

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

FRIDAY, JULY 18, 2003

SESSION OF 2003

187TH OF THE GENERAL ASSEMBLY

No. 65

HOUSE OF REPRESENTATIVES

The House convened at 10 a.m., e.d.t.

THE SPEAKER (JOHN M. PERZEL)

PRESIDING

PRAYER

REV. JULIANN V. WHIPPLE, Chaplain of the House of Representatives, offered the following prayer:

Let us pray:

We come before You, O God, a tired and world-weary people. You are our parent who cares for each of us as if we were Your only child. You who care for us more than we care for ourselves, hear our words of praise. Our hearts find so much more to say than our words can express, even when our thoughts, though lofty and probing in character, at least can bring us only to the very edge of Your ways. We come gratefully and expectantly before You, for while we are unable to find You through word and thought, You are always able to find us.

Discover us this day, O God. Come through all the density of our broken and tangled ways, along the pathways paved with promises and deep resolves and now grown over by weeds and bramble. Reach out to us, because we may fail to reach out to You. We ask that as we go back to our offices, our caucuses, our homes, that You will go before us. Guide our tongues as we speak, and open our ears to hear Your message, Your agenda, before our own. Everyone feels passionately about the issues before them, and we truly want to do what is right and best for the people of this Commonwealth, but come on, Lord; only You can see the future. Guide our hearts to make the right choices, and no matter if we win or lose, teach us to be strong of character and continue to charter a better course for this State.

When it comes down to it, our weariness is nothing compared to the families of those killed in that car accident in California – a sudden twist of fate and your loved ones are no longer strolling along beside you picking out the vegetables for your summer salad. What a crushing blow. Once the tent flap of reality is open, then comes streaming into our minds the soldiers who continue to die on our behalf, the families whose lives were devastated by fire, the faces of the children in countries where starvation is commonplace. What can we do? Will the prayers we pray here really matter?

We gratefully speak Your name, for You share Your hope with us. In a time when the sadness of our world seems to have gained control over the destinies of so many, Your voice declares that You are ruler yet. Though the problems that confront us seem insurmountable, the resources Your hand

provides make us equal to the task. A light shines because You are interwoven into the history of the human race, and this is Your light. It is the symbol and promise of our hope.

Forgive us, Gracious God, for thinking more of our own needs than of Your ability to meet them. Restore to us a right vision of the life You have entrusted to our care.

May we always respect Your power. 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 Thursday, July 17, 2003, will be postponed until printed.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that the following bill be taken from the table: SB 506.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL ON SECOND CONSIDERATION

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

SB 506, PN 1049.

BILL RECOMMITTED

The SPEAKER. The Chair now recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that the following bill be recommitted to the Committee on Appropriations: SB 506.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that the following bill be taken off the table: HB 205.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that the following bill be laid upon the table: HB 205.

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

CALENDAR**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 234, PN 263**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing a tax credit for attendance at a firearm training course.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that HB 234 be laid upon the table.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that HB 234 be taken off the table.

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

RESOLUTIONS

Mr. S. SMITH called up **HR 72, PN 403**, entitled:

A Resolution urging the Federal Communications Commission to clarify the role of the state public utility commissions in the implementation of a 21-1 abbreviated dialing code for health and human services delivery.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that HR 72 be laid upon the table.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that HR 72 be taken off the table.

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

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Mr. S. SMITH called up **HR 271, PN 1656**, entitled:

A Resolution memorializing the Congress of the United States to pass H.R. 742.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that HR 271 be laid upon the table.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that HR 271 be taken off the table.

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

* * *

Mr. S. SMITH called up **HR 219, PN 1456**, entitled:

A Concurrent Resolution memorializing Congress to pass legislation to amend Title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees and provide workers employed in small businesses and self-employed workers with access to and choice of affordable health plan options similar to those now enjoyed by workers in corporate and union health plans.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that HR 219 be laid upon the table.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that HR 219 be taken off the table.

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

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the Republican whip, who moves for no leaves of absence.

The Chair recognizes the minority whip, who moves for a leave of absence for the gentleman from Philadelphia, Mr. McGEEHAN, and the gentleman from Fayette, Mr. ROBERTS. Without objection, those leaves will be granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—199

Adolph	Evans, D.	Levdansky	Samuelson
Allen	Evans, J.	Lewis	Santoni
Argall	Fabrizio	Lynch	Sather
Armstrong	Fairchild	Mackereth	Saylor
Baker	Feese	Maher	Scavello
Baldwin	Fichter	Maitland	Schroder
Bard	Fleagle	Major	Scrimenti
Barrar	Flick	Manderino	Semmel
Bastian	Forcier	Mann	Shaner
Bebko-Jones	Frankel	Markosek	Smith, B.

Belardi	Freeman	Marsico	Smith, S. H.
Belfanti	Gabig	McCall	Solobay
Benninghoff	Gannon	McGill	Staback
Biancucci	Geist	McIlhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespie	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.
Browne	Godshall	Micozzie	Stevenson, T.
Bunt	Goodman	Miller, R.	Sturla
Butkovitz	Gordner	Miller, S.	Surra
Buxton	Grucela	Mundy	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappelli	Habay	Myers	Taylor, J.
Casorio	Haluska	Nailor	Thomas
Causer	Hanna	Nickol	Tigue
Cawley	Harhai	O'Brien	Travaglio
Civera	Harhart	Oliver	True
Clymer	Harper	O'Neill	Turzai
Cohen	Harris	Pallone	Vance
Coleman	Hasay	Payne	Veon
Cornell	Hennessey	Petrarca	Vitali
Corrigan	Herman	Petri	Walko
Costa	Hershey	Petrone	Wansacz
Coy	Hess	Phillips	Washington
Crahalla	Hickernell	Pickett	Waters
Creighton	Horsey	Pistella	Watson
Cruz	Hutchinson	Preston	Weber
Curry	James	Raymond	Wheatley
Daily	Josephs	Readshaw	Williams
Daley	Keller	Reed	Wilt
Dally	Kenney	Reichley	Wojnaroski
DeLuca	Killion	Rieger	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Demody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	Perzel,
Eachus	Leh	Sainato	Speaker
Egolf			

ADDITIONS—0

NOT VOTING—0

EXCUSED—3

Lescovitz	McGeehan	Roberts
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LEAVES CANCELED—2

McGeehan	Roberts
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**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 1884 By Representatives DeLUCA, FABRIZIO, LEDERER, LEH, PRESTON, ROONEY, RUFFING, THOMAS, WALKO, WASHINGTON, WRIGHT and HABAY

An Act regulating auto body repair facilities; establishing and conferring powers and duties on the Auto Body Repair Board; providing for and establishing fees for the licensing of auto body repair facilities; providing for enforcement; and establishing penalties for violations.

Referred to Committee on PROFESSIONAL LICENSURE, July 18, 2003.

No. 1885 By Representatives DeLUCA, BEBKO-JONES, CAWLEY, CURRY, DALEY, DONATUCCI, FABRIZIO, FREEMAN, HARHAI, JAMES, LAUGHLIN, LEACH, LEH, PALLONE, ROONEY, TANGRETTI, WALKO, WASHINGTON, WHEATLEY and YOUNGBLOOD

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for the powers and duties of the Department of Health.

Referred to Committee on HEALTH AND HUMAN SERVICES, July 18, 2003.

No. 1886 By Representatives DeLUCA, DAILEY, BEBKO-JONES, BIANCUCCI, CASORIO, COY, CREIGHTON, DALEY, FABRIZIO, JAMES, JOSEPHS, LAUGHLIN, LEDERER, MARKOSEK, MELIO, MUNDY, PISTELLA, REICHLEY, ROONEY, THOMAS, VANCE, WALKO, YOUNGBLOOD and HARPER

An Act amending the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act, further providing for definitions; and providing for registration, qualifications and supervision of pharmacy technicians.

Referred to Committee on PROFESSIONAL LICENSURE, July 18, 2003.

No. 1887 By Representatives DeLUCA, BEBKO-JONES, BIANCUCCI, FABRIZIO, HANNA, HARHAI, JAMES, KOTIK, LaGROTTA, LAUGHLIN, LEDERER, PISTELLA, READSHAW, ROBERTS, ROONEY, RUFFING, SHANER, SOLOBAY, STABACK, TANGRETTI, TIGUE, WALKO, SCRIMENTI, DALEY, YOUNGBLOOD and COHEN

An Act establishing the Prescription Drug Fair Pricing Program; and providing for powers and duties of the Department of Public Welfare.

Referred to Committee on HEALTH AND HUMAN SERVICES, July 18, 2003.

No. 1888 By Representatives DeLUCA, BEBKO-JONES, BIANCUCCI, COY, CREIGHTON, CURRY, FRANKEL, FREEMAN, HARHAI, HENNESSEY, HERSHEY, JAMES, JOSEPHS, LaGROTTA, LAUGHLIN, LESCOVITZ, MANDERINO, MELIO, MUNDY, PRESTON, SHANER, SOLOBAY, TANGRETTI, TIGUE, WALKO, WANSACZ, WASHINGTON, WHEATLEY and YOUNGBLOOD

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for managed care plan liability.

Referred to Committee on INSURANCE, July 18, 2003.

No. 1889 By Representatives McCALL, GEIST, MELIO, MARSICO, ALLEN, ARGALL, BEBKO-JONES, BELFANTI, BIANCUCCI, BROWNE, CORRIGAN, CREIGHTON, DALLY, DeWEESE, EACHUS, FABRIZIO, FRANKEL, GERGELY, GOODMAN, GORDNER, GRUCELA, HARHAI, HENNESSEY, HERMAN, HESS, HORSEY, KOTIK, LAUGHLIN, LEH, MANN, MARKOSEK, McGEEHAN,

PISTELLA, RUFFING, SATHER, SAYLOR, SCAVELLO, SOLOBAY, TANGRETTI, THOMAS, TIGUE, WALKO, WOJNAROSKI and YOUNGBLOOD

An Act providing for the highway capital budget project itemization for the fiscal year 2003-2004.

Referred to Committee on APPROPRIATIONS, July 18, 2003.

No. 1890 By Representatives LaGROTTA, RAYMOND, SURRA, GEORGE, NAILOR, CRAHALLA, B. SMITH, KOTIK, CORRIGAN, CREIGHTON, HARRIS, GRUCELA, BROWNE, MUNDY, HORSEY, JOSEPHS, R. STEVENSON, FREEMAN, YOUNGBLOOD, MANDERINO, JAMES, ARMSTRONG and WATERS

An Act regulating the licensure and practice of optometry and ophthalmology; providing for the release of contact lens prescription records and for penalties.

Referred to Committee on CONSUMER AFFAIRS, July 18, 2003.

FILMING PERMISSION

The SPEAKER. The Chair wishes to advise the members that it has given permission to William Campbell of the Pittsburgh Post-Gazette to take still photographs of the members on the budget bill, dated July 18, 2003.

The Chair wishes to advise the members that it has given permission to Carolyn Kaster of the Associated Press to take still photographs.

RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the majority leader, who calls for an immediate meeting of the Rules Committee.

RESOLUTIONS REPORTED FROM COMMITTEE

HR 361, PN 2447

By Rep. S. SMITH

A Resolution urging the respective boards of trustees of the State Employees' Retirement System (SERS) and the Public School Employees' Retirement System (PSERS) to cooperate with the Department of the Auditor General's special performance audits of SERS and PSERS and with the timely and professional completion of the special performance audits.

RULES.

HR 364, PN 2450

By Rep. S. SMITH

A Resolution urging the Secretary of Banking to study residential lending practices in Pennsylvania and to submit a report to the General Assembly.

RULES.

**BILL ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 745, PN 2382

By Rep. S. SMITH

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to the Warren County Conservation District certain lands situate in the Township of Glade, Warren County, Pennsylvania.

RULES.

RESOLUTION

Mr. WRIGHT called up **HR 347, PN 2308**, entitled:

A Resolution recognizing the week of September 22 through 28, 2003, as "Equal Parents' Week."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

Adolph	Egolf	Levdansky	Samuelson
Allen	Evans, D.	Lewis	Santoni
Argall	Evans, J.	Lynch	Sather
Armstrong	Fabrizio	Mackereth	Saylor
Baker	Fairchild	Maher	Scavello
Baldwin	Feese	Maitland	Schroder
Bard	Fichter	Major	Scrimenti
Barrar	Fleagle	Manderino	Semmel
Bastian	Flick	Mann	Shaner
Bebko-Jones	Forcier	Markosek	Smith, B.
Belardi	Frankel	Marsico	Smith, S. H.
Belfanti	Freeman	McCall	Solobay
Benninghoff	Gabig	McGill	Staback
Biancucci	Gannon	McIlhattan	Stairs
Birmelin	Geist	McIlhinney	Steil
Bishop	George	McNaughton	Stern
Blaum	Gergely	Melio	Stetler
Boyd	Gillespie	Metcalfe	Stevenson, R.
Browne	Gingrich	Micozzie	Stevenson, T.
Bunt	Godshall	Miller, R.	Sturla
Butkovitz	Goodman	Miller, S.	Surra
Buxton	Gordner	Mundy	Tangretti
Caltagirone	Grucela	Mustio	Taylor, E. Z.
Cappelli	Gruitza	Myers	Taylor, J.
Casorio	Habay	Nailor	Thomas
Causer	Haluska	Nickol	Tigue
Cawley	Hanna	O'Brien	Travaglio
Civera	Harhai	Oliver	True
Clymer	Harhart	O'Neill	Turzai
Cohen	Harper	Pallone	Vance
Coleman	Harris	Payne	Veon
Cornell	Hasay	Petrarca	Vitali
Corrigan	Hennessey	Petri	Walko
Costa	Herman	Petrone	Wansacz
Coy	Hershey	Phillips	Washington
Crahalla	Hess	Pickett	Waters
Creighton	Hickernell	Pistella	Watson
Cruz	Horsey	Preston	Weber
Curry	Hutchinson	Raymond	Wheatley
Dailey	James	Readshaw	Williams
Daley	Keller	Reed	Wilt
Dally	Kenny	Reichley	Wojnaroski
DeLuca	Killion	Rieger	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak

DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	Perzel,
Eachus	Leh	Sainato	Speaker

NAYS—1

Josephs

NOT VOTING—0

EXCUSED—3

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

RESOLUTION PURSUANT TO RULE 35

Mr. BARRAR called up **HR 365, PN 2451**, entitled:

A Resolution designating September 19, 2003, as "POW/MIA Recognition Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

Adolph	Evans, D.	Levdansky	Samuelson
Allen	Evans, J.	Lewis	Santoni
Argall	Fabrizio	Lynch	Sather
Armstrong	Fairchild	Mackereth	Saylor
Baker	Feese	Maher	Scavello
Baldwin	Fichter	Maitland	Schroder
Bard	Fleagle	Major	Scrimenti
Barrar	Flick	Manderino	Semmel
Bastian	Forcier	Mann	Shaner
Bebko-Jones	Frankel	Markosek	Smith, B.
Belardi	Freeman	Marsico	Smith, S. H.
Belfanti	Gabig	McCall	Solobay
Benninghoff	Gannon	McGill	Staback
Biancucci	Geist	McIlhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespie	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.
Browne	Godshall	Micozzie	Stevenson, T.
Bunt	Goodman	Miller, R.	Sturla
Butkovitz	Gordner	Miller, S.	Surra
Buxton	Grucela	Mundy	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappelli	Habay	Myers	Taylor, J.
Casorio	Haluska	Nailor	Thomas
Causer	Hanna	Nickol	Tigue
Cawley	Harhai	O'Brien	Travaglio
Civera	Harhart	Oliver	True
Clymer	Harper	O'Neill	Turzai
Cohen	Harris	Pallone	Vance
Coleman	Hasay	Payne	Veon
Cornell	Hennessey	Petrarca	Vitali
Corrigan	Herman	Petri	Walko
Costa	Hershey	Petrone	Wansacz
Coy	Hess	Phillips	Washington
Crahalla	Hickernell	Pickett	Waters
Creighton	Horsey	Pistella	Watson

Cruz	Hutchinson	Preston	Weber
Curry	James	Raymond	Wheatley
Dailey	Josephs	Readshaw	Williams
Daley	Keller	Reed	Wilt
Dally	Kenney	Reichley	Wojnaroski
DeLuca	Killion	Rieger	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	Perzel,
Eachus	Leh	Sainato	Speaker
Egolf			

NAYS—0

NOT VOTING—0

EXCUSED—3

Lescovitz McGeehan Roberts

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

GUESTS INTRODUCED

The SPEAKER. The Chair welcomes to the hall of the House Cody Heffner, who was the 2003 “There Ought To Be a Law” winner in State Representative Paul Semmel’s district. Cody attends Maxatawny Elementary School in the Kutztown School District. Cody is accompanied here today by his parents, Dennis and Cathy Heffner; his brother, Jesse; and his sisters, Hilary and Kristy. They are seated to the left of the Speaker. Would those guests please rise.

REPORT OF COMMITTEE ON COMMITTEES

The SPEAKER. The clerk will read the following supplemental report from the Committee on Committees.

The following report was read:

July 17, 2003

SUPPLEMENTAL REPORT OF COMMITTEE ON COMMITTEES

LABOR RELATIONS

Representative Robert Flick resigns from the House Standing Committee on Labor Relations. With this resignation, all committee assignments are filled on the House Standing Committee on Labor Relations.

These changes take effect immediately.

Respectfully submitted,
George C. Hasay, Chairman
Committee on Committees

On the question,
Will the House adopt the resolution?
Resolution was adopted.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 865, PN 1022**, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for coverage of treatment ordered by worksite-based employee assistance programs.

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

Mr. **LEWIS** offered the following amendment No. **A2068**:

Amend Title, page 1, line 12, by removing the period after “programs” and inserting

; and mandating health insurance coverage for colorectal cancer screening.

Amend Sec. 1, page 1, lines 16 and 17, by striking out “a section” and inserting sections

Amend Sec. 1, page 2, by inserting between lines 28 and 29

Section 635.2. Coverage for Colorectal Cancer Screening.—(a) Except to the extent already covered under another policy, all health insurance policies as defined in this section shall also provide coverage for colorectal cancer screening for covered individuals in accordance with the most recently published American Cancer Society guidelines for colorectal cancer screening and consistent with approved medical standards and practices.

(1) Coverage for nonsymptomatic covered individuals who are fifty (50) years of age or older shall include, but not be limited to:

(i) an annual fecal occult blood test;

(ii) a sigmoidoscopy or a test consistent with approved medical standards and practices to detect colon cancer, at least once every four (4) years.

(iii) A colonoscopy at least once every ten (10) years.

(2) Coverage for symptomatic covered individuals who are less than fifty (50) years of age shall include a colonoscopy, sigmoidoscopy or any combination of colorectal cancer screening tests at a frequency determined by a physician.

(b) The coverage required under this section shall be subject to annual deductibles, coinsurance and copayment requirements imposed by an entity subject to this section for similar coverages under the same health insurance policy or contract.

(c) For the purpose of this section:

(1) “Health insurance policy” means any individual or group health, sickness or accident policy or subscriber contract or certificate issued by an entity subject to any one of the following:

(i) The act of May 17, 1921 (P.L.682, No.284), known as “The Insurance Company Law of 1921.”

(ii) The act of December 29, 1972 (P.L.1701, No.364), known as the “Health Maintenance Organization Act.”

(iii) The act of May 18, 1976 (P.L.123, No.54), known as the “Individual Accident and Sickness Insurance Minimum Standards Act.”

(iv) 40 Pa.C.S. Ch. 61 (relating to hospital plan corporations) or 63 (relating to professional health services plan corporations).

(v) Medical assistance.

The term does not include the following types of supplemental insurance or any supplemental combination thereof: hospital indemnity, accident only, fixed indemnity, credit, dental, vision, specified disease, Medicare supplement, Civilian Health and

Medical Program of the Uniformed Services (CHAMPUS) supplement, long-term care or disability income, workers' compensation or automobile medical payment insurance, or other limited supplemental benefit plan.

(2) "Colonoscopy" means an examination of the rectum and the entire colon using a lighted instrument called a colonoscope.

(3) "Colorectal cancer screening" means any of the following procedures that are furnished to an individual for the purpose of early detection of colorectal cancer:

(i) Screening fecal-occult blood test.

(ii) Screening flexible sigmoidoscopy.

(iii) Screening colonoscopy.

(iv) Screening barium enema.

(4) "Symptomatic person" means one of the following:

(i) an individual who experiences a change in bowel habits, rectal bleeding or persistent stomach cramps, weight loss, abdominal pain; or

(ii) an individual who poses a higher than average risk for colorectal cancer because he or she has had colorectal cancer or polyps, inflammatory bowel disease or an immediate family history of such conditions.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman for a brief explanation.

Mr. LEWIS. Could you give me a second, Mr. Speaker.

Thank you, Mr. Speaker.

This is an agreed-to amendment with the sponsor of the bill. This provides a codification of existing practice for insurance policies across Pennsylvania, permitting colorectal cancer screening. Three thousand three hundred Pennsylvanians will die next year from colon cancer. We believe this amendment can stop that, can start reducing the number of colon cancer deaths in Pennsylvania.

I urge the membership of this great hall to pass this good amendment.

Thank you, Mr. Speaker.

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

Mr. VITALI. Thank you, Mr. Speaker.

Will the gentleman stand for brief interrogation?

The SPEAKER. The gentleman indicates that he will.

Mr. VITALI. How does the amendment work?

Mr. LEWIS. How does the amendment work?

Mr. VITALI. Right. I understand its goals; great goals. How do you get to the goals? What does the amendment do to get us to the goals of reducing colorectal cancer deaths? Just how does it work? What is it doing?

Mr. LEWIS. Mr. Speaker, the amendment codifies an existing practice already in Pennsylvania. Already 90 percent of health insurance coverages cover this. What it does is it helps provide a forum and an education for Pennsylvanians to seek colon cancer screening tests.

Mr. VITALI. Okay. Point of order, Mr. Speaker.

The SPEAKER. The gentleman will state his point of order.

Mr. VITALI. Well, maybe it might not be a point of order, but the issue is, I am not sure; I was just informed we did not caucus on this bill. I could be incorrect, but that is what I have been told. I do not recall—

Mr. LEWIS. Mr. Speaker?

The SPEAKER. Mr. Lewis.

Mr. LEWIS. This bill is very similar, this amendment is similar to legislation that passed this House last session.

The SPEAKER. The Chair thanks the gentleman.

Would the gentleman, Mr. DeWeese, please come to the rostrum. Mr. DeWeese, would you please come to the rostrum for a moment.

Mr. DeWEESE. Just a point of information.

This is a colorectal screening bill, and technically, we probably should have caucused it, but because of the imperatives and the exigencies of the moment, we acquiesced in a leadership discussion to let it go. We thought that the floor comments would be adequate. If they are not, then indeed we will caucus, but I did want the membership to know that since it dealt with colorectal cancer and that we had had a discussion at the leadership level, it might indeed be possible for us to not go through the formality of an additional caucus.

Thank you very much.

THE SPEAKER PRO TEMPORE (PATRICIA H. VANCE) PRESIDING

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Vitali.

Mr. VITALI. I do not have the voting schedule in front of me. Will there be a series of additional amendments to this bill on various topics? I am just trying to assess the need to caucus.

The SPEAKER pro tempore. There are seven other amendments.

Mr. VITALI. Could we just be at ease for just a second.

The SPEAKER pro tempore. The Chair suggests that perhaps you should talk to your leader about it, since they have stated that there is no need for caucus.

(Conference held.)

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Vitali.

Mr. VITALI. Thank you, Madam Speaker.

I think right now the issue is, there are seven amendments, I understand, at least one or two of which are controversial, so I think there is some discussion now among leadership as to the advisability of caucusing, and I would just politely request that prior to voting on this amendment, we just come to a resolution as to whether we want to caucus on the issue prior to voting it.

The SPEAKER pro tempore. Would the gentleman come to the rostrum, please.

(Conference held at Speaker's podium.)

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Lynch, on the amendment.

Mr. LYNCH. Thank you, Madam Speaker.

I am asking for a point of personal privilege, if I could.

The SPEAKER pro tempore. The gentleman will state his point of personal privilege.

Mr. LYNCH. Rarely do I agree with the gentleman from Delaware County, but this time I do.

We were here 15 hours yesterday, most of which I just spent sitting around. We could have caucused on this bill and the

amendments yesterday, and I think we ought to be doing that before we vote on them.

Thank you, Madam Speaker.

The SPEAKER pro tempore. There are appropriate motions that could be made if the gentleman would like to make such a motion.

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

Mr. LEWIS. Madam Speaker, on the same, we had 15 hours where we could have read through all this. I mean, this has been on the voting schedule for 2 weeks. This is an important piece of legislation that many Pennsylvanians want to see passed by this House today. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. Thank you, Madam Speaker.

Madam Speaker, there had been a leadership agreement that this amendment by itself could be run, but A, this amendment is proving to be somewhat controversial, and B, there is at least one extremely controversial amendment that is going to be coming up, and we are spending a lot of time debating about whether we ought to have a caucus on it. I would think it would be in the interest of expediting the schedule if we would pass this whole bill over until such time as we had a caucus.

BILL PASSED OVER TEMPORARILY

The SPEAKER pro tempore. If the gentleman, Mr. Cohen, is requesting a caucus, we will go over this temporarily.

Mr. COHEN. Thank you very much, Madam Speaker.

SUPPLEMENTAL CALENDAR A

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 745, PN 2382**, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to the Warren County Conservation District certain lands situate in the Township of Glade, Warren County, Pennsylvania.

On the question,

Will the House concur in Senate amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware County, Mr. Vitali.

Mr. VITALI. Thank you, Madam Speaker.

I am just looking for a brief explanation, and specifically, just generally there was a controversial Warren County land transfer that I got a number of e-mails on. I just want to know if that is what we are dealing with, and if it is, just sort of an explanation of the nature of the controversy.

The SPEAKER pro tempore. For an explanation of the Senate amendments, the Chair recognizes the gentleman, Mr. Lynch.

Mr. LYNCH. Thank you, Madam Speaker.

Technical amendments, and if the gentleman from Delaware County would read the bill, which takes about half a

page, and look at the bold letters at what the Senate put in, you would see what is involved.

Thank you, Madam Speaker.

Mr. VITALI. Thank you, Madam Speaker.

I have further inquiry, if I could.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. VITALI. The gentleman will submit to inquiry?

The SPEAKER pro tempore. Will the gentleman, Mr. Lynch, submit to interrogation? The gentleman declines.

Mr. VITALI. Will perhaps the chair of the State Government Committee submit to interrogation?

The SPEAKER pro tempore. The gentleman agrees. You may proceed.

Mr. VITALI. Thank you, Madam Speaker.

I am just trying to – and I apologize; you know, a lot has been happening today, and we have been trying to figure out the other votes and read the other legislation, so it is tough to keep track – but my question, you know, Madam Speaker, is, is this the Warren County land transfer that has been the subject of the e-mails and the complaints? That is my first question. Is this controversial, is my first question.

The SPEAKER pro tempore. The gentleman, Mr. Clymer, may proceed.

Mr. CLYMER. Thank you, Madam Speaker.

In reference to the controversial issue that the gentleman from Delaware County is referring to, the answer is no. That is a different piece of legislation encompassed in a separate bill.

What the Senate did and they sent it back on concurrence is simply to amend the bill to specify that the conveyance shall be made in accordance with an agreement of sale dated July 11, 2002, and I think that was put in there, obviously, because the date has transpired when this was to take place. So it is a technical amendment, as mentioned.

Mr. VITALI. So there is no controversy about this bill that you are aware of?

Mr. CLYMER. None whatsoever.

Mr. VITALI. Thank you.

Thank you. That concludes my interrogation.

The SPEAKER pro tempore. The Chair thanks the gentleman.

It is moved by the gentleman, Mr. Lynch, that the House concur in the amendments inserted by the Senate.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—199

Adolph	Evans, D.	Levdansky	Samuelson
Allen	Evans, J.	Lewis	Santoni
Argall	Fabrizio	Lynch	Sather
Armstrong	Fairchild	Mackereth	Saylor
Baker	Feese	Maher	Scavello
Baldwin	Fichter	Maitland	Schroder
Bard	Fleagle	Major	Scrimenti
Barrar	Flick	Manderino	Semmel
Bastian	Forcier	Mann	Shaner
Bebko-Jones	Frankel	Markosek	Smith, B.
Belardi	Freeman	Marsico	Smith, S. H.
Belfanti	Gabig	McCall	Solobay

Benninghoff	Gannon	McGill	Staback
Biancucci	Geist	McIlhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespie	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.
Browne	Godshall	Micozzie	Stevenson, T.
Bunt	Goodman	Miller, R.	Sturla
Butkovitz	Gordner	Miller, S.	Surra
Buxton	Grucela	Mundy	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappelli	Habay	Myers	Taylor, J.
Casorio	Haluska	Nailor	Thomas
Causer	Hanna	Nickol	Tigue
Cawley	Harhai	O'Brien	Travaglio
Civera	Harhart	Oliver	True
Clymer	Harper	O'Neill	Turzai
Cohen	Harris	Pallone	Vance
Coleman	Hasay	Payne	Veon
Cornell	Hennessey	Petrarca	Vitali
Corrigan	Herman	Petri	Walko
Costa	Hershey	Petrone	Wansacz
Coy	Hess	Phillips	Washington
Crahalla	Hickernell	Pickett	Waters
Creighton	Horsely	Pistella	Watson
Cruz	Hutchinson	Preston	Weber
Curry	James	Raymond	Wheatley
Dailey	Josephs	Readshaw	Williams
Daley	Keller	Reed	Wilt
Dally	Kenney	Reichley	Wojnaroski
DeLuca	Killion	Rieger	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	Perzel,
Eachus	Leh	Sainato	Speaker
Egolf			

NAYS-0

NOT VOTING-0

EXCUSED-3

Lescovitz McGeehan Roberts

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR B

RESOLUTIONS PURSUANT TO RULE 35

Mr. SEMMEL called up **HR 366, PN 2459**, entitled:

A Resolution honoring the 30th anniversary of the Department of Veterans Affairs (VA) national cemetery system.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

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

NAYS-0

NOT VOTING-0

EXCUSED-3

Lescovitz McGeehan Roberts

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

* * *

Mr. SCRIMENTI called up **HR 367, PN 2460**, entitled:

A Resolution declaring the month of September 2003 as "Pennsylvania Grape Month."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

Adolph	Evans, D.	Levdansky	Samuelson
Allen	Evans, J.	Lewis	Santoni
Argall	Fabrizio	Lynch	Sather
Armstrong	Fairchild	Mackereth	Saylor
Baker	Feese	Maher	Scavello
Baldwin	Fichter	Maitland	Schroder
Bard	Fleagle	Major	Scrimenti
Barrar	Flick	Manderino	Semmel
Bastian	Forcier	Mann	Shaner
Bebko-Jones	Frankel	Markosek	Smith, B.
Belardi	Freeman	Marsico	Smith, S. H.
Belfanti	Gabig	McCall	Solobay
Benninghoff	Gannon	McGill	Staback
Biancucci	Geist	McIlhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespie	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.
Browne	Godshall	Micozzie	Stevenson, T.
Bunt	Goodman	Miller, R.	Sturla
Butkovitz	Gordner	Miller, S.	Surra
Buxton	Grucela	Mundy	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappelli	Habay	Myers	Taylor, J.
Casorio	Haluska	Nailor	Thomas
Causer	Hanna	Nickol	Tigue
Cawley	Harhai	O'Brien	Travaglio
Civera	Harhart	Oliver	True
Clymer	Harper	O'Neill	Turzai
Cohen	Harris	Pallone	Vance
Coleman	Hasay	Payne	Veon
Cornell	Hennessey	Petrarca	Vitali
Corrigan	Herman	Petri	Walko
Costa	Hershey	Petrone	Wansacz
Coy	Hess	Phillips	Washington
Crahalla	Hickernell	Pickett	Waters
Creighton	Horsey	Pistella	Watson
Cruz	Hutchinson	Preston	Weber
Curry	James	Raymond	Wheatley
Dailey	Josephs	Readshaw	Williams
Daley	Keller	Reed	Wilt
Dally	Kenny	Reichley	Wojnaroski
DeLuca	Killion	Rieger	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	Perzel,
Eachus	Leh	Sainato	Speaker
Egolf			

NAYS-0

NOT VOTING-0

EXCUSED-3

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

SUPPLEMENTAL CALENDAR C

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. S. SMITH. Madam Speaker, I move for the immediate suspension of the rules in order to be able to offer HR 361.

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

The following roll call was recorded:

YEAS-199

Adolph	Evans, D.	Levdansky	Samuelson
Allen	Evans, J.	Lewis	Santoni
Argall	Fabrizio	Lynch	Sather
Armstrong	Fairchild	Mackereth	Saylor
Baker	Feese	Maher	Scavello
Baldwin	Fichter	Maitland	Schroder
Bard	Fleagle	Major	Scrimenti
Barrar	Flick	Manderino	Semmel
Bastian	Forcier	Mann	Shaner
Bebko-Jones	Frankel	Markosek	Smith, B.
Belardi	Freeman	Marsico	Smith, S. H.
Belfanti	Gabig	McCall	Solobay
Benninghoff	Gannon	McGill	Staback
Biancucci	Geist	McIlhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespie	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.
Browne	Godshall	Micozzie	Stevenson, T.
Bunt	Goodman	Miller, R.	Sturla
Butkovitz	Gordner	Miller, S.	Surra
Buxton	Grucela	Mundy	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappelli	Habay	Myers	Taylor, J.
Casorio	Haluska	Nailor	Thomas
Causer	Hanna	Nickol	Tigue
Cawley	Harhai	O'Brien	Travaglio
Civera	Harhart	Oliver	True
Clymer	Harper	O'Neill	Turzai
Cohen	Harris	Pallone	Vance
Coleman	Hasay	Payne	Veon
Cornell	Hennessey	Petrarca	Vitali
Corrigan	Herman	Petri	Walko
Costa	Hershey	Petrone	Wansacz
Coy	Hess	Phillips	Washington
Crahalla	Hickernell	Pickett	Waters
Creighton	Horsey	Pistella	Watson
Cruz	Hutchinson	Preston	Weber
Curry	James	Raymond	Wheatley
Dailey	Josephs	Readshaw	Williams
Daley	Keller	Reed	Wilt
Dally	Kenny	Reichley	Wojnaroski
DeLuca	Killion	Rieger	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	Perzel,
Eachus	Leh	Sainato	Speaker
Egolf			

NAYS—0

NOT VOTING—0

EXCUSED—3

Lescovitz McGeehan Roberts

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.

RESOLUTION

Mr. LEWIS called up **HR 361, PN 2447**, entitled:

A Resolution urging the respective boards of trustees of the State Employees' Retirement System (SERS) and the Public School Employees' Retirement System (PSERS) to cooperate with the Department of the Auditor General's special performance audits of SERS and PSERS and with the timely and professional completion of the special performance audits.

On the question,
Will the House adopt the resolution?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware County, Mr. Vitali, on the resolution.

Mr. VITALI. Thank you, Madam Speaker.

Just quickly scanning this, it looks like it involves a dispute between the Auditor General and the Treasurer, and it urges the Auditor General to do things. It looks like it could be taking sides in a political feud.

I am just asking for a bit of an explanation for what this is about and if in fact it is noncontroversial versus controversial.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Monroe County, Mr. Lewis, on the resolution.

Mr. LEWIS. Thank you, Madam Speaker.

We have made a great attempt to make this resolution noncontroversial, just to urge the respective boards to work together to reach a resolution to this major conflict on our pension funds.

The SPEAKER pro tempore. On the resolution, the Chair recognizes the gentleman from Chester County, Mr. Ross.

Mr. ROSS. Madam Speaker, I believe this is controversial, and if this is being brought up under the rule of noncontroversial resolutions, I would object.

The SPEAKER pro tempore. It is not a rule 35 resolution. It was reported out of Rules.

The Chair recognizes Mr. Ross, on the resolution.

Mr. ROSS. In that case, Madam Speaker, I would urge a negative vote on this, because I do believe that we ought to allow the legal proceedings to follow through and be found to be sorted out through the court, which is what is happening right now. I think it is improper for us to intervene.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Monroe County, Mr. Lewis, for the second time on the resolution.

Mr. LEWIS. Madam Speaker, we specifically do not have any language in the resolution addressing any position either way on the legal ramifications of the dispute. We are merely

asking for the parties to work together because so many Pennsylvanians have a stake in these pension funds.

On the question recurring,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—187

Adolph	Donatucci	Lederer	Sainato
Allen	Eachus	Leh	Samuelson
Argall	Egolf	Levdansky	Santoni
Armstrong	Evans, D.	Lewis	Sather
Baker	Evans, J.	Lynch	Saylor
Baldwin	Fabrizio	Mackereth	Scavello
Bard	Fairchild	Maher	Schroder
Barrar	Feese	Major	Scrimenti
Bastian	Fichter	Manderino	Semmel
Bebko-Jones	Fleagle	Mann	Shaner
Belardi	Forcier	Markosek	Smith, B.
Belfanti	Frankel	Marsico	Smith, S. H.
Benninghoff	Freeman	McCall	Solobay
Biancucci	Gabig	McGill	Staback
Birmelin	Gannon	McIlhattan	Stairs
Bishop	Geist	McIlhinney	Steil
Blaum	George	McNaughton	Stern
Boyd	Gergely	Melio	Stetler
Browne	Gillespie	Metcalfe	Stevenson, R.
Bunt	Gingrich	Micozzie	Stevenson, T.
Butkovitz	Goodman	Miller, R.	Sturla
Buxton	Gordner	Miller, S.	Surra
Caltagirone	Grucela	Mundy	Tangretti
Cappelli	Gruitza	Mustio	Taylor, J.
Casorio	Habay	Myers	Thomas
Causer	Haluska	Nailor	Tigue
Cawley	Hanna	O'Brien	Travaglio
Civera	Harhai	Oliver	True
Clymer	Harhart	Pallone	Turzai
Cohen	Harris	Payne	Veon
Coleman	Hasay	Petrarca	Walko
Cornell	Hennessey	Petri	Wansacz
Corrigan	Herman	Petrone	Washington
Costa	Hershey	Phillips	Waters
Coy	Hess	Pickett	Watson
Crahalla	Hickernell	Pistella	Wheatley
Creighton	Horsey	Preston	Williams
Cruz	Hutchinson	Raymond	Wilt
Curry	James	Readshaw	Wojnaroski
Dailey	Keller	Reed	Wright
Daley	Kenney	Reichley	Yewcic
Dally	Killion	Rieger	Youngblood
DeLuca	Kirkland	Roebuck	Yudichak
Denlinger	Kotik	Rohrer	Zug
Dermody	LaGrotta	Rooney	
DeWeese	Laughlin	Rubley	Perzel,
DiGirolo	Leach	Ruffing	Speaker
Diven			

NAYS—12

Flick	Josephs	O'Neill	Vance
Godshall	Maitland	Ross	Vitali
Harper	Nickol	Taylor, E. Z.	Weber

NOT VOTING—0

EXCUSED—3

Lescovitz McGeehan Roberts

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

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. S. SMITH. Madam Speaker, I move that the rules of the House be immediately suspended to offer HR 364, PN 2450.

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

The following roll call was recorded:

YEAS-199

Adolph	Evans, D.	Levdansky	Samuelson
Allen	Evans, J.	Lewis	Santoni
Argall	Fabrizio	Lynch	Sather
Armstrong	Fairchild	Mackereth	Saylor
Baker	Feese	Maher	Scavello
Baldwin	Fichter	Maitland	Schroder
Bard	Fleagle	Major	Scrimenti
Barrar	Flick	Manderino	Semmel
Bastian	Forcier	Mann	Shaner
Bebko-Jones	Frankel	Markosek	Smith, B.
Belardi	Freeman	Marsico	Smith, S. H.
Belfanti	Gabig	McCall	Solobay
Benninghoff	Gannon	McGill	Staback
Biancucci	Geist	McIlhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespie	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.
Browne	Godshall	Micozzie	Stevenson, T.
Bunt	Goodman	Miller, R.	Sturla
Butkovitz	Gordner	Miller, S.	Surra
Buxton	Grucela	Mundy	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappelli	Habay	Myers	Taylor, J.
Casorio	Haluska	Nailor	Thomas
Causer	Hanna	Nickol	Tigue
Cawley	Harhai	O'Brien	Travaglio
Civera	Harhart	Oliver	True
Clymer	Harper	O'Neill	Turzai
Cohen	Harris	Pallone	Vance
Coleman	Hasay	Payne	Veon
Cornell	Hennessey	Petrarca	Vitali
Corrigan	Herman	Petri	Walko
Costa	Hershey	Petrone	Wansacz
Coy	Hess	Phillips	Washington
Crahalla	Hickernell	Pickett	Waters
Creighton	Horsey	Pistella	Watson
Cruz	Hutchinson	Preston	Weber
Curry	James	Raymond	Wheatley
Dailey	Josephs	Readshaw	Williams
Daley	Keller	Reed	Wilt
Dally	Kenney	Reichley	Wojnaroski
DeLuca	Killion	Rieger	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolando	Laughlin	Ross	Zug
Diven	Leach	Rublely	
Donatucci	Lederer	Ruffing	Perzel,
Eachus	Leh	Sainato	Speaker
Egolf			

NAYS-0

NOT VOTING-0

EXCUSED-3

Lescovitz McGeehan Roberts

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.

RESOLUTION

Mr. DALLY called up **HR 364, PN 2450**, entitled:

A Resolution urging the Secretary of Banking to study residential lending practices in Pennsylvania and to submit a report to the General Assembly.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

Adolph	Evans, D.	Levdansky	Samuelson
Allen	Evans, J.	Lewis	Santoni
Argall	Fabrizio	Lynch	Sather
Armstrong	Fairchild	Mackereth	Saylor
Baker	Feese	Maher	Scavello
Baldwin	Fichter	Maitland	Schroder
Bard	Fleagle	Major	Scrimenti
Barrar	Flick	Manderino	Semmel
Bastian	Forcier	Mann	Shaner
Bebko-Jones	Frankel	Markosek	Smith, B.
Belardi	Freeman	Marsico	Smith, S. H.
Belfanti	Gabig	McCall	Solobay
Benninghoff	Gannon	McGill	Staback
Biancucci	Geist	McIlhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespie	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.
Browne	Godshall	Micozzie	Stevenson, T.
Bunt	Goodman	Miller, R.	Sturla
Butkovitz	Gordner	Miller, S.	Surra
Buxton	Grucela	Mundy	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappelli	Habay	Myers	Taylor, J.
Casorio	Haluska	Nailor	Thomas
Causer	Hanna	Nickol	Tigue
Cawley	Harhai	O'Brien	Travaglio
Civera	Harhart	Oliver	True
Clymer	Harper	O'Neill	Turzai
Cohen	Harris	Pallone	Vance
Coleman	Hasay	Payne	Veon
Cornell	Hennessey	Petrarca	Vitali
Corrigan	Herman	Petri	Walko
Costa	Hershey	Petrone	Wansacz
Coy	Hess	Phillips	Washington
Crahalla	Hickernell	Pickett	Waters
Creighton	Horsey	Pistella	Watson
Cruz	Hutchinson	Preston	Weber
Curry	James	Raymond	Wheatley
Dailey	Josephs	Readshaw	Williams
Daley	Keller	Reed	Wilt
Dally	Kenney	Reichley	Wojnaroski
DeLuca	Killion	Rieger	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak

DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	Perzel,
Eachus	Leh	Sainato	Speaker
Egolf			

NAYS—0

NOT VOTING—0

EXCUSED—3

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

The SPEAKER pro tempore. The House will be at ease.

THE SPEAKER (JOHN M. PERZEL) PRESIDING

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the gentlelady from Chester, Mrs. Taylor.

Mrs. TAYLOR. Thank you, Mr. Speaker.

There will be an immediate caucus for 1 hour on education, HB 1883.

The SPEAKER. The Chair thanks the gentlelady.

DEMOCRATIC CAUCUS

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, the Democrats will also caucus immediately upon the call of the recess.

The SPEAKER. It is 2 minutes to 11. We will return to the floor at exactly 12 o'clock.

BILL SIGNED BY SPEAKER

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

HB 745, PN 2382

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to the Warren County Conservation District certain lands situate in the Township of Glade, Warren County, Pennsylvania.

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

RECESS

The SPEAKER. This House is in recess until 12 o'clock.

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: SB 443, PN 966; HB 333, PN 379; amendment 2861 to HB 1432, PN 1778.

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

RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the majority leader, who calls for an immediate meeting of the Rules Committee.

BILL ON CONCURRENCE REPORTED FROM COMMITTEE

HB 8, PN 2383

By Rep. S. SMITH

An Act establishing a grant program for volunteer fire companies and volunteer ambulance services; and providing for grant funding.

RULES.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair returns to leaves of absence and notes on the floor of the hall of the House the gentleman from Philadelphia, Mr. McGeehan. His name will be placed upon the master roll.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1549, PN 1956**, entitled:

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, providing for the designation of the Governor Robert P. Casey Highway as a scenic byway.

On the question,

Will the House agree to the bill on third consideration?

Mr. HANNA offered the following amendment No. **A2916**:

Amend Title, page 1, line 3, by removing the period after "byway" and inserting

; and designating a certain portion of State Route 120 as a scenic byway.

Amend Sec. 1, page 1, line 7, by striking out "a section" and inserting

sections

Amend Sec. 1, page 2, by inserting between lines 27 and 28 § 8304. Designation of State Route 120 as scenic byway.

(a) General rule.—Because of its outstanding scenic, historic, natural, recreational and archeological characteristics and qualities and

because of opportunities for economic development and tourism and for conservation of the outstanding qualities along the road, State Route 120 in Clinton County from Lock Haven to the junction of U.S. Route 219 in Elk County is designated as a scenic byway.

(b) Effect of designation.—No outdoor advertising device, as defined in section 3 of the act of December 15, 1971 (P.L.596, No.160), known as the Outdoor Advertising Control Act of 1971, may be erected:

(1) within 660 feet of the nearest edge of the right-of-way; or

(2) more than 660 feet from the nearest edge of the right-of-way, outside of urban areas, if the sign is visible from the main-traveled way of the scenic byway and the purpose of the sign is that its message be read from the main-traveled way of the scenic byway, except:

(i) the official signs and notices which are required or authorized by law and which conform to the national standards promulgated by the Secretary of Transportation of the United States pursuant to 23 U.S.C. § 131 (relating to control of outdoor advertising);

(ii) outdoor advertising devices advertising the sale or lease of the real property upon which they are located;

(iii) outdoor advertising devices advertising activities conducted on the property on which they are located, including devices which display a message that may be changed at reasonable intervals by electronic process or remote control;

(iv) directional signs, including, but not limited to, signs pertaining to natural wonders, scenic and historical attractions and other points of interest to the traveling public which conform to the national standards promulgated by the Secretary of Transportation of the United States pursuant to 23 U.S.C. § 131; and

(v) signs approved by the department designating the route as a scenic byway installed in accordance with department requirements.

(c) Public use maps.—All public use maps produced by the department for travel, tourism and business interests shall give special identification of routes designated as scenic byways and briefly summarize that the General Assembly established the designation because of the outstanding scenic, historic, natural, recreational and archeological characteristics and outstanding qualities and opportunities for economic development, tourism and conservation of the sights along the route.

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

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

Mr. STABACK. Thank you, Mr. Speaker.

Mr. Speaker, the Hanna amendment, amendment No. 2916, will designate State Route 120 in Clinton County as a scenic byway. I am not aware of any opposition to that, and the amendment is agreed to.

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—200

Adolph	Evans, D.	Lewis	Samuelson
Allen	Evans, J.	Lynch	Santoni

Argall	Fabrizio	Mackereth	Sather
Armstrong	Fairchild	Maher	Saylor
Baker	Feese	Maitland	Scavello
Baldwin	Fichter	Major	Schroder
Bard	Fleagle	Manderino	Scrimenti
Barrar	Flick	Mann	Semmel
Bastian	Forcier	Markosek	Shaner
Bebko-Jones	Frankel	Marsico	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Belfanti	Gabig	McGeehan	Solobay
Benninghoff	Gannon	McGill	Staback
Biancucci	Geist	McIlhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespie	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.
Browne	Godshall	Micozzie	Stevenson, T.
Bunt	Goodman	Miller, R.	Sturla
Butkovitz	Gordner	Miller, S.	Surra
Buxton	Grucela	Mundy	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappelli	Habay	Myers	Taylor, J.
Casorio	Haluska	Nailor	Thomas
Causer	Hanna	Nickol	Tigue
Cawley	Harhai	O'Brien	Travaglio
Civera	Harhart	Oliver	True
Clymer	Harper	O'Neill	Turzai
Cohen	Harris	Pallone	Vance
Coleman	Hasay	Payne	Veon
Cornell	Hennessey	Petrarca	Vitali
Corrigan	Herman	Petri	Walko
Costa	Hershey	Petrone	Wansacz
Coy	Hess	Phillips	Washington
Crahalla	Hickernell	Pickett	Waters
Creighton	Horsey	Pistella	Watson
Cruz	Hutchinson	Preston	Weber
Curry	James	Raymond	Wheatley
Dailey	Josephs	Readshaw	Williams
Daley	Keller	Reed	Wilt
Dally	Kenney	Reichley	Wojnaroski
DeLuca	Killion	Rieger	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	
Eachus	Leh	Sainato	Perzel,
Egolf	Levdansky		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—2

Lescovitz Roberts

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

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

On that question, the Chair recognizes the gentleman, Mr. Staback.

Mr. STABACK. Thank you, Mr. Speaker.

Mr. Speaker, HB 1549 will designate the Governor Robert P. Casey Highway in Lackawanna County as a Pennsylvania scenic byway.

Mr. Speaker, the bill has literally the documented support of every municipality in that area that borders the Casey Highway. Additionally, the concept is also supported by the Department of Transportation, the Lackawanna County Planning Commission, the Lackawanna Heritage Valley Authority.

Mr. Speaker, I believe that the designation of the Casey Highway as a scenic byway is not only a good idea environmentally but will serve as a well-deserved tribute to the memory of a former Pennsylvania Governor, one of the finest in the history of our State in the likes of former Governor Bob Casey.

Mr. Speaker, I ask for an affirmative vote on the measure.

The SPEAKER. The Chair thanks the gentleman.

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-200

Adolph	Evans, D.	Lewis	Samuelson
Allen	Evans, J.	Lynch	Santoni
Argall	Fabrizio	Mackereth	Sather
Armstrong	Fairchild	Maher	Saylor
Baker	Feese	Maitland	Scavello
Baldwin	Fichter	Major	Schroder
Bard	Fleagle	Manderino	Scrimenti
Barrar	Flick	Mann	Semmel
Bastian	Forcier	Markosek	Shaner
Bebko-Jones	Frankel	Marsico	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Belfanti	Gabig	McGeehan	Solobay
Benninghoff	Gannon	McGill	Staback
Bianucci	Geist	McIlhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespie	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.
Browne	Godshall	Micozzie	Stevenson, T.
Bunt	Goodman	Miller, R.	Sturla
Butkovitz	Gordner	Miller, S.	Surra
Buxton	Grucela	Mundy	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappelli	Habay	Myers	Taylor, J.
Casorio	Haluska	Nailor	Thomas
Causar	Hanna	Nickol	Tigue
Cawley	Harhai	O'Brien	Travaglio
Civera	Harhart	Oliver	True
Clymer	Harper	O'Neill	Turzai
Cohen	Harris	Pallone	Vance
Coleman	Hasay	Payne	Veon
Cornell	Hennessey	Petrarca	Vitali
Corrigan	Herman	Petri	Walko
Costa	Hershey	Petrone	Wansacz
Coy	Hess	Phillips	Washington
Crahalla	Hickernell	Pickett	Waters
Creighton	Horsey	Pistella	Watson
Cruz	Hutchinson	Preston	Weber
Curry	James	Raymond	Wheatley
Dailey	Josephs	Readshaw	Williams
Daley	Keller	Reed	Wilt

Dally	Kenney	Reichley	Wojnaroski
DeLuca	Killion	Rieger	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	
Eachus	Leh	Sainato	Perzel,
Egolf	Levdansky		Speaker

NAYS-0

NOT VOTING-0

EXCUSED-2

Lescovitz Roberts

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 present the same to the Senate for concurrence.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair is pleased to announce that Representative Thomas Tigue and his wife, Dianne, became grandparents for the sixth time on Tuesday, July 15, with the birth of their granddaughter, Kendall Marie Tigue. She is the daughter of Donna and Tom Tigue. Maternal grandparents are Barbara and Gordon Fleming. Congratulations, Mr. Tigue.

SUPPLEMENTAL CALENDAR D

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 8, PN 2383**, entitled:

An Act establishing a grant program for volunteer fire companies and volunteer ambulance services; and providing for grant funding.

On the question,
Will the House concur in Senate amendments?

The SPEAKER. It is moved by the gentleman, Mr. Sather, that the House concur in the amendments inserted by the Senate.

At this time the Chair recognizes the gentleman from Huntingdon, Mr. Sather.

Mr. SATHER. Thank you, Mr. Speaker.

First off, this is a day that many of us who have shared some time in the volunteer fire and emergency services have been waiting for. Our Governor placed \$25 million in our budget that we approved for this program and we need implementing legislation. The House bill does that.

There were some changes made in the Senate that we are going to have to live with, because I think that our firemen back home anxiously are waiting to see some results of their work

last year on the referendum, and we have got other work to do. We have got a resolution that will deal with many long-term solutions to the funding program.

I want to thank the chairmen of the Veterans Affairs and Emergency Preparedness Committee on both sides of the aisle, the fire and emergency services caucus for getting this bill to this position, and would hope that we would have a unanimous vote in support of HB 8 for final passage.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Washington, Mr. Solobay.

Mr. SOLOBAY. Thank you, Mr. Speaker.

I, too, would like to stand and rise for support of concurrence of HB 8.

As the previous speaker mentioned, it is not all we had asked for and all we wanted. One major component that we would like to see added to this at some point in time is a municipal firefighter grant program along with increasing the amounts for the volunteers. But it is a beginning; it is a start, and I would just ask all members to concur with this bill.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. Thank you.

Mr. Speaker, I agree with what has already been said. This bill is a beginning; it is a hopeful beginning, but it is only a beginning. I would urge concurrence in HB 8.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS-200

Adolph	Evans, D.	Lewis	Samuelson
Allen	Evans, J.	Lynch	Santoni
Argall	Fabrizio	Mackereth	Sather
Armstrong	Fairchild	Maher	Saylor
Baker	Feese	Maitland	Scavello
Baldwin	Fichter	Major	Schroder
Bard	Fleagle	Manderino	Scrimenti
Barrar	Flick	Mann	Semmel
Bastian	Forcier	Markosek	Shaner
Bebko-Jones	Frankel	Marsico	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Belfanti	Gabig	McGeehan	Solobay
Benninghoff	Gannon	McGill	Solobay
Biancucci	Geist	McIlhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespie	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.
Browne	Godshall	Micozzie	Stevenson, T.
Bunt	Goodman	Miller, R.	Sturla
Butkovitz	Gordner	Miller, S.	Surra
Buxton	Grucela	Mundy	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappelli	Habay	Myers	Taylor, J.
Casorio	Haluska	Nailor	Thomas
Causer	Hanna	Nickol	Tigue
Cawley	Harhai	O'Brien	Travaglio
Civera	Harhart	Oliver	True

Clymer	Harper	O'Neill	Turzai
Cohen	Harris	Pallone	Vance
Coleman	Hasay	Payne	Veon
Cornell	Hennessey	Petrarca	Vitali
Corrigan	Herman	Petri	Walko
Costa	Hershey	Petrone	Wansacz
Coy	Hess	Phillips	Washington
Crahalla	Hickernell	Pickett	Waters
Creighton	Horsey	Pistella	Watson
Cruz	Hutchinson	Preston	Weber
Curry	James	Raymond	Wheatley
Dailey	Josephs	Readshaw	Williams
Daley	Keller	Reed	Wilt
Dally	Kenney	Reichley	Wojnaroski
DeLuca	Killion	Rieger	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	
Eachus	Leh	Sainato	Perzel,
Egolf	Levdansky		Speaker

NAYS-0

NOT VOTING-0

EXCUSED-2

Lescovitz Roberts

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1883, PN 2443**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, requiring school districts to reopen their 2003-2004 budgets; imposing limitations on certain unreserved fund balances; further providing for auxiliary service; deleting provisions relating to professional teacher assessment; further providing for cost of tuition and maintenance of certain exceptional children in approved private schools; providing for firefighter and emergency service training; further providing for Education Support Services Program, for education empowerment districts, for mandate waiver program and for school improvement grants; further defining "educational improvement organization" and "scholarship organization"; further providing for payments on account of pupils enrolled in vocational curriculums and for small district assistance; providing for basic education funding for 2002-2003 school year; further providing for payments to intermediate units, for special education payments to school districts and for Commonwealth reimbursements for charter schools and cyber charter schools; and making appropriations, repeals and an editorial change.

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

Mr. STURLA offered the following amendment No. A3127:

Amend Sec. 16 (Sec. 2502.41), page 30, lines 10 through 13, by striking out all of said lines

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. Sturla, for a brief explanation of his amendment.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, this amendment eliminates the 2-percent hold-harmless provision in the funding formula. If we are ever to change the way we fund education in Pennsylvania, we need to start somewhere. We have gone down a path year after year after year which continues to hold districts harmless and they get a 2-percent increase whether they have had a decrease in student enrollment, whether there has been additional wealth added to the district. No matter what the reason, we say, it does not matter whether you would normally qualify under the formula that we drive money out, we are going to guarantee that you get at least 2 percent, and that, along with many other things, has led to the inequities that now face us in the State of Pennsylvania where some school districts are spending more than \$14,000 per student and other districts are spending less than \$5,000 per student.

So this is a small attempt to try and look at the way we fund school districts in the State of Pennsylvania and begin to bring some more equity to the way we fund school districts in the State of Pennsylvania. I believe it is about a total of \$5 million that gets redistributed to school districts that are facing hard times, and I would urge members to vote in the affirmative.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Delaware, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

Would the gentleman stand for brief interrogation?

The SPEAKER. The gentleman indicates that he will.

Mr. VITALI. I just want to alert some of the members that this bill may go against the direct economic interests of their constituencies, especially the suburban Philadelphia legislators and others. So just keep your eye on it.

Are there any printouts available that might reflect the new numbers, should your amendment pass?

Mr. STURLA. No, Mr. Speaker.

Mr. VITALI. Okay. That is all I have.

I just want to make brief, brief comments.

The SPEAKER. The gentleman is in order and may proceed.

Mr. VITALI. Thank you, Mr. Speaker.

I am going to vote against this because it will hurt my school district, and I think that the reality is – and I am not going to be an apologist for wealthy school districts – but I think the reality is with regard to basic education funding, my school districts, for example, get about \$400 per student where other districts are getting almost \$3,000 per student. So it is not the total inequitable situation that on first glance it may appear to be.

I have seniors in my school district who are in fact being hurt by increasing school taxes. I think that given the enormous amount of personal income tax that the hardworking people of my district pay, they are entitled to something for their sales tax

they pay to the State, their personal income tax they pay to the State, the corporate net income tax they pay to the State. They are entitled to something. I am not suggesting they are entitled to as much, or even half, but they are entitled to something for their tax dollars, and I think that this floor, this 2-percent increase floor, which, frankly, is not an incredible amount of money – I am not even sure it keeps pace with inflation – I do not think it is an incredible amount. So I really just want the suburban legislators out there to be aware of what is going on and be careful when they vote.

So thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Franklin, Mr. Fleagle.

Mr. FLEAGLE. Thank you, Mr. Speaker.

Mr. Speaker, in the years that I have been in this legislature, it has been interesting to see the terms “equity” and “fairness” thrown around, whether it is in school funding or in tax reform or any other situation. And as many of you know, what we think is fair for our district is what gets our district money in, and I applaud the gentleman for trying to change this formula, because I would assume that it would help his school district, but this does not help my school district. It does not help many of our school districts.

I think it is a bad amendment, and I would urge a negative vote on this.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Luzerne, Mr. Tigue.

Mr. TIGUE. Thank you, Mr. Speaker.

Mr. Speaker, I would like to interrogate the maker of the amendment.

The SPEAKER. The gentleman indicates that he will stand for interrogation.

Mr. TIGUE. Mr. Speaker, when you look at the funding printouts for Luzerne and Lackawanna Counties, I think there are nine districts which receive 2 percent, none of which can be considered a wealthy district. If your amendment passes, what is the effect on those districts?

Mr. STURLA. Mr. Speaker, they would get the money driven out at a rate somewhere below the 2 percent, and it depends on how they ended up in the formula when you drove the straight rate out. It might be that they get no new funding; it might be they get a half a percent, 1 percent, 1 1/2 percent, 1.99 percent. It would vary between the school districts.

Mr. TIGUE. So the effect of your amendment is that these districts in Luzerne and Lackawanna Counties that are receiving 2 percent could possibly, and some of them will under your amendment, receive less than 2 percent?

Mr. STURLA. Yes.

Mr. TIGUE. Thank you, Mr. Speaker.

I would like to make a statement.

The SPEAKER. The gentleman is in order and may proceed.

Mr. TIGUE. Mr. Speaker, I agree with the previous speaker who mentioned about equity, and I think equity is in the eyes of the beholder, but this 2-percent minimum hold-harmless does not only apply, obviously from the response of the previous question that I asked the maker of the amendment, does not only apply to wealthy school districts – as I mentioned, you could take a look at the printout yourselves – but in Luzerne and

Lackawanna Counties, especially Luzerne County, there are six school districts that would receive under this formula 2 percent. If we adopt the gentleman's amendment, those school districts would be put in jeopardy of getting less than the 2 percent.

Therefore, I oppose the amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. Sturla, seek recognition?

Mr. STURLA. Final.

The SPEAKER. The gentleman is in order and may proceed.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, again, what we are talking about here is a proposal that takes \$4 billion-plus in education funding and adds 2.8 percent to that total to distribute throughout the State of Pennsylvania. With the 2-percent hold-harmless clause that currently exists in this legislation, every school district is guaranteed at least 2 percent, and so that leaves .8 percent to be distributed among all the other school districts. So regardless of whether you have declining enrollment, regardless of whether you have increased wealth in your district, regardless of whatever happened in your school district that drives money out under this formula, you are guaranteed 2 percent. So everyone gets a minimum of 2 percent, and there is only 2.8 percent to distribute anyway. All this is doing is taking that— And under that formula, that last .8 percent is what makes up the difference for some of the poor districts, some of the growing districts, some of those things. All this is trying to do is, if we are going to have a formula, let us have a formula that drives it out under a fair formula and does not just say, oh, but by the way, it does not matter whether you should get more money or not, you get at least 2 percent, when the overall average is only 2.8 percent.

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—35

Birmelin	Godshall	Manderino	Saylor
Bishop	Haluska	McGeehan	Sturla
Buxton	Horsey	McIlhatten	Thomas
Causer	Hutchinson	Miller, R.	Veon
Daley	James	Myers	Washington
DeWeese	Kirkland	Oliver	Waters
Donatucci	Laughlin	Rieger	Williams
Evans, D.	Mackereth	Rooney	Youngblood
Gergely	Maitland	Ruffing	

NAYS—165

Adolph	Eachus	Leh	Santoni
Allen	Egolf	Levdansky	Sather
Argall	Evans, J.	Lewis	Scavello
Armstrong	Fabrizio	Lynch	Schroder
Baker	Fairchild	Maher	Scrimenti
Baldwin	Feese	Major	Semmel
Bard	Fichter	Mann	Shaner
Barrar	Fleagle	Markosek	Smith, B.
Bastian	Flick	Marsico	Smith, S. H.
Bebko-Jones	Forcier	McCall	Solobay
Belardi	Frankel	McGill	Staback
Belfanti	Freeman	McIlhinney	Stairs

Benninghoff	Gabig	McNaughton	Steil
Bianucci	Gannon	Melio	Stern
Blaum	Geist	Metcalfe	Stetler
Boyd	George	Micozzie	Stevenson, R.
Browne	Gillespie	Miller, S.	Stevenson, T.
Bunt	Gingrich	Mundy	Surra
Butkovitz	Goodman	Mustio	Tangretti
Caltagirone	Gordner	Nailor	Taylor, E. Z.
Cappelli	Grucela	Nickol	Taylor, J.
Casorio	Gruitza	O'Brien	Tigue
Cawley	Habay	O'Neill	Travaglio
Civera	Hanna	Pallone	True
Clymer	Harhai	Payne	Turzai
Cohen	Harhart	Petrarca	Vance
Coleman	Harper	Petri	Vitali
Cornell	Harris	Petrone	Walko
Corrigan	Hasay	Phillips	Wansacz
Costa	Hennessey	Pickett	Watson
Coy	Herman	Pistella	Weber
Crahalla	Hershey	Preston	Wheatley
Creighton	Hess	Raymond	Wilt
Cruz	Hickernell	Readshaw	Wojnaroski
Curry	Josephs	Reed	Wright
Daily	Keller	Reichley	Yewcic
Dally	Kenney	Roebuck	Yudichak
DeLuca	Killion	Rohrer	Zug
Denlinger	Kotik	Ross	
Dermody	LaGrotta	Rubley	
DiGiroamo	Leach	Sainato	Perzel,
Diven	Lederer	Samuelson	Speaker

NOT VOTING—0

EXCUSED—2

Lescovitz Roberts

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?

Mr. MILLER offered the following amendment No. A3130:

Amend Sec. 1 (Sec. 687), page 2, lines 5 and 6, by striking out “during the month of July 2003” and inserting within sixty (60) days of the effective date of this section

On the question,

Will the House agree to the amendment?

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

Mr. MILLER. Thank you, Mr. Speaker.

HB 1883 requires school districts to reopen their budgets and revise their budgets in July of 2003. This is not possible due to the lateness of passage, if we should pass this. This amendment changes it to require reopening within 60 days of the effective date, and I would ask for a “yes” vote.

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-200

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Lescovitz Roberts

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question,

Will the House agree to the bill on third consideration as amended?

Mr. McILHATTAN offered the following amendment No. A3131:

Amend Sec. 14, page 23, line 24, by inserting after "reenacted" and amended

Amend Sec. 14 (Sec. 2502.8), page 25, lines 20 and 21, by inserting brackets before and after "and each school year thereafter"

Amend Sec. 14 (Sec. 2502.8), page 25, by inserting between lines 27 and 28

(f) For the school year 2002-2003 and each school year thereafter, any additional funding provided by the Commonwealth over the amount provided for the school year 2000-2001 will be distributed to area vocational-technical schools, to school districts and charter schools with at least one vocational program and to school districts and charter schools offering a vocational agricultural education program based on subsection (b).

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. McIlhattan, for a brief explanation of the amendment.

The Chair recognizes the gentleman from Northampton, Mr. Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

Just looking for a brief explanation on the McIlhattan amendment.

The SPEAKER. The Chair recognizes the gentleman.

Mr. McILHATTAN. Thank you, Mr. Speaker.

I am a member of the Committee on Rural Education. We have been having hearings throughout this Commonwealth dealing with the problems that face rural schools. One of the things we found out in the northern tier across this Commonwealth is there are small schools that do not have vo-tech facilities, and they do their programs through apprenticeships with businesses and things like that. They do not have a lot of different shops, et cetera, and because of that, they are not able to compete in vo-tech funding, and we think that is wrong, Mr. Speaker. This amendment corrects that and gives them an opportunity to share in that process also.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-200

Adolph	Evans, D.	Lewis	Samuelson
Allen	Evans, J.	Lynch	Santoni
Argall	Fabrizio	Mackereth	Sather
Armstrong	Fairchild	Maher	Saylor
Baker	Feese	Maitland	Scavello
Baldwin	Fichter	Major	Schroder
Bard	Fleagle	Manderino	Scrimenti
Barrar	Flick	Mann	Semmel
Bastian	Forcier	Markosek	Shaner
Bebko-Jones	Frankel	Marsico	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Belfanti	Gabig	McGeehan	Solobay
Benninghoff	Gannon	McGill	Staback
Biancucci	Geist	McIlhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespie	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.

Browne	Godshall	Micozzie	Stevenson, T.
Bunt	Goodman	Miller, R.	Sturla
Butkovitz	Gordner	Miller, S.	Surra
Buxton	Grucela	Mundy	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappelli	Habay	Myers	Taylor, J.
Casorio	Haluska	Nailor	Thomas
Causer	Hanna	Nickol	Tigue
Cawley	Harhai	O'Brien	Travaglio
Civera	Harhart	Oliver	True
Clymer	Harper	O'Neill	Turzai
Cohen	Harris	Pallone	Vance
Coleman	Hasay	Payne	Veon
Cornell	Hennessey	Petrarca	Vitali
Corrigan	Herman	Petri	Walko
Costa	Hershey	Petrone	Wansacz
Coy	Hess	Phillips	Washington
Crahalla	Hickernell	Pickett	Waters
Creighton	Horsey	Pistella	Watson
Cruz	Hutchinson	Preston	Weber
Curry	James	Raymond	Wheatley
Dailey	Josephs	Readshaw	Williams
Daley	Keller	Reed	Wilt
Dally	Kenney	Reichley	Wojnaroski
DeLuca	Killion	Rieger	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	
Eachus	Leh	Sainato	Perzel,
Egolf	Levdansky		Speaker

NAYS-0

NOT VOTING-0

EXCUSED-2

Lescovitz Roberts

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question recurring,

Will the House agree to the bill on third consideration as amended?

Mr. T. STEVENSON offered the following amendment No. **A3140:**

Amend Sec. 19, page 33, line 22, by striking out "\$896,177,000" and inserting

\$897,453,000

Amend Sec. 19, page 33, line 30, by striking out "\$500,000" and inserting

\$1,776,000

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. Stevenson, for a brief explanation of the amendment.

Mr. T. STEVENSON. Thank you, Mr. Speaker.

This amendment merely increases the funding for approved private schools by the same percentage that the basic ed funding has been increased, and that is 2.8 percent.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Delaware, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

Mr. Speaker, I just wanted to ask the maker of the amendment a question or two.

The SPEAKER. The gentleman, Mr. Stevenson, indicates that he will stand for interrogation.

Mr. VITALI. The fiscal impact of this amendment, if you could provide us with that, would be appreciated.

Mr. T. STEVENSON. Could you repeat the question, please?

Mr. VITALI. I just wanted to get the fiscal impact of this amendment.

Mr. T. STEVENSON. The fiscal impact is an additional \$776,000 to our 31, soon to be 32, approved private schools across the Commonwealth.

Mr. VITALI. Thank you.

Mr. T. STEVENSON. Thank you.

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-200

Adolph	Evans, D.	Lewis	Samuelson
Allen	Evans, J.	Lynch	Santoni
Argall	Fabrizio	Mackereth	Sather
Armstrong	Fairchild	Maher	Saylor
Baker	Feese	Maitland	Scavello
Baldwin	Fichter	Major	Schroder
Bard	Fleagle	Manderino	Scrimenti
Barrar	Flick	Mann	Semmel
Bastian	Forcier	Markosek	Shaner
Bebko-Jones	Frankel	Marsico	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Belfanti	Gabig	McGeehan	Solobay
Benninghoff	Gannon	McGill	Staback
Bianucci	Geist	McIlhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespie	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.
Browne	Godshall	Micozzie	Stevenson, T.
Bunt	Goodman	Miller, R.	Sturla
Butkovitz	Gordner	Miller, S.	Surra
Buxton	Grucela	Mundy	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappelli	Habay	Myers	Taylor, J.
Casorio	Haluska	Nailor	Thomas
Causer	Hanna	Nickol	Tigue
Cawley	Harhai	O'Brien	Travaglio
Civera	Harhart	Oliver	True
Clymer	Harper	O'Neill	Turzai
Cohen	Harris	Pallone	Vance
Coleman	Hasay	Payne	Veon
Cornell	Hennessey	Petrarca	Vitali
Corrigan	Herman	Petri	Walko
Costa	Hershey	Petrone	Wansacz
Coy	Hess	Phillips	Washington
Crahalla	Hickernell	Pickett	Waters
Creighton	Horsey	Pistella	Watson

Cruz	Hutchinson	Preston	Weber
Curry	James	Raymond	Wheatley
Dailey	Josephs	Readshaw	Williams
Daley	Keller	Reed	Wilt
Dally	Kenney	Reichley	Wojnaroski
DeLuca	Killion	Rieger	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	
Eachus	Leh	Sainato	Perzel,
Egolf	Levdansky		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—2

Lescovitz Roberts

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question recurring,

Will the House agree to the bill on third consideration as amended?

Mr. **METCALFE** offered the following amendment No. **A3145**:

Amend Title, page 1, line 13, by inserting after “Program,” for high school certificates,

Amend Bill, page 19, by inserting between lines 22 and 23

Section 9.1. Section 1613(a) of the act, amended June 22, 2001 (P.L.530, No.35), is amended to read:

Section 1613. High School Certificates.—(a) The board of school directors, joint board or joint school committee operating any high school shall issue a certificate to each pupil satisfactorily completing the prescribed course of instruction in the high school and shall have the sole authority to determine what shall be affixed or denoted on the diploma and/or transcripts.

* * *

Amend Bill, page 32, by inserting between lines 18 and 19

Section 19. All regulations or parts of regulations are hereby abrogated insofar as they are inconsistent with the amendment of section 1613(a) of the act.

Amend Sec. 19, page 32, line 19, by striking out “19” and inserting

20

Amend Sec. 20, page 34, line 30, by striking out “20” and inserting

21

Amend Sec. 21, page 35, line 11, by striking out all of said line and inserting

Section 22. This act shall take effect as follows:

(1) The amendment of section 1613(a) of the act shall take effect in 60 days.

(2) Section 19 of this act shall take effect in 60 days.

(3) This section shall take effect immediately.

(4) The remainder of this act shall take effect immediately.

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

PARLIAMENTARY INQUIRY

AMENDMENT DIVIDED

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

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER. The gentleman can state his point.

Mr. METCALFE. Mr. Speaker, when we had the amendment drafted to be put on the bill, during the drafting there was a mistake made in the draft where it would delay the appropriation of this current legislation we are considering by 60 days, and that was never the intent. We just intended to put the language in that we had passed out of this General Assembly, I believe it was unanimously, last session regarding the high school transcripts and diplomas, that we leave that solely up to the district’s authority to make decisions about that.

I would like to see if we could divide the amendment between lines 23 and 24 of page 1 and just consider the first section that deals with the transcripts and the seals.

The SPEAKER. The amendment is divisible, and the amendment is so divided.

Mr. METCALFE. Thank you, Mr. Speaker.

The SPEAKER. We are voting from lines 1 through 23.

Mr. METCALFE. Thank you, Mr. Speaker.

On the question,
Will the House agree to part 1 of the amendment?

The following roll call was recorded:

YEAS—199

Adolph	Evans, D.	Levdansky	Samuelson
Allen	Evans, J.	Lewis	Santoni
Argall	Fabrizio	Lynch	Sather
Armstrong	Fairchild	Mackereth	Saylor
Baker	Feese	Maher	Scavello
Baldwin	Fichter	Maitland	Schroder
Bard	Fleagle	Major	Scrimenti
Barrar	Flick	Manderino	Semmel
Bastian	Forcier	Mann	Shaner
Bebko-Jones	Frankel	Markosek	Smith, B.
Belardi	Freeman	Marsico	Smith, S. H.
Belfanti	Gabig	McCall	Solobay
Benninghoff	Gannon	McGeehan	Staback
Bianucci	Geist	McGill	Stairs
Birmelin	George	McIlhattan	Steil
Bishop	Gergely	McIlhinney	Stern
Blaum	Gillespie	McNaughton	Stetler
Boyd	Gingrich	Melio	Stevenson, R.
Browne	Godshall	Metcalfe	Stevenson, T.
Bunt	Goodman	Micozzie	Sturla
Butkovitz	Gordner	Miller, R.	Surra
Buxton	Grucela	Miller, S.	Tangretti
Caltagirone	Gruitza	Mundy	Taylor, E. Z.
Cappelli	Habay	Mustio	Taylor, J.
Casorio	Haluska	Myers	Thomas
Causer	Hanna	Nailor	Tigue
Cawley	Harhai	Nickol	Travaglio
Civera	Harhart	O’Brien	True
Clymer	Harper	Oliver	Turzai

Cohen	Harris	Pallone	Vance
Coleman	Hasay	Payne	Veon
Cornell	Hennessey	Petrarca	Vitali
Corrigan	Herman	Petri	Walko
Costa	Hershey	Petrone	Wansacz
Coy	Hess	Phillips	Washington
Crahalla	Hickernell	Pickett	Waters
Creighton	Horsey	Pistella	Watson
Cruz	Hutchinson	Preston	Weber
Curry	James	Raymond	Wheatley
Dailey	Josephs	Readshaw	Williams
Daley	Keller	Reed	Wilt
Dally	Kenney	Reichley	Wojnaroski
DeLuca	Killion	Rieger	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	Perzel,
Eachus	Leh	Sainato	Speaker
Egolf			

NAYS-1

O'Neill

NOT VOTING-0

EXCUSED-2

Lescovitz Roberts

The majority having voted in the affirmative, the question was determined in the affirmative and part 1 of the amendment was agreed to.

PART 2 OF AMENDMENT WITHDRAWN

The SPEAKER. Mr. Metcalfe has withdrawn the remainder of his amendment.

Does the gentleman, Mr. Metcalfe, have further amendments?

Mr. METCALFE. Yes, Mr. Speaker. Amendment 3146.

On the question recurring,

Will the House agree to the bill on third consideration as amended?

Mr. METCALFE offered the following amendment No. **A3146:**

Amend Sec. 2 (Sec. 688), page 3, line 3, by striking out "Limitations" and inserting

Limitation

Amend Sec. 2 (Sec. 688), page 3, lines 8 through 21, by striking out "in accordance with" in line 8, all of lines 9 through 21 and inserting

that is not in excess of 8% of the school district's total budgeted expenditures.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. Metcalfe, for an explanation.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I know we have debated property tax here off and on the floor in many different forms and fashions in our own respective caucuses and we have a lot of ideas out there that will try and help local homeowners and local businesses in reductions of their property taxes. I know one problem across the Commonwealth is that some of our school districts are carrying and have been carrying enormous reserve fund balances, and rather than using those reserves, they have been increasing property taxes. This would put language back in that the majority of us voted for similar language to the budget earlier this year in March that would bring the 8-percent restriction on those reserve fund balances, that school districts could only have an 8-percent reserve fund balance, and protect the taxpayers.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Delaware, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

Will the maker stand for brief interrogation?

The SPEAKER. Mr. Metcalfe indicates that he will stand for interrogation.

Mr. VITALI. You did give a good explanation. I am just still trying to get my mind around this, what is this thing doing, and I apologize. Could you just develop that point just a little more? I am trying to get a sense for how my school districts might be restricted in operating, in adopting their budgets.

Mr. METCALFE. Thank you, Mr. Speaker.

I know the current draft of legislation that we have before us without the amendment I believe sets a limit on the reserve fund balances that school districts can carry based on the size of their budgets. So if you have a larger budget, then it will allow you to carry a larger fund balance. I believe a certain percentage would be a more reasonable direction to take in setting policy; you know, whether it is 5 percent or 6 percent or 8 percent, that you would say that any school district, no matter what size the budget, the same ratio should apply, that they should carry a certain— They should not carry above a certain level, because if they are and they are stockpiling those taxpayer dollars in those reserve funds for future use rather than being more discretionary with how much they keep in that fund, then they are driving property taxes up.

Mr. VITALI. So, in other words, what you are saying, what your amendment would do is, if a school district has reserves of 8 percent or more, they cannot vote to increase their property taxes. Is that the essence of the amendment?

Mr. METCALFE. The intent would be to take that reserve fund balance down to 8 percent, so that if they do have above and beyond 8 percent, that that amount would be used and hopefully used to reduce the property taxes or offset what they might increase them this year or next year.

Mr. VITALI. But I just want to make sure I am correct. So if they have reserves of in excess of 8 percent, they cannot raise the property taxes; they cannot take that vote until they spend that down. Is that it?

Mr. METCALFE. I believe that would be the case. You would have to spend down the reserve, and since this legislation does allow them to reopen their budgets, I know three of my school districts in Butler County have raised their taxes this year, and if they are carrying above that 8 percent, then they

would be able to reopen their budget and spend that down to 8 percent to reduce those taxes.

Mr. VITALI. Okay. I am not overly familiar with this issue, but are there good policy reasons why school districts might want to have reserves in excess of 8 percent, maybe 10 percent, the Rainy Day concept perhaps?

Mr. METCALFE. That is surely an appropriate question for somebody who would advocate that position, but I believe the best policy decision would be to set a limit on that and not allow a stockpiling of taxpayer dollars as occurs in some districts.

Mr. VITALI. Well, what would be the policy reasons for not letting school boards decide, because they are, you know, the representatives of our constituents, too, on these issues. What would be the policy reasons for just not letting them decide and sort of taking away that discretion and imposing this level?

Mr. METCALFE. Well, as you know, a school board director is elected every 4 years, and they are accountable to the voters during those elections. I know the problem that many have seen across the State is that these huge reserve funds are kept in place. It is sometimes hard for the taxpayers to really get a handle on what the reserve fund is. To try and access that information, it is certainly available, but it is not something that is on everybody's daily menu of items to look at or in the newspaper on a regular basis to call your attention to that fact when your taxes are being increased.

So I think, you know, the idea of trying to set good policy in the way of protecting taxpayers, as we, the General Assembly, ultimately set the law in place to allow school districts to collect property taxes to begin with, to allow them to do certain things, and they have been given that discretion, that this should be a checks and balance that is put in place to ensure that there are not huge reserve funds that are kept in place that harm taxpayers and drive property taxes up.

Mr. VITALI. Has the School Boards Association or the teachers' unions or any other recognizable education group weighed in on this one?

Mr. METCALFE. No. I would suspect that probably both of those organizations would be against this due to the fact that it creates more accountability within the system and the end to a never-ending flow of tax dollars.

Mr. VITALI. Okay. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, anybody who has a district that is now or may be a growth district should vote against this proposal. School boards cannot control what the birthrate is in their districts; school districts cannot control what the migration rate is in their districts. Just in this year's budget, and it varies from year to year, but we are giving at least one school district in Montgomery County, at least one school district in Lycoming County, at least one school district in Cumberland County, and I suspect other school districts throughout the State more than an 8-percent increase. The reason we are giving them more than an 8-percent increase is because they are growing.

We ought not to penalize school districts for doing such a good job that people find it attractive to move there. We should not penalize school districts for doing such a good job that parents, as their children get older, want to stay there.

This amendment makes no sense. It penalizes school districts for doing a good job. It penalizes local governments for doing a good job. It is against any kind of rational system of planning. If there are problems with the system, the formula that is already in this bill, there ought to be some other flexible formula that should be substituted for it, but we should not come up with an inflexible formula that penalizes school districts for factors that are totally beyond their control and indeed penalizes them for doing a good job.

I would strongly urge a "no" vote on this amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lancaster, Mr. Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

I rise in opposition to the Metcalfe amendment for these reasons: This does not affect my school district because my school district's budget is larger than \$19 million, and currently there is language that says that we would be limited to an 8-percent surplus, but the districts that this does affect and those members that have small school districts whose budgets are less than \$12 million are the ones that should be paying attention to this amendment.

Mr. Speaker, could I have order, please?

The SPEAKER. The gentleman is entirely correct. He has a right to be heard. Could you please keep the noise level down.

Mr. STURLA. Mr. Speaker, the members that have school districts that are small school districts are the ones that are going to be negatively impacted as a result of this amendment.

The language as it is currently written in the bill says that those school districts get to keep up to a 12-percent reserve if their budget is \$12 million or less. Those districts are much more susceptible to increased costs taking their budgets way out of whack. If there is a problem in a school building, if there are problems with increased attendance, those small school districts are the ones that are most adversely affected by those types of changes. That is why it is important that those school districts, those small ones, be able to have a larger percentage reserve, because their total dollar reserve, the 12 percent of a \$12 million budget, is about the same as 8 percent of a \$19 million budget. So it is the dollar amounts that we are guaranteeing for those small districts being able to be reserved and that they not be the ones that are susceptible to the winds of change that affect school districts every day.

So I would encourage members, particularly those that have small school districts, to vote "no" on this amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. GODSHALL. Thank you, Mr. Speaker.

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

The SPEAKER. The gentleman indicates he will stand for interrogation.

Mr. GODSHALL. Under this amendment, which says a flat 8 percent for all school districts as far as an unreserved balance, unreserved balance at the end of the year, is there any provision in here to take moneys over and above that 8 percent, place it into such a thing as a billing account or whatever, you know, to hide that extra money?

Mr. METCALFE. That is something that I know that you had raised earlier, and when we had the amendment drafted, I was not informed that that was a provision in the legislation, although I believe that is the case and would like to work with you to even reform this in a better direction as we move forward, but I think at least this amendment here today will help us move in the right direction, and I would like to work with you, Mr. Speaker, to try and ensure that that is not happening either.

Mr. GODSHALL. Thank you, Mr. Speaker.

I would like to make a statement on the amendment.

The SPEAKER. The gentleman is in order and may proceed.

Mr. GODSHALL. Just very briefly on this amendment, our Appropriations Committee some time ago looked at these balances in the school districts across the State, and I believe the total figure in the balances, the unreserved balances, was over \$1,600,000,000 – \$1,600,000,000. None of these school districts are licensed as banks. We had some school districts in the State that were carrying more in a balance, in an unreserved balance each year, than their entire budget was for that given year.

I have a school district in my district, a large district, that has approximately a \$200 million budget each year. It carries about \$5 million in an account, which is approximately 2, 2 1/2 percent. This is what they are carrying. I have another school district that is carrying approximately 24 to 25 percent. There is no logical reason to have this kind of money taken from taxpayers when the district obviously does not need the money.

A long time ago when these taxes were initiated, and in the law presently even, there is a section that says that they can only tax for what they actually need to spend in that given year. This is not happening, and this is one of the ways that we should look at about cutting back on some of these unrestricted balances that are being carried year after year.

As I said in the beginning, when our Appropriations Committee looked at this whole issue, there was \$1,600,000,000, in excess of that, being held in these balances.

So I am going to vote for the amendment.

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-72

Adolph	Egolf	Kirkland	Raymond
Argall	Evans, D.	Levdansky	Reed
Armstrong	Evans, J.	Lewis	Rohrer
Baldwin	Feese	Lynch	Samuelson
Bastian	Flick	Maher	Scavello
Benninghoff	Forcier	Maitland	Smith, B.
Birmelin	Freeman	Marsico	Smith, S. H.
Bishop	George	McCall	Solobay
Browne	Gillespie	McGill	Surra
Bunt	Godshall	McIlhattan	Taylor, J.
Causser	Grucela	McNaughton	Washington
Cawley	Habay	Metcalfe	Waters
Civera	Hasay	Micozzie	Williams
Clymer	Herman	Miller, S.	Wilt
Coleman	Horsey	Mundy	Wright
Corrigan	Hutchinson	Myers	
Creighton	James	O'Brien	

Denlinger	Kenney	Payne	Perzel,
Eachus	Killion		Speaker

NAYS-128

Allen	Fairchild	Manderino	Schroder
Baker	Fichter	Mann	Scrimenti
Bard	Fleagle	Markosek	Semmel
Barrar	Frankel	McGeehan	Shaner
Bebko-Jones	Gabig	McIlhinney	Staback
Belardi	Gannon	Melio	Stairs
Belfanti	Geist	Miller, R.	Steil
Bianucci	Gergely	Mustio	Stern
Blaum	Gingrich	Nailor	Stetler
Boyd	Goodman	Nickol	Stevenson, R.
Butkovitz	Gordner	Oliver	Stevenson, T.
Buxton	Gruitza	O'Neill	Sturla
Caltagirone	Haluska	Pallone	Tangretti
Cappelli	Hanna	Petrarca	Taylor, E. Z.
Casorio	Harhai	Petri	Thomas
Cohen	Harhart	Petrone	Tigue
Cornell	Harper	Phillips	Travaglio
Costa	Harris	Pickett	True
Coy	Hennessey	Pistella	Turzai
Crahalla	Hershey	Preston	Vance
Cruz	Hess	Readshaw	Veon
Curry	Hickernell	Reichley	Vitali
Dailey	Josephs	Rieger	Walko
Daley	Keller	Roebuck	Wansacz
Dally	Kotik	Rooney	Watson
DeLuca	LaGrotta	Ross	Weber
Dermody	Laughlin	Rubley	Wheatley
DeWeese	Leach	Ruffing	Wojnaroski
DiGirolamo	Lederer	Sainato	Yewcic
Diven	Leh	Santoni	Youngblood
Donatucci	Mackereth	Sather	Yudichak
Fabrizio	Major	Saylor	Zug

NOT VOTING-0

EXCUSED-2

Lescovitz	Roberts
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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 as amended?

Mr. METCALFE offered the following amendment No. A3149:

Amend Title, page 1, line 8, by inserting after "service;" providing for superintendent compliance with action by board of school directors;

Amend Bill, page 7, by inserting between lines 11 and 12 Section 3.1. The act is amended by adding a section to read:

Section 1005.1. Superintendent Compliance with Action by Board of School Directors.—The Secretary of Education may not impose sanctions against a superintendent or assistant superintendent for administering in good faith an action taken or directed by the board of school directors, if the superintendent reasonably believed his actions were in compliance with the provisions of this act, the regulations promulgated under this act and the laws of this Commonwealth.

Amend Sec. 3.1, page 7, line 12, by striking out “3.1” and inserting

3.2

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

The SPEAKER. On the question, the Chair recognizes the gentleman, Mr. Metcalfe, for an explanation of the amendment.

Mr. METCALFE. Thank you, Mr. Speaker.

This is, again, legislation that we have considered in the past session dealing with protection of school superintendents. We have put them kind of between a rock and a hard place with them being hired by the school district and, in some cases, the Department of Education in the past having tried to intimidate them by threatening to pull their certification if they did not move in the direction the board or the department was pushing them rather than what the school district was instructing them. This would just clearly define in the law so that nobody could have any other reason to doubt that they are directly accountable to the school district that hires them. As long as they are working within the guidelines of the law, the Constitution, then there is no reason that they should be threatened by the Department of Ed.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

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

The SPEAKER. The gentleman indicates that he will stand for interrogation.

Mr. THOMAS. Thank you, Mr. Speaker.

Help me to understand the intent of your amendment. Is it to direct that the Secretary of Education cannot impose sanctions on school board directors or on local superintendents?

Mr. METCALFE. It is to clearly define that if a school district has directed their superintendent to move in a certain policy direction, that that superintendent would be protected from having threats made against him or certification pulled for his being a superintendent by the Department of Education.

Mr. THOMAS. So this serves as a restraint on the Secretary of Education?

Mr. METCALFE. I would say it serves to work as a balance of power, to balance the power between the directives that we as a General Assembly have empowered the school boards with and the directives that we have given to our Department of Education through our Secretary and State Board of Education.

Mr. THOMAS. 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-154

Adolph	Evans, D.	Lederer	Ross
Allen	Evans, J.	Leh	Rubley
Argall	Fairchild	Lewis	Sather
Armstrong	Feese	Lynch	Saylor

Baker	Fichter	Mackereth	Scavello
Baldwin	Fleagle	Maher	Schroder
Bard	Flick	Maitland	Semmel
Barrar	Forcier	Major	Shaner
Bastian	Gabig	Markosek	Smith, B.
Belardi	Gannon	Marsico	Smith, S. H.
Belfanti	Geist	McCall	Solobay
Benninghoff	George	McGeehan	Staback
Birmelin	Gillespie	McGill	Stairs
Blaum	Gingrich	McIlhattan	Steil
Boyd	Godshall	McIlhinney	Stern
Browne	Goodman	McNaughton	Stevenson, R.
Bunt	Gordner	Metcalfe	Stevenson, T.
Butkovitz	Grucela	Micozzie	Surra
Cappelli	Gruitza	Miller, R.	Taylor, E. Z.
Causer	Habay	Miller, S.	Taylor, J.
Cawley	Hanna	Mundy	Tigue
Civera	Harhai	Mustio	True
Clymer	Harhart	Myers	Turzai
Cohen	Harper	Nailor	Vance
Coleman	Harris	Nickol	Vitali
Cornell	Hasay	O'Brien	Washington
Corrigan	Hennessey	Oliver	Waters
Coy	Herman	O'Neill	Watson
Crahalla	Hershey	Payne	Weber
Creighton	Hess	Petri	Wheatley
Dailey	Hickernell	Phillips	Williams
Daley	Horsey	Pickett	Wilt
Dally	Hutchinson	Raymond	Wright
DeLuca	James	Readshaw	Yewcic
Denlinger	Keller	Reed	Yudichak
DiGirolamo	Kenney	Reichley	Zug
Donatucci	Killion	Rieger	
Eachus	Kirkland	Roebuck	Perzel,
Egolf	Laughlin	Rohrer	Speaker

NAYS-46

Bebko-Jones	Fabrizio	Melio	Scrimenti
Biancucci	Frankel	Pallone	Stetler
Bishop	Freeman	Petrarca	Sturla
Buxton	Gergely	Petrone	Tangretti
Caltagirone	Haluska	Pistella	Thomas
Casorio	Josephs	Preston	Travaglio
Costa	Kotik	Rooney	Veon
Cruz	LaGrotta	Ruffing	Walko
Curry	Leach	Sainato	Wansacz
Demody	Levdansky	Samuelson	Wojnaroski
DeWeese	Manderino	Santoni	Youngblood
Diven	Mann		

NOT VOTING-0

EXCUSED-2

Lescovitz	Roberts
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

**THE SPEAKER PRO TEMPORE
(PATRICIA H. VANCE) PRESIDING**

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

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks County, Mr. Rohrer, who, we understand, wants to make an announcement.

Mr. ROHRER. Not an announcement, on the amendment.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. ROHRER. Madam Speaker, amendment 3150 and the amendment that follows deals with perhaps the issue of greatest importance to at least I think in my district and I think reflected across the State, and that is the issue of property taxes and what we are going to do to address that problem.

Now, obviously, we may be dealing with an approach later in this day or sometime in the near future, and as we all know, that there are a couple plans that are swirling around, but back the first of May a group of members from both sides of the aisle presented a sweeping new plan to not just tamper with a slight reduction but an elimination of the school property tax for both residential and business. The basis for the plan was to provide significant and genuine relief to the homeowners of this State, and in addition, by so doing, to provide the single greatest economic stimulus that we could provide to this Commonwealth by turning back into this economy over \$7 billion worth of money that is now being expended on property taxes to allow the people and the businesses of this State to spend them as they choose. We can do nothing better than that.

We understand that this change cannot be made by the way we have been typically talking about it. You cannot go to personal income tax, you cannot go to earned income tax without harming the people who have the jobs in this State. This concept, Madam Speaker, takes it, the plan, and moves it to sales taxes, but not raising the rate, Madam Speaker, but lowering the rate from 6 percent to possibly as low as 4 percent. That is a significant thing, Madam Speaker, and because it is so sweeping, because it is so significant, and because it is so simple, frankly, the people of this State have been weighing in by the thousands to support—

The SPEAKER pro tempore. Will the gentleman cease a moment, please.

POINT OF ORDER

The SPEAKER pro tempore. For what reason does the gentleman, Mr. Pistella, rise?

Mr. PISTELLA. A point of order, Madam Speaker.

The SPEAKER pro tempore. You may state your point of order.

Mr. PISTELLA. Yes. What exactly is before the House?

The SPEAKER pro tempore. I think the gentleman, Mr. Rohrer, is planning to withdraw his amendment.

Mr. PISTELLA. Well, the point I am trying to make is, I thought the gentleman was talking about two amendments that have already been adopted.

Mr. ROHRER. No.

Mr. PISTELLA. Okay. Then if there are two amendments, why does the vote calendar board show that HB 1883 is before us as opposed to either a motion to suspend the rules for consideration of the gentleman's amendments and an explanation thereof or the actual amendments themselves?

The SPEAKER pro tempore. The amendment has not yet been called up, and they were in order.

Mr. PISTELLA. Then if—

The SPEAKER pro tempore. And the Chair did inform that he is going to withdraw the amendments and he wishes to make a statement, which is something that is common practice.

Mr. PISTELLA. But should he not ask that the amendments be called up first and then withdrawn after he speaks?

The SPEAKER pro tempore. We have not generally followed that practice.

Mr. PISTELLA. I am still not sure what practice, but we will follow it though, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The gentleman, Mr. Rohrer.

Mr. ROHRER. Okay. Thank you, Madam Speaker.

That being the case and by the fact that we have been hearing from literally thousands of people across this State about their support, from business, from individuals alike, but understanding that this is sweeping, probably the most significant overhaul of our tax policy that we have done in this Commonwealth, those of us who are working on this and are in continuing negotiations with leadership and in some contact with the Governor's Office, we are at this point going to withdraw the amendment in lieu of continuing that negotiation as we proceed through this process.

Thank you, Madam Speaker.

The SPEAKER pro tempore. Do I understand that the gentleman is withdrawing—

Mr. ROHRER. 3150 and 3151 both.

The SPEAKER pro tempore. The Chair thanks the gentleman. 3150 and 3151 are withdrawn.

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

Mr. SURRA. Madam Speaker, I rise to make a very brief statement and thank the gentleman for withdrawing those amendments.

The SPEAKER pro tempore. Does the gentleman wish to do that under unanimous consent?

Mr. SURRA. Yes, ma'am.

The SPEAKER pro tempore. The gentleman is recognized.

Mr. SURRA. Thank you, Madam Speaker.

Madam Speaker, I congratulate the gentleman for withdrawing these amendments, and I will be very brief.

As sexy as it seems to lower the sales tax to 4 percent and place it on everything, it would be a very regressive tax increase on the working people, working poor, in Pennsylvania, people that pay taxes on all their food, all their clothing, their Pablum, their Pampers, their doctor bills, their prescription drugs. All the border communities where people come in shopping into Pennsylvania, they come into the stores, and all the counties that border States that tax everything, we would lose that industry, and I think that is not the way we should go, and I thank the gentleman for withdrawing it.

The SPEAKER pro tempore. The Chair thanks the gentleman.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. For what purpose does the gentleman, Mr. Sturla, rise?

Mr. STURLA. A point of parliamentary inquiry.

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

Mr. STURLA. Is it possible for another member to call up amendment 3151?

The SPEAKER pro tempore. With the permission of the sponsor.

Mr. STURLA. Okay. Thank you, Madam Speaker.

On the question recurring,

Will the House agree to the bill on third consideration as amended?

Mr. GEORGE offered the following amendment No. **A3172**:

Amend Sec. 15 (Sec. 2502.13), page 28, line 7, by striking out “[and], 2001-2002 and 2002-2003” and inserting
and 2001-2002

Amend Sec. 15 (Sec. 2502.13), page 28, line 11, by inserting after “membership.”

For the school years 2002-2003, the Commonwealth shall pay to each school district which has an average daily membership of one thousand five hundred (1,500) or less an amount equal to one hundred dollars (\$100) multiplied by that district’s average daily membership.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. George.

Mr. GEORGE. Thank you, Madam Speaker.

This amendment increases the small district subsidy from \$75 to \$100 per student, and, Madam Speaker, this will help 134 districts. I was honored to be able to place something like this in law in the early seventies. This is important to those schools that have a sparsity deficit, and I would ask that we accept this.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware County, Mr. Vitali, on the amendment.

Mr. VITALI. Thank you, Madam Speaker.

Will the maker of the amendment stand for brief interrogation?

The SPEAKER pro tempore. The gentleman agrees. You may proceed.

Mr. VITALI. I just want to make sure I understand this amendment’s effect on other school districts and its fiscal impact generally. Could you discuss that?

Mr. GEORGE. Well, Madam Speaker, where the State has an obligation – and we have not been following that obligation; in fact, we have been down 15 or 16 percent in all districts – this would probably cost the Commonwealth 3 1/2 to 4 more million dollars, and we will be about a task to relieve the taxpayers in another bill coming in the next order. And so I believe this has been done. It has been 95, it has been 105, and I think it is important that we do that, and that is the entire impact.

Mr. VITALI. Okay. So basically – let me see if I get this straight – basically, if you have a school district of less than 1500 people, those school districts get, in addition to what they are getting in the bill in chief, another \$100 per pupil. Is that it?

Mr. GEORGE. That is right, Madam Speaker.

Mr. VITALI. Does that depend at all on the wealth of the district? In other words, let us say you had a very wealthy but

small school district. Would that wealthy but small school district still get this extra \$100 per pupil?

Mr. GEORGE. Madam Speaker, it relies on an aid ratio of 0.5.

Mr. VITALI. Okay. Tell me what that means. I sort of view the school district’s wealth in terms of quintiles.

Mr. GEORGE. Madam Speaker, even though it is 134 districts, I do not know how many of them meet that aid ratio, but any above that would not get this money.

Mr. VITALI. Okay. But still, and it is only because I have a low informational background here, but tell me, is this limited to poor versus average versus wealthy school districts? Tell me, just explain in layman’s terms, and I know you have an able staffer next to you, but tell me in laymen’s terms what limitation there is with regard to the wealth of a school district.

Mr. GEORGE. The gentleman is right, Madam Speaker. It is expressly for average and poorer school districts.

Mr. VITALI. Okay. Did I hear you say that— And how many school districts would this apply to? Did I hear you say 137?

Mr. GEORGE. 134, Madam Speaker.

Mr. VITALI. So 134 of the 501 school districts would get this extra bump.

Mr. GEORGE. That is right. Just the same as, unfortunately, Madam Speaker, we have school districts in Pennsylvania that get more than 50 percent where many of these smaller districts are getting 33 and 34 percent of a subsidy from the Commonwealth.

Mr. VITALI. Okay. I am just trying to understand.

What is the policy reason for a school district of average wealth to get more money than this bill now provides? As I understand it— Okay; maybe you could explain that policy reason. What is the policy reason for giving a school district of average wealth more money merely because it is small?

Mr. GEORGE. It will start with, Madam Speaker, the transportation moneys that are needed are exorbitant because of the long distances. That is one reason. The distances that are applied take more employees, because—

Mr. VITALI. No; I mean, are you suggesting that there is a relationship between small school districts and the fact that they are spread out? I mean, do smaller districts tend to be spread out more, necessarily?

Mr. GEORGE. Yes, that is exactly what I am saying, Madam Speaker. That is why we apply the word “sparsity” – fewer students in a greater area.

Mr. VITALI. Okay; okay. I understand that. I interrupted you in the middle of your explanation. Are there other policy reasons for an average-wealth school district getting this?

Mr. GEORGE. Well, the average reason is that a building in your Delaware County does not cost any more to build hardly than a building or a bus to buy or anything else in the areas where we are not; and number two, I want you to understand that our effort is not as great as those efforts of the biggest school. So because the effort is lower, the moneys we get from the State are lower per student.

Mr. VITALI. Okay. Did you say the cost – again, I do not want to repeat myself – \$4 to \$5 million is the fiscal impact? Is that what you said?

Mr. GEORGE. About \$4 million.

Mr. VITALI. Would this in any way detract from the funds that the other—

Mr. GEORGE. It does not cut anything, Madam Speaker, if that is what you are getting at.

Mr. VITALI. Okay. Thank you, Madam Speaker.

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

The following roll call was recorded:

YEAS-159

Allen	Fabrizio	Levdansky	Samuelson
Argall	Fairchild	Lewis	Santoni
Baker	Feese	Lynch	Sather
Baldwin	Fleagle	Maher	Scavello
Barrar	Flick	Maitland	Scrimenti
Bastian	Frankel	Major	Semmel
Bebko-Jones	Freeman	Manderino	Shaner
Belardi	Gannon	Mann	Smith, S. H.
Belfanti	Geist	Markosek	Solobay
Benninghoff	George	McCall	Staback
Biancucci	Gergely	McGeehan	Stairs
Bishop	Gillespie	McIlhattan	Stern
Blaum	Gingrich	McIlhinney	Stetler
Boyd	Goodman	McNaughton	Stevenson, R.
Browne	Gordner	Melio	Stevenson, T.
Butkovitz	Grucela	Metcalfe	Sturla
Buxton	Gruitza	Miller, S.	Surra
Caltagirone	Haluska	Mundy	Tangretti
Cappelli	Hanna	Mustio	Taylor, J.
Casorio	Harhai	Myers	Thomas
Causer	Harhart	O'Brien	Tigue
Cawley	Harper	Oliver	Travaglio
Clymer	Harris	O'Neill	True
Cohen	Hasay	Pallone	Veon
Corrigan	Herman	Payne	Vitali
Costa	Hess	Petrarca	Walko
Coy	Hickernell	Petrone	Wansacz
Cruz	Horsey	Phillips	Washington
Curry	Hutchinson	Pickett	Waters
Dailey	James	Pistella	Watson
Daley	Josephs	Preston	Wheatley
Dally	Keller	Raymond	Williams
DeLuca	Kenney	Readshaw	Wojnaroski
Dermody	Killion	Reed	Yewcic
DeWeese	Kirkland	Rieger	Youngblood
Diven	Kotik	Roebuck	Yudichak
Donatucci	LaGrotta	Rohrer	Zug
Eachus	Laughlin	Rooney	
Egolf	Leach	Ruffing	Perzel,
Evans, D.	Lederer	Sainato	Speaker
Evans, J.			

NAYS-40

Adolph	Denlinger	Mackereth	Saylor
Armstrong	DiGirolamo	McGill	Schroder
Bard	Fichter	Micozzie	Smith, B.
Birmelin	Forcier	Miller, R.	Steil
Bunt	Gabig	Nailor	Taylor, E. Z.
Civera	Godshall	Nickol	Turzai
Coleman	Habay	Petri	Vance
Cornell	Hennessey	Reichley	Weber
Crahalla	Hershey	Ross	Wilt
Creighton	Leh	Rubley	Wright

NOT VOTING-1

Marsico

EXCUSED-2

Lescovitz Roberts

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

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

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware County, Mr. Barrar, for the purpose of a motion.

Mr. BARRAR. Thank you, Madam Speaker.

I wanted to make a motion to suspend the rules to offer amendment A3246, which would allow for paid school directors.

The SPEAKER pro tempore. The gentleman, Mr. Barrar, moves that the rules of the House be suspended in order to offer amendment 3246.

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

The following roll call was recorded:

YEAS-199

Adolph	Evans, D.	Levdansky	Samuelson
Allen	Evans, J.	Lewis	Santoni
Argall	Fabrizio	Lynch	Sather
Armstrong	Fairchild	Mackereth	Saylor
Baker	Feese	Maher	Scavello
Baldwin	Fichter	Maitland	Schroder
Bard	Fleagle	Major	Scrimenti
Barrar	Flick	Manderino	Semmel
Bastian	Forcier	Mann	Shaner
Bebko-Jones	Frankel	Markosek	Smith, B.
Belardi	Freeman	Marsico	Smith, S. H.
Belfanti	Gabig	McCall	Solobay
Benninghoff	Gannon	McGeehan	Staback
Biancucci	Geist	McGill	Stairs
Birmelin	George	McIlhattan	Steil
Bishop	Gergely	McIlhinney	Stern
Blaum	Gillespie	McNaughton	Stetler
Boyd	Gingrich	Melio	Stevenson, R.
Browne	Godshall	Metcalfe	Stevenson, T.
Bunt	Goodman	Micozzie	Sturla
Butkovitz	Gordner	Miller, R.	Surra
Buxton	Grucela	Miller, S.	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappelli	Habay	Myers	Taylor, J.
Casorio	Haluska	Nailor	Thomas
Causer	Hanna	Nickol	Tigue
Cawley	Harhai	O'Brien	Travaglio
Civera	Harhart	Oliver	True
Clymer	Harper	O'Neill	Turzai
Cohen	Harris	Pallone	Vance
Coleman	Hasay	Payne	Veon
Cornell	Hennessey	Petrarca	Vitali
Corrigan	Herman	Petri	Walko
Costa	Hershey	Petrone	Wansacz
Coy	Hess	Phillips	Washington
Crahalla	Hickernell	Pickett	Waters
Creighton	Horsey	Pistella	Watson
Cruz	Hutchinson	Preston	Weber
Curry	James	Raymond	Wheatley
Dailey	Josephs	Readshaw	Williams
Daley	Keller	Reed	Wilt
Dally	Kenney	Reichley	Wojnaroski

DeLuca	Killion	Rieger	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	Perzel,
Eachus	Leh	Sainato	Speaker
Egolf			

NAYS-0

NOT VOTING-1

Mundy

EXCUSED-2

Lescovitz Roberts

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.

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

Mr. **BARRAR** offered the following amendment No. **A3246**:

Amend Title, page 1, line 16, by inserting after "providing" for compensation of certain school board members,

Amend Bill, page 1, lines 26 through 28, by striking out all of said lines and inserting

Section 1. Section 321 of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, amended November 22, 1968 (P.L.1079, No.331), is amended to read:

Section 321. Compensation; Oath of Office.—(a) All persons elected or appointed as school directors [shall serve without pay except] may be compensated as hereinafter provided. Before entering upon the duties of their office each shall take and subscribe to the following oath or affirmation, which may be administered by any one qualified to administer an oath, or as hereinafter provided:—

I do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth, and that I will discharge the duties of my office with fidelity.

(b) Every school board member, elected or appointed after the effective date of this subsection, may be entitled to compensation as determined by the board of school directors prior to the term for which the member is appointed or elected. The maximum annual compensation, excluding benefits, shall not exceed fifteen thousand dollars (\$15,000).

Section 2. Section 687 of the act is amended by adding a subsection to read:

Amend Sec. 2, page 3, line 2, by striking out "2" and inserting 3

Amend Sec. 3, page 4, line 8, by striking out "3" and inserting 4

Amend Sec. 3.1, page 7, line 12, by striking out "3.1" and inserting

5

Amend Sec. 4, page 7, line 13, by striking out "4" and inserting

6

Amend Sec. 5, page 13, line 20, by striking out "5" and inserting 7

Amend Sec. 6, page 14, line 9, by striking out "6" and inserting 8

Amend Sec. 7, page 15, line 13, by striking out "7" and inserting 9

Amend Sec. 8, page 16, line 26, by striking out "8" and inserting 10

Amend Sec. 9, page 17, line 7, by striking out "9" and inserting 11

Amend Sec. 10, page 19, line 23, by striking out "10" and inserting 12

Amend Sec. 11, page 20, line 13, by striking out "11" and inserting 13

Amend Sec. 12, page 22, line 4, by striking out "12" and inserting 14

Amend Sec. 13, page 22, line 17, by striking out "13" and inserting 15

Amend Sec. 14, page 23, line 23, by striking out "14" and inserting 16

Amend Sec. 15, page 25, line 28, by striking out "15" and inserting 17

Amend Sec. 16, page 28, line 12, by striking out "16" and inserting 18

Amend Sec. 17, page 30, line 14, by striking out "17" and inserting 19

Amend Sec. 18, page 31, line 15, by striking out "18" and inserting 20

Amend Sec. 19, page 32, line 19, by striking out "19" and inserting 21

Amend Sec. 20, page 34, line 30, by striking out "20" and inserting 22

Amend Sec. 21, page 35, line 11, by striking out all of said line and inserting

Section 23. This act shall take effect as follows:

(1) The amendment of section 321 of the act shall take effect in 60 days.

(2) The remainder of the act shall take effect immediately.

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Barrar.

Mr. BARRAR. Thank you, Madam Speaker.

Madam Speaker, this would allow for an elected school director to be paid a maximum salary. The school board would set the salary at a maximum of \$15,000 per director. Currently we pay mayors, we pay council people, we pay supervisors — everybody in the school district currently gets paid. The Commonwealth Foundation has said that 68 percent of the school director races in the State of Pennsylvania go unopposed. I think it is important that we start to attract quality school directors to our league.

I would ask for a positive vote on this. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Samuelson, on the amendment.

Mr. SAMUELSON. Thank you, Madam Speaker.

On the computer system there is no fiscal note attached to this amendment. Is it required to have a fiscal note for us to proceed to consider this amendment?

The SPEAKER pro tempore. The Parliamentarian informs me that since it is a “may” provision, there is no fiscal note required.

The Chair recognizes the gentlelady from Chester County, Mrs. Taylor, on the amendment.

Mrs. TAYLOR. Madam Speaker, I think my colleague has a very good idea, maybe, but now is not the time. We all know how tight the money is, and I would encourage a “no” vote at this time.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Cohen, on the amendment.

Mr. COHEN. Thank you, Madam Speaker.

Madam Speaker, just speaking personally, without representing the Democratic Caucus in any way, I think this is a good idea. We need school directors who will spend some time on the job. A lot of school districts have a problem that they have board meetings in which the board members have high absentee rates. The average board member in the Commonwealth of Pennsylvania does not run for reelection. He or she serves one term and does not at all run for reelection, and accountability depends on some kind of desire by the school directors to seek reelection. If the average school director in this Commonwealth says, I will just serve one term and then I am not going to seek reelection, then there is not very much accountability between the school director and the voter.

I think this would increase the number of school directors seeking reelection. This would end the pattern that occurs in some school districts where people do not even file, and people have to run write-in campaigns to get on the school board or the school board has to elect people to fill the vacancy. Is there some possibility for abuse? Yes, I guess there is, but I think in the long run this would strengthen public education in Pennsylvania. It would increase the caliber of people running for the school board, it would reduce the number of vacancies on the school board, it would increase the accountability of school board members to the public, and I therefore think this is an amendment worth supporting.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Warren County, Mr. Lynch, on the amendment.

Mr. LYNCH. Thank you, Madam Speaker.

I want to compliment the gentleman on introducing this amendment. I have long been a proponent of paying for the school board members. I mean, we are talking about the people who have the biggest direct impact on the taxes that we pay each and every year, and yet we want volunteers to do that, volunteers who win not much more than on a popularity contest. In some districts we have to appoint people because nobody wants to run for it.

I honestly think that the \$15,000 bar should be raised. I think we should pay these people a living wage so that they know that each and every decision that they make, that their livelihood is dependent upon it. Take away the vindictiveness that we have

seen on some of the school boards, take away the noncaring that we have seen on some of the school boards who are raising our property taxes, for crying out loud.

I think this is a good idea, and I think we should consider it. I am going to vote “yes” on it. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Lancaster County, Mr. Sturla, on the amendment.

Mr. STURLA. Thank you, Madam Speaker.

Will the maker of the amendment rise for brief interrogation?

The SPEAKER pro tempore. The gentleman agrees. You may proceed.

Mr. STURLA. Thank you, Madam Speaker.

Would the members that are currently school board members be eligible for compensation if they decided to vote themselves this pay now?

Mr. BARRAR. Yeah. The pay raise, the salary, is going to be set by the school board. The member would have to be reelected. This is a school board year election – it is a municipal election this year – and the director would have to be elected this term and then would be eligible for the salary.

Mr. STURLA. But not all school board members are up this year.

Mr. BARRAR. No.

Mr. STURLA. Half of them are.

Mr. BARRAR. But I am pretty sure the Constitution says they would have to be, the way I think the Constitution, the way I would read the Constitution, says that the member would have to be elected in order to receive this, just like the same thing happens, when we have voted for raises for township commissioners and supervisors in the past, it did not take effect until they were reelected. I think I am right on that.

Mr. STURLA. But I think we specified that in the legislation, if I am correct. Is there anything in your amendment that specifically prohibits those members from voting themselves an immediate pay?

Mr. BARRAR. No. The amendment clearly says that you have to be elected or reelected to get this benefit.

Mr. STURLA. Okay. I thought it said elected or appointed.

Mr. BARRAR. Elected— It is not going to help the sitting board today unless they are reelected.

Mr. STURLA. Okay.

Second question: Does Philadelphia have school board members?

Mr. BARRAR. The Philadelphia School Board members are, as far as I know, appointed by the mayor. Right?

Mr. STURLA. I believe so, and this, as I read it, said elected or appointed members. Is that correct, or is it just elected?

Mr. BARRAR. Yes; elected or appointed.

Mr. STURLA. Elected or appointed.

Then it is my understanding that the Philadelphia school directors get what are commonly referred to as perks, maybe the use of a car or things like that. Would that count toward the \$15,000 limit or would that be in addition to the \$15,000 pay?

Mr. BARRAR. Again, we allow the local school board to make that decision whether that would continue or not.

Mr. STURLA. Okay. Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Chester County, Mr. Ross, on the amendment.

Mr. ROSS. Thank you, Madam Speaker.

I am intrigued by this idea; I think it is very interesting, but some of the questioning that we have just had, even some of the supportive testimony from my colleague from Warren, indicates that we are not really sure whether \$15,000 is the correct amount. This is a complicated and significant change in policy, and I really do not think it is a good idea to introduce it in an amendment at this late stage in our deliberations, and I think that the correct way to handle this would be to take this back and study it, perhaps work it through committee, and do it in a more deliberative fashion.

So although I am very interested in the idea in the long run, I encourage us, my fellow members, to vote “no” on it today.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Allegheny County, Mr. Costa, on the amendment.

Mr. COSTA. Thank you, Madam Speaker.

Is it possible to interrogate my friend from the other side?

The SPEAKER pro tempore. The gentleman agrees. You may proceed.

Mr. COSTA. Thank you.

Madam Speaker, when I read the bill, I believe it is a “may” provision. Is that correct?

Mr. BARRAR. This is a “may” provision. The school districts, if they choose to, if they are financially strapped and cannot afford it, they can choose to, the directors can make the decision not to take the salary if they choose not to.

Mr. COSTA. So this is not an unfunded mandate. This is something that we are giving them the option to do.

Mr. BARRAR. Absolutely, and I just see this as a way of attracting better school board candidates to our— And we are asking these people to serve on a board where many of them are becoming a board of directors of an entity that spends \$30, \$40, \$50 million or more, and we are asking them to do it for free. Very few of them take an interest in the job once they are elected. I think this is a good way to guarantee that the members that we elect to school boards, the members that are appointed to school boards, will take an interest in this job and then have something worth keeping.

Mr. COSTA. And, Madam Speaker, if I read your amendment correctly, there is a ceiling on this. Once, assuming this amendment passes and is signed into law and we give the school boards the opportunity to do this, if they find out that they are in financial straits, could they possibly reduce the salary if they so choose?

Mr. BARRAR. Again, the only way the salary could be increased is through legislative action. Again, every year the school board could make a decision whether to take a salary, whether to set it at \$1,000 or to set it at \$15,000. You know, I think from our own business that we do here, from serving in the legislature, there are expenses involved in serving in the legislature. We all know that. Why should school directors pay for their own expenses of serving on the school board? This would help a lot of school directors pay some of the expenses.

I know when I served on boards I lost a lot of money from my business serving on a township board of commissioners. The \$4500 salary I got as a township commissioner did not even begin to cover the cost of serving on that board. I think this is a fair thing to do, and again, I would ask for an affirmative vote, but we are questioning now.

Mr. COSTA. Thank you.

Madam Speaker, on the amendment.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. COSTA. Thank you.

I agree with the maker of the amendment. Our school board members put a lot of time and energy into this, and I think it would be a good thing that if they can afford it and it is within their means of their budget, that we should give them the opportunity to earn an income.

So I am going to vote for this. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Delaware County, Mr. Kirkland, on the amendment.

Mr. KIRKLAND. Thank you, Madam Speaker.

Madam Speaker, may I interrogate the maker of the amendment?

The SPEAKER pro tempore. The gentleman agrees. You may proceed.

Mr. KIRKLAND. Thank you, Madam Speaker.

The SPEAKER pro tempore. Could we please have a little quiet. It is impossible to even hear the questioner here. The gentleman does deserve to be heard. Could we please have some quiet. The members will please take their seats.

The gentleman, Mr. Kirkland, may proceed.

Mr. KIRKLAND. Thank you, Madam Speaker.

Madam Speaker, my question is this: If a school district is under the Empowerment Act and there is a board of directors governing the school district, and the elected school board officials are in essence nonexistent except for the president of the school board, how does this affect them? Would this legislation, this amendment, still provide for pay for those elected school officials who basically are defunct?

Mr. BARRAR. Madam Speaker, the term “appointed” I think affects that and would, yes, would allow for them to receive that salary set by them.

Mr. KIRKLAND. I am sorry, Madam Speaker, could you—

Mr. BARRAR. We say that they are appointed or elected. I feel that that language in there would allow them then to receive the salary.

Mr. KIRKLAND. So they will receive a salary, those persons who are elected but actually have no function within the school district because the board of control actually deals with the daily operation of the school district; they will still be able to receive a salary even though they do not have really a function?

Mr. BARRAR. Again, they would have the option of setting that salary and taking it. If they choose to take that salary, then yes, they would.

Mr. KIRKLAND. Okay.

Mr. BARRAR. Or appointed, the legislation.

Mr. KIRKLAND. I am sorry?

Mr. BARRAR. The legislation says if elected or appointed, that they would have the option of setting and taking the salary.

Mr. KIRKLAND. So if – I mean, I just want to be clear on this – so if the board of control is in place and the elected board – the elected board – is in place, the elected board can supersede or override the board of control and set a salary for themselves?

Mr. BARRAR. We are really, Madam Speaker, we are really not sure of the answer to that. Because of the takeover situation in your school district, I am not really sure of the answer. I apologize.

Mr. KIRKLAND. Thank you.

Thank you, Madam Speaker. On the amendment?

The SPEAKER pro tempore. The gentleman may proceed.

Mr. KIRKLAND. Madam Speaker, I appreciate the speaker's indulgence and information provided. However, because of the uncertainty, because of the uncertainty of the elected board and them being able to provide themselves with a salary or the board of control having that say, I am going to have to vote "no" on this amendment, because it is not clear to me exactly what will happen in districts such as mine.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Northampton, Mr. Samuelson, on the amendment.

Mr. SAMUELSON. Madam Speaker, I pointed out earlier in this discussion that there had been no fiscal note, and because this is a "may" provision, because it does not require the school districts to do this, the ruling was that there was no need for a fiscal note. So I agree with the speakers that say this idea needs a little bit more study, perhaps in one of our committees like the Education Committee, perhaps by holding public hearings.

In the absence of a fiscal note I did my own fiscal note, and if you take the 500 school districts in Pennsylvania that have elected school board members, multiply by 9, that means there are 4,500 school directors in Pennsylvania. I realize this is a "may" provision; it is not required, but if every school district would choose to go this route and go up to the maximum salary of \$15,000 that you provide, 4,500 times \$15,000 equals \$67.5 million.

Now, I point that out only because this is offered as an amendment to HB 1883. HB 1883 talks about an increase of \$117 million for basic education funding. If we provide this provision and if school districts choose to go this route, that \$67 million – if every school district in Pennsylvania went this route – that \$67 million would no longer be available for basic education.

I think this is a very interesting idea; it is an idea that deserves further study, but I do not think we should adopt it with a debate of 20 or 21 minutes on the House floor this afternoon. We should have a discussion in the Education Committee, we should have public hearings, and we should consider this further, but not in the context of our education funding bill for 2003-2004.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Allegheny County, Mr. Diven, on the amendment.

Mr. DIVEN. Thank you, Madam Speaker.

I rise to support the amendment. I think each year we are debating spending \$4 billion of State money and billions more in local property and wage taxes, and I think this kind of an amendment is what we need. When we talk about accountability in school districts, it starts at the top. It starts with the people who under State law are responsible for looking after the fiscal abilities for a school district, and providing the incentive to get good, quality people to step up and serve is a good thing.

And I think when we talk about this, by not adopting this amendment, we could be penny-wise but pound-foolish. I think that we have an obligation to try and make sure that the money we are investing in the State tax dollars and the local tax dollars

goes as far as possible, and the critical component to that is having good people who are obligated to look after those responsibilities, and I think it starts by providing the incentive that the maker of the amendment has proposed here today. And if for no other reason, this gives us the ability to take away the excuse that oftentimes you hear from complacent school board directors that say, do not blame me; I am just a volunteer; I do not get paid for this job.

So with that I hope that the rest of the colleagues in the House will support this legislation. I think it is a sound idea, and it is a way we can ensure accountability for our school districts in the dollars we spend.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Westmoreland County, Mr. Pallone, on the amendment.

Mr. PALLONE. Thank you, Madam Speaker.

Would the maker of the amendment stand for very brief interrogation?

The SPEAKER pro tempore. The gentleman agrees. You may proceed.

Mr. PALLONE. Thank you, Madam Speaker.

Is it your intent in this amendment to treat school board members no different than elected council or mayor or township supervisor or borough council or something to that effect?

Mr. BARRAR. Yes, that is the effect. We pay people on our sewer boards more money than we pay people that run our \$30, \$40, \$50 million school boards.

Mr. PALLONE. Thank you.

Also, is this coming by way of a stipend or would it be paid as salary with State and Federal withholdings?

Mr. BARRAR. It is compensation that would be subject to all Federal, State, Social Security taxes.

Mr. PALLONE. And do you know or have you studied whether or not the recipients of this particular compensation package, if approved by a local school district, would then, because the school board is legislatively an arm of the State legislature, would they be then eligible for similar pension treatment?

Mr. BARRAR. Madam Speaker, I really do not know the answer to that at this time.

Mr. PALLONE. All right. Thank you, Mr. Speaker, and thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Montgomery County, Mr. Leach, on the amendment.

Mr. LEACH. Thank you, Madam Speaker.

I rise in support of the amendment, not only because anyone who has interacted with township and school board officials knows how hard they work, as has been said, but also I just want to amplify a point that was made or touched on by a couple of others about accountability.

Considering the amount of effort that these people put into the job that they do, if they were compensated for some of that time, and this will not compensate them for all the time, but if they were compensated, they would be, I believe, more attached to the job. They would be willing to make this a longer term commitment, which not only will benefit the State in terms of experienced people willing to serve year after year who know something about what they are doing, but also it makes them, as some people said, more accountable. The more you want to

keep the job, the more you are going to be accountable to the people who decide whether or not you get to keep the job. And if, for example, you believe that tax increases are too high for property taxes on the local level and that that is unpopular, this will make people less likely to impose taxes like that that are unpopular, because they will be more interested in preserving their career, which is a measure of accountability.

So I think this is a good amendment. It does not require anyone to do anything. If a school board does not think it is appropriate for them, they do not have to do it, and they are accountable for whatever salary they decide to put on for school board members. So I urge a “yes” vote for this and thank the maker of the amendment.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Bucks County, Mr. Melio.

Mr. MELIO. Thank you, Madam Speaker.

I would like to commend Representative Barrar for an excellent amendment. I think this is something that should have been done a long time ago. I know that the cost to my school district would only be \$135,000, and I think that is something that they would certainly be happy to pay. It certainly would bring more people to want to participate in that kind of a job. I think that it is a good amendment, and I support the amendment.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Philadelphia, Mr. Horsey, on the amendment.

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

The SPEAKER pro tempore. The gentleman agrees. You may proceed.

Mr. HORSEY. Madam Speaker, I am miffed, and in my final commentary I will explain to you why I am miffed. I am miffed at this amendment, and after I interrogate you, I will explain to you why I am miffed.

Madam Speaker, what will be the average cost of this amendment per school district? How many school board members are on school boards?

Mr. BARRAR. The assumption is, if the school board decided to set the salary at \$1,000, it would be \$9,000. If they took the maximum, it would be 9 times 15.

Mr. HORSEY. So 9 times 15 equals \$135,000. Madam Speaker, \$135,000, are there presently— What is the criteria to be a member of a school board?

Mr. BARRAR. They have to be a resident of their district and over the age of 18.

Mr. HORSEY. No special expertise. Is that right, Madam Speaker?

Mr. BARRAR. That is right.

Mr. HORSEY. So of the \$135,000, would you think it would be better spent in the classroom for books and/or for teachers?

Mr. BARRAR. Madam Speaker, how much does your salary deny the children of the Commonwealth? It would be the same analogy you would use that you taking a salary denies the children of the Commonwealth books and computers and other things. So something to consider.

Mr. HORSEY. Does this mean the intermediate and the vo-tech schools?

Mr. BARRAR. Well, our vo-tech schools are run by intermediate units who are elected school directors.

Mr. HORSEY. So why are you not advocating for them to be paid? Why are you not advocating for them to be paid?

Mr. BARRAR. Well, under this they would get paid. They are elected— The people that run our vo-tech schools are the school-board-appointed people who go to the intermediate unit. The representatives would be from the school board; they would be paid.

Mr. HORSEY. Okay. On the amendment. Thank you very much, Madam Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. HORSEY. On the amendment.

I am miffed at this amendment, Madam Speaker. I am miffed because it is coming from that side of the aisle, and that side of the aisle favors less and fewer government. Madam Speaker, why are we creating another layer of government? The job is being done presently by people who have the average citizen involved in the process. This amendment creates another layer of government in that they are being paid, and I need to know what special expertise they are going to have and bring to the table. You are absolutely right. I am a State Representative— Madam Speaker, may I have a little order, please?

The SPEAKER pro tempore. The gentleman is correct. The gentleman does deserve to be heard, and we really kind of have a gentle roar. Could we please have quiet in the hall. Would members please take their seats.

Mr. HORSEY. I am miffed, again, because the gentleman advocates and says, well, you could take the State Representative’s salary, but we carry a specific function, and rest assured, without this layer of government, meaning these school boards, schools would continue to operate. There is no logical reasoning to pay these people, and they should not be paid. They are average citizens. We want citizens to be involved with the process. We have people who step forward who say, I want to be involved, and you do not have to pay me. So why are we taking money that could be spent in the classroom with kids, with teachers, at a time, by the way, when there is not much money for schools, for kids, for books, for electricity for schools, to build schools.

And again, we are creating another entire layer of government, and I am miffed because it is coming from this side of the aisle, and that side of the aisle favors less government but they are advocating us to pay people who want to volunteer. I do not understand that. The job is presently being done, people do not mind doing it for free, and the gentleman over there is advocating that we pay them. It is just to me, Madam Speaker, just a bad idea, and I oppose the Barrar amendment.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Dauphin County, Mr. Buxton, on the amendment.

Mr. BUXTON. Thank you, Madam Speaker.

Madam Speaker, would the maker of the amendment please stand for brief interrogation?

The SPEAKER pro tempore. The gentleman agrees. You may proceed.

Mr. BUXTON. Madam Speaker, the question that I have in your proposal is what effect it would have on those school districts that are now under the Empowerment Act, where the school board has no authority other than to vote on

any tax increase or bond issue and is under control by a board of control. How would this proposal impact upon such a school district?

Mr. BARRAR. Madam Speaker, we are really not sure. I have been trying to get the answer to that, looking at the legislation of the Empowerment Act versus this and how that would affect it. I would hope that the school board, if their duties are basically delegated to do nothing, that they would not take a salary for it. I mean, how many people would in their heart take a salary that they get paid nothing to do.

Mr. BUXTON. So it would be your intent that under this amendment, that each school district's board would have to by resolution adopt the compensation which you are including in your amendment. Is that correct?

Mr. BARRAR. Yes. That is right.

Mr. BUXTON. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Metcalfe, from Butler County on the amendment.

Mr. METCALFE. Thank you, Madam Speaker.

Just a couple of comments on this amendment, and I appreciate the sponsor making it voluntary for the school district so that we are not forcing them to pay the school board directors, and it is also left up to them what amount to set. The problem is, in this type of budget year and this type of economy, that we allow for any additional costs to be imposed on the taxpayers of any school district such as this. And I know it is set up to where, you know, a current sitting school board member would not be able to receive the salary until they were reelected once again, but as all of us know, they are elected in two different cycles normally, and it is going to be kind of hard for one school board director to turn another one down when they work side by side. We see that from vote to vote in the school districts. So you are going to see the kind of peer pressure that builds for this to be passed and to be supporting their other sitting board members. Even though they do not benefit from it, they will still benefit from it in the way of the rapport that it builds with their current board member.

But ultimately the problem that I have with the amendment is it is going to drive property taxes higher, and the amendment that I just offered a little while back that was defeated 72 to 128 put a restraint on the amount of reserve funds that could be held in the school districts, where we as of last year showed over \$1 1/2 billion in reserve funds in Pennsylvania's school districts' reserve funds – \$1 1/2 billion. That is 50 percent, or more, more than the alternative legislation that we will possibly see today that offers reductions to property taxes. The measure that we have been talking about in caucus is going to offer a \$1 billion reduction across the State to school districts from the proposed gambling that is being discussed. That \$1 billion of relief is exceeded by what has been kept in school districts' reserve funds, and I just think that as we see money stockpiled, as we see additional costs to the taxpayers through salaries for school board directors, I think this is really not the direction to move in trying to encourage more participation.

But I do appreciate the sponsorships' effort to try and move forward with education reform. I do not think this is particularly the way to go today, so I would ask for a "no" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the lady from Philadelphia County,

Ms. Manderino, on the amendment. Ms. Manderino is recognized. She waives off.

Those in favor of the amendment— Strike that, please. The Chair recognizes the gentleman, Mr. Shaner, on the amendment.

Mr. SHANER. Thank you, Madam Speaker.

Just a comment on the amendment.

I rise in opposition to the Barrar amendment for the following reason. Number one, State minimum certified teacher's salary is \$18,500. We have school boards who are not replacing retired teachers because of a lack of funding. Now we want to pay the school board members \$15,000 a year to show up for a meeting with no certification.

AMENDMENT TABLED

Mr. SHANER. For those reasons I make a motion that we table this amendment.

The SPEAKER pro tempore. It is moved by the gentleman, Mr. Shaner, that amendment 3246 be tabled.

On the question,

Will the House agree to the motion?

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. This is only debatable by the floor leaders.

The gentleman— State your parliamentary inquiry. The gentleman from Cumberland County, Mr. Gabig, is recognized.

Mr. GABIG. Thank you, Madam Speaker.

I was getting ready to make the same motion, but I wanted to ask on the parliamentary inquiry, does tabling it just affect the amendment and not the bill?

The SPEAKER pro tempore. That is how the motion was made. It affects just the amendment.

Mr. GABIG. All right. Thank you very much, Madam Speaker.

The SPEAKER pro tempore. Those in favor of tabling the amendment will vote "aye" – a "yes" vote means to table – those opposed will vote "nay."

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-144

Allen	Gabig	McGeehan	Semmel
Argall	George	McNaughton	Shaner
Armstrong	Gergely	Metcalfe	Smith, S. H.
Baker	Gillespie	Micozzie	Solobay
Bard	Gingrich	Miller, R.	Staback
Bastian	Godshall	Miller, S.	Stairs
Bebko-Jones	Goodman	Mundy	Steil
Belardi	Gordner	Myers	Stern
Belfanti	Grucela	Nailor	Stetler
Bianucci	Gruitza	Nickol	Stevenson, T.
Birmelin	Habay	Oliver	Sturla
Bishop	Haluska	Pallone	Surra
Blaum	Harhai	Payne	Tangretti
Boyd	Harhart	Petrarca	Taylor, E. Z.
Browne	Harper	Petrone	Thomas

Buxton	Hennessey	Pickett	Tigue
Caltagirone	Herman	Pistella	Travaglio
Casorio	Hershey	Preston	True
Causer	Hess	Raymond	Turzai
Cawley	Hickernell	Readshaw	Vance
Corrigan	Horsey	Reed	Veon
Coy	James	Rieger	Vitali
Curry	Josephs	Roebuck	Walko
Daley	Keller	Rohrer	Wansacz
Dally	Kirkland	Rooney	Washington
Dermody	Kotik	Ross	Waters
DeWeese	LaGrotta	Rubley	Weber
Donatucci	Laughlin	Ruffing	Wheatley
Eachus	Lederer	Sainato	Williams
Egolf	Leh	Samuelson	Wojnaroski
Evans, D.	Levdansky	Santoni	Wright
Fabrizio	Mackereth	Sather	Yewcic
Fairchild	Maher	Saylor	Yudichak
Feese	Major	Scavello	
Fleagle	Manderino	Schroder	
Frankel	Marsico	Scrimenti	Perzel,
Freeman	McCall		Speaker

NAYS—56

Adolph	Creighton	Harris	Melio
Baldwin	Cruz	Hasay	Mustio
Barrar	Dailey	Hutchinson	O'Brien
Benninghoff	DeLuca	Kenney	O'Neill
Bunt	Denlinger	Killion	Petri
Butkovitz	DiGirolamo	Leach	Phillips
Cappelli	Diven	Lewis	Reichley
Civera	Evans, J.	Lynch	Smith, B.
Clymer	Fichter	Maitland	Stevenson, R.
Cohen	Flick	Mann	Taylor, J.
Coleman	Forcier	Markosek	Watson
Cornell	Gannon	McGill	Wilt
Costa	Geist	McIlhattan	Youngblood
Crahalla	Hanna	McIlhinney	Zug

NOT VOTING—0

EXCUSED—2

Lescovitz	Roberts
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The majority having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

Will the House agree to the bill on third consideration as amended?

Mr. STAIRS offered the following amendment No. A3139:

Amend Title, page 1, line 9, by inserting after "assessment;" providing for attendance at schools for the performing arts;

Amend Bill, page 7, by inserting between lines 12 and 13 Section 4. The act is amended by adding a section to read:

Section 1316.1. Attendance at Schools for the Performing Arts.—The board of school directors of school districts of the first class A may permit any non-resident pupil to attend a high school for the performing arts in its district provided there are enrollment vacancies at the school and no other qualified district residents have applied for enrollment and upon such additional terms as it may determine, subject to the provisions of this act. Upon approval of the board of school directors pursuant to section 1608, payments due from a sending district to a receiving district shall be governed by sections 2561 and 2562, except that a sending district's liability for payment shall be

limited to the tuition charge of the receiving district or its own tuition charge, whichever is less.

- Amend Sec. 4, page 7, line 13, by striking out "4" and inserting 5
- Amend Sec. 5, page 13, line 20, by striking out "5" and inserting 6
- Amend Sec. 6, page 14, line 9, by striking out "6" and inserting 7
- Amend Sec. 7, page 15, line 13, by striking out "7" and inserting 8
- Amend Sec. 8, page 16, line 26, by striking out "8" and inserting 9
- Amend Sec. 9, page 17, line 7, by striking out "9" and inserting 10
- Amend Sec. 10, page 19, line 23, by striking out "10" and inserting 11
- Amend Sec. 11, page 20, line 13, by striking out "11" and inserting 12
- Amend Sec. 12, page 22, line 4, by striking out "12" and inserting 13
- Amend Sec. 13, page 22, line 17, by striking out "13" and inserting 14
- Amend Sec. 14, page 23, line 23, by striking out "14" and inserting 15
- Amend Sec. 15, page 25, line 28, by striking out "15" and inserting 16
- Amend Sec. 16, page 28, line 12, by striking out "16" and inserting 17
- Amend Sec. 17, page 30, line 14, by striking out "17" and inserting 18
- Amending Sec. 18, page 31, line 15, by striking out "18" and inserting 19
- Amending Sec. 19, page 32, line 19, by striking out "19" and inserting 20
- Amending Sec. 20, page 34, line 30, by striking out "20" and inserting 21
- Amend Sec. 21, page 35, line 11, by striking out all of said line and inserting
- Section 22. This act shall take effect as follows:
 - (1) The amendment of section 1316.1 shall take effect in 60 days.
 - (2) The remainder of this act shall take effect immediately.

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Stairs.

Mr. STAIRS. Thank you, Madam Speaker.

I would hope the members would agree this is not a controversial amendment, that we all can support it.

This amendment that I am offering relates to a bill that was introduced by Representative Frankel that addresses the City of Pittsburgh School District and certainly their attempt to enlighten and better educate the students of the Pittsburgh area.

I say “area” because this will allow students from neighboring districts to participate in this culture and enrichment of the arts school that is going to be in Pittsburgh, run by the school district. And we made it a very important amendment to the bill to improve it from last year, whereas the participating students would have to have the okay from their districts. So we are not trying to rob or take or in any way hinder an economic situation of a school district by taking their students, because the money would be following the students.

So I hope everybody can support this. It is a great bill that Representative Frankel brought to our committee, and instead of waiting for this bill to pass maybe at a much later date with school starting – unfortunately, school is starting pretty soon; September is going to be here real quick – we want to get this bill moving to help the city school district. So I join Representative Frankel and the Pittsburgh area in supporting, and that is why I offered this amendment, to help them get this to happen in a very expedient manner.

Thank you, Madam Speaker.

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

The following roll call was recorded:

YEAS-199

Adolph	Evans, D.	Lewis	Samuelson
Allen	Evans, J.	Lynch	Santoni
Argall	Fabrizio	Mackereth	Sather
Armstrong	Fairchild	Maher	Saylor
Baker	Feese	Maitland	Scavello
Baldwin	Fichter	Major	Schroder
Bard	Fleagle	Manderino	Scrimenti
Barrar	Flick	Mann	Semmel
Bastian	Forcier	Markosek	Shaner
Bebko-Jones	Frankel	Marsico	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Belfanti	Gabig	McGeehan	Solobay
Benninghoff	Gannon	McGill	Staback
Biancucci	Geist	McIlhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespie	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.
Browne	Godshall	Micozzie	Stevenson, T.
Bunt	Goodman	Miller, R.	Sturla
Butkovitz	Gordner	Miller, S.	Surra
Buxton	Grucela	Mundy	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappelli	Habay	Myers	Taylor, J.
Casorio	Haluska	Nailor	Thomas
Causser	Hanna	Nickol	Tigue
Cawley	Harhai	O'Brien	Travaglio
Civera	Harhart	Oliver	True
Clymer	Harper	O'Neill	Turzai
Cohen	Harris	Pallone	Vance
Coleman	Hasay	Payne	Veon
Cornell	Hennessey	Petrarca	Vitali
Corrigan	Herman	Petri	Walko
Costa	Hershey	Petrone	Wansacz
Coy	Hess	Phillips	Washington
Crahalla	Hickernell	Pickett	Waters
Creighton	Hutchinson	Pistella	Watson
Cruz	James	Preston	Weber
Curry	Josephs	Raymond	Wheatley
Dailey	Keller	Readshaw	Williams
Daley	Kenney	Reed	Wilt
Dally	Killion	Reichley	Wojnaroski
DeLuca	Kirkland	Rieger	Wright

Denlinger	Kotik	Roebuck	Yewcic
Dermody	LaGrotta	Rohrer	Youngblood
DeWeese	Laughlin	Rooney	Yudichak
DiGirolamo	Leach	Ross	Zug
Diven	Lederer	Rubley	
Donatucci	Leh	Ruffing	Perzel,
Eachus	Levdansky	Sainato	Speaker
Egolf			

NAYS-1

Horsey

NOT VOTING-0

EXCUSED-2

Lescovitz Roberts

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

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

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lehigh, Mr. Reichley, for the purpose of a suspension motion. The gentleman, Mr. Reichley, is recognized.

Mr. REICHLEY. Thank you, Madam Speaker.

This is on amendment A3257, motion to suspend the rules.

The SPEAKER pro tempore. Is the gentleman making a motion to suspend the rules?

Mr. REICHLEY. I am; yes. Thank you.

The SPEAKER pro tempore. The gentleman, Mr. Reichley, moves that the rules of the House be suspended in order to offer amendment No. 3257.

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

The following roll call was recorded:

YEAS-200

Adolph	Evans, D.	Lewis	Samuelson
Allen	Evans, J.	Lynch	Santoni
Argall	Fabrizio	Mackereth	Sather
Armstrong	Fairchild	Maher	Saylor
Baker	Feese	Maitland	Scavello
Baldwin	Fichter	Major	Schroder
Bard	Fleagle	Manderino	Scrimenti
Barrar	Flick	Mann	Semmel
Bastian	Forcier	Markosek	Shaner
Bebko-Jones	Frankel	Marsico	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Belfanti	Gabig	McGeehan	Solobay
Benninghoff	Gannon	McGill	Staback
Biancucci	Geist	McIlhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespie	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.
Browne	Godshall	Micozzie	Stevenson, T.

Bunt	Goodman	Miller, R.	Sturla
Butkovitz	Gordner	Miller, S.	Surra
Buxton	Grucela	Mundy	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappelli	Habay	Myers	Taylor, J.
Casorio	Haluska	Nailor	Thomas
Causer	Hanna	Nickol	Tigue
Cawley	Harhai	O'Brien	Travaglio
Civera	Harhart	Oliver	True
Clymer	Harper	O'Neill	Turzai
Cohen	Harris	Pallone	Vance
Coleman	Hasay	Payne	Veon
Cornell	Hennessey	Petrarca	Vitali
Corrigan	Herman	Petri	Walko
Costa	Hershey	Petrone	Wansacz
Coy	Hess	Phillips	Washington
Crahalla	Hickernell	Pickett	Waters
Creighton	Horsey	Pistella	Watson
Cruz	Hutchinson	Preston	Weber
Curry	James	Raymond	Wheatley
Dailey	Josephs	Readshaw	Williams
Daley	Keller	Reed	Wilt
Dally	Kenney	Reichley	Wojnaroski
DeLuca	Killion	Rieger	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	
Eachus	Leh	Sainato	Perzel,
Egolf	Levdansky		Speaker

NAYS-0

NOT VOTING-0

EXCUSED-2

Lescovitz Roberts

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.

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

Mr. REICHLEY offered the following amendment No A3257:

Amend Title, page 1, line 15, by striking out "organization" and" and inserting

organization,"

Amend Title, page 1, line 16, by inserting after "organization" " and "scholarship program"

Amend Sec. 13, page 22, lines 17 and 18, by striking out "definition of "educational improvement organization" and "scholarship organization" " and inserting definitions of "educational improvement organization," "scholarship organization" and "scholarship program"

Amend Sec. 13 (Sec. 2002-B), page 23, by inserting between lines 21 and 22

"Scholarship program." A program to provide tuition to eligible students to attend a school located in this Commonwealth. A scholarship program must include an application and review process for the purpose of making awards to eligible students. The award of

scholarships to eligible students shall be made without limiting availability to only students of one school. For the purposes of this article, a contribution to a scholarship program shall include a contribution from a scholarship organization for the purpose of addressing safety concerns of the school.

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Reichley.

Mr. REICHLEY. Thank you, Madam Speaker.

I hope this is regarded as a noncontroversial amendment.

I am seeking to amend the education improvement tax credit to allow for donations to be made for school safety improvements. Every member has schools that are nonpublic that may suffer financial distress. I have in my particular district the St. Francis Academy, the oldest parochial school in the Commonwealth. They are seeking funding for a school safety zone improvement to have flashing lights to slow vehicles down past the school. The road is not a PENNDOT road; it is a borough road. The borough cannot afford to install the safety equipment nor can the school. So I am seeking to help all nonpublic institutions be able to have safety improvements, whether it is for traffic safety purposes, fire safety purposes, or whatever the school may be able to obtain in terms of reducing the threat to their students from fire, accidents, or vehicular traffic.

Thank you, and I urge a concurrence by all the members.

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

The following roll call was recorded:

YEAS-200

Adolph	Evans, D.	Lewis	Samuelson
Allen	Evans, J.	Lynch	Santoni
Argall	Fabrizio	Mackereth	Sather
Armstrong	Fairchild	Maher	Saylor
Baker	Feese	Maitland	Scavello
Baldwin	Fichter	Major	Schroder
Bard	Fleagle	Manderino	Scrimenti
Barrar	Flick	Mann	Semmel
Bastian	Forcier	Markosek	Shaner
Bebko-Jones	Frankel	Marsico	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Belfanti	Gabig	McGeehan	Solobay
Benninghoff	Gannon	McGill	Staback
Biancucci	Geist	McIlhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespie	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.
Browne	Godshall	Micozzie	Stevenson, T.
Bunt	Goodman	Miller, R.	Sturla
Butkovitz	Gordner	Miller, S.	Surra
Buxton	Grucela	Mundy	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappelli	Habay	Myers	Taylor, J.
Casorio	Haluska	Nailor	Thomas
Causer	Hanna	Nickol	Tigue
Cawley	Harhai	O'Brien	Travaglio
Civera	Harhart	Oliver	True
Clymer	Harper	O'Neill	Turzai
Cohen	Harris	Pallone	Vance
Coleman	Hasay	Payne	Veon
Cornell	Hennessey	Petrarca	Vitali

Corrigan	Herman	Petri	Walko
Costa	Hershey	Petrone	Wansacz
Coy	Hess	Phillips	Washington
Crahalla	Hickernell	Pickett	Waters
Creighton	Horsey	Pistella	Watson
Cruz	Hutchinson	Preston	Weber
Curry	James	Raymond	Wheatley
Dailey	Josephs	Readshaw	Williams
Daley	Keller	Reed	Wilt
Dally	Kenney	Reichley	Wojnaroski
DeLuca	Killion	Rieger	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	
Eachus	Leh	Sainato	Perzel,
Egolf	Levdansky		Speaker

NAYS-0

NOT VOTING-0

EXCUSED-2

Lescovitz Roberts

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question recurring,

Will the House agree to the bill on third consideration as amended?

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny County, Mr. DeLuca, for the purpose of a suspension motion.

Mr. DeLUCA. Thank you, Madam Speaker.

Madam Speaker, I would ask the House for a suspension of the rules to consider amendment—

The SPEAKER pro tempore. 3258.

Mr. DeLUCA. —3258, pertaining to the affidavit process in our school districts for students who are residing outside of them.

The SPEAKER pro tempore. The gentleman, Mr. DeLuca, moves that the rules of the House be suspended in order to offer amendment No. 3258.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-199

Adolph	Evans, D.	Lewis	Samuelson
Allen	Evans, J.	Lynch	Santoni
Argall	Fabrizio	Mackereth	Sather
Armstrong	Fairchild	Maher	Saylor
Baker	Feese	Maitland	Scavello
Baldwin	Fichter	Major	Schroder
Bard	Fleagle	Manderino	Scrimenti

Barrar	Flick	Mann	Semmel
Bastian	Forcier	Markosek	Shaner
Bebko-Jones	Frankel	Marsico	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Belfanti	Gabig	McGeehan	Solobay
Benninghoff	Gannon	McGill	Staback
Bianucci	Geist	McIlhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespie	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.
Browne	Godshall	Micozzie	Stevenson, T.
Bunt	Goodman	Miller, R.	Sturla
Butkovitz	Gordner	Miller, S.	Surra
Buxton	Grucela	Mundy	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappelli	Habay	Myers	Taylor, J.
Casorio	Haluska	Nailor	Thomas
Causar	Hanna	Nickol	Tigue
Cawley	Harhai	O'Brien	Travaglio
Civera	Harhart	Oliver	True
Clymer	Harper	O'Neill	Turzai
Cohen	Harris	Pallone	Vance
Coleman	Hasay	Payne	Veon
Cornell	Hennessey	Petrarca	Vitali
Corrigan	Herman	Petri	Walko
Costa	Hershey	Petrone	Wansacz
Coy	Hess	Phillips	Washington
Crahalla	Hickernell	Pickett	Waters
Creighton	Hutchinson	Pistella	Watson
Cruz	James	Preston	Weber
Curry	Josephs	Raymond	Wheatley
Dailey	Keller	Readshaw	Williams
Daley	Kenney	Reed	Wilt
Dally	Killion	Reichley	Wojnaroski
DeLuca	Kirkland	Rieger	Wright
Denlinger	Kotik	Roebuck	Yewcic
Dermody	LaGrotta	Rohrer	Youngblood
DeWeese	Laughlin	Rooney	Yudichak
DiGirolamo	Leach	Ross	Zug
Diven	Lederer	Rubley	
Donatucci	Leh	Ruffing	Perzel,
Eachus	Levdansky	Sainato	Speaker
Egolf			

NAYS-0

NOT VOTING-1

Horsey

EXCUSED-2

Lescovitz Roberts

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.

On the question recurring,

Will the House agree to the bill on third consideration as amended?

Mr. DeLUCA offered the following amendment No. A3258:

Amend Title, page 1, line 9, by inserting after "assessment;" providing for residence and right to free school privileges;

Amend Bill page 7, by inserting between lines 12 and 13

Section 3.2. Section 1302 of the act, amended June 22, 2001 (P.L.530, No.35), is amended to read:

Section 1302. Residence and Right to Free School Privileges.—

(a) A child shall be considered a resident of the school district in which his parents or the guardian of his person resides. Federal installations are considered a part of the school district or districts in which they are situate and the children residing on such installations shall be counted as resident pupils of the school district. When a resident of any school district keeps in his home a child of school age, not his own, supporting the child gratis as if it were his own, such child shall be entitled to all free school privileges accorded to resident school children of the district, including the right to attend the public high school maintained in such district or in other districts in the same manner as though such child were in fact a resident school child of the district, and shall be subject to all the requirements placed upon resident school children of the district. Before such child may be accepted as a pupil, such resident shall file with the secretary of the board:

(1) appropriate legal documentation to show dependency or guardianship; or

(2) a sworn statement that he is a resident of the district, that he is supporting the child gratis, that he will assume all personal obligations for the child relative to school requirements, and that he intends to so keep and support the child continuously and not merely through the school term. The school board, pursuant to guidelines issued by the Department of Education, may require other reasonable information to be submitted by the resident to substantiate the sworn statement. The form containing the sworn statement shall include notice in large print of the penalty for providing false information in the sworn statement.

(b) If it is found that information contained in the sworn statement is false, the child must be removed from the school after notice of an opportunity to appeal the removal pursuant to the appropriate grievance policy of the school district.

(c) A person who knowingly provides false information in the sworn statement for the purpose of enrolling a child in a school district for which the child is not eligible commits a misdemeanor of the third degree and shall, upon conviction, notwithstanding any other provision of law, be sentenced to pay a fine of no more than three hundred dollars (\$300) for the benefit of the school district in which the person resides and court costs, and in default of payment thereof, may be sentenced to a term of imprisonment for not more than thirty (30) days. In addition, the person shall be liable to the school district for an amount equal to the cost to the district of educating the child during the period of enrollment.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Allegheny County, Mr. DeLuca.

Mr. DeLUCA. Thank you, Madam Speaker.

Madam Speaker, this is a bill that came out of the House Education Committee overwhelmingly at the request of our school districts pertaining to the affidavit process for individuals who swear that the students coming in are residing with them, and what has transpired is a lot of our school districts are spending a lot of money to try to follow through on trying to get these students who should not be in the local school districts out. This certainly puts some teeth – unfortunately under the School Code there are no teeth in the legislation – this puts teeth into the legislation as far as filing these false affidavits pertaining to either the students living with their grandparents or aunts or uncles, cousins, and certainly would alleviate our school districts of a lot of burden and save our school districts a lot of money.

Therefore, I would ask for an affirmative vote on this amendment.

Thank you, Madam Speaker.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Delaware County, Mr. Vitali.

Mr. VITALI. Thank you, Madam Speaker.

Would the maker stand for brief interrogation?

The SPEAKER pro tempore. The gentleman agrees. You may proceed.

Mr. VITALI. I just want to be clear how this changes existing law.

Right now, under existing law, if you have a child enrolled in a school district and he really does not reside there, what are the consequences, and under your bill, how would it change that?

Mr. DeLUCA. There are no consequences right now. If the school district finds out, which they have to hire individuals to go out there, watch these students, and if they do find them, that they do not reside in it, they are being dropped off by their parents while the parents are paying their taxes to another district, all they can do is remove them.

Right now, under the penalty, the penalty provision would be, for filing a false affidavit, a \$300 fine, and if they do not pay that fine, they also would have an option to go 30 days in jail.

Mr. VITALI. Okay.

Has the School Boards Association weighed in on this?

Mr. DeLUCA. Yes; the School Boards Association is in favor of this. A number of school boards have taken out resolutions supporting this legislation, and as I said, it will save our school districts a lot of money.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-200

Adolph	Evans, D.	Lewis	Samuelson
Allen	Evans, J.	Lynch	Santoni
Argall	Fabrizio	Mackereth	Sather
Armstrong	Fairchild	Maher	Saylor
Baker	Feese	Maitland	Scavello
Baldwin	Fichter	Major	Schroder
Bard	Fleagle	Manderino	Scrimenti
Barrar	Flick	Mann	Semmel
Bastian	Forcier	Markosek	Shaner
Bebko-Jones	Frankel	Marsico	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Belfanti	Gabig	McGeehan	Solobay
Benninghoff	Gannon	McGill	Staback
Bianucci	Geist	McIlhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespie	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.
Browne	Godshall	Micozzie	Stevenson, T.
Bunt	Goodman	Miller, R.	Sturla
Butkovitz	Gordner	Miller, S.	Surra
Buxton	Grucela	Mundy	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappelli	Habay	Myers	Taylor, J.
Casorio	Haluska	Nailor	Thomas
Causar	Hanna	Nickol	Tigue
Cawley	Harhai	O'Brien	Travaglio
Civera	Harhart	Oliver	True
Clymer	Harper	O'Neill	Turzai
Cohen	Harris	Pallone	Vance
Coleman	Hasay	Payne	Veon
Cornell	Hennessey	Petrarca	Vitali
Corrigan	Herman	Petri	Walko

Costa	Hershey	Petrone	Wansacz
Coy	Hess	Phillips	Washington
Crahalla	Hickernell	Pickett	Waters
Creighton	Horsey	Pistella	Watson
Cruz	Hutchinson	Preston	Weber
Curry	James	Raymond	Wheatley
Dailey	Josephs	Readshaw	Williams
Daley	Keller	Reed	Wilt
Dally	Kenney	Reichley	Wojnaroski
DeLuca	Killion	Rieger	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	
Eachus	Leh	Sainato	Perzel,
Egolf	Levdansky		Speaker

NAYS-0

NOT VOTING-0

EXCUSED-2

Lescovitz Roberts

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question recurring,

Will the House agree to the bill on third consideration as amended?

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Evans, for the purpose of a suspension motion.

Mr. D. EVANS. Madam Speaker, I would like to ask for a motion of suspension of the rules so I can offer this amendment.

The SPEAKER pro tempore. The gentleman, Mr. Evans, moves that the rules of the House be suspended in order to offer amendment No. 3248.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-200

Adolph	Evans, D.	Lewis	Samuelson
Allen	Evans, J.	Lynch	Santoni
Argall	Fabrizio	Mackereth	Sather
Armstrong	Fairchild	Maher	Saylor
Baker	Feese	Maitland	Scavello
Baldwin	Fichter	Major	Schroder
Bard	Fleagle	Manderino	Scrimenti
Barrar	Flick	Mann	Semmel
Bastian	Forcier	Markosek	Shaner
Bebko-Jones	Frankel	Marsico	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Belfanti	Gabig	McGeehan	Solobay
Benninghoff	Gannon	McGill	Staback
Bianucci	Geist	McIlhattan	Stairs

Bimelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespie	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.
Browne	Godshall	Micozzie	Stevenson, T.
Bunt	Goodman	Miller, R.	Sturla
Butkovitz	Gordner	Miller, S.	Surra
Buxton	Grucela	Mundy	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappelli	Habay	Myers	Taylor, J.
Casorio	Haluska	Nailor	Thomas
Causar	Hanna	Nickol	Tigue
Cawley	Harhai	O'Brien	Travaglio
Civera	Harhart	Oliver	True
Clymer	Harper	O'Neill	Turzai
Cohen	Harris	Pallone	Vance
Coleman	Hasay	Payne	Veon
Cornell	Hennessey	Petrarca	Vitali
Corrigan	Herman	Petri	Walko
Costa	Hershey	Petrone	Wansacz
Coy	Hess	Phillips	Washington
Crahalla	Hickernell	Pickett	Waters
Creighton	Horsey	Pistella	Watson
Cruz	Hutchinson	Preston	Weber
Curry	James	Raymond	Wheatley
Dailey	Josephs	Readshaw	Williams
Daley	Keller	Reed	Wilt
Dally	Kenney	Reichley	Wojnaroski
DeLuca	Killion	Rieger	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	
Eachus	Leh	Sainato	Perzel,
Egolf	Levdansky		Speaker

NAYS-0

NOT VOTING-0

EXCUSED-2

Lescovitz Roberts

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.

On the question recurring,

Will the House agree to the bill on third consideration as amended?

Mr. D. EVANS offered the following amendment No. **A3248**:

Amend Title, page 1, line 16, by inserting after "providing" for tax credits, for limitations and

Amend Sec. 13 (Sec. 2002-B), page 23, line 4, by striking out "definition, a nonprofit entity" and inserting article, an education improvement organization

Amend Sec. 13 (Sec. 2002-B), page 23, line 7, by striking out "nonprofit entity" and inserting organization

Amend Sec. 13 (Sec. 2002-B), page 23, line 8, by striking out "nonprofit entity" and inserting organization

Amend Sec. 13 (Sec. 2002-B), page 23, line 16, by striking out “definition, a nonprofit entity” and inserting

article, a scholarship organization

Amend Sec. 13 (Sec. 2002-B), page 23, line 20, by striking out “nonprofit entity” and inserting

organization

Amend Sec. 13 (Sec. 2002-B), page 23, line 21, by striking out “nonprofit entity” and inserting

organization

Amend Bill, page 23, by inserting between lines 22 and 23

Section 14. Sections 2005-B and 2006-B of the act, added May 17, 2001 (P.L.4, No.4), are amended to read:

Section 2005-B. Tax credit.

(a) General rule.—In accordance with section 2006-B(a), the Department of Revenue shall grant a tax credit against any tax due under Article IV, VI, VII, VII-A, VIII, VIII-A, IX or XV of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, to a business firm providing proof of a contribution to a scholarship organization or educational improvement organization in the taxable year in which the contribution is made which shall not exceed 75% of the total amount contributed during the taxable year by the business firm. Such credit shall not exceed [\$100,000] \$200,000 annually per business firm.

(b) Additional amount.—The Department of Revenue shall grant a tax credit of up to 90% of the total amount contributed during the taxable year if the business firm provides a written commitment to provide the scholarship organization or educational improvement organization with the same amount of contribution for two consecutive tax years. The business firm must provide the written commitment under this subsection to the department at the time of application. Section 2006-B. Limitations.

(a) Amount.—The total aggregate amount of all tax credits approved shall not exceed [\$30,000,000] \$50,000,000 in a fiscal year. No less than [\$20,000,000] \$33,333,335 of the total aggregate amount shall be used to provide tax credits for contributions from business firms to scholarship organizations. No less than [\$10,000,000] \$16,666,665 of the total aggregate amount shall be used to provide tax credits for contributions from business firms to educational improvement organizations.

(b) Activities.—No tax credit shall be approved for activities that are a part of a business firm’s normal course of business.

(c) Tax liability.—A tax credit granted for any one taxable year may not exceed the tax liability of a business firm.

(d) Use.—A tax credit not used in the taxable year the contribution was made may not be carried forward or carried back and is not refundable or transferable.

(e) Nontaxable income.—A scholarship received by an eligible student shall not be considered to be taxable income for the purposes of Article III of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971.

Amend Sec. 14, page 23, line 23, by striking out “14” and inserting

15

Amend Sec. 15, page 25, line 28, by striking out “15” and inserting

16

Amend Sec. 16, page 28, line 12, by striking out “16” and inserting

17

Amend Sec. 17, page 30, line 14, by striking out “17” and inserting

18

Amend Sec. 18, page 31, line 15, by striking out “18” and inserting

19

Amend Sec. 19, page 32, line 19, by striking out “19” and inserting

20

Amend Sec. 20, page 34, line 30, by striking out “20” and inserting

21

Amend Sec. 21, page 35, line 11, by striking out “21” and inserting

22

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Evans.

Mr. D. EVANS. Thank you, Madam Speaker.

Madam Speaker, the amendment I am offering would raise the total education improvement tax credit from the current limit of \$30 million to \$50 million. It also raises the maximum contribution by a business firm from \$100,000 to \$200,000. This is a law that we have had on the books for the last 3 to 4 years. It has been a program that, in my view, works, and I hope that we can get support on both sides of the aisle.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—195

Adolph	Evans, D.	Levdansky	Sainato
Allen	Evans, J.	Lewis	Samuelson
Argall	Fabrizio	Lynch	Santoni
Armstrong	Fairchild	Mackereth	Sather
Baker	Feese	Maher	Saylor
Baldwin	Fichter	Maitland	Scavello
Bard	Fleagle	Major	Schroder
Barrar	Flick	Manderino	Scrimenti
Bastian	Forcier	Mann	Semmel
Bebko-Jones	Frankel	Markosek	Shaner
Belardi	Freeman	Marsico	Smith, B.
Belfanti	Gabig	McCall	Smith, S. H.
Benninghoff	Gannon	McGeehan	Solobay
Bianucci	Geist	McGill	Staback
Birmelin	George	McIlhattan	Stairs
Bishop	Gergely	McIlhinney	Steil
Blaum	Gillespie	McNaughton	Stern
Boyd	Gingrich	Melio	Stetler
Browne	Godshall	Metcalfe	Stevenson, R.
Bunt	Goodman	Micozzie	Stevenson, T.
Butkovitz	Gordner	Miller, R.	Surra
Buxton	Grucela	Miller, S.	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappelli	Habay	Myers	Taylor, J.
Casorio	Haluska	Nailor	Thomas
Causer	Harhai	Nickol	Tigue
Cawley	Harhart	O'Brien	Travaglio
Civera	Harper	Oliver	True
Clymer	Harris	O'Neill	Turzai
Cohen	Hasay	Pallone	Vance
Coleman	Hennessey	Payne	Veon
Cornell	Herman	Petrarca	Walko
Corrigan	Hershey	Petri	Wansacz
Costa	Hess	Petrone	Washington
Coy	Hickernell	Phillips	Waters
Crahalla	Horsey	Pickett	Watson
Creighton	Hutchinson	Pistella	Weber
Cruz	James	Preston	Wheatley
Dailey	Josephs	Raymond	Williams

Daley	Keller	Readshaw	Wilt
Dally	Kenney	Reed	Wojnaroski
DeLuca	Killion	Reichley	Wright
Denlinger	Kirkland	Rieger	Yewcic
Dermody	Kotik	Roebuck	Youngblood
DeWeese	LaGrotta	Rohrer	Yudichak
DiGirolamo	Laughlin	Rooney	Zug
Diven	Leach	Ross	
Donatucci	Lederer	Rubley	Perzel,
Eachus	Leh	Ruffing	Speaker
Egolf			

NAYS—4

Curry	Hanna	Mundy	Sturla
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NOT VOTING—1

Vitali

EXCUSED—2

Lescovitz	Roberts
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question recurring,

Will the House agree to the bill on third consideration as amended?

Bill as amended was agreed to.

The SPEAKER pro tempore. 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 Chair recognizes the lady, Ms. Mundy, on final passage.

Ms. MUNDY. Thank you, Madam Speaker.

Just like with every year in every budget, there are choices that have to be made and priorities that each of us has for our districts and for the people of Pennsylvania. This bill is the same old, same old education program that has not worked, that has not gotten us where we need to be, for the last 12 years that I have been here and many, many years before that. We continue to give more money to our school districts, without giving them the tools they need to really help their kids succeed.

We finally have a Governor who shares my commitment to early childhood education, to helping kids come to school ready to learn, to helping them succeed in their academic studies, and we are going to cut his legs off and pass the same old, same old stuff that we have done year after year after year with no good results.

I would love to give my school district more money, but I want to know that the money is going to be strategically used to improve academic achievement. There is nothing here that does that. We do not require school districts to do anything that they are not already doing.

I am a “no” vote on 1883, and I am a “no” vote on anything that does not move us to where we need to be to meet the No Child Left Behind requirements, to help our kids succeed in school, and by the way, to save tons of money that we will eventually save when we have implemented the Governor’s

early childhood programs. You save \$2 for every dollar invested in early childhood programs. That is a heck of an investment and one that I do not think we can afford to pass up year after year after year.

So I am a “no” on 1883, and I would advise us all to get back to the Governor and work with him to achieve his goals and help our kids be the best that they can be.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the lady and recognizes the gentleman from Lancaster County, Mr. Sturla, on final passage.

Mr. STURLA. Thank you, Madam Speaker.

Madam Speaker, I rise to oppose HB 1883.

We moved this out of the Education Committee the other day, and I was one of those who reluctantly voted for it, to move it as a vehicle so that we could put in some of the language that hopefully would have been compromised between the Governor’s proposals, what the House Democrats and House Republicans hopefully had looked for, and this bill does not include it.

Yesterday as we were waiting around for some of those negotiated settlements, I had the opportunity to tune in to PCN (Pennsylvania Cable Network) and saw the Speaker give a rather impassioned speech about how some people just want to throw more money at education. Well, here is \$206 million more just being thrown at education, with no direction, no specificity, no determination as to whether or not it is being productive or not. In fact, we know that Pennsylvania ranks as one of the lowest States in terms of education equity; we know that Pennsylvania has a small number of its students performing at proficient levels, and we have gotten that way based on a funding formula that we are now going to throw more money at.

So you all can vote for this, because you all can look at the sheets and say, well, my district gets X amount of dollars more; how could I vote against this? Well, I would contend that what you are doing is voting for more mediocrity, voting for more failure, unless you are going back to your school districts and saying, you know what; our school district is performing at a very high level; we have 90 percent of our kids succeeding, which is not the case anywhere in Pennsylvania. Most of you have districts where 35 percent of the kids are succeeding or 40 or 50 or maybe 60 percent, and you are going to vote for more money to fund that same system – \$206 million more money to fund that same system. Talk about throwing more money at the problem.

You know, if you have a system that is not working and you simply put more money into a system that is not working and expect to get different results, you are not going to. That is what this bill does. This is \$206 million that could be spent on early childhood education programs; this is \$206 million extra that could be spent on tutoring programs. And you know what? You all will have an extremely rude awakening next year when the No Child Left Behind regs start kicking in, because No Child Left Behind, while next year says you only need to have 35 percent of your students proficient or 40 percent of your students proficient, it does not say that that can be the overall, because most of your districts have that level overall; it disaggregates those numbers and says that if there is any subgroup that is not at those levels, you have a failed school.

I have got news for you: I looked at that list. There are 700 schools in the State of Pennsylvania that are on that list to

be targeted as noncompliant next year. The year after that, there are 1400 schools that are on that list, and they are not all in my district or all in urban districts; they are in every member's district in this legislature. And when your community comes back to you and says, how comes I ended up on that list; how comes our school is not meeting the standards that President Bush set out, you can say, because I decided to throw more money at the same problem; I decided to fund a system that was not working; I was willing to pump 2.8 percent more into a failing system, because I just wanted to throw more money at the system.

Well, I am voting "no" today, because I believe we should be taking that money and targeting it to programs that work, that will get our children achieving and on the path to success. I would urge all members to do the same.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Westmoreland County, Mr. Stairs, on final passage.

Mr. STAIRS. Thank you, Madam Speaker.

Just a few comments to address statements that have been made as we prepare for final passage on this very, very important funding bill for education.

We are at the end of July; probably till the Senate receives this legislation and acts on it, it may be in August. School does start soon. Many school districts start at the end of August. So I think we have to have a look at a timeframe that the people in Pennsylvania, particularly our students and our schools, expect action out of Harrisburg.

This is a starting point. Is this perfect, what we are doing today? Certainly we can fine-tune it and make it better. You know, I take great exception to the statements of our failing schools. Certainly, we look at our schools across the Commonwealth, all 501 districts, and we see things we do not like and we see things that we like. I think we can be quite proud of the many graduates of our Pennsylvania public schools, and I tend to look at this picture as a glass half full, not half empty.

Can we do better? Certainly, and I hope that as we begin the new administration with Governor Rendell, he will earnestly sit down and we will earnestly sit down with him and work to improve our schools; that we will not be dumping money, good money, into a bad situation. We have a long ways to go. We are not there yet, but I do strongly disagree with all the critics out there who are quick to say how bad things are. Let us look at how good things are and try to make good things happen the whole way across Pennsylvania, from east to west and north to south.

So this legislation, I think, makes a great start. We are talking about almost \$120 million of new money for education, and the one thing that I was very much impressed with in this bill is that it is not a modest increase for special ed but it is a 4.5-percent increase for special ed, which is an area that our school districts are crying to ask relief for.

And also in this bill, it was a very controversial program that is going to be discontinued, and that is the teachers testing. Last year many members of the Education Committee protested very vehemently about that. What good is that going to do to have teacher testing? There is money that is going to be freed up to use for our students.

So I would hope that the members would support this, with the idea being that the lateness of the – not the lateness of the hour here in Harrisburg; it is only 2 o'clock in the afternoon – but the lateness of the hour to get a budget passed for our schools to begin the school year, and really, in just about a month.

So I would hope we support that, use this as a starting point and grow and enable to, as we work on the budget and new programs, particularly that the Governor has proposed, the early education programs that will be initiated along with this basic funding proposal, and we will indeed have a school system in this Commonwealth that we can all be proud of and not see the shortcomings.

But let us not bash our fine things that are being done in Pennsylvania. Let us encourage to do more good things.

So I hope the members can see themselves to vote for this as a starting point to make our education where it should be.

Thanks, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair is pleased to welcome to the hall of the House, as the guests of Representative Merle Phillips, John, Ellen, and Amy Michaels, who are seated to the left of the Speaker. Would they please rise.

The Chair is also pleased to welcome to the hall of the House Zach Welsh, who is serving as a guest page and is the guest of Representative Frank Dermody. Would he please rise.

CONSIDERATION OF HB 1883 CONTINUED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Clinton County, Mr. Hanna, on final passage.

Mr. HANNA. Thank you, Madam Speaker.

I urge a "no" vote on HB 1883.

I disagree with one of the previous speakers. I do believe that there are some failing programs, and I believe that this Governor was elected on proposals that were designed to change the way we fund basic education. We need to consider those proposals. We need to change the way we are doing things, and this is not the direction to go to do that.

So I urge a "no" vote on HB 1883 and urge us to take up some of the Governor's proposals for basic education funding.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Schuylkill County, Mr. Argall, on final passage.

Mr. ARGALL. Thank you, Madam Speaker.

Madam Speaker, I would like to reiterate the points made by our Education Committee chairman just so briefly.

This is a very important milestone that we are reaching today in the budget negotiations. This may indeed not be the final version, but it is a very important bill nonetheless. It, if passed, will send a 2.9-percent increase in funding to our local schools – more than originally requested by the Governor when he stood before us in March; certainly much more than zero dollars, which is what our 501 school districts will get when that day comes in August when the Department of Education is

designated by law to send those dollars to the school districts as a result of the veto of the Governor in March.

And so we need to do something. I think we all agree that perhaps we can do better. No one today, no one today, is saying that this is the final word. We believe that we have improved on what the Governor originally had given to us. Certainly, the bipartisan negotiations – the House, the Senate, the Governor – will be continuing, but we do believe that it is very important that we pass this along today.

We ask for your “yes” vote, and we hope to do better in the days and weeks to come.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Delaware County, Mr. Micozzie, on final passage.

Mr. MICOZZIE. Thank you, Madam Speaker.

I reluctantly stand to support this HB 1883.

But I do praise the Governor for his courage in bringing together, trying to bring together, legislation that would help our kids.

When we passed HR 42, we went out through 16 public hearings throughout the State. It not only had to do with tax shifts; it had to do with adequacy of funding, equitable distribution of those funds, and accountability. That would give each child in Pennsylvania an opportunity to get a good education, no matter where they lived, and unless we, the General Assembly and the Governor, address those issues, we are going to be back here again and again until the courts of Pennsylvania mandate that we do adequacy, equitable distribution, and accountability.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Delaware County, Mr. Vitali, on final passage.

Mr. VITALI. Thank you.

Will the chair of the Appropriations Committee stand for brief interrogation?

The SPEAKER pro tempore. The gentleman agrees. You may proceed.

Mr. VITALI. Thank you.

I just want to be clear about the interrelationship between this bill and some of the other substantial pieces of legislation we have been considering the past couple of days.

Now, we received amendment 3137 to SB 100 and have been going over that and debating that and were here till 10 last night trying to get the votes for that. How will the passage of 1883 affect that? Is this an either-or thing or a supplement? Explain to me the interrelationship between the two.

Mr. ARGALL. It is certainly not either-or, Madam Speaker. We believe that the one can supplement the other.

Mr. VITALI. Okay. We have been also intensively debating slots at racetracks and elsewhere that would provide up to a billion dollars in revenues. How does that interact with this? In other words, how does the passage or nonpassage of slots affect funding for education in this bill? What is the relationship between the slots issue, education funding, and this piece of legislation?

Mr. ARGALL. I am not quite sure, under the House rules, how to talk about a bill that is not before us, and I am looking for advice.

Just to say that they are two separate subjects, and they do not interfere with each other.

Mr. VITALI. Maybe let me just follow up on that question. I believe that there was almost \$200 million in new money in this bill for basic ed. Is that about right?

I know it was in excess of \$100 million and less than \$200 million.

Mr. ARGALL. \$208 million, Madam Speaker.

Mr. VITALI. \$208 million.

Now, the gambling piece is a billion. Some of that presumably would be used for education. Is not that right?

Mr. ARGALL. Once again I am being asked to speak on a bill that is not before us, but the question is incorrect. The—

The SPEAKER pro tempore. The Chair would caution the gentleman that you should not be speaking about legislation that is not before the House at this time.

Mr. VITALI. Okay. Well, the legislation before the House provides \$208 million. Where is that coming from? Is any of that coming from projected gambling revenue?

Mr. ARGALL. From you and me and every single taxpayer in Pennsylvania who pays into the State General Fund.

Mr. VITALI. Would they be coming from people who put dollars in slot machines?

Mr. ARGALL. The bill that you want to talk about will be before us later and is designated to tax savings.

Mr. VITALI. I am just trying to get a sense for the interrelationship between this bill and the other pieces of legislation we are considering.

The SPEAKER pro tempore. The gentleman is again cautioned that you cannot bring up legislation that is not currently before the House.

Mr. VITALI. Okay. Well, I am trying to ask questions about this bill, and the questions about this bill relate to their effect on other bills before us.

The SPEAKER pro tempore. There is no other bill before us at the present time, sir.

Mr. VITALI. Okay.

The SPEAKER pro tempore. It is appropriate to ask questions about HB 1883.

Mr. VITALI. Right.

Is this bill’s funding dependent upon gaming revenues?

Mr. ARGALL. No, Madam Speaker.

Mr. VITALI. Is it dependent upon an increase in the State’s PIT (personal income tax)?

Mr. ARGALL. No, Madam Speaker.

Mr. VITALI. So the source of its funding could be handled by general funds under the current taxing structure?

Mr. ARGALL. We believe so, Madam Speaker.

Mr. VITALI. Okay. Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Franklin County, Mr. Coy, on final passage.

Mr. COY. Thank you, Madam Speaker.

Madam Speaker, I just want to note, without protracting the debate much further but just a little, that I was glad to hear the chair of the Appropriations Committee indicate that this is a first step, and indeed, I think it is a reasonable first step.

The bottom line is that the Governor continues to have what I believe are very worthwhile, incredible ideas about how to advance the cause of basic education in Pennsylvania on many, many different fronts.

So today we take one step in that direction. Whether you vote for the bill or whether you vote against the bill, it is pretty obvious the bill is likely to pass, but it is a step in the direction, but there is much work to be done.

So I was heartened to hear the chair of the committee say that he agrees with that. Certainly, it is a better step than the step that we took in March, which was to seriously jeopardize basic education and the cost of education in general in Pennsylvania. So it is certainly far better than that. But the step we take today needs to be taken with the full knowledge and support of anyone who supports public education and children in Pennsylvania that this is just that, a first step. There is much that needs to be done. We have a Governor who chooses to lead on this issue. We can either be part of that, what I think will end up being very important changes in our basic education system, or we can sort of get in the way.

I hope that today is a first step toward moving the process along and indeed proving in Pennsylvania that we do not just believe that not one child should be left behind but we are willing to pay for it when it is necessary.

Thank you, Madam Speaker.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Centre County, Mr. Benninghoff, on final passage.

The gentleman, Mr. Benninghoff, would like to submit remarks for the record. The Chair thanks the gentleman.

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

Madam Speaker, I rise in support of HB 1883. While this bill may not provide everything that everyone wants, I believe that a 2.9-percent increase during a very economically challenged budget year is generous in relationship to many agencies who have seen significant cuts in their State appropriations.

Many of my school boards, at this time in their fiscal year, have expressed grave concerns about the uncertainty of not knowing when they may be granted this year's appropriation, much less what amount they may receive.

This bill provides additional revenue for special education, basic education, as well as badly needed revenues for our aging vocational education programs in this Commonwealth.

While there are those who say we should vote "no," I believe our schools are better off with us voting "yes," to restore our public school funding that the Governor vetoed this spring, along with an additional 2.9 percent that we have been able to obtain for them.

This bill will help out schools finish their budgets as well as hold a line on ever-increasing property taxes. Madam Speaker, we need to vote HB 1883 through tonight so our schools and our children will know that we care and are going to provide the adequate funding for this school year.

Thank you, Madam Speaker.

THE SPEAKER (JOHN M. PERZEL) PRESIDING

BILL PASSED OVER TEMPORARILY

The SPEAKER. HB 1883 will be gone over temporarily.

RESOLUTION

Mr. S. SMITH called up **HR 39, PN 1646**, entitled:

A Resolution requesting the Pennsylvania Delegation in the Congress of the United States to support meaningful legal reform legislation in the 108th Congress.

On the question,
Will the House adopt the resolution?

RESOLUTION RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that HR 39 be recommitted to the Rules Committee.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that SB 265 be taken off the table.

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

BILL ON SECOND CONSIDERATION

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

SB 265, PN 587.

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that SB 265 be recommitted to the House Appropriations Committee.

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

BILL ON CONCURRENCE IN SENATE AMENDMENTS AS AMENDED

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 623, PN 2458**, as further amended by the House Rules Committee:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for deceptive or fraudulent business practices; defining the offense of greyhound racing; authorizing certain racetrack gaming; providing for disbursements of

revenues; establishing the Pennsylvania Gaming Control Board and the State Gaming Fund; imposing fees; providing penalties; making appropriations; and making repeals.

On the question,

Will the House concur in Senate amendments as amended by the Rules Committee?

BILL PASSED OVER TEMPORARILY

The SPEAKER. Temporarily we will go over that bill.

BILL SIGNED BY SPEAKER

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

HB 8, PN 2383

An Act establishing a grant program for volunteer fire companies and volunteer ambulance services; and providing for grant funding.

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

SUPPLEMENTAL CALENDAR E

RESOLUTION PURSUANT TO RULE 35

Mr. McCALL called up **HR 368, PN 2469**, entitled:

A Resolution designating August 23, 2003, as “Pennsylvania Bucktails Memorial Day.”

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

Adolph	Evans, D.	Lewis	Samuelson
Allen	Evans, J.	Lynch	Santoni
Argall	Fabrizio	Mackereth	Sather
Armstrong	Fairchild	Maher	Saylor
Baker	Feese	Maitland	Scavello
Baldwin	Fichter	Major	Schroder
Bard	Fleagle	Manderino	Scrimenti
Barrar	Flick	Mann	Semmel
Bastian	Forcier	Markosek	Shaner
Bebko-Jones	Frankel	Marsico	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Belfanti	Gabig	McGeehan	Solobay
Benninghoff	Gannon	McGill	Staback
Bianucci	Geist	McIlhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespie	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.
Browne	Godshall	Micozzie	Stevenson, T.
Bunt	Goodman	Miller, R.	Sturla
Butkovitz	Gordner	Miller, S.	Surra
Buxton	Grucela	Mundy	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappelli	Habay	Myers	Taylor, J.
Casorio	Haluska	Nailor	Thomas

Causer	Hanna	Nickol	Tigue
Cawley	Harhai	O'Brien	Travaglio
Civera	Harhart	Oliver	True
Clymer	Harper	O'Neill	Turzai
Cohen	Harris	Pallone	Vance
Coleman	Hasay	Payne	Veon
Cornell	Hennessey	Petrarca	Vitali
Corrigan	Herman	Petri	Walko
Costa	Hershey	Petrone	Wansacz
Coy	Hess	Phillips	Washington
Crahalla	Hickernell	Pickett	Waters
Creighton	Horsey	Pistella	Watson
Cruz	Hutchinson	Preston	Weber
Curry	James	Raymond	Wheatley
Dailey	Josephs	Readshaw	Williams
Daley	Keller	Reed	Wilt
Dally	Kenney	Reichley	Wojnaroski
DeLuca	Killion	Rieger	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Demody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	
Eachus	Leh	Sainato	Perzel,
Egolf	Levdansky		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—2

Lescovitz Roberts

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

VOTE CORRECTION

The SPEAKER. The Chair recognizes the gentleman, Mr. O'Neill, who wishes to correct the record.

Mr. O'NEILL. Thank you, Mr. Speaker.

On amendment 3145 of HB 1883, I was mistakenly recorded in the negative, and it should have been in the positive. I respectfully request to change the record.

The SPEAKER. The gentleman's remarks will be spread across the record.

FILMING PERMISSION

The SPEAKER. The Chair wishes to advise the members that it has given permission to the Pittsburgh Post-Gazette to do still photographs from the floor of the House.

For the information of the members, there are an enormous number of amendments that have been filed – obviously, you knew this – for HB 623 back on concurrence. There are a number of the amendments that are agreed to, and we are trying to get the list of the agreed-to amendments first so that we can do those first, and then whatever happens, happens. But we need the list of the agreed-to ones. We are waiting for that, if you will be temporarily at ease.

CALENDAR CONTINUED

CONSIDERATION OF HB 623 CONTINUED

The SPEAKER. The Chair returns to consideration of HB 623.

The question is, will the House concur in the amendments inserted by the Senate as amended by the House?

It is moved by the gentleman, Mr. Maher, that the House concur in the amendments.

RULES SUSPENDED

The SPEAKER. On the question, the Chair recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. Mr. Speaker, I move that the rules be suspended for immediate consideration of amendment 3252.

POINT OF ORDER

Mr. CLYMER. Point of order.

Mr. Speaker, over here; down here. Thank you.

We know that there have been several amendments placed into HB 623. I just want to make absolutely certain, as we begin deliberations on this issue, that both caucuses have been advised of all changes that have been made to HB 623, and the most recent amendments that were put in, we have all been advised. I just want to get that clarified.

I just want to make sure that if our caucus can tell us that the last changes that were made in the amendment, that we had been notified of those changes. That is all I am asking, to the best of their ability; that is all.

The SPEAKER. That is not a parliamentary inquiry, Mr. Clymer. That is something you would have to ask for an interrogation of one of the members of the caucus.

Mr. CLYMER. Okay. If I could interrogate— Well, where is she? If I can interrogate Representative Taylor or someone who is going to be involved in the bill.

Thank you. I have been advised that we have been advised of all the changes in the bill. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—200

Adolph	Evans, D.	Lewis	Samuelson
Allen	Evans, J.	Lynch	Santoni
Argall	Fabrizio	Mackereth	Sather
Armstrong	Fairchild	Maher	Saylor
Baker	Feese	Maitland	Scavello
Baldwin	Fichter	Major	Schroder
Bard	Fleagle	Manderino	Scrimenti
Barrar	Flick	Mann	Semmel
Bastian	Forcier	Markosek	Shaner
Bebko-Jones	Frankel	Marsico	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Belfanti	Gabig	McGeehan	Solobay
Benninghoff	Gannon	McGill	Staback
Bianucci	Geist	McIlhattan	Stairs
Birmelin	George	McIlhinney	Steil

Bishop	Gergely	McNaughton	Stern
Blaum	Gillespie	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.
Browne	Godshall	Micozzie	Stevenson, T.
Bunt	Goodman	Miller, R.	Sturla
Butkovitz	Gordner	Miller, S.	Surra
Buxton	Grucela	Mundy	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappelli	Habay	Myers	Taylor, J.
Casorio	Haluska	Nailor	Thomas
Causer	Hanna	Nickol	Tigue
Cawley	Harhai	O'Brien	Travaglio
Civera	Harhart	Oliver	True
Clymer	Harper	O'Neill	Turzai
Cohen	Harris	Pallone	Vance
Coleman	Hasay	Payne	Veon
Cornell	Hennessey	Petrarca	Vitali
Corrigan	Herman	Petri	Walko
Costa	Hershey	Petrone	Wansacz
Coy	Hess	Phillips	Washington
Crahalla	Hickernell	Pickett	Waters
Creighton	Horsey	Pistella	Watson
Cruz	Hutchinson	Preston	Weber
Curry	James	Raymond	Wheatley
Dailey	Josephs	Readshaw	Williams
Daley	Keller	Reed	Wilt
Dally	Kenney	Reichley	Wojnarowski
DeLuca	Killion	Rieger	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	
Eachus	Leh	Sainato	Perzel,
Egolf	Levdansky		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—2

Lescovitz Roberts

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.

On the question recurring,
Will the House concur in Senate amendments as amended by the Rules Committee?

Mr. DeWEESE offered the following amendment No. **A3252**:

Amend Sec. 2 (Sec. 9205), page 104, by inserting between lines 22 and 23

(3) It is the intent and goal of the General Assembly that the board works to promote and ensure diversity in all aspects of the gaming activities authorized under this chapter. Therefore, to ensure that the goal of diversity is achieved, in addition to its powers and duties under the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, the Auditor General is authorized to investigate and conduct a study to ascertain whether the board has taken effective and meaningful action which has or will enhance the representation of diverse groups in the operation and ownership of slot machine facilities in this Commonwealth, through the ownership and operation of

business enterprises associated with or utilized by slot machine licensees, through the provision of goods and services utilized by slot machine licensees and through employment opportunities. The study shall be completed by December 31, 2005, and shall contain recommendations which the Auditor General determines appropriate. Any expenses that the Auditor General incurs in carrying out the requirements of this paragraph shall be reimbursed by the board.

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. Strike the board.

The Chair recognizes the gentleman from Delaware, Mr. Vitali.

Mr. VITALI. Just looking for a brief explanation of the amendment.

The SPEAKER. Does the gentleman, Mr. DeWeese, consent to a brief interrogation?

The Chair will suspend just for one moment, Mr. Vitali.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair recognizes the gentleman from Franklin, Mr. Coy.

Mr. COY. Thank you, Mr. Speaker.

May we return to the order of business of leaves of absence?

The SPEAKER. Yes. The gentleman is in order.

Mr. COY. The gentleman, Mr. Roberts, is on the floor of the House and will be added to the master roll.

The SPEAKER. Without objection, the gentleman's name will be added back to the master roll. The Chair thanks the gentleman.

CONSIDERATION OF HB 623 CONTINUED

The SPEAKER. The Chair recognizes Mr. DeWeese.

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

This is an amendment that would call for the Auditor General to perform audits and make certain that there is diversity and involvement with all of the broad range of our Pennsylvania communities in the gaming area.

It was an agreed-to amendment, and again, it is in the pursuit of diversity in the hiring and in the involvement of our new endeavors in the world of gaming.

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

Mr. VITALI. Maybe you could explain how that would work in practice.

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

Mr. DeWEESE. The Auditor General will investigate the boards and commissions involved in this legislation and make certain that the diversity goals that are pursued by the Human Relations Commission and a variety of other State entities and State laws and State regulations are adhered to. We are trying to make sure that the minority community in

Pennsylvania is an active participant in these many new jobs that will be created.

Mr. VITALI. And if his conclusion is that a certain standard has not been met, what will happen, and what would that standard be?

Mr. DeWEESE. Mr. Speaker, I will stand for no further interrogation.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Vitali.

Mr. VITALI. Perhaps we can find someone else who might.

The SPEAKER. Would the majority leader or any member wish to stand for interrogation?

It appears, Mr. Vitali, nobody wants to be interrogated. I apologize.

Mr. Clymer?

I apologize, Mr. Vitali. It seems that nobody wishes to be interrogated.

Mr. VITALI. Perhaps the prime sponsor.

The SPEAKER. Mr. Vitali, nobody rose. Mr. DeWeese was the prime sponsor. He said no.

Mr. VITALI. The prime sponsor of the bill itself.

The SPEAKER. He has not risen, Mr. Vitali.

Mr. VITALI. Perhaps if he is asked directly.

The SPEAKER. You have asked him already, Mr. Vitali. That is not the purview of the Chair. The Chair asked if anyone would like to be interrogated. No one has stood.

Mr. VITALI. Okay.

The SPEAKER. I apologize. I am sorry that nobody wishes to talk to you, but that is the way it is right now, Mr. Vitali.

Mr. VITALI. Then I would like to speak on the amendment.

The SPEAKER. The gentleman is in order and may proceed.

Mr. VITALI. I am a little concerned. This is a major issue facing Pennsylvania, slots at racetracks. It will have significant consequences. There is the issue raised of racial diversity, and it is very troubling when someone offers an amendment and refuses to explain it and refuses to defend it, be they be one of the more powerful people up here or otherwise.

I think it is troubling, and I think, frankly, that those whom the issue is important to should also be concerned. Does it really address those concerns when the maker of the amendment is not willing to put on the record the details and intent? So I think that we need to look long and hard at anyone who will not defend an amendment like this. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. I will be happy to defend the amendment. I am certainly not anxious to be queried ad nauseam on a very slender paragraph of an amendment.

One more time, the board and the licensees created by this legislation would be audited by the Auditor General, and the goal of those audits would be to make certain that the 11 venues, the 9 tracks and the 2 nontrack slot venues, would adhere to all Pennsylvania laws and regulations regarding diversity hiring of minorities and women.

It is a very small paragraph. He has the beneficiary of 3 years of law school. Those of us without that are able to understand it. It is very easy, it is very easy to understand, and I am almost offended by the idea that I have to explain on three or four different technical levels the essence of the amendment.

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

Mr. CLYMER. Thank you, Mr. Speaker.

I would urge my colleagues to also support this amendment.

It is a step in the right direction. If you are going to make jobs available, let us try to include all the people in our communities to have that opportunity to have meaningful employment.

So I would ask for an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. McNaughton.

Mr. McNAUGHTON. Thank you, Mr. Speaker.

I guess, Mr. Speaker, my concern is, based on what the minority leader has said, that this is to ensure that we enforce Pennsylvania law, and if it is already Pennsylvania law, it should be being enforced already, and so I guess my difficulty with his amendment is, what is the purpose of this amendment if Pennsylvania law is already in place to handle this question?

And I guess my second question would be, for the minority leader, if he is willing to stand for interrogation, what standard is going to be used in order to meet these lofty objectives, and in addition, what is going to be the enforcement mechanism, because it is not in this amendment, what enforcement mechanism at all does the Auditor General have to enforce, to make sure that the laws of Pennsylvania are being followed?

The SPEAKER. The gentleman, Mr. DeWeese.

Mr. DeWEESE. Mr. Speaker, it is going to be a long day.

This was an agreed-to amendment. We are trying to make sure that women and minorities are protected in this legislation. I cannot fathom all these questions, but nevertheless, my honorable colleague has proffered one that does need some amplification.

Part A of your question, we have had some experience with the regional asset district in Pittsburgh and the convention center in Philadelphia that were not wholly satisfactory relative to diversity hiring. The Auditor General is able to step in in those two settings, and we wanted to make sure now that he will be able to step in in our nine tracks and two nonracing venues. So we thought that this kind of legislation, although you might think it is tautological, it is not; it is necessary.

And relative to the second phase of your question, part B, I would have to defer to someone who knows more about the authority of the Auditor General. I just do not know exactly what kind of enforcement mechanisms would be unleashed, but I am very confident that the long arm of the Commonwealth would respond if women and minorities were not treated appropriately in these new track and nontrack gaming sites.

It is the best I can do. I apologize if it is inadequate.

Mr. McNAUGHTON. Thank you, Mr. Speaker, and it definitely is.

It does not mention women at all in this amendment; it is not mentioned at all, nor does it mention minorities. It mentions "diversity." And I think that if you are going to mention, specify minorities and women as a gender, then I think you should put that in the legislation. If that is your intent, then put it in the amendment.

Secondly, Mr. Speaker, and finally, the Auditor General I do not believe has any enforcement power to force anyone in hiring practices. That would be another arm of the government, which is already in existence, according to the minority leader, because we already have those laws on the books of the Commonwealth of Pennsylvania.

Unfortunately, I have not agreed to this amendment, as the minority leader has indicated, and I would suggest that it is unnecessary. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

I did not infer that the gentleman had agreed. We have a parlance around this chamber that is called an agreed-to amendment. It does not mean that every one of the 253 people have been queried as to a yes or no response. It is generally agreed to – the prime sponsor, the leaders on both sides – and I certainly respect the gentleman's right to demur.

But relative to women and minorities being mentioned per se, I believe in the University of Michigan decision that the Supreme Court rendered just a few weeks ago, the Federal government has asserted – and I would believe we would come under that same substructure – that we as government institutions have a compelling reason to assert that minorities and women are given full fare and full opportunity to be involved. I do not think this is that complicated. You are either anxious to advance the battle flag on behalf of women and minorities or you want to stultify, as the gentleman has indicated he wants to do.

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

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I think the amendment is pretty clear. It is intended to authorize the Auditor General to conduct a study regarding diversity. That is the alpha and omega of the amendment. It is nothing else. And I stand to support the amendment, because that is all that it asks for.

The SPEAKER. The gentleman from Philadelphia, Mr. Horsey, is recognized.

Mr. HORSEY. Thank you, Mr. Speaker.

Mr. Speaker, I am going to be very brief.

I am in favor of the DeWeese amendment. It is very clear and simple, and I will tell you why we even need a DeWeese amendment.

Presently there are nine tracks in the State of Pennsylvania, or will be nine; six maybe. Not one of them is owned or operated by a woman or minority. If we are going to escalate the industry, move the industry forward, we have to do it in a prudent manner. Minorities represent between 11 and 20 percent of the State of Pennsylvania, and we need to make sure somehow we include them if we are going to in fact escalate the industry. So that is the reason why "diversity" is in the legislation or in the amendment, and that is the reason why this amendment is necessary.

"Diversity" satisfies me, Mr. Speaker; it satisfies the Federal code, and its understanding, under Title VII, "diversity" means clearly minorities, whatever they might be, whether they be Afro-Americans, Asians, Native Americans, whatever; it covers anyone who is not in the majority.

So with that, Mr. Speaker, I would urge an affirmative vote for the DeWeese amendment.

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-200

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

NAYS-0

NOT VOTING-1

Smith, S. H.

EXCUSED-1

Lescovitz

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

PARLIAMENTARY INQUIRY

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

Mr. PETRI. Mr. Speaker, I have a parliamentary question.

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

Mr. PETRI. Mr. Speaker, as all the members in this chamber know, this chamber has a long and distinguished history, and that history is based in large part upon our rules of conduct, and our rules of conduct call for complete and absolute disclosure.

For purposes of my parliamentary question, Mr. Speaker, I would like to know whether I am allowed to vote on this amendment and all the bills associated with this.

For disclosure purposes, Mr. Speaker, my firm is engaged or has been engaged and is engaged in the representation of one of the licensees that is impacted by this legislation. I am an employee of that firm. I do not do the work myself, but I did want to make that disclosure and seek a ruling.

Thank you, Mr. Speaker.

The SPEAKER. There is no conflict of interest, and the gentleman is free to vote on all the amendments and the bill.

Mr. PETRI. Thank you, Mr. Speaker.

The SPEAKER. That is according to the Parliamentarian. I am taking up his—

FILMING PERMISSION

The SPEAKER. The Chair wishes to advise the members that he has given permission to Carolyn Kaster of the Associated Press to take still photographs. Carolyn, it was not as bad for you as it was for the Pittsburgh Post-Gazette.

CONSIDERATION OF HB 623 CONTINUED

On the question recurring,
Will the House concur in Senate amendments as amended?

RULES SUSPENDED

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

Mr. VEON. Mr. Speaker, I move to suspend the rules to vote on amendment 3202.

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

The following roll call was recorded:

YEAS-200

Adolph	Evans, D.	Lewis	Samuelson
Allen	Evans, J.	Lynch	Santoni
Argall	Fabrizio	Mackereth	Sather
Armstrong	Fairchild	Maher	Saylor
Baker	Feese	Major	Scavello
Baldwin	Fichter	Manderino	Schroder
Bard	Fleagle	Mann	Scrimenti
Barrar	Flick	Markosek	Semmel
Bastian	Forcier	Marsico	Shaner
Bebko-Jones	Frankel	McCall	Smith, B.
Belardi	Freeman	McGeehan	Smith, S. H.

Belfanti	Gabig	McGill	Solobay
Benninghoff	Gannon	McIlhattan	Staback
Biancucci	Geist	McIlhinney	Stairs
Birmelin	George	McNaughton	Steil
Bishop	Gergely	Melio	Stern
Blaum	Gillespie	Metcalfe	Stetler
Boyd	Gingrich	Micozzie	Stevenson, R.
Browne	Godshall	Miller, R.	Stevenson, T.
Bunt	Goodman	Miller, S.	Sturla
Butkovitz	Gordner	Mundy	Surra
Buxton	Grucela	Mustio	Tangretti
Caltagirone	Gruitza	Myers	Taylor, E. Z.
Cappelli	Habay	Nailor	Taylor, J.
Casorio	Haluska	Nickol	Thomas
Causar	Hanna	O'Brien	Tigue
Cawley	Harhai	Oliver	Travaglio
Civera	Harhart	O'Neill	True
Clymer	Harper	Pallone	Turzai
Cohen	Harris	Payne	Vance
Coleman	Hasay	Petrarca	Veon
Cornell	Hennessey	Petri	Vitali
Corrigan	Herman	Petrone	Walko
Costa	Hershey	Phillips	Wansacz
Coy	Hess	Pickett	Washington
Crahalla	Hickernell	Pistella	Waters
Creighton	Horsey	Preston	Watson
Cruz	Hutchinson	Raymond	Weber
Curry	James	Readshaw	Wheatley
Dailey	Josephs	Reed	Williams
Daley	Keller	Reichley	Wilt
Dally	Kenney	Rieger	Wojnaroski
DeLuca	Killion	Roberts	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	
Eachus	Leh	Sainato	Perzel,
Egolf	Levdansky		Speaker

NAYS—0

NOT VOTING—1

Maitland

EXCUSED—1

Lescovitz

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.

On the question recurring,
Will the House concur in Senate amendments as amended?

Mr. **VEON** offered the following amendment No. **A3202**:

Amend Sec. 2 (Sec. 9214), page 142, line 5, by striking out "24 hours" and inserting

three days

Amend Sec. 2 (Sec. 9214), page 142, line 7, by striking out "24 hours" and inserting

three days

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

The SPEAKER. Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

The SPEAKER. A brief explanation of the amendment.

Mr. DeWEESE. Yes, sir.

The SPEAKER. You are older than I am.

Mr. DeWEESE. Mr. Speaker, the way the bill is structured,

the money from the racing and gaming venues would go to the Commonwealth and be remitted within 24 hours back to the business enterprise. The Department of Revenue has indicated the impossibility of a 24-hour turnaround in that money because the check would have to be cut at Treasury, and just the sheer logistics would take 3 days.

Again, we have not found any of the folks involved in the business side of the issue to have any difficulty with this, and we are merely changing it from 24 hours to 72 hours as far as the State taking the money and remitting it to the business entity. If they are in violation of that 3-day span, they would pay 1 percent a day interest on the delay. So the business entity would receive their money within 3 days from Harrisburg.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, we on the Republican side of the aisle have seen none of these amendments. I wonder if the minority leader can tell us how many amendments they are going to present during this time of deliberations.

The SPEAKER. The question before the House is the Veon amendment as articulated by Representative DeWeese, amendment A3202. Only questions relating to that amendment are in order.

Mr. DeWEESE. Mr. Speaker, I do not have a good answer. I think the leadership has a half a dozen or so, but we are pretty much playing it on the run relative to the rank and file and how many requests there will be for suspension. I do not know the answer; I just do not know. I do not think I have more than two or three more. Representative Veon may have a couple more. It is not a cascade of amendments, but what the rank and file will be producing, I do not know. We have been naturally trying to see how much support this measure would generate, and I wish I had a better answer for your question.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, could I have a very brief sidebar with staff just to go over this amendment?

The SPEAKER. The House will be temporarily at ease.

(Conference held.)

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

After consulting with staff and with our leadership, I would ask for an affirmative vote on the amendment.

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-201

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

NAYS-0

NOT VOTING-0

EXCUSED-1

Lescovitz

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question recurring,
Will the House concur in Senate amendments as amended?

RULES SUSPENDED

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

Mr. DeWEESE. Mr. Speaker, I move that the rules be suspended in order to offer amendment 3237.

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

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

Mr. DeWEESE. Thank you, Mr. Speaker.

This is a technical amendment but it yet has substance to it. It would change the definition of "Pittsburgh" to "Pittsburgh metropolitan service area." The reason I am doing this is to give some flexibility in the licensing dynamic to Fayette County. The Pittsburgh and Allegheny County communities will, in all probability, receive a Thoroughbred racing venue near the heart of the city—

The SPEAKER. Mr. DeWeese, we are on suspension, not the amendment itself.

Mr. DeWEESE. I apologize, Mr. Speaker.

I would ask for an affirmative vote on suspension.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-201

Adolph	Evans, D.	Lewis	Samuelson
Allen	Evans, J.	Lynch	Santoni
Argall	Fabrizio	Mackereth	Sather
Armstrong	Fairchild	Maher	Saylor
Baker	Feese	Maitland	Scavello
Baldwin	Fichter	Major	Schroder
Bard	Fleagle	Manderino	Scrimenti
Barrar	Flick	Mann	Semmel
Bastian	Forcier	Markosek	Shaner
Bebko-Jones	Frankel	Marsico	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Belfanti	Gabig	McGeehan	Solobay
Benninghoff	Gannon	McGill	Staback
Biancucci	Geist	McIlhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespie	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.
Browne	Godshall	Micozzie	Stevenson, T.
Bunt	Goodman	Miller, R.	Sturla
Butkovitz	Gordner	Miller, S.	Surra
Buxton	Grucela	Mundy	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappelli	Habay	Myers	Taylor, J.
Casorio	Haluska	Nailor	Thomas
Causer	Hanna	Nickol	Tigue
Cawley	Harhai	O'Brien	Travaglio
Civera	Harhart	Oliver	True
Clymer	Harper	O'Neill	Turzai
Cohen	Harris	Pallone	Vance
Coleman	Hasay	Payne	Veon
Cornell	Hennessey	Petrarca	Vitali
Corrigan	Herman	Petri	Walko
Costa	Hershey	Petrone	Wansacz
Coy	Hess	Phillips	Washington
Crahalla	Hickernell	Pickett	Waters

Creighton	Horsey	Pistella	Watson
Cruz	Hutchinson	Preston	Weber
Curry	James	Raymond	Wheatley
Dailey	Josephs	Readshaw	Williams
Daley	Keller	Reed	Wilt
Dally	Kenney	Reichley	Wojnaroski
DeLuca	Killion	Rieger	Wright
Denlinger	Kirkland	Roberts	Yewcic
Dermody	Kotik	Roebuck	Youngblood
DeWeese	LaGrotta	Rohrer	Yudichak
DiGirolamo	Laughlin	Rooney	Zug
Diven	Leach	Ross	
Donatucci	Lederer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Levdansky	Sainato	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—1

Lescovitz

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.

On the question recurring,
Will the House concur in Senate amendments as amended?

Mr. **DeWEESE** offered the following amendment No. **A3237**:

Amend Sec. 2 (Sec. 9203), page 91, line 7, by striking out “OR” and inserting

, in

Amend Sec. 2 (Sec. 9203), page 91, line 7, by removing the colon after “CLASS” and inserting

or in an area which includes a city of the second class and which is defined by the Bureau of the Census as a metropolitan statistical area:

Amend Sec. 2 (Sec. 9206), page 111, line 28, by striking out “IN” and inserting

, as determined by the board, at

Amend Sec. 2 (Sec. 9206), page 111, line 29, by striking out “OR” and inserting

, at

Amend Sec. 2 (Sec. 9206), page 111, line 30, by striking out “, AS DETERMINED BY THE BOARD.” and inserting or at a single location in an area which includes a city of the second class and which is defined by the Bureau of the Census as a metropolitan statistical area.

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

The SPEAKER. Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

This amendment would change the definition of “Pittsburgh” to “Pittsburgh metropolitan service area.” This is a term of art that is recognized in other language that the State utilizes, and it would give the counties that surround Pittsburgh a shot at eligibility.

The reason we feel that we can garner support from our colleagues in Pittsburgh is that all of the money generated from this measure that was supposed to go to Pittsburgh will still go to Pittsburgh. And the fact is, in all probability, a harness race facility will be in Beaver County near the Allegheny County boarder, a Thoroughbred facility will probably be ensconced right next to the city, and those of us who live in surrounding counties, preeminently in my case I am trying to advance the potential eligibility of some friends in Fayette County, but this would not just attend to Fayette County; it would be the metropolitan service region of Pittsburgh.

And again, one more time, every nickel, as was in the original proposal, that was headed for Pittsburgh would still go to Pittsburgh no matter where this facility was located. So there would be zero differentiation in where the money would be going. It would just allow for a neighboring county to be eligible to compete in the process.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Mr. Speaker, what he is attempting to do, very briefly— Can you hear me up in the balcony, by the way? I was understanding that— Okay. Thank you. He is giving opportunities to other municipalities to be involved in the expansion of the nine racetracks that are going to be available. So kind of pick and choose, to the members of the Republican Caucus, as to what you want to do. This will certainly bring more communities into, probably, conflict over saying to the Gaming Board that we should have this particular license. We will just allow you to make your decision on it, and as for myself, I am going to be a “no” vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Metcalfe.

Mr. METCALFE. Mr. Speaker, if I could interrogate the maker of the amendment briefly?

The SPEAKER. Will the gentleman, Mr. DeWeese, stand for brief interrogation? Does the gentleman, Mr. DeWeese, stand for interrogation? The gentleman indicates that he will. The gentleman is in order and may proceed.

Mr. METCALFE. Thank you, Mr. Speaker.

For the maker of the amendment, as you explained the amendment, that it would be counties that would be surrounding the Pittsburgh area, and in Butler County, being on the border of Allegheny County, of course Butler County would be included in this consideration, if your amendment was passed?

Mr. DeWEESE. Yes.

Mr. METCALFE. Thank you.

That is all the questions I have. I appreciate the maker of the amendment answering that brief question.

If I could make a brief comment, Mr. Speaker?

The SPEAKER. The gentleman is in order and may proceed.

Mr. METCALFE. Thank you, Mr. Speaker.

I would encourage a “no” vote against this amendment.

I know I have heard from many constituents in my district in Butler County. It has been a contentious issue in the past before I came into office of a racetrack being opened in our area, and it would once again pit those financial interests against the community if this amendment was put forth and Butler County was brought into the consideration of having a track considered placed there along with the family atmosphere that we have in

Butler County that really attracts so many from the Pittsburgh and Allegheny County area.

I know I recently saw a letter to the editor that was submitted to the Post-Gazette, which they did not run yet and probably will not due to the conservative nature of the letter, but it really talked about the number of people who are leaving the Pittsburgh area, and I believe, as one of my colleagues was quoted in the paper in an interview, they are kind of voting with their feet, and they are voting with their feet for a number of reasons, but it is not because they do not have gambling; it is because they do not have good jobs there; they are not creating jobs fast enough to keep the people there; they do not have an educational system that they want to have their children in there. There are many reasons why people are voting with their feet, but it is not the fact that they do not have the ability to throw their money into a slot machine, and the people that are moving into Butler County like a family atmosphere, would like to keep it that way, the majority of us, and I would ask for opposition to this amendment for that reason.

Thank you.

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-126

Adolph	Evans, J.	Manderino	Shaner
Allen	Fabrizio	Mann	Smith, B.
Argall	Feese	Marsico	Smith, S. H.
Bard	Fichter	McCall	Solobay
Barrar	Flick	McGeehan	Staback
Bebko-Jones	Gannon	McGill	Stairs
Belardi	George	McIlhinney	Steil
Belfanti	Gergely	Melio	Stetler
Biancucci	Godshall	Micozzie	Stevenson, T.
Bishop	Goodman	Mundy	Sturla
Blaum	Grucela	Mustio	Surra
Bunt	Gruitza	Myers	Tangretti
Butkovitz	Haluska	O'Brien	Taylor, J.
Buxton	Hanna	Oliver	Thomas
Caltagirone	Harhai	O'Neill	Tigue
Cappelli	Harper	Pallone	Travaglio
Casorio	Hershey	Petri	Veon
Cawley	Horsey	Petrone	Vitali
Civera	James	Pistella	Wansacz
Cohen	Josephs	Preston	Washington
Cornell	Keller	Raymond	Waters
Corrigan	Kenny	Rieger	Watson
Coy	Killion	Roberts	Weber
Cruz	Kirkland	Roebuck	Williams
Curry	Kotik	Rooney	Wojnaroski
Daley	LaGrotta	Ross	Wright
DeLuca	Laughlin	Rubley	Yewcic
DeWeese	Leach	Sainato	Youngblood
DiGirolamo	Lederer	Santoni	Yudichak
Donatucci	Levdansky	Saylor	
Eachus	Lynch	Scrimenti	Perzel,
Evans, D.	Maher	Semmel	Speaker

NAYS-73

Armstrong	Egolf	Hutchinson	Readshaw
Baker	Fairchild	Leh	Reed
Baldwin	Fleagle	Lewis	Reichley
Bastian	Forcier	Mackereth	Rohrer
Benninghoff	Frankel	Maitland	Ruffing

Birmelin	Freeman	Major	Samuelson
Boyd	Gabig	Markosek	Sather
Browne	Geist	McIlhattan	Scavello
Causar	Gillespie	McNaughton	Schroder
Clymer	Gingrich	Metcalfe	Stern
Coleman	Gordner	Miller, R.	Stevenson, R.
Costa	Habay	Miller, S.	Taylor, E. Z.
Crahalla	Harhart	Nailor	True
Creighton	Harris	Nickol	Turzai
Dailey	Hasay	Payne	Vance
Dally	Herman	Petrarca	Walko
Denlinger	Hess	Phillips	Wheatley
Dermody	Hickernell	Pickett	Zug
Diven			

NOT VOTING-2

Hennessey	Wilt
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EXCUSED-1

Lescovitz

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question recurring,

Will the House concur in Senate amendments as amended?

RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentlelady from Lehigh, Miss Mann.

Miss MANN. Mr. Speaker, I offer a suspension of the rules in order to bring up amendment A3249.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-201

Adolph	Evans, D.	Lewis	Samuelson
Allen	Evans, J.	Lynch	Santoni
Argall	Fabrizio	Mackereth	Sather
Armstrong	Fairchild	Maher	Saylor
Baker	Feese	Maitland	Scavello
Baldwin	Fichter	Major	Schroder
Bard	Fleagle	Manderino	Scrimenti
Barrar	Flick	Mann	Semmel
Bastian	Forcier	Markosek	Shaner
Bebko-Jones	Frankel	Marsico	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Belfanti	Gabig	McGeehan	Solobay
Benninghoff	Gannon	McGill	Staback
Biancucci	Geist	McIlhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespie	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.
Browne	Godshall	Micozzie	Stevenson, T.
Bunt	Goodman	Miller, R.	Sturla
Butkovitz	Gordner	Miller, S.	Surra
Buxton	Grucela	Mundy	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappelli	Habay	Myers	Taylor, J.
Casorio	Haluska	Nailor	Thomas

Causser	Hanna	Nickol	Tigue
Cawley	Harhai	O'Brien	Travaglio
Civera	Harhart	Oliver	True
Clymer	Harper	O'Neill	Turzai
Cohen	Harris	Pallone	Vance
Coleman	Hasay	Payne	Veon
Cornell	Hennessey	Petrarca	Vitali
Corrigan	Herman	Petri	Walko
Costa	Hershey	Petrone	Wansacz
Coy	Hess	Phillips	Washington
Crahalla	Hickernell	Pickett	Waters
Creighton	Horsey	Pistella	Watson
Cruz	Hutchinson	Preston	Weber
Curry	James	Raymond	Wheatley
Dailey	Josephs	Readshaw	Williams
Daley	Keller	Reed	Wilt
Dally	Kenney	Reichley	Wojnaroski
DeLuca	Killion	Rieger	Wright
Denlinger	Kirkland	Roberts	Yewcic
Dermody	Kotik	Roebuck	Youngblood
DeWeese	LaGrotta	Rohrer	Yudichak
DiGirolamo	Laughlin	Rooney	Zug
Diven	Leach	Ross	
Donatucci	Lederer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Levdansky	Sainato	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-1

Lescovitz

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.

On the question recurring,
Will the House concur in Senate amendments as amended?

Miss **MANN** offered the following amendment No. **A3249**:

Amend Sec. 2 (Sec. 9208.1), page 118, by inserting between lines 29 and 30

(d) Prohibition.—A supplier and/or manufacturer is prohibited from bidding, participating or acting in any manner with respect to the central monitoring system.

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

The **SPEAKER**. The Chair recognizes Miss Mann, for the purpose of a brief explanation of the amendment.

Miss **MANN**. Thank you, Mr. Speaker.

Very simply, this amendment is to ensure that regardless of whoever should receive the contract for the controlling, the monitoring, and computer controlling system of these gaming machines, that they would be prohibited from also being the exclusive supplier of the actual slot machines in the gaming facilities. It is just to ensure that there is competition among those providers. Thank you.

The **SPEAKER**. The Chair thanks the gentlelady.

The Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. **CLYMER**. Thank you, Mr. Speaker.

Again, this is an amendment that we have heard for the first time. I am going to consult with our staff to make sure that there are no unintended consequences with any of these amendments because we have not seen them before. Even though we may have dealt with some of the thoughts and ideas, these are all new.

So if I could have a sidebar for about 2 minutes. Thank you, Mr. Speaker.

The **SPEAKER**. The Chair recognizes the gentleman, Mr. Maher.

Mr. **MAHER**. Thank you, Mr. Speaker.

I rise to support the Mann amendment. It improves the condition of internal controls associated with these sorts of operations, and if you are in favor of tightly controlling them, I would encourage you to support this amendment. Thank you.

The **SPEAKER**. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. **CLYMER**. Thank you, Mr. Speaker.

Mr. Speaker, from what the gentlelady from Lehigh County has said, it seems like this will be a good effort to make sure that there is honesty and integrity in the operations of these gambling machines, and I would support the amendment.

The **SPEAKER**. The Chair thanks the gentleman.

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

(Members proceeded to vote.)

VOTE STRICKEN

Mr. **DeWEESE**. Mr. Speaker?

The **SPEAKER**. The clerk will strike the board.

The Chair recognizes Representative DeWeese.

Mr. **DeWEESE**. One of my members had been reading the amendment down here with us and wanted the chance to at least possibly address it. I apologize, sir.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS-198

Adolph	Evans, J.	Lewis	Sainato
Allen	Fabrizio	Lynch	Samuelson
Argall	Fairchild	Mackereth	Santoni
Armstrong	Feese	Maher	Sather
Baker	Fichter	Maitland	Saylor
Baldwin	Fleagle	Major	Scavello
Bard	Flick	Manderino	Schroder
Barrar	Forcier	Mann	Scrimenti
Bastian	Frankel	Markosek	Semmel
Bebko-Jones	Freeman	Marsico	Shaner
Belardi	Gabig	McCall	Smith, B.
Belfanti	Gannon	McGeehan	Smith, S. H.
Benninghoff	Geist	McGill	Staback
Biancucci	George	McIlhattan	Stairs
Birmelin	Gergely	McIlhinney	Steil
Bishop	Gillespie	McNaughton	Stern
Blaum	Gingrich	Melio	Stetler

Boyd	Godshall	Metcalf	Stevenson, R.
Browne	Goodman	Micozzie	Stevenson, T.
Bunt	Gordner	Miller, R.	Sturla
Butkovitz	Grucela	Miller, S.	Surra
Buxton	Gruitza	Mundy	Tangretti
Caltagirone	Habay	Mustio	Taylor, E. Z.
Cappelli	Haluska	Myers	Taylor, J.
Casorio	Hanna	Nailor	Thomas
Causar	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell	Hennessey	Payne	Veon
Corrigan	Herman	Petrarca	Vitali
Costa	Hershey	Petri	Walko
Coy	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horsey	Pickett	Waters
Cruz	Hutchinson	Pistella	Watson
Curry	James	Preston	Weber
Dailey	Josephs	Raymond	Wheatley
Daley	Keller	Readshaw	Williams
Dally	Kenney	Reed	Wilt
DeLuca	Killion	Reichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roberts	Yewcic
DiGirolamo	LaGrotta	Roebuck	Youngblood
Diven	Laughlin	Rohrer	Yudichak
Donatucci	Leach	Rooney	Zug
Eachus	Lederer	Ross	
Egolf	Leh	Rubley	Perzel,
Evans, D.	Levdansky	Ruffing	Speaker

NAYS—3

Cawley	DeWeese	Solobay
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NOT VOTING—0

EXCUSED—1

Lescovitz

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question recurring,
Will the House concur in Senate amendments as amended?

MOTION TO SUSPEND RULES

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. McIlhinney.

Mr. McILHINNEY. Mr. Speaker, I move that the rules of the House be suspended in order to offer amendment 2989.

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

Mr. S. SMITH. Mr. Speaker?

The SPEAKER. For what reason does the gentleman, Mr. Smith, rise?

Mr. S. SMITH. Mr. Speaker, it is my understanding that the language that is in that particular amendment was already incorporated in the omnibus amendment that came out of the

Rules Committee yesterday. I do not think there would be a need to consider it at this time.

MOTION WITHDRAWN

The SPEAKER. The Chair thanks the gentleman. The motion is withdrawn.

For the information of the members, we allowed the amendments. The amendments were redrafted for the new printer's number, and there is some confusion between the old printer's numbers and the new printer's numbers, and we are having trouble with the amendments based on that. We want to make sure we have the right amendments going to the right bill.

Would the gentleman, Mr. Coy, please come to the rostrum.

(Conference held at Speaker's podium.)

RULES SUSPENDED

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

Mr. FAIRCHILD. Mr. Speaker, I move that the rules of the House be suspended to bring up amendment A2464.

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

POINT OF ORDER

The SPEAKER. Would Mr. Fairchild like to speak on the suspension of the rules?

This is a motion to suspend the rules to run the Fairchild amendment.

The Chair recognizes the gentleman, Mr. Fairchild.

Mr. FAIRCHILD. Thank you, Mr. Speaker.

There seems to be a lot of confusion under these amendments, as was admitted earlier by, I believe, yourself. Could you explain where we are in this process? The old amendments do not match up with the new list that Representative Clymer has. Is there a way we could rectify this so we all know which amendments we are talking about?

The SPEAKER. Mr. Fairchild, we are on amendment A2464 to HB 623, PN 2458.

Mr. CLYMER. Mr. Speaker, I had given to our majority leader a list of priority amendments, and on those priority amendments, the person who is to—

The SPEAKER. Mr. Clymer, we are on suspension of the rules for the Fairchild amendment.

Does the gentleman, Mr. Fairchild, wish to speak to the suspension of the rules?

Mr. FAIRCHILD. Could I just confer with the chairman for a second?

The SPEAKER. The gentleman is in order.

(Conference held.)

Mr. FAIRCHILD. Mr. Speaker, could we approach the Chair, please?

The SPEAKER. One second, Mr. Fairchild.

All right. For the information of the members, the Reference Bureau did not have the absolute time necessary to redraft every amendment to the new printer's number. We are using the old printer's number for 80-some of the amendments. If any of these amendments get into the bill, the Reference Bureau will place them into the proper place under HB 623, PN 2458.

So if amendment A2464 is adopted by the membership, it will go into HB 623, PN 2458, in the proper place.

The motion is on the suspension of the rules on the Fairchild amendment.

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

The following roll call was recorded:

YEAS—201

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Lescovitz

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.

On the question recurring,
Will the House concur in Senate amendments as amended?

Mr. FAIRCHILD offered the following amendment No. A2464:

Amend Sec. 2 (Sec. 9210), page 40, line 24, by striking out "18" and inserting

21

Amend Sec. 2, page 51, by inserting between lines 12 and 13 § 9215.5. Minors.

(a) General rule.—No person licensed pursuant to the provisions of this chapter, or any agent or employee thereof, shall allow a person under 21 years of age to play or operate a slot machine.

(b) Penalty.—The court may impose the following penalties for allowing a person under 21 years of age to play or operate a slot machine regardless of what the licensee, his employee or agent knew or reasonably believed about the age of that person:

(1) For a first or second violation, license revocation may be imposed.

(2) For a first or second violation, a fine of \$10,000 shall be imposed if the license is not revoked.

(3) For a third or subsequent violation, license revocation shall be imposed.

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

The SPEAKER. On that question, the Chair recognizes the gentleman from Union, Mr. Fairchild, for a brief explanation of his amendment.

Mr. FAIRCHILD. Thank you, Mr. Speaker.

Due to the confusion under this issue, I am going to defer to Representative Reichley for this amendment. Thank you.

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

Mr. REICHLEY. Thank you, Mr. Speaker.

Mr. Speaker, the amendment, as drawn under this number, would allow for revocation of the slot licensee for a first or second offense if an agent, employee, or the slot licensee itself allows a person under the age of 21 to play or operate a slot machine, with or without payment; it is regardless of that.

This is an amendment which anyone who is either in favor of or against legalized gambling should be in favor of because it prevents corruption of minors. We have situations in our country, youth are four times more likely to develop a compulsive or pathological gambling addiction. Teenage compulsive gamblers are compelled to gamble the same way alcoholics need a drink or a drug addict needs drugs, and a recent survey of over 3,000 New Jersey high school students

showed over 90 percent had gambled at least one time in the last year and 30 percent had gambled at least once a week.

This is really for the protection of our youth in this Commonwealth, and I would ask all the members to support the amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Cumberland, Mr. Nailor.

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

I rise to oppose this amendment.

I understand what the gentleman is trying to do, but I think we have to stop and look at the big picture. We are talking about high school graduates who may not be going on to further their education trying to get a job, and if in fact the slot parlors do pass and do become law, they are going to provide jobs in Pennsylvania, but we are not going to allow 18-, 19-, and 20-year-olds to apply for those jobs. Now, I find it very interesting that we can allow them to apply to the Armed Forces to be trained and carry a gun and go to Iraq or Bosnia and defend this country at 18, 19, and 20 years of age, but we are not going to let them have a job at a slot parlor once they graduate from high school.

Mr. Speaker, I think we are setting a terrible precedent here. We are considering them as adults to defend their country but they are not mature enough to apply for a job because of their age at 18, 19, or 20, and I ask that we oppose this amendment.

The SPEAKER. The Chair recognizes the gentleman from Franklin, Mr. Coy.

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, I also rise to join my colleague from Cumberland County in opposing the amendment for many of the same reasons about the employment of younger folks in our society.

Also, I understand, if I read the amendment correctly, that the first violation of this provision will result in a revocation of the license. Now, I think we have got to think about exactly how rigid we want to be on matters like this, but I think the points made by the gentleman from Cumberland County, with regard to employing young people in our society and the other things that we require them to do, are substantive and I believe warrant a negative vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

I just have a point of order and maybe it is a parliamentary inquiry.

I want to be clear about how we are proceeding here, because I have been up here 10 years, and if I did not have a folder with an amendment drafted to the right bill number, I was out of luck. I am just wondering if there is any precedent right now for what we are doing and what this will do to the future situations when we come back on the House floor in another matter and an offerer of an amendment has an amendment drafted to a bill of a prior printer's number.

I guess the first question is, can we proceed here with amendments not drafted to this printer's number?

The SPEAKER. Yes, we can, Mr. Vitali.

Mr. VITALI. Okay.

Now, the second question is, on what basis can we do that?

The SPEAKER. The Reference Bureau requested this be done because of their inability to be able to redo all the amendments in a timely fashion.

Mr. VITALI. Do our rules allow us to proceed with an amendment if it is drafted to the wrong printer's number?

The SPEAKER. We do not have a rule that specifically addresses this issue. If the gentleman would like to question the ruling of the Chair, the gentleman can make that motion.

Mr. VITALI. Perhaps, but right now I am just engaging in parliamentary inquiry.

Is there precedent for doing this? Have we done this in the past?

The SPEAKER. I am not aware of it being done in the past, Mr. Vitali.

Mr. VITALI. Is it the ruling of the Chair henceforth that it will be possible, if you have an amendment drafted to a prior printer's number, to proceed?

The SPEAKER. No. It was only done this time as a request of the Reference Bureau.

Mr. VITALI. I am a little confused as to why—

The SPEAKER. You were given your answer, Mr. Vitali.

Mr. VITALI. Okay.

The SPEAKER. If you have a question, ask the question.

Mr. VITALI. Well, I am sort of formulating my next question now. I am trying to distill the principle here of the exception.

The SPEAKER. Mr. Vitali, the Chair made a ruling. If you would like to question the ruling of the Chair, that is a question for the membership to answer, if you would like to do that.

Mr. VITALI. Well, I am trying to get clear what your ruling is. I mean—

The SPEAKER. I have already stated what the ruling was, Mr. Vitali. The Reference Bureau asked us, because they did not have the time to prepare the amendments to the proper printer's number, to leave these printer's numbers on from the prior bill and they will be added into the bill if they are adopted. That is the second time or third time that I have said the same thing, Mr. Vitali.

Mr. VITALI. So is your ruling that in the future—

The SPEAKER. No. I told you that already, Mr. Vitali.

Mr. VITALI. Let me finish my question, if I could.

If in the future the Reference Bureau does not have sufficient time to draft an amendment to a subsequent printer's number, they can, with an explanation from the Reference Bureau, you can proceed with an amendment. Is that the precedent we are setting now?

The SPEAKER. Only in extenuating circumstances where we have over 80 amendments drawn to one bill, Mr. Vitali.

Mr. VITALI. So we are dealing with where there are many amendments? Is that the circumstance where you can get permission from the Reference Bureau? I am just trying to understand for the future what we are doing here.

The SPEAKER. Thank you, Mr. Vitali.

I have explained it to the membership. If you want to appeal the ruling, do that, Mr. Vitali. There is nothing else I can answer.

The gentleman from Lawrence, Mr. Sainato.

Mr. SAINATO. Thank you, Mr. Speaker.

I rise, too, to oppose this amendment.

We are right now – and I concur with my good friend from the Harrisburg area, Representative Nailor – we have young men and women in Iraq defending our country; we have service people that are fighting for freedom, but if this amendment goes in and they come back to Pennsylvania and they are 18, 19, or 20, they will not have an employment opportunity in Pennsylvania. Mr. Speaker, if these people, if we have enough confidence in these people to protect our freedom, to protect our lives, to be involved in combat, I am sure they could work in one of the racetrack facilities that has slots. I think that is what the issue is about. It is freedom and it is about the age of majority. In Pennsylvania you are a legal adult at the age of 18, not 21. Eighteen you are a legal adult. You are charged as an adult if you commit a crime; you can buy a house; you can get married; you can do almost anything except drink, and that is because of the Federal government saying we had to have a 21 drinking age.

But, Mr. Speaker, this is about freedom; this is about young men and women who are legal adults trying to get employment. I looked out and talked to some of my colleagues when this debate started, especially those who have high unemployment in their communities and in their areas. Young men and women who may not make that choice to go to college or those who want to go to college and earn some extra money, those people are going to be denied employment because they are under 21 years of age. That is not fair, Mr. Speaker; that is not fair. We want to create thousands and thousands of jobs, especially entry-level jobs to give these people an opportunity to learn. There are going to be many skilled professions in some of these facilities that could be good wage-paying jobs. Some of them are going to be good union jobs, Mr. Speaker, and now we are going to say, if you are 18, 19, or 20, do not apply because you are not mature enough to work there, but that is okay at 18; you go over to Iraq, protect our freedom so we can have peace in our country.

Mr. Speaker, I urge a “no” vote on this amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Northumberland, Mr. Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

I also rise to oppose the amendment offered by my good friend from Union County.

The gentleman and I both served in Vietnam, and I am sure that – I know I was 19; I believe the gentleman was probably under 21 when he served there. So I am going to echo some of the comments made by previous speakers about the age of maturity. If you are old enough to carry a weapon, go through bootcamp, et cetera, you should be allowed to work anywhere and have gainful employment. In fact, in this Commonwealth, Mr. Speaker, to tend bar in a licensed liquor establishment, you need to be 18 years of age, not 21. You may not drink in that bar, but you can be a bartender at 18. You can play in an orchestra or a band in a bar at 18. The same thing holds true here, Mr. Speaker. This legislation prohibits those individuals under the age of 21 from playing slot machines in these establishments, but in no way, shape, or form should we inhibit the ability for 18-, 19-, and 20-year-olds to be able to gain an

entry-level job to work as a stockperson or whatever other venues are available for that individual.

So as I said, I hate to disagree with a friend of mine from a neighboring county, but this amendment is contrary to all of State law as it deals with the age of reason and the age of adulthood in this Commonwealth. Eighteen years is it for everything but drinking, and after this legislation, if it is adopted, it will also include 18 will be the age to be able to work, but until you reach the age of 21, you will not be allowed to drink in this Commonwealth and you will not be able to engage in casino or slot machine play. This amendment simply does not make any sense. It will drive young people out of the districts, and I am not going to have one of these tracks near my district, but it will drive young individuals out of their homes and out of their local communities while others are able to find employment simply to get a decent-paying entry-level job. For that reason, Mr. Speaker, I ask a negative vote on amendment 2464.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. LEACH. Thank you, Mr. Speaker.

Will the maker of the amendment rise for a brief interrogation?

The SPEAKER. The gentleman indicates that he will.

Mr. LEACH. I was wondering, as I read this amendment, it provides that the penalties are in effect “...regardless...,” and tell me if I am reading it wrong, but “...regardless of what the licensee...knew or reasonably believed...” Am I reading that correctly?

Mr. FAIRCHILD. The amendment says, “...agent knew or reasonably believed about the age of that person.”

Mr. LEACH. So if someone— If I am the owner of a racetrack and someone comes in and presents to me a false ID that is convincing to me – it looks like a good ID and turns out not to be a good ID, is a false ID – am I subject under this amendment to the penalties described in the amendment?

Mr. FAIRCHILD. The amendment says, “...reasonably believed...”

Mr. LEACH. So as I understand it, it is a strict liability standard.

Mr. FAIRCHILD. You read the amendment.

Mr. LEACH. Okay.

Mr. Speaker, that concludes my interrogation, and I would just like to speak on the amendment.

The SPEAKER. The gentleman is in order and may proceed.

Mr. LEACH. Mr. Speaker, if you really think about this, this says this is a strict liability offense to create the penalties that are described, which, if I am the owner of a racetrack and someone comes to me with a perfectly good ID and they look like they are 25 and the ID says they are 25, if it turns out that they are not really 25 or not really 21, on the first offense I can lose my license. We are going to be asking people to come here and invest millions of dollars in these racetrack facilities, and then the first time someone comes in looking a little older than they really are with some kind of fake ID, which anyone can get, we are going to close down and are required to close down on the third offense a multimillion-dollar slot facility, whether it is at the convention center or at a racetrack. This is a draconian remedy for something that is, you know – anyone who has ever owned a tavern knows – is all too common an occurrence that

people have fake IDs. We cannot expect people to come to Pennsylvania and invest in this industry knowing that their license is hanging by such a slender thread.

MOTION TO TABLE

Mr. LEACH. Mr. Speaker, I would make a motion to table the amendment.

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

POINT OF ORDER

AMENDMENT WITHDRAWN

The SPEAKER. On the motion to table, it is only debatable by the floor leaders.

Does the gentleman, Mr. Smith, wish to yield to the gentleman, Mr. Fairchild? Does the gentleman, Mr. Smith, wish to yield to the gentleman, Mr. Fairchild?

Mr. Fairchild.

Mr. FAIRCHILD. A point of order, Mr. Speaker.

The SPEAKER. The gentleman will state his point of order.

Mr. FAIRCHILD. I would like to withdraw this amendment in lieu of the other amendment which was on the list that was given to you which you do not have, which is why we are drawing amendments to the prior printer's number. This amendment was essentially changed. It was amendment A3028. We would like to make sure that that amendment is called. That is the correct amendment.

The SPEAKER. Amendment A2464 is withdrawn. Thank you, Mr. Fairchild.

Mr. FAIRCHILD. Thank you, Mr. Speaker.

On the question recurring,
Will the House concur in Senate amendments as amended?

AMENDMENT A3237 RECONSIDERED

The SPEAKER. The Chair has in its possession a reconsideration of a vote on an amendment signed by Mr. DeLuca, who moves that the vote by which amendment No. 3237 was passed to HB 623, PN 2458, on the 18th of July be reconsidered.

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

The following roll call was recorded:

YEAS-195

Adolph	Evans, J.	Levdansky	Sainato
Allen	Fabrizio	Lewis	Samuelson
Argall	Fairchild	Lynch	Santoni
Armstrong	Feese	Mackereth	Sather
Baker	Fichter	Maher	Saylor
Baldwin	Fleagle	Maitland	Scavello
Bard	Flick	Major	Schroder
Barrar	Forcier	Manderino	Scrimenti
Bastian	Frankel	Mann	Semmel
Bebko-Jones	Freeman	Markosek	Smith, B.

Belardi	Gabig	Marsico	Smith, S. H.
Belfanti	Gannon	McCall	Solobay
Benninghoff	Geist	McGeehan	Staback
Biancucci	George	McGill	Stairs
Birmelin	Gergely	McIlhattan	Steil
Bishop	Gillespie	McIlhinney	Stern
Blaum	Gingrich	McNaughton	Stetler
Boyd	Godshall	Melio	Stevenson, R.
Browne	Goodman	Metcalfe	Stevenson, T.
Bunt	Gordner	Micozzie	Sturla
Butkovitz	Grucela	Miller, R.	Surra
Buxton	Gruitza	Miller, S.	Tangretti
Caltagirone	Habay	Mundy	Taylor, E. Z.
Cappelli	Haluska	Mustio	Taylor, J.
Casorio	Hanna	Myers	Thomas
Causar	Harhai	Nailor	Tigue
Cawley	Harhart	Nickol	Travaglio
Civera	Harper	O'Brien	True
Clymer	Harris	Oliver	Turzai
Cohen	Hasay	O'Neill	Vance
Coleman	Hennessey	Pallone	Vitali
Cornell	Herman	Payne	Walko
Corrigan	Hershey	Petri	Wansacz
Costa	Hess	Petrone	Washington
Coy	Hickernell	Phillips	Waters
Creighton	Horsey	Pickett	Watson
Cruz	Hutchinson	Pistella	Weber
Curry	James	Preston	Wheatley
Dailey	Josephs	Raymond	Williams
Daley	Keller	Readshaw	Wilt
Dally	Kenney	Reed	Wojnarowski
DeLuca	Killion	Reichley	Wright
Denlinger	Kirkland	Rieger	Yewcic
Dermody	Kotik	Roebuck	Youngblood
DiGirolo	LaGrotta	Rohrer	Yudichak
Diven	Laughlin	Rooney	Zug
Donatucci	Leach	Ross	
Eachus	Lederer	Rubley	Perzel,
Egolf	Leh	Ruffing	Speaker
Evans, D.			

NAYS-6

Crahalla	Petrarca	Shaner	Veon
DeWeese	Roberts		

NOT VOTING-0

EXCUSED-1

Lescovitz

The majority having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

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

The clerk read the following amendment No **A3237**:

Amend Sec. 2 (Sec. 9203), page 91, line 7, by striking out "OR" and inserting
, in
Amend Sec. 2 (Sec. 9203), page 91, line 7, by removing the colon after "CLASS" and inserting
or in an area which includes a city of the second class and which is defined by the Bureau of the Census as a metropolitan statistical area:

Amend Sec. 2 (Sec. 9206), page 111, line 28, by striking out “IN” and inserting

, as determined by the board, at

Amend Sec. 2 (Sec. 9206), page 111, line 29, by striking out “OR” and inserting

, at

Amend Sec. 2 (Sec. 9206), page 111, line 30, by striking out “, AS DETERMINED BY THE BOARD.” and inserting or at a single location in an area which includes a city of the second class and which is defined by the Bureau of the Census as a metropolitan statistical area.

On the question recurring,

Will the House agree to the amendment?

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

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

Sometimes small rural counties have to work real hard in this chamber to advance their cause and their battle flag. The amendment that we offered a short time ago that has been reconsidered would allow for smaller counties in the Pittsburgh metropolitan statistical area to be considered for eligibility for a gaming venue.

My choice of words is important, “an opportunity for eligibility.” There is no doubt that the big cities of Philadelphia and Pittsburgh are the dynamic, robust economic engines of both ends of the State; they are the anchors of the east and the west; they are the crown jewels in the diadem of our Commonwealth, but once in a while it is important for small rural counties to get a shot in some of the action.

I am somewhat vexed that we have to reconsider this, but I am a product of this chamber and I accede happily to the sparring, the parrying of debate, but all the amendment did was take Pittsburgh and make it the Pittsburgh metropolitan statistical area. It included a variety of counties surrounding Pittsburgh and allowed them – forgive the metaphor – a place at the table. There is no guarantee, Mr. Speaker, that Fayette County or Butler County or Washington County would be a site of this new facility. In fact, when we drafted the amendment, we made certain that all of the revenues that were going to Pittsburgh would still go to Pittsburgh. So if the venue, the gaming venue, were in Westmoreland or Fayette or Greene or Butler, still recognizing the exciting centrality of Pittsburgh, we were going to focus our revenues to Pittsburgh. We just said that with this amendment, that Fayette County and a scintillating setting like Nemaquin Woodlands would at least be eligible to compete with the new board by filing an application. To gainsay us this opportunity is, if not a selfish gesture, at least one that I cannot fathom. We only want, as a rural county, a seat at the table.

So many times, so many times those of us from rural parts of the State advance our battle flag, advance our votes for Pittsburgh and Philadelphia again and again, and we do it happily. Mr. Shaner, Mr. Roberts, Mr. Daley, those of us who live in the outlying areas, all we want is that our constituents have a chance to be at the table when these gaming venues are considered by the new licensing board.

I would ask for a favorable vote on this amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny, Mr. Preston.

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

Maybe the gentleman is right about the metropolitan statistical area, but clearly he is wrong on his amendment, and I say that very clearly. When they took the prison out of Pittsburgh down into that area in Fayette County, Mr. DeWeese did not fight to keep it back in Pittsburgh, and we let him have it. He has had economic development. But let us look at the reality of dealing with what we are talking about on the more narrow scope for a metropolitan statistical area.

What Mr. DeWeese wants to do is include and increase the area that we are talking about 9 times fold, not 50 percent, not 100 percent, but 900 percent to the rural area.

Now, let us look at the reality of it, the extra cost and maybe even the extra cost of a fiscal note Mr. DeWeese needs to get on this for infrastructure improvements of roads, for an airport, for even just getting the particular connections that he has to be able to put together. Those of us in Pittsburgh have been very well together, and we have heard it from both sides of the aisle in the House and the Senate that it would be Pittsburgh, and in all honesty, we thought we had a deal, but yet in a sense here, in my opinion, we saw the stealth amendment come through that we were not prepared for.

The Pittsburgh area is ready to be able to deal with this area. It will have a limited effect on the whole region. It only adds to the economic development package, and it is unfortunate that we have seen this. It is just not Fayette County. This area includes Butler County, Beaver County, Clarion County, Westmoreland County, Indiana County just as well as far as the metropolitan statistical area.

So when you increase the area by 900 percent, we are not talking about a small change. This is not a technical amendment. We want to ask you to please let us not support this amendment. Let us vote this down and be able to give the Pittsburgh county and city a chance for real economic development, and I say that very simply. When there was a bovine problem in dealing with the cows and people needed \$500 million, we raised our hands. When there was a problem with the chickens and the diseases and they needed \$250 million, we raised our hands. When you were having a different problem with giardiasis in the streams and you needed \$250,000 to \$500,000, we raised our hands. Now we have a problem and we are asking you, let us vote “no” on this amendment so that we can try to take care of our own self-determination here in Allegheny County.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Westmoreland, Mr. Pallone.

Mr. PALLONE. Thank you, Mr. Speaker.

I rise in support of the DeWeese amendment.

One of the things that we do down here is we look at regional efforts and regional economic development initiatives. This is just another opportunity for many of the other smaller communities or smaller counties in the Greater Pittsburgh area to try or make an attempt to compete, to bring something like this, this gambling venue, into their own particular area.

One of the things that we try to do down here is not pit east against west, north against south, the central against any of the other parts or the parcels. We do not want communities fighting against one another or give any one community or county a preference over the other.

When we look at a regional effort and we look at the southwestern region of Pennsylvania, there are many other venues that would welcome the opportunity to compete to try and have a gambling venue in their community. We have many pristine areas along the rivers of the Allegheny. We have many pristine areas in some of the countrysides that can certainly serve as hosts for a facility like this.

Again, I encourage all of my colleagues in the House to vote “yes” on the DeWeese amendment.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Butler, Mr. Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I rise to agree with my colleague from Pittsburgh, Representative Preston, in this debate. It is good to be able to join with him on this one.

As I said earlier on first consideration, living in Butler County we have many people who are moving to that county and voting with their feet, as one of my colleagues had mentioned in an interview recently, that one of my friends had quoted in an article they sent in a letter to the editor to one of the local papers. And again, people are voting to leave Pittsburgh with their feet because of taxes and schools and a lot of reasons but not because they do not have gambling there, but this amendment would allow the same gambling venue that is being proposed in the Pittsburgh area to also be considered in Butler County. I have heard from many constituents that are opposed to bringing this type of venue into our county, a county that has been built on low taxes, a county that has been built on being friendly to families, a county that is thriving, and where many young people live and many young families are moving to.

So I am opposed to this amendment that would open this up to expand this gambling venue into other areas such as Butler County, and I would ask for a “no” vote.

The additional point that I would like to make with the way that this has been drafted, according to the maker of the amendment and what I understood him to say, is that the revenues that would benefit the city would still benefit the city even if this was placed in another county. So the county that this is placed in would not have even the benefit of the additional revenue. They would actually have to pay for the new infrastructure costs, the new crime controls, the new addiction costs, and all those problems that come with gambling expansion; they would have to pay for that, but the way it was drafted, as it has been explained, they would not benefit to be able to pay for any of the problems with the revenues from this facility.

To open this up to enable it to be leveraged in other areas just opens us up to possible enticements that could lead to more corruption. Let us keep that where it has been proposed, if it is going to happen, and not expand it into other areas such as the very family-friendly Butler County that I come from.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Fayette, Mr. Shaner.

Mr. SHANER. Thank you, Mr. Speaker.

To my friends in the Pittsburgh area, anytime Pittsburgh wants something and they want it from the rural counties,

they call it a regional alliance. I am calling this a regional alliance. We need your help.

Furthermore, if I recall correctly, about Tuesday or Wednesday of this week I saw your mayor and his entourage down here with both hands out, wanting more help, but yet when we want something in Fayette County, we have got to beg. I will not get on my knees, but I am asking for your help. So please support the amendment.

The SPEAKER. The gentleman, Mr. Daley. The gentleman from Washington, Mr. Daley.

Mr. DALEY. Thank you, Mr. Speaker.

Mr. Speaker, I believe in the old adage that we heard in law school that pigs win and hogs lose, and in Allegheny County they are telling us today, for the rural counties in Armstrong and Beaver and Butler and Westmoreland, Armstrong, Fayette, Washington County, that quite honestly, after all the years that we supported Allegheny County and now we ask for help, they do not want to help us because pigs win and hogs lose. But I heard the gentleman, Mr. Preston, say that we raised our hands for all these things for Fayette and Washington County, but when it came to stadiums, we all voted for it in the surrounding areas. We raised our hands for bridges. We raised our hands for the civic arena that is coming up. We raised our hands for the city of Pittsburgh, and now when it is time to help the hinterland outside of the city, they do not want to help us. Pigs win and hogs lose.

You know, it is kind of surprising that the Mellons and the Scaifes and the Rockwells lived in the city of Pittsburgh, but guess where they recreated? In the Laurel Highlands of Fayette County, because they knew pigs win and hogs lose. But today we are facing a proposition that we want to share the wealth. We want to have the region, the people in the counties that surround Allegheny County, they are the ones that come down to the Steelers game, the Pirates game, the Civic Arena. They are the ones that send their kids down to the Westmoreland Mall and down to the Century III Mall, because we know, Mr. Speaker, pigs win and hogs lose.

Now, let me just tell you one other thing. I will tell you one other thing. We in Washington County and Fayette and Beaver, Armstrong and Butler, for all those years we supported economic development programs for Allegheny County, but it did not trickle out of Allegheny County; it just stayed in the county, like the airport, the \$500 million we sent to the Allegheny Airport, because it is a regional project. When Tom Murphy comes back down, we will remember this time, because you are not going to get our vote if this loses. Let us vote for this amendment.

Thank you, Mr. Speaker.

The SPEAKER. Does the gentleman, Mr. Clymer, wish to be recognized?

Mr. CLYMER. Mr. Speaker, you can roll it.

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

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, it is obviously pretty difficult to top that, but I do want to say that as we have tried to put together a challenging and complex and complicated bill with a lot of political interests, financial interests, to bring us to the bill that we have in front of us today, there were, of course, many difficult steps along the way.

Mr. Speaker, I really believe that this was a fairly crafted, reasonable attempt at an amendment that does provide an option, and at least the way we were thinking about it as we put together this amendment is we are aware that in fact today there is an application for a racetrack in the city of Pittsburgh city limits, and so there was at least the possibility that the city of Pittsburgh might be awarded a racetrack license – it is possible – and that if that were the case, in our judgment at least, we wanted to provide the opportunity, at least the option, that in the event that there was a racetrack license granted to the city of Pittsburgh, that this other nontrack venue could be put somewhere else in the region. And again, in an effort to be reasonable about it, and my good friend, Bill DeWeese, already mentioned this but I just want to emphasize it very quickly, we in fact said that as that nontrack venue could possibly be located elsewhere, that the funding streams that we created would still go to the convention center in the city of Pittsburgh and to the arena in the city of Pittsburgh as a demonstration of the desire and effort to in fact have this be a regional destination point at the right time.

So we did want to create that option, Mr. Speaker, and I would say that it is a reasonable, well-crafted effort at a reasonable compromise, and I would ask for an affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny, Mr. Maher.

Mr. MAHER. Thank you, Mr. Speaker.

If the maker of the amendment would rise for brief interrogation.

Mr. Speaker, just as a matter of understanding legislative intent, there is language in this bill that is before us today that would provide a host fee, a special host fee, directed originally, with the original language, to an entity in the city of Pittsburgh, the Sports and Exhibition Authority. Is it a correct understanding that the expansion of this to the Pittsburgh metropolitan statistical area, as you desire, would have no adverse impact on that host fee? Would that be accurate?

The SPEAKER. The gentleman, Mr. DeWeese, consents to interrogation.

Mr. MAHER. Perhaps while you ponder that, maybe I have actually misaddressed that, because I do not think the legislation refers to it as the host fee, but as a practical matter there is a payment to be provided to the Sports and Exhibition Authority in Pittsburgh which had entered the bill, as I understand it, in contemplation of this licensing situation. Would this adversely affect that revenue stream?

Mr. DeWEESE. I am informed by counsel that the answer is no. I apologize for not being quicker on the draw, but it is a complicated process, and I had to get some help.

Mr. MAHER. So your intent then would be that regardless of whether, if your amendment is adopted, regardless of whether a location would be situated in the city of Pittsburgh or in beautiful Fayette County or anyplace else in the Pittsburgh metropolitan statistical area, this support to the Sports and Exhibition Authority would continue without any question whatsoever.

Mr. DeWEESE. Yes, and enthusiastically. We want to help Pittsburgh. We have not changed one nickel, as the gentleman

from Beaver, Mr. Veon, reiterated. Every single dime that we raise will be as in the original proposal.

Mr. MAHER. Thank you.

Mr. DeWEESE. So the hotels, the convention center, the new arena, we do not want to spend tax dollars; we do not want to spend any kind of vehicle rental tax on these proposals. We want to spend some of the revenues from gaming. But even if it is located— And again, all this amendment does is allow for a competitive opportunity, for eligibility, and every nickel would still go to Pittsburgh. Pittsburgh would be a munificent beneficiary of this process, and maybe if it were located in Fayette County’s Nemaocolin Woodlands, the revenue stream would be so exorbitant that Pittsburgh could even make out better. One never knows.

Mr. MAHER. Thank you.

And, Mr. Speaker, if I might, just a brief sentence on this amendment is—

The SPEAKER. The gentleman is in order and may proceed.

Mr. MAHER. —is that members from western Pennsylvania and the southwest region know that I have been enthusiastically advancing a notion that we look to the impact of this proposal with respect to the Pittsburgh metropolitan statistical area, and I am encouraged, encouraged to see that the leader on the other side of the aisle has embraced that notion at least this far and hopeful that the final step or two may follow.

Thank you, Mr. Speaker.

The SPEAKER. Chair recognizes the gentleman from Allegheny, Mr. Frankel.

Mr. FRANKEL. Thank you, Mr. Speaker.

I rise to support this amendment. When we first voted this, I must confess, the amendment took me by surprise. We were not really prepared here. But I will say on reconsideration and listening to some of the comments of my colleagues, it occurs to me that we are working very hard in western Pennsylvania to create regional cooperation, in a sense a shared mission for the entire region, and I see nothing wrong, quite frankly, with having an opportunity for different parts of the region to be able to compete for this gaming venue.

So I think I was wrong when I first voted against this, and I will rise this time to support this in the spirit that we are forging in western Pennsylvania, to create a vibrant region that has a sense of cooperation as opposed to trying to build walls between each other.

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—136

Adolph	Feese	Mackereth	Saylor
Allen	Fichter	Maher	Schroder
Argall	Flick	Major	Scrimenti
Baldwin	Forcier	Manderino	Semmel
Bard	Frankel	Mann	Shaner
Barrar	Gabig	Marsico	Smith, B.
Bastian	Gannon	McCall	Smith, S. H.
Bebko-Jones	Geist	McGeehan	Solobay
Belardi	George	McIlhinney	Staback
Belfanti	Gillespie	McNaughton	Stairs
Biancucci	Gingrich	Melio	Steil

Birmelin	Godshall	Micozzie	Stetler
Bishop	Goodman	Miller, R.	Stevenson, T.
Blaum	Gordner	Mundy	Sturla
Bunt	Grucela	Mustio	Surra
Buxton	Gruitza	Nailor	Tangretti
Caltagirone	Habay	Nickol	Taylor, E. Z.
Cappelli	Haluska	O'Brien	Taylor, J.
Casorio	Hanna	O'Neill	Tigue
Causer	Harhai	Pallone	Travaglio
Cawley	Harper	Payne	Turzai
Civera	Harris	Petrarca	Vance
Cohen	Hasay	Petri	Veon
Cornell	Hennessey	Phillips	Vitali
Corrigan	Hershey	Pickett	Wansacz
Coy	Hess	Raymond	Watson
Curry	Kenney	Roberts	Wojnaroski
Dailey	Killion	Rohrer	Wright
Daley	LaGrotta	Rooney	Yewcic
DeWeese	Laughlin	Ross	Yudichak
DiGiroloamo	Leach	Rubley	Zug
Eachus	Lederer	Sainato	
Evans, D.	Leh	Santoni	
Fabrizio	Levdansky	Sather	Perzel,
Fairchild	Lynch		Speaker

NAYS—65

Armstrong	Donatucci	Lewis	Roebuck
Baker	Egolf	Maitland	Ruffing
Benninghoff	Evans, J.	Markosek	Samuelson
Boyd	Fleagle	McGill	Scavello
Browne	Freeman	McIlhattan	Stern
Butkovitz	Gergely	Metcalfe	Stevenson, R.
Clymer	Harhart	Miller, S.	Thomas
Coleman	Herman	Myers	True
Costa	Hickernell	Oliver	Walko
Crahalla	Horsey	Petrone	Washington
Creighton	Hutchinson	Pistella	Waters
Cruz	James	Preston	Weber
Dally	Josephs	Readshaw	Wheatley
DeLuca	Keller	Reed	Williams
Denlinger	Kirkland	Reichley	Wilt
Dermody	Kotik	Rieger	Youngblood
Diven			

NOT VOTING—0

EXCUSED—1

Lescovitz

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

GUESTS INTRODUCED

The SPEAKER. The Chair welcomes to the hall of the House Carmen Pedicone, Jeannette city council member, and his wife, Paula, Westmoreland County elections bureau director. They are the guests today of Representatives Casorio, Tangretti, and Pallone. They are seated in the balcony. Would those guests please rise.

Seated in the Speaker's area, as guests of Representative Stephen Barrar of Delaware County and Chester, are John Rendemonti; his wife, Joyce; and their two sons, Louis and Joseph. John is the chairman of the Thornbury Township, Chester County, supervisors. Louis is doing a citizenship in the nation for his merit badge for the Boy Scouts, which requires

him to visit a government building, and Joseph is a sophomore at Salesianum in Wilmington, Delaware. Would those guests please rise.

CONSIDERATION OF HB 623 CONTINUED

On the question recurring,
Will the House concur in Senate amendments as amended?

MOTION TO SUSPEND RULES

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

Mr. COLEMAN. Mr. Speaker, I move that the rules of the House be suspended in order to run amendment A2607.

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

The SPEAKER. On the suspension, Mr. Coleman.

Mr. COLEMAN. Thank you, Mr. Speaker.

I would urge members on both sides of this issue to support a suspension of the rules.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, we are now in this phase of the debate here this afternoon where we are about to entertain a series of amendments. In this particular phase of the debate, Mr. Speaker, I just want to give my perspective of what we have tried to construct and craft here as we move this debate forward.

We proponents of gaming have worked pretty hard to have this bill put together, and we understand that the opponents of expanded gambling in the State of Pennsylvania have also worked pretty hard to stop us from accomplishing that. And, Mr. Speaker, out of respect for that kind of effort over, in some cases, a lot of years and in some cases fewer years, we do have a series of amendments this afternoon that even the proponents are going to agree ought to be considered, and we are going to make sure that we provide the votes for the suspension of the rules to have some of those gambling expansion opponents have their opportunity to have their voice heard here today. And, Mr. Speaker, be clear that even as we give them an opportunity to be heard out of respect for the efforts that they have made, we believe that it is critically important that those amendments be defeated, and, Mr. Speaker, there will be some amendments that will be offered by the gaming opponents that, even with the great respect we have for the efforts that they have made, we believe are very important that the rules not be suspended for the offering of those amendments.

And clearly, Mr. Speaker, I think that we believe we have enough votes to pass this bill today, and Democrats alone have enough votes to stop any rules suspension motion from taking place here. Despite that fact, Mr. Speaker, I would like to ask my colleagues on this side of the aisle that as we go through these amendments, let us give the respect to the opponents on some of them but we certainly cannot take all of them, even though we could defeat all the motions to suspend.

Mr. Speaker, with that in mind I have to say that I would ask on this particular amendment that we not suspend the rules. This is an amendment that we do not think ought to be offered here. There will be plenty of opportunities for the opponents to offer amendments, as I have already described, and I would strongly ask for a “no” vote on the motion to suspend the rules on this amendment offered by the gentleman, Mr. Coleman.

The SPEAKER. For what purpose does the gentleman, Mr. Taylor, rise? The Chair thanks the gentleman.

Mr. Taylor.

Mr. TAYLOR. Can I speak on the motion, Mr. Speaker?

The SPEAKER. The motion is not debatable except by the floor leaders.

The Chair recognizes the gentleman, Mr. Smith, who defers to the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, we thought that we had an agreement between our caucus and the Democrat Caucus that in the spirit of fair play, which the Democrat Caucus has always talked about, that we would allow these various amendments to be discussed in open debate. As the gentleman had just mentioned, if you have the votes to defeat it, what are you concerned about? After all, we are here to discuss the issues in open debate. That is what this whole process should be about.

You had mentioned earlier the fact that we have worked hard, yes, but at times, Mr. Speaker, we worked at a disadvantage because we did not have the lobbying effort that came to help you and your team. This is the one opportunity before the public that we can have this discussion on important pieces of legislation.

The Coleman amendment is critical. The people of Pennsylvania need to know what is the value of a racing license. Why should that be so controversial? After all, it is the people’s— The dollars that we will get from these licenses will help the people of Pennsylvania. You can think of all those social programs that many of you have talked about that will be undergirded with all this additional revenue should we have that opportunity to discuss the amendment and should we have the opportunity to have a vote.

I am just appalled by the fact that the Democrat leadership has come down in the way that they have. We worked with them early on. We provided them the votes so they could suspend to offer their amendments, and now they want to have closure, like we have the advantage and we are not going to give the opposition the opportunity to make their points. I think that is very, very disappointing. I am disappointed in the way that we are now conducting this part of the procedure here on this legislation.

I would hope that leadership on the other side would reconsider and allow us the opportunity to discuss these very, very important amendments. I think the people of Pennsylvania are interested as well.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, let me say that while I disagree with the gentleman obviously, as I have said in many debates with him before, I understand the emotion that is even involved in his fight on this issue, and if I did not think so highly of him,

I would almost want to file our efforts under the category of no good deed goes unpunished.

Mr. Speaker, we really have tried hard. There are approximately 25 amendments to be offered by the antigambling forces in the State legislature today, and as I said, since it requires a rules suspension for any of those amendments to be offered, we believe that even just on the Democratic side we have way more than enough votes to not allow a single amendment to be offered here today. But I would say again, out of respect for the efforts that have been made on what we think is an important debate to the people of Pennsylvania – there is no question about that – that we have almost half of those amendments that we are at least allowing to be heard here today, and we think that in the context of debating those particular amendments, we would like to suggest that the opponents are going to have plenty of opportunity to make their case here.

Mr. Speaker, for that reason I would ask for a negative vote on this particular amendment, on the motion to suspend.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

And if I could talk to the members of the Democrat Caucus. There are times that we have disagreed, but when it came to important issues, we respected each other and we have allowed for open debate. That is something that we have always done. And I would ask, and I would ask that on this particular amendment, an amendment that means so much importance to all the programs that I had recently just enumerated on a few minutes ago, that you give us this opportunity to discuss this amendment, an amendment that is going to be offered by Representative Coleman that certainly will be fair to the taxpayers of Pennsylvania.

This amendment is going to deal with a licensing fee, a licensing fee that is going to try to bring equity to those, if you have the votes as you claim you have, you are going to give these slot machine licenses to nine racing tracks and two land-based casinos. We are talking about millions of dollars in potential sums that will come to the Commonwealth. Why would you not want to have an open discussion on this kind of issue – millions of dollars that could come to the Commonwealth. If we are in an economic bind as many of you say we are, this is one opportunity at no cost to the taxpayer that we can bring in these additional millions of dollars. Does that not make economic sense?

And so we come before you and ask that you support suspension of the rules to allow us this opportunity for open discussion in this hall of the House to debate this very important amendment.

Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—116

Adolph	Evans, J.	Lewis	Ross
Allen	Fairchild	Lynch	Rubley
Argall	Feese	Mackereth	Samuelson

Armstrong	Fichter	Maher	Sather
Baker	Fleagle	Maitland	Saylor
Baldwin	Flick	Major	Scavello
Bard	Forcier	Marsico	Schroder
Barrar	Freeman	McGill	Scrimenti
Bastian	Gabig	McIlhattan	Semmel
Benninghoff	Gannon	McNaughton	Smith, B.
Birmelin	Geist	Metcalfe	Smith, S. H.
Bishop	Gillespie	Micozzie	Stairs
Boyd	Gingrich	Miller, R.	Stern
Browne	Godshall	Miller, S.	Stevenson, R.
Bunt	Gordner	Mustio	Stevenson, T.
Cappelli	Habay	Nailor	Taylor, E. Z.
Causar	Harhart	Nickol	Tigue
Cawley	Harper	O'Brien	True
Civera	Harris	Payne	Turzai
Clymer	Hasay	Petrarca	Vance
Coleman	Hennessey	Phillips	Vitali
Cornell	Herman	Pickett	Watson
Corrigan	Hershey	Raymond	Weber
Crahalla	Hess	Readshaw	Wilt
Creighton	Hickernell	Reed	Yewcic
Dailey	Hutchinson	Reichley	Zug
Dally	Kenney	Rieger	
Denlinger	Killion	Roberts	
Diven	Kirkland	Rohrer	Perzel,
Egolf	Leh		Speaker

NAYS—85

Bebko-Jones	Fabrizio	Mann	Solobay
Belardi	Frankel	Markosek	Staback
Belfanti	George	McCall	Steil
Biancucci	Gergely	McGeehan	Stetler
Blaum	Goodman	McIlhinney	Sturla
Butkovitz	Grucela	Melio	Surra
Buxton	Gruitza	Mundy	Tangretti
Caltagirone	Haluska	Myers	Taylor, J.
Casorio	Hanna	Oliver	Thomas
Cohen	Harhai	O'Neill	Travaglio
Costa	Horsey	Pallone	Veon
Coy	James	Petri	Walko
Cruz	Josephs	Petrone	Wansacz
Curry	Keller	Pistella	Washington
Daley	Kotik	Preston	Waters
DeLuca	LaGrotta	Roebuck	Wheatley
Dermody	Laughlin	Rooney	Williams
DeWeese	Leach	Ruffing	Wojnaroski
DiGirolamo	Lederer	Sainato	Wright
Donatucci	Levdansky	Santoni	Youngblood
Eachus	Manderino	Shaner	Yudichak
Evans, D.			

NOT VOTING—0

EXCUSED—1

Lescovitz

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,
Will the House concur in Senate amendments as amended?

RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentleman, Mr. Saylor, for the purposes of amendment A2657, the motion to suspend the rules.

Mr. SAYLOR. Mr. Speaker, I move to suspend the rules to consider amendment A2657.

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

The SPEAKER. On the motion to suspend the rules, the Chair recognizes the gentleman, Mr. Saylor.

Mr. SAYLOR. Mr. Speaker, this amendment simply changes in the bill the amount of money that the State would receive in taxes from the 34 percent to a 40-percent share. Other States like Illinois have as high as 70 percent that they would receive from slot machines, and this bill just provides a larger share, approximately \$176 million more, to the Commonwealth of Pennsylvania.

The SPEAKER. The Chair thanks the gentleman.

On the motion for the suspension of the rules, Mr. Veon.

Mr. VEON. Mr. Speaker, I know that the gentleman did have a chance there to talk a little bit about the amendment, and I also recognize that this is on the motion to suspend, and, Mr. Speaker, on the motion to suspend, this is one of the amendments that we do want to give the gambling expansion opponents an opportunity to at least have their voice heard, as was so fiercely advocated a few moments ago by the gentleman, Mr. Clymer. So we would ask for a "yes" on the motion to suspend, and we will be back shortly with a request against the amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—199

Adolph	Fabrizio	Lynch	Samuelson
Allen	Fairchild	Mackereth	Santoni
Argall	Feese	Maher	Sather
Armstrong	Fichter	Maitland	Saylor
Baker	Fleagle	Major	Scavello
Baldwin	Flick	Manderino	Schroder
Bard	Forcier	Mann	Scrimenti
Barrar	Frankel	Markosek	Semmel
Bastian	Freeman	Marsico	Shaner
Bebko-Jones	Gabig	McCall	Smith, B.
Belardi	Gannon	McGeehan	Smith, S. H.
Belfanti	Geist	McGill	Solobay
Benninghoff	George	McIlhattan	Staback
Biancucci	Gergely	McIlhinney	Stairs
Birmelin	Gillespie	McNaughton	Steil
Bishop	Gingrich	Melio	Stern
Blaum	Godshall	Metcalfe	Stetler
Boyd	Goodman	Micozzie	Stevenson, R.
Browne	Gordner	Miller, R.	Stevenson, T.
Bunt	Grucela	Miller, S.	Sturla
Butkovitz	Gruitza	Mundy	Surra
Caltagirone	Habay	Mustio	Tangretti
Cappelli	Haluska	Myers	Taylor, E. Z.
Casorio	Hanna	Nailor	Taylor, J.
Causar	Harhai	Nickol	Thomas
Cawley	Harhart	O'Brien	Tigue
Civera	Harper	Oliver	Travaglio
Clymer	Harris	O'Neill	True
Cohen	Hasay	Pallone	Turzai
Coleman	Hennessey	Payne	Vance
Cornell	Herman	Petrarca	Veon

Costa	Hershey	Petri	Vitali
Coy	Hess	Petrone	Walko
Crahalla	Hickernell	Phillips	Wansacz
Creighton	Horsey	Pickett	Washington
Cruz	Hutchinson	Pistella	Waters
Curry	James	Preston	Watson
Dailey	Josephs	Raymond	Weber
Daley	Keller	Readshaw	Wheatley
Dally	Kenney	Reed	Williams
DeLuca	Killion	Reichley	Wilt
Denlinger	Kirkland	Rieger	Wojnaroski
Dermody	Kotik	Roberts	Wright
DeWeese	LaGrotta	Roebuck	Yewcic
DiGirolamo	Laughlin	Rohrer	Youngblood
Diven	Leach	Rooney	Yudichak
Donatucci	Lederer	Ross	Zug
Eachus	Leh	Rubley	
Egolf	Levdansky	Ruffing	Perzel,
Evans, D.	Lewis	Sainato	Speaker
Evans, J.			

NAYS—2

Buxton Corrigan

NOT VOTING—0

EXCUSED—1

Lescovitz

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.

On the question recurring,
Will the House concur in Senate amendments as amended?

Mr. **SAYLOR** offered the following amendment No. **A2657**:

Amend Sec. 2 (Sec. 9214), page 57, line 24, by striking out "34%" and inserting
40%

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

The **SPEAKER**. The Chair recognizes the gentleman from York, Mr. Saylor, on the amendment.

Mr. **SAYLOR**. Thank you, Mr. Speaker.

One of the things that, you know, I must say, well, since I have been up here at the House, is that I have opposed gambling, but one of the things that I think we need to remember as members of this House, as we continue to work forward on this issue this evening, is that it is important and vital that this Commonwealth receive its fair share of revenue that is going to come about if this bill passes.

You know, I find it interesting that when we look at other States and look at the profits, we can even look at the profits here in Pennsylvania – we do not even have gaming right now – the owners of the racetracks in this Commonwealth are doing very, very well financially. This bill is not about the racetracks, or it should not be; it should be about the taxpayers of this Commonwealth. It should be about agriculture, which is how this bill originally started out, is how we were going to help

agriculture in Pennsylvania. But in the end this bill has become about helping the owners of the racetracks, who are millionaires and in many cases do not even live in this Commonwealth, and I believe that it is only fair that the taxpayers of this Commonwealth, if we are going to have the burden of gambling here, and if this bill passes tonight, that we should at least receive our fair share of the revenue that is going to be brought in from gaming in Pennsylvania.

Thank you.

The **SPEAKER**. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. **CLYMER**. Thank you, Mr. Speaker.

Representative Saylor has certainly articulated very well the reason that we should adopt this amendment that provides a 40-percent take of the State. Just think of all the additional programs that that money can buy. If the money is going to go for various entities – of course, it is targeted for real estate tax reduction – this will even make those rates go lower. So this is an amendment that will be beneficial to the Commonwealth of Pennsylvania and to its citizens.

And as the Representative said, we are not taking a leg and an arm from the racetrack people that are currently in operation here in Pennsylvania but we are getting a more fair share, and for those reasons, Mr. Speaker, I would respectfully ask the members of this General Assembly to vote in the affirmative.

Thank you.

The **SPEAKER**. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Northumberland, Mr. Belfanti.

Mr. **BELFANTI**. Thank you, Mr. Speaker.

Mr. Speaker, would the maker of the amendment please stand for brief interrogation?

The **SPEAKER**. The gentleman, Mr. Saylor, indicates that he will.

Mr. **BELFANTI**. Thank you, Mr. Speaker.

Mr. Speaker, is it your intent in this amendment to phase in from a 34- to a 40-percent State share or is this a flat 40 percent from the get-go, if your amendment would be adopted?

Mr. **SAYLOR**. If my amendment is adopted, it would start effectively. It is not a phase-in.

Mr. **BELFANTI**. And one more question, Mr. Speaker. Are you aware of any other amendments that would allow for a phase-in from the present draft of the bill that requires a 34-percent State share up to a higher share, whether it be 40 or some other number, or is yours the only amendment that speaks to this issue of the State share?

Mr. **SAYLOR**. Mr. Speaker, I have not reviewed all amendments that are here tonight, so I honestly can say that I do not know of any other amendments that phase it in at this point.

Mr. **BELFANTI**. Thank you, Mr. Speaker.

Mr. Speaker, I have concluded my interrogation. I would like to make brief remarks on the amendment.

The **SPEAKER**. The gentleman is in order and may proceed.

Mr. **BELFANTI**. Thank you, Mr. Speaker.

I appreciate the merits of this amendment, and I could support an amendment if offered by someone to at some point in time raise the State share from what I believe is a paltry 34 percent to a higher percent, but, Mr. Speaker, I cannot support this amendment. I am going to give you a reason or two why.

First of all, Mr. Speaker, we are asking these individuals that are going to make this investment to pay an upfront \$50 million license fee just for the privilege of spending another \$100 to \$200 million to build a world-class facility. The language in the bill and the five-member board, whether it ends up being a five member or seven member, who knows, but the requirement is that places like Penn National would simply not be allowed to move a few hundred slot machines into their lower level. They must construct a brand-new facility. It must be state of the art; it must be world class; it must be a tourist attraction. It is an investment, by the best guesstimates by people from the Appropriations Committee on both sides of the aisle, that would require a minimum of \$100 million, more likely \$200 million, on top of the \$50 million license fee. Mr. Speaker, that is a quarter-of-a-billion-dollar investment.

We brought up in our deliberations in caucus that we do believe that 34 percent is awful low, but I believe that it would be fair for the first 5 years to allow these investors to recoup that type of investment and then bring them back, have them appear again before the board, and after their \$250 million has been amortized and their startup costs and their startup payroll and their uniforms for their employees and all of that stuff has been amortized and depreciated, to at that point raise the State share. If there is an amendment out there to do that, I will support it, but I believe we need to allow these investors at least 5 years to recapture this huge, huge investment that they are going to have to make in these venues.

So, Mr. Speaker, for that reason I am going to ask that my colleagues oppose the Saylor amendment, and hopefully there is someone else out there that agrees with many people like myself that believe down the road, 34 percent is too little, and there will be 11 people making too much money and the State taxpayers will be shortchanged. But on the front end I absolutely believe that if we are to get quality investors to build quality parlors here in this Commonwealth, we must give them 5 years to recoup those investments.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks, Mr. Corrigan.

Mr. CORRIGAN. Thank you, Mr. Speaker.

I would like to ask the gentleman a question or two.

The SPEAKER. The gentleman indicates that he will stand for interrogation.

Mr. CORRIGAN. When you increase the State's percentage to 40 percent, do you take all of that from the owner's share? How do you get the—

Mr. SAYLOR. Mr. Speaker, it is taken right off the top.

Mr. CORRIGAN. Right off the top.

Mr. SAYLOR. \$176 million right off the top, additional.

Mr. CORRIGAN. But you have to take the money from somewhere. Do you take it from the horsemen, do you take it from the owners, a combination, or how do you do that?

Mr. SAYLOR. It is taken right off the top, right at the very beginning.

Mr. CORRIGAN. But whose percentage are you reducing?

Mr. SAYLOR. It is a reduction from everybody's percentage.

Mr. CORRIGAN. Can you enumerate that? Can you tell me how you are going to do that?

Mr. SAYLOR. Just as the other 34 percent comes off the top that is currently in the bill, this will just increase it to 40 percent. So it comes off the top before the splitting of the rest of the revenue is divided up, Mr. Speaker.

Mr. CORRIGAN. But if the State is going to get 40 percent, then someone else is going to get less, and I think, if your amendment is in order, you are going to have to tell us, you know, who is going to get less, how you are going to do that.

Mr. SAYLOR. If you are talking about who may get less, everybody else would get some less indirectly, because we are taking off the additional 6 percent from 34 to 40 percent off the top of the gross receipts.

Mr. CORRIGAN. But you do not care to be specific about that?

Mr. SAYLOR. Mr. Speaker, if he could repeat the last question. I did not hear him.

Mr. CORRIGAN. I said you do not care to be specific about how you apportion the dollars. You are just saying 40 percent for the State. Are you going to take it—

Mr. SAYLOR. The formula would be this, Mr. Speaker: 40 percent would be taken off of the gross receipts after you have subtracted out the payouts to the bettors. So it would be 40 percent of what is left after the payout.

Mr. CORRIGAN. Well, how much would go to the owners then after that? How much would go to the horsemen? You know, how are you going to do the breeders?

Mr. SAYLOR. Mr. Speaker, the net would be a reduction for everybody after the 40 percent is taken out. It would be a reduction for everybody in the line items below that, in their receipts.

Mr. CORRIGAN. Thank you.

Can I speak on the amendment?

The SPEAKER. The gentleman is in order and may proceed.

Mr. CORRIGAN. Mr. Speaker, I rise to oppose the Saylor amendment. I think it is not drafted properly and it does not spell out what the gentleman would like to do. For all of those reasons and the reasons that Representative Belfanti enumerated before me, I think this is a bad amendment, and we have to defeat it.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

Mr. Speaker, I would like to ask all the supporters of HB 623 for the defeat of this amendment. As everyone knows, this is not a bill that is new. This has been around for some time. It has been a carefully negotiated set of numbers, and I think our members have to realize that the licensees who will pay the \$50 million up front for these licenses still have to pay their employees, keep the lights on, and run those facilities, and I think this would be very damaging to the bill if it were submitted, and I would ask for its defeat.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lancaster, Mr. Boyd.

Mr. BOYD. Thank you, Mr. Speaker.

I was giving some thought to the bill from the gentleman from York County, and as I considered that, I happen to have in my hands here projected operator financials based on operations from Philadelphia Park, and based on the numbers in front of

me, I am looking at a projection of \$100 million a year in profits. That nets out to 23 percent net profit, 49 percent gross profit.

And with all due respect to the gentleman from Schuylkill County that talks about the massive investment that would be made by these track owners, I did some quick calculations, and basically if you figure a \$50 million license fee, and we are not allowed to really discuss apparently, according to the rules, whether or not that is an adequate license fee, so we are stuck with \$50 million, and if you figure \$35 million for an additional setup fee to build a facility, which I figured a 100,000-foot slot parlor at \$350 a square foot, and another \$15 million for additional startup, you are looking at \$100 million. What that nets out to in year 1 is a 100-percent return on investment. Now, if I ask the ladies and gentlemen in this House how many of you would like to invest in a 100-percent return in year 1, I believe I might get 200 to zero on the board.

And I did some additional research; I looked at other Pennsylvania companies that are publicly traded: Weis Market's return on investment, 9.2 percent; the Bon-Ton is 4.6 percent. The highest I could find was the Heinz Company at 40-some percent. I think you should invest in ketchup. But if I use the average of this, a 15-percent return on investment, we would be looking at basically, the upfront costs should be up around \$650 million for most typical companies.

We hear a lot of discussion about corporate welfare. Mr. Speaker, I am here to tell you that this is the largest piece of corporate welfare that has ever been seen by the Commonwealth of Pennsylvania, and I think that 40 percent is the minimum amount of tax we ought to get, and I think we ought to revisit these licensing fees, with all due respect to the leader across the way. But I would support the Saylor amendment, and I would support revisiting the licensing fees, too, because if we are going to do this, we ought to get the best bang for our buck.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Luzerne, Mr. Tighe.

Mr. TIGUE. Thank you, Mr. Speaker.

Mr. Speaker, when we hear about the comparison of percentages between Pennsylvania tracks or racinos and the ones in Delaware and West Virginia, we have to keep in mind that percentages transfer into dollar amounts, and as the previous speaker said, the dollars we are talking about are astronomical. Under the current bill as it stands without this amendment, the track owners would receive \$930 million a year – \$930 million. That is based on the assumption that there is going to be \$1 billion taken, because they get 46 1/2 percent.

A few months ago when people were talking about putting up the licenses for auction or charging \$50 million, we heard you cannot do that because no one will buy a license. Well, guess what? They cannot wait to get their hands on a \$50 million license, and I would, too, if I saw that there was \$930 million available for an investment of \$550 million, and that is only in 1 year. The State – we – regulate this. To be candid, I do not see any reason why it has to go to a racetrack.

I support the Saylor amendment. I think we should get more money out of this endeavor than has been proposed in any of the bills that I have seen so far. When you talk about the money, the \$930 million, versus what we have been told in the first year

we will get, \$450 million – in the second year, by the way, the estimates are we will get somewhere between \$670 to \$700 million – you have been told like I have been told that there is 1 billion dollars' worth of property tax reduction. Well, with \$670 to \$700 million, it means we are \$300 million to \$330 million short the first year of full operation. The 6 percent additional that Mr. Saylor is putting on the amendment, which would be taken, by the way, from the track owners, that generates an additional, based on the billion again, \$120 million.

I would ask everybody, we should be very careful how we dole this money out. This is money that we should keep for the State. We have tried to help the tracks in the past – and I am not against helping the tracks; I voted for offtrack betting and some other things – but this is an amendment that we should all support, because we should get a bigger share of the pie.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Beaver, Mr. Veon. Does Mr. DeWeese wish to go last?

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

This is an insidious effort, in my view, to scuttle the whole proposal. The industry standards, as have been stated, are where we are, and we are probably a little bit better, and to elevate the percentage by six points and to skew the numbers is a beguiling proposition, but the essential effort that it would induce would be a defeat of the proposal. So without any further ado, I will not inveigh against the matter; I will just ask for a negative vote.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Petrone. The gentleman waives off.

The Chair recognizes the gentleman from Butler, Mr. Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the gentleman's amendment, and as has been stated earlier, I think that what we are requesting here is very much in line with what the taxpayers should receive. As was mentioned, there has been talk of property tax relief and a bill that is going to be connected to this if this legislation passes. This vote will allow all of us to see more relief in that next piece of legislation if this in fact passes. So voting against expanding this to 40 percent is really a vote against giving the taxpayers more relief.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks, Mr. DiGirolamo.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

I rise in opposition to the Saylor amendment. The 34 percent has been negotiated for a long time. It is fair; it is a balanced amount. It will allow our horse tracks to build world-class facilities.

I urge the members to vote "no." This is nothing more than a measure to doom the slot machine.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. McNaughton.

Mr. McNAUGHTON. Thank you, Mr. Speaker.

I must respectfully disagree with the previous speaker. This is not a measure just to doom slot machines. What this actually is is an opportunity for us in this chamber to take care of those in Pennsylvania that we failed to take care of in March. This is

an opportunity to take our fair share and give it to those who are most needy in Pennsylvania.

With this extra revenue, we have a 4-month waiting list in adult basic. The uninsured of Pennsylvania we can take care of with this additional revenue. Do not we all want to take care of the uninsured in the Commonwealth of Pennsylvania? We have talked about taking care of those individuals for years in this chamber, since I have arrived. The opportunity has arisen with this simple vote.

We all know that PACE (Pharmaceutical Assistance Contract for the Elderly) and PACENET (Pharmaceutical Assistance Contract for the Elderly Needs Enhancement Tier) will be directly affected when these slot machines come to Pennsylvania. Revenue in PACE and the PACENET program is going to drop exponentially by hundreds of millions of dollars. We have an opportunity now to take care of PACE and PACENET. We all know, we have been told, the Senate is not going to address the issue. It is a done deal with them. They do not want to hear about PACE and PACENET. The only way we are going to remedy the situation with PACE and PACENET is with this amendment and generating more revenue for the Commonwealth of Pennsylvania.

Each slot machine at Penn National will generate \$280 a day profit. Each slot machine in Philadelphia will generate \$400 a day in profits – in profits – in the hundreds of millions if not the billions of dollars. Let us take a little bit for the Pennsylvanians who are going to be putting their money in the slot machine. All we hear about is we want to keep our money at home. Well, let us spend it here, too.

I ask you to support the Saylor amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. LaGrotta.

Mr. LaGROTTA. Thank you, Mr. Speaker.

Mr. Speaker, I am touched, in fact I am moved, by the remarks of the former speakers. As a matter of fact, Mr. Speaker, if I thought for one brief second that any of those former speakers actually were going to vote for the bill on final passage, I might be moved enough to consider actually voting for some of these amendments. But the reality is, Mr. Speaker, that they do not intend to vote for the legislation, so all of the extra revenue, these panaceas of dollars that they boast about, they are actually not going to vote for on final passage.

Mr. Speaker, the leadership of both caucuses in this chamber have worked long and hard round the clock to negotiate a package that we can pass. If we do not pass this package the way it is written, not only will we not be able to help PACE and PACENET, not only will we not be able to help all of the other needy, worthy causes that the gentlemen speak of, we will not be able to do what this caucus has been trying to do for the 20 years that I have been here, and that is reduce school taxes for working Pennsylvanians.

Let us get to the heart of the matter. Let us pass this bill the way it has been negotiated and move on to giving the people that all of us represent real school tax reductions.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, this is Friday evening, and I guess it is time for the rubber to meet the road.

Mr. Speaker, we have said all along from day one that revenue enhancement coupled with an increase in taxes must be tied to positive outcomes. There must be a direct correlation between revenue enhancement, tax increases, and outcomes for people.

Mr. Speaker, we have looked at the budget; we have looked at our financial situation. We know that there are problems. Mr. Speaker, we have looked at our 14 universities and we know that they need extra money, especially the Temple universities of Pennsylvania. And, Mr. Speaker, we have looked at the future. We know that Pennsylvania is 47th in job creation.

So, Mr. Speaker, we have said all along that we will deal with revenue enhancement, tax increases, as long as there are positive outcomes, and, Mr. Speaker, the speakers before me have provided, have provided a world that looks good. Yes, we should get more from these licensees or these potential licensees, but, Mr. Speaker, if we were really concerned, if we were really concerned about positive outcome as we had said in the very beginning when we decided to increase the Commonwealth's return by 6 percent, we would have said in the amendment that that 6 percent will be dedicated to ABCDE, and if you do not like the alphabet, we would have said that the 6 percent would be dedicated to drug and alcohol programs, would be dedicated to public education, would be dedicated to job creation. Mr. Speaker, if we were fair and honest about what we are doing, we would have defined that in the amendment. But the amendment only says that we should increase the return by 6 percent, that we should take more than 6 percent than what we have allotted in the bill. So, Mr. Speaker, to just put that figure out there and hang it out there implies that we want the return but we do not want to define what we do with the return.

So to that end, Mr. Speaker, if you look at what we have done, what this side, that side, the Governor's Office, and people from around the State, what we have done, we have looked at this industry and we have targeted every dollar of return toward a beneficial purpose. In many cases that purpose is tantamount to, one, a billion dollars going back to property tax owners, property tax payers in the Commonwealth of Pennsylvania – a billion dollars, a billion dollars, a billion dollars, a billion dollars in property tax relief. We have also said that our counties, our local communities, must benefit from this revenue enhancement and from these tax increases.

So, Mr. Speaker, we have spelled out, we have spelled out very clearly what will happen with this proposal once it becomes law, and to now in the 13th hour on Friday night, while the sun is going down, to jump up and say, I want more; we should get more, without defining where that more would go, Mr. Speaker, is almost like a collateral attack, a collateral attack on a good proposal.

Vote "no" on the Saylor amendment, and let us move forward.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Berks, Mr. Rohrer.

Mr. ROHRER. Thank you, Mr. Speaker.

Mr. Speaker, I stand, and before I comment on the Saylor amendment, I am sitting here listening to debate today, and I am

getting angrier by the moment, and I do not get real angry generally, but it does bother me when I hear people stand and talk about negotiations, what has been negotiated thus far or we cannot deviate from it. The negotiations that have taken place over these last few weeks, obviously, have got to be good because that is what is here.

I would daresay, has anybody negotiated with the people of this State? Has anybody negotiated with the poor? Has anybody negotiated with the families that are going to be harmed by what we are talking about here today?

I think everybody ought to be very, very clear that the negotiations have not taken place by anybody other than special interests, who put millions of dollars into this effort, and individuals within this caucus and without who have deemed to appreciate those interests more than the interests of the people of this State, to whom we are obligated to protect.

And as we go down this effort, I find it very, very aggravating that the rules that are being followed and the system by which we are addressing this issue, which is probably the single most important issue to be voted upon by this General Assembly since I have been here for 11 years, is being treated in such a cavalier fashion.

Now, I have never gambled. I do not do it for a lot of reasons. I do not do it because I want to save my money, frankly. I do not do it because I think that it is wrong. I also teach my children not to gamble. But I guess my grandfather also taught me never to trust gamblers.

Now, there was an agreement made here earlier to bring amendments up on the floor. It was entered into openly by our side, and suspension of rules were granted, but then when the time came, I guess the agreement, in keeping with this issue, chooses not to be followed.

Now, I find that if this practice continues—

The SPEAKER. Mr. Rohrer—

Mr. ROHRER. Yes, Mr. Speaker.

The SPEAKER. —what is before us is amendment A2657.

Mr. ROHRER. I know, Mr. Speaker.

The SPEAKER. Thank you.

Mr. ROHRER. And we are talking about the gambling issue, of which this supposedly, if we agree to this, would violate some negotiations.

Now, if anybody here believes that 34 percent to 40 percent is outside the realm of possibility for the multimillion-dollar casinos, then I guess we are all half asleep, and particularly, if the effort stands to prevent the consideration of the Coleman amendment that deals with price of licenses, which what is in this bill is so grossly understated, I would say that the discussion is swirling around not consideration of what is best for this Commonwealth, not what is best for local municipalities, not what is best for the people who are going to go in and lose their money; it is simply the best for those who are going to profit by this.

And I think it is highly out of order, and, Mr. Speaker, if we are going to continue to go down this road where we are going to be debating things and having things done in such a fashion as we have not covered them, I would suggest and request that we meet for another caucus.

The SPEAKER. Thank you, Mr. Rohrer.

If you wish to break for a caucus, you would have to talk to the leadership about that.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Chair recognizes the gentlelady from Philadelphia, Ms. Washington, on amendment A2657.

Ms. WASHINGTON. Thank you, Mr. Speaker.

Mr. Speaker, I would like to ask for personal privilege.

The SPEAKER. The lady will state her point of personal privilege.

Ms. WASHINGTON. I have some remarks to be submitted for the record.

The SPEAKER. The gentlelady is in order.

Ms. WASHINGTON. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentlelady.

Ms. WASHINGTON submitted the following remarks for the Legislative Journal:

Statement by Representative LeAnna M. Washington, Representative Harold James, and Representative John Myers on passage of amendment 3252 to HB 623.

We would like to express appreciation to our Democratic Leader Bill DeWeese and his initiative to break the logjam over our concerns regarding minority hiring and contracting for the proposed gaming facilities we have approved today.

His amendment 3252 offers a commonsense solution to the problems and opportunities which arise with the enactment of an entire new industry in Pennsylvania with required capitalization of hundreds of millions of dollars and a potential generator of many times that in gross income.

The DeWeese amendment addresses our concern and expresses the legislative intent that the acceptable, practical goals of diversity in ownership, employment, and contracting opportunities will be reviewed by the State Auditor General.

The language is general and does not rely on specific targets on quotas. It does, however, request that cooperation in diversity be respected.

We also want to thank all of our colleagues in the House on both sides of the aisle for giving this amendment unanimous support.

In its own way, the agreement today shows diversity does have the power to act as one when we rise to a higher spirit for inspiration.

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Clymer, for the second time.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, we are talking about a 6-percent increase in the dollar amounts that Representative Saylor has indicated. I will just tell you that mention has been made that those people who own the racing tracks in Pennsylvania, if they can afford it, if Magna International can pay \$55 million for the Meadows; if Penn National can buy casinos in Louisiana and in other States across this nation, if they can invest in a track in West Virginia; if Philadelphia Park, which is owned by an international investor, can receive millions of dollars back on his investment, then, Mr. Speaker, surely, surely, this additional money that will be used to help the Commonwealth for many social problems or expenses that local municipalities certainly will incur if this bill should become law, certainly a 40-percent take is not something that we can vote against but we should be voting for.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I must say, I am amused by some of the debate that has been going on here. I believe I heard correctly that a

34-percent tax on business just was not enough; that what we really needed to do was raise it another 6 percent, because there was the potential for some of these businessmen to make 100 percent profit. I did not hear the concept put forward, though, that any business that made 100 percent profit ought to always pay an additional 6 percent, because after all, they made 100 percent profit, so that was reason enough to give them another 6 percent tax on top of whatever they were paying.

But I am glad that at least a lot of my colleagues have gotten up and supported the idea that businesses should be taxed at a reasonable rate, because when we go to close the Delaware loophole, which allows businesses to avoid over a billion dollars in taxes in the State of Pennsylvania, I will be counting on their vote, and when we go to make regular businesses pay a reasonable amount of tax – not an excessive amount, not 34 percent, not 40 percent, but their reasonable fair share – they should be there with us.

So I am glad to have them on the record in that vein, and I hope that they will continue to promote those kinds of reasonable taxes on businesses.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny, Mr. Petrone.

Mr. PETRONE. Thank you, Mr. Speaker.

To my colleagues whom I have listened to attentively for many, many years, without interrupting them, I hope you will give me 1 or 2 minutes to make some points, and I really am not for or against this amendment, but I would like to point out some key things about what we are doing.

For the last 3 years, we worked on a bill called the Horse Racing Industry Improvement Act, HB 777. I am sure you will remember it, many of you. The intent was to split 50 percent, 50-50, the proceeds with the owners of the tracks and the State, which at the time seemed a fair split; as time went on, because the revenue for that was going to go to host municipalities, programs for the elderly – property tax and rent rebate, shared ride, area agencies on aging, many of the social things my colleagues have referred to – school districts within the municipalities, and more importantly, the State's racehorse breeding funds and sire stakes, increased daily purses, health insurance, life insurance and other benefits for Thoroughbred jockeys and Standardbred drivers, and the installation of sprinkler systems to correct a serious problem that occurred.

At the time 50-50 seemed fair, but after the initial changes that occurred over the past months with this legislation and with the investors having to put up such a considerable amount of money for improvements, I still feel that 34 percent for the State's share is a fair amount.

I feel that all the things that we are concerned with, under the act, are fairly being treated, and I just want to make the points that as long as these things are covered to ensure the health of the horse racing industry for the future, it should be good for everybody.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Stern.

Mr. STERN. Thank you, Mr. Speaker.

We are talking about a specific business entity here today, and what we are looking at today, we are looking at casinos, so we have heard on the floor here today that we want to allow

them to get more money so they can build world-class facilities. That has been stated over and over again today. Well, what about Pennsylvania taxpayers?

We are talking about world-class casinos, but what about subpar social programs? How about the subpar bridges in Pennsylvania? How about the lack of funding to libraries, the lack of funding for drug and alcohol? But yet we want to give megamillions to gambling corporations.

I stand to support the Saylor amendment and ask for an affirmative vote.

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

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I want to rise and very strongly oppose the gentleman's amendment.

And, Mr. Speaker, as I do so, I want to mention that I think one of the problems that this amendment creates was demonstrated by the very first interrogation that took place, the gentleman from Bucks County asking the maker of the amendment a series of questions about if you are going to increase the State's take on this, whose take are you decreasing? Mr. Speaker, I think the maker of the amendment certainly did his best, but it was very difficult to explain.

Mr. Speaker, I heard numerous members on that side of the aisle, opponents of gaming, talk about greed involved because of the rate of return that we have in this bill for owners. Mr. Speaker, I think it is a very important discussion that needs to take place on this bill right here and now about that rate of return.

Mr. Speaker, when we put this bill together, we had certain important principles, and greed certainly was not one of them. We wanted to, number one, generate revenue for the State of Pennsylvania. Number two, Mr. Speaker, we wanted to make sure that we were creating in this State real entertainment destination points.

Mr. Speaker, one of the important principles was that when we decide what splits to make in all the revenue generated by these slot machines, one important principle was to make sure that at the end of the day, all those shares corresponded as closely as possible with what is the national average, the benchmark nationally, the industry benchmark throughout the country, and I am very proud of the fact that this bill does in fact do that.

And, Mr. Speaker, on that related point, I know a couple of members mentioned this briefly, but let me emphasize it. We have the highest upfront licensing fee for owner-operators in the country, the highest upfront owner-operator licensing fee in the country. Now, that does not sound like a boondoggle to the slot owners to me.

And, Mr. Speaker, I can tell you that we have, for example, the opportunity for the owner-operators to make 46 1/2 percent return on their investment; 46 1/2 percent share goes back to the owner-operators. And, Mr. Speaker, I want to note that in West Virginia, right next to me, with the tracks that we are competing with in West Virginia, the owners get 2 1/2 percent more than we are providing them in the State of Pennsylvania, plus we are asking them for a \$50 million upfront, highest in the nation licensing fee. Or the other end of the State, you want to talk about the State of Delaware, who provides even more money than the State of Pennsylvania to the owner-operators.

And, Mr. Speaker, let us remember, and when we talk about 46 1/2 percent of this slot money going to the owner-operator, let us be very clear that that money does not go into their pocket; that one of the important principles of this whole issue, from day one, was to create tens of thousands of new, well-paying jobs in the State of Pennsylvania. Some portion of that money, some part of that 46 1/2 percent that goes to the owner, does not go into their pocket; that is what pays for the kinds of jobs we are talking about creating across the State of Pennsylvania. We are talking about creating 50,000 new jobs in this industry – good, well-paying jobs with health-care benefits.

Mr. Speaker, just to build the facilities, we are talking about anywhere from 5,000 to 10,000 very well paying construction jobs being created in Pennsylvania. That money comes out of the owner's share.

This is not about greed. This was a well-crafted, finely tuned effort to stick to the national average; to make sure that we had entertainment destination points that created jobs; to give a reasonable rate of return on investment for those owner-operators who would make that investment in the State of Pennsylvania.

Mr. Speaker, this bill does all of those things and more, and the passage of this amendment would unravel all of that complicated, complex formula on what share went to owners; what share went to the State; what share went to the horsemen; what share went to the breeders; what share went to those folks who work at the back end of the tracks, who, by the way, for the first time we put a pension, make sure that we pay for a pension, in this bill. If you have been on the back side of those tracks, you will recognize that those are people who need a pension and need health-care benefits, and we require it under this bill.

This is not about greed. This is about creating jobs in the State of Pennsylvania. It is about generating a reasonable amount of money to the State of Pennsylvania for \$1 billion in property tax reduction.

Mr. Speaker, this was well done. Lots and lots of man-hours, person-hours, went into crafting this in a way where we had to deal with a variety of interests all over the State, and this amendment would unravel that very complex coalition that has been put together, and I would ask for a negative vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Cambria, Mr. Yewcic.

Mr. YEWIC. Thank you, Mr. Speaker.

I rise to support the Saylor amendment.

Last night I was reminded that over the last 8 years, it has been the Democratic Caucus that has fought the battle to reduce property taxes. I think that this amendment, which raises the Commonwealth's share from 34 to 40 percent, goes a long way to help those senior citizens in my district to even further reduce their property taxes. In my home school district, without this amendment, my reduction in property taxes is a measly \$146. Once we increase the EIT (earned income tax), the PIT (personal income tax), and any other tax, I will be owing money instead of saving money on reduction of the property tax.

Therefore, I think it is a great idea. It is an amendment that ought to be supported. It helps all our constituents to further reduce property taxes. That is what we should be doing, not trying to find other spending programs that increase the State spending.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. Taylor, for the second time.

Mr. TAYLOR. Thank you, Mr. Speaker.

Very briefly, for all the benefits of this bill that were just outlined by the minority whip, if you are for this bill and if you want it to go forward for the jobs, for the racing industry, and for the Property Tax Relief Fund, I would ask you to vote "no" on this amendment. Thank you.

The SPEAKER. The Chair recognizes the gentleman from York, Mr. Saylor, for the second time.

Mr. SAYLOR. Thank you, Mr. Speaker.

As we have heard on the House floor tonight the motives as to why I drafted this piece of legislation, this amendment to the bill, I want to remind people that actually when I drafted this amendment, I was actually considering voting for this bill, and I changed my mind later on, and what I did in trying to figure out what to do with this bill was I looked at other States. I am not proposing to kill this bill by going to 70 percent like Illinois or 60 percent or whatever some other States have done. What I think is reasonable is what I did with this amendment.

You know, we are going to come back in a few weeks or a few days or whatever it is to finish up our budget work, and we are going to be asked the question about restoring funds to our libraries. We are going to be talking about the Health and Human Services Fund. We are going to be talking about firefighting issues. We are going to be talking about all kinds of other issues that you have discussed on the floor of this House about restoring, and the question is, where do you get that money? We are going to be asked to come back here and raise taxes, raise taxes, on the people of this Commonwealth so that we can restore those cuts.

Here we are simply asking that we take out of a profit which we are guaranteeing these racetracks of \$900 million and guaranteeing to a business, which we have never done in this State's history, that for 10 years, for 10 years, none of these business owners will get a State income tax increase; 10-year guarantee. I will tell you, that is what I call a great business deal, and we should offer that to all businesses in this Commonwealth, because if we could, we would be creating a lot more jobs, when you guarantee a business you are not going to increase their taxes in this Commonwealth. All I am asking for is for the taxpayers of this Commonwealth to get their fair share, fair share of \$176 million more out of a \$900 million profit line.

We need to make sure that the people of Pennsylvania are treated fairly as we move forward with this bill, and I ask for a "yes" vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. Tigue, wish to be recognized for the second time?

Mr. TIGUE. Yes, Mr. Speaker.

Thank you, Mr. Speaker.

Mr. Speaker, the Democratic whip mentioned earlier about West Virginia versus Pennsylvania, and he said that West Virginia percentages were more than Pennsylvania, and that may be right. But again, we are not talking about percentages; we are talking about dollars.

According to the racing industry, West Virginia – and I am looking at this right now, the number one source to the State – when you look at the numbers of Mountaineer versus, say, the Meadows, based on their projections, the projections for gross slot revenue at the Meadows is over \$400 million. That is the Meadows. When you look at West Virginia, Charles Town, Charles Town, slots annually is less than a quarter of that, or about a quarter of that. So we are not talking about the same thing when we say one is getting 46 percent; the other one is getting 44 1/2 or 2 or 3 percent more. We are talking about hundreds of millions of dollars more generated in Pennsylvania. That is what we should be looking at.

Think about this: We are talking about 11 individuals. Actually, we are not. Some of them have more than one license here. Would you vote to give 11 people the State store system? And compare the revenue generated from slots to the State store system. These people – and I understand that they have to make an investment – but it is our decision to determine what is a fair take for each party in this proposal.

The State’s share should, without question, be more than it currently is in the bill, and I support Mr. Saylor’s amendment.

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–89

Allen	Egolf	Hickernell	Samuelson
Armstrong	Fairchild	Hutchinson	Sather
Baker	Feese	Leh	Saylor
Baldwin	Fleagle	Lewis	Scavello
Bard	Forcier	Lynch	Schroder
Bastian	Freeman	Maitland	Scrimenti
Benninghoff	Gabig	Major	Semmel
Birmelin	Geist	McIlhattan	Smith, B.
Boyd	Gillespie	McNaughton	Smith, S. H.
Browne	Gingrich	Metcalfe	Stairs
Caltagirone	Godshall	Miller, S.	Stern
Causar	Gordner	Mustio	Stevenson, R.
Cawley	Habay	Petrarca	Stevenson, T.
Clymer	Hanna	Phillips	Surra
Coleman	Harhart	Pickett	Tigue
Cornell	Harper	Pistella	True
Costa	Harris	Reed	Turzai
Crahalla	Hasay	Reichley	Vitali
Creighton	Hennessey	Rieger	Wilt
Dailey	Herman	Roberts	Yewcic
Dally	Hershey	Rohrer	Yudichak
Denlinger	Hess	Rubley	Zug
Diven			

NAYS–112

Adolph	Fabrizio	Markosek	Santoni
Argall	Fichter	Marsico	Shaner
Barrar	Flick	McCall	Solobay
Bebko-Jones	Frankel	McGeehan	Staback
Belardi	Gannon	McGill	Steil
Belfanti	George	McIlhinney	Stetler
Bianucci	Gergely	Melio	Sturla
Bishop	Goodman	Micozzie	Tangretti
Blaum	Grucela	Miller, R.	Taylor, E. Z.
Bunt	Gruitza	Mundy	Taylor, J.
Butkovitz	Haluska	Myers	Thomas
Buxton	Harhai	Nailor	Travaglio

Cappelli	Horsey	Nickol	Vance
Casorio	James	O'Brien	Veon
Civera	Josephs	Oliver	Walko
Cohen	Keller	O'Neill	Wansacz
Corrigan	Kenney	Pallone	Washington
Coy	Killion	Payne	Waters
Cruz	Kirkland	Petri	Watson
Curry	Kotik	Petrone	Weber
Daley	LaGrotta	Preston	Wheatley
DeLuca	Laughlin	Raymond	Williams
Dermody	Leach	Readshaw	Wojnaroski
DeWeese	Lederer	Roebuck	Wright
DiGirolamo	Levdansky	Rooney	Youngblood
Donatucci	Mackereth	Ross	
Eachus	Maher	Ruffing	
Evans, D.	Manderino	Sainato	Perzel,
Evans, J.	Mann		Speaker

NOT VOTING–0

EXCUSED–1

Lescovitz

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 concur in Senate amendments as amended?

RULES SUSPENDED

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

Mr. GABIG. Mr. Speaker, I move to suspend the rules for the following amendment: amendment A2460.

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

The SPEAKER. The Chair recognizes the gentleman, Mr. Gabig, on the suspension of the rules.

Mr. GABIG. Thank you, Mr. Speaker.

Is Mr. Veon going to permit me to run this amendment?

The SPEAKER. This is only on suspension. You have the floor to speak on your amendment.

Mr. GABIG. This is a very noncontroversial, all-Pennsylvania amendment that is going to help the Pennsylvania horse industry and the commercial and economy of Pennsylvania, so I would ask for suspension.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. We will acquiesce, again, for the debate. We think that in the spirit of our dialogue over the last several days, it is appropriate, although I am not so certain that we will embrace your argumentation.

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

The following roll call was recorded:

YEAS-192

Adolph	Fabrizio	Maitland	Sather
Allen	Fairchild	Major	Saylor
Argall	Feese	Manderino	Scavello
Armstrong	Fichter	Mann	Schroder
Baker	Fleagle	Markosek	Scrimenti
Baldwin	Flick	Marsico	Semmel
Bard	Forcier	McCall	Shaner
Barrar	Freeman	McGeehan	Smith, B.
Bastian	Gabig	McGill	Smith, S. H.
Bebko-Jones	Gannon	McIlhattan	Solobay
Belardi	Geist	McIlhinney	Staback
Belfanti	Gergely	McNaughton	Stairs
Benninghoff	Gillespie	Melio	Steil
Biancucci	Gingrich	Metcalfe	Stern
Birmelin	Godshall	Micozzie	Stetler
Bishop	Gordner	Miller, R.	Stevenson, R.
Blaum	Grucela	Miller, S.	Stevenson, T.
Boyd	Gruitza	Mustio	Sturla
Browne	Habay	Myers	Surra
Bunt	Haluska	Nailor	Tangretti
Butkovitz	Hanna	Nickol	Taylor, E. Z.
Caltagirone	Harhai	O'Brien	Taylor, J.
Cappelli	Harhart	Oliver	Thomas
Casorio	Harper	O'Neill	Tigue
Causar	Harris	Pallone	Travaglio
Cawley	Hasay	Payne	True
Civera	Hennessey	Petrarca	Turzai
Clymer	Herman	Petri	Vance
Coleman	Hershey	Petrone	Veon
Cornell	Hess	Phillips	Vitali
Corrigan	Hickernell	Pickett	Walko
Costa	Horsy	Pistella	Wansacz
Crahalla	Hutchinson	Preston	Washington
Creighton	James	Raymond	Waters
Cruz	Josephs	Readshaw	Watson
Curry	Keller	Reed	Weber
Dailey	Kenney	Reichley	Wheatley
Daley	Killion	Rieger	Williams
Dally	Kirkland	Roberts	Wilt
DeLuca	Kotik	Roebuck	Wojnaroski
Denlinger	Laughlin	Rohrer	Wright
DeWeese	Leach	Rooney	Yewcic
DiGirolamo	Lederer	Ross	Youngblood
Diven	Leh	Rubley	Yudichak
Donatucci	Levdansky	Ruffing	Zug
Eachus	Lewis	Sainato	
Egolf	Lynch	Samuelson	
Evans, D.	Mackereth	Santoni	Perzel,
Evans, J.	Maher		Speaker

NAYS-9

Buxton	Dermody	George	LaGrotta
Cohen	Frankel	Goodman	Mundy
Coy			

NOT VOTING-0

EXCUSED-1

Lescovitz

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.

On the question recurring,
Will the House concur in Senate amendments as amended?

Mr. GABIG offered the following amendment No. A2460:

Amend Sec. 2 (Sec. 9206), page 28, line 6, by inserting after "FOLLOWING"

and agrees to the provisions of subsection (a.1)

Amend Sec. 2 (Sec. 9206), page 28, by inserting after line 30

(a.1) The licensed corporation must agree to conduct during each day of live racing at least six races that feature only Pennsylvania-bred or Pennsylvania-sired horses.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman, Mr. Gabig, for an explanation of the amendment.

Mr. GABIG. Thank you, Mr. Speaker.

What the amendment does is it requires that at least six races at a racetrack feature Pennsylvania-bred or Pennsylvania-sired horses during the days of racing, so they could have six all-Pennsylvania horses in the races.

The reason it is such a great amendment and noncontroversial— I know we have been here and it has been a very difficult and contentious and somewhat emotional – I heard people saying they were angry and other people insidious and battle flags being put across – but I want to be a healer of some of the divisions here; I do not want to be a divider. I want to bring us all Pennsylvanians together tonight on this amendment.

What this will do, I know we are here to save the Pennsylvania horse industry. That is one of the main goals of this whole approach. I have heard my Governor, Governor Rendell, talk about that for a long time, and I have heard many people that are both proponents of it and opponents say that. That is what this will do.

I know everybody was busy yesterday, but I received yesterday in the mail the Pennsylvania Equine Industry pamphlet from Penn State, so this argument is based on science, Penn State science, dated May 2003. It is "Inventory, Basic Economic and Demographic Characteristics of the Equine Industry," and there is a letter – I am sure many of you read it yesterday – from the new Agriculture Secretary supporting this study that was done by a scientist at Penn State, at the College of Agricultural Sciences at Penn State, and he tells us how important the horse racing industry and the horsing industry in general is to Pennsylvania.

And there is a very, very moving note at the beginning of that pamphlet that we all received yesterday, and I would just cite for you; it is an anonymous quote. It says, "Look back at man's struggle for freedom, trace his present day strength to its source, and you'll find that his pathway" – and I guess it might be "her pathway" in today's politically correct era – "to glory is strewn with the bones of the horse" – the horse. And I heard about the battle flags, and I look up at that great Pennsylvania flag, that great Pennsylvania flag with those two horses, two horses, holding up the commerce of this State – the urban areas, the suburban areas, the rural areas. We need the horse; we need the horse. We have got to have Pennsylvania horses.

Pennsylvania has more horses than the Commonwealth of Kentucky. Now, I lived in the Commonwealth of Kentucky, mind you. I had a sister that was born there. I have dear affections for this State. We have more horses than they do. Did you know that? More horses than they do. We have more

horses than almost any other State in the Union. We have more horses than the Commonwealth of Virginia, Commonwealth of Massachusetts; more horses than the people's republic of New Jersey. We have a lot of horses, and we have to help those horses.

Now, now listen; listen. There is another very important piece that I read last night around 9:30, as I was waiting to come down here, and it is about— I want to reduce the emotional level. I told you, I want to be a healer; I do not want to be a divider on the issue. I am bringing us together – all right? – bringing us together on this very important amendment.

There is something about horses that we all know, and this scientific study here talks about it. Let me find the page here. It is called – here it is, right here – the “Manure Handling Systems,” the importance of the “Manure Handling Systems.” It is subtitled right there. “There are two” – and I am going to quote from this very scientific study that I am sure the taxpayers of Pennsylvania paid for – “There are two principal equine industry manure management systems.”

Now, I bet you, you did not know that. I am giving you a lot of good information here tonight; a lot of very good information. Two types.

The one type reminded me of a Republican sort of philosophy. Here it is: “The first system permits horses to graze full-time on pastures and the manure is not collected or treated.” It is just sort of left out there in the free market, and nature takes its course, out there on the pasture. That is sort of a Republican approach.

But here, there is another one; there is another one, more command and control, a more economic-planning-type approach: “The second system confines animal feeding, which relies on intensive management” – intensive management – “and the horses are kept in stalls or runs.” They are confined; a lot of regulations.

Now, I am not going to get into some of the details. It gets a little graphic for some of you people that have not been on farms before. You know, they are farm animals out there.

But they have three types of this intensive management. One of them is the stockpile method. The stockpile method is where manure is removed daily and stored in piles. So they store this, and to do that – now, here is the point of this – it is not just farmers and agriculture, many of whom I have live in my district and many I know in the small counties that we heard so much about and the western part has – but how do you stockpile these piles of manure? You need utensils; you need tools; you need tractors that need gasoline. You need pitchforks that have metal and wood; you need that, and you need to store them.

The SPEAKER. Mr. Gabig.

Mr. GABIG. Okay. Sorry.

That was the short version of the— But it is a great, it is a great, great piece of legislation that will make this a better thing. It is open space, Mr. Speaker. I know so many people in the southeast and other areas that own big houses and do not want anybody else to build them. They want open space, greenlands. Right? They want that. Just think, with all these horses, they take up acres and acres and acres of space. It is good for open space. If you are a conservationist and environmentalist, you have to love this amendment; love it. I know there are some good environmentalists over there that love open space.

You have got to be for this. It will improve the bill, make it better; make it a much better bill.

All right. Mr. Speaker, that is my short explanation. I do not want to take up too much time on it. I would encourage my colleagues to seriously come together on this issue and help the horse industry of Pennsylvania.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. Would the gentleman accede to a one-question interrogation?

The SPEAKER. The gentleman, Mr. Gabig, has indicated that he will stand for interrogation.

Mr. GABIG. I know there has been a lot of contention on whether to respond to interrogations, but I will manly stand up to any and all comers here.

Mr. DeWEESE. This is just a numerical question. Would the gentleman answer, roughly, how many horses, either Thoroughbred or Standardbred, are available in this State, and again, approximately, and the second part of the same question, what would happen if that number were not reached at this juncture? I am confident that if this measure passes, many of those wonderful observations that you made would be realized. I hope you are an affirmative vote for the measure, but I would like to know, what would happen, under your amendment, if we could not reach the numerical threshold of having all Pennsylvania horses racing in six races a day at each of those sites?

Mr. GABIG. If I understood, Mr. Speaker, the gentleman's question, he asked how many racehorses there are in Pennsylvania?

Mr. DeWEESE. Just approximately, and more importantly, what would happen – I guess that is relatively on the margins – but what would happen if we did not have enough horses in the Thoroughbred and in the pacing world to satisfy your amendment in year 1 or 2 or 3? I am quite confident that if this measure passes, it will be a very healthy injection to our agricultural industry, the equine industry that you have waxed on so eloquently about, so in a year or two or three or four, I am very, very sanguinary about the possibilities of having all of that manure and having all of these successful sites, but right know, what if we do not have enough horses?

Mr. GABIG. That is a good point. You know, sadly, when you talk about horses, Mr. Speaker, some of these horses, when they pass on, they are turned into glue, and I know you have to paint the barns – PPG from Pittsburgh. Everybody from Pittsburgh should vote for this. You have got to paint those barns with Pittsburgh paint.

So how many horses are there? I told you, we have more horses than anyplace in the country, and I did not know that myself till I researched this amendment. We have over 26,000, 26,000 racehorses, and that does not include Arabians and some other horses that could get out there. So we have so many racehorses. People take them all over the country and all over the world to race.

So we have more than enough horses to race, I can assure you, Mr. Speaker.

The SPEAKER. Mr. DeWeese.

Mr. DeWEESE. Well, I would conclude my interrogation. There are all kinds of metaphors about manure and so forth, and I will not venture in that area.

But I am told by my staff, who has been assiduously researching these matters over the past many months, that the gentleman's number is exponentially bloated and that we are not talking about plowhorses and Clydesdales; we are talking about Thoroughbreds and Standardbreds, and I would opine that if his amendment were to be adopted, it would again be another poison pill.

There is a malevolence about this whole amendment, and I would ask for its defeat.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I have not heard back from any of the horse racing corporations that this was a bad amendment. I am sure everyone knew for days that these amendments were forthcoming. If someone in either caucus has received a letter saying that this amendment was not feasible, I think this would be a wonderful opportunity for that member to get up and say, you know, I heard from my racetrack.

The gentleman, Mr. Gabig, is absolutely correct when he says this will stimulate the number of farms to operate. It will help them find the proper sites in the Commonwealth for them to race their horses, and if this bill indeed, as some members believe, is going to pass, then certainly you would want to put this amendment into this legislation.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Corrigan.

Mr. CORRIGAN. Thank you, Mr. Speaker.

Mr. Speaker, first, I rise to oppose the Gabig amendment. This is an amendment that would kill the bill. It would kill horse racing in Pennsylvania.

Putting horses or selecting horses for racing is not something that we should legislate. This is the purview of the Horse Racing Commission in Pennsylvania. We would all like to see Pennsylvania-bred horses in races throughout the Commonwealth, and there are, and there are special races that are held for Pennsylvania Thoroughbreds, and there is an incentive for Pennsylvania Thoroughbreds to run here in Pennsylvania, but there are no State boundaries for attracting horses for a particular race or for all of the races or for 6 out of 10. It is just not a practical thing to do. It is probably not a legal thing to do. You would seriously hamper the horse racing industry in Pennsylvania if you were to put such an amendment into statute here in Pennsylvania.

This is the purview of the Racing Commission. They do a good job at that. Let them continue to do that, and let us continue to do the things that we are doing.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

Mr. Speaker, the chairman of the House State Government Committee just mentioned that he did not hear anybody suggest that this was a bad amendment until now, but, Mr. Speaker, I am here to tell you that this is a bad amendment.

There are certainly not enough quality racehorses currently in the Commonwealth of Pennsylvania to fulfill this standard, and if we are serious about increasing the benefits of the racing industry in Pennsylvania, about increasing purses,

about enhancing the events – we want good horses constantly racing in these races – this kind of mandate is certainly not only unworkable but a terrible thing for this bill, and I would ask for its defeat.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Chester, Mr. Ross.

Mr. ROSS. Thank you, Mr. Speaker.

Again, also I do have a considerable number of horse breeders who live in my district. I am somewhat familiar with them and some of the concerns that they have, and I would state that this amendment is both unnecessary and also very dangerous to the horse breeders themselves. It is very important to remember that the slots at the tracks are going to help provide money to the horse breeders fund. That horse breeders fund is designed to help increase purses for Pennsylvania-bred horses, and it will be an absolutely critical device in that regard.

But in fact, if we merely increase the number and requirement for Pennsylvania-bred horses without using the techniques and the care that is currently being exercised over that program, we are going to accelerate the breeding of horses in a reckless fashion in Pennsylvania. They work very hard to make sure that they have well-bred horses, that they do not have horses with congenital defects, that they do not have horses that have bad bloodlines, and in fact, this effort, although well intended, would actually degrade the quality of Pennsylvania horses and create significant problems for the breeders who are trying to do this job properly. They take great care. There is a well-organized effort in this regard already. Some money going into that effort will be very welcome and will do a lot for all the great things that my colleague from York County has mentioned in terms of increasing saving of open space, in terms of helping the industry generally, but a reckless, across-the-board mandate like this will create tremendous mischief and is a very bad idea.

And for the horses and the horse breeders, I ask that we get a “no” vote on this from my colleagues. Thank you.

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

Mr. HERSHEY. I rise to ask if the gentleman from York or Cumberland would answer a brief question.

The SPEAKER. The gentleman indicates that he will stand for interrogation.

Mr. HERSHEY. Mr. Speaker, my question is, do the surrounding States that have horse racing, like Kentucky, New Jersey, or Delaware, do they have rules that have races by their horses only bred in that State?

Mr. GABIG. I do not know the answer to that.

Mr. HERSHEY. Thank you very much.

The SPEAKER. Mr. Levdansky.

Mr. LEVDANSKY. Mr. Speaker, would the maker of the amendment just stand for one brief question?

The SPEAKER. The gentleman indicates that he will stand for interrogation.

Mr. LEVDANSKY. Mr. Speaker, just for argument's sake, let us just assume that this amendment were passed and you will get your wish and we will have a number of races that we have only Pennsylvania horses, notwithstanding the merits of that argument, of course, but just assume that it does pass, would you support the legislation on final passage if your amendment were to be included?

Mr. GABIG. I do not think that is on— That is not a proper question, Mr. Speaker, is it? That is not on the amendment.

I think the gentleman knows my position on final passage.

Mr. LEVDANSKY. No, I do not. I would not ask the question if I knew the answer.

Mr. GABIG. I do not think I am going to be supporting final passage.

Mr. LEVDANSKY. Okay.

On the amendment. Mr. Speaker?

The SPEAKER. Mr. Levdansky, Mr. Levdansky, on the amendment. We know that everybody is a little tired, but whether he is a “yes” or a “no” on final passage of the vote is really irrelevant to the discussion that we are having on the amendment right now. Confine your questions to the amendment.

Mr. LEVDANSKY. No further questions.

The SPEAKER. The gentleman is in order.

Mr. LEVDANSKY. Mr. Speaker, I would think, in my judgment, this is like protectionism taken to an irrational extreme, is really what this is. This would make as much sense, if we did this, we ought to say that all the drivers at the Pocono 500 ought to be Pennsylvania drivers; that the only people that ought to be able to play for the Pittsburgh Steelers ought to be from Pennsylvania, and the Eagles. This just does not make a lot of sense.

In addition to being irrational and not making sense, one other point is this: I support this legislation principally because I want to strengthen and protect the 35,000 jobs in Pennsylvania associated with the horse racing industry. That is why we started this effort 6, 7 years ago. It is to protect the horse racing industry, to make it grow. That is the number one reason why we ought to be supporting this legislation.

I want to point out to you this: And principal to that 35,000 jobs is the equine industry and the horse breeding industry at Hempfield Farms, at Hanover Farms, and rural Pennsylvania. Most of these 35,000 jobs come in the agricultural community. I have very little to no agriculture in my district, but I am going to support this legislation, because it will protect the industry.

But I just think it is a little bit hypocritical that those members of the General Assembly that come from rural Pennsylvania, where most of those 35,000 jobs are, will not support this legislation, but guys like me, who get very little direct benefit from this, are going to vote for it because we think this makes sense for Pennsylvania.

I think this makes sense for everybody, including those members whose districts where they will not vote for this. They are going to derive the principal benefit from this, but a lot of legislators that do not derive principal jobs benefit from this will put the votes up to make that happen.

I just think this amendment is disingenuous, it is hypocritical, and it is irrational above all else, and for those and other reasons, I would urge its defeat.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Blair, Mr. Stern.

Mr. STERN. Thank you, Mr. Speaker.

The minority leader had asked a question earlier. He had interrogated the maker of the amendment. I just wanted to provide a little bit of information on the previous question, and I received a Pennsylvania Equine Industry report through Penn State University. I just wanted just for clarification, so the members would have that information before making their vote.

“Pennsylvania’s racehorse industry included 26,365 head of horses. There were 14,815 and 11,550 head of Standardbreds

and Thoroughbreds, respectively. An additional 6,317 Standardbreds and 9,567 Thoroughbreds were reported in the general equine survey.” These are horses that are not used for racing. “The two breed totals, when including the non-racing population are 21,132 for Standardbred and 21,117 for Thoroughbreds. In addition” – as mentioned previously – “a limited number of owners of American Quarter Horses, Arabians and Appaloosas reported racing these breeds out of state.”

I just wanted that for the record, Mr. Speaker, and appreciate the chance to offer those numbers.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks, Mr. Clymer, for the second time.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I think there was a misperception as Representative Gabig tried to explain it. He also said that any sired horses. Now, those sired horses could be in Virginia, in West Virginia, and Delaware, and they could run in Pennsylvania and be part of that Pennsylvania team, not only the racehorses that are here in Pennsylvania at the various stables and farms. So you have an additional thousands of other racehorses that could qualify.

In addition, indeed, if the purses do increase, we want to make sure that Pennsylvania farms and Pennsylvania-sired horses receive the benefit; that those owners are able to participate and receive those high prices, those prizes.

Mr. Speaker, someone had just mentioned that they are here to vote for this bill because they want to see the racetracks and the horse farms and the 35,000 jobs increase. Obviously, then they are not here to vote for the bill that is going to make multimillionaires out of these racetrack owners and especially the ones who are getting the racetracks, and they are not going to vote for the bill because of the addiction that is going to increase on those people who go and gamble.

So I think that these other points had to be brought in as well, and I conclude my remarks and would ask support for this amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Chester for the second time, Mr. Ross.

Mr. ROSS. Thank you, Mr. Speaker.

I will be brief, but I did want to respond to my good friend from Blair County on the numbers of horses.

Please do not take statistics like this straight. Although those numbers sound pretty good, you have to weed out all the horses that are not actually available for racing, even though they may be designated for racing. They are not necessarily sound all the time, so you cannot count on them being available for the racetrack. Some are in early stages of development, so they are not available for racing, and others are past their prime and are no longer available for racing.

We really should not be designating these numbers in the General Assembly, particularly since we have excellent other experts who are understanding and knowledgeable of horses, horse breeding, and horse racing, who will be concerned about protecting the quality of racing at the track, and if any of you have ever seen a horse pushed to race or pushed to perform when it is not ready, just because the owner or perhaps the track is eager to have that horse run, it is a terrible thing to have

happen, and I would not want us to be party to that kind of pressure.

Thank you.

The SPEAKER. The Chair wishes to recognize the gentleman, Mr. Gabig, for the second time.

Mr. GABIG. Thank you.

I am going to be very brief. I think most of the points were argued here on both sides.

I do want to repeat, the number that I gave was not inflated in any manner. It came from that very scientific study that I talked about – 26,000.

Additionally, the point about sired, that means they can be studied here and they can be from other areas, so that number is not deflated. There are a lot more out there from Kentucky and other places that came here and were sired.

In terms of being a hypocrite and disingenuous, et cetera, I have only been here for 3 years, less than 3 years, and I have seen often that amendments are put in to improve a piece of legislation, and maybe you are for it or against it on final passage, but I do not think that means you are a hypocrite because you tried to improve it. So I am trying to improve this for the horse industry and the commerce, and I do not think that is hypocritical, Mr. Speaker.

Thank you very much. I would ask my colleagues to support this amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-55

Armstrong	Feese	Maher	Saylor
Baker	Fleagle	McIlhattan	Scavello
Baldwin	Forcier	McNaughton	Schroder
Birmelin	Gabig	Metcalfe	Semmel
Boyd	Geist	Miller, R.	Smith, B.
Causer	Gingrich	Miller, S.	Smith, S. H.
Clymer	Gordner	Mustio	Stairs
Coleman	Habay	Payne	Stern
Crahalla	Hanna	Petrarca	Stevenson, R.
Creighton	Harris	Pickett	True
Dailey	Hickernell	Reed	Vitali
Denlinger	Hutchinson	Rieger	Yewcic
Diven	Lewis	Rohrer	Zug
Egolf	Lynch	Sather	

NAYS-146

Adolph	Evans, D.	Leh	Sainato
Allen	Evans, J.	Levdansky	Samuelson
Argall	Fabrizio	Mackereth	Santoni
Bard	Fairchild	Maitland	Scrimenti
Barrar	Fichter	Major	Shaner
Bastian	Flick	Manderino	Solobay
Bebko-Jones	Frankel	Mann	Staback
Belardi	Freeman	Markosek	Steil
Belfanti	Gannon	Marsico	Stetler
Benninghoff	George	McCall	Stevenson, T.
Bianucci	Gergely	McGeehan	Sturla
Bishop	Gillespie	McGill	Surra
Blaum	Godshall	McIlhinney	Tangretti
Browne	Goodman	Melio	Taylor, E. Z.
Bunt	Grucela	Micozzie	Taylor, J.
Butkovitz	Gruitza	Mundy	Thomas
Buxton	Haluska	Myers	Tigue
Caltagirone	Harhai	Nailor	Travaglio

Cappelli	Harhart	Nickol	Turzai
Casorio	Harper	O'Brien	Vance
Cawley	Hasay	Oliver	Veon
Civera	Hennessey	O'Neill	Walko
Cohen	Herman	Pallone	Wansacz
Cornell	Hershey	Petri	Washington
Corrigan	Hess	Petrone	Waters
Costa	Horsey	Phillips	Watson
Coy	James	Pistella	Weber
Cruz	Josephs	Preston	Wheatley
Curry	Keller	Raymond	Williams
Daley	Kenney	Readshaw	Wilt
Dally	Killion	Reichley	Wojnaroski
DeLuca	Kirkland	Roberts	Wright
Dermody	Kotik	Roebuck	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	
Donatucci	Leach	Rubley	Perzel,
Eachus	Lederer	Ruffing	Speaker

NOT VOTING-0

EXCUSED-1

Lescovitz

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 concur in Senate amendments as amended?

RULES SUSPENDED

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

Mr. McNAUGHTON. Mr. Speaker, I move that the rules of the hall of the House be suspended to immediately consider amendment A2910.

On the question,

Will the House agree to the motion?

The SPEAKER. On that motion to suspend, the Chair recognizes the gentleman, Mr. McNaughton.

Mr. McNAUGHTON. Thank you, Mr. Speaker.

This amendment would address the issue of conditional licenses being issued here in the Commonwealth of Pennsylvania, and I would ask for an affirmative vote on suspension. Thank you.

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

Mr. DeWEESE. Again, Mr. Speaker, in the interest of cross-party harmony and collegiality, we are going to ask that we support the motion and that we allow for more vigorous debate to perpetuate.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-194

Adolph	Fabrizio	Lynch	Samuelson
Allen	Fairchild	Mackereth	Santoni
Argall	Feese	Maher	Sather
Armstrong	Fleagle	Maitland	Saylor
Baker	Flick	Major	Scavello
Baldwin	Forcier	Manderino	Schroder
Bard	Frankel	Mann	Scrimenti
Barrar	Freeman	Markosek	Semmel
Bastian	Gabig	Marsico	Shaner
Bebko-Jones	Gannon	McCall	Smith, B.
Belardi	Geist	McGeehan	Smith, S. H.
Belfanti	George	McGill	Solobay
Benninghoff	Gergely	McIlhattan	Staback
Biancucci	Gillespie	McIlhinney	Stairs
Birmelin	Gingrich	McNaughton	Steil
Blaum	Godshall	Melio	Stern
Boyd	Goodman	Metcalfe	Stetler
Browne	Gordner	Micozzie	Stevenson, R.
Bunt	Grucela	Miller, R.	Stevenson, T.
Butkovitz	Gruitza	Miller, S.	Sturla
Buxton	Habay	Mundy	Surra
Caltagirone	Haluska	Mustio	Tangretti
Cappelli	Hanna	Myers	Taylor, E. Z.
Casorio	Harhai	Nailor	Taylor, J.
Causar	Harhart	Nickol	Tigue
Cawley	Harper	O'Brien	Travaglio
Civera	Harris	Oliver	True
Clymer	Hasay	O'Neill	Turzai
Coleman	Hennessey	Pallone	Vance
Cornell	Herman	Payne	Veon
Costa	Hershey	Petrarca	Vitali
Coy	Hess	Petri	Walko
Crahalla	Hickernell	Petrone	Wansacz
Creighton	Horsey	Phillips	Washington
Cruz	Hutchinson	Pickett	Waters
Curry	James	Preston	Watson
Dailey	Josephs	Raymond	Weber
Daley	Keller	Readshaw	Wheatley
Dally	Kenney	Reed	Williams
DeLuca	Killion	Reichley	Wilt
Denlinger	Kirkland	Rieger	Wojnaroski
Dermody	Kotik	Roberts	Wright
DeWeese	LaGrotta	Roebuck	Yewcic
Diven	Laughlin	Rohrer	Youngblood
Donatucci	Leach	Rooney	Yudichak
Eachus	Lederer	Ross	Zug
Egolf	Leh	Rubley	
Evans, D.	Levdansky	Ruffing	Perzel,
Evans, J.	Lewis	Sainato	Speaker

NAYS-7

Bishop	Corrigan	Fichter	Thomas
Cohen	DiGirolamo	Pistella	

NOT VOTING-0

EXCUSED-1

Lescovitz

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.

On the question recurring,
Will the House concur in Senate amendments as amended?

Mr. McNAUGHTON offered the following amendment No. A2910:

Amend Sec. 2 (Sec. 9212), page 45, lines 10 through 30; page 46, lines 1 through 26, by striking out all of said lines on said pages and inserting

(c) (Reserved).

(d) Conditional license.—The board may grant a conditional slot machine license to an applicant upon payment of the fee pursuant to section 9206.1(a) (relating to slot machine license fee), if the applicant has been granted a slot machine or casino license in another jurisdiction. The temporary license will be effective for a period of not more than 12 months unless there is a delay in reviewing the license application which was not caused directly or indirectly by the applicant, in which case the license may be extended by the board for a period of an additional six months. If the holder of a conditional license does not receive board approval of a slot machine license prior to the expiration of the conditional license or if approval is denied, the applicant will be entitled to a refund of the entire license fee if slot operations have not commenced. If slot operations have commenced and the applicant's license is denied, the license fee will be forfeited.

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

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

Mr. McNAUGHTON. Thank you, Mr. Speaker.

Mr. Speaker, this amendment addresses an issue that I think is a very important concern here in this bill. This addresses the issue of conditional licenses, and as the legislation is currently drafted, it allows anyone in the Commonwealth of Pennsylvania who has a racing facility to obtain what is called a conditional license and open a slot parlor immediately prior to going through a background check.

I think this is a very slippery slope here in the Commonwealth of Pennsylvania to allow such a happening with conditional licenses. What this amendment will do will disallow conditional licenses from being issued to those individuals who do not have a racing or a gambling casino license outside of this jurisdiction. If they are licensed to game in another jurisdiction, they can get a gaming license here in the Commonwealth of Pennsylvania as a conditional license.

The reason I bring this up, Mr. Speaker, is because we have individuals who are well known and well respected in the gaming industry in this State, in this country, actually. One is Donald Trump, and he has numerous casinos in Atlantic City, but yet when Nevada did a background check on Donald Trump, it would not permit him to allow him to have a license for gaming in Nevada because the background check revealed questionable dealings which they were not willing to support.

In addition, Mr. Speaker, Jack Binnion, who owns numerous casinos in Las Vegas, Nevada, when he applied for a gaming license in Illinois, the State of Illinois, Illinois would not give Jack Binnion a gaming license in Illinois because of past dealings, financial dealings, and previous dealings. And I think that in the Commonwealth of Pennsylvania, if we are going to issue licenses for gaming, that we should do our same due diligence on background checks on individuals who are potentially going to obtain licenses.

Thirty-eight States in this country allow gaming. Not one State who allows gaming permits conditional licenses the way the Commonwealth of Pennsylvania is going to allow conditional licenses. I would suggest, Mr. Speaker, that those 38 States know better than we do, that they should lead us in our drafting of this legislation, and I would ask for an affirmative vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, Representative McNaughton has made the case for it. I do not think there is anything that I can add, except I would urge members on both sides of the aisle to support this legislation, bring us into balance with what other States are doing with these types of licenses, and I would ask for an affirmative vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. DeWeese.

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

I would respectfully oppose the amendment.

The tracks that we have here in Pennsylvania now and the ones that we will have in the future go through a thorough background check each year. The licenses are renewed each year. There are additional checks, and as has been said on several other occasions during this evening's debate, this would limit the possibility of competition.

And again, it seems to contravene the basic ethos of the Republican Party, but again and again and again the GOP and some of my friends on this side, possibly, are voting with them occasionally, but they seem to want to shackle and pinion the free market, and if and when entities from neighboring States want to be competitive in Pennsylvania, I do not know what is wrong with that, especially when they are licensed each year in the State and they are renewed again and again and again.

So I think this is a poison pill amendment, and it is contrary to the work that we have done with our colleagues in the Republican leadership. I think we have a solid vote for tonight, and I think this would skew that vote and certainly jeopardize the momentum of our process.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Baker.

Mr. BAKER. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the McNaughton amendment. I think it is thoughtful. I think it is common sense. I think it is something that would lead to good government, protection of our consumers, would reinvigorate, if you will, the concept of honesty and integrity, and if we have questionable people in this industry, it is going to make the industry look bad, and he just seems to make a whole lot of sense to me.

You know, there was an investigative reporter from the Philadelphia News, the Inquirer, rather, that did a series of articles, and some of those articles raised some serious questions as to some of these people that are involved in racetracks and casino slots. And so given that information and all the literature I have read about some of the connections between gambling and slots and casinos, and God knows in past history, decades ago the mob was involved with casinos, it just makes sense to pass this legislation.

So I strongly support this legislation, Mr. Speaker.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

Mr. Rohrer, do you seek recognition?

Mr. ROHRER. Thank you, Mr. Speaker.

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

Mr. ROHRER. I rise in support of the McNaughton amendment. It seems kind of strange, I guess, that there would be any opposition to the McNaughton amendment.

The simple request of requiring background checks, as every other State does, for which we would be the first one I believe not to, in an area where background checks I think are rather prudent, makes me wonder what kind of, you know, further indication of the negotiations that have been held.

If the intent is to protect those who otherwise would not qualify, then that needs to be said. If the background check which every other State does is too stringent, then let that be the subject of the debate, but that is not the issue. The issue is that they do not need to have a background check here and that we will do it on these temporary licenses.

I cannot, I cannot believe when we begin to talk about gambling casinos, vice, avarice, and frankly, these guys are in jail and out of jail; many are, obviously some are not, but that is the reason the other States have done the background checks, because involvement in other things happens to just often go along.

I find it amazing that when we talk about an issue such as this which has clear connections to crime – and that is another issue but connected, and we have to discuss it – why we would want to entice to this Commonwealth individuals that would bring with them things that are, frankly, going to, when indicted, if indicted for whatever reason, become a spectacle within the State. It boggles my mind. I do not hardly think that there would be a lack of individuals who would qualify. So I would say, why not pass the McNaughton amendment and keep out those who are improper?

I would ask for a support of that amendment. It is, of all we have been talking about so far, the most common sense, and I just cannot believe anyone would vote against that.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Taylor.

Mr. TAYLOR. Very briefly, Mr. Speaker, I would ask for a “no” vote on this amendment.

While I understand the maker's intention, I think it will be harmful to this bill and to the industry in Pennsylvania if we artificially try to preselect who qualifies for a license and what process they go through in this particular legislation.

I would ask for a “no” vote.

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

Mr. DeWEESE. Staff informs me that there are indeed background checks, and although the gentleman may speculate that the Tony Sopranos of the Hollywood world might want to visit with us, and I will not comment that the Mormon Choir will invade Pennsylvania by these facilities, the fundamental nub of this whole debate tonight, in my view, is property tax reduction. Governor Rendell won the race fair and square. This was a preeminent part of the political pie, and it can be sustained only with this rather novel approach.

Sixty-eight percent at a minimum and 73 percent at a maximum of the Pennsylvania body politic agree that gaming and the venues that we are projecting tonight are appropriate.

The bottom line is, if the McNaughton amendment, which is well intended, is incorporated into the body of the bill, it will slow its advance and it will stymie the whole process that we are trying to put into some forward motion. There are background checks. There are licenses issued and reviewed annually, and I think, again, this is a desire to shackle the proposal.

I agree with the Republican colleague from Philadelphia who spoke previously, and I would ask for a negative vote to the McNaughton amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Chester, Mr. Ross.

Mr. ROSS. Thank you, Mr. Speaker.

I will be brief.

Those that are applying for these licenses are applying for a multiyear license effectively. The licenses extend for a considerable period of time, and so therefore it is appropriate for us to ask a considerable amount of money for them. If they lose them after 1 year, it is appropriate and it is in the bill for them to forfeit the effect of that 1 year. It is not reasonable to expect them to forfeit the money that they would have made in future years and have no chance at any longer.

So I do not think that this is a particularly fair or reasonable amendment, and I would ask for a “no.”

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks, Mr. Clymer, for the second time.

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

Mr. Speaker, it has been said that there are background checks that are being done already. I think that this background check on a conditional license is extremely important to make sure that if you are going to allow people or, in this case, the gambling to begin, that you do a very thorough background check. I think a background check for this type of license is more important than some of the others that are going to be done. So I would support this amendment.

And also the comment that the Governor had won the Governor’s race by a large majority does not mean that every public policy issue that he puts forward is something that we are going to agree with. I think that we as members of this General Assembly, with our own intellect and our own ability to look at issues, be they simple or complicated, have the ability to say it is a good issue or it is not a good issue or make amendments to either correct it or to make it a better issue.

So, true, the Governor did win by a majority, but that popularity should not transpose into every public policy issue that he sets forward, especially when we are dealing with this very highly controversial issue of casino gambling, bringing it to Pennsylvania.

Again, I support the amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, yes, the Governor won, but more importantly, the people spoke; the people spoke from every part of Pennsylvania, and when they spoke, they adopted the Rendell vision for Pennsylvania.

But, Mr. Speaker, I believe, like my colleague, that there should be some checks on conditional licenses. However, Mr. Speaker, this bill provides for a Pennsylvania Gaming Board. That board will adopt and approve a regulatory scheme or rules that will ensure that the people who ultimately end up with licenses are people who are credible and people who are going to comply with the law.

So, Mr. Speaker, I think that this is an issue that really should be left to the regulatory board, the Gaming Board. I do not think that as architects of the statute, that we need to try and cover every little detail as it relates to how and the circumstances under which this industry is going to operate. I have faith, and the people that will be appointed to the Gaming Board will be people who are beyond reproach, and because they will be people who will be beyond reproach, they in turn will engage in whatever is necessary to make sure that the people who are doing business in Pennsylvania are people who are beyond reproach.

So, Mr. Speaker, I stand and urge my colleagues to vote “no” on the McNaughton amendment and allow the McNaughton concerns, allow the McNaughton concerns to be taken up by the Pennsylvania Gaming Board.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. McNaughton, for the second time.

Mr. McNAUGHTON. Thank you, Mr. Speaker.

Mr. Speaker, I know the hour is getting late, but I do want to address some of the concerns and some of the remarks that were just made.

It is true, I agree; I agree that the Gaming Board should be the controlling factor and should be the controlling investigator, and the rules they establish are the ones that should be used for a background check. I agree with that. However, this bill allows a person to operate slot machines prior to the Gaming Board establishing the standard and prior to the Gaming Board conducting their investigation. So while I agree with the gentleman from Philadelphia, I would also agree, and I am sure he is a reasonable man and he would agree, too, that the background check should be done prior to the issuance of a license, not 12 months or 18 months after the issuance of a license.

In addition, Mr. Speaker, we heard from a gentleman earlier who spoke and said that it is not right for a person to have to forfeit their license fee. Well, let me give you a scenario of exactly how the conditional license is going to work in the Commonwealth of Pennsylvania, and it is not one that is too far from being factually correct. There is going to be a conditional license issued in one of these gaming establishments, slot machine establishments, if you will, and that individual is going to be able to conduct business – let us use Philadelphia Park for an example – will be able to conduct business generating \$400 a day per slot machine for the first 18 months while the background check is being done on the individuals who run Philadelphia Park. Now, in that 18 months Philadelphia Park is going to generate \$300 million profit, \$300 million they are going to generate in that 18 months, and that is a conservative figure, Mr. Speaker. And lo and behold, after 18 months and the background checks are done, let us say they fail to get their license because they do not meet the standard and they cannot live up to the standards required by the

gaming commission, who are conducting these background checks and who, as I agree with my colleague from Philadelphia, should be the ones who are setting the rules of the game on the background checks. Now they do not get their license that they paid \$50 million for, and they made \$300 million in profits. Our bill provides, this bill provides, that that individual, obviously unscrupulous in nature because he did not pass the background checks or at least unscrupulous business dealings that prevented them from getting through the background check, they get their fee back. They receive reimbursement of \$42,500,000 of the \$50 million license fee. So you are permitting them to come in here and rape Pennsylvanians to the tune of \$300 million and then thanking them with a parting gift of \$42,500,000 or \$42,700,000 and you are letting them walk away. You are letting them walk away after raping Pennsylvanians for \$340 million, but that is not all you are going to permit them to do if you do not address this conditional-use language. Now that the infrastructure is in place, they are going to be able to turn around and sell their parlor or sell their establishment or sell the gaming uses and the gaming rights for an additional \$300 million or \$400 million. Thank you very much, Pennsylvania legislature, for the gift of \$750 million. Thank you very much.

I urge a “yes” vote on the amendment.

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

The following roll call was recorded:

YEAS—84

Armstrong	Fleagle	Lewis	Rubley
Baker	Forcier	Lynch	Samuelson
Baldwin	Freeman	Mackereth	Sather
Bard	Gabig	Maher	Saylor
Bastian	Geist	Maitland	Scavello
Benninghoff	Gillespie	Major	Schroder
Birmelin	Gingrich	Marsico	Semmel
Boyd	Gordner	McIlhattan	Smith, B.
Browne	Habay	McNaughton	Smith, S. H.
Causar	Hanna	Metcalf	Stairs
Clymer	Harhart	Miller, R.	Stern
Coleman	Harper	Miller, S.	Stevenson, R.
Crahalla	Harris	Mustio	Stevenson, T.
Creighton	Hasay	Nailor	Taylor, E. Z.
Dailey	Hennessey	Payne	True
Dally	Herman	Phillips	Turzai
Denlinger	Hershey	Pickett	Vitali
Diven	Hess	Reed	Weber
Egolf	Hickernell	Reichley	Wilt
Fairchild	Hutchinson	Rieger	Yewcic
Feese	Leh	Rohrer	Zug

NAYS—117

Adolph	Donatucci	Manderino	Scrimenti
Allen	Eachus	Mann	Shaner
Argall	Evans, D.	Markosek	Solobay
Barrar	Evans, J.	McCall	Staback
Bebko-Jones	Fabrizio	McGeehan	Steil
Belardi	Fichter	McGill	Stetler
Belfanti	Flick	McIlhinney	Sturla
Biancucci	Frankel	Melio	Surra
Bishop	Gannon	Micozzie	Tangretti
Blaum	George	Mundy	Taylor, J.
Bunt	Gergely	Myers	Thomas
Butkovitz	Godshall	Nickol	Tigue
Buxton	Goodman	O'Brien	Travaglio

Caltagirone	Grucela	Oliver	Vance
Cappelli	Gruitza	O'Neill	Veon
Casorio	Haluska	Pallone	Walko
Cawley	Harhai	Petrarca	Wansacz
Civera	Horsey	Petri	Washington
Cohen	James	Petrone	Waters
Cornell	Josephs	Pistella	Watson
Corrigan	Keller	Preston	Wheatley
Costa	Kenney	Raymond	Williams
Coy	Killion	Readshaw	Wojnaroski
Cruz	Kirkland	Roberts	Wright
Curry	Kotik	Roebuck	Youngblood
Daley	LaGrotta	Rooney	Yudichak
DeLuca	Laughlin	Ross	
Dermody	Leach	Ruffing	Perzel,
DeWeese	Lederer	Sainato	Speaker
DiGrolamo	Levdansky	Santoni	

NOT VOTING—0

EXCUSED—1

Lescovitz

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 concur in Senate amendments as amended?

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

Mr. McNAUGHTON. Personal privilege, Mr. Speaker.

The SPEAKER. Pardon me?

Mr. McNAUGHTON. Personal privilege, Mr. Speaker.

The SPEAKER. The gentleman may state his point.

Mr. McNAUGHTON. Mr. Speaker, I understand what has occurred here and I understand the hour is late; it is a Friday evening, and I understand the vote count, what it is going to be on the rest of my amendments, and, Mr. Speaker, it is unfortunate we could not have a true debate on this issue. I withdraw all of my other amendments. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Mr. DeWEESE. Mr. Speaker?

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

Mr. DeWEESE. I exercise this flexibility in the spirit of good humor, but I do it as floor leader. The gentleman laments from the microphone and so did some of his other colleagues about how melancholy it is that we do not have a full-blown debate, but in March when we did the State budget and when we did reapportionment and when the Democrats had so many things shoved down our throats, they did not seem to be so concerned about a full-blown debate.

The SPEAKER. The Chair recognizes the gentleman, Mr. Reichley, who moves that the House suspend the rules in order to vote amendment A3028.

On that question, the Chair recognizes the gentleman, Mr. Reichley.

Do you want to go over that?

The Chair rescinds.

POINT OF ORDER

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

Mr. McNAUGHTON. Thank you, Mr. Speaker.

A point of order or personal privilege.

You know, if I would have proposed the budget, if I would have proposed the budget, then I would have been okay. It was your Governor who proposed the budget. Do not tell me we jammed it down your throat. You put the budget here, Mr. Minority Leader. It was your Governor who sent that budget up here for us to act on.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House concur in Senate amendments as amended?

MOTION TO SUSPEND RULES

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

Mr. GORDNER. Mr. Speaker, I move that the rules of the hall of the House be suspended in order to immediately consider amendment A2584.

On the question,

Will the House agree to the motion?

The SPEAKER. On the question of the suspension of the rules, the Chair recognizes Mr. Gordner.

Mr. GORDNER. Thank you, Mr. Speaker.

In the legislation is a section that deals with public official financial interest, and in first reading this provision, it looks like it has a very good, pro-good-government provision in it, because it says, "...no executive-level State employee, public official, party officer or immediate family member...shall have a financial interest in..." a casino "...slot machine licensee,..." et cetera, but when you go to read the definition of "FINANCIAL INTEREST," you will see that it says that you can, in fact, own or hold stock up to 2 percent in the fair market value of a licensed corporation, slot machine licensee, et cetera.

So what my amendment would do is in fact make it what I think it should be intended to do, and that is say that no executive-level State employee, public official, party officer, et cetera, can have any financial interest in a slot machine licensee or in any company dealing with these licenses.

The SPEAKER. The Chair thanks the gentleman.

On the suspension of the rules, the Chair recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. Politely and respectfully, just again in order to maintain the momentum of the evening and the spirit of the agreement that we have with approximately 1 1/2 score of Republican colleagues for the passage of this bill essentially intact, I would respectfully ask for a negative vote.

The SPEAKER. Mr. Gordner.

This is on the suspension of the rules.

Mr. Gordner has already spoken on suspension of the rules.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-96

Adolph	Fairchild	Lewis	Rohrer
Argall	Feese	Lynch	Rubley
Armstrong	Fleagle	Mackereth	Samuelson
Baker	Flick	Maher	Sather
Baldwin	Forcier	Maitland	Saylor
Bard	Freeman	Major	Scavello
Barrar	Gabig	Marsico	Schroder
Bastian	Gannon	McIlhattan	Scrimenti
Benninghoff	Geist	McNaughton	Semmel
Birmelin	Gillespie	Metcalfe	Smith, B.
Boyd	Gingrich	Micozzie	Smith, S. H.
Browne	Godshall	Miller, R.	Stairs
Cappelli	Gordner	Miller, S.	Stern
Causer	Habay	Mustio	Stevenson, R.
Cawley	Harhart	Nailor	Tigue
Civera	Harper	Nickol	True
Clymer	Harris	Payne	Turzai
Coleman	Hasay	Phillips	Vitali
Crahalla	Hennessey	Pickett	Yewcic
Creighton	Herman	Raymond	Yudichak
Dailey	Hershey	Readshaw	Zug
Dally	Hess	Reed	
Denlinger	Hickernell	Reichley	
Diven	Hutchinson	Rieger	Perzel, Speaker
Egolf	Leh		

NAYS-105

Allen	Evans, J.	Mann	Solobay
Bebko-Jones	Fabrizio	Markosek	Staback
Belardi	Fichter	McCall	Steil
Belfanti	Frankel	McGeehan	Stetler
Biancucci	George	McGill	Stevenson, T.
Bishop	Gergely	McIlhinney	Sturla
Blaum	Goodman	Melio	Surra
Bunt	Grucela	Mundy	Tangretti
Butkovitz	Gruitza	Myers	Taylor, E. Z.
Buxton	Haluska	O'Brien	Taylor, J.
Caltagirone	Hanna	Oliver	Thomas
Casorio	Harhai	O'Neill	Travaglio
Cohen	Horsey	Pallone	Vance
Cornell	James	Petrarca	Veon
Corrigan	Josephs	Petri	Walko
Costa	Keller	Petrone	Wansacz
Coy	Kenney	Pistella	Washington
Cruz	Killion	Preston	Waters
Curry	Kirkland	Roberts	Watson
Daley	Kotik	Roebuck	Weber
DeLuca	LaGrotta	Rooney	Wheatley
Dermody	Laughlin	Ross	Williams
DeWeese	Leach	Ruffing	Wilt
DiGirolamo	Lederer	Sainato	Wojnaroski
Donatucci	Levdansky	Santoni	Wright
Eachus	Manderino	Shaner	Youngblood
Evans, D.			

NOT VOTING-0

EXCUSED-1

Lescovitz

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House concur in Senate amendments as amended?

MOTION TO SUSPEND RULES

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

Mr. T. STEVENSON. Mr. Speaker, I move that the rules of the House be suspended for immediate consideration of amendment A2458.

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

The SPEAKER. On the question of suspension of the rules, the Chair recognizes the gentleman, Mr. Stevenson.

Mr. T. STEVENSON. Thank you, Mr. Speaker.

This amendment provides for a localized referendum at the county level before slots could be placed at any venue within that county, and I ask for the members' support in the motion to suspend.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I would ask for a vote against the motion to suspend the rules on this particular amendment.

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

The following roll call was recorded:

YEAS-98

Adolph	Feese	Lewis	Rubley
Argall	Fichter	Lynch	Samuelson
Armstrong	Fleagle	Mackereth	Sather
Baker	Flick	Maher	Saylor
Baldwin	Forcier	Maitland	Scavello
Bard	Freeman	Major	Schroder
Barrar	Gabig	Marsico	Scrimenti
Bastian	Gannon	McIlhattan	Semmel
Benninghoff	Geist	McNaughton	Smith, B.
Birmelin	Gillespie	Metcalfe	Smith, S. H.
Boyd	Gingrich	Micozzie	Stairs
Browne	Godshall	Miller, R.	Stern
Causar	Gordner	Miller, S.	Stevenson, R.
Cawley	Habay	Mustio	Stevenson, T.
Civera	Harhart	Nailor	Taylor, E. Z.
Clymer	Harris	Nickol	Tigue
Coleman	Hasay	Payne	True
Crahalla	Hennessey	Phillips	Turzai
Creighton	Herman	Pickett	Vance
Dailey	Hershey	Raymond	Vitali
Dally	Hess	Readshaw	Yewcic
Denlinger	Hickernell	Reed	Zug
Diven	Hutchinson	Reichley	
Egolf	Kirkland	Rieger	Perzel,
Fairchild	Leh	Rohrer	Speaker

NAYS-101

Allen	Eachus	Levdansky	Shaner
Bebko-Jones	Evans, D.	Manderino	Solobay
Belardi	Evans, J.	Mann	Staback
Belfanti	Fabrizio	Markosek	Steil
Biancucci	Frankel	McGeehan	Stetler
Bishop	George	McIlhinney	Sturla
Blaum	Gergely	Melio	Surra
Bunt	Goodman	Mundy	Tangretti
Butkovitz	Grucela	Myers	Taylor, J.
Buxton	Gruitza	O'Brien	Thomas

Caltagirone	Haluska	Oliver	Travaglio
Cappelli	Hanna	O'Neill	Veon
Casorio	Harhai	Pallone	Walko
Cohen	Harper	Petrarca	Wansacz
Cornell	Horsey	Petri	Washington
Corrigan	James	Petrone	Waters
Costa	Josephs	Pistella	Watson
Coy	Keller	Preston	Weber
Cruz	Kenney	Roberts	Wheatley
Curry	Killion	Roebuck	Williams
Daley	Kotik	Rooney	Wilt
DeLuca	LaGrotta	Ross	Wojnaroski
Dermody	Laughlin	Ruffing	Wright
DeWeese	Leach	Sainato	Youngblood
DiGirolamo	Lederer	Santoni	Yudichak
Donatucci			

NOT VOTING-2

McCall	McGill
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EXCUSED-1

Lescovitz

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,
Will the House concur in Senate amendments as amended?

MOTION TO SUSPEND RULES

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

Mr. BIRMELIN. Mr. Speaker, I move that the rules of the hall of the House be suspended to immediately permit a vote on amendment A3099.

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

MOTION PASSED OVER TEMPORARILY

The SPEAKER. For the purposes of suspension, the Chair recognizes the gentleman, Mr. Birmelin.

The Chair will pass over that motion temporarily.

On the question recurring,
Will the House concur in Senate amendments as amended?

MOTION TO SUSPEND RULES

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Clymer, and the gentleman from Lancaster, Mr. Boyd, who move that the rules be suspended to immediately bring up amendment A3118.

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

The SPEAKER. On that motion, the Chair recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.
Is Representative Boyd— He is not here.

Mr. Speaker, I will take this amendment, and what it is, it is to provide \$100 per slot machine for gambling addiction. One of the things that we were looking at in the bill which came from the Senate, it provided \$1.5 million for gambling addiction. However, since then, the number of racetracks, the possibility of two land-based casinos means that additional Pennsylvanians will be gambling, and if you look at the records, access leads to excess. So if you are going to treat the people who are going to be broken, the addiction, the people who will struggle to reclaim their lives, the people who will be away from their families, Mr. Speaker, we need additional money. It has been mentioned in this hall of the House the multiplied millions of dollars that the investors and the owners of the current racetracks and the potential racetracks and the casinos will earn – millions of dollars.

I cannot see that if they are people who are interested in expanding for the sake of more employment here in Pennsylvania, if they have the interest of the communities in which they will be residing, that they do not have at heart these people who are addicted who will need this kind of rehabilitation, which does not come easy. A person who is addicted to gambling, the rehabilitation is for weeks and months and sometimes never.

So to provide \$100 per slot machine is certainly moneys that will be much needed. If we go in the first year, it will be \$3.3 million that will be available. In the second year if the slot machines go to 5,000 per entity, it will be \$5.5 million. Not a lot of money for these people who own these operations to want to open their purse strings, open their hearts, and give this money to the people who will need it.

Thank you, Mr. Speaker.

**THE SPEAKER PRO TEMPORE
(MATTHEW E. BAKER) PRESIDING**

The SPEAKER pro tempore. Mr. DeWeese.

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

There is \$1 million; excuse me, \$1 1/2 million this year, \$1 1/2 million next year, \$1 1/2 million in all subsequent years. There will be a steady stream of millions and millions of dollars into this fund, and I would respectfully request that the gentleman's amendment is just simply not necessary. It is over and above the call of duty, and I would ask for a negative vote, respectfully.

The SPEAKER pro tempore. On the suspension, the gentleman, Mr. Boyd, is recognized for personal privilege.

Mr. BOYD. Thank you, Mr. Speaker.

I just wanted to apologize for missing my opportunity here. It has been a long day and it is going to be a much longer day, and I needed a point of personal privilege. So I appreciate the patience of the Chair; my apologies. And thank you to Representative Clymer for taking care of things for me.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The gentleman, Mr. Clymer, is recognized.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I just want to make a few comments to my esteemed friend, the minority leader. I have been here many times in this hall of the House when he and others have said we

should help those who have great needs. The addictive gambler is going to be one who has great needs, not only the gambler himself or herself, but the family. It is not just one separate person that is going to go under rehabilitation, and to say that you want to cut these social costs and not provide the sufficient funds to truly help these people, I thought helping people was what this General Assembly was all about. I mean, we have spent hundreds of millions of dollars strengthening families, and I voted for many of those programs. So I cannot understand why we cannot add a few more million dollars. I mean, how much money do you really need to be a multimillionaire? How much money do you really need to purchase everything you need in life—

Mr. EACHUS. Mr. Speaker, point of order. Point of order.

Mr. CLYMER. —and I would ask for support for this amendment.

POINT OF ORDER

The SPEAKER pro tempore. The gentleman is recognized and will state his point.

Mr. EACHUS. In the interest of time tonight, sir, if we can confine the debate during suspension to suspension, I think it would be helpful to all members.

The SPEAKER pro tempore. The gentleman's point is well taken.

Please keep remarks as brief as possible.

Mr. Clymer, have you concluded?

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—97

Adolph	Fairchild	Leh	Rohrer
Allen	Feese	Lewis	Rubley
Argall	Fichter	Lynch	Samuelson
Armstrong	Fleagle	Mackereth	Sather
Baker	Flick	Maher	Saylor
Baldwin	Forcier	Maitland	Scavello
Bard	Freeman	Major	Schroder
Barrar	Gabig	Marsico	Semmel
Bastian	Gannon	McIlhattan	Smith, B.
Benninghoff	Geist	McNaughton	Smith, S. H.
Birmelin	Gillespie	Metcalfe	Stairs
Boyd	Gingrich	Micozzie	Stern
Browne	Gordner	Miller, R.	Stevenson, R.
Causer	Habay	Miller, S.	Stevenson, T.
Cawley	Hanna	Mustio	Taylor, E. Z.
Civera	Harhart	Nailor	Tigue
Clymer	Harper	Nickol	True
Coleman	Harris	Payne	Turzai
Crahalla	Hasay	Phillips	Vance
Creighton	Hennessey	Pickett	Yewcic
Dailey	Herman	Raymond	Zug
Dally	Hershey	Readshaw	
Denlinger	Hess	Reed	
Diven	Hickernell	Reichley	Perzel,
Egolf	Hutchinson	Rieger	Speaker

NAYS—104

Bebko-Jones	Evans, D.	Mann	Shaner
Belardi	Evans, J.	Markosek	Solobay
Belfanti	Fabrizio	McCall	Staback

Biancucci	Frankel	McGeehan	Steil
Bishop	George	McGill	Stetler
Blaum	Gergely	McIlhinney	Sturla
Bunt	Godshall	Melio	Surra
Butkovitz	Goodman	Mundy	Tangretti
Buxton	Grucela	Myers	Taylor, J.
Caltagirone	Gruitza	O'Brien	Thomas
Cappelli	Haluska	Oliver	Travaglio
Casorio	Harhai	O'Neill	Veon
Cohen	Horsey	Pallone	Vitali
Cornell	James	Petrarca	Walko
Corrigan	Josephs	Petri	Wansacz
Costa	Keller	Petrone	Washington
Coy	Kenney	Pistella	Waters
Cruz	Killion	Preston	Watson
Curry	Kirkland	Roberts	Weber
Daley	Kotik	Roebuck	Wheatley
DeLuca	LaGrotta	Rooney	Williams
Dermody	Laughlin	Ross	Wilt
DeWeese	Leach	Ruffing	Wojnaroski
DiGirolamo	Lederer	Sainato	Wright
Donatucci	Levdansky	Santoni	Youngblood
Eachus	Manderino	Scrimenti	Yudichak

NOT VOTING—0

EXCUSED—1

Lescovitz

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,
Will the House concur in Senate amendments as amended?

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. McIlhinney, who moves that—

The Chair does not see Mr. McIlhinney on the floor, so we will go over that amendment temporarily.

POINT OF ORDER

Mr. COY. Mr. Speaker?

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. COY. Just a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. COY. Well, Mr. Speaker, as we continue to vote to suspend the rules from time to time, I think it would be appropriate to know, for the members to know, how many more amendments are on the list so that we know every time the rules are suspended or not how long this potentially is going to continue.

So how many more amendments do we have, Mr. Speaker?

The SPEAKER pro tempore. The gentleman will suspend.

For the members' edification, there are approximately 16 on the master list that is before us now and there could be potentially 15 on another list; 50 – pardon me – 50 on another list.

Mr. COY. So if I am clear, we have potentially 66 more amendments to consider this evening?

The SPEAKER pro tempore. That is correct.

Mr. COY. Or later.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,
Will the House concur in Senate amendments as amended?

MOTION TO SUSPEND RULES

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Scavello.

Mr. SCAVELLO. Mr. Speaker, I move that the suspension of the rules be offered for amendment A2913.

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Scavello.

Mr. SCAVELLO. Thank you, Mr. Speaker.

My amendment deals with putting a warning on any advertisement for gambling. Now, we have warnings on packs of cigarettes, on alcoholic beverages, on ski slopes, on lifevests, on elevators, weights on elevators, and I just feel that gambling can be addictive. I do not think there is anyone in this room that will deny that, and I feel that on any type of advertisement, we should have that.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The gentleman, Mr. Coy, is recognized.

Mr. COY. Thank you, Mr. Speaker.

For some of the reasons that the minority leader has enunciated on previous occasions this evening, we would ask for a negative vote on suspension of the rules.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair rescinds.

The Chair recognizes the gentleman, Mr. Scavello.

Mr. SCAVELLO. Could I ask for why you are requesting that there is a “no” vote on this? Could I ask the Chair for what reason? There is no fiscal impact here. It is just warning people that it can be addictive.

The SPEAKER pro tempore. Will the gentleman suspend, please.

Mr. SCAVELLO. Sure.

The SPEAKER pro tempore. Interrogation is not allowed on suspension.

Mr. SCAVELLO. Excuse me?

The SPEAKER pro tempore. Does the gentleman have any further comments on his motion for suspension?

Mr. SCAVELLO. Well, you know, it was said earlier, it was said earlier that it is an addiction, that there is money set aside to help the addicted gamblers, and this is just to put a warning, a warning out there to warn them that it can be addictive. This is to save children, save adults, save families.

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

The following roll call was recorded:

YEAS-97

Adolph	Fairchild	Lewis	Samuelson
Allen	Feese	Lynch	Sather
Argall	Fleagle	Maher	Saylor
Armstrong	Flick	Maitland	Scavello
Baker	Forcier	Major	Schroder
Baldwin	Freeman	Marsico	Semmel
Bard	Gabig	McIlhattan	Smith, B.
Barrar	Gannon	McNaughton	Smith, S. H.
Bastian	Geist	Metcalfe	Stairs
Benninghoff	Gillespie	Micozzie	Stern
Birmelin	Gingrich	Miller, R.	Stevenson, R.
Boyd	Gordner	Miller, S.	Stevenson, T.
Browne	Habay	Mustio	Taylor, E. Z.
Causer	Hanna	Nickol	Taylor, J.
Cawley	Harhart	O'Brien	Tigue
Civera	Harper	Payne	True
Clymer	Harris	Phillips	Turzai
Coleman	Hennessey	Pickett	Vance
Crahalla	Herman	Raymond	Vitali
Creighton	Hershey	Readshaw	Yewcic
Dailey	Hess	Reed	Zug
Dally	Hickernell	Reichley	
Denlinger	Hutchinson	Rieger	
Diven	Kenney	Rohrer	Perzel,
Egolf	Leh	Rubley	Speaker

NAYS-104

Bebko-Jones	Evans, D.	Mackereth	Santoni
Belardi	Evans, J.	Manderino	Scrimenti
Belfanti	Fabrizio	Mann	Shaner
Biancucci	Fichter	Markosek	Solobay
Bishop	Frankel	McCall	Staback
Blaum	George	McGeehan	Steil
Bunt	Gergely	McGill	Stetler
Butkovitz	Godshall	McIlhinney	Sturla
Buxton	Goodman	Melio	Surra
Caltagirone	Grucela	Mundy	Tangretti
Cappelli	Gruitza	Myers	Thomas
Casorio	Haluska	Nailor	Travaglio
Cohen	Harhai	Oliver	Veon
Comell	Hasay	O'Neill	Walko
Corrigan	Horsey	Pallone	Wansacz
Costa	James	Petrarca	Washington
Coy	Josephs	Petri	Waters
Cruz	Keller	Petrone	Watson
Curry	Killion	Pistella	Weber
Daley	Kirkland	Preston	Wheatley
DeLuca	Kotik	Roberts	Williams
Dermody	LaGrotta	Roebuck	Wilt
DeWeese	Laughlin	Rooney	Wojnaroski
DiGirolamo	Leach	Ross	Wright
Donatucci	Lederer	Ruffing	Youngblood
Eachus	Levdansky	Sainato	Yudichak

NOT VOTING-0

EXCUSED-1

Lescovitz

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,
Will the House concur in Senate amendments as amended?

MOTION TO SUSPEND RULES

The SPEAKER pro tempore. The gentleman, Mr. Hickernell, is recognized.

Mr. HICKERNELL. Mr. Speaker, I move for immediate suspension of the rules for consideration of amendment A3115.

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

Mr. HICKERNELL. Thank you, Mr. Speaker.

Mr. Speaker, I rise to respectfully ask the House to suspend the rules so that we can consider my amendment, A3115, which would require the Auditor General to annually review at least one licensee with an audit, a financial and compliance audit. I think this is a reasonable amendment that would provide assurances to the public that this industry is being looked over by a governmental agency each year.

Mr. Speaker, I respectfully ask for a suspension of the rules. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Coy.

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, we would ask for a negative vote on the suspension of the rules. The licensees are not State agencies which are audited by the Auditor General. They are private licensees, and for those and other reasons, we would ask for a negative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

The SPEAKER pro tempore. Will the gentleman suspend.

Does the gentleman, Mr. Hickernell, have any additional comments?

The Chair has been advised that the gentleman, Mr. Hickernell, can only be recognized.

Mr. HICKERNELL. Mr. Speaker, am I in order?

The SPEAKER pro tempore. The gentleman is in order and may proceed.

Mr. HICKERNELL. Thank you, Mr. Speaker.

As I stated earlier, this is a reasonable amendment that very simply requires the Auditor General to take a look at one slot machine licensee per year.

There is no fiscal impact to the Commonwealth. The cost of the audit would be picked up by that licensee, and I think given the nature of the industry that we are dealing with here, it is only reasonable to expect, to have the public expect, that we would be conducting an audit like this, and again I would just ask for a rules suspension.

Thank you very much.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-94

Allen	Feese	Lewis	Rubley
Argall	Fleagle	Lynch	Samuelson

Armstrong	Forcier	Mackereth	Sather
Baker	Freeman	Maher	Saylor
Baldwin	Gabig	Maitland	Scavello
Bard	Gannon	Major	Schroder
Barrar	Geist	Marsico	Semmel
Bastian	Gillespie	McIlhattan	Smith, B.
Benninghoff	Gingrich	McNaughton	Smith, S. H.
Birmelin	Gordner	Metcalf	Stairs
Boyd	Habay	Miller, R.	Stern
Browne	Hanna	Miller, S.	Stevenson, R.
Causar	Harhart	Mustio	Stevenson, T.
Cawley	Harper	Nailor	Taylor, E. Z.
Clymer	Harris	Nickol	Tigue
Coleman	Hasay	Payne	True
Crahalla	Hennessey	Phillips	Turzai
Creighton	Herman	Pickett	Vance
Dailey	Hershey	Raymond	Vitali
Dally	Hess	Readshaw	Yewcic
Denlinger	Hickernell	Reed	Zug
Diven	Hutchinson	Reichley	
Egolf	Kenney	Rieger	Perzel,
Fairchild	Leh	Rohrer	Speaker

NAYS—107

Adolph	Eachus	Manderino	Scrimenti
Bebko-Jones	Evans, D.	Mann	Shaner
Belardi	Evans, J.	Markosek	Solobay
Belfanti	Fabrizio	McCall	Staback
Biancucci	Fichter	McGeehan	Steil
Bishop	Flick	McGill	Stetler
Blaum	Frankel	McIlhinney	Sturla
Bunt	George	Melio	Surra
Butkovitz	Gergely	Micozzie	Tangretti
Buxton	Godshall	Mundy	Taylor, J.
Caltagirone	Goodman	Myers	Thomas
Cappelli	Grucela	O'Brien	Travaglio
Casorio	Gruitza	Oliver	Veon
Civera	Haluska	O'Neill	Walko
Cohen	Harhai	Pallone	Wansacz
Cornell	Horsey	Petrarca	Washington
Corrigan	James	Petri	Waters
Costa	Josephs	Petrone	Watson
Coy	Keller	Pistella	Weber
Cruz	Killion	Preston	Wheatley
Curry	Kirkland	Roberts	Williams
Daley	Kotik	Roebuck	Wilt
DeLuca	LaGrotta	Rooney	Wojnaroski
Dermody	Laughlin	Ross	Wright
DeWeese	Leach	Ruffing	Youngblood
DiGirolamo	Lederer	Sainato	Yudichak
Donatucci	Levdanský	Santoni	

NOT VOTING—0

EXCUSED—1

Lescovitz

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,
Will the House concur in Senate amendments as amended?

MOTION TO SUSPEND RULES

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Metcalfe.

Mr. METCALFE. Mr. Speaker, I move for immediate suspension of the rules for consideration of amendment 3228.

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

The SPEAKER pro tempore. The gentleman, Mr. Metcalfe, is recognized.

Mr. METCALFE. Thank you, Mr. Speaker.

It is approaching 7 o'clock here and many amendments still ahead. I appreciate your recognition for asking for a suspension of the rules for amendment 3228.

As I looked at the legislation as it was drafted, there was a concern that the different amounts that were being bandied about as far as what would be raised may or may not come into fruition and we would be left with a shortfall.

This amendment, what it does is set up a \$1 billion standard that has been put forth, that we are supposed to raise \$1 billion in revenue, and if we did not raise that \$1 billion, rather than having to roll back the property tax relief, we would actually just ask the licensees to make up the difference, since they certainly recognize the profits, the additional profits that would be used to make up the difference that we were sort of promised through negotiations and what people were estimating would be brought in.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Coy.

Mr. COY. Mr. Speaker, thank you.

We would ask for a negative vote on the suspension of the rules.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

I will not be as energetic or as entertaining as Representative Gabig was earlier, which I think we all greatly appreciated, and hopefully, we will have a few more of those displays of entertainment and energy throughout the evening here as we continue to debate this most very serious issue.

This amendment follows somewhat in the same logic as the original stadium deal for the stadiums in Pittsburgh and Philadelphia filed, and that was that there were certain revenues to the State that were being talked about and, in a way, promised, and if those revenues were not recognized when a stadium deal was brought about, we were told that the owners of the stadiums would be responsible for making up the shortfall, but that seemed only fair for the loan that was being given them.

That is where I really came up with the idea for this amendment, and we had several amendments drafted that I withdrew three of those, because there were different amounts of money being talked about as far as what this was ultimately going to raise, and the most recent figures, \$1 billion. I think that it is only fair—

Mr. COY. Mr. Speaker?

Mr. METCALFE. —to the taxpayers of Pennsylvania—

The SPEAKER pro tempore. Will the gentleman suspend.

The gentleman, Mr. Coy, is recognized.

Mr. COY. I was just wondering where we were on the short statement on suspension?

The SPEAKER pro tempore. The gentleman is entirely correct.

Please keep the statements on suspension to a brief remark. Thank you.

Mr. METCALFE. Thank you, Mr. Speaker.

I will try and wrap it up with a brief remark.

This legislation, this amendment, what it does is it protects Pennsylvania's taxpayers that would ultimately, if this is passed and the next piece of legislation is passed, would realize some property tax reductions through the money that would come out of this legislation. This amendment would make sure that the \$1 billion that has been talked about would actually be realized.

Mr. COY. Mr. Speaker?

Mr. METCALFE. Especially since he is getting ready to interrupt again, I will wrap it up with that. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-90

Allen	Feese	Lynch	Samuelson
Argall	Fleagle	Mackereth	Sather
Armstrong	Forcier	Maher	Saylor
Baker	Freeman	Maitland	Scavello
Baldwin	Gabig	Major	Schroder
Bard	Geist	Marsico	Semmel
Bastian	Gillespie	McIlhatten	Smith, B.
Benninghoff	Gingrich	McNaughton	Smith, S. H.
Birmelin	Gordner	Metcalfe	Stairs
Boyd	Habay	Miller, R.	Stern
Browne	Hanna	Miller, S.	Stevenson, R.
Causar	Harhart	Mustio	Stevenson, T.
Cawley	Harris	Nailor	Taylor, E. Z.
Clymer	Hasay	Nickol	Tigue
Coleman	Hennessey	Phillips	True
Crahalla	Herman	Pickett	Turzai
Creighton	Hershey	Raymond	Vance
Dailey	Hess	Readshaw	Vitali
Dally	Hickernell	Reed	Yewcic
Denlinger	Hutchinson	Reichley	Zug
Diven	Kirkland	Rieger	
Egolf	Leh	Rohrer	Perzel,
Fairchild	Lewis	Rubley	Speaker

NAYS-111

Adolph	Eachus	Levdansky	Santoni
Barrar	Evans, D.	Manderino	Scrimenti
Bebko-Jones	Evans, J.	Mann	Shaner
Belardi	Fabrizio	Markosek	Solobay
Belfanti	Fichter	McCall	Staback
Biancucci	Flick	McGeehan	Steil
Bishop	Frankel	McGill	Stetler
Blaum	Gannon	McIlhinney	Sturla
Bunt	George	Melio	Surra
Butkovitz	Gergely	Micozzie	Tangretti
Buxton	Godshall	Mundy	Taylor, J.
Caltagirone	Goodman	Myers	Thomas
Cappelli	Grucela	O'Brien	Travaglio
Casorio	Gruitza	Oliver	Veon
Civera	Haluska	O'Neill	Walko
Cohen	Harhai	Pallone	Wansacz
Cornell	Harper	Payne	Washington
Corrigan	Horsey	Petrarca	Waters
Costa	James	Petri	Watson
Coy	Josephs	Petrone	Weber
Cruz	Keller	Pistella	Wheatley
Curry	Kenney	Preston	Williams

Daley	Killion	Roberts	Wilt
DeLuca	Kotik	Roebuck	Wojnaroski
Dermody	LaGrotta	Rooney	Wright
DeWeese	Laughlin	Ross	Youngblood
DiGirolamo	Leach	Ruffing	Yudichak
Donatucci	Lederer	Sainato	

NOT VOTING-0

EXCUSED-1

Lescovitz

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,
Will the House concur in Senate amendments as amended?

The SPEAKER pro tempore. Under unanimous consent, the Chair recognizes the gentleman, Mr. Boyd.

Mr. BOYD. Thank you, Mr. Speaker.

I rise to actually withdraw an amendment that I had on the schedule, and that would be A3231, but as I do, I understand that the amendment probably would not have gotten to the floor. So what I wanted to do, its intent was a little overreaching than what I had originally desired, and I understand that what I was hoping to accomplish with this amendment is already in the bill, but what I would like to do is interrogate maybe Mr. Veon or someone who could just answer some questions about HB 623 as it exists now to make sure that I am clear on what the legislative intent of this bill is. Okay? Would somebody stand for a question?

The SPEAKER pro tempore. On unanimous consent, the gentleman is in order, and the gentleman is recognized.

Mr. BOYD. My primary concern is with the amendment that I had offered. The amendment would have called for licenses for offtrack parlors and the parlors at the tracks to be approved by the local governing board, the municipalities. My primary intent in offering that would have been to be certain that slot machines cannot end up in offtrack betting parlors. As I said, the way the language was drafted, it was overreaching. It would have applied, the way the language is drafted, to the existing 11 licensees. That was not my intention.

I just would like to get on the legislative record that in fact the bill as it is drafted applies only to these 11 licenses and would not be able to be extended and expanded into offtrack parlors, as I have one in the heart of my district, and at the time we were not really necessarily interested in having the offtrack parlor, but it is there, but we want to make sure it does not become a slot parlor.

Could somebody respond to that? Mr. Veon or—

The SPEAKER pro tempore. The gentleman, Mr. Veon, consents and may proceed.

Mr. VEON. I am sorry. If the gentleman does not mind just asking his question directly again.

Mr. BOYD. My primary concern is right now we have licenses for 11 approved slot licenses, some of which are existing racetracks. Some of those racetracks have offtrack betting parlors in other locations, and my concern is, I want to make sure that these licenses will not apply to machines,

slot machines would end up in offtrack parlors. As an example, in my area we have an offtrack parlor in a mall and it is associated with Penn National. I just want to make sure that we do not end up, because Penn National has one of these licenses, that we do not end up with slot machines in this offtrack betting parlor.

Mr. VEON. Yes, and I can tell you that we addressed this issue very clearly and very directly and in a very deliberate manner in this legislation and have made it very clear that we do not permit slot machines to be in any offtrack betting parlor for any licensed racetrack in Pennsylvania, not now and certainly not in this bill, and clearly there is no intention to allow it for any time in the future.

Mr. BOYD. Okay. That is what I was advised also, but I appreciate getting it on the legislative record.

I thank the Chair for the grace here. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House concur in Senate amendments as amended?

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Habay.

Mr. HABAY. Mr. Speaker, I move for the immediate suspension of the rules for consideration of amendment 2497.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. The gentleman, Mr. Habay, is recognized.

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

My amendment would just simply require a municipality to place the question of the legalization of slot machines on a municipal ballot, something that I hope could receive support on both sides of the issue.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Coy.

Mr. COY. Thank you, Mr. Speaker.

We would agree to suspend the rules to debate the amendment.

The SPEAKER pro tempore. Any further comments, Mr. Habay?

Mr. HABAY. No. I would only add that many of us have campaigned on initiative and referendum, and these would be in areas where there are already existing tracks. In most cases—

The SPEAKER pro tempore. The gentleman will suspend, please.

Mr. HABAY. Sure.

The SPEAKER pro tempore. You can make those comments when we get to the amendment.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—153

Allen	Egolf	Mackereth	Santoni
Argall	Fabrizio	Maher	Sather
Armstrong	Fairchild	Maitland	Saylor
Baker	Feese	Major	Scavello
Baldwin	Fichter	Mann	Schroder
Bard	Fleagle	Markosek	Semmel
Bastian	Forcier	Marsico	Shaner
Bebko-Jones	Frankel	McGeehan	Smith, B.
Belardi	Freeman	McGill	Smith, S. H.
Belfanti	Gabig	McIlhattan	Solobay
Benninghoff	Geist	McNaughton	Stairs
Birmelin	Gergely	Melio	Steil
Blaum	Gillespie	Metcalfe	Stern
Boyd	Gingrich	Miller, R.	Stevenson, R.
Browne	Goodman	Miller, S.	Stevenson, T.
Bunt	Gordner	Mundy	Sturla
Butkovitz	Habay	Mustio	Surra
Caltagirone	Haluska	Nailor	Tangretti
Cappelli	Hanna	Nickol	Taylor, E. Z.
Casorio	Harhai	O'Brien	Taylor, J.
Causar	Harhart	Pallone	Tigue
Cawley	Harper	Payne	True
Clymer	Harris	Petrarca	Turzai
Coleman	Hasay	Phillips	Vance
Cornell	Hennessey	Pickett	Veon
Costa	Herman	Pistella	Vitali
Coy	Hershey	Preston	Walko
Crashalla	Hess	Raymond	Washington
Creighton	Hickernell	Readshaw	Weber
Curry	Hutchinson	Reed	Wheatley
Daily	James	Reichley	Williams
Dally	Kirkland	Rieger	Wojnaroski
DeLuca	Kotik	Roberts	Yewcic
Denlinger	LaGrotta	Rohrer	Yudichak
Dermody	Leach	Rooney	Zug
DeWeese	Lederer	Rubley	
DiGirolamo	Leh	Ruffing	
Diven	Lewis	Sainato	Perzel,
Eachus	Lynch	Samuelson	Speaker

NAYS—47

Adolph	Evans, J.	Laughlin	Ross
Barrar	Flick	Levdansky	Scrimenti
Bianucci	Gannon	Manderino	Stetler
Bishop	George	McCall	Thomas
Buxton	Godshall	McIlhinney	Travaglio
Civera	Grucela	Micozzie	Wansacz
Cohen	Gruitza	Myers	Waters
Corrigan	Horsey	Oliver	Watson
Cruz	Josephs	O'Neill	Wilt
Daley	Keller	Petri	Wright
Donatucci	Kenney	Petrone	Youngblood
Evans, D.	Killion	Roebuck	

NOT VOTING—1

Staback

EXCUSED—1

Lescovitz

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.

On the question recurring,

Will the House concur in Senate amendments as amended?

Mr. **HABAY** offered the following amendment No. **A2497**:

Amend Sec. 2, page 76, by inserting between lines 21 and 22 § 9218.5. Local option.

(a) Election to be held.—Prior to the issuance or transfer of a license to operate slot machines in any municipality or portion of a municipality in this Commonwealth, an election may be held on the date of the general or primary election immediately preceding any general election, to determine the will of the electors with respect to the issuance of such a license within the limits of the municipality under the provisions of this act. Where an election shall have been held at the primary election in any year, another election may not be held under the provisions of this act sooner than four years after the prior election. Whenever electors equal to 25% of the highest vote cast for any office in the municipality at the last preceding general election shall file a petition with the county board of elections of the county, or the governing body of the municipality adopts, by a majority vote, a resolution to place such a question on the ballot and a copy of the resolution is filed with the board of elections of the county for a referendum on the question of legalizing slot machines, the county board of elections shall cause the following question to be placed on the ballot or on the voting machine board:

Do you favor the legalization of slot machines in the
of ?

(b) Vote.—No license shall be granted or transferred unless the majority of the electors voting on the question vote “yes,” but if a majority of the electors voting on the question vote “no,” then the licensing authority shall have no power to issue any licenses in the municipality, unless and until, at an election at least four years later, a majority of the voting electors vote “yes” on the question.

(c) Voting proceedings.—Proceedings under this section shall be in accordance with the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code.

(d) Withdrawal of approval.—The referendum procedure contained in this section shall be available to withdraw the approval of the issuance of a license which was granted through a prior referendum. In accordance with the procedure in subsection (a), the county board of elections shall cause the following question to be placed on the ballot or on the voting machine board:

Do you favor discontinuing the legalization of slot
machines in the of ?

If a majority of the electors voting on the question vote “no,” the operation of slot machines shall cease at the licensed facility within 60 days of the election.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman, Mr. Habay.

Mr. HABAY. Thank you, Mr. Speaker.

I would like to thank everyone here for giving me the opportunity to present this amendment tonight. This is my first and only amendment of the evening.

The amendment tonight that I offer will allow each municipality to decide for themselves this difficult issue, and it would allow initiative and referendum really to take place that many of us campaigned on. It would simply leave it up to the voters in that individual district. If you are for gaming, chances are, very much so, if you have an existing track in your district, that it will pass, but it will give the voters that option, so you can go home to the voters and let them know that they will have an option to vote on it.

Thank you very much.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks County, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, referendums and elections are part and parcel of our democracy, allowing the people to make those decisions which are going to affect them so greatly. This is the reason we run as elected officials, to allow those in our districts and in our communities to have the opportunity to vote on those important issues that we say, you know, you are going to have to live with this issue for the next 2 or 3 years, and therefore, you make those decisions. And so I, too, would ask the members to support the Habay amendment. It is a good amendment. It allows that local option that all of us have talked for months and years about, depending on our service here in the General Assembly, and I very much urge the members, again, to support this amendment.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Philadelphia County, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

Mr. Speaker, I would ask a negative vote on the Habay amendment.

As everyone here knows, tonight’s vote on HB 623 is the first vote of a long process of votes and concepts which will put together the proper budget and property tax relief for Pennsylvanians in the year 2003-2004. This proposal, while not being novel in terms of being proposed before, would certainly stop if not certainly delay the process before any gaming would occur. Therefore, without any revenue occurring, this would be a bad amendment for the bill, and I ask for its defeat.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Beaver County, Mr. Veon, who defers to the gentleman from Lawrence County, Mr. LaGrotta.

Mr. LaGROTTA. Thank you, Mr. Speaker.

I think this is just one more example, Mr. Speaker, of a well intentioned but nevertheless clear attempt to circumvent or to torpedo what we in the House are trying to do in reduced property taxes for the people of Pennsylvania. I would suggest that perhaps the correct question to place on any referendum is not do you favor the legalization of slot machines, but do you favor the reduction of your school taxes? I would suggest that the vote in any such referendum would be remarkably, dramatically different.

Mr. Speaker, once again, as everyone else has said and will probably continue to say almost until breakfast, the hour is late. Let us not delay another day what we have been working for for many, many years – reducing the school taxes for the people of Pennsylvania. Ed Rendell ran on it; he campaigned on it; he won on it, and with the cooperation of the members of this chamber, tonight we are going to deliver the Governor’s promise and cut school taxes for the people of Pennsylvania.

Let us not delay any more. Let us not try any other legislative tricks. Let us just move forward and cut property taxes for working families.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Bucks County, Mr. DiGirolamo.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

I rise to oppose the Habay amendment, Mr. Speaker, and again, this amendment is only meant to delay the process. As someone who has one of the tracks in their district – Philadelphia Park– I already know how my constituents feel. The last survey I did polled over 70 percent, Mr. Speaker.

I ask for a negative vote on this amendment, and let us move the process along. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Bucks County, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, not the last speaker but the one before him indicates that we must move this process forward in order to give tax reduction to our property owners, as though this is a free lunch, as though there is not a price to be paid, as though someone has to spend their money in order for that money to come back to the Commonwealth, and what we are trying to say here this evening is that eventually, if we are going to have this bill, let us make it fair. Let us protect the people who will be spending large sums of their money, money that many of them cannot afford, and if that is the case, then we need to try to protect them as well.

There is no free lunch here tonight, and in conversations and debate that is going to take place later this evening, we will try to draw out some of those reasons that this is not a free lunch and someone is going to have to pay the dollars that are going to go supposedly into property tax reduction. So I support this amendment.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Blair County, Mr. Stern. He waives off.

Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker.

I would ask for a negative vote.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Habay, for the second time.

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

I believe there is somebody else in the chamber who may want to speak, if I may draw your attention.

The SPEAKER pro tempore. The gentleman, Mr. Metcalfe, is recognized.

Mr. METCALFE. Thank you, Mr. Speaker, and I appreciate Representative Habay drawing to your attention that I was trying to raise your attention.

The amendment that is before us that Representative Habay has put forth I believe is one that we should especially consider after the minority leader’s legislation was put forward to possibly expand this into other surrounding counties of the Pittsburgh area. As I have mentioned in the past, there has been much opposition in the Butler County area to this type of legislation. I know my Democratic colleagues that herald from Butler here voted for that tonight, so I am sure everyone back in Butler County will want to check the record.

But as we move forward with this legislation, I think it would be very appropriate to allow those people who are going to be affected so much locally to have the chance to vote through referendum as to whether or not they would like this type of activity in their communities. I think that is only fair to

the people of Pennsylvania, and I would ask for an affirmative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Habay.

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

If I can ask all of you, what is more fundamental than allowing the people that elected us, our bosses, over 60,000 who put us here in the Assembly, to give them the right to have a decision on such an important issue before our Commonwealth? This is something that really goes into many of the campaigns that we ran, many of the core beliefs that we have as Democrats and Republicans, and why we come to this Assembly here every day and do the good work of the people of Pennsylvania.

I urge you to support this, and many of you voted in 1999 for a statewide referendum on gambling. Let us give the same local opportunity. And for those of you that are in support of gaming, many of you know in areas such as in North and South Strabane Township where the Meadows is located, the Meadows racetrack in Washington County, you know that most likely the people there will support it. But let us let the local officials, the people both pro and con, have a very proactive debate on the issue, because this involves the infrastructure, this involves maybe having more police in an area, doing a lot of different things within a community. It has more of an impact than a financial impact on a community, both positive and negative. Let us weigh those and let our constituents do this.

And many of us know the reality of how this place works. Many of us know the reality that some of these amendments, most likely most of them, may be stripped out in the final version of the bill. But you can go home and say, I voted to give my folks the right to have initiative and referendum and give them the chance to decide what is right for the local community, and I implore you on both sides of the issue to make one vote tonight, make the right vote, and give your local voters the right to decide. They were smart enough to elect you, and they are smart enough to know what to do on this issue.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-83

Allen	Diven	Hickemell	Rohrer
Argall	Egolf	Hutchinson	Rubley
Armstrong	Fairchild	Lewis	Samuelson
Baker	Feese	Lynch	Sather
Baldwin	Fleagle	Mackereth	Saylor
Bard	Forcier	Maher	Scavello
Bastian	Freeman	Maitland	Schroder
Benninghoff	Gabig	Major	Scrimenti
Birmelin	Geist	Marsico	Semmel
Boyd	Gillespie	McIlhattan	Smith, B.
Browne	Gingrich	McNaughton	Smith, S. H.
Bunt	Gordner	Metcalfe	Stern
Causar	Grucela	Miller, R.	Stevenson, R.
Cawley	Habay	Miller, S.	Stevenson, T.
Clymer	Hanna	Mustio	Staylor, E. Z.
Coleman	Harhart	Nailor	True
Crahalala	Hasay	Phillips	Turzai
Creighton	Hennessey	Pickett	Vitali

Dailey	Herman	Reed	Yewcic
Dally	Hershey	Reichley	Zug
Denlinger	Hess	Rieger	

NAYS—118

Adolph	Fabrizio	Markosek	Solobay
Barrar	Fichter	McCall	Staback
Bebko-Jones	Flick	McGeehan	Stairs
Belardi	Frankel	McGill	Steil
Belfanti	Gannon	McIlhinney	Stetler
Biancucci	George	Melio	Sturla
Bishop	Gergely	Micozzie	Surra
Blaum	Godshall	Mundy	Tangretti
Butkovitz	Goodman	Myers	Taylor, J.
Buxton	Gruitza	Nickol	Thomas
Caltagirone	Haluska	O'Brien	Tigue
Cappelli	Harhai	Oliver	Travaglio
Casorio	Harper	O'Neill	Vance
Civera	Harris	Pallone	Veon
Cohen	Horshey	Payne	Walko
Cornell	James	Petrarca	Wansacz
Corrigan	Josephs	Petri	Washington
Costa	Keller	Petrone	Waters
Coy	Kenney	Pistella	Watson
Cruz	Killion	Preston	Weber
Curry	Kirkland	Raymond	Wheatley
Daley	Kotik	Readshaw	Williams
DeLuca	LaGrotta	Roberts	Wilt
Dermody	Laughlin	Roebuck	Wojnaroski
DeWeese	Leach	Rooney	Wright
DiGirolamo	Lederer	Ross	Youngblood
Donatucci	Leh	Ruffing	Yudichak
Eachus	Levdansky	Sainato	
Evans, D.	Manderino	Santoni	Perzel,
Evans, J.	Mann	Shaner	Speaker

NOT VOTING—0

EXCUSED—1

Lescovitz

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

GUEST INTRODUCED

The SPEAKER pro tempore. The Chair welcomes Beth Hargraves, an intern for the Chief Clerk, working with the Local Government Committee. She is located to the left of the Speaker.

CONSIDERATION OF HB 623 CONTINUED

On the question recurring,
Will the House concur in Senate amendments as amended?

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Mr. Speaker, I move for the suspension of the rules for immediate consideration of amendment 2953.

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

The SPEAKER pro tempore. The gentleman, Mr. Clymer, is recognized.

Mr. CLYMER. Thank you, Mr. Speaker.

And at this time I am going to turn the microphone over to Representative Coleman, who will introduce the legislation that is before us.

The SPEAKER pro tempore. Mr. Clymer, this is on suspension.

Mr. CLYMER. I would encourage suspension of the rules.

Thank you.

The SPEAKER pro tempore. On that question, the gentleman, Mr. Coy, is recognized.

Mr. COY. Thank you, Mr. Speaker.

I would join in the request for a suspension of the rules so that the amendment can be debated.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—169

Adolph	Egolf	Maher	Sather
Allen	Evans, D.	Maitland	Saylor
Argall	Fabrizio	Major	Scavello
Armstrong	Fairchild	Manderino	Schroder
Baker	Feese	Mann	Scrimenti
Baldwin	Fichter	Markosek	Semmel
Bard	Fleagle	Marsico	Shaner
Bastian	Forcier	McCall	Smith, B.
Bebko-Jones	Frankel	McGill	Smith, S. H.
Belardi	Freeman	McIlhattan	Stairs
Belfanti	Gabig	McIlhinney	Steil
Benninghoff	Geist	McNaughton	Stern
Biancucci	George	Melio	Stevenson, R.
Birmelin	Gergely	Metcalfe	Stevenson, T.
Blaum	Gillespie	Micozzie	Sturla
Boyd	Gingrich	Miller, R.	Surra
Browne	Goodman	Miller, S.	Tangretti
Bunt	Gordner	Mustio	Taylor, E. Z.
Butkovitz	Grucela	Nailor	Taylor, J.
Caltagirone	Habay	Nickol	Tigue
Cappelli	Haluska	O'Brien	True
Casorio	Hanna	Oliver	Turzai
Causer	Harhai	O'Neill	Vance
Cawley	Harhart	Pallone	Veon
Clymer	Harper	Payne	Vitali
Cohen	Harris	Petrarca	Walko
Coleman	Hasay	Petri	Wansacz
Cornell	Hennessey	Phillips	Washington
Corrigan	Herman	Pickett	Waters
Coy	Hershey	Preston	Watson
Crahalla	Hess	Raymond	Weber
Creighton	Hickernell	Readshaw	Wheatley
Cruz	Hutchinson	Reed	Williams
Curry	Keller	Reichley	Wojnaroski
Dailey	Kirkland	Rieger	Wright
Daley	LaGrotta	Roberts	Yewcic
Dally	Laughlin	Roebuck	Youngblood
Denlinger	Leach	Rohrer	Yudichak
Dermody	Lederer	Rubleby	Zug
DeWeese	Leh	Ruffing	
DiGirolamo	Lewis	Sainato	

Diven Eachus	Lynch Mackereth	Samuelson Santoni	Perzel, Speaker
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NAYS—32

Barrar	Flick	Killion	Rooney
Bishop	Gannon	Kotik	Ross
Buxton	Godshall	Levdansky	Solobay
Civera	Gruitza	McGeehan	Staback
Costa	Horsey	Mundy	Stetler
DeLuca	James	Myers	Thomas
Donatucci	Josephs	Petrone	Travaglio
Evans, J.	Kenney	Pistella	Wilt

NOT VOTING—0

EXCUSED—1

Lescovitz

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.

On the question recurring,
Will the House concur in Senate amendments as amended?

Mr. **COLEMAN** offered the following amendment No. **A2953**:

Amend Title, page 1, line 3, by striking out “RACETRACK”
Amend Sec. 2 (Chapter Heading), page 5, line 20, by striking out “RACETRACK”
Amend Sec. 2 (Chapter Analysis), page 5, line 24, by striking out “LEGISLATIVE INTENT” and inserting
(RESERVED)
Amend Sec. 2 (Chapter Analysis), page 5, line 30, by striking out all of said line
Amend Sec. 2 (Chapter Analysis), page 7, line 9, by striking out “AT RACETRACKS”
Amend Sec. 2 (Sec. 9201), page 7, line 15, by striking out “RACETRACK”
Amend Sec. 2 (Sec. 9202), page 7, lines 16 through 30; page 8, lines 1 through 30; page 9, lines 1 through 5, by striking out all of said lines on said pages and inserting
§ 9202. (Reserved).
Amend Sec. 2 (Sec. 9203), page 11, line 3, by striking out “RACETRACKS” and inserting
licensed corporations
Amend Sec. 2 (Sec. 9203), page 11, line 26, by striking out “RACETRACK” and inserting
corporation
Amend Sec. 2 (Sec. 9203), page 12, lines 7 through 11, by striking out all of said lines and inserting
“Licensed corporation.” A person that has obtained a slot machine license.
Amend Sec. 2 (Sec. 9203), page 12, lines 15 through 20, by striking out all of said lines and inserting
“Licensed racetrack” or “racetrack.” A legal entity that has obtained a license to conduct thoroughbred or harness horse race meetings respectively with pari-mutuel wagering from either the State Horse Racing Commission or the State Harness Racing Commission pursuant to the act of December 17, 1981 (P.L.435, No.135), known as the Race Horse Industry Reform Act.
Amend Sec. 2 (Sec. 9203), page 13, line 7, by striking out “RACETRACK” and inserting
corporation

Amend Sec. 2 (Sec. 9203), page 13, line 18, by striking out “RACETRACKS” and inserting
licensed corporations
Amend Sec. 2 (Sec. 9203), page 14, lines 16 and 17, by striking out “AT A SPECIFIC RACETRACK”
Amend Sec. 2 (Sec. 9205), page 20, line 23, by striking out “RACETRACKS” and inserting
the physical location where the licensed corporation conducts slot machine gaming
Amend Sec. 2 (Sec. 9205), page 20, line 25, by striking out “RACETRACKS” and inserting
licensed corporations
Amend Sec. 2 (Sec. 9205), page 22, lines 5 and 6, by striking out “AT ITS RACETRACK”
Amend Sec. 2 (Sec. 9205), page 26, line 1, by striking out “RACETRACK” and inserting
corporation
Amend Sec. 2 (Sec. 9205), page 26, line 4, by striking out “AT A RACETRACK” and inserting
by a licensed corporation
Amend Sec. 2 (Sec. 9205), page 26, line 6, by striking out “ITS RACETRACK” and inserting
the physical facility where the slot machine licensee conducts slot machine gaming
Amend Sec. 2, page 28, lines 3 through 30; pages 29 through 32; lines 1 through 30; page 33, lines 1 through 20, by striking out all of said lines on said pages and inserting
(a) Eligibility.—Persons that have obtained a license to conduct thoroughbred or harness horse race meetings respectively with pari-mutuel wagering from either the State Horse Racing Commission or the State Harness Racing Commission pursuant to the Race Horse Industry Reform Act shall have the ability to operate slot machines according to this act. Licenses may be revoked if the holder violates the provisions of this chapter.
(b) Fees.—To obtain a slot machine license, each racetrack must pay the Commonwealth the following amounts, in cash, as slot machine license fees by October 30, 2003:
(1) Racetracks located within 100 miles of cities of the first class - \$500,000,000.
(2) Racetracks located within 100 miles of cities of the second class - \$300,000,000.
(3) All other racetracks - \$125,000,000.
(c) Additional investors.—If the racetracks require additional outside investors to raise the license fee, the Commonwealth shall use all reasonable effort to have such investors approved by the board prior to October 30, 2003.
(d) Auction.—If a racetrack is unwilling, or unable, to pay the Commonwealth its respective slot machine license fee, the Commonwealth may sell the license to the highest bidder that can meet the board’s qualifications. In conducting the sale, the board shall retain the services of a nationally recognized investment banking firm with demonstrated mergers and acquisition experience to assist in the sale process.
(e) Location of facility.—A nonracetrack licenseholder shall locate its facility within ten miles of the racetrack that forfeited the license.
(f) No additional licenses.—For five years after the sale of the licenses, the board may not authorize additional licenses. For ten years after the sale, the board may not authorize additional gaming facilities within a one-mile radius of each of the respective licenseholders.
(g) Deposit of license fee.—The total amount of all license fees imposed and collected by the board under this section shall be deposited in the State Gaming Fund.
(h) Prohibition.—No applicant, including directors, owners and key employees, that has been convicted, in any jurisdiction, of a felony, crime of moral turpitude or gambling offense may be issued a slot machine license under this chapter.

(i) Credit.—Slot machine licensees may not extend credit but may cash personal or bank checks in compliance with the regulations of the board. Slot machine licensees may not accept credit cards, charge cards or debit cards from a player for the exchange or purchase of slot machine credits or for an advance of coins or currency to be utilized by a player to play slot machine games or extend credit, in any manner, to a player so as to enable the player to play a slot machine.

Amend Sec. 2 (Sec. 9207), page 33, line 26, by striking out “AT ITS LICENSED RACETRACK”

Amend Sec. 2 (Sec. 9207), page 33, line 28, by striking out “RACETRACK” and inserting
licensed corporation

Amend Sec. 2 (Sec. 9207), page 34, line 9, by striking out “AT ANY ONE RACETRACK”

Amend Sec. 2 (Sec. 9207), page 34, lines 11 and 12, by striking out all of said lines and inserting
within one year of operation.

Amend Sec. 2 (Sec. 9207), page 34, line 16, by striking out “RACETRACK” and inserting
physical location where the licensed corporation
conducts slot machine gaming

Amend Sec. 2 (Sec. 9208), page 34, line 30, by striking out “AT ITS RACETRACK”

Amend Sec. 2 (Sec. 9208), page 35, line 17, by striking out “RACETRACK” and inserting
physical location where the licensed corporation
conducts slot machine gaming

Amend Sec. 2 (Sec. 9208), page 35, line 17, by striking out “RACETRACK’S” and inserting
licensed corporation’s

Amend Sec. 2 (Sec. 9208), page 36, line 12, by striking out “AT ITS RACETRACK”

Amend Sec. 2 (Sec. 9210), page 40, lines 25 and 26, by striking out “ITS RACETRACK AT WHICH SLOT MACHINES” in line 25 and all of line 26 and inserting

the physical location where the licensee conducts
slot machine gaming.

Sec. 2 (Sec. 9211), page 44, line 1, by striking out “AT THE RACETRACK”

Amend Sec. 2 (Sec. 9213), page 52, line 2, by striking out “ON THE PREMISES OF A RACETRACK” and inserting
at the physical location where the licensed
corporation conducts slot machine gaming

Amend Sec. 2 (Sec. 9213), page 52, lines 6 and 7, by striking out “ON THE PREMISES OF A RACETRACK” and inserting
at the physical location where the licensed
corporation conducts slot machine gaming

Amend Sec. 2 (Sec. 9213), page 52, line 26, by striking out “ON THE PREMISES OF A LICENSED RACETRACK,” and inserting

at the physical location where the licensed
corporation conducts slot machine gaming,

Amend Sec. 2 (Sec. 9213), page 53, lines 9 and 10, by striking out “ON THE PREMISES OF A LICENSED RACETRACK” and inserting

at the physical location where the licensed
corporation conducts slot machine gaming

Amend Sec. 2 (Sec. 9214), page 58, line 3, by striking out “RACETRACK” and inserting
licensed corporation

Amend Sec. 2 (Sec. 9214), page 58, line 6, by striking out “RACETRACK” and inserting
licensed corporation

Amend Sec. 2 (Sec. 9214), page 58, line 10, by striking out “RACETRACK” and inserting
licensed corporation

Amend Sec. 2 (Sec. 9214), page 58, line 29, by striking out “RACETRACK” and inserting

licensed corporation

Amend Sec. 2 (Sec. 9214), page 59, line 1, by striking out “RACETRACK” and inserting

licensed corporation

Amend Sec. 2 (Sec. 9214), page 59, line 3, by striking out “RACETRACK” and inserting

licensed corporation

Amend Sec. 2 (Sec. 9215), page 61, line 4, by inserting before “THE” where it appears the first time

(a) General rule.—

Amend Sec. 2 (Sec. 9215), page 61, line 5, by inserting after “LICENSEES”

that operate racetracks

Amend Sec. 2 (Sec. 9215), page 62, by inserting between lines 26 and 27

(b) Distribution of balance.—The balance of the revenues remitted back to the slot machine licensee that is a nonracetrack licensee shall be distributed in a manner to be determined by the board.

Amend Sec. 2 (Sec. 9216), page 66, line 26, by striking out “PARI-MUTUEL”

Amend Sec. 2 (Sec. 9216), page 67, line 2, by striking out “PARI-MUTUEL”

Amend Sec. 2 (Sec. 9218), page 68, line 12, by striking out “RACETRACK” and inserting
corporation

Amend Sec. 2 (Sec. 9218), page 71, line 24, by striking out “RACETRACK” and inserting
corporation

Amend Sec. 2 (Sec. 9218.1), page 72, line 7, by striking out “RACETRACK FACILITY” and inserting

physical location where the licensed corporation
conducts slot machine gaming

Amend Sec. 2 (Sec. 9218.4), page 74, line 13, by striking out “AT RACETRACKS”

Amend Sec. 2 (Sec. 9218.4), page 74, line 24, by striking out “RACETRACK PROPERTY” and inserting

physical location where the licensed corporation
conducts slot machine gaming

Amend Sec. 2 (Sec. 9218.4), page 76, line 7, by striking out “RACETRACK PROPERTY” and inserting

physical location where the licensed corporation
conducts slot machine gaming

Amend Sec. 2 (Sec. 9218.4), page 76, line 14, by striking out “RACETRACK” and inserting
certain

Amend Sec. 2 (Sec. 9218.4), page 76, line 21, by striking out “ON THE RACETRACK PROPERTY” and inserting

within the physical location where the licensed
corporation conducts slot machine gaming

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman, Mr. Coleman.

Mr. COLEMAN. Thank you, Mr. Speaker.

Let me begin by thanking the majority for offering a full and complete airing out and discussion of this amendment.

Mr. Speaker, I rise tonight to offer the ante-up amendment, amendment A2953, an amendment that taxpayers can trust to be a fair deal for corporate gaming’s “billionaire club,” the ones who are waiting outside tonight to pop up their cinder-block, monopolized slot parlors the day the Governor’s signature dries on this bill.

Mr. Speaker, this massive corporate giveaway bill with this pithy \$50 million license fee, per – per – slot license fee, if passed in its present form, Mr. Speaker, will be recorded as the State's largest corporate giveaway ever.

Now, Mr. Speaker, the proponents of these racinos and now these two full-scale casinos have expressed grave concerns that any cost over \$50 million would simply prevent these billion-dollar corporations like Penn National or the Toronto-based Magna Entertainment or MTR or Greenwood Racing and Chester Downs from building the kind of world-class, quality, first-rate operations they are promising Pennsylvania. But, Mr. Speaker, as we heard in tonight's debate and what expert analysis tells us is that these slot casinos, these slot machine racinos, will provide the owners a huge return on their investment, far exceeding those made by other businesses in the Commonwealth. Mr. Speaker, those massive profits will continue forever into the foreseeable future, bringing these owners billions upon billions of dollars.

Now, Mr. Speaker, the professional estimates have conservatively, conservatively valued a single license for an operation, say in metropolitan Philadelphia, at an estimated \$500 million. For example, a casino license in Detroit, Michigan, recently retailed for more than \$600 million, and you can certainly ramp up the value and add an extra \$100 or \$200 million if it is placed in the heart of downtown Philadelphia, as this legislation suggests.

Mr. Speaker – now let us shift to my neighborhood in western Pennsylvania – the Pittsburgh region, because of a smaller population, Mr. Speaker, the estimated value of a license can easily, by professional estimates, be valued at 300 – that is 300 – million dollars. Add a couple hundred million to that package when you are locating a facility in downtown Pittsburgh.

Mr. Speaker, before this bigger, better package was negotiated – I use that term advisedly – and the downtown casinos were added, the estimated aggregate value for a license of the original deal was \$2.1 billion. That is for the whole kit and caboodle. This package is clearly worth more than \$2.1 billion.

Mr. Speaker, the billionaire corporate gambling club is asking us for a blue-light special tonight, a 90-percent discount, and they have even asked us to reduce the original \$4 million in the original Senate proposal for the anticipated spike in addiction and recovery to a paltry \$1 1/2 million. That is \$1 1/2 million for addiction and recovery.

Let us do the math tonight, Mr. Speaker. Based on the most conservative estimates, these slot machines will create a projected addiction rate of at least, of at least 2 percent of the State's adult population. That is a documented statistic.

Now, 2 percent means how many? 180,000 adult Pennsylvanians that, as the data suggests, will become compulsive or addicted gamblers. This bill, Mr. Speaker, in its current form throws a laughable \$8.33 for their treatment and recovery – \$8.33.

Now, Mr. Speaker, this good Governor has been quick to cut dollars to addiction and recovery centers in every corner of Pennsylvania. I respectfully say that this paltry pot of money earmarked for treatment is a great deal for a few CEOs (chief executive officers) but a bad one to the tens of thousands of Pennsylvanians who will be scrambling for help the day that this bill becomes law.

Mr. Speaker, let us not forget, let us not forget, Mr. Speaker, that tonight we are about to confer a record number of monopolies to a handful of billion-dollar corporations. Now, this sort of Christmas-in-July package is pennies on the dollar. It is virtually a painless pocket of chump change for some rich guys in Europe and Toronto. But, Mr. Speaker, I think, I would respectfully like to suggest tonight that I think we need to think less about giving corporate billionaires the discount rollback cards and a little more about the 12.5 million Pennsylvanians, the ones who live here within the State borders, the ones whose lives will change if this bill passes.

In closing, Mr. Speaker, the ante-up amendment provides the people of Pennsylvania the opportunity to realize the true and actual values of these licenses at auction, not some figure negotiated behind closed doors by a couple of special interests who have a pretty big financial stake in what happens here tonight. And let us not forget, Mr. Speaker, that these operations are State-granted monopolies. Putting these monopolies up for auction, which is and even required for valued assets like cellular phone frequencies and offshore drilling rights and broadcast licenses, all of those things we do that for now and more, is the only way we will know the true value of these licenses.

Now, Mr. Speaker, we do not know how much will be gained by an auction, but if conservative estimates are correct, we could see an additional 2 billion-plus dollars to be used for the Commonwealth and its people – \$2 billion. Now that, I would suggest, Mr. Speaker, is only reasonable if these companies are to be granted access to untold, limitless cash profits.

By its definition, Mr. Speaker, this casino bill is a license to print unlimited sheets of money inked with the sweat and tears of Pennsylvania's working families, and yes, let us not forget tonight, thousands of Pennsylvania's children, profits that will make wealthy billionaire CEOs wealthier every second of those 24-hour operations. Without this amendment, Mr. Speaker, let me be clear: A few CEOs shopping for the ultimate bargain-basement discount sale will have the mother of all blue-light specials.

Mr. Speaker, I would respectfully urge my colleagues on both sides of this issue, no matter where you stand, to adopt the ante-up amendment and stop this huge corporate giveaway.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Bucks County, Mr. Clymer.

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

The gentleman, Mr. Coleman, has certainly outlined the reasons that there is great potential for the Commonwealth to secure even additional dollars as you would auction off these licenses. And again, as I had made in a previous debate, we are looking to cover our deficits; we are looking to provide more social services for our children. There are a number of arenas in which this money can be placed that would help the State to cover its many services that it provides here in the Commonwealth, and it just makes good economic sense for us to move in this direction.

They have done these, the auctions, in other States. Forbes magazine has written an article on just the auctioning of licenses and how States should be taking advantage of this procedure. You have professional business men and women

who have said that such an idea certainly deserves the attention of any State government that is about to provide slot machine licenses for racetracks, for casinos, that this certainly is a good bet for that particular State.

Now, if we do not go ahead and do this and we stay with the \$50 million fee that currently is in the bill, when those racetracks are sold, those owners and their investors will reap multimillions in profits at the expense of us, the taxpayer. Is that fair? Is that something that we should be giving away to a monopoly? There are no other groups that are going to compete against them for giving them these dollars. You heard in earlier floor debate that these racetracks are going to make millions of dollars. They have to make the millions of dollars to provide all the millions of dollars that we are going to use for a tax rebate. So we know that they are going to be extraordinarily profitable, and, Mr. Speaker, I also encourage members to vote for this amendment.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Allegheny County, Mr. Preston.

Mr. PRESTON. Thank you, Mr. Speaker.

Will the gentleman, Mr. Coleman, stand for interrogation?

The SPEAKER pro tempore. The gentleman has consented. You may proceed.

Mr. PRESTON. During your speech you mentioned, I think, the word "billion" about nine times and you talked about the CEOs and billionaires who are waiting out the door. Could you identify which billionaires you are talking about since you read your statement? I am sure that you should have the data in front of you. Could you tell me who the billionaires are?

Mr. COLEMAN. Certainly, Mr. Speaker. I do have in my brief remarks mentioned a few of the players who are at the table tonight and who are represented in the halls outside: Penn National, the Toronto-based Magna Entertainment company, MTR, Greenwood Racing, Chester Downs, and certainly a couple other new players—

Mr. PRESTON. So they are all—

Mr. COLEMAN.—who have come along lately.

Mr. PRESTON. You are saying that they are all CEOs and they are all billionaires as individuals.

Mr. COLEMAN. Well, certainly, Mr. Speaker, a couple of these enterprises are in their nascent stages, just at the beginning. The more established companies, certainly like Penn National, have been posting in the last 5 or 6 years record earnings, so certainly they would fall under that category of being in the billionaires club.

Mr. PRESTON. In other words, you are saying that the CEOs of the Penn National racetrack are billionaires?

Mr. COLEMAN. Mr. Speaker, I have not looked at individual financial statements for the individual CEOs, but certainly they are CEOs of billion-dollar corporations as their reported assets in terms of their transactions in other operations that they currently invest in would suggest.

Mr. PRESTON. Now, I am quoting your statement.

Mr. COLEMAN. Certainly.

Mr. PRESTON. You said that they were billionaires, the individuals, not the corporations, and you read your statement and you read it very declaratively. So I would only take it that being that you have read and prepared your statement, that you are prepared to identify those individuals who you said are

billionaires. Could you tell me who those billionaires are who are waiting at the door? Individuals.

Mr. COLEMAN. Mr. Speaker, I would be delighted to stand by the statement with the declarative fact that I offered that these are billionaires. If you would like me to revise that statement to say multimillionaires, I would be delighted to amend the record to say multimillionaires, Mr. Speaker.

Mr. PRESTON. In other words, you are willing to admit that your statement was erroneous and not totally intact and was inaccurate.

Mr. COLEMAN. Mr. Speaker, for the purposes of debate and discussion and in the interest of time, I would be delighted to amend that figure to satisfy you to say that they are at least making multimillion dollars, and I would certainly maintain the allegation that they are making billions, sir.

Mr. PRESTON. Are there any other statements dealing with quantitative numbers that you read as factual that you might think are also guesstimates or estimates instead of being exact figures?

Mr. COLEMAN. Mr. Speaker, I will be delighted to stand by the comments that are now entered into the permanent record of the Pennsylvania House.

Mr. PRESTON. During your, again, eloquent, well-read statement, prepared, again, that I have not heard any individual names; I have heard some of the corporations. I think you named about six or seven of which now only one of them is possibly a billion instead of the billions that you said are waiting at the door. I am only curious before I start asking, or whether I will, some of the questions that you raised relative to the Detroit racetrack, the numbers that were raised, and you said that the billions of dollars that would be going through Pennsylvania, can you give me an example of one racetrack in the new ones that we are talking about that will wind up being billionaire racetracks?

Mr. COLEMAN. Mr. Speaker, the comments that I had entered into the record previously speak to the corporate interests in their current earning portfolios. Certainly you can add to that the millions of dollars, hundreds of millions of dollars, they will be adding after this bill becomes law.

Mr. PRESTON. Of the racetracks so mentioned, what percentage from gaming is earned by those racetracks, and can you give me, because some of them do own casinos, by the dollar amount.

Mr. COLEMAN. Mr. Speaker, if you are speaking, for example, of a facility in downtown Philadelphia or downtown Pittsburgh, conservative estimates would place the house take at relatively 75 to 80 percent would come from slot revenue.

Mr. PRESTON. Of the six or seven or eight corporations you mentioned, do they derive all of their profits by gaming or races or are there other sources of income?

Mr. COLEMAN. Mr. Speaker, I am sure that a number of the operators that are at the table tonight have diversified options and portfolios, and I would not wish to, on the floor, in the record, speculate to what their full portfolio is tonight, Mr. Speaker.

Mr. PRESTON. To your knowledge, do any of them own any hotels as part of their ownership in their—

Mr. COLEMAN. Mr. Speaker, I am not prepared tonight to speak to the full investment portfolio of any of the corporations or interests at this table. Certainly it is a matter of public record,

and before these proceedings can go further, they will be having to provide full financial disclosure on all of their assets.

Mr. PRESTON. Did you or did you not say that the corporations that you identified were of racing and earning their income from gaming and racing and that they were billionaire racinos and that that is how they derive their income?

Mr. COLEMAN. Mr. Speaker, the only allegation and assertion that I recall making in my statement was that these corporations are currently at the table in discussion, in negotiations, and they have hired lobbyists to be present at this discussion and in the debate that we have tonight, and they certainly have done that adequately, Mr. Speaker.

Mr. PRESTON. So you are saying it is possible in their earning statements that some of them – some of them – could earn dollars or income from other sources other than just racing?

Mr. COLEMAN. Mr. Speaker, I really am going to speak, if it would be all right, to the subject and content of the auction amendment. If you have questions, Mr. Speaker, particularly related to that, I would be more than qualified, I think, to speak to those questions related to my amendment, Mr. Speaker, and I do not care to speculate into the record tonight.

Mr. PRESTON. Well, you did not speculate; you read a statement into the record. I watched you page by page from which you read—

The SPEAKER pro tempore. Will the gentleman suspend.

Mr. PRESTON. Yes.

The SPEAKER pro tempore. The purpose of interrogation is to solicit answers that one does not know and not to cross-examine but to seek information.

Mr. PRESTON. Mr. Speaker, first, I am by far not a barrister nor an attorney nor even aspire to be one. I am asking a question only from the statement that I watched the gentleman read, and I am asking him questions. If I knew the answers, I would be able to rebut him by the exact numbers, and I have not in any way impugned or accused him. I used the words, are they possibly guesstimates? Are they possibly estimates? But since he read his statement, I would only think that one who reads a statement so factual and so eloquent as he did would have certain postulates, would have certain parts of indexes or backup support information that dealt with facts and figures and numbers against, as he said, a billion-dollar operation. And I am not pointing my finger at anyone; I am just asking a valid statement from the statement that he read. Now, it was different if he might have stood up there and not read it, but he read it from black-and-white words as I passed him by his desk, and I am only asking him for the factual backup information from the statements that he read as far as the accuracy of the statement.

Mr. COLEMAN. Mr. Speaker, perhaps in the interest of time—

The SPEAKER pro tempore. The gentleman will suspend, please.

The gentleman has indicated he will answer questions about the amendment but not unrelated issues. The gentleman may proceed.

Mr. COLEMAN. Mr. Speaker, perhaps in the interest of time I could make the notation into the record that I believe the majority of these companies are publicly held companies and their financial records and disclosures are voluminous, available on the Net, through the Wall Street Journal and other credible

and reliable sources. So I will allow their financial statements, Mr. Speaker, in the interest of time tonight, to speak for themselves, and I will be happy to provide any information to be helpful in reaching an informed decision on this amendment, amendment A2953, the auction amendment, Mr. Speaker.

Mr. PRESTON. Mr. Speaker, I finished my interrogation. I would like to be able to make a statement on the amendment.

The SPEAKER pro tempore. The gentleman has stated he has finished his interrogation and may proceed.

Mr. PRESTON. I have learned quite a few things in dealing with this business, and one of it deals with respect, accuracy, and dealing with efficiency. I have also learned that sometimes we try to lean just a little bit away to influence people, as we all do by speaking, and making an effective presentation and having all the great cliches is excellent, especially if you read the statement, of which I am not. But what I am saying is, when you question someone's statement and within a few moments you find out that the statement itself is inaccurate and the individual is willing to change those statements, you wonder how much of the rest of the statement is truly accurate.

Now, when we talk about billionaires or racinos or multimillionaires or hundred-thousandaires, that is not the issue. The issue is the accuracy, the truth and honesty of the statement that was made, and who made it and how it was made and how it was backed up. That is what this is about. And I have questions concerning the accuracy, as I questioned, and I could have went back and questioned the numbers even more.

Inaccuracies. How far do they go, and how far can someone ask that question? And what is the integrity, what is the integrity of that answer when one wants to deal with qualitative thought, qualitative thought to deal with postulates and theorems as far as accuracy, as far as financial statements, and who is who and what is what?

The statement that was read already was proved to be an inaccuracy and changes have to be made for the record. So therefore, I would question whether or not this amendment could also be questioned to be accurate, how thoughtful it might be, and the intent. Now, maybe the gentleman's intent is good and well thought out. As he said, and he used all the pretty words about Pennsylvania and the neighborhoods, because I care about Pennsylvania and the neighborhoods as well as most of you do. But still, how can we trust the accuracy when we already know that there are different fallacies within the statement that we heard and read.

I do not think this is the amendment that we need to be able to make. I think that there are different fallacies within this amendment. I think that we need to shoot this amendment down and get on with the people's business.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Butler County, Mr. Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

I want to stand in support of Representative Coleman's amendment, and we could really help move this evening along if we would just pass this, because I have four more amendments that deal with the price of licenses that we can talk about suspension of the rules on later on in the program if we do not pass this one. So I would be happy to pull those as long as we get enough votes to put this in, so—

This would really be a savings factor for the taxpayers of Pennsylvania, because as has been said, this program, the way the legislation is set up, is really a billion-dollar giveaway. As Mr. Coleman had referenced, this is the blue-light special for what I would probably guess, which I have not looked at the same financial records that Representative Coleman was referencing, but from the sound of it, to be able to put up \$50 million to start with, as is already spelled out in the legislation, if you are not very, very rich, then you have access to a very lot of money, much more money than most of the people listening to this tonight in debate. So we are probably talking about multimillionaires here, as was said earlier, multimillionaires that will receive this huge corporate welfare giveaway.

We had testimony given earlier this year in the Finance Committee from a gentleman who testified to what he thought the worth of these licenses were, and he talked about these worths being based on recent sales data and Philadelphia's specific attributes. He assigned \$500 million value to each of the Philadelphia metro licenses, and then he assigned the value for the Pittsburgh smaller population, each license \$300 million, and then the remaining 4 licenses – that was before many of us knew that there were 11 licenses – he talked about the remaining 4 would be a collective \$500 million. So I think that the amendment that is being offered is very much in line with what can be paid and what the taxpayers could realize if this happens as some extra money into the State coffers to help cover the costs that we know will come with this expansion of gambling.

Our testifier also talked about the Chicago and Detroit licenses, and he had said that excluding the hotel, excluding the casino structure, and excluding the parking lot, that licenses in Chicago and Detroit sold for \$615 million and \$663 million respectively. And he said that this is a verifiable fact, and if somebody wants to get up and question me on that, I am not going to have the data available; I am just going from testimony. So if we take this man's testimony at face value, which I believe he was giving us good testimony that could be verified, that these licenses are worth millions and millions of dollars, then we are doing a great disservice to the taxpayers of Pennsylvania if we expand gambling and turn this into this kind of corporate welfare giveaway.

And the bigger problem with this is that with the inherent corruption that comes with gambling expansion that has been verified time and time again across this nation, that when the voters look at this happening up front, they say, why are my Representatives voting to give away so many millions of dollars? What kind of question, what kind of an answer comes back into their mind, to give away millions of dollars. Who is going to benefit from that? Is your grandmother? Your aunt? Those folks paying those high property taxes? Are they going to benefit from this big giveaway? No, they are not. Much of this profit is going to be taken right out of the State.

So I would ask for support of Representative Coleman's amendment, and as I said, let us hurry the process along, because I have four more if we do not pass this one.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Bucks County, Mr. DiGirolamo.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

I rise to oppose the Coleman amendment, and I do very much appreciate my colleague's passion on the issue, even though we are on opposite sides of the issue. But if I read his legislation correctly, the park that is in my district, Philadelphia Park, will end up paying \$500 million for this license – \$500 million. You might as well add three more zeros at the end and make it \$500 billion, because it is a poison pill that will kill the slot machine legislation here in Pennsylvania.

Mr. Speaker, I would like to remind the members that last year in the State of Maryland, the legislature passed slot machine legislation for their tracks. They raised the price of the licenses so high that the owners decided not to put slot machines in. Mr. Speaker, if you are interested in protecting the horse racing industry here in Pennsylvania – 35,000 jobs – if you are interested in creating more jobs here for Pennsylvanians, probably in the order of 20,000 new, well-paying jobs, if you are interested in real property tax reduction in the order of \$1 billion for citizens all across the State of Pennsylvania, Mr. Speaker, I urge you to vote “no” on the Coleman amendment.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Philadelphia County, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

Mr. Speaker, I would ask for a “no” vote on the Coleman-Clymer amendment. I think it is very interesting to note that the very people who are opposing HB 623 are often talking about, the reason they oppose it, it is not going to generate anywhere near the \$1 billion that we project for property tax relief. How do we know that? It is not going to produce that at all, and we should not be entering into this type of legislation.

But when they talk about the back end, about owners of racetracks, those same owners are going to make billions. Well, it has to be one way or the other, Mr. Speaker, and I think that the projections that we are using are just that – projections. And if we were voting this legislation in a vacuum, if there were not existing tracks with 35,000 existing jobs, then maybe an auction would make sense. But to abandon those owners and those tracks and those jobs is a silly proposition at this point.

And lastly, we can always revisit profits; we can always revisit tax. We have to kick this off and kick it off in a hurry. This legislature will control those numbers in the future, and we will have an opportunity to do that. In the meantime, I would ask for the defeat of this amendment so we can move on with the bill.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Berks County, Mr. Rohrer.

Mr. ROHRER. Thank you, Mr. Speaker.

Is there anybody on the other side that I could interrogate on this issue, who would be willing to speak to this issue that is contained in this amendment?

The SPEAKER pro tempore. The gentleman, Mr. Coy, is recognized.

Mr. ROHRER. Do I see a volunteer over there?

POINT OF ORDER

Mr. COY. Mr. Speaker, the purpose of interrogation—
Point of order.

The SPEAKER pro tempore. The gentleman may state his point of order.

Mr. COY. The purpose of interrogation, as you clarified before, is to ask questions you do not know the answers to. The gentleman, Mr. Coleman's amendment is being offered. If there are questions about the amendment, it ought to be directed to him.

Mr. ROHRER. I appreciate that, but I have heard Representative Coleman's statement and I have heard his statement questioned. I was just kind of curious if someone else could be questioned relative to their thinking.

Mr. DeWEESE. Mr. Speaker?

The SPEAKER pro tempore. The gentleman, Mr. DeWeese, is recognized.

Mr. DeWEESE. No; I just wanted to point out that the gentleman, Mr. Rohrer, might wish to interrogate the gentleman, Mr. Clymer. It was a Clymer amendment. There was a last-second switcheroo so the young gentleman could read his speech, but maybe he could introduce Mr. Clymer's perspectives on the issue.

Mr. ROHRER. My interest is not for Representative Clymer but someone who questions the numbers that Representative Coleman gave, because I would, frankly, like to hear from some proponent what they believe to be the value of the licenses.

The SPEAKER pro tempore. Will the gentleman suspend.

Mr. Rohrer, no one is standing to be recognized to be interrogated. Does that answer your question?

Mr. ROHRER. I will have to then ask Representative Coleman.

The SPEAKER pro tempore. The gentleman consents.

Mr. ROHRER. Okay. I find it interesting that no one is willing to stand.

Mr. Speaker, you have made some recitations relative to the value of licenses and why what is contained in this current bill of a mere \$50 million per license is inadequate. Could you cite again what you believe that the research indicates to be the realistic value of licenses?

Mr. COLEMAN. Mr. Speaker, I am sorry; I cannot simply, you know, speak to my own personal opinion or interpretation of what the value is. I will really have to look at a number of credible sources, banking investors and others who have valued an urban, for example, track license to be upwards of \$500 million. That is at a conservative estimate. Now, you base that based on the take of the house; you base that on the location of the casino, where it is located, and the other traditional market factors that would determine a fair market value price of this bill.

Now, I have contended repeatedly, Mr. Speaker, that the only way you can really determine the actual value is by allowing this to go to market, to auction.

Mr. ROHRER. Well, I think, Mr. Speaker, we do that in every other situation. It seems rather strange it is not considered in this situation.

Now, in your amendment you are not necessarily saying that the licenses ought to be sold for a half a million.

Mr. COLEMAN. Mr. Speaker, the beauty of this amendment, I think, is that there is a two-tiered process. If you

read the nuances of the amendment, first, you have the option of buying it at what is essentially determined the fair market value of a license. If you do not want to go through that process, if you do not want to, if you are in a rural area, pay \$300 million, if you are in an urban area pay \$500 million, and you say, hey, it is too much, we will go to auction, and that allows the market forces really to determine that. It kind of takes the State government out of the business of monopolies and awarding winners and losers to certain favorite corporations, our good corporate billionaire friends – billionaire friends – and really allows the market forces to determine the actual value of the price.

Mr. ROHRER. Thank you, Mr. Speaker, for your response.

I would like to make a few comments, please, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. ROHRER. I think that Representative Coleman's amendment is rather common sense for anything where you are dealing with a legitimate business in an open market. I suppose that when we are dealing with monopolies, such as what we are dealing with here, businesses that will be guaranteed no more competition, I suppose that maybe they would not want to be subject to open market of just bidding, I suppose.

But I would like to substantiate Representative Coleman's assertions about the value of licenses, because frankly, there seem to be some who think that they are out of line. And, you know, there is some movement here, but I would like to cite from a very legitimate source that I have before me, completed just in March of this year, in a State just across the border from us, that was requisitioned by the department, government of Maryland, the budget department, and they went to reports that were produced by KPMG (Klynveld Peat Marwick Goerdeler) and from Magna Corporation themselves, one that Representative Coleman cited. There were five studies that were done. The value, the net present value of investment, the value of the licenses in all five, all of which are based conservatively, range from just under \$300 million to over \$800 million, which is the value they say, their report, it is official – \$800 million. How in the world can any person sit here and say that we have done due diligence for the people of this Commonwealth? How can anybody stand up and say this is all for property tax reduction when we are giving it away up front? How can anyone stand here and say that this, under any circumstances, is anything short of a giveaway, of a giveaway, to certain corporate leaders? I suppose it is all a part of the negotiations that we heard about earlier. A sweet deal for them, a very poor deal for the people of this Commonwealth.

And nobody can dispute the numbers because they are here, and I would say to reject Representative Coleman's amendment is to say, I do not care what the facts say; I do not care what we do to jettison ourselves of our responsibilities and duties to the people of this State; we will not consider an open market consideration; we will not consider a free market bidding process. We require it under every other contract that comes out of this Commonwealth, good grief, and we are not going to do it on something where you are talking hundreds and hundreds and hundreds of millions of dollars? What negotiations?

Let us support Representative Coleman's amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Westmoreland, Mr. Pallone.

Mr. PALLONE Thank you, Mr. Speaker.

I rise obviously in opposition to the Coleman-Clymer amendment in that much of the misinformation that has been shared with us this evening, particularly about this amendment, is important to note. The value of a license, particularly in this case, is not in the cost of the license. The value of the license is in the return investment that comes out of that, and for Pennsylvania, the return is that the licenses will be affordable, the businesses will then be developed, and we will enjoy a continuum of oncoming revenues ad infinitum. There is no limitation.

Too many times you see that government officials are naive as to the economics of the business that we conduct. The issue is not how much money can we get today – one-time, single revenue sources. Our mission is to create revenue sources that are ongoing and endless. It is not the price that a business or industry pays for the license that we have to sell. It is the value and the worth that we get out of the long-time life of that license and the continued revenues that we can enjoy as a government body.

There have been several members who rose and spoke that this is corporate welfare. Clearly, they do not understand the concept. The government is not giving these corporations anything. They are selling them a license and giving them the permission to operate a business, for which they will return revenues to the Commonwealth and in many cases the local municipalities.

If anything, it is welfare for us. We are getting revenues from this business. The industry will make the investment. They will build the facilities, they will provide the equipment contained therein, and they will pay and share in the wealth with the Commonwealth of Pennsylvania so that we can then in turn provide services to the people that we serve.

We are in a situation right now where everyone knows that property taxes are a problem in Pennsylvania and we all want to reduce property taxes, but let us face it, and I have said it before – there is no money tree in Harrisburg. We have to replace those revenues from school property taxes and other property taxes with other revenue sources. This is an ongoing revenue stream that the Commonwealth of Pennsylvania can enjoy literally millions of dollars well into the future.

As with anything that we do, there is a negative side for it, and yes, there are addictive behaviors, but that comes with smoking and alcohol, but we somehow are involved in those businesses as well.

We know that the gaming in this country is a multi-multi-million-dollar industry, and it may exceed billions, if I can quote my colleague from Indiana County. But why not take advantage of those funds that can be made available to us?

Let us encourage business in Pennsylvania. Let us encourage gaming in Pennsylvania. Let us not make it so expensive that no one but a multibillion-dollar corporation can afford the license so that they can come to Pennsylvania.

We rank in the bottom of many things. For once, let us rank in the top. Let us make the licenses affordable so that we can enjoy that continuum of a revenue stream long into the future so that Pennsylvanians, the people that we represent, can enjoy the benefit of the revenues that we get from these corporations, and make it be known clear that we are giving these corporations nothing but permission to operate in Pennsylvania.

I encourage a negative vote on this particular amendment.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Coleman, for the second time.

Mr. COLEMAN. Mr. Speaker, in a brief closing, I would just like to, first of all, thank the indulgence of the members of this House for a rather extended debate, an important debate, on what the value is or is not of a slot license in Pennsylvania.

This amendment is quite simply an attempt to bring back into line what was originally placed by Senate Democratic leaders of a \$125 million license fee in the original drafted legislation. This is not unreasonable. When our good friends, the billionaire club, who have been really working day and night on this issue for several years, first looked at their proposal, they did not balk. So this is not the difference, the \$75 million difference, between whether or not these folks are going to put up a corrugated tin shack with a cinder-block floor or whether or not they are going to put up a palace of a casino.

We have given these folks an awful lot. We are granting them virtual exclusivity over their market in 11 different areas.

So, Mr. Speaker, if you are interested in helping me tonight bring a little bit of sensibility to this issue and in essence end a little bit of corporate welfare for a handful of folks living outside of Pennsylvania, please join me in supporting amendment 2953, the ante-up amendment.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. The gentleman's enthusiasms, which he read so articulately earlier in the debate, are orchestrated to gag and to choke and to throttle the bill.

There is a certain threshold, a certain critical mass, and the money that we will generate at \$50 million per license is the highest in the 50 States. It has been exceptionally well researched, and again, the word "critical mass," an acceptable threshold, comes to us, and we are trying to create these 20,000 jobs and engender \$1 billion in property tax reduction, and the smooth commentary that was so glibly delivered earlier tonight is designed to eviscerate the bill, and it should be recognized as such.

Now, even if you take his reasoning and carry it forward and just say it was \$100 million or \$150 million, of course, as the honorable gentleman, Mr. Preston, correctly engaged my colleague, that would only allow the real billionaires, the Steve Wynn's of Las Vegas, to come in, and we would only have a couple billionaires. If his amendment or, I should say, the Clymer amendment were to pass, these Pennsylvania men and women, these Pennsylvania entrepreneurs, would be set on the sidelines, those who have developed their tracks and their gaming venues over the years.

But if somehow his dream came true and we were to auction off all these things, we would auction them off at such a high level that there is a very good chance that in order to recoup their money, these business entities would just have a big concrete-block setting, with umpteen slots in each place. They would probably disavow the idea of building new hotels and relishing the idea of making these destinations.

We have worked on this months and months and months – in fact, years and years and years from when Representative Gigliotti and I introduced the riverboat gaming legislation many, many years ago, in the early nineties.

There is a \$50 million shot in the arm to the State Treasury through every one of these licenses, and as has been said by Mr. Pallone and others, year in and year out, we will gain more money.

And again, if you want to take his dream come true and pass the amendment, that is probably going to be fewer dollars for the back side of the track, and those thousands and thousands of Pennsylvanians who work in those settings under comparatively dubious circumstances, we are trying to give them pensions and better living conditions and better medical care. That is what we are trying to do with the spread that almost one-third of the Republican Caucus and about 75 percent of our caucus has decided upon tonight, to generate \$1 billion – \$1 billion.

This is a very fragile document, and the property tax realization is in some jeopardy. This is showmanship. This is glib, snake-oil showmanship, and it should be rejected as just that, Mr. Speaker.

I would ask for a negative vote on the Clymer amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Clymer, for the second time.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I will be very brief and short, but the minority leader was talking about the \$50 million fee that is included in the bill. Let the record show, it was the Republicans that had brought in the investment banker from Chevy Chase, Maryland, to begin to get a discussion on the issue. If we had been silent, the fees would have been zero, and these people who are owning these racetracks and these future racetrack owners would be receiving a wonderful windfall from the taxpayers of Pennsylvania.

So to say that we have kind of been shoved aside in this issue is absolutely wrong. Those additional \$550 million certainly will be coming into this Commonwealth because we had a concern for the taxpayers of Pennsylvania. We were there to step up to the plate and say, this is not a free lunch; you are not going to get it for nothing; you are going to make some type of a payment. Let the record show it.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-67

Armstrong	Egolf	Hess	Rieger
Baker	Fairchild	Hickernell	Rohrer
Baldwin	Feese	Hutchinson	Sather
Bard	Fleagle	Leh	Scavello
Bastian	Forcier	Lewis	Schroder
Benninghoff	Gabig	Lynch	Semmel
Birmelin	Geist	Maher	Smith, B.
Boyd	Gillespie	Maitland	Smith, S. H.
Browne	Gingrich	McIlhattan	Stairs
Causar	Gordner	McNaughton	Stern
Clymer	Habay	Metcalfe	Stevenson, R.
Coleman	Hanna	Miller, S.	True
Crahalla	Harhart	Petrarca	Turzai
Creighton	Harris	Phillips	Vitali
Dailey	Hasay	Pickett	Yewcic

Dally	Herman	Reed	Zug
Denlinger	Hershey	Reichley	

NAYS-134

Adolph	Evans, J.	Markosek	Saylor
Allen	Fabrizio	Marsico	Scrimenti
Argall	Fichter	McCall	Shaner
Barrar	Flick	McGeehan	Solobay
Bebko-Jones	Frankel	McGill	Staback
Belardi	Freeman	McIlhinney	Steil
Belfanti	Gannon	Melio	Stetler
Bianucci	George	Micozzie	Stevenson, T.
Bishop	Gergely	Miller, R.	Sturla
Blaum	Godshall	Mundy	Surra
Bunt	Goodman	Mustio	Tangretti
Butkovitz	Grucela	Myers	Taylor, E. Z.
Buxton	Gruitza	Nailor	Taylor, J.
Caltagirone	Haluska	Nickol	Thomas
Cappelli	Harhai	O'Brien	Tigue
Casorio	Harper	Oliver	Travaglio
Cawley	Hennessey	O'Neill	Vance
Civera	Horsey	Pallone	Veon
Cohen	James	Payne	Walko
Cornell	Josephs	Petri	Wansacz
Corrigan	Keller	Petrone	Washington
Costa	Kenney	Pistella	Waters
Coy	Killion	Preston	Watson
Cruz	Kirkland	Raymond	Weber
Curry	Kotik	Readshaw	Wheatley
Daley	LaGrotta	Roberts	Williams
DeLuca	Laughlin	Roebuck	Wilt
Dermody	Leach	Rooney	Wojnaroski
DeWeese	Lederer	Ross	Wright
DiGirolamo	Levdansky	Rubley	Youngblood
Diven	Mackereth	Ruffing	Yudichak
Donatucci	Major	Sainato	
Eachus	Manderino	Samuelson	Perzel,
Evans, D.	Mann	Santoni	Speaker

NOT VOTING-0

EXCUSED-1

Lescovitz

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 concur in Senate amendments as amended?

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Stern.

Mr. STERN. Mr. Speaker, I move that the rules be suspended for consideration of amendment 2476.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. On that question, the gentleman, Mr. Stern, is recognized.

Mr. STERN. Thank you, Mr. Speaker.

I move to suspend the rules for amendment 2476.

What this amendment would do is it would authorize the Legislative Budget and Finance Committee to conduct periodic studies to determine whether the operation of slot machines has a negative impact on lottery receipts.

The gambling interests have assured us that the slots will not affect the lottery. If that is the case, then this amendment should not be a problem. However, if the lottery does suffer financial detriment and less money is available for our seniors' programs, then I think it is fair to ask the slot licensees to make up those losses.

Do not gamble with our seniors' benefits. Please support the suspension here that I am about to offer on A2476.

The SPEAKER pro tempore. On suspension, Mr. Veon, are you seeking recognition?

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, this is one of the amendments that is agreed to in the sense that we will agree to suspend the rules for consideration and then work hard to defeat the amendment.

Mr. STERN. Thank you.

Mr. VEON. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS-141

Adolph	Evans, D.	Mackereth	Sainato
Allen	Fabrizio	Maher	Samuelson
Argall	Fairchild	Maitland	Santoni
Armstrong	Feese	Major	Sather
Baker	Fleagle	Manderino	Saylor
Baldwin	Forcier	Mann	Scavello
Bard	Freeman	Markosek	Schroder
Barrar	Gabig	Marsico	Semmel
Bastian	Geist	McGill	Shaner
Bebko-Jones	Gergely	McIlhattan	Smith, B.
Belardi	Gillespie	McNaughton	Smith, S. H.
Benninghoff	Gingrich	Melio	Stairs
Birmelin	Godshall	Metcalfe	Stern
Boyd	Gordner	Miller, R.	Stevenson, R.
Browne	Grucela	Miller, S.	Stevenson, T.
Bunt	Habay	Mustio	Sturla
Caltagirone	Haluska	Nailor	Surra
Cappelli	Hanna	Nickol	Tangretti
Casorio	Harhart	O'Brien	Taylor, E. Z.
Causar	Harper	Pallone	Taylor, J.
Cawley	Harris	Payne	Thomas
Civera	Hasay	Petrarca	Tigue
Clymer	Hennessey	Petrone	True
Coleman	Herman	Phillips	Turzai
Cornell	Hershey	Pickett	Vance
Crahalla	Hess	Preston	Veon
Creighton	Hickernell	Raymond	Vitali
Curry	Hutchinson	Reed	Walko
Dailey	Josephs	Reichley	Watson
Dally	Kenney	Rieger	Weber
Denlinger	Killion	Roberts	Yewcic
Dermody	Kirkland	Roebuck	Zug
DeWeese	Leh	Rohrer	
DiGirolamo	Levdansky	Ross	
Diven	Lewis	Rubley	Perzel,
Egolf	Lynch	Ruffing	Speaker

NAYS-59

Belfanti	Evans, J.	Lederer	Staback
Biancucci	Fichter	McCall	Steil
Bishop	Frankel	McGeehan	Stetler

Blaum	Gannon	McIlhinney	Travaglio
Butkovitz	George	Micozzie	Wansacz
Buxton	Goodman	Mundy	Washington
Cohen	Gruitza	Myers	Waters
Corrigan	Harhai	Oliver	Wheatley
Costa	Horsey	O'Neill	Williams
Coy	James	Petri	Wilt
Cruz	Keller	Pistella	Wojnaroski
Daley	Kotik	Readshaw	Wright
DeLuca	LaGrotta	Rooney	Youngblood
Donatucci	Laughlin	Scrimenti	Yudichak
Eachus	Leach	Solobay	

NOT VOTING-1

Flick

EXCUSED-1

Lescovitz

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.

THE SPEAKER (JOHN M. PERZEL)
PRESIDING

On the question recurring,
Will the House concur in Senate amendments as amended?

Mr. STERN offered the following amendment No. **A2476**:

Amend Sec. 2 (Chapter Analysis), page 5, by inserting between lines 28 and 29

9205.2. Study and assessment.

Amend Sec. 2 (Sec. 9205), page 26, lines 18 through 20, by striking out all of said lines and inserting

(c) Reports.—Eighteen months after the effective date of this

Amend Sec. 2 (Sec. 9205), page 26, line 30; page 27, lines 1 through 4, by striking out all of said lines on said pages

Amend Sec. 2, page 28, by inserting between lines 1 and 2 Section 9205.2. Study and assessments.

(a) Initial study.—Within two years of the effective date of this section, the Legislative Budget and Finance Committee shall initially study whether the licensed operation of slot machines has had a detrimental effect on the amount of lottery receipts deposited in the State Lottery Fund. The initial study shall be completed and issued to the State Government committee of the Senate and the State Government Committee of the House of Representatives within six months of its initiation.

(b) Updated studies.—Within three years of the completion of the initial study under subsection (a) and every three years thereafter, the Legislative Budget and Finance Committee shall repeat and update the initial study, which shall be completed and issued to the State Government Committee of the Senate and the State Government Committee of the House of Representatives within six months of an updated study's initiation.

(c) Assessments.—If any study conducted pursuant to subsection (a) or (b) determines that the deposits of lottery receipts in the State Lottery Fund have been negatively impacted by the licensed operation of slot machines, all of the following shall occur:

(1) The Legislative Budget and Finance Committee shall determine the amount of lost lottery receipts and the interest on those receipts that would have accrued to the State Lottery Fund and shall notify the board of its determination.

(2) Each slot machine licensee shall be assessed an amount to recover the lost receipts and interest which shall be calculated by taking the amount of lost lottery receipts and interest determined under paragraph (1) and dividing that amount by the number of slot machine licensees at the time the particular study is initiated.

(3) The board shall notify each slot machine licensee of its assessment, which shall be paid to the board within 30 days of receipt of the notice. The board shall remit the assessments it collects to the State Lottery Fund.

(d) Revocation of license.—Any slot machine licensee that fails to fully pay its assessment as provided in subsection (c) shall have its slot machine license immediately revoked.

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

The SPEAKER. On the amendment, the Chair recognizes the gentleman, Mr. Stern.

Mr. STERN. Thank you, Mr. Speaker.

I stand to offer this amendment that would allow the Legislative Budget and Finance Committee to conduct reviews in the future as to the impact of what the slots will do at the racetracks in future years. We have been assured by the gambling interests that there will be no impact on the Pennsylvania lottery system. The lottery system provides so many benefits for our senior citizens that I think it is imperative that we do everything in our power to make sure of the programs, the benefits. Not more than 2 weeks ago, we expanded the PACE/PACENET qualifications here, to expand it to include 100,000 additional Pennsylvanians.

I think it is important to note that the Legislative Budget and Finance Committee is prepared and authorized, and as a matter of fact, they have just completed a study providing prescription drug coverage for low- and moderate-income seniors, which was just completed last month. This would allow a barometer to see what the impact would actually be on future expansion and future operation of slot machines at these 11 ventures.

Originally, whenever the first proposal that the Governor had introduced, he had mentioned about 8 tracks at 3,000 slots per track, which was 24,000 slots across the Commonwealth. With this proposal before us this evening, HB 623, we are looking at the expansion of 55,000 slot machines at 11 different sites around the Commonwealth.

I think it is imperative that we protect our senior citizens. I just got a statement sheet from the Pennsylvania Lottery, Department of Revenue, and it was just the year-to-date June 2003 figures, but the total game sales were the equivalent of \$2.1 billion, and the net revenue, after adjustments, was almost \$800 million. If you look at the payouts and all the programs at many of our district offices, we help many of these constituents on a daily basis — property tax and rent rebate, \$120 million; PACE/PACENET, \$350 million; and the list goes on and on.

But all these total program benefits pay out \$789 million in benefits that help our area agencies on aging. It helps our transportation system. It provides millions of dollars in free and reduced rides. It provides the hot meals program and home-delivered meals.

And I think it is important and we have been assured that there will be no impact on the lottery system, and if that is the case, then there is no need and no worry to conduct a report or a study by the Legislative Budget and Finance Committee.

For those reasons I would ask for support of this amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Hess.

Mr. HESS. Thank you, Mr. Speaker.

I rise to support Representative Stern's amendment.

This amendment is surely a safety net for this particular program. At a time when we are trying to preserve a lot of the senior programs with the funding and so forth that is available, this is surely going to be a detriment to that, and this particular amendment will be a safety net for that, and with that, I would ask my colleagues to support this amendment.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

I, too, add my voice to the list of "yeas" for the amendment and would ask for support. Thank you.

The SPEAKER. Mr. Cappelli.

Mr. CAPPELLI. Thank you, Mr. Speaker.

Would the maker of the amendment stand for brief interrogation?

The SPEAKER. The gentleman indicates that he will.

Mr. CAPPELLI. Mr. Speaker, if the amendment is adopted and the Legislative Budget and Finance Committee conducts this audit of the gaming industry impact upon the lottery and ascertains or determines that there is a negative impact to the Lottery Fund, that we are losing lottery revenues as a result of slot participation or slot gaming activities, does your amendment then dictate that those funds be replenished, and if so, what would the source of the replenishment be — the owner's take, the Commonwealth's take, the breeders fund?

Mr. STERN. Mr. Speaker, each slot machine licensee, as the amendment reads, would be assessed an amount to recover the lost receipts and interest which shall be calculated by taking the amount of lost lottery receipts and interest determined under that paragraph and then you would divide that by the amount of licensees.

Mr. CAPPELLI. So your answer, Mr. Speaker, then is that any revenue recovery that the audit would determine is due the Lottery Fund as a result of the new gaming enterprises would come from the licensees?

Mr. STERN. Yes.

Mr. CAPPELLI. Thank you, Mr. Speaker.

That concludes my interrogation.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny, Mr. Pistella.

Mr. PISTELLA. Thank you, Mr. Speaker.

Mr. Speaker, I was wondering if the gentleman would be kind enough to answer a few questions on his amendment.

Mr. STERN. Sure.

The SPEAKER. The gentleman indicates he will.

Mr. PISTELLA. Thank you.

Mr. Speaker, I am one of the members of the legislature that serve as an officer of the Legislative Budget and Finance Committee, and I am looking for a little bit of clarity in terms of what it is exactly you would like to have the Legislative Budget and Finance Committee do.

As I read your amendment, you are asking that within a 2-year window of the adoption of this legislation, a study be

conducted by the Legislative Budget and Finance Committee and that that study last approximately 6 months. Am I correct?

Mr. STERN. They would have to report back in 6 months, yes.

Mr. PISTELLA. Report back in 6 months.

Where I become confused, Mr. Speaker, and I was wondering if you would help me with this, in the latter part of your amendment where you look at the negative effect, if there is a negative effect on the lottery, is that negative effect to be included in that original report, or are you asking that if it is determined by the first report there is a negative effect, a second step be taken by the Legislative Budget and Finance Committee which determines whether or not there should be further information shared with the board about the loss of revenue?

Mr. STERN. The initial study would make a determination.

Mr. PISTELLA. I am sorry, Mr. Speaker. I am having a little bit of trouble hearing you. I apologize.

The SPEAKER. Would the members please keep the noise levels down. The gentleman deserves to be heard.

Mr. STERN. Thank you, Mr. Speaker.

The initial study, the initial study would make that determination whether or not there has been an impact on the lottery system.

Mr. PISTELLA. So then even though your language is inserted in different sections, the idea is, you are really looking for the one report conducted over a 6-month period within the first 2 years, and then every third year, that same report is to be built upon. You are not looking for one report at the end of 6 months and then an interim report or something separate, some separate piece on the assessment. It should be contained all in one report. Correct?

Mr. STERN. Yes.

Mr. PISTELLA. Great.

Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Beaver, Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I have to rise to oppose this amendment, and I appreciate, no question, the good intention of the maker of this amendment to try to make sure that throughout this hoped-for process, as we put slots at racetracks in Pennsylvania, that the lottery is not negatively impacted, and certainly, that is a worthy goal, but, Mr. Speaker, this particular amendment, unfortunately, just does not go about and do that in a – certainly not in the right way, and let me just make a couple of important points about this amendment.

Again, I understand the gentleman is very well intentioned in putting this together, but he uses the term of art in this amendment where it says when the lottery is “negatively impacted,” quote, unquote, and there is really not a clear definition of what in fact it means to be negatively impacted. For example, the lottery, as we know, in a certain number of years – in fact, many over the last few years – has grown in proceeds each and every year, has had an increase in proceeds, and so does it mean to be negatively impacted that you do not quite have as much growth as you had last year? Does it mean that you only have half as much growth, one-quarter as much growth, a third as much growth, or does it mean that you have had no growth, or does it mean that you have gone backwards in proceeds? So there is not a clear definition of what it means to be negatively impacted, the lottery to be negatively impacted.

I do not see how you could take a provision like this and put it into law.

And number two, and I think just as important, the gentleman for, I am sure, good reasons on his part, decided to use the Legislative Budget and Finance Committee as the mechanism to determine whether the lottery has been negatively impacted, and I am familiar with the Legislative Budget and Finance Committee. I think they do fantastic work, but they are a legislative research organization, with legislative board appointments, and they make recommendations to the legislature about public policy. They are not a regulatory agency of State government, and the gentleman, I am sure, again, in a well-intentioned way, I believe, has really said that the Legislative Budget and Finance Committee – again, good folks who do performance audits of various State agencies – are now going to do, undoubtedly, a very complex, complicated fiscal audit of the State lottery system and make a determination as to whether or not they were negatively impacted.

Mr. Speaker, they are not a regulatory agency. Under his amendment, if those nice, well-meaning, excellent staff people at the Legislative Budget and Finance Committee, in a legislative research organization, were to find that the lottery system were negatively impacted, they could order the board to assess all the casinos in the State of Pennsylvania.

Again, nice folks, excellent legislative research organization, but this is not the PUC (Public Utility Commission). They are not a regulatory agency. We cannot give them regulatory powers to somehow require and demand that the board and others act in a certain way.

So, Mr. Speaker, again, I understand the gentleman is very well intentioned, but this amendment just does not get that job done in any good way, and I would suggest that you cannot grant the Legislative Budget and Finance Committee those kinds of powers under State law, and I would ask for a negative vote.

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

Mr. McNAUGHTON. Thank you, Mr. Speaker.

Mr. Speaker, I cannot believe what I just heard. I cannot believe that I heard such a disingenuous, hypocritical criticism on this amendment. It is unbelievable.

Earlier tonight we voted on an amendment to allow the Auditor General to look into diversity of hiring practices at casinos and slot venues. He has no regulatory authority to do that. He has no authority to enforce the, quote, unquote, “diversity” criteria, the diversity levels you are looking for. He has no requirement, no authority, to do that whatsoever, and you stood there and said, oh, this is the greatest thing since sliced bread; the Auditor General is going to enforce diversity.

Now here we are, trying to protect the seniors of the Commonwealth of Pennsylvania, when earlier tonight you wanted to protect the minorities and the gender. What is wrong with the seniors? Do they not fit into the picture of your protection for the Commonwealth of Pennsylvania any longer?

Let us vote “yes” on this amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. Taylor.

Mr. TAYLOR. Mr. Speaker, I certainly do not want to get the prior speaker all worked up again.

I will just say that I would ask for a negative vote on this amendment and to offer to the body the fact that there is language in this bill about a study on the effect of the lottery, and then there are numerous ways for this legislature to handle that problem should there be a negative effect. There really should not be any further language in this bill, and I ask for a "no" vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Stern, for the second time.

Mr. STERN. Thank you.

While I appreciate the two previous speakers' and Mr. Veon's assessment of this amendment, I think it is far too important to the seniors of this Commonwealth not to support this amendment because of what it could do to the lottery system.

We have a bipartisan committee set up, the Legislative Budget and Finance Committee set up, to perform audits. As a matter of fact, I went on their Web site last evening, and I pulled out all the reports that they have done since 1982. They have done about 282 reports to the Commonwealth of Pennsylvania. When we need direction in this body as to what direction we are going to go, whenever we are looking at the impact as huge as something as we are doing tonight, on the impact of gambling across the Commonwealth – and bar none, we are expanding gambling as no time ever before in the history of this Commonwealth – why cannot we provide some assurances and some protections to our seniors?

The previous speaker mentioned about something in this legislation to perform some kind of a study, but the study that would be performed by the Legislative Budget and Finance Committee would actually report as to whether or not there is a reduction in growth and if there would be an impact on the lottery system.

I think the benefits that we provide to our senior citizens are far too important to ignore that we cannot support this commonsense piece of legislation to protect the lottery system and protect our senior citizens.

So for that reason, Mr. Speaker, I would ask for an affirmative vote on my amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, the gentleman is correct, the Legislative Budget and Finance Committee has done good work, and they have made positive and important recommendations – recommendations – to the State legislature so that we may take their recommendations under advisement and make some determinations as a legislative body on how we are going to proceed on the recommendations that they made.

As I said, undoubtedly, in a well-meaning way, the gentleman has taken the Legislative Budget and Finance Committee and made it a regulatory agency, who, when they have a finding, shall – shall – make the board do the following kinds of things. Now, again, they are nice folks over there; they do good work, but you cannot take a Legislative Budget and Finance Committee agency that will now require some other agency in State government to do something very specific by law.

It is a research agency, not a regulatory agency; not the right way to go about this, and I would ask for a negative vote.

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—84

Allen	Fairchild	LaGrotta	Reichley
Argall	Feese	Leh	Rohrer
Armstrong	Fleagle	Lewis	Sainato
Baker	Forcier	Lynch	Samuelson
Baldwin	Freeman	Mackereth	Sather
Bastian	Gabig	Maher	Saylor
Benninghoff	Geist	Maitland	Scavello
Birmelin	Gillespie	Major	Schroder
Boyd	Gingrich	McIlhattan	Semmel
Browne	Godshall	McNaughton	Smith, B.
Cappelli	Gordner	Metcalfe	Smith, S. H.
Causar	Habay	Miller, R.	Stairs
Cawley	Hanna	Miller, S.	Stern
Clymer	Harhart	Nailor	Stevenson, R.
Coleman	Hasay	Nickol	Stevenson, T.
Crahalla	Hennessey	O'Neill	Tigue
Creighton	Herman	Payne	True
Dailey	Hershey	Petrarca	Vance
Dally	Hess	Phillips	Vitali
Denlinger	Hickernell	Pickett	Yewcic
Egolf	Hutchinson	Reed	Zug

NAYS—117

Adolph	Evans, D.	Markosek	Solobay
Bard	Evans, J.	Marsico	Staback
Barrar	Fabrizio	McCall	Steil
Bebko-Jones	Fichter	McGeehan	Stetler
Belardi	Flick	McGill	Sturla
Belfanti	Frankel	McIlhinney	Surra
Bianucci	Gannon	Melio	Tangretti
Bishop	George	Micozzie	Taylor, E. Z.
Blaum	Gergely	Mundy	Taylor, J.
Bunt	Goodman	Mustio	Thomas
Butkovitz	Grucela	Myers	Travaglio
Buxton	Gruitza	O'Brien	Turzai
Caltagirone	Haluska	Oliver	Veon
Casorio	Harhai	Pallone	Walko
Civera	Harper	Petri	Wansacz
Cohen	Harris	Petrone	Washington
Cornell	Horsey	Pistella	Waters
Corrigan	James	Preston	Watson
Costa	Josephs	Raymond	Weber
Coy	Keller	Readshaw	Wheatley
Cruz	Kenney	Rieger	Williams
Curry	Killion	Roberts	Wilt
Daley	Kirkland	Roebuck	Wojnaroski
DeLuca	Kotik	Rooney	Wright
Dermody	Laughlin	Ross	Youngblood
DeWeese	Leach	Rubley	Yudichak
DiGirolamo	Lederer	Ruffing	
Diven	Levdansky	Santoni	
Donatucci	Manderino	Scrimenti	Perzel,
Eachus	Mann	Shaner	Speaker

NOT VOTING—0

EXCUSED—1

Lescovitz

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

VOTE CORRECTION

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

Mr. PAYNE. To correct the record, Mr. Speaker.

The SPEAKER. The gentleman may continue.

Mr. PAYNE. Thank you, Mr. Speaker.

On A2953, HB 623, I am recorded as a “no,” and I should be recorded as a “yes.” My button malfunctioned. I would like to thank the technician for the quick repair. Thank you.

The SPEAKER. Thank you. The gentleman’s remarks will be spread upon the record.

CONSIDERATION OF HB 623 CONTINUED

On the question recurring,

Will the House concur in Senate amendments as amended?

RULES SUSPENDED

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

Mr. BAKER. Mr. Speaker, I move to suspend the rules for amendment A2882.

On the question,

Will the House agree to the motion?

The SPEAKER. On the motion to suspend, the Chair recognizes the gentleman, Mr. Baker.

Mr. BAKER. Thank you, Mr. Speaker.

Mr. Speaker, I rise to suspend the rules to offer amendment A2882 as it relates to ATMs (automated teller machines).

The SPEAKER. The Chair thanks the gentleman.

On the suspension of the rules, the gentleman, Mr. DeWeese, is recognized.

Mr. DeWEESE. I would ask for a favorable vote on suspension.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—142

Adolph	Egolf	Levdansky	Samuelson
Allen	Fabrizio	Lewis	Santoni
Argall	Fairchild	Lynch	Sather
Armstrong	Feese	Mackereth	Saylor
Baker	Fichter	Maher	Scavello
Baldwin	Fleagle	Maitland	Schroder
Bard	Flick	Major	Semmel
Barrar	Forcier	Markosek	Shaner
Bastian	Frankel	McGill	Smith, B.
Bebko-Jones	Freeman	McIlhattan	Smith, S. H.
Benninghoff	Gabig	McNaughton	Solobay
Birmelin	Geist	Melio	Stairs
Boyd	Gergely	Metcalfe	Stern
Browne	Gillespie	Micozzie	Stevenson, R.

Bunt	Gingrich	Miller, R.	Stevenson, T.
Cappelli	Godshall	Miller, S.	Sturla
Casorio	Gordner	Mustio	Surra
Causer	Grucela	Myers	Tangretti
Cawley	Habay	Nailor	Taylor, E. Z.
Civera	Hanna	O'Brien	Taylor, J.
Clymer	Harhart	Oliver	Tigue
Coleman	Harper	Pallone	True
Cornell	Harris	Payne	Vance
Costa	Hasay	Petrarca	Veon
Crahalla	Hennessey	Phillips	Vitali
Creighton	Herman	Pickett	Walko
Curry	Hershey	Preston	Washington
Dailey	Hess	Raymond	Weber
Daley	Hickernell	Readshaw	Wheatley
Dally	Hutchinson	Reed	Williams
DeLuca	James	Reichley	Wojnaroski
Denlinger	Josephs	Roberts	Yewcic
Dermody	Killion	Rohrer	Zug
DeWeese	Kirkland	Rooney	
DiGirolamo	Leach	Rubley	Perzel,
Diven	Leh	Ruffing	Speaker

NAYS—58

Belardi	Evans, J.	Marsico	Scrimenti
Belfanti	Gannon	McCall	Staback
Bianucci	George	McGeehan	Steil
Bishop	Goodman	McIlhinney	Stetler
Blaum	Gruitza	Mundy	Thomas
Butkovitz	Haluska	Nickol	Travaglio
Buxton	Harhai	O'Neill	Turzai
Caltagirone	Horsey	Petri	Wansacz
Cohen	Keller	Petrone	Waters
Corrigan	Kenney	Pistella	Watson
Coy	LaGrotta	Rieger	Wilt
Cruz	Laughlin	Roebuck	Wright
Donatucci	Lederer	Ross	Youngblood
Eachus	Manderino	Sainato	Yudichak
Evans, D.	Mann		

NOT VOTING—1

Kotik

EXCUSED—1

Lescovitz

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.

On the question recurring,

Will the House concur in Senate amendments as amended?

Mr. BAKER offered the following amendment No. **A2882**:

Amend Sec. 2 (Sec. 9218.1), page 72, lines 3 through 10, by striking out all of said lines and inserting

No slot machine licensee may place or allow the placement of an automated teller machine (ATM) within any area of a racetrack facility.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman, Mr. Baker, for an explanation of A2882.

Mr. BAKER. Thank you, Mr. Speaker.

This amendment is a consumer protection amendment that prohibits the location of ATMs within the confines of a racetrack or slot facility.

After having lost all their money, this will help protect citizens from withdrawing all their money available via ATMs, only to lose everything in the rush to gamble more. ATMs are too easy to access now, especially for compulsive, addictive, and impulse bettors, and unfortunately and effectively deplete citizens' resources. It only seems wise to protect our citizens by not having ATMs on the racetrack premises.

I would encourage my colleagues to continue their bipartisan support in voting in favor of this legislation. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. BIRMELIN. Thank you, Mr. Speaker.

I think this amendment is analogous to the fact that our bartenders in Pennsylvania have been instructed that when one of their customers is inebriated and apparently unable to drive, they should stop giving them alcohol, and I think it would be a good idea to keep a person who may be addicted to gambling from doing the same thing, and that is by letting him or her drain hundreds of dollars from their own checking or savings account at an ATM machine.

I think this is a good amendment. I think it helps in the area of trying to stem compulsive gamblers from gambling away money on an impulse that they should not. If they do not have the money when they go to the racetrack, they should not be able to draw more and to drain those resources, and I would encourage a positive vote on this amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, it must be getting late to offer an amendment, no ATM machines at racetracks. What are you going to do, put them outside the racetrack?

Mr. Speaker, I ask my colleagues to vote "no" on the Baker amendment, and let us move on this. Too many important issues tied to HB 623 for us to be getting bogged down on a prohibition against ATM machines at a racetrack.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

I would ask for a "no" vote on this.

There are already adequate protections in the bill with regard to credit cards and debit cards. This is not necessary. I ask for a "no" vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

To the addict who is looking to cash in his last dime, there is no control. He is looking for anyplace where he can go to get another dollar to put in the slot. That is what makes this amendment so important.

I urge members to support this amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Baker, for the second time.

Mr. BAKER. Thank you, Mr. Speaker.

I am going to repeat the premise for which I have offered this amendment: a consumer protection amendment.

Oftentimes impulse bettors, compulsive bettors, inebriated, intoxicated bettors often lose everything that they have, only to go as a last resort to the ATM machine and all too often wipe out everything they have in their accounts. One sad story after another is documented that this happens. This is a fact; this is not fabricated; and quite frankly, the casino owners count on these ATMs to generate a lot more money. They are not just ATM machines; they are cash cows, and unfortunately, it leads to the victimization of totally wiping out individuals financially.

So once again, it is a good consumer protection amendment, and I ask for your support.

Thank you, Mr. Speaker.

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

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

Here we are again, the Democratic Caucus coming to the rescue of our good friends, the Pennsylvania Bankers Association, but wherever you are, Jim Biery and Dan Reisteter, we are for you. We are going to do all we can by voting "no" on this amendment.

The Republican Party, to some degree, although we have some good helpers over there tonight, and I want to be cordial and collegial and grateful, but so many of you folks en masse are trying to stymie us in our momentum tonight, and I just cannot quite figure out how the party of personal responsibility and smaller government and corporation focus, I do not know why you are trying to hammer the banks like this. I just cannot figure it out.

I am for the banks, and I would like a negative vote.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—79

Armstrong	Forcier	Lewis	Samuelson
Baker	Freeman	Lynch	Sather
Baldwin	Gabig	Maher	Saylor
Bastian	Geist	Maitland	Scavello
Benninghoff	George	Major	Schroder
Birmelin	Gillespie	McIlhattan	Scrimenti
Boyd	Gingrich	McNaughton	Semmel
Browne	Gordner	Metcalfe	Smith, B.
Causar	Habay	Miller, S.	Smith, S. H.
Clymer	Hanna	Mustio	Solobay
Coleman	Harhart	Nickol	Stern
Crahalla	Harper	Payne	Stevenson, R.
Creighton	Harris	Petrarca	Taylor, E. Z.
Dailey	Hasay	Phillips	Tigue
Denlinger	Hennessey	Pickett	True
Egolf	Hershey	Readshaw	Vance
Fairchild	Hess	Reed	Vitali
Feese	Hickernell	Reichley	Yewcic
Fichter	Hutchinson	Rohrer	Zug
Fleagle	Levdansky	Rooney	

NAYS—122

Adolph	DiGirolamo	Mackereth	Santoni
Allen	Diven	Manderino	Shaner
Argall	Donatucci	Mann	Staback
Bard	Eachus	Markosek	Stairs
Barrar	Evans, D.	Marsico	Steil
Bebko-Jones	Evans, J.	McCall	Stetler
Belardi	Fabrizio	McGeehan	Stevenson, T.
Belfanti	Flick	McGill	Sturla
Biancucci	Frankel	McIlhinney	Surra
Bishop	Gannon	Melio	Tangretti
Blaum	Gergely	Micozzie	Taylor, J.
Bunt	Godshall	Miller, R.	Thomas
Butkovitz	Goodman	Mundy	Travaglio
Buxton	Grucela	Myers	Turzai
Caltagirone	Gruitza	Nailor	Veon
Cappelli	Haluska	O'Brien	Walko
Casorio	Harhai	Oliver	Wansacz
Cawley	Herman	O'Neill	Washington
Civera	Horsey	Pallone	Waters
Cohen	James	Petri	Watson
Cornell	Josephs	Petrone	Weber
Corrigan	Keller	Pistella	Wheatley
Costa	Kenney	Preston	Williams
Coy	Killion	Raymond	Wilt
Cruz	Kirkland	Rieger	Wojnaroski
Curry	Kotik	Roberts	Wright
Daley	LaGrotta	Roebuck	Youngblood
Dally	Laughlin	Ross	Yudichak
DeLuca	Leach	Rubley	
Dermody	Lederer	Ruffing	Perzel,
DeWeese	Leh	Sainato	Speaker

NOT VOTING—0

EXCUSED—1

Lescovitz

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 concur in Senate amendments as amended?

RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentlelady from Lancaster, Mrs. True.

Mrs. TRUE. Mr. Speaker, I move for an immediate suspension of the rules for the purpose of considering amendment A2461.

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

The SPEAKER. For the purpose of the immediate suspension, the Chair recognizes the gentlelady, Mrs. True.

Mrs. TRUE. Thank you, Mr. Speaker.

This amendment, we have been talking a lot about finances tonight and money and big numbers. I would like to offer this amendment on behalf of families. It is a simple amendment. It says that you cannot do the slot machines on national holidays, any national holidays, one of which is Christmas Day.

I think it makes sense, and I would ask for suspension of the rules.

The SPEAKER. Mr. DeWeese.

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

Again, we are anxious to allow debate to be sustained during the evening, and we will ask for a suspension of the rules so that this amendment might be entertained. However, we will oppose it vigorously on final passage.

Thank you very much.

The SPEAKER. Does the gentlelady wish to be recognized again?

Mrs. TRUE. Thank you, Mr. Speaker.

I understand clearly what is going on tonight, but I would like people just to think a moment about families. National holidays are a good time for families to be together. I do not particularly feel that being at a track with your kids and being at slot machines is a family event. It is also, I would think, good for the workers who might like those holidays off, and again, as I said, we are talking a lot about finances, and I guess, out of this list, I would like you all to focus on Christmas Day and think about what that means to families, and that would certainly be one of my favorites to be sure that people would stay home with their children.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentlelady.

The Chair should have stopped you in the beginning. First, we need to do the suspension of the rules, but we did have the valuable lesson of being able to hear what you had to say.

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

The following roll call was recorded:

YEAS—144

Adolph	Fichter	Lynch	Saylor
Allen	Fleagle	Mackereth	Scavello
Argall	Flick	Maher	Schroder
Armstrong	Forcier	Maitland	Scrimenti
Baker	Freeman	Major	Semmel
Baldwin	Gabig	Mann	Shaner
Bard	Gannon	Markosek	Smith, B.
Barrar	Geist	Marsico	Smith, S. H.
Bastian	Gillespie	McGill	Solobay
Bebko-Jones	Gingrich	McIlhattan	Stairs
Belardi	Godshall	McNaughton	Stern
Bennin ghoff	Gordner	Melio	Stevenson, R.
Birmelin	Grucela	Metcalfe	Stevenson, T.
Boyd	Gruitza	Micozzie	Sturla
Browne	Habay	Miller, R.	Surra
Bunt	Haluska	Miller, S.	Tangretti
Cappelli	Hanna	Mustio	Taylor, E. Z.
Causar	Harhai	Nailor	Taylor, J.
Cawley	Harhart	Nickol	Tigue
Civera	Harper	O'Brien	True
Clymer	Harris	Oliver	Turzai
Coleman	Hasay	Payne	Vance
Cornell	Hennessey	Petrarca	Veon
Costa	Herman	Phillips	Vitali
Crahalla	Hershey	Pickett	Walko
Creighton	Hess	Raymond	Washington
Curry	Hickernell	Readshaw	Waters
Dailey	Hutchinson	Reed	Watson
Daley	Josephs	Reichley	Weber
Dally	Keller	Roberts	Williams
Denlinger	Killion	Rohrer	Wojnaroski
DeWeese	Kirkland	Rooney	Yewcic

DiGirolamo	Kotik	Rubley	Zug
Egolf	Leach	Sainato	
Evans, D.	Leh	Samuelson	
Fairchild	Levdansky	Sather	Perzel,
Feese	Lewis		Speaker

NAYS—56

Belfanti	Diven	Lederer	Roebuck
Biancucci	Donatucci	Manderino	Ross
Bishop	Eachus	McCall	Ruffing
Blaum	Evans, J.	McGeehan	Santoni
Butkovitz	Fabrizio	McIlhinney	Staback
Buxton	Frankel	Mundy	Steil
Caltagirone	George	Myers	Stetler
Casorio	Gergely	O'Neill	Travaglio
Cohen	Goodman	Pallone	Wansacz
Corrigan	Horsey	Petri	Wheatley
Coy	James	Petrone	Wilt
Cruz	Kenney	Pistella	Wright
DeLuca	LaGrotta	Preston	Youngblood
Dermody	Laughlin	Rieger	Yudichak

NOT VOTING—1

Thomas

EXCUSED—1

Lescovitz

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.

On the question recurring,

Will the House concur in Senate amendments as amended?

Mrs. **TRUE** offered the following amendment No. **A2461**:

Amend Sec. 2 (Sec. 9205), page 25, line 17, by inserting after "YEAR"

, except for national holidays as defined in 5 U.S.C. § 6103 (relating to holidays). Licensees may operate slot machines

On the question,

Will the House agree to the amendment?

The **SPEAKER**. Would the gentledady like to make another statement?

Mrs. **TRUE**. I apologize for jumping the gun, Mr. Speaker.

The **SPEAKER**. It was my fault.

Mrs. **TRUE**. It is hard to hear. I will not reiterate what I just said in the interest of time. I am sure you all listened carefully and will support the amendment. Thank you.

The **SPEAKER**. The Chair thanks the gentledady.

The Chair recognizes the gentleman, Mr. Clymer.

Mr. **CLYMER**. Thank you, Mr. Speaker.

I know that we have not been too successful in getting votes, but let us consider this particular amendment, closed on national holidays.

Thanksgiving – a time when families should be together; the most traveled time in the history of our nation, when families will travel long distances to be with their loved ones; a time of

fellowship. Mr. Speaker, I cannot imagine why anyone would want to oppose families being together on Thanksgiving when they collectively, as a family, connect and return thanks for who they are, for being here in the great State of Pennsylvania. I cannot imagine any racetrack owner that would say no to that. I cannot believe that they would be so indifferent and have such callous feelings on Thanksgiving.

And then we look at Christmas – a very wonderful time of the year, when children want to be not only with their parents but with their grandparents and relatives. Why should the relative be addicted and go down to a casino to spend their money when they know they should be home with their children or their grandchildren? That is what we are talking about.

Other companies that we have heard the other side say, let that be choice, well, we are asking that the companies give them this opportunity to close down. Many companies in Pennsylvania are closed on Thanksgiving and on Christmas, a time of year which means so much to Pennsylvania families and, quite frankly, the families across the nation.

I cannot imagine the owners of the racetracks would not want to close down 24 hours at Christmastime. I cannot imagine that their concern for the wealth, for the bottom line, for the profit, is so motivating they cannot have this human drop of compassion.

And the one other holiday is on Memorial Day, when we honor our veterans, when we are reminded of the great sacrifices that these men and women made to keep America free. I cannot imagine these racetrack owners that would not want to close down so people could come together to honor our honored dead, those who made the supreme sacrifice so that they could be in business right here in Pennsylvania.

This is not an amendment that is going to kill them, that is going to hurt them. This is an amendment that is truly compassionate, that has all the elements of humanity in it, and I would urge the members to support this amendment. Thank you.

The **SPEAKER**. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. Horsey.

Mr. **HORSEY**. Thank you, Mr. Speaker.

Mr. Speaker, I remember a bill that was on the House floor that talked about liquor being sold on Sundays. I can remember a gentleman talking about the city of Philadelphia being Sodom and Gomorrah, about the people in Philadelphia not having self-control, and that it should be okay for the rest of the State and in fact encourage people to sell liquor on Sunday, and the majority of the people in this chamber thought it was okay.

And now, Mr. Speaker, we have the exact same issue related to gambling on certain days, and I am asking, Mr. Speaker, that we vote against the True amendment and in fact do as the gentleman from Delaware County said and allow people to feel free to do what they need to do on those days – thank you, Mr. Speaker – as a result of choice in a democracy. Thank you.

The **SPEAKER**. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lawrence, Mr. Sainato.

Mr. **SAINATO**. Thank you, Mr. Speaker.

I think that the maker of this amendment and the speakers that are supporting this amendment have their heart in the right place. I think that families should be together on holidays; I think that families should spend time together. But I do not

think it is our rule or our decision to make for those families, Mr. Speaker.

Many years ago we had blue laws in Pennsylvania where stores were closed on Sunday and bars were closed on Sunday and a lot of facilities were closed on Sunday. Now they are all open. On holidays these facilities are open; stores are open, and to say that if someone wants to go to a racetrack on a holiday, that they should not be allowed to do it, so I think a lot of this decision is personal decision that you have to make.

Families, should they be together on a holiday? Of course they should, and I wish that most would. Unfortunately, we are not in a perfect society, and there are people that maybe do not have families. Their families may be their friends that they meet at the racetrack. So I think that I am going to oppose this amendment, and I would encourage that families need to stay together.

But also, we have to be concerned, again, Mr. Speaker, getting back to the business side of things, we have competition. We have competition from West Virginia; we have competition from Delaware; we have competition from Atlantic City; we have competition from Niagara and growing in New York. If we are closed on this holiday, Mr. Speaker, people are going to do like they do today; they are going to get in their car and they are going to travel across the State line and spend their dollars over there. That is the business side of this argument, Mr. Speaker.

I think our families should have a choice on a holiday. If you want to stay home, fine, but if you do want to go and put money in the machine or bet on a horse on a holiday, that is what this country is about; you have a right and choice to do that.

So I am going to vote "no" on this, Mr. Speaker.

The SPEAKER. Does the gentleman, Mr. DeWeese, wish to be recognized?

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

I wonder when the gentlelady is going to come here and try to prohibit Wal-Mart from being opened on holidays or Sundays or whatever. I am absolutely stupefied at the aggressive effort of many of the conservatives in this room at trying to put the shackles on business.

Our friends in the business community and the chamber of commerce do not deserve to be treated this way, and I am going to vote against the True amendment.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

Reluctantly, Mr. Speaker, I will ask for a "no" vote on this amendment as well.

We seem to have a little run on freedom here. We are going to dictate from Harrisburg who can go where on what days, and I would ask for a "no" vote.

The SPEAKER. The Chair recognizes the gentleman from Butler, Mr. Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, the allegation was made by the minority chairman about the Republicans and those of us that are trying to shackle, as he put it, business. This is not business; this is a monopoly. It is a regulated monopoly, and this is part of the regulation, and we are asking for stricter regulation on a monopoly that is going to bring great harm to this Commonwealth.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentlelady from Lancaster, Mrs. True.

Mrs. TRUE. Thank you, Mr. Speaker.

Just really quickly, I would like to say to the minority leader on his comments that I will match my business record and voting record against his any day of the week.

But I will go back to, we are talking about families. I know the discussion; I do understand that pretty much everybody here knows where they stand, but I could never be as eloquent as Representative Clymer and his explanation about veterans and families, and I still would urge members to support this amendment. Thank you.

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

The following roll call was recorded:

YEAS—82

Allen	Denlinger	Leh	Rohrer
Argall	Diven	Levdansky	Sather
Armstrong	Egolf	Lewis	Saylor
Baker	Fairchild	Lynch	Scavello
Baldwin	Feese	Maher	Schroder
Bard	Fleagle	Maitland	Semmel
Bastian	Forcier	Major	Smith, B.
Benninghoff	Gabig	McIlhattan	Smith, S. H.
Birmelin	Geist	McNaughton	Stern
Bishop	Gillespie	Metcalfe	Stevenson, R.
Boyd	Gingrich	Miller, S.	Stevenson, T.
Browne	Gordner	Mustio	Taylor, E. Z.
Cappelli	Habay	Nailor	True
Cawley	Hanna	Petrarca	Turzai
Clymer	Harhart	Phillips	Vance
Coleman	Herman	Pickett	Vitali
Crahalla	Hershey	Preston	Yewcic
Creighton	Hess	Raymond	Zug
Dailey	Hickernell	Readshaw	
Daley	Hutchinson	Reed	Perzel,
Dally	Kirkland	Reichley	Speaker

NAYS—119

Adolph	Fichter	Mann	Santoni
Barr	Flick	Markosek	Scrimenti
Bebko-Jones	Frankel	Marsico	Shaner
Belardi	Freeman	McCall	Solobay
Belfanti	Gannon	McGeehan	Staback
Biancucci	George	McGill	Stairs
Blaum	Gergely	McIlhinney	Steil
Bunt	Godshall	Melio	Stetler
Butkovitz	Goodman	Micozzie	Sturla
Buxton	Grucela	Miller, R.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Casorio	Haluska	Myers	Taylor, J.
Causer	Harhai	Nickol	Thomas
Civera	Harper	O'Brien	Tigue
Cohen	Harris	Oliver	Travaglio
Cornell	Hasay	O'Neill	Veon
Corrigan	Hennessey	Pallone	Walko
Costa	Horsey	Payne	Wansacz
Coy	James	Petri	Washington
Cruz	Josephs	Petrone	Waters
Curry	Keller	Pistella	Watson
DeLuca	Kenney	Rieger	Weber
Dermody	Killion	Roberts	Wheatley
DeWeese	Kotik	Roebuck	Williams
DiGirolo	LaGrotta	Rooney	Wilt
Donatucci	Laughlin	Ross	Wojnaroski
Eachus	Leach	Rubley	Wright
Evans, D.	Lederer	Ruffing	Youngblood

Evans, J. Mackereth Sainato Yudichak
 Fabrizio Manderino Samuelson

NOT VOTING—0

EXCUSED—1

Lescovitz

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 concur in Senate amendments as amended?

RULES SUSPENDED

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

Mr. BAKER. Mr. Speaker, I move for suspension of the rules on amendment A2786.

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

The SPEAKER. On the motion to suspend the rules, the Chair recognizes the gentleman, Mr. Baker.

Mr. BAKER. Thank you, Mr. Speaker.

I make a motion to suspend the rules for purposes of offering amendment 2786 as it relates to pawnbroker establishments.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. DeWEESE. With all due respect, this amendment takes us from the sublime to the ridiculous. I guess the pawnshop lobby has not been around here very aggressively lately, but nevertheless, we will acquiesce for the final time, I might add, at least the way we have brokered this arrangement, and allow for some additional debate, but subsequently, I think it is going to be our position that we will not vote in favor of all of these suspensions of the rules. This will be the ultimate moment in that regard.

There have been some agreed-to amendments, which, again, “agreed-to” is a term of art, but we will finally allow the gentleman his opportunity to debate the measure, but this will be the last time for the evening.

Thank you very much.

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

The following roll call was recorded:

YEAS—140

Adolph	Evans, D.	Mackereth	Samuelson
Allen	Fabrizio	Maher	Sather
Argall	Fairchild	Maitland	Saylor
Armstrong	Feese	Major	Scavello
Baker	Fichter	Manderino	Schroder
Baldwin	Fleagle	Mann	Scrimenti

Bard	Flick	Markosek	Semmel
Barrar	Forcier	Marsico	Smith, B.
Bastian	Freeman	McGill	Smith, S. H.
Bebko-Jones	Gabig	McIlhattan	Solobay
Benninghoff	Gannon	McNaughton	Stairs
Birmelin	Geist	Melio	Stern
Bishop	Gillespie	Metcalfe	Stevenson, R.
Blaum	Gingrich	Miller, R.	Sturla
Boyd	Godshall	Miller, S.	Surra
Browne	Gordner	Mustio	Tangretti
Bunt	Grucela	Myers	Taylor, E. Z.
Cappelli	Gruitza	Nailor	Taylor, J.
Causar	Habay	Nickol	Thomas
Cawley	Hanna	O'Brien	Tigue
Civera	Harhart	Oliver	True
Clymer	Harper	Pallone	Turzai
Coleman	Hennessey	Payne	Vance
Cornell	Herman	Petrarca	Veon
Costa	Hershey	Phillips	Vitali
Crahalla	Hess	Pickett	Walko
Creighton	Hickernell	Pistella	Washington
Dailey	Hutchinson	Raymond	Waters
Daley	Josephs	Reed	Weber
Dally	Killion	Reichley	Williams
DeLuca	Kirkland	Rohrer	Yewcic
Denlinger	Kotik	Rooney	Zug
DeWeese	Leh	Rubley	
DiGirolamo	Levdansky	Ruffing	Perzel,
Diven	Lewis	Sainato	Speaker
Egolf	Lynch		

NAYS—60

Belardi	Evans, J.	Lederer	Santoni
Belfanti	Frankel	McCall	Shaner
Bianucci	George	McGeehan	Staback
Butkovitz	Goodman	McIlhinney	Steil
Buxton	Haluska	Micozzie	Stetler
Caltagirone	Harhai	Mundy	Stevenson, T.
Casorio	Harris	O'Neill	Travaglio
Cohen	Hasay	Petri	Wansacz
Corrigan	Horsey	Petrone	Watson
Coy	James	Preston	Wheatley
Cruz	Keller	Readshaw	Wilt
Curry	Kenney	Rieger	Wojnaroski
Demody	LaGrotta	Roberts	Wright
Donatucci	Laughlin	Roebuck	Youngblood
Eachus	Leach	Ross	Yudichak

NOT VOTING—1

Gergely

EXCUSED—1

Lescovitz

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.

On the question recurring,
 Will the House concur in Senate amendments as amended?

Mr. BAKER offered the following amendment No. **A2786**:

Amend Sec. 2, page 65, by inserting between lines 8 and 9 § 9215.6. Pawnbroker setback.

Any pawnbroker licensed under the act of April 6, 1937 (P.L.200, No.51), known as the Pawnbrokers License Act, shall not conduct business within one mile of any racetrack facility.

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

The SPEAKER. The Chair recognizes the gentleman, Mr. Baker, for an explanation of his amendment.

Mr. BAKER. Thank you, Mr. Speaker.

Mr. Speaker, this amendment prohibits any holder of a pawnbroker's license from conducting business within 1 mile of any racetrack facility. The research data is very clear. New and addictive gamblers have been known to frequent pawnshops in order to obtain quick cash to return to gambling halls, often giving up their items of personal value including wedding bands, wedding rings, sentimental value items, watches, all sorts of items out of desperation to return back to the gambling halls. By placing the 1-mile safety restriction, gamblers may be discouraged to pawn their most personal, valuable, and sentimental items.

Again, this is an attempt to show a consumer-protection-type piece of legislation for our citizens, and I appreciate a positive vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. Horsey.

Mr. HORSEY. Mr. Speaker, I rise to oppose the Baker amendment.

Mr. Speaker, previously there was an amendment that talked about regulating ATMs by a caucus that opposes gun control. So it is okay. I mean, there is a relationship between the two. I have always been told that, you know, guns do not kill, that people kill, but yet the gentleman wanted to take ATMs out of racetracks. Racetracks do not gamble, people gamble. Okay?

So with that, Mr. Speaker, I am very surprised to find that regulation of business and of industry is coming from that side of the caucus.

I oppose the Baker amendment, Mr. Speaker, and I would ask us all to oppose the Baker amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lancaster, Mr. Boyd.

Mr. BOYD. Thank you, Mr. Speaker.

I will be very brief. I just want to rise to support the amendment of the gentleman.

Briefly, I took a little trip to Atlantic City just to do strictly reconnaissance, just to see what we were in store for here in Pennsylvania. Honestly, I took my wife along just to be sure I had a witness that it was strictly reconnaissance, but I can tell you, the only thing that you will find more of in Atlantic City than casinos is in fact pawnshops. There is one on every corner, and a lot of the old hotels now have converted certain rooms to pawnshops, cash for gold. I saw those signs everywhere.

So in point of fact, the gentleman does bring up a valid point, and I would rise to support the Baker amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. Taylor.

Mr. TAYLOR. Mr. Speaker, I would like the possibility of getting rid of some porn shops in a lot of – I mean, pawnshops in a lot of places.

For the last time, Mr. Speaker, my last request for a “no” vote. I would ask for a negative vote on the Baker amendment,

and this might be the last time I will take the mike in that regard. Thank you.

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

Mr. DeWEESE. Thank you, Mr. Speaker.

On behalf of the NFIB (National Federation of Independent Business) and all small business owners, I am going to support the pawnshop folks. My business record is being augmented by the minute. I would ask for a negative vote. The pro-business vote is a negative vote. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Baker.

Mr. BAKER. Thank you, Mr. Speaker.

Mr. Speaker, you know, we set up safety zones to protect children against drug dealers; we pass crime laws to protect children within certain situations; we try to exercise good judgment when it comes to zoning ordinances. This is a very relevant issue.

The number of pawnshops – or what was mentioned earlier, cash-for-gold stores – in Atlantic City has increased from three before the casinos opened to roughly three dozen today, most of which are clustered around the back entrances to the casinos.

And again, you say you are concerned about businesses, you are concerned about creditors. Well, Mr. Speaker, we have a serious issue with gambling as it is connected to bankruptcy, crime. A lot of creditors are left holding an empty bag; they cannot get their money back, and these poor folks are going to the pawnshops out of desperation and spending everything they have or bartering or trading or losing everything they have. It only makes sense to try to set up at least a safety zone so they have to work a little harder to try to find one.

Mr. Speaker, I ask for your support. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Butler, Mr. Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the gentleman's amendment.

This amendment that is being put forth is to try and protect folks who are utilizing these gambling facilities from those who would prey on them through trying to position a pawnshop at a certain location, that would prey on their weaknesses, or, as was mentioned, an ATM machine.

I support the gentleman's amendment, and the parallel that was drawn between the Republican Caucus as a whole for the majority of us that support the Second Amendment, I would love to see where you can find the ATM-at-racetracks amendment in the U.S. Constitution or the Pennsylvania Constitution, whereas we can look to the Second Amendment of the Constitution and Article I, section 21, that ensures us that we have our God-given right to the right to bear arms.

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I have before me an article that says that Detroit casino growth helps pawnshops. A National Pawnbrokers Association board member said his loans are up nearly 10 percent since Detroit's three casinos opened in 1999. His forfeiture rate, the number of customers who lose collateral because they cannot repay loans, has seen a 20-percent increase.

But more importantly, I think the human side on this is that these pawnshops, which have grown in Atlantic City, for

example, from 1 to about 30, the tragedy is that people take in their precious possessions. I guess I am a little different than some of those on the other side of the aisle who think it is all laughter and glitter, but I think of that woman who gives up her wedding ring, the husband who gives up his wedding ring, that beautiful locket that a grandmother or a grandfather got from a grandchild, and they put it out, put it on the table because they need \$10 to go back to the casino to spend it. These very precious and prized possessions, to me, personally, it means something; it means something to me, and we should not be in a position to make it easy for them to go from the casino into the pawnshop to spend, not to spend, but to give up that very prized possession that they have on them in order to go back and make money, in this case, in Pennsylvania so that we can reduce property taxes here in Pennsylvania, and I, too, support this amendment.

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-82

Allen	Denlinger	Hickernell	Rohrer
Argall	Diven	Hutchinson	Samuelson
Armstrong	Egolf	Kirkland	Sather
Baker	Fairchild	Levdansky	Saylor
Baldwin	Feese	Lewis	Scavello
Bastian	Fleagle	Lynch	Schroder
Benninghoff	Forcier	Maher	Scrimenti
Birmelin	Freeman	Maitland	Semmel
Boyd	Gabig	Major	Smith, B.
Browne	Geist	Manderino	Smith, S. H.
Cappelli	Gillespie	McIlhattan	Solobay
Causar	Gingrich	McNaughton	Stern
Cawley	Godshall	Metcalfe	Stevenson, R.
Clymer	Gordner	Miller, S.	True
Cohen	Habay	Mustio	Turzai
Coleman	Hanna	Petrarca	Vitali
Corrigan	Harhart	Phillips	Yewcic
Crahalla	Hennessey	Pickett	Zug
Creighton	Herman	Preston	
Dailey	Hershey	Reed	Perzel,
Dally	Hess	Reichley	Speaker

NAYS-119

Adolph	Fichter	McCall	Shaner
Bard	Flick	McGeehan	Staback
Barrar	Frankel	McGill	Stairs
Bebko-Jones	Gannon	McIlhinney	Steil
Belardi	George	Melio	Stetler
Belfanti	Gergely	Micozzie	Stevenson, T.
Biancucci	Goodman	Miller, R.	Sturla
Bishop	Grucela	Mundy	Surra
Blaum	Gruitza	Myers	Tangretti
Bunt	Haluska	Nailor	Taylor, E. Z.
Butkovitz	Harhai	Nickol	Taylor, J.
Buxton	Harper	O'Brien	Thomas
Caltagirone	Harris	Oliver	Tigue
Casorio	Hasay	O'Neill	Travaglio
Civera	Horsey	Pallone	Vance
Cornell	James	Payne	Veon
Costa	Josephs	Petri	Walko
Coy	Keller	Petrone	Wansacz
Cruz	Kenny	Pistella	Washington
Curry	Killion	Raymond	Waters
Daley	Kotik	Readshaw	Watson

DeLuca	LaGrotta	Rieger	Weber
Dermody	Laughlin	Roberts	Wheatley
DeWeese	Leach	Roebuck	Williams
DiGirolamo	Lederer	Rooney	Wilt
Donatucci	Leh	Ross	Wojnaroski
Eachus	Mackereth	Rubley	Wright
Evans, D.	Mann	Ruffing	Youngblood
Evans, J.	Markosek	Sainato	Yudichak
Fabrizio	Marsico	Santoni	

NOT VOTING-0

EXCUSED-1

Lescovitz

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 concur in Senate amendments as amended?

MOTION TO SUSPEND RULES

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

Mr. VEON. Mr. Speaker, I move for an immediate suspension of the rules for amendment A3268.

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

The SPEAKER. On that motion, the Chair recognizes the gentleman, Mr. Veon, for the suspension.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I would ask for a "yes" vote on the suspension of the rules so that we can offer and agree to a technical cleanup amendment. I ask for an affirmative vote on the motion to suspend the rules.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. Smith, defer to Mr. Clymer?

The Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. Clymer, suspend for one moment.

(Conference held at Speaker's podium.)

The SPEAKER. The Chair recognizes the gentleman, Mr. DeWeese— Suspend.

The clerk will strike the board.

MOTION WITHDRAWN

The SPEAKER. The gentleman, Mr. Veon, has withdrawn his motion.

On the question recurring,
Will the House concur in Senate amendments as amended?

RULES SUSPENDED

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

Mr. DeWEESE. Mr. Speaker, I call up for immediate suspension amendment A3278.

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

The SPEAKER. On the suspension, the Chair recognizes the gentleman, Mr. DeWeese.

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

A3278 dedicates money to the city of Pittsburgh. It is the \$17 million equivalent. It is a \$15 million amount, but Philadelphia is receiving \$17 million, Pittsburgh is receiving \$15 million. The language was not included in the original measure, and all four caucuses and all of our staff people on the Republican side that have been working with the Speaker's Office and our office have agreed to this.

The SPEAKER. Will the gentleman suspend.
Please keep the noise level down.

Mr. DeWEESE. To the degree that I am allowed, I will explain the amendment.

The SPEAKER. The gentleman is entitled to be heard.

Mr. DeWEESE. The two nontrack slot facilities – one in Pittsburgh and one in Philadelphia – have been crucial elements in this debate. The Philadelphia money was included in the bill. It was a \$17 million amount for debt service and the operation of the convention center in Philadelphia.

This amendment would allow parity for Pittsburgh. The amendment would provide \$15 million for debt service on a new arena and for the operating expenses of the David L. Lawrence Center. The Sports and Exhibition Authority will be the repository for these funds that the State will remit, and again, I have said this earlier in the debate, these kinds of measures that we are including tonight will help us defray if not postpone forever the idea of a car rental tax in Pittsburgh.

This language has been agreed to by people on the Speaker's staff and by our staff, and we would ask for a favorable vote. We have been good sports all night on the masses of amendments. We have allowed for debate and we have allowed for a suspension of the rules again and again and again and again so that our colleagues, even though we disagreed with them, could have a fair vote. We would ask for that in kind.

The SPEAKER. The Chair thanks the gentleman.
Does the gentleman, Mr. Smith, defer to Mr. Clymer?

The gentleman, Mr. Clymer, is in order and may proceed.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I urge members not to suspend on this vote.

Let us get into the heart of the debate, if that is what the opposition would like us to move into, not that all Democrats are opposition. Certainly that is not the reflection of the remark. There are many good friends over there, many stalwarts, many very good supporters, and collectively, hopefully, we can still win the day in a bipartisan way, but I ask the members not to suspend. I think it is time for us to do the rest of the day's business on this bill, HB 623.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. This is an incredible phenomenon. The gentleman from Bucks was allowed again and again and again, his allies were allowed to produce all of these fallacious and smarmy amendments, and we went along with allowing you to debate them again and again and again.

Now, we voted you down, but just for the first time in a long time, sir, we had a preponderance of votes. It does not happen very often, but it did tonight. You were defeated, but we were good sports. Again and again and again we suspended the rules. All we are asking for is a suspension of the rules so that a fair vote can take place on slots at our tracks, on \$1 billion in property tax reduction in Pennsylvania. For you to gainsay us here is bad sportsmanship.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-135

Adolph	Fichter	Markosek	Scrimenti
Allen	Flick	Marsico	Shaner
Argall	Frankel	McCall	Smith, B.
Baldwin	Freeman	McGeehan	Solobay
Barrar	Gannon	McIlhinney	Staback
Bebko-Jones	George	Melio	Stairs
Belardi	Gergely	Micozzie	Stiel
Belfanti	Gillespie	Miller, R.	Stetler
Bianucci	Godshall	Mundy	Stevenson, T.
Bishop	Goodman	Mustio	Sturla
Blaum	Grucela	Myers	Surra
Butkovitz	Gruitza	Nailor	Tangretti
Buxton	Haluska	Nickol	Taylor, J.
Caltagirone	Hanna	O'Brien	Thomas
Cappelli	Harhai	Oliver	Tigue
Casorio	Harper	O'Neill	Travaglio
Cawley	Hennessey	Pallone	Turzai
Civera	Horsey	Petri	Veon
Cohen	James	Petrone	Vitali
Costa	Josephs	Phillips	Walko
Coy	Keller	Pistella	Wansacz
Cruz	Kenney	Preston	Washington
Curry	Killion	Raymond	Waters
Daley	Kirkland	Readshaw	Watson
Dally	Kotik	Rieger	Wheatley
DeLuca	LaGrotta	Roberts	Williams
Dermody	Laughlin	Roebuck	Wojnaroski
DeWeese	Leach	Rooney	Wright
DiGirolamo	Lederer	Ross	Yewcic
Diven	Levdansky	Rubley	Youngblood
Donatucci	Mackereth	Ruffing	Yudichak
Eachus	Maher	Sainato	
Evans, D.	Manderino	Samuelson	Perzel,
Evans, J.	Mann	Santoni	Speaker
Fabrizio			

NAYS-66

Armstrong	Denlinger	Hickernell	Reichley
Baker	Egolf	Hutchinson	Rohrer
Bard	Fairchild	Leh	Sather
Bastian	Feese	Lewis	Saylor
Benninghoff	Fleagle	Lynch	Scavello
Birmelin	Forcier	Maitland	Schroder
Boyd	Gabig	Major	Semmel
Browne	Geist	McGill	Smith, S. H.
Bunt	Gingrich	McIlhattan	Stern
Causer	Gordner	McNaughton	Stevenson, R.
Clymer	Habay	Metcalfe	Taylor, E. Z.

Coleman	Harhart	Miller, S.	True
Cornell	Harris	Payne	Vance
Corrigan	Hasay	Petrarca	Weber
Crahalla	Herman	Pickett	Wilt
Creighton	Hershey	Reed	Zug
Dailey	Hess		

NOT VOTING—0

EXCUSED—1

Lescovitz

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.

On the question recurring,
Will the House concur in Senate amendments as amended?

Mr. DeWEESE offered the following amendment No. **A3278**:

Amend Sec. 2 (Sec. 9215.1), page 148, line 2, by striking out “no more than”

Amend Sec. 2 (Sec. 9215.1), page 148, line 3, by striking out “\$7,000,000” and inserting
\$15,000,000

Amend Sec. 2 (Sec. 9215.1), page 148, line 10, by striking out “STRUCTURES OR ANY STRUCTURE” and inserting
any structures

Amend Sec. 2 (Sec. 9215.1), page 148, line 16, by inserting after “PARKING”
, public open space

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

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

Mr. DeWEESE. Thank you, Mr. Speaker.

The comments I made on suspension I think are adequate.

I would ask for an affirmative vote to help the city of Pittsburgh realize parity with the city of Philadelphia. This language should have been included in the original measure. This is a technical amendment that we have worked on with members of the Speaker’s staff, we have worked on with our colleagues on the Republican side, and the people who are in favor of this measure, who are advancing a \$1 billion reduction in property taxes, would be in favor of this amendment, and I would ask for an affirmative vote.

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, could I have a sidebar for just a moment and then I will come back?

The SPEAKER. The gentleman is in order.

The House will be at ease.

(Conference held.)

The SPEAKER. Does the gentleman, Mr. Daley, wish to be recognized?

Mr. Daley, while we are waiting for Paul, we will recognize you, Mr. Daley.

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

I am not going to tell you that pigs win and hogs lose, but here we are once again. We are dealing with the city of Pittsburgh, and we in southwestern Pennsylvania, all the counties, have in the past united together for southwestern Pennsylvania.

I am not going to ask my colleagues to vote against this legislation, because I do believe that we collectively work together to make the city of Pittsburgh a better place, but once again, we are in that position where we can all do that, and we all remember that pigs do win and hogs do lose. I ask for an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, there is some concern about the amendment, and we ask that we temporarily go over the amendment until members of our caucus have a chance to get a further detailed explanation on what the ramifications are within that amendment as it impacts on their communities.

So if we could just go over that temporarily, I would appreciate it.

The SPEAKER. The gentleman, Mr. Clymer, needs to make a motion to postpone the amendment.

PARLIAMENTARY INQUIRY

Mr. DeWEESE. Mr. Speaker?

The SPEAKER. Yes.

Mr. DeWEESE. Point of parliamentary inquiry.

The SPEAKER. The gentleman will state his point.

Mr. DeWEESE. Is that a temporary postponement?

The SPEAKER. That he has asked for? Yes.

Mr. DeWEESE. Thank you very much.

AMENDMENT PASSED OVER TEMPORARILY

The SPEAKER. The Parliamentarian informs the Speaker that he can temporarily go over an amendment. So we are temporarily going over amendment A3278.

On the question recurring,
Will the House concur in Senate amendments as amended?

RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentlelady from Lehigh, Miss Mann.

Miss MANN. Mr. Speaker, I move that the rules of the House be suspended to bring up amendment A3281.

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

The SPEAKER. The Chair recognizes the gentlelady on the suspension of the rules.

Miss MANN. Thank you, Mr. Speaker.

Very simply, this is an amendment similar to the one I introduced earlier this afternoon – really, simply a regulatory

issue and something I would classify as good government, and I would appreciate an affirmative vote from the members.

The SPEAKER. The Chair thanks the gentlelady.

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

The following roll call was recorded:

YEAS-162

Adolph	Fichter	Manderino	Sather
Allen	Fleagle	Mann	Saylor
Argall	Flick	Markosek	Scrimenti
Bard	Frankel	Marsico	Semmel
Barrar	Freeman	McCall	Shaner
Bebko-Jones	Gannon	McGeehan	Smith, B.
Belardi	Geist	McGill	Solobay
Belfanti	Gergely	McIlhinney	Staback
Benninghoff	Gillespie	Melio	Stairs
Biancucci	Godshall	Micozzie	Steil
Bishop	Goodman	Miller, R.	Stern
Blaum	Gordner	Miller, S.	Stetler
Browne	Grucela	Mundy	Stevenson, T.
Bunt	Gruitza	Mustio	Sturla
Butkovitz	Habay	Myers	Surra
Buxton	Haluska	Nailor	Tangretti
Caltagirone	Hanna	Nickol	Taylor, E. Z.
Cappelli	Harhai	O'Brien	Taylor, J.
Casorio	Harhart	Oliver	Thomas
Cawley	Harper	O'Neill	Tigue
Civera	Harris	Pallone	Travaglio
Cohen	Hasay	Payne	Tur zai
Cornell	Hennessey	Petrarca	Vance
Corrigan	Herman	Petri	Veon
Costa	Hershey	Petrone	Vitali
Crahalla	Hess	Phillips	Walko
Cruz	Horsey	Pickett	Wansacz
Curry	James	Pistella	Washington
Dailey	Josephs	Preston	Waters
Daley	Kenney	Raymond	Watson
Dally	Killion	Readshaw	Weber
DeLuca	Kirkland	Rieger	Wheatley
Dermody	Kotik	Roberts	Williams
DeWeese	LaGrotta	Roebuck	Wojnaroski
DiGirolamo	Laughlin	Rooney	Wright
Donatucci	Leach	Ross	Yewcic
Eachus	Lederer	Rubley	Youngblood
Evans, D.	Levdansky	Ruffing	Yudichak
Evans, J.	Mackereth	Sainato	
Fabrizio	Maher	Samuelson	Perzel,
Fairchild	Major	Santoni	Speaker

NAYS-39

Armstrong	Creighton	Hutchinson	Reichley
Baker	Denlinger	Keller	Rohrer
Baldwin	Diven	Leh	Scavello
Bastian	Egolf	Lewis	Schroder
Birmelin	Feese	Lynch	Smith, S. H.
Boyd	Forcier	Maitland	Stevenson, R.
Causar	Gabig	McIlhattan	True
Clymer	George	McNaughton	Wilt
Coleman	Gingrich	Metcalfe	Zug
Coy	Hickernell	Reed	

NOT VOTING-0

EXCUSED-1

Lescovitz

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.

On the question recurring,
Will the House concur in Senate amendments as amended?

Miss MANN offered the following amendment No. **A3281**:

Amend Sec. 2 (Sec. 9203), page 85, line 18, by inserting after "MONITORING"

or controlling

Amend Sec. 2 (Sec. 9203), page 86, lines 8 and 9, by striking out all of said lines and inserting

"Central monitoring computer," "computer monitoring system" or "central control computer." A central site computer provided to and controlled by

Amend Sec. 2 (Sec. 9205), page 103, line 14, by inserting after "MONITORING"

or control

Amend Sec. 2 (Sec. 9205), page 103, line 16, by inserting after "MONITORING"

or control

Amend Sec. 2 (Sec. 9205), page 103, line 17, by inserting after "MONITORING"

or controlling

Amend Sec. 2 (Sec. 9205), page 103, line 20, by inserting after "MONITORING"

or controlling

Amend Sec. 2 (Sec. 9205), page 103, line 22, by inserting after "MONITORING"

or controlling

Amend Sec. 2 (Sec. 9205), page 103, line 28, by inserting after "MONITORING"

or controlling

Amend Sec. 2 (Sec. 9208.1), page 117, line 6, by removing the period after "SYSTEM" and inserting
or central control system.

Amend Sec. 2 (Sec. 9208.1), page 117, line 11, by inserting after "MONITORING"

or control

Amend Sec. 2 (Sec. 9208.1), page 117, line 14, by inserting after "MONITORING"

or control

Amend Sec. 2 (Sec. 9208.1), page 117, line 19, by inserting after "MONITORING" where it appears the first time

or control

Amend Sec. 2 (Sec. 9208.1), page 117, line 19, by inserting after "MONITORING" where it appears the second time

or control

Amend Sec. 2 (Sec. 9208.1), page 118, line 14, by inserting after "COMPUTER" where it appears the first time

or central control system

Amend Sec. 2 (Sec. 9208.1), page 118, line 22, by inserting after "MONITORING"

or control

Amend Sec. 2 (Sec. 9208.2), page 119, line 2, by inserting after "MONITORING"

or control

Amend Sec. 2 (Sec. 9208.2), page 119, line 5, by inserting after "MONITORING"

or control

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

The SPEAKER. The Chair recognizes the gentlelady for an explanation of the amendment.

Miss MANN. Thank you again, Mr. Speaker.

To try to make this as clear as possible and simple as possible, there has been some debate as to the computer monitoring system of the gaming devices, and there are two schools of thought. One is a more lenient monitoring system and one is a more stringent, more strictly State-controlled, closed-control system.

In light of the debate that has been going on, I simply in this amendment would suggest that we leave the ultimate decision to the Gaming Board that will be formed and has a set amount of time to set these guidelines and put them in place.

Once again, as we look at this very serious change in Pennsylvania law, I think it is very important that we ensure that the most stringent and strict regulatory procedures are in place to ensure absolute, to ensure that there are no improprieties, that machines are operating according to the law that we are outlining in this legislation.

Again, I see this as good government and an opportunity to allow this board to make this very important decision. I certainly ask for the members' support.

Thank you.

The SPEAKER. The Chair thanks the gentlelady.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-172

Adolph	Fichter	Major	Santoni
Allen	Fleagle	Manderino	Sather
Argall	Flick	Mann	Saylor
Bard	Forcier	Markosek	Schroder
Barrar	Frankel	Marsico	Scrimenti
Bebko-Jones	Freeman	McCall	Semmel
Belardi	Gannon	McGeehan	Shaner
Belfanti	Geist	McGill	Smith, B.
Benninghoff	George	McIlhinney	Staback
Biancucci	Gergely	McNaughton	Stairs
Birmelin	Gillespie	Melio	Steil
Bishop	Gingrich	Micozzie	Stern
Blaum	Godshall	Miller, R.	Stetler
Browne	Goodman	Miller, S.	Stevenson, T.
Bunt	Gordner	Mundy	Sturla
Butkovitz	Gruitza	Mustio	Surra
Buxton	Habay	Myers	Tangretti
Caltagirone	Haluska	Nailor	Taylor, E. Z.
Cappelli	Hanna	Nickol	Taylor, J.
Casorio	Harhai	O'Brien	Thomas
Cawley	Harhart	Oliver	Tigue
Civera	Harper	O'Neill	Travaglio
Cohen	Harris	Pallone	Turzai
Cornell	Hasay	Payne	Vance
Corrigan	Hennessey	Petrarca	Veon
Costa	Herman	Petri	Vitali
Coy	Hershey	Petrone	Walko
Crahalla	Hess	Phillips	Wansacz
Cruz	Horsey	Pistella	Washington
Curry	James	Preston	Waters
Dailey	Josephs	Raymond	Watson
Daley	Keller	Readshaw	Weber
Dally	Kenney	Reed	Wheatley
DeLuca	Killion	Reichley	Williams
Demody	Kirkland	Rieger	Wojnaroski
DeWeese	Kotik	Roberts	Wright
DiGirolamo	LaGrotta	Roebuck	Yewcic

Diven	Laughlin	Rooney	Youngblood
Donatucci	Leach	Ross	Yudichak
Eachus	Lederer	Rubley	Zug
Evans, D.	Leh	Ruffing	
Evans, J.	Levdansky	Sainato	
Fabrizio	Mackereth	Samuelson	Perzel,
Fairchild	Maher		Speaker

NAYS-29

Armstrong	Creighton	Hutchinson	Rohrer
Baker	Denlinger	Lewis	Scavello
Baldwin	Egolf	Lynch	Smith, S. H.
Bastian	Feese	Maitland	Solobay
Boyd	Gabig	McIlhatten	Stevenson, R.
Causar	Grucela	Metcalfe	True
Clymer	Hickernell	Pickett	Wilt
Coleman			

NOT VOTING-0

EXCUSED-1

Lescovitz

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question recurring,

Will the House concur in Senate amendments as amended?

RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentleman from Franklin, Mr. Coy.

Mr. COY. Mr. Speaker, I move that the rules of the House be suspended to immediately consider amendment A3274.

On the question,

Will the House agree to the motion?

The SPEAKER. On the motion to suspend, the Chair recognizes the gentleman, Mr. Coy.

Mr. COY. Thank you, Mr. Speaker.

This is an amendment that I would ask the members to suspend the rules for to provide for a host municipality fee for every municipality in the Commonwealth that has an offtrack betting establishment in it. I have the list. It is extensive of those in the State, and I would ask to suspend the rules so we can offer the amendment.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-155

Adolph	Evans, D.	Levdansky	Sainato
Allen	Evans, J.	Mackereth	Samuelson
Argall	Fabrizio	Maitland	Santoni
Baldwin	Fichter	Major	Scrimenti
Bard	Fleagle	Mandirino	Semmel
Barrar	Flick	Mann	Shaner

Bebko-Jones	Frankel	Markosek	Smith, B.
Belardi	Freeman	Marsico	Solobay
Belfanti	Gannon	McCall	Staback
Biancucci	George	McGeehan	Stairs
Birmelin	Gergely	McGill	Steil
Bishop	Gillespie	McIlhinney	Stetler
Blaum	Gingrich	Melio	Stevenson, T.
Bunt	Godshall	Micozzie	Sturla
Butkovitz	Goodman	Miller, R.	Surra
Buxton	Grucela	Mundy	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappelli	Haluska	Myers	Taylor, J.
Casorio	Hanna	Nailor	Thomas
Causer	Harhai	Nickol	Tigue
Cawley	Harhart	O'Brien	Travaglio
Civera	Harper	Oliver	Vance
Cohen	Harris	O'Neill	Veon
Cornell	Hasay	Pallone	Vitali
Corrigan	Hennessey	Payne	Walko
Costa	Herman	Petrarca	Wansacz
Coy	Hershey	Petrone	Washington
Crahalla	Horsey	Phillips	Waters
Cruz	James	Pistella	Weber
Curry	Josephs	Preston	Wheatley
Dailey	Keller	Raymond	Williams
Daley	Kenney	Readshaw	Wojnaroski
Dally	Killion	Rieger	Wright
DeLuca	Kirkland	Roberts	Yewcic
Dermody	Kotik	Roebuck	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	
Diven	Leach	Rubley	Perzel,
Donatucci	Lederer	Ruffing	Speaker
Eachus			

NAYS—46

Armstrong	Feese	Maher	Saylor
Baker	Forcier	McIlhattan	Scavello
Bastian	Gabig	McNaughton	Schroder
Benninghoff	Geist	Metcalfe	Smith, S. H.
Boyd	Gordner	Miller, S.	Stern
Browne	Habay	Petri	Stevenson, R.
Clymer	Hess	Pickett	True
Coleman	Hickernell	Reed	Turzai
Creighton	Hutchinson	Reichley	Watson
Denlinger	Leh	Rohrer	Wilt
Egolf	Lewis	Sather	Zug
Fairchild	Lynch		

NOT VOTING—0

EXCUSED—1

Lescovitz

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.

On the question recurring,
Will the House concur in Senate amendments as amended?

Mr. COY offered the following amendment No. **A3274**:

Amend Sec. 2, page 82, by inserting between lines 27 and 28
9214.4. Payment of host municipality fee.

Amend Sec. 2, page 143, by inserting between lines 22 and 23
§ 9214.4. Payment of host municipality fee.

A licensed corporation that holds a slot machine license and operates an off-track wagering facility shall pay a host municipality fee

annually in the amount of \$100,000 to the municipality that hosts the off-track wagering facility. If the off-track wagering facility is located in two or more municipalities, the payment shall be distributed on a pro rata basis determined by the percentage of acreage located in each municipality to the total acreage of all municipalities occupied by the off-track wagering facility.

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

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

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, as I said, this amendment provides for a host municipality fee to those municipalities which host offtrack betting facilities in the State. Real quickly, there are about 20 of them, I think: Upper Darby, 7 Penn Center in Philadelphia, Valley Forge, Brandywine, Reading, Chambersburg, York, Lancaster, Williamsport, Johnstown, New Castle, Harmar Township, Moon Township, West Mifflin, Erie, Lehigh Valley, Carbondale, Hazleton, and East Stroudsburg. Each municipality would receive a host municipality fee to be paid by the corporation which operates the offtrack betting facility to cover the costs incurred for municipal government services in those municipalities. There is no cost to the Commonwealth, as a fiscal note from the Appropriations Committee attests to.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Would the maker of the amendment stand for interrogation?

The SPEAKER. The gentleman indicates that he will.

Mr. CLYMER. How would they determine what the cost would be for each of those offtrack betting establishments? How would they determine what the cost would be? How would the offtrack establishments—

Mr. COY. The cost would obviously exceed the \$100,000 that is provided in each municipality. This is simply a good-faith fee in lieu of taxes to be paid.

Mr. CLYMER. But my question is, is it going to impact on all the 23 offtrack betting parlors we have in this State?

Mr. COY. It would go to the municipality in which they reside.

Mr. CLYMER. Okay.

And how would that be paid? The corporation would be reimbursing the municipality in which the offtrack betting parlor was located?

Mr. COY. Correct.

Mr. CLYMER. And is this to go on indefinitely? Is this a 1-year option or 2-year option or are these payments to be year after year?

Mr. COY. This is an annual fee.

Mr. CLYMER. An annual fee.

Thank you, Mr. Speaker. That ends my interrogation.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lancaster, Mr. Boyd.

Mr. BOYD. Thank you, Mr. Speaker.

Would the gentleman stand for a brief interrogation?

The SPEAKER. The gentleman indicates that he will.

Mr. BOYD. Thank you, Mr. Speaker.

This fee is regardless of whether those offtrack parlors apply at some point or somehow go for machines. We have already established that HB 623 enabling legislation does not have that in it. So this is just something that is, you know, kind of on top of what we have already been talking about.

Mr. COY. That is right. It has nothing to do with adding slot machines to any of these facilities. It would be a payment that is made as to the existing activities at the existing facilities.

Mr. BOYD. And do these fees go directly to the municipality or municipality and school? Is it broken up that way? It is strictly to the municipality.

Mr. COY. It is strictly to the municipality from the corporation that owns the business.

Mr. BOYD. Okay. Thank you, Mr. Speaker.

That ends my interrogation.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks, Mr. Corrigan.

Mr. CORRIGAN. Thank you, Mr. Speaker.

I would like to question the maker of the amendment.

The SPEAKER. The gentleman indicates that he will stand for interrogation.

Mr. CORRIGAN. Mr. Speaker, are slot parlors going to have offtrack betting facilities?

Mr. COY. It is my understanding that they would not.

Mr. CORRIGAN. Are the new racetracks going to have offtrack betting facilities?

Mr. COY. Mr. Speaker, my understanding is that there are 21 in existence and there are 23 authorized. It would require further legislation to authorize more. So there is a possibility for two more as we speak.

Mr. CORRIGAN. I am sorry?

Mr. COY. But they do not, Mr. Speaker, use slots.

Well, come on down and I will tell you.

Mr. CORRIGAN. No, I would rather do it on the—

The SPEAKER. The gentleman is entitled to be heard.

Would the gentleman suspend.

Mr. CORRIGAN. I did not catch all of it.

The SPEAKER. The noise level is entirely too high.

Mr. COY. There are, Mr. Speaker, there are 21 OTBs (offtrack bettings) currently in existence; there are 23 authorized by law. So there is a possibility of two more, unless the law would be changed to add more in the future.

Mr. CORRIGAN. My question was, are the new tracks, the new one in Philadelphia and the new one in Pittsburgh, going to have offtrack betting facilities?

Mr. COY. No.

Mr. CORRIGAN. Then the only people who would be paying this tax or this \$100,000 fee are the established tracks.

Mr. COY. The established offtrack betting facilities.

Mr. CORRIGAN. Who are run by the established tracks.

Mr. COY. Correct.

Mr. CORRIGAN. Okay.

So this is another shot across the bow of the people that have been running a business in Pennsylvania for many, many years. In the case of Bucks County, we have a racetrack with offtrack betting facilities, and they have been in business since the seventies under two different owners. They have been the finest citizens in the county.

I think this is an attempt – I do not know where it came from – it is an attempt to take a shot at the people that have already been doing business here, the people that have proven themselves in the community, and somebody, and somebody has taken an underhanded shot. I do not know where this came from. I have not heard about it before. I do not think it was caucused on. This is something that came out of somebody's head, and it is something that is at best underhanded, and I would ask for a "no" vote on this amendment. It is something that is just a penalty for people who do not agree with the leadership in either party in the House of Representatives. I take offense to it. I think it is wrong. I think you are doing the wrong thing. I think you are penalizing people and good people in this State, and I just have to take offense to it.

I hope that everybody in the House votes "no" on this amendment. There is no rationale for it. There is no reason to tax offtrack betting centers. It is something that is unfathomable. I do not know where it came from, but wherever it came from, it ought to go back. This is just another shot and it is a particular shot at Bucks County, and I take offense to it. Please, vote "no" on the Coy amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Delaware, Mr. Vitali.

Mr. VITALI. Will the maker of the amendment stand for brief interrogation?

The SPEAKER. The gentleman indicates that he will.

Mr. VITALI. Now, I just want to be clear. So under this legislation and amendment, there would be about 22 or 23 facilities that would pay the \$100,000?

Mr. COY. 21.

Mr. VITALI. Okay. So it would be about roughly over \$2 million a year that would be paid. Is that right?

Mr. COY. Correct.

Mr. VITALI. Now, you described it as a payment in lieu of taxes. Now, it is my understanding that these facilities now pay taxes that the municipalities benefit from. I am thinking of perhaps real property taxes, perhaps local income taxes, occupational taxes. I am not sure of your concept of a payment in lieu of taxes. Could you explain that term you used?

Mr. COY. Well, Mr. Speaker, the characterization did not mean to indicate that there are no taxes paid. It is simply owing to the fact that the municipalities which host facilities of this sort incur extra costs compared to municipalities which do not, and it is an attempt to drive some of the dollars into those municipalities to cover some of their costs.

Mr. VITALI. But these are existing offtrack betting facilities that are already in operation now – correct? – and are already paying taxes to municipalities now. Is that correct?

Mr. COY. Mr. Speaker, I really do not know the answer if each one is paying taxes at each municipality; I really do not know the answer. I assume they are.

Mr. VITALI. And these are nonprofits, are they?

Mr. COY. I do not believe, Mr. Speaker. I do not have all the information in that regard.

Mr. VITALI. I mean, my concern is this: If in fact we can extract another \$2 million a year from the license holders of these casinos, why does it not go to the General Fund so that it can be enjoyed by the entire Commonwealth in terms of increased costs for education and so forth as opposed to the municipalities if in fact the municipalities are already getting

compensation now to cover, you know, police services and streets and all that through taxes they currently impose? That is my question. What is the rationale?

Mr. COY. The rationale is, Mr. Speaker, that the Commonwealth does not bear the burden that these municipalities do in terms of police protection and fire protection and the other local government services that are offered. That cost is borne by the local government. This is an attempt to help defray some of those costs.

Mr. VITALI. Again, and I do not want to be argumentative, but, I mean, the tax—

Mr. COY. I do not either.

Mr. VITALI. Okay. Let me stop that line of inquiry.

The origin of this amendment, the evolution of the gaming legislation, has been a process where there have been discussions with caucus leaders – Democrat, Republican, House, Senate, Governor. I am just— The origin of this particular amendment, where did that come from? Is this something that the parties at the table are on board on?

Mr. COY. The members that I have talked to who have been involved with this legislation have agreed to it; yes.

Mr. VITALI. Okay. Well, that concludes my interrogation.

Let me just speak on the amendment, if I can.

The SPEAKER. The gentleman is in order and may proceed.

Mr. VITALI. I do not want to rehash what I have just said, but my concern is this: If we can in fact get another \$2 million from license holders, perhaps it is more appropriate it go into the General Fund. It seems to me if we have in existence offtrack betting facilities who are getting real estate taxes, occupational taxes, local income taxes, and so forth, is this not just an added windfall? That is the question I pose. So I have some concerns about this amendment.

Thank you.

The SPEAKER. The gentleman from Dauphin, Mr. Buxton.

Mr. BUXTON. Thank you, Mr. Speaker.

Mr. Speaker, I join my colleague from Bucks County in opposing this amendment.

These local OTB operations provide jobs; they pay taxes to the local community; they generate income from the operations that they have, and I do not know why tonight all of a sudden we are going to be taking over \$2 million out of the slot machine account to give a \$100,000 gift to each municipality where an OTB is located.

Now, we have been debating this evening about what is going to happen in Philadelphia, what is going to happen in Pittsburgh with the money that it is going to generate from those two licenses. Now we are confronted by an amendment that is going to send \$100,000 to, allegedly, 21 municipalities in the Commonwealth that have OTB parlors in their towns. I would like to know what is going to happen for my town out of this vote tonight, and I am sure many of us who do not directly benefit from the revenues that will be available and generated by the slot machine legislation are wanting to know, now that we are going to extend this to local municipalities who host OTBs, what stake we are going to have in receiving some financial assistance from this legislation this evening.

I think this is a very, very bad idea, and I would hope that our colleagues would reject this amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks, Mr. Corrigan, for the second time.

Mr. CORRIGAN. Thank you, Mr. Speaker.

I am just wondering why we do not do an amendment for the hospitals, maybe the school districts. You know, why do we not line up everybody else that we want to get some votes from and do it that way?

I am very disgusted with what is going on here tonight. As far as it treats Bucks County, Bucks County has lost out in a major way here. I cannot support this bill in its final passage. I will not, and I ask for the defeat of the Coy amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Northampton, Mr. Rooney.

Mr. ROONEY. Thank you, Mr. Speaker.

Mr. Speaker, I have a great deal of respect and admiration for my colleagues on this side of the aisle who have risen to oppose the Coy amendment.

As a person who has an OTB facility in his legislative district, let me tell you what I really believe the reason for this amendment is. This is not, in spite of what some have suggested, this is not a new concept. We have, on a bipartisan basis, introduced legislation to deal with this issue since 1994. We have held hearings on this issue across Pennsylvania from 1994 on. I think it would be a travesty to mischaracterize this as an attempt to, quote, unquote, “shake down the tracks.”

The simple fact of the matter is that unlike hospitals or other institutions that make payments in lieu of taxes, the municipalities that host these OTB facilities have an extraordinary expense incurred as it relates to their infrastructure. Let me specifically give the example of Hanover Township in Lehigh County. Hanover Township does not have its own police force. It does not have the ability to have somebody patrol the lots, if you would, every night. They do not— They have to bring somebody on, a code enforcement officer, to make sure that the people who would go to the facility do not park in the fire lanes, do not park in the handicapped spots. They also incur tremendous additional expenses as it relates to the infrastructure surrounding the facility. As most are, they happen to be located in high traffic areas, and the compensation that they receive in terms of the taxes that are paid is simply not sufficient to meet the needs of these host municipalities.

You know, if we want to put it into context, what we are talking about tonight with respect to slots and to nontrack venues that would host slot machines, we are talking about a 2-percent host municipality fee. We are talking about a municipality fee for those locales that are contingent to the host municipality. There are 17. If you take away the fact that the Meadows and Philadelphia Park and Pocono Downs have the ability to simulcast, if you remove that, there are 17 freestanding OTBs in Pennsylvania. The prospect today is that two more could be authorized.

This, Mr. Speaker, is a simple issue of equity and fairness. It is not a shakedown. It is not an undue burden. I have heard from my good, well-intended colleagues who oppose what we are doing here tonight. We have talked about the revenue that is going to be generated. Well, in the case of many of these OTBs, some of which have been in existence for more than 10 years, for 10 years these municipalities have suffered. Their costs have gone uncompensated, and tonight we have an unprecedented opportunity not just to take care of those interested in slots and

nonracetrack facilities that would be home to slots, but an opportunity to take care of facilities across Pennsylvania located in districts of Democrats and Republicans that have been clamoring for this for well over 10 years.

So, Mr. Speaker, in short, let me say this is not a shakedown. This is a legitimate attempt, an attempt that has been going on for over 9 years now, to try to bring some equity and fairness to those municipalities that are home to OTBs in Pennsylvania. Unlike hospitals, unlike Wal-Marts, unlike Kmarts, the costs that are incurred and the toll on the infrastructure is tremendously different, and it is not reflected in the taxes that they receive.

I would ask my friends and colleagues who care about whether or not slots go to tracks or other places to understand the equity issue that we are dealing with here tonight, and I would respectfully ask all of my colleagues for an affirmative vote on the Coy amendment.

The SPEAKER. Mr. Vitali, for the second time.

Mr. VITALI. Thank you, Mr. Speaker.

I just wanted to respond to some of the remarks by my colleague from Lehigh County. My concern is not a shakedown of the license owners. To the contrary, I would wish they were shaken down as much as we can shake them, and that is not the issue.

The issue is the unfair enrichment of the host municipalities at the expense of the rest of the Commonwealth. That is the issue. If we are going to be able to get, if we are going to be able to shake down, whatever you want to call it, the license owners of these gambling establishments for another \$2 million, let us give it to the Commonwealth for basic ed; let us give it to the Commonwealth for the other needed services.

I have only been to one or two offtrack betting places in my life, one in Upper Darby, and frankly, it seemed like a fairly self-contained business establishment with not too many externalities. It did not appear to need too much more police protection than neighboring restaurants and so forth. It did not require any other services than other businesses, and I would just assume that this offtrack betting place paid to that municipality taxes in very numerous forms to pay for those services.

So I just want to be clear. The issue is not the unjust enrich— The issue is not shaking down the gambling establishment. It is, why should these host municipalities get \$100,000 a year, year after year – for what? – when that money should rightfully be going to all Pennsylvanians?

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Clymer, for the second time.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, it just seems to me just having not a lot of opportunity to study the amendment, but when you provide some money for a local municipality, that seems to be a good thing. You know, they did not ask to have the offtrack betting parlor put into the community, but certainly they have the responsibility while that establishment is there, and I do believe that this is equity in this amendment, and I would ask members to support it.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Delaware, Mr. Civera.

Mr. CIVERA. Thank you, Mr. Speaker.

Mr. Speaker, I represent Upper Darby Township, which has an offtrack betting place, and prior to the speaker from Haverford, as he said that he indicated that he has been there several times, that municipality, Upper Darby Township, it costs the township thousands of dollars for police protection at that location, at that offtrack betting place, for patrons to enter that safely and to leave safely.

This amendment— And I must say this: Back in 1994 when the original offtrack betting legislation passed, we missed the opportunity. Representative Coy is right on the money here tonight. Those municipalities need to be reimbursed some type of revenue. There was nothing that was written in the law back then to protect those municipalities financially. This amendment does that, and those municipalities rightfully deserve it – Philadelphia, Concord Township in Delaware County, Upper Darby Township. The police protection at night, it costs those municipalities at least 1 to 2 mills, which means in Upper Darby Township, 1 mill is equal to \$100,000 worth of police protection.

This amendment will resolve some of those problems, and I would wish that the members would support the Coy amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Monroe, Mr. Scavello.

Mr. SCAVELLO. Thank you, Mr. Speaker.

I would like to echo the comments of Representative Civera. I have an OTB in East Stroudsburg Borough, and just a police officer alone with the benefit package costs the municipality about \$65,000 to \$70,000 a year, and I can tell you that they use all bit of it and more, and I urge the support of the Coy amendment.

Thank you very much, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—167

Adolph	Fabrizio	Lederer	Roebuck
Allen	Fairchild	Leh	Rohrer
Argall	Feese	Lewis	Rooney
Armstrong	Fleagle	Mackereth	Ruffing
Baker	Flick	Maher	Sainato
Baldwin	Forcier	Maitland	Samuelson
Bard	Frankel	Major	Santoni
Barrar	Freeman	Manderino	Sather
Bastian	Gabig	Mann	Saylor
Bebko-Jones	Gannon	Markosek	Scavello
Belardi	Geist	Marsico	Schroder
Belfanti	George	McCall	Semmel
Benninghoff	Gergely	McGeehan	Shaner
Biancucci	Gillespie	McGill	Smith, B.
Birmelin	Gingrich	McIlhattan	Smith, S. H.
Bishop	Goodman	McIlhinney	Staback
Blaum	Gordner	McNaughton	Stetler
Boyd	Grucela	Metcalfe	Stevenson, R.
Browne	Habay	Micozzie	Sturla
Butkovitz	Haluska	Miller, R.	Surra
Caltagirone	Hanna	Miller, S.	Tangretti
Cappelli	Harhai	Mundy	Taylor, J.
Casorio	Harhart	Mustio	Thomas

Civera	Harris	Myers	Travaglio
Clymer	Hasay	Nailor	True
Cohen	Hennessey	Nickol	Vance
Coleman	Herman	O'Brien	Veon
Costa	Hershey	Oliver	Walko
Coy	Hess	O'Neill	Wansacz
Crahalla	Hickernell	Pallone	Washington
Creighton	Horsey	Payne	Waters
Cruz	Hutchinson	Petrarca	Weber
Curry	James	Petrone	Wheatley
Daley	Josephs	Phillips	Williams
Dally	Keller	Pickett	Wojnaroski
DeLuca	Kenney	Pistella	Yewcic
Denlinger	Killion	Preston	Youngblood
Dermody	Kirkland	Raymond	Yudichak
DeWeese	Kotik	Readshaw	Zug
Donatucci	LaGrotta	Reed	
Eachus	Laughlin	Reichley	Perzel,
Egolf	Leach	Rieger	Speaker
Evans, D.			

NAYS—32

Bunt	Diven	Roberts	Stevenson, T.
Buxton	Evans, J.	Ross	Taylor, E. Z.
Causer	Fichter	Rubley	Tigue
Cawley	Godshall	Scrimenti	Turzai
Cornell	Gruitza	Solobay	Vitali
Corrigan	Levdansky	Stairs	Watson
Dailey	Melio	Steil	Wilt
DiGiroloamo	Petri	Stern	Wright

NOT VOTING—2

Harper Lynch

EXCUSED—1

Lescovitz

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question recurring,
Will the House concur in Senate amendments as amended?

RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Maher.

Mr. MAHER. Mr. Speaker, I move that the rules of the House be suspended to allow for a vote on amendment A3270.

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

The SPEAKER. On the motion to suspend, the Chair recognizes the gentleman, Mr. Maher.

Mr. MAHER. Thank you, Mr. Speaker.

I believe a number of the members on our side of the aisle understand that some of us in the southwest have been working to address issues of local importance and how to manage whatever comes from this. This a technical amendment that deals with a step towards distribution of funds. Whether you are excited about the funds being collected or not, this deals with

the avenue of distribution and will be followed by another amendment which is very specific as to what happens next.
I would really hope to have your support. Thank you.

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

The following roll call was recorded:

YEAS—195

Adolph	Egolf	Leh	Ruffing
Allen	Evans, D.	Levdansky	Sainato
Argall	Evans, J.	Lewis	Samuelson
Armstrong	Fabrizio	Mackereth	Santoni
Baker	Fairchild	Maher	Saylor
Baldwin	Feese	Maitland	Scavello
Bard	Fichter	Major	Schroder
Barrar	Fleagle	Manderino	Scrimenti
Bastian	Flick	Mann	Semmel
Bebko-Jones	Forcier	Markosek	Shaner
Belardi	Frankel	Marsico	Smith, B.
Belfanti	Freeman	McCall	Smith, S. H.
Benninghoff	Gabig	McGeehan	Solobay
Biancucci	Gannon	McGill	Staback
Birmelin	Geist	McIlhattan	Stairs
Bishop	George	McIlhinney	Steil
Blaum	Gergely	McNaughton	Stetler
Boyd	Gillespie	Melio	Stevenson, R.
Browne	Gingrich	Metcalfe	Stevenson, T.
Bunt	Godshall	Micozzie	Sturla
Butkovitz	Goodman	Miller, R.	Surra
Buxton	Gordner	Miller, S.	Tangretti
Caltagirone	Grucela	Mundy	Taylor, E. Z.
Cappelli	Gruitza	Mustio	Taylor, J.
Casorio	Habay	Myers	Thomas
Causer	Haluska	Nailor	Tigue
Cawley	Hanna	Nickol	Travaglio
Civera	Harhai	O'Brien	True
Clymer	Harhart	Oliver	Turzai
Cohen	Harper	O'Neill	Vance
Coleman	Harris	Pallone	Veon
Cornell	Hasay	Payne	Vitali
Corrigan	Hennessey	Petri	Walko
Costa	Herman	Petrone	Wansacz
Coy	Hershey	Phillips	Washington
Crahalla	Hickernell	Pickett	Waters
Creighton	Horsey	Pistella	Watson
Cruz	Hutchinson	Preston	Weber
Curry	James	Raymond	Wheatley
Dailey	Josephs	Readshaw	Williams
Daley	Keller	Reed	Wojnaroski
Dally	Kenney	Reichley	Wright
DeLuca	Killion	Rieger	Yewcic
Denlinger	Kirkland	Roberts	Youngblood
Dermody	Kotik	Roebuck	Yudichak
DeWeese	LaGrotta	Rohrer	Zug
DiGiroloamo	Laughlin	Rooney	
Diven	Leach	Ross	Perzel,
Donatucci	Lederer	Rubley	Speaker
Eachus			

NAYS—5

Hess Sather Stern Wilt
Petrarca

NOT VOTING—1

Lynch

EXCUSED-1

Lescovitz

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.

On the question recurring,
Will the House concur in Senate amendments as amended?

Mr. MAHER offered the following amendment No. A3270:

Amend Sec. 2 (Sec. 9214), page 140, lines 27 through 30; page 141, lines 1 through 7, by striking out all of said lines on said pages and inserting

(3) Transfer 1% of the gross terminal revenue to the Department of Community and Economic Development to be placed in a restricted account exclusively to provide grants to municipalities which host licensed facilities, municipalities which are contiguous to such municipalities, counties which host licensed facilities, counties contiguous to such counties and regional authorities. Grants made under this paragraph shall be for the purpose of defraying the cost of human services, infrastructure improvements, facilities, emergency services and any other public improvement or community service projects. Money from this account shall not lapse and shall be dedicated only to the purposes provided for in this paragraph.

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

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Maher, for a brief explanation of the amendment.

Mr. MAHER. As a brief explanation, Mr. Speaker, this deals with the technical aspects of distributions of funds that are on hand at DCED (Department of Community and Economic Development), providing for them to go to a variety of local government forms to address issues at a local level.

I would hope to have your support, and I also understand and I want to thank the chairman, Mr. Clymer, for indicating that he does not have an objection to this matter.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, in my deliberations for what I really know about the amendment with members from the southwest delegation, it seems like what they are trying to do is bring about equity. There are probably some more significant things about this amendment that I may not be aware of, but on its face value, is what I am looking at, it seems like something that we can support. If members here know something more about the amendment that I am not aware of or staff, please rise up and tell us. Otherwise, I will be supporting the amendment.

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-198

Adolph	Egolf	Leh	Ruffing
Allen	Evans, D.	Levdansky	Sainato
Argall	Evans, J.	Lewis	Samuelson
Armstrong	Fabrizio	Lynch	Santoni
Baker	Fairchild	Mackereth	Sather
Baldwin	Feese	Maher	Saylor
Bard	Fichter	Maitland	Scavello
Barrar	Fleagle	Major	Schroder
Bastian	Flick	Manderino	Scrimenti
Bebko-Jones	Forcier	Mann	Semmel
Belardi	Frankel	Markosek	Shaner
Belfanti	Freeman	Marsico	Smith, B.
Benninghoff	Gabig	McCall	Smith, S. H.
Bianucci	Gannon	McGeehan	Solobay
Birmelin	Geist	McGill	Staback
Bishop	George	McIlhattan	Stairs
Blaum	Gergely	McIlhinney	Steil
Boyd	Gillespie	McNaughton	Stetler
Browne	Gingrich	Melio	Stevenson, R.
Bunt	Godshall	Metcalfe	Stevenson, T.
Butkovitz	Goodman	Micozzie	Sturla
Buxton	Gordner	Miller, R.	Surra
Caltagirone	Grucela	Miller, S.	Tangretti
Cappelli	Gruitza	Mundy	Taylor, E. Z.
Casorio	Habay	Mustio	Taylor, J.
Causer	Haluska	Myers	Thomas
Cawley	Hanna	Nailor	Tigue
Civera	Harhai	Nickol	Travaglio
Clymer	Harhart	O'Brien	True
Cohen	Harper	Oliver	Turzai
Coleman	Harris	O'Neill	Vance
Cornell	Hasay	Pallone	Veon
Corrigan	Hennessey	Payne	Vitali
Costa	Herman	Petri	Walko
Coy	Hershey	Pettrone	Wansacz
Crahalla	Hess	Phillips	Washington
Creighton	Hickernell	Pickett	Waters
Cruz	Horsey	Pistella	Watson
Curry	Hutchinson	Preston	Weber
Dailey	James	Raymond	Wheatley
Daley	Josephs	Readshaw	Williams
Dally	Keller	Reed	Wojnaroski
DeLuca	Kenney	Reichley	Wright
Denlinger	Killion	Rieger	Yewcic
Dermody	Kirkland	Roberts	Youngblood
DeWeese	Kotik	Roebuck	Yudichak
DiGirolamo	LaGrotta	Rohrer	Zug
Diven	Laughlin	Rooney	
Donatucci	Leach	Ross	Perzel,
Eachus	Lederer	Rubley	Speaker

NAYS-3

Petrarca	Stern	Wilt
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NOT VOTING-0

EXCUSED-1

Lescovitz

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question recurring,
Will the House concur in Senate amendments as amended?

RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Maher.

Mr. MAHER. Mr. Speaker, I move that the rules of the House be suspended in order to take up the immediate consideration of amendment A3221.

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

The SPEAKER. On the motion to suspend the rules, the Chair recognizes the gentleman, Mr. Maher.

Mr. MAHER. Thank you, Mr. Speaker.

This is the second of the amendments we were just speaking about and provides an avenue where the southwest region, the counties which comprise the Pittsburgh metropolitan statistical area, can work together collaboratively to accomplish some goals in our region, and I very much would hope to have your support on suspension.

The SPEAKER. The Chair thanks the gentleman.

The Chair recog— The majority leader defers to Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, this is the DeWeese amendment that I had— No? Nope. Okay. I was told some wrong information here, and I will retract that.

Again, this is part, I guess, of the package of amendments that the gentleman from southwest Pennsylvania had worked out, and as a result I would support the suspension on this amendment.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-201

Adolph	Evans, D.	Lewis	Samuelson
Allen	Evans, J.	Lynch	Santoni
Argall	Fabrizio	Mackereth	Sather
Armstrong	Fairchild	Maher	Saylor
Baker	Feese	Maitland	Scavello
Baldwin	Fichter	Major	Schroder
Bard	Fleagle	Manderino	Scrimenti
Barrar	Flick	Mann	Semmel
Bastian	Forcier	Markosek	Shaner
Bebko-Jones	Frankel	Marsico	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Belfanti	Gabig	McGeehan	Solobay
Benninghoff	Gannon	McGill	Staback
Biancucci	Geist	McIlhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespie	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.
Browne	Godshall	Micozzie	Stevenson, T.
Bunt	Goodman	Miller, R.	Sturla
Butkovitz	Gordner	Miller, S.	Surra
Buxton	Grucela	Mundy	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappelli	Habay	Myers	Taylor, J.
Casorio	Haluska	Nailor	Thomas
Causar	Hanna	Nickol	Tigue
Cawley	Harhai	O'Brien	Travaglio

Civera	Harhart	Oliver	True
Clymer	Harper	O'Neill	Turzai
Cohen	Harris	Pallone	Vance
Coleman	Hasay	Payne	Veon
Cornell	Hennessey	Petrarca	Vitali
Corrigan	Herman	Petri	Walko
Costa	Hershey	Petrone	Wansacz
Coy	Hess	Phillips	Washington
Crahalla	Hickernell	Pickett	Waters
Creighton	Horsey	Pistella	Watson
Cruz	Hutchinson	Preston	Weber
Curry	James	Raymond	Wheatley
Daily	Josephs	Readshaw	Williams
Daley	Keller	Reed	Wilt
Dally	Kenney	Reichley	Wojnaroski
DeLuca	Killion	Rieger	Wright
Denlinger	Kirkland	Roberts	Yewcic
Dermody	Kotik	Roebuck	Youngblood
DeWeese	LaGrotta	Rohrer	Yudichak
DiGirolamo	Laughlin	Rooney	Zug
Diven	Leach	Ross	
Donatucci	Lederer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Levdansky	Sainato	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-1

Lescovitz

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.

On the question recurring,
Will the House concur in Senate amendments as amended?

Mr. MAHER offered the following amendment No. A3221:

Amend Sec. 2 (Sec. 9214), page 140, line 27, by striking out "TRANSFER" and inserting

Except with respect to counties and municipalities located in the Pittsburgh Metropolitan Statistical Area and gross terminal revenues emanating from slot machine licensees hosted by counties located in the Pittsburgh Metropolitan Statistical Area, transfer

Amend Sec. 2 (Sec. 9214), page 141, line 8, by striking out "DISTRIBUTE" and inserting

Except with respect to counties and municipalities located in the Pittsburgh Metropolitan Statistical Area and gross terminal revenues emanating from slot machine licensees hosted by counties located in the Pittsburgh Metropolitan Statistical Area, distribute

Amend Sec. 2 (Sec. 9214), page 141, by inserting between lines 25 and 26

(6) Distribute 2% of gross terminal revenue emanating from slot machine licensees hosted by counties located in the Pittsburgh Metropolitan Statistical Area to the Southwest Regional District established in accordance with section 9219 (relating to Southwest Regional District).

Amend Sec. 2, page 162, by inserting between lines 8 and 9 § 9219. Southwest Regional District.

(a) District created.—

(1) A body corporate and politic to be known as the Southwest Regional District is hereby authorized to be created as a special purpose areawide unit of local government pursuant to section 7 of Article IX of the Constitution of Pennsylvania,

exercising powers as a unit of local government under this section. The exercise by the district of the powers conferred by this section is hereby declared to be, and shall for all purposes be deemed and held to be, the performance of an essential public function.

(2) The district shall be deemed to be created upon the adoption of an ordinance by any county situate in the Pittsburgh Metropolitan Statistical Area to participate in the district.

(3) The ordinance to participate in the district shall include the following:

(i) That the county is within the field of membership of the district.

(ii) That the county elects to be a member county of the district.

(iii) That the governing body will appoint individuals to serve on the district board or advisory committee, as appropriate.

(4) Once established the district shall continue in existence perpetually.

(5) Members of the board shall not be liable personally for obligations of the district, and the rights of creditors shall be solely against the district. The district, itself or by contract, shall defend board members, and the district shall indemnify and hold harmless board members, whether currently employed by the district or not, against and from any and all personal liability, actions, causes of action and any and all claims made against them for whatever actions they perform within the scope of their duties as board members.

(b) Governing board.—

(1) The powers and duties of the district shall be exercised by a board composed of two members appointed by each member county hosting a racetrack or other location at which slot machines are located.

(2) The board members shall be appointed, for counties governed by a board of county commissioners, as follows:

(i) The president or chair of the board of county commissioners shall nominate a person registered in the majority party.

(ii) The minority member of the board of county commissioners shall nominate a person registered in a party other than the majority party.

(iii) In the event that all commissioners are of the same party, the president or chair of the board of county commissioners shall nominate one person registered in the majority party and one person registered in a party other than that of the commissioners which has the highest total of voter registration in the county.

(iv) Those nominated in accordance with subparagraphs (i), (ii) and (iii) shall be subject to appointment by the board of county commissioners.

(v) In the event that the board of county commissioners declines to confirm a nominee, the commissioner who nominated the unconfirmed nominee shall make another nomination of a person registered in the same party as the unconfirmed nominee.

(3) The board members shall be appointed, for counties that have elected a home rule form of government for which the governing body is not a three-member board of commissioners, as follows:

(i) The governing body shall appoint one person registered in the party that shares the registration with a majority of elected members of the county's legislative body.

(ii) The governing body shall appoint one person registered in a party other than that of a majority of elected members of the county's legislative body which has the highest total of voter registration in the county.

(4) The term of office of these board members shall be four years with the term of office of the appointing authority and until their successors are appointed.

(5) The governing body of the first county to adopt an ordinance to participate in the district shall, within 30 days of the effective date of its ordinance, set a date, time and place for the initial organizational meeting of the board and provide for public notice of this meeting pursuant to 65 Pa.C.S. Ch. 7 (relating to open meetings). Not later than 30 days prior to the initial meeting, notice shall also be provided by registered mail to the governing bodies of other counties in the Pittsburgh Metropolitan Statistical Area. The members shall elect from among themselves a chairman, vice chairman, secretary, treasurer and such other officers as they may determine. A member may hold more than one office of the board at any time. Members may serve successive terms as officers of the board.

(6) The board shall meet as frequently as it deems appropriate. In addition, a meeting of the board shall be called by the chairman if a request for a meeting is submitted to the chairman by at least two members of the board. A majority of the members appointed to the board shall constitute a quorum for the purpose of conducting the business of the board and for all other purposes. However, an affirmative vote of at least 70% of the board shall be required for all decisions. The provisions of 65 Pa.C.S. Ch. 7 shall apply to the board.

(7) Governing board members shall not be compensated. The district may, however, reimburse reasonable expenses to governing board members in the event that such expenses are associated with the service of governing board members.

(c) Powers and duties.—

(1) The following apply:

(i) The district shall have the power to support economic development, cultural, recreational, civic, education, public safety and public improvement projects either directly or in assistance to nonprofit entities, member counties, or political subdivisions in member counties.

(ii) The enumeration of purposes in subparagraph (i) shall not be construed to limit the powers granted to the district under this section.

(2) The district is granted all powers necessary or convenient for the carrying out of its purposes, including the following:

(i) To have continuing succession.

(ii) To sue and be sued, implead and be impleaded, complain and defend in all courts.

(iii) To adopt, use and alter at will a corporate seal.

(iv) To make, enter into and award contracts with any person, association, partnership or corporation for the development, design, financing, construction, improvement, maintenance, operation, furnishing, fixturing, equipping and repair of projects or parts of projects.

(v) To make bylaws for the regulation of its affairs and to promulgate rules, regulations and policies in connection with the performance of its functions and duties.

(vi) To make, enter into and award contracts of every name and nature and to execute all instruments necessary or convenient for the carrying out of its business.

(vii) To borrow money and accept grants and to enter into contracts, leases, subleases, licenses or other transactions with any Federal agency, State public body, political subdivision, person, association, partnership or corporation.

(viii) To pledge, hypothecate or otherwise encumber any of its property, real, personal or mixed, tangible or intangible, and its revenues or receipts, including, but not limited to, any interest the district may have in any lease or sublease of projects or parts of projects.

(ix) To procure insurance containing coverage, including, without limitation, insurance covering the timely payment in full of principal and interest on bonds of the district, in amounts from insurers as the district may determine to be necessary or desirable for its purposes.

(x) To invest its money.

(xi) To cooperate with any Federal agency, State public body or political subdivision.

(xii) To invest any funds not required for immediate disbursement in reserve or sinking funds.

(xiii) To appoint all officers, agents and employees required for the performance of its duties and fix and determine their qualifications, duties and compensation and retain or employ other agents or consultants. The board shall develop, implement and evaluate plans and process to assure that all persons are accorded equality of opportunity in employment and contracting by the board.

(xiv) To enroll its employees in a retirement system, including an existing retirement system of the State, county, city or other governmental entity.

(xv) To appoint and fix the compensation of legal counsel, who shall not be required to be employees of the district, to provide it with legal assistance. Notwithstanding the provisions of 42 Pa.C.S. § 8525 (relating to legal assistance), the authority through its counsel shall defend actions brought against the authority and its officers and employees when acting within the scope of their official duties.

(xvi) To maintain an office in the district.

(xvii) To assist in the development and expansion of minority business enterprises and women's business enterprises.

(xviii) To do all acts and things necessary or convenient for the promotion of its purposes and the general welfare of the district and to carry out the powers granted to it by this section or any other acts.

(3) Notwithstanding any purpose of the district or a general or specific power granted by this section or any other act, whether express or implied, the following limitations and conditions shall apply to the operations of the district:

(i) The district shall have no power to pledge the credit or taxing powers of the Commonwealth or any other government agency except the credit of the district nor shall any of the bonds of the district be deemed a debt or liability of the Commonwealth or of any other government agency, except as otherwise agreed by the Commonwealth or a government agency.

(ii) Neither the Commonwealth nor any government agency except the district shall be liable for payment of the principal, interest or premium on any of the district's bonds, except as otherwise agreed by the Commonwealth or a government agency.

(iii) Notwithstanding any provision of this section or any other act to the contrary or of any implication that may be drawn from this section or any other act, the Commonwealth and all other government agencies, except the district, shall have no legal or moral obligation for the payment of any expenses or obligations of the district, including, but not limited to, bond principal and interest, the funding or refunding of any

reserve and any administrative or operating expenses whatsoever, except as otherwise agreed to by the Commonwealth or another government agency.

(iv) Bonds of the district shall contain a prominent statement of the limitations set forth in this subsection and shall further recite that obligees of the district shall have no recourse, either legal or moral, to the Commonwealth or to any other government agency for payment of the bonds, except as otherwise agreed to by the Commonwealth or another government agency.

(v) The district shall not assume the responsibility of employing personnel directly engaged in the operation of regional assets but may enter into contracts with member counties, political subdivisions situate in member counties and other public and private organizations for the operation and financing of regional assets.

(4) Each member county that does not appoint members to the governing board shall appoint one individual to the district advisory committee by action of the governing body of such member county. The advisory board shall serve to advise the board in the administration of the section. Each member of the advisory board shall serve at the pleasure of the appointing governing body but for no longer than four years without reappointment. Advisory board members may serve successive terms.

(d) Fiscal year.—The fiscal year of the district shall conclude on December 31 of each year, except as otherwise provided by the board.

(e) Operating budget.—At least 90 days before commencement of the ensuing fiscal year of the district, the board shall cause to be prepared and submitted to it a recommended operating budget. The operating budget shall set forth the estimated receipts and revenues of the district during the next fiscal year. The board shall, at least 30 days before the end of the fiscal year, adopt, by a majority vote of its members, an operating budget for the next fiscal year. The board may amend the district's budget during the course of any fiscal year as deemed necessary by the board. During its initial fiscal year, the board will not be subject to the timing specified in this section for adoption of a budget but shall instead adopt an initial budget within three months of inception.

(f) Annual report.—The board of the district shall, no later than July 1 of each year, prepare a comprehensive annual report of its activities and operations for the previous year, provide a copy to member counties and make the report a matter of public record available to other political subdivisions and other interested groups and organizations.

(g) External audit.—The board shall provide for an annual audit of district financial statements conducted in accordance with generally accepted auditing standards by an independent certified public accounting firm.

(h) Governmental immunity.—It is hereby declared to be the intent of the General Assembly that the district created under this section and its officers, officials and employees shall enjoy governmental immunity except as provided by and subject to the provisions of 42 Pa.C.S. Ch. 85 Subchs. A (relating to general provisions) and C (relating to actions against local parties).

(i) Funds of district.—All money of the district from whatever source derived shall be paid to the treasurer of the district or the treasurer's designee and invested in the same manner as is provided for in 53 Pa.C.S. § 5913 (a) through (d) (relating to moneys of authority).

(j) Transfer of funds.—

(1) The following apply:

(i) Any member county may and is hereby authorized to make grants from current revenues to the district and to assist in defraying the costs of managing, operating, maintaining, financing and servicing the debt of projects, to enter into long-term agreements providing for payment of the costs and to enter into long-term

leases or subleases as lessee or sublessee of all or part of a regional asset.

(ii) Obligations of a member county to make grants or lease or sublease payments to the district shall not, even if based on debt obligations of the district, constitute debts of the member county within the meaning of any constitutional or statutory provision and shall be payable only to the extent that current revenues of the member county are available.

(iii) Any member county may issue general obligation bonds for the purpose of obtaining funds for the acquisition or improvement of regional assets or parts of regional assets.

(2) The Commonwealth may contribute to the capital costs of constructing projects by the issuance of Commonwealth bonds and notes under Chapter 3 of the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act. A project undertaken by the district is hereby deemed to be a redevelopment assistance project under which capital funds of the Commonwealth may be expended under the provisions of the act of May 20, 1949 (P.L.1633, No.493), known as the Housing and Redevelopment Assistance Law, and, notwithstanding any provisions of the Housing and Redevelopment Assistance Law, the Department of Community and Economic Development is hereby authorized to make capital grants directly to the district under this section.

(k) Pledge of revenues by district and Commonwealth.—The district is expressly authorized to pledge all or any part of the net revenues in connection with the issuance of bonds or the incurring of obligations under leases in order to secure the payment of the bonds and obligations. The Commonwealth, with the signature of the Governor and the State Treasurer, may also pledge the revenues in support of or in connection with the issuance of bonds or the incurring of obligations under leases by the district in order to further secure the payment of the bonds and obligations.

(l) Fund.—There is established the Southwest Regional District Fund as a separate fund in the State Treasury. The State Treasurer shall be custodian of the fund which shall be subject to the provisions of law applicable to funds listed in section 302 of The Fiscal Code. All money in the fund, including, but not limited to, money credited to the fund under this chapter, prior year encumbrances and the interest earned thereon, shall not lapse, but shall remain in the fund and must be used exclusively as provided in this section. Pending their disbursement, moneys received on behalf of or deposited into the fund shall be invested or reinvested as are other moneys in the custody of the State Treasurer in the manner provided by law. All earnings received from the investment or reinvestment of the moneys shall be credited to the fund.

(m) Definitions.—As used in this section the following words and phrases shall have the meanings given to them in this subsection:

“Board.” The governing body of the district.

“County.” A county within the Pittsburgh Metropolitan Statistical Area.

“District.” The Southwest Regional District comprised of member counties and established under this section.

“Fund.” The Southwest Regional District Fund.

“Member county.” A county within the Pittsburgh Metropolitan Statistical Area which has adopted an ordinance pursuant to subsection (a)(2).

“Minority business enterprise.” A small business concern which is:

(1) A sole proprietorship, owned and controlled by a socially and economically disadvantaged individual.

(2) A partnership or joint venture controlled by socially and economically disadvantaged individuals in which 51% of the beneficial ownership interest is held by socially and economically disadvantaged individuals.

(3) A corporation or other entity controlled by socially and economically disadvantaged individuals in which at least 51% of the voting interest and 51% of the beneficial ownership interest are held by socially and economically disadvantaged individuals.

“Person.” A business, individual, corporation, union, association, firm, partnership, committee, club or other organization or group of persons.

“Pittsburgh Metropolitan Statistical Area.” The Pittsburgh Metropolitan Statistical Area as determined by the United States Census Bureau, 2000 Census, comprising the counties of Allegheny, Armstrong, Beaver, Butler, Fayette, Washington and Westmoreland.

“Socially and economically disadvantaged individuals.” Persons who are citizens of the United States and who are African-Americans, Hispanic Americans, Native Americans, Asian-Pacific Americans and other minorities or persons found to be disadvantaged by the Small Business Administration pursuant to the Small Business Act (Public Law 85-536, 15 U.S.C. § 631 et seq.).

“Women’s business enterprise.” A small business concern which is at least 51% owned and controlled by women or, in the case of any publicly owned business, at least 51% of the stock of which is owned by one or more women and whose management and daily business operations are controlled by one or more of the women who own it.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Maher, for a brief explanation of amendment A3221.

Mr. MAHER. Mr. Speaker, I hope I have amplified the amendment sufficiently during the motion for suspension, and in the interest of time I will conclude my remarks, unless somebody has a desire for greater detail.

Thank you.

The SPEAKER. The Chair thanks the gentleman and believes that he did give a good explanation.

Those in favor will vote “aye”— The Chair recognizes the gentleman from Northampton, Mr. Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I am just looking for a little more extension of an explanation. This is an eight-page amendment. We are seeing it for the first time. It looks like it restructures some things in the agreement, and I would like him to elaborate on what the eight pages contain.

Mr. MAHER. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Maher, agrees to an explanation. Mr. Maher is in order and may proceed.

Mr. MAHER. Those eight pages provide for an organization to be created in the southwest embracing the Pittsburgh metropolitan statistical area, the counties which comprise that area. Each county in that area will be represented on a board that we are calling the southwest district, loosely modeled in terms of its legal structure on Allegheny County’s regional asset district but distinct because of its multicounty footprint.

The board of this will be a bifurcated board, with those counties which host licensees each appointing, their governing body at the county level appointing, two individuals who must be from two different political parties to a board to make decisions. We are looking to accomplish a bipartisan regional perspective for western Pennsylvania.

This board would have jurisdiction over the so-called local interests, which was otherwise going to be mailed upstream to those in the southwest. So I always get nervous when that kind

of mail travels east over the Allegheny Mountains, that sometimes it never finds its way back, and this is to allow a local focus to direct these resources to solving local issues.

Mr. SAMUELSON. And my followup question would be on the financing. Looking at page 1, line 17, it talks about 2 percent of gross terminal revenue emanating from slot machines. Describe a little—

Mr. MAHER. Only licensees who are present in that footprint of the Pittsburgh metropolitan statistical area, so that it will be that the resources which emanate from that multiple-county area will be directed toward issues within that multiple-county area.

Mr. SAMUELSON. Okay. Does that replace anything in the existing bill with regard to a similar percentage or is this a new concept?

Mr. MAHER. That is right. What this does is instead of – and I thought I had addressed this – in the original bill it had and otherwise throughout Pennsylvania it would continue to be 1 percent and 1 percent that are mailed to DCED. In lieu of sending these into DCED, the 1 percent and 1 percent, instead, the 2 percent that they add up to would be directed into this district, which will include the counties of Allegheny, Beaver, Butler, Westmoreland, Fayette, Washington—

Mr. SAMUELSON. The same 2-percent formula that would exist in other parts of the State, but you are doing it on a regional basis. Is that a correct assumption?

Mr. MAHER. That is correct. In western Pennsylvania, southwest, and I think your colleagues from that area on the other side of the aisle would confirm, we find with some rapidity that we have integrated issues that require an integrated solution, and this lends itself toward that perspective.

Mr. SAMUELSON. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS-201

Adolph	Evans, D.	Lewis	Samuelson
Allen	Evans, J.	Lynch	Santoni
Argall	Fabrizio	Mackereth	Sather
Armstrong	Fairchild	Maher	Saylor
Baker	Feese	Maitland	Scavello
Baldwin	Fichter	Major	Schroder
Bard	Fleagle	Manderino	Scrimenti
Barrar	Flick	Mann	Semmel
Bastian	Forcier	Markosek	Shaner
Bebko-Jones	Frankel	Marsico	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Belfanti	Gabig	McGeehan	Solobay
Benninghoff	Gannon	McGill	Staback
Biancucci	Geist	McIlhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespie	Melio	Stetler
Boyd	Gingrich	Metcalfe	Stevenson, R.
Browne	Godshall	Micozzie	Stevenson, T.
Bunt	Goodman	Miller, R.	Sturla
Butkovitz	Gordner	Miller, S.	Surra
Buxton	Grucela	Mundy	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappelli	Habay	Myers	Taylor, J.
Casorio	Haluska	Nailor	Thomas
Causser	Hanna	Nickol	Tigue
Cawley	Harhai	O'Brien	Travaglio

Civera	Harhart	Oliver	True
Clymer	Harper	O'Neill	Turzai
Cohen	Harris	Pallone	Vance
Coleman	Hasay	Payne	Veon
Cornell	Hennessey	Petrarca	Vitali
Corrigan	Herman	Petri	Walko
Costa	Hershey	Petrone	Wansacz
Coy	Hess	Phillips	Washington
Crahalla	Hickernell	Pickett	Waters
Creighton	Horsey	Pistella	Watson
Cruz	Hutchinson	Preston	Weber
Curry	James	Raymond	Wheatley
Dailey	Josephs	Readshaw	Williams
Daley	Keller	Reed	Wilt
Dally	Kenney	Reichley	Wojnaroski
DeLuca	Killion	Rieger	Wright
Denlinger	Kirkland	Roberts	Yewcic
Dermody	Kotik	Roebuck	Youngblood
DeWeese	LaGrotta	Rohrer	Yudichak
DiGirolamo	Laughlin	Rooney	Zug
Diven	Leach	Ross	
Donatucci	Lederer	Rubley	
Eachus	Leh	Ruffing	Perzel,
Egolf	Levdansky	Sainato	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-1

Lescovitz

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question recurring,
Will the House concur in Senate amendments as amended?

RULES SUSPENDED

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

Mr. COY. Mr. Speaker, I move that the rules of the House be suspended for the immediate consideration of amendment A3268.

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

The SPEAKER. On the motion to suspend the rules, the Chair recognizes the gentleman, Mr. Coy.

Mr. COY. Mr. Speaker, I would ask that the rules of the House be suspended so that this amendment, which is truly a technical, cleanup amendment, can be offered.

The SPEAKER. The Chair thanks the gentleman.
The majority leader yields to Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I know that a few minutes ago on this technical amendment in which I asked the members not to suspend, I have checked into it, and it is just a technical amendment. I know that some members will want to vote against it. At this point in time I am asking the members to work on this, just this

one very simple, technical amendment, and to be cooperative with the opposition.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—201

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Lescovitz

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.

On the question recurring,

Will the House concur in Senate amendments as amended?

Mr. COY offered the following amendment No. **A3268**:

Amend Sec. 2 (Chapter Analysis), page 83, line 13, by striking out "FACILITY" and inserting facilities

Amend Sec. 2 (Sec. 9203), page 89, line 4, by inserting after "MANUFACTURES," supplies,

Amend Sec. 2 (Sec. 9203), page 89, line 10, by inserting after "MANUFACTURE" , supply

Amend Sec. 2 (Sec. 9204), page 96, line 9, by inserting after "FACILITY" within this Commonwealth or at any other facility outside this Commonwealth

Amend Sec. 2 (Sec. 9206), page 105, line 23, by striking out "PERSON" and inserting licensed corporation

Amend Sec. 2 (Sec. 9206), page 106, lines 9 through 21, by striking out all of lines 9 through 20, "(3)" in line 21 and inserting (2)

Amend Sec. 2 (Sec. 9206), page 106, line 21, by striking out "PERSON" and inserting licensed corporation

Amend Sec. 2 (Sec. 9206), page 106, by inserting between lines 23 and 24

(a.1) Required racing days.—Except as provided in subsection (a)(1)(ii), a licensed corporation must conduct live racing at the racetrack for at least 100 days per calendar year, for each license held by the licensed corporation pursuant to the Race Horse Industry Reform Act. If a racing day is canceled by a licensed corporation for reasons beyond its control, the appropriate commission shall grant the licensed corporation the right to conduct that racing day in the same or next ensuing calendar year. The purse for that racing day shall not be used for the purse of other scheduled racing days of that calendar year and must be used for the purse of such rescheduled day.

Amend Sec. 2 (Sec. 9206), page 107, line 30, by striking out "SUBJECT" and inserting

Unless the horsemen's organization representing a majority of the owners and trainers consents to a lower number of required racing days at the racetrack, subject

Amend Sec. 2 (Sec. 9206), page 109, line 30; page 110, lines 1 through 10, by striking out all of said lines on said pages

Amend Sec. 2 (Sec. 9206), page 110, line 11, by striking out "(2)" and inserting

(1)

Amend Sec. 2 (Sec. 9206), page 110, line 24, by striking out "(3)" and inserting

(2)

Amend Sec. 2 (Sec. 9206), page 110, line 26, by striking out "(2)" and inserting

(1)

Amend Sec. 2 (Sec. 9206), page 110, line 28, by inserting after "YEAR"

which are or may be

Amend Sec. 2 (Sec. 9206), page 111, line 3, by striking out "(4)" and inserting

(3)

Amend Sec. 2 (Sec. 9206), page 111, line 10, by striking out “(5)” and inserting

(4)

Amend Sec. 2 (Sec. 9206), page 111, line 16, by striking out “(6)” and inserting

(5)

Amend Sec. 2 (Sec. 9208), page 115, line 19, by inserting after “COMPUTER”

site

Amend Sec. 2 (Sec. 9212.1), page 130, line 19, by striking out “. THE” and inserting

because the

Amend Sec. 2 (Sec. 9212.1), page 130, line 20, by inserting after “DENY”

the issuance of

Amend Sec. 2 (Sec. 9214), page 140, line 17, by striking out “OF” where it appears the second time and inserting

by

Amend Sec. 2 (Sec. 9214), page 141, line 13, by striking out “OF” where it appears the second time and inserting

by

Amend Sec. 2 (Sec. 9215), page 143, line 25, by inserting after “LICENSEES”

that have licenses under paragraph (1) of the definition of slot machine licensee in section 9203 (relating to definitions)

Amend Sec. 2 (Sec. 9218.4), page 159, line 20, by striking out “FACILITY” and inserting

facilities

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Franklin, Mr. Coy, for an explanation of the amendment.

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, as I indicated, let me explain simply to the members that as negotiations came down toward a finality on this issue, there were corrections that needed to be made as certain things were changed. The corrections that were made were in the wording and in sectional changes. As a matter of fact, I am given to understand that a staff attorney on the Republican side of the aisle did most of the drafting, and it was agreed-to language by the folks who were involved. I believe it can truly be termed as an agreed-to, cleanup, technical amendment, and I urge members to approve it.

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, the generosity will not extend into a “yes” vote. I will oppose the amendment.

Thank you.

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-151

Adolph	Fleagle	Manderino	Saylor
Allen	Flick	Mann	Scavello
Argall	Frankel	Markosek	Scrimenti
Bard	Freeman	Marsico	Semmel
Barrar	Gannon	McCall	Shaner

Bebko-Jones	George	McGeehan	Smith, B.
Belardi	Gergely	McGill	Solobay
Belfanti	Gillespie	McIlhinney	Staback
Biancucci	Godshall	Melio	Stairs
Birmelin	Goodman	Micozzie	Steil
Bishop	Grucela	Miller, R.	Stetler
Blaum	Gruitza	Miller, S.	Stevenson, T.
Bunt	Habay	Mundy	Sturla
Butkovitz	Haluska	Mustio	Surra
Buxton	Hanna	Myers	Tangretti
Caltagirone	Harhai	Nailor	Taylor, E. Z.
Cappelli	Harper	Nickol	Taylor, J.
Casorio	Hennessey	O'Brien	Thomas
Cawley	Hershey	Oliver	Tigue
Civera	Horshey	O'Neill	Travaglio
Cohen	James	Pallone	Vance
Cornell	Josephs	Payne	Veon
Costa	Keller	Petri	Vitali
Coy	Kenney	Petrona	Walko
Crahalla	Killion	Pistella	Wansacz
Cruz	Kirkland	Preston	Washington
Curry	Kotik	Raymond	Waters
Daley	LaGrotta	Readshaw	Watson
DeLuca	Laughlin	Rieger	Weber
Dermody	Leach	Roberts	Wheatley
DeWeese	Lederer	Roebuck	Williams
DiGirolo	Leh	Rooney	Wojnaroski
Diven	Levdansky	Ross	Wright
Donatucci	Lewis	Rubley	Youngblood
Eachus	Lynch	Ruffing	Yudichak
Evans, D.	Mackereth	Sainato	
Evans, J.	Maher	Samuelson	Perzel,
Fabrizio	Maitland	Santoni	Speaker
Fichter			

NAYS-50

Armstrong	Dally	Herman	Reichley
Baker	Denlinger	Hess	Rohrer
Baldwin	Egolf	Hickernell	Sather
Bastian	Fairchild	Hutchinson	Schroder
Benninghoff	Feese	Major	Smith, S. H.
Boyd	Forcier	McIlhattan	Stern
Browne	Gabig	McNaughton	Stevenson, R.
Causar	Geist	Metcalfe	True
Clymer	Gingrich	Petrarca	Turzai
Coleman	Gordner	Phillips	Wilt
Corrigan	Harhart	Pickett	Yewcic
Creighton	Harris	Reed	Zug
Dailey	Hasay		

NOT VOTING-0

EXCUSED-1

Lescovitz

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question recurring,

Will the House concur in Senate amendments as amended?

MOTION TO RECONSIDER RULES SUSPENSION FOR AMENDMENT A3278

The SPEAKER. For the information of the members, because I allowed the amendment that Mr. DeWeese offered,

amendment 3278, the gentleman, Mr. McNaughton, found that there was intervening business, and because I extended that courtesy, he was allowed to file a reconsideration motion on the vote to suspend the rules on amendment 3278. He is now asking for a reconsideration of that.

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

The SPEAKER. On the reconsideration of the motion to suspend, the Chair recognizes the gentleman, Mr. DeWeese.

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

Normally, the reconsideration motion is pro forma, but there is nothing perfunctory about this. There is no reason to consider reconsideration, because we all know that the only driving force behind this parliamentary effort is to kill the bill.

The whole idea of parity for Pittsburgh should be central in this whole dialectic tonight. We are adding two nontrack gaming venues, one in Pittsburgh and one in Philadelphia, and the one in Philadelphia is covered within the body of the bill. We had to amend the bill to include the money that would go for the David L. Lawrence Convention Center and for a potential hotel. The money for Pittsburgh is parity vis -a-vis the money for Philadelphia. This is very, very obvious that the antagonists against this legislation and ultimately against \$1 billion in property tax reduction that gaming money will generate are trying one last vital stab at the heartbeat of this proposal, and I would ask that we sustain a majority vote against reconsideration.

Only once or twice in a session would I take the microphone and ask that we not reconsider, but there is no reason for reconsidering other than to kill the bill, and therefore, politely and respectfully I would ask that we vote against reconsidering something that we considered just an hour or so ago and had a very substantial amount of dialogue. There is going to be no new light shed on this, and my speculation is there will not be very many votes that will be different. It is a long evening, as everyone seems to tell us, yet some of our opponents want to make it longer and longer and say the same things over and over.

I would ask for this measure to reconsider to be rejected. Thank you.

The SPEAKER. The Chair thanks the gentleman.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Vitali.

Mr. VITALI. I have a parliamentary inquiry.

I am just not sure where we are procedurally, if this amendment has been approved and is part of the bill now.

The SPEAKER. No; no, Mr. Vitali, it has not. There was a motion to suspend the rules. The motion to suspend the rules was passed by the body. At that time Mr. Clymer asked if we would temporarily go over the amendment because—

Mr. VITALI. I understand; I understand. I am done. Thank you.

The SPEAKER. No problem, Mr. Vitali. The Chair thanks the gentleman.

Mr. Clymer?

Mr. CLYMER. Yes.

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I rise again and ask the members not to suspend.

The SPEAKER. No, Mr. Clymer, it is a reconsideration of the suspension.

Mr. CLYMER. Oh; yeah. I support the motion for reconsideration.

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

The following roll call was recorded:

YEAS—77

Argall	Fleagle	Leh	Reed
Armstrong	Flick	Lewis	Reichley
Baker	Forcier	Lynch	Rohrer
Bard	Gabig	Mackereth	Sather
Bastian	Geist	Maitland	Saylor
Benninghoff	Gillespie	Major	Scavello
Birmelin	Gingrich	Marsico	Schroder
Boyd	Godshall	McIlhattan	Semmel
Browne	Gordner	McNaughton	Smith, B.
Causar	Habay	Metcalfe	Smith, S. H.
Clymer	Harhart	Miller, R.	Stairs
Coleman	Harris	Miller, S.	Stern
Crahalla	Hasay	Mustio	Stevenson, R.
Creighton	Hennessey	Nailor	Stevenson, T.
Dailey	Herman	Nickol	True
Dally	Hershey	Payne	Turzai
Denlinger	Hess	Petrarca	Vance
Egolf	Hickernell	Phillips	Yewcic
Fairchild	Hutchinson	Pickett	Zug
Feese			

NAYS—124

Adolph	Eachus	Mann	Shaner
Allen	Evans, D.	Markosek	Solobay
Baldwin	Evans, J.	McCall	Staback
Barrar	Fabrizio	McGeehan	Steil
Bebko-Jones	Fichter	McGill	Stetler
Belardi	Frankel	McIlhinney	Sturla
Belfanti	Freeman	Melio	Surra
Biancucci	Gannon	Micozzie	Tangretti
Bishop	George	Mundy	Taylor, E. Z.
Blaum	Gergely	Myers	Taylor, J.
Bunt	Goodman	O'Brien	Thomas
Butkovitz	Grucela	Oliver	Tigue
Buxton	Gruitza	O'Neill	Travaglio
Caltagirone	Haluska	Pallone	Veon
Cappelli	Hanna	Petri	Vitali
Casorio	Harhai	Petrone	Walko
Cawley	Harper	Pistella	Wansacz
Civera	Horsey	Preston	Washington
Cohen	James	Raymond	Waters
Cornell	Josephs	Readshaw	Watson
Corrigan	Keller	Rieger	Weber
Costa	Kenney	Roberts	Wheatley
Coy	Killion	Roebuck	Williams
Cruz	Kirkland	Rooney	Wilt
Curry	Kotik	Ross	Wojnaroski
Daley	LaGrotta	Rubley	Wright
DeLuca	Laughlin	Ruffing	Youngblood
Dermody	Leach	Sainato	Yudichak
DeWeese	Lederer	Samuelson	
DiGirolamo	Levdansky	Santoni	

Diven	Maher	Scrimenti	Perzel,
Donatucci	Manderino		Speaker

NOT VOTING—0

EXCUSED—1

Lescovitz

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

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

The SPEAKER. The question before the House is the adoption of the DeWeese amendment No. 3278.

On that question, the Chair recognizes— Mr. Clymer, do you wish to be recognized? The Chair recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I stand in opposition to this amendment. I would just ask that – we had concluded our business some time ago – that this is an opportunity for us now to move into final debate on the bill, and again, I would ask that we defeat this amendment.

Thank you.

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

Mr. DeWEESE. Thank you very much.

Respectfully, we need an affirmative vote. This is a vote in favor of Pittsburgh having parity with Philadelphia in the new gaming legislation. It is a property tax bill. It is a \$1 billion reduction. It is all part of the package. We have worked very, very hard with the Speaker of the House. It has been a bipartisan effort. The lion’s share of the votes in this chamber tonight are in favor of it, and I would hope that a favorable vote would be sustained.

Thank you.

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—133

Adolph	Evans, D.	Maher	Scrimenti
Allen	Evans, J.	Manderino	Semmel
Argall	Fabrizio	Mann	Shaner
Bard	Fichter	Markosek	Solobay
Barrar	Fleagle	Marsico	Staback
Bebko-Jones	Flick	McCall	Stairs
Belardi	Frankel	McGeehan	Steil
Belfanti	Freeman	McGill	Stetler
Biancucci	Gannon	McIlhinney	Stevenson, T.
Bishop	George	Melio	Sturla
Blaum	Gergely	Micozzie	Surra
Bunt	Godshall	Mundy	Tangretti
Butkovitz	Goodman	Mustio	Taylor, J.
Buxton	Grucela	Myers	Thomas
Caltagirone	Gruitza	Nailor	Tigue
Cappelli	Haluska	O'Brien	Travaglio

Casorio	Hanna	Oliver	Veon
Cawley	Harhai	O'Neill	Vitali
Civera	Harper	Pallone	Walko
Cohen	Hennessey	Payne	Wansacz
Cornell	Horsey	Petri	Washington
Corrigan	James	Petrone	Waters
Costa	Josephs	Pistella	Weber
Coy	Keller	Preston	Wheatley
Cruz	Kenney	Raymond	Williams
Curry	Killion	Readshaw	Wojnaroski
Daley	Kirkland	Rieger	Wright
DeLuca	Kotik	Roberts	Yewcic
Dermody	LaGrotta	Roebuck	Youngblood
DeWeese	Laughlin	Rooney	Yudichak
DiGirolamo	Leach	Ross	
Diven	Lederer	Ruffing	
Donatucci	Leh	Sainato	Perzel,
Eachus	Levdansky	Santoni	Speaker

NAYS—68

Armstrong	Fairchild	Lewis	Rubley
Baker	Feese	Lynch	Samuelson
Baldwin	Forcier	Mackereth	Sather
Bastian	Gabig	Maitland	Saylor
Benninghoff	Geist	Major	Scavello
Birmelin	Gillespie	McIlhattan	Schroder
Boyd	Gingrich	McNaughton	Smith, B.
Browne	Gordner	Metcalfe	Smith, S. H.
Causar	Habay	Miller, R.	Stern
Clymer	Harhart	Miller, S.	Stevenson, R.
Coleman	Harris	Nickol	Taylor, E. Z.
Crahalla	Hasay	Petrarca	True
Creighton	Herman	Phillips	Turzai
Daily	Hershey	Pickett	Vance
Dally	Hess	Reed	Watson
Denlinger	Hickernell	Reichley	Wilt
Egolf	Hutchinson	Rohrer	Zug

NOT VOTING—0

EXCUSED—1

Lescovitz

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question recurring,
Will the House concur in Senate amendments as amended?

MOTION TO SUSPEND RULES

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Maher.

Mr. MAHER. Mr. Speaker, I move that the rules of the House be suspended for immediate consideration of amendment 3142.

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

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. Maher, on the suspension.

Mr. MAHER. Thank you, Mr. Speaker.

This amendment hearkens back to the genesis of many of our interests in addressing this question overall, which is to protect

an existing industry in Pennsylvania. Sometimes through the night I think it has been confused with that industry being racetracks, but that is not really the industry we are protecting. The industry we are protecting is our equine industry and agricultural industry, and what this amendment seeks to do is to provide parity in an administrative function so that the Standardbred breeders would be able to have their processing accomplished in much the same way as Thoroughbred breeders. Thoroughbred breeders have been enjoying and complementing this approach for the last 21 years, and while the horses are different, and those of you who do not really know the difference between a Standardbred and a Thoroughbred, the Thoroughbred is the one where the jockey is riding on the horse, the Standardbred is the one where the driver sits in the little sulky, the cart that is pulled behind the horse, and while the style is different, horses are horses of course of course, and I would suggest at some point we need to have administrative equity.

MOTION WITHDRAWN

Mr. MAHER. I do appreciate, though, with the difficulty associated with crafting this piece of legislation, that tonight may not be the night for that debate, and I am very appreciative of those who have expressed an interest in helping us address this issue on a freestanding basis in the near future. So I will be withdrawing my request for suspension, Mr. Speaker.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House concur in Senate amendments as amended?

MOTION TO SUSPEND RULES

The SPEAKER. The Chair recognizes the gentleman, Mr. Metcalfe, who calls for an immediate suspension to bring up amendment 2449.

On the question,

Will the House agree to the motion?

MOTION WITHDRAWN

The SPEAKER. The Chair recognizes Mr. Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

From the sounds that are already emanating from the Democratic side, in the spirit of moving the process forward so we can get to final debate, I do have 15 amendments in my hand, and I would like the attention of the members and a few moments to make a few comments on what they would have covered, and then I will withdraw all 15.

I had a number— If I can have everybody's attention, we will go forward and get this out of the way.

What an exciting evening. It has been quite an evening for the minority leader as he functions with an active majority for this issue, but fair warning. This is not going to happen this often in the next 3 1/2 years, because there are many of us that will not tolerate it, but we will for this evening.

Now, there were many amendments here that dealt with the pricing of the licenses, and we talked about that somewhat early

on. I had several amendments, four amendments, that took it anywhere from \$75 million per license to \$150 million. I know we will not have the votes here to even get suspension of the rules tonight, but I would like all who are paying attention to remember that the majority of people who will be ripping the taxpayers off through objecting to these types of measures will be doing so from the Democratic side of the aisle more so than the Republican side.

I had a number of amendments that would have given us yearly license renewals. We renew our driver's license every 4 years; we renew other licenses, and we pay to do so. To have these licenses given out in a blanket manner with years and years of use, without a yearly renewal fee, is once again taking from the taxpayers what could rightfully be theirs for this monopoly that is going to be created here in Pennsylvania.

I had several other amendments that dealt with the board members who will be serving on the new gambling commission board, a couple other amendments. I will be withdrawing those.

I look forward to moving on to final debate for this bill.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House concur in Senate amendments as amended?

MOTION TO SUSPEND RULES

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Clymer, who moves the rules of the House be suspended for immediate consideration of amendment 2455.

On the question,

Will the House agree to the motion?

The SPEAKER. On that motion, the Chair recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Mr. Speaker, I am not aware of that particular amendment. Let me have a sidebar so I can talk with staff about it.

Thank you, Mr. Speaker.

We have amendment 2454. Is that the number that you are looking at?

The SPEAKER. No; I am going down a list, Mr. Clymer. Let me see if I can find it.

Mr. Clymer, it is your intention to withdraw 55 and run 54. Is that correct, Mr. Clymer? Is that right?

MOTION WITHDRAWN

The SPEAKER. The gentleman, Mr. Clymer, withdraws 2455.

On the question recurring,

Will the House concur in Senate amendments as amended?

RULES SUSPENDED

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

Mr. CLYMER. Mr. Speaker, I move for the immediate suspension of the rules to bring up amendment A2454.

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

The SPEAKER. The Chair recognizes Mr. Clymer on the suspension of the rules.

Mr. CLYMER. Thank you, Mr. Speaker.

On amendment 2454, I would like to bring it to the attention of Representative Gingrich, who will make comments on this particular amendment.

Thank you.

The SPEAKER. This is on suspension, Mr. Clymer.

Mr. CLYMER. Yes. On suspension of the rules, I would ask for suspension of the rules.

Thank you.

The SPEAKER. Thank you, Mr. Clymer.

PARLIAMENTARY INQUIRY

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

Mr. DeWEESE. Mr. Speaker, I would like to ask a point of parliamentary inquiry.

The SPEAKER. The gentleman will state his point.

Mr. DeWEESE. How many more potential amendments are available at the Speaker's rostrum for this bill for this evening?

The SPEAKER. It appears to me, unless my count is way off, around 61.

Mr. DeWEESE. Thank you, Mr. Speaker.

The SPEAKER. Will you excuse me, Mr. DeWeese?

Mr. DeWEESE. Yes, sir.

(Conference held at Speaker's podium.)

The SPEAKER. It is our understanding that Mr. Clymer is offering this amendment.

I hope I am saying this right, Mr. Clymer. If I am not, please stop me. The gentleman, Mr. Clymer, is offering amendment A2454. After this amendment, it is your intention to withdraw the other roughly 25 amendments that you have here in front of the rostrum?

Mr. CLYMER. That is correct. The list that we have presented will have been completed, although we did not have the opportunity because we could not get suspension. But this is the last one on the list, and when we can suspend here, I will then ask Representative Gingrich to explain it. But that is the end of our listing of proposals of amendments to HB 623.

The SPEAKER. The Chair recognizes Mr. DeWeese.

Mr. DeWEESE. We acquiesce to one of the nicest men we serve with.

The SPEAKER. Does that mean you are suspending the rules?

Mr. DeWEESE. Yes, sir.

The SPEAKER. Thank you.

The Chair recognizes the gentleman, Mr. Clymer, who moves for the immediate suspension of the rules for A2454.

Mr. CLYMER. Thank you, Mr. Speaker.

The SPEAKER. It is my understanding that the gentleman, Mr. Clymer, is yielding to the gentledady from Lebanon, Mrs. Gingrich.

Mr. CLYMER. That is correct.

The SPEAKER. The gentledady is in— If you would wait, if we would do the suspension first, Mr. Clymer.

Mr. CLYMER. Yes.

The SPEAKER. Okay.

Mr. CLYMER. I thought I did that previously. I really did. But I ask the members—

The SPEAKER. I will take the rap for that.

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

The following roll call was recorded:

YEAS—200

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

NAYS-1

Casorio

NOT VOTING-0

EXCUSED-1

Lescovitz

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.

On the question recurring,
Will the House concur in Senate amendments as amended?

Mr. **CLYMER** offered the following amendment No. **A2454**:

Amend Sec. 2 (Sec. 9205), page 25, line 17, by inserting after "YEAR"

, except for any day on which a primary election, general election or municipal election is held. Licensees may operate slot machines

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

The **SPEAKER**. On that question, the Chair recognizes the gentelady from Lebanon, Mrs. Gingrich.

Mrs. **GINGRICH**. Thank you, Mr. Speaker.

I respectfully rise in support of amendment 2454. The amendment is designed to prohibit the operation of the slot activity and machines on municipal, general, and primary election days, and this is done in an effort to reduce the potential impact of the slot operations on voter participation, and as elected officials, all of us, we recognize the continuing degeneration of the numbers of people participating in voting.

That is the purpose of the amendment.

The **SPEAKER**. The Chair thanks the gentelady.

The Chair recognizes the gentleman from Bucks, Mr. Clymer. Does the gentleman wish to be recognized?

Mr. **CLYMER**. Thank you, Mr. Speaker.

I just ask the members, this is a very important amendment that I would ask that we would consider. This is something that deals with good government – primary day, election day – and we all are concerned that our citizens go out and vote, and I am sure, once again, that the owners of the racetracks would be sensitive enough, close down, let the people vote, so that this great democracy can continue forward.

Thank you.

The **SPEAKER**. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. DeWeese.

Mr. **DeWEESE**. Thank you, Mr. Speaker.

Attempting to put a curb on more State mandates, we would politely oppose the gentleman's effort and ask for a negative vote on the Clymer amendment.

The **SPEAKER**. Mr. Clymer, do you wish to be recognized again?

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

The following roll call was recorded:

YEAS-96

Adolph	Fairchild	Leh	Rohrer
Allen	Feese	Lewis	Rooney
Armstrong	Fleagle	Lynch	Ross
Baker	Flick	Maher	Rubley
Baldwin	Forcier	Maitland	Sather
Bard	Freeman	Major	Saylor
Barrar	Gabig	Manderino	Scavello
Bastian	Gannon	Marsico	Schroder
Benninghoff	Geist	McIlhattan	Semmel
Birmelin	George	McNaughton	Smith, B.
Boyd	Gillespie	Metcalfe	Smith, S. H.
Browne	Gingrich	Micozzie	Stairs
Cappelli	Gordner	Miller, R.	Stern
Causer	Habay	Miller, S.	Stevenson, R.
Cawley	Hanna	Mustio	Stevenson, T.
Civera	Harhart	Nailor	Taylor, E. Z.
Clymer	Harper	Nickol	True
Coleman	Hennessey	Payne	Turzai
Crahalla	Herman	Petrarca	Vance
Creighton	Hershey	Phillips	Yewcic
Dailey	Hess	Pickett	Zug
Dally	Hickernell	Readshaw	
Denlinger	Hutchinson	Reed	
Diven	Killion	Reichley	Perzel, Speaker
Egolf	Kirkland		

NAYS-105

Argall	Evans, J.	Markosek	Solobay
Bebko-Jones	Fabrizio	McCall	Staback
Belardi	Fichter	McGeehan	Steil
Belfanti	Frankel	McGill	Stetler
Biancucci	Gergely	McIlhinney	Sturla
Bishop	Godshall	Melio	Surra
Blaum	Goodman	Mundy	Tangretti
Bunt	Grucela	Myers	Taylor, J.
Butkovitz	Gruitza	O'Brien	Thomas
Buxton	Haluska	Oliver	Tigue
Caltagirone	Harhai	O'Neill	Travaglio
Casorio	Harris	Pallone	Veon
Cohen	Hasay	Petri	Vitali
Cornell	Horsey	Petrone	Walko
Corrigan	James	Pistella	Wansacz
Costa	Josephs	Preston	Washington
Coy	Keller	Raymond	Waters
Cruz	Kenney	Rieger	Watson
Curry	Kotik	Roberts	Weber
Daley	LaGrotta	Roebuck	Wheatley
DeLuca	Laughlin	Ruffing	Williams
Dermody	Leach	Sainato	Wilt
DeWeese	Lederer	Samuelson	Wojnaroski
DiGirolo	Levdansky	Santoni	Wright
Donatucci	Mackereth	Scrimenti	Youngblood
Eachus	Mann	Shaner	Yudichak
Evans, D.			

NOT VOTING-0

EXCUSED-1

Lescovitz

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 concur in Senate amendments as amended?

MOTION TO SUSPEND RULES

The SPEAKER. Mr. Corrigan? The Chair recognizes the gentleman, Mr. Corrigan, who moves to suspend the rules for immediate consideration— Mr. Corrigan, we understand, at least I have been told, this is the last amendment, but we will ask the other members. Mr. Corrigan, which one do you wish to try to suspend the rules on?

Mr. CORRIGAN. Thank you, Mr. Speaker.
A3253.

The SPEAKER. The gentleman, Mr. Corrigan, moves to suspend the rules for amendment A3253.

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

The SPEAKER. On the suspension of the rules, the Chair recognizes the gentleman, Mr. Corrigan.

Mr. CORRIGAN. Thank you, Mr. Speaker.

This amendment spends net terminal revenue at the licensed corporation in the district that it is generated. In other words, the offtrack betting center or their slot parlor that generates the revenue closest to the track, that money would be used 25 percent at the track and 3.125 percent to the horsemen.

I ask for an affirmative vote— I ask for suspension of the rules, rather, on this issue.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. Smith, defer to the gentleman from Bucks, Mr. Clymer? Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, this is the first that we have seen of this amendment. Let me just talk with staff a little bit so I understand exactly what it is. I have not seen the amendment; it has come up, and if you could just give me a few minutes for a sidebar, I would be very much appreciative.

Thank you, Mr. Speaker.

I had the opportunity to consult with staff and leaders and others, and I ask members not to suspend for this amendment. This is an amendment that would hurt the breeders and others, and we do not want to see that if we are about trying to keep Pennsylvania racing viable. So I would ask not to suspend.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. This is a lose-lose for me personally. I feel vexation and bedevilment that I cannot support my colleague from Bucks, but at the same time it would break the deal, so to speak. All four caucuses, at least in subtle negotiations, but preeminently the two caucuses in this chamber tonight as well as people from the administration had decided that the revenue generated from the nontrack slot parlors in Pittsburgh and Philadelphia would take the money equivalent to the amount of money going to the horsemen and the breeders at the other tracks, take that money and put it toward horse breeding and our agricultural community.

So notwithstanding the difficulty I have in opposing my own colleague from Bucks, happily, on the other side of the proverbial equation, for the first time tonight, Mr. Clymer and I

are in agreement, and I think Pennsylvania agriculture and our horsemen and horsewomen, our breeders' associations, and racing in general would be advantaged by a negative vote on suspension of the rules.

I agree with Mr. Clymer and will vote in the negative.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—35

Belfanti	Gillespie	Petrarca	Stern
Cawley	Godshall	Petri	Tigue
Corrigan	Haluska	Readshaw	Travaglio
DiGirolamo	LaGrotta	Roberts	Vitali
Diven	Leach	Sainato	Watson
Eachus	Levdansky	Scrimenti	Wright
Fleagle	McIlhinney	Shaner	
Flick	Melio	Stairs	Perzel,
Freeman	O'Neill	Steil	Speaker
George			

NAYS—166

Adolph	DeWeese	Lederer	Rooney
Allen	Donatucci	Leh	Ross
Argall	Egolf	Lewis	Rubley
Armstrong	Evans, D.	Lynch	Ruffing
Baker	Evans, J.	Mackereth	Samuelson
Baldwin	Fabrizio	Maher	Santoni
Bard	Fairchild	Maitland	Sather
Barrar	Feese	Major	Saylor
Bastian	Fichter	Manderino	Scavello
Bebko-Jones	Forcier	Mann	Schroder
Belardi	Frankel	Markosek	Semmel
Benninghoff	Gabig	Marsico	Smith, B.
Biancucci	Gannon	McCall	Smith, S. H.
Birmelin	Geist	McGeehan	Solobay
Bishop	Gergely	McGill	Staback
Blaum	Gingrich	McIlhattan	Stetler
Boyd	Goodman	McNaughton	Stevenson, R.
Browne	Gordner	Metcalfe	Stevenson, T.
Bunt	Grucela	Micozzie	Sturla
Butkovitz	Gruitza	Miller, R.	Surra
Buxton	Habay	Miller, S.	Tangretti
Caltagirone	Hanna	Mundy	Taylor, E. Z.
Cappelli	Harhai	Mustio	Taylor, J.
Casorio	Harhart	Myers	Thomas
Causer	Harper	Nailor	True
Civera	Harris	Nickol	Turzai
Clymer	Hasay	O'Brien	Vance
Cohen	Hennessey	Oliver	Veon
Coleman	Herman	Pallone	Walko
Cornell	Hershey	Payne	Wansacz
Costa	Hess	Petrone	Washington
Coy	Hickernell	Phillips	Waters
Crahalla	Horsey	Pickett	Weber
Creighton	Hutchinson	Pistella	Wheatley
Cruz	James	Preston	Williams
Curry	Josephs	Raymond	Wilt
Dailey	Keller	Reed	Wojnaroski
Daley	Kenney	Reichley	Yewcic
Dally	Killion	Rieger	Youngblood
DeLuca	Kirkland	Roebuck	Yudichak
Denlinger	Kotik	Rohrer	Zug
Demody	Laughlin		

NOT VOTING—0

EXCUSED-1

Lescovitz

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,
Will the House concur in Senate amendments as amended?

MOTION TO SUSPEND RULES

Mr. CORRIGAN. Mr. Speaker?

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

Mr. CORRIGAN. I would like to make a motion to suspend to offer 3254.

The SPEAKER. The gentleman, Mr. Corrigan, has moved to suspend the rules to immediately bring up amendment 3254.

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

The SPEAKER. On that motion, the gentleman, Mr. Corrigan, is recognized.

Mr. CORRIGAN. Mr. Speaker, this amendment simply creates a 10-mile radius or circle rather around the existing racetracks. It is a very modest franchise area, and I think it is good public policy. It is good business, and it is something that many other sports teams do around the country, and I would ask for a suspension of the rules so that I may offer this amendment.

Thank you.

The SPEAKER. Thank you.

The Chair recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, for the reasons that I articulated just a few minutes ago, I would ask the members not to suspend on this amendment.

Thank you.

The SPEAKER. The Chair recognizes the gentleman, Mr. DeWeese. The Chair will temporarily suspend.

Mr. DeWeese.

Mr. DeWEESE. I will vote in the negative and would encourage my colleagues to do likewise.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-58

Bard	Godshall	Melio	Steil
Belfanti	Gruitza	O'Neill	Stern
Birmelin	Haluska	Pallone	Stetler
Buxton	Hanna	Petrarca	Tangretti
Casorio	Harhai	Petri	Tigue
Cawley	Hennessey	Readshaw	Travaglio
Corrigan	Kenney	Roberts	Vitali

Curry	LaGrotta	Rubley	Watson
DiGirolamo	Leach	Sainato	Weber
Diven	Levdansky	Samuelson	Wright
Eachus	Lynch	Schroder	Yewcic
Fairchild	Maitland	Scrimenti	Yudichak
Freeman	Manderino	Shaner	
Gabig	Mann	Solobay	Perzel,
George	McIlhinney	Stairs	Speaker

NAYS-142

Adolph	Dermody	Kotik	Rieger
Allen	DeWeese	Laughlin	Roebuck
Argall	Donatucci	Lederer	Rohrer
Armstrong	Egolf	Leh	Rooney
Baker	Evans, D.	Lewis	Ross
Baldwin	Evans, J.	Mackereth	Ruffing
Barrar	Fabrizio	Maher	Santoni
Bastian	Feese	Major	Sather
Bebko-Jones	Fleagle	Markosek	Saylor
Belardi	Flick	Marsico	Scavello
Benninghoff	Forcier	McCall	Semmel
Biancucci	Frankel	McGeehan	Smith, B.
Bishop	Gannon	McGill	Smith, S. H.
Blaum	Geist	McIlhattan	Staback
Boyd	Gergely	McNaughton	Stevenson, R.
Browne	Gillespie	Metcalfe	Stevenson, T.
Bunt	Gingrich	Micozzie	Sturla
Butkovitz	Goodman	Miller, R.	Surra
Caltagirone	Gordner	Miller, S.	Taylor, E. Z.
Cappelli	Grucela	Mundy	Taylor, J.
Causar	Habay	Mustio	Thomas
Civera	Harhart	Myers	True
Clymer	Harper	Nailor	Turzai
Cohen	Harris	Nickol	Vance
Coleman	Hasay	O'Brien	Veon
Cornell	Herman	Oliver	Walko
Costa	Hershey	Payne	Wansacz
Coy	Hess	Petrone	Washington
Crahalla	Hickernell	Phillips	Waters
Creighton	Horsey	Pickett	Wheatley
Cruz	Hutchinson	Pistella	Williams
Dailey	James	Preston	Wilt
Daley	Josephs	Raymond	Wojnaroski
Dally	Keller	Reed	Youngblood
DeLuca	Killion	Reichley	Zug
Denlinger	Kirkland		

NOT VOTING-1

Fichter

EXCUSED-1

Lescovitz

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,
Will the House concur in Senate amendments as amended?

The SPEAKER. Does the gentleman, Mr. Gabig, have another amendment to offer? He withdraws.

The gentleman, Mr. Rohrer? He withdraws.

The gentleman, Mr. Kirkland?

MOTION TO SUSPEND RULES

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

Mr. KIRKLAND. Thank you, Mr. Speaker.

Mr. Speaker, I would like to ask for a suspension of the rules to offer amendment 3206.

The SPEAKER. Just one moment, Mr. Kirkland. Are you offering that one or 2478?

Mr. KIRKLAND. No, Mr. Speaker, withdrawing that one.

The SPEAKER. Okay, and would the gentleman read the amendment that he wishes to suspend the rules for again? I apologize. The number?

Mr. KIRKLAND. The amendment is No. 3206.

The SPEAKER. The gentleman, Mr. Kirkland, moves that the rules of the House be suspended for the immediate consideration of amendment A3206.

On the question,

Will the House agree to the motion?

The SPEAKER. On the question of the suspension of the rules, the Chair recognizes the gentleman, Mr. Kirkland.

Mr. KIRKLAND. Thank you, Mr. Speaker.

Mr. Speaker, I am offering this amendment. This is amendment— Let me just back up a little bit.

We have a President that is in office that has put together some legislation into law that goes forth to say that no child should be left behind. Mr. Speaker, my amendment today provides an opportunity for no small or disadvantaged business to be left behind, and I am asking for a positive vote on this amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Clymer. Do you wish to be recognized?

Mr. CLYMER. Thank you, Mr. Speaker.

If I could just have a few minutes for a sidebar on these amendments. These are amendments that we had not considered in our number of what we call priority amendments, and I see that you are beginning to call all of them up. If that is your intention, then I would just ask for a few minutes, and I will be with you.

Mr. Speaker, we have done kind of yeoman's work here tonight, and I think members are ready to get into the heart of this legislation, to do the final debate, and I would ask that we not suspend on this amendment.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. Despite the undiluted nobility of my worthy colleague's effort, it would take our numbers, our dollar numbers, out of whack, and at the negotiations table with all four caucuses at the table and the House Republicans and House Democrats working collegially in trying to satisfy this very, very challenging effort to raise \$1 billion to reduce property taxes, our good friend and worthy colleague's efforts just do not allow the mathematics to work.

It is a doleful moment for me, but I will ask for a negative vote and join my friend, Mr. Clymer, again in asking that we do not suspend the rules.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—35

Birmelin	Kirkland	Readshaw	Stetler
Browne	Leach	Roebuck	Thomas
Casorio	Lynch	Samuelson	Tigue
Cawley	Manderino	Saylor	Vitali
Cruz	McNaughton	Scavello	Washington
Diven	Myers	Scriminti	Waters
Freeman	Pallone	Shaner	Yewcic
Gabig	Petrarca	Stairs	Youngblood
James	Petrone	Stern	

NAYS—166

Adolph	Donatucci	Killion	Roberts
Allen	Eachus	Kotik	Rohrer
Argall	Egolf	LaGrotta	Rooney
Armstrong	Evans, D.	Laughlin	Ross
Baker	Evans, J.	Lederer	Rublely
Baldwin	Fabrizio	Leh	Ruffing
Bard	Fairchild	Levdansky	Sainato
Barrar	Feese	Lewis	Santoni
Bastian	Fichter	Mackereth	Sather
Bebko-Jones	Fleagle	Maher	Schroder
Belardi	Flick	Maitland	Semmel
Belfanti	Forcier	Major	Smith, B.
Benninghoff	Frankel	Mann	Smith, S. H.
Bianucci	Gannon	Markosek	Solobay
Bishop	Geist	Marsico	Staback
Blaum	George	McCall	Steil
Boyd	Gergely	McGeehan	Stevenson, R.
Bunt	Gillespie	McGill	Stevenson, T.
Butkovitz	Gingrich	McIlhattan	Sturla
Buxton	Godshall	McIlhinney	Surra
Caltagirone	Goodman	Melio	Tangretti
Cappelli	Gordner	Metcalfe	Taylor, E. Z.
Causar	Grucela	Micozzie	Taylor, J.
Civera	Gruitza	Miller, R.	Travaglio
Clymer	Habay	Miller, S.	True
Cohen	Haluska	Mundy	Turzai
Coleman	Hanna	Mustio	Vance
Cornell	Harhai	Nailor	Veon
Corrigan	Harhart	Nickol	Walko
Costa	Harper	O'Brien	Wansacz
Coy	Harris	Oliver	Watson
Crahalla	Hasay	O'Neill	Weber
Creighton	Hennessey	Payne	Wheatley
Curry	Herman	Petri	Williams
Dailey	Hershey	Phillips	Wilt
Daley	Hess	Pickett	Wojnaroski
Dally	Hickernell	Pistella	Wright
DeLuca	Horsey	Preston	Yudichak
Denlinger	Hutchinson	Raymond	Zug
Dermody	Josephs	Reed	
DeWeese	Keller	Reichley	Perzel,
DiGirolamo	Kenney	Rieger	Speaker

NOT VOTING—0

EXCUSED—1

Lescovitz

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House concur in Senate amendments as amended?

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

Mr. DALEY. Thank you, Mr. Speaker.

I had the intention to offer amendment No. 2510 to this bill this evening, and I am not going to do that. I am not going to ask for a suspension of the rules, but I ask for unanimous consent.

Thank you. I ask for unanimous consent, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. DALEY. Thank you, Mr. Speaker.

What I intended to do is for all those tens of thousands of unemployed coal miners in southwestern Pennsylvania and northeastern Pennsylvania as well as the hundreds of thousands of dislocated steelworkers, we were going to ask the Department of Labor and Industry to set up a training program for those dislocated workers who are residents of the Commonwealth for employment in the gaming industry from the proceeds of this program. We are not going to ask to do that tonight, because we know there are various ways you can really approach this issue, one being here tonight or one possibly being a conference committee with my leaders, and the other is the fact that I talked to the administration and they assured me that this will be addressed.

So I thank you for your indulgence, and I am looking forward to developing a program for all those tens of thousands of dislocated Pennsylvanians. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Stern, for amendment 3538. Mr. Stern, 3540 also? The gentleman withdraws.

The Chair recognizes the gentleman, Mr. Pallone, for amendment 2557.

Mr. PALLONE. Thank you, Mr. Speaker.

Under personal privilege, if I could just briefly describe what the amendment was going to be that I will voluntarily withdraw.

The SPEAKER. The gentleman will state his point.

Mr. PALLONE. Thank you, Mr. Speaker.

This particular amendment would have given every one of us the opportunity to take something home. All it did was permit two video gaming devices to be in every licensed liquor establishment in Pennsylvania. It would have allowed every fire company, every Elks club, every Moose club, every Eagles club, every hunters and fishermen's club, and any other club or organization in your district or my district to bring something home. The revenues would be shared very generously between the owners, the host club facility, and, of course, the Commonwealth. It would be a zero cost to the State; it would be an absolute revenue generator, but with all due respect I will voluntarily withdraw the amendment at this time and offer it at some time in the future.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Boyd, amendment 2577. The gentleman waives off.

The Chair recognizes the gentlelady from Philadelphia, Ms. Bishop, for 2580. The gentlelady withdraws.

The gentlelady from Lancaster, Mrs. True, for amendment 2639. The gentlelady lost her chance. We will come back to that one.

The gentleman, Mr. Kirkland, for 2643. Mr. Kirkland? Withdraws.

Mr. Stetler, 2646. He withdraws.

The gentlelady, Mrs. True, has another one.

The gentleman from Delaware, Mr. Gannon, for amendment 2681. The gentleman withdraws.

The gentleman, Mr. Baker, 2785. He withdraws.

The gentleman, Mr. McIlhinney, 2811. Mr. McIlhinney, amendment 2811? Withdrawn.

The gentleman, Mr. Thomas, 2901. Withdraws.

The gentleman, Mr. Readshaw, 3069.

Mr. READSHAW. Thank you, Mr. Speaker.

The amendment which I would like to address is amendment 3213.

The SPEAKER. 3213. I found it, Mr. Readshaw.

MOTION TO SUSPEND RULES

The SPEAKER. Mr. Readshaw calls up for an immediate suspension of the rules amendment A3213.

On the question,

Will the House agree to the motion?

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

Mr. READSHAW. Thank you, Mr. Speaker.

I would like a motion to suspend the rules on amendment 3213. This amendment will concern the eligibility criteria to operate slots at racetracks that had not previously conducted live racing.

The SPEAKER. On that question, Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

I regret that I must momentarily disagree with my old Marine Corps buddy from Pittsburgh, but this was negotiated aggressively at the table. Live-racing days was a very sensitive issue, and to alter it at this 11th hour and 59th minute would put the measure in jeopardy, and I would politely request a negative vote.

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

Mr. CLYMER. Thank you, Mr. Speaker.

In deference to my good friend, Representative Readshaw, I am asking the members not to suspend, and let us continue the work of that which we started out today.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—41

Allen	George	Mustio	Stern
Bebko-Jones	Gillespie	Pallone	Stetler

Benninghoff	Haluska	Petrarca	Tigue
Cawley	Hennessey	Petrone	Vitali
Corrigan	Hershey	Readshaw	Wheatley
Costa	Hess	Roberts	Wojnaroski
Coy	Kirkland	Rohrer	Yewcic
Diven	Kotik	Sainato	
Fabrizio	Levdansky	Samuelson	
Freeman	Markosek	Scrimenti	Perzel,
Gabig	McNaughton	Shaner	Speaker

NAYS—160

Adolph	Donatucci	Lederer	Ross
Argall	Eachus	Leh	Rubley
Armstrong	Egolf	Lewis	Ruffing
Baker	Evans, D.	Lynch	Santoni
Baldwin	Evans, J.	Mackereth	Sather
Bard	Fairchild	Maher	Saylor
Barrar	Feese	Maitland	Scavello
Bastian	Fichter	Major	Schroder
Belardi	Fleagle	Mandinero	Semmel
Belfanti	Flick	Mann	Smith, B.
Biancucci	Forcier	Marsico	Smith, S. H.
Birmelin	Frankel	McCall	Solobay
Bishop	Gannon	McGeehan	Staback
Blaum	Geist	McGill	Stairs
Boyd	Gergely	McIlhattan	Steil
Browne	Gingrich	McIlh inney	Stevenson, R.
Bunt	Godshall	Melio	Stevenson, T.
Butkovitz	Goodman	Metcalfe	Sturla
Buxton	Gordner	Micozzie	Surra
Caltagirone	Grucela	Miller, R.	Tangretti
Cappelli	Gruitza	Miller, S.	Taylor, E. Z.
Casorio	Habay	Mundy	Taylor, J.
Causier	Hanna	Myers	Thomas
Civera	Harhai	Nailor	Travaglio
Clymer	Harhart	Nickol	True
Cohen	Harper	O'Brien	Turzai
Coleman	Harris	Oliver	Vance
Cornell	Hasay	O'Neill	Veon
Crahalla	Herman	Payne	Walko
Creighton	Hickernell	Petri	Wansacz
Cruz	Horsey	Phillips	Washington
Curry	Hutchinson	Pickett	Waters
Dailey	James	Pistella	Watson
Daley	Josephs	Preston	Weber
Dally	Keller	Raymond	Williams
DeLuca	Kenney	Reed	Wilt
Denlinger	Killion	Reichley	Wright
Dermody	LaGrotta	Rieger	Youngblood
DeWeese	Laughlin	Roebuck	Yudichak
DiGirolo	Leach	Rooney	Zug

NOT VOTING—0

EXCUSED—1

Lescovitz

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,
Will the House concur in Senate amendments as amended?

The SPEAKER. The Chair recognizes the gentleman, Mr. Nickol, for amendment 3071. Mr. Nickol, 3071. The gentleman, Mr. Gabig, indicates that the gentleman, Mr. Nickol, withdraws.

The gentleman, Mr. Godshall, 309— Withdrawn.
The gentleman, Mr. Coy, 3126. Mr. Coy? Withdrawn.
The gentelady from Chester, Mrs. Rubley, 2565? Withdrawn.
The gentleman, Mr. Boyd, 2578, withdrawn.
The gentleman, Mr. Daley, withdraws his amendments.
Mr. McIlhinney, 2642? You have withdrawn.
The gentleman, Mr. Maher, 2644? Well, that is withdrawn.
The gentelady, Mrs. True, 2662, withdrawn.
The gentleman, Mr. Maher, 2905, withdrawn.
Mr. Corrigan, 3056?
The gentleman, Mr. Hickernell, 3097, withdrawn.
I am on the last list here. Mr. Boyd, I have three more amendments for you – 3230, 3231, and 3232. They are gone; withdrawn.

MOTION TO SUSPEND RULES

The SPEAKER. Mr. Tigue, I have you listed for amendment 32, I believe, 15. The Chair recognizes the gentleman, Mr. Tigue.

Mr. TIGUE. Thank you, Mr. Speaker.

I stand to ask for suspension of the rules for amendment 3215.

What 3215 does, after the first year, it changes the distribution of the money. Somebody earlier talked about phasing it in. After the first year, the State's share will increase to 36 percent, and at the third year, the State's share would increase to 38 percent.

In addition, dividing the money up between municipalities and counties, the municipalities, the host municipalities, would get 1 percent. The 3 percent would go to the counties, based on a per capita. So the money brought in from the 3 percent, which would be \$60 million, would go to all 67 counties based on a per capita.

That is why I would ask for suspension of the rules.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

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

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

The splits have been negotiated again and again and again at conference table after conference table, and I reluctantly ask for a negative vote on suspension of the rules. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

I would also ask that we not suspend. Let us move the agenda forward.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-52

Baker	Gillespie	Pallone	Semmel
Bebko-Jones	Godshall	Payne	Shaner
Birmelin	Hanna	Petrarca	Staback
Causar	Harper	Petrone	Stern
Cawley	Hasay	Phillips	Thomas
Corrigan	Hennessey	Readshaw	Tigue
Costa	Hershey	Reed	Turzai
Dally	Hess	Reichley	Vitali
Diven	Kirkland	Samuelson	Yewcic
Fairchild	Kotik	Sather	Yudichak
Freeman	Lewis	Saylor	
Gabig	Lynch	Schroder	
Geist	Maitland	Scrimenti	Perzel,
George	McNaughton		Speaker

NAYS-149

Adolph	DiGirolamo	Lederer	Rooney
Allen	Donatucci	Leh	Ross
Argall	Eachus	Levdansky	Rubley
Armstrong	Egolf	Mackereth	Ruffing
Baldwin	Evans, D.	Maher	Sainato
Bard	Evans, J.	Major	Santoni
Barrar	Fabrizio	Manderino	Scavello
Bastian	Feese	Mann	Smith, B.
Belardi	Fichter	Markosek	Smith, S. H.
Belfanti	Fleagle	Marsico	Solobay
Benninghoff	Flick	McCall	Stairs
Biancucci	Forcier	McGeehan	Steil
Bishop	Frankel	McGill	Stetler
Blaum	Gannon	McIlhattan	Stevenson, R.
Boyd	Gergely	McIlhinney	Stevenson, T.
Browne	Gingrich	Melio	Sturla
Bunt	Goodman	Metcalfe	Surra
Butkovitz	Gordner	Micozzie	Tangretti
Buxton	Grucela	Miller, R.	Taylor, E. Z.
Caltagirone	Gruitza	Miller, S.	Taylor, J.
Cappelli	Habay	Mundy	Travaglio
Casorio	Haluska	Mustio	True
Civera	Harhai	Myers	Vance
Clymer	Harhart	Nailor	Veon
Cohen	Harris	Nickol	Walko
Coleman	Herman	O'Brien	Wansacz
Cornell	Hickernell	Oliver	Washington
Coy	Horsey	O'Neill	Waters
Crahalla	Hutchinson	Petri	Watson
Creighton	James	Pickett	Weber
Cruz	Josephs	Pistella	Wheatley
Curry	Keller	Preston	Williams
Dailey	Kenney	Raymond	Wilt
Daley	Killion	Rieger	Wojnaroski
DeLuca	LaGrotta	Roberts	Wright
Denlinger	Laughlin	Roebuck	Youngblood
Dermody	Leach	Rohrer	Zug
DeWeese			

NOT VOTING-0

EXCUSED-1

Lescovitz

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,
Will the House concur in Senate amendments as amended?

The SPEAKER. I have you listed for two additional amendments, Mr. Tigue. Mr. Tigue.

Mr. TIGUE. Mr. Speaker, I would like to withdraw—
Excuse me a second. Which one are we talking about?

The SPEAKER. I hope it is 3205 and 3197.

Mr. TIGUE. I would like to withdraw 3205 and offer 3197.

MOTION TO SUSPEND RULES

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

Mr. TIGUE. Mr. Speaker, I move that the rules of the House be suspended for immediate consideration of amendment 3197.

Amendment 3197 merely sets a sunset provision on this, so after 5 years, they have to come back to the legislature and the Governor, and we decide what happens; similar to what was done in Delaware.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question,

Will the House agree to the motion?

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

Mr. DeWEESE. Again, an idealistic effort on the gentleman from Luzerne's part, but it would prohibit the business interests from arranging the appropriate finances. These are massive undertakings, and the difficulties at arranging for the financial package would be such that 5 years would be circumscribed, and I politely ask for a negative vote on suspension of the rules.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. Clymer, seek recognition?

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, there seems to be some merit in this amendment, but nevertheless, knowing that the hour is late and we still have much business to consider in this hall of the House, I would ask members not to suspend.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-52

Allen	Geist	Mann	Scrimenti
Baker	George	McNaughton	Semmel
Bebko-Jones	Gillespie	Miller, S.	Shaner
Birmelin	Godshall	Pallone	Solobay
Cawley	Habay	Petrarca	Stern
Corrigan	Hennessey	Petrone	Tigue
Costa	Hershey	Phillips	Vitali
Dally	Hess	Readshaw	Wheatley
Diven	Kirkland	Roberts	Yewcic
Fabrizio	Levdansky	Samuelson	Yudichak
Fairchild	Lewis	Saylor	
Feese	Lynch	Scavello	
Freeman	Maher	Schroder	Perzel,
Gabig	Maitland		Speaker

NAYS—149

Adolph	DiGirolamo	Leach	Ross
Argall	Donatucci	Lederer	Rubley
Armstrong	Eachus	Leh	Ruffing
Baldwin	Egolf	Mackereth	Sainato
Bard	Evans, D.	Major	Santoni
Barrar	Evans, J.	Manderino	Sather
Bastian	Fichter	Markosek	Smith, B.
Belardi	Fleagle	Marsico	Smith, S. H.
Belfanti	Flick	McCall	Staback
Benninghoff	Forcier	McGeehan	Stairs
Biancucci	Frankel	McGill	Steil
Bishop	Gannon	McIlhattan	Stetler
Blaum	Gergely	McIlhinney	Stevenson, R.
Boyd	Gingrich	Melio	Stevenson, T.
Browne	Goodman	Metcalfe	Sturla
Bunt	Gordner	Micozzie	Surra
Butkovitz	Grucela	Miller, R.	Tangretti
Buxton	Gruitza	Mundy	Taylor, E. Z.
Caltagirone	Haluska	Mustio	Taylor, J.
Cappelli	Hanna	Myers	Thomas
Casorio	Harhai	Nailor	Travaglio
Causar	Harhart	Nickol	True
Civera	Harper	O'Brien	Turzai
Clymer	Harris	Oliver	Vance
Cohen	Hasay	O'Neill	Veon
Coleman	Herman	Payne	Walko
Cornell	Hickernell	Petri	Wansacz
Coy	Horsey	Pickett	Washington
Crahalla	Hutchinson	Pistella	Waters
Creighton	James	Preston	Watson
Cruz	Josephs	Raymond	Weber
Curry	Keller	Reed	Williams
Dailey	Kenney	Reichley	Wilt
Daley	Killion	Rieger	Wojnaroski
DeLuca	Kotik	Roebuck	Wright
Denlinger	LaGrotta	Rohrer	Youngblood
Dermody	Laughlin	Rooney	Zug
DeWeese			

NOT VOTING—0

EXCUSED—1

Lescovitz

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,
Will the House concur in Senate amendments as amended?

The SPEAKER. I have amendment 3169, Mr. Corrigan.
I have another amendment for Mr. Kirkland, Thaddeus.
Amendment withdrawn.
I have an amendment by the gentleman, Mr. Reichley, 3267.

MOTION TO SUSPEND RULES

The SPEAKER. The Chair recognizes the gentleman.
Mr. REICHLEY. Thank you, Mr. Speaker.
Actually, I would like to move for immediate suspension of the rules on amendment 3283. I think that would be the actual last one that was ever filed this evening.

The SPEAKER. You are correct, Mr. Reichley.
The gentleman moves that the rules of the House be suspended for immediate consideration of amendment 3283.

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

The SPEAKER. On that motion, the Chair recognizes the gentleman, Mr. Reichley.

Mr. REICHLEY. Thank you, Mr. Speaker.

Mr. Speaker, this amendment was redrafted from an amendment that was presented earlier in the evening, filed originally by Mr. Fairchild. We responded to criticisms that were raised. We took out any reference to restriction on employment for individuals under the age of 21, so that was removed. We also removed a restriction on second-time offenders.

The amendment now is essentially just a question of whether slot licensees should be held accountable for allowing minors under the age of 21, the age listed in the bill, to operate slot machines, so it essentially becomes an issue of going back to communities and saying, if you want to allow 14-, 15-, 17-, 18-, 19-year-olds to operate the slot machines without any penalty to the slot licensee for knowingly allowing to do that, vote "no" to suspend the rules, but if you think the slot licensee should be held accountable for allowing minors to operate those machines, knowing they are underage, then I would ask for a vote "yes" on suspension of the rules.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. Again, I admire the eleemosynary motivations of the gentleman. However, there are provisions in the bill that aggressively go against underage gaming and gambling, and I do not think it is necessary for the gentleman's language to be included tonight, notwithstanding its merit. We already have provisions in this bill, and this was a very, very active and dynamic element within the discussions at the conference table again and again.

So since we are confident of the strictures and safeguards already in the bill, I would like to not debate it again for a half hour or hour and ask that the rules not be suspended for the consideration of this amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I would move that we would suspend the rules.

If you have been reading any of the major newspapers recently, they have given news reports about underage gambling and about the serious underage gambling that is taking place in casinos. So what the gentleman is trying to do is to make sure that there are penalties for allowing underage young people to gamble, and I would just urge the members to support this amendment. It makes good sense, and it is going to help send a message to those who are underage and also to the owners of the corporations, the gambling corporations, not to tolerate underage gambling.

I urge support for this amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-96

Adolph	Fairchild	Lynch	Sather
Allen	Feese	Maher	Saylor
Argall	Fleagle	Major	Scavello
Armstrong	Flick	Manderino	Schroder
Baker	Forcier	McIlhattan	Scrimenti
Baldwin	Freeman	McNaughton	Semmel
Bard	Gabig	Metcalfe	Smith, B.
Bastian	Geist	Micozzie	Smith, S. H.
Benninghoff	Gillespie	Miller, S.	Stern
Birmelin	Godshall	Mustio	Stevenson, R.
Boyd	Gordner	O'Neill	Stevenson, T.
Browne	Habay	Pallone	Thomas
Causar	Hanna	Payne	Tigue
Cawley	Harhart	Petrarca	True
Clymer	Harper	Petri	Turzai
Coleman	Hasay	Petrone	Vitali
Corrigan	Hennessey	Phillips	Weber
Crahalla	Herman	Pickett	Wheatley
Creighton	Hershey	Readshaw	Yewcic
Cruz	Hess	Reed	Youngblood
Dailey	Hickernell	Reichley	Zug
Dally	Hutchinson	Rohrer	
Denlinger	Killion	Rubley	
Diven	Kirkland	Samuelson	Perzel,
Egolf	Leh		Speaker

NAYS-103

Barrar	Evans, D.	Mackereth	Sainato
Bebko-Jones	Evans, J.	Maitland	Santoni
Belardi	Fabrizio	Mann	Shaner
Belfanti	Fichter	Markosek	Solobay
Biancucci	Frankel	Marsico	Staback
Bishop	Gannon	McCall	Stairs
Blaum	George	McGeehan	Steil
Bunt	Gergely	McGill	Stetler
Butkovitz	Goodman	McIlhinney	Sturla
Buxton	Grucela	Melio	Surra
Caltagirone	Gruitza	Miller, R.	Tangretti
Cappelli	Haluska	Mundy	Taylor, J.
Casorio	Harhai	Myers	Travaglio
Civera	Harris	Nailor	Vance
Cohen	Horsey	Nickol	Veon
Cornell	James	O'Brien	Walko
Costa	Josephs	Oliver	Wansacz
Coy	Keller	Pistella	Washington
Curry	Kenney	Preston	Waters
Daley	Kotik	Raymond	Watson
DeLuca	LaGrotta	Rieger	Williams
Dermody	Laughlin	Roberts	Wilt
DeWeese	Leach	Roebuck	Wojnaroski
DiGirolamo	Lederer	Rooney	Wright
Donatucci	Levdansky	Ross	Yudichak
Eachus	Lewis	Ruffing	

NOT VOTING-2

Gingrich Taylor, E. Z.

EXCUSED-1

Lescovitz

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,
Will the House concur in Senate amendments as amended?

The SPEAKER. The gentlelady from Lancaster, Mrs. True, is here in the hall. You have two additional amendments, 2639— You withdraw? I apologize.

Does anyone have any further amendments that we may have missed out of this?

MOTION TO SUSPEND RULES

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I move that the rules of the House be suspended for immediate consideration of amendment A3217.

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

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

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, earlier we had an amendment which would provide a study on the question of diversity. Amendment 3217 attempts to codify the outcome of such a study, and to that end, Mr. Speaker, I would ask for support in suspending the rules to vote on amendment 3217.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. DeWeese, on the suspension of the rules.

Mr. DeWEESE. Mr. Speaker, during the drafting stage and as recently as this morning, our staff met with a variety of our members here on the floor, and we are confident that the mission that would be accomplished by the gentleman's amendment is already being accomplished by the essence of our bill. I think it is a laudable cause, and I think its results will be rendered by a favorable passage of the bill, not including this amendment.

This amendment is a good idea, but I am very, very confident that its mission is already encompassed within the scope of the bill, and this is not necessary, and therefore, I would reluctantly oppose a suspension of the rules.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, let me get the attention of the members.

It was early on in the early debate that the amendment was offered for the Auditor General to do the work, to make sure that minorities and others would receive a fair share of the employment; something to that effect. That is already in the bill. We have been given assurances that right will prevail, and I could not have said it better than the minority leader, and so I would ask members not to suspend on this amendment.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Smith, yielded to the gentleman from Bucks, Mr. Clymer. On the suspension, it is only the majority and the minority leaders who are able to speak. The gentleman, Mr. DeWeese, spoke on behalf of himself.

Therefore, Mr. Thomas, you are not entitled to speak. It is up for a vote.

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

The following roll call was recorded:

YEAS-41

Bebko-Jones	Freeman	Myers	Turzai
Birmelin	Gabig	Petrarca	Vitali
Bishop	Hanna	Preston	Washington
Browne	Harhart	Readshaw	Waters
Butkovitz	Hennessey	Roberts	Wheatley
Cawley	Hershey	Roebuck	Williams
Corrigan	Horsey	Samuelson	Youngblood
Costa	James	Scavello	
Cruz	Kirkland	Scrimenti	
Dally	Lynch	Thomas	Perzel,
Diven	Manderino	Tigue	Speaker

NAYS-160

Adolph	Evans, D.	Leh	Rooney
Allen	Evans, J.	Levdansky	Ross
Argall	Fabrizio	Lewis	Rubley
Armstrong	Fairchild	Mackereth	Ruffing
Baker	Feese	Maher	Sainato
Baldwin	Fichter	Maitland	Santoni
Bard	Fleagle	Major	Sather
Barrar	Flick	Mann	Saylor
Bastian	Forcier	Markosek	Schroder
Belardi	Frankel	Marsico	Semmel
Belfanti	Gannon	McCall	Shaner
Benninghoff	Geist	McGeehan	Smith, B.
Bianucci	George	McGill	Smith, S. H.
Blaum	Gergely	McIlhatten	Solobay
Boyd	Gillespie	McIlhinney	Staback
Bunt	Gingrich	McNaughton	Stairs
Buxton	Godshall	Melio	Steil
Caltagirone	Goodman	Metcalfe	Stern
Cappelli	Gordner	Micozzie	Stetler
Casorio	Grucela	Miller, R.	Stevenson, R.
Causar	Gruitza	Miller, S.	Stevenson, T.
Civera	Habay	Mundy	Sturla
Clymer	Haluska	Mustio	Surra
Cohen	Harhai	Nailor	Tangretti
Coleman	Harper	Nickol	Taylor, E. Z.
Cornell	Harris	O'Brien	Taylor, J.
Coy	Hasay	Oliver	Travaglio
Crahalla	Herman	O'Neill	True
Creighton	Hess	Pallone	Vance
Curry	Hickernell	Payne	Veon
Dailey	Hutchinson	Petri	Walko
Daley	Josephs	Petrone	Wansacz
DeLuca	Keller	Phillips	Watson
Denlinger	Kenney	Pickett	Weber
Dermody	Killion	Pistella	Wilt
DeWeese	Kotik	Raymond	Wojnaroski
DiGirolamo	LaGrotta	Reed	Wright
Donatucci	Laughlin	Reichley	Yewcic
Eachus	Leach	Rieger	Yudichak
Egolf	Lederer	Rohrer	Zug

NOT VOTING-0

EXCUSED-1

Lescovitz

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,
Will the House concur in Senate amendments as amended?

The SPEAKER. Are there any other suspensions of the rules? Any other amendments we might have missed? Mr. Gruitza.

MOTION TO SUSPEND RULES

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

Mr. GRUITZA. I was going to withdraw this amendment, Mr. Speaker, but you know, just for the heck of it, I am going to go ahead and run this, because I have been hearing all night and I have supported the Governor's efforts to try to do this for Pennsylvania and create some new revenue streams for the Commonwealth and all the good intentions with everything, and I sent some letters out several weeks ago, indicating to those who were actively involved in the negotiations of this business, that there was some strong interest in my community to do a project, to have an offsite license.

Now, what is interesting about my area is, we are just a few miles from Youngstown and Warren, a few miles further from Cleveland and Akron, Canton. Just across the State line from me are several million Ohio residents who would love to visit Sharon if we had the opportunity to have been part of this deal that was made, this agreement that was made, and we were not.

So I am asking to suspend the rules to offer amendment 3275, and this is the only thing I have done all night. It would provide one more license to be located in a third-class city, the only little city to receive such a license, located on the Ohio border.

This is a motion to suspend. This is one for the little guys. Everybody has been talking about all the big boys here. This is one for the little guys, and I do not see any way that adding this one, one change, would wreck this deal.

So I ask for a motion to suspend. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

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

Mr. DeWEESE. Again, Mr. Speaker, I am running out of novel ripostes, but nevertheless, my good friend from Sharon, Mercer County, has a laudable idea. It does impact negatively upon the deal.

I have said it probably once a session from this microphone and I will say it again once this session or more, one of the great, great classic lines in political history was by the Iron Chancellor of Germany, Otto von Bismarck, when he said that politics is the art of the deal, the art of the compromise, the art of the next best. And the bill that we have crafted tonight, with the help of the Speaker and his staff and in a bipartisan way, obviously in a dominant way, the Edward G. Rendell team, we have a package that is somewhat tenuous relative to gaining votes, and I do not want to interrupt that package.

I would therefore politely, respectfully, ask for a negative vote on the suspension of the rules.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

I, too, rise. Though Representative Gruitza is a good friend – we have worked together many years on the State Government Committee; he was a good chairman – but at this point I would also ask for a nonsuspension of the rules. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS–38

Barrar	Diven	Major	Solobay
Bebko-Jones	Freeman	Pallone	Stern
Benninghoff	Gabig	Petrone	Thomas
Birmelin	George	Pistella	Tigue
Bishop	Gergely	Readshaw	Vitali
Casorio	Gruitza	Roberts	Williams
Cawley	Herman	Rohrer	Wilt
Civera	LaGrotta	Sainato	
Corrigan	Leh	Sather	Perzel,
Costa	Lynch	Shaner	Speaker

NAYS–162

Adolph	Evans, J.	Levdansky	Ross
Allen	Fabrizio	Lewis	Rubley
Argall	Fairchild	Mackereth	Ruffing
Armstrong	Feese	Maher	Samuelson
Baker	Fichter	Maitland	Santoni
Baldwin	Fleagle	Manderino	Saylor
Bard	Flick	Mann	Scavello
Bastian	Forcier	Markosek	Schroder
Belardi	Frankel	Marsico	Semmel
Belfanti	Gannon	McCall	Smith, B.
Biancucci	Geist	McGeehan	Smith, S. H.
Blaum	Gillespie	McGill	Staback
Boyd	Gingrich	McIlhattan	Stairs
Browne	Godshall	McIlhinney	Steil
Bunt	Goodman	McNaughton	Stetler
Butkovitz	Gordner	Melio	Stevenson, R.
Buxton	Grucela	Metcalfe	Stevenson, T.
Caltagirone	Habay	Micozzie	Sturla
Cappelli	Haluska	Miller, R.	Surra
Causar	Hanna	Miller, S.	Tangretti
Clymer	Harhai	Mundy	Taylor, E. Z.
Cohen	Harhart	Mustio	Taylor, J.
Coleman	Harper	Myers	Travaglio
Cornell	Harris	Nailor	True
Coy	Hasay	Nickol	Turzai
Crahalla	Hennessey	O'Brien	Vance
Creighton	Hershey	Oliver	Veon
Cruz	Hess	O'Neill	Walko
Curry	Hickernell	Payne	Wansacz
Dailey	Horsey	Petrarca	Washington
Daley	Hutchinson	Petri	Waters
Dally	James	Phillips	Watson
DeLuca	Josephs	Pickett	Weber
Denlinger	Keller	Preston	Wheatley
Dermody	Kenney	Raymond	Wojnaroski
DeWeese	Killion	Reed	Wright
DiGirolamo	Kirkland	Reichley	Yewcic
Donatucci	Kotik	Rieger	Youngblood
Eachus	Laughlin	Roebuck	Yudichak
Egolf	Leach	Rooney	Zug
Evans, D.	Lederer		

NOT VOTING–1

Scrimenti

EXCUSED–1

Lescovitz

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House concur in Senate amendments as amended?

The SPEAKER. On that question, the Chair recognizes the gentleman from Bucks, Mr. Clymer.

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

On final passage, will someone stand for interrogation?

The SPEAKER. I believe the gentleman, Mr. Vitali— I am sorry. The gentleman, Mr. DeWeese, will stand for interrogation.

Will the gentleman, Mr. DeWeese, stand for interrogation?

The gentleman indicates that he will. The gentleman, Mr. Clymer, is in order and may proceed.

Mr. Clymer, Mr. DeWeese said that he would consent to interrogation.

Mr. CLYMER. Thank you.

Thank you, Mr. Speaker.

Mr. Speaker, we have in HB 623 a statement, and I think you will agree with the statement. Let me read the statement: The purpose of HB 623 is the authorization of limited gambling in Pennsylvania, and it is to assist the Commonwealth's horse racing industry and to support related programs. I am paraphrasing it. Would you agree to that statement?

Mr. DeWEESE. In essence, yes.

Mr. CLYMER. Okay. Thank you.

Having said that, we have also come to the point where the reason that we are dealing with HB 623 is because we want to make the racetracks in Pennsylvania competitive to Delaware and West Virginia. Would that be a fair assessment of the things so far?

Mr. DeWEESE. Approximately \$3 billion in gaming money leaves our Commonwealth each year. We want to arrest that circumstance, that dynamic, and make certain that it is put to property tax reduction in Pennsylvania. That is the essence of our endeavors this evening.

Mr. CLYMER. Well, Mr. Speaker, the question that I have then is, if we are to make our racetracks competitive – and I think all of us here in this hall tonight think that one of the reasons that we are doing HB 623 is to make our racetracks competitive with West Virginia and Delaware – have we not heard that argument for months and months? We sure have. Well, if that is the case, then can the gentleman tell us how much money our racetracks need to be competitive with the purses in West Virginia and Delaware? It is called a fiscal note, and you have to have that fiscal note, as anyone knows here, in order to know how much money is going to be spent to make you competitive or how you are going to fix a deficiency in your budget. We do fiscal notes all the time.

So my fiscal note that I am asking here this evening is, how much money will the racetracks need in Pennsylvania to be competitive with the purses in West Virginia and Delaware?

Mr. DeWEESE. To my honorable colleague, I would say that, to the best of my recollection, the fiscal note is required in our legislative process when we are spending State money. We are in essence raising State money tonight, and I do not think that the prerogatives of the chamber would induce us or mandate us to produce a fiscal note.

However, having said that, the studies that have been rendered throughout the United States and adopted by most of the people that have studied this issue in Pennsylvania exceptionally aggressively over the past 6 months have given us confidence to believe that the fiscal impact, especially for horse breeders and for purses and for the back side – I think it was Mr. Veon of Beaver County or other people in the debate tonight that talked about how these additional dollars would go toward better health care and living conditions and medical facilities on the back side – so if we are going to talk about money, I am very confident that the money generated by this proposal will be sufficient to attack a variety of parts of the racing industry where there have been shortcomings and shortages and at the same time generate \$1 billion eventually for our property tax reduction.

Mr. CLYMER. Thank you, Mr. Speaker.

That ends my interrogation.

And what I find very curious is that with all the lobbying that has been going on with racetrack owners here and prospective racetrack owners here, surely someone would have said, look, the purses in West Virginia and Delaware, this is what we have to compete with; this is how much money we have to raise.

We heard throughout the debate tonight we need \$7 million for this project; we need \$10 million for that project. I mean, all I heard tonight was money for this and money for that, but it was specific. It said here is where the money was going to go. And now we are faced tonight and we are asked to vote on a bill in which we do not even know how much money the racetrack owners need to be competitive, and now, is that not interesting? Is that not interesting that throughout the many months that the lobbyists entered into the halls of this Capitol and spoke with member after member, that at least not one of them would have said, here is the amount of money that is deficient; we are down \$10 million; we are down \$15 million.

If I was a business owner and I was running a deficit and I needed to be competitive, I would have said, here are the things that I need, because here are the costs that I have to compete with; here are the dollars that my competition has, and I need to compete with my competition. But we do not even know what the competitiveness is between the four racetracks we have in Pennsylvania and the competition that I hear all the time that our Pennsylvanians are going over to West Virginia; they are going down to Delaware and spending their money. Well, at least give us an idea, at least this evening, as to what the fiscal note is. Well, I guess that is something that each member is going to have to consider when they get to the point of voting finally on this bill.

And now, Mr. Speaker, I have one more interrogation if someone else is going to speak or if I direct it to the minority leader, Mr. DeWeese.

The SPEAKER. Mr. DeWeese?

Mr. CLYMER. I would like to interrogate another person – perhaps it is Mr. DeWeese – on another question that I have on this horse racing legislation.

The SPEAKER. I am sorry, Mr. Clymer. I thought that you had already interrogated Mr. DeWeese.

Mr. CLYMER. Thank you.

The SPEAKER. The gentleman indicates that he will stand for interrogation.

Mr. CLYMER. Thank you.

Thank you, Mr. Speaker.

Mr. Speaker, we heard tonight, especially from some members saying that we should have exact figures; if we mention figures, that we should be able to back them up, and I certainly agree.

There was a report that was released by the Pennsylvania Equine Industry, May 2003. You all have it. Now, maybe I am not looking at the figures correctly, and if I am not, then I apologize, and someone can help to correct me. But in this report – and we all have it – it says, “Employment.” This is the Equine Industry’s estimated contribution to the Pennsylvania economy. It says, “Employment.” It is divided into “RACING” and “GENERAL” – “GENERAL” referring to those who own horses who compete in competitive shows – and under “RACING,” it has the direct effect of employment, 4,740; the secondary effect is 1,690, for a total of 6,430 employees.

So you turn to page 14, and you try to locate, what is secondary effect? A secondary effect means that because of the racetracks and the race stables being there, veterinarians, health-related care, purchases – and this is important – of feed and bedding and hay and all the other things that they purchase from, I assume, the farmers, that comes to 1,690, for a total impact of 6,430 jobs directly related to racing. It is right here; look it up.

Here is my question: Where are the 35,000 jobs you talk about? If someone could explain that to me, I would be happy to hear that explanation. And I just do not know. I thought it is a good time to present that question here on the floor of the House.

Thank you, Mr. Speaker.

Mr. DeWEESE. With all due respect, I would think that the jobs in agriculture that you did not cover would make a significant numerical advance toward the number you were looking for.

I would also say that one of the reasons that the racing industry is in dubious circumstances right now, sir, is that their counterparts in Delaware and in West Virginia and in Maryland have slots at the tracks. And the robust agricultural and racing industries in West Virginia and Maryland and Delaware are a direct reflection of the success of these gaming experiences.

Again, I think it should be on the record for final passage that we are spending approximately \$3 billion a year of Pennsylvania gaming dollars in different venues in Atlantic City and at Mountaineer Park and at Charles Town and a variety of other settings. We need to keep that money in Pennsylvania for property tax reduction; \$1 billion in property tax reduction.

Mr. CLYMER. Thank you.

Mr. Speaker, is it the contention of the minority leader that millions of dollars are leaving Pennsylvania and going into, say, places like Atlantic City? Could he give me an estimate as to how many people would stop going to Atlantic City and stay in Pennsylvania, because we have heard that all the time, even on

radio advertisements, that people are taking buses into Atlantic City. Well, if we open our racetracks with slot machines, does the gentleman have any idea as to how many people would stop going to these out-of-State places and stay in Pennsylvania?

Mr. DeWEESE. Sir, I am neither a soothsayer or a clairvoyant, but I do know that in Greene County and Washington County and Fayette County, we can watch the license plates speed along Interstate 70 as they migrate westward into the West Virginia panhandle, and if you make that little pilgrimage across the State line, you will see hundreds and hundreds if not thousands and thousands of Pennsylvania cars.

So I have to be anecdotal. I do not have a specific number, but the trends are palpable; the trends are obvious. Gaming is taking place all around us. Why should we allow \$3 billion to be frittered away? Why do we not take that money, keep it in Pennsylvania, and lower property taxes by \$1 billion?

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, the point of my argument here or my debate is that how much of that money will stay truly in Pennsylvania. That is why I had asked the question. If those people who are now going into Atlantic City, traveling into Atlantic City – and that seems to be the largest exodus of Pennsylvanians – how many people will stay back in the State and not further their pilgrimage, if you will, weekly or monthly, to the Atlantic City casinos?

I think that is a fair question. After all, is that not what this debate is all about, is to keep Pennsylvania money here? Well, if no one seems to know what those statistics will be, again, we are just voting blindly, thinking that if we vote this bill out, then by some miraculous thing, Pennsylvanians will stop going to Atlantic City, they will not go to Delaware, and they will cease going to West Virginia.

I think that is a fair question, and just saying cars are going here and cars are going there, to me, that is not statistics; that is someone's – not imagination but someone just, rule of thumb, saying, you know, they are going to go over there to gamble, so we might as well bring it here.

Well, Mr. Speaker, I am going to cease my remarks, and I will have additional remarks on final passage as far as final remarks on the bill itself.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Luzerne, Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, in about an hour or so, this House will take up SB 100, which is a mechanism for historic property tax reductions in the Commonwealth of Pennsylvania. We have now before us HB 623, which is the engine which is going to drive SB 100 and historic property tax reductions for the people of the Commonwealth.

And contained in HB 623, I direct the members' attention to page 147, section 9215.1, paragraph (F), contained in this bill, which says, "TRANSFER TO PROPERTY TAX RELIEF FUND.—MONTHLY, THE STATE TREASURER SHALL TRANSFER THE REMAINING BALANCE IN THE STATE GAMING FUND..." to a restricted account "...IN THE STATE TREASURY TO BE KNOWN AS THE PROPERTY

TAX RELIEF FUND, WHICH IS HEREBY ESTABLISHED," with the passage of this bill.

I ask the members for an affirmative vote on HB 623 so that we can get to SB 100 tonight and begin to create historic property tax reductions in this Commonwealth.

Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Dauphin, Mr. McNaughton.

Mr. McNAUGHTON. Thank you, Mr. Speaker.

And I know the hour is late, and I will try to be brief in my remarks, but I do want to address HB 623 and what it does and what we were not able to accomplish this evening with some of the amendments that were pulled, and namely, mine.

HB 623 provides historic provisions that are not provided in 38 States in this nation that allow gaming. The first provision we discussed – and it was the only amendment that I offered here this evening – was that having to do with conditional licenses. We are going to give carte blanche to individuals who have never been detailedly investigated with background checks, top-rate casinos, slot machines, in the Commonwealth of Pennsylvania. Thirty-eight other States do not allow that provision, but in the Commonwealth of Pennsylvania, we are going to be historic and we are going to go ahead and give anyone carte blanche to operate one of these casinos. We had an opportunity to repair that provision here this evening, and we failed, and I believe we failed in our duty to the citizens of Pennsylvania.

Another amendment that I would have offered here this evening would have had to do with the individuals who are on the Gaming Board. This bill is drafted in such a way that those individuals who are selected to serve on the Gaming Board are allowed to own stock in the very companies that are operating the gaming operations here in the Commonwealth of Pennsylvania. With the billions of dollars being discussed here this evening – and my colleague prior to me speaking mentioned how there is going to be a historic billion-dollar property tax payment to the citizens of the Commonwealth of Pennsylvania – with the billions of dollars here discussed, I believe, I truly believe, if you want to do something to prevent a conflict of interest, individuals on the Gaming Board must divest their interest in these facilities and the corporations operating these facilities. But we did not do that here this evening, Mr. Speaker. No; we failed to even consider such a provision.

We had an opportunity here this evening to restore funding – restore funding for drug and alcohol, restore funding for the PACE program that we know is going to take a hit here when slot machines come to Pennsylvania. We had an opportunity to pay for the insurance on the uninsured, the 4-month waiting list that we have for adult basic. We had an opportunity to protect Growing Greener and expand that program to protect our environment, to help the firefighters and the EMTs (emergency medical technicians) who are totally volunteer here in the Commonwealth of Pennsylvania. We could have helped all these individuals, and what do we do? We turn our backs; we turn our backs on Pennsylvanians who stand up day in and day out and protect our property, protect our health, and we cannot do anything to protect them. We turn our back on the elderly, on the PACE and the PACENET program. When we have strived earlier this year to expand such a program, we had a chance here

this evening to take care of that program, and we failed in our duties.

I am disappointed; I am disappointed in the action of the House of Representatives. I know what the vote is going to be, Mr. Speaker.

So I am going to finish my remarks by talking about the revenue that everyone thinks is going to come from the slot machines.

We hear billion dollars tossed around; a billion dollars is coming to the Commonwealth of Pennsylvania. Well, let me just give you a couple of statistics in closing.

Nevada, the State of Nevada, has 247 casinos – full-blown casinos with gaming tables, slot machines, sports betting, everything imaginable under the sun when it comes to gambling. The State of Nevada takes in \$750 million, but in the Commonwealth of Pennsylvania – that is annually – but in the Commonwealth of Pennsylvania on 50,000 slots or 30,000 slots, you are going to get \$1 billion for property tax reform. Why are you trying to fool the citizens of the Commonwealth of Pennsylvania? You know those projections are not correct.

Atlantic City, 13 casinos in Atlantic City – full-blown casinos, gaming tables, slot machines, everything else under the sun for gambling – Atlantic City generates \$350 million, but yet you want to tell me that you are going to garner \$1 billion from slot machines.

It is a ruse on the citizens of Pennsylvania, and it is a dark day in the Commonwealth.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Northumberland, Mr. Phillips.

Mr. PHILLIPS. Thank you, Mr. Speaker.

In March of 1980, I came to the House of Representatives as a first-term member. That year I worked on my first budget in my legislative career. Now this is my 25th budget that I have been working on.

Yes, what we are doing today is the budget process. Through those 25 years, there were many tough decisions on how to spend our citizens' tax dollars. Remember, it is our citizens' tax dollars that in the end we spend to fund the services the Commonwealth provides.

Our Constitution requires us to pass a balanced budget, and during those past years, we cut spending, raised taxes, increased fees, and used various other methods in order to accomplish our Constitution's mandate. In strong economic times, we were able to lower taxes and increase spending for many worthwhile projects and services.

Although this year's process may not be easy, we are taking the easy way out. I say "easy" because we will be preying on the poor, the dreamers, the addicted, and those who really cannot afford to gamble on the hopes of getting rich quick.

To encourage our citizens to gamble is morally wrong. Many people are easily addicted. Why? The hope of a better life; somebody wins, so maybe it will be me; it has got to be me, to be my lucky day, and maybe this last bet will recoup my paycheck.

Addiction of any sort is a problem which government is often asked to help solve. Now we in government are encouraging addiction, and believe me, this is morally wrong.

Gambling is a risky undertaking, so why do State governments allow it? The answer is easy, because it is easy

money. By legalizing gambling, we are indirectly voting for a gambling tax to generate, according to gambling supporters, millions and millions of tax dollars that can fund the good things in our society.

Who can resist the temptations of finding a fast and easy source of more money for running the State? Well, I can, for the simple reason that gambling is a risky undertaking for Pennsylvania and its citizens.

I should not have to remind everyone here today, our country was founded on freedom, but our republic cannot survive if we continue to take the easy way out. George Washington knew that even in 1778 when he spoke about gaming and its ill effects on society and individuals. Our country would not and will not survive on a society full of citizens who make a choice to gamble. However, our country will survive on a society full of citizens who decide to work hard and make an honest living for their labor, no matter how much money they earn. Hence, we should be encouraging hard work and good character and responsibility, which make this country productive both in good and less than good economic times, unlike the attitude we would be creating by legalizing gambling.

Gambling promotes a get-rich mentality. I often hear, "If I win, I'll be able to quit my job and retire and have an easy life." As we all know, a very large majority never hit it big or even big enough to buy a used car with cash. In fact, they would have been better off, as many financial advisors would tell you, by putting their money in a retirement account.

As I pointed out previously, gambling is a tax, and it is proven that the majority of the people who gamble are the ones who are least able to afford it. Bottom line: We are taxing the poor. A few rich get richer, and many who are poor will get real poor.

Gambling establishments are businesses. Hence, the owners want to make profits. Do you think that the owners are going to set up a system where they lose? The answer is obviously no. In the long run, gamblers are almost guaranteed to lose about 40 to 50 percent of what they bet, leaving the remaining money to the handful of owners of gambling establishments, which have proven to put the small business owners out of business and actually reduce the State revenue in other areas, such as sales tax revenue. We all have seen pictures of devastation around gambling establishments – many businesses closed, homes abandoned, and the whole community changes.

Gambling is just lazy public policy on the part of State government and a poor way to generate revenue. I believe that we can lead by example and resolve our funding through sound policies and a fairer means. You may think that our young people do not watch and hear us as adults, but they do. Supporting and promoting gambling is sending a message that the easy way is the best way, when in reality we all know that is not true. Gambling by our young people has seen a dramatic increase.

I will not bet anyone here today. I will guarantee that if we pass this bill, maybe not the next day or the next week but shortly after, you will have constituents walking into your office telling you the true and awful stories of loved ones who have gambling addictions and asking you as a legislator to resolve their problems through legislation and tax dollars.

Nothing beneficial comes from gambling, and I truly believe you can be assured that eventually more money will be paid by

the State for social problems created by addiction to gambling than will be generated by this gambling tax.

Therefore, I would ask that you would vote “no” on this HB 623.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Berks, Mr. Rohrer.

Mr. ROHRER. Thank you, Mr. Speaker.

Mr. Speaker, I really find it difficult to know where to start. I find that the debate tonight really has not been much of a substantive debate. Much of what needed to be said was silenced or did not happen, yet we are on the eve of passing the most significantly damaging piece of legislation that has ever been foisted upon the people of this Commonwealth, and yet we take it lightly and explain it and rationalize that what we are doing is going to help our people because we are going to reduce some taxes.

I think that is the height of folly. It is not true, because this money does not come except at the expense of lives – quality of lives, quality of families. That is not hyperbole; that is a fact.

No one can stand, and when Representative Clymer was interrogating, I failed to hear one piece of justification for what we are doing as being in the best interest of our people, strengthen our families, good for our children, good for our morals. They are absent from the debate. I did not hear one thing relative to this being the right thing to do, that this was in keeping with our duty to the people. I have not heard any of those things, because frankly, they are absent. They have nothing to do with what we are talking about.

I think that is why the Governor himself on numerous times says, gambling poses a moral dilemma. It does, except it is not really much of a moral dilemma; it is a moral problem. The dilemma is trying to figure out a way to justify it, and you cannot justify it.

I have a lot of remarks that I am not going to make tonight because of time. However, there are some things, I think, that do need to be said, and I am going to ask our members to listen very carefully, because I think you will be most interested in perhaps what will come forth.

I would like to interrogate, if I could, Mr. Speaker, the minority leader, if we can.

The SPEAKER. Does the gentleman, Mr. DeWeese, consent to interrogation? The gentleman indicates that he will. The gentleman may proceed.

Mr. ROHRER. Thank you, Mr. Speaker.

Mr. Speaker, I have a question for you.

In the writing or the putting together of basically the body of this bill that is before us right now, were you involved in directing or authorizing changes that were made in that?

Mr. DeWEESE. Along with Representative Veon and senior members of your own leadership cadre, senior-level staff from the Republican and Democratic Caucuses as well as the full support of all of Governor Rendell’s troops. It was a collegial, collaborative, continual effort, and monosyllabically the answer is yes.

Mr. ROHRER. Okay. Then that will be good.

Were there any changes made in this bill, Mr. Speaker, that would in any way harm or cause matters of safety to be a concern to those who would frequent the casinos?

Mr. DeWEESE. No, sir.

Mr. ROHRER. Okay. I appreciate it.

Mr. Speaker, I have some comments, please. I will proceed.

Tonight as we have gone through this debate, time after time amendments were offered from our side of the aisle directed to putting in safeguards for those who would frequent and find themselves at the mercy of the temptations that lie in casinos and slots.

We had an amendment that was put forward that dealt with pawnshops – not a light issue; a major issue. It was voted down because the proponents said that the bill was fine.

There was an amendment offered for ATMs, simply because we know that that is a major problem, and yet what we heard was a joke from the other side that this was an attack on bankers or some other sort of nonsense. That amendment was offered for very real reasons, because we know that people have problems.

Now, at the beginning of this debate, Representative Clymer offered or asked our leadership the same question that I just asked the minority leader, about whether any changes were made in this bill that we should have known about. We got the answer. In both cases, no. Nothing was changed in this bill that we ought to be alarmed about.

Well, Mr. Speaker, I submit to you that as this entire process has unfolded and as I believe that many on that side of the aisle and this side of the aisle have been promised who knows what to get your vote, whatever the negotiations have been, whatever we have been promised, frankly, I do not really believe that the promises hold up. We have seen what has happened with promises at the beginning.

But for those of you who are sitting at your desk, I would ask you if you look on your screen and dial up this bill to page 162, you will find a section on page 161 and 162 that deals with the ability for the casinos to offer liquor by the drink free, liquor by the drink free. Now, is that an issue or is that not an issue? Now, that may not be a real issue to some of you perhaps, except I ask you to recall that on the 15th of this week, 4 days ago, this body here passed out of it a bill, HB 782. HB 782 had an amendment that was offered by the gentlelady from Lancaster County that made it unlawful for racetracks and casinos to offer free liquor. It was discussed on the floor of this House as a measure to, well, frankly, ensure a little bit of safety, because at that point in this week we offered some concern for the people who went into those casinos, and of course, you know why casinos offer free drinks. Because the more inebriated they get, the more money they lose, and that was a discussion in this body, in the House, and so this body had voted by 170 to 26, almost unanimously, to put that provision in place. The Governor signed that bill yesterday, and yet here today in this bill, not told to any of us, a measure of safety and common sense earlier this week is going to be voted and thrown out as quickly as it was put into law because now it does not make any difference.

Now greed really has controlled, not concern for people anymore. This is greed tonight, plain and simple. That is what is driving this issue. I think every person in this House ought to be absolutely offended and shocked that a change that we just made— And I would have to say that every person in here until I mentioned this would have thought we had that protection still in place. That leads me to think, how many other changes in this bill have been made for which we have not been told? What has been promised that you are never going to get? We are never going to get the revenue that has been promised, because it will not happen and never happens in any State.

The people who gamble, they are not going to win what they think they are going to win; they never do. We may get a billion dollars, but the people of the State have to lose \$4 billion in order for it to happen.

What is this all about? I believe that because this and who knows what else has happened, that we as a body are absolutely foolhardy from proceeding down this path in saying we have got something in our hands that we can count on. We do not know what is in our hands. That is the point of it.

Mr. Speaker, I think it would be very appropriate – I am shocked we have not been told the truth about major changes that we thought were in place that were endorsed by this full House that have been ripped out and nobody had been told. That ought to offend every person standing here.

MOTION TO RECOMMIT

Mr. ROHRER. I think this bill ought to be recommitted, and I make a motion to recommit this bill in its entirety to the State Government Committee.

The SPEAKER. The gentleman, Mr. Rohrer, has made a motion to recommit the bill. To where, Mr. Rohrer?

Mr. ROHRER. State Government Committee.

The SPEAKER. The State Government Committee.

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

The SPEAKER. On that question, it is debatable by the—
The Chair recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I support the motion to commit the bill, HB 623, to the State Government Committee.

What Representative Rohrer had mentioned I think is very important. We deleted one of the amendments that was to be offered by Representative True that would remove free alcohol from racetracks, from casinos. We thought this was indeed a safety measure. If this is supposed to be entertainment, if this is supposed to be gambling, then why would you want to have a person intoxicated spending their money at those slot machines that take \$20, \$100, \$500, and yes, even \$1,000?

The SPEAKER. Would the gentleman please suspend.

Mr. CLYMER. To me that is not fair play.

The SPEAKER. Mr. Clymer, please suspend.

Mr. CLYMER. I ask the members to support the recommitment.

The SPEAKER. Mr. Clymer, please suspend.

The House will be temporarily at ease.

I apologize, Mr. Clymer. If you wish to go forward, Mr. Clymer, I apologize.

Mr. CLYMER. Yes. Thank you, Mr. Speaker.

I have concluded my remarks.

I am asking the members, for the reasons I just mentioned, to support to recommit the bill to the State Government Committee. I support Representative Rohrer’s motion to do that. Thank you.

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

Mr. DeWEESE. The parliamentary mechanisms are somewhat circumscribed here, and the colleagues here in the chamber should realize that if this is recommitted, it can only be

recommitted for its burial, its legislative burial. It will not be forthcoming. All of our work will have been in vain. We are approaching 10 hours of debate. It is a marathon dialogue. It has been eminently worthwhile. The gentleman from Berks had alluded to the fact that there was an amendment that was squelched. I think there were 50 that were withdrawn and 17 or 18 that were heavily debated.

Notwithstanding the fact that he thinks we are all going to spin backward into feudalism with the passage of this measure, the members should be aware that the slots-at-the-tracks sites and the nontrack slot venues are allowed in the body of the bill one, one free drink, one free drink, and the express language in the bill also prohibits any discounts on liquor. So your argumentation is fundamentally wrong.

The Republicans have been nice tonight in large measure, but the conservatives, the conservatives who seem to be always wanting to protect individual rights, are trying to overprotect Pennsylvania’s citizenry. We are allowed one drink in this proposal, and here we are after 10 hours, you are wanting to send this scurrying back to committee for one free drink that some people will embrace and some people will reject, but there is no logic here.

We want to lower property taxes by \$1 billion, and we would like to do it in the next several hours. If this recommitment motion is accepted, we will lose and Pennsylvania’s property tax payers will lose, and I would ask that the recommitment motion be aggressively, aggressively denied.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

A parliamentary inquiry, sir.

The SPEAKER. The gentleman, Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

Tonight is about, as I said earlier, I think historic reductions in property taxes, strongly supported by this body and the Rendell administration.

I am not here to make – I do not stand at the microphone now to make a motion but merely a parliamentary inquiry to ask you to refresh my memory and maybe some others as to what is the process of moving the previous question?

The SPEAKER. The gentleman would need 20 seconds, and it would go for an immediate vote.

Mr. BLAUM. Then that is the process.

Thank you very much, Mr. Speaker, for that information.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—66

Armstrong	Egolf	Hutchinson	Reichley
Baker	Fairchild	Leh	Rohrer
Baldwin	Feese	Lewis	Samuelson
Bastian	Fleagle	Lynch	Sather
Benninghoff	Forcier	Maher	Saylor
Birmelin	Gabig	Maitland	Scavello
Boyd	Geist	McIlhattan	Schroder

Browne	Gillespie	McNaughton	Smith, B.
Causser	Gingrich	Metcalfe	Smith, S. H.
Clymer	Gordner	Miller, R.	Stern
Coleman	Habay	Miller, S.	Stevenson, R.
Corrigan	Harris	Payne	True
Craballa	Hasay	Petrarca	Turzai
Creighton	Hennessey	Phillips	Vitali
Dailey	Hershey	Pickett	Yewcic
Dally	Hess	Reed	Zug
Denlinger	Hickernell		

NAYS—135

Adolph	Fabrizio	Mann	Semmel
Allen	Fichter	Markosek	Shaner
Argall	Flick	Marsico	Solobay
Bard	Frankel	McCall	Staback
Barrar	Freeman	McGeehan	Stairs
Bebko-Jones	Gannon	McGill	Steil
Belardi	George	McIlhinney	Stetler
Belfanti	Gergely	Melio	Stevenson, T.
Biancucci	Godshall	Micozzie	Sturla
Bishop	Goodman	Mundy	Surra
Blaum	Grucela	Mustio	Tangretti
Bunt	Gruitza	Myers	Taylor, E. Z.
Butkovitz	Haluska	Nailor	Taylor, J.
Buxton	Hanna	Nickol	Thomas
Caltagirone	Harhai	O'Brien	Tigue
Cappelli	Harhart	Oliver	Travaglio
Casorio	Harper	O'Neill	Vance
Cawley	Herman	Pallone	Veon
Civera	Horsey	Petri	Walko
Cohen	James	Petrone	Wansacz
Cornell	Josephs	Pistella	Washington
Costa	Keller	Preston	Waters
Coy	Kenney	Raymond	Watson
Cruz	Killion	Readshaw	Weber
Curry	Kirkland	Rieger	Wheatley
Daley	Kotik	Roberts	Williams
DeLuca	LaGrotta	Roebuck	Wilt
Dermody	Laughlin	Rooney	Wojnaroski
DeWeese	Leach	Ross	Wright
DiGirolo	Lederer	Rubley	Youngblood
Diven	Levdansky	Ruffing	Yudichak
Donatucci	Mackereth	Sainato	
Eachus	Major	Santoni	Perzel,
Evans, D.	Manderino	Scrimenti	Speaker
Evans, J.			

NOT VOTING—0

EXCUSED—1

Lescovitz

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

On the question recurring,

Will the House concur in Senate amendments as amended?

The SPEAKER. For the information of the members, there are at this point in time – and there will be more – there are approximately 20 speakers. I only want to let the next five know so that they can be ready: Mr. Petrone, Mr. McIlhattan, Mr. Baker from Tioga, Mr. Thomas, and Mr. Kirkland.

The Chair recognizes the gentleman, Mr. Petrone.

Mr. PETRONE. Thank you, Mr. Speaker.

Mr. Speaker, now that we are in the homestretch, let me say a few things about what is happening. I respect, first of all, the right of my colleagues who oppose this and I respect everything that they have had to say, and I truly believe that we should proceed cautiously, because this is a monumental change. At the same time I am very gratified to see that many of the ideas that we worked on for the last 3 years in HB 777, Mr. Speaker, are being embodied into this legislation, and I am gratified to see that a lot of people who are going to need help are going to share in some of the benefits of increased purses at racetracks, and we cared about them, because we visited them and met with them and talked with them and met their plights about the trainers, the grooms, the walkers, and if you have never done it, whether you care about this legislation or not, you should pay a visit to a racetrack early in the morning and see what occurs and all the people that work there. Do it just so you learn something, because I have been doing it for 50 years.

Now that we are in the homestretch, let me tell you that it will help the agricultural people in our State. Okay? The number one industry, the agricultural industry, will profit by what we are doing here tonight. It will conserve land and farms. This will help improve breeding and stakes races in Pennsylvania, and there is a big conservation part of this where the funding will go.

So there are benefits, there are benefits for people like jockeys and trainers. They are going to have health benefits; they are going to receive many of the things they should have been receiving all of these years. So now that we are in the homestretch, let us proceed, let us get across the finish line, let us win this race and do something good with what is happening here tonight, but let us do it cautiously so that the future of live racing is protected.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Clarion, Mr. McIlhattan.

Mr. McILHATTAN. Thank you, Mr. Speaker.

I will be brief, but I do rise to speak in opposition to this legislation before us.

Mr. Speaker, those of us in this House chamber who are parents spend a lot of time attempting to teach our children good values, trying to teach them right from wrong, and in doing this, we stress upon them that there is no right way to do a wrong thing; there is just no right way to do a wrong thing.

Mr. Speaker, expanding gambling in Pennsylvania is a bad policy, and it is the wrong thing to do. Mr. Speaker, placing 55 slot machines in Pennsylvania to make it convenient for our citizens to gamble their money away is bad public policy, and, Mr. Speaker, it is the wrong thing to do.

Mr. Speaker, tests have been made here tonight to just sort of spin this legislation to try to make it look good and appear to be right by saying this legislation will save the horse industry or it will bring in revenue to reduce property taxes, but, Mr. Speaker, that just will not wash.

Mr. Speaker, this legislation is bad public policy; it is fundamentally wrong, and there is no way we can make it right. Mr. Speaker, there is no right way to do a wrong thing. So I ask my colleagues to do the right thing and vote “no” on this legislation before us tonight.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. BAKER. Thank you, Mr. Speaker.

I will be submitting remarks for the record to keep this brief, but I did want to make a few comments and, if I may, just preface my remarks by first thanking the Honorable Paul Clymer for his leadership, his due diligence, his passion, his strength, and his dedication to exemplify strong moral ideals. I think he is to be commended for that.

There is an axiom, and the axiom says that if it is too good to be true, it usually is. The expansion of gambling has strings attached. The strings are moral, social, and economic. Do we really want to leave a legacy and ethic of luck instead of hard work? Have we become so desperate that we now have to allow a vice to support our budget? Is there really a need to expect and exact money from those that can least afford it? Do we really need to depend on the gambling losses of citizens to generate taxes? Should we be sanctioning a lifestyle that has led to addiction, bankruptcy, crime, and suicide? Should we not be trying to make families stronger rather than encouraging an activity that can lead to domestic violence, divorce, and poverty? Should we be passing a law that is motivated by greed and avarice that in the end experts tell us generates \$3 in social costs to every \$1 in revenue? Why are we creating in effect a gambling monopoly that primarily benefits the wealthy to be paid by the gambling losses of the needy citizens of Pennsylvania? Are we prepared to pay millions more in tax dollars to address crime, incarceration, prison cells, addiction treatment, welfare costs, resulting from bankruptcy, ruined families, and the dislocation of jobs all for the love of money?

This expansion of gambling will forever change the landscape of Pennsylvania. We are embarking upon a historical vote that will leave a legacy for a very long time, and you will be connected with that gambling vote. Are we prepared for the long-term consequences that will result from our action this evening?

This legislation is not even consistent with our coat of arms that places virtue, liberty, and independence as our motto and hallmark. Do you really believe that this vote for passage tonight is a virtuous vote that you are going to be casting? Do you really think our Founding Fathers would be proud of this vote tonight? Do you think that your grandparents would be proud of this vote tonight? I think not.

Mr. Speaker, I appreciate the time and the indulgence of the membership. I ask for a “no” vote on final passage, and I will submit my remarks for the record.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

REMARKS SUBMITTED FOR THE RECORD

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

Thank you, Mr. Speaker.

Thirty years ago gambling was illegal in most States and generally considered to be a vice contrary to the American work ethic. Now nearly 100 riverboat casinos are chartered in 6 States; over 800 casinos operate in 28 States; and all but 3 States have some form of gambling. Gambling industry revenues jumped from \$1 billion in 1980 to well

over \$60 billion today. That means that Americans lose – on the average – over \$164 million every day of the year to gambling.

The National Gambling Impact Study Commission, charged by Congress to study the economic and social impacts of legalized gambling in America, recently completed its bipartisan report. The 9-member commission, including, incidentally, 4 pro-gambling representatives, has unanimously called for a national moratorium on gambling expansion and proposed 77 far-reaching recommendations for Federal and State legislatures.

Why recommend a moratorium? The executive director of the commission, Dr. Timothy Kelley, reports that gambling comes with high economic and social costs. Addiction, bankruptcy, and crime do harm to our society and our economy. Alarming rates of crimes, large debts, damaged relationships, and even suicide have been associated with expanded gambling.

The commission specifically recommended against adding slots to tracks in order to balance budgets or boost State coffers. Why? The public good will be harmed, especially the youth, the elderly, and the poor who will probably bear the brunt of the consequences of gambling addiction.

I have often heard that slots at our racetracks will have a minimal social impact upon our society. Make no mistake, slots, if approved, will lead to full-scale casino gambling operations. Allow me to give you a case in point. The average casino in Mississippi, the third largest gaming State in the country, has 1,355 slots, and only 4 casinos there have more than 2,000 slots. Here in Pennsylvania proponents tell us that slots at the tracks will be limited to 2,000 to 3,000 per racetrack. These are full-scale casinos, not side operations for the tracks as proponents would have you believe.

At least 15 million Americans are already afflicted with a gambling problem, and the numbers are growing. Research has found 13 percent of bettors are either problem or pathological gamblers and another 18 percent are at risk for developing addiction.

To suggest government-sponsored gambling to improve funding for public education sends a patently wrong message to young people that gambling is harmless. When 15 percent of our young people already display signs of severe gambling problems, it is anything but harmless. This legislation has been characterized as slots for tots and it sends a terrible message that it is okay to gamble kids, as long as the taxes generated go to funding your educational needs. Another term, “do no harm,” is a better message as that is what this people’s House is all about. We should not be passing legislation that in the long run will harm our families, communities, and economy all for the love of money.

It is estimated that expanded gambling will lead to the addiction of about 61,500 Pennsylvania residents, and taxpayers again would likely be responsible for treating them at a great cost.

Economist John Kindt of the University of Illinois recently spoke to many of us here at the Capitol warning that the expansion of gambling in Pennsylvania is likely to produce a number of unintended and negative economic costs and consequences. He concluded, and I quote, “The experience of other States suggests that betting on gambling to balance the budget is a bad bet. For every 1 dollar in revenue, States end up having to spend 3 dollars to deal with the increased economic and social problems such as addiction, bankruptcy, crime and loss of jobs.” He also cited research that estimates gambling problems to cost the U.S. economy around \$80 billion annually, more than the estimated \$70 billion spent per year nationwide to combat drug abuse. Economist Kindt went on to say that his research has shown that two jobs will be lost for every three video machines, including slot machines, installed in Pennsylvania. He also said that the evidence shows that gambling is ultimately a job destroyer, not a job creator, and that gambling will not contribute to the economic development Pennsylvania so desperately needs. In August of 2002, Dr. Kindt’s economic impact analysis reported that 24 out of 57 counties throughout the United States experienced job losses as a direct result of casino development. Mr. Kindt’s research has indicated that we can expect bankruptcies to increase by 18 to 42 percent around racinos, or slots at the tracks.

He continues to warn that crime goes up 10 percent due to the gambling by the third year that racinos or slot machines are open and continues upward even after that time period. Economist Kindt advises that for the \$500 million of projected revenue to be raised here in Pennsylvania from expanded gambling operations, Pennsylvania taxpayers will, a few years down the road, be responsible for paying \$1 1/2 billion to fix its accompanying social and economic problems.

Although many proponents of gambling expansion will argue that it will create some jobs and boost tax revenues, it also siphons off customers from other businesses – in fact, gambling cannibalizes businesses – and leads to loss of jobs, bankruptcy, distorted and diminished property values, and other economic losses. Additionally, research clearly evidences the nexus between gambling and crime, addiction, bankruptcy, suicide, and many other economic and social costs that could exceed by two to threefold the estimated revenues expected from proposed new gambling operations here in Pennsylvania. I cannot in good conscience support legislation that has proven in other States to violate a fundamental basic tenet of “do no harm.” Through longitudinal in-depth studies by renowned economists and an overwhelming preponderance of actual evidence, this legislation will exact enormous social and economic costs far exceeding alleged tax revenues.

I believe Dr. James Dobson, a member of the National Gambling Impact Study Commission, said it well: “Gambling is not harmless entertainment as its defenders contend. It is a greed-driven predatory device, scientifically designed to squeeze the maximum amounts of money possible from every single patron. It is, by its very nature, an enterprise wholly dependent on victims.” I might add that where there are victims, there are also damaged lives. The question remains, will you say no to this victimization and vote to do no harm?

President George Washington said on May 2, 1778, “Avoid gaming. This is a vice, which is productive of every possible evil; equally injurious to the morals and health of its votaries. It is the child of avarice, the brother of iniquity, and the father of mischief. It has been the ruin of many a man’s honor, and the cause of suicide. The successful gamester pushes his good fortune until it is overtaken by a reverse; the losing gamester, in hopes of retrieving past misfortunes, goes on from bad to worse, ’til, grown desperate, he pushes at everything and loses his all.”

The National Gambling Impact Study Commission has sounded the alarm that our Nation and our State should heed, that enough is enough; our society has enough gambling; that the expansion of gambling is injurious to the long-term health of our society morally, economically, and socially. I respectfully ask that you vote “no” to the expansion of gambling.

I hope the good citizens of this great Commonwealth who have entrusted you to vote will be proud of your vote today.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise to concur on HB 623, but, Mr. Speaker, it is important that I outline the context in which I strongly support concurrence.

Mr. Speaker, over a year ago, I guess about a year and a half, I was out circulating, doing a survey in my district, a survey on the question of whether or not the Honorable Ed Rendell should become Governor of Pennsylvania, and this was before I had even talked to our Governor, and I was conducting this survey in several of my senior developments. As I walked into one development, I had some seniors step to me and say to me that do not come in here, do not come in here giving us any spiel on gambling; we know, we know that Governor Rendell supports gambling not for gambling’s sake, but the thing that they constantly reminded me of and that is that,

Representative Thomas, during the time that you have been in office, it has become exceedingly clear to us that, number one, there was never an expansion of the PACE or prescription discount program unless there was an effort to generate additional revenues. Number two, that when you took office, there were over a million-and-some children without health insurance. One of the richest and most beautiful States in the United States had over 1 million-plus children without health insurance, and that the Children’s Health Insurance Program, the CHIP program, only came about as a result of additional revenues and that the Human Services Development Fund only came about as a result of additional revenues and that other programs that benefit people came about as a result of different revenues.

You see, Mr. Speaker, I have had the luxury of watching and witnessing the tracks upon which we have tried to make structural changes in the Commonwealth of Pennsylvania. I have gone through those years where the pragmatists, the pragmatic politicians, have said that we are facing a deficit; we have problems out there in Pennsylvania, and the way to solve those problems is by cutting back on services. Forget about the fact that there are 1 million children without health insurance. Let it be 1 1/2 million, let it even be 2 million, and let us take the savings and deal with the deficits that we have to deal with.

Mr. Speaker, I have seen, I have gone through the periods where we have brought about structural changes on the backs of those who could least afford to handle those changes, and then, Mr. Speaker, I have also gone through periods where the progressive politicians, the progressive public servants, have come to the table with vision and with the commitment to not make changes on the backs of those who could least afford those changes but to make changes through creative efforts to raise additional revenues.

Mr. Speaker, I stand here thankful and excited about the fact that we have a chief executive officer, because, Mr. Speaker, do not forget, for the last 8 years I watched, I watched how we took people off welfare, how we cut back on services, and how we gave millions of dollars to corporate America without any correlation to the fact that we were 47th in this country in job creation. I watched how we gave corporate Pennsylvania tax cuts without any conditions on whether or not those cuts were going to produce jobs for people who needed to work.

So, Mr. Speaker, I have gone through that cycle, and I am thankful that we now have a Governor who has said that in principle gambling is not my thing; however, we cannot go into the 21st century using the same archaic tools that we have used to get into the 21st century. Property tax reduction is imperative. It is no longer a negotiable issue. People all across Pennsylvania cannot afford to continue paying rising property taxes.

Mr. Speaker, in fact, I have had seniors to come up here on buses and say to me, and say to many of my colleagues from Philadelphia County, look here, Reps, I have worked hard to put my kids through school; I cannot put my kids – my kids are now out of school – I cannot keep paying these escalating property taxes. I have had constituents that come here and say, look here, Rep, I cannot keep paying escalating wage taxes in Philadelphia County; I have got to move, but, you know, I cannot move because I have been here so long, I have worked all of my life, and now I am on a fixed income, and I really cannot go anywhere; so I have got to look to you, Representatives that represent us, to help bring about some fundamental changes.

They have said that, and every year we have said to the constituents, to the people of Pennsylvania, we hear your pain, but we cannot do anything about your pain. We hear you, but we cannot do anything about it, and we cannot do anything about it because either we do not have the votes or we do not have the money. We are in a fiscal crunch and we must be fiscally prudent. So you keep on trying to find a way to pay your escalating property taxes or either get your butt out in the street and be homeless, because, you know, there are a lot of people who are homeless today because they cannot keep paying the rising property taxes which exist in Pennsylvania.

Mr. Speaker, I have seen a situation where right now we have got too many people without health insurance. Mr. Speaker, we have got in this budget that we did, whether it was the Governor's fault or our fault, we made some drastic cuts in programs that can ill afford any cuts. For example, I just saw some data which said that 56 percent, 56 percent of the absenteeism in the workplace, 56 percent of the absenteeism in the workplace exists because of people who do not have treatment. When folks need help and you do not provide them with the help, absenteeism goes up and production goes down. I have seen the impact of drug and alcohol on the economy.

So, Mr. Speaker, where are we? We are here in 2003 with a \$700 million hole in our budget. We are here in 2003 with a rising population of elderly and other people who do not have access to health insurance. We are here in 2003 still 47th in the nation in job creation. We are here in 2003 with a deteriorating housing stock that is creating more homelessness than it is decent and affordable housing. We are here in 2003 with young people who want to go to college but just do not have the money to go to college. We are here in 2003 with rising tuition, rising tuition that people are no longer able to pay. That is our situation.

Now, this Governor and the progressive leadership of this chamber has said, has said that gaming might not be the best way but it is an avenue for raising the kind of revenues that are needed to deal with some of the problems that we are faced with.

So, Mr. Speaker, you never have got to go play a slot machine, you never have got to go play a slot machine if you do not want to. You do not even have to worry about slot machines coming to some of our districts. I do not have to worry about a slot machine ever going up in the 181st, because it is not one of the 11 licensed locations that have been identified, but, Mr. Speaker, gaming will produce \$1 billion in property tax reduction; gaming will produce \$81 million to almost \$100 million savings in the wage tax in Philadelphia County; gaming will produce serious reduction in taxes in Allegheny County; gaming will produce additional revenues that we need in order to deal with our fiscal problems. Gaming will produce some light at the end of a dark tunnel.

So, Mr. Speaker, let us stop talking about all the things that are wrong with gaming. Let us talk about support for HB 623 and take a giant step towards making structural changes in the way things are going on in Pennsylvania. We can always find problems and we can always talk about all the things that are wrong in life, but it is not, it is not the wrong things in life that will change the circumstances of life. It is those who are willing to stand up—

The SPEAKER. Will the gentleman suspend.

Mr. THOMAS. —at the right time —

The SPEAKER. Will the gentleman suspend.

Mr. THOMAS. —under the right circumstances.

The SPEAKER. The gentleman has a right to be heard. Please. Mr. Thomas did not do that when you spoke.

Go ahead, Mr. Thomas.

Mr. THOMAS. It will not change until the people change the conditions within themselves. People must make a commitment for structural changes if they want changes.

And so, Mr. Speaker, in closing let me say this; let me say this: Let us vote for HB 623 and move, and move Pennsylvania a step out of darkness and another step in light. For the people of Pennsylvania, concur on HB 623.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Delaware, Mr. Kirkland.

Mr. KIRKLAND. Thank you, Mr. Speaker.

Mr. Speaker, I know tonight, or this morning – yes, this morning – Mr. Speaker, I appreciate the dialogue, I appreciate the debate, I appreciate the conversation, but, Mr. Speaker, I find myself in a Pontius Pilate position. I find myself, Mr. Speaker, having to vote for something and put up a vote for something in the positive that I believe is fundamentally wrong, morally wrong, and there are a number of reasons I believe that, Mr. Speaker. One is because of the conversation by way of the paper that I had with one of the owners and operators of a facility that is to be built in my community. The gentleman said that we can operate this horse racing facility successfully without slots. He said that not once, but he said it twice, Mr. Speaker. When he said that and I began to do my little bit of researching and finding out from other members of the gaming industry and the horse racing industry that indicated that that could not happen, that he could not operate a facility successfully without slots, I knew then and there that my community was being bamboozled; my community was given false hopes. They were told that we are going to provide you with 60 percent of the jobs and 60 percent of the workforce, but guess what, Mr. Speaker? We do not have 60 percent of the workforce in my community.

They were told that when my educational system is failing. They were told, Mr. Speaker, that they would be provided with economic wealth. They were told that, Mr. Speaker, when every day I open up the newspaper and another young man in my community's face is in the obituary. They were told, Mr. Speaker, that they were going to have a new lease on life, when in fact young people were dying each and every day.

The most troubling part of this, Mr. Speaker, in this Pontius Pilate position that I find myself in, is that I even actually reached out into the religious community, the religious leaders in my community, and I went to them because I wanted to hear from them and hear what their thoughts on this were. I wanted them to give me some direction, some help, and there are over 100 churches, over 100 churches in my immediate community, and six ministers showed up. I was troubled behind that, but then I realized that many of the ministers that did not show up had already gone behind the scenes to cut deals with the owner and operator of the facility in my community.

So I find myself in a Pontius Pilate position, Mr. Speaker. I put out a survey in my community to ask the members of my community to talk to them and find out if this is really what they wanted, and unfortunately, Mr. Speaker, because of the

false hopes, because of the false dreams that were placed in front of them, many of them said to themselves, this is an opportunity for jobs in our community, not realizing, Mr. Speaker, that when someone spends millions and millions of dollars to put an industry in your community, that they are going to make sure they protect that industry by bringing people who already know the industry on board, but they did not tell my community that. They told them that they are going to have jobs.

Mr. Speaker, if it were up to me, I know what my vote would be, Mr. Speaker. I raised my children in my community. I encouraged my children to stay in my community. I provided my children with the financial wherewithal to go to school and become educated so that they can be all that God has proclaimed them to be, but, Mr. Speaker, I did that because I wanted to give them a better lease on life. If it were up to me, Mr. Speaker, and it was this legislator's vote and I was voting on my behalf, I would vote in what I consider the right way, but because I have been placed in a Pontius Pilate position, Mr. Speaker, on this day, I wash my hands and I vote in the affirmative for the community that I live in, because, Mr. Speaker, I believe they have been sold a false bill of goods, and I will be able to come back to them in a couple years down the road, not to say I told you so, but to come back here and point out those persons who have come to my community and have already started the pillaging, have already started it, have already started the misleading, but as Pontius Pilate, Mr. Speaker, as I take my seat, I also take my washcloth and I wash my hands of this.

The SPEAKER. The Chair thanks the gentleman.

The next five speakers, so that they can be ready, are the Representative from Lancaster, Katie True; Mr. Solobay; Mr. Egolf; Mr. Benninghoff; and Mr. Samuelson.

At this time the Chair recognizes the gentlelady from Lancaster, Mrs. True.

Mrs. TRUE. Thank you, Mr. Speaker.

I will be brief, but I just wanted to take a moment mostly just to put on the record – I have been here long enough; I see the writing on the wall – but I did want to take a moment to put a face to some of my concerns that I have with bringing gaming into Pennsylvania. I understand about the finances. I understand what everybody is saying. I understand as the hour grows later that the denial of some of the very real problems that are going to occur is fading, but I wanted to just mention a name, a gentlelady from Lancaster County, Vicki Lapp. Vicki Lapp is a mother, and she lost her husband to gambling, a prominent attorney from a well-to-do family in Lancaster County, and she has been involved fighting valiantly to keep gambling out of Pennsylvania, of course because of her experience. Her husband committed suicide because of a long-term addiction with gambling.

These are the kinds of things that concern me. I wish they concerned more people, but again, I do understand the reality. So because of the addiction, because of the way the gambling industry deals with people, particularly with alcohol— And by the way, I am extremely disappointed that the alcohol, the free one drink – I understand it is one drink, free alcohol, at the casinos – I have a hard time believing that; that is just an aside. But nevertheless, obviously, alcohol helps to impair. Obviously, when you are impaired, you are going to gamble more.

These are the types of things that go on, and I could go on with a whole litany, and I do not want to do that at this late time.

But I just wanted to say, as you think of this vote, I would appreciate if you would think about people like Vicki Lapp and her children who dealt with an addiction her husband had for 16 years, and I surely hope we do not have a lot of those stories to tell on this House floor, but I thought it was important that we put it in the record.

We are changing Pennsylvania this morning. I am sorry about that, even though I do understand the reality, and I thank you for your attention.

The SPEAKER. The Chair thanks the lady.

The Chair recognizes the gentleman from Washington County, Mr. Solobay.

Mr. SOLOBAY. Thank you, Mr. Speaker.

You know, I understand, as the previous speaker mentioned, a lot of the downside and understand some of the social effects that could very possibly occur with what we are going to do this evening, but on the same note, there have been safeguards put in there to help, hopefully prevent, and stop a lot of these things from coming, but there is also a social cost if we do absolutely nothing this evening.

I realize that gaming has a lot of misconceptions in a lot of people's minds, but if this does not happen tonight and we continue to let not only the industry of racing decline, a lot of the following comments that I am going to make now are things that we can probably anticipate. The first thing is that the Pennsylvanians, and there are almost 10 million of them make a trip each year, will cross our State line to go into other areas and with them taking not only the gambling dollars but their other recreational spending dollars equal to almost \$6 billion out of Pennsylvania. The concern about the budget gap we have and how we are going to fill it would still be there.

The new money that many people have talked about that is going to lower our property taxes and also help improve education will not be in place. And uniquely, a lot of opportunity with new jobs and the billions of dollars of both personal income and new economic activity and the revenue that the State is anticipating will not be provided.

I guess I have a unique look at this prospect because I have a track presently in my district for 40 years, presently known as the Meadows. It has been in our community in Washington County and has provided jobs, economic development, and economic growth in that county. With the advent and with the passing of the slot legislation, we are told by the folks that own and operate the Meadows right now, Washington County and the immediate southwestern Pennsylvania area are going to realize 1,000 new jobs. There have not been 1,000 new jobs in Washington County or southwestern Pennsylvania in over 10 years, let alone in this next year coming up. With those 1,000 jobs, they are saying \$30 million worth of payroll that that is going to bring in, an average of \$30,000 per job at this facility.

They also plan on putting in over \$100 million worth of construction and improvements in the area to make this a destination location. Pennsylvania has known that the number one and two industries are tourism and agriculture. Both of these things will be increased and stimulated by this vote this evening.

Along with the \$100 million of economic development and construction in Washington County is an additional, over the

next 5 to 7 years, \$500 million more of prospective construction and growth in Washington County with another facility that is planned directly across the street. So it is not just gambling dollars and people walk away. There is a lot of good opportunity with jobs and additional economic development that is going to occur with this project, and that is just one location, Mr. Speaker.

So I stand and I ask and I tell you again I do understand and I appreciate the social element of this, but I still ask you for an affirmative vote to concur with HB 623.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Perry, Mr. Egolf.

Mr. EGOLF. Thank you, Mr. Speaker.

We have continually heard arguments that Pennsylvania citizens want to spend money on gambling so much that they will go to New Jersey or other surrounding States to spend their money and that we should vote for slots and other forms of gambling in Pennsylvania to keep the money here. If our citizens want so badly to gamble their money away, then why, why do we hear every day the commercials on radio and TV trying to entice Pennsylvania citizens to play the lottery? If people are just wanting and waiting to play the odds, then we should not need to waste money on radio and TV ads.

Also, we have been told so often that we need gambling in Pennsylvania in order to keep from raising taxes; we need gambling in Pennsylvania in order to create jobs; we need gambling in Pennsylvania for economic development, and we need it to help balance our budget. If all of these arguments are valid, then Nevada, as the capital and mecca of gambling, and New Jersey with Atlantic City, they should have surpluses in their budgets; they should have negligible unemployment rates; they should have low tax rates; they should have low State and local debt rates.

However, according to Source magazine and other sources, Nevada has an \$800 million deficit. They should be rolling in money instead of having a deficit, and \$800 million at that. The unemployment rate in Pennsylvania, for instance, is 5.8; in Nevada it is 5.5. Not much difference. In New Jersey it is 5.9 percent. The total tax revenue per capita in Pennsylvania is \$2,979 per capita while in Nevada it is \$2,915. Hardly a difference. In New Jersey it is \$3,903 per capita. That is about 10.7 percent of personal income in Pennsylvania and is 10.4 percent in Nevada and 11.3 in New Jersey. The State and local debt per capita is \$5,971 in Pennsylvania, it is \$5,980 in New Jersey, and it is \$6,624 in Nevada. Where is all that money that they should be having from gambling? So where are the great economic benefits? If we are looking for gambling to solve our money problems, just look at New Jersey and Nevada. They are no better off than we are today; in fact, in some cases a little bit worse.

In conclusion, I would like to read a letter from a constituent of mine, just part of it. This husband and wife said, "I have seen first hand the damage that such an initiative brings to a community. When I was a child, we would often visit my Great Grandmother in Atlantic City, New Jersey. When New Jersey enacted gambling in that city, they promised jobs, urban revival and prosperity. In a very small area of that city..." that did occur. "However, just a few blocks from the glimmer, in my Great Grandmother's old neighborhood, crime, prostitution, pawn shops, and crack dealers abound.

"My wife and I ask, is the short-term influx of cash worth it? We think not! We ask you to please vote NO on this initiative."

And I ask you to vote "no." Thank you.

The SPEAKER. The Chair thanks the gentleman.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Chair recognizes the gentleman from Centre, Mr. Benninghoff.

Mr. BENNINGHOFF. Good morning, Mr. Speaker.

In lieu of the time, I will submit my comments for the record. I know that I will profoundly change these people's lives if I state it, but I will pass on that and submit them for the record.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. Speaker, my comments are short but I hope fully precise.

I rise in opposition of "Selling Gambling as Helping Kids and Tax Reform."

To all the citizens of Pennsylvania, especially those who may be awake and listening, I remind you that this debate on allowing legalized gambling is not about tax reform. While much of the debate has tried to mask this proposal as property tax reform, it is NOT.

This is the path of least resistance instead of addressing the vital component of tax reform, and that is "controlling spending" on all levels. Government too often would rather find new sources of money to spend rather than refocusing and reprioritizing government responsibility and controlling spending. This is what I believe the taxpayers truly want! This does not address the structural deficit so many of you have spoken about the Pennsylvania Tax Code.

On July 16, 2003, John Baer's article in the Pittsburgh Daily News, he mentions the Pennsylvania Lottery's newest program promoted by the Governor called "Golden Opportunities Challenge," that encourages companies and corporations to buy lottery tickets in bulk for use in employee incentive programs. Think about it, the Governor is encouraging, coaching, and even spending tax dollars to promote what many would call a vice! Will we now adopt "Come to the Keystone State, Home of Slots for Tots"?

Tonight we have consistently heard over and over about the "DEAL," do not interrupt the "DEAL." What that "DEAL" truly amounts to, most of us in this room do not know and surely the public will never know.

In closing, I reiterate that this debate is not tax reform – DO NOT BE FOOLED. Tonight those who vote "yes" on final passage to HB 623 will be voting to forever dramatically change the very soul of the great Commonwealth. Whose votes will you tell your grandchildren changed this State forever?

The SPEAKER. The Chair recognizes the gentleman from Northampton, Mr. Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

The great American poet, Robert Frost, wrote:

Two roads diverged in a yellow wood,
And sorry I could not travel both
And be one traveler, long I stood
And looked down one as far as I could
To where it bent in the undergrowth;...

Today in Pennsylvania we stand at a crossroads. Two roads are diverging, and we must decide whether we will choose the path of gambling, of expanded gambling and all that that entails, or whether we will choose a path where we can maintain our

quality of life, face our challenges, balance our budget, and reduce our property taxes without the easy money of slot machines, slot parlors, and all the forms of gambling that will surely follow. Our State will look quite different in 5 or 10 years, depending on which path we choose.

In the Scriptures the following question is asked: For what will it profit a man if he gains the whole world but forfeits his soul? Today, tonight, we should pause and ask, for what will it profit our great Commonwealth if we gain a world of gambling revenue but forfeit the soul of our State, the character of our communities, and the quality of life we enjoy as Pennsylvanians?

If we start down this road of expanded gambling, there will be many twists and turns over the next several years. Legislative leaders in this very chamber have already proposed expanded gambling beyond the slot machines that we are considering tonight.

From one side of the aisle, one of the leaders has a proposal for riverboat casinos; from the other side of the aisle, a proposal for full-blown casinos. Earlier, about 2 hours ago, we heard someone propose temporarily videopoker. Who knows where this road will lead. Today's vote would put slot machines, up to 5,000 slot machines per location, in 11 communities across Pennsylvania. Who knows how many communities will have gambling establishments in the years to come.

Professor Harold Hill in "The Music Man" might have put it like this: If we start down this road of expanded gambling, we are asking for trouble, and that starts with T and that rhymes with C and that stands for casino, and that starts with T and that rhymes with V and that stands for videopoker. All of this rhymes with E and that stands for easy money.

We do not have to choose this path. We can face our challenges here in Pennsylvania without the easy money of gambling. Hold on a minute, you might say. We are only talking about slot machines at four racetracks. Wait a minute. That was the original proposal 2 years to help the horse industry, and at that time we were only talking about 2,000 slot machines at each of the four tracks.

Hold on, you might say. We are only talking about slot machines at five locations. Wait a second. That was Governor Rendell's proposal last year.

Hold on, you might say. We are only talking about slot machines at eight locations. Wait a second. That was the Governor's proposal in March and the Senate's vote in June.

Hold on, you might say. We are only talking about slot machines at 11 locations. Well, that is tonight's proposal, and there was even mention earlier tonight of a proposal to expand that to 12. That was unsuccessful at this time, but who knows if that will come back. What is before us tonight is 11 locations, and who knows what tomorrow's proposal will bring.

If you doubt that this vote on slot machines today will lead to other forms of gambling in the future, just look at how this proposal has expanded, from 4 tracks to 5 tracks to 8 tracks to 11 venues. The original proposal of 2,000 slot machines at 4 tracks entailed a total of 8,000 slot machines. Tonight, potentially, we are talking about 5,000 slot machines at 11 different locations – up to 5,000 slot machines at 11 different locations. That would entail or could entail a total of 55,000 slot machines. That is a lot of slots. If you figure that the average

slot machine is about 2 feet wide and you put those 55,000 slot machines side by side, that row of slot machines would stretch for 22 miles down the highway. Is that really how we want to say welcome to Pennsylvania?

This slot machine proposal comes with an optimistic projection of \$1 billion in new revenue. In year 1, proponents say, that would come from a combination of the license fees and also the 34-percent tax, but in year 2 and year 3 and beyond, that \$1 billion is supposed to come strictly from the 34-percent share of the slot machines revenue, the 34-percent State tax.

Let us take a closer look at these numbers. For the State to get \$1 billion of revenue from a 34-percent tax, the owners of the racetrack slot machines and the city slot parlors would have to generate a total of \$2.94 billion in net gambling revenue – \$2,941,176,470 to be exact. That is right: 34 percent of \$2.94 billion equals the \$1 billion in revenue that is being projected. But we must remember that gambling revenues for the tracks and the parlors mean gambling losses for our citizens – \$2.94 billion worth of gambling losses every year.

I do realize that some out-of-State residents would be coming into Pennsylvania to gamble at Pennsylvania slot machines, but you must remember that also some Pennsylvania residents will continue to travel out of State to gamble at other locations in other States. Gambling dollars will cross the State lines in both directions, quite possibly in roughly equal numbers. So for purposes of this analysis, I did the math and I tried to figure out how much each citizen of Pennsylvania would have to lose every year just to make this equation add up and to generate the \$2.94 billion in net gambling losses needed in the proposal that is before us.

The 2000 census counted 12.2 million residents of Pennsylvania, but 28 percent of our residents are under the age of 21 and thus would not be permitted to play the slot machines. The 2000 census reported that there are 8,842,276 people in Pennsylvania who are over the age of 21. In order to generate \$2.94 billion in net gambling revenue so that the State could get a \$1 billion share from a 34-percent tax, each and every one of the 8.8 million adults in Pennsylvania would have to lose \$332 a year. That is \$332 or \$664 for every married couple in Pennsylvania.

You know and I know that not every adult in Pennsylvania is going to choose to play the slot machines. So what if only half of the adults in Pennsylvania choose to play the slots? That means that 4.4 million people would have to lose \$665 apiece, \$1330 per married couple, just to make this add up. And what if only one out of three Pennsylvania adults chooses to play the slots, a more realistic projection? That is still a significant number of slot players, more than 2.9 million slot players across Pennsylvania, but each of those 2.9 million people would have to lose \$998 a year, \$1996 per married couple if both husband and wife choose to gamble, just to make this equation add up. We can do this math in our head. If you figure that there are roughly 3 million Pennsylvanians who need to generate roughly \$3 billion in net gambling revenue, that is \$1,000 per capita. That is a lot of gambling. That is a lot of money out of the family budget for millions of Pennsylvanians.

The impact on our families and our communities would be significant, as several speakers have said this evening. Many States are choosing to chase after the easy money of gambling. We do not have to join them. There is a better way.

Robert Frost concluded his poem by writing:

Two roads diverged in a wood, and I –
I chose the one less traveled by,
And that has made all the difference.

I urge my colleagues to resist the lure of easy money and vote “no” on this proposal this evening. In the years to come, that will make all the difference for our great Commonwealth.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The next five speakers are Mr. George, Mr. Boyd, Mr. Coleman, Mr. Stern, Mr. Sather.

At this time the Chair recognizes the gentleman from Clearfield, Mr. George.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, I will not be long.

Now, we have all been here— I will not be long, Mr. Speaker. You can be sure of that. I simply want to reflect just a couple of moments, and that is all, on some of the things that we have heard over the last 8 or 9 hours. An individual, a good friend of mine, said about 4 hours ago, gambling is immoral. I happen to believe him and I happen to agree with him, but it is also immoral to stand around and watch people hungry and do nothing. It is immoral to be able to look across at your neighbors and see they are having difficulty, and you are in a position to at least try to do something about it and you do not.

Now, this Governor took over in January after his two predecessors had \$6 billion to go through. They spent about two-thirds of that on what we call job creation. The end result is, we have lost 66,000 jobs in Pennsylvania. Just last week I lost a plant in Clearfield with 70 – no, not 7,000 – but that 70 will destroy the sanctity of that community. Six months ago we lost FCI, 750, and where do we go? And I can assure you, Mr. Speaker, because I discussed it with you, that when I came down here Monday evening I was not going to vote for this bill, because I willingly agree that those who lose money gambling unfortunately are those that can least afford to lose it. But the people I am worried about are those senior citizens, those people out of work, those people that are looking toward the 203 of us to restore semblance to this Commonwealth. I believe our Governor will do that, but I believe he is going to have to have a little help.

And I do not want to say anything difficult about my colleagues; they have every right to believe what they believe, but I am waiting until the day when it is going to be a call to arms in the matter of raising taxes, and I want to see how many of those moral people are willing to put up that tax vote, that are as concerned about the people as they say they are. And again, I do not differentiate myself from them; I do not like gambling, but I need to be assured that the job I am given as it is the job you were given, that we shoulder this responsibility. It is not the Governor’s; it is ours.

And so as the days go on, and even tonight I will have something to say on that one bill, because I can assure you, Mr. Speaker, there are people who depend on us, and if they were to rate us from 1 to 10, I am afraid it would not be very high. We have done nothing but been frivolous over the last couple of months. Today was the worst example. Today, one individual colleague said, “what a day this has been.” He could have added and said, “and what a mood we are in,” because the truth is, when I looked at those sheets and saw that my district

would get about \$5 million, how could I in good conscience, how could I, thinking I am a decent individual, how could I say no to those people that find those real estate and school taxes so regressive? And oh, so many of these young people who never went through a depression like I did, they have the brilliance of mind; they just sometimes do not have the logic of experience.

So, Mr. Speaker, thank you. And again, I do not find fault with you who may not be voting the way I do; I find fault with all of us in that we are just not doing the job that we should be doing.

Thank you, Mr. Speaker.

THE SPEAKER PRO TEMPORE (JERRY BIRMELIN) PRESIDING

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Lancaster County, Mr. Boyd.

Mr. BOYD. Thank you, Mr. Speaker.

1:10, July 19. This is a historic occasion. We all come from different walks of life. Some of us are attorneys; some of us are teachers, doctors, lawyers, moms, dads, social activists, community leaders. Me, I am a businessperson, owned and operated a small company, and so just about everything I do, I evaluate from risk-reward. In fact, my wife gets sick of that. I always look at the ups and downs of everything. So what is my return on this investment I am going to make? And often, unfortunately, when we make decisions we do not always look at the ups and the downs; we just always look at the ups. So last night I gave a lot of thought to this proposal that was before us and I did an evaluation, put the pros on one side, the cons on the other, like I do any decision in life, and so I just wanted to briefly review with you the pros and cons.

If this bill passes, Pennsylvania will become the second largest gambling mecca in the United States – 55,000 slot machines throughout the State. It is a slot machine for every 21 people. Recognizing this, what are the costs going to be? Well, you know, we have heard a lot about the costs involved. We heard about bankruptcies and suicides. Just out of curiosity’s sake, has anybody ever experienced bankruptcy? Had anybody ever provided a good or a service for somebody where they owed you money and they went bankrupt and did not pay you? I have. I lost \$91,000 one time. It is not very pleasant.

Addiction. We are going to have a lot of that, not just gambling addiction, because we are going to be having, at this point, I think, only one free drink, but I have an idea it might lead to a few more down the road. We will have alcoholism, prostitution, organized crime, drugs, crime in general. I was out at a conference one time in Vegas. All of a sudden the hotel room next to us, they walled off the room, and there was a murder. I thought that was interesting.

Lots of peripheral effect on small business. My little journey to Atlantic City, I noticed there is no small business. I was at a beachfront resort – no pizza shops, no saltwater taffy, no popcorn, just casinos. Everywhere you turned, just casinos. Every small business is consumed. One of the photographs that I took – it was really great – there were two hotels, small hotels, vacant on either corner – vacancies, middle of July, gorgeous weekend – and in the windows they had converted rooms to cash-for-gold shops, but across the street the Tropicana was

going through a massive multimillion-, probably billion-dollar expansion. I thought that was interesting.

It is going to lead to a lot of new Pennsylvania businesses – strip bars, pawn shops, liquor stores. They are going to become hot numbers, I would imagine. And I was wondering what the effect is going to be on the other tourist venues throughout the State. What is going to happen to Hersheypark? What is going to happen to Sesame Place? I guess Sesame Place will not take a beating; I do not think the young kids will be wanting to go to the casinos. What about their parents? The billion dollars that we are going to take in, is that disposable income? I was wondering where that money is going to come from. But that is some of the downsides.

I made a quick analysis, and then I started thinking about, all right, well, what are the upsides, and right away you got to come to the billion dollars. That is billion with a “b.” That is a lot of money. That is good bucks. And I started thinking, all right, well, a billion dollars, what can we do with a billion dollars? I was wondering what the minority leader would do with a billion dollars. That is a nice number, is it not? B-b-billion; I thought that was pretty good. So I started thinking, well, we got \$17 million annually to the convention center in Philadelphia. I guess that is an investment, evaluate how that would work, the number of jobs there. Seven million dollars in western Pennsylvania; I believe I have that correct, so, you know, I like hockey; I am a hockey fan. Millions of dollars to support other programs throughout the State. But the real, the silver bullet, the piece de resistance, is property tax relief, roughly a billion dollars less these other funds for property tax relief, and I thought thankfully, finally – I mean, I am a new member, but I heard plenty about property tax relief – finally, property tax relief. So I went to my chart and I said, what do I get out of this? What property tax am I going to deliver to my folks back home? Basically, it comes down to about 365 bucks.

Now, we can raise that by raising the earned income with local option, but right now, the billion is about \$365, if I read my chart right – yeah, a billion dollars is not what it used to be – \$365, which is about a buck a day. So I was thinking, for the price of a soda – for the folks from western Pennsylvania, pop – we are going to get a billion dollars’ worth of gambling. Well, as an investor, not a gambler, as an investor, I did not think that that was a real good investment, but what really concerned me is what we did not get, and what we did not get is the restoration of a lot of funds that were cut. We do not get library funds; we do not get drug and alcohol rehabilitation funds; we do not get the human service development funds; we do not get the health and human services funds. We have all of these things – we have not fixed the structural deficit in the budget – we have all of these things that we have got to deal with, and we have spent the billion dollars. The billion dollars is gone. So as an investor, I just did not think it was a real good, wise investment.

So I guess the question is, where does it leave us now, and I guess in a couple weeks we will be back here trying to figure out those other issues. But in the meantime, 1:15, July 19, I will leave you. I wanted to give you a souvenir. I hope you do not mind a little bit of frivolity. We had printed up some cards. They are called frequent-loser cards, because when you go to the casinos, they give you a little card, and you can put it in the slot and you can play all day, and, you know, they can keep track of how much you have lost, and if you are a really good loser, then they invite you back for more and more. So I thought

I would have some frequent-loser cards printed up. It is a good souvenir, kind of a novelty that you can hang on to and remember this momentous occasion, and the one thing we have got to root for in Pennsylvania is, we need lots of losers. So come on, losers.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Armstrong County, Mr. Coleman.

Mr. COLEMAN. Thank you, Mr. Speaker.

I rise tonight to oppose HB 623, and, Mr. Speaker, at the onset I must say this is a sad, disappointing, and somewhat discouraging night for this 28-year-old second-term House member.

When I first took the oath a little over 2 years ago, the distinguished leader of the Democrats labeled me and some of the new GOP recruits the “doe-eyed” freshmen, implying perhaps that we were more than a little awestruck by the honor of serving, maybe somewhat naive, taken by the grandeur of this hall, this chamber, and the weight of our new jobs. Naive to a process, Mr. Speaker, where these big deals are cut, signed, and sealed between leaders and Governors, leaving little to debate and almost nothing, nothing to chance. Naive to the predictable outcomes before a green or a red button is ever pushed or a vote put up on one of those big light-up boards. Tonight, Mr. Speaker, I am offering these brief comments because I still want to be a little naive, not soured to this process or incurably cynical like so many good people who have retired from service in this House.

Mr. Speaker, I am convinced that gambling expansion in Pennsylvania is not, as the hallway and cloakroom chatter would suggest tonight, a done deal. Mr. Speaker, I am even more certain that in this room, in this chamber, in this hall tonight, the same compassionate men and women who have battled on the side of working families and at-risk children and urban and rural minorities and single moms and low-income wage earners, the addicted, the abused, the dependent, the homeless, the disenfranchised, those defenders of the minimum wage, the living wage, collective bargaining, and student aid and a host of laws they claim will put food on tables and clothes on the backs of children and send a new generation of poor kids to college, no, Mr. Speaker, I know that those who have staked their careers and political fortunes on helping working moms and dads and their kids will not vote for a bill that in concrete statistics will raid the college funds of a family in Waynesburg or New Kensington or Johnstown.

I know, Mr. Speaker, that the people in this room who stood up when no one else would to fight for teenagers chained to crack cocaine or pot or heroin or alcohol will not even think about voting for a bill that in study after study plainly shows will create a new generation locked in to the false promises of cheap thrills at the corner slot parlor in Pittsburgh or Philadelphia. No, I might be naive, Mr. Speaker, but I am pretty sure, I am pretty sure no one who campaigns every election year on increasing the minimum wage would dare vote to give discount licenses to a corporate gambling industry whose marketing department targets Pennsylvania’s working class.

Mr. Speaker, the Governor a couple of months ago carved out huge chunks of dollars from the budgets of frontline counselors and trained professionals that serve in the dark, difficult world of addiction and recovery. But, Mr. Speaker, the

Governor is asking us to green-light a plan that in study after exhaustive study suggests will send tens of thousands of compulsive and addicted gamblers from places like Old Ford, Pennsylvania, and Kingston in the storied Wyoming Valley searching, searching for help, coming to the same State government for money that now aids thousands of families ravaged by the demons of drug addiction.

Mr. Speaker, the defenders of Pennsylvania's working families will not vote for this bill, because they know that in order for the Governor's plan to work, now to really work, it is not enough to have the buses loaded with our grandmas headed to Atlantic City and Wheeling turn around and instead gamble in Pennsylvania. No, Mr. Speaker, they understand, these defenders of the working families, that 60 percent of the take from a gambling operation comes from the very people they want to help – from the disposable incomes of the late crew at Wal-Mart and the 5 a.m. shift at Sheetz and the factory workers and coal miners – straight from the paychecks of Pennsylvania's rock-solid blue collar.

And, Mr. Speaker, they know, they know this bill is not about responsible adults spending the family entertainment budget in our State instead of Las Vegas or Atlantic City. No, every single one of the champions of organized labor and the expansion of the social and human service network know that this bill is about sticking the next legislature and the one that follows and the one that follows after that with a \$3 bill for every \$1 the Governor claims we will earn by expanding gambling.

Mr. Speaker, I might be naive, but I am convinced in my heart of hearts that the members of this House, particularly the endorsed partners of the working men and women of Pennsylvania, will vote against this bill that without question, without an inch of doubt, will take clothes off the backs of children and food off the tables of thousands of families in every corner of Pennsylvania.

Tonight, Mr. Speaker, this doe-eyed member of the Pennsylvania House believes, perhaps with some wished-for naivete, that Pennsylvania's progressive Democrats and profamily Republicans will stop this bill from leaving this chamber, because if it does not, Mr. Speaker, in short order, as soon as the first quarter drops in one of those convenient makeshift, corrugated-tin gambling centers, we will get just what the Governor ordered. We will get a "New Pennsylvania," a New Pennsylvania where thousands of kids will go without the basics of life because the limousine CEO's of big gaming have convinced a few dozen lawmakers that this is easy cash with no consequences and that Atlantic City and Las Vegas could never happen here. But for this New Pennsylvania, we will just have to ignore the stubborn facts, ignore the clear, compelling evidence, ignore the busloads of new losers and their families whose lives will be permanently forever changed by this vote.

Mr. Speaker, in closing, I will leave the floor tonight, this morning, wondering why we were in such a hurry in the summer of 2003 to enact someone's vision of a New Pennsylvania when that vision is paid for on the backs of Pennsylvania's working families. Mr. Speaker, they do not call them one-armed bandits for nothing.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Blair County, Mr. Stern.

Mr. STERN. Thank you, Mr. Speaker.

"Gaming corrupts our disposition and teaches us a habit of hostility against all mankind." Thomas Jefferson said that. I am not sure where he was visiting whenever he made that comment. Yet we stand here tonight to debate the validity of the legalization of limited gambling on the grounds that it will create new funds. This is truly a sad state of affairs.

Numerous studies have found that the social and judicial costs of gambling when introduced into a society far outnumber the revenue that is created by such enterprises. This is clearly illustrated by the rapid multiplication in the number of illegal actions that occur in areas surrounding the gaming facilities, as clearly described in Attorney General Joseph Curran, Jr.'s report, "The House Never Loses and Maryland Cannot Win."

It is argued that slots are needed to save the horse racing industry in Pennsylvania by making track facilities more competitive with those in surrounding States, heedless of the fact that Penn National Gaming, the company who owns and operates two of the four current Pennsylvania tracks, is also the owner of the track and gambling operation at Charles Town, West Virginia, which ironically and deceitfully this company lists as one of its biggest competitors.

Moreover, it is naive and foolhardy to believe that if our Commonwealth legalizes limited gambling as a solution in the search to make one industry more competitive with its neighbors, neighboring States will not also increase the amount of legalized gambling in an effort not to lose out on its revenue programs as well. One such State, Delaware, is already considering legalized gaming tables such as roulette as well as sporting-event wagering to compete with the possibility that Pennsylvania will legalize slots.

Are we ready for full-fledged casinos, riverboat gambling, Internet wagering, and sports wagering to enter our Commonwealth just so that we can stay competitive? If so, then we are not considering limited gaming tonight but rather the gambling industry, period. But if we are not ready for the intrusion of such facilities, then we are not ready for slots, because they only open the gateway for these gambling possibilities in our homeland.

The wise legislatures in Illinois, New Hampshire, Florida, Kentucky, Kansas, Ohio, and Maryland have wisely decided not to install slot machines at their racetracks, thus demonstrating that there are other options available to those considering slots legislation. Furthermore, since Ohio is still our neighbor to the west and Maryland is still our neighbor to the south, our Commonwealth is not completely surrounded by places where gambling facilities are legalized, as proponents of gambling expansion have suggested.

Economically, this legislation is marketed as a great source of new revenue. However, leading authorities on the gambling industry are quick to point out that gambling expansion in an area does not provide new revenue but rather diverts revenue from other businesses and industries. This being said, what about other Pennsylvania businesses and industries? Every dollar spent gambling cannot be spent on other endeavors such as purchasing a home, buying Pennsylvania-made products, and/or visiting other Pennsylvania tourist attractions.

This translates simply into further economic degeneration, not economic stimulus for Pennsylvania industries.

Finally, this legislation stresses that its primary objective under its legislative intent is “to protect the public through the regulation and policing of all activities involving gambling.” Rather, rational logic would tell you otherwise. It dictates that this would not need to be the first objective if problems could not easily occur, as gambling supporters argue. The numerous studies, surveys, and facts, including the Maryland report as well as statistics from Gamblers’ Anonymous, Casino Watch, and the National Council on Problem Gambling, verify that problems do exist and multiply when gambling is expanded into new areas. This does not sound like the protection of the public welfare.

Who pays for these increases in legal and judicial costs such as extra officers, heavier court caseloads, and domestic violence support networks? Who handles the litigation costs and possible payments to gamblers and their families when they have reached the last straw and begin a string of lawsuits against all organizations, including government, involved in the legalization of gambling, because availability is the first step to addiction. The answer to the “who pays” question will not be the millionaire owners of the racetracks and the gambling licenses. Problem gamblers will not pay either but will require more funds to either support their binges or eventually seek help.

The answer is simple: The taxpayers of this Commonwealth will pay. Those meant to benefit from a so-called new source of State income will pick up the tab for those who face the ills of addiction while lining the pockets of the newly made multimillionaires who avoid taxes by claiming huge debts and liabilities while controlling Pennsylvania’s gambling from other countries such as Canada and the United Kingdom.

This is not protecting the public, but rather it is opening our society to more destructive influences than can easily be measured. In short, it is a moral suicide of the worst caliber, a slow and costly poison to the virtue of our State. In the words of Oscar Wilde, it is a scheme which “never should have had or should ever have any chance of success. It is an infamous...fraud of the worst possible kind. This great nation has long been a great commercial power. Now it seems there exist a growing compulsion to use that power merely to beget more power. Money merely to beget more money. Irrespective of the true cost to the nation’s soul. And it is this sickness, a kind of moral blindness,” so to speak, “commerce without conscience, which threatens to strike at the very soul of this [commonwealth].”

In this bill, HB 623, \$1.5 million is earmarked for gambling addiction. Just figuring the lowest social science statistic of 2 percent of adults, we will create approximately 180,000 more addicts, and if you figure 2 percent of 9 million adults divided into \$1 1/2 million, that comes out to about \$8.33 per person. That will buy them about 5 minutes’ worth of a counseling session at a counselor to help with their addiction problems.

And earlier I had an amendment that could have protected the lottery and the programs that it supports. Representative George very eloquently stated, he mentioned the senior citizens and the programs that benefit the seniors, and I stand before you tonight to tell you that we will revisit the lottery issue in the future and the programs that could be jeopardized by supporting the final passage of this bill.

I have remarks that I would like to submit for the record. Since this body is about policy and much of what we do here is done concerning the policy of this Commonwealth, I put together a report on policy issues regarding gambling, and I would like to read just the last paragraph before I close.

“Gambling expansion as a short-term fix for economic woes is no new ideal, but neither are the long-term effects of social and economic decay. The numerous hardships outlined in this report only scratch the surface of the societal corrosion that gambling and its empty promises will inflict upon the public. Many of our leaders in business, industry and professional life have attained great success without knowing one card from another or which way the horses run around the track, so gambling is not necessary for economic stimulus; and as for horse racing, the commonwealth does not need to assist one industry over and above the hundreds of others which bring revenue to the state. Is it not the challenge of every industry to market itself to the public? An owner named Bill Veeck showed it could be done with baseball a half-century ago, so gambling is not the only answer for reviving an entertainment industry. Slots legalization is like ‘smoke and mirrors’. It diverts public attention from the sort of economic growth programs, for which the people of the commonwealth have petitioned to the legislators. ‘The idea that somehow, someday, we will control gambling is the great obsession of every compulsive gambler,’ and that is one bet that should never be made.”

I would urge a “no” vote on concurrence.

REPORT AND REMARKS SUBMITTED FOR THE RECORD

Mr. STERN submitted a report and remarks for the Legislative Journal.

(For report and remarks, see Appendix.)

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Sather, from Huntingdon County.

Mr. SATHER. Thank you, Mr. Speaker.

I want to share just a few thoughts with you this evening. I can assure you that if it goes beyond more than 3 minutes, Mr. Speaker, you can rap me down in a hurry.

First off, I want to share some thoughts from the State Government Committee when in the past we were dealing with gambling, I think I called it – you know, in fact, it was called gambling at that time – and we had people who testified before us in a hearing that we had, and these two gentlemen who were there, I asked them the question – they were members of Gamblers’ Anonymous – and I said to the one gentleman, how much did you lose? And he said, a high six figures. But, he said, that is not the worst part of it. He said, I lost my family; I lost my wife, my children, and I lost my business. And he said, those things last and should last a lifetime. The other gentleman said something very similar, about a half million dollars he lost, and the same scenario played out – he lost family, business, and a lot of good friends.

Then more recently we had in the past years a young man from Penn State University who, through means, was given a credit card while he was on campus, a credit card of his own, and he blew through that credit card limit in gambling, and then

he borrowed his father's credit card – of course, the father did not know he had borrowed it – and blew through that credit line, and the father, one of the few times he used the card, found out he had no credit limit left. Those are just some of the examples.

I was taught many years ago – many years ago – that you lead by example. As adults, we should be leading by example. I hope this New Pennsylvania is worth all of this suffering that I believe will occur. I hope not, I desperately hope not, but I am not so sure that the message that we are sending to our young people is the message that we should be sending as an adult population who should lead by example.

I am voting “no.” Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

For the information of the members, our next five speakers are Representative Horsey, Representative Forcier, Representative Preston, Representative Sainato, and Representative Hutchinson.

At this time the Chair recognizes the gentleman from Philadelphia, Mr. Horsey.

Mr. HORSEY. Thank you, Mr. Speaker.

Mr. Speaker, I promise not to be long. I promise not to be long, Mr. Speaker, because it has been a long night.

Mr. Speaker, when we begin our sessions, the first thing we do, we take a sworn oath to the U.S. Constitution and to the State Constitution. We are dealing with gambling today, Mr. Speaker, and within the confines of the Constitution, and I have mentioned it to the previous speaker, that the first thing that new members should get is a copy of the State Constitution and the U.S. Constitution, because guess what our sworn responsibility is? To carry that Constitution out to the best of our ability. This evening, Mr. Speaker, we are extending the right to individual citizens to do as their conscience allows them to do, their individual conscience. The Constitution talks about the right to life, liberty, and the pursuit of happiness. The Bill of Rights talks about the right to privacy and association. Mr. Speaker— Mr. Speaker?

The SPEAKER pro tempore. Does the gentleman have an inquiry?

Mr. HORSEY. I am losing my train of thought, Mr. Speaker. Can you ask them to—

The SPEAKER pro tempore. You are one of the few that has a train of thought at this late date.

Mr. HORSEY. Thank you, Mr. Speaker. Thank you.

The SPEAKER pro tempore. The gentleman would like to ask the rest of the membership if they would—

Mr. HORSEY. Just hold it down a little.

The SPEAKER pro tempore. —have the courtesy of being quiet. You know, if it is a problem for you to do that, you might want to just nod off for a while.

Mr. HORSEY. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. HORSEY. Thank you, Mr. Speaker.

Under the State Constitution it guarantees us the right to life, liberty, and the pursuit of happiness, and the U.S. Supreme Court has ruled over and over again that no matter how onerous that conduct might be, people do in fact have the right to associate and have a right to privacy. If people choose, and it is a terrible thing to say, but if people choose to gamble their lives away, guess what, Mr. Speaker? In America, our responsibility in a democracy is to ensure the Constitution and to extend

choice to people. Choice in a democracy is the most important thing that you can extend to a citizen in this country, the right of people to go and in fact gamble their life savings away, with the reminder all the time, Mr. Speaker, that with choice comes consequences, and when they use those choices to do what they need to do, there are consequences for it.

Now, I know there are many, many gentlemen over there who want us to be big brothers and, you know, stop them from harming themselves, but I am sorry. Under the U.S. Constitution, they have a right to in fact harm themselves. Sorry about that. People smoke every day. People drink every day. People drive without seatbelts every day. No matter how we regulate it, they do these things, okay?

We live in a democracy, Mr. Speaker. This evening we are extending choice to Pennsylvanians. We are giving them the right to, if they choose to, gamble. And just for the record, Mr. Speaker, they have proven, whether it is in Pennsylvania, New Jersey, Delaware, Maryland, or West Virginia, they are going to vote with their feet and they are going to in fact gamble, whether we allow it in Pennsylvania or not. They are going to do that. That is a conduct, and that is what they want to do.

So, Mr. Speaker, our responsibility under the Constitution – life, liberty, and the pursuit of happiness – is to allow Pennsylvanians to be happy by extending choice to them to do in fact what they are doing in other States anyway legally, and that is gambling, Mr. Speaker. It may hurt us, we may not want this to happen, we may be morally outraged that they choose to do this, but in a democracy our responsibility is to extend choice and to allow them to do that if that is what they want to do.

And with that, Mr. Speaker, I am going to ask for support of HB 623. I told you I would be short. I got three or four more pages, but I will stop right here and say please support HB 623. It is late.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the lady from Crawford County, Representative Forcier.

Mrs. FORCIER. Thank you, Mr. Speaker.

I know that my constituents have a serious concern about the impact that the expansion of gambling has on their families. When I am out and about, I am continually asked, “Teresa, are you still opposing gambling?” “Teresa, how do you feel on gambling?” and I continue to tell them that I will oppose this.

One day I ran across my classmate, and he said, “Teresa, I have something I want to tell you.” He said, “You know I am in construction. I work very hard. My wife and I take a vacation once a year.” And he said, “What we like to do is we like to go and we like to gamble,” and I thought, well, he is telling me he supports gambling. He said, “But you know what?” He said, “I only do it once a year,” and he said, “If we had gambling in Pennsylvania, I have a fear that I will be doing it more often and it will affect my family,” and I was very surprised to hear that, because I thought for sure he would say he likes to gamble, that is what he does, he works hard, he deserves to play hard, but that is what he told me. And that sticks in my mind on just reminding everyone that, really, there is going to be an impact, a major serious impact, on families in Pennsylvania if we do vote to expand the gambling in Pennsylvania.

So I ask my colleagues on both sides of the aisle to please think about this and please vote “no.” Thank you.

The SPEAKER pro tempore. The Chair thanks the lady and recognizes the gentleman from Allegheny County, Mr. Preston.

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

You know, if I sat down and I listened about the fire and the doom that I have heard from some people, we might be nervous about even standing in this building, but it is a little bit more about being a member and the full responsibility of being a member of this august body.

Up there on the ceiling it says, "And Ye Shall Know The Truth, And The Truth Shall Make You Free." Now, maybe not a lot of us have looked at that, but the truth shall make you free, and it should be the truth, and sometimes some of us speak with a double tongue. It is a real responsibility to be for something or to be against something.

Now, let us look at it. We have the gentleman from Cranberry Township, Butler County, Mr. Metcalfe, who is dead set against the expansion of gambling and I would almost say about being against gambling. One of his lucky constituents or someone in his district bought a ticket for 130-something-odd million dollars. Now, if you are for something, I do not see him running up and saying we ought to close the lottery down. I do not see him telling the constituent to give the money back. I am still trying to figure out how someone can be for something and be against something so much at the same time. The truth shall make you free, and sometimes some of us speak with that double tongue.

I have not seen one member, and primarily it is coming from the other side of the aisle, offer a bill to stop and close down the Lottery Fund. All those districts that have all of those bingo games, the truth shall make you free. I have not seen that bill yet. You are for it or you are against it.

We have a responsibility, and gambling as well as everyday life is a responsibility, but we should not be misleading the people. We should not be – and excuse me for saying it this way – lying to the people, that if you are against something, be against it all of the way. You are either on the field playing or you are on the sidelines watching someone else do something. Now, how long can we tolerate that, and how long is it fair to our constituents to lie to them like that? Give the money back to the Lottery Fund; close the Lottery Fund. Stop all of the gambling. Stop all of the bingo.

We have to be careful because, again, we are adults, and we are going into a new era. We have to be really responsible. I heard the word "immoral." Well, those people who use the word "immoral," if you are for something or if you are against it, be one way or the other and introduce the legislation to stop all of it, all of it altogether.

You know, Mr. Speaker, I learned something. When you go into surgery for cancer, you want the doctor to remove everything and every part of that cancer. You do not want him to say, well, just leave a little bit. You want all of it to be removed. Well, somewhere along when we talk about the moral fortitude that once was supposed to happen, it seems like one side thinks they are more moral than the other.

In this august body I have seen some very terrible things happen. I have actually watched, unfortunately, some of our members commit crimes, some of our own active members support crimes, and even some of us are convicted felons out there and some of us will even still associate with them; we even give them money. You are either for it or you are against it. You are on the field or you get off.

Now, how can we really call ourselves and speak about morality when some of us ourselves are not even practicing it. We should be very serious about this. Gambling is not just a fun thing; it is part of entertainment, but again, we have to be responsible for it. But those of us who speak with a forked tongue or those of us who say that I am against something but still do not eradicate it or cut out the cancer I think really need to shut up and sit down, and let us just vote for 623.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Lawrence County, Mr. Sainato.

Mr. SAINATO. Thank you, Mr. Speaker.

I will try to be brief. I know the hour is long. I never thought this debate would last 12 hours, but it has. It is probably going to go another hour. But I think, you know, we are at that point, I have heard many speakers tonight talk about the crossroads of which way we are going to go. Mr. Speaker, this has been coming for many years. We have talked about this issue; we have talked about property taxes; we have talked about slots, but now we are at that crossroads. We have to make these decisions.

People, people throughout the State, have always talked about property taxes. No matter where you go, they say, my property taxes are too high. Tonight we are going to do something about that. We are going to help every property owner in this State. But, Mr. Speaker, no matter what we do, we have to pay for it. We have to pay for it, and we have all heard that. People in Pennsylvania, they do not want to pay a higher personal income tax. They do not want to pay a higher sales tax. They do not want to pay any more taxes, Mr. Speaker, so you have to find sources of income.

We have been under attack for many years by many of our border States. West Virginia, a State which I am near. West Virginia, a poor State? It is not poor anymore, Mr. Speaker. Mr. Speaker, they are taking care of their kids and the schools, they are taking care of their senior citizens, and guess who is paying for it? It is the people of Pennsylvania and the people of Ohio, because they have less than 10 percent of their own people playing those machines.

Delaware. Delaware, where do all those customers come from? Pennsylvania. Go to Atlantic City and look at some of the plates – Pennsylvania. Go up to New York, the newest one, Seneca, where they are taking buses by the thousands. Where are most of those people coming from? Pennsylvania. So, Mr. Speaker, we are at that crossroads. Gambling is not the solution, gambling is not the solution to the problem, but we cannot ignore it. We are losing \$3 billion a year to the other States. We need to do something about high property taxes in Pennsylvania.

I do give Governor Rendell credit. He has stepped up to the plate on this issue, and something is going to happen. Something is going to happen and something is going to happen tonight, and we need to pass HB 623. One billion dollars, \$1 billion in property tax cuts – that is what the bottom line has come down to. We pass this bill, we can finally give property tax relief to many of those who cannot afford to stay in their homes. That is what it is all about, Mr. Speaker, keeping those Pennsylvania dollars in Pennsylvania, and we need to attract some of those other dollars into Pennsylvania.

I have served on the House Tourism Committee for 8 1/2 years. I know the value of tourism in Pennsylvania.

With destination resorts, which this bill creates, we are not talking about some cheap parlors with a few slot machines. We are talking about destination resorts. What a destination resort will do is attract tourism. We want people from Maryland to come to Pennsylvania; we want people from Delaware to come to Pennsylvania; and I think those people in West Virginia and Ohio need to come check out Pennsylvania, and maybe if they are going to play some slots, that is great, but they might be able to do a lot of other things at these tourist resorts that are going to be going up in this State.

So, Mr. Speaker, tourism is our number two industry and soon could be our number one industry. We are helping tourism. We are helping our number one industry, agriculture, because there are 35,000 jobs involved in the horse racing industry in Pennsylvania, and we are also creating jobs.

Is gambling the solution? I do not know. I respect my colleagues on the other side who are opposing this issue. They were very passionate in their pleas, and I respect them, because everyone has a right to their opinion. Where I live, Mr. Speaker, Mountaineer Park is 42 miles from my district, and I see what goes there every day, when the buses leave and the cars leave. It is less than an hour.

So I see what is happening in my district, but I know one thing, Mr. Speaker, we are at that crossroads, and I think we are finally going to do something in Pennsylvania for two things: We are going to try to keep the money here, we are going to try to attract new money from out of State; and we are going to do something for property taxes.

So I would encourage my colleagues to support HB 623. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

For the information of the members, we only have six members who are scheduled to speak. They are in this order: Representatives Hutchinson, Armstrong, Fairchild, Metcalfe, James, and Clymer.

The Chair recognizes, for 60 seconds at maximum, Representative Hutchinson.

Mr. HUTCHINSON. Thank you, Mr. Speaker.

Mr. Speaker, previous speakers have referred to a crossroads that we are reaching tonight. I prefer to say it as July 19, 2003, a date which will live in infamy. The House of Representatives of the Commonwealth of Pennsylvania was suddenly and deliberately attacked by one-armed bandits of the politically connected, multimillionaire casino owners. Yes, Mr. Speaker, this is the day that one-armed bandits are poised to become a major revenue source of Pennsylvania State government and a blight upon our communities.

This is a day that we are sending the wrong message but a very loud and clear message that persistence and hard work are not how you get ahead, but rather, we are sending the message that get-rich-quick schemes and taking the easy way out are the way to go.

We are saying incorrectly that you can get something for nothing by playing slots, and I believe that the future of our State will be paved with broken lives, broken dreams, for thousands because of legislation which we are poised to vote on this evening.

Mr. Speaker, several times this past week members have announced from the Chair or from the floor about personal announcements about family milestones like the birth of a

grandchild or birthdates of children. Yesterday, July 18, happened to be the seventh birthday of my middle daughter, Anne Marie. Rather than being able to spend the day with her and my wife and other daughters while they visited Erie Zoo, I was here doing my job and hopefully trying to make Pennsylvania a little bit better place to live. Unfortunately, if this bill passes, I think I will have failed in my mission. I just hope that my daughter does not ask me what we did today.

So, Mr. Speaker, I ask the members to join me in voting “no” on final passage of this bill. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lancaster County, Representative Armstrong.

Mr. ARMSTRONG. Thank you, Mr. Speaker.

I rise to remind this body of the motto of this Commonwealth: “Virtue, Liberty, Independence.” Those three words were carefully chosen by our founders because they understood that you could not have public liberty without first having private virtue.

Edmund Burke said that “liberty...without virtue...[is] the greatest of all...evils.” “Private and public virtue is the only Foundation of Republics,” said John Adams. John Quincy Adams said that “Without virtue, there can be no...liberty.” Sam Adams said, “He...is the truest friend to...liberty...who tries most to promote...virtue.”

Tonight I have voted consistently against gambling, because I believe it encourages vice, and I believe that vice undermines the liberty of us all. But I am prepared to vote “yes.” If someone can rise and show me that gambling does not promote virtue or that private virtue is not linked to public liberty, I will vote to support gambling, but if no one can make either one of those links, none of us should be voting to support gambling, because promoting gambling is promoting vice, and it undermines the liberty of us all.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Union County, Mr. Fairchild.

Mr. FAIRCHILD. Thank you, Mr. Speaker.

We started out in Harrisburg; literally, it was a dark and stormy night outside. Probably this debate is going to be characterized as dark and stormy. There are those of us that think that perhaps the future of Pennsylvania with the expanded gambling of this scale is going to be dark and stormy. There are others that believe that there is a new light in Pennsylvania; it is going to be a new day. Probably the truth is someplace in the middle.

I would just like to make some observations, if I may. First of all, there has been characterization of the casino owners as bad people, insinuation that they are Mafia, that somehow they are not up to par. You know, really, probably the reverse is true. These people go through a lot of scrutiny. They are good business people. In fact, if you look at the stock market and the money that they return on their investment to their people that buy stock, they are some of the best and brightest business people in the United States. They do a wonderful job of making money. That is what they are in business for. They turn dollars. And certainly, the dollars they are going to turn are going to come from mostly the taxpayers and the citizens of Pennsylvania.

I do not believe there is any doubt and I did not hear any refuting of the facts that probably most of this money is going to come from those not in the upper class, the upper economic class, perhaps not from the middle class, but probably from the lower economic scale in Pennsylvania. I think all the studies pretty well prove this. So what we have in Pennsylvania or what we are going to have – and I do not think there is any doubt that this measure will pass – is we are going to have a class of people paying the bill for the rest of us.

All of you here in this room, I do not expect you to go out and bankrupt your company that you may be with; I do not expect you to file personal bankruptcy; I do not expect you to get a divorce; I do not expect you to rob from your employer; I do not expect you to quit your job or lose your job. But a lot of people, I believe, will. That is not a good thing.

A good thing is that this will help our agricultural community. It will help the legitimate horse racing industry, and that is a good thing.

One of the things that I think I really observed, and when you do the math backwards, \$3 billion is going to be needed to get the return that we expect – \$3 billion. It was not too many years before I got here where that was just about the State budget. Three billion dollars is an awful lot of dollars, Mr. Speaker, and it has got to come from someplace. This money is not going to fall out of the sky. It is not going to come in in trainloads into Pennsylvania. It is going to come out of the pocketbooks of most of our citizens.

So how do we do this? I mean, where are we going to get this \$3 billion to spend? I believe there are about three choices where that is going to come from: paycheck or cash in your pocket or cash in the bank; it is going to come from the bills you do not pay, the taxes you do not pay, the purchases you do not make for the support of you and your family. It is going to come from those people who chose to make that decision – and they have every decision to make – that they spent that money instead of saving that money to send their kids to college, and I support that right to make that decision. You will not see Russ Fairchild going out and downrating somebody because they went to the track and put their money in slot machines and lost that money. They made that choice, and I support that choice, but is it the wise choice for us as policymakers to do that, to allow that to happen without some of the safeguards that were contained in some of the amendments that we really did not make tonight? I am disappointed that a lot of those were not even allowed to be brought up for debate on this House floor.

The other thing I would like to say is a lot of people are under the impression and if people are watching this debate on Pennsylvania TV, they somehow, I think, are getting the perception that they are not going to pay any more property taxes, that this is going to be a dollar-for-dollar tradeoff. Mr. Speaker, it is not. If we go through with the scheduled bill later on this morning, we are going to see where the chips are going to fall.

I did a little calculation, and I know on the Republican side we were given printouts, and I think on the Democratic side they were also. But I have six school districts in my district, representing three counties. I did a little math and came up with the average for the three counties. In Union County this gambling proposal will get you \$237; in Snyder County it will get you an average of \$193; and in Northumberland County, \$170.

So, Mr. Speaker, do not tell people that you are going to eliminate, do not even insinuate that you are going to solve the property tax problem in Pennsylvania, because you are not going to do it. You are playing with people's lives. You are playing with those people that you are trying to protect, the senior citizens, the people that really need the help, and I think it is a shame that people have stood here tonight and said we are going to solve the property tax problem in Pennsylvania.

We have failed miserably; we have failed miserably. And I want the people to know in the counties that I represent that you are not going to get relief from property tax reform. You will get a little bit, and that is if we make a billion dollars this year, if we make a billion dollars next year.

So do not believe it, Mr. Speaker, that we are not going to be back at this table raising taxes, raising revenues, doing other things. I think it is a sham.

The last thing I am going to say is, there was a lot of talk about buses going to Atlantic City and elsewhere. I can tell you, I went to the senior citizen center, I talked to my seniors, and do you know what they do? They get a cheap bus ticket; they get a roll of tokens; they go down to Atlantic City. They leave early in the morning; they go down to Atlantic City. A lot of them do not gamble at all. They give their tokens to somebody else on the bus who may do it. They spend the day on the boardwalk. They spend the day at the beach. They reminisce how Atlantic City used to be. They get back on the bus. They come back to central Pennsylvania, and they say, "God, it was a wonderful day," and it was, and it was. But these are not the people that are taking billions of dollars out of State. Maybe in Pittsburgh and maybe in Philadelphia, maybe you represent those people that are, but it is not my constituents in rural Pennsylvania, I can tell you that.

The last thing I am going to say is, I took a poll in my area, and I polled a lot of senior citizens in that poll, and overwhelmingly, they do not support increased gambling, especially of this magnitude, and unfortunately, when I took the poll, we were still, in a scale of things, we were still down here when we were talking about the scale. Now we are much higher.

So when the day is done today, we are going to cast a vote, and quite frankly, I do not know whether it is going to be a dark and stormy future for Pennsylvania or whether that sun is going to shine and 2 or 3 years from now we are going to say, "Boy, wasn't that 12-, 14-, 16-hour debate really a waste of time, because look how good it is."

I hope you are right; I really hope you are right, because we are playing a very serious game.

Thank you very much, and please think about that and support me when I vote "no" for HB 623.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Butler County, Mr. Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

And before I make my comments, I know I was up and kind of involved in other conversation and was told by some of my colleagues that one of our members seemed to take this a little personal and started making some comments about calling names and such, and I really feel sorry for him. I mean, if what we have to say is rubbing your conscience the wrong way and you feel guilty, the best thing to do is, you do not wash your

hands of doing the right thing; make the right vote and vote “no.”

Mr. Speaker, as I address this situation here that we have before us at this very early hour, after 2 o'clock in the morning, I would like to talk about cost and benefits; I would like to talk about dollars and cents; I would like to talk about what is right and wrong; I would like to speak about the economic impact of gambling.

The positive revenue side of gambling expansion is very easy to evaluate. After all, the current proposal estimates that \$1 billion of revenue will be generated from gambling expansion. However, when we read in the conclusion section of the National Gambling Impact Study Commission report, on June 18, 1999, it was said that “no reasonable person would argue that gambling is cost free.”

Mr. Speaker, if I could have the members' attention and a little bit of quiet here, my comments will be quick, and as I said, if your conscience will not allow you to listen, vote “no.”

The SPEAKER pro tempore. Mr. Metcalfe, I think this is about as good as it gets.

I would ask the members to try to give their attention to the speaker and, if not, to at least be quiet while they are giving him their inattention. Thank you.

Mr. METCALFE. Thank you.

As I mentioned, the commission report said that “no reasonable person would argue that gambling is cost free.” There is definitely a cost side to gambling expansion that needs to be considered, but it is much harder to ascertain than the revenue side. There are direct economic costs and indirect social costs that make it difficult to evaluate the total cost associated with gambling.

In 1994 Florida conducted a study of the social and economic impacts of legalizing gambling activities and determined that it would not benefit their State's economy to do so. Florida found that while the revenue side from gambling would range between \$324 to \$469 million a year, the crime and social costs attributable to casinos would total at least \$2.16 billion annually. That means that it would have cost Florida approximately \$5 for every \$1 of new tax revenue.

During the first 3 years of casino gambling in Atlantic City, it went from 50th in the nation per capita crime to 1st.

New tax revenues – get this – new tax revenues do not equate to painless new taxes.

We received testimony before the House Finance Committee in which one of the panel members said that gambling expansion could cost Pennsylvania more than it would collect in tax revenue. Considering these estimates, our \$1 billion in new revenue could easily be zeroed out and end up costing the taxpayers millions of dollars to allow some residents the convenience of gambling in Pennsylvania.

Gambling interests will strip wealth out of Pennsylvania, and some parents will be enticed to literally, literally, take the food off the table and the clothes off the backs of their children to satisfy their own appetites for gambling.

Gambling expansion will result in increased crime, organized crime, political corruption, as we have seen somebody here from the House go to prison for in the past, and more welfare dependency.

It will hurt families by increasing bankruptcies, suicide rates, poverty, gambling addictions, divorce, child abuse, and neglect. Where are all the liberals crying to watch out for the children?

It is estimated that problem and pathological gambling costs the U.S. economy close to \$80 billion, \$80 billion annually, and when one considers the increases in personal bankruptcies, crime, and incarcerations, that is all part of that. It is over \$10 billion more than the annual estimated cost to combat drug abuse.

It will have a cannibalizing effect on the economy. The \$50 spent at the slots could otherwise have been spent at a local restaurant, clothing store, movie theater, or even a ballpark, which we have now at taxpayer expense. That \$50 would normally be spent purchasing something with lasting value or memories for loved ones, rather than being spent in isolation in front of the one-armed bandit we call a slot machine.

The expansion of gambling is not the solution for our Commonwealth's financial problems. Government at all levels must learn to live within their means, just as our families have to.

Gambling expansion is nothing more than a temporary perceived fix with real long-term costs for Pennsylvania's taxpayers. In the long run, we will pay the price for this shortsightedness.

Gambling expansion is not the answer. It will cost the taxpayers – get this; get this – it is going to cost the taxpayers millions of dollars, and it does not make any sense.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. James, from Philadelphia County.

Mr. JAMES. Thank you, Mr. Speaker.

Mr. Speaker, I had some comments written, but I had some changes in them, so I would like to know if I can submit my remarks later. Is that possible?

The SPEAKER pro tempore. In place of your speaking at the microphone?

Mr. JAMES. That is correct.

The SPEAKER pro tempore. Oh, yes; we certainly welcome that.

Mr. JAMES. Thank you, Mr. Speaker.

And I also would just like to thank the Democratic leadership, the Republican leadership, the Governor, because I think this is important legislation, and you know, Representatives DeWeese, Veon, and Evans for all their hard work.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and may submit his remarks for the record.

REMARKS SUBMITTED FOR THE RECORD

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

Thank you, Mr. Speaker.

I rise to support final passage of HB 623. I must admit, I was not sure I was going to support this legislation. I had some concerns about the lack of consideration in the measure to help ensure that women, African-Americans, and other minorities are involved in this multimillion-dollar venture the State is about to undertake.

Due to the last-minute negotiations and considerations, I am pleased to stand here and cast my vote in support of HB 623 as amended. Most of the considerations I had hoped for have been included, and I am glad to see that the participation of women, African-Americans, and other minorities has been addressed to a large degree. Although satisfied, I am cautiously optimistic and have serious reservations due to the past

history of less-than-adequate involvement of African-Americans, women, and other minorities at every level of business, from ownership to labors, contractors, and consultants. In view of this, I would like to say that I hope the commission members and/or regulators accept the intent of the HB 623 regarding this sensitive issue.

At this time I think we should thank Gov. Ed Rendell; Democratic leadership, Representative William DeWeese, Representative Mike Veon, Representative Dwight Evans; the Republican leadership, Speaker John Perzel; and of course, Representative LeAnna Washington, chairwoman of the Pennsylvania Legislative Black Caucus, and those members of the Pennsylvania Legislative Black Caucus who stuck together, for their support and cooperation in getting this done.

Thank you.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER pro tempore. The Chair recognizes the lady from Philadelphia County, Representative Washington.

Ms. WASHINGTON. Thank you, Mr. Speaker.

Because of the hour, I am going to submit my remarks for the record.

The SPEAKER pro tempore. It is about the only way you will get cheers tonight.

Ms. WASHINGTON submitted the following remarks for the Legislative Journal:

On behalf of the members of the Pennsylvania Legislative Black Caucus, I would like to reiterate our support for the inclusion of diversity provisions in HB 623. These provisions will allow the 51 percent of Pennsylvania's population that is female and the 13 percent of Pennsylvania's population that is comprised of people of color and other minorities to be provided an equal opportunity to participate in and reap the financial rewards of this new, revenue-producing industry in Pennsylvania.

We are 19 strong – 16 legislators in the House of Representatives and 3 in the Senate – all African-American or Latino, and made clear, early on, our commitment to ensuring that minorities and women would have a role in how jobs, administration, and contracts were divvied up at racetracks and casinos. The proposal approved by the Pennsylvania House of Representatives was very modest and moderate, and we thank the members of the House of Representatives for their support of these fair and equitable proposals.

Democratic Appropriations Committee Chair Dwight Evans, along with Democratic Leader H. William DeWeese, and Senators Vincent Hughes, Anthony Williams, and Shirley Kitchen were integral to this process, for which we are most appreciative. Governor Rendell and his administration negotiators also played a major role in securing this commitment to equal opportunity in what will be, in effect, the 21st century replacement for the industrial and manufacturing jobs of the 20th century. Pennsylvania is sorely in need of new revenue sources and new opportunities to retain our young people and provide them with jobs and careers that pay a living wage, and we believe that the gaming industry will give our Commonwealth's economy a much-needed boost.

As this historic legislation moves along in the process, it is our hope that Senate leaders will be equally receptive to this very moderate approach for justice for minority communities who oftentimes in the past have been denied these opportunities and shut out of such projects and the jobs and business opportunities that are made available.

We will remain diligent as we work to encourage minority populations in Pennsylvania to take advantage of opportunities provided by the expanded gaming industry in Pennsylvania, and we will be watching closely to see that the commitments to equity made in HB 623 are honored.

The SPEAKER pro tempore. Representative DeWeese is recognized.

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

Notwithstanding the naysayers, tonight there is history on a grand scale being made in this chamber, and our endeavors undergird one of the historic advances toward real property tax reform in Pennsylvania. We have been discussing it, debating it, and postponing it for a long, long time, but until the revenue yields are forthcoming, property tax reductions have not taken place.

The crystallizing influence was the gubernatorial campaign last autumn. In the front ranks of that debate was a commitment by the Democratic standard-bearer, Edward G. Rendell, to bring about real property tax reduction.

It has been said again and again tonight but should be reiterated that thousands of jobs will be created, and thousands of jobs will be created.

Although this is still a work in progress, our brothers and sisters in the State Senate are going to deal with it soon, one way or the other. It is no longer in its embryonic form as it moves out of our chamber tonight. And we should marvel at our good fortune; the Republican Party has given us 20 or 25 votes. I am not certain how many, but nevertheless, they have been helpful. It has been collaborative.

But it should not be forgotten that the Democratic House, during the entire Ridge administration, during those years of pregnant surpluses of \$200 to \$900 million a year, beseeched the executive branch to take the bull by the horns and help us realize real property tax reform. It never happened. Year after year after year, it never happened.

Gaming – a novel device but yet one that has been realized in other States – is allowing us to take these steps tonight.

The well-meaning commentaries of my colleagues on the other side of the aisle that tried to dissuade us in argumentation are somewhat similar to the same words almost verbatim that were offered well over a generation ago on this same floor when conservative elements within the Pennsylvania General Assembly strove mightily to dissuade their colleagues from embracing the lottery. The Pennsylvania Lottery was going to be doomsday, according to the lineal antecedents of some of the speakers tonight, yet many of the people that voted for it and have supported it, including people in this room tonight, cannot wait to go down to the mailroom and make sure that your newsletter is going out, as you tell your senior citizens about the recent development in the PACE program or the Meals on Wheels program. You are all beneficiaries of that gaming phenomenon known as the Pennsylvania Lottery. We heard all kinds of naysayers about that well over a generation ago, and they proved to be empty commentaries.

No, this will not convulse the State in hysteria. There may be a few grimaces tonight, and there may be a few grimaces in the State Senate, but I am confident that the Rendell administration and our colleagues in the Senate will deal with this matter expeditiously. I think it is ineluctable and irresistible that we have a chance to realize a \$1 billion property tax reduction in Pennsylvania with this money from gaming as the foundation.

And I would like to also think that the votes tonight – and we are going to be here a long time; we are going to be here a few more hours – as the clock travels toward dawn, we are going to have a chance to vote on property tax reform, and all of you folks who said you are not for this, you are not for this gaming

money, I assume you will vote “no” against property tax reform in a little while, because that would be the only honest vote; that would be the only honest vote. No, no, no; you will all vote “yes”; you will vote for property tax reform, and you will let our votes, our favorable votes, on gaming sustain that effort.

So, Mr. Speaker, as I relinquish the microphone, obviously I would like to once again note the central involvement of the Rendell administration, the central involvement of the Speaker of the House, the central involvement of Mike Veon and our wonderful staff team and the members of the House on both sides of the aisle who are taking this vote forward. It is indeed a historic night in Pennsylvania, and I am confident that a conference committee report will be forthcoming in the ensuing months and this will become law, this will become reality, and \$1 billion in property tax reductions will take place in our Commonwealth.

Thank you very much.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Our last speaker for the evening on this bill is recognized, Representative Clymer from Bucks County.

Mr. CLYMER. Thank you, Mr. Speaker.

I realize it has been a long evening, and we certainly appreciate the attention, the tolerance, that everyone has put forth.

I would like to make a few observations. I will try to go through them very quickly.

One of the speakers had said, what are we getting for \$1 billion, and then he made some comments. Let me tell you from my perspective what we are getting for those \$1 billion. We are getting before us 55,000 of the most addictive gambling machines that man has created. We are going to have 11 little Caesars Palaces spread across Pennsylvania, where 50 to 65 percent of the gambling revenues will come from about 15 to 20 percent of the gamblers. Those who least can afford to put their paychecks in those gambling machines are going to be the ones that will be doing it and, as you have heard this evening, creating dysfunctional families, social problems, crimes, and bankruptcies, and we place that under the guise of economic stimulus. Are these the new jobs that the present administration is talking about?

Picture this in your mind for just one moment: We now have these operations taking place, and Pennsylvanians are being employed by the hundreds, maybe by the thousands, in these racetrack casinos, and whom are they seeing coming in? Fellow Pennsylvanians, and they watch their friends, they watch their fellow Pennsylvanians, lose their paycheck, lose their job, lose their families. I do not know how others feel about it, but I am heartbroken when I see that fellow Pennsylvanians will be the ones who will be losing out in this deal.

We have heard from the other side that Pennsylvania is 47th in job growth. Perhaps that is an accurate figure, but now, if we do this bill, they can wear on their sleeve, Pennsylvania is number two in gambling in the United States. If that is a badge that they are proud to wear, then they should wear it. Yes, we are proud that we have made our State number two in gambling.

And then, Mr. Speaker, comments have been made about tourism; yes, about the fact that there are many of our citizens that go to other States. I will tell you, I have looked at the license plates of cars from out of State that have come into Pennsylvania to visit Gettysburg and to see the great history that

we have there; Valley Forge and the suffering of our forefathers and the militia as they battled the English. And then we have the great, beautiful vacation facilities of Lancaster, Harrisburg, the Civil War Museum, and I could go on and on ad infinitum where the American spirit is present. I would want people to come in to see these productive, family-oriented places than putting their money in the slot machines where they get burned out and you have dysfunctional people.

Yes, Mr. Speaker, we have a lot that we can be proud of, and I will tell you that we need to keep Pennsylvania, as one speaker has said, we are fighting for its very soul.

My friends on the other side of the aisle, you have criticized us as Republicans many times for not being sensitized about the poor and about the disadvantaged. It has been proven through many, many academic research studies that the people who will be greatly affected are the poor and the disadvantaged – the very people that you say you want to protect; the little guy that I have heard from one speaker, time and time again on this floor, that he wants to protect, the little guy. That is the person who is going to be blindsided and will be spending his money trying to capture fool’s gold. Yes, this is a bill that is going to hurt the poor.

There are times we have been criticized as Republicans for helping the rich, for making taxes that make the wealthy wealthier. Does anyone really think that the wealthy are not going to become more wealthy under this proposal, that they will become multi-multimillionaires with the moneys that they are going to earn, and when they sell those properties, they will certainly reap an enormous economic benefit.

Mr. Speaker, I bring the name to this floor Alphonso Deal – Alphonso Deal. Now, many members may not know who he was. He served in this General Assembly from 1981 to 1987. He was a classmate of mine. He was a member of the Black Caucus, an Afro-American legislator, a cop from Philadelphia. I bring him up because he was a strong opponent to gambling. If you have been reading the signs that have been circulated around the Capitol, you have read that “It takes the clothes off the backs of my people and food out of the stomachs of my children.” That was his comment. When we would do a gambling bill, the press would go to Representative Deal, and he would tell them, this is why I am opposed to gambling.

On several occasions Representative Hershey and myself had the opportunity to sit with him at a meal, especially in his later years when he was confined to a wheelchair. He was a humble man, but one of the things that we gleaned – listen – one of the things that we gleaned from him was that he was a man of God, a faithful man, and he wanted to do the things that would help his people. He was a man of integrity and character. Is there an Alphonso Deal in our midst tonight? I hope so.

Mr. Speaker, during the recent campaign, Governor Rendell often referred to the good job he did as the mayor of Philadelphia, and he certainly did. I do not think there is a question here about the good work he did in straightening out the city’s financial crisis. He improved education, and yes, he cut taxes. But let me remind you, he did all those things without gambling. Many times he fought to have casino gambling, riverboat gambling, in the city, but he was unsuccessful. Nevertheless, he was able to make the city of Philadelphia an economic paragon, where he was able to do the things I just said. Well, why not bring that same expertise into Pennsylvania? He was successful in Philadelphia. Why bring

55,000 addictive gambling machines into Pennsylvania that is going to create enormous social problems?

Professor Earl Gunds and Professor John Keindt of the University of Illinois have studied the problem of gambling. They have said this: that when you take the discretionary money and you put it into the slots, the multiplier is not going to be effective as it is when you just put money into the economy, like we have in Pennsylvania. Their efforts and their programs have been verified by top economists across the nation and by other professors.

Now, I say that because we are being given a myriad of smoke and mirrors, if you will, by those who say this is going to bring enormous benefit to this Commonwealth. It certainly will not, and that is why – and you heard tonight – States like New Jersey and New York and Nevada and Connecticut and Illinois are all having major problems with their economy, with their budgets. We in Pennsylvania, \$25 million surplus. So let us not be deceived and delusioned into thinking that we are going into an economic stimulus package when we talk about gambling.

And finally, in conclusion, while this gambling is spreading like wildfire across the United States and the flames and the fire are now coming into Pennsylvania, let me remind you of a statement that is in the rotunda of the Capitol; it is William Penn’s famous statement, and many of you have seen it: “THERE MAY BE ROOM THERE FOR SUCH A HOLY EXPERIMENT. FOR THE NATIONS WANT A PRECEDENT. AND MY GOD WILL MAKE IT THE SEED OF A NATION. THAT AN EXAMPLE MAY BE SET UP TO THE NATIONS. THAT WE MAY DO THE THING THAT IS TRULY WISE AND JUST” – that we may do that thing which is truly wise and just.

Thank you, Mr. Speaker. I ask for a “no” vote on HB 623.

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

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House concur in Senate amendments as amended?

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

The following roll call was recorded:

YEAS—120

Adolph	Eachus	Manderino	Scrimenti
Argall	Evans, D.	Mann	Shaner
Bard	Evans, J.	Markosek	Solobay
Barrar	Fabrizio	Marsico	Staback
Bebko-Jones	Flick	McCall	Steil
Belardi	Frankel	McGeehan	Stetler
Belfanti	Freeman	McGill	Stevenson, T.
Bianucci	Gannon	McIlhinney	Sturla
Bishop	George	Melio	Surra
Blaum	Gergely	Micozzie	Tangretti
Bunt	Goodman	Mundy	Taylor, J.
Butkovitz	Grucela	Myers	Thomas
Buxton	Gruitza	O’Brien	Tigue
Caltagirone	Haluska	Oliver	Travaglio
Cappelli	Harhai	O’Neill	Veon
Casorio	Harper	Pallone	Walko
Cawley	Horsey	Petri	Wansacz

Civera	James	Petrone	Washington
Cohen	Josephs	Pistella	Waters
Cornell	Keller	Preston	Watson
Corrigan	Kenney	Raymond	Weber
Costa	Killion	Readshaw	Wheatley
Coy	Kirkland	Rieger	Williams
Cruz	Kotik	Roberts	Wojnaroski
Curry	LaGrotta	Roebuck	Wright
Daley	Laughlin	Rooney	Youngblood
DeLuca	Leach	Ross	Yudichak
Dermody	Lederer	Ruffing	
DeWeese	Levdansky	Sainato	
DiGirolamo	Lynch	Santoni	Perzel, Speaker
Donatucci	Maher		

NAYS—81

Allen	Fichter	Leh	Rubley
Armstrong	Fleagle	Lewis	Samuelson
Baker	Forcier	Mackereth	Sather
Baldwin	Gabig	Maitland	Saylor
Bastian	Geist	Major	Scavello
Benninghoff	Gillespie	McIlhattan	Schroder
Birmelin	Gingrich	McNaughton	Semmel
Boyd	Godshall	Metcalfe	Smith, B.
Browne	Gordner	Miller, R.	Smith, S. H.
Causer	Habay	Miller, S.	Stairs
Clymer	Hanna	Mustio	Stern
Coleman	Harhart	Nailor	Stevenson, R.
Crahalla	Harris	Nickol	Taylor, E. Z.
Creighton	Hasay	Payne	True
Dailey	Hennessey	Petrarca	Turzai
Dally	Herman	Phillips	Vance
Denlinger	Hershey	Pickett	Vitali
Diven	Hess	Reed	Wilt
Egolf	Hickernell	Reichley	Yewcic
Fairchild	Hutchinson	Rohrer	Zug
Feese			

NOT VOTING—0

EXCUSED—1

Lescovitz

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments as amended were concurred in.

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

CONSIDERATION OF HB 1883 CONTINUED

On the question recurring,
Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman, Mr. Vitali, for the second time.

The gentleman is entitled to be heard. The gentleman is entitled to be heard.

The Chair recognizes the majority leader, Mr. Smith.
Mr. S. SMITH. Thank you, Mr. Speaker.

As you know, this is the education funding bill that we had debated earlier and put over temporarily, and I just wanted to make a statement relative to the process that got us to this.

As the members sit here tonight, Pennsylvania public schools have no assurance that a single dollar will be available for the upcoming school year. Because of the blue-line veto earlier this

year, there is not, at present, any basic education funding appropriated to assure that the first statutorily required payment to our districts can be made in late August.

In HB 1883 it contains funding that will take away that uncertainty and at least assure that no district will miss its first full State funding installment. In this regard, it represents a beginning.

It is a fact and well known by the other side of the aisle and the Rendell administration that our caucus has been willingly and diligently working with them to try and reach an accommodation with regard to additions to this education funding plan, and we pledge to continue in this effort.

As we continue to meet and negotiate over this issue, I remain optimistic that working together in good faith, we will be able to arrive at a compromise that will implement the key elements of the Governor’s plan yet remain affordable for Pennsylvania’s taxpayers, because one fact remains clear: Whether the dollars come from local property or personal income, every dollar we spend on schools has a single source – the pocket of the Pennsylvania citizens. We owe them a final program that is both educationally sound and economically realistic.

I urge the members’ support for this legislation.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, we appreciate the comments made by the majority leader here tonight, but I do think it is important to note that this bill that is in front of us here tonight does in fact not reflect the priorities established by Governor Rendell throughout this calendar year, his priorities for education programs in the State of Pennsylvania; that this bill does not reflect a very significant investment that the Governor has said that he intends for this State to make in early childhood education, in full-day kindergarten and smaller class sizes. And I have in front of me here an amendment that would in fact invest \$240 million in those programs, Mr. Speaker. I, of course, am not going to offer that amendment here tonight, given the comments made by the majority leader about a willingness to work together towards Governor Rendell’s very important priorities for education.

We know that that debate has yet to take place, and we want to make sure that we are clear that as a Democratic Caucus we intend over the weeks ahead to battle very aggressively for Governor Rendell’s education program for Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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-190

Adolph	Eachus	Leh	Samuelson
Allen	Egolf	Lewis	Santoni
Argall	Evans, D.	Lynch	Sather
Armstrong	Evans, J.	Maher	Scavello
Baker	Fabrizio	Maitland	Schroder
Baldwin	Fairchild	Major	Scrimenti

Bard	Feese	Manderino	Semmel
Barrar	Fichter	Mann	Shaner
Bastian	Fleagle	Markosek	Smith, B.
Bebko-Jones	Flick	Marsico	Smith, S. H.
Belardi	Forcier	McCall	Solobay
Belfanti	Frankel	McGeehan	Staback
Benninghoff	Freeman	McGill	Stairs
Biancucci	Gannon	McIlhattan	Steil
Birmelin	Geist	McIlhinney	Stern
Bishop	George	McNaughton	Stetler
Blaum	Gillespie	Melio	Stevenson, R.
Boyd	Gingrich	Metcalfe	Stevenson, T.
Browne	Godshall	Micozzie	Surra
Bunt	Goodman	Miller, S.	Tangretti
Butkovitz	Gordner	Mustio	Taylor, E. Z.
Buxton	Grucela	Myers	Taylor, J.
Caltagirone	Gruitza	Nailor	Thomas
Cappelli	Habay	O’Brien	Tigue
Casorio	Haluska	Oliver	Travaglio
Causer	Harhai	O’Neill	True
Cawley	Harhart	Pallone	Turzai
Civera	Harper	Payne	Vance
Clymer	Harris	Petrarca	Veon
Cohen	Hasay	Petri	Vitali
Coleman	Hennessey	Petrone	Walko
Cornell	Herman	Phillips	Wansacz
Corrigan	Hershey	Pickett	Washington
Costa	Hess	Pistella	Waters
Coy	Hickernell	Preston	Watson
Crahalla	Horsey	Raymond	Weber
Creighton	Hutchinson	Readshaw	Wheatley
Cruz	James	Reed	Williams
Dailey	Josephs	Reichley	Wilt
Daley	Keller	Rieger	Wojnarowski
Dally	Kenney	Roberts	Wright
DeLuca	Killion	Roebuck	Yewcic
Denlinger	Kirkland	Rohrer	Youngblood
Demody	Kotik	Rooney	Yudichak
DeWeese	LaGrotta	Ross	Zug
DiGirolamo	Laughlin	Rublely	
Diven	Leach	Ruffing	Perzel,
Donatucci	Lederer	Sainato	Speaker

NAYS-11

Curry	Hanna	Miller, R.	Saylor
Gabig	Levdansky	Mundy	Sturla
Gergely	Mackereth	Nickol	

NOT VOTING-0

EXCUSED-1

Lescovitz

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 present the same to the Senate for concurrence.

BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER. Without objection, any remaining bills and resolutions on today’s calendar will be passed over. The Chair hears no objection.

ADJOURNMENT

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Leach.

Mr. LEACH. Mr. Speaker, I move that this House do now adjourn until Saturday, July 19, 2003, at 2:40 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 2:39 a.m., e.d.t., July 19, 2003, the House adjourned.