
Cawley	Hennessey	O'Brien	Thomas
Civera	Herman	Oliver	Tigue
Clark	Hershey	Pallone	Trello
Clymer	Hess	Perzel	Trich
Cohen, L. I.	Horsey	Petrarca	Tulli
Cohen, M.	Hutchinson	Petrone	Turzai
Colafella	Jadlowiec	Phillips	Vance
Coleman	James	Pickett	Veon
Cornell	Josephs	Pippy	Vitali
Corrigan	Kaiser	Pistella	Walko
Costa	Keller	Preston	Wansacz
Coy	Kenney	Raymond	Waters
Creighton	Krebs	Readshaw	Watson
Cruz	LaGrotta	Reinard	Wilt
Curry	Laughlin	Rieger	Wojnaroski

Dailey	Lawless	Roberts	Wright, G.
Daley	Lederer	Robinson	Wright, M.
Dally	Leh	Roebuck	Yewcic
DeLuca	Lescovitz	Rohrer	Youngblood
DeWeese	Levdansky	Ross	Yudichak
DiGirolamo	Lewis	Rubley	Zimmerman
Diven	Lucyk	Ruffing	Zug
Donatucci	Lynch	Sainato	
Eachus	Mackereth	Samuelson	Ryan,
Egolf	Maher	Santoni	Speaker
Evans, J.			

NAYS—3

Bishop	Kirkland	Washington
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NOT VOTING—3

Dermody	Evans, D.	Williams, J.
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EXCUSED—4

Belfanti	Rooney	Surra	Travaglio
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A majority of the members required by the rules having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

SUPPLEMENTAL CALENDAR D

RESOLUTION

Mr. PIPPY called up **HR 429, PN 3312**, entitled:

A Concurrent Resolution urging the President of the United States to act quickly on the recommendations of the International Trade Commission regarding the domestic steel industry.

On the question,
 Will the House adopt the resolution?

The SPEAKER. On the resolution, Mr. DeWeese.
 Mr. DeWEESE. Thank you, Mr. Speaker.

“I would rather see steel poured than hear a great symphony orchestra.” Mary Heaton Vorse, who was a suffragette and a labor activist.

I am proud to be with my colleague, Mr. Pippy, as a cosponsor of this resolution. It is imperative, I think, that we give it a few minutes of focus today.

In the last 7 years, we have lost 95,000 steel jobs. America is at war. From the Mon Valley to the Lehigh Valley, we have suffered the depredations of many of our steel facilities closing. We need to be able to make skyscrapers and cars and trucks and trains, and I am very glad that the gentleman from Allegheny is offering this resolution.

Notwithstanding some of the public relations confusion of recent years, our steel industry is quite productive and clean and cost effective, but we have, unfortunately, taken a hit

internationally, and I will let the gentleman respond to that and other things in his own remarks.

In conclusion, sir, we have invested in this country \$35 billion in new steel facilities in the last 7 years, but in Pennsylvania we have been losing many steel-working jobs. Men and women, to the total of 18,000, have lost their jobs in the last 4 years – LTV, Wheeling-Pittsburgh, and substantial layoffs at a variety of other companies, including obvious and devastating downsizing and bankruptcy at Bethlehem Steel.

So I look forward to taking this issue to the forefront with my colleagues on the Republican side of the aisle and making certain that Pennsylvania's General Assembly makes a strong statement that will be received in the Federal Capitol.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Daley.

Mr. Pippy, I will save you till last.

Mr. DALEY. Thank you, Mr. Speaker.

I think it goes without saying the need for this resolution. We from the Mon Valley as well as the Lehigh Valley, the Johnstown area, you go throughout the Commonwealth, we know since 1982 that we have lost 475,000 jobs related to the steel industry and the coal industry, and we have stood by as the coal and the steel industry has declined. We have seen towns like Aliquippa, Representative Colafella's area, all the way up through the Beaver Valley and through the Mon Valley, where Monessen and Donora once had 25,000 people and now they barely have 6,000 people. We see that Wheeling-Pittsburgh Steel once employed 3,000 people in the Mon Valley and now they employ 342 people. Today we had an announcement that the State, through this administration, is going to give us \$2.4 million so that industry can hang on to those 342 jobs, Mr. Speaker.

But throughout Pennsylvania, historically the Federal government, throughout this country, has failed to recognize the fact that the steel industry has been on the ropes, and it is time that they step forward. Instead of building plants in Mexico and Japan and rebuilding plants in Germany and throughout the world, it is time we rebuild the infrastructure of America.

Mr. Speaker, this resolution is long overdue. It is time Congress wises up and saves the steel industry before it is too late.

Thank you, Mr. Speaker.

The SPEAKER. Mr. Cappelli.

Mr. CAPPELLI. Thank you, Mr. Speaker.

I, too, want to commend Representative Pippy for this resolution.

This issue is more than simply one of Pennsylvania jobs or a major segment of our Commonwealth economy; this is about our national defense.

Williamsport is home to one of only three remaining U.S. domestic steel wire rope facilities. Formerly a division of Bethlehem Steel, it is now Williamsport Wire Rope, privately owned and operated. It employs 400 hardworking men and women, produces wire rope for about 40 percent of the elevator market in the U.S., 20 percent of the mining industry, and much of that wire rope in fact catches and stops naval aircraft landing on U.S. warships now in the Arabian Sea and Persian Gulf area.

So this is about our ability to protect our nation, to provide for national defense, and I think it is incumbent of the President of the United States and Congress to make sure we do not become a victim, as we are presently for energy and petroleum products, when it comes to our ability to produce steel. We still produce

food for most of the world. Let us continue to be a leader in steel for our economy and for our security.

I thank the gentleman from Allegheny County and urge strong support for this resolution.

The SPEAKER. The Chair thanks the gentleman.

The gentleman from Westmoreland, Mr. Harhai.

Mr. HARHAI. Thank you, Mr. Speaker.

I rise as the Democratic chairman of the steel caucus, and I, too, concur with the previous speaker. I want to thank Mr. Pippy for sponsoring this resolution. I had a similar resolution last session, and it did not go forth, but this is a little more refined.

We are going through some tough times in the steel industry and have been since '82. My hometown went from 25,000 people down to 8,500 people and 6,000 jobs down to 215, and now we are facing the same element at Allenport, Pennsylvania, with Wheeling-Pittsburgh Steel once again.

And I want to thank everyone that supported the \$2.4 million that is being released by the State and Representative Daley for spearheading in his district the survival of what we have left, and hopefully we can build from here and continue to regrow this business, not worry so much about bringing new businesses into Pennsylvania but let us take care of the ones that we have, and the steel industry is one, and let us keep this business. Let us help them to stay, and then we can go out and recruit additional business to this State.

Thank you very much.

The SPEAKER. The gentleman, Mr. Gruitza.

Mr. GRUITZA. Thank you, Mr. Speaker.

Very briefly, I just want to add to what has been said here, and I feel it is important for me to get up and say something, because I represent a district that has really over the past 15 years been in a fight for its life, its economic life, and I could not be prouder of the men and women that I represent, the steelworkers who have worked so hard with the companies, the management, to keep our plants viable. In my district we are producing the lion's share of steel tubing that is still produced in this country, and our mills have fought hard to modernize. Our workers have made concessions. Our people have been in a war that certainly precedes September 11, an economic war, and time after time after time, they have gone to Washington; they have taken their case before the Federal Trade Commission. We have won some, but we certainly have not gotten the results that we need.

And really, Mr. Pippy has introduced— We introduce a lot of resolutions here, but Mr. Pippy's resolution on steel is absolutely critical not only to Pennsylvania's vitality, to communities like mine, but to this country's security.

You know, we have gotten bad news here over the past several months: Ford's downsizing. There are going to be 35,000 jobs lost in one of our greatest American corporations. Americans need to stand up now and understand that we are not only in a war on terrorism but we are in an economic war, and I am very proud of the way my district, my workers have handled it. We have kept some mills alive up there that nobody would have given them a chance, and what we found in our efforts for economic development has been, when you lose a plant, when a plant goes down and you lose 500, 600, 1,000 jobs, it takes years for us to chip away and fight and struggle through the State programs that we have to replace those jobs 25, 30, 50 at a time.

It is a real effort, and we have got to be doing everything we

can to preserve these steel jobs and to try to encourage Washington to provide the kind of aid they are providing in other areas to keep American steel strong, because it is vital to the future of this country and to our communities, and I thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Mercer, Mr. Wilt.

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

I rise briefly. I want to thank my colleague from Mercer, Representative Gruitza, for his comments.

Those of us that represent the northwest corner of Pennsylvania have been faced with some more fallout from the steel industry that has been widely discussed already this afternoon. We are talking about moldmakers, tool-and-die makers. We are talking about railcar manufacturers. We are talking about people who make products and make them very well. And we have been frustrated over the years by our lack of ability to provide any measure of support to our constituents who come to us with very real problems. Today we have an opportunity to do something, and that something I have to thank Representative Pippy for is HR 429.

Our tariff situation is screwed up, and this is an opportunity for us in Pennsylvania to send a very strong message to Washington, DC, that American jobs, American workers, American products, and American consumers have an opportunity to buy American if we can get this tariff situation worked out.

So, Mr. Speaker, I thank you on behalf of our constituents in the northwest corner of Pennsylvania for this resolution. I hope that it passes unanimously.

Thank you very much, Mr. Speaker.

The SPEAKER. The gentleman from Cambria, Mr. Yewcic.

Mr. YEWIC. Thank you, Mr. Speaker.

I, too, would like to commend Representative Pippy for this resolution.

To show how this is hitting home, this past week I received several letters or copies of several letters and some phone calls and visits from constituents of mine who used to work for Bethlehem Steel and who then were employed by Johnstown America Corporation. Johnstown America, of course, bought a portion of Bethlehem, and there was an agreement with Bethlehem to pay for and reimburse Johnstown America to cover their health costs when they retire. Bethlehem has now reneged on that promise prior to applying for bankruptcy protection, and now several hundred retirees are going to be without health-care coverage because of the plight of the steel industry. So I think in a very real way this not only affects our economy, but our local people whom we represent are going to be without health care because of what is happening in the economy.

So I commend again Representative Pippy on this resolution. It is very timely.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman from Chester, Mr. Hennessey.

Mr. HENNESSEY. Thank you, Mr. Speaker.

I stand briefly to ask people to support this, hopefully unanimously.

We have had in recent years in America over 27 major bankruptcies within the steel industry itself. We have tried for years to get help from Washington, and frankly, we have been put on hold. But last year the new administration activated its trade cases. Trade courts have now in Washington given formalized findings of illegal steel dumping that has taken place in America

from foreign imports, and we now have a chance to ride the recommendations, the formal recommendations that have been issued by that body, that quotas be instituted and that some relief be granted to the steel industry.

The steel industry needs that support, and it needs the help now. This resolution goes a long way to helping assure that Congress will do the right thing and protect our industry while we still can preserve it and breathe life back into it, hopefully.

So I ask your support, and I thank Representative Pippy for introducing the resolution.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Kaiser.

Mr. KAISER. Thank you, Mr. Speaker.

You know what, Mr. Speaker? I remember when I walked in the doors of U.S. Steel and I signed my papers – my insurance, my health, everything that had to do with U.S. Steel – and I remember saying to myself, when I get 65 years old, I want to retire from U.S. Steel. Where I worked at Duquesne, we always went into McKeesport, and when someone was retiring, we had a nice party for them and we always gave them a gold watch, and little did I know that I would be eliminated in a matter of years.

Where I worked in the Mon Valley, U.S. Steel had 25,000 employees in 1980. In 1985, just a mere 5 years later, they only had 5,000 employees. In a matter of 5 years, they lost 20,000 employees, and there is no doubt in my mind that those jobs were lost, including my job, by unfair competition from companies overseas, and what little we have left in the steel industry we must save.

Occasionally I run into people that are saying, well, it is fair trade; anything goes. Well, it is not like that, Mr. Speaker, because these companies are supported by the nations where they are located; they are subsidized. They ship the steel over here, and they eliminate our jobs. I cannot walk into a hardware store and get a socket, a screwdriver, a wrench that does not say “Made in China.”

We are losing our market in steel, and if we lose the steel industry, we are all going to suffer. I do not know what is going to happen if we ever have a serious war that we have to get the steel mills up and running again. I tell people steel mills are not like throwing a switch. Once they are mothballed or shut down, that is it. You have to spend hundreds of millions of dollars plus months and months and months to get them in a condition where they can produce steel again.

It is most important coming from a steel State that we get the message to our colleagues in Washington, DC, that this is important, not only for Pennsylvania but for the country as a whole. When you travel like anywhere in western Pennsylvania and you go through the Mon Valley or Westmoreland County or Washington County or Greene County or Mercer and you just see factory after factory after factory, steel mill after steel mill that lay vacant, it is all due to this unfair trade that is going on right now.

So I ask everyone, please vote for this resolution. It is a good bill, and I hope in DC they get the message.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. Pippy.

Mr. PIPPY. Thank you, Mr. Speaker.

The SPEAKER. Pardon me, Mr. Pippy.

Mr. Colafella, do you desire recognition on this?

Mr. COLAFELLA. Yes, please.

The SPEAKER. You are recognized.

Mr. COLAFELLA. Thank you, Mr. Speaker.

Mr. Speaker, I applaud Representative Pippy for introducing this resolution.

Not only is it imperative for President Bush to do something about the steel crisis in this country but it is important today that our Federal government realizes how important the steel industry is. I mean, when the airlines had a problem, they bailed them out by giving them about \$15 billion, and I think that was good, but we have done nothing to help the steel companies in this country, and the steel companies in this country are what won us the Second World War and will always make us successful when we have to defend ourselves.

Right now there is another crisis with steelworkers back in my district. Their health-care benefits are coming to an end, but they are not going to get any help either from the Federal government. For some reason our Federal government has not done its job to help the steel industries in this country, and it is a shame, and it is about time we are doing something.

But I think what we need to do with this resolution is, besides sending letters, the individual legislators ought to contact their Congressmen and ask them to help the steelworkers of our country, the retired ones who are losing their health benefits as well, and also to do something about the international trade agreement, to do something about this. Thank you.

The SPEAKER. On the question of the adoption of the resolution, the Chair recognizes the gentleman, Mr. Pippy.

Mr. PIPPY. Thank you, Mr. Speaker.

I first want to commend the Governor's Office for the work they have been doing on this issue. Many of you may not be aware, our previous Governor, Governor Ridge, had testified many times in Washington on this issue defending steelworkers and our companies, and Governor Schweiker now and his team are working very hard on this.

My colleagues before me were eloquent in their words and covered the issue well. The impact though: 60,000 Pennsylvania steelworkers, 150,000 retired steelworkers, pension and health-care benefits. Those are the people we are talking about. Everyone has said if we had a fair market, if we had a level playing field, we could compete and win with anyone, and we would, but it is not fair; it is not a level playing field.

I will tell you that I am very humbled by the comments from both sides of this aisle. We have a lot of good men and women who care about this issue, and if you can say one thing about this resolution, it is that this is a united front that will send one single voice to Washington, not a Democrat or a Republican voice, not management or labor, but a voice of the people of Pennsylvania saying that we have to stand up for steel and the time is now.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

Adolph	Evans, D.	Maher	Saylor
Allen	Evans, J.	Maitland	Schroder
Argall	Fairchild	Major	Schuler
Armstrong	Feese	Manderino	Scrimenti

Baker, J.	Fichter	Mann	Semmel
Baker, M.	Fleagle	Markosek	Shaner
Bard	Flick	Marsico	Smith, B.
Barley	Forcier	Mayernik	Smith, S. H.
Barrar	Frankel	McCall	Solobay
Bastian	Freeman	McGeehan	Staback
Bebko-Jones	Gabig	McGill	Stairs
Belardi	Gannon	McIlhattan	Steelman
Benninghoff	Geist	McIlhinney	Steil
Birmelin	George	McNaughton	Stern
Bishop	Godshall	Melio	Stetler
Blaum	Gordner	Metcalfe	Stevenson, R.
Boyes	Grucela	Michlovic	Stevenson, T.
Browne	Gruitza	Micozzie	Strittmatter
Bunt	Habay	Miller, R.	Sturla
Butkovitz	Haluska	Miller, S.	Tangretti
Buxton	Hanna	Mundy	Taylor, E. Z.
Caltagirone	Harhai	Myers	Taylor, J.
Cappelli	Harhart	Nailor	Thomas
Casorio	Harper	Nickol	Tigue
Cawley	Hasay	O'Brien	Trello
Civera	Hennessey	Oliver	Trich
Clark	Herman	Pallone	Tulli
Clymer	Hershey	Perzel	Turzai
Cohen, L. I.	Hess	Petrarca	Vance
Cohen, M.	Horsey	Petrone	Veon
Colafella	Hutchinson	Phillips	Vitali
Coleman	Jadlowiec	Pickett	Walko
Cornell	James	Pippy	Wansacz
Corrigan	Josephs	Pistella	Washington
Costa	Kaiser	Preston	Waters
Coy	Keller	Raymond	Watson
Creighton	Kenney	Readshaw	Williams, J.
Cruz	Kirkland	Reinard	Wilt
Curry	Krebs	Rieger	Wojnaroski
Dailey	LaGrotta	Roberts	Wright, G.
Daley	Laughlin	Robinson	Wright, M.
Dally	Lawless	Roebuck	Yewcic
DeLuca	Lederer	Rohrer	Youngblood
Dermody	Leh	Ross	Yudichak
DeWeese	Lescovitz	Rubley	Zimmerman
DiGirolamo	Levdansky	Ruffing	Zug
Diven	Lewis	Sainato	
Donatucci	Lucyk	Samuelson	
Eachus	Lynch	Santoni	Ryan,
Egolf	Mackereth	Sather	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—4

Belfanti	Rooney	Surra	Travaglio
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The majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

Ordered, That the clerk present the same to the Senate for concurrence.

The SPEAKER. I have been asked by a number of members whether tomorrow is a voting session day. It is.

Are there any announcements of committee meetings for tomorrow?

Mr. Sturla.

Mr. STURLA. Mr. Speaker, a quick question. There were Appropriations hearings scheduled for tomorrow which had

members testifying on the budget. Do you know what the status of that will be with regard to the voting session?

The SPEAKER. The Appropriations hearings will start at 10.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 1114, PN 3313 (Amended) By Rep. BUNT

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, further providing for sales disclosure forms.

AGRICULTURE AND RURAL AFFAIRS.

HB 1794, PN 2309 By Rep. BUNT

An Act providing for disposal of treated lumber and for a penalty.

AGRICULTURE AND RURAL AFFAIRS.

HB 2190, PN 3315 (Amended) By Rep. HERSHEY

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, further providing for the recycling fee sunset provisions; and making a repeal.

ENVIRONMENTAL RESOURCES AND ENERGY.

HB 2302, PN 3314 (Amended) By Rep. BUNT

An Act amending the act of May 20, 1993 (P.L.38, No.11), known as the Department of Environmental Resources Agricultural Advisory Board Act, further providing for establishment of board; and making editorial changes.

AGRICULTURE AND RURAL AFFAIRS.

HB 2350, PN 3262 By Rep. BUNT

An Act amending the act of May 23, 1945 (P.L.926, No.369), referred to as the Public Eating and Drinking Place Law, providing for health and safety inspections of school cafeterias and for training related to school cafeterias; and making editorial changes.

AGRICULTURE AND RURAL AFFAIRS.

The SPEAKER. The members of the Transportation Committee should be reminded that that committee is meeting in the rear of the hall of the House as we speak.

STATEMENT BY MR. LAWLESS

The SPEAKER. Will the House please come to order.

The Chair recognizes the gentleman, Mr. Lawless.

Mr. LAWLESS. Thank you, Mr. Speaker.

Mr. Speaker, I would like to take this opportunity to thank the members of the House for a warm welcome to my guest, Mr. Jacobs, who was on the floor yesterday. Mr. Jacobs and his family have gone through some horrible, horrible health illnesses over the last 15 months, and I do want to take this time to thank the House for its warm welcome of him yesterday as he visited the Capitol.

After visiting those of us in the House who, again, unanimously supported this man and his family to fight the E. coli bacteria in Pennsylvania, he visited the other chamber with his Senator, the Senator from the 17th District. When he visited the Senator from York, the chairman of the Agriculture Committee, again, personally to ask if he would move Erin's Law, he was met with this type of opposition: he was told that Erin's Law had a cost to it. Again I repeat, as I have stated here on the floor, what is the cost of two kidneys of a 4-year-old? What is the cost of an appendix? What is the cost of 80 percent of your colon? And what is the cost of a father who gives up a kidney to his child?

He was also met by the Senator from York with a statement that said the Senator would include this language or at least some of the language in Erin's bill in a new bill that he will be introducing in the near future, and that bill would also include bioterrorism.

Mr. Speaker, let me make it very clear: Mr. Jacobs asked me to stand here today—

The SPEAKER. Will the gentleman yield.

Please. Conferences on the floor will disband.

Mr. Lawless.

Mr. LAWLESS. Thank you, Mr. Speaker.

Mr. Speaker, let me make it very clear: Mr. Jacobs, as I drove him home last night, was very emotional, and I do not want to draw a picture that is not clear and I do not want to make this any bigger than it is, but the fact of the matter is, this man had water in his eyes. He has just gone through so much in 15 months, and the Senator from York wants to name Erin's bill after bioterrorism.

Mr. Speaker, when Mr. Jacobs asked the Senator from York, quote, "What I don't understand is why you won't move Erin's bill," the Senator from York responded, "If you don't understand, you're not going to understand." Mr. Speaker, that is the type of arrogance in public service that we cannot have.

I am so proud of this House for again – you know, I only got to meet this young lady a year ago March 21 – and I cannot tell you how proud I am of this entire House to support this family in these tough goings, and yet to move to the other side, the other chamber, and to have this man treated as he was yesterday is just intolerable.

Something needs to be done. This is the house of the people. We represent the people, and we need to start sending a strong message, whether it is Erin's bill, whether it is malpractice, or whether it is campaign finance reform, that we in this chamber have a job to do as well, and if they are not going to move our legislation over there, I think it is well time we do not move their legislation over here.

Mr. Speaker, in closing, I thought very hard about my comments I made last week where you rightfully ended my comments, and I want to take this time to apologize to the House as well as the Senator from Altoona. I stepped over the line; I know I stepped over the line. I was wrong. I apologize to you, I apologize to this House, and I apologize to the man from Altoona. I just wish that the people in the other chamber would have the same courtesy of the gentleman from Jeffersonville, Pennsylvania, and his wife, Trish and Rick Jacobs.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

There are no further votes. I am going to hold the desk open to take the report of the Transportation Committee.

The House will be at ease.

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

HB 1281, PN 3316 (Amended) By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for driving while operating privilege is suspended or revoked.

TRANSPORTATION.

HB 2296, PN 3317 (Amended) By Rep. GEIST

An Act designating a portion of the Mon/Fayette Expressway, State Route 43, as the Yohogania County Courthouse Highway.

TRANSPORTATION.

HB 2313, PN 3318 (Amended) By Rep. GEIST

An Act designating the portion of State Route 93 between Nesquehoning, Carbon County, at the base of the Broad Mountain, and the Luzerne-Columbia County border as the Flight 93 Remembrance Highway, in honor and memory of the brave passengers and crew of Flight 93 which crashed tragically in Somerset County on September 11, 2001.

TRANSPORTATION.

BILLS PASSED OVER

The SPEAKER. Without objection, all remaining bills on today's calendar will be passed over. The Chair hears no objection.

ADJOURNMENT

The SPEAKER. Does the majority leader or minority leader have any further business? Any corrections to the record?

The Chair recognizes the gentleman from Armstrong County, Mr. Coleman.

Mr. COLEMAN. Mr. Speaker, I move that this House do now adjourn until Wednesday, February 13, 2002, at 11 a.m., e.s.t., unless sooner recalled by the Chair.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:27 p.m., e.s.t., the House adjourned.