

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

SATURDAY, JULY 3, 2004

SESSION OF 2004

188TH OF THE GENERAL ASSEMBLY

No. 50

HOUSE OF REPRESENTATIVES

The House convened at 10:30 a.m., e.d.t.

THE SPEAKER PRO TEMPORE (PATRICIA H. VANCE) PRESIDING

PRAYER

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

Thank you, Madam Speaker.

Please pray with me:

Almighty God, we thank You for these men and women whom You have raised up to lead our State. Thank You for Your grace in their lives, for their gifts, for their talents, for their individual backgrounds, for their families, and for their districts they represent.

We acknowledge You as the author and sustainer of life. You are the God who holds us in the palm of Your hand, whose eye is always upon us, whose love is always with us. We come before You now in need of You. Grant us the physical strength for the day and evening, we pray. May our hearts and minds be convicted to serve You.

You know all things. You know the present challenges we face, and You are intimately aware of our future.

When King Solomon was newly crowned, he prayed to You asking that You would give Your servant an understanding heart to judge Your people, to discern good and evil. That request was pleasing in Your sight, and You blessed him with wisdom. We come to You with a similar prayer this day.

Grant us supernatural wisdom to accomplish Your will and vision for our Commonwealth this day. We pray for Your blessing on each Representative and staff member that they would have an understanding heart of wisdom to serve Your purpose today. Grant them godly leadership, wisdom, and courage.

We ask this prayer in the name of our Lord. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Friday, July 2, 2004, will be postponed until printed.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 2351, PN 3279; HB 2467, PN 3519; and HB 2521, PN 4192**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE AND REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, returned **HB 1039, PN 4230**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

AMENDED SENATE BILL RETURNED FOR CONCURRENCE AND REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives by amending said amendments to **SB 100, PN 1789**.

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

CALENDAR

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 779, PN 1306**, entitled:

An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, further providing for purchase of agricultural conservation easements; making an appropriation; and abrogating a regulation.

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

BILL TABLED

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

Mr. S. SMITH. Madam Speaker, I move that **SB 779, PN 1306**, be placed on the table.

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

BILL REMOVED FROM TABLE

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

Mr. S. SMITH. Madam Speaker, I move that **SB 779, PN 1306**, be taken off the table.

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

LEAVES OF ABSENCE

The **SPEAKER** pro tempore. Are there requests for leaves of absence?

There are no requests from the majority whip.

The Chair recognizes the minority whip, who requests a leave of absence for the lady from Philadelphia, Ms. MANDERINO. Without objection, the leave of absence is granted.

MASTER ROLL CALL

The **SPEAKER** pro tempore. The Chair is about to take the master roll call. Members will proceed to vote.

The following roll call was recorded:

PRESENT—202

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
Barclay	Fleagle	Major	Schroder

Barrar	Flick	Mann	Scrimenti
Bastian	Forcier	Markosek	Semmel
Bebko-Jones	Frankel	Marsico	Shaner
Belardi	Freeman	McCall	Smith, B.
Belfanti	Gabig	McGeehan	Smith, S. H.
Benninghoff	Gannon	McGill	Solobay
Biancucci	Geist	McIlhattan	Staback
Birmelin	George	McIlhinney	Stairs
Bishop	Gergely	McNaughton	Steil
Blaum	Gillespie	Melio	Stern
Boyd	Gingrich	Metcalfe	Stetler
Browne	Godshall	Micozzie	Stevenson, R.
Bunt	Good	Millard	Stevenson, T.
Butkovitz	Goodman	Miller, R.	Sturla
Buxton	Gruclera	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causar	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell, S. E.	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
DeWeese	LaGrotta	Roebuck	Youngblood
DiGirolamo	Laughlin	Rohrer	Yudichak
Diven	Leach	Rooney	Zug
Donatucci	Lederer	Ross	
Eachus	Leh	Rubley	Perzel,
Egolf	Lescovitz	Ruffing	Speaker

ADDITIONS—0

NOT VOTING—0

EXCUSED—1

Manderino

LEAVES ADDED—1

O'Neill

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND RECOMMITTED TO COMMITTEE ON RULES

HB 2748, PN 4285 (Amended) By Rep. HERMAN

An Act amending the act of February 1, 1974 (P.L.34, No.15), known as the Pennsylvania Municipal Retirement Law, providing for part-time employees; and further providing for existing local retirement systems and compulsory and optional membership and for return to service relating to certain municipal employees and optional retirement plans.

LOCAL GOVERNMENT.

HB 2773, PN 4212

By Rep. HERMAN

An Act amending the act of February 1, 1974 (P.L.34, No.15), known as the Pennsylvania Municipal Retirement Law, further providing for administrative expenses.

LOCAL GOVERNMENT.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1100, PN 1573**, entitled:

An Act amending the act of May 22, 1933 (P.L.853, No.155), known as The General County Assessment Law, further providing for valuation of property.

On the question,
Will the House agree to the bill on third consideration?
Bill 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 gentleman, Mr. Vitali.

Mr. VITALI. Thank you, Madam Speaker.

Could we have a brief explanation of SB 1100?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lancaster, Mr. Hickernell, for a brief explanation.

Mr. HICKERNELL. Thank you, Madam Speaker.

As you know, this is not my bill, but it is a bill, Senator Wenger's, who has part of the district that I represent, and I will be happy to offer a very brief explanation for the gentleman, Mr. Vitali.

My understanding, Madam Speaker, is that it creates a two-step process for political subdivisions who wish to increase their real estate tax revenues for the first year following a countywide reassessment process or when a county changes its predetermined ratio.

The SPEAKER pro tempore. The gentleman, Mr. Vitali, is recognized.

Mr. VITALI. I am sorry; I have no idea what that means.

Mr. HICKERNELL. Can the gentleman, Mr. Vitali, and I have—

Mr. VITALI. No; I would rather, I mean, for the benefit of the members, I would like to just get a sense for what is going on here. I just—

The SPEAKER pro tempore. Do you have a specific question, Mr. Vitali?

Mr. VITALI. Well, yeah. What does the bill do? And the answer in a language that a layman can understand, a non-property-tax lawyer could understand. It may be necessary to give a little bit of background to put the explanation we got into context so it is understandable.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lancaster, Mr. Hickernell.

Mr. HICKERNELL. I think I may be able to shed a little bit more light for the gentleman from Delaware. It is my understanding, Madam Speaker, that presently, under current

law, after a countywide reassessment, a political subdivision must take only one vote – I guess they generally pass a resolution – and they can increase taxes somewhat without having a second vote. This legislation would require the taking of two votes and the passage of two resolutions to go beyond a revenue-neutral point in that taxing structure after the countywide reassessment.

Mr. VITALI. Now, I know in 2000, for example, Delaware County had a countywide reassessment, but I am not aware of anything our township, Haverford Township, had to do differently other than their normal vote on the millage for the township that year. How would this impact that situation?

Mr. HICKERNELL. If they would like to collect more revenue than they previously did, they would need to take a second vote, specifically to increase that revenue beyond the prior reassessment level of revenue collection.

Mr. VITALI. Okay. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny County, Mr. Readshaw, on final passage.

Mr. READSHAW. Thank you, Madam Speaker.

Would the gentleman stand for brief interrogation?

The SPEAKER pro tempore. The Chair does not note the presence on the floor of the House of the gentleman, Mr. Hickernell, at this moment.

The gentleman, Mr. Hickernell, will stand for interrogation. You may proceed.

Mr. READSHAW. Thank you, Madam Speaker.

Just a very brief question; I would like to have it on the record.

There are no provisions in this legislation which affect second-class counties. Is that accurate?

Mr. HICKERNELL. That is correct.

Mr. READSHAW. Okay. Thank you very much.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Shall the bill pass finally?

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—202

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	Mann	Scrimenti
Bastian	Forcier	Markosek	Semmel
Bebko-Jones	Frankel	Marsico	Shaner
Belardi	Freeman	McCall	Smith, B.
Belfanti	Gabig	McGeehan	Smith, S. H.
Benninghoff	Gannon	McGill	Solobay
Biancucci	Geist	McIlhattan	Staback
Birmelin	George	McIlhinney	Stairs
Bishop	Gergely	McNaughton	Steil
Blaum	Gillespie	Melio	Stern
Boyd	Gingrich	Metcalfe	Stetler
Browne	Godshall	Micozzi	Stevenson, R.

Bunt	Good	Millard	Stevenson, T.
Butkovitz	Goodman	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causer	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell, S. E.	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
DeWeese	LaGrotta	Roebuck	Youngblood
DiGiolamo	Laughlin	Rohrer	Yudichak
Diven	Leach	Rooney	Zug
Donatucci	Lederer	Ross	
Eachus	Leh	Rubley	Perzel,
Egolf	Lescovitz	Ruffing	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-1

Manderino

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

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

RULES SUSPENDED

The SPEAKER pro tempore. Turning to page 3 of today's calendar, the lady from Susquehanna, Miss Major, is recognized.

Miss MAJOR. Madam Speaker, I move that the rules of the House be suspended in order to offer HB 2749, PN 4223.

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

The following roll call was recorded:

YEAS-202

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	Mann	Scrimenti
Bastian	Forcier	Markosek	Semmel
Bebko-Jones	Frankel	Marsico	Shaner
Belardi	Freeman	McCall	Smith, B.
Belfanti	Gabig	McGeehan	Smith, S. H.
Benninghoff	Gannon	McGill	Solobay
Bianucci	Geist	McIlhattan	Staback
Birmelin	George	McIlhinney	Stairs
Bishop	Gergely	McNaughton	Steil
Blaum	Gillespie	Melio	Stern
Boyd	Gingrich	Metcalfe	Stetler
Browne	Godshall	Micozzie	Stevenson, R.
Bunt	Good	Millard	Stevenson, T.
Butkovitz	Goodman	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causer	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell, S. E.	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
DeWeese	LaGrotta	Roebuck	Youngblood
DiGiolamo	Laughlin	Rohrer	Yudichak
Diven	Leach	Rooney	Zug
Donatucci	Lederer	Ross	
Eachus	Leh	Rubley	Perzel,
Egolf	Lescovitz	Ruffing	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-1

Manderino

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.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2749, PN 4223**, entitled:

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, further providing for referenced standards; and abrogating regulations.

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

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

The following roll call was recorded:

YEAS—202

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	Mann	Scrimenti
Bastian	Forcier	Markosek	Semmel
Bebko-Jones	Frankel	Marsico	Shaner
Belardi	Freeman	McCall	Smith, B.
Belfanti	Gabig	McGeehan	Smith, S. H.
Benninghoff	Gannon	McGill	Solobay
Bianucci	Geist	McIlhattan	Staback
Birmelin	George	McIlhinney	Stairs
Bishop	Gergely	McNaughton	Steil
Blaum	Gillespie	Melio	Stern
Boyd	Gingrich	Metcalfe	Stetler
Browne	Godshall	Micozzie	Stevenson, R.
Bunt	Good	Millard	Stevenson, T.
Butkovitz	Goodman	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causer	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell, S. E.	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
DeWeese	LaGrotta	Roebuck	Youngblood
DiGirolamo	Laughlin	Rohrer	Yudichak
Diven	Leach	Rooney	Zug
Donatucci	Lederer	Ross	
Eachus	Leh	Rubley	Perzel,
Egolf	Lescovitz	Ruffing	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—1

Manderino

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.

RULES SUSPENDED

The SPEAKER pro tempore. Continuing on page 3 of today's calendar, the Chair recognizes the gentleman, Mr. Staback.

Mr. STABACK. Madam Speaker, I move that the rules of this House be suspended in order to offer HB 2762, PN 4178.

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

The following roll call was recorded:

YEAS—202

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	Mann	Scrimenti
Bastian	Forcier	Markosek	Semmel
Bebko-Jones	Frankel	Marsico	Shaner
Belardi	Freeman	McCall	Smith, B.
Belfanti	Gabig	McGeehan	Smith, S. H.
Benninghoff	Gannon	McGill	Solobay
Bianucci	Geist	McIlhattan	Staback
Birmelin	George	McIlhinney	Stairs
Bishop	Gergely	McNaughton	Steil
Blaum	Gillespie	Melio	Stern
Boyd	Gingrich	Metcalfe	Stetler
Browne	Godshall	Micozzie	Stevenson, R.
Bunt	Good	Millard	Stevenson, T.
Butkovitz	Goodman	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causer	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell, S. E.	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

DeWeese	LaGrotta	Roebuck	Youngblood
DiGirolamo	Laughlin	Rohrer	Yudichak
Diven	Leach	Rooney	Zug
Donatucci	Lederer	Ross	
Eachus	Leh	Rubley	Perzel,
Egolf	Lescovitz	Ruffing	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-1

Manderino

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.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2762, PN 4178**, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Conservation and Natural Resources, to convey to Anthony R. Domiano, Sr., and Anthony R. Domiano, Jr., a certain tract of land situate in the Borough of Archbald, Lackawanna County, in exchange for certain tracts of land.

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

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

The following roll call was recorded:

YEAS-202

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	Mann	Scrimenti
Bastian	Forcier	Markosek	Semmel
Bebko-Jones	Frankel	Marsico	Shaner
Belardi	Freeman	McCall	Smith, B.
Belfanti	Gabig	McGeehan	Smith, S. H.
Benninghoff	Gannon	McGill	Solobay
Bianucci	Geist	McIlhattan	Staback
Birmelin	George	McIlhinney	Stairs
Bishop	Gergely	McNaughton	Steil
Blaum	Gillespie	Melio	Stern
Boyd	Gingrich	Metcalfe	Stetler
Browne	Godshall	Micozzie	Stevenson, R.
Bunt	Good	Millard	Stevenson, T.
Butkovitz	Goodman	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra

Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Cruzer	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell, S. E.	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
DeWeese	LaGrotta	Roebuck	Youngblood
DiGirolamo	Laughlin	Rohrer	Yudichak
Diven	Leach	Rooney	Zug
Donatucci	Lederer	Ross	
Eachus	Leh	Rubley	Perzel,
Egolf	Lescovitz	Ruffing	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-1

Manderino

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.

The House proceeded to third consideration of **SB 1052, PN 1704**, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Erie-Western Pennsylvania Port Authority and to Robert L. and Karen N. Douth, Leona B. Disbrow, Louise F. Waller, Mary Schabacker, Paul D. and Mary Ann Brugger, and Ralph and Janet Toland, Sr., certain lands situate in the City of Erie, County of Erie

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

Mr. PAYNE offered the following amendment No. **A2441**:

Amend Title, page 1, line 7, by removing the period after "Erie" and insertin g
; and authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Derry Township Municipal Authority a certain easement for sanitary sewer purposes, together with an existing sanitary sewer line and appurtenances, situate in Derry Township, Dauphin County.

Amend Bill, page 28, line 7, by striking out all of said line and inserting

Section 3. Conveyance in Derry Township, Dauphin County.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to Derry Township Municipal Authority an easement for sanitary sewer purposes, including an existing 8-inch sanitary sewer line and appurtenances to such sewer line, situate on lands adjoining the Pennsylvania State Police Academy and described in subsection (b), for \$1.00, excepting and reserving to the Commonwealth of Pennsylvania the right to use the easement area as a right-of-way for ingress, egress, and regress to and from the Pennsylvania State Police Academy, and the right to use such sanitary sewer line to serve the Pennsylvania State Police Academy without payment of any connection fee, customer facilities fee, tapping fee, or other similar fees.

(b) Legal description.—The easement to be conveyed pursuant to this section is more particularly described as follows:

ALL THAT CERTAIN EASEMENT OR RIGHT-OF-WAY BEGINNING at a railroad spike in the middle of Pennsylvania State Highway Route No. 743, said point being approximately two thousand (2,000) feet East of the intersection of said Pennsylvania State Highway Route No. 743 and Park Avenue; thence extending North twelve (12) degrees, seven (7) minutes East, for a distance of twelve hundred fifty (1,250) feet, more or less, to the most South-westerly corner of the principal tract upon which the Pennsylvania State Police Academy was constructed. Aforesaid easement area to be forty (40) feet in width as centered on above-description, with provision for additional width on either side for slopes as required.

ALL of the above described easement to be used for the construction, maintenance and necessary repairs for an eight (8) inch sanitary sewer and appurtenances within the bed of the right-of-way.

BEING the same easement or right-of-way conveyed to the General State Authority (predecessor to the Department of General Services) by an Indenture of Hershey Estates, dated November 21, 1956, and Recorded in the Dauphin County Recorder of Deeds Office in Deed Book O, Volume 41, Page 545, known as Easement No. 1.

Together with the sanitary sewer line, manholes, and other facilities and appurtenances to such sanitary line located within such easement area.

Excepting and reserving to the Commonwealth of Pennsylvania, its successors and assigns, the right to use the above described easement area as a right-of-way for ingress, egress, and regress to and from the Pennsylvania State Police Academy, and the right to use such sanitary sewer line to serve the Pennsylvania State Police Academy without payment of any connection fee, customer facilities fee, tapping fee, or other similar fees.

(c) Deed of easement.—The deed of easement shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(d) Covenant to make repairs.—The deed of easement shall contain a covenant requiring the Grantee to repair, to the satisfaction of the Commonwealth of Pennsylvania, any damage to the Commonwealth of Pennsylvania's access road located within the easement area caused by the Grantee's construction, maintenance or repair of said sanitary sewer line.

(e) Costs and fees.—Costs and fees incidental to this conveyance shall be borne by the Grantee.

Section 4. Effective date.

This act shall take effect immediately.

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

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

Mr. VITALI. To get a brief explanation of the Payne amendment.

The SPEAKER pro tempore. The gentleman, Mr. Payne, is recognized.

Mr. PAYNE. Madam Speaker, this amendment is a simple easement for a sewer line in the township of Derry that runs from the Pennsylvania State Police Academy down the hill to the main sewer line, to the sewer plant in Derry Township. The sewer authority needs easement to gain access to the line, and it is currently still all titled to the State.

Mr. VITALI. Has the Department of General Services weighed in on this at all?

Mr. PAYNE. Yes; yes. It is an easement. The State will still own the land. It is granting an easement to the line. Without the easement, the State now becomes the owner of the sewer line.

Mr. VITALI. Have they made a recommendation as to whether your legislation should be approved or disapproved?

Mr. PAYNE. Yes. In fact, Mr. Speaker, we had a component on the House side, a bill, which came out of State Government Committee unanimously and passed on this House floor unanimously doing the exact same thing that this amendment does.

Mr. VITALI. Thank you.

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

The following roll call was recorded:

YEAS—202

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	Mann	Scrimenti
Bastian	Forcier	Markosek	Semmel
Bebko-Jones	Frankel	Marsico	Shaner
Belardi	Freeman	McCall	Smith, B.
Belfanti	Gabig	McGeehan	Smith, S. H.
Benninghoff	Gannon	McGill	Solobay
Biancucci	Geist	McIlhattan	Staback
Birmelin	George	McIlhinney	Stairs
Bishop	Gergely	McNaughton	Steil
Blaum	Gillespie	Melio	Stern
Boyd	Gingrich	Metcalfe	Stetler
Browne	Godshall	Micozzie	Stevenson, R.
Bunt	Good	Millard	Stevenson, T.
Butkovitz	Goodman	Miller, R.	Sturla
Buxton	Gruclata	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causer	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell, S. E.	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
DeWeese	LaGrotta	Roebuck	Youngblood
DiGirolamo	Laughlin	Rohrer	Yudichak
Diven	Leach	Rooney	Zug
Donatucci	Lederer	Ross	
Eachus	Leh	Rubley	Perzel,
Egolf	Lescovitz	Ruffing	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—1

Manderino

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. **FEESE** offered the following amendment No. **A2837**:

Amend Title, page 1, line 7, by removing the period after “Erie” and inserting

; and authorizing and directing the Department of General Services with the approval of the Governor, to grant and convey to Summerdale Associates, L.P. certain lands situate in the Township of East Pennsboro, County of Cumberland.

Amend Bill, page 28, by inserting between lines 6 and 7 Section 3. Conveyance in the Township of East Pennsboro, County of Cumberland.

(a) Authorization.—The Department of General Services with the approval of the Governor is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey the tract of land bounded and described in subsection (b) under the terms and conditions and for the consideration to be established in an agreement of sale between the Department of General Services and Summerdale Associates, L.P.

(b) Property description.—The property to be conveyed is situate in the Township of East Pennsboro, County of Cumberland, Pennsylvania, bounded and described as follows:

ALL THAT CERTAIN PIECE OR PARCEL OF LAND situated in the Township of East Pennsboro, County of Cumberland, Commonwealth of Pennsylvania, being Lot No. 1 (remaining lands of the Commonwealth of Pennsylvania Department of Agriculture) and adjoining lands of the Commonwealth of Pennsylvania Department of Agriculture, as shown on a Preliminary/Final Subdivision Plan prepared for the Commonwealth of Pennsylvania Department of Agriculture by the Bureau of Engineering and Architecture of the Department of General Services, dated May 23, 1996, said final plan being recorded in the Office of the Recorder of Deeds in and for the County of Cumberland on November 1, 1996, at Plan Book 73, Page 64, and being more particularly bounded and described as follows (subject to revision in accordance with a current survey to be performed), to-wit:

BEGINNING at a 5/8 rebar in the northeasterly line of First Street -S.R. 1019 (50 feet wide), said point being located approximately 300 feet northwesterly from the intersection of the northeasterly line of First Street and the northwesterly line of Valley Street - S.R. 1004 (Variable Width), and said point being located approximately 934.98 feet southeasterly along the northeasterly line of First Street from a metal post in concrete;

THENCE along the northeasterly line of First Street, North 46 Degrees, 12 Minutes, 11 Seconds West, a distance of 1425.30 feet to a point;

THENCE along lands now or formerly of Capital Area Intermediate Unit, North 42 Degrees, 40 Minutes, 55 Seconds East a distance of 787.38 feet to a point;

THENCE along the same, North 62 Degrees, 22 Minutes, 35 Seconds East, a distance of 942.77 feet to a point;

THENCE along the a line, South 57 Degrees, 55 Minutes, 09 Seconds East, a distance of 646.74 feet to a point;

THENCE along the westerly line of United States Routes 11 and 15 SR 0011 (Variable Width), South 12 Degrees, 46 Minutes, 31 Seconds West, a distance of 257.32 feet to a point;

THENCE along the same, South 74 Degrees, 30 Minutes, 33 Seconds East, a distance of 28.04 feet to a point;

THENCE along the same, South 11 Degrees, 57 Minutes, 12 Seconds West, a distance of 179.34 feet to a point;

THENCE along the same, South 49 Degrees, 32 Minutes, 02 Seconds West, a distance of 99.81 feet to a point;

THENCE along the same, South 12 Degrees, 53 Minutes, 05 Seconds West, a distance of 239.73 feet to a point;

THENCE along the same, South 76 Degrees, 12 Minutes, 12 Seconds East, a distance of 20.05 feet to a point;

THENCE along the same, South 12 Degrees, 56 Minutes, 39 Seconds West, a distance of 628.96 feet to a 5/8 rebar;

THENCE along lands now or formerly of Kelby J. Steele and Lisa A. Steele by Deed dated February 20, 1997, and recorded at Cumberland County Record Book 154, Page 314, and as Cumberland County Instrument No. 1997-005734, and being Lot #2 as shown on said Preliminary/Final Subdivision Plan, North 40 Degrees, 36 Minutes, 52 Seconds West, a distance of 55.86 feet to a 5/8 rebar;

THENCE along the same, South 52 Degrees, 01 Minutes, 33 Seconds West, a distance of 254.11 feet to a 5/8 rebar;

THENCE along the same and by a curve to the right having a radius of 570.66 feet, a chord bearing South 67 Degrees, 17 Minutes, 03 Seconds West, a chord distance of 300.36 feet, and an arc length of 303.94 feet, to a 5/8 rebar;

THENCE along the same, South 37 Degrees, 10 Minutes, 13 Seconds West, a distance of 52.03 feet to a 5/8 rebar, the place of beginning.

CONTAINING 51.04 acres of land, more or less.

BEING, as to a portion thereof, a portion of the lands which Manor Real Estate and Trust Company, by Deed dated September 13, 1923, and recorded at Cumberland County Deed Book V, Volume 9, Page 82, granted and conveyed unto the Commonwealth of Pennsylvania; and

BEING, as to a portion thereof, a portion of the lands which William A. Patterson, single man, and Charles R. Patterson and Viola Rebecca Patterson, his wife, by Deed dated July 23, 1929, and recorded at Cumberland County Deed Book S, Volume 10, Page 530, granted and conveyed to the Commonwealth of Pennsylvania.

TOGETHER WITH all improvements constructed thereon and all rights appurtenant thereto including, but not confined to, oil, gas and minerals (including coal and gravel).

(c) Conditions.—The conveyance shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, water, electric, cable, gas or pipeline companies, as well as under and subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(d) Deed.—The Deed of Conveyance shall be by special warranty deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(e) Restriction.—The Deed of Conveyance shall contain a clause prohibiting the use of the property as a warehouse or distribution facility or as a truck terminal, and shall state that this restriction of use shall run with the land in perpetuity and shall be binding on Summerdale Associates, L.P., and its successors or assigns.

(f) Costs and fees.—Costs and fees incidental to the conveyance shall be borne by the Grantee.

(g) Limitation on transfer.—In the event that the conveyance is executed within one year of the effective date of this section, the property shall be exempt from Article 2406-A of the act of April 9, 1929 (P.L. 177, No. 175), known as The Administrative Code of 1929. In the event that this conveyance is not executed within one year of the effective date of this act, the property may be disposed of in accordance with Article 2406-A of the act of April 9, 1929 (P.L. 177, No. 175), known as The Administrative Code of 1929.

Amend Sec. 3, page 28, line 7, by striking out “3” and inserting
4

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

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

Mr. VITALI. Do I detect a note of disgust in your voice, Madam Speaker?

The SPEAKER pro tempore. I do not think you should ever detect what I am saying.

Thank you.

Mr. VITALI. By way of explanation, we are operating without a pre-session report, so it is hard for us to ascertain what we are voting on. I am just asking for an explanation of this amendment.

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

Mr. FEESE. Thank you, Madam Speaker.

Madam Speaker, this amendment proposes to convey Commonwealth land in East Pennsboro Township, Cumberland County, to the Summerdale Associates, and it would also impose a deed restriction regarding that transfer.

Mr. VITALI. Has the Department of General Services issued a rule 32 on this transfer? In other words, have they analyzed this transfer and made a recommendation as to whether they approve it or disapprove it?

Mr. FEESE. My understanding is, Madam Speaker, that the department has not issued a rule 32. They have supported it, or they are in support of it, and it does not require a rule 32 since it is an amendment.

Mr. VITALI. May I ask the gentleman why this land transfer has not gone through the normal channels of a bill being considered by State Government Committee and applying for a land transfer?

Mr. FEESE. Madam Speaker, in response to the gentleman's question, because any member of the House has a right to offer an amendment on the floor of this nature, and so it is being offered on the floor.

Mr. VITALI. Is there a reason why the gentleman has chosen this approach, because it does raise certain red flags, because our committee does stand to serve as a certain review process, as does the Department of General Services. I am just wondering, is there a reason why the gentleman has chosen this approach as going through normal channels?

Mr. FEESE. Madam Speaker, in response to the gentleman's question, the Department of General Services does support the transfer, so I have chosen this route to get it accomplished.

Mr. VITALI. I want to just nail down their approval as to who gave the approval and when it was given.

Mr. FEESE. Madam Speaker, in response to the gentleman's question, I have an e-mail dated June 30. If the gentleman wishes to suspend and do his homework, he can come down here to the desk and talk to me.

Mr. VITALI. And what was the nature of that e-mail?

Mr. FEESE. Madam Speaker, the e-mail was communicated by a computer as all e-mails are.

Mr. VITALI. I am not trying to be difficult. I just want some assurances that we do have—

Mr. FEESE. Madam Speaker, the e-mail is available for the gentleman if he wishes to come down and read it. If not, he can continue to question me.

Mr. VITALI. I do not want to ask for a pause. It is not practical to do that. If the gentleman can summarize its contents, it would be appreciated.

Mr. FEESE. Madam Speaker, the summary of the contents is, DGS approves it.

Mr. VITALI. Do you know if the chairman of our State Government Committee has a position on this transfer?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks County, Mr. Clymer, who is chairman of the State Government Committee.

Mr. CLYMER. Thank you, Madam Speaker.

As chairman of the committee, I do support the amendment. Staff have looked into it, and we found that all things were in order. There is nothing unusual or different about this. It has received the appropriate approvals from the Department of General Services, and I support the amendment.

Mr. VITALI. Thank you.

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

The following roll call was recorded:

YEAS—202

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	Mann	Scrimenti
Bastian	Forcier	Markosek	Semmel
Bebko-Jones	Frankel	Marsico	Shaner
Belardi	Freeman	McCall	Smith, B.
Belfanti	Gabig	McGeehan	Smith, S. H.
Benninghoff	Gannon	McGill	Solobay
Bianucci	Geist	McIlhattan	Staback
Birmelin	George	McIlhinney	Stairs
Bishop	Gergely	McNaughton	Steil
Blaum	Gillespie	Melio	Stern
Boyd	Gingrich	Metcalfe	Stetler
Browne	Godshall	Micozzie	Stevenson, R.
Bunt	Good	Millard	Stevenson, T.
Butkovitz	Goodman	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.

Causer	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell, S. E.	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	Wojnarowski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roberts	Yewcic
DeWeese	LaGrotta	Roebuck	Youngblood
DiGirolamo	Laughlin	Rohrer	Yudichak
Diven	Leach	Rooney	Zug
Donatucci	Lederer	Ross	
Eachus	Leh	Rubley	Perzel,
Egolf	Lescovitz	Ruffing	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-1

Manderino

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. **McILHINNEY** offered the following amendment No. **A3035**:

Amend Title, page 1, line 7, by removing the period after "Erie" and inserting
; and authorizing and directing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey to the Borough of Doylestown, certain lands situate in the Borough of Doylestown, Bucks County.

Amend Bill, page 28, by inserting between lines 6 and 7 Section 1. Conveyance to Borough of Doylestown, Bucks County.

(a) Authorization.—The Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to the Borough of Doylestown certain lands and improvements thereon situate in the Borough of Doylestown described in subsection (b) for \$444,000.

(b) Property description.—The property to be conveyed pursuant to subsection (a) consists of approximately 0.34-acres of land and building bounded and more particularly described as follows:

BEGINNING at a point on the center line of Shewell Avenue; thence extending Northeast 42.75 degrees a distance of 148 feet to a point; thence extending Southeast 47.25 degrees a distance of 100 feet to a point; thence extending Southwest 42.75 degrees a distance of 148 feet to the center line of Shewell Avenue; thence extending

Northwest along the center line of Shewell Avenue 47.25 degrees a distance of 100 feet to the point and place of BEGINNING.

CONTAINING 0.34-acres.

(c) Conditions.—The conveyance shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including but not confined to streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under and subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(d) Deed.—The deed of conveyance shall be by special warranty deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(e) Costs and fees.—Costs and fees incidental to this conveyance shall be borne by the grantee.

(f) Other disposition.—In the event that this conveyance is not executed within 12 months of the effective date of this act, the property may be disposed of in accordance with section 2406-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

(g) Proceeds.—The proceeds from the conveyance shall be deposited in the State Treasury Armory Fund.

Amend Sec. 3, page 28, line 7, by striking out "3" and inserting

4

On the question,

Will the House agree to the amendment?

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

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

Could we have a brief explanation of this amendment?

The **SPEAKER** pro tempore. The Chair recognizes the gentleman from Bucks County, Mr. McIlhinney, on the amendment.

Mr. **McILHINNEY**. Thank you, Madam Speaker.

This amendment is to convey an armory building in Doylestown Borough for the fair market value. It is for the purposes of the new courthouse that is being constructed there in Doylestown Borough.

Mr. **VITALI**. I am sorry. I missed the last part.

Mr. **McILHINNEY**. It is part of the courthouse project that we are building there, and the county and the borough are purchasing the armory that has been vacated. It is now vacant in Doylestown Borough.

Mr. **VITALI**. Has the Department of General Services taken a position on this?

Mr. **McILHINNEY**. Yes. They are in support of it.

Mr. **VITALI**. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-202

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	Mann	Scriminti
Bastian	Forcier	Markosek	Semmel

Bebko-Jones	Frankel	Marsico	Shaner
Belardi	Freeman	McCall	Smith, B.
Belfanti	Gabig	McGeehan	Smith, S. H.
Benninghoff	Gannon	McGill	Solobay
Biancucci	Geist	McIlhattan	Staback
Birmelin	George	McIlhinney	Stairs
Bishop	Gergely	McNaughton	Steil
Blaum	Gillespie	Melio	Stern
Boyd	Gingrich	Metcalfe	Stetler
Browne	Godshall	Micozzie	Stevenson, R.
Bunt	Good	Millard	Stevenson, T.
Butkovitz	Goodman	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causer	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell, S. E.	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
DeWeese	LaGrotta	Roebuck	Youngblood
DiGirolamo	Laughlin	Rohrer	Yudichak
Diven	Leach	Rooney	Zug
Donatucci	Lederer	Ross	
Eachus	Leh	Rubley	Perzel,
Egolf	Lescovitz	Ruffing	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-1

Manderino

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

The following roll call was recorded:

YEAS-202

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	Mann	Scrimenti
Bastian	Forcier	Markosek	Semmel
Bebko-Jones	Frankel	Marsico	Shaner
Belardi	Freeman	McCall	Smith, B.
Belfanti	Gabig	McGeehan	Smith, S. H.
Benninghoff	Gannon	McGill	Solobay
Biancucci	Geist	McIlhattan	Staback
Birmelin	George	McIlhinney	Stairs
Bishop	Gergely	McNaughton	Steil
Blaum	Gillespie	Melio	Stern
Boyd	Gingrich	Metcalfe	Stetler
Browne	Godshall	Micozzie	Stevenson, R.
Bunt	Good	Millard	Stevenson, T.
Butkovitz	Goodman	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causer	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell, S. E.	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
DeWeese	LaGrotta	Roebuck	Youngblood
DiGirolamo	Laughlin	Rohrer	Yudichak
Diven	Leach	Rooney	Zug
Donatucci	Lederer	Ross	
Eachus	Leh	Rubley	Perzel,
Egolf	Lescovitz	Ruffing	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-1

Manderino

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

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

BILL ON FINAL PASSAGE

The House proceeded to consideration on final passage of **SB 979, PN 1779**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for declaration of policy; defining "contemporaneous alternative method"; repealing provisions relating to videotaped depositions by a child victim or child material witness; further providing for recorded testimony, for testimony by contemporaneous alternative methods, for admissibility of certain statements, for hearsay, for use of dolls, for child victims of sexual or physical abuse and for comparative negligence.

On the question recurring,
Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Northampton, Mr. Samuelson.

Mr. SAMUELSON. Thank you, Madam Speaker.

I also would like to rise just to ask for a brief explanation. We are operating without a House calendar this morning, and also, we do not have the normal pre-session reports with summaries of the legislation for the Saturday, July 3, session, so if somebody on the other side could give an explanation of this legislation.

The SPEAKER pro tempore. The Chair recognizes the lady from Montgomery, Ms. Weber, for a brief explanation of the proposed legislation.

Ms. WEBER. Thank you, Madam Speaker.

This particular legislation primarily is in two parts. The primary part is the implementing legislation to the constitutional amendment on the child victim/witness measure that was adopted by the voters of Pennsylvania in November of 2003. Additionally, it includes a provision which would protect landowners from liability for injuries resulting in activities involving off-road vehicles.

Thank you, Madam Speaker.

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

Mr. VITALI. Would the gentlelady stand for interrogation?

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

Mr. VITALI. Could you expand on the enabling legislation and what standards have to be met to allow a child to testify by video as opposed to in person?

Ms. WEBER. In general, the standard is the same as that which has been passed on many occasions in this General Assembly. It is as we discussed just a few days ago in the Judiciary Committee meeting, and it is a standard set forth in *Maryland v. Craig*.

Mr. VITALI. Okay. There was no discussion at that meeting when this bill was passed. Could you just outline what those standards are?

Ms. WEBER. If I could have a moment, Madam Speaker.

The SPEAKER pro tempore. The lady, Ms. Weber, is recognized.

Ms. WEBER. Thank you, Madam Speaker.

To answer the question, as the bill sets out, the court is permitted to entertain alternative methods for the child or victim, the child victim or child witness, to testify if the court

finds, based on the evidence presented to the court, that the child's testifying in the defendant's presence or in open court would result in the child suffering serious emotional distress, such that the child cannot then reasonably communicate the facts about which the testimony would be.

Now, in making that determination, the court has the discretion to do one of the following: observe and question the child either inside or outside the courtroom and/or hear testimony of a parent or custodian of any other person, such as a person who has dealt with the child in a medical or therapeutic setting. Based on those observations that the court makes, which the attorney for the defendant is permitted to be present in addition to the attorney for the Commonwealth, the court can then make a decision on the alternative use of testimony. The defendant himself is not permitted to be present during this preliminary process.

Mr. VITALI. Thank you, Madam Speaker.

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

Mr. THOMAS. Thank you, Madam Speaker.

May I interrogate the last speaker?

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

Mr. THOMAS. Thank you, Madam Speaker.

Madam Speaker, in your explanation you mentioned something about comparative negligence or landowner liability, and I did not understand that too well. Would you provide me with clarification on that?

Ms. WEBER. Thank you, Madam Speaker.

I, too, am learning this provision, as I had more of a master on the enabling legislation.

As I understand this provision that was amended onto this bill, it would allow for a property owner to have immunity from any liability that one would ordinarily expect to occur by the very nature of using and engaging in off-road vehicle activities.

I think it would be safe to say it is almost an assumption-of-the-risk analogy, although not precisely an assumption of the risk. It offers the property owner immunity from liability for that conduct and any injuries relating to that conduct that are naturally attending thereto.

Mr. THOMAS. Thank you, Madam Speaker.

Now, is this an amendment that was put in by the Senate or the House?

Ms. WEBER. This was put in by the House Judiciary Committee earlier this week.

Mr. THOMAS. Okay.

Thank you, Madam Speaker. Thank you.

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

Mr. BLAUM. Thank you, Madam Speaker.

I rise in support of the Senate bill.

This legislation allows children in the most horrible of cases to testify outside of the courtroom setting via closed-circuit television, be it whatever system the judge may direct. This is a result of legislation which overwhelmingly passed this House and Senate, a constitutional amendment which was overwhelmingly approved by the voters, and now this is the enabling legislation that is before us, and I ask the members for an affirmative vote.

Thank you, Madam Speaker.

On the question recurring,
Shall the bill pass finally?

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—202

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	Mann	Scrimenti
Bastian	Forcier	Markosek	Semmel
Bebko-Jones	Frankel	Marsico	Shaner
Belardi	Freeman	McCall	Smith, B.
Belfanti	Gabig	McGeehan	Smith, S. H.
Benninghoff	Gannon	McGill	Solobay
Bianucci	Geist	McIlhattan	Staback
Birmelin	George	McIlhinney	Stairs
Bishop	Gergely	McNaughton	Steil
Blaum	Gillespie	Melio	Stern
Boyd	Gingrich	Metcalfe	Stetler
Browne	Godshall	Micozzie	Stevenson, R.
Bunt	Good	Millard	Stevenson, T.
Butkovitz	Goodman	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causer	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
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Cornell, S. E.	Hennessey	Payne	Veon
Corrigan	Herman	Petrarca	Vitali
Costa	Hershey	Petri	Walko
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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
DeWeese	LaGrotta	Roebuck	Youngblood
DiGiroloam	Laughlin	Rohrer	Yudichak
Diven	Leach	Rooney	Zug
Donatucci	Lederer	Ross	
Eachus	Leh	Rubley	Perzel,
Egolf	Lescovitz	Ruffing	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—1

Manderino

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

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

STATEMENTS

The SPEAKER pro tempore. For what purpose does the gentleman, Dr. Bastian, rise?

Mr. BASTIAN. Madam Speaker, if I could make several comments about the bill we just passed.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. BASTIAN. Very briefly, I would like to thank the spirit of cooperation between a number of people, particularly Fred Brown, the lobbyist for the ATV (all-terrain vehicle) people; Mark Phenicie, the lobbyist for the trial attorneys; and attorney Al Masland, who used to be a member of this chamber, with the DCNR (Department of Conservation and Natural Resources) staff. This is an amendment on the assumption-of-risk bill. They were part of that bill that DCNR has wanted for 2 years, and I appreciate the cooperation. Also to Representative Gary Haluska from the Democratic side for his help.

Thank you very much, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Haluska.

Mr. HALUSKA. Thank you, Madam Speaker.

I would just like to echo the remarks that Representative Bastian made with all the help we had moving this legislation, something that DCNR very much needs, and we are glad to get over that hump and get moving.

Thank you.

BILL ON CONCURRENCE IN SENATE AMENDMENTS AS AMENDED

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 1996, PN 4282**, as further amended by the House Rules Committee:

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, further providing for cooperative purchasing, for legislative reports and for guaranteed energy savings and contracts.

On the question,

Will the House concur in Senate amendments as amended by the Rules Committee?

The SPEAKER pro tempore. It is moved by the gentleman, Mr. Adolph, that the House concur in the amendments.

On that question, the Chair recognizes the gentleman from Delaware County, Mr. Adolph.

Mr. ADOLPH. Thank you, Madam Speaker.

Good morning, Madam Speaker.

HB 1996 passed this House earlier this year with no negative votes. It went over to the Senate, and HB 1996, which has to deal with energy-efficient guaranteed contracts, there were

no changes made in the Senate, but the Senate added an amendment. It passed the Senate and went to House Rules, and the changes added to HB 1996 only addressed the cooperative purchasing section of the law on how local governments piggyback onto State contracts.

The measure was developed by the NFIB (National Federation of Independent Business), the Department of General Services, and the Governor’s Office. Specifically, this measure authorizes the Department of General Services to create a special contract for use by local public procurement units and/or State-affiliated entities when the number of contractors under a previously existing contract is reduced to a single vendor or the number of vendors is reduced by more than 50 percent. Under this proposal, Madam Speaker, a local public procurement unit can choose to buy supplies and services from the vendor who wins a strategically sourced contract or from one who is on the new multiple award list.

I ask my colleagues to vote positive on HB 1996.

Thank you.

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

Ms. JOSEPHS. Thank you, Madam Speaker.

I understand from the administration that they approve of this compromise. I thank the members of the State Government Committee and all the other people who helped move this forward.

Thank you, Madam Speaker.

On the question recurring,

Will the House concur in Senate amendments as amended by the Rules Committee?

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—202

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	Mann	Scrimenti
Bastian	Forcier	Markosek	Semmel
Bebko-Jones	Frankel	Marsico	Shaner
Belardi	Freeman	McCall	Smith, B.
Belfanti	Gabig	McGeehan	Smith, S. H.
Benninghoff	Gannon	McGill	Solobay
Bianucci	Geist	McIlhattan	Staback
Birmelin	George	McIlhinney	Stairs
Bishop	Gergely	McNaughton	Steil
Blaum	Gillespie	Melio	Stern
Boyd	Gingrich	Metcalfe	Stetler
Browne	Godshall	Micozzie	Stevenson, R.
Bunt	Good	Millard	Stevenson, T.
Butkovitz	Goodman	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causer	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O’Brien	Travaglio
Clymer	Harper	Oliver	True

Cohen	Harris	O’Neill	Turzai
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Corrigan	Herman	Petrarca	Vitali
Costa	Hershey	Petri	Walko
Coy	Hess	Petrone	Wansacz
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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
DeWeese	LaGrotta	Roebuck	Youngblood
DiGirolamo	Laughlin	Rohrer	Yudichak
Diven	Leach	Rooney	Zug
Donatucci	Lederer	Ross	
Eachus	Leh	Rubley	Perzel,
Egolf	Lescovitz	Ruffing	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—1

Manderino

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

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

REMARKS SUBMITTED FOR THE RECORD

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

Mr. ADOLPH. Thank you, Madam Speaker.

Madam Speaker, I have some comments that I would like to submit for the record. It is very important to clear up some clarification on the language of the bill, and I know we have a busy schedule today, and I would just like to submit it for the record.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman. Your remarks will be spread upon the record.

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

As you know, the Commonwealth’s local governments and school districts are constantly under the burden of maintaining essential services while staying within their limited budgets.

To do so, many school districts and municipalities have sought to save scarce local resources by implementing energy conservation plans.

Through the purchase of new, energy-efficient equipment or the alteration of existing facilities, these governmental units can realize energy cost reductions and thus save taxpayers money.

HB 1996 will help in this area by amending the guaranteed energy savings provisions of the Commonwealth Procurement Code.

A guaranteed energy savings contract provides a way for school districts and local governments, for example, to make energy conservation improvements to their existing buildings through a third-party vendor and be guaranteed a certain savings in energy costs over a predetermined number of years.

Madam Speaker, one of the safeguards in HB 1996 is the requirement that a qualified provider of these services post a performance bond to guarantee that the promised cost savings will actually occur or face possible forfeiture of the performance bond if those capital improvements do not perform according to the contract.

This language is directed at those companies that sell capital improvements and not at consulting firms who merely evaluate operations and make recommendations for energy cost savings.

To be clear, Madam Speaker, it is the intent of HB 1996 to require those who provide capital improvements to be subject to performance bonds, and not those who merely provide consulting services.

HB 1996 also will provide an important change to the Commonwealth's Procurement Code to ensure that our small businesses will be able to compete locally for contracts to provide goods and services.

Madam Speaker, I support this language and urge an affirmative vote on HB 1996.

RESOLUTION

Mr. RAYMOND called up **HR 823, PN 4254**, entitled:

A Resolution establishing the Commission on the Future of the Philadelphia, Pittsburgh and Harrisburg International Airports and the Southeastern Pennsylvania Transportation Authority.

On the question,
Will the House adopt the resolution?

Mr. RAYMOND offered the following amendment No. **A3281**:

Amend Resolution, page 4, by inserting between lines 2 and 3

RESOLVED, That the members of the commission be appointed within 15 days of the date of adoption of this resolution; and be it further

Amend Sixth Resolve Clause, page 4, line 3, by inserting after "the" where it appears the first time

Speaker of the House of Representatives call the initial meeting of the commission within ten days of the appointment of the members, at which meeting the

Amend Resolution, page 4, lines 5 through 7, by striking out all of said lines and inserting

RESOLVED, That the commission may hold hearings, take testimony and make its investigations at such places as it deems necessary within or without this Commonwealth and that each member of the commission shall have the power to administer oaths and affirmations to witnesses appearing before the commission; and be it further

RESOLVED, That the Chief Clerk of the House of Representatives be authorized to pay for all necessary, appropriate and proper expenses incurred by the commission; and be it further

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

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

Mr. RAYMOND. Thank you, Madam Speaker.

Madam Speaker, this amendment clarifies a couple points in the resolution. It establishes that within 15 days of the date of adoption, the members shall be appointed, and it also indicates that the Speaker of the House shall call the initial meeting of the commission within 10 days of the appointment of members. It also clarifies and indicates that the Chief Clerk of the House will be authorized to pay for any expenses.

I would ask for an affirmative vote.

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—202

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	Mann	Scrimenti
Bastian	Forcier	Markosek	Semmel
Bebko-Jones	Frankel	Marsico	Shaner
Belardi	Freeman	McCall	Smith, B.
Belfanti	Gabig	McGeehan	Smith, S. H.
Benninghoff	Gannon	McGill	Solobay
Bianucci	Geist	McIlhattan	Staback
Birmelin	George	McIlhinney	Stairs
Bishop	Gergely	McNaughton	Steil
Blaum	Gillespie	Melio	Stern
Boyd	Gingrich	Metcalf	Stetler
Browne	Godshall	Micozzie	Stevenson, R.
Bunt	Good	Millard	Stevenson, T.
Butkovitz	Goodman	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causar	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell, S. E.	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	Wojnarowski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roberts	Yewcic
DeWeese	LaGrotta	Roebuck	Youngblood
DiGirolamo	Laughlin	Rohrer	Yudichak
Diven	Leach	Rooney	Zug
Donatucci	Lederer	Ross	
Eachus	Leh	Rubley	Perzel,
Egolf	Lescovitz	Ruffing	Speaker

NAYS—0

NOT VOTING-0

EXCUSED-1

Manderino

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 adopt the resolution as amended?

The following roll call was recorded:

YEAS-202

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	Mann	Scrimenti
Bastian	Forcier	Markosek	Semmel
Bebko-Jones	Frankel	Marsico	Shaner
Belardi	Freeman	McCall	Smith, B.
Belfanti	Gabig	McGeehan	Smith, S. H.
Benninghoff	Gannon	McGill	Solobay
Biancucci	Geist	McIlhattan	Staback
Birmelin	George	McIlhinney	Stairs
Bishop	Gergely	McNaughton	Steil
Blaum	Gillespie	Melio	Stern
Boyd	Gingrich	Metcalfe	Stetler
Browne	Godshall	Micozzie	Stevenson, R.
Bunt	Good	Millard	Stevenson, T.
Butkovitz	Goodman	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causer	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell, S. E.	Hennessey	Payne	Veon
Corrigan	Herman	Petrarca	Vitali
Costa	Hershey	Petri	Walko
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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	Kennedy	Reed	Wilt
DeLuca	Killion	Reichley	Wojnaroski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roberts	Yewcic
DeWeese	LaGrotta	Roebuck	Youngblood
DiGirolamo	Laughlin	Rohrer	Yudichak
Diven	Leach	Rooney	Zug
Donatucci	Lederer	Ross	
Eachus	Leh	Rubley	Perzel,
Egolf	Lescovitz	Ruffing	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-1

Manderino

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

STATEMENT BY MS. YOUNGBLOOD

The SPEAKER pro tempore. For what purpose does the lady, Ms. Youngblood, rise?

Ms. YOUNGBLOOD. For remarks, Madam Speaker.

The SPEAKER pro tempore. The lady may proceed.

Ms. YOUNGBLOOD. Madam Speaker and members of the Pennsylvania House of Representatives, Friday, July 2, we celebrated the 40th anniversary of the signing of the 1964 Civil Rights Act by President Lyndon B. Johnson. A resolution will follow, and I would like to have this entered into the record.

Thank you.

The SPEAKER pro tempore. The Chair thanks the lady. Your remarks will be spread upon the record.

RESOLUTIONS PURSUANT TO RULE 35

Mrs. TAYLOR called up **HR 827, PN 4273**, entitled:

A Resolution recognizing September 25, 2004, as "National Hunting and Fishing Day."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-202

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	Mann	Scrimenti
Bastian	Forcier	Markosek	Semmel
Bebko-Jones	Frankel	Marsico	Shaner
Belardi	Freeman	McCall	Smith, B.
Belfanti	Gabig	McGeehan	Smith, S. H.
Benninghoff	Gannon	McGill	Solobay
Biancucci	Geist	McIlhattan	Staback
Birmelin	George	McIlhinney	Stairs
Bishop	Gergely	McNaughton	Steil
Blaum	Gillespie	Melio	Stern
Boyd	Gingrich	Metcalfe	Stetler
Browne	Godshall	Micozzie	Stevenson, R.
Bunt	Good	Millard	Stevenson, T.
Butkovitz	Goodman	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causer	Hanna	Nailor	Thomas

Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell, S. E.	Hennessey	Payne	Veon
Corrigan	Herman	Petrarca	Vitali
Costa	Hershey	Petri	Walko
Coy	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horsy	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
DeWeese	LaGrotta	Roebuck	Youngblood
DiGirolamo	Laughlin	Rohrer	Yudichak
Diven	Leach	Rooney	Zug
Donatucci	Lederer	Ross	
Eachus	Leh	Rubley	Perzel,
Egolf	Lescovitz	Ruffing	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-1

Manderino

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

* * *

Mr. CREIGHTON called up **HR 828, PN 4274**, entitled:

A Resolution designating October 10, 2004, as "Tenth Amendment Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-202

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	Mann	Scrimenti
Bastian	Forcier	Markosek	Semmel
Bebko-Jones	Frankel	Marsico	Shaner
Belardi	Freeman	McCall	Smith, B.
Belfanti	Gabig	McGeehan	Smith, S. H.
Benninghoff	Gannon	McGill	Solobay
Bianucci	Geist	McIlhattan	Staback
Birmelin	George	McIlhinney	Stairs
Bishop	Gergely	McNaughton	Steil
Blaum	Gillespie	Melio	Stern
Boyd	Gingrich	Metcalfe	Stetler

Browne	Godshall	Micozzie	Stevenson, R.
Bunt	Good	Millard	Stevenson, T.
Butkovitz	Goodman	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causser	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell, S. E.	Hennessey	Payne	Veon
Corrigan	Herman	Petrarca	Vitali
Costa	Hershey	Petri	Walko
Coy	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horsy	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
DeWeese	LaGrotta	Roebuck	Youngblood
DiGirolamo	Laughlin	Rohrer	Yudichak
Diven	Leach	Rooney	Zug
Donatucci	Lederer	Ross	
Eachus	Leh	Rubley	Perzel,
Egolf	Lescovitz	Ruffing	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-1

Manderino

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1039, PN 1744**, entitled:

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, clarifying the definition of "agency."

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

Mr. **VITALI** offered the following amendment No. **A2960**:

Amend Title, page 1, line 2, by striking out " "agency." " and inserting

"agency"; and repealing provisions relating to announcement of legislative committee sessions.

Amend Bill, page 2, by inserting between lines 21 and 22 Section 2. Section 709(e) of the act is repealed.

Amend Sec. 2, page 2, line 22, by striking out "2" and inserting

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

AMENDMENT WITHDRAWN

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

Mr. VITALI. Madam Speaker, I am going to withdraw this amendment, because I have been asked to do so by a colleague and others, but I just wanted to briefly explain what it is, if I could.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. VITALI. The bill in chief involves the Sunshine Act, which deals with open meetings, and we often do not get a chance to amend this, and that is why I filed my amendments here.

This amendment would deal with our committee meetings and specifically the committee meetings we call off the floor. Right now, under the Sunshine Act, you do not have to sunshine them. They do not need the same sort of public notice as committee meetings not called off the floor. So this amendment would eliminate that exception so committee meetings called off the floor would have to be sunshined, would have to get that public notice, and two, it would require that only the bills advertised could be considered at the meeting. In other words, we could not add on.

It is to avoid a situation where you have to vote on things, new things, without notice, but I am going to pull it today, just so the underlying bill, which is important to a number of people here, can go off and be passed without a hitch.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

RULES SUSPENDED

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

Mr. GABIG. Madam Speaker, I move that the rules of this House be suspended in order to offer amendment No. 3300.

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

The following roll call was recorded:

YEAS—201

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	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	Good	Millard	Sturla
Butkovitz	Goodman	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	O'Neill	Vance
Coleman	Hasay	Payne	Veon
Cornell, S. E.	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	Lescovitz	Sainato	Speaker

NAYS—1

Pallone

NOT VOTING—0

EXCUSED—1

Manderino

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?

Mr. GABIG offered the following amendment No. **A3300**:

Amend Sec. 1 (Sec. 703), page 2, line 17, by inserting after "granted"

legally enforceable

Amend Sec. 1 (Sec. 703), page 2, line 17, by striking out "or" and inserting

and

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

The following roll call was recorded:

YEAS—202

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	Mann	Scrimenti
Bastian	Forcier	Markosek	Semmel
Bebko-Jones	Frankel	Marsico	Shaner
Belardi	Freeman	McCall	Smith, B.
Belfanti	Gabig	McGeehan	Smith, S. H.
Benninghoff	Gannon	McGill	Solobay
Biancucci	Geist	McIlhattan	Staback
Birmelin	George	McIlhinney	Stairs
Bishop	Gergely	McNaughton	Steil
Blaum	Gillespie	Melio	Stern
Boyd	Gingrich	Metcalfe	Stetler
Browne	Godshall	Micozzie	Stevenson, R.
Bunt	Good	Millard	Stevenson, T.
Butkovitz	Goodman	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causer	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell, S. E.	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
DeWeese	LaGrotta	Roebuck	Youngblood
DiGirolamo	Laughlin	Rohrer	Yudichak
Diven	Leach	Rooney	Zug
Donatucci	Lederer	Ross	
Eachus	Leh	Rublely	Perzel,
Egolf	Lescovitz	Ruffing	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—1

Manderino

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 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?

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

The following roll call was recorded:

YEAS—202

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	Mann	Scrimenti
Bastian	Forcier	Markosek	Semmel
Bebko-Jones	Frankel	Marsico	Shaner
Belardi	Freeman	McCall	Smith, B.
Belfanti	Gabig	McGeehan	Smith, S. H.
Benninghoff	Gannon	McGill	Solobay
Biancucci	Geist	McIlhattan	Staback
Birmelin	George	McIlhinney	Stairs
Bishop	Gergely	McNaughton	Steil
Blaum	Gillespie	Melio	Stern
Boyd	Gingrich	Metcalfe	Stetler
Browne	Godshall	Micozzie	Stevenson, R.
Bunt	Good	Millard	Stevenson, T.
Butkovitz	Goodman	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causer	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell, S. E.	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
DeWeese	LaGrotta	Roebuck	Youngblood
DiGirolamo	Laughlin	Rohrer	Yudichak
Diven	Leach	Rooney	Zug
Donatucci	Lederer	Ross	
Eachus	Leh	Rublely	Perzel,
Egolf	Lescovitz	Ruffing	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—1

Manderino

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

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

REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentledady from Chester County, Mrs. Taylor, for the purpose of a caucus announcement.

Mrs. TAYLOR. Madam Speaker, at the call of the recess, there will be an informal caucus at 12 noon, and there will be a formal caucus at 1 p.m., and we will be caucusing on the property tax issue, hopefully to be back on the floor no later than 2 p.m.

The SPEAKER pro tempore. The Chair thanks the lady.

DEMOCRATIC CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Cohen, for the purpose of a caucus announcement.

Mr. COHEN. Thank you, Madam Speaker.

Madam Speaker, we are going to follow the identical schedule outlined by Representative Taylor. There will be informal discussions at noon; formal caucus, 1 o'clock.

MOTION TO ADJOURN

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

Mr. SAMUELSON. Thank you, Madam Speaker.

I rise to make a motion.

The SPEAKER pro tempore. The gentleman will state his motion.

Mr. SAMUELSON. Madam Speaker, it is 11:30 on Saturday morning. We have several weighty issues before us. We have the proposed slot machine bill, 146 pages. We have the property tax bill, 108 pages. We have a State budget that is not yet finalized. It is still being negotiated. We face the prospect of a lengthy debate on all three topics, so we have to ask ourselves, is this the right time to have that debate, on Fourth of July weekend? We face a debate that could go into Saturday night, a debate that could go into Sunday morning, a debate that could go into Independence Day—

The SPEAKER pro tempore. Would the gentleman suspend, please.

If the gentleman wishes to make a motion, state your motion now, please.

Mr. SAMUELSON. My motion is, in order to give these weighty topics proper review, I move that this House do now adjourn until 1 p.m. on Tuesday, July 6, so that we can—

The SPEAKER pro tempore. You have made your motion.

The gentleman, Mr. Samuelson, moves that the House do now adjourn until Tuesday, July 6, at 1 p.m.

On the question,

Will the House agree to the motion?

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

The Chair recognizes the gentleman, Mr. Feese.

Mr. FEESE. Thank you, Madam Speaker.

Madam Speaker, I oppose the gentleman's motion. I understand his desire to go home on this weekend and spend time with friends and family that we all would like to do. However, our forefathers happened to be working on July the 3d and July the 4th, and we can work on July the 3d and July the 4th.

The SPEAKER pro tempore. Does the gentleman, Mr. DeWeese, seek recognition?

Could we please have order. I cannot even hear the gentleman, Mr. DeWeese.

(“God Bless America” was sung by House members.)

The SPEAKER pro tempore. The Chair thanks the House chorus – but perhaps you might not want to give up your day jobs – and recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. Thank you, Madam Speaker.

The musicality, the spontaneity, the fraternity, is unprecedented. In 29 summers in this room, many of them engaged in pugnacious budget debate, I never experienced that. It is an amazing phenomenon that even the gentleman who proffered the motion was caught up in the moment and was singing.

I think that it is also a happy moment of serendipity that the hard-charging Republican whip and I have a perspective of mutuality not only about the issue at hand but about the metaphor. He really took it from me through the ether. I was going to make a similar comment about our Founding Fathers 228 years ago this morning.

The song and the good spirit that was just evoked a few moments ago tend to lead me to believe that our work at hand can be successfully dealt with in the ensuing hours, and with all due respect to my honorable colleague from the Lehigh Valley, I would sustain the wishes, if I could, with our collective votes, of the gentleman, Mr. Feese, and ask that the motion to adjourn be rejected and that we continue to do the State's business.

The SPEAKER pro tempore. Those wishing to adjourn will vote “aye”; those wishing to not adjourn will vote “nay.”

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—35

Armstrong	Diven	Melio	Samuelson
Birmelin	Donatucci	Metcalfe	Stairs
Casorio	Egolf	Myers	Stern
Cawley	Freeman	Pallone	Tigue
Clymer	Hutchinson	Petrarca	Vitali
Creighton	Marsico	Petrone	Waters
Dally	McGeehan	Pistella	Wilt
Denlinger	McIlhattan	Rieger	Yewcic
Dermody	McNaughton	Ruffing	

NAYS—167

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

NOT VOTING—0

EXCUSED—1

Manderino

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

RECESS

The SPEAKER pro tempore. This House does now stand in recess to the call of the Chair.

AFTER RECESS

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

THE SPEAKER (JOHN M. PERZEL)
PRESIDING

SUPPLEMENTAL CALENDAR D

RESOLUTIONS PURSUANT TO RULE 35

Mr. PAYNE called up **HR 829, PN 4287**, entitled:

A Resolution urging the Congress of the United States to award the Congressional Medal of Honor to Major Richard D. Winters without further delay.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—202

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	Mann	Scrimenti
Bastian	Forcier	Markosek	Semmel
Bebko-Jones	Frankel	Marsico	Shaner
Belardi	Freeman	McCall	Smith, B.
Belfanti	Gabig	McGeehan	Smith, S. H.
Benninghoff	Gannon	McGill	Solobay
Biancucci	Geist	McIlhattan	Staback
Birmelin	George	McIlhinney	Stairs
Bishop	Gergely	McNaughton	Steil
Blaum	Gillespie	Melio	Stern
Boyd	Gingrich	Metcalfe	Stetler
Browne	Godshall	Micozzie	Stevenson, R.
Bunt	Good	Millard	Stevenson, T.
Butkovitz	Goodman	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causer	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell, S. E.	Hennessey	Payne	Veon
Corrigan	Herman	Petarca	Vitali
Costa	Hershey	Petri	Walko
Coy	Hess	Petrone	Wansacz
Crahalla	Hickernell	Phillips	Washington
Creighton	Horsey	Pickett	Watson
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
DeWeese	LaGrotta	Roebuck	Youngblood
DiGirolamo	Laughlin	Rohrer	Yudichak
Diven	Leach	Rooney	Zug
Donatucci	Lederer	Ross	
Eachus	Leh	Rublely	Perzel,
Egolf	Lescovitz	Ruffing	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—1

Manderino

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

* * *

Mr. THOMAS called up **HR 830, PN 4288**, entitled:

A Resolution urging the Governor to establish sister state relations with the Fujian Province of the People’s Republic of China in the areas of arts and culture, economic development and travel and tourism.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—202

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	Mann	Scrimenti
Bastian	Forcier	Markosek	Semmel
Bebko-Jones	Frankel	Marsico	Shaner
Belardi	Freeman	McCall	Smith, B.
Belfanti	Gabig	McGeehan	Smith, S. H.
Benninghoff	Gannon	McGill	Solobay
Biancucci	Geist	McIlhattan	Staback
Birmelin	George	McIlhinney	Stairs
Bishop	Gergely	McNaughton	Steil
Blaum	Gillespie	Melio	Stern
Boyd	Gingrich	Metcalfe	Stetler
Browne	Godshall	Micozzie	Stevenson, R.
Bunt	Good	Millard	Stevenson, T.
Butkovitz	Goodman	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causser	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O’Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O’Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell, S. E.	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	Wojnarowski
Denlinger	Kirkland	Rieger	Wright

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Manderino

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

CALENDAR CONTINUED

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 2433, PN 4246**, entitled:

An Act amending the act of July 31, 2003 (P.L.73, No.17), known as the Volunteer Fire Company and Volunteer Ambulance Service Grant Act, further providing for award of grants, for expenses incurred by the Pennsylvania Emergency Management Agency; and providing for allocation of appropriated funds.

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

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

On that question, the Chair recognizes the gentleman from Delaware, Mr. Vitali.

Mr. VITALI. Could we have an explanation of the amendments made in the Senate here?

The SPEAKER. Just one moment, Mr. Vitali.

The gentleman, Mr. Smith, the majority leader, has indicated that he will consent to a brief interrogation. Mr. Vitali, you wanted to know what changes were made by the Senate. Is that correct?

Mr. VITALI. A brief explanation of the changes made in the Senate.

Thank you.

The SPEAKER. Mr. Smith, the gentleman, Mr. Vitali, would like just a brief explanation of the changes made by the Senate.

Mr. S. SMITH. Mr. Speaker, I am sorry; I could not hear.

The SPEAKER. The gentleman, Mr. Smith, is entirely correct. There is too much noise in the chamber. Please keep the noise levels down.

The gentleman, Mr. Preski, has a small wager that you will be here till 3 in the morning, so if you keep the noise down, maybe you will get out a little earlier.

The gentleman, Mr. Smith.

Mr. S. SMITH. Mr. Speaker, the bill before the House, HB 2433, was a bill that originally established the volunteer fire company and ambulance service grants. It was amended in the Senate by adding provisions that would allow gambling revenue to fund the fire and EMS (emergency medical services) grant program. If the gambling revenue is not available annually, the appropriate General Fund moneys would fund that grant program, as well as other things.

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—202

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	Mann	Scrimenti
Bastian	Forcier	Markosek	Semmel
Bebko-Jones	Frankel	Marsico	Shaner
Belardi	Freeman	McCall	Smith, B.
Belfanti	Gabig	McGeahan	Smith, S. H.
Benninghoff	Gannon	McGill	Solobay
Biancucci	Geist	McIlhattan	Staback
Birmelin	George	McIlhinney	Stairs
Bishop	Gergely	McNaughton	Steil
Blaum	Gillespie	Melio	Stem
Boyd	Gingrich	Metcalfe	Stetler
Browne	Godshall	Micozzie	Stevenson, R.
Bunt	Good	Millard	Stevenson, T.
Butkovitz	Goodman	Miller, R.	Sturla
Buxton	Grucela	Miller, S.	Surra
Caltagirone	Gruitza	Mundy	Tangretti
Cappelli	Habay	Mustio	Taylor, E. Z.
Casorio	Haluska	Myers	Taylor, J.
Causar	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O'Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell, S. E.	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	Wojnarowski
Denlinger	Kirkland	Rieger	Wright
Dermody	Kotik	Roberts	Yewcic
DeWeese	LaGrotta	Roebuck	Youngblood
DiGirolamo	Laughlin	Rohrer	Yudichak
Diven	Leach	Rooney	Zug
Donatucci	Lederer	Ross	
Eachus	Leh	Rubley	Perzel,
Egolf	Lescovitz	Ruffing	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—1

Manderino

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.

GAVEL PRESENTED

The SPEAKER. As some of you may know, one of our outstanding and dedicated long-term employees will be retiring this summer, Tom Purcell – no relation – the supervisor of our Calendar and Amendment Room, whom you see here on the floor of the House, obviously, on a daily basis. He started working in the House of Representatives in 1969. Tom has always performed his duties in a professional manner and is one of our key staff persons in the day-to-day functioning of the Pennsylvania House of Representatives while we are in session.

We will miss him, and as a token of appreciation, I would like to present him with a Speaker's gavel.

Tom, your last day at work will be cut out for you.

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 2433, PN 4246

An Act amending the act of July 31, 2003 (P.L.73, No.17), known as the Volunteer Fire Company and Volunteer Ambulance Service Grant Act, further providing for award of grants, for expenses incurred by the Pennsylvania Emergency Management Agency; and providing for allocation of appropriated funds.

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

RULES COMMITTEE MEETING

The SPEAKER. The majority leader calls for an immediate meeting of the Rules Committee.

**BILLS ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 1039, PN 4230

By Rep. S. SMITH

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, providing for Medicaid managed care organization assessments, for intermediate care facilities for the mentally retarded persons assessments, for administration of assessments by the Department of Public Welfare, for enforcement and for a report on certain pharmaceutical programs.

RULES.

HB 2330, PN 4272

By Rep. S. SMITH

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, authorizing certain racetrack and other gaming; providing for regulation of gaming licensees; establishing and providing for the powers and duties of the Pennsylvania Gaming Control Board; conferring powers and imposing duties on the Department of Revenue, the Department of Health, the Office of Attorney General, the Pennsylvania State Police and the Pennsylvania Liquor Control Board; establishing the State Gaming Fund, the Pennsylvania Race Horse Development Fund, the Pennsylvania Gaming Economic Development and Tourism Fund, the compulsive Problem Gambling Treatment Fund and the Property Tax Relief Fund; providing for enforcement; imposing penalties; making appropriations; and making related repeals.

RULES.

SB 100, PN 1789

By Rep. S. SMITH

An Act providing for taxation by school districts, for State funds and for wage and net profits tax relief in cities of the first class; and making an appropriation.

RULES.

SB 157, PN 1766

By Rep. S. SMITH

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for firefighter and emergency service training as creditable high school courses; reenacting provisions relating to education empowerment districts and for temporary aid for school districts affected by reductions in assessed value of real estate; reenacting provisions for powers and duties of the State Board of Education; and providing for regulation of credit card marketing on a college or university campus.

RULES.

**RESOLUTION REPORTED AND
REREFERRED TO COMMITTEE
ON STATE GOVERNMENT**

HR 760, PN 3945

By Rep. HASAY

A Concurrent Resolution establishing a task force to conduct an in-depth investigation of the outsourcing of jobs from the Commonwealth.

COMMERCE.

SUPPLEMENTAL CALENDAR A

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 2330, PN 4272**, entitled:

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, authorizing certain racetrack and other gaming; providing for regulation of gaming licensees; establishing and providing for the powers and duties of the Pennsylvania Gaming Control Board; conferring powers and imposing duties on the Department of Revenue, the Department of Health, the Office of Attorney General, the Pennsylvania State Police and the Pennsylvania Liquor Control Board; establishing the State Gaming Fund, the

Pennsylvania Race Horse Development Fund, the Pennsylvania Gaming Economic Development and Tourism Fund, the compulsive Problem Gambling Treatment Fund and the Property Tax Relief Fund; providing for enforcement; imposing penalties; making appropriations; and making related repeals.

On the question,

Will the House concur in Senate amendments?

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

On that question, the Chair recognizes the gentleman, Mr. Vitali, for a suspension of the rules on amendment 3255.

Mr. VITALI. Mr. Speaker?

The SPEAKER. Would the gentleman suspend.

The House will be at ease for a few moments.

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

Mr. VITALI. Mr. Speaker, instead of amendment 3255, I would like to offer first amendment 3274, which deals with the competitive bidding of bonds.

The SPEAKER. Mr. Vitali, rather than to tell you no, what the Chair would like to ask is if we could go down in order so that the members are not going from page to page to page. Yours was the first amendment offered, which is 3255. If you would like to skip over that and have us go to Mr. Rohrer and wait until we get down to 3274.

Mr. VITALI. That is your prerogative.

The SPEAKER. I am only asking.

Mr. VITALI. I certainly do not want to offer that first. The one I would like to offer first is 3274. So if you would prefer me to wait and come back, I do not want to waive my right to make motion on any of my amendments. I just prefer to do them—

The SPEAKER. All right, Mr. Vitali.

The amendment 3255 is over temporarily. We are now on amendment 3256.

The gentleman from Berks, Mr. Rohrer.

The clerk will read the amendment.

The Chair rescinds.

The Chair recognizes the gentleman from Berks, Mr. Rohrer, first.

Mr. ROHRER. Thank you, Mr. Speaker.

I believe the amendment that I have out here is 3338, if I could. That is the one I believe that we had first.

The SPEAKER. Mr. Rohrer, two things: First off, we are attempting to go in order of the packets. That is what the members generally like and will accept, but I would go to that amendment except we are waiting for a notification from our other colleagues in the chamber as to whether or not they are willing to suspend the rules for that particular amendment. So I do not have that agreement just yet, so I would like to wait on that one.

Mr. ROHRER. If the Speaker can let me look. This is the one that I had been notified that we were to begin with.

The SPEAKER. I am well aware of that. I have it marked down for that. We are just waiting for word back from the minority leader.

Do you wish to go over temporarily 3256?

Mr. ROHRER. Let me check, Mr. Speaker, and see what that is.

The SPEAKER. No problem.

FILMING PERMISSION

The SPEAKER. The Chair would like to inform the members of the House that Lawrence Kesterson of the Philadelphia Inquirer is hereby authorized to have access to designated areas of the hall of the House for still photography, videotaping, and/or recording audio on the floor of the House of Representatives on July 3, 2004, for the purposes of the slots legislation.

The Chair wishes to advise members that it has given permission to Daniel Shanken of the Associated Press to take still photography of the legislation before the House this day, July 3, 2004.

CONSIDERATION OF HB 2330 CONTINUED

RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentleman, Mr. Rohrer, on amendment 3338. The gentleman, Mr. Rohrer.

Mr. ROHRER. Thank you, Mr. Speaker.

Mr. Speaker, I have an amendment, amendment 3338, that I would like to suspend the rules to have the House consider, please.

The SPEAKER. It is moved by the gentleman, Mr. Rohrer, that the rules of the House be suspended for amendment 3338.

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

The SPEAKER. On that question, which is debatable only by the floor leaders, Mr. Smith.

Mr. S. SMITH. Mr. Speaker, I would support the motion to suspend the rules for this amendment.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. DeWeese.

Mr. DeWEESE. Mr. Speaker, although I am vigorously opposed to the objectives of the honorable gentleman who is proffering this amendment, in the interest of fair debate I would ask our members on this side of the aisle to acquiesce to a favorable suspension vote, and then subsequent to a debate, naturally I would ask our members to attempt to countervail the honorable gentleman, Mr. Rohrer. So I would agree with the majority leader at this juncture on this amendment for a suspension but not because I identify with his objective.

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—183

Adolph	Fabrizio	Levdansky	Rubley
Allen	Fairchild	Lewis	Sainato
Argall	Feese	Lynch	Samuelson
Armstrong	Fichter	Mackereth	Santoni
Baker	Fleagle	Maher	Sather
Baldwin	Flick	Maitland	Saylor
Bard	Forcier	Major	Scavello
Barrar	Frankel	Markosek	Schroder
Bastian	Freeman	Marsico	Scrimenti

Belardi	Gabig	McCall	Semmel
Benninghoff	Gannon	McGeehan	Shaner
Biancucci	Geist	McGill	Smith, B.
Birmelin	George	McIlhatten	Smith, S. H.
Bishop	Gillespie	McIlhinney	Staback
Blaum	Gingrich	McNaughton	Stairs
Boyd	Godshall	Melio	Steil
Browne	Good	Metcalfe	Stern
Bunt	Grucela	Micozzie	Stetler
Butkovitz	Gruitza	Millard	Stevenson, R.
Caltagirone	Habay	Miller, R.	Stevenson, T.
Cappelli	Hanna	Miller, S.	Tangretti
Casorio	Harhai	Mundy	Taylor, E. Z.
Causar	Harhart	Mustio	Taylor, J.
Cawley	Harper	Myers	Thomas
Civera	Harris	Nailor	Tigue
Clymer	Hasay	Nickol	True
Cohen	Hennessey	O'Brien	Turzai
Coleman	Herman	Oliver	Vance
Cornell, S. E.	Hershey	O'Neill	Veon
Costa	Hess	Pallone	Vitali
Coy	Hickernell	Payne	Walko
Crahalla	Horsey	Petrarca	Washington
Creighton	Hutchinson	Petri	Waters
Cruz	James	Petrone	Watson
Dailey	Josephs	Phillips	Weber
Daley	Keller	Pickett	Wheatley
Dally	Kenney	Pistella	Williams
DeLuca	Killion	Preston	Wilt
Denlinger	Kirkland	Raymond	Wright
Dermody	Kotik	Readshaw	Yewcic
DeWeese	LaGrotta	Reed	Youngblood
DiGirolamo	Laughlin	Reichley	Yudichak
Diven	Leach	Roberts	Zug
Donatucci	Lederer	Roebuck	
Egolf	Leh	Rohrer	Perzel,
Evans, D.	Lescovitz	Ross	Speaker
Evans, J.			

NAYS—17

Belfanti	Gergely	Rooney	Surra
Buxton	Goodman	Ruffing	Travaglio
Corrigan	Haluska	Solobay	Wansacz
Curry	Mann	Sturla	Wojnaroski
Eachus			

NOT VOTING—2

Bebko-Jones	Rieger
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EXCUSED—1

Manderino

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?

Mr. ROHRER offered the following amendment No. **A3338**:

Amend Sec. 1 (Sec. 1103), page 7, line 17, by inserting after "OF" where it appears the first time
Gaming

Amend Sec. 1 (Sec. 1103), page 7, line 18, by striking out all of said line and inserting

the Office of Attorney General, which is hereby established.

Amend Sec. 1 (Sec. 1202), page 27, line 19, by striking out “NOT”

Amend Sec. 1 (Sec. 1202), page 27, line 26, by striking out “CREATE A” and inserting

cooperate with the

Amend Sec. 1 (Sec. 1202), page 27, line 27, by striking out “WITHIN THE BOARD. THE BOARD” and inserting

in the Office of Attorney General. The Attorney General

Amend Sec. 1 (Sec. 1202), page 27, line 30, by striking out “BOARD” where it appears the second time and inserting

Attorney General

Amend Sec. 1 (Sec. 1517), page 129, lines 8 and 9, by striking out “OF INVESTIGATIONS AND ENFORCEMENT”

On the question,

Will the House agree to the amendment?

The SPEAKER. On that amendment, the Chair recognizes the gentleman, Mr. Rohrer.

Mr. ROHRER. Thank you, Mr. Speaker.

I wish to thank the minority leader for his support of the amendment, qualified though it was.

We have before us, obviously, Mr. Speaker, the beginning of this HB 2330 that is without question the most firmly felt and perhaps controversial piece of legislation that this House has considered perhaps in my 12 years that I have been here. In the bill that has come back from the Senate into which the language for the establishment of gambling in this Commonwealth of Pennsylvania was inserted, there is extensive language that goes throughout this bill that I know all of us on both sides of this aisle as we have read this bill have found it to be, in my opinion and I think shared by many, loaded with many, many, many problematic areas.

One that I would like to look at that is contained in this amendment that we will be considering here in just a moment is an issue or is an amendment that goes to the concerns surrounding the key element that is established in this bill, and that is one that deals with the creation of the Gaming Control Board. As we have talked in this caucus on this side, and I know you have on that side as well, I do not think there is anyone who can dispute the fact that this board, this Gaming Control Board that would be established for the first time in this Commonwealth, is granted under this legislation tremendous sweeping and all-encompassing power both from how it is composed, who sits on it, how they establish salaries, who they hire, the fact that they can issue regulations as a board not subject to any review, be it by IRRC (Independent Regulatory Review Commission) or by this legislature, the fact that they can enter into negotiations with licensees and suppliers and they themselves are the only ones that can hear appeals, to doing their own investigations.

I am very concerned, Mr. Speaker, that what we are doing without significant change and alteration to tighten up some of the language in this bill, that we are granting powers to a board that will only return to us with findings of tremendous abuse simply because of the way it is established and structured.

Mr. Speaker, if I could, could I interrogate someone who would want to defend this on some questions regarding some

elements of the board? The maker of the bill would be preferred. Is that possible?

The SPEAKER. The gentleman, Mr. DeWeese, indicates he will stand for interrogation. The gentleman, Mr. Rohrer, is in order and may proceed.

Mr. ROHRER. Thank you, Mr. Speaker.

A question that I would like to pose is, can— Who is answering, by the way? I am sorry. Who is answering? Okay. Okay.

In the creation of the board, there are certain protections, I believe, that are put in place to oversee enforcement and investigations to make sure that things are done properly regarding the board. There is a bureau that is to be developed. Can you tell me, other than what I can just read in the legislation, can you tell me what the purpose really of that bureau is to be, the Bureau of Investigation?

Mr. DeWEESE. The bureau was designed after a similar entity in Nevada and in New Jersey, which have, according to Federal and State authorities in both sites, been very successful. It would overview the entire gaming process in absolute coordination with the local district attorneys, the Attorney General of the Commonwealth of Pennsylvania, and the Pennsylvania State Police, which has a long run of history relative to organized crime. So what we have done is taken the best models from other States where gaming has been regulated in the past and developed our statutory language in a similar fashion.

Mr. ROHRER. Thank you, Mr. Speaker.

Who controls this Bureau of Investigation? Who oversees its operation?

Mr. DeWEESE. The Gaming Board, which would have representation from this room, from this General Assembly. We would have, as you are aware but for the record, there would be four members of the seven coming from the caucuses in the General Assembly and then the Governor would have three. Those seven individuals would in essence run the operation. They would create this mechanism, this enforcement mechanism, but I would say that we do have confirmation, aggressive confirmation, from the Pennsylvania State Police expressing full confidence in this board, especially when one realizes that on a day-to-day basis they will be interacting with the local district attorneys, the Attorney General of the State, and the Pennsylvania State Police, as is done in Nevada and in New Jersey and in West Virginia, et cetera.

So it is a coordinated effort, but the answer to your question would be, the board, the Gaming Board here in Pennsylvania, would have ultimate control.

Mr. ROHRER. Thank you, Mr. Speaker.

If I could in discussing the amendment that I have offered here, as I read the language of the bill, it says that the Bureau of Investigations and Enforcement will be created within the board. The board possesses the authority to promulgate regulations that pertain to the operation of this bureau whose purpose it is, it says, to “...INSURE SEPARATION OF FUNCTIONS BETWEEN THE” investigative “BUREAU AND THE BOARD.” It says, “THE BOARD SHALL PROVIDE THE EMPLOYEES NECESSARY TO THE BUREAU FOR ENFORCEMENT OF THIS PART.” Mr. Speaker, as I read that language – and I appreciate what the minority leader said relative to involvement of State Police – and there really is not very much there, nothing in this language – involvement of the Attorney General – nothing in this at all.

As I read this language, the board, who is the one who is making the regulations, promulgates the regulations, creates the bureau; they create the bureau, and then they also provide the employees to that bureau when it is time for enforcement under it. Now, I do not know how anyone here looks at that and thinks about it, but to me that is a fox in the henhouse, if I have ever heard of it.

My amendment would simply change this to state that the Bureau of Investigation would be under the Office of Attorney General. Let the Office of Attorney General, whose purpose it is to do investigations, who will be involved, let them be involved from a position of primary involvement. I believe that it is absolutely impossible for the bureau, who is appointed by and operates under the direct arm of the board and whose employees are paid for by the board, to in any way insure, as the law says, to "...INSURE SEPARATION OF FUNCTIONS BETWEEN THE BUREAU AND THE BOARD." To me it is absolutely impossible. There is no check and balance in this, and that is a fearful and frightful thing, and I believe it makes sense to suggest that we change this to have the Office of Attorney General be involved and primarily oversee this Bureau of Investigation.

Mr. DeWEESE. Mr. Speaker, has the gentleman concluded the interrogation?

Mr. ROHRER. I am, sir.

Mr. DeWEESE. Would it be appropriate for me to respond?

The SPEAKER. If he asked a question.

Mr. DeWEESE. Okay. I will reserve my comment until after the gentleman has completed his comments.

Thank you.

Mr. ROHRER. Okay.

Mr. Speaker, my comments, I believe, are completed. I believe that what we have here is a creation, again, of a board that throughout, not just in the area of law enforcement, is a board that is without real accountability, a board to which we grant tremendous and sweeping powers of regulation of this entire brand-new area, and then in an area where we believe and we understand and we know and as acknowledged by the minority leader that the involvement of be it organized crime or criminal concern or action of any type, which is the reason for the Bureau of Investigation to be involved, that we do it in such a way that we have some credibility and we have a department of State established for investigation, that being the Office of Attorney General, to be involved in this most critical element.

I see no reason whatsoever that anyone should oppose having our Attorney General involved in an upfront position in this most critical area of investigation, and I ask for support of this amendment, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

FILMING PERMISSION

The SPEAKER. The Chair wishes to advise the members that it has given permission to Mike Fernandez of the Patriot-News to take still photographs of the legislation before the House right now, this day, 7/3/04.

CONSIDERATION OF HB 2330 CONTINUED

The SPEAKER. Does the gentleman, Mr. DeWeese, wish to be recognized? The gentleman, Mr. DeWeese.

Mr. DeWEESE. Four quick points that reflect upon the gentleman from Berks.

Number one, the Supreme Court of Pennsylvania has enunciated that it is necessary for there to be a separation of functions within the board, and on page 27, lines 26, 27, 28, 29, 30, that language should give at least some solace to the gentleman, because I am confident that there will be a separation of the enforcement mechanisms of the board and the general work of the board, and if there is not, then the court will intercede.

A second point I would like to make would be – and it is a short letter, but this is a weighty subject. I am going to read two quick paragraphs: "To: The Honorable Members of the General Assembly"; "From: Colonel Jeffrey B. Miller," Pennsylvania State Police, regarding HB 2330, PN 4272; date: 3 July '04.

"Thank you for the opportunity to comment on the provisions of House Bill 2330. I support HB 2330 since it addresses many of the concerns I have expressed over the past year and a half. I strongly believe that it is essential to have law enforcement oversight in legislation of this sort to prevent abuses and to protect the public. HB 2330 accomplishes this goal.

"The bill creates the Pennsylvania Gaming Control Board to administer the Act and provides for the establishment of a Bureau of Investigation and Enforcement. The Bureau, the Pennsylvania State Police, the" Pennsylvania "Office of Attorney General and the local District Attorneys will all be working together in the enforcement of the administrative and criminal provisions of the bill. As a result, I am satisfied that the legislation provides adequate law enforcement oversight.

"The State Police has a proud history of success in the investigation and deterrence of organized crime. The Department looks forward to working with the Gaming Control Board, the Bureau of Investigation and Enforcement, the Attorney General, and the District Attorneys of the various counties in the enforcement of the provisions of the Act." End of letter.

With the court separation, number one; with this letter from the State Police colonel, the Commissioner of State Police; and point number three, as the honorable gentleman from Berks realizes, it is incumbent upon the Attorney General to be involved in all law enforcement activities of the State. If there were need for the Attorney General's Office to become involved in a gaming situation, the Attorney General would, ipso facto by his or her assignment in life, become involved, which brings me my fourth and final point, and this point will be reiterated ad infinitum, ad nauseam, throughout the rest of the afternoon and into the evening, and that is if the honorable gentleman's amendment is embraced, this whole proposal collapses, our contingent property tax legislation is extinguished, and we are back at the proverbial drawing table.

So, Mr. Speaker, for the above reasons, three of which are substantive and weighty and backed up, in my view, by the Supreme Court and Attorney General and a State Police Commissioner, and the one political reason that the gentleman's endeavors would stymie our success, I would ask for a negative vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, let us think about one thing here, and that is that the Pennsylvania Gaming Control Board will be involved in literally millions and millions of dollars, and it is important that they have proper oversight, that they have the investigative ability that someone is there to make sure that there are no improprieties. The gentleman from Berks County has an amendment that would certainly make certain that the security of those dollars would be there.

So I would ask the members of the General Assembly to support this amendment. It makes good sense. It makes for good security of the dollars that will be flowing in and the decisions that will be made by the board, and let us give a "yes" vote to this particular amendment.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny, Mr. Preston.

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

I would ask the members not to vote for the Rohrer amendment, and there are a lot of different scenarios that we can be able to present.

While the gentleman's, maybe, intentions may think that he is improving it, what he will do is take away one of the levels of the investigative arm. That may be good, but what this is and what this amendment is is a level of second dimensional thought.

I would like to take it to a third level, a full circle to have a third dimensional thought so that we could complete the whole scenario, and maybe this will help you. Let us start at the Federal level. The Treasurer of the United States has its own investigative arm, i.e., the Secret Service, but yet the Attorney General still has the authority of oversight for investigative issues and anything in the domestic United States. Here within this State of the Commonwealth of Pennsylvania, whether it is the Ethics Commission, the Public Utility Commission has its own investigative arm, own investigative officers. The Attorney General, as you know, already uses the State Police and has its own level of detectives, but so does the Department of Revenue have its own investigative arm. And I would like to think that, first, when we look at just the first and the second level of developing a corporation, that an awful lot of the checks and balances of being able to deal with the investigative, as far as contracts, to be able to meet the qualifications, the oversight of the bidding, and the request for qualifications, the background checks of not just the employees but also the contractors and also of the subcontractors that we may be able to do as far as the laws are concerned.

If you would take this out, you would be able to put all of this work just totally on the Attorney General. A lot of it would be sedimentary. I would ask you to think of a much higher level and maintain the bill as it is. What your bill would be able to do, again, is a second dimensional thought. It does not complete itself. It takes away from the integrity of what we are trying to establish here in Pennsylvania, and the Attorney General is still, no matter what you put in this legislation, is still the chief law enforcement officer in the Commonwealth of Pennsylvania. He has the purview at his will to be able to decide or even refer to the local attorney generals, as is his choice.

So for us to be able to create this unit after giving some of the examples, and I could give more, but I would encourage you not to limit the authority of the board and also to take and put

undue what I would call unfunded mandates on the Attorney General for many of the entry-level requests that are going to be made. That goes with an awful lot of just coming up with the forms, what is constitutional, what is not constitutional, what is also dealing with the mutual contracts that people may or may not agree to be able to present to, even including the respective votes and the integrity of the people who are preparing those respective votes in dealing with the board.

So, you know, I cannot tell you to withdraw it, but all I know is, again, I ask you, take it a level higher. Your amendment takes it down to a second dimensional thought, and personally I find it difficult to think at that level, and I would encourage us to turn down the Rohrer amendment.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Rohrer, for the second time.

If the gentleman, Mr. Rohrer, would suspend, I will save him for last. It is your amendment.

The gentleman, Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the amendment.

This amendment, I think, of all that we will consider, is superfluous. No resolution, no resolution passed by this body or any municipality, no ordinance and no law we pass, can overrule the Constitution of the Commonwealth of Pennsylvania that says the Attorney General is the chief law enforcement officer of the Commonwealth of Pennsylvania. He has all these powers whether this legislation gives it to him or her or not. Nothing we do can overrule the Constitution. Nothing we can do can curtail the powers of the Attorney General. Therefore, I would say that this amendment is superfluous, unnecessary, and ask for a negative vote.

The SPEAKER. Does the gentleman, Mr. Clymer, wish to be recognized for a second time?

The gentleman, Mr. Rohrer. You are the last speaker.

Mr. DeWEESE. Mr. Speaker?

The SPEAKER. I apologize. The gentleman, Mr. DeWeese.

Mr. DeWEESE. In summation, Mr. Speaker, real quickly just one substantive point and then I will reinforce my political point. On page 130 of the bill, lines 10 through 15, or I should say 12 through 15, these lines are, I think, resonating for our debate: "REFER FOR INVESTIGATION ALL POSSIBLE CRIMINAL VIOLATIONS TO THE PENNSYLVANIA STATE POLICE AND COOPERATE FULLY IN THE INVESTIGATION AND PROSECUTION OF A CRIMINAL VIOLATION ARISING UNDER THIS PART." Once they are referred to the State Police, then Mr. Rohrer's State Attorney General or the local district attorney would get involved immediately.

So with all due respect, I do not think it is necessary on a substantive level, but I want to repeat one more time, and again, I said earlier ad infinitum, ad nauseam, if this amendment were to be embraced within the body of the bill, our efforts of the last several weeks let alone last several months would be immediately extinguished. This bill emanating from the Senate cannot be altered, and frankly, many of these measures that we are going to deal with have passed with overwhelming majorities. The property tax proposal was unanimously embraced in the State Senate last night and the slots proposal was embraced with a cascading majority of State Senate bipartisan votes.

So the political essence of Mr. Rohrer's effort would be to kill the bill and to further complicate these already challenging endeavors that we are involved with. So I would ask for a negative amendment, with all due respect.

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

Mr. ROHRER. Thank you, Mr. Speaker.

I appreciate all the comments that have been made. Obviously, from the beginning it was stated that there was not going to be any support for any change of any amendment, which I find to be a very troubling mindset in which we enter into the consideration of a bill that is the most sweeping of anything that we have dealt with in a long, long, long, long time.

Anybody, again, who has read through this bill – and I know it has been caucused on on that side and this side – understands that this bill is not well written, is problematic in many, many, many areas. What I am mentioning here is just one of them.

Now, I appreciate the fact that the minority leader read a letter from the State Police. I also understand that that individual works for the Governor. I also do not believe that the minority leader has a letter of support for this bill from the Attorney General, and it does not exist, and I think that that is indicative as well.

I also appreciate other comments of saying that by inserting the Attorney General into this oversight capacity, which is what I am asking to be done, as somehow demeaning or lowering, not having a bigger view, I think is not at all what we are talking about. Actually, the bigger view is understanding that under this legislation, as was pointed out by the minority leader on page 130, the Attorney General only gets involved really if they happen to stumble on something or if the board refers them to it. That is my whole point. A Bureau of Investigation within the board whose sole purpose is to ensure the separation of powers between that board and the bureau cannot be done under the structure of this bill. It is impossible. It cannot be done. We are asking for trouble I think openly visible on its face, and that is why I do not believe it is superfluous to inject the Attorney General into an oversight capacity so that he is involved on the upside, at the front side of the investigative arm, not waiting to be told at the end of the day if somebody chooses to tell or to refer.

I think it is bad policy, Mr. Speaker, to in this important of an area that we know and it has been agreed to is one that investigation and involvement and all of that is going to be there, that we do not put the Attorney General in a position where he has some oversight and in fact can help to ensure some separation between that bureau and the board.

So I ask for an affirmative vote, Mr. Speaker, on 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-90

Allen	Fairchild	Major	Samuelson
Armstrong	Feese	Marsico	Sather
Baker	Fleagle	McGeehan	Saylor
Baldwin	Forcier	McIlhattan	Scavello

Bard	Freeman	McNaughton	Schroder
Bastian	Gabig	Metcalfe	Scrimenti
Benninghoff	Geist	Millard	Semmel
Birmelin	Gillespie	Miller, R.	Smith, B.
Boyd	Gingrich	Miller, S.	Smith, S. H.
Browne	Habay	Mustio	Stairs
Cappelli	Harhart	Nailor	Stern
Causar	Harper	Nickol	Stevenson, R.
Cawley	Harris	O'Neill	Stevenson, T.
Clymer	Hennessey	Payne	Taylor, E. Z.
Coleman	Herman	Petrarca	Tigue
Cornell, S. E.	Hershey	Phillips	True
Crahalla	Hess	Pickett	Turzai
Creighton	Hickernell	Reed	Vance
Dailey	Hutchinson	Reichley	Vitali
Dally	Leh	Roberts	Wilt
Denlinger	Mackereth	Rohrer	Yewcic
Diven	Maher	Rubley	Zug
Egolf	Maitland		

NAYS-112

Adolph	Evans, J.	Lescovitz	Santoni
Argall	Fabrizio	Levdansky	Shaner
Barrar	Fichter	Lewis	Solobay
Bebko-Jones	Flick	Lynch	Staback
Belardi	Frankel	Mann	Steil
Belfanti	Gannon	Markosek	Stetler
Biancucci	George	McCall	Sturla
Bishop	Gergely	McGill	Surra
Blaum	Godshall	McIlhinney	Tangretti
Bunt	Good	Melio	Taylor, J.
Butkovitz	Goodman	Micozzie	Thomas
Buxton	Grucela	Mundy	Travaglio
Caltagirone	Gruitza	Myers	Veon
Casorio	Haluska	O'Brien	Walko
Civera	Hanna	Oliver	Wansacz
Cohen	Harhai	Pallone	Washington
Corrigan	Hasay	Petri	Waters
Costa	Horsey	Petrone	Watson
Coy	James	Pistella	Weber
Cruz	Josephs	Preston	Wheatley
Curry	Keller	Raymond	Williams
Daley	Kenney	Readshaw	Wojnaroski
DeLuca	Killion	Rieger	Wright
Dermody	Kirkland	Roebuck	Youngblood
DeWeese	Kotik	Rooney	Yudichak
DiGirolamo	LaGrotta	Ross	
Donatucci	Laughlin	Ruffing	
Eachus	Leach	Sainato	Perzel,
Evans, D.	Lederer		Speaker

NOT VOTING-0

EXCUSED-1

Manderino

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?

RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Boyd.

Mr. BOYD. Mr. Speaker, I offer a suspension of the rules for amendment 3349.

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

The SPEAKER. On that question, Mr. Boyd.
Mr. BOYD. Thank you, Mr. Speaker.

I rise to offer a very important amendment for Lancaster County. It would designate a certain portion of the gross receipts to farmland preservation. It would be amendment A3349.

The SPEAKER. On the suspension of the rules, the Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. S. SMITH. Mr. Speaker, I would ask the members to support the motion to suspend the rules.

The SPEAKER. The Chair thanks the gentleman.

The Chair would recognize the gentleman from Greene, Mr. DeWeese.

Mr. DeWEESE. I would echo the support of the Republican floor leader with the obvious caveat that regardless of how laudatory the gentleman's impulses are and how admirable his language is, at the end of the day I will have to ask our membership to try to contravene him because, again, his amendment would ruin our proposal and our ultimate goals would be cashiered.

And I might add, as we do suspend the rules and get into debate, that I would be willing to work with the gentleman. Farmland preservation is a cause near and dear to my former colleague, Sam Morris, and to many of us on this side of the aisle. So I think there are other venues and other opportunities for us to work together on this issue. I will vote against him ultimately, but I will support his effort parliamentarily to suspend the rules and to have a full debate.

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—178

Adolph	Evans, J.	Levdansky	Rubley
Allen	Fabrizio	Lewis	Sainato
Argall	Fairchild	Lynch	Samuelson
Armstrong	Feese	Mackereth	Santoni
Baker	Fichter	Maher	Sather
Baldwin	Fleagle	Maitland	Saylor
Bard	Flick	Major	Scavello
Barrar	Forcier	Markosek	Schroder
Bastian	Frankel	Marsico	Scrimenti
Bebko-Jones	Freeman	McCall	Semmel
Belfanti	Gabig	McGeehan	Shaner
Benninghoff	Gannon	McGill	Smith, B.
Birmelin	Geist	McIlhattan	Smith, S. H.
Bishop	George	McIlhinney	Solobay
Blaum	Gillespie	McNaughton	Stairs
Boyd	Gingrich	Melio	Steil
Browne	Godshall	Metcalfe	Stern
Bunt	Good	Micozzie	Stetler
Butkovitz	Grucela	Millard	Stevenson, R.
Caltagirone	Gruitza	Miller, R.	Stevenson, T.
Cappelli	Habay	Miller, S.	Surra
Causer	Hanna	Mustio	Tangretti
Cawley	Harhai	Nailor	Taylor, E. Z.
Civera	Harhart	Nickol	Taylor, J.

Clymer	Harper	O'Brien	Thomas
Cohen	Harris	Oliver	Tigue
Coleman	Hasay	O'Neill	True
Cornell, S. E.	Hennessey	Pallone	Turzai
Costa	Herman	Payne	Vance
Coy	Hershey	Petrarca	Veon
Crahalla	Hess	Petri	Vitali
Creighton	Hickernell	Petrone	Walko
Cruz	Horsey	Phillips	Waters
Cury	Hutchinson	Pickett	Watson
Dailey	Josephs	Pistella	Weber
Daley	Keller	Preston	Wheatley
Dally	Kenney	Raymond	Williams
DeLuca	Killion	Readshaw	Wilt
Denlinger	Kirkland	Reed	Wright
DeWeese	Kotik	Reichley	Yewcic
DiGirolamo	LaGrotta	Rieger	Youngblood
Diven	Laughlin	Roberts	Zug
Donatucci	Leach	Roebuck	
Egolf	Lederer	Rohrer	Perzel,
Evans, D.	Leh	Ross	Speaker

NAYS—24

Belardi	Eachus	Mann	Sturla
Bianucci	Gergely	Mundy	Travaglio
Buxton	Goodman	Myers	Wansacz
Casorio	Haluska	Rooney	Washington
Corrigan	James	Ruffing	Wojnaroski
Dermody	Lescovitz	Staback	Yudichak

NOT VOTING—0

EXCUSED—1

Manderino

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?

Mr. BOYD offered the following amendment No. A3349:

Amend Sec. 1 (Sec. 1408), page 113, by inserting between lines 6 and 7

(e) Environmental Stewardship Fund.—Transfer 1% of the gross terminal revenue to the Environmental Stewardship Fund established under 27 Pa.C.S. § 6104 (relating to fund), which shall be allocated to the Department of Conservation and Natural Resources for the purposes specified in 27 Pa.C.S. § 6105(a)(1)(ii) (relating to agencies).

(f) Agricultural Conservation Easement Purchase Fund.—Transfer 1% of gross terminal revenue to the Agricultural Conservation Easement Purchase Fund for the purposes specified in the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law.

Amend Sec. 1 (Sec. 1408), page 113, line 7, by striking out “(E)” and inserting

(g)

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

The SPEAKER. On that question, the Chair recognizes the gentleman from Lancaster, Mr. Boyd.

Mr. BOYD. Thank you, Mr. Speaker.
I rise today to offer amendment 3349.

As most of you know, I am sure, Pennsylvania is replete with wonderful farmland, and of course, Lancaster County has the largest concentration of class 1, prime agricultural soil in the world. It is probably one of the most important assets that we have in the Commonwealth, and much of the debate that we heard about, as this proposal was coming before us in the past, talked about the importance of the agricultural industry, the horse industry, as a part of our economy. It was at that point, actually quite a while ago, that I realized that a part of this proposal I think would be a great idea, that what we would do is take 1 percent of the gross receipts from the gaming revenue and drive it into the Environmental Stewardship Fund, the Growing Greener fund, and that amount of money would be directed specifically to farmland preservation.

For those of you who this is important to, the year 2004-2005 is the last year that there will be money in the Growing Greener fund specifically for farmland preservation. We have preserved over 75,000 acres of prime agricultural soil in Lancaster County, and there are hundreds of thousands of more acres that need preserved. In fact, Representative Baldwin and I and Representative Denlinger and some others rode in a bicycle race to raise money for farmland preservation not too long ago. So I think we could probably raise a little bit more money through this amendment.

Additionally, 1 percent of the money would go to the Agricultural Conservation Easement Fund. So I would appreciate the members' support for this amendment. It is tremendously important and it makes sense. It is connected to the saving of farmland, saving of horse farms right here in the Commonwealth. It is a classic connection, and I would appreciate an affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. Again, Mr. Speaker, thank you very much.

The gentleman, Mr. Boyd's efforts are laudatory. There are scores and scores of amendments that are equally solid and worthy, but the efforts of the evening are a compromise, a four-way compromise among Republicans in the State Senate and Democrats in the State Senate, Republicans in the State House and Democrats in the State House, with perpetual, keen, and sensitive involvement by the Rendell administration. We have a compromise.

There are a universe of good programs but only a limited amount of funds.

The gentleman brought up the concept of Growing Greener, and he needs to be aware that we are currently negotiating with his leadership team on the Growing Greener, and we are very hopeful that in the autumn we will have a Growing Greener effort that will advance to a level that he will be happy with and that some of us will be able to support.

I want to help the gentleman in the next few months or the next few years, if I am privileged to continue to serve in the world of farmland preservation, but notwithstanding the meritorious amendment that he is proffering, it would extinguish our efforts this evening; it would kill the proverbial bill, and I would reluctantly and politely and respectfully ask for a negative vote on the Boyd amendment. It would kill the bill.

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 time to time many of us receive letters and we are paid visits by people, organizations that represent open space, and they tell us how important open space is here in Pennsylvania, the conservation of our soils and how this could lead to more agriculture and recreation.

Now is a wonderful opportunity that each of us have to support this amendment which will drive more money into these programs. When you look at the great benefit that the people of Pennsylvania would realize from these additional funds, I think it is a wonderful amendment, and I do, as my colleague from Lancaster County has said, ask for your support of this amendment, and I trust that our colleagues here in the hall would support this amendment.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. VITALI. Thank you, Mr. Speaker.

I rise in support of the Boyd amendment.

I was walking the halls earlier today speaking with some advocates for Growing Greener II and asked them their assessment, and they said, dead, off the table, not even talking about it.

Mr. Speaker, I think this is a wonderful amendment on its own merits, but I think there is another reason to support it. I think it is a way to send a message to our leaders in the Senate and the House: let us start dealing with this issue, too. They have been clamoring over gambling and all the money that goes into gambling and all the moneyed interests, and the environment is off the table.

Mr. Speaker, I think the Boyd amendment is a great way to put that amendment, put that issue back on the table. That is not going to kill this bill. That is not going to kill this bill. Interests who want this are too powerful to let this die. Mr. Speaker, it may require the Senate and the House coming back for another day, but it is not going to kill the issue. It is a great—The contents of the Boyd amendment are great, and it is an excellent way for those who care about Growing Greener, care about the environment, to send a message to our leaders: the environment is an important issue; we want it on the table.

I urge a "yes" vote for the Boyd amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Chester, Mr. Hershey.

Mr. HERSHEY. Thank you, Mr. Speaker.

I agree with the previous speaker. We need an avenue to help preserve farmland. The counties have a backlog of applications, and this would help to clear up the backlog and preserve our precious soils before it is too late. I would encourage a "yes" vote on this amendment.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I also rise in support of the Boyd amendment.

As the gentleman, Mr. Vitali, pointed out, it is looking less and less likely that we will take up Growing Greener II prior to our recess. That is unfortunate. It is a very important piece of legislation; it is needed. We need to expand the amount of

revenue that is available to preserve our farmland and open space, and at the very least this gives some avenue for channeling some of the gaming money into the preservation of farmland. That is a very worthy goal, and I commend the gentleman, Mr. Boyd, on presenting this amendment and urge the House to vote in favor of it.

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, Mr. Boyd, indicates he will stand for interrogation. The gentleman, Mr. Thomas, is in order.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, do you support gaming?

Mr. BOYD. What does that have to do with the specifics of the amendment, sir?

Mr. THOMAS. Well, Mr. Speaker, I was just curious as to whether or not—I mean, your amendment would ask that at least 1 percent of gaming revenues go towards Growing Greener or farmland preservation, and I am just curious as to whether or not you are calling for revenue set aside for something you might not support.

The SPEAKER. Mr. Thomas, the question is on the amendment and not support of the bill itself. So the gentleman should confine his remarks to the amendment.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, on interrogation.

The SPEAKER. The gentleman is in order.

Mr. THOMAS. The Growing Greener bill, which is in the Senate, do you have any information as to its status?

Mr. BOYD. With all due respect, sir, I do not. As a relatively new member of the General Assembly, the conference committees and what is going on with the budget process, I have not been privy to.

Mr. THOMAS. Mr. Speaker, do you think that the proposal outlined by Governor Rendell to advance the Growing Greener vision, do you believe that that plan is something that you can support?

Mr. BOYD. Actually, there were a number of the provisions in the GGII program that I really liked. There were a couple things that I was very concerned about with the program, and one of which was the fact that there was not very much money in that program that went specifically to farmland preservation. There were a number of other very noteworthy programs, and I was concerned specifically that within GGII, I believe – and I am going from memory now, so please forgive me, sir, if my statistics are not exactly correct – but what I remember was I think it was 15 percent of the revenue was going to farmland preservation. While the other programs are important to our county in Lancaster County, there is probably nothing more important than farmland preservation.

Mr. THOMAS. Thank you, Mr. Speaker.

So, Mr. Speaker, you could have supported the additional fees and other fiscal tools outlined in GGII to move GGII forward?

Mr. BOYD. Respectfully, sir, I did not say that I would necessarily support the fees. What I said, that there were a number of provisions in the GGII program that I liked very much and there were a couple of the programs or the part of the revenue side of GGII that I could have been supportive of.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I have concluded my interrogation, and I would like to make comments for the record.

The SPEAKER. The gentleman is in order.

Mr. THOMAS. Mr. Speaker, let me first thank the architect of this amendment. The amendment is well intentioned. He represents a county that needs farmland preservation, and on behalf of his constituents, he is attempting to do an admirable job, but, Mr. Speaker, there is a real question as to whether or not the time is now and whether or not we have the right vehicle for addressing farmland preservation.

At some point after we get past this amendment, we are going to deal with the substantive issue, and I just think that it is fundamentally wrong to set aside revenues that do not exist. Until this bill, until the underlying bill becomes law and some apparatus is put in place to bring about gaming revenues, I think that it is wrong to try and attach to this bill revenue expectations that do not exist, and so I personally think that the amendment is out of time, out of form, and out of order, and I ask that we vote “no” on the Boyd amendment. But I ask Representative Boyd to be steadfast in his commitment to bring about farmland preservation in his district and throughout the Commonwealth of Pennsylvania so that when we get past this, if we should get to, get to gaming and get an affirmative outcome on gaming, then I think it is timely to then talk about what we do with expected revenues, but right now it is out of time, out of form, and out of order.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Westmoreland, Mr. Stairs.

Mr. STAIRS. Thank you, Mr. Speaker.

Recently in caucus when we discussed this legislation, we were made aware of the tax savings for property owners; we were made aware of the economic development for our friends in the urban areas, particularly Pittsburgh and Philadelphia, and I would only propose that we would support this amendment to support economic development in rural Pennsylvania and help our agriculture communities. We have thousands of farms between our two metropolitan areas and, obviously, millions of acres, and certainly this program will go a long ways towards enriching and strengthening our rural communities.

And also as just a side note, Mr. Speaker, when people from out of State come to visit Pennsylvania to take advantage of our many and varied gambling slots and facilities, let us encourage them to spend an extra day or two in Pennsylvania and enjoy our very rich and beautiful rural communities and our lovely farms that will be an end result of the farmland preservation. So I think we can be a big, big winner by supporting this amendment as the bill moves on.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, under normal circumstances it would be my inclination to support my colleague from Lancaster County on this issue. However, having watched the farmland preservation community in Lancaster County work very hard over the years to win the trust of the plain sect community in particular in trying to get them to participate in the farmland preservation

program in Lancaster County, my fear would be that given the recent press that the potential slots legislation has produced in Lancaster County in particular, where many members stood up and called it tainted money and said that it was evil, my fear would be that if in fact these dollars were then put into the farmland preservation, it would have the exact opposite effect of doing what it was intended to do in that it would drive people away from the farmland preservation dollars and make them seek other means, whether it was through developing that land or something else.

So I will be there with this gentleman when he tries to get more money in Growing Greener, for farmland preservation when we do that in the fall, but I do not want to taint farmland preservation with gambling money right now and drive those people away that would otherwise participate in that program.

So thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. DALEY. Thank you, Mr. Speaker.

I rise in support of this amendment. Although I know it is not going to pass, I think what we need to do in the agriculture community is send a message to the Governor's Office and to all the members of the legislature that the 52,000 family farms in Pennsylvania need to be recognized and paid attention to as well as the horsemen and the harness industry, the equine industry in Pennsylvania.

So I ask for an affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. DeWeese.

Mr. DeWEESE. Mr. Speaker, there is probably no more nimble and dexterous parliamentarian on our side of the aisle than the honorable gentleman, Mr. Vitali. However, the honorable gentleman is wrong when he says on three occasions that this amendment would not kill the bill. It would indeed kill the bill.

I think it is our intention to be conciliatory and forbearing as we conduct this debate, and again, I am wanting to help the gentleman in his farmland preservation efforts, but this is not the time and this is not the legislation. I might also add, for those who are vitally focused and interested in property tax reduction, that the crafting of the gentleman's amendment would elicit the money for farmland preservation out of the 34 percent that is indeed for property tax reduction.

So again, we are political people. A vote against the honorable gentleman would be to sustain more money in the bill for property tax reduction. I realize that every political coin has two sides, but whoever drafted his amendment either accidentally or on purpose decided to take the money for farmland preservation out of the property tax reduction money, out of that 34-percent group of dollars. Again, that is somewhat tangential. The central theme of my argumentation against the honorable gentleman would be that the property tax reduction, that the slot machines at the racetracks and at the nonracetrack venues, would be irrevocably halted in its proverbial tracks – no pun intended – if this gentleman's amendment is forwarded back to the State Senate as a part of a new proposal.

So I would ask for a negative vote.

The SPEAKER. For what purpose— The gentleman, Mr. Vitali.

Mr. VITALI. To speak on the amendment.

The SPEAKER. The gentleman is in order.

Mr. VITALI. I reluctantly disagree with my minority leader. I think the purpose, one very valid purpose, of voting for the Boyd amendment is to send a wake-up call to those who are so consumed with gambling now, those leaders in the House and Senate and the Governor's Office, that they have let the environment slip off the table.

Most of us have been around this process long enough to know and have seen the gambling forces here long enough to know that voting on one mere amendment tonight is not going to kill this issue. We all know that. It is simply just not going to do it. And I think we also, those of us who have been around here long enough, also know that even if we vote for the Boyd amendment, these environmental programs – the Environmental Stewardship Fund and the Agricultural Fund – really are not going to be funded through gaming. They are going to be funded through other more conventional means, like Growing Greener II. But we have an opportunity with this amendment to send a message, and the message is, the environment is important, too. Gambling and all the moneys that go around with it, we understand you are interested in that, but the environment is important, too.

So I urge a "yes" vote on the Boyd amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Boyd, for the second time.

Mr. BOYD. Thank you, Mr. Speaker.

I just feel the need to clarify just a few things.

One of the reasons that Lancaster County has a separate farmland preservation program called the Lancaster Farmland Trust that is tremendously successful is specifically to address the gentleman from Lancaster County's issue regarding some of the plain sect folks who do not like to receive State money. They think any State money is tainted money, and so we have a separate program that really deals with that issue. So while I appreciate the gentleman's point, it is really irrelevant to Lancaster County.

Secondly, I think it is interesting that he did note that he felt like the gambling money was tainted money. I am sure he can explain that one later.

One of the other questions that was brought up was if we have the right vehicle; is this the right time? Well, anybody who read this bill and as you look at this bill, it is designating percentages of this money to go all over the place already, and so there is no time truly like the present to have this 2 percent of the gross revenue to be designated to such a worthy program. I certainly agree with my colleague who said that there is plenty of revenue here that moves to the urban areas. This is a way of getting revenue into the more rural areas, which I think is very, very appropriate.

And last but not least, with deference to the gentleman from Greene County, I would like to quote from the extract of June 30 of this year on a debate on SB 9 on an amendment that was offered, and I quote: "I do not think anyone is trying to kill this proposal per se; we are just trying to enhance it, trying to make it more viable for a subsequent floor debate," and that is truly my motive in this, and that is why I offered this 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—97

Allen	Eachus	Hickernell	Reed
Argall	Egolf	Hutchinson	Reichley
Armstrong	Fairchild	Lederer	Rohrer
Baker	Feese	Leh	Rubley
Baldwin	Fichter	Mackereth	Sather
Bard	Fleagle	Maher	Saylor
Bastian	Forcier	Maitland	Scavello
Belfanti	Freeman	Major	Schroder
Benninghoff	Gabig	Marsico	Scrimenti
Birmelin	Geist	McGill	Semmel
Boyd	George	McIlhattan	Smith, B.
Browne	Gillespie	McNaughton	Smith, S. H.
Caltagirone	Gingrich	Metcalfe	Stairs
Cappelli	Godshall	Millard	Stern
Causer	Grucela	Miller, R.	Stevenson, R.
Clymer	Habay	Miller, S.	Stevenson, T.
Coleman	Hanna	Mustio	Taylor, E. Z.
Cornell, S. E.	Harhart	Nailor	True
Crahalla	Harper	Nickol	Turzai
Creighton	Harris	Payne	Vance
Dailey	Hennessey	Petrarca	Vitali
Daley	Herman	Petrone	Wilt
Dally	Hershey	Phillips	Yewcic
Denlinger	Hess	Pickett	Zug
Diven			

NAYS—105

Adolph	Flick	McCall	Staback
Barrar	Frankel	McGeehan	Steil
Bebko-Jones	Gannon	McIlhinney	Stetler
Belardi	Gergely	Melio	Sturla
Bianucci	Good	Micozzie	Surra
Bishop	Goodman	Mundy	Tangretti
Blaum	Gruitza	Myers	Taylor, J.
Bunt	Haluska	O'Brien	Thomas
Butkovitz	Harhai	Oliver	Tigue
Buxton	Hasay	O'Neill	Travaglio
Casorio	Horsey	Pallone	Veon
Cawley	James	Petri	Walko
Civera	Josephs	Pistella	Wansacz
Cohen	Keller	Preston	Washington
Corrigan	Kenney	Raymond	Waters
Costa	Killion	Readshaw	Watson
Coy	Kirkland	Rieger	Weber
Cruz	Kotik	Roberts	Wheatley
Curry	LaGrotta	Roebuck	Williams
DeLuca	Laughlin	Rooney	Wojnaroski
Dermody	Leach	Ross	Wright
DeWeese	Lescovitz	Ruffing	Youngblood
DiGirolamo	Levdansky	Sainato	Yudichak
Donatucci	Lewis	Samuelson	
Evans, D.	Lynch	Santoni	
Evans, J.	Mann	Shaner	Perzel,
Fabrizio	Markosek	Solobay	Speaker

NOT VOTING—0

EXCUSED—1

Manderino

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?

RULES SUSPENDED

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

Mr. ARMSTRONG. Mr. Speaker, I move that the rules of the House be suspended for immediate consideration of amendment 3270.

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

The SPEAKER. On that question, the gentleman, Mr. Armstrong.

Mr. Coleman.

Mr. COLEMAN. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Coleman.

Mr. COLEMAN. Thank you, Mr. Speaker.

This is rather a technical amendment, A3270, and I would respectfully ask for a kind consideration for suspension of the rules.

The SPEAKER. The Chair thanks the gentleman.

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

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

Mr. Speaker, I would urge the members to support the motion to suspend the rules for amendment 3270.

The SPEAKER. The Chair thanks the gentleman.

Mr. DeWEESE. Could we ask that the Chair be at ease for 1 minute, please?

The SPEAKER. The House will be at ease.

Mr. DeWEESE. Thank you.

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

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

I will accede to the request for a suspension of the rules on amendment A3270. As was originally crafted, it was under the signature of Major Armstrong. I assume he has acceded to his colleague on the eve of his natal anniversary. We are going to do everything we can to halt and stymie this proposal. This is not, this is not a technical amendment; this is a substantive amendment.

But again, in the interest of full debate, there are a lot of good ideas coming up on this floor tonight, many good amendments. They just have not quite measured up, in our view, to the opportunity to puncture the whole proposal. But again, in the interest of full debate, I would ask for, reluctantly ask for an affirmative vote on the suspension of the rules and then a negative vote on the Armstrong amendment as defended by the gentleman from Armstrong County.

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

The following roll call was recorded:

YEAS—168

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	Markosek	Semmel
Bastian	Flick	Marsico	Shaner
Bebko-Jones	Forcier	McGill	Smith, B.
Belardi	Frankel	McIlhattan	Smith, S. H.
Belfanti	Freeman	McIlhinney	Solobay
Benninghoff	Gabig	McNaughton	Stairs
Birmelin	Gannon	Melio	Steil
Bishop	Geist	Metcalfe	Stern
Blaum	Gillespie	Micozzie	Stevenson, R.
Boyd	Gingrich	Millard	Stevenson, T.
Browne	Godshall	Miller, R.	Surra
Bunt	Good	Miller, S.	Tangretti
Butkovitz	Grucela	Mustio	Taylor, E. Z.
Caltagirone	Gruitza	Nailor	Taylor, J.
Cappelli	Habay	Nickol	Thomas
Causer	Hanna	O'Brien	Tigue
Cawley	Harhart	Oliver	True
Civera	Harper	O'Neill	Turzai
Clymer	Harris	Payne	Vance
Cohen	Hasay	Petrarca	Veon
Coleman	Hennessey	Petri	Vitali
Cornell, S. E.	Herman	Phillips	Walko
Costa	Hershey	Pickett	Watson
Crahalla	Hess	Pistella	Weber
Creighton	Hickernell	Preston	Wheatley
Cruz	Horsey	Raymond	Williams
Curry	Hutchinson	Readshaw	Wilt
Dailey	Josephs	Reed	Wojnaroski
Daley	Keller	Reichley	Wright
Dally	Kenney	Roberts	Yewcic
DeLuca	Killion	Roebuck	Youngblood
Denlinger	Kirkland	Rohrer	Zug
Dermody	LaGrotta	Ross	
DeWeese	Leach	Rubley	
DiGirolamo	Lederer	Sainato	Perzel, Speaker
Diven	Leh		

NAYS—34

Biancucci	Goodman	McGeehan	Staback
Buxton	Haluska	Mundy	Stetler
Casorio	Harhai	Myers	Sturla
Corrigan	James	Pallone	Travaglio
Coy	Kotik	Petrone	Wansacz
Donatucci	Laughlin	Rieger	Washington
Eachus	Lescovitz	Rooney	Waters
George	Mann	Ruffing	Yudichak
Gergely	McCall		

NOT VOTING—0

EXCUSED—1

Manderino

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?

Mr. COLEMAN offered the following amendment No. A3270:

Amend Sec. 1 (Sec. 1512), page 122, lines 17 and 18, by striking out “EXCEEDING 1% OF THE EQUITY OR FAIR MARKET VALUE”

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

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

Mr. COLEMAN. Thank you, Mr. Speaker.

And first of all, let me just offer sincere thanks to the Democratic leader and to my colleagues for indulging me and giving me the opportunity to entertain this amendment. I would, I would stipulate, I do believe that this is a technical amendment. It is a minor, a minor change in the bill and really does not substantively alter the purpose, the mission, the focus of this bill.

And I do want to offer a word of thanks to the southeast newspaper of record, the Philadelphia Inquirer, who did not shy away from working with all of us and all of them who were behind closed doors in crafting this 146-page bill, because they really provided some enlightenment on the oversight which they found on page 122, beginning on line 17, and they were kind enough to put it on the front page of the Philadelphia Inquirer yesterday, and the headline is pretty simple: “Lawmakers could profit from slots. The gambling bill would let officials own part of a slot parlor without disclosing it,” and that simply— We did some research and we did locate that provision in the bill, and this has caused, I know, great consternation because of the e-mails and the calls and the letters that many have already received on this subject. It does provide a problem, and I do know that it is difficult to navigate through all of this bill and the substance of it, but in an effort to help what the Democratic leader in the Senate calls a historic, a historic piece of work, a bill that will be the greatest legislative achievement in the past 30 years, I do offer this technical amendment which would strip this language. And let me just read it, if I could, into the record to help anyone that was not aware that it was there. Again, page 122, beginning on line 17. It just goes to line 26; it will be very brief. It is headed “ ‘FINANCIAL INTEREST.’ OWNING OR HOLDING SECURITIES EXCEEDING 1% OF THE EQUITY OR FAIR MARKET VALUE OF THE LICENSED RACING ENTITY OR LICENSED GAMING ENTITY, ITS HOLDING COMPANY, AFFILIATE, INTERMEDIARY OR SUBSIDIARY BUSINESS. A FINANCIAL INTEREST SHALL NOT INCLUDE ANY SUCH STOCK THAT IS HELD IN A BLIND TRUST OVER WHICH THE EXECUTIVE-LEVEL STATE EMPLOYEE, PUBLIC OFFICIAL, PARTY OFFICER OR IMMEDIATE FAMILY MEMBER THEREOF MAY NOT EXERCISE ANY MANAGERIAL CONTROL OR RECEIVE INCOME DURING THE TENURE OF OFFICE AND THE PERIOD UNDER SUBSECTION (A).”

I think the original intent of the authors of this bill, if I am seeing it right, was to kind of provide a firewall, some insulation, against the accusation that may come from constituents or maybe a court of law or an Attorney General down the line which would perhaps, perhaps be a problem both legally, ethically, and politically for many members.

So I would ask for an affirmative vote and support on this amendment, and the amendment is very simple; it is one line, striking out “EXCEEDING 1% OF THE EQUITY OR FAIR MARKET VALUE.” The rest of the bill is fine, and I would ask – it is my birthday tomorrow – if you would all give me consideration on this amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. Notwithstanding his happy and youthful physiognomy, he brings to the table the work of a cunning maverick tactician. I did not call him that; I just said that he brings to the table the work of one.

This is much ado about nothing. If I might go on, methinks the young gentleman doth protest too much. We could not find anyone to serve on this board if one jot or tittle of their pension funds, their mutual funds, their deferred compensation, their State pension system, was invested in any gaming enterprise. This is the same law as the Garden State of New Jersey has enacted. And I do not care who we put on the board, whether it is this gentleman or this lady or this retiring member or whomever, that person’s pension funds and mutual funds and deferred compensation funds are probably invested in scores and scores and scores of entities, and if that takes place, then you are eliminating quite possibly millions of Pennsylvanians from being considered.

I think, although this is a delightful diversion for conservative radio talk-show hosts and even— The reason I made that comment is because my 89-year-old dad called me this morning and he was listening to a conservative gentleman on KDKA, and they were raising quite a ruckus in Pittsburgh about this very issue. My honorable colleague, Mike Veon, called in and very logically tried to dissuade the caller and the announcer and disabuse them of their point of view, but I am not sure he was successful, because this does have a momentarily sexy, enticing ring to it. But notwithstanding what I think, and I am a friend of the man who is offering the amendment, but I think the amendment itself, at least tangentially, is demagogic and wrongheaded, and again, again, he is trying to extirpate this whole process.

The honorable young man is against gaming. He is one of the most aggressive spokespersons of the Commonwealth Caucus against gaming, against the \$1 billion that both Edward G. Rendell and Michael Fisher, the Republican candidate 2 years ago during the gubernatorial race, campaigned upon. We are at the threshold of a historic moment, trying to diminish property taxes and to inject our State revenues with gaming money that heretofore has been going to New Jersey and to West Virginia and to Delaware, and we need good, solid people on that Gaming Board, the seven people, and the honorable gentleman knows the seven people will be chosen from this room and the rooms across the way.

This is a bicameral, bipartisan effort. There are many, many Republicans involved with us in the House and the Senate. This is a bipartisan effort, and to eliminate, to eliminate, so many people from participating on this board because on page 37 of some very thick portfolio coming from their mutual fund or their pension fund or their deferred comp somebody has invested in some gaming enterprise somewhere, I just think it is specious and should be rejected.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

I think this amendment makes a lot of sense. Why put anyone’s integrity on the line? I just feel that if we move on this amendment, that it will make a lot of sense.

Now, the minority leader had mentioned in his many remarks that the ongoing issue is the gambling issue, and so I just remind him, yes, there is going to be money coming into the Commonwealth of Pennsylvania, but in doing so we need to recognize that there are 61,000 addictive slot machines that are going to be established, and we know that the dollars that are going to be accrued from that money, anywhere from \$300 million to \$500 million, that is money that we think that should be auctioned or money that should be provided for so that we can have money for the property tax relief program.

So these are the things that we also need to take a look at, and I am sure that the minority leader would also agree with us that we need to take a look at the addiction, the people who are going to be gambling, the mothers and the fathers, the grandmothers, the grandfathers, people who can ill afford to gamble, because he had said that gambling is going to bring all this money into the Commonwealth, so we need to look at where it is coming from, and I think that is a very important issue, and then we can get further into the issue, and if the minority leader wants to pursue it further, I will be glad to talk more about that issue.

I support the Coleman amendment and ask my colleagues to support it as well.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. VITALI. Thank you, Mr. Speaker.

Cunning maverick tactician. These are words that come to mind to me also when I read those words, but they are not about the gentleman, Mr. Coleman; they are about the person who slipped those nefarious words into this bill. Mr. Speaker, I find that language outrageous.

Mr. Speaker, I want to correct factually the defender of this. New Jersey allows no – no – ownership interest in a casino or a gambling establishment, not the 1 percent as was represented. Mr. Speaker, it has been estimated that if this language were allowed to stand, that 1 percent interest would be a \$3.4 million annual amount for a typical casino – \$3.4 million. That is not insignificant, \$3.4 million per year.

Mr. Speaker, one of the defenses for this is, without this, we will not be able to get seven good, hardworking Pennsylvanians on the board? Can you believe it? I mean, can you believe that argument? Seven people. That political board is going to be a wired board. They are going to have no problems getting anybody on that board, Mr. Speaker.

Mr. Speaker, passage of language like this will just feed on the public’s cynicism of government. It is blatant self-dealing from politicians, and we just simply, simply cannot let this language stand. It is outrageous.

I am very fond of my colleagues here, but I want to give particular heat to those running for reelection. I would never, I would never vote against this amendment if I were running for reelection, because the public will hammer you for this. So vote against this at your own risk. I think this is as bad as it gets. I urge support of the Coleman amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes—

Mr. DeWEESE. Mr. Speaker?

The SPEAKER. Mr. DeWeese.

Mr. DeWEESE. The honorable gentleman may at his leisure visit our podium area and read the New Jersey statute. He is wrong; he is wrong; he is wrong. I have the New Jersey statute in front of me. I invite him casually to make his way down here and look at that.

A final point on the remarks that I just monitored. The gentleman is passionately against gaming, and I accept that and respect that. But the bottom line is, this is a bipartisan, bicameral, crafted effort. We took the best language we could find in States that have gaming, States that have great experience in gaming, States where law enforcement, both Federal and State, have been aggressively overviewing their processes for many, many years, and this is not an attempt by anyone to do anything other than to craft language that parallels that in our neighboring States.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny, Mr. Stevenson.

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

These Gaming Board members must be free from a taint of impropriety, and their ability to have up to 1 percent ownership interest in 14 gaming institutions in this Commonwealth is definitely a taint of impropriety. This process must not be tainted. We must not set it up for inherent conflicts of interest. The people of the Commonwealth are counting on us to do the right thing. To pass this legislation without the Coleman amendment is not a good-government measure.

Please support the Coleman amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentelady from Montgomery, Ms. Harper.

Ms. HARPER. Thank you, Mr. Speaker.

I would like to address some of the remarks made about this amendment.

Many of the critics of the current language of this law have been disregarded by the gentleman from Greene County because they are gambling opponents. I am not a gambling opponent. I have voted for gambling in the past in this chamber, but I am not voting for this bill without the Coleman amendment.

I also believe that the gentleman from Greene County has misconstrued the amendment. If you read it, it says that no executive-level State employee, public official, party officer, or family member shall have a financial interest in a licensed racing entity or gaming entity. "Financial interest" is then defined as owning or holding securities of the licensed racing entity or gaming entity. If you own a mutual fund in your retirement account, you are not an owner of a security in a licensed gaming entity; you own shares in the mutual fund. The gentleman has been overbroad in his comments. This amendment is necessary to protect the integrity of the gaming industry in Pennsylvania if this chamber votes to approve it. No one in a position to regulate or legislate concerning gaming or gambling activities should own an interest in the gaming or gambling activities. That is just the way it should be.

We are rightly chastised if we pass a gaming bill without this amendment. This bill was badly written. I understand that some

people in this chamber have spent a lot of time working on it, but I have not been to one public hearing on this bill. I do not think there has been one public committee meeting on the language of this bill.

I am not a gambling opponent, but I do oppose this legislation without the Coleman amendment, and I would urge all of my colleagues to put the Coleman amendment in. It is necessary for the integrity not only of the gaming industry but of this body and the rest of the government of Pennsylvania.

Thank you.

The SPEAKER. The Chair thanks the gentelady.

The Chair recognizes the gentleman from Allegheny, Mr. Turzai.

Mr. TURZAI. Mr. Speaker, a point of order.

Would it be appropriate to interrogate, I believe the minority leader, with respect to this particular provision in the legislation?

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

Mr. TURZAI. Sir, in the original gambling expansion bill that the House passed earlier this year, did it contain a provision similar to this provision that allowed a financial interest?

Mr. DeWEESE. The counsel tells me that it did. It was 2 percent at that time.

Mr. TURZAI. And your contention other than, or what is your contention that makes it appropriate, particularly given that it is an exclusive monopoly that is being granted here with respect to the gaming industry? What was the reason for the inclusion of the provision?

Mr. DeWEESE. I am glad that you asked the question, because apropos of the gentelady that preceded you, here is what our counsel thinks is necessary. If a person that we would nominate for the board would own stock or own a mutual fund and that mutual fund would own part of Penn National and 13 or 273 other organizations around the country, we wanted to create, as I think the gentleman who is offering the amendment said, a firewall. I am going to use his term. We wanted to protect any man or woman who would be serving as a board member if they had a mutual fund or retirement fund that was investing in Philadelphia Park or in the Meadows. This was not done in a chicanerous fashion; this was done just to try to emulate the New Jersey statute, to follow States that had experience in gaming, and to make sure that almost any Pennsylvanian, if they had a pension or a mutual fund, would be eligible for membership.

Mr. TURZAI. If I may speak on passage of the amendment, sir.

The SPEAKER. The gentleman is in order.

Mr. TURZAI. With all due respect, it seems quite clear that given the specificity of the language in this particular legislation, that it is appealing to specific negotiations and deals and that we are best admonished to take out the opportunity for wrongdoing and make it clear to everybody that when you are giving exclusive monopolies, the legislature or the Governor's Office should not have the opportunity to partake.

With all due respect, I think we should vote in favor of the amendment.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I think we have to look and see who this amendment applies to. If you look in section 1512 on pages 121 and 122, it is very clear that it applies to huge numbers of people. This is not just a section that deals with members of the seven-member commission; this is very broad across the board: “EXCEPT AS MAY BE PROVIDED BY RULE OR ORDER OF THE PENNSYLVANIA SUPREME COURT, NO EXECUTIVE-LEVEL STATE EMPLOYEE” – I would add whether they have anything to do with the regulation of gaming or not – “PUBLIC OFFICIAL” – that could include precinct committee people in the 53d ward, 16th division, where I live; that includes two committeemen, one of whom is retired, the other of whom is a SEPTA (Southeastern Pennsylvania Transportation Authority) bus driver – “...IMMEDIATE FAMILY MEMBER THEREOF” – that includes your spouses and dependent children of the committee people, of the SEPTA bus driver who is my committee person – “SHALL HAVE...A FINANCIAL INTEREST IN OR BE EMPLOYED, DIRECTLY OR INDIRECTLY,...” and so forth. In Philadelphia alone there are, you know, roughly 1700 election divisions, two Democratic committee people in each precinct, two Republican committee people in each precinct. Multiply that by six or seven around the Commonwealth; we are talking about thousands and thousands of people, and then we are also talking about each school board member and we are talking about each borough councilman.

In Representative Curry’s district, not too far from my district, his home borough of Jenkintown has four wards, each of which I believe is one precinct, and each one of these wards elects three nonpaid borough councilmen. There are hundreds of thousands of— We have more public officials in Pennsylvania than any State in the country. There are hundreds of thousands of borough council people and school board members. All across the country, there are more public officials in Pennsylvania by far than there are in the whole Federal government.

This is a very, very sweeping provision, and therefore, because it is so sweeping in terms of who it applies to, it makes sense to set forth some limit on the application. The SEPTA bus driver who is my Democratic committeeman is not going to be able to afford 1 percent of the stock of any company, nor is his wife or any dependent children. But, you know, to say that he absolutely cannot buy any or he is potentially committing some kind of crime if he does buy any, I think that is extremely difficult to enforce, and, you know, we would be kind of crazy for setting up something that is really impossible to enforce.

If we were talking about seven people who were on the board itself, then it might make sense to totally ban all stock, you know, provided that you excluded mutual funds clearly and unequivocally. This bill provision excludes blind trusts; it does not mention mutual funds. But we are not talking just about seven people who are going to be regulating it; we are talking about every precinct committeeperson in the Commonwealth of Pennsylvania. We are talking, in all likelihood, about the head of a women’s Democratic club or a women’s Republican club. We are talking about Teenage Democrats and Teenage Republicans. We are talking about borough council people representing 300 people and the school board members representing a thousand people. This amendment applies not to seven members but to tens of thousands of people, and because

the provisions in the bill are extremely broad, this amendment is extremely broad even though it is only one sentence.

I think the amendment does not make sense the way it is issued, and I would urge, as Mr. DeWeese does, that this amendment be defeated.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny, Mr. Maher.

Mr. MAHER. Thank you, Mr. Speaker.

Would the gentleman from Greene County be receptive to some interrogation?

The SPEAKER. The gentleman indicates that he will stand for interrogation. The gentleman, Mr. Maher, is in order and may proceed.

Mr. MAHER. Thank you, Mr. Speaker.

Mr. Speaker, I draw your attention to the prohibition on page 122, beginning with line 17, where it talks about a financial interest. If I understood correctly, you intended that this be a broad prohibition other than these blind trusts and the other enumerated exceptions. Do I understand that correctly?

Mr. DeWEESE. Yes, sir.

Mr. MAHER. So the theory behind this is such that no entity, no entity could be owned by public officials if they are in the business of horse racing or slot machine operation? Is that the objective?

Mr. DeWEESE. No more than 1 percent.

Mr. MAHER. No more than 1 percent, but across that spectrum would be the objective.

Mr. DeWEESE. Yes, sir.

Mr. MAHER. Can you illuminate for me then, Mr. Speaker, why the prohibition as printed is restricted only to the ownership of securities and not to the ownership of other business interests?

Mr. Speaker, again, can you illuminate for me why this prohibition is only as to securities issued by such businesses and not as to other forms of ownership?

Mr. DeWEESE. After discussing this with counsel, no, I cannot answer that question.

Mr. MAHER. Thank you, Mr. Speaker.

Mr. Speaker, would you agree that a partnership interest is not a security under Pennsylvania law and as defined in the definition section of this legislation?

Mr. DeWEESE. I have to assume that the honorable gentleman has read ahead of me and the answer would be yes. I have not read that section.

Mr. MAHER. And for convenience, if you would like to refer to it, I can certainly point you to—

Mr. DeWEESE. I trust the honorable gentleman.

Mr. MAHER. And for convenience I have also brought a copy of the definition of “security” that is referred to by this document, and I will observe that partnership interests are not securities. General partnership interests are not securities. Master limited partnership interests are not securities. Limited liability corporations are specifically exempted as not being securities in certain conditions. Thus I would ask you, Mr. Speaker, if the object was to in fact limit ownership for this class of public official to no more than 1 percent, why is it that if the appropriate form of the corporate structure or company structure is selected, there is in fact no limitation whatsoever?

Let me rephrase that, Mr. Speaker: If a public official owned 100 percent of a proprietorship that was in this business, do you find an exclusion here that that would be prohibited?

And while you ponder that, Mr. Speaker, let me ask you, can you illustrate for me how owning a 1-percent managing partner interest in a general partnership which has de facto control of the entire entity might be prohibited by this section?

And while you ponder that, Mr. Speaker—

Mr. DeWEESE. I think—

Mr. MAHER. —in the interest of time—

Mr. DeWEESE. Mr. Speaker? Mr. Speaker?

Mr. MAHER. In the interest of time—

The SPEAKER. Mr. Maher, the gentleman will suspend.

In the sake of fairness, I think you should give the gentleman a chance to respond to question, I am not sure whether it is 4, 5, 6, 7, or 1, but—

Mr. MAHER. Thank you, Mr. Speaker.

The SPEAKER. Mr. DeWeese.

Mr. DeWEESE. I do have a response.

The honorable gentleman is a certified public accountant. There is no doubt that his intellectual dexterity is supreme. He has a very, very good command of this issue. We have a couple of attorneys here sidebar trying to answer the questions, but they are coming in seriatim, 100 miles an hour, and notwithstanding his intense and worthy curiosity, he is a bit ahead of some of our staff team. So—

Mr. MAHER. And I will be happy to be at ease.

Mr. DeWEESE. —I would appreciate just a little bit more flexibility on behalf of my very good friend from Pittsburgh's South Hills.

Mr. MAHER. Thank you, Mr. Speaker.

Mr. DeWEESE. Thank you.

Mr. Speaker?

The SPEAKER. Mr. DeWeese.

Mr. DeWEESE. Again I anticipate the cooperation of my worthy colleague from Allegheny County, but the definition of "security" in our securities law, and I quote, "'Security' means any note; stock; treasury stock; bond...evidence of indebtedness; share of beneficial interest in a business trust; certificate of interest or participation in any profit-sharing agreement; collateral trust...; preorganization certificate or subscription; transferable share; investment contract; voting trust certificate; certificate of deposit for a security;" — and you asked about this one — "limited partnership interest; certificate of interest or participation in an oil, gas or mining title or lease or in payments out of production under such a title or lease; membership interest in a limited liability company of any class or series, including any fractional or other interest in such interest, unless excluded by clause (v); or, in general,..." et cetera, et cetera. The gentleman obviously, by training and by wit, knows this language much better than most of us here on the floor, but I do not know whether the gentleman has this securities language with him — good, good. So the essence of the next question, since you did bombard us with three or four in a row, so we can try to slowly, slowly advance some benefit to the debate.

Mr. MAHER. Thank you, Mr. Speaker, and I applaud your reading and I am reading from the same sheet of paper, and it is nice to have occasion that we are singing from the same sheet music, as it were.

I would ask if on that lengthy list, can you illustrate to me where a general partnership interest is deemed to be a security?

Mr. DeWEESE. I do not think we have researched that as to when the limited partnership would be a security. Is that what you said?

Mr. MAHER. No; a general partnership as opposed to a limited partnership. They are distinct animals. Can you tell—

Mr. DeWEESE. No, sir, we do not have that research collected.

Mr. MAHER. I would suggest that it is not a lack of research; it is a simple lack of the fact that general partnership under Pennsylvania law, a general partnership interest is, under Pennsylvania law, from what you are reading, not a security. Securities are enumerated under statutory construction, as is explained to this C.P.A. (certified public accountant), who is not an attorney. The enumeration such as this serves to the exclusion of others. General partnership interests are not enumerated and therefore appear to be excluded unless you can help me understand where they are in fact included.

Mr. DeWEESE. I am under the firm impression that in a general partnership, the individual partner would be personally liable.

Mr. MAHER. Personally liable for what, Mr. Speaker?

Mr. DeWEESE. For whatever mischief you are alluding.

I might add — and this is parenthetical, so I will admit that — the honorable gentleman who is conducting the worthy interrogation voted for this same proposal several months ago when it was at 2 percent.

Mr. MAHER. Somewhat different, but I am more educated now. Thank you.

Mr. Speaker, imagine a general partnership with, as you point out, unlimited liability in which a public official holds a 50-percent interest and that general partnership in turn owns an interest in a security. Would that be excluded in your understanding of this language?

Mr. DeWEESE. Counsel informs me, to the best of his knowledge, it would not be excluded.

Mr. MAHER. It would not be. Thank you.

If a limited liability corporation as of the sorts provided in the securities law specifically excluded from being deemed to be securities, if that sort of an interest were owned and were to own one of these licensees, would the public official be prohibited from owning that limited liability corporation interest to any extent — to 5 percent, 10 percent, 50 percent, 100 percent?

Mr. DeWEESE. Mr. Speaker, on the securities law that you and I are both reading from, if it is one of the items under Roman numeral (iv), (v), (v)(A), (v)(B), (v)(C), if it is one of those, then it would be excluded, yes.

Mr. MAHER. All right, sir. And in the interest of time I will share with the members that we could go on and on and on very easily imagining circumstances where ownership in a firm which would be licensed to operate gaming, ownership by a public official despite the surface prohibition of greater than 1 percent, in fact, with just a little bit of cleverness in the construction of the transaction, in fact public official ownership is unlimited, and since the gentleman had indicated to me at the beginning of our colloquy that his intent in this language was to in fact prohibit such ownership interest in excess of 1 percent, I think we should aid the gentleman and seek to repair this language somewhat by adopting the Coleman amendment.

I would go further to observe that when we last visited this legislation, public officials' ownerships and manufacturers who are licensed, the folks that make the gizmos, and the suppliers who will be supplying all sorts of goods and services and consequently we have enough concern about to insist that they

be licensed, which in fact creates monopoly opportunities perhaps even on that level, that under this language there is no prohibition whatsoever from any public official owning 100 percent of a licensed manufacturer or a licensed supplier.

I have troubled your time long enough, but please understand, the headlines that you should be expecting are not that legislators can own 1 percent; it is that legislators can own at all, and while we may not intend to be doing that, it is certainly not an opening that I think we want to leave and trust to the good nature of public officials across this entire Commonwealth.

Thank you.

THE SPEAKER PRO TEMPORE (BRETT FEESE) PRESIDING

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Cumberland County, Mr. Gabig.

Mr. GABIG. Thank you, Mr. Speaker.

I just have one question. I was wondering if the gentleman from Philadelphia, Mr. Cohen, would respond to one brief question regarding his previous remarks on this issue.

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

Mr. COHEN. Mr. Speaker, if I may, before the gentleman questions me about it, I would like to issue a partial retraction. I am up here seeking recognition—

Mr. GABIG. Clarification. Thank you very much, Mr. Speaker.

Mr. COHEN. —to issue a partial retraction.

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

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, at the time I made my speech, it had slipped my memory that there is a definition of “party official” in this bill, and in the definition of “party official” it does not include precinct committee people unless they are a member of a national committee; a chairman, vice chairman, secretary, treasurer, or counsel of a state committee or member of the executive committee of a state committee; a county chairman, vice chairman, counsel, secretary, or treasurer of a county committee; or a city chairman, vice chairman, counsel, secretary, or treasurer of a city committee. So I had talked about tens of thousands of party officials being affected, and, you know, in truth, these definitions probably reduce it to a couple thousand.

I would, however, caution, the phrase “A MEMBER OF A NATIONAL COMMITTEE” requires some interpretation. Each national committee from Pennsylvania only has a certain number of elected members, but both national committees sell memberships to raise money, and, you know, for X amount of dollars you can be a member of the Democratic National Committee in a sense that is different from being an elected member of the Democratic National Committee or being a member of the Republican National Committee, and, you know, I would hope and I would know that there would have to be clarification if we have a broad definition, that somebody who contributes \$500 or \$1,000 to the Republican National

Committee or the Democratic National Committee or for that matter the Green National Committee or the Libertarian National Committee ought not to be automatically precluded from buying stock in some gaming facility.

I would also point out that there is a definition of “public official,” and the definition of “public official” is probably broader than the definition I had stated, so a “public official” is “ANY PERSON ELECTED BY THE PUBLIC OR ELECTED OR APPOINTED BY A GOVERNMENTAL BODY OR AN APPOINTED OFFICIAL IN THE EXECUTIVE, LEGISLATIVE OR JUDICIAL BRANCH OF THIS COMMONWEALTH....”

So I am still not clear about the SEPTA bus driver who is a Democratic committeeman. The fact that he is a precinct committeeman does not cover him, but the fact that he works for a governmental agency might cover him. This definition is not clear, and the lack of clarity in the definition is not important if you are dealing with large amounts of money, but when you are dealing with any amount of money, then suddenly it becomes important, so if we are going to do it right, the Coleman amendment really has to narrow whom it refers to so we do not draw in huge numbers of other people that we do not intend to.

So I stand corrected in that a leader of the Teenage Democrats or Teenage Republicans is not directly covered; a precinct committeeman is not directly covered, although he or she may be covered if she falls into the extraordinarily broad definition of “public official” here.

So I think because the Coleman amendment is dramatically changing the purpose of this provision, it has to either rewrite this provision or include a lot fewer people in this provision than it now does.

I hope that is satisfactory to the gentleman in response.

THE SPEAKER (JOHN M. PERZEL) PRESIDING

The SPEAKER. Mr. Gabig.

Mr. GABIG. Thank you, Mr. Speaker.

Thank you for that clarification, and if I could speak on the amendment.

The SPEAKER. The gentleman is in order.

Mr. GABIG. I think, Mr. Speaker, that the fact that one of the leaders of the House of Representatives Democratic Party, the minority party, who is a well-trained, as I understand and have known him these last several years to be a friend and a colleague, a member of the bar and a Philadelphia lawyer, and I am sure has been extremely active in the negotiation of this very delicate agreement and bargain and deal, he is a member of the leadership team that is driving this House, and he, when he spoke on the floor, did not know what was in the bill; he did not know what was in the bill. He said that committee people in Philadelphia were defined as “party officers” when in fact that was not true. Now, he had to go back, and I appreciate his clarifying that remark for us, but it was on page—

Mr. DeWEESE. Mr. Speaker?

Mr. GABIG. I am sorry.

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

Mr. DeWEESE. This is a long night, and I understand enthusiasm, and I am not admonishing the current speaker, but

many of our bills are tens and tens and sometimes hundreds of pages in length. They are encyclopedic, and it is impossible for any of us, even our adroit staff, to know every line of every bill, and even though I think of the 203 of us I would put Mark Cohen's native intelligence against anybody – I think he would come in first on his SATs (scholastic aptitude tests) – even Mark cannot know everything. I am just coming to Mark's defense, because I think we almost crossed the line there, and I appreciate your indulgence in letting me as a leader make that observation.

The SPEAKER. The Chair thanks the gentleman.

Mr. Gabig.

Mr. GABIG. Thank you, Mr. Speaker, and I thank the minority leader for not admonishing me, and my intent was absolutely not to in any way impugn the gentleman from Philadelphia. It was the exact opposite point that I was making – that he is talented, that he is intelligent, that he is a lawyer, that he is part of leadership, and even someone of that august, high standing had difficulty in knowing what was involved with this bill.

And I know it is a very long bill. I have not had it that long. I was not involved with these negotiations. But the reference he made when he read before was on page 121 of the bill, and this definition of "party officer" is on the very next page. In fact, it is the very next section of the bill. It goes (A), (B) Definitions. You do not have to plow through different pages.

And I think that the problem there, that the problem there is that this bill has not been well vetted. And I have heard that term on TV, "vetted." I am not sure what it means, but I am using it here. I think it means that we have not gone over it through this institutional process called the committee process—

The SPEAKER. Mr. Gabig.

Mr. GABIG. —the committee process.

The SPEAKER. Mr. Gabig.

Mr. GABIG. Sir.

The SPEAKER. Do you have a remark about the amendment, or do you wish to question anyone about the amendment?

Mr. GABIG. The issue is—

The SPEAKER. When we get to final passage, you can do the entire bill, but right now we are not on the entire bill; we are on the amendment.

Mr. GABIG. I am speaking exactly on the amendment, Mr. Speaker.

The SPEAKER. You did come a little bit afool of that, but the gentleman is in order and may proceed.

Mr. GABIG. Okay. My point was, on the comments that it included all the Philadelphia ward captains and precincts, when there was a definition on the— It is on the same page. I refer all my colleagues to page 122. That definition of public employees finishes up there, and the definition of "party officers" is right on there. You cannot miss it, and I think that that was pointed out by many of us that have not been working on this for months and months and months and were involved with this, but I think it needs further vetting.

And I just make that point about the problems with the attack on the maker of this amendment. It is a well-thought-out amendment. It is not a right-wing conspiracy against this bill or an antigambler; it is not, as was alluded to. I do not read the Philadelphia Inquirer a lot, but I do not think that is a right-wing rag, is it? It is not. It might be a rag – I do not know – but it is

not a right-wing rag. Some people think it is very liberal, and they have made the point on the front page of the paper that this is a very problematic issue.

So whether you are for gambling or against gambling, as the other gentleman from Philadelphia apparently, this is a serious issue, and I ask those over on the other side to think about this. This is not going to kill gambling coming to Pennsylvania. Gambling is coming. The Governor wants it. All the leaders over there do. There are enough people over here that do. Gambling is coming. It is not going to kill the bill. Who is kidding whom? But it will at least take this stench – I heard about a ring – it is a reek; it is a reek, and we should not do this to ourselves, none of us. You should not do it if you are for it, and none of us should do it as an institution.

So that was the point I was trying to make, Mr. Speaker. I am sorry it took a while to get there.

Thank you for your indulgence.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Blair, Mr. Geist.

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

I was not going to say anything about this all night, because I felt this was pretty well greased up, but then Mr. DeWeese made some remarks that really piqued my interest, and I would wonder if he would be so kind as to stand for brief interrogation.

The SPEAKER. The gentleman indicates he will stand for interrogation. The gentleman is in order.

Mr. GEIST. When you were mentioning the 1 percent and you mentioned Penn National Gaming, were you aware of the size of Penn National Gaming when it comes to their market cap of \$1.33 billion?

Mr. DeWEESE. No, sir, I was not.

Mr. GEIST. And were you aware that they have 40.06 million shares outstanding? And when you said that a person could own 1 percent, do you have any idea what the value of that 1 percent would be at the close of market price yesterday?

Mr. DeWEESE. It would be a lot of money.

Mr. GEIST. It is a lot of money.

Now, Mr. Speaker, let me ask you a question to follow up on Representative Maher and something that we are all very used to here, and that is financial disclosure.

If I have a limited-partnership law firm and I were to work for Penn National and if I had that law firm paid in treasury stock rather than take a fee, if I was a member of that law firm and I served in the General Assembly, would I have to declare that, because they are a client of mine, on my ethics form and the value of the stock that I own in Penn National Gaming?

Mr. DeWEESE. If you were to have been appointed by your leadership to be on the board, you would have to divest of it. The page 20 section—

Mr. GEIST. Correct.

Mr. DeWEESE. —you would have to divest 100 percent of it.

Mr. GEIST. That is the question. Would I have to give up my position in the law firm, or would the law firm have to divest itself of the stock that the firm owned in street name, not in my name?

Mr. DeWEESE. You could not be a personal beneficiary of any wealth garnered from the gaming world if you were indeed appointed, as is on page 20, to one of the board memberships.

Mr. GEIST. Even if my law firm benefited at the end of the year when everything is added up and pluses and minuses are done and moneys are distributed, I would not be able to collect money from that if I was a member of that law firm?

Mr. DeWEESE. Reading subsection (7), that is my view. That is my view, but neither one of you or Bill DeWeese has the benefit of a legal education, so I am just listening to counsel, as you are also occasionally inspired by counsel.

But what we are trying to do, what we are trying to do is mirror the same legislation that has been in New Jersey for a long, long time; the same legislation that passed the State Senate unanimously, not unanimously – I should not say that – but with a healthy bipartisan spread. What we are trying to do is make sure that whomever the Speaker of the House or the floor leaders on either side of the building decide to appoint to these gaming boards, if they are on the board itself, they have to divest themselves of any link, any link. But if you are working at a facility, and as you brought up the subject, if you are working at a facility and you have a mutual fund and that mutual fund owns part of Penn National, you are right; to get up to 1 percent, they would have to have millions of dollars potentially.

Mr. GEIST. If we had 1 percent, Mr. Speaker, we would not have to worry about working.

Next question: Would members of the House of Representatives who own gaming stocks, would they have to recuse themselves, in your opinion, on this vote?

Mr. DeWEESE. Would you repeat that question, Mr. Speaker? I was in counsel.

The SPEAKER. The gentleman is off the amendment.

Mr. GEIST. Well, I think it pertains to the 1 percent, Mr. Speaker, because a House member is a potential—

The SPEAKER. The Parliamentarian is telling me that is a question for the Chair.

Mr. GEIST. I am sorry; I could not hear you.

The SPEAKER. That is a question for the Chair.

Mr. DeWEESE. It would be more appropriate to offer the question to the podium, or I should say the dais rather than the podium.

Mr. GEIST. Mr. Speaker, I will drop the question, but may I keep quizzing the leader?

The SPEAKER. The gentleman is in order.

Mr. GEIST. At what point in a partnership would ownership of a gaming stock by your corporation preclude anyone from that corporation from being part of this board?

Mr. DeWEESE. Number one, I am not a soothsayer or a clairvoyant. It is impossible, I think, in the dialectic that we are sharing to conjecture about every single possibility, but I would like to, in response, read on page 26, lines 17 through 21, just five lines: “TO PROMULGATE RULES AND REGULATIONS THE BOARD DEEMS NECESSARY TO CARRY OUT THE POLICY AND PURPOSES OF THIS PART AND TO ENHANCE THE CREDIBILITY AND THE INTEGRITY OF THE LICENSED OPERATION OF SLOT MACHINES AND ASSOCIATED EQUIPMENT IN THIS COMMONWEALTH.”

So obviously, the board is going to be vitally involved in this whole process, and we have to trust the men and women that we are going to appoint; that your officers, our officers, the Governor of the State, and our brothers and sisters in the State Senate are going to appoint.

But again, what we are trying to do is make sure that any of those seven people on the board divest completely, divest completely, of any kind of link that they might have with the gaming world and that anybody that is working in that area could not have more than 1 percent.

Mr. GEIST. Thank you, Mr. Speaker.

May I speak on the amendment?

The SPEAKER. The gentleman is in order.

Mr. GEIST. Thank you, Mr. Speaker.

When I was listening to the quotes from the tower of truth, the Philadelphia Inquirer, I would have to say that I really was not going to speak at all about this. I sat through our caucuses and listened and realized that the votes were all in place to make this happen. I listened to the Senate debate, and I listened very curiously as that debate happened.

But, Mr. Speaker, I believe that if you want to pass this without any taint, then a “yes” vote on the Coleman amendment would do that. It does not do anything to change the bill in any way on how everything else is in there, but the amendment itself would, I believe, help to go a long way in making it a little purer than Caesar’s wife.

I believe that a “yes” vote is for a very pure and good board, and I would urge a “yes” vote on the Coleman amendment.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lehigh, Mr. Reichley.

Mr. REICHLEY. Thank you, Mr. Speaker.

Would the gentleman from Greene mind standing for one more interrogation, brief, however it might be?

The SPEAKER. The gentleman indicates he will stand for interrogation. The gentleman, Mr. Reichley, is in order.

Mr. REICHLEY. Mr. Speaker, in looking at the definition of, in section 1512, “public official” and the prohibition, would the gentleman agree that the spouse of a public official who might be somehow employed by a law firm doing work for not just a gambling facility but also for a holding affiliate or subsidiary company would also fall within the prohibition of having a financial interest?

Mr. DeWEESE. Yes, sir.

Mr. REICHLEY. So we are not talking just solely about the distinct line of officials that you have been trying to preclude from membership on this board, that they would have a much broader connection. Is that correct?

Mr. DeWEESE. I do not believe it has anything to do with the board.

Mr. REICHLEY. Well, you have stated that you wanted to have people who were going to be able to serve on this board, and somehow this amendment would preclude qualified people from being able to serve on that board.

Mr. DeWEESE. And I believe it would. It is just my opinion of this legislation and your opinion are at a divergence here.

Mr. REICHLEY. Would the gentleman also agree, as I think you did with Mr. Geist’s question, that a 1-percent interest in Penn National would be worth more than roughly \$1 million as of today?

Mr. DeWEESE. I do not want to speculate to the exact amount, but it would be worth a lot of money, and most of us in this room and most of our constituents do not have that kind of resource in their bank account.

Mr. REICHLEY. Thank you, Mr. Speaker.

May I address the amendment?

The SPEAKER. The gentleman is in order.

Mr. REICHLEY. Thank you, Mr. Speaker.

Mr. Speaker, we have heard much about the need to have this bill beyond reproach, and I, as with the previous speaker, was not going to stand and speak today, but until I heard the description of just how much wealth was involved in a 1-percent interest and in thinking back to an earlier conversation we had today, after consideration of this bill, the members of this Assembly are going to be asked to take up the property tax relief bill, and as many of us on this side of the aisle received charts or spreadsheets describing the degree of property tax relief that individuals are going to receive, I would just refer the members of the amounts that we are talking about; that your constituents, members in your districts, are going to be receiving perhaps hundreds of dollars in a one-time benefit as opposed to millions of dollars of potential interest that not just an elected official in this Assembly would receive or the executive-level officials we are talking about but that the spouses or sons or family members could also be receiving, and how would you want to go and face the members of the general public after this vote and tell them that you were willing to give them \$200, maybe \$250, of property tax relief but, on the other hand, allowed members of this administration, of this Assembly, to be involved in obtaining millions of dollars of interest in gaming facilities?

So I would ask the members to think about that very carefully when reviewing this amendment and support the Coleman amendment.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. DeWeese.

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

Apropos of the last colloquy that we shared, one more time I would like to reinforce that anybody on this floor, anybody, from our pages to our attorneys, to our staff, anybody on this floor that has a State pension system could potentially be in jeopardy if the Armstrong amendment, proffered by Mr. Coleman, is adopted, because the State pension system just may be investing in Philadelphia Park or in the Meadows or in Penn National.

So it is not that we are talking about millionaires. We are talking about people that belong to the State pension system, potentially, potentially, investing in one of these gaming enterprises, and their portfolios are so capacious that it is probable that they will be investing in some gaming enterprise somewhere in the United States, and the amendment that we are discussing right now, if adopted, would eliminate everybody on this floor from participating in any way with this endeavor.

And one more time, the seven people, the seven people on the board, the seven people on the board, will have to be, to use that delectable metaphor from antiquity, purer than Caesar's wife. They will have to divest of every nickel that could potentially be involved with some gaming enterprise.

So, and third and finally, at least for the moment, this language has been involved in New Jersey for tens and tens of years. They have had success. They have not had any problems. It passed the State Senate within the last 36 hours. I think that the hurrahs and huzzahs from the other side of the aisle are disingenuous and are very, very good tactics, but nevertheless, it would inure to the detriment of our strategy to realize tax reform through gaming enterprises in Pennsylvania, and

I would ask for an aggressive negative vote against the Armstrong amendment.

The SPEAKER. The Chair thanks the gentleman, and the Chair recognizes the gentleman from Beaver, Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, of course, I rise to oppose this amendment, and I know and recognize that over the last half hour or so, this debate can be confusing and complex for a lot of the members who have not had a chance to participate in working on the bill over the last few months. Mr. Speaker, I did have the opportunity to work on the bill over the last few months, so I would like to bring some context to what is in this bill and why this amendment should be defeated.

First of all, Mr. Speaker, I think it is very important to state again and state emphatically that no member of the Gaming Board can have any financial interest in any gaming facility, any gaming company, anywhere in the country, and anyone who does must immediately divest or they cannot be a board member in the State of Pennsylvania. That is an incredible standard that is in this legislation. It is a national standard that should be in this legislation. It is a national standard that is in this legislation.

And, Mr. Speaker, I think it is important to understand the context of where we are here today with the language that is in this bill, and it has been said a couple times on the floor, but I would like to emphasize it again, all of the proponents of gaming in Pennsylvania voted for a provision that allowed 2 percent financial interest. Twice we voted on a bill that allowed 2 percent financial interest, so every member here who is concerned about voting for a bill with 1 percent, you already voted twice for a bill that had 2 percent, allowed for 2 percent financial interest, and we thought that standard made sense at the time that we passed it.

And, Mr. Speaker, subsequently we came back and said, we are going to reduce that even further in this legislation; we are going to go from 2 percent to 1 percent, because we are going to make it as strict as possible, and we are going to make it as strict as possible without trying to trap someone inadvertently into creating a crime under Pennsylvania law.

Bill said it just a couple minutes ago. I want to make this point again. If this amendment were to be part of this law, any single member sitting on the floor of the House today that is participating in the State retirement system, and if the State retirement system were to buy one share of stock of Penn National or have one share of stock of any gaming company, every member sitting on this floor would be in violation of the law. That is the standard that is in this legislation.

It does not make sense to have the standard that is described in this amendment, to have innocent public officials who have nothing to do with the legislature, doing their job in this State, participating in a mutual fund, participating in a 401(k) program, to inadvertently, because we want to today grandstand on this issue, be in violation of Pennsylvania law. That is not right; it is not fair; it should not happen.

And, Mr. Speaker, I also want to say that one of the standards we looked at in crafting this legislation was we looked to the neighbor to our east in New Jersey, because most people in the country will tell you that New Jersey has the toughest gaming regulation law in the nation. You have heard people say that. They had their problems early in this industry and came back with what most people objectively will tell you is the

toughest gaming regulation law in the country, and, Mr. Speaker, I think it is important to note that what we have in our legislation on this particular point is tougher and stronger than what is in the New Jersey law. In the New Jersey law, in fact, Mr. Speaker, they only restrict State public officials from having any financial interest in a gaming facility, gaming company; only State public officials. So the mayor of Atlantic City, the mayor of other cities in New Jersey, councilmen all over the State of New Jersey, under New Jersey law, considered the strongest regulatory law in the nation, could have as much as they want financial interest in gaming institutions.

Some States in the country have no standard, no prohibition, for any public officials, State or local. So we took the strongest law in the nation, New Jersey, and made it even stronger by including all public officials under this restriction. It is a fair restriction. It is a sensible restriction. It is a restriction that does not allow innocent public officials from being inadvertently charged with a crime under State law.

Mr. Speaker, for those reasons and many more, including the fact that we can and should pass this bill here tonight and put it on the Governor's desk – and we know that even those members with good intentions here today that are offering this language can be joined by members with not so good intentions, from my point of view, who would like to see the bill defeated – I have made a strong case here as to why this standard is an excellent standard, one we can and should be proud of, and I stand here today to say this amendment needs to be defeated, this bill needs to be passed. For good or for bad, an amendment will kill this legislation for I do not know how long. We stand on the verge of history, Pennsylvania history. Defeat this amendment, and let us get on with voting on the bill.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

At this time the Chair recognizes the gentleman from Allegheny, Mr. Maher, for the second time.

Mr. MAHER. Thank you, Mr. Speaker.

If the gentleman, the minority leader, would like to continue our conversation briefly.

It has been offered—

Mr. DeWEESE. Mr. Speaker?

The SPEAKER. Mr. DeWeese.

Mr. DeWEESE. I like my interlocutor. My fund of knowledge does not parallel his own in this technical and arcane debate, and I necessarily want to be helpful, but I do not know that any more of the same will be. This, as the previous speaker enunciated, seems to be, at this stage of the game, about politics, and the ploys and stratagems, the innumerable maneuvering that is going on, is transparently obvious.

Now, I will accede to a couple of questions on the broad issue of the day, but I am not going to submit to the abstruse interrogatories of 15 or 20 minutes ago, because I do not think it will do that much good.

The SPEAKER. Mr. Maher.

Mr. MAHER. I can certainly understand why you would think that it would not do you much good, Mr. Speaker, but I appreciate your willingness to field a couple of more questions, and I will not cover the ground we covered before, but rather, since you and I last had a conversation here on the floor of the House, it has been repeated a number of times that despite whatever concerns might exist about whether this 1-percent limitation might in fact be no limitation whatsoever in

a properly constructed transaction, that the board itself would be – what was it about Caesar's wife? – purer than Caesar's wife.

Mr. DeWEESE. Pristine.

Mr. MAHER. Thank you.

I would refer the members to page 20, where it speaks about the obligations of board members with respect to ownership. I, too, had understood that this was intended to be a prohibition. It is not.

In fact, the way it is worded, for the very same reason as was the technical trouble in the other section, board members, referring to lines 27 and 28, the only prohibition in an ongoing ownership of a board member is for a security, so once again we have the case where board members, rather than being held to this purer standard of no ownership, in fact can own any level of interest in a racetrack, can own any level of interest in a gaming operator, can own any level of interest in a manufacturer licensed by this board, and can own any level of interest in a supplier.

Having made that assertion, Mr. Speaker, my simple question is, is there something different with respect to the key word there being “security” in a licensed entity that you would think would lead us to a different conclusion with respect to this section than was applied to the earlier one, or do you expect the conclusions would be much the same?

Mr. DeWEESE. I would ask the honorable gentleman to look at page 20, as he is doing, lines 20 through 30, 10 lines, and I want to emphasize a few things relative to your question: “AT THE TIME OF APPOINTMENT, AND ANNUALLY THEREAFTER, EACH MEMBER SHALL DISCLOSE THE EXISTENCE OF ALL OWNERSHIP INTERESTS IN LICENSED FACILITIES AND ALL SECURITIES IN ANY LICENSED ENTITY OR APPLICANT, ITS AFFILIATES OR SUBSIDIARIES HELD BY THE MEMBER, THE MEMBER'S SPOUSE AND ANY MINOR OR UNEMANCIPATED CHILDREN AND MUST DIVEST” – and must divest – “SUCH OWNERSHIP INTERESTS IN LICENSED FACILITIES OR SECURITIES PRIOR TO AN APPOINTMENT BECOMING FINAL. A MEMBER MAY NOT ACQUIRE ANY SECURITY IN ANY LICENSED ENTITY, ITS AFFILIATES OR SUBSIDIARIES DURING THE MEMBER'S TENURE.”

He must or she must divest. The seven people who will be running the State Gaming Board cannot hold any interest in these gaming facilities, and as the Representative from Beaver County, Mr. Veon, said, New Jersey had some halting and stumbling in the initial years of their experience, but now they are recognized as being a national standard. We have taken the New Jersey statute and augmented it, and the seven people on the board will be, one final time, pristine, in my view.

And again, one last time, we have a chance tonight to pass a proposal that will inure to the benefit of all people in the State, but we must make certain that people who work in and around these facilities are not involved in them in an illicit way, but at the same time – and we have used this example three or four other times tonight – but if our State pension system, our State pension system, is investing anything in any of these entities – and they probably are, just because they have thousands of investments – then we would potentially limit those people from working where they work and from doing what they would do.

This is not, in my view – of course, we have different views – but this is not a surreptitious effort on our part to concoct anything that would be anything other than what New Jersey

has done, what Nevada has done, and again, I think that not my current interlocutor but many people who have been at the dais this evening have been inveterate foes of gaming, and their tactics and strategies are to be lauded. You are doing a masterful job in what I hope is a delaying action, but nevertheless, I think that the structure of this legislation is sound, and I am confident in this debate.

Mr. MAHER. Thank you, Mr. Speaker.

I would appreciate the fact that you read those lines, and I will now ask you to explain, why do you suppose it is that on line 21, at the appointment, at the time of appointment, all ownership interests are prohibited, but once someone is on the board, the only prohibition is back to securities? Why do you suppose the prohibition is not all ownership interests and instead is merely securities?

Mr. DeWEESE. Mr. Speaker, we are on this amendment, and to the best of my knowledge, that question was wide of the mark relative to the amendment.

Mr. MAHER. I will accept that—

Mr. DeWEESE. The amendment goes to page 122.

Mr. MAHER. Mr. Speaker, I will accept the gentleman's deferring from answering that question, and I think you all know why the gentleman would choose to defer to answer that question, because it is plain on the page, for the members of this board—

Mr. DeWEESE. Mr. Speaker? Mr. Speaker?

Mr. MAHER. —that are to be pristine—

PARLIAMENTARY INQUIRY

Mr. DeWEESE. Point of parliamentary inquiry.

The SPEAKER. The gentleman, Mr. DeWeese, will state his point.

Mr. DeWEESE. The gentleman is inferring a reason as to my last comment, and I was only doing what I would think would be appropriate from the Chair's perspective and the Parliamentarian's perspective, that we would stick to the amendment. It is going to be a long night.

The SPEAKER. The Parliamentarian was pulling me aside to tell me exactly that, Mr. DeWeese. That is what we were talking about.

Mr. Maher.

Mr. MAHER. Thank you, Mr. Speaker.

I will remind the gentleman that the attention to this page was raised by you and your colleagues as a reason why the defect, which is quite obvious and would be cured by this amendment, is not all that awful, because at least the members of the board would be pristine, and consequently, I do believe that this is on the mark, and I would point out – and I will move on – but I will point out that members of this board, far from being pristine, will be allowed to own any level, any level of ownership, provided that it is done through a device other than securities.

I would also point out, Mr. Speaker, that this concern about pensioners and who has got pension funds—

The SPEAKER. Is the gentleman done with his interrogation?

Mr. MAHER. Yes. I am sorry, Mr. Speaker. I have completed interrogation. On the amendment.

Thank you.

The SPEAKER. The Chair thanks the gentleman. The gentleman is in order and may proceed.

Mr. MAHER. Thank you, Mr. Speaker.

This issue about concern for those who participate in the State pension system is simply vacuous. We have already heard a recitation, courtesy of the minority leader, of what constitutes a security. He read to you from the statute. He read the entirety of the statute. Pensions are not securities. Pension interests are not securities. You should have no fear on that count.

Where you should have fear is believing that you are prohibiting anybody from owning anything with the language as it is right now. With the amendment that is before us, you can in fact have a true 1-percent limitation, and we can argue about the merits of 1 percent or other percents, but absent this amendment, you have in essence no prohibition of any sort which is meaningful.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

For what purpose does the gentleman— Oh, I apologize, Mr. LaGrotta. We have Mr. Mustio and Mrs. Dailey before we get to you.

The gentleman from Allegheny, Mr. Mustio.

Mr. MUSTIO. Thank you, Mr. Speaker.

I would ask if it would be appropriate to interrogate not necessarily the minority chairman but Mr. Veon from Beaver, since his district abuts mine, and the claims to the benefits of this final bill—

The SPEAKER. Does the gentleman, Mr. Veon, consent to interrogation?

The gentleman indicates that he will. The gentleman, Mr. Mustio, is in order and may proceed.

Mr. MUSTIO. Thank you.

Mr. Speaker, you were speaking earlier about the current bill and particularly the 1-percent clause being more strenuous than the previous bill that was passed last year at 2 percent, and with that, I would certainly agree.

However, following up on what Mr. Maher was saying, the next line in the bill that was passed last year specifically mentioned manufacturer licensees, and that line is omitted from the sentence containing the 1 percent in this bill, and I am just curious as to why that is.

Mr. VEON. Mr. Speaker, we believe that our effort to put that into this statute would have been a violation of numerous court cases and decided to take it out early on in the process, and to say again that the clear intention was to make this even stronger than the bill that passed this House twice, and I think we succeeded in doing just that.

Mr. MUSTIO. For the record, could we cite those court cases?

Mr. VEON. Mr. Speaker, I do not have them at hand right here, but I certainly would be glad to get them and enter them into the record this evening.

Mr. MUSTIO. All right.

On the amendment, for me, passage of this amendment makes this bill palatable, and I would encourage those to vote in favor of it.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentelady from Montgomery, Mrs. Dailey.

Mrs. DAILEY. Thank you, Mr. Speaker.

Some of the most eloquent speeches of Edmund Burke, English statesman and member of Parliament, were given

between 1770 and 1782. These speeches have been described as a defense of sound constitutional statesmanship against prevailing abuse and misgovernment.

An important quotation contained in these speeches is as follows: “Bad law is the worst sort of tyranny.” I repeat: “Bad law is the worst sort of tyranny.”

This amendment may not be perfect, but neither is HB 2330. A vote for this amendment would improve this troubling bill.

I ask for an affirmative vote on this amendment.

Thank you.

The SPEAKER. The Chair thanks the gentlelady.

The Chair recognizes the gentleman from Lawrence, Mr. LaGrotta.

Mr. LaGROTTA. Thank you, Mr. Speaker.

Mr. Speaker, may I interrogate the sponsor of this amendment or whoever it is that is managing it?

The SPEAKER. The gentleman, Mr. Coleman, indicates that he will stand for interrogation. The gentleman, Mr. LaGrotta, is in order and may proceed.

Mr. LaGROTTA. Thank you, Mr. Speaker.

Mr. Speaker, I was wondering, the motivation for this amendment, if it in any way has its genesis in being concerned that some member of this chamber or our companion chamber, the Senate—

The SPEAKER. Mr. LaGrotta, it is improper to ask for a motive.

Mr. LaGROTTA. Oh, I am sorry. My apologies, Mr. Speaker.

Mr. Speaker, is it your understanding that House rules would prohibit any one of us from profiting from a vote or from efforts that we make as a member of this chamber?

Mr. COLEMAN. Mr. Speaker, I apologize. I cannot really speak to the full depth and breadth of ethics laws as they apply to the Pennsylvania House.

I would be happy to address the one line in my amendment pertaining to this bill.

Mr. LaGROTTA. Mr. Speaker, is it your understanding that the Pennsylvania State Ethics Commission prohibits any pecuniary gain by any public official using his or her elected position?

Mr. COLEMAN. Mr. Speaker, the language of my amendment does not speak to or structure the makeup or the outcome of the Pennsylvania Ethics Commission. This simply speaks to – I will give you the bill number – HB 2330, the gaming bill.

Mr. LaGROTTA. Mr. Speaker, I was wondering if you have done a formal or an informal survey of the members of this chamber who you are asking to vote for this amendment, if they are prepared to divest themselves of their pension or their participation in our public pension fund.

Mr. COLEMAN. Mr. Speaker, I am simply doing my best to help members avoid those headlines that would suggest any impropriety in connection with HB 2330 or the outcome of this bill.

Mr. LaGROTTA. Then it would be your suggestion, Mr. Speaker, that a vote against this amendment and in favor of this legislation would in fact be improper?

Mr. COLEMAN. Mr. Speaker, I am suggesting that voting for this amendment would be a good thing; it is a good-government amendment. That is all I am suggesting, Mr. Speaker.

Mr. LaGROTTA. Thank you, Mr. Speaker.

Mr. Speaker, that concludes my interrogation. If I could make some brief remarks.

The SPEAKER. The gentleman is in order.

Mr. LaGROTTA. Mr. Speaker, I have served in this chamber for almost 18 years, and I have served with a number of men and women, each and every one of them whom I have found to be honorable and of the highest integrity, and in a very, very, very few – I will wait until the rumble of laughter – and in a very few instances, Mr. Speaker, where there were questionable or improper—

May I have some order, Mr. Speaker? This is a very important amendment.

The SPEAKER. The gentleman is entitled to be heard.

Mr. LaGROTTA. Thank you.

—where there were questionable or improper actions taken by a member of this chamber, the appropriate rules of the House or the Ethics Commission or the Pennsylvania law enforcement or the Federal law enforcement bureaus, officers, mechanisms, protected this chamber’s integrity and protected the people of this Commonwealth from illegal or improper action.

Mr. Speaker, the reason for my questioning the gentleman this evening was to make every member of this chamber understand what I perceive to be an insult to the members who serve in this House.

Mr. Speaker, I am not prepared to vote for this amendment, nor am I prepared to divest myself of a pension fund which, as a member of the House Appropriations Committee, during budget hearings, we have encouraged those who operate our pension fund and manage our pension fund to invest, whenever possible, whenever profitable, whenever responsible, in Pennsylvania companies that employ Pennsylvania people and make Pennsylvania better.

Mr. Speaker, this amendment is about headlines. This amendment is about a headline that says, “Jobs, property tax cuts, gaming bill killed by silver bullet amendment.”

If you vote for this amendment, Mr. Speaker, you are not voting for good government; you are not voting for honest government. You are voting to kill billions of dollars in economic development; you are voting to eliminate a potential of tens of thousands of jobs and over \$1 billion in school tax cuts for your constituents. Understand, Mr. Speaker, what the gentleman is asking you to vote for this evening. He is asking you to vote against rolling back school taxes, creating new jobs, and billions of dollars in economic development.

Mr. Speaker, I trust our Ethics Commission; I trust our House rules; I trust the Attorney General; I trust the State Police; and most of all, I trust the men and women whom I serve with and hopefully will serve with for many years to come.

Mr. Speaker, this is not an amendment about good government; this is an amendment about killing this bill. We have to reject it. We have to do it now. We have to move on, and we have to take Pennsylvania to the place where we have been trying to get to for about 18 months with this legislation.

Vote “no.” Let us move on.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Coleman.

Mr. COLEMAN. The gentleman from Beaver is correct. He is absolutely right. This amendment is about headlines: “Lawmakers could profit from slots.” My, that is a mild headline, Mr. Speaker. The Beaver County Times can do better

than that. The Johnstown Tribune-Democrat can do a little better than that. The Valley News Dispatch can do a lot better than that. The Waynesburg Messenger, they will pick up on this story.

The headlines tomorrow are not going to be “Slots pass Pennsylvania House delivering sweeping tax reform.” “Slots bill passes under cloud of doubt.” This is the eraser amendment. This is the zero amendment. It erases all doubt about the nature, the character, the impeachable integrity of the members of this body. This says, this says, you are all right; you are protected; you have a firewall of protection against those headlines, like the one I have in my hand.

And I am going to be 29 years old tomorrow, in a few hours, and I have spent the two terms I have had in this House talking to young people about the political process and the political system, and you know, in forum after forum after forum, in speech after speech, with people in 9th, 11th, and 12th grades, you know what it is? It all comes down to why we are so cynical about the political process, about politics; it is because of headlines like this.

Now, if you want, if you want those trend lines to continue in this election year this fall and you have 8 percent, 9 percent, 10 percent, 20 percent of 18- to 24-year-olds voting and participating in the political process, then let us win another one for the Democratic leader of the Senate; let us give him another one; let us do it.

But if you want young people to have a little more faith in the political process, to not be perhaps as cynical as some of us leave when we leave this body, then maybe give a good-government bill – one simple line that says, zero; you cannot profit from this gambling bill – a chance. It deserves your vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker, and I will be brief on this.

Mr. Speaker, I think we all understand that newspapers can write headlines about a lot of the stuff that we do here. Frankly, some days they get it right and some days they get it wrong. But one thing I am proud of is that most days here, headlines do not write the laws that we write here, and if we were to write the laws of Pennsylvania based on today’s headlines, tomorrow’s headlines, yesterday’s headlines, quite frankly, I think we would seldom make very good law. And yes, it can be difficult and challenging to withstand the headlines, especially when they are wrong, especially when they are wrong, when trying to craft legislation that someone in a political arena can take and construe in any way they want, and I understand that challenge, and I understand that difficulty.

But this is the Pennsylvania State legislature, and this law, I think, I have fairly described at this podium as being the strongest in the nation on this particular point – headlines or no headlines; headlines yesterday, today, or tomorrow, or no headlines. This is the strongest law in the nation on this point, stronger than the State of New Jersey, who everyone says has the strongest gaming regulatory law. And yes, it is not pretty when it comes to making political headlines, but it is good law. It is the right thing to do, and with this provision, this legislature can and should be proud that we will have the strongest regulatory law in the nation because of a provision like this.

Mr. Speaker, I encourage the members here to make good law, not good headlines. Do the right thing, defeat this amendment, and let us get on with the opportunity to vote on final passage of this bill.

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—92

Allen	Fairchild	Leh	Samuelson
Argall	Feese	Mackereth	Sather
Armstrong	Fichter	Maher	Saylor
Baker	Fleagle	Maitland	Scavello
Baldwin	Flick	Major	Schroder
Bard	Forcier	Marsico	Semmel
Bastian	Freeman	McIlhattan	Smith, B.
Benninghoff	Gabig	McNaughton	Smith, S. H.
Birmelin	Geist	Metcalfe	Stairs
Boyd	Gillespie	Millard	Stem
Browne	Gingrich	Miller, R.	Stevenson, R.
Cappelli	Habay	Miller, S.	Stevenson, T.
Cawley	Harhart	Mustio	Tangretti
Clymer	Harper	Nailor	Taylor, E. Z.
Coleman	Harris	Nickol	Tigue
Cornell, S. E.	Hasay	Payne	True
Creighton	Hennessey	Petrarca	Turzai
Dailey	Herman	Phillips	Vance
Dally	Hershey	Pickett	Vitali
Denlinger	Hess	Reed	Wilt
Diven	Hickernell	Reichley	Yewcic
Donatucci	Hutchinson	Rohrer	Yudichak
Egolf	Kenney	Rubley	Zug

NAYS—102

Adolph	Evans, D.	Lewis	Sainato
Barrar	Evans, J.	Lynch	Santoni
Bebko-Jones	Fabrizio	Mann	Scrimenti
Belardi	Frankel	Markosek	Shaner
Belfanti	Gannon	McCall	Solobay
Biancucci	George	McGeehan	Staback
Bishop	Gergely	McIlhinney	Steil
Blaum	Godshall	Melio	Stetler
Bunt	Good	Micozzie	Sturla
Butkovitz	Goodman	Mundy	Surra
Buxton	Grucela	Myers	Taylor, J.
Caltagirone	Gruitza	O’Brien	Thomas
Casorio	Haluska	Oliver	Travaglio
Causser	Hanna	O’Neill	Veon
Civera	Harhai	Pallone	Walko
Cohen	James	Petri	Wansacz
Corrigan	Josephs	Petrone	Washington
Costa	Keller	Preston	Waters
Coy	Killion	Raymond	Watson
Curry	Kirkland	Readshaw	Wheatley
Daley	Kotik	Rieger	Williams
DeLuca	LaGrotta	Roberts	Wojnaroski
Dermody	Laughlin	Roebuck	Wright
DeWeese	Leach	Rooney	
DiGirolamo	Lederer	Ross	Perzel,
Eachus	Lescovitz	Ruffing	Speaker

NOT VOTING—8

Crahalla	Horsey	McGill	Weber
Cruz	Levdansky	Pistella	Youngblood

EXCUSED—1

Manderino

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?

RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentleman, Mr. Denlinger, who calls up amendment 3259.

On that question, the Chair recognizes Mr. Denlinger.

Mr. DENLINGER. Thank you, Mr. Speaker.

I would move to suspend the rules for an amendment that would provide for triennial license renewal fees.

The SPEAKER. It is moved by the gentleman, Mr. Denlinger, that the rules of the House be suspended for immediate consideration of amendment 3259.

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

The SPEAKER. On the suspension of the rules for the Denlinger amendment, the Chair recognizes the gentleman, Mr. Smith.

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

Mr. Speaker, I would urge the members to support the motion to suspend the rules.

The SPEAKER. Mr. DeWeese.

Mr. DeWEESE. Reluctantly yet fraternally, I concur.

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

The following roll call was recorded:

YEAS—145

Adolph	Evans, J.	Lynch	Saylor
Allen	Fairchild	Mackereth	Scavello
Argall	Feese	Maher	Schroder
Armstrong	Fichter	Maitland	Semmel
Baker	Fleagle	Major	Smith, B.
Baldwin	Flick	Markosek	Smith, S. H.
Bard	Forcier	Marsico	Staback
Barrar	Freeman	McCall	Stairs
Bastian	Gabig	McGill	Steil
Belardi	Gannon	McIlhattan	Stern
Belfanti	Geist	McIlhinney	Stevenson, R.
Benninghoff	Gillespie	McNaughton	Stevenson, T.
Birmelin	Gingrich	Metcalfe	Sturla
Bishop	Godshall	Micozzie	Surra
Blaum	Good	Millard	Tangretti
Boyd	Grucela	Miller, R.	Taylor, E. Z.
Browne	Habay	Miller, S.	Taylor, J.
Bunt	Hanna	Mustio	Thomas
Cappelli	Harhai	Nailor	Tigue
Causer	Harhart	Nickol	Travaglio
Cawley	Harper	O'Brien	True
Civera	Harris	Oliver	Turzai
Clymer	Hasay	O'Neill	Vance
Coleman	Hennessey	Payne	Veon

Cornell, S. E.	Herman	Petrarca	Vitali
Corrigan	Hershey	Petri	Waters
Coy	Hess	Phillips	Watson
Crahalla	Hickernell	Pickett	Weber
Creighton	Horsey	Raymond	Wheatley
Dailey	Hutchinson	Reed	Wilt
Dally	Keller	Reichley	Wright
Denlinger	Kenney	Roberts	Yewcic
DeWeese	Killion	Rohrer	Zug
DiGirolamo	LaGrotta	Ross	
Diven	Leh	Rubley	
Egolf	Levdansky	Samuelson	Perzel,
Evans, D.	Lewis	Sather	Speaker

NAYS—57

Bebko-Jones	Fabrizio	Lescovitz	Ruffing
Biancucci	Frankel	Mann	Sainato
Butkovitz	George	McGeehan	Santoni
Buxton	Gergely	Melio	Scrimenti
Caltagirone	Goodman	Mundy	Shaner
Casorio	Gruitza	Myers	Solobay
Cohen	Haluska	Pallone	Stetler
Costa	James	Petrone	Walko
Cruz	Josephs	Pistella	Wansacz
Curry	Kirkland	Preston	Washington
Daley	Kotik	Readshaw	Williams
DeLuca	Laughlin	Rieger	Wojnaroski
Dermody	Leach	Roebuck	Youngblood
Donatucci	Lederer	Rooney	Yudichak
Eachus			

NOT VOTING—0

EXCUSED—1

Manderino

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?

Mr. DENLINGER offered the following amendment No. A3259:

Amend Sec. 1 (Sec. 1209), page 36, line 10, by inserting after "EFFECT"

, subject to license renewal and payment of the fee under subsection (b.1),

Amend Sec. 1 (Sec. 1209), page 36, lines 15 through 17, by striking out "AS TO THE" in line 15, all of lines 16 and 17 and inserting

(b.1) Triennial license renewal fee.—A slot machine license shall be subject to a license renewal fee of \$10,000,000 every three years.

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

The SPEAKER. The House has immediately before it amendment A3259.

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

Mr. DENLINGER. Thank you, Mr. Speaker.

"The time is out of joint." "The time is out of joint." With those words Prince Hamlet in the first act of the play by the

same name was bemoaning the fact that something horrible had happened in his native land; something had happened all too fast. That something was the marriage of his mother, the queen, to his murderous uncle within the period of mourning, and he concluded that first act with these words: "Something is rotten in the state of Denmark." Famous words that I am sure the minority leader will understand immediately.

We are moving very quickly tonight and heading into something which has been hotly debated here tonight, something which we are seeing more and more problems associated with it. But notwithstanding my personal objection to gambling, tonight I bring forward an amendment which I think will help to make an arguably bad piece of legislation a little bit better, and that is that every 3 years those establishments who are the beneficiaries of this monopoly status we are about to give them will be required to pay an additional \$10 million for their renewal application. This is a very common practice in business. Many here in our membership are licensed professionals or head up firms of various sorts, and they expect to pay a renewal fee at the time their license comes up. As a C.P.A. I personally do that every 2 years, and I am sure many others here are used to the same drill. So why would we not take this piece of legislation and amend it, and amend it to make it better for the taxpayers, for the residents of the Commonwealth of Pennsylvania? In fact, 10 million will be a very low fee in the grand scheme of this very lucrative opportunity.

And so, Mr. Speaker, I would ask you to support the concept of requiring a bit more in funds from our gambling establishments, 10 million more every 3 years to fund a host of good initiatives, positive steps and measures for the citizens of the Commonwealth of Pennsylvania.

Mr. Speaker, I ask for an affirmative vote.

The SPEAKER. The gentleman, Mr. DeWeese.

Mr. DeWEESE. Thank you very much.

Notwithstanding my proclivity for "Hamlet" and the treasure trove of metaphors that one could evoke, I believe my honorable colleague is amongst the most aggressive phalanx in this General Assembly trying to counterpoise itself against gaming. Therefore, this amendment is full of mischief.

The amount of money that we concluded – the bicameral, bipartisan effort that we arrived at – was \$50 million per entity, less for the resorts, 610 million, an initial avalanche of help for our State, but it was the collective wisdom of Republicans in the House, Republicans in the Senate, Democrats in the House, Democrats in the Senate, that this was the threshold, and that threshold had to do with a variety of different things. Among them we want these entities, these business entities, to come to Pennsylvania and develop attractive resorts and to have the possibility of hotels and restaurants and other amenities within a very, very close proximity to these facilities.

Therefore, we thought that the \$50 million figure would garner a lot of State revenue but at the same time – forgive the metaphor – not break the bank at Monte Carlo. So it was a reasoned, definitive debate that took place for several months. The \$50 million per entity, fewer dollars for the resorts, was what we came up with – the resorts, by the way, only having 500 machines rather than 3,000 machines – and again, I understand the gentleman's argumentation, but tonight I reject it, respectfully.

The SPEAKER. The gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, this amendment deals with, of course, the renewal of licenses every 3 years that are given to the casinos, racinos, at \$10 million.

Now, we have heard so much tonight about jobs and economic development and all the good things that this type of industry is going to bring to Pennsylvania. Now, we also know that these licenses can be worth anywhere from \$300 million to \$500 million, maybe a few dollars less for the resort licenses, but here is the story: Once they are given out, those who have them, have them, and we do not, not that we distrust them, but we do not want them to make a windfall by selling those licenses within a 2-year period after they got them. So all this does is make sure that those people who promise to do all these wonderful things for the State of Pennsylvania as it is involved with economic development and jobs and lots of revenue for the Treasury, we just want to make sure that they are keeping their promises. Now, obviously, if they sell the license, well, there is not too much we can do about it.

But this is a good record, a good track record to hold them to their promises, and we know that they will keep their promises, but this particular amendment seeking a 3-year renewal is a wonderful idea, and I think that we should all be able to get behind the amendment and give it a "yes," and I support the 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	Rohrer
Argall	Fairchild	Hutchinson	Rubley
Armstrong	Feese	Leh	Samuelson
Baker	Fleagle	Mackereth	Sather
Baldwin	Flick	Maitland	Saylor
Bard	Forcier	Major	Scavello
Bastian	Freeman	Marsico	Schroder
Benninghoff	Gabig	McGill	Semmel
Birmelin	Geist	McIlhattan	Smith, B.
Boyd	Gillespie	McNaughton	Smith, S. H.
Browne	Gingrich	Metcalf	Stairs
Cappelli	Godshall	Millard	Stern
Causer	Grucela	Miller, R.	Stevenson, R.
Cawley	Habay	Miller, S.	Taylor, E. Z.
Clymer	Harhart	Nailor	Tigue
Coleman	Harper	Nickol	True
Cornell, S. E.	Harris	Payne	Turzai
Crahalla	Hasay	Petrarca	Vance
Creighton	Hennessey	Phillips	Vitali
Dailey	Herman	Pickett	Wilt
Dally	Hershey	Reed	Yewcic
Denlinger	Hess	Reichley	Zug
Diven			

NAYS—113

Adolph	Fabrizio	Mann	Shaner
Barrar	Fichter	Markosek	Solobay
Bebko-Jones	Frankel	McCall	Staback
Belardi	Gannon	McGeehan	Steil
Belfanti	George	McIlhinney	Stetler
Bianucci	Gergely	Melio	Stevenson, T.
Bishop	Good	Micozzie	Sturla

Blaum	Goodman	Mundy	Surra
Bunt	Gruitza	Mustio	Tangretti
Butkovitz	Haluska	Myers	Taylor, J.
Buxton	Hanna	O'Brien	Thomas
Caltagirone	Harhai	Oliver	Travaglio
Casorio	Horsey	O'Neill	Veon
Civera	James	Pallone	Walko
Cohen	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	Rieger	Williams
DeLuca	Laughlin	Roberts	Wojnaroski
Dermody	Leach	Roebuck	Wright
DeWeese	Lederer	Rooney	Youngblood
DiGirolamo	Lescovitz	Ross	Yudichak
Donatucci	Levdansky	Ruffing	
Eachus	Lewis	Sainato	
Evans, D.	Lynch	Santoni	Perzel,
Evans, J.	Maher	Scrimenti	Speaker

NOT VOTING—0

EXCUSED—1

Manderino

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?

RULES SUSPENDED

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

Mr. CLYMER. Mr. Speaker, I move that the rules of the House be suspended immediately for amendment 3334.

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

The SPEAKER. On that question.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, in lieu of the past discussions that we had on the seven-member gambling board and policies that we should be developing for honesty and integrity and all those things that would keep the seven-member board from controversy, what my amendment does—

The SPEAKER. Mr. Clymer? Mr. Clymer?

Mr. CLYMER. Yes.

The SPEAKER. I apologize. I was recognizing you for the suspension of the rules. I will recognize you as soon as—

The Chair recognizes the gentleman, Mr. Feese, on the suspension.

Mr. FEESE. Thank you, Mr. Speaker.

We support the gentleman's motion to suspend the rules for this amendment.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. DeWeese.

Mr. DeWEESE. Again in the interest of a wide-ranging debate, I will accede to an affirmative vote for suspension of 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—141

Adolph	Fairchild	Lewis	Rubley
Allen	Feese	Lynch	Samuelson
Argall	Fichter	Mackereth	Sather
Armstrong	Fleagle	Maher	Saylor
Baker	Flick	Maitland	Scavello
Baldwin	Forcier	Major	Schroder
Bard	Freeman	Markosek	Semmel
Barrar	Gabig	Marsico	Shaner
Bastian	Gannon	McCall	Smith, B.
Belardi	Geist	McGill	Smith, S. H.
Benninghoff	Gillespie	McIlhattan	Staback
Birmelin	Gingrich	McIlhinney	Stairs
Blaum	Godshall	McNaughton	Steil
Boyd	Good	Metcalfe	Stern
Browne	Grucela	Micozzie	Stevenson, R.
Bunt	Habay	Millard	Stevenson, T.
Cappelli	Hanna	Miller, R.	Taylor, E. Z.
Causar	Harhai	Miller, S.	Taylor, J.
Cawley	Harhart	Mundy	Thomas
Civera	Harper	Mustio	Tigue
Clymer	Harris	Nailor	Travaglio
Coleman	Hasay	Nickol	True
Cornell, S. E.	Hennessey	O'Brien	Turzai
Corrigan	Herman	Oliver	Vance
Crahalla	Hershey	O'Neill	Veon
Creighton	Hess	Payne	Vitali
Dailey	Hickernell	Petrarca	Watson
Dally	Horsey	Petri	Weber
Denlinger	Hutchinson	Phillips	Wilt
DeWeese	Keller	Pickett	Wright
DiGirolamo	Kenney	Raymond	Yewcic
Diven	Killion	Reed	Zug
Donatucci	Kirkland	Reichley	
Egolf	Lederer	Roberts	
Evans, D.	Leh	Rohrer	Perzel,
Evans, J.	Levdansky	Ross	Speaker

NAYS—61

Bebko-Jones	Eachus	Mann	Scrimenti
Belfanti	Fabrizio	McGeehan	Solobay
Bianucci	Frankel	Melio	Stetler
Bishop	George	Myers	Sturla
Butkovitz	Gergely	Pallone	Surra
Buxton	Goodman	Petrone	Tangretti
Caltagirone	Gruitza	Pistella	Walko
Casorio	Haluska	Preston	Wansacz
Cohen	James	Readshaw	Washington
Costa	Josephs	Rieger	Waters
Coy	Kotik	Roebuck	Wheatley
Cruz	LaGrotta	Rooney	Williams
Curry	Laughlin	Ruffing	Wojnaroski
Daley	Leach	Sainato	Youngblood
DeLuca	Lescovitz	Santoni	Yudichak
Dermody			

NOT VOTING—0

EXCUSED—1

Manderino

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?

Mr. **CLYMER** offered the following amendment No. **A3334**:

Amend Sec. 1 (Sec. 1201), page 23, line 4, by striking out "AND" and inserting a comma

Amend Sec. 1 (Sec. 1201), page 23, line 6, by removing the period after "ACT" and inserting
and 4 Pa. Code Ch. 7 Subch. K (relating to Code of Conduct for Appointed Officials and State Employees).

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

The **SPEAKER**. On that amendment, the Chair recognizes the gentleman, Mr. Clymer.

Mr. **CLYMER**. Thank you again, Mr. Speaker.

In lieu of the past discussions that had been taking place evolving around the seven-member Pennsylvania gambling control commission, the amendment that I am about to offer will certainly provide the integrity and honesty and will take away any concerns that there is any possible wrongdoing.

And what my amendment does, it provides that the Governor's Code of Conduct, that all employees under the Governor's jurisdiction must abide by by the Executive order of 1980, apply to the seven members of the Pennsylvania gambling control commission, and I think this is fair.

As I said, in lieu of the great debate that took place not more than 10 minutes ago, I am sure that we can support this bill and this amendment. So, Mr. Speaker, I urge members' support of the amendment.

The **SPEAKER**. The Chair thanks the gentleman.

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

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

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

Mr. **HORSEY**. Thank you, Mr. Speaker.

The Governor's Code on—

Mr. **CLYMER**. The Governor's Code of Conduct that all employees under the Governor's jurisdiction must abide by? That was an Executive order of 1980.

Mr. **HORSEY**. Mr. Speaker, we are making an attempt here today to pass statutory law. Would the Governor, would he be able to have power over a commission that is statutorily appointed and established?

Mr. **CLYMER**. Mr. Speaker, I believe this amendment is in order.

Mr. **HORSEY**. Mr. Speaker, on the amendment itself.

The **SPEAKER**. The gentleman is in order.

Mr. **HORSEY**. Thank you, Mr. Speaker.

Mr. Speaker, what we have in front of us statutorily regulates or shall regulate the five-man board. The gentleman wants to put it under Executive order, which is a set of regulations. So he is trying to water down what we are trying to do legally.

I would oppose his amendment and ask that we all oppose the amendment.

Thank you, Mr. Speaker.

The **SPEAKER**. The Chair recognizes the gentleman, Mr. DeWeese.

Mr. **DeWEESE**. Thank you very much.

With all due respect to the Honorable Chairman Clymer, whose steadfast service in this chamber over many years is respected by one and all, his transcendent message this evening is to scuttle, to harry, to confound our proposal from going forward.

The honorable gentleman from Philadelphia, Mr. Horsey, just made a very piquant observation. The statute that is in place is one of law. The gentleman's amendment is one of regulation. The words of my colleague were appropriate. "Watering down" is a phrase I would embrace. We have strenuous, tenacious language in this proposal, and the gentleman's effort to take law and make it regulation gives it less vigor.

So again, with all due respect to one of the preeminently kind and decent members of our group, he wants this property tax implementer, which is what this bill does and bill is, to be scuttled tonight. And in the interest of advancing Mr. Rendell's campaign platform and a Republican and Democratic, bipartisan, bicameral package developed over the past many weeks in the House and Senate, I would ask that we contravene the gentleman politely, respectfully, once again. A negative vote would be very helpful to the cause of our mission this evening.

The **SPEAKER**. The gentleman, Mr. Clymer, for the second time.

Mr. **CLYMER**. Thank you, Mr. Speaker.

Mr. Speaker, very briefly, what I am doing is not watering down these regulations. What I am doing is trying to make sure that the seven members of the board abide by all the other regulations that the Governor has said should abide by.

This is a very fair amendment, and to say that this is going to create some kind of burden on them, I just do not understand that. I thought we were here to promote the integrity, the honesty, to make sure that the people are above reproach, and I think it is a good amendment, and I would even ask the honorable minority leader to join me in voting for this 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—93

Allen	Feese	Mackereth	Rohrer
Armstrong	Fleagle	Maher	Rubley
Baker	Forcier	Maitland	Samuelson
Baldwin	Freeman	Major	Sather
Bard	Gabig	Marsico	Saylor
Bastian	Geist	McGill	Scavello
Benninghoff	Gillespie	McIlhattan	Schroder
Birmelin	Gingrich	McNaughton	Semmel
Boyd	Godshall	Metcalf	Smith, B.
Browne	Grucela	Millard	Smith, S. H.
Cappelli	Habay	Miller, R.	Stairs
Causar	Harhart	Miller, S.	Stem
Cawley	Harper	Mustio	Stevenson, R.
Clymer	Harris	Nailor	Stevenson, T.

Coleman	Hasay	Nickol	Taylor, E. Z.
Cornell, S. E.	Hennessey	Payne	Tigue
Crahalla	Herman	Petrarca	True
Creighton	Hershey	Phillips	Turzai
Dailey	Hess	Pickett	Vance
Dally	Hickernell	Pistella	Vitali
Denlinger	Hutchinson	Readshaw	Wilt
Diven	Leh	Reed	Yewcic
Egolf	Levdansky	Reichley	Zug
Fairchild			

NAYS—109

Adolph	Evans, D.	Lewis	Shaner
Argall	Evans, J.	Lynch	Solobay
Barrar	Fabrizio	Mann	Staback
Bebko-Jones	Fichter	Markosek	Steil
Belardi	Flick	McCall	Stetler
Belfanti	Frankel	McGeehan	Sturla
Biancucci	Gannon	McIlhinney	Surra
Bishop	George	Melio	Tangretti
Blaum	Gergely	Micozzie	Taylor, J.
Bunt	Good	Mundy	Thomas
Butkovitz	Goodman	Myers	Travaglio
Buxton	Gruitza	O'Brien	Veon
Caltagirone	Haluska	Oliver	Walko
Casorio	Hanna	O'Neill	Wansacz
Civera	Harhai	Pallone	Washington
Cohen	Horsey	Petri	Waters
Corrigan	James	Petrone	Watson
Costa	Josephs	Preston	Weber
Coy	Keller	Raymond	Wheatley
Cruz	Kenney	Rieger	Williams
Curry	Killion	Roberts	Wojnaroski
Daley	Kirkland	Roebuck	Wright
DeLuca	Kotik	Rooney	Youngblood
Dermody	LaGrotta	Ross	Yudichak
DeWeese	Laughlin	Ruffing	
DiGirolamo	Leach	Sainato	
Donatucci	Lederer	Santoni	Perzel,
Eachus	Lescovitz	Scrimenti	Speaker

NOT VOTING—0

EXCUSED—1

Manderino

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?

The SPEAKER. The House will be at ease for one moment.

AMENDMENT A3270 RECONSIDERED

The SPEAKER. The Chair has before it an immediate reconsideration of a vote on a bill.

It is moved by the gentleman, Mr. Smith, and the gentelady, Mrs. Crahalla, that the vote by which House amendment 3270 to HB 2330, PN 4272, was defeated on the 3d day of July be reconsidered.

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

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

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

Mr. Speaker, the motion to reconsider was filed simply because there were a few people that had got up out of their seats and the board was locked, and frankly, Mr. Speaker, I am asking the members to reconsider this motion just so that we can have a full and accurate roll call hopefully without any redebate on this issue.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. This is a very good evening for all of us, and we have had substantial harmony amongst our leadership echelons. I am going to momentarily breach that hail-fellow-well-met perspective. We spent 1 hour 37 minutes on a one-line amendment. We defeated that one-line amendment. I see no reason to reengender additional dialogue on the floor of the House tonight. There is no doubt it is quintessentially obvious that the reason for propagating this parliamentary maneuver is to stymie, as I have said, our evening's proposal. So I would hope that the same folks that voted against the amendment would vote against this motion to reconsider.

In all of my years here I probably have not voted to gainsay a motion to reconsider more than a half a dozen times in 29 years, but tonight I am going to. I do not like to. The motion to reconsider is usually apropos and appropriate, but tonight it is mischievous and should be rejected.

The SPEAKER. The Chair thanks the gentleman.

Mr. S. SMITH. Mr. Speaker?

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

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

I do appreciate the comments by the minority leader, and by and large he is correct.

I would, as I mentioned in my other remarks, ask the members to reconsider, and hopefully, it would be a straightforward reconsideration and a quick vote on the amendment without any ensuing debate, or frankly, as far as I am concerned, there would not even need to be any additional comment, because we have, as the minority leader just mentioned, we have had an hour-and-a-half-or-so debate on that particular amendment.

Thank you.

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

The following roll call was recorded:

YEAS—118

Adolph	Fairchild	Lynch	Rubley
Allen	Feese	Mackereth	Samuelson
Argall	Fichter	Maher	Sather
Armstrong	Fleagle	Maitland	Saylor
Baker	Flick	Major	Scavello
Baldwin	Forcier	Marsico	Schroder
Bard	Freeman	McGill	Semmel
Barrar	Gabig	McIlhattan	Smith, B.
Bastian	Gannon	McIlhinney	Smith, S. H.
Benninghoff	Geist	McNaughton	Stairs
Birmelin	Gillespie	Metcalfe	Steil
Boyd	Gingrich	Micozzie	Stern

Browne	Godshall	Millard	Stevenson, R.
Bunt	Good	Miller, R.	Stevenson, T.
Cappelli	Habay	Miller, S.	Taylor, E. Z.
Causer	Hanna	Mustio	Taylor, J.
Cawley	Harhart	Nailor	Tigue
Civera	Harper	Nickol	True
Clymer	Harris	O'Brien	Turzai
Coleman	Hasay	O'Neill	Vance
Cornell, S. E.	Hennessey	Payne	Vitali
Crahalla	Herman	Petrarca	Watson
Creighton	Hershey	Petri	Weber
Dailey	Hess	Phillips	Wilt
Dally	Hickernell	Pickett	Wright
Denlinger	Hutchinson	Raymond	Yewcic
DiGirolamo	Kenney	Reed	Zug
Diven	Killion	Reichley	
Egolf	Leh	Rohrer	Perzel,
Evans, J.	Lewis	Ross	Speaker

NAYS—84

Bebko-Jones	Eachus	Lescovitz	Santoni
Belardi	Evans, D.	Levdansky	Scrimenti
Belfanti	Fabrizio	Mann	Shaner
Biancucci	Frankel	Markosek	Solobay
Bishop	George	McCall	Staback
Blaum	Gergely	McGeehan	Stetler
Butkovitz	Goodman	Melio	Sturla
Buxton	Grucela	Mundy	Surra
Caltagirone	Gruitza	Myers	Tangretti
Casorio	Haluska	Oliver	Thomas
Cohen	Harhai	Pallone	Travaglio
Corrigan	Horshey	Petrone	Veon
Costa	James	Pistella	Walko
Coy	Josephs	Preston	Wansacz
Cruz	Keller	Readshaw	Washington
Curry	Kirkland	Rieger	Waters
Daley	Kotik	Roberts	Wheatley
DeLuca	LaGrotta	Roebuck	Williams
Dermody	Laughlin	Rooney	Wojnaroski
DeWeese	Leach	Ruffing	Youngblood
Donatucci	Lederer	Sainato	Yudichak

NOT VOTING—0

EXCUSED—1

Manderino

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. **A3270**:

Amend Sec. 1 (Sec. 1512), page 122, lines 17 and 18, by striking out "EXCEEDING 1% OF THE EQUITY OR FAIR MARKET VALUE"

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

The SPEAKER. The House has immediately before it amendment A3270.

For what purpose does the gentlelady rise?

Ms. HARPER. Mr. Speaker, I would like to speak very briefly on reconsideration.

The SPEAKER. The understanding from the leaders was that there would be no debate on this particular issue; that it was to be a straight-up vote again so that people could correct the record.

Ms. HARPER. I am sorry, Mr. Speaker. I did not hear you.

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

The following roll call was recorded:

YEAS—96

Allen	Fairchild	Levdansky	Rubley
Argall	Feese	Mackereth	Samuelson
Armstrong	Fichter	Maher	Sather
Baker	Fleagle	Maitland	Saylor
Baldwin	Flick	Major	Scavello
Bard	Forcier	Marsico	Schroder
Bastian	Freeman	McGill	Semmel
Benninghoff	Gabig	McIlhattan	Smith, B.
Birmelin	Geist	McNaughton	Smith, S. H.
Boyd	Gillespie	Metcalfe	Stairs
Browne	Gingrich	Millard	Stern
Cappelli	Habay	Miller, R.	Stevenson, R.
Cawley	Harhart	Miller, S.	Stevenson, T.
Clymer	Harper	Mustio	Tangretti
Coleman	Harris	Nailor	Taylor, E. Z.
Cornell, S. E.	Hasay	Nickol	Tigue
Crahalla	Hennessey	Payne	True
Creighton	Herman	Petrarca	Turzai
Dailey	Hershey	Phillips	Vance
Dally	Hess	Pickett	Vitali
Denlinger	Hickernell	Pistella	Wilt
Diven	Hutchinson	Reed	Yewcic
Donatucci	Kenney	Reichley	Yudichak
Egolf	Leh	Rohrer	Zug

NAYS—106

Adolph	Evans, D.	Lewis	Santoni
Barrar	Evans, J.	Lynch	Scrimenti
Bebko-Jones	Fabrizio	Mann	Shaner
Belardi	Frankel	Markosek	Solobay
Belfanti	Gannon	McCall	Staback
Biancucci	George	McGeehan	Steil
Bishop	Gergely	McIlhinney	Stetler
Blaum	Godshall	Melio	Sturla
Bunt	Good	Micozzie	Surra
Butkovitz	Goodman	Mundy	Taylor, J.
Buxton	Grucela	Myers	Thomas
Caltagirone	Gruitza	O'Brien	Travaglio
Casorio	Haluska	Oliver	Veon
Causer	Hanna	O'Neill	Walko
Civera	Harhai	Pallone	Wansacz
Cohen	Horshey	Petri	Washington
Corrigan	James	Petrone	Waters
Costa	Josephs	Preston	Watson
Coy	Keller	Raymond	Weber
Cruz	Killion	Readshaw	Wheatley
Curry	Kirkland	Rieger	Williams
Daley	Kotik	Roberts	Wojnaroski
DeLuca	LaGrotta	Roebuck	Wright
Dermody	Laughlin	Rooney	Youngblood
DeWeese	Leach	Ross	
DiGirolamo	Lederer	Ruffing	Perzel,
Eachus	Lescovitz	Sainato	Speaker

NOT VOTING—0

EXCUSED—1

Manderino

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?

The SPEAKER. The House will be at ease.

It is the understanding of the Chair that the remainder of the amendments have been withdrawn.

The question is, will the House concur in the amendments inserted by the Senate?

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

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

Mr. FREEMAN. Mr. Speaker, I rose before you made that statement. I did not withdraw my amendment. I have no intention of withdrawing my amendment. I demand a vote.

The SPEAKER. Mr. Freeman, every member has the right to offer an amendment. Nobody was taking the right away from you. Give us the amendment, and we will be glad to run the amendment.

Mr. FREEMAN. Thank you, Mr. Speaker.

The SPEAKER. You do have to suspend the rules, though, to get there.

Mr. FREEMAN. I understand that, Mr. Speaker.

MOTION TO SUSPEND RULES

The SPEAKER. The Chair recognizes the gentleman from Northampton, Mr. Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

And my apologies to the Speaker for bringing into question his motives.

Mr. Speaker, there is contained in this bill a provision which would remove or give the board the ability to supersede land use in zoning. That is simply wrong. We should not be taking away the right of the community to still control its own zoning and land use.

The SPEAKER. Mr. Freeman, for what purpose does the gentleman rise?

Mr. FREEMAN. I would like to explain the amendment that I am going to offer—

The SPEAKER. Mr. Freeman?

Mr. FREEMAN. —and ask suspension of the rules for. It has been customary in this House that we do get a brief explanation of our amendment even if we are moving simply to suspend the rules, and I would like that courtesy.

The SPEAKER. The gentleman can be very brief.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, very briefly, and I thank you for that.

My amendment simply would take out the language which allows the board to preempt all land use and zoning regulations. I would urge the members to vote to suspend the rules. We should not be taking the power of zoning on the siting of these gambling facilities away from our local communities.

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 majority leader.

Mr. S. SMITH. Mr. Speaker, as we have been trying to work through this debate on this legislation, there have been some unwritten rules or agreements that we have been trying to abide by, and while I may have moved up to the edge of one just a few minutes ago, I do understand that the main group of members have decided to withdraw their amendments in order that we might move into a period of open debate on final passage with the hopes of moving this process forward. Therefore, Mr. Speaker, I am going to ask the members to vote against the suspension of rules on amendment A3390.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. DeWEESE. Thank you very much.

Notwithstanding the pertinacity against the gaming enterprise tonight as exhibited by the gentleman from Lehigh County, I agree with my colleague, the Republican floor leader. There will be a time here very shortly for debate on the proposal as a whole. For the umpteenth time, if we energize this kind of motion to suspend and have more amendments forthcoming, it will deter our progress.

I would ask for a negative vote on suspension of 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—93

Armstrong	Freeman	Mackereth	Sainato
Baker	Gabig	Maitland	Samuelson
Baldwin	Geist	Major	Sather
Bard	George	Marsico	Saylor
Bastian	Gillespie	McCall	Scavello
Benninghoff	Gingrich	McIlhattan	Schroder
Birmelin	Grucela	McIlhinney	Semmel
Boyd	Habay	McNaughton	Smith, B.
Browne	Hanna	Metcalfe	Stairs
Cappelli	Harhart	Miller, S.	Steil
Causer	Harper	Nailor	Stern
Cawley	Harris	Nickol	Stevenson, R.
Clymer	Hennessey	O'Neill	Stevenson, T.
Coleman	Herman	Payne	Tigue
Creighton	Hershey	Petrarca	True
Dailey	Hess	Petri	Turzai
Dally	Hickernell	Phillips	Vance
Denlinger	Hutchinson	Pickett	Vitali
Diven	Kenney	Pistella	Watson
Egolf	Kirkland	Reed	Wilt
Fairchild	Laughlin	Reichley	Yewcic
Fleagle	Leh	Rohrer	Yudichak
Flick	Levdansky	Rubley	Zug
Forcier			

NAYS—109

Adolph	DiGirolamo	Lewis	Scrimenti
Allen	Donatucci	Lynch	Shaner
Argall	Eachus	Maher	Smith, S. H.
Barrar	Evans, D.	Mann	Solobay
Bebko-Jones	Evans, J.	Markosek	Staback

Belardi	Fabrizio	McGeehan	Stetler
Belfanti	Feese	McGill	Sturla
Biancucci	Fichter	Melio	Surra
Bishop	Frankel	Micozzie	Tangretti
Blau m	Gannon	Millard	Taylor, E. Z.
Bunt	Gergely	Miller, R.	Taylor, J.
Butkovitz	Godshall	Mundy	Thomas
Buxton	Good	Mustio	Travaglio
Caltagirone	Goodman	Myers	Veon
Casorio	Gruitza	O'Brien	Walko
Civera	Haluska	Oliver	Wansacz
Cohen	Harhai	Pallone	Washington
Cornell, S. E.	Hasay	Petrone	Waters
Corrigan	Horsey	Preston	Weber
Costa	James	Raymond	Wheatley
Coy	Josephs	Readshaw	Williams
Crahalta	Keller	Rieger	Wojnaroski
Cruz	Killion	Roberts	Wright
Curry	Kotik	Roebuck	Youngblood
Daley	LaGrotta	Rooney	
DeLuca	Leach	Ross	
Dermody	Lederer	Ruffing	Perzel,
DeWeese	Lescovitz	Santoni	Speaker

NOT VOTING—0

EXCUSED—1

Manderino

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?

MOTION TO RECOMMIT

Mr. FLEAGLE. Mr. Speaker?

The SPEAKER. The gentleman from Franklin, Mr. Fleagle.

Mr. FLEAGLE. I rise to make a motion, Mr. Speaker.

The SPEAKER. The gentleman will state his motion.

Mr. FLEAGLE. Mr. Speaker, I move that HB 2330 be recommitted to the State Government Committee.

The SPEAKER. It is moved by the gentleman, Mr. Fleagle, that HB 2330, PN 4272, be recommitted to the State Government Committee.

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

The SPEAKER. The motion is debatable but only as to the reasons for or against recommitment.

The gentleman, Mr. Fleagle.

Mr. FLEAGLE. Thank you, Mr. Speaker.

Mr. Speaker, we compromise in here on a lot of issues, and I am one of those that compromises because sometimes you have to do that to get things done, but there are probably about three or four issues that we face as legislators that we are told and it is wise to take a stand and keep that stand, and frankly, gambling for me is one of those issues.

I will be right up front about it. I am opposed to all these attempts at expansion of gambling, but many of my colleagues share the concerns that I have, not so much on the substantive

parts of the bill but on the way that this bill was crafted by very few players and behind closed doors, and even the proponents have serious concerns, I think, because of the process that was involved in this. I know people are going to say that, well, no bill is perfect, we should pass this bill; it is as good as it is going to get. But I think this goes way beyond that, Mr. Speaker. I think that this bill ought to be recommitted to the State Government Committee to get the free and open and honest hearing that this bill needs to proceed.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Vitali. The gentleman waives off.

The gentleman from Northampton, Mr. Grucela.

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, I rise and ask for a suspension of the rules to consider amendment 23 – I am sorry; the amendment—

The SPEAKER. Mr. Grucela?

Mr. GRUCELA. Yes, Mr. Speaker.

The SPEAKER. When we are done, the motion that the gentleman—

Mr. GRUCELA. I am sorry.

The SPEAKER. —we will recognize you immediately after that, but right now before the House is the motion to recommit by the gentleman from Franklin, Mr. Fleagle.

Mr. GRUCELA. Thank you, Mr. Speaker. I am sorry.

The SPEAKER. That is all right. We will be back to you.

The gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Very briefly, as the members of State Government know, we do a lot of work, investigative work, on various issues. Now, on these gambling bills, on this particular gaming bill, there has been no impact study, and why is that important? Because the National Gambling Impact Study Commission made it very clear, a commission that was composed by then President William Clinton to go across the nation and do research and take testimony as to the problems that are involved with casino gambling, and in particular, with the addictive slot machines.

Now, Mr. Speaker, we are looking at a bill tonight that we are going to pass, and there has been absolutely no impact study made. What will happen in Pittsburgh and Philadelphia? Have you talked with the superintendent of schools? Have you talked with the firemen? Have you talked with the mayor? Have you talked with the superintendent of police? Have you listened to the community leaders, to the church leaders? When you are going to put 5,000 slot machines in the city of Philadelphia or Pittsburgh and you have never done an impact study, you all know about the traffic problems, about the addiction, about organized crime, about prostitution. All these are real issues. That is what the committee had come up with, and that is why the National Gambling Impact Study Commission said, do your impact, do an impact study before you go into these very treacherous and troubled waters.

And so, Mr. Speaker, I, too, support the Fleagle motion and ask for a positive vote.

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. DiGirolamo.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

I rise in opposition to the motion to recommit and why I am sure that my good friend, the chairman of the State Government Committee, would give this bill a fair hearing and we would probably have a number of public hearings over the summer. Mr. Speaker, this issue has been around for 10 years since

I have been here, Mr. Speaker. We have had hearings; we have talked about it. The time to vote on this issue is tonight. It is a historic piece of legislation that is going to bring property tax relief to everybody in the State of Pennsylvania, Mr. Speaker, and I urge all the members to vote “no” on the motion to recommit.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Centre, Mr. Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

I will keep my comments brief, but on this recommittal some may think it is just a maneuver, but I want to reiterate a comment that I often hear in this chamber, and that is the budget is one of the most important documents we do. No, I am not lost; I am getting there. Well, in the next 48 hours – or actually, part of that we have already attended – you are going to do three of the most major pieces of legislation, two of which are new; this one, 145 pages long, HB 2330, which will dramatically change Pennsylvania, whether you think positive or negative, but yet you are expected to do this with less than 48 hours of review, discussion.

Now, on that budget we have heard people say time and time again over my 8 years that this needs to be open to public debate; the public needs to have opinion. Well, I just cannot believe that I am sitting in the legislature of people who are representing the 12 million people of Pennsylvania and that they can actually go home and honestly look at those people and tell them that they had an opportunity to give input on this bill. I have had the bill less than 24 hours to try to give input on it, and I am sitting here all day and half the night.

The public that has called me or e-mailed me is astonished that we would try to move something this big, this major, and in some of the commentary, this dramatic reform that is going to occur under the disguise of property tax reform.

So whether you are for or against it, I have got to ask you to take one second to ask yourself, do you really believe in your heart that you have had the adequate time to look at these three major documents that are going to be before you today, maybe a little bit of tomorrow, less than 48 hours to do a major State budget of over \$22 billion, a property tax proposal which might as well have been written in invisible ink, and a gambling bill which, whether you want to admit it publicly or on this floor, will change Pennsylvania forever?

This really scares me and it ought to scare you, and any of those who are watching PCN (Pennsylvania Cable Network), it really ought to scare you. The public has not had input on this. They could not have seen the bill. They could not have had any input on it. There has been no open process which I have heard people advocate for every issue, whether it was med-mal or the Uniform Construction Code and some of the amendments that people wanted to put in there. Can you honestly tell the constituents that you are going to ask to vote for you in 4 months that this has been an open process, that you have let them give the input on that? I do not think so.

For those of you who may have a chance to go to church tomorrow, I would be interested to see what kind of comments you are going to give to your fellow parishioners when they question how we could vote something like this through.

Well, I ask you to take that moment and think about this, and I ask you to support Representative Fleagle’s request to do what many of you have asked in the past. Give us time to properly

review this, get public opinion, and make this bad bill a little better.

Thank you.

The SPEAKER. The gentleman, Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

I would never impute dubious motives to the Honorable Mr. Fleagle. I think he is one of the more aggressive characters – and I mean that in the favorable sense of “character” – in the antigaming battalion. He is not effete; he is not casual; he is not nonchalant. He is very purposeful, and he knows that if this bill is recommitted, it will die.

Now, I do have good news for the honorable gentleman. A recommittal vote is about the same thing as a final passage vote, because a final passage vote, if the honorable gentleman, Mr. Fleagle’s position is sustained, will send this bill into oblivion. So rather than debate these extraneous motions, we should move quickly to final passage.

I would ask for a negative vote on the Fleagle motion.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—80

Armstrong	Egolf	Hutchinson	Rohrer
Baker	Fairchild	Leh	Samuelson
Baldwin	Feese	Mackereth	Sather
Bastian	Fleagle	Maitland	Saylor
Benninghoff	Forcier	Major	Scavello
Birmelin	Gabig	Marsico	Schroder
Boyd	Geist	McIlhattan	Semmel
Browne	Gillespie	McNaughton	Smith, B.
Cappelli	Gingrich	Metcalfe	Smith, S. H.
Causar	Grucela	Millard	Stairs
Cawley	Habay	Miller, R.	Stern
Clymer	Harhart	Miller, S.	Stevenson, R.
Coleman	Harper	Nailor	Stevenson, T.
Cornell, S. E.	Harris	Nickol	True
Crahalla	Hasay	Payne	Turzai
Creighton	Hennessey	Petrarca	Vance
Dailey	Herman	Phillips	Vitali
Dally	Hershey	Pickett	Wilt
Denlinger	Hess	Reed	Yewcic
Diven	Hickernell	Reichley	Zug

NAYS—122

Adolph	Evans, J.	Lynch	Santoni
Allen	Fabrizio	Maher	Scrimenti
Argall	Fichter	Mann	Shaner
Bard	Flick	Markosek	Solobay
Barrar	Frankel	McCall	Staback
Bebko-Jones	Freeman	McGeehan	Steil
Belardi	Gannon	McGill	Stetler
Belfanti	George	McIlhinney	Sturla
Biancucci	Gergely	Melio	Surra
Bishop	Godshall	Micozzie	Tangretti
Blaum	Good	Mundy	Taylor, E. Z.
Bunt	Goodman	Mustio	Taylor, J.
Butkovitz	Gruitza	Myers	Thomas
Buxton	Haluska	O’Brien	Tigue
Caltagirone	Hanna	Oliver	Travaglio
Casorio	Harhai	O’Neill	Veon
Civera	Horshey	Pallone	Walko
Cohen	James	Petri	Wansacz
Corrigan	Josephs	Petrone	Washington
Costa	Keller	Pistella	Waters
Coy	Kenney	Preston	Watson

Cruz	Killion	Raymond	Weber
Curry	Kirkland	Readshaw	Wheatley
Daley	Kotik	Rieger	Williams
DeLuca	LaGrotta	Roberts	Wojnarowski
Dermody	Laughlin	Roebuck	Wright
DeWeese	Leach	Rooney	Youngblood
DiGirolamo	Lederer	Ross	Yudichak
Donatucci	Lescovitz	Rubley	
Eachus	Levdansky	Ruffing	Perzel,
Evans, D.	Lewis	Sainato	Speaker

NOT VOTING—0

EXCUSED—1

Manderino

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?

MOTION TO SUSPEND RULES

The SPEAKER. Does the gentleman, Mr. Grucela, wish to be recognized?

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, I rise to ask to suspend the rules for amendment 3344. The subject is on the computer screens.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—89

Allen	Fairchild	Kenney	Rubley
Armstrong	Fleagle	Leh	Sainato
Baker	Flick	Mackereth	Samuelson
Baldwin	Forcier	Maher	Sather
Bard	Freeman	Maitland	Saylor
Bastian	Gabig	Major	Scavello
Benninghoff	Geist	Marsico	Schroder
Birmelin	George	McCall	Semmel
Boyd	Gillespie	McIlhattan	Smith, B.
Browne	Gingrich	McNaughton	Stairs
Cappelli	Grucela	Metcalfe	Stern
Causer	Habay	Miller, R.	Stevenson, R.
Cawley	Hanna	Miller, S.	Stevenson, T.
Clymer	Harhart	Nailor	Taylor, E. Z.
Coleman	Harper	Nickol	Tigue
Costa	Harris	Payne	True
Crahalla	Hennessey	Petrarca	Turzai
Creighton	Herman	Phillips	Vance
Dailey	Hershey	Pickett	Vitali
Dally	Hess	Reed	Wilt
Denlinger	Hickernell	Reichley	Yewcic
Diven	Hutchinson	Rohrer	Zug
Egolf			

NAYS—113

Adolph	Evans, J.	Mann	Shaner
Argall	Fabrizio	Markosek	Smith, S. H.
Barrar	Feese	McGeehan	Solobay
Bebko-Jones	Fichter	McGill	Staback
Belardi	Frankel	McIlhinney	Steil
Belfanti	Gannon	Melio	Stetler
Biancucci	Gergely	Micozzie	Sturla
Bishop	Godshall	Millard	Surra
Blaum	Good	Mundy	Tangretti
Bunt	Goodman	Mustio	Taylor, J.
Butkovitz	Gruitza	Myers	Thomas
Buxton	Haluska	O'Brien	Travaglio
Caltagirone	Harhai	Oliver	Veon
Casorio	Hasay	O'Neill	Walko
Civera	Horsey	Pallone	Wansacz
Cohen	James	Petri	Washington
Cornell, S. E.	Josephs	Petrone	Waters
Corrigan	Keller	Pistella	Watson
Coy	Killion	Preston	Weber
Cruz	Kirkland	Raymond	Wheatley
Curry	Kotik	Readshaw	Williams
Daley	LaGrotta	Rieger	Wojnarowski
DeLuca	Laughlin	Roberts	Wright
Dermody	Leach	Roebuck	Youngblood
DeWeese	Lederer	Rooney	Yudichak
DiGirolamo	Lescovitz	Ross	
Donatucci	Levdansky	Ruffing	
Eachus	Lewis	Santoni	Perzel,
Evans, D.	Lynch	Scrimenti	Speaker

NOT VOTING—0

EXCUSED—1

Manderino

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?

MOTION TO SUSPEND RULES

The SPEAKER. Does the gentleman, Mr. Grucela, wish to be recognized again?

Mr. GRUCELA. Thank you, Mr. Speaker.

I rise to ask for a suspension of the rules to consider amendment 3350. The subject is on the computer screen.

Thank you.

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

The following roll call was recorded:

YEAS—89

Allen	Egolf	Hutchinson	Rubley
Armstrong	Fairchild	Kenney	Sainato
Baker	Fleagle	Leh	Samuelson
Baldwin	Flick	Mackereth	Sather
Bard	Forcier	Maitland	Saylor
Bastian	Freeman	Major	Scavello
Benninghoff	Gabig	Marsico	Schroder

Birmelin	Geist	McCall	Semmel
Boyd	George	McIlhattan	Smith, B.
Browne	Gillespie	McNaughton	Stairs
Caltagirone	Gingrich	Metcalfe	Stern
Cappelli	Grucela	Miller, R.	Stevenson, R.
Causer	Habay	Miller, S.	Stevenson, T.
Cawley	Hanna	Nailor	Taylor, E. Z.
Clymer	Harhart	Nickol	Tigue
Coleman	Harper	Payne	True
Costa	Harris	Petrarca	Turzai
Crahalla	Hennessey	Phillips	Vance
Creighton	Herman	Pickett	Vitali
Dailey	Hershey	Reed	Wilt
Dally	Hess	Reichley	Yewcic
Denlinger	Hickernell	Rohrer	Zug
Diven			

NAYS—113

Adolph	Fabrizio	Mann	Shaner
Argall	Feese	Markosek	Smith, S. H.
Barrar	Fichter	McGeehan	Solobay
Bebko-Jones	Frankel	McGill	Staback
Belardi	Gannon	McIlhinney	Steil
Belfanti	Gergely	Melio	Stetler
Biancucci	Godshall	Micozzie	Sturla
Bishop	Good	Millard	Surra
Blaum	Goodman	Mundy	Tangretti
Bunt	Gruitza	Mustio	Taylor, J.
Butkovitz	Haluska	Myers	Thomas
Buxton	Harhai	O'Brien	Travaglio
Casorio	Hasay	Oliver	Veon
Civera	Horsey	O'Neill	Walko
Cohen	James	Pallone	Wansacz
Cornell, S. E.	Josephs	Petri	Washington
Corrigan	Keller	Petrone	Waters
Coy	Killion	Pistella	Watson
Cruz	Kirkland	Preston	Weber
Curry	Kotik	Raymond	Wheatley
Daley	LaGrotta	Readshaw	Williams
DeLuca	Laughlin	Rieger	Wojnaroski
Dermody	Leach	Roberts	Wright
DeWeese	Lederer	Roebuck	Youngblood
DiGirolamo	Lescovitz	Rooney	Yudichak
Donatucci	Levdansky	Ross	
Eachus	Lewis	Ruffing	
Evans, D.	Lynch	Santoni	Perzel,
Evans, J.	Maher	Scrimenti	Speaker

NOT VOTING—0

EXCUSED—1

Manderino

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?

MOTION TO SUSPEND RULES

The SPEAKER. The gentleman, Mr. Tigue.

Mr. TIGUE. Thank you, Mr. Speaker.

Mr. Speaker, I stand to make a motion to suspend the rules so I could offer amendment A3283, which guarantees there will be \$1 billion minimum for property tax reduction.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—95

Allen	Egolf	Laughlin	Rubley
Armstrong	Fairchild	Leh	Sainato
Baker	Fleagle	Mackereth	Samuelson
Baldwin	Flick	Maher	Sather
Bard	Forcier	Maitland	Saylor
Bastian	Freeman	Major	Scavello
Benninghoff	Gabig	Marsico	Schroder
Birmelin	Geist	McCall	Semmel
Boyd	Gillespie	McGill	Smith, B.
Browne	Gingrich	McIlhattan	Stairs
Caltagirone	Godshall	McNaughton	Stern
Cappelli	Grucela	Metcalfe	Stevenson, R.
Causer	Habay	Millard	Stevenson, T.
Cawley	Hanna	Miller, R.	Taylor, E. Z.
Clymer	Harhart	Miller, S.	Tigue
Coleman	Harper	Nailor	True
Cornell, S. E.	Harris	Nickol	Turzai
Costa	Hasay	Payne	Vance
Crahalla	Hennessey	Petrarca	Vitali
Creighton	Herman	Phillips	Wilt
Dailey	Hershey	Pickett	Yewcic
Dally	Hess	Reed	Yudichak
Denlinger	Hickernell	Reichley	Zug
Diven	Hutchinson	Rohrer	

NAYS—107

Adolph	Fabrizio	Mann	Shaner
Argall	Feese	Markosek	Smith, S. H.
Barrar	Fichter	McGeehan	Solobay
Bebko-Jones	Frankel	McIlhinney	Staback
Belardi	Gannon	Melio	Steil
Belfanti	George	Micozzie	Stetler
Biancucci	Gergely	Mundy	Sturla
Bishop	Good	Mustio	Surra
Blaum	Goodman	Myers	Tangretti
Bunt	Gruitza	O'Brien	Taylor, J.
Butkovitz	Haluska	Oliver	Thomas
Buxton	Harhai	O'Neill	Travaglio
Casorio	Horsey	Pallone	Veon
Civera	James	Petri	Walko
Cohen	Josephs	Petrone	Wansacz
Corrigan	Keller	Pistella	Washington
Coy	Kenney	Preston	Waters
Cruz	Killion	Raymond	Watson
Curry	Kirkland	Readshaw	Weber
Daley	Kotik	Rieger	Wheatley
DeLuca	LaGrotta	Roberts	Williams
Dermody	Leach	Roebuck	Wojnaroski
DeWeese	Lederer	Rooney	Wright
DiGirolamo	Lescovitz	Ross	Youngblood
Donatucci	Levdansky	Ruffing	
Eachus	Lewis	Santoni	Perzel,
Evans, D.	Lynch	Scrimenti	Speaker
Evans, J.			

NOT VOTING—0

EXCUSED—1

Manderino

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?

MOTION TO SUSPEND RULES

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Costa.

Mr. COSTA. Thank you, Mr. Speaker.

I appreciate the opportunity, and I would like to hopefully ask the members to bear with me for a couple minutes.

I generally support gambling, and I am very happy with when we are finally going to get to final passage, and I am happy with the bill, although I have a feeling I can make it a little bit better.

The bill that is before us is going to make about 15 entities pretty rich. I have an ability with an amendment that I am about to offer or ask for your suspension of the rules to offer that gives us the opportunity to allow 18,000 licensee holders to also get a part of the piece of the pie of this gambling.

What it does, it permits video poker, video keno, video blackjack at bars.

I would ask the members to please help me out. Give me a chance to present this amendment and vote 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 following roll call was recorded:

YEAS—75

Armstrong	Forcier	Leh	Sainato
Baldwin	Gabig	Mackereth	Sather
Bard	George	Maitland	Saylor
Bastian	Gergely	Markosek	Schroder
Benninghoff	Gillespie	Marsico	Semmel
Birmelin	Gingrich	McCall	Smith, B.
Browne	Grucela	McNaughton	Stairs
Causar	Hanna	Metcalfe	Stern
Cawley	Harhart	Millard	Stevenson, R.
Costa	Harper	Miller, R.	Surra
Creighton	Harris	Mustio	Taylor, J.
Dailey	Hennessey	Nickol	Tigue
Dally	Herman	Payne	Vitali
DeLuca	Hershey	Petrarca	Walko
Denlinger	Kenney	Pistella	Wheatley
Dermody	Killion	Preston	Wilt
Diven	Kotik	Reichley	Yewcic
Egolf	LaGrotta	Rohrer	Zug
Flick	Laughlin	Rubley	

NAYS—127

Adolph	Evans, D.	Lynch	Santoni
Allen	Evans, J.	Maher	Scavello
Argall	Fabrizio	Major	Scrimenti
Baker	Fairchild	Mann	Shaner
Barrar	Feese	McGeehan	Smith, S. H.
Bebko-Jones	Fichter	McGill	Solobay
Belardi	Fleagle	McIlhattan	Staback

Belfanti	Frankel	McIlhinney	Steil
Biancucci	Freeman	Melio	Stetler
Bishop	Gannon	Micozzie	Stevenson, T.
Blaum	Geist	Miller, S.	Sturla
Boyd	Godshall	Mundy	Tangretti
Bunt	Good	Myers	Taylor, E. Z.
Butkovitz	Goodman	Nailor	Thomas
Buxton	Gruitza	O'Brien	Travaglio
Caltagirone	Habay	Oliver	True
Cappelli	Haluska	O'Neill	Turzai
Casorio	Harhai	Pallone	Vance
Civera	Hasay	Petri	Veon
Clymer	Hess	Petrone	Wansacz
Cohen	Hickernell	Phillips	Washington
Coleman	Horsey	Pickett	Waters
Cornell, S. E.	Hutchinson	Raymond	Watson
Corrigan	James	Readshaw	Weber
Coy	Josephs	Reed	Williams
Crahalla	Keller	Rieger	Wojnarowski
Cruz	Kirkland	Roberts	Wright
Curry	Leach	Roebuck	Youngblood
Daley	Lederer	Rooney	Yudichak
DeWeese	Lescovitz	Ross	
DiGirolamo	Levdansky	Ruffing	Perzel,
Donatucci	Lewis	Samuelson	Speaker
Eachus			

NOT VOTING—0

EXCUSED—1

Manderino

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?

The SPEAKER. Are there any further motions for suspension of the rules?

On the question of concurrence, the Chair recognizes the gentleman from Bucks, Mr. Clymer.

Does the gentleman, Mr. Rohrer, wish to speak now or would he like to wait until later?

The gentleman, Mr. Vitali.

Would the gentleman, Mr. Dally, please come to the rostrum.

The gentleman, Mr. Vitali, is recognized on final passage.

Mr. VITALI. Thank you, Mr. Speaker.

I will be a “no” vote on this concurrence vote because of one reason, as I think it is going to be a terrible thing for the State generally, but also the bill itself is very problematic.

I think the bill contains many potentially self-serving features for those who have crafted it. As the discussion progressed on the bill as it was evolving and as it unfolded in the papers, it became clear that the board that was created by the bill gave itself the ability to borrow and to float bonds, and that was particularly disturbing in light of the whole pay-to-play culture and the indictments that have come down in the city of Philadelphia.

When you float bonds, you have the potential to give the bond contracts, the attorney’s fees, the underwriting contracts, the printing fees, all of those bond services, the financial advisers to your political contributors. That is known as pay-to-play and it is very corrosive to the political process,

and checks need to be put in place to correct this pay-to-play. You see it has resulted in indictments in Philadelphia.

The State of Pennsylvania has engaged in pay-to-play, and because I am very concerned with the bond provisions in this bill and the potential for a proliferation of the pay-to-play culture in Harrisburg, I am moving to suspend the rules for the purpose of immediately considering amendment 3274, which would require the competitive bidding of any bonds and all the bond services awarded by this bill, and that would include bidding out bond counsel work, financial advisory work, underwriting work, and others.

Now, the way this would work is that a system would be set up—

**THE SPEAKER PRO TEMPORE
(CRAIG A. DALLY) PRESIDING**

PARLIAMENTARY INQUIRY

Mr. DeWEESE. Mr. Speaker? Mr. Speaker?

Point of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state your item.

Mr. DeWEESE. For what reason did my honorable colleague from Delaware County rise to the microphone?

The SPEAKER pro tempore. We assumed he was speaking on concurrence. Is that not correct?

Mr. VITALI. And indeed I was, and I was talking on final passage, concurrence, and I got to the point where I thought it was appropriate to make a motion to suspend the rules, and that is what I did.

The SPEAKER pro tempore. I think it was asked previously if there was anyone else who wished to suspend the rules.

Mr. DeWEESE. That is correct, Mr. Speaker. That was asked.

Mr. VITALI. And at that point in time I did not wish to suspend the rules. When I rose to the mike, I wished to speak on final passage, which I did. I came to the point in my debate where I chose, where I chose to suspend the rules, and at that time I did.

The SPEAKER pro tempore. Will the gentleman cease, please; cease, please.

MOTION TO SUSPEND RULES

The SPEAKER pro tempore. We will take the motion; we will now take the motion to suspend the rules for amendment A3274.

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

The following roll call was recorded:

YEAS—72

Armstrong	Diven	Hess	Rohrer
Baker	Donatucci	Hickernell	Rubley
Baldwin	Egolf	Hutchinson	Sainato
Bard	Fairchild	Leh	Samuelson
Bastian	Fleagle	Maitland	Scavello
Benninghoff	Forcier	Marsico	Schroder

Boyd	Freeman	McIlhattan	Semmel
Browne	Gabig	McNaughton	Smith, B.
Cappelli	Gingrich	Metcalfe	Stairs
Causser	Godshall	Miller, S.	Stern
Cawley	Grucela	Oliver	Stevenson, R.
Clymer	Habay	Payne	Tigue
Coleman	Hanna	Petrarca	True
Crahalla	Harhart	Phillips	Turzai
Creighton	Harper	Pickett	Vitali
Daily	Hennessey	Reed	Wilt
Dally	Herman	Reichley	Yewcic
Denlinger	Hershey	Rieger	Zug

NAYS—130

Adolph	Feese	Maher	Saylor
Allen	Fichter	Major	Scrimenti
Argall	Flick	Mann	Shaner
Barrar	Frankel	Markosek	Smith, S. H.
Bebko-Jones	Gannon	McCall	Solobay
Belardi	Geist	McGeehan	Staback
Belfanti	George	McGill	Steil
Biancucci	Gergely	McIlhinney	Stetler
Birmelin	Gillespie	Melio	Stevenson, T.
Bishop	Good	Micozzie	Sturla
Blaum	Goodman	Millard	Surra
Bunt	Gruitza	Miller, R.	Tangretti
Butkovitz	Haluska	Mundy	Taylor, E. Z.
Buxton	Harhai	Mustio	Taylor, J.
Caltagirone	Harris	Myers	Thomas
Casorio	Hasay	Nailor	Travaglio
Civera	Horsey	Nickol	Vance
Cohen	James	O'Brien	Veon
Cornell, S. E.	Josephs	O'Neill	Walko
Corrigan	Keller	Pallone	Wansacz
Costa	Kenney	Petri	Washington
Coy	Killion	Petrone	Waters
Cruz	Kirkland	Pistella	Watson
Curry	Kotik	Preston	Weber
Daley	LaGrotta	Raymond	Wheatley
DeLuca	Laughlin	Readshaw	Williams
Dermody	Leach	Roberts	Wojnarowski
DeWeese	Lederer	Roebuck	Wright
DiGirolamo	Lescovitz	Rooney	Youngblood
Eachus	Levdansky	Ross	Yudichak
Evans, D.	Lewis	Ruffing	
Evans, J.	Lynch	Santoni	Perzel,
Fabrizio	Mackereth	Sather	Speaker

NOT VOTING—0

EXCUSED—1

Manderino

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?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lebanon County, Mr. Zug, on concurrence.

Mr. ZUG. Thank you, Mr. Speaker, Speaker Dally. I will be brief.

I usually do not get up on the floor and speak, and I have been looking at the numbers on the gambling issue, and we have been told historically that the gambling issue is simply

one thing: It is a way, a method, to give us local tax reform. It is a way to reduce our property taxes in this Commonwealth.

The SPEAKER pro tempore. Will Representative Zug please suspend.

POINT OF ORDER

The SPEAKER pro tempore. Mr. Vitali. For what purpose do you rise?

Mr. VITALI. A point of order, Mr. Speaker.

The SPEAKER pro tempore. State it.

Mr. VITALI. I had the floor and I had not yet yielded it yet, so I would wish to continue. I was speaking on concurrence.

The SPEAKER pro tempore. No; I believe that you made a motion to suspend. That motion failed—

Mr. VITALI. Correct, and I—

The SPEAKER pro tempore. —and you no longer had the floor.

Mr. VITALI. I would ask for a parliamentary interpretation of that. I did not yield the floor. I wish to continue to speak. Because that motion failed, I wish to continue to speak on concurrence.

The SPEAKER pro tempore. Mr. Vitali, we will return to you after Representative Zug has his opportunity to speak.

Mr. VITALI. To be clear, will that still be on my first time at the mike?

The SPEAKER pro tempore. Yes.

The gentleman, Mr. Zug. You may proceed.

Mr. ZUG. Thank you, Mr. Speaker.

As I was saying before I was interrupted, I usually do not get up to speak, but I wanted to talk a little bit about tax reform, because this is what gambling is supposed to bring to Pennsylvania. It is supposed to lower real estate taxes in Pennsylvania. That is what we have been told. That is what the Governor said; that is what he campaigned on.

Now, I have talked to our Appropriations Committee; I have talked to our legal counsels this evening. I have gotten some numbers. If we generate a billion dollars, a billion dollars of money for tax reform in this Commonwealth, my mother, who is 72 and a widow and a retired legal secretary, not a waitress like the Speaker's, just a legal secretary, the Eastern Lebanon County School District where I graduated from will get \$143 if we generate a billion dollars for tax reform.

Now, how do we generate a billion dollars of money for tax reform? We need to generate money through the slots. There is a formula, and the bill says that you can get up to 15 percent of the revenues generated. More likely it will be 5 percent. The payouts on the slots in New Jersey are 95 to 97 percent. So to get \$143 to my mom and every resident of the Eastern Lebanon County School District, Pennsylvanians and people coming into Pennsylvania will have to drop \$65 billion worth of dollars into slot machines in a year; \$65 billion to give my mom and everybody in ELCO (Eastern Lebanon County) \$143 in tax reform. That is \$178 million a day that is being wagered. These are not my numbers; they come from our Appropriations Committee.

I just think that this is a ruse. If we are doing gambling because we want to raise money for everything under the sun, that is fine, but let us be honest and let us not say that we are raising money for property tax reform, because we are not.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question of— The gentleman, Mr. Vitali, waives off.

The Chair recognizes the gentleman, Mr. Thomas, on concurrence. The Chair will return to Mr. Thomas.

The Chair recognizes Mr. George from Clearfield County.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, we have been diligently working for 5 hours on this measure, a measure that not one of us would dare to insist or imply that they do not know what this is all about, a measure that naturally will not be accepted by all. Like any other measure there are pros and cons, and for me to stand up and make any of you believe that I like to gamble or I do to any degree, now, that would not be true. And I want to be honest with you. I have heard from several people that have said, hey, do not vote for gambling, and I respect that. But if I ask them a question and I say to them, well, I do not like gambling either, but did not your school just raise 9 mills on your budget, I do not hear anyone from the fire companies saying to eliminate bingo. I do not hear anyone saying to me, even though gambling is bad, let us stop the lottery. And yet I must admit that I know people that do not like gambling and yet they benefit by those proceeds that the lottery places in the Department of Revenue. That helps them with their tax rebates and helps them with their prescription plans, those that are eligible, and helps them with other things, especially at the Office of Aging.

Now, today during the debate, Mr. Speaker, I heard some very bright individuals going back and forth, and they were talking about people with a lot of money and how much money those people will control that get on this board. But I am not talking about people with a lot of money; I am talking about people that just do not have a lot of money. I am talking about people in my district and your district that are living right on the end. I am talking about the fact that property taxes in the last 8 years have gone up in many of your districts simply because under the previous administration, rather than the near 50 percent that our schools were benefiting by State subsidy, my school was cut to 33 percent in the one in my hometown.

I would not dare to stand here and say to any of you, well, you are wrong. I would not say to anyone who in their heart and their mind would say, look, I do not like gambling; it is bad. I would not argue with anyone who would insist that maybe gambling is more tough on the little person. And I do not have the answers. I do not know why even older people in my district get on a bus and go to Atlantic City. Oh, yes, I do; they go to gamble. And I would not know why they go to Charles Town, West Virginia, where they have 4800 machines, but I guess we do; they go to gamble.

So I simply say to those people that really would not want this bill to pass down deep in their hearts, if we had a choice to provide an alternate, would you vote for some tax? Would you put your vote on to make sure these schools are going to get more money so that we do not continue to put the load on the local districts?

And, Mr. Speaker, no one should complain about being here 5 hours and no one should complain about those of you who are not in favor of gambling, but I did not hear that really tonight. I did not say that I heard a lot of positives. I heard a lot of people saying they could make it better, they could provide more money, and that is much worthy, but I am simply saying if we do not, because if you look at the budget that we had a little

glance at some months ago, 3 percent is not going to restore that 50 percent that we had been getting prior to the previous administration.

Now, we have had this idea, Republicans and Democrats alike. I have had it for 30 years. My Democratic leaders for 10 years have been championing the reduction of real estate and property taxes to the amount of 10 percent a year. There are many things that we can complain about, but what we ought to be complaining about, Mr. Speaker, we ought to be complaining about ourselves in that we have stood by and let these things happen.

In my district alone, already four districts have upped their millage, and I am going to say this: The millage is not going to hurt those people that make \$150,000 or \$200,000, but that millage is going to hurt those people on fixed income, those people that have lost their jobs, those people that are barely making ends meet, and if you do not want to listen to it, maybe you ought to go back into your district and have a better look at where you come from. And maybe where you come from you are very fortunate and so is the area and so are your fine constituents that they are not worrying about where the next dollar is coming from. If there was a better idea, maybe you would be there. I know I would. But there is not a better idea, and this Governor has promised that he would do this with our cooperation. This Governor has put 3 or 4 more percentage points in this year's budget, but that is not going to do it.

So if in fact you want to go home and you want to say I voted "no," then also be honest enough, please, to say, I could have lowered your property tax in a lot of these districts by 25 or 26 percent, even though the lottery only takes in \$500 million. But then if the lottery would take in \$750 million, that goes to \$300-and-some, and if it would go over the billion, it would reduce it as much as \$450.

Now, Mr. Speaker, we ought to be very grateful that \$450 does not seem like very much to us, but to some of those people who look to you and pray for you and compliment you, I wonder what they would think if they felt that you do not care for them as much as you tell them so. I wish it could have been a different venue, a different idea, but if they want to gamble, they are going to gamble, and if they are going to gamble, they might as well spend that money inside the borders of Pennsylvania.

I do not encourage anyone to gamble, but I will tell you this: You are not going to stop them. I come from back around the depression and people gambled then, and nothing was legal. They gambled at chicken fights. They gambled at the alley. They gambled at everything. And then it was thought maybe we cannot stop people from gambling, so maybe we better put laws forward that at least protect them.

So if you want to do the right thing, whether you vote "no" or you do not, if you are going to vote "no" tonight and the bill would not pass, maybe you want to come back next month and vote to raise taxes, because I want to tell you, our people back home, the majority of them – those in retirement, those that are disabled, those that are on fixed incomes, those that are having tough times – when you lower their taxes, they are going to pray for you and they are going to thank you. We owe it to them. We owe it to those people to have it a little bit nicer than what they have it. Would it not be nice if they had it as nice as we do.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lycoming, Mr. Cappelli.

And for the benefit of the members and to hopefully move this debate along, the next 3 speakers are Mr. Baker, Mr. McNaughton, and Mr. Stern, and there are a total of at least 25 people that are requesting to be recognized on concurrence.

So now the Chair recognizes Mr. Cappelli on concurrence.

Mr. CAPPELLI. Thank you, Mr. Speaker.

I will truly try and be brief.

I was one of those Republican members who supported the slots bill last year because I believed in keeping the issue of tax reform alive and advancing through the halls of this House and our companion across the hall, the Pennsylvania Senate. I have listened to the Governor, I have listened to the distinguished minority leader, the distinguished minority whip, time and time again over the past 3 1/2 years that I have been a member of this body talk about the absolute need for real, meaningful tax reform – real, meaningful property tax reduction in this State. It is what all of the political rhetoric has been about since this issue first entered the debate in this chamber and the Senate more than a year ago. It is what the Governor, his administration, and all of the supporters of this initiative have premised their strategy, their belief, and their propaganda in advancing.

I can tell you that the so-called property tax reform that I reviewed earlier today with respect to what we may get from gambling proceeds is not tax reform. It is a charade. It is a joke. It is an insult to every property owner and every property tax payer in this Commonwealth when they find out, when they find out they may see some pennies from Harrisburg, not this year or next year but at least 36 months from now, probably 48 months from now or longer. They are going to look at each one of us and say, what did you vote for? What did you promise me? What did you fail to deliver?

This is not about tax reform. The chief author of this bill, the distinguished Senator from Philadelphia, was just quoted recently as saying if property tax reform ends up a byproduct of this legislation, we should all consider it a luxury. It is not a necessity. This is about advancing financial bailouts of municipal corporations, publicly owned assets, and other pet projects around this State. It is not about the equine industry or horsemen, and it sure as [remark stricken] is not about property tax payers.

If we are going to be honest and serious about this debate, we ought to admit that much, because if you tell somebody—

The SPEAKER pro tempore. Will the gentleman suspend for one second, please?

The gentleman's reference to a four-letter word that was used a few sentences ago will be stricken from the record, and we request that you concentrate your comments on the concurrence on HB 2330 and not property tax. That is hopefully the next bill.

Mr. CAPPELLI. My apologies to the Chair.

Mr. Speaker, this bill is about massively expanding gaming in Pennsylvania. We should be marketing it as such. We should be selling it as such. We should not be advocating its passage under the guise of property tax reform, because it is not property tax reform. I cannot support a bill and go home and tell my constituents that you may get a check, you may get a check for \$200 in the year 2006, 2007 – may – and by the way, in order for you to get those pennies from Harrisburg, we are also going to have to increase your local earned income tax.

Mr. Speaker, it is time for us to be honest; it is time for us to be frank. This bill is not about tax reform; this is about gambling. This is about making Pennsylvania Pennsylv-Vegas, and for that reason I urge a “no” vote on concurrence.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair returns to leaves of absence and requests that the gentleman, Mr. O’NEILL, from Bucks County be placed on leave for the balance of this session. Hearing no objection, he is placed on leave.

CONSIDERATION OF HB 2330 CONTINUED

The SPEAKER pro tempore. Next, the Chair recognizes the gentleman from Tioga, Mr. Baker, and next on deck, the gentleman, Mr. McNaughton.

Mr. BAKER. Thank you, Mr. Speaker.

I concur with the remarks of the previous speaker from Lycoming County. I rise, too, in opposition to HB 2330.

You know, 30 years ago it was illegal in most States and generally considered to be a vice contrary to the American work ethic – gambling. How times have changed. Now nearly 100 riverboat casinos are chartered in 6 States, over 800 casinos operate in approximately 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 every American loses on average over \$164 million per day.

The nine-member National Gambling Impact Study Commission, including the pro-gambling representatives on that commission, unanimously voted for a moratorium on the expansion of gambling. People are ignoring it. They did an indepth study. Even the pro-gambling representatives said it is wrongheaded. Their report clearly and unequivocally states that gambling comes with high economic and social costs.

Addiction, bankruptcy, and crime do harm to our society and our economy. Alarming rates of crime, large debts, damaged relationships, and even suicide have been associated with expanded gambling.

The commission specifically recommended against adding slots to tracks or casinos in order to balance budgets or boost State coffers. Why? The public good will be harmed, especially the youth, the elderly, and the poor, and the consequences of gambling addiction are enormous.

Under this proposal, the average Pennsylvania family would have to lose upwards of \$750 a year at the slots, while only netting an average property tax reduction of \$28 a month. What a joke. That is a net loss of more than \$400 per family, and it does not even take into account the crime, addiction, and bankruptcy that inevitably follow casino gambling. And it does not factor in the \$3 billion lost to Pennsylvania’s retail economy, with that money instead being poured into slot machines, much of it to be shipped out of State or overseas to multibillionaire owners operating casino gambling operations here in Pennsylvania and America.

Earl Grinols is a specialist in macroeconomics, international economics, and public finance, a professor at the

University of Illinois and a former senior economist to President Ronald Reagan. He studied the gambling industry in depth.

He indicated that casino gambling causes up to \$289 in social costs for every \$46 of economic benefit. Grinols said that the social costs of gambling such as increased crime, lost work time, bankruptcies, financial hardships faced by families of gambling addicts, have reached epidemic proportions, costing the economy as much as \$54 billion annually. This compares with the estimated annual \$110 billion cost of drug abuse nationally. Additionally, he calculated that the economic and social costs associated with this kind of gambling can reach \$3 for every \$1 raised in gambling revenues.

At least 15 million Americans are already afflicted with a gambling problem, and the numbers are growing. Additionally, there is evidence 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.

An August 2002 economic impact analysis reported that 24 out of 57 counties throughout the United States experienced job losses as a result of casino development, according to economist John Kindt of the University of Illinois. His research has indicated that we can expect bankruptcies in Pennsylvania to increase by 18 to 42 percent around racinos.

Kindt continues to warn that crime goes up 10 percent due to gambling by the third year that casinos or slot machines are open and continues upward after that timeframe.

Is anyone listening? No; that is right, and we will be watching that vote when it is cast, because this is going to be a very important vote for the rest of your career.

To suggest that the government sponsor gambling to improve funding for public education or temporary or very limited partial property tax rebates sends a patently wrong message to our young people, a message that gambling is harmless, especially when 15 percent of our young people already have a gambling problem in America.

This legislation has been characterized in the past as “slots for tots,” and it sends a terrible message that it is okay, kids, to gamble, it is okay to gamble as long as the taxes generated go to funding or rebating the cost of property taxes or education. What a horrible message to send.

This gambling proposal does harm to our society – our children, adults, and our Commonwealth. At the very least we should do no harm, and that is what this people’s House is really supposed to be all about. We should not be passing legislation that in the long run, maybe not in the short run as you see it, but in the long run will harm our families, communities, and economy. Why? All for the love of money.

Expansion of gambling in racinos and casinos 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. The research and evidence clearly proves the nexus between gambling and crime, addiction, bankruptcy, suicide, and many other economic and social costs.

The likelihood of the State reliably netting \$1 billion annually through slot machines is at least very debatable. No State, not even New Jersey at \$352 million or Nevada – Las Vegas – at \$730 million, brings in close to a billion dollars annually in casino tax revenues.

This administration paid for a brief analysis from William Thompson, professor at the University of Nevada at

Las Vegas, who wrote the \$1 billion figure was obtainable. But curiously, Thompson also testified months earlier in Harrisburg that it was very unlikely. He added that the State is concerned about its economy; quote, “the machines would be very hurtful” – hurtful, not helpful.

At a very minimum, Pennsylvania’s citizens must lose \$3 billion at the 61,000 proposed slot machines for the State to gain its billion dollars. That is equal to \$750 in losses for every family in the State. Not a very good deal in return for an average of between \$150 to \$300 in property tax relief that may not be permanent or available to all. It is an average net loss of \$411 for every Pennsylvania family.

Secondly, gambling tax revenues have not stopped the flow of red ink in casino States such as California, Nevada, New York, New Jersey, and Illinois. What happens is that States tie specific programs such as education to gambling taxes. When shrinking revenues inevitably fail to match the growing need, gambling is then expanded and the State pushes its citizens to gamble even more. This is the case in West Virginia, Delaware, and Indiana, all while school districts and State governments face the challenge of coping with a very volatile funding source.

Governments should not be complicit in causing human misery. We are here to do good and, at the very least, do no harm. The evidence is clearly before us and has been studied through longitudinal indepth studies by renowned economists, and an overwhelming preponderance of the actual evidence shows this legislation will exact enormous social and economic costs and misery far exceeding alleged tax revenues.

Dr. James Dobson, a member of the National Gambling Impact Study Commission and a renowned national Christian leader, said it very well, and I quote: “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.”

So the question remains, will the House approve and legalize expansion of gambling that leads to the victimization of damaged lives and an economy based on our citizens losing hard-earned money over and over again?

President George Washington said on May 2, 1788, “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, till, grown desperate, he pushes at everything and loses his all.”

John Templeton, president of the Radnor-based John Templeton Foundation in the Philadelphia area, has been a champion of fostering strong character values. His leadership in opposing the expansion of gambling is noteworthy. He said, and I quote, “Slot machine gambling will fail to serve the public interest, will hurt the poor, and irreparably harm families, communities, and the state. It is a false hope that must not be allowed to pass.”

I ask that you concur with Mr. Templeton, President George Washington, economic experts, Christian leaders, and the National Gambling Impact Study Commission that the

expansion of gambling to Pennsylvania would be injurious to the long-term health of our society and that morally, economically, and socially, the expansion of gambling is not good but inherently bad for the citizens of this great Commonwealth.

I hope the good citizens of this great Commonwealth who have entrusted you to vote on this very important historical legislation will be proud of your vote this evening. I respectfully ask that you vote not to expand gambling and prevent forever changing the great heritage of our Commonwealth to a gambling venue second only to Las Vegas.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On concurrence, the Chair recognizes the gentleman from Dauphin, Mr. McNaughton; following him, the gentleman from Blair, Mr. Stern.

Mr. McNAUGHTON. Thank you, Mr. Speaker, and I would like to thank all those out at the pig roast that gave me a bunch of advice here on this piece of legislation this evening, because it pretty much does stink like a bunch of pigs.

But I find it very ironic that here we are on July 3, the second year in a row the Governor has not been able to put a budget before us based on a constitutional mandate, and his big, big, big push this year is slot machines and gambling when his only duty is to provide the Commonwealth with a budget, and that is just a wonderful precedent for our illustrious Governor to set 2 years in a row. Last year it took him until December; this year it only takes him until July 3. Maybe next year we can get it done by June 30. What do you think?

But, Mr. Speaker, I am here on this HB 2330 and ask for nonconcurrence. I read this bill; I had numerous amendments to this piece of legislation. I have about 16 or 17 tabbed markers here, but I would like to point out some highlights that I think are very, very troublesome with this piece of legislation.

This piece of legislation charges \$50 million for a license fee for a racetrack – \$50 million. Illinois auctioned theirs off a few months ago, \$500 million, but here we are, charging existing license holders of racetracks \$50 million. If we would put this on public auction, open it to every gaming institution in the country or internationally, we would garner \$3 billion for the citizens of the Commonwealth of Pennsylvania. But no, no, the wise Senator from Philadelphia decided that \$300 million is sufficient for the Commonwealth of Pennsylvania citizenry, and that is what we are left with. That has to be the biggest act of misfeasance by public officials in the history of any governmental agency, has to be.

Wait; I am going further. Not only do they only charge them \$50 million, but should there be a change in any aspect of the law, should the number of Gaming Board members rise from seven to nine, just a simple change of that manner, all the license holders get their \$50 million back. Their wonderful investment in the Commonwealth of Pennsylvania they get back, another wonderful decision from the gentleman from Philadelphia.

But in addition to that, Mr. Speaker, not only do they get charged the \$50 million fee, we are going to be able to issue temporary licenses. The governing board of licensing or gaming, if you will, is going to be able to offer a temporary license for anyone to operate a facility for 18 months, just for 18 months, for \$50 million. Oh, by the way, they get to put that license in a temporary facility. So they can put a tent on a

parking lot, fill it with 3,000 slot machines, call that a temporary facility, operate it for 18 months, making \$425 a day per slot machine. At the end of those 18 months, Mr. Speaker, lo and behold, the gentleman has a sordid past, maybe a little dark side after investigation that we find out, and he no longer is eligible to have a permanent license, and so his temporary license is revoked and the Commonwealth of Pennsylvania is so kind for him operating in the Commonwealth for those 18 months we will give him \$41 million of the \$50 million back after he has fleeced the Commonwealth citizenry for nearly \$400 million. That is absolutely brilliant – absolutely brilliant.

It goes on further, Mr. Speaker. This bill allows the Gaming Board to establish their own enforcement agency, not the State Police, not the Attorney General, not any RICO (Racketeer Influenced and Corrupt Organizations) statutes that we have in effect in the Commonwealth of Pennsylvania. No, no, we could not have that, because those with sordid pasts may not be able to operate a casino here in the Commonwealth of Pennsylvania, and we cannot have that, absolutely not. So the enforcement of these provisions is done by an independent board who sets up an independent enforcement agency, when we have a State Police and an Attorney General already set up to conduct these kinds of investigations. Obviously you have to be a member of Mensa to write something like this, have to be.

Lastly, Mr. Speaker, on this piece of legislation, we will after this bill is adopted tonight, and I have no doubt that this bill will be adopted tonight – the forces have garnered their troops; they have displayed that very diligently, and I give them credit – after tonight, Pennsylvania will rank number two in the entire nation in the number of slot machines in operation, only second to Las Vegas, Nevada – a wonderful, wonderful tribute and gift to the citizens of the Commonwealth of Pennsylvania.

I ask for a “no” vote on concurrence.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On concurrence, the Chair recognizes the gentleman from Blair, Mr. Stern, followed by the gentleman from Lancaster, Mr. Denlinger.

Mr. STERN. Thank you, Mr. Speaker.

For months and even years the gambling interests have descended on Harrisburg with their special interest groups and high-powered lobbying machine and negotiated backroom deals that have produced this HB 2330.

While we have read in the newspapers who gets what cut and the percentages of the deal, one thing we know that is a certainty, and it is this: taxpayers lose. By promising a few hundred dollars in tax reduction and passing a bill that provides referendum, these slick negotiators have temporarily provided a few crumbs for the tax-reform-starved Pennsylvania property owner.

When we consider the revenue projections that proponents hope for, or guess they could be, in the best-case scenario of gambling losses for those who would venture into the slot parlors, we see a picture of uncertainty and falsehoods perpetrated on the citizens of this Commonwealth.

While certain campaign coffers will overflow with gambling interest money, carefully hidden and channeled through safe passageways, the ordinary taxpayer of Pennsylvania will continue to get hammered by State government and be asked to help pay for the social problems that will naturally follow. We know these problems will occur, just as the gambling

industry knows they will occur, because they have acknowledged it in this bill.

Section 1509 of the bill sets up a compulsive and problem gambling program. With this program, the Department of Health gets to set up program guidelines and a toll-free problem gambling telephone number to provide crisis counseling and referral services to families experiencing difficulty as a result of problem or compulsive gambling.

Also established is the Compulsive and Problem Gambling Treatment Fund. We will now treat your addiction that we have created for you. That, Mr. Speaker, in essence is what the gambling industry is stating with this message.

Now, if we review the fund, it states on page 118 of the bill, line 20, “ALL MONEYS IN THE FUND SHALL BE EXPENDED FOR PROGRAMS FOR THE PREVENTION AND TREATMENT OF GAMBLING ADDICTION AND OTHER EMOTIONAL AND BEHAVIORAL PROBLEMS ASSOCIATED WITH OR RELATED TO GAMBLING AND FOR THE ADMINISTRATION OF THE COMPULSIVE AND PROBLEM GAMBLING PROGRAM.”

The amount allocated for this fund is \$1.5 million. Thank goodness for the well-being of everyone that has a problem with gambling, because the supporters will now require the slots licensees to print the following on daily racing programs and on conspicuously posted signs at the facility this following message: “If you or someone you know has a gambling problem, help is available. Call...,” and then they will give you a toll-free number. I am not a behavioral health specialist, but does any Pennsylvania citizen with any common sense believe these messages and signs will make any difference to someone who is compulsive and acts accordingly with his desires to satisfy his lust for winning or hitting the big payoff? Absolutely not. One-point-five million dollars will never cover the emotional and behavioral problems and scars associated with this addictive vice.

The licensee that possesses a liquor license could sell or furnish alcoholic beverages in the gambling facility. A slots licensee not currently possessing a liquor license could apply to the LCB (Liquor Control Board) for a restaurant or eating place retail dispenser liquor license, and such licensure could be granted within 60 days absent good cause to deny. This is in the bill. Licenses issued pursuant to this provision would not be subject to the proximity, the quota restriction, entertainment, minors’ admission, and display-area-limitation provisions of the Liquor Code. What this all means is, this bill allows free or reduced prices for alcohol and then sets up a compulsive and problem gambling program to deal with it.

We spend millions, nearly \$100 million just in drug and alcohol treatment programs in this Commonwealth, to deal with those who have addictive problems. This bill admits that we are creating more addictive problems, and the gambling negotiators are willing to set aside a mere \$1.5 million out of several billion dollars to deal with this problem. Shame on those legislators who have crafted this measure for the greed and benefit of a select few individuals of corporate America.

This is not about horses or horse racing. Smarty Jones proved that he could win without slots at the tracks. Perhaps we should take a winning page out of Smarty’s book, because we will only continue down a broken path of heartbreak, of loss and misfortune, for many of those less fortunate who can ill afford to lose their hard-earned dollars at the racinos.

We will be back to deal with the social problems associated with gambling. Even conservative estimates state that between 2 and 4 percent of the population will observe some type of addiction to gambling. This translates into 360,000 Pennsylvanians who have the potential to become addicted. The counselors will eventually call gambling addiction a disease and will request millions of dollars from you, the taxpayer, to pay for the problems that the gambling lobbyists created in this bill, if it should pass.

I am asking for a “no” vote on this bill because of the public policy ramifications of this bill. I could state statistics and names of individuals impacted negatively by gambling, but I will not, because Pennsylvania will only add more names to these statistics, unfortunately, for those families that will be impacted.

For the sake of families, homes, children, and marriages, and those who have a weak will and all who are less fortunate, please vote “no” on this proposal and allow this legislature to hold its head high for doing what is right in setting public policy.

Perhaps we could learn from a former lawmaker from Greece and his priority about money. Solon was known as the Lawmaker of Athens. He died in 559 B.C. His statue is displayed in one of the chandeliers upstairs in the Supreme Court chamber along with Aristotle. He is up there also with two other lawgivers, Solomon and Moses.

Solon was born into a well-to-do family of Athens and he worked as a merchant in the export-import trade, and he considered himself relatively poor. He did not worship money, as is evident from his poems.

Poetry was for Solon a way to entertain himself, and he used poetry to give his ideas easy access to the minds of the Athenians. I would close my comments with this poem from Solon:

The man whose riches satisfy his greed
Is not more rich for all those heaps and hoards
Than some poor man who has enough to feed
And clothe his corpse with such as God affords.

I have no use for men who steal and cheat;
The fruit of evil poisons those who eat.

Some wicked men are rich, some good men poor,
But I would rather trust in what's secure;
Our virtue sticks with us and makes us strong,
But money changes owners all day long.

Thank you, Mr. Speaker, and I respectfully ask for a “no” vote on concurrence on HB 2330.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question of concurrence and for the benefit of the members, the Chair will recognize next the gentleman from Lancaster, Mr. Denlinger, and the next three speakers, Messrs. Boyd, Belfanti, and Marsico.

The gentleman, Mr. Denlinger.

Mr. DENLINGER. Mr. Speaker, today we face landmark legislation in this hall of State government. Many of you, my friends all, who are inclined to vote for gambling expansion will do so because you see financial benefits. Perhaps you love the

opportunity to send a few dollars back to property owners or perhaps you like the stadium, convention center, or airport aspects of this deal. I understand all of this, and I understand that some here think of government as a pipeline to extract money from certain people and pour it into the pockets of others. In truth, our government has been involved in wealth redistribution for a long time, and while this is not right, only a fool would deny the reality.

In the past, our taking and giving ran along the lines of extending financial assistance to those who were less fortunate, and while we can debate the merits of government handouts, I would never question the motives of those who would extend a financial hand to the poor at the expense of the whole.

Today's gambling vote is vastly different. Indeed, it marks a sea change in our thinking as a people. Today we turn from the high motive of helping our fellow man to seeking gain at his demise. With this vote, we will attempt to build the future of Pennsylvania on the backs of the poor and the downtrodden. And you might ask why I identify the poor as the target. That is very simple. It is the poor who are most susceptible to gambling addictions.

Those more cynical among us have referred to gambling as a direct tax on stupidity. At the very least, we all refer to gambling as a vice. Mr. Speaker, it is simply wrong to authorize and promote vice in order to build buildings and hand out checks.

Soon, every time we turn on the TV, we will be barraged with ads for slots parlors. Billboards will be covered with slick enticements for fast wealth through a pull of the lever. Against the beautiful backdrop of Penn's woodlands will be the glaring neon of cheesy establishments operating at all hours, attempting to separate the poor and unfortunate from their limited funds. What an ugly picture of the gambling nightmare about to descend all around us. Is this your vision for the good society? Is this the best we can do for our children and our grandchildren?

Someday each of us who are here will leave this hall for the very last time, and as we go, we will turn around and gaze at the chamber and we will ask ourselves, how do I regard my time that was spent here? Will you feel that you tried to do your best for the citizens of Pennsylvania, or will you be forced to admit within yourself that you sold out to the corporate gambling interests?

I have been amazed at how many times I have heard members say, I know this is wrong but I am going to do it anyway. Mr. Speaker, if you know something is wrong, please, for the sake of your own conscience, have the courage to take a stand for what is right and vote against corporate gambling greed.

This bill is horrendous, and we all know it – even its supporters. The legal protections are inadequate, the tax relief is a joke, and the burden of addictions we will place on the poor is shameful. Please take a stand for what is right tonight and vote “no.” Vote “no” so that when you are finished serving in this great hall, you will take one last look at the chamber and know that you did what was right for the people of Pennsylvania.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER pro tempore. On concurrence, the Chair recognizes the gentleman from Lancaster, Mr. Boyd, followed by Messrs. Belfanti, Marsico, and Preston.

Mr. BOYD. Thank you, Mr. Speaker.

We still have a lot of work to do tonight, so in the interests of time, energy, and effort, I think everyone knows how I feel about this less than palatable piece of legislation, so I would like to have my remarks spread across the record. And for everybody who is applauding and liking this, I am hoping maybe I can get you to be a “no” on concurrence.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman. His remarks will be spread upon the record.

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

Extra, extra, read all about it. In a historic move, lawmakers in Pennsylvania make another momentous declaration on July 4. The Pennsylvania General Assembly officially declares July 4, 2004, as Slot Dependence Day, the day when all the ills of Pennsylvanians are eliminated with one fatal act of the legislature.

By a courageous move legalizing the second largest gambling venue in America, the General Assembly has assured Pennsylvania residents....

Great lead to tomorrow’s headlines, but what are we really delivering to our Pennsylvania brethren? While most enjoy this beautiful holiday weekend, while our friends and family frolic at the beach, picnic at the pool, or simply sit quietly in a hammock and consume a good book, what are we doing to them? What tremendous piece of legislation are we about to pass? To quote many in our society today, what is in it for them?

Simply, we are about to vote on perhaps the single largest legislative redistribution of wealth in the Commonwealth’s history. We are going to take \$3 billion from the have-nots – those who hope to “hit it big” – and give it to the haves – the Harrah’s, the MGMs, the Caesars, the Donald Trumps. This group of poor downtrodden societal victims, they get \$2 billion, give or take a few hundred million.

Then we are going to create a Gaming Board – self-regulating; free from any administrative oversight – a \$7.5-million-a-year board to manage this new gambling mecca.

Then we are going to create an entire new State Police division at a cost of \$7.5 million to try to keep the gambling industry “under control.”

Of course, we need to create a fund to help compulsive gamblers be freed from the bondage we handed them, so the bill provides from \$1.5 to \$2.5 million in addiction support funds!

Interesting. Without the gambling, we save \$17.5 million. Sounds to me that the bill itself recognizes the increased expenses from gambling. But hey, what do I know? I am just a lowly businessperson.

Then we are going to give volunteer fire services \$25 million. Of course, this is so we do not have to give them the \$25 million out of the General Fund appropriated the last 2 years. I figure this will be a net loss for the volunteers, because who is going to go to basket bingo to raise money for the local fire company when they can get some real action at the track!

But let us get to the real winners in this package: Philadelphia, \$600 million to expand the convention center; \$600 million to Pittsburgh for a new stadium for the Penguins; airport upgrades; airline bailouts. Wow, sounds like we have pretty much consumed the entire billion in revenue and then some.

You may ask, how can that be? Ah, creative accounting. This new independent board with no oversight can, and I quote from the bill, “Sell, in whole or in part, the Commonwealth’s right, title and interest

in the State gaming receipts to an authority created by the Commonwealth.”

What does that mean? That means, fellow taxpayers of Pennsylvania, that this autonomous board can sell the projected receipts to “loan sharks” in return for a \$2 billion bond. Talk about payday lending. Pennsylvanians, please go to the casinos; gamble, gamble as if your life depends on it, because if we do not raise enough revenue to cover this debt, who will?

But take heed. Finally, we in the legislature get to you, the taxpayer, and again I quote directly from the legislation: “Monthly, the State Treasurer shall transfer the remaining balance in the State Gaming Fund which is not allocated in subsections (A), (B), (C) and (D) to the Property Tax Relief Fund.” In other words, after everyone else has theirs, that which is left goes to property tax reductions. To quote my majority leader earlier this year as he listened to the Governor’s budget address in February, “amazing, absolutely amazing.”

Again, the taxpayer, the poor working family who pays the bills in this State, is last on the list. The only guy who contributes to the feeding trough is the last to receive from it. Frankly, ladies and gentlemen, this legislation is an outrage, and the people of Pennsylvania, Democrats and Republicans alike, old, young, city, and rural, should be outraged.

You are last on the list again. You are the most deserving and least receiving.

Let us briefly digress to what this bill does not do: no money for education, no money for real property tax reductions, no money for MH/MR (mental health/mental retardation) workers who have not had a COLA (cost-of-living adjustment) in 3 years, no money to fix the ongoing difficulties with the Medicare assessments created by the Federal crackdown on intergovernmental transfers. Need I go on, Mr. Speaker? We face serious problems in this State. We have commitments and obligations to the citizens of this State, and we are abrogating our responsibility.

You will hear others rejoicing and reveling in the glories of this package, but for me, Mr. Speaker, I quote the prophet Isaiah: “Woe to those who call evil good and good evil, who put darkness for light and light for darkness, who put bitter for sweet and sweet for bitter.”

Mr. Speaker, if we lose this vote, it will truly be bitter for the sweet. I urge, beseech, and implore my colleagues to vote “no” on HB 2330.

The SPEAKER pro tempore. On concurrence, the Chair recognizes the gentleman from Northumberland, Mr. Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, I have problems with this bill. I do not like the way the economic development fund of 5 percent would be taken off the top, but I have been assured that this fund will allow for more State money from the capital budget to flow into smaller districts and rural districts like mine, because this economic development fund in this bill will help to alleviate some of the problems of our urban centers who are going to get the money one way or the other.

And I also, Mr. Speaker, had a problem in that I wanted to wait until the State Senate sent over the raise in the debt ceiling to allow for the State capital budget to have their ceiling raised so that more projects in districts like mine could be funded, and again, my leadership team assures me that my concerns regarding economic development in rural Pennsylvania will be addressed and they will be at my side in those efforts, and I take them at their word.

That being said, Mr. Speaker, I have been here for about 24 years, and during all of that time this chamber has time and time and time again talked about tax reform – in particular, property tax reform. Some of us, Mr. Speaker, have wanted to replace property taxes with an earned income tax, and we attempted to do that. The voters rejected it. Others would like to

replace property taxes with sales taxes, some of the most regressive taxes in this State, and others would have liked to spend the record surpluses of the nineties on tax relief as opposed to giving \$4 billion away to the State's largest corporations and not a dime to mom-and-pop stores and sub S corporations. But after 12 terms in office, I am convinced that my constituents and your constituents will never see property tax reform. If it has not happened in 24 years, I do not see this chamber and the Senate ever agreeing on it.

So, Mr. Speaker, we have three options tonight. We can adopt this gaming measure, which is a voluntary tax. It is a voluntary tax. If you do not want to play a slot machine, do not go. If your constituents do not want to put a nickel in a slot machine, they will stay home. It is a voluntary tax, but every one of your constituents who owns a home will benefit by it.

Our second option, Mr. Speaker, is to reject this measure and do what the Commonwealth Caucus has suggested and impose a 4-percent sales tax on the necessities of life – on food, on clothing, on doctor bills, on attorney fees, on medicines. Well, that is something, Mr. Speaker, that I would never vote on, because that would crush the low-income person and severely damage those in middle income who rely upon those necessities of life and have never had them taxed in this Commonwealth, and I am very proud of that.

Our third option, Mr. Speaker, is do nothing. The do-nothing option is the least that we can afford, because as I said, Mr. Speaker – I have been here 24 years; a few of you outrank me, not too many, as I grow older, but those of you that do have talked about property tax reform long before I came here – as I said, Mr. Speaker, this measure is a voluntary tax. Today Pennsylvanians are spending an average of \$3 to \$4 billion in neighboring States of New Jersey, Delaware, West Virginia, Connecticut, in the Black Hills and Niagara Falls of New York, and the State of Illinois. That does not count those Pennsylvanians that are tonight in Reno or Vegas or Tahoe or in the Caribbean spending their money on gaming. It is a fact of life, Mr. Speaker.

You know, I am tired of building roads and highways in New Jersey and sending kids to college in Illinois and paying for police and fire protection in Connecticut. I am getting a bit tired of it. I would like those Pennsylvanians to start spending at least some of those dollars here, because every single one of those gaming dollars that Pennsylvanians spend in New Jersey is a dollar less that has to come out of their General Fund, which is funded by New Jersey taxpayers, not by Pennsylvania taxpayers. Every single dollar that we recapture that is now going to our neighboring States and all over this country, to places that allow gaming, is a dollar less that we have here to spend on our citizens for programs like reducing property taxes.

Some 30 years ago this General Assembly adopted the State lottery. I was not here, but my predecessors were, and many of my predecessors in neighboring districts were, and the same arguments were used that evening, Mr. Speaker. The lottery would be the downfall of this Commonwealth. And yes, Mr. Speaker, it took a year or two before the senior citizens of this State realized the benefits of the lottery. The PACE (Pharmaceutical Assistance Contract for the Elderly) program did not start instantaneously, because there was no money in the Lottery Fund, so it took a year or two to put money in reserve before we established the PACE program. Some years later a property tax and rent rebate program was formed. Senior action

centers were created; shared ride program was created; and many, many other programs now taken for granted by many members of this chamber but I think appreciated by most of your senior citizen constituents, who back then, by the way, Mr. Speaker, were in their thirties. They are in their sixties now, and they are reaping the benefits of the action taken some 30 years ago in this hall.

Ironically, Mr. Speaker, my predecessors back then who voted against the lottery program and so nobly spoke in such moralistic terms about how it would destroy this Commonwealth and our citizens, back then, Mr. Speaker, those same legislators could not wait to get their newsletter out, talking about the PACE program that they just voted for, talking about the property tax and rent rebate program they just voted for, talking about how all of these programs they voted for were going to benefit their constituents, but, Mr. Speaker, they did not put the vote up to pay for any of those programs. That is what we are going through again tonight. That is what this exercise is all about.

And I did not plan on speaking this evening. As you can see, these are scribbled notes that I started scribbling when I heard the first few speakers talk, but, Mr. Speaker, tonight those of you that vote against this measure ought to have the courage later this evening to vote against the tax relief enabling act that will come over here that will be funded by those of us who put this vote up, and do not be so quick to put your newsletters out when the first checks start rolling out 2 years from now, because it is going to take 2 years. No one has made any bones about that. It is going to take a year to get the gaming commission appointed and licenses issued and all of the other mechanics that will take place. It will take a year to build these facilities.

So it will take 2 years before your constituents see any money, but it is also going to be 2 years before any of your constituents can put a nickel or a dime in a slot machine. Do not think it is going to happen tomorrow. If it happens tomorrow, it is because they are on their way to New Jersey tonight.

Mr. Speaker, some of you have newsletters in front of you that show that your school districts are going to be able to reduce taxes by somewhere in the margin of 15 at the low end to 50 at the high end if gaming brings in somewhere in the neighborhood of \$750 million to \$1 billion, up to \$1.25 billion, and you know, the people often muse, put your money where your mouth is, and I am saying tonight, put your vote where tomorrow's newsletter is going to be.

Seniors do not ever have to buy a lottery ticket to apply for the PACE program or the property tax and rent rebate program, but they are all entitled to them if they meet the income eligibility requirements. Not a senior citizen ever has to buy a lottery ticket to walk into a senior action center and enjoy that afternoon bingo game. They do not have to. Your constituents do not have to gamble, and mine do not either, but for those Pennsylvanians who, by the carload and the busload and the trainload and the planeload, head to Vegas and Reno and Tahoe or the Caribbean, I say, spend some of that money here in Pennsylvania; spend some of it here so that we can benefit our citizens.

Mr. Speaker, I am going to close by asking that we support HB 2330, even though, as I said, I was not one of the negotiators, and I would have liked to see some changes in this legislation also. But I understand what a tough thing it is to get 253 people to agree on anything, and it is even sometimes a

tougher thing to get 8 people or 8 caucus leaders to agree on something that might work.

And, Mr. Speaker, I think this will work, as the members 40 years ago who stood in this hall and the hall across the way and voted to establish Pennsylvania's lottery program.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the issue of concurrence, the Chair recognizes the gentleman from Dauphin, Mr. Marsico, followed by Representatives Preston, Rubley, and Egolf.

Mr. MARSICO. Thank you, Mr. Speaker.

I rise tonight in opposition to this proposed expansion of gambling in the Commonwealth.

Last year I was the only central Pennsylvania Republican that voted for the slots plan, but I have no intention of voting for this piece of garbage, because once again, the people of central Pennsylvania are getting shafted.

I could support last year's plan because it was structured in such a way that it would help support and preserve the horse racing industry and the Penn National Race Course in my district.

I could support last year's plan because it would create thousands of new jobs, bring in new revenue to East Hanover Township to meet increased public safety demands and infrastructure demands, and provide a fair amount of property relief for homeowners.

I could support last year's plan because it balanced the potential drawbacks of gambling with substantial benefits for the people of Dauphin County.

But I cannot support this plan. This plan was put together in the back rooms of this Capitol by just a few people and without any input from the vast majority of the membership – members who, by the way, represent the vast majority of the people of this Commonwealth and members who represent those areas in which racetracks are located. I guess I should have known all along that this bill would come out stinking like garbage. This bill was literally shoved down our throats yesterday. We never had a chance to give input into the provisions of this bill.

Once again, the good intentions of saving a vital Commonwealth industry and providing much-needed property tax relief has taken a backseat to special interests – namely, Philadelphia and Pittsburgh.

Mr. Speaker, this is all about greed. Now slots will be placed not only at racetracks but at four or five other sites and two resort sites as well.

This bill allows the gambling commission to borrow billions and billions – that is billions with a “b” – against the revenues that might be collected as a result of slots. But what if they do not live up to the expectations? This is talk about bad fiscal policy.

But what really burns me up, Mr. Speaker, is how little money East Hanover Township, my district, home to Penn National Race Course, gets out of the deal.

At first glance, you might think it does not sound so bad. The township would receive 2 percent of gross terminal revenues, or \$10 million, whichever is more.

But the dirty devil is in the details. I will read directly from the bill on page 99: “THE AMOUNT ALLOCATED TO THE DESIGNATED MUNICIPALITIES SHALL NOT EXCEED 50% OF THEIR TOTAL BUDGET FOR FISCAL YEAR 2003-2004, ADJUSTED FOR INFLATION IN SUBSEQUENT

YEARS BY AN AMOUNT NOT TO EXCEED AN ANNUAL COST-OF-LIVING ADJUSTMENT CALCULATED BY APPLYING THE PERCENTAGE CHANGE IN THE CONSUMER PRICE INDEX....”

So what is East Hanover Township's budget? It ranges from \$800,000 to \$1 million. That means they would receive no more than \$500,000 from gambling revenues a year. That does not sound so bad, does it, but compared to \$10 million, which other host municipalities will receive, that is very grossly unfair and unjust.

What is happening is, there are tax dollars that are going to be taken away or revenues taken away from my district and the taxpayers are going to come up with the cost.

Now, consider that each of the Gaming Board members – this really should boggle your minds; think about this – each Gaming Board member will be earning \$175,000 per year plus expenses – and I am sure it is going to be a part-time job, a political appointment – and multiply that by seven board members, and you will get more than \$1.2 million a year, which is more than twice what East Hanover Township will receive in revenues.

Mr. Speaker, it is all about greed. It is all about the dollars going to Philadelphia and Pittsburgh for pet projects. It is all about dollars going to these board members, taken away from my district, taken away from my county, taken away from my municipality.

How far do you think the township's \$500,000 will go in addressing the services they are going to need to provide to accommodate slots at Penn National?

East Hanover Township has no police force. It is estimated that it would cost at least \$1.2 million to establish a seven-member police force, and that is just to establish a police force.

East Hanover Township has a volunteer fire company, but they will need more fire and ambulance crews to deal with accidents or other emergencies that may come along.

East Hanover Township only has a two-lane road leading to the racetrack. Many of you have been there; you know that. But they will have to widen the road and make other improvements, like adding signals to accommodate slots traffic.

Needless to say, \$500,000 is nothing but a drop in the bucket compared to the expenses the township will incur. The cost-of-living increase allowed by the bill also will not help.

Just think about this, Mr. Speaker. This could be your municipality. This could be in your backyard. This could be you.

To further rub salt in the wound, Dauphin County would get 1 percent of revenues for itself, even though it will bear virtually none of the slots-related costs, and another 1 percent that it can give in the form of grants to virtually any municipality in the county. I do not understand it. Tell me, where is the logic?

To top it off, the huge sums of money targeted to Pittsburgh and Philadelphia substantially dilute the tax relief and other benefits to the rest of our Commonwealth. That is unacceptable to me and to the people that I represent.

Mr. Speaker, this is all about greed. It is more dollars; a greater portion of these dollars are going to Pittsburgh and Philadelphia.

Mr. Speaker, this plan is bad for the people of the 105th District, East Hanover Township, and I believe it is bad

for the vast majority of the people of this Commonwealth. Let us dump this garbage and vote “no.”

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

For the benefit of the members, there are 25 members left to speak on concurrence, either speak or submit remarks for the record perhaps.

The Chair recognizes the gentleman from Allegheny, Mr. Preston, followed by Representatives Rubley, Egolf, and James.

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

I rise to support this bill.

I also rise as we look for coming into Pennsylvania a new industry, and this is not new. I can remember in the eighties being in Erie, being in the Poconos, being in Pittsburgh, being in Somerset County, and all the other counties across this great State as we discussed different forms in dealing specifically with slot machines, whether it was the Finance Committee, whether it was business and economic development, whether it was the Appropriations Committee.

So this is not new, and I also say to the gentleman, unfortunately when we use the word “greed” versus infrastructure improvement and economic development and I sit down and I look at the people in the rural areas and what would happen if my schools districts, for an example, decided to buy their milk programs outside of the State, and I wonder how many of their dairy farmers would continue to exist, for where we have populations of no farmers but yet we have major consumers. There is an awful lot of different quid pro quo.

The other thing the gentleman has is, he has an awful lot of free road maintenance, whereas within the city of Pittsburgh, if any except for State highways, which our local police also deal with, that we do not receive remuneration because there are hardly if any State roads to go through those things, but yet in a sense, my one county, we still have 1100 bridges – 1,100 bridges.

Now, when we start talking about infrastructure improvement and economic development, when we had to adjust to all of those thousands of people who came in in dealing with the entertainment they so appreciate, whether it deals with stadiums, whether it deals with the opera, whether it deals with other different forms of concerts, whether the museums that we foot the bill of 47 percent tax-exempt property so the people from the suburbs and the rural areas can come in for live entertainment, we provide and we also carry the expenses.

But I also want to get some other things straight when we talk about economic development. We are very fortunate in some ways about southwestern Pennsylvania, mainly because we have a consortium of dealing with the eight or nine counties surrounding us, and when projects are ready to go, we have all adequately supported those. This one is one of many, and if anything, most of the economic development and infrastructure dollars will go outside of the city of Pittsburgh, and if I hear the gentleman also talk right about 1 of the 8 to 11 venues, only 1 of them will be within the city of Pittsburgh.

But let us also deal with some of the other different situations. Some of the proponents that have been about antigambling, in the 22 years I have been here, I have never, never seen them ever introduce a bill to stop the Lottery Fund, never seen them introduce a bill to stop bingo. As a matter of

fact, I have actually been in some of their districts at fire halls where people were supporting tickets with 50-50 drawings, but yet they will stand up here and speak of how well it was, how good it was, to be able to serve those respective districts but not to stop the gambling.

You cannot have it sometimes both ways. This is a new industry within this Commonwealth. It will take an awful lot of period of adjustment, and I know that some people are going to go through fire and doom. I remember several years ago when we came out and had some of the off-track betting, and people were saying, we are going to create all of these; we need to do these impact studies so that the areas would not deteriorate. Well, they did not deteriorate. If anything, an awful lot of them have been in very prosperous areas, and they have expanded them and become a little bit solid.

But we need to be able to have this. Within southwestern Pennsylvania, we have been devastated with the loss of the steel industry. This is just one new industry that will come in, and from what I have heard the gentleman and the previous speaker say, in an awful lot of rural areas and resort areas, not just within the city of Pittsburgh. So it is not just Pittsburgh. It is about southwestern Pennsylvania and the economic stability and the vitality of an area that needs to hold on.

We have supported an awful lot of those rural areas, whether it was the cows, whether it was the chickens, whether it was black fly, whether it was giardiasis – millions and millions of dollars that did not come into the city of Pittsburgh or into the urban areas. We have continued to do that when you have a problem.

But we are just talking about economic stability. This is not the answer to everything, and nobody says it is going to be the total answer. This is just one of the integers of developing an infrastructure, of developing an economy, and of stabilizing what we might call a growing industry.

So let us not just paint it to be the all-in-all. It is just one of the steps that we as responsible elected officials have to come along with, and sometimes I understand that people may be in fear of change. Well, this is the new millennium. Let us be progressive, let us be aggressive, but let us also take it step by step at a time. But this is not a new idea; this is not an old idea. It has been a progressive idea, and I would ask us to support this House bill and its new industry.

Thank you very much, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On concurrence, the Chair recognizes the gentlelady from Chester, Mrs. Rubley, followed by Representatives Egolf, James, and Daley.

Mrs. RUBLEY. Thank you, Mr. Speaker, for allowing me the opportunity to speak about HB 2330.

Notwithstanding the considerable concerns about the social and moral impacts associated with passage of HB 2330, I would like to state succinctly some of my major objections to this bill.

Let me preface my remarks by saying that I would have considered supporting a gaming bill that allowed for slot machines only at our horse racing tracks. I do see a need to help our horse racing industry and its ancillary businesses.

HB 2330, however, goes much too far and does not contain the provisions necessary for adequate oversight and enforcement.

Some of my major concerns are, number one, the powers given to the seven voting members of the independent

Gaming Control Board are much too broad and far reaching, lacking in appropriate oversight, and fraught with opportunity for abuse. In New Jersey they require Senate approval of their board members.

This bill, number two, allows for up to seven licenses at racetracks, five licenses at stand-alone facilities, and up to two licenses at resorts. I am concerned about the licenses that will be awarded to the stand-alone or category 2 venues. Three of the licenses will be awarded in Philadelphia and Pittsburgh. That leaves two licenses and possibly more if track licenses are not sold within 5 years. These licensed facilities can be awarded in many areas of the Commonwealth where local municipalities will be preempted – and let me stress, preempted – from imposing their land use and zoning laws to which any other applicant would be required to adhere. This is an atrocious example of special interest power. The residents and municipal officials in any selected community should have the right to approve the siting of such a facility which will have a substantial impact on their community.

And number three, the issue of allowing public officials and others to own or hold up to 1 percent of the equity or fair market value of a licensed facility has been extensively discussed tonight. This provision needs to be removed from this bill. The argument that such officials holding mutual funds in pensions would be caught inadvertently if such an exemption were not included is a specious argument, and the necessary protections could be written into the bill to protect people where the investor does not have direct knowledge or control over the investments made.

And finally, number four, a gaming bill has been publicly described as a means of providing local property tax relief. Unfortunately, HB 2330 will provide very little actual property tax relief after the revenues are first distributed to numerous projects in Philadelphia and Pittsburgh and other locations. Therefore, we should not espouse that this bill is true tax reform but recognize it for what it actually is.

In addition to the concerns I have just related, HB 2330 has many other significant problems and does not serve the best interests of Pennsylvania citizens. I urge a negative vote on this bill.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady.

On the issue of concurrence, the Chair recognizes the gentleman from Perry County, Mr. Egolf, followed by Mr. James and Mr. Daley.

Mr. EGOLF. Thank you, Mr. Speaker.

This current proposal is going to allow up to 61,000 slot machines in Pennsylvania. That puts us number two, behind Nevada. We are even ahead of New Jersey. What in the world are we doing to our citizens? If we have any, any sense of responsibility, we would vote against this bill.

Not even considering the moral aspect of this, look at the practicality; look at what it is going to bring us. We are making the biggest change probably in the history of Pennsylvania that is going to affect our citizens.

We have been told, we have been told that we need this to lower property taxes. We need it for economic development. We need it to bring in jobs. We need it to balance the budget. What is it really going to do?

We have not had a good study, independent study, to see what the results would be, but let us look at some other States that have gambling already.

Let us take a look at Nevada. If gambling is so great, they ought to be rolling in money. This is what Nevada Governor Guinn said last year in an address to the legislature there. He said – and this was in his State of the State address – he said, “My fellow Nevadans, it is my duty as Governor to report this evening that the state of our state is fragile, and as challenging as any period in our 139-year history.” He said, “For years, our economy has depended almost exclusively on tourism and gaming....” He went on to say, “Unfortunately, this strategy has failed.

“My fellow Nevadans, the lesson from the last 20 years is clear; our revenue system is broken because it has relied on regressive and unstable taxes.

“Nevada ranks near the bottom in per pupil spending on education, and spends less per capita on Medicaid than any other state. If those two areas don’t concern you, take a look at where Nevada ranks in high school dropout rates, teenage pregnancy, and children living in poverty.

“Therefore, I bring to you tonight a budget request for \$980 million in new revenue.” And he went on to say, “I am requesting an immediate increase in cigarette and alcohol taxes, corporate filing fees, and slot machine license fees” and – get this – “15 cent increase in property taxes....” That is in Nevada.

The American Legislative Exchange Council points out that these five States, these are the top five States, these are States that have thousands of slot machines, and they are still deep in trouble: for example, California, \$15 billion deficit – this was the beginning of this year – New York, \$5 billion; New Jersey, \$5 billion; Illinois, \$2 billion; Michigan, \$1.4 billion. These have had slots for years. Look at the problems that they have.

We were told originally we are going to need slots in order to save our horse tracks. Let us go to Maine and a proponent of horse racing. This was in the *Blethen Maine Newspapers*. This was said by Senator Richard Bennett, a former president of the Maine Senate, who owns two horses, so he is a proponent of horse racing.

He said: “Let’s make one thing clear: There is no necessary relationship between slot machines and harness racing. Take the words of the corporation working to build the new gaming market: ‘We are in racing for one reason – slots at racetracks,’ said one official from Penn National.

“Unfortunately for Maine people, that was not the theme of the campaign voters were subjected to.... Instead we were fed a steady diet of feel-good stories intended to distract voters from the real objective: the introduction of big-time gambling to Maine.

“THE MONEY involved is staggering. Why else would someone spend millions of dollars to ‘help’ the harness racing industry and a few months later walk away from the deal, handing it over to his competitor for more than 10 times his original investment? All before a single quarter has been dropped in a slot machine.”

He goes on to say, “You can be sure this is not about horses. It’s not about preserving open space. Nor is it a part of some noble cause to protect Maine’s agricultural fairs.

“It’s about market share and cash. The gambling industry thrives on a parasitic relationship with the local economy – taking dollars away from Maine people, Maine communities and the Maine economy – and whisking those dollars away to far-off corporate executives with no concern for Maine. The facts are worth repeating: Once the gaming interests enter a state, there is a tremendous increase in credit card fraud,

drug and alcohol abuse, gambling addiction, broken families and many other forms of corruption.

“As for the increased revenues, don’t bet on it.” And he goes on to say that “...tax reductions have been promised, but in Nevada, Mississippi and especially California – the state with the most profitable operations in the world – the tax reductions have never materialized.”

We have been hearing that we need this because Pennsylvanians are taking money across the border, that they are going to spend it so they will take it to New Jersey, so we should keep it here in Pennsylvania. What is actually going to happen? The fact that we are putting them in nearby is going to attract more people because many of the people would not travel or maybe once or twice a year. Now it is going to be next door; it is going to be close. It is going to be making it much, much easier to lose their money.

In the Baltimore Sun editorial, they said – I am just taking part of this – they are saying, “Those who don’t want slots near their communities tend to fear the traffic, other infrastructure burdens...” and so on. “They also know that...casinos draw heavily from areas within a 35-mile radius and thus the rate of gambling addiction – and all the attendant social and legal problems – is apt to be much higher nearby.”

So people are going to be staying close to home to do this, and that is where the problems are going to be.

“Less discussed is how slots drain nearby communities economically.” And it goes on to say – I am skipping some – but “...hundreds of millions of dollars in slots revenue would be diverted from current spending by Marylanders on eating out, other amusements and buying goods – a robbing of Peter to pay Paul that would disproportionately cannibalize and cut jobs at nearby restaurants and retailers.

“That’s been the case almost everywhere slots have arrived. Atlantic City’s casinos may be packed, but the number of its non-casino restaurants fell sharply with gambling. Reports from Illinois, Colorado, Mississippi, Missouri, South Dakota and elsewhere document drops in retail sales after the arrival of slots.”

And it goes on to say, “Slots have been called a stupidity tax, a levy on those willing to put their money into a game in which the odds are stacked against them.”

Commentary in the Philadelphia Inquirer – and I am not going to read it, but he mentions this in here – he said that the money is not there that we think we are going to get and that people are not going to get what they are led to believe in property tax reduction, and we all know that from looking at the bill that we have seen tonight, and he capsulizes this by saying, “Introduction of gambling to Pa. will leave every resident a loser.”

The Morning Call, and just real briefly, there was a study done in Jefferson County, New York, and capsulizing it, I would just say it was the first survey commissioned in Jefferson County, which did not have gambling yet, but one thing they found was startling: “Even without a casino, they found \$50 million a year was spent on gambling activities in Jefferson County. The most hurtful finding, however, was that persons living in households that earn less than \$10,000 a year typically spent 15 percent of their annual income on gambling!

“How can Pennsylvania even consider reducing the taxes of property owners by shifting the burden to folks who have a weakness for gambling, and many of whom have scarcely

enough to provide for necessities like shelter, food, clothing, transportation and education.”

Where is our compassion? We talk about helping the little guy. These are the ones we are targeting. We know from studies, from examples in other States, that is who is going to spend the money mostly.

“I have never heard anyone,” it goes on to say in this article, “anyone argue that gambling represented a civic good. The best that can be said about it is that it is a voluntary tax” And people say, yes, let the people do what they want to; yes, let them have the freedom. But is it a voluntary tax? “Is it really voluntary when people are so psychologically dependent on the hopeless dream of riches without effort or contribution that they spend 15 percent of their incomes on gambling? Does it matter that these revenues will be raised from human weakness and dependencies? Does it matter that those who would suffer most are those least able to care for themselves? I think it matters a great deal.”

Another article in the Baltimore Sun: “Pitting one state against another has proved a successful strategy as the gambling industry has expanded across the country. Because casinos pay taxes that fund important programs, lawmakers view gambling across state lines as a drain on the treasury.

“But critics say the competition quickly turns into a ‘race to the bottom,’ as states try to up the ante on one another.”

And then it goes on to say, after a number of other things, it says, “ ‘You promise something very modest at the beginning.’ ” – and this is what is going to happen here in Pennsylvania, I assure you – “ ‘You promise something very modest at the beginning.’ ” – and I do not even think it is modest here, but it is going to get worse – “ ‘But you know once you get [gambling] in that the politicians will see it as one of the few places to go to raise revenues,’ Goodman said.” This is the author. “ ‘You could essentially call it getting a state hooked on gambling.’

“But gambling can be costly for a state...because of social costs related to problem gambling.”

And he says, “ ‘I remember one of the senators [in Nebraska] arguing, ‘We have to fight fire with fire.’ I told him all the research I’ve seen is if you try to fight fire with fire all you’re going to get is a bigger fire.’

“It becomes a ‘race to the bottom,’ ...” and I close with that.

When we are at the bottom, feeding on the bottom, what are you going to tell your grandchildren or the children next door to you when they ask you what happened? Where were you? What did you do when that gambling came up? Are you going to be proud and say you did something to stop it, or are you going to have to lower your head and say, I am sorry; I could have done something but I did not?

Thank you very much.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question of concurrence, the Chair recognizes the gentleman from Philadelphia, Mr. James, followed by Mr. Daley, Mr. Fairchild, and Mr. Sather.

Mr. JAMES. Thank you, Mr. Speaker.

I rise to voice my concerns about an issue that many of you may not have given much consideration to or may not even be thinking about, but it is a facet of gaming expansion that is of great concern to me – that is, African-American inclusion, people of color.

Mr. Speaker, there is a saying in my community for when you like or understand or agree with something. The saying is, Mr. Speaker, "I feel you," or "I'm feelin' it."

Do you feel me, Mr. Speaker?

The SPEAKER pro tempore. I feel it.

Mr. JAMES. All right. Good. You got it; you got it; you got it; you got it.

Now, in this case, Mr. Speaker, this proposal, I am just not feelin' it.

The problem is that I have heard promises of minority inclusion before, and as a Philadelphia Representative and a member of the Black Caucus, I have heard many promises made to encourage my vote and the votes of my colleagues.

And about 4 years ago, some of us voted to increase funding for mass transit and SEPTA on the condition that numerous jobs for minorities would have greater presence in the transportation industry once the SEPTA expansion occurred. That promise has remained, still today, nothing more than a promise.

About the same time, some of us voted for a gas tax, also being promised that it would result in new job opportunities for Pennsylvania's minorities. Mr. Speaker, that promise, too, has not been fulfilled.

And even when I voted for the Philadelphia sports stadium, it was because I was assured that people of color in the city would be involved and included in most aspects of stadium operations, contracting, and particularly in working as members of the building trade unions. To this date, we have only seen token action on that promise.

Mr. Speaker, the pattern of promises, promises, promises has given a whole new meaning to the term "white lies," no pun intended. It seems that every time we have a proposal for industry expansion before us, industry officials win over the votes of the Black Caucus with false promises.

Once again we have been given a promise – this time from slot venue owners. Industry officials have assured the PLBC (Pennsylvania Legislative Black Caucus) that they are going to issue memoranda of understanding stating their commitment to creating partnerships with minority businesses and employing minority workers at every level of the gaming industry. But after so many empty promises, I cannot help wondering if this one is not as hollow as the others. Mr. Speaker, I am not feelin' this.

I hope that the commitment is solid, and I hope that all of you are committed to providing opportunities to our State's growing minority population. The people of color in this Commonwealth want to be included at the tables, on all levels, and not just the gambling tables. They deserve a seat at the decisionmaking tables, the management tables, and the administration tables, just like everyone else.

But like I said, Mr. Speaker, when it comes to taking somebody's word that this will happen, with no legislative language in sight, I am not feelin' it. And in my experiences, promises meant to usher a bill through the legislature are rarely fully realized when it has to do with race relations.

And it seems that if we are going to guarantee minority inclusion in every aspect of the gaming/slots industry – not just at the slot machines or scrubbing the floors or waiting on tables – if we are going to guarantee that people of color will have equal opportunities for ownership and executive and management positions and that minority-owned businesses would also receive contracts for construction and vending and

other services, as well as becoming members of the building trade unions, then maybe a memo is not enough.

If history has taught us anything – and I am talking about the recent history, about those cases I just mentioned – we already know that a majority of Pennsylvanians have nothing to fear when it comes to being excluded from new economic opportunities.

It is truly only our minority populations and people of color who are in danger of being left out, and so we should be doing everything in our power to make sure that it does not happen again, and particularly in areas like Philadelphia, Pittsburgh, Harrisburg, Lancaster, Reading, and Chester, that will be most affected by slots legalization and that have the highest concentrations of people of color.

Maybe – I hope not – but maybe a memo is not enough to turn all these promises into a reality. Maybe a memo is not enough to let the people of color that we represent know we are working to ensure their inclusion.

Mr. Speaker, my vote, up or down, will be a reluctant vote, not because I do not see the economic merits of this proposal but because I have a sinking feeling that people of color in this Commonwealth may not be privy to its economic benefits.

Senator Fumo, who is my Senator, was quoted in the Philadelphia Daily News as saying that this is the most important legislation in 30 years. He sees \$1 billion in construction, 10,000 jobs, \$1 billion in tax relief, and a better economy. My legislative district shares that senatorial district with Senator Williams, so we are definitely going to be talking about economic opportunity in my district.

So let us hope, for the sake of Philadelphia's many minorities and people of color throughout Pennsylvania, that minority inclusion at every level of the gaming expansion is not just another white lie, because we will call on the NAACP (National Association for the Advancement of Colored People), the ACLU (American Civil Liberties Union), other civil rights organizations, and other community activist organizations across this great State to block construction, block the racetracks' doors, if we do not get adequate inclusion.

But due to last-minute discussions with my leadership – Representatives Bill DeWeese, Mike Veon, and Dwight Evans – and with renewed hope, I will push my button and support this proposal, but, Mr. Speaker, I will have to get back to you when I am really feelin' it.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On concurrence, the Chair recognizes the gentleman from Union, Mr. Fairchild, followed by Mr. Sather, Mr. Metcalfe, and Mr. Hutchinson.

Mr. FAIRCHILD. Thank you, Mr. Speaker.

I rise to oppose concurrence in HB 2330.

At this late date, I think we can all agree that the gates are down, the bells are ringing, the lights are flashing, and this gambling train is heading down the track full bore. We are not going to stop it tonight, so what I would like to do is just really speak to my constituents back home in Union and Snyder Counties.

First, I want to apologize, because I think you have been led to believe by the leaders of this State, by some Senators and some Representatives, that this is just a very simple issue. It is not a simple issue. There are hundreds of pages of documents – and you can bet, there will be thousands more – as we transfer

power concerning these issues to a gaming board. I believe that lawmakers should not and public officials should not be able to own 1 percent or any percentage in any gambling facility. As a prior speaker spoke when we tried to get the amendment to knock that out, this can be up to \$330, \$340 million. This is just dead wrong.

Secondly, I would like to say, on page 107, there is a stipulation that 4 percent of the money will go to the Horsemen's Association. I do not have any problem with the Horsemen's Association. I am sure they work very hard. I am sure their employees work very hard. But what we are doing is requiring that they fund health and pension benefits. Now, why is this such a bad thing? Well, think about it. We are for the first time that I know of requiring a private company to supply health and pension benefits. What this means to my people back home is, when they go and stick a dollar in a slot machine or a quarter or any other denomination, they are going to be paying for a private company's – private company's – contribution to their pension and their health benefits. Now, how many of you back home work for private enterprise? How would you like to have a deal like that, where this thing will probably pass around the stroke of midnight, I suspect, but how many of you would like to have a deal like that? I know as a small business owner, I would love to have that deal, and I know that many other small business people and many, many employees would love to have that deal.

I just got an e-mail this week, and I am going to read it to you: "I am curious as to what information you can provide on healthcare. I will be a full time student in August and my wife works two part time jobs with no health care coverage. We do not qualify for any Public Welfare healthcare."

I do not know whether that constituent is watching tonight, but he and his family are going to know that after we pass this thing, he is still going to be looking for health-care benefits, his wife is still going to be working two jobs, and this legislation mandates that that person working at the racetrack gets their health-care and pension benefits paid. Mr. Speaker, this is the wrong thing to do.

Thirdly, I would like to say that my constituents have been misled about what this will do for tax reform. Many of my constituents still believe that if we pass gambling, property taxes, school property taxes, will vanish. There is no one tonight that is a proponent of gambling that I have heard has said that, and we know it is not true. We may see reductions. We probably will. But let us not, let us not continue to call this tax reform when indeed it is a lessening of taxes – that is, of course, providing that the earned income tax is raised by the voters or the school boards – but let us be honest with people; let us tell them like it is. This is not full tax reform. We are still going to have school property taxes, we are still going to have local property taxes, and we have got to get back to the drawing board and do more on that aspect.

Lastly, I think that people have the wrong concept. They think that these dollar bills are just going to fall out of the air. It is not going to happen, Mr. Speaker. There is no free lunch. We cannot continue to expect people when we say, do you want gambling to reduce taxes? Well, of course, if you would say it that way, but if you say, and by the way, somebody is going to pay for it, well, who is going to pay for it? I suspect that some of my constituents are going to pay for it. But I will tell you what: A lot of those that get on the bus or buses and go to Atlantic City, they are still going to go to Atlantic City. They

are wonderful people, and they go to Atlantic City; they get there; they go on the boardwalk; they enjoy the sea air. They are not going to go to a slots-only parlor. They go because it is a destination place; they enjoy Atlantic City; they enjoy the ocean. And to, again, tell these people that all these people are going to come back to Pennsylvania, do their gambling there, just is not going to work.

I also have people in my district who go to Las Vegas and other destination gambling resorts. I can tell you, I have talked to them; they are still going to go there.

So I think that I really, seriously believe we are going to have financial problems making the \$1 billion a year, and I am opposed to this process.

And finally, to close, I would like you to just take a minute, look behind the Speaker's dais, and you will see, you will see the same sight that our viewers see when they tune in to PCN (Pennsylvania Cable Network) before the session starts. It is the Apotheosis of Pennsylvania. Twenty-eight great people are on that mural, Mr. Speaker. Of course, William Penn is in the center. We have political leaders. We have military leaders. We have religious leaders. We have people that signed the Declaration of Independence, the Constitution. We will never, we will never see a leader up there that advocated for gambling in Pennsylvania. Trust me. Defeat this measure.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman, and the Chair recognizes the gentleman from Washington, Mr. Daley, followed by Messrs. Sather, Metcalfe, and Hutchinson.

Mr. DALEY. Thank you, Mr. Speaker.

I rise in support of HB 2330, to concur in Senate amendments, and I rise to raise a point that was raised by another speaker earlier this evening.

And as Democrat chairman of the House Agriculture and Rural Affairs Committee, I am extremely concerned about the future, the State's future, of the equine industry. Why would we not be concerned about an industry that really contributes so much to our economy?

The equine industry is the second largest portion of Pennsylvania's agriculture, and as we all know, it is Pennsylvania's number one generation of the economy and industry. In fact, a survey by the State Department of Agriculture shows in 2002 the State had 31,000 equine operations, employing more than 20,000 people and involving more than 215,000 horses valued at over \$1.3 billion.

In addition to the economic advantages of the horse industry and what it brings to all of us, there is another important benefit to Pennsylvania – land preservation. Now, I am sure you did not think that the equine industry had much to do with land preservation, but it truly does. It is something that we do not always think about right away when we think of horse racing, but in reality, more than 520,000 acres are preserved through horse racing, and the number doubles when you take the entire equine industry into consideration.

The best way to protect Pennsylvania's farmland from development is to make it more valuable to agriculture. Pennsylvania must support this very important industry. It is absolutely vital to our economy and our heritage, and legalized slot machines are absolutely the best way to accomplish this.

In May I visited Hanover Shoe Farms, along with some of my colleagues, about the Standardbred horse breeding industry and why legalized slot machines is so important to that

business. This business was founded in 1926 and encompasses more than 3,000 acres of farmland in York and Adams Counties. It is the world's largest Standardbred horse breeder.

Hanover Shoe Farms involves 27 farms, 1200 horses, 40 barns, 35 houses and apartments, and more than 100 employees. Perhaps the most striking statistic, though, is that this business invests about \$8 million in the economies of York and Adams Counties for farm equipment, for fencing, and for feed from the local vendors.

It would be absolutely devastating to this community if the operation went out of business, and conversely, if it were to expand and do even better, the community also would benefit.

For example, in West Virginia, for example, in West Virginia where slots were legalized at two racetracks in 1997, the racehorse breeding industry there quintupled in size. Farmland and pastureland in the regions around the racetracks are in very high demand because of the number of racehorses needed at the facilities and the great quantity of grain, hay, and straw that is required. Last year horse racing at Charles Town Races pumped \$100 million into the regional economy at Charles Town, West Virginia. Most of that spending was agriculturally related.

This bill would help us do the very same thing in Pennsylvania, Mr. Speaker. With this bill, we are going to create the Pennsylvania Race Horse Development Fund, which will work to preserve and expand this industry through the coming years. We will be able to increase purse amounts and invest in the health and welfare of horsemen.

A very important component of this is the creation of the Pennsylvania Standardbred Breeders Development Fund. Currently the people who breed Standardbred horses receive no compensation after selling the horse if that horse goes on to win races or becomes a champion. These breeders' counterparts in the Thoroughbred industry do receive prize money when the horse they bred is successful. If we want the Standardbred industry to continue in Pennsylvania, it is absolutely imperative that we correct this problem.

We are going to see a significant return on that investment, Mr. Speaker. The State will benefit from the influx of the horse breeders from other States and countries, from all over the world, which will preserve our best land and reinvigorate this industry.

On behalf of those within the equine industry, I would urge a "yes" vote on this bill, Mr. Speaker.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the issue of concurrence, the Chair recognizes the gentleman, Mr. Sather, followed by the gentlemen, Messrs. Metcalfe, Hutchinson, and McIlhattan.

For the benefit of the members, there are 23 members left to speak.

Mr. SATHER. Thank you, Mr. Speaker.

I will be as brief as possible. I know we have had a long day and a longer one yet in front of us.

First off, let me make a few comments about the proposed legislation and a couple of issues that I have that I probably would have liked to have had an amendment added, but I knew the process would not give us that opportunity.

One note I make in here, it says in one section that this board, this commission we are going to create, would be authorized to issue a license to slots applicants who are already

licensed in another jurisdiction within the U.S. or Canada without the necessity of a full application and background investigation if it determines the license standards of such jurisdictions are acceptable. Now, they do not say by what standard or what means test but as long as they are acceptable. That was one of the concerns that I wanted someone to address earlier in the day and did not have that opportunity, and I am not going to belabor the point.

The other is, it says that each member of this commission, this board, at the time of appointment shall be, shall be at least 25 years of age and shall have been a resident of this Commonwealth for a period of at least 1 year immediately preceding the appointment. Well, it has been 3 years plus that we have had a lot of protracted discussion about this issue of expansion of gaming in the Commonwealth, and I guess my point is, I would hope that, I would hope and I am sure that consideration will be given to those people, the people who are seated on that commission, who have more than 1 year residency in the Commonwealth of Pennsylvania, because they would be more sensitized to the concerns that were expressed before what we know eventually is going to happen, the passage of this legislation.

Now, let me share just two quick comments with you. As a member of the State Transportation Commission, years ago I had the opportunity to travel around this Commonwealth, and recently as a member of the State Government Committee, we had hearings, and some of those hearings dealt with the issue of gaming and the expansion of gambling. We had people testify, and we had two gentlemen who testified and expressed to us that, in quizzing them, that one gentleman said he had lost a high, six-figure number, but he said that was not the worst of the scenario. The fact was he lost his family. He lost his wife, his children, his business, his home. That meant more to him than the actual fact of the dollar that he had squandered away. The other gentleman said about a half a million dollars.

Then we also had a person, a young man, who had been a student at Penn State University and had acquired a credit card, and it had a small limit, maybe a 600 or 900, whatever dollar limit it was, and he used that for gaming purposes. He used it to the extent that he blew through that line in a hurry, and then he borrowed – "borrowed," a term I will use – and he used his father's credit card. His father went to use it some days later or months later when he had to have occasion to use it for some amount and found out that the credit line had been expired, that there was nothing left.

So when you talk about gambling that there are winners, but you have to have an awful lot of losers to create the dollars that we are talking about that we are going to provide this significant tax relief and other venues throughout the Commonwealth of Pennsylvania. I just hope people are not waiting too long for too much in the days, weeks, and years to come from the relief that they are going to receive.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the issue of concurrence, the Chair recognizes the gentleman from Butler, Mr. Metcalfe, followed by Messrs. Hutchinson, McIlhattan, and Petrone.

The gentleman, Mr. Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

I was just checking with the minority leader to see if we could go through a few questions here, and I know it is kind of

late in the evening and I am not sure if we have the staff all available that could help with some of the answers.

The SPEAKER pro tempore. On concurrence, Representative?

Mr. METCALFE. I wanted to look at a few sections of the bill on page 117. I did not know if there might be somebody else available, if there was anybody other than the minority leader that could answer a few questions, Mr. Speaker?

The SPEAKER pro tempore. Is there anyone willing to stand for interrogation on concurrence?

I believe the minority leader indicates he will stand for interrogation.

Mr. METCALFE. Thank you, Mr. Speaker.

Not to put the gentleman on the spot, but I had a few questions that I wanted to get on the record and see if we had an answer here this evening.

One was, on page 117 of the bill it talks about a compulsive and problem gambling program that is going to be set up. I believe earlier in the legislation it dedicates \$1 1/2 million to that fund, to that program, or there is a percentage indicated based on the amount of the gross revenue coming in, I believe, but I was wondering if the gentleman knew from the negotiations that went on how that amount was dedicated, how that percentage was determined? I know he had mentioned the New Jersey law earlier, and is that something that they have set up?

Mr. DeWEESE. Roughly speaking, Mr. Speaker, the language was given to us in the first go-around and it is parallel with the language in this proposal. To the best of my recollection, it was given to us by Republican members who were anxious that this proposal include something for addictive gaming problems. So my best recollection is we were all trying to be cooperative with either members of your own caucus in the Republican House or the Republican Senate.

As you did politely note, because this period of over 30 speakers was for final passage, many of our staff— In fact, I do not even have a hard copy of the bill; I can have it within a minute, but my recollection is somewhat attenuated, but the best of my recollection, it was a group of well-meaning Republican members who wanted us to have language in the bill to combat problems that would conceivably come from gaming addictions.

Mr. METCALFE. But the amount that was dedicated to that or the percentage, that was not, you are not aware of any, that that was drafted or taken from any— I mean, it was kind of more of a subjective determination.

Mr. DeWEESE. I am under the impression, again from consulting staff, that there was \$1 million in the first proposal and we upped it by \$500,000 additionally statewide. So now there is \$1.5 million.

Mr. METCALFE. Thank you.

And I know this was touched on earlier in some of the comments that were made, but on page 37 there is a section (F) there on page 37 for a return of slot machine license fees. I guess my question is – and this might not be easily answered without legal staff available to ask this to – but have we set up previously in any other section of law a condition by which future legislatures would be penalized in this way of having to make appropriations based on a decision that they may make to alter a law that had previously been passed by a previous legislature?

Mr. DeWEESE. The best response I could offer my honorable colleague would be, in my recollection, this is a very

special case where we are creating an industry that will have to go to the bond market to establish enough equity to launch their enterprise, and we thought this was such an opportunity for the State that we would hold them aggressively to their commitments and they would hold us aggressively to our commitments, and if we altered the status quo, then naturally we would pay the price. That is a very, very aggressive incentive for us not to alter the status quo.

With the construction of the board, as the gentleman from Butler County realizes, it would take a unanimous agreement among the four caucuses' and one of the Governor's appointments, five out of the seven, to make any alteration. I cannot fathom that this General Assembly would sacrifice those tens and tens if not hundreds of millions of dollars by any legislative alteration or modification in this chamber in subsequent years until the time limitation had expired.

This is a colossal effort on behalf of Pennsylvania, and I cannot think that any of this money will be relinquished. I think it will go to our fund and for property tax reductions.

Mr. METCALFE. Thank you.

Another question. You mentioned the New Jersey law earlier and through negotiations and through the draft of this legislation that the New Jersey law, I guess, had been used as a model in a sense, that it was held up as one of the better laws around the country related to gaming.

I had an amendment that I had withdrawn earlier because we were, of course, through the process of the suspension of rules and it did not look likely that many of us were going to get beyond what cooperation was extended, which was appreciated, for the several amendments that were run for some of my colleagues. But in the amendment that I had that was drafted, I believe also offered in the Senate, there was a section in the New Jersey law that we wanted to add into our own law that we had taken from New Jersey related to adding a racketeering and corrupt organization section to the gaming law similar, as I said, to the New Jersey statute. Are you aware of why that may not have been adopted into our own law?

Mr. DeWEESE. I think the reason that it was not included in our proposal is because it is already a part of the Pennsylvania Crimes Code and we thought that its establishment within Pennsylvania statute as is would be sufficient to carry on the mission which you are speculating about. It is a worthy endeavor, but we think that current law satisfies it with the Pennsylvania criminal statutes.

Mr. METCALFE. Thank you.

And the license fee amounts were mentioned earlier – \$50 million, I believe, for the class 1 and class 2 licenses. How was that fee determined? Was that just negotiated out between the caucuses and the Governor or did the caucus negotiators and the Governor's Office actually utilize some outside experts that could have helped us to determine what the value of those licenses really was? As you have heard, some of my colleagues have stated, you know, licenses had been sold in other States for hundreds of millions of dollars. Did we use some outside experts to try and determine or was that kind of just a subjectively set amount that was negotiated out between the caucuses and the Governor's Office?

Mr. DeWEESE. The answer to the gentleman's question is that there were consultations among the four caucus units with each other and additionally with firms on Wall Street to ascertain what kind of investment would be appropriate for Pennsylvania, what kind of endeavor the companies would have

to expend to get up and running. As other debate earlier in the evening has indicated, we are trying to create resort-destination type of places where restaurants and hotels and other amenities would be potentially included rather than just have a cinder-block structure with 3,000 slot machines inside.

So we are trying to entice people to come in and construct very appropriate and hospitable venues, and this heavy investment on their part was such that the additional \$50 million for the Commonwealth was what we negotiated. So your speculation is precise. It was a collective endeavor among the four caucuses with some professional help from people on Wall Street, but they are going to put down \$50 million and then they are also going to create, hopefully, very, very nice venues. So it is a lot more than \$50 million that will be invested with the hotels, the restaurants, and the gaming facilities themselves. That is how we came about this, but again, it was negotiated.

Mr. METCALFE. Thank you.

Just one last question. A couple of the amendments that I had introduced, which had also been introduced in the Senate and failed, dealt with a section of the bill that prohibits an applicant for a license, that if they would have been convicted in the past of a felony or a gambling offense or such, that they would have been prohibited from applying for convictions made in the last 15 years. Now, the amendments that I was attempting to introduce would have stricken the 15 years and made that, you know, timeframe reach back into one's history as far back as needed to ensure that we had candidates of good quality, good character, and also my amendments would have looked at other additional crimes, misdemeanors of the first degree and criminal offenses that would have been committed under this act. It would have also extended to not only applicants but current license holders, which, as I understand, it does not seem that the current language does.

Mr. DeWEESE. Well, the good news for the honorable gentleman is that it could go beyond 15. If the board would agree with the gentleman from Butler County, Mr. Speaker, it could be made 20 years or 25 years or 30 years, but the negotiators felt that there was possibly a constitutional problem with the limitation. That is why we decided to err on the side of conservatism and said that 15 years would be appropriate. But if the board decided to identify with the position that you are advocating, we could make it more than that. The 15, to use the quote from my other friend, is the firewall. That is the absolute bottom line.

Mr. METCALFE. Well, thank you very much for your answering those questions. That is the conclusion of my questions, Mr. Speaker.

Mr. Speaker, if I would be able to make some comments now?

The SPEAKER pro tempore. The gentleman is in order.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I asked these questions because I wanted to point out some of these areas and some of these problems, and I wanted to have these problems on the record.

I think, clearly, when you have to draft legislation and you have to introduce into that legislation a program such as a compulsive and problem gambling program, when you have to introduce already a fix for a problem that is going to occur in society because of your policy change, there must be a problem, and the money advocated for this fund, a million and a half, with a possible funding formula that may drive that upwards,

shows that there is going to be, it is an anticipated expenditure, a large expenditure, to deal with people who have compulsive gambling problems.

The section that I questioned about that deals with returning slot machine license fees and the answer was one that this is a special type of legislation, the things that are occurring, to try and bring investors in that want to invest in the gaming industry, that they wanted to make sure that they had time to have that pay off. I think there is a major problem here that this current legislature would pass a law that would shackle and handcuff future legislatures. We are elected for 2-year terms. We do not have a right to set a law in place that is going to penalize a future legislature that is elected at the will of the people, to penalize their actions if they are elected to make reforms in the way of this legislation, which could be many, legislation that is being rushed through and negotiated in this manner. I know it has been a year and a half in coming, but it really did not come to a head here for passing until this week. They were not sure they even had the votes until this week to pass it.

So it is legislation, as we see many times, legislation that has to have errors corrected afterwards. Well, the legislature is going to have their hands handcuffed, essentially, for the next decade unless they are willing to pay a penalty fee in the way of returning these license fees to the license holders. And some who may be a little cynical might think that this may be a way to put into the law an avenue to refund the license fees anyhow.

The amendments that I talked about that would have prohibited those that hold licenses – they currently are holding licenses – or if they commit some sort of crime while they are holding a license, to ensure that that license is pulled and that they are no longer eligible, and the gentleman's answer was that that could still happen, according to the will of the new board that is going to be elected. Well, why should it be according to the will of any board? If somebody commits a crime, should we not already dictate that they would lose that license in the statute? I think we should.

Mr. Speaker, as you are well aware of by now, I rise in opposition to this Machiavellian, double-dealing, gambling expansion legislation. Mr. Speaker, "Machiavellian" is defined as a political doctrine which holds that craft and deceit are justified in pursuing and maintaining political power.

This slick legislation is extremely flawed in favor of the powerful gambling and political special interests, promising to cause destruction in the lives of Pennsylvanians and to cause many tears in the eyes of Pennsylvania men, women, and children. The legislation provides for funding of gambling addictions before it even starts, evidence that the crafters of this destructive policy do not have compassion, do not care, have no heart for the human cost of this Machiavellian, double-dealing gambling expansion.

Gambling interests will strip the wealth out of Pennsylvania, Mr. Speaker, and some parents will be enticed to literally take the food off the table and the clothes off the backs of their own children to satisfy their own gambling appetites. Gambling expansion will result in increased crime, organized crime, political corruption, and more welfare dependency. It will hurt families by increasing bankruptcies, suicide rates, poverty, gambling addictions, divorce, child abuse, and neglect.

Let us consider the economic cost associated with gambling – cost and benefits, dollars and cents, right and wrong. In the conclusion section of the National Gambling Impact Study Commission report, June 18, 1999, we read that "no reasonable

person would argue that gambling is cost free.” Mr. Speaker, 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, although Professor John Kindt, who was cited earlier, from the business department of the University of Illinois, has calculated that the cost to taxpayers of a State for gambling are at least \$3 for every dollar collected – at least \$3, Mr. Speaker, for every dollar collected.

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. Florida found that while the revenue amount from gambling would range between \$324 to \$469 million a year, that, quote, 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 dollar of new tax revenue.

During the first 3 years of casino gambling in Atlantic City, it went from 50th in the nation, Mr. Speaker, in per capita crime to first.

In the January 1999 Family News from Dr. James Dobson, it cited Nevada and states, “When compared with the other 49 states, Nevada ranks first in the nation in suicide, first in divorce, first in high school dropouts, first in homicide against women, at the top in gambling addictions, third in bankruptcies, third in abortion, fourth in rape, fourth in out-of-wedlock births, fourth in alcohol-related deaths, fifth in crime, and sixth in the number of prisoners locked up.” Mr. Speaker, they also cited that “It ranks in the top one-third of the nation in child abuse and dead-last in voter participation.” Would you not know.

New revenue from gambling does not equate to painless new taxes, Mr. Speaker. We have received testimony before the House Finance Committee in which one of the panel members said that gambling expansion could cost Pennsylvania more than it will collect in tax revenue.

Considering these estimates, Mr. Speaker, our new revenue could easily be zeroed out and end up costing the taxpayers millions, millions of dollars, Mr. Speaker, to allow some residents the convenience of gambling in Pennsylvania. Mr. Speaker, it will have a cannibalizing effect on our economy. The \$50 spent at the slots could otherwise have been spent in a local restaurant, clothing store, movie theater, or even a ball park. That \$50 would have normally been spent purchasing something with lasting value, Mr. Speaker, or memories for loved ones rather than being spent in isolation in front of the one-armed bandit we call a slot machine.

Mr. Speaker, when you take into consideration the increases in personal bankruptcies, crime, and incarcerations that occur as a result of gambling, it has been estimated that problem and pathological gambling costs the U.S. economy close to \$80 billion annually. That is more than \$10 billion of the annual estimated cost to combat drug abuse.

The expansion of gambling is not the solution for our Commonwealth’s financial problems. Governments at all levels must learn to live within their means, just as our families have to. Gambling expansion is nothing more than a temporary, 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, Mr. Speaker. And tonight I ask for a “no” vote, because this

Machiavellian, double-dealing, gambling expansion legislation will cost the taxpayers millions of dollars, and it does not make any sense.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question of concurrence, the Chair recognizes the gentleman from Venango, Mr. Hutchinson, followed by Representatives McIlhattan, Petrone, and Turzai.

Mr. HUTCHINSON. Thank you, Mr. Speaker.

Mr. Speaker, many eloquent remarks were made this evening about the travesty that we are about to impart upon the people of Pennsylvania, but let me focus on one specific area. Mr. Speaker, welcome to the State of Independence – Pennsylvania – the birthplace of a movement and an idea. That idea is that free men can rule themselves, and even more than that, the idea that anyone who works hard can achieve great things. That freedom, that work ethic, is what propelled Pennsylvania into a leadership role in the industrial age. Pennsylvania’s coal miners, Pennsylvania’s oil roustabouts, Pennsylvania’s steelworkers built the 20th century America with sweat on their brows.

Mr. Speaker, tonight this once great State is poised to enact a shameful revenue scheme the proponents claim will solve all our problems, solving them without any thought, without imagination, or even without that hard work that we have come to be known for.

The slot proponents will have us believe that gambling will somehow magically, without lifting a finger we are going to be able to save the horse breeding industry; without lifting a finger we will provide tax relief; we will improve education; we will even provide economic development. Unfortunately, the reality is that most worthwhile things require work, because good things are neither free nor easy.

Mr. Speaker, tonight the message we are sending our children is they can have it all in some easy, painless get-rich scheme. Unfortunately, Mr. Speaker, this is all a bluff; it is a ruse, and I am appalled at what is going on this evening.

Mr. Speaker, I want to return to the Pennsylvania that was built on a work ethic. I want manufacturing jobs, not parking valets or change-makers. I want biotechnology research. I want software technology, not video lottery terminals and pawnshops.

Mr. Speaker, yesterday my wife and three young daughters were here in the chamber as we were voting and working on our proceedings yesterday, and thank goodness they are not here this evening, because what they would see is a travesty. My wife and I work very hard to teach our daughters the importance of hard work. Thank goodness they are not here to see Pennsylvania enter not the era of hard work but the era of greed.

Mr. Speaker, I urge a “no” vote on HB 2330.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the issue of concurrence, the Chair recognizes the gentleman, Mr. McIlhattan, then the gentlemen, Petrone, Turzai, and Rohrer, and for the benefit of the members, there are 19 speakers left to speak.

Mr. McILHATTAN. Thank you, Mr. Speaker.

I rise in opposition to concurrence on HB 2330.

Mr. Speaker, this bill before us this evening is a bad piece of legislation. You know, it was very interesting to me last night as we discussed this legislation in our caucus to hear many of our

House members who are attorneys, the legal beagles of our group, and even many of those who support expanding gambling argue that this piece of legislation in its present form is just bad legislation.

And, Mr. Speaker, if you listened tonight, if you listened to Mr. Maher question our minority leader, you would have to come to the conclusion that there are a lot of unanswered questions, there is a lot of confusion about this legislation, and it really should not be before us here this evening for a vote.

Mr. Speaker, this legislation is not just a poorly written bill. This legislation is bad public policy. If this legislation becomes law, we will not just be placing a few slot machines, a few one-armed bandits, at a couple of locations around the Commonwealth. Mr. Speaker, if this legislation becomes law, there will be 61,000 one-armed bandits, 61,000 slot machines, at 14 locations throughout this State. If this bill passes, we will have more slot machines within our borders than any State east of the Mississippi. In fact, we will be second in the entire nation in the number of slot machines. Only one other State, Nevada, will have more, Mr. Speaker.

Mr. Speaker, if this legislation passes, we will be turning William Penn's Holy Experiment into a Nevada East.

Mr. Speaker, this is a bad bill that creates bad public policy, and what it is asking us to do to expand gambling in Pennsylvania, Mr. Speaker, is just absolutely wrong, and I ask for a "no" vote on concurrence.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the issue of concurrence, the Chair recognizes the gentleman, Mr. Petrone, from Allegheny County, followed by Representatives Turzai, Rohrer, and Armstrong.

Mr. PETRONE. Thank you, Mr. Speaker.

Mr. Speaker, I rise to say a few words regarding this legislation to let my colleagues on both sides of the aisle know that I respect their serious concerns on this legislation and the changes that we are going to make that will affect the future of Pennsylvania citizens. Yes, we have to proceed carefully; we have to proceed cautiously. These changes are going to have pitfalls. I am concerned about them as well as anybody else in this chamber.

I sponsored several pieces of legislation the past several years starting with one in 1982. My legislation concerning this expansion was directed only at the racetracks, where I still think it should be directed – only at the horse race tracks existing and those to be granted licenses for future operations. I did this because I felt they would be in areas that would be less accessible to traffic, that would be less affected for many other reasons; also to help, yes, to help the breeding of horse racing's both Standardbred and flats. As you know, Pennsylvania is one of the largest Standardbred breeders States in the nation. It protects a great deal of farmland. I supported that legislation to protect that farmland, and I mean that sincerely. Also, it would provide a great help to our farmers in the production of agricultural products, but I am concerned about the expansion. My HB 777 directed that it only be at the racetracks.

In light of that, I also had an amendment I could not introduce tonight, because I am concerned about the reputable operation of these facilities. I proposed that these facilities, when they are up and running, that the employees be State employees, entitled to all the benefits of State employees. Why not? What is wrong with that? I do not think there is anything

wrong with it at all. I think this is a very, very key and important part of legislation or changes that should be considered in the future.

This budget we are working on at this late hour – and I have been here 24 years – I do not think it is the right way to do it. I think 12 million people in this State are depending on us to do things with a clear head, a clear mind, and do it in the right way for all the citizens of Pennsylvania. We should not have to do this days after a budget was due. All of this should have been completed weeks ago, and I mean that, and we have got to find a way to change the attitudes of our leaders regarding this. I hope you are listening, Mr. Leader.

Anyway, this one small benefit, I think, would help provide checks and balances to the system. I think it is essential that we do that. I am simply saying that as legislators, let us do what we are elected to do and think ahead. Let us propose some checks and balances to keep these serious changes in the right vein. Because this plan reaches far beyond the boundaries of any of our districts, let us keep that in mind and think about how to safeguard this new addition and changes to the Commonwealth. Let us do it right. Let us do it carefully. Let us do it cautiously.

Thank you very much.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair returns to the question of concurrence and recognizes the gentleman from Allegheny, Mr. Turzai, followed by Messrs. Rohrer, Armstrong, and Gabig.

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

I rise to oppose this gambling expansion bill.

As a former prosecutor, I must tell you that there are many aspects of this bill that do not pass the smell test. Why does there seem to be so much specificity in the awarding of licenses? Why is there no auctioning of the licenses? And who inserted the curious provision that allows a 1-percent ownership interest for the Governor, legislators, and our staffs? Whose decision was it to give so much jurisdiction to this gambling commission itself and not to our traditional law enforcement agencies?

Mr. Speaker, could it be that for every one of these gambling licenses, a deal has already been cut? And where is the evidence to back up the promised \$1 billion annual figure so cavalierly thrown around by the proponents of this plan? Could it be, since we are bonding it and securitizing anticipated gambling tax revenues, that when those revenues do not materialize, we will need to have additional expanded gaming to use as backfill for the expenses we have already done?

The case has been made over and over again tonight. This bill is, in the end, about opportunities for gambling interests, and that leads me to wonder, Mr. Speaker, how did gambling become the centerpiece for a New Pennsylvania?

I respectfully urge a "no" vote.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question of concurrence, the Chair recognizes the gentleman from Berks, Mr. Rohrer, followed by Representatives Armstrong, Gabig, and Phillips.

Mr. ROHRER. Thank you, Mr. Speaker.

Mr. Speaker, as we wind our way to the end of the consideration of this infamous, historic occasion, I find that there has much been said on this floor tonight, expressed in very eloquent terms by members of this House well studied and well

read, about the problems that are inherent within this bill, and certainly there are many of us in this House who have stood very firm in the opposing of gambling in the Commonwealth of Pennsylvania. Tonight there have been moral arguments given for why it is bad for this Commonwealth. Tonight we have heard fiscal reasons why it is bad for this Commonwealth.

We have heard questions raised in interrogations very, very clearly indicating that there are major portions of this legislation that contain fatal flaws that not fixed will absolutely assure a very, very black mark on this House and on every member that casts a “yea” vote, because no one after tonight can say that they cast a vote in favor of gambling in the Commonwealth of Pennsylvania and did not know that a few would be made rich, could own 100 percent ownership of these gambling facilities, and that the provisions that have been put in to guard against such things have really been made wide open and invited them in.

Mr. Speaker, there are many reasons to oppose this gambling bill tonight, but I find riding over and above all of them, not just the fact that a board is created without accountability, that is given unto itself law enforcement ability as a fox in the henhouse; a board that establishes its own regulations, subject to no one, not to the Senate, not to the legislature, not to the Independent Regulatory Review Commission, not to anybody; a board that issues its regulations, does its negotiations, and handles its own appeals final; a board that on its own by this legislation can pick a spot in any one of our districts, and as folks watch this tonight – yes, in your neighborhood – this legislation by action tonight by this legislature empowers this board to choose a location that could be in your neighborhood or my neighborhood for the placement of a casino, and this legislation and this House and the members who vote for it will agree to override all local zoning, local ordinances, local rules, all local control, and in the wisdom of this legislation, grants the local municipality the right to make recommendations, not to deny, not to say that they cannot come. If the board chooses to place a casino in your neighborhood, it will happen. There will be no say. I cannot believe that this legislature would grant such authority, and yet it is tonight for those who vote “yes.”

This legislation also grants a ceding of the authority of this legislature, which I believe to be beyond our ability to do so, yet tonight that may happen where under this legislation those licensees from whom the \$50 million – the pittance – will be gathered, if this legislature in the next 10 years chooses to modify this language, that \$50 million will be given back. This legislature will be penalized for modifying this language. Oh, yes, but the board is given the right that with their vote, they can come back to the legislature and request us to change the law, give us the permission to change the law, and then the penalty is not in place. Have we ever heard of such a thing?

Mr. Speaker, what we are doing tonight and for those who vote “yes” goes beyond, goes beyond any matter of oversight. All of these issues have been laid out. They are all clear. The members of this House know the shortcomings of this legislation, but I would submit that we have no idea what the full shortcomings of this legislation will be as it unfolds and yet we do not have the ability to go back and to change it. There will be no excuse for any member who votes “yes” here tonight, Mr. Speaker, and I think that that is the way it ought to be.

Mr. Speaker, as I close, I look at the clock and find that as I speak here, in 20 minutes it is going to be the dawning, not the dawning but the moving into the first day of the week. We are

not going to be here probably finishing, for those of us who worship on Sunday morning, to be worshipping in our houses of worship, but Sunday is the Lord’s day. I find it rather ironic that as we move into the Lord’s day, that we in the Commonwealth of Pennsylvania give to the people of this Commonwealth, who have very clearly expressed themselves about this move, that we violate that moral duty that we owe to the people of this Commonwealth and not just hand to them a piece of legislation that will change their lives for the worse forever but we do it on God’s day. We will not be held unaccountable.

And I also find it rather significant that this happens not only to be God’s day but it is also Independence Day, the Fourth of July, in just a few minutes. I generally think of the Fourth of July as the day of independence, the day that our Founders with great moral courage many years ago stood against tyranny, self-avarice, and with great personal discipline gave to us this Commonwealth and this nation, and one of the things they did not give us is gambling. They stood opposed to it strongly, because our Commonwealth would not be here today had gambling been legalized in this Commonwealth. It has been unlawful for years, forever, because of what it does to our people, and here today, just about Independence Day, we are going to give not independence to our people, we are going to give dependence to our people.

Mr. Speaker, this is a day of shame for this House. I and many find this to be one of the most reprehensible issues that is before this House, and I find it very, very shameful that so many members have stood and said it is not an issue, these issues that have been raised; it is of no consequence.

I ask, is there anything that members of this House will not vote to give away? We vote to harm our families, we vote to abuse the poor, we vote to enrich the wealthy, and we tell ourselves this is good. Mr. Speaker, this is not good. This is a bad bill, and I ask everybody here to rise to the occasion and to do that which is the right thing to do, and that is to vote “no” on this legislation.

The SPEAKER pro tempore. The Chair thanks the gentleman.

For the benefit of the members, there are 16 members left to speak or submit remarks for the record.

On the question of concurrence, the Chair recognizes the gentleman from Lancaster, Mr. Armstrong, followed by Messrs. Gabig, Phillips, and Thomas.

Mr. ARMSTRONG. Thank you, Mr. Speaker.

The great English theologian, G. K. Chesterton, once warned that “Before you go removing fences, at least pause long enough to ask” yourself “why they were put there in the first place.”

We in this body would do well to heed that advice. Instead, we are poised to pass this gambling bill before us at a fevered pace, hardly waiting long enough for the ink to dry or pausing with adequate time to absorb the 150 pages of a deal that was worked out in secret by a handful of legislators, lobbyists, and gambling interests and made public at the last second, just long enough to force it to the floor through the process once enough votes were bought.

In our rush to usher in unprecedented levels of gambling, we have abrogated our duty as elected officials to pause long enough. In so doing, we prepare to pass a bill that promises property tax relief but fails to deliver. In the district I represent in Lancaster County, homeowners will receive just a few dollars a month. That is after they wait for their property taxes to

continue to rise for another 3 years, and that assumes that there will be \$500 million left over in the gambling revenue after all the special interests, whose payoffs were necessary to make the deal happen, get their take at the head of the line.

This is not property tax relief. This is major donor payoff. The real winners are not the overtaxed ordinary homeowners of Pennsylvania. They are the multimillionaire casino owners who have summer homes in the Riviera and yachts in the Mediterranean. They stand to make tens of millions of dollars a year while the blue-collar workers and farmers I represent will continue to struggle to pay their ever-increasing property tax bills.

We, the guardians of Penn's Holy Experiment, would do well to remember our State motto – "Virtue, Liberty and Independence." You do not have to read Franklin, Penn, Morris, or any of our other Founding Fathers very far to see that there was a very clear link in their minds between private virtue and public liberty. John Adams said, "Our government was meant for a moral and religious people. It is wholly inadequate for any other."

I doubt anyone in this chamber would not agree that gambling undermines virtue. It undermines your liberty and mine. This bill will not destroy what is left of Penn's Holy Experiment but it does put one more crack in the foundation.

"A little sleep, a little slumber, a little folding of the hands to rest, and poverty comes in like a bandit, and scarcity" creeps in "like an armed man," said Solomon. "We laugh at honor, and are shocked to find traitors in our midst," said C. S. Lewis. We laugh at the consequences of gambling, and someday soon we will be shocked to find the costs outweigh the benefits.

For the sake of the property owners of Pennsylvania who have been tricked, for the sake of that Holy Experiment, for the sake of virtue, liberty, and independence, vote "no."

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. On the question of concurrence, the Chair recognizes the gentleman from Cumberland, Mr. Gabig, followed by Representatives Phillips, Thomas, and Harper.

Mr. GABIG. Thank you, Mr. Speaker.

I am not sure if this would be a point of order or an inquiry of the Chair or of the Speaker, but I was wondering if there was a fiscal note for this bill?

The SPEAKER pro tempore. The Chair wishes to inform the gentleman that the bill does not require a fiscal note because it is a revenue increaser rather than a spending bill.

Mr. GABIG. The ruling was that it is a tax increase so it does not require a fiscal note? Did I understand the Speaker's ruling?

The SPEAKER pro tempore. The bill anticipates the generation of revenue and does not anticipate the spending of taxpayers' money.

Mr. GABIG. Mr. Speaker, I know I can challenge the Chair, but I do not mean to do that on a vote. I just want to clarify, and if I go too far, stop me. But I know there was a fiscal note on the original version of this bill, and I know that there is borrowing from the General Fund and there are going to be costs, and I do

not think this bill generates any revenue, if I understand it correctly, so I am just— If I could just have a moment, please.

I guess under rule 19(a)(1)(a) I could move for a recommittal for a fiscal note. I am not sure of the wisdom at this late hour—

The SPEAKER pro tempore. The Chair would rule that motion out of order.

Mr. GABIG. Does the Chair want to give a reason why that— I have not offered it and I do not know if we want to go down too far again, but, you know, we have to set up these funds and the State Police and background checks and the cost to the General Fund, and there will be borrowing from the General Fund in order to do that, I am sure, but is there— Maybe I could address—

The SPEAKER pro tempore. I am sorry; go ahead. The gentleman, state your question.

Mr. GABIG. Why would that motion be out of order?

The SPEAKER pro tempore. Rule 19(a)(1) states that no bill except a general appropriation bill or any amendments thereto which may require an expenditure of Commonwealth funds or funds of any political subdivision require a fiscal note, and this bill does not fit within that category.

Mr. GABIG. Well, I am going to move on.

I would think that if we are doing this historic legislation and it has been so well conceived and well thought out and well planned, I thought maybe we would have a fiscal note on some of the items. But it is almost midnight, and I have sort of figured out that the majority has the votes, and I know some of my colleagues are busy studying the next bills that we have to do, so I am going to move on from there rather than press that point.

Thank you very much, Mr. Speaker.

Any of my other colleagues are welcome to take that up, if they wish.

The SPEAKER pro tempore. The Chair thanks the gentleman. Do you still wish to be recognized on concurrence?

Mr. GABIG. I do. If I might—

The SPEAKER pro tempore. The gentleman may proceed.

Mr. GABIG. I want to make two points, and I am going to try to do so as coherently as I can at this late hour or early hour. The one is, I think there are some problems with the bill. I think some of those have been pointed out. For example, I noticed in the bill during my review after I got it yesterday that we as a legislature in this bill attempt to tell the Supreme Court what to do. It has been my experience as, again, a small-town attorney that the Supreme Court does not like the General Assembly to tell them what to do. They have their own rules and procedures. They have their own standards of proof, burdens of proof, and in this bill there is a section which tells the Supreme Court what to do. I think that section is going to have some constitutional problems as we move along.

I also think one of the other areas that was addressed was the board itself is judge and jury, prosecutor, regulatory, and under the due process that we have here in Pennsylvania, you cannot have agencies like that either, the courts have told us, and I think there are going to be some problems there. It says that attorneys have to disclose, as we tried to do in a previous lobby bill that was ruled unconstitutional. I think that is going to have some problems.

And I think that if I understand the purpose of the bill, and I see some people that are still here that can contradict me, I do not need to interrogate, but if I understand the purpose, it is to have property tax reform, produce revenue for property tax reform – that is what the purpose of this is – and for what

people are describing as economic development, and if I understood what I heard in caucus last night – we were there for about 4 hours, from 8 o'clock till midnight, and I tried to stay most of the time and listen attentively – that there is going to be \$3 billion that is going to be generated through this system that we are setting up. There is going to be what is called taxes and assessment, and they are going to be put into various funds, and then there is going to be borrowing. But the bottom line, what the proponents say, there is going to be \$3 billion. Two billion dollars is going to go to the economic development. Some people call that pork barrel, whatever; you know, some people call it economic development, and a billion dollars, as I understood it, is going to go toward property tax relief.

My problem with the bill is that when the Governor ran, there were, and I think there still are, four racetracks, and what he ran on was— Am I getting too far away from the bill? Okay. There were four racetracks, and it was only going to be at racetracks, and there was going to be \$300 or \$400 million come out of these racetracks, and it was all going to go to property tax, and now I think we have 14 different sites, some of which are being called casinos or off-track betting. There are going to be more tracks, and there is going to be \$3 billion, \$2 billion of which, again, is going to go to economic development. The problem is, I do not think these are buying votes. I have heard some people say these are buying votes. This is the legislative process. If a member from this side or the other side can go, I do not— Unless it benefits him personally, that is what you are supposed to do as a legislator. That is what I believe. The problem is the Philadelphia Convention Center is not in my district or anywhere near my district, and those trade unions that are going to benefit, they are not my constituents, so why should I support this?

And the supposed property tax relief, this is a massive tax increase, and I think, if I heard what the ruling of the Chair was, this is a massive tax increase. Now, we are getting some from gamblers and we are getting some, but it is taking money from Pennsylvanians, bringing it here to Harrisburg, and divvying it up. That is called a tax increase, and that is why—

The SPEAKER pro tempore. Just a point of correction. The Chair did not mention tax increase.

Mr. GABIG. I stand corrected. Thank you very much.

It was a revenue increase or a revenue enhancement or increasing of revenue, something to that effect. Some people call those revenues that you take from Pennsylvanians and bring here to Harrisburg, and all we smart people figure out how to do it. They call those taxes, and I do not know how you get if they are voluntary or involuntary, but they are taxes, and no taxpayer in my district, I will bet you, I will bet you no taxpayer in my district will have their school taxes go down in the next year or the next 2 years or 3 or 4. Their school taxes will continue to increase year after year after year just like they have in the past. The taxes are going to go up.

So that is why I cannot support the bill. This is not property tax and this is not generating revenue for property tax reduction in my district. It is not bringing any economic development for my district, and for all the reasons that were stated by many of my colleagues, I just do not think this is the way for Pennsylvania to go.

I am going to raise a constitutional question, and I do not think I want to do it by motion because, again, I see a lot of my colleagues are studying – the other bills that are coming up tonight. But there is a piece of legislation, Article III, section 1,

that says, “No law shall be passed except by bill” – and this is a bill; I do not think it is very good – “and no bill shall be... altered or amended, on its passage through either House, as to change its original purpose,” and I think the original purpose of 2330 was to do background checks for certain people, and the purpose of what we have now is this big economic development and creating revenue, creating a system, a scheme, which is going to produce this revenue for these things, and so I think that violates that section of our Constitution. The original bill does not have the same purpose as what this is. It had nothing to do with that, so I think that was violated. But I think that was the problem with just throwing this thing together over on the other side and then bringing it over here and saying vote it up; take it or leave it; let us not improve it; let us not send it to a committee; let us not work on it and make it better and pass it in September or whenever. I think that is a problem.

We have raised those, we do not have the votes; we are going to lose. I do not think it is bipartisan. I have heard this, it is bipartisan and bicameral. Eighty percent of our caucus is against this – 80 percent. That is not bipartisan. We are against it, the other side is for it. This is the Democrats forcing this on us here in Pennsylvania. Make no mistake about that. This is not bipartisan. This is one party forcing their will on the rest of us, and I want to thank the Speaker for your indulgence earlier.

The SPEAKER pro tempore. The Chair thanks the speaker.

On the question of concurrence, the Chair recognizes the minority leader, Mr. DeWeese.

Mr. DeWEESE. Two quick points.

Number one, we have 17 more speakers?

The SPEAKER pro tempore. 15.

Mr. DeWEESE. If all are inclined to speak at some length, our deliberations will perpetuate on to the wee hours. The State Senate, for reasons known but to themselves and to God, are not inclined to vote the budget until after this vote is taken. So with no duplicity but with forthrightness in my commentary, I am trying to evoke some modicum of peer pressure amongst our members on both sides of the aisle relative to a voluntary restraint on the amount of time. Both sides have been culpable of some length in their commentaries, so this is not a partisan remark. But with 15 more people speaking, if it goes for 10 or so minutes per person, that elongates the evening. We have already ordered breakfast. I would like to think that for some reason we could avoid having breakfast here in the building. I do not know whether that is possible or not.

The second point I wanted to make was the outrageous observations of the last speaker, a delightful gentleman but way, way off target in his observation. He is wrong. This is a bipartisan issue helping horsemen, helping the agricultural industry. And by the way, this bill started out as a bill to investigate with background checks people in the horse racing industry, so the bill itself is pertinent, apropos, appropriate. But Tommy Tomlinson, one of the lions of the GOP Senate, has been in the frontline platoon on this debate, and he was joined by two or three fire teams of his colleagues in the Pennsylvania Republican Senate Caucus the other night as this bill was brought from the Senate to the House. So it is impossible. I am not an attorney; my worthy colleague is, but I happen to know the difference of prima facie evidence, and the prima facie evidence of this being a bipartisan bill is the fact that a lot of Senate GOP muscularity was exerted out of the Senate to get the bill here, and obviously all of the cacophony and concussion and confusion within some of the GOP precincts here in this

building on this side of the aisle are manifest evidence that a strong handful of Republicans in the House Republican Caucus are helping project this endeavor to try to realize property tax reform.

I am not trying to beat anybody up; I am not trying to cudgel and buffet anyone, Mr. Speaker, but the truth shall set you free, and the gentleman's declaratory remarks that this is not a bipartisan effort is wrong at face value. I do not want to go into the naming of names, and I will not, not even titles or district numbers, unless he wants to mix it up, unless anybody wants to mix it up, but we have some of the general officer corps of the Republican Caucus helping us. He knows it; I know it; the Fourth Estate knows it; everybody knows it, and for him to imply to the contrary is mendacious.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Returning to the question of concurrence, the Chair recognizes—

Mr. CLYMER. Mr. Speaker? Over here. I have a—

The SPEAKER pro tempore. State your point of order.

Mr. CLYMER. Yes. Unanimous consent to make a few remarks?

The SPEAKER pro tempore. The gentleman, Mr. Clymer, I have you on the list to speak—

Mr. CLYMER. I would like to respond to the remarks made by the minority leader, very briefly.

PARLIAMENTARY INQUIRY

Mr. DeWEESE. A point of parliamentary inquiry.

The SPEAKER pro tempore. Will you state your point.

Mr. DeWEESE. With all due respect, the elected leaders on both sides of the aisle have some flexibility. Traditionally, the list is the list, and I know it is not graven in granite, but traditionally there is an enumerated list of people. I was privileged to serve at that dais for a very brief one session, and XYZ, ABC, people that got on the list got on the list. I do not understand why we would be jumping about on the list unless it were Mr. Smith, the Republican floor leader.

The SPEAKER pro tempore. Returning to the question of concurrence, the Chair recognizes the gentleman from Northumberland County—

QUESTION OF PERSONAL PRIVILEGE

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

Mr. GABIG. A point of personal privilege, Mr. Speaker.

I will, I think, resolve this issue here. I think the word "mendacity" was used by the minority leader. I do not think he meant that as a personal attack on my integrity. He was trying to correct me in saying that I did not think this was bipartisan because 80 percent of our caucus was against it, and I think that was what Mr. Clymer was culling about. So I did not take that as a personal insult or a question. I understood the oratorical nature of it and the rhetorical nature of it and took it in that manner and would like to move on.

The SPEAKER pro tempore. The point is well taken.

Mr. DeWEESE. Just to reinforce that the gentleman is correct. I certainly would apologize to anybody if they

interpreted that in that regard. I said if it were such, then it would be mendacious. I used the adjective rather than the noun. But I should be very, very alert when that word is trundled out, and I did not mean it personally; I was being hypothetical. And again, if anybody was offended, I apologize.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Returning to the question of concurrence, the Chair recognizes the gentleman, Mr. Phillips, from Northumberland County, followed by Representatives Thomas, Harper, and Sainato.

Mr. PHILLIPS. Thank you, Mr. Speaker.

Last year, on July 18, many of us on this side of the aisle stood before our colleagues and spoke against the expansion of gambling in our Commonwealth. Tonight we are standing before you again in an effort to fight this expansion once and for all.

There is no denying that gambling leads to many social ills – addiction and crime – not to mention the devastating effects gambling has on families across Pennsylvania. There is no denying that gambling increases the use of alcohol, and we know the problems that excessive use of alcohol causes our society. It is my understanding that in the legislation they are allowed to get one free drink, but I do not believe it says after that what they should charge for drinks from then on. You know, could they give 10 drinks for a dime? So that is really not an issue on them not using alcohol.

The most addictive part of gambling, as I see it, is the get-rich mentality that gamblers often rely on to feed their addiction. They put quarters after quarters and dollar coins after dollar coins in slot machines. They pull the handle, make a wish, and hope their lives change forever. Their lives do change, but not in a positive way. A few coins may trickle out, but far more are going into the slot machines and, as our State government hopes, in our General Fund.

It is not fair, not fair at all, to prey upon the weakness of addiction in order to fund State government, and that is exactly what we would be doing if we pass this legislation to allow for thousands of slot machines. It is morally wrong to encourage gambling; it is morally wrong to bank on the weakness of others to balance the budget.

It is ironic that State government has the power to expand gambling and yet we are often the ones asked to intercede when there are problems. What will our State government do to help curb the effects of gambling? Will we have the money to put more police in our communities? Will we be able to provide counseling to addicted gamblers? Will we have enough resources to help families in need after the gambling addiction has taken away the very dollars used to house and feed and clothe them?

Is expanding gambling a risky venture for State government? Pardon the pun, but you bet. Gambling is essentially a tax. It has been proven that the majority of 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.

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 owner out of business and actually reduce the State revenue in other areas, such as

sales tax revenue. We all have seen the pictures of devastation around the gambling establishments. Many businesses close, homes are abandoned, and the whole community is changed.

Gambling is just lazy public policy on the part of State government and a poor way to generate revenue. Supporting and promoting gambling is sending a message that the easy way is the best way when in reality we all know this is not true.

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. As mentioned before, George Washington knew that even in 1778 when he spoke about gaming and its ill effects on our 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 create by legalizing gambling.

I will not bet anyone here today but 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 and 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 truly, I 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.

Estimates indicate that \$1 billion in revenue to the Commonwealth will be generated. I question how accurate this number is. In order to generate \$1 billion in revenue to the Commonwealth, our citizens would have to gamble away \$3 billion. Think about what that much revenue out of our economy means. And keep in mind, this bill that is being offered on the premise of tax reduction, keep in mind, this is only school property tax reduction.

I believe if there is a reduction, it will not happen for at least 2 and probably 3 years. Keep in mind, the first \$400 million must be put in a reserve fund, and then another 500 more has to be available before any of that can go to the taxpayer. If this is not raised, there is no tax refund.

At 90 percent payback on the dollar, some will lose \$3 billion to have \$1 billion, which means you would have to play and machines would have to do \$30 billion a year. Sixty-one thousand slots, 1 slot would have to average, if I have it figured right, \$1347 a day. Will this happen? I do not believe it. I believe we are overestimating what will be the revenue coming off of these machines.

I know that Representative Fairchild spoke earlier and he talked about Atlantic City and the buses that go into Atlantic City, and I spoke to a lot of people, the senior citizens who go on buses to Atlantic City, and they are telling me that they will still take the buses and go to Atlantic City, like he mentioned, because they enjoy the day out and the day they have down there. I spoke to different groups who go to Foxwoods in Connecticut. It is the same thing, Mr. Speaker. You are not going to get that amount of money you think that is leaving the State and you will hold it in this State; it just will not happen.

I got looking at one of my school districts, and it is estimated that when this would go into effect or if money would be available, they would get \$117, and once they pay the .01 for the EIT tax (earned income tax), they would average about \$75, and I am sure I do not want to be the one to go back and tell them that in 2 or 3 years they will be getting a \$75 tax reduction, when by that time their taxes will be up several hundred dollars.

We look at \$3 billion. Some people will not be buying food and clothing for their children. Others will be putting off major purchases – homes, cars, TVs, and other items – all to feed addiction. Therefore, I would ask you to vote “no” on HB 2330.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question of concurrence, the Chair recognizes the gentleman from Philadelphia, Mr. Thomas, followed by Representatives Harper, Sainato, and Stairs.

For the benefit of the members, there are 14 members left to speak on this bill.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, as I stand here at 20 after 12 in the morning on July 4, Independence Day, Mr. Speaker, I cannot help but think about the Pennsylvanians that were on Flight 93, nor can I help think about the decent men of Somerset County who were trapped in a mine for a number of days, nor can I help but think about the floods and other tragedies that have faced the Commonwealth of Pennsylvania, and, Mr. Speaker, as I think about the families of the good and decent Pennsylvanians that have been lost, I must also think about the challenges that it has presented to each and every one of us.

I remember during the Ridge administration we had almost a billion dollars in the Rainy Day Fund that was wiped out almost immediately as a result of floods and other unforeseen circumstances, circumstances that we could not pass back on to Pennsylvanians but circumstances that we as lawmakers, we as a Commonwealth, had to step up to the plate and be there, and be there for Pennsylvanians. And, Mr. Speaker, it reminds me that all of us, regardless of where we come from, all of us have said at one time or another that there are certain challenges facing the Commonwealth, the people of Pennsylvania, that we can ill afford to turn our eyes away from or turn our backs on. And we all have acknowledged at one time or another that we need additional revenues to deal with many of the challenges facing the people of Pennsylvania, that we cannot ask property owners to accept any more property tax burden, that we cannot ask, we cannot ask the unemployed, underemployed, dislocated workers of Pennsylvania to give any more, nor could we ask that Pennsylvania remain 27th in the country in job creation.

Mr. Speaker, we all agree that we need to find additional sources of revenues to deal with the challenges facing the Commonwealth of Pennsylvania, and thankfully, thankfully, we now have a Governor, a Governor and leadership from both sides of the House and Senate, that have put forth a plan and have put forth a process by which we can raise the additional revenues that we need to meet some of the challenges facing the people of Pennsylvania.

Mr. Speaker, we all agree, and let me deviate for a moment and say to each and every one of my colleagues, whether you come from the top of Pennsylvania or the bottom of Pennsylvania, that within each and every one of us is the power to do what is in the best interests of the people of Pennsylvania,

and what do I mean by that? Once you walk into the halls of this august body, your primary responsibility is lawmaking – lawmaking – and if you go back to the Constitution and look at how the Constitution has defined the responsibility of lawmaking, you will find that that responsibility incorporates not only the capacity to create laws but also the capacity to amend, change, and/or repeal laws. So no one should think that HB 2330 is cast in stone and cannot be amended, changed, or repealed if implementation goes on a track that is not in the best interests of the people of Pennsylvania. As lawmakers, each and every one of us has that capacity.

I remember sitting here in the House just a few years ago, and I remember we had something called the Pennsylvania Crime Commission. You remember the Pennsylvania Crime Commission. And I remember that members from both sides of the aisle reached a point where they felt that the Pennsylvania Crime Commission no longer functioned in the best interests of the people of Pennsylvania. And what did you do as lawmakers? You during a budgetary cycle eliminated, wiped out, did away with the Pennsylvania Crime Commission and everybody associated with it, and what did you go on and do after that? You transferred its statutory responsibilities to the Pennsylvania State Police. Do you remember that? As lawmakers you created the commission, you defined the role of the commission, and when the commission reached a point that it no longer functioned in the best interests of the people of Pennsylvania, it was eliminated, and its duties and responsibilities transferred to the Pennsylvania State Police. So no one, no one should feel as though that HB 2330 cannot be amended, cannot be changed, cannot be eliminated if in implementation it goes off on the wrong track. HB 2330 will generate additional revenues for the people of Pennsylvania. It is clear in the bill and in all of the components that a portion of HB 2330 will be used to reduce, to reduce the tragic escalation of property taxes on people throughout Pennsylvania.

Now, I have heard some say, well, my district is only going to receive \$500,000; my district is only going to receive \$700,000. Well, Mr. Speaker, I remember during the Ridge administration when Governor Ridge stood here in the hall of the House and promised every Pennsylvanian a \$100 property tax rebate. Do you remember that? Do you remember that? And we jumped up and down about that \$100, and there were some Pennsylvanians who were doing so bad that the \$100 was spent before they got to the end of the block. But we were excited about it; we were excited about it because it put something back in the pockets of Pennsylvania.

Well, Mr. Speaker, whether your district is going to get \$500,000, \$700,000, or maybe just \$100,000, HB 2330 will represent an opportunity to reduce the property taxes of Pennsylvanians across the board, and Philadelphia County, little old Philadelphia County in the southeastern part of the State, will see in some cases a 7-percent reduction in wage tax. If HB 2330 reaches its maximum potential, the people of Philadelphia County could see a 13-percent reduction in wage taxes. And, Mr. Speaker, for Philadelphians who either live and work in Philadelphia or who work in Philadelphia but live in Bucks, Chester, Delaware, or Montgomery County, they will see a major reduction in wage taxes, and, Mr. Speaker, that is a plus; that is not a minus.

But, Mr. Speaker, on this whole question of pork and other things contained in HB 2330, I thought it was kind of interesting that our colleagues in the Pennsylvania Senate voted 30 to 20 on

gaming but voted 50 to zero on property tax relief – 30 to 20 on gaming but 50 to zero on property tax relief – and what that says by implication is that I might not have wanted the gift, the revenues, but since it passed, I want my constituents to benefit from it. So I do not want to stand up like a man over here, but I want the benefit that comes from the actions of my colleagues.

And so, Mr. Speaker, property tax relief, economic development, and we know, we know in Bucks County there are bridges that need to be repaired, in Erie County there is a port that needs to be developed, in Greene County there are infrastructure improvements that are needed, and all across Pennsylvania there is a real need for capital improvements. HB 2330 is going to provide a major step toward addressing those infrastructure improvements.

Thirdly, Mr. Speaker, I can say without reservation that once HB 2330 is fully implemented, Pennsylvania will move from 27th in the country in job creation up the ladder so that Pennsylvania will become more competitive. I can promise you that the jobs associated with the gaming industry, regardless of what capacity you are working in, it is going to be a good job that is going to be tied to good benefits, that is going to move Pennsylvania from 27th in the country in job creation to becoming a more competitive State. So gaming is going to result in job creation.

And last but not least, Mr. Speaker, HB 2330 is going to help in very intangible ways. Mr. Speaker, we have pages that run up and down the House. Whenever we push a button, they come. Mr. Speaker, should we not be thinking about how we increase their capacity to be promoted, to receive better wages, to receive better benefits? We have staff people throughout the House and Senate who have been crying out for more wages, better benefits, and better circumstances under which they work. They sometimes work when we are taking it easy. So, Mr. Speaker, there are collateral benefits associated with HB 2330 that will help us be able to deal with making Pennsylvania the kind of State where we all want to live, work, worship, and interact with one another. Pennsylvania is a great State.

So, Mr. Speaker, I stand here at 25 minutes to 1 on Independence Day for a New Pennsylvania, and I leave you with this question. The question is not, why gaming? The question is not, why 60 or 6,000 slot machines? The question is not, why seven or five people on the board? The question really comes down to, why not? Why not? Why not gaming as an opportunity to raise additional revenues to deal with the challenges facing the people of Pennsylvania, which we are unable to do under our present budgetary constraints. Why not gaming?

Forget about, forget about all of the ills associated with gaming. I heard people stand up here and talk about bankruptcy, talk about alcoholism, talk about mental health, and, Mr. Speaker, we have not even passed a bill and I have folks suffering from gambling addiction in the 181st Legislative District. We have not even passed the bill and unemployment in some parts of my district is well over 12 percent. We have not even passed HB 2330 and I have growing numbers of people that are in bankruptcy court. HB 2330 has not passed and I have people in the 181st, and I thank God that they are giving me the privilege to represent them, but I have people today, I have babies in parts of my district, that do not have access to health care. I have children who do not know what a quality education is all about, Mr. Speaker. So all of this exists and we have not even passed HB 2330.

So, Mr. Speaker, yes, there are going to be problems; no, this is not the panacea; no, this is not a perfect bill, but as my grandmother used to say, sometimes, sometimes, son, you got to get away from paralysis of analysis. Sometimes what you got to do is put it all in the bag and shake it up – put it all in the bag and shake it up – and if more good comes out, you take it; if more bad comes out, you discard it. Mr. Speaker, when you apply the totality of circumstances to HB 2330, when you look at all that is in 2330 and what can happen if we do this right, there is more good than bad.

So, Mr. Speaker, what we should be doing, what we should be doing is thanking our Excellency, thanking leadership in the Senate, thanking leadership in the House, for taking this bold step and giving us an opportunity to participate in the discussion. So forget about why; ask why not. Vote “yes” on HB 2330.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question of concurrence, the Chair recognizes the gentleman from Lawrence County, Mr. Sainato. Oh, I am sorry; no.

The Chair recognizes the lady from Montgomery County, Ms. Harper, followed by Representatives Sainato, Stairs, and Coleman.

Ms. HARPER. Mr. Speaker?

The SPEAKER pro tempore. You may proceed.

Ms. HARPER. Good morning. Good morning, Mr. Speaker. Good morning, colleagues.

Apologies to the minority leader. I only came here with a voice and a vote, and I am not about to give up either, but I will be very brief.

I am not opposed to gambling. I have voted for gambling in the past, but I am opposed to HB 2330, and I am voting “no” on this bill because it is a bad bill. It is a bad bill because we refuse to make the amendments necessary to fix it for fear of upsetting deals made outside this chamber.

If this bill is, as some of its proponents have claimed, one of the most important pieces of legislation we are going to deal with for 25 years, do we not owe it to the people who sent us here to get it right? Do we not owe it to them to get it right? Well, we could have fixed this bill tonight, but we did not do it, and there are at least two serious problems with the bill that we know about.

Problem number one: We have not clearly prohibited the ownership of gaming interests by those people charged with regulating or legislating the rules that will govern gambling. This is a very serious problem, and once the gambling genie is out of the bottle, we are not going to get it back in, with all due respect to the last speaker.

Problem number two: This gambling bill preempts local zoning and allows the Gaming Control Board to locate a slots parlor anywhere in a community without the community’s consent and in violation of its zoning and comprehensive plan.

Would you want to live next door to a slots parlor? I would not. We could have amended the bill tonight to fix this problem, but we did not do it. I will vote “no,” but I am disappointed that we did not use the chance that we have to make this a better bill. If we are going to do something this big and this important in Pennsylvania, we owe it to the people who sent us here to get it right, and this bill will not do that. Please join me in voting “no.”

Thank you.

The SPEAKER pro tempore. The Chair thanks the lady.

Returning to the question of concurrence, the Chair recognizes the gentleman from Lawrence, Mr. Sainato, followed by Representatives Stairs, Coleman, and Millard.

Mr. SAINATO. Thank you, Mr. Speaker.

I rise this evening to discuss HB 2330. It is the Fourth of July now – I wish my colleagues a happy Fourth of July – and it is late into the evening, but the business goes on. I guess what better day to discuss this type of legislation than a holiday like the Fourth of July, because this is a historic piece of legislation.

I am in my 10th year, Mr. Speaker, and we have been talking about legalizing slot machines in Pennsylvania probably about as long as I have been in the legislature. We have been talking about property tax reductions about as long as I have been in the legislature. We have been talking about these issues, but today it is finally going to happen. Am I happy about HB 2330, Mr. Speaker? I will be honest with you. When I first saw it, it actually was not what I personally would have written, but I guess the art of being elected officials is the art of compromise.

On July 19, 2003, almost a year ago, in this chamber we passed a slot bill; a slot bill, almost 1 year ago. Unfortunately, that bill went over to the Senate and died. What has happened because that bill was not passed last year, Mr. Speaker? If we would have done it then, slot machines would have been up and running in Pennsylvania, revenue would have been coming in, and we finally could do some property tax relief for our property owners in Pennsylvania. That did not happen, Mr. Speaker.

At least today I think the final end is near in finally getting legislation passed to legalize the slot machines, to start generating money in Pennsylvania and start having something to help property owners. It is not going to be what many people think, Mr. Speaker, but it is going to be something.

Let us face it, Mr. Speaker: This is a gaming bill. This is a bill to generate revenue for Pennsylvania, and we need revenue for Pennsylvania. People do not want to pay higher taxes. They do not want a higher sales tax. They definitely do not want their income tax raised. It was already raised last year 10 percent, and what people are telling me, enough is enough is enough; no more income tax increases.

Mr. Speaker, there are not many other options out there. If you want property tax relief, you have to find revenues to do it, and today we are going to do that.

Will everybody be happy? Probably not. Some people will get \$150; some people, \$200; the lucky ones, \$300 and \$400. Maybe it is not a lot of money, but it is something to help the property owners of Pennsylvania. The sad news: It is probably going to take 2 years for them to get this property tax relief. But that goes back to what I said earlier, July 19, 2003, we had a bill, we passed a bill with bipartisan support and sent it over to the Senate, and nothing happened.

So tonight is a historical night. I am going to support HB 2330. It is not perfect. It is not what I would have desired, because there are things in there I do have concerns about. There is an economic development package in that bill, and I do say this out there: It is going to benefit Philadelphia and Pittsburgh and other areas of the State, but I do hold my leadership and the Governor accountable for distributing this money fairly and equitably. If Philadelphia is going to get \$1 billion out of this and Pittsburgh is going to get \$400,000 out of this economic development pool, there are 65 other counties

in Pennsylvania, including Lawrence County, and we deserve our fair share of that money. So I think that point, we must hold our elected leaders responsible to being fair to everyone in this legislature, because economic development is a 67-county deal. It is not just a Philadelphia and Pittsburgh deal.

Second of all, second of all, this bill will promote tourism. When you talk about slot machines, we are not talking about a barn with machines in it. Let us face it: Consumers are very, very special when it comes to playing their machines. They do not go to barns with slot machines. They want their amenities, they want to be treated well, and they want to be in a nice facility. A part of this legislation that is going to be required is a destination resort – a destination resort – and I stress that, because I serve on the House Tourism Committee, and we have toured facilities throughout the Commonwealth of Pennsylvania. We have great, great tourism promotion throughout this State. This will be a complement to that; this will be a complement to that. We need to attract people from outside of Pennsylvania. We do not just need Pennsylvania residents putting their money into a machine. So on that point, by having destination resorts, we attract visitors from Ohio and Maryland and hopefully New York and even some New Jersey people who want to come over to Pennsylvania and see what we have to offer and put some of their coins in our machines for a change instead of always our residents going to New York, West Virginia, Delaware, and New Jersey. We are losing \$3 billion a year.

Is gaming the answer? No, it really is not. If it was not for all the areas that surround us in Pennsylvania, I do not think we would be having this debate tonight; I do not think we would be debating this issue. But unfortunately, we are getting killed by the States around us when it comes to revenue generation. So it is time we bring some of those dollars to Pennsylvania with destination resorts, with headline entertainers, with nice hotels, with nice specialty shops, with health spas. That will generate lots of tourism dollars in Pennsylvania and in turn create tens of thousands of jobs.

Speaking of jobs, there is going to be a board of seven people set up on this board – seven people on this board. They are going to determine where the stand-alone locations go. They are going to determine the other one or two horse racing licenses, where they go. And I put this challenge out to the board: They have to be fair, they have to do what is right for the Commonwealth of Pennsylvania, and they have to locate these facilities in places that are going to generate the maximum number of dollars. They cannot play politics; they cannot play politics with the locations of these tracks or stand-alone locations, and I stress that point, because if you play politics with it, you are not going to generate the billion dollars that they hopefully will return, and guess who the losers will be? It will be the people and the taxpayers of Pennsylvania.

That is the challenge of the board: No politics; do what is right for people. You put them geographically located, preferably on the borders to attract people from out of State to come to play and game in Pennsylvania.

So I stress these points. I am going to support HB 2330 tonight. I would encourage my colleagues to do so, because this is important for Pennsylvania. This is important for property owners. This is important for economic development. It is just important that we move this along, and it may take a year or two before everything gets going, but you have to have a starting point, so why not the Fourth of July 2004 to start the process.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

For the benefit of the members, there are 12 members left to speak or submit remarks for the record. I keep trying to sell an alternative.

On the question of concurrence, the Chair recognizes the gentleman from Westmoreland, Mr. Stairs, followed by Representatives Coleman, Millard, and Hennessey.

Mr. STAIRS. Thank you, Mr. Speaker, and certainly, as the hour keeps getting later and later, I will certainly try to be very brief, because I could probably easily say, ditto, ditto, ditto, and that would be the end of my remarks, but I do want to say a few things that have come to my attention.

Being somewhat of an oldtimer in the legislature, I think I have heard it all, but you know, it is one thing that makes this job very exciting, is once you think you heard it all, there is a new twist and a new story being presented, and you know, I feel that many of our property owners who have been overwhelmed with property taxes, looking for relief, have kind of been sold a bill of goods that we support gaming, support slots; that we are going to relieve them of their over burdensome property taxes. And you know, I feel very sad that they have received this message, and down the road in probably a couple of years, because it is going to take them some time to initiate this program, their hopes and dreams, you might say, of reduced property taxes are going to be very sadly diminished.

Unfortunately, you know, in politics there is often a mixing of perception and reality, and perception becomes reality, and the perception is that this legislation is going to be a cure for high property tax relief. They have been promised through campaigns of elected officials and others that this is going to be the saving grace so they can keep their homes and save a significant amount of money on their property taxes. Unfortunately, I do not believe this is going to be true, and I think we would be very deceptive if we did not put the word out ahead of time to people what the future would be – that is, a slight reduction but not a big window of relief for property taxes.

And as I look into the future, down the road, maybe a couple years, are we going to legislatively solve this dilemma of not being able to generate enough money for property tax relief? Is the solution then going to be table games? Are we going to have to up the ante, so to speak, and have a more liberal type of gaming in Pennsylvania? That may be the thing that 4 or 5 years from now, the next legislature is going to be faced with.

But I certainly oppose this legislation, because we are being offered a bill of goods that is going to be short in delivery, and I think we should tell the people up front, without any delusions of grandeur, that this is not what they expected, and unfortunately, I think a “no” vote is the only honest way to resolve this vote tonight.

So thank you, Mr. Speaker. I appreciate the time to speak tonight.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question of concurrence, the Chair recognizes the gentleman from Armstrong, Mr. Coleman, followed by Representatives Millard, Hennessey, and Sturla.

Mr. COLEMAN. Well, thank you, Mr. Speaker.

I rise tonight for a couple of brief minutes, despite the pungent smell of inevitability that fills this hall, but I rise, sir,

with the strongest sense of conviction to oppose this bill – a bill that has been termed by its chief patron and, I might add, most powerful beneficiary, and this is what he says about it; he said, “In the past 30 years, I don’t believe we have done anything that will change Pennsylvania economically and culturally as much as the process we have set in motion here.”

Well, Mr. Speaker, I agree. You know, I would never have imagined in my brief tenure in this, one of the oldest legislative bodies in the Western World, that it would intersect with a certified moment in history, but for me and you, it certainly has tonight.

Independence Weekend two and a quarter centuries after the Founders laid out the solid, staid principles of the Republic – a long, long time after the men who dominate the painting behind me wrote and spoke those stern warnings about what kind of leaders we should choose, what kind of temperament and restraint and wisdom they should exercise, what kind of decisions they should make – we are making history.

But the history we sketch out for the record, for all time tonight, is not the stuff of the bold strokes that comprise the painting that fills the space behind me. It does not come close to the courage and good sense of a Thomas Paine or the moral clarity of a Dr. Benjamin Rush or the genius and foresight of a William Penn, and, Mr. Speaker, it does not scrape the resumes of the generals and Governors and pastors and Senators and explorers and educators who earned a space on that canvas – people whose flash, whose brief flash in the historical record leave little doubt that the Pennsylvania they imagined would look nothing like those architectural drawings spread out on the Governor’s desk of the New Pennsylvania we have heard a lot about recently.

You see, the steps, if you take a look there, surrounding that Genius of State in the center of the picture leave plenty of free space – a lot of room for people like you and me to compete for an outline or a stroke or two in that mural.

And one day, if this bill passes, Mr. Speaker, maybe we will add our Governor or a lobbyist or two; maybe the CEO (chief executive officer) of one of those 14 casinos – the ones with those beautiful, flashing neon lights and polished glass that will be enhancing the view from our front porches a few months from now. You see, they will have earned a space on that painting, rightly so, because they are making history tonight. They are changing our State forever, and there is no turning back.

In a few minutes, after our contribution to history, corks will pop and the champagne will flow and cigars will light and some lucky special interests will go home a lot richer when we walk out of this chamber.

And then in all of our home communities, far away from the noise of this chamber, in the hoopla of the celebrations of a Sunday Independence Day in 2004, some of my constituents, in Armstrong and Indiana Counties, will think property tax rebate checks are in the mail and the promise of a billion easy dollars to help pay their bills is on the way.

But sadly, Mr. Speaker, they are going to know soon enough, this historic change was never about promised tax relief or helping horsemen or welcoming and inviting new tourists into the State or good jobs or good wages. You see, Mr. Speaker, history will probably never, never really absorb what we do here tonight, or it will, though, remember the result of this vote on this the first day of the Governor’s New Pennsylvania.

But I am confident, in closing, Mr. Speaker, it will never record, never see, never hear, never document the untold scattered wreckage that will be the personal histories of thousands and thousands and thousands of Pennsylvania citizens – bank accounts drained, marriages disintegrated, communities devastated.

With great respect for the men and women with whom I serve here tonight, let us do something worthy of the great and grand history of the birthplace of America on this July 4.

Mr. Speaker, let us chalk this bill up for that occasional error in legislative judgment and stick with that original Pennsylvania, the one our Founders envisioned.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

For the benefit of the members, there are 10 members left to speak or submit remarks for the record.

The Chair recognizes the gentleman from Columbia, Mr. Millard, followed by Messrs. Hennessey, Sturla, and Pallone.

Mr. MILLARD. Thank you, Mr. Speaker.

It seems fitting that on the morning of the celebration of independence of our great country, we would have before us historic legislation that should provide independence to all Pennsylvanians with regard to property taxes. Sadly, it does not.

I am not opposed to gambling. I made several visits to Atlantic City and Las Vegas. However, what started as property tax reform in relationship to gambling is now seen as a minor reduction at best – a big difference between reform and reduction.

With all the initial hype surrounding this bill, all Pennsylvania property tax payers were invited to a steak dinner. Now it seems as if they will be served hamburger on a stale bun.

I know we can do better than this. I ask that this bill be voted down.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question of concurrence, the Chair recognizes the gentleman from Chester, Mr. Hennessey, followed by Representatives Sturla, Pallone, and Benninghoff.

Mr. HENNESSEY. Thank you, Mr. Speaker.

I will be brief, but there are a couple points that I would like to make.

We have heard all through this debate that the dollars are going elsewhere, that Pennsylvania money is going out of State, and that we ought to keep that money here. If those dollars were all that was at risk here, then I would take the position that if they are going to lose the money, they might as well lose it in Pennsylvania; it is going to be gambled anyway. In fact, I might even be constrained to vote for the bill. But it seems to me there are many, many more Pennsylvanians who today will not ride or drive for 2 or 3 hours on a bus or a car to get to a casino, to spend some time, and then ride another 2 or 3 hours to get home. They will not set aside a day or two out of every week or every month to find a casino. So they stay at home, and they keep their money. They do not lose their money to the slot machines; they do not feed the one-armed bandits, which offer the worst odds in the house; and they do not have to wrestle with the consequences of lost paychecks and unpaid mortgages and broken homes. And it seems to me there is nothing wrong with that picture, so why are we about to change it?

In the Kevin Costner film, they use the line, "If you build it, they will come." I will paraphrase that a bit and say that the closer you put the casinos, the more likely more people will come to them.

There is a reason why the gambling interests are going to pay \$50 million for each of these licenses, more than \$600 million overall, and that is because they expect to take a lot more than that from their customers, and passage of this bill will supply those customers to them. It will bring to a vast population of Pennsylvanians gambling venues that they will not or do not go out of their way to go to today.

So it is not today's gamblers, who are gambling already, who are the real targets of these gambling interests. It is the many millions of Pennsylvanians who do not gamble today, who will be tempted to gamble for years to come when casinos are nearby.

We do not need to place temptation before our citizens, we do not need to place them in harm's way, and we do not need to provide them with more opportunities to lose their money. We should turn down this proposal.

Thank you. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question of concurrence, the Chair recognizes the gentleman from Lancaster County, Mr. Sturla, followed by Representatives Pallone, Benninghoff, and Lynch.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I am amazed at how condescending some of our members are to the citizens of Pennsylvania. Adults in the State of Pennsylvania have the right to choose whether or not they walk into a casino or not. They have the right to choose whether or not they play slots. These members say, oh, but we will make that decision for you; if you want to do that, we will make you drive out of State.

I understand that there may be some members that have a moral opposition to slots. I am assuming they also have a moral opposition to the horse racing that is already going on in Pennsylvania. I am assuming they already have the moral opposition to the lottery that funds senior citizen programs in the State of Pennsylvania, and I am assuming they also have a moral opposition to the bingo games that go on at the church halls and the VFWs (Veterans of Foreign Wars) in their communities. And so those members have a right to vote against this bill, and they have a right to vote against the property tax relief that will accompany this bill, and they have a right to choose to then use their legislative dollars for sending out their mailings that they do to tell people not to go to the casinos, not to take the property tax relief, not to participate in the lottery, not to take the benefits from the senior citizen programs, not to go play bingo at the church hall. They have the right to do that, and I would encourage them to do that.

I feel, however, that there will be many members that, after their pious speeches on the floor about how terrible gambling is, will then vote for the property tax relief so they can put out a mailer that says they voted for property tax relief and encourage their citizens to take that property tax relief and encourage their citizens to benefit from the senior citizen programs and encourage their seniors to run down to the local bingo parlor, because that is where they campaign. The hypocrisy is thick.

I am going to vote for this bill today. My senior citizens say, why make us drive to New Jersey? This is a fun form of entertainment. I am an adult. I take \$50. When I lose it on the

slots, I had a good time. I had a drink. I had dinner. It was a day out for me. Sometimes I come home, I have won \$100. It is really fun. It is a form of entertainment for me. I believe they have the capacity to make that choice.

But I would encourage once again those members that vote against this legislation, spend every dollar on your PSA (public service announcement) discouraging people from taking the property tax relief that results from this; spend every dollar of your newsletter discouraging people in your districts from taking the property tax relief that results from this, please, because the more you discourage your constituents from taking the property tax relief, the more there is that is left for mine.

So please, if you are going to vote "no" on this, be consistent, be moral; do the right thing for your constituents and vote "no" on property tax relief and then continue to encourage them not to benefit from that property tax relief.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the issue of concurrence, the Chair recognizes the gentleman from Westmoreland County, Mr. Pallone, followed by Representatives Lynch, Wansacz, and Benninghoff.

Mr. PALLONE. Thank you, Mr. Speaker.

I rise to support HB 2330 on concurrence.

For the last 3 years that I have been coming to the State legislature, we have been trying to find a way to try and help the property owners in Pennsylvania. I looked around all of Harrisburg, and there is no money tree. There are no other new additional sources of revenue. So we turn to the only alternate revenue source left, and that is gaming in Pennsylvania.

In southwestern Pennsylvania, gaming is overwhelmingly accepted. The people of the 54th Legislative District want gaming. They want it as a form of entertainment as well as an alternate source of revenue that gives them the opportunity to enjoy some reduction in their real estate property tax as well as to provide additional revenue for other programming that would be available to enhance economic development as well as other programs in Pennsylvania.

Again, Mr. Speaker, I encourage all of my colleagues to vote in favor of HB 2330.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question of concurrence and for the benefit of the members, there are six members left to speak or submit remarks for the record.

The Chair recognizes the gentleman from Warren County, Mr. Lynch, followed by Representatives Wansacz, Benninghoff, and Clymer.

Mr. LYNCH. Thank you, Mr. Speaker.

You know, I have never been in a gambling joint, and I probably never will go in in my life, but I am going to be supporting this, and I am going to tell you why, for two reasons.

Number one, no matter how hard we try here, we cannot legislate morality. We can sit here and talk about it. We cannot do it, and God help us when we do try to do it, because we will not get it right.

And the second thing is, this gambling, it is a user fee. If you do not gamble, it is not going to cost you a penny. Nobody is going to twist your arm to walk into one of these places to gamble. But if you live in Pennsylvania, you are going to be gaining from it.

And the third and last thing I would like to say, Mr. Speaker, is, we have been debating this for a little over 8 hours, I guess, now, which is the equivalent of a normal workday, 9 hours, and if anybody in this august chamber has had their mind changed on how they are going to vote on final passage on this bill, I have got some land in Warren County to give you, and it is going to have a Wal-Mart on it – 149 days.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman from Warren.

The Chair recognizes the gentleman from Lackawanna County, Mr. Wansacz.

Mr. WANSACZ. Thank you, Mr. Speaker.

First off, I would like to wish everybody a happy Fourth of July, and I would like to wish my good friend, Mr. Jeff Coleman, a happy birthday.

Mr. Speaker, this is a historic day. With the passage of this bill, we are providing the revenue to enact property tax relief, to create thousands of jobs, and to increase tourism and help our local governments.

The voters of this State have been hearing for a long time about property tax relief. Well, today they are finally getting some relief. With this revenue that the slots are going to generate, property owners throughout Pennsylvania are going to get property tax relief, and we are going to see thousands of jobs created.

Mr. Speaker, thank you. I encourage the passage of this bill.

The SPEAKER pro tempore. The Chair thanks the gentleman.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER pro tempore. On the question of concurrence, the Chair recognizes the gentleman from Centre County, Mr. Benninghoff, and Mr. Benninghoff indicates he is going to submit remarks for the record. The Chair thanks the gentleman.

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

Mr. Speaker, I wish to interrogate the maker of this amendment on three specific questions:

1. Do you know the amount of income that the States of Nevada and New Jersey raise?
2. How did the committee that drafted this bill determine that PA could or would raise \$1 billion? Is there data to back this up?
3. PA Gaming Control Board, I understand, will have the authority to borrow billions of dollars. If not materialized, will PA taxpayers be held harmless?

These questions are only a few concerns that many of us share regarding this bad piece of legislation. Many of my colleagues raised other specific concerns that I share, so I will not be repetitive.

I do want to make a few comments regarding the one thing I find even more appalling than this bill. That is the process in which this bill was drafted, greased, and then raced down the tracks to final passage. No bipartisan committee deliberations, no public hearings, no impact study, and no real ability for the 203 members of the PA House of Representatives to add any amendments nor represent the voice and opinions of those whom they represent.

This bill is truly one of if not the biggest public policy change in PA history; a change that should not happen in such a cheap process, circumventing the system, at 1:30 a.m. This is not good public policy and surely not what or how the good people of PA want us to conduct the legislature.

I am truly saddened by both the process of how this bill was crafted behind closed doors and then “ramrodded” over the members of the General Assembly with little to no input.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. On the question of concurrence and for the benefit of the members, there are three speakers left: Representatives Clymer, DeWeese, and DiGirolamo.

So on the question of concurrence, the Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Sixty-one thousand slot machines; sixty-one thousand addictive slot machines is what Governor Rendell says that his New Pennsylvania is going to be about.

Mr. Speaker, this is the sorriest piece of legislation I have seen in my 24 years in State government – a gambling bill that is covered with blisters and sores and foul odor from having so many people, so many greedy hands, putting their hand into the pot, who will reap millions of dollars from the poorest in our society. But that is okay because we will call it economic expansion.

The little guy, who so often is remembered in this hall and says we have got to protect him, well, he is about to be blindsided by this legislation. But I am proud to say that the majority of Republicans will vote against this bill to protect the little guy, the guy that needs our help and needs our direction.

Mr. Speaker, in this New Pennsylvania envisioned by the Governor by the legalization of casino gambling expansion, which, by the way, was opposed by Governors Thornburgh, Casey, Ridge, and Schweiker, who had the wisdom to understand that budgets come first, not the gambling problems – however, it is the opinion of this Governor that we do the gambling bill, and this is going to be kind of neat, because we have heard people talk about business expansion and employees – well, we can see that these casino employees will have a good time watching thousands of their fellow Pennsylvanians lose their paychecks, lose their jobs, lose their families, lose their self-respect, and call it entertainment. That is what we are headed to.

But in fairness to those who are going to vote for this bill, I will tell you that there is economic development, and we can learn that from Atlantic City. In Atlantic City, before the gambling crowd moved in, there was only 1 pawnshop; now there are 33 – 33 pawnshops where the addicts can take their treasured heirlooms and turn them in to get a few more coins to put in those slot machines.

Now, you have heard the argument how New Jersey is doing so fine. It is prospering, and you heard that about Nevada, and you heard the statements made how Nevada is doing very poorly. But the issue I bring to your attention about the State of New Jersey is, if you read the papers, despite the fact that they claim that these casinos are bringing about economic prosperity, why did the General Assembly have to enact a \$2 billion tax increase – \$2 billion? Well, if it is economic development and it is bringing in all this prosperity, all this revenue, why, why is it that they have to increase taxes? And those of you who have

been around know that when you increase taxes, it is because you are not getting true economic development.

People say that it is a wonderful place to go and gamble. Well, then maybe they should stay there and live there, or maybe it is because the fact that gambling has destroyed the community and it has destroyed its business, but it has increased crime and it has increased prostitution.

However, we know there are some casinos coming to Philadelphia and Pittsburgh, and with it will be many social problems. I can assure you of that. We have never done the impact study, but that is okay, because when those social problems come to these cities, the General Assembly will help them out. We will give them the millions of dollars to help them with their social problems.

Now, if this bill should pass – and this has been mentioned before – we give a gift to the rich, a gift to the rich, of \$3 billion. Those are the licenses for the 14 gambling venues – \$3 billion. Now, I heard the minority leader so often criticize President Bush, saying you are giving the tax break to the rich. What is this? A \$3 billion giveaway. I do not understand it. That is why I am opposing this bill. I am opposing this bill because I do not think that we should give \$3 billion to the rich, to the powerful, and those who are connected with the political politicians here in Harrisburg.

Mr. Speaker, recently we had the opportunity to entertain Delegates from the Maryland General Assembly, the Delegates who came along with their grassroots organizations. These were our legislative brothers and sisters, Democrats and Republicans, Black and White, who wanted to make it abundantly clear – now, these are the Delegates, the Afro-American Delegates, who came to us from Maryland – who wanted to make it absolutely clear that casino gambling hurts those who can least afford to gamble. That was their message – firsthand experience. They did not read that out of a textbook. They did not dream that out of the sky. They said to us, those of us here in Harrisburg, do all you can to defeat this bill, because it hurts the poor, and that is why we are here, and they gave us a study, an independent study, that clearly showed that when casino gambling comes to these urban areas, it does not create the jobs, and that is what they told us. That is foolhardy. It does not create the jobs that people think it creates. So they gave us that very strong message that this is not the right direction to go.

Well, Mr. Speaker, “Nevada East,” “Nevada East” is soon to be playing in Pennsylvania, and let us read the billboard. Who is starring in “Nevada East”? Well, it is tragedy, hopelessness, despair, addiction, crime, broken hearts – yes, the broken hearts of children. But who really cares? Obviously, not those who are going to profit from the gambling. They could care less about families and the people they hurt because everything is the bottom line. It is called property tax relief. Let us not care about the people that are going to be hurt and the pain and suffering that is going to come. Let us all rejoice and be happy that we are going to get property tax relief.

Now, think, think for a moment what we are actually doing. These racinos and casinos will operate 24 hours a day, 7 days a week, 52 weeks a year. I think many of the legislators here are under the impression it is going to be a 9-to-5, 5-days-a-week operation. These casinos do not close down for weekends or holidays. Trust me. There will be many harmful, unintended consequences when these casinos and racinos are established.

This legislation, as has been brought out by other members, will benefit the cities of Philadelphia and Pittsburgh; millions of

dollars in new projects for the next 10 years – stadiums and convention centers and airports. We should be so lucky in Bucks County.

Mr. Speaker, these two casinos that are still to be offered in the bill could be placed anywhere in the Commonwealth of Pennsylvania. Why? Because we have a powerful, seven-member Pennsylvania Control Board, Gambling Control Board.

(An additional remark by Mr. Clymer was stricken from the record.)

THE SPEAKER (JOHN M. PERZEL) PRESIDING

Mr. DeWEESE. Mr. Speaker? Mr. Speaker?

The SPEAKER. Will the gentleman suspend.

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

Mr. DeWEESE. Point of parliamentary inquiry.

The SPEAKER. And what would that point be, Mr. DeWeese?

Mr. DeWEESE. Very respectfully, the verb and the implication of the phrase that followed is something that I wanted the dais to be focused upon momentarily. It just did not seem appropriate.

The SPEAKER. The gentleman has a point. That remark will be stricken from the record.

Mr. CLYMER. Thank you, Mr. Speaker.

I obviously got carried away there, and I thank the minority leader. Okay.

Mr. Speaker, we also have in this legislation the serious controversy of whether or not that 1 percent ownership by public officials of the newly created gambling establishments, if that is going to hold or not. To me, that is a dark shadow that hovers over this Capitol and one that certainly will not go away. Without question, I intend to make this an issue in my campaign and let the voters decide on its merits.

Mr. Speaker, we heard commentary from some of the legislators about West Virginia, how great the city Charles Town is doing and how great the State is doing. I have with me a letter from a Delegate, Delegate Kelli Sobonya, and she has written to me and has urged that we reject this bill. Let me just read one paragraph from her letter: “The gambling industry promises the moon in order to get gambling legislation approved. They promise jobs and glitter. However, where are the high paying jobs here in West Virginia after slots were legalized? Senior citizens in West Virginia lobby our legislature each year asking why they don’t receive their thirty-three and a 1/3 percent of the promised revenue. The casino industry is the one that reaps the benefit. It doesn’t create new revenue. It sucks the lifeblood out of the community. It creates problem gamblers. It takes away from money that would traditionally go to the ‘mom and pop’ stores.”

So, Mr. Speaker, I ask each of us to consider seriously this problem.

Now, another comment to one of the speakers. He said that when we are confronted with all the prosperity that is going to come to us from the revenue, this is going to be truly property tax reform. Mr. Speaker, property tax reform is really a bogus issue. We are going to wait till 2006, 2007, and in comparison, you are going to have these 61,000 slot machines operating.

Each of these gaming venues are going to create a net profit of somewhere between \$35 to \$40 million. They have already been giving these very expensive licenses at very little money, \$50 million, but that will probably be returned to them under the way that the legislation has been written, so they can get that \$50 million back –\$50 million that was supposed to go to property tax relief.

So the problem is, here you have these slot machines, and you have the casinos and racinos operating 365 days a year, and then in the year 2006, to give the benefit of the doubt to the proponents of gambling, we will get somewhere between \$175 and \$250 in tax reform, and people get all joyous and excited about getting that money, while the gambling interests reap millions in benefits.

Mr. Speaker, I ask each member to seriously consider voting against this very cleverly crafted special interest legislation and the benefits of the few that exploits the many.

In conclusion, in Proverbs there is a very interesting verse. It says that “He who oppresses the poor to increase his wealth and he who gives gifts to the rich – both come to poverty.”

I ask a “no” vote on concurrence on HB 2330.

The SPEAKER. The Chair thanks the gentleman.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 831 By Representatives WEBER, ADOLPH, GEORGE, McILHINNEY, WATSON, S. E. CORNELL, O’NEILL, HERSHEY, BARD, HARPER, GINGRICH, RUBLEY, PETRI, ROSS, GOOD, ARGALL, GODSHALL, GANNON, WRIGHT, STEIL, DiGIROLAMO, HENNESSEY, KILLION, RAYMOND, BARRAR, KENNEY, McGILL, BUNT, FICHTER, CRAHALLA, J. TAYLOR, MICOZZIE, FLICK, E. Z. TAYLOR and SCHRODER

A Resolution appointing a Select Legislative Committee on the Environment.

Referred to Committee on RULES, July 3, 2004.

RULES COMMITTEE MEETING

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

BILLS ON CONCURRENCE REPORTED FROM COMMITTEE

HB 147, PN 4323 (Amended) By Rep. S. SMITH

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, authorizing a film production tax credit; and providing for the powers and duties of the Department of Community and Economic Development and the Department of Revenue.

RULES.

HB 1912, PN 4143

By Rep. S. SMITH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the person with disability plate and placard, for physical examinations, for reports on mental or physical disabilities or disorders and for determination of incompetency.

RULES.

HB 2405, PN 4284

By Rep. S. SMITH

An Act designating a certain bridge carrying SR 248 over Aquashicola Creek in Palmerton Borough, Carbon County, as the Colonel John Craig Memorial Bridge; designating a bridge over Chester Creek in Westtown Township, Chester County, as the L. Charles Scipione Bridge; designating a certain bridge on Pennsylvania Route 45 in Northumberland and Union Counties as the Judge Herbert W. Cummings-Judge Harold M. McClure Memorial Bridge; designating the bridge on which Main Street crosses Trout Creek in the Borough of Slatington, Lehigh County, as the General Thomas R. Morgan USMC Bridge; redesignating the bridge over the Monongahela River known as the Clairton-Glassport Bridge, Department of Transportation No. 02-2038-0010-0140, which connects the City of Clairton to the Borough of Glassport in Allegheny County, as the Senator Edward P. Zemprelli Bridge; designating a truck inspection station at 4242 Aramingo Avenue, City of Philadelphia, Philadelphia County, as the Sgt. Jeffrey T. Ziernicki Truck Inspection Station; and designating a truck inspection station at 9200 Bartram Avenue, City of Philadelphia, Philadelphia County, as the Sgt. Jeffrey T. Ziernicki Truck Inspection Station; and making a related repeal.

RULES.

HB 2654, PN 4249

By Rep. S. SMITH

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, reenacting and amending provisions relating to parking authorities and relating to taxicabs and limousines in cities of the first class; further providing for parking authority purposes and powers and special provisions in cities of the first class; providing for restrictions on parking authorities in cities of the first class; further providing for contract bids for parking authorities; further defining “limousine service”; making legislative findings as to taxicabs in cities of the first class; further providing, as to taxicabs in cities of the first class, for rates, for contested complaints, for driver certification, for budgets and fees, for certificates and medallions, for contested complaints, for wages, for regulations and for budget and fees; further providing, as to limousines in cities of the first class, for certificates of public convenience and for regulations; and making repeals related to allocation assessments against public utilities for regulatory expenses, to certificates of public convenience for taxicabs and to taxicabs in cities of the first class.

RULES.

RESOLUTION REPORTED FROM COMMITTEE

HR 831, PN 4324

By Rep. S. SMITH

A Resolution appointing a Select Legislative Committee on the Environment.

RULES.

CONSIDERATION OF HB 2330 CONTINUED**REMARKS SUBMITTED FOR THE RECORD**

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. Yudichak, who would like to submit his remarks for the record. His remarks will be spread across the record.

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

Mr. Speaker, as we approach the eve of our nation's Independence Day celebration, I am struck by the winds of history rustling about the House chamber on this day. We are all very much aware that the week of July 4 is one of great significance to America. It was during this week, in 1776, that democracy was born with the brush of a pen stroke in the great hall in Philadelphia. It was during this week, in 1863, that democracy was preserved by the wielding of a sword on the battlefield in Gettysburg. Here, in 2004, Pennsylvania is, again, center stage for historic events on this most sacred week in American history.

Property tax relief, the elusive task of legislature after legislature, Governor after Governor, is finally at hand for Pennsylvania homeowners. It was Gov. Robert P. Casey who initiated this charge for property tax relief nearly 20 years ago by calling the first special session of this body on the subject of tax reform. Today I join Gov. Edward Rendell in picking up the banner of property tax relief and delivering on the promise of \$1 billion in property tax cuts for Pennsylvania homeowners.

For the past three decades, Pennsylvanians have been sinking underneath the rising tide of property taxes. Pennsylvanians looking to build a new home are discouraged to invest in their communities because of high property taxes. Older Pennsylvanians who have spent a lifetime investing in their homes and their communities are saddled by increasing property taxes and diminishing income. Schools trying to deliver a quality education are threatened by the need for more local taxes and an increasingly shrinking tax base. Communities seeking to grow their economic base are stagnant because high property taxes have impeded their growth.

Today it is within the power of my distinguished colleagues to vote in the affirmative on reducing property taxes for every homeowner in Pennsylvania. As you weigh this important decision, I urge you to think on your role in history as Pennsylvania stands, again, at center stage in the fight for the ideals of a fair and just government. I remind you of the words of Thomas Jefferson, the author of the Declaration of Independence, who said, "The mass of mankind has not been born with saddles on their backs, nor a favored few booted and spurred, ready to ride them (1826 Jun. 24)." It is in our power today, with SB 100, to finally remove the stifling saddle of high property taxes from the backs of Pennsylvania homeowners. I ask my colleagues for an affirmative vote.

* * *

Four years ago my distinguished colleagues on the Republican side of the aisle introduced the Keystone Homestead Rebate Act. The act called for every PA homeowner to receive a \$100 rebate on their property tax bill.

As an ardent advocate for property tax relief, I voted in favor of the act. It was not true tax reform; it was not nearly enough property tax relief for PA homeowners, but it was a start and it kept the issue of property tax relief alive in this legislature.

Many of my distinguished colleagues on the other side of the aisle, however, hailed the \$100 rebate as "innovative and historic." They called the \$100 rebate a landmark program, for that would make life better for PA.

I am confounded that as we debate the prospect of \$1 billion in property tax relief, some of my dear friends who celebrated a

one-time-only \$100 rebate now scoff at PA homeowners getting \$250 or \$300 annually in property tax relief.

If you are opposed to gambling, I respect your position, but please do not suggest that we are not making real strides here to reduce property taxes for every PA homeowner. Tonight we make one more giant step to deliver on the promise of property tax relief, and I urge my colleagues to vote in the affirmative.

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

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

The boundless enthusiasms of Gov. Edward G. Rendell, as enunciated in his campaign against Michael Fisher 2 years ago, with Republican Mr. Fisher sharing many of the same perspectives on gaming and property tax reduction, are culminating tonight in what we hope will be a favorable vote.

The realignment of the mechanisms at hand where the Commonwealth will generate revenues and distribute it throughout the 501 school districts as well as in Herculean economic development projects not only in Pittsburgh and Philadelphia but in other sections of the State is a very significant moment in our State history.

Several points, obviously, can be enunciated one last time from my side of the aisle, from our side of the aisle, for the record.

One billion dollars in property tax reduction ultimately is our goal. Many of us, on both sides of the aisle and on both sides of the building – House and Senate, Democrat and Republican, leadership, committee chairmen, rank and file, on both sides of the aisle – feel that that is an attainable goal.

Several tens of thousands of new jobs being created by a new industry. No new taxes; no new taxes involved in the area of sales, where many of my colleagues had been at least postulating and willing to experiment.

The idea that we can enhance Pennsylvania's revenue stream in a way that was campaigned upon by the Governor and has about 68 percent of Pennsylvania's body politic supporting it – it is an incredible number; 68 percent of the men and women among our 12 million citizenry advocate some form of gaming – notwithstanding the putative woes and travails enunciated tonight in the speeches, those same kinds of commentaries were forthcoming when small games of chance were discussed several years ago, and that has not been the case. Those same kinds of hesitations and moments of tentativeness were voiced when the lottery commenced a generation and a half ago, and yet we have all been the collective and individual political beneficiaries of those programs.

I think one of the most poignant aspects of this debate needs to go primarily to the people who went to the microphone tonight who tried to harry and menace our progress. If you sat still and have to vote against us, okay; these remarks are really not meant to you. But Mr. Sturla of Lancaster County and the remarks that he shared are exceptionally poignant to me. I heard all kinds of aggressive comments about those of us who support this proposal. Many of them ostensibly upwell from an evangelical perspective – a very, very heartfelt, spiritual point of view. But if that point of view is to endure, if it is to be real, then you will not take the money. If it is money of such an ill-gotten source, if it is money of ill repute, if it is godless mammon, then I would say, and especially the Commonwealth Caucus folks who are, in my view, true believers – and that is not all bad; it is good to

have true believers on a variety of things; I do not necessarily agree with all of your positions, but I laud you that you are indefatigable, unstinting, unrelenting – but there has to be, at least objectively speaking, a very substantial element of hypocrisy if you are going to go to the microphone, be very aggressive and sometimes slashing and burning in your rhetoric about those of us who support this, as we try to bring in hundreds and hundreds of millions of dollars, maybe a billion dollars, and yet, after all of the caviling and cackling and complaining and carping, all of the legislative debate and concussions of the evening, 6 months, a year, a year and a half, 2 years, you, you start to embrace these funds in your school districts, and as Mr. Sturla from Lancaster said, and then you advertise in your publications at home, then with all due respect, especially to the folks who took the microphones tonight, then the allegation of hypocrisy might ring true.

Oscar Wilde once observed – it was either Oscar Wilde or Ted Mazia; I cannot remember which one – but every man tries to kill the thing he loves. Well, Oscar was wrong, at least for tonight's debate, because everyone here that went to the microphone as our antagonist tried to kill our proposal not out of love but out of a true sense of commitment. I do not gainsay the motivations of anybody that was against this tonight. I really believe that each man and woman who took the microphone is honestly inspired and motivated, and frankly, there were some points that you offered that made some sense. Some of these amendments came close to the threshold of acceptability, but I do not think they quite measured up to our embrace. We needed to get this program done. Republicans and Democrats in the Senate, Republicans and Democrats in the House, felt that it was imperative.

On our side of the aisle, as I get ready to relinquish the microphone, I would like to note our special enthusiasms for George and Audrey, who were our lead staff team, who worked without stint or limit, week after week after week, under the able hand of our chief negotiator, the whip from Beaver County, Representative Mike Veon. We had a political and policy tour de force in those rooms, mostly in the Senate side of the building, along with our colleagues from the Republican Caucus here in the House. It was a collective endeavor. It was an engaging, engaging, bipartisan negotiation.

And although, as I have said so many times from this microphone the words of St. Augustus in the fifth century, "We live in a fallen and imperfect world," this measure is certainly imperfect. We all know that. It is the best we can do tonight. It is a negotiated settlement. It is bipartisan. It is bicameral. It is 18 months into the Rendell administration. It is a significant benchmark in this administration and in our General Assembly, and I would politely, respectfully, ask for a favorable vote on concurrence for HB 2330.

Thank you very kindly, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks, Mr. DiGirolamo. Gene.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

I promise to be very brief. I do not believe there is much more to say tonight.

I would really like to thank, as the minority leader did, the staff on both sides of the aisle; Joe and Ed on our side. I would also like to thank my State Senator, Senator Tomlinson, for all his hard work and commitment to this issue.

I would like to also applaud all the members, especially on my side, who fought so very, very passionately, especially, especially to my friend, Representative Clymer. I know how hard you worked on this, Mr. Speaker; how committed you were to the issue; how passionate you were. You are certainly one that everyone should respect and admire, and I would like to let you know that I do respect and admire you very, very much.

In a short time we are going to vote on the budget, and if I might get a little commercial in to our good Governor, who won a very big victory tonight, and some other members in leadership, there is an issue that I have been working on very passionately, and not only myself but other members on both sides of the aisle, and at this late hour I would appeal to you that maybe take another look at that issue, and it might get into the budget.

And again, not much left to say. I think this is a good thing for Pennsylvania. It is a historic thing for Pennsylvania, and if Smarty Jones were here right now, he would say, roll it, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Petri.

Mr. PETRI. Thank you, Mr. Speaker.

Parliamentary inquiry.

The SPEAKER. The gentleman will state his point.

Mr. PETRI. Mr. Speaker, obviously, this institution has a long history involving full disclosure and the like. In order to do so, I will do as we did last time when we voted on gaming. I would like to inquire whether I am allowed to vote on this issue. I will tell you that I have no interest in any gaming facility. I do not own any interest. I am not an officer or employee. Rather, one of my partners works, may or may not at this point in time represent one of the licensees.

And therefore, I do not believe it is a conflict. I do not have any pecuniary interest or benefit in this. I would like to vote on it and would like your ruling.

Thank you, Mr. Speaker.

The SPEAKER. It is believed by the Chair that there is no conflict. The gentleman can vote.

Mr. PETRI. Thank you, Mr. Speaker.

REMARKS SUBMITTED FOR THE RECORD

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

Mr. Speaker, I rise to make a prediction. Individuals who have an absolute public policy objection to this legislation but do not have the votes in this chamber to prevent its passage will take extraordinary steps to overturn the will of this body. This predicted legal fight has been threatened to take the form of a constitutional challenge to the manner in which the Pennsylvania General Assembly has considered this legislation – specifically, a claim that Article III of the Pennsylvania Constitution has been violated. As such, it is important that this record evidence several salient facts that underscore the disingenuous nature of this attack.

Fact: No one is confused, uninformed, or otherwise in the dark about the impact or provisions of this bill. Few other issues have been

so thoroughly debated, discussed, analyzed, or considered in this chamber than this issue. For almost 2 years we have debated and voted on various forms of legislation that would legalize the operation of slot machines in the Commonwealth. The contents of this bill, in all of its various versions, have been publicly available on the Internet, reported to the media, and provided to the legislative offices in the Capitol for a week. The exact version of the bill which we are considering has been published, available, and provided to every legislative office since early afternoon on Thursday. Newspaper stories have reported on the varying aspects of the bill, and even the opponents staged a press conference on the Capitol steps to voice their objection to several provisions of the legislation, focusing on the most controversial aspects. Simply stated, there cannot be any serious claim that the vote we take on this bill is not done with circumspection or deliberation.

Second, some have complained that they have not been afforded the right to have an amendment they have drafted considered and voted by this chamber. As they are well aware, this is a function of the rules of the House. They have the opportunity to request a suspension of the rules for the purpose of offering an amendment for consideration. Such a motion, under our procedure rules, would require the support of two-thirds of the members elected to this body. The fact that they cannot muster the support for every amendment motion does not constitute a deprivation of any legal right. The rules and procedures of this legislative body are our exclusive prerogative and not subject to any judicial review. It is worthwhile noting that many of the motions made to offer amendments involve measures that were considered and rejected last year when this matter was considered.

Finally, there cannot be any confusion to the members here that this bill's original purpose – the regulation and development of the horse racing industry, specifically investigations into persons associated with horse racing – has not changed. In fact, it has been enhanced to include stronger regulatory authority and exchange of information from law enforcement agencies. It is beyond dispute that the bill's original purpose is still contained, verbatim, in the legislation. The bill has been reclassified in our Consolidated Statutes to place it, organizationally, with the Pennsylvania Race Horse Reform Act in Title 4 (Amusements) in an effort to more appropriately consolidate it with other related statutory matters.

The bill does not contain more than one subject. The new part in Title 4 that involves the legalization of slot machines, entitled the Pennsylvania Race Horse Development and Gaming Act, is intertwined with the development of horse racing, breeding, and the entire equine industry.

The operation of slot machines throughout the Commonwealth is an integral part of a revenue generation system that will serve many horse racing purposes. Simply put, with the revenue stream we create in this legislation, the future growth and survival of the horse racing industry would be placed into doubt. I recognize that slot operations, even at nontrack venues, is the focus of much controversy, but it does not follow that as presented in this bill, that they are two unrelated subjects in this single legislative initiative.

I conclude my remarks with the simple observation: Article III was never intended to permit those who lost in legislative votes to achieve their political victory in court. The actions that have been taken on this floor simply do not support this claim.

REMARKS SUBMITTED FOR THE RECORD

Ms. WASHINGTON submitted the following remarks for the Legislative Journal:

Mr. Speaker, I rise to offer my comments on gaming legislation and amendments.

Philadelphia has the largest minority population in the Commonwealth, and a lot is at stake in the slots debate for the city. The members of the PLBC have always wanted to see slots legislation pass,

but not without provisions to ensure the inclusion of people of color in every aspect of gaming expansion – from construction to paperclips.

In Pennsylvania's largest two cities, Philadelphia and Pittsburgh – cities that hold the largest minority populations in Pennsylvania – business ownership, management, and other aspects of the industry should be representative of the people living in those communities.

Our goal has always been, and remains, creating an environment conducive to equal opportunity for people of color in this new Pennsylvania industry.

Therefore, I ask my esteemed colleagues in this House of Representatives to support amendments to the gaming legislation which call for equal opportunity and minority representation in the gaming industry and on the gaming commission.

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

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—113

Adolph	Donatucci	Levdansky	Scrimenti
Argall	Eachus	Lynch	Shaner
Barrar	Evans, D.	Mann	Solobay
Bebko-Jones	Evans, J.	Markosek	Staback
Belardi	Fabrizio	McCall	Steil
Belfanti	Frankel	McGeehan	Stetler
Bianucci	Freeman	McIlhinney	Sturla
Bishop	Gannon	Melio	Surra
Blaum	George	Micozzie	Tangretti
Bunt	Gergely	Mundy	Taylor, J.
Butkovitz	Good	Mustio	Thomas
Buxton	Goodman	Myers	Tigue
Caltagirone	Gruitza	O'Brien	Travaglio
Casorio	Haluska	Oliver	Veon
Causar	Hanna	Pallone	Walko
Cawley	Harhai	Petri	Wansacz
Civera	Horsey	Petrone	Washington
Cohen	James	Pistella	Waters
Corrigan	Josephs	Preston	Weber
Costa	Keller	Raymond	Wheatley
Coy	Kenney	Readshaw	Williams
Cruz	Killion	Rieger	Wojnaroski
Curry	Kirkland	Roberts	Wright
Daley	Kotik	Roebuck	Youngblood
DeLuca	LaGrotta	Rooney	Yudichak
Dermody	Laughlin	Ross	
DeWeese	Leach	Ruffing	
DiGirolamo	Lederer	Sainato	Perzel,
Diven	Lescovitz	Santoni	Speaker

NAYS—88

Allen	Fichter	Lewis	Rubley
Armstrong	Fleagle	Mackereth	Samuelson
Baker	Flick	Maher	Sather
Baldwin	Forcier	Maitland	Saylor
Bard	Gabig	Major	Scavello
Bastian	Geist	Marsico	Schroder
Benninghoff	Gillespie	McGill	Semmel
Birmelin	Gingrich	McIlhatten	Smith, B.
Boyd	Godshall	McNaughton	Smith, S. H.
Browne	Grucela	Metcalfe	Stairs
Cappelli	Habay	Millard	Stern
Clymer	Harhart	Miller, R.	Stevenson, R.
Coleman	Harper	Miller, S.	Stevenson, T.

Cornell, S. E.	Harris	Nailor	Taylor, E. Z.
Crahalla	Hasay	Nickol	True
Creighton	Hennessey	Payne	Turzai
Dailey	Herman	Petrarca	Vance
Dally	Hershey	Phillips	Vitali
Denlinger	Hess	Pickett	Watson
Egolf	Hickernell	Reed	Wilt
Fairchild	Hutchinson	Reichley	Yewcic
Feese	Leh	Rohrer	Zug

NOT VOTING—0

EXCUSED—2

Manderino O'Neill

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.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that SB 971 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 971, PN 1340.

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that SB 971 be recommitted to the Committee on Appropriations.

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

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS
NONCONCURRED IN BY HOUSE

The clerk of the Senate, being introduced, informed that the Senate has insisted upon its amendments nonconcurring in by the House of Representatives to **HB 2579, PN 3871**, and has appointed Senators BRIGHTBILL, THOMPSON, and FUMO a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

MOTION INSISTING UPON NONCONCURRENCE IN SENATE AMENDMENTS

Mr. S. SMITH moved that the House insist upon its nonconcurrency in Senate amendments to HB 2579, PN 3871, and that a committee of conference on the part of the House be appointed.

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

CONFERENCE COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on HB 2579, PN 3871:

Messrs. S. SMITH, ARGALL, and D. EVANS.

Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS
NONCONCURRED IN BY HOUSE

The clerk of the Senate, being introduced, informed that the Senate has insisted upon its amendments nonconcurring in by the House of Representatives to **HB 564, PN 2474**, and has appointed Senators BRIGHTBILL, RHOADES, and MELLOW a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

MOTION INSISTING UPON NONCONCURRENCE IN SENATE AMENDMENTS

Mr. S. SMITH moved that the House insist upon its nonconcurrency in Senate amendments to HB 564, PN 2474, and that a committee of conference on the part of the House be appointed.

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

CONFERENCE COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on HB 564, PN 2474:

Messrs. S. SMITH, STAIRS, and D. EVANS.

Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

HOUSE BILL
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 2230, PN 3040**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE**AMENDED HOUSE BILLS RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES**

The clerk of the Senate, being introduced, returned **HB 1912, PN 4143; HB 2405, PN 4284; and HB 2654, PN 4249**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

BILLS SIGNED BY SPEAKER

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

HB 2230, PN 3040

An Act amending the act of July 3, 1985 (P.L.164, No.45), known as the Emergency Medical Services Act, further providing for support of emergency medical services.

HB 2330, PN 4272

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, authorizing certain racetrack and other gaming; providing for regulation of gaming licensees; establishing and providing for the powers and duties of the Pennsylvania Gaming Control Board; conferring powers and imposing duties on the Department of Revenue, the Department of Health, the Office of Attorney General, the Pennsylvania State Police and the Pennsylvania Liquor Control Board; establishing the State Gaming Fund, the Pennsylvania Race Horse Development Fund, the Pennsylvania Gaming Economic Development and Tourism Fund, the compulsive Problem Gambling Treatment Fund and the Property Tax Relief Fund; providing for enforcement; imposing penalties; making appropriations; and making related repeals.

HB 2351, PN 3279

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, providing for retirement benefits of employees transferred to wastewater authorities.

HB 2467, PN 3519

An Act amending the act of December 18, 1984 (P.L.1005, No.205), known as the Municipal Pension Plan Funding Standard and Recovery Act, further providing for contents of actuarial valuation report.

HB 2521, PN 4192

An Act making an appropriation from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission.

SB 679, PN 1549

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, prohibiting possession or transporting of liquefied ammonia gas under certain circumstances; prohibiting possession of certain precursors and chemicals used in the manufacture of controlled substances; and imposing duties and responsibilities relating to clandestine drug laboratories upon the Pennsylvania State Police.

SB 1092, PN 1557

An Act designating the proposed Route 222 bypass in Lehigh County from the point immediately South of I-78 in Lower Macungie Township, Lehigh County through portions of Upper Macungie Township, Lehigh County to the south interchange of Route 100 in Lower Macungie Township, Lehigh County as the Fred Jandl Memorial Highway.

SB 1095, PN 1565

An Act designating Exit 182 on Interstate 81 in Lackawanna County as the Chuck Mattei Interchange.

SB 1100, PN 1573

An Act amending the act of May 22, 1933 (P.L.853, No.155), known as The General County Assessment Law, further providing for valuation of property.

SB 1184, PN 1734

An Act authorizing the release of Project 70 restrictions imposed on certain lands owned by the City of Scranton, Lackawanna County, being conveyed by the city in return for the imposition of Project 70 restrictions on certain lands being conveyed to the city.

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

SUPPLEMENTAL CALENDAR B**BILL ON CONCURRENCE
IN SENATE AMENDMENTS
TO HOUSE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 100, PN 1789**, entitled:

An Act providing for taxation by school districts, for State funds and for wage and net profits tax relief in cities of the first class; and making an appropriation.

On the question,

Will the House concur in Senate amendments to House amendments?

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

The Chair has in its possession five amendments that the rules will need to be suspended for.

MOTION TO SUSPEND RULES

The SPEAKER. On that question, the Chair recognizes the gentelady from Philadelphia, Ms. Youngblood.

Ms. YOUNGBLOOD. Mr. Speaker, I would like to make a motion to have the rules of the House suspended to offer amendment A3396.

The SPEAKER. It is moved by the gentelady from Philadelphia, Ms. Youngblood, that the rules of the House be immediately suspended to bring up amendment 3396.

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

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

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

Mr. Speaker, I regretfully have to request the members to vote “no” on the motion to suspend the rules for amendment A3396.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. DeWEESE. Thank you, Mr. Speaker.

We worked very closely with Representative Youngblood, our staff worked closely with her, on developing the language of the amendment. She is making a worthwhile effort on behalf of her senior citizen community in her legislative district.

I reluctantly have to demur and embrace the perspective of my colleague, the Republican floor leader, and oppose the motion to suspend for one preeminent reason: Notwithstanding the meritorious nature of her proposal at the midnight hour, figuratively, we are not certain as to the reaction of the State Senate, and if our property tax reduction proposal is to be enacted and signed by Governor Rendell, it has to be moved forthwith. A suspension of the rules would disallow that, and therefore, reluctantly, I would embrace the idea that Mr. Smith offered and we oppose the motion 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—80

Armstrong	Freeman	McGill	Shaner
Bastian	Gabig	McNaughton	Solobay
Bebko-Jones	Gillespie	Melio	Stern
Belardi	Hanna	Metcalfe	Stetler
Benninghoff	Harper	Miller, R.	Stevenson, R.
Birmelin	Hennessey	Miller, S.	Stevenson, T.
Bishop	Horsey	Myers	Sturla
Butkovitz	Hutchinson	Nailor	Taylor, J.
Cawley	James	Nickol	Thomas
Clymer	Josephs	O’Brien	Tigue
Cohen	Keller	Pallone	Vitali
Coleman	Kenney	Petrarca	Washington
Creighton	Kirkland	Readshaw	Waters
Cruz	Lederer	Rieger	Wheatley
Dailey	Mackereth	Roberts	Yewcic
Daley	Maher	Roebuck	Youngblood
Denlinger	Maitland	Rohrer	Yudichak
Diven	Major	Sainato	
Donatucci	Mann	Saylor	
Egolf	Markosek	Semmel	Perzel,
Fairchild	McGeehan		Speaker

NAYS—121

Adolph	Evans, D.	Kotik	Rubley
Allen	Evans, J.	LaGrotta	Ruffing
Argall	Fabrizio	Laughlin	Samuelson
Baker	Feese	Leach	Santoni
Baldwin	Fichter	Leh	Sather
Bard	Fleagle	Lescovitz	Scavello
Barrar	Flick	Levdansky	Schroder
Belfanti	Forcier	Lewis	Scrimenti

Bianucci	Frankel	Lynch	Smith, B.
Blaum	Gannon	Marsico	Smith, S. H.
Boyd	Geist	McCall	Staback
Browne	George	McIlhattan	Stairs
Bunt	Gergely	McIlhinney	Steil
Buxton	Gingrich	Micozzie	Surra
Caltagirone	Godshall	Millard	Tangretti
Cappelli	Good	Mundy	Taylor, E. Z.
Casorio	Goodman	Mustio	Travaglio
Causer	Grucela	Oliver	True
Civera	Gruitza	Payne	Turzai
Cornell, S. E.	Habay	Petri	Vance
Corrigan	Haluska	Petrone	Veon
Costa	Harhai	Phillips	Walko
Coy	Harhart	Pickett	Wansacz
Crahalla	Harris	Pistella	Watson
Curry	Hasay	Preston	Weber
Dally	Herman	Raymond	Williams
DeLuca	Hershey	Reed	Wilt
Dermody	Hess	Reichley	Wojnarowski
DeWeese	Hickernell	Rooney	Wright
DiGirolamo	Killion	Ross	Zug
Eachus			

NOT VOTING—0

EXCUSED—2

Manderino O’Neill

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 to House amendments?

MOTION TO SUSPEND RULES

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

Mr. TIGUE. Thank you, Mr. Speaker.

Mr. Speaker, I ask that the rules be suspended to offer an amendment which would once again set the minimum amount of \$1 billion in the tax reduction fund.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—102

Armstrong	Egolf	Mackereth	Rohrer
Baker	Fairchild	Maitland	Sainato
Bard	Flick	Major	Saylor
Barrar	Forcier	Mann	Scavello
Bastian	Freeman	Marsico	Scrimenti
Bebko-Jones	Gabig	McCall	Semmel
Belardi	George	McNaughton	Shaner
Benninghoff	Gillespie	Metcalfe	Smith, B.
Birmelin	Grucela	Miller, R.	Solobay

Boyd	Habay	Miller, S.	Staback
Browne	Hanna	Mundy	Stairs
Butkovitz	Harhai	Mustio	Stern
Cawley	Harhart	Myers	Stevenson, R.
Civera	Harris	Nailor	Stevenson, T.
Clymer	Hennessey	Nickol	Sturla
Coleman	Herman	O'Brien	Taylor, J.
Corrigan	Hershey	Pallone	Tigue
Costa	Hess	Payne	Turzai
Creighton	Horsey	Petrarca	Vitali
Cruz	Hutchinson	Phillips	Waters
Dailey	Keller	Pistella	Wheatley
Daley	Kenney	Reed	Yewcic
Dally	Laughlin	Reichley	Youngblood
Denlinger	Lederer	Rieger	Yudichak
Diven	Leh	Roberts	Zug
Donatucci	Lescovitz		

NAYS-99

Adolph	Fabrizio	Lewis	Sather
Allen	Feese	Lynch	Schroder
Argall	Fichter	Maher	Smith, S. H.
Baldwin	Fleagle	Markosek	Steil
Belfanti	Frankel	McGeehan	Stetler
Biancucci	Gannon	McGill	Surra
Bishop	Geist	McIlhattan	Tangretti
Blaum	Gergely	McIlhinney	Taylor, E. Z.
Bunt	Gingrich	Melio	Thomas
Buxton	Godshall	Micozzie	Travaglio
Caltagirone	Good	Millard	True
Cappelli	Goodman	Oliver	Vance
Casorio	Gruitza	Petri	Veon
Causer	Haluska	Petrone	Walko
Cohen	Harper	Pickett	Wansacz
Cornell, S. E.	Hasay	Preston	Washington
Coy	Hickernell	Raymond	Watson
Crahalla	James	Readshaw	Weber
Curry	Josephs	Roebuck	Williams
DeLuca	Killion	Rooney	Wilt
Dermody	Kirkland	Ross	Wojnaroski
DeWeese	Kotik	Rubley	Wright
DiGirolamo	LaGrotta	Ruffing	
Eachus	Leach	Samuelson	Perzel,
Evans, D.	Levdansky	Santoni	Speaker
Evans, J.			

NOT VOTING-0

EXCUSED-2

Manderino	O'Neill
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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 to House amendments?

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

Mr. VITALI. Mr. Speaker, I am going to defer for the time being and ask to be recognized on final passage.

The SPEAKER. Mr. Vitali, you have the right not to offer that suspension at this point in time.

MOTION TO SUSPEND RULES

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

Mr. NAILOR. Thank you, Mr. Speaker.

I would like to make a motion to suspend the rules to offer amendment 3434, which would address the back-end referendum and in particular the special education costs.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-120

Armstrong	Donatucci	Leh	Samuelson
Baker	Egolf	Lescovitz	Sather
Baldwin	Evans, J.	Lynch	Saylor
Bard	Fairchild	Mackereth	Scavello
Barrar	Fichter	Maher	Schroder
Bastian	Fleagle	Maitland	Scrimenti
Bebko-Jones	Flick	Major	Semmel
Belardi	Forcier	Mann	Shaner
Belfanti	Freeman	Markosek	Smith, B.
Benninghoff	Gabig	Marsico	Solobay
Birmelin	Geist	McCall	Staback
Boyd	George	McGill	Stairs
Browne	Gillespie	McNaughton	Stern
Bunt	Gingrich	Miller, R.	Stetler
Buxton	Godshall	Miller, S.	Stevenson, R.
Caltagirone	Grucela	Mundy	Stevenson, T.
Cawley	Habay	Nailor	Sturla
Clymer	Haluska	Nickol	Surra
Cohen	Hanna	O'Brien	Taylor, E. Z.
Coleman	Harhai	Petrarca	Taylor, J.
Cornell, S. E.	Harhart	Phillips	Tigue
Coy	Harper	Preston	True
Crahalla	Harris	Readshaw	Turzai
Creighton	Hennessey	Reichley	Vance
Curry	Herman	Rieger	Vitali
Dailey	Hershey	Roberts	Weber
Daley	Hess	Roebuck	Wheatley
Denlinger	Hickernell	Rohrer	Yewcic
Dermody	Kenney	Rubley	Yudichak
Diven	Leach	Sainato	Zug

NAYS-81

Adolph	Feese	McGeehan	Santoni
Allen	Frankel	McIlhattan	Smith, S. H.
Argall	Gannon	McIlhinney	Steil
Biancucci	Gergely	Melio	Tangretti
Bishop	Good	Metcalfe	Thomas
Blaum	Goodman	Micozzie	Travaglio
Butkovitz	Gruitza	Millard	Veon
Cappelli	Hasay	Mustio	Walko
Casorio	Horsey	Myers	Wansacz
Causer	Hutchinson	Oliver	Washington
Civera	James	Pallone	Waters
Corrigan	Josephs	Payne	Watson
Costa	Keller	Petri	Williams
Cruz	Killion	Petrone	Wilt
Dally	Kirkland	Pickett	Wojnaroski
DeLuca	Kotik	Pistella	Wright
DeWeese	LaGrotta	Raymond	Youngblood
DiGirolamo	Laughlin	Reed	
Eachus	Lederer	Rooney	
Evans, D.	Levdansky	Ross	Perzel,
Fabrizio	Lewis	Ruffing	Speaker

NOT VOTING—0

EXCUSED—2

Manderino O'Neill

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 to House amendments?

MOTION TO SUSPEND RULES

The SPEAKER. The Chair further recognizes the gentleman, Mr. Nailor.

Mr. NAILOR. Thank you, Mr. Speaker.

I would like to try it one more time to suspend the rules for amendment A3435.

Again, it deals with the back-end referendum and the retirement contributions that we mandate of our schools.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—121

Armstrong	Eachus	Kenney	Rohrer
Baker	Egolf	Leach	Rubley
Baldwin	Evans, J.	Lederer	Sainato
Bard	Fairchild	Leh	Samuelson
Bastian	Fichter	Lescovitz	Sather
Bebko-Jones	Fleagle	Lynch	Saylor
Belardi	Flick	Mackereth	Scavello
Belfanti	Forcier	Maher	Schroder
Benninghoff	Freeman	Maitland	Scrimenti
Birmelin	Gabig	Major	Semmel
Boyd	Geist	Mann	Shaner
Browne	George	Marsico	Smith, B.
Bunt	Gillespie	McCall	Solobay
Butkovitz	Gingrich	McGill	Staback
Buxton	Godshall	McIlhinney	Stairs
Caltagirone	Good	McNaughton	Stern
Cawley	Goodman	Miller, R.	Stevenson, T.
Civera	Grucela	Miller, S.	Sturla
Clymer	Habay	Mundy	Surra
Cohen	Haluska	Nailor	Taylor, E. Z.
Coleman	Hanna	Nickol	Taylor, J.
Cornell, S. E.	Harhai	O'Brien	Tigue
Crahalla	Harhart	Petrarca	True
Creighton	Harper	Phillips	Turzai
Curry	Harris	Readshaw	Vance
Dailey	Hennessey	Reed	Vitali
Daley	Herman	Reichley	Wojnaroski
Dally	Hershey	Rieger	Yewcic
Denlinger	Hess	Roberts	Yudichak
Diven	Hickernell	Roebuck	Zug
Donatucci			

NAYS—80

Adolph	Frankel	Metcalfe	Stetler
Allen	Gannon	Micozzie	Stevenson, R.

Argall	Gergely	Millard	Tangretti
Barrar	Gruitza	Mustio	Thomas
Biancucci	Hasay	Myers	Travaglio
Bishop	Horsey	Oliver	Veon
Blaum	Hutchinson	Pallone	Walko
Cappelli	James	Payne	Wansacz
Casorio	Josephs	Petri	Washington
Causer	Keller	Petrone	Waters
Corrigan	Killion	Pickett	Watson
Costa	Kirkland	Pistella	Weber
Coy	Kotik	Preston	Wheatley
Cruz	LaGrotta	Raymond	Williams
DeLuca	Laughlin	Rooney	Wilt
Dermody	Levdansky	Ross	Wright
DeWeese	Lewis	Ruffing	Youngblood
DiGirolamo	Markosek	Santoni	
Evans, D.	McGeehan	Smith, S. H.	
Fabrizio	McIlhattan	Steil	Perzel,
Feese	Melio		Speaker

NOT VOTING—0

EXCUSED—2

Manderino O'Neill

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 to House amendments?

The SPEAKER. The gentleman, Mr. Vitali, do you wish to bring up—

Mr. VITALI. Mr. Speaker, I am going to defer offering that amendment now and just want to speak on final passage at the appropriate time.

The SPEAKER. The Chair thanks the gentleman.

MOTION TO SUSPEND RULES

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

Mr. CAWLEY. Thank you, Mr. Speaker.

I would like to make a motion to suspend the rules. I think they forgot to put something in the slots bill that I am going to offer now.

The SPEAKER. It is moved by the gentleman, Mr. Cawley, that the rules be suspended for amendment 3476.

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

The following roll call was recorded:

YEAS—107

Armstrong	Daley	Horsey	Rieger
Baker	Dally	Keller	Roberts
Baldwin	DeLuca	Kenney	Rohrer
Bard	Denlinger	Laughlin	Rubley
Barrar	Diven	Lederer	Sainato
Bastian	Donatucci	Leh	Samuelson
Bebko-Jones	Egolf	Lynch	Sather

Belardi	Fairchild	Maitland	Scavello
Benninghoff	Flick	Major	Scrimenti
Birmelin	Forcier	Mann	Semmel
Boyd	Freeman	Markosek	Shaner
Browne	Gabig	Marsico	Solobay
Bunt	Geist	McCall	Staback
Butkovitz	George	McGill	Stairs
Buxton	Gingrich	McIlhinney	Stern
Caltagirone	Godshall	Metcalfe	Stevenson, R.
Cawley	Grucela	Miller, S.	Stevenson, T.
Civera	Habay	Mundy	Sturla
Clymer	Harhai	Mustio	Tigue
Cohen	Harhart	Pallone	True
Coleman	Harper	Payne	Turzai
Cornell, S. E.	Harris	Petrarca	Vitali
Costa	Hennessey	Phillips	Waters
Crahalla	Herman	Pistella	Yewcic
Creighton	Hershey	Readshaw	Youngblood
Cruz	Hess	Reed	Yudichak
Dailey	Hickernell	Reichley	

NAYS—94

Adolph	Gannon	McNaughton	Steil
Allen	Gergely	Melio	Stetler
Argall	Gillespie	Micozzie	Tangretti
Belfanti	Good	Millard	Taylor, E. Z.
Biancucci	Goodman	Miller, R.	Taylor, J.
Bishop	Gruitza	Myers	Thomas
Blaum	Haluska	Nailor	Travaglio
Cappelli	Hanna	Nickol	Vance
Casorio	Hasay	O'Brien	Veon
Causer	Hutchinson	Oliver	Walko
Corrigan	James	Petri	Wansacz
Coy	Josephs	Petrone	Washington
Curry	Killion	Pickett	Watson
Dermody	Kirkland	Preston	Weber
DeWeese	Kotik	Raymond	Wheatley
DiGirolamo	LaGrotta	Roebuck	Williams
Eachus	Leach	Rooney	Wilt
Evans, D.	Lescovitz	Ross	Wojnaroski
Evans, J.	Levdansky	Ruffing	Wright
Fabrizio	Lewis	Santoni	Zug
Feese	Mackereth	Saylor	
Fichter	Maher	Schroder	
Fleagle	McGeehan	Smith, B.	Perzel,
Frankel	McIlhattan	Smith, S. H.	Speaker

NOT VOTING—0

EXCUSED—2

Manderino	O'Neill
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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 to House amendments?

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

On the question recurring,

Will the House concur in Senate amendments to House amendments?

MOTION TO SUSPEND RULES

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Kenney.

Mr. KENNEY. Thank you, Mr. Speaker.

Mr. Speaker, I would like to make a motion to suspend the rules to offer amendment A3409 to extend property tax relief to all senior citizens in the city of Philadelphia.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—35

Bishop	Horsey	O'Brien	Waters
Butkovitz	James	Reichley	Weber
Cawley	Josephs	Rieger	Wheatley
Cohen	Keller	Roebuck	Williams
Cruz	Kenney	Solobay	Youngblood
Daley	Lederer	Taylor, J.	Yudichak
Daly	Maitland	Thomas	
Diven	McGeehan	Tigue	Perzel,
Donatucci	Myers	Washington	Speaker
Harper			

NAYS—166

Adolph	Evans, D.	Leh	Rooney
Allen	Evans, J.	Lescovitz	Ross
Argall	Fabrizio	Levdansky	Rubley
Armstrong	Fairchild	Lewis	Ruffing
Baker	Feese	Lynch	Sainato
Baldwin	Fichter	Mackereth	Samuelson
Bard	Fleagle	Maher	Santoni
Barrar	Flick	Major	Sather
Bastian	Forcier	Mann	Saylor
Bebko-Jones	Frankel	Markosek	Scavello
Belardi	Freeman	Marsico	Schroder
Belfanti	Gabig	McCall	Scrimenti
Benninghoff	Gannon	McGill	Semmel
Biancucci	Geist	McIlhattan	Shaner
Birmelin	George	McIlhinney	Smith, B.
Blaum	Gergely	McNaughton	Smith, S. H.
Boyd	Gillespie	Melio	Staback
Browne	Gingrich	Metcalfe	Stairs
Bunt	Godshall	Micozzie	Steil
Buxton	Good	Millard	Stern
Caltagirone	Goodman	Miller, R.	Stetler
Cappelli	Grucela	Miller, S.	Stevenson, R.
Casorio	Gruitza	Mundy	Stevenson, T.
Causer	Habay	Mustio	Sturla
Civera	Haluska	Nailor	Surra
Clymer	Hanna	Nickol	Tangretti
Coleman	Harhai	Oliver	Taylor, E. Z.
Cornell, S. E.	Harhart	Pallone	Travaglio
Corrigan	Harris	Payne	True
Costa	Hasay	Petrarca	Turzai
Coy	Hennessey	Petri	Vance
Crahalla	Herman	Petrone	Veon
Creighton	Hershey	Phillips	Vitali
Curry	Hess	Pickett	Walko
Dailey	Hickernell	Pistella	Wansacz
DeLuca	Hutchinson	Preston	Watson
Denlinger	Killion	Raymond	Wilt
Dermody	Kirkland	Readshaw	Wojnaroski
DeWeese	Kotik	Reed	Wright
DiGirolamo	LaGrotta	Roberts	Yewcic
Eachus	Laughlin	Rohrer	Zug
Egolf	Leach		

NOT VOTING—0

EXCUSED—2

Manderino O'Neill

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 to House amendments?

CONSTITUTIONAL POINT OF ORDER

The SPEAKER. The gentleman, Mr. Daley.
Mr. DALEY. Thank you, Mr. Speaker.
I would like to raise the issue of constitutionality.
The SPEAKER. On what basis does the gentleman raise it?
Mr. DALEY. Mr. Speaker, section (f), page 22 through page 81, is clearly unconstitutional under the 14th Amendment of the United States Constitution of due process afforded to school districts regarding the election requirements, and it is absolutely a violation of the Constitutions of Pennsylvania and the United States of America.

The SPEAKER. The gentleman, Mr. Daley, raises the point of order that SB 100 is unconstitutional.
The Speaker, under rule 4, is required to submit questions affecting the constitutionality of a bill to the House for decision, which the Chair now does.

On the question,
Will the House sustain the constitutionality of the bill?

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

Mr. DALEY. Thank you, Mr. Speaker.

The United States Constitution under the 14th Amendment deals with procedural due process. Certain rights are afforded and privileges afforded to all individuals, corporations that live and survive and operate in the United States of America. Under this section, from page 22 to page 81, it provides for certain mandates and deadlines and date requirements for those school districts to participate in referenda as well as providing information to the Governor as well as providing information to the public through the media.

It is clearly, if you read this timeline, it simply cannot be made; it cannot be met. The school districts cannot comply with this, because the requirements simply state that the school district must do certain things at a certain time, Mr. Speaker. It is clearly, absolutely, unequivocally a violation of the 14th constitutional amendment, which provides for procedural due process for those school districts.

The SPEAKER. The gentleman, Mr. DeWeese.

Mr. DeWEESE. The Constitution is to some of us a complicated document. It is debated year in and year out and has been for well over 200 years by our courts at every jurisdiction.

There is a basic disagreement between the gentleman and me. I only heard about his remonstrations within the last

120 seconds, which I find dubious and disconcerting, but nevertheless, I think his argument is without merit. It would certainly stymie our process tonight. I think this is constitutional. I think the gentleman is wrong, and I would ask that his efforts be negated.

The SPEAKER. The Chair thanks the gentleman.

On the question of constitutionality, each member is entitled to speak only once.

Does the gentleman, Mr. Smith, wish to be recognized?

Mr. S. SMITH. On constitutionality, Mr. Speaker? I would say it is constitutional, Mr. Speaker.

The SPEAKER. It is good enough for me, Sam.

The gentleman, Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, all of us here recognize that many members have some concerns with the language in here regarding the back-end referendum, but clearly the language in this bill is constitutional.

The school districts are obviously instrumentalities of the State government. We create them; we can abolish them, whether that be the school itself or the school board. It is not a protected class. They are an instrument of State government. Certainly it is constitutional, and I would ask for a negative vote on this motion.

Thank you, Mr. Speaker.

The SPEAKER. The Chair sees no one else standing.

Those voting “aye” will vote to declare the bill constitutional; those voting “no” will vote to declare the bill unconstitutional.

On the question recurring,
Will the House sustain the constitutionality of the bill?

The following roll call was recorded:

YEAS—156

Adolph	Eachus	Lederer	Rooney
Allen	Egolf	Leh	Ross
Argall	Evans, D.	Levdansky	Rublely
Armstrong	Evans, J.	Lewis	Samuelson
Baker	Fabrizio	Lynch	Santoni
Baldwin	Fairchild	Mackereth	Schroder
Bard	Feese	Maher	Scrimenti
Barrar	Fichter	Maitland	Semmel
Bastian	Fleagle	Major	Smith, S. H.
Bebko-Jones	Flick	Mann	Staback
Belardi	Forcier	Markosek	Stairs
Belfanti	Frankel	Marsico	Steil
Benninghoff	Freeman	McGeehan	Stetler
Biancucci	Gannon	McGill	Sturla
Bishop	Geist	McIlhinney	Taylor, E. Z.
Blaum	Gergely	McNaughton	Taylor, J.
Boyd	Gingrich	Melio	Thomas
Browne	Godshall	Metcalfe	Tigue
Butkovitz	Good	Micozzie	Travaglio
Buxton	Gruitza	Millard	True
Caltagirone	Habay	Miller, S.	Vance
Cappelli	Haluska	Mundy	Veon
Casorio	Harper	Mustio	Wansacz
Causer	Harris	Myers	Washington
Civera	Hasay	Nickol	Waters
Clymer	Hennessey	O'Brien	Watson
Cohen	Herman	Oliver	Weber
Cornell, S. E.	Hershey	Pallone	Wheatley
Corrigan	Hess	Payne	Williams
Costa	Hickernell	Petri	Wilt
Coy	Horseby	Petrone	Wojnaroski

Crahalla	James	Phillips	Wright
Cruz	Josephs	Pickett	Yewic
Curry	Keller	Pistella	Youngblood
Dailey	Kenney	Preston	Yudichak
DeLuca	Killion	Raymond	Zug
Dermody	Kirkland	Reichley	
DeWeese	LaGrotta	Rieger	
DiGirolamo	Laughlin	Rohrer	Perzel,
Donatucci	Leach		Speaker

NAYS—45

Birmelin	Goodman	Nailor	Shaner
Bunt	Grucela	Petrarca	Smith, B.
Cawley	Hanna	Readshaw	Solobay
Coleman	Harhai	Reed	Stern
Creighton	Harhart	Roberts	Stevenson, R.
Daley	Hutchinson	Roebuck	Stevenson, T.
Dally	Kotik	Ruffing	Surra
Denlinger	Lescovitz	Sainato	Tangretti
Diven	McCall	Sather	Turzai
Gabig	McIlhattan	Saylor	Vitali
George	Miller, R.	Scavello	Walko
Gillespie			

NOT VOTING—0

EXCUSED—2

Manderino O'Neill

The majority having voted in the affirmative, the question was determined in the affirmative and the constitutionality of the bill was sustained.

On the question recurring,

Will the House concur in Senate amendments to House amendments?

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

Mr. MAHER. Mr. Speaker, if we are on final passage?

The SPEAKER. We will put you on the list, Mr. Maher. The first person to seek recognition was the gentleman from Luzerne, Mr. Blaum.

REMARKS SUBMITTED FOR THE RECORD

Mr. MAHER. Mr. Speaker, may I just request permission to submit remarks for the record?

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

Mr. MAHER. Thank you.

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

Hoping for a big property tax break from the new slots/property tax laws? You will be disappointed if you live in southwestern Pennsylvania. Instead of the 30-percent reduction that Ed Rendell promised as a candidate, or the 23-percent "average" relief that Governor Rendell advertises for this plan, homeowners in southwestern Pennsylvania will receive paltry property tax relief from slots when it finally starts flowing.

The relief from slots for this year is zero. The slots relief for next year is zero. The slots relief for the year after may well again be zero.

When relief begins to flow from slots many years from now, the relief will not arrive in large amounts in southwestern Pennsylvania. For the region as a whole, when slots relief begins to flow many years from now, the average homeowner is forecast to receive just \$132 benefit – not 30 percent, not 23 percent, not even 10 percent on average.

For Allegheny County, the average homeowner's "relief" from slots will not even be enough to offset the increases in school property taxes of just the past 3 years. On average, Allegheny County homeowners are forecast to receive \$146 annual relief from slots – when it finally comes – which is obviously less than the \$166 increases from millage changes that county homeowners have averaged since 2001.

This proposal does not come close to satisfying the need for genuine property tax reform. Instead, I suspect that this bill will prove to be the death of property tax reform for the duration of this administration. The relief from slots for homeowners is exaggerated – much of the funds that should have gone to property tax relief has been hijacked.

Some may take solace in the referendum provisions of this bill. The budget-referendum provisions are written in such a way that I make the unhappy prediction that a majority of school districts will now opt to raise tax rates every year. How unfortunate that a bill that is supposed to reduce property taxes will probably inspire increases year after year.

Regional inequities also impair this bill. Homeowners – whether retired or working – and even renters who work will face paying more taxes in southwestern Pennsylvania so that suburban Philadelphia commuters can pay less.

This property tax bill is rigged against southwestern Pennsylvania just like a slot machine. The payout from slots for property tax is years away. The amount is a small fraction of that advertised with bells and whistles. The referendum mechanism is built in a way that will encourage ongoing school tax increases. The payout is rigged in favor of one region at the expense of the rest of the State. This bill guarantees that hundreds of thousands of the residents of southwestern Pennsylvania will be outright losers or wind up with mere pocket change.

The SPEAKER. The gentleman, Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of SB 100, and indeed this moment is a very historic one for this chamber, this House of Representatives, this General Assembly, and the dozens of members on both sides of the aisle who have made property tax reform a substantial plank in their platform these many years must be feeling very good right now.

We almost got there in 1989, 15 years ago, because Gov. Bob Casey was willing to spend some considerable capital to move this issue forward but came up short. Since 1989 this issue has languished. No matter how many plans on both sides of the aisle were put forward, we lacked some gubernatorial leadership to bring it to conclusion. In 2002 that all changed. Because of the leadership of Ed Rendell, we have been able to push this bill, property tax reform, meaningful property tax reductions for our families and our senior citizens, over the finish line, and again, the members here should feel darn good about it.

It is fitting that we do it on July 4. Though it has been 15 years, it is fitting that we begin to lower people's school property taxes here on the Fourth of July.

We all received the printouts. This is substantial reductions. In my district it means a \$356 reduction. That is a 38-percent reduction. That is enormous. That is a higher percentage than we even envisioned in 1989, if we reach our billion-dollar goal; if it is a billion-2, it is even higher; 750 million, it is a little

lower, but it is a substantial reduction for our citizens no matter how we cut it.

I want to thank all the members here on the floor of the House who have made property tax reform and property tax reduction a substantive part of their efforts here in elective office, and I ask the members for an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Vitali, for concurrence only. Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

I urge nonconcurrence on SB 100. I am very disappointed as to what this bill is doing for and to our local school districts.

Mr. Speaker, we presumably will be getting be it a billion dollars or somewhere thereabouts in revenues to reduce property taxes, but rather than giving this to our school districts in a straightforward manner, we are putting in all sorts of bells and whistles. We have a front-end referendum, a back-end referendum, a local match, and, Mr. Speaker, I just think this is inappropriate. I think it runs counter to the principles of representative democracy.

Mr. Speaker, I am also very disappointed as to the amounts of money our school districts will be receiving and when they will be receiving them. We have already talked about the fact that it will be only 3 years into the future when we start getting them, but I am looking at the amounts that my school district, for example, will be getting, and when I hear the word "historic," I really have to pause and question that.

My school district, assuming a \$500 million revenue from casinos, will only be getting an 8-percent decrease in their school property taxes. Considering that is only a fraction of their overall property tax when you consider county and township, that only might be less than a 5-percent reduction in their property taxes, and for what? You are subjecting my district to the front-end referendum, the back-end referendum. We do not have a local income tax now. Now they are going to have to have a local match. For what?

Mr. Speaker, I believe a better approach to this, if you had \$1 billion or \$500 million, would simply be to create some sort of weighted system with the wealth of the districts and the taxing effort taken into account and just giving it to them in a straightforward manner, but the most onerous, in my view, the most onerous provision is the back-end referendum. Mr. Speaker, that is a provision that threatens to starve our school districts of needed resources.

You probably have been contacted by local school board members, parents, and teachers asking you to oppose the back-end referendum provision, and I, in fact, do oppose it also.

Mr. Speaker, the history of back-end referendums is that they tend to lose; they tend to lose, because the fact of the matter is most homeowners at any given point in time do not have kids in public schools. They may be in Catholic schools; they may be without kids; their kids may have grown. So they tend to lose, and as a result, school districts tend to be unable to secure needed funds, and what suffers, the things to go, are the sports programs and the extracurriculars. Mr. Speaker, this is not what is best for our kids.

In my view, this is totally inappropriate to impose upon our school districts a back-end referendum, and that is why I move to suspend the rules for the consideration of amendment 3417, which would—

The SPEAKER. I apologize.

Mr. VITALI. —eliminate back-end referen—

The SPEAKER. I apologize.

The gentleman is out of order. You were not recognized for that, Mr. Vitali.

PARLIAMENTARY INQUIRY

Mr. VITALI. Parliamentary inquiry.

The SPEAKER. The gentleman will state his point.

Mr. VITALI. I have an amendment to offer, a motion. Will I be recognized at some point in the proceedings to offer my motion?

The SPEAKER. You were recognized twice to offer the amendment, Mr. Vitali. You will not be recognized again. Every member was asked at the same time to offer the amendments. You chose not to. You have given up that right, Mr. Vitali.

PARLIAMENTARY INQUIRY

Mr. VITALI. Parliamentary inquiry.

The SPEAKER. The gentleman will state that.

Mr. VITALI. Where in the rules does it say I give up the right to make, at any point in the debate, give up a right to suspend rules?

The SPEAKER. The gentleman was recognized only for the right of speaking on concurrence. I said that when I started recognizing the gentleman.

Mr. VITALI. My question to you, Mr. Speaker, is, where in the rules does it say I give up my right to make a motion to suspend at any point in these proceedings?

The SPEAKER. Mr. Vitali, I have made the ruling. If you do not like it, you can challenge the ruling of the Chair.

Mr. VITALI. The ruling of the Chair is what?

The SPEAKER. The ruling of the Chair is that I offered you the opportunity twice to offer your amendment when everyone else was offering the amendments. You chose not to. Now you are trying to do it now when I recognized you specifically to be recognized only on concurrence.

Mr. VITALI. Mr. Speaker—

The SPEAKER. So you have the right as a member to appeal the ruling of the Chair.

Mr. VITALI. I am asking, before I make any appeal, I am asking what, by parliamentary inquiry, which is designed for me to ascertain what is happening, what provision in the rules are you citing that prevents me from having the right to make a motion to suspend? What rule are you citing?

The SPEAKER. We are not citing a rule. We are citing under the conditions that you were recognized. You were recognized under the condition for concurrence only.

Mr. VITALI. I understand that, Mr. Speaker.

The SPEAKER. That is the ruling of the Chair. The only thing you have left, Mr. Vitali, is to appeal the ruling of the Chair.

Mr. VITALI. I do not contest the fact, Mr. Speaker, that you recognized me for the purpose of speaking on the bill.

The SPEAKER. Twice.

Mr. VITALI. I do not contest that. My question is — and I have been in these chambers for 12 years, and I have seen many members rise at various points in the debate to make motions to suspend — my question is, I, in the course of this

debate, wish to do that. Will I be recognized in the course of this debate to move to suspend, should I so choose to?

The SPEAKER. Mr. Vitali, you are asking for a special privilege that we did not allow any other member that wanted to suspend the rules. If you would like to appeal the ruling of the Chair, that is the only course left open to you at this point in time, but I asked you twice if you wanted to offer the amendment. You waived off and said you did not.

Mr. VITALI. At that point in time I did not.

The SPEAKER. Well, Mr. Vitali, every other member did it the same way. We are not making a special exception for you.

Mr. Vitali, this is the last time I am going to ask you, would you like to appeal the ruling of the Chair? Yes or no.

Mr. VITALI. No. I would like to be recognized—

The SPEAKER. The Chair thanks—

Mr. VITALI. —for the purpose of making a motion to suspend.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. COY. Thank you, Mr. Speaker.

I do not want to make a motion to suspend the rules, Mr. Speaker. I want to assure you of that. But I did not speak on the last matter, so I felt if we are going to be here at this point in time, you ought to say something – right? – to keep everybody awake.

With all seriousness, Mr. Speaker, I rise to support concurrence on this legislation, and I do so in much the same respect that the gentleman from Luzerne before me who spoke also did. What we are doing here today has been tried a long time. I am in my 11th term, and I remember hearing about property tax reduction – not reform, property tax reductions – for a long time, and I suspect when we walk out of this chamber or maybe crawl out of it at whatever hour we do, that there will be people who will talk a lot about lowering property taxes. Some people will say it was not enough, some people will say it could have been more, some people will not like the process, some people did not like the source of revenue, but when the notices go out to people whenever that happens, next year or the next, there are going to be a lot of people taking credit for it.

Now, someone once said that politics is the art of taking credit for, so I suspect a lot of folks will be good at taking credit for, but I fail to see and I have heard at least one person say they were going to vote against this. I just want to say that if you are going to be in the business of taking credit for something, you ought to be willing to put up a vote for it. I also happen to think that about the revenue part before, but that is sort of a different matter now.

What is before us now is an opportunity that we have come to because our Governor has led us in the direction where we can finally achieve some property tax reductions. I would venture to say that all of us at one time or another have spoken especially in favor of property tax reductions for senior citizens. Now, it is not hard to figure that even if there is an increase at the local level of the earned income tax, most senior citizens will not pay that, and so their reduction in property taxes will be true and will amount to something without any other additional taxes.

My purpose in rising to speak is to say that we tonight bring to the people of Pennsylvania real property tax reductions. Admittedly, they may take a while. Admittedly, if any one of us were king and could write this bill ourselves, we might have

written it a little bit differently. We might have included a few other folks. We might have tried to do something just a little bit differently to make it happen. We all know the situation we are in. The last bill and this bill is the art of the compromise. Folks in both chambers had to have their say and have an input in it, and they did, and the Governor's Office had to be involved, and they were. So we came with a bill to provide revenue and now we come with a bill to provide property tax relief in Pennsylvania.

Truly I think there were references made in the last bill to Independence Day today. I really think in truth that we are bringing some independence from the dependence on property taxes by what we do in this bill by helping to lower even maybe it is a little bit, but eventually, with hope, that fund will grow and property tax reductions can become even more meaningful and greater in the future. We start tonight under the leadership of Governor Rendell of lowering property taxes for people in Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I am going to move to nonconcur on SB 100. The money that is going to be received in Governor Rendell's bogus tax relief program is going to be from the exploitation of the poor – yes, the exploitation of the poor – and it is not my intention to place, it is not my intention to sacrifice Pennsylvania families on the altar of the slot machines for these few dollars that we are going to get in 2006, and we call it tax relief, property tax relief.

Now, Mr. Speaker, as a Republican conservative, if you will, I think one of my obligations is to protect the poor, the helpless, those who are going to be driven into these casinos, racinos, and spend their money and then they become a social problem. I know, I know many on the other side of the aisle, my good friends, they like to turn a blind eye and a deaf ear to the high social costs that come with addiction. They do not want to talk about it because it does drive down the actual dollars that we receive in government. I would think, though, that they would share this concern with me and that they would join me in nonconcurring in a bill that is going to take money from those who least can afford it, thousands and thousands of dollars, Mr. Speaker, that they cannot, that they cannot afford to lose, and yet that is what is going to happen. How can we allow this to happen in this General Assembly? Well, it is about to happen and it has happened, but I want to make it very clear that I am not going to vote for this bill.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Daley.

Mr. DALEY. Thank you, Mr. Speaker.

I find it deplorable that we are dealing with the future of education and we are politicizing it tonight and being forced to vote on the back-end referendum on this essential property tax in the same bill. Mr. Speaker, between the years 1200 and 1500 A.D. – let me correct that – 1200 and 1500 B.C. in Greece, Mr. Speaker, for 10 years the Greeks fought at Troy and could not get into Troy for 10 years, and then what they created was a Trojan horse, and inside the belly of that Trojan horse they hid the Greek soldiers. They left and they withdrew their ships,

and the people in Troy let that Trojan horse inside, and that Trojan horse is this legislation today, Mr. Speaker.

What we are doing today by putting back-end referendum in this legislation, it is the belly of the Trojan horse, Mr. Speaker. If the supporters of this back-end referendum were so sure this legislation would pass, it would stand alone, but, Mr. Speaker, you have sat here with me for 20 years, many of you friends of education, friends of public education, and time and time again there has been that out-and-out attack on public education, and today, today, today, on July 4, 2004, we have the Trojan horse embellished, embodied, a part of this legislation, and we are bringing it in. We would never have done this before, but today because we want tax reform, because we want gambling in Pennsylvania, when we want to change Pennsylvania, the Trojan horse is here. School districts are going to be bound up in the future with this legislation. School district referendums are going to cripple public education, because today is truly the day the Trojan horse is brought into public education, and today is the beginning of the end of public education in Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Steil.

Mr. STEIL. Thank you, Mr. Speaker.

I rise in support of concurrence in SB 100.

Three years ago Representative Rubley, Representative Grucela, Representative Melio, and myself organized the tax policy caucus. We spent a lot of time developing ideas on this whole issue of tax reform. Tonight we are about to see those ideas bear fruit, because many of those ideas are contained in SB 100.

And, yes, I have heard the complaints that the small amount of money that flows from gambling is not tax reform. They are right. It is not tax reform, but it is one piece of tax reform, because tax reform is a multifaceted issue, and the most important part about this bill is that for the first time it will allow school districts to move away from real estate taxes to an income tax if the people of that district so choose.

This has always been a partnership. It is a partnership between the people we represent, the school districts, and this body, this legislature. We have found the middle ground between those three parties, and by allowing school districts to move off of real estate taxes, up to as much as 50 percent of those real estate taxes, we will have accomplished one of our major objectives.

I want to thank all of the members on both sides of the aisle for working with us on this, and I urge your support of SB 100.

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 rise and urge a nonconcurrence on this bill, and there are a couple of reasons why I do not believe that this bill is what the people of this State want. The people of this State have been told by this Governor and others that they will get property tax relief. They are expecting property tax relief. That means more than just a few dollars. Relief is not \$50. Relief is not \$100. Oh, that is a help, but that is not what the people of this State are expecting.

And, Mr. Speaker, not only under this bill will the people of this State receive very few dollars, my entire county on the projections as laid out here from projected gambling revenues are about 10 percent, but for almost all of the districts they are

going to have to raise their earned income tax half of that. The net result is maybe \$100. They have increased their taxes to back off a little bit.

The worst, perhaps even worse than that – and we did not even talk about it in the bill before because there were so many other things to talk about – but the funding that goes under this bill to relieve the property tax is not going to be received this year. It is not going to be received next year in '05. It is not going to be received in '06. Very likely there will not be anything received until '07 or maybe '08. By that time every person in this State, homeowner, will have seen their taxes already go up more. So what they get 4 years from now will be less than their taxes have already gone up. By that time they forgot anything was coming and they forget what in the world it was for.

Not only that, there are many people who are expecting a property tax check. They are never going to see a check, because under this bill the money goes to the school and then the school, when they send out the bill, will offer a little discount. That little discount will not be received by the taxpayer as a property tax reduction. Oh, it will be a discount, but I guarantee you right now that is not what they want. What the people of this State want is a property tax elimination, and I say elimination because it can be done, and the minority leader called out earlier and said people do not want a consideration of a sales tax. Well, frankly, they do, because what they want is an elimination of their property tax and all the other taxes, and that can be done, and those bills are in the Finance Committee and hearings will be held on them.

So, Mr. Speaker, there is a proposal that eliminates the tax. This offers no reduction to amount to anything, and as a result, Mr. Speaker, I believe that a nonconcurrence is the best vote, and that is what I am intending to make.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Westmoreland, Mr. Stairs.

Mr. STAIRS. Thank you, Mr. Speaker.

I support this legislation, this concurrence that is in front of us. Certainly at this hour of the day it is not with enthusiasm, but I come to the conclusion that a little bit is better than nothing at all, and I am hopeful that this is the beginning of an attempt in the legislature to bring about a tax reduction if not tax reform to our property tax owners in Pennsylvania.

Particularly troublesome to me in this bill, even though I am voting for it, is a back-end referendum. If we indeed fund schools as the State should fund the schools and up our percentage of contribution, that will not be a serious problem, but indeed if we do not step to the plate and maintain a fair and adequate funding of the State's portion, then this is only a Band-Aid and we are going to be back here very, very soon trying to address this problem again.

But I am taking the upbeat. Even though I have been discouraged by the previous vote on the bill in front of us regarding to gaming and the small amount of tax reductions, I do hope that we can work with the Senate to increase the State's share of education funding, and this will be a giant step eventually to reduce property tax in this Commonwealth if not eliminate property tax.

So at this early in the morning, it is a "yes" vote, but we have a lot of work ahead of us to write this limited amount of tax reduction.

Thank you, Mr. Speaker.

**THE SPEAKER PRO TEMPORE
(GEORGE T. KENNEY, JR.) PRESIDING**

The SPEAKER pro tempore. The Chair thanks the gentleman.

The gentleman, Mr. Thomas, from Philadelphia is recognized. Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support SB 100, and, Mr. Speaker, as you know, in Philadelphia County this will represent anywhere from a 7- to 13-percent reduction in wage taxes not only for people who live and work in Philadelphia County but for people who work in Philadelphia County but live in any of the surrounding counties.

Mr. Speaker, this a big one for southeastern Pennsylvania, and so, Mr. Speaker, if it is a Trojan horse, please let me ride that Trojan horse down Broad Street in Philadelphia County.

Vote "yes" on SB 100.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Browne, from Lehigh County.

Mr. BROWNE. Thank you, Mr. Speaker.

Mr. Speaker, 30 years is a long time to work on any issue, and I have been here for 10, but a lot of the more senior members tell me this issue was discussed 20 years before I got here. But one very positive point about that length of time on any issue is we have a tremendous amount of legislative history in which to build in order to get to this point with SB 100, and in some ways it is understandable that this issue has taken as long as it has, because there is probably no issue that affects more people and that has more varied interests in terms of its effects throughout the Commonwealth than property tax reform because of the number of subdivisions we deal with, because of the fact it is a primary source of revenue for our largest public agency.

But the difficulty in addressing this issue has been evidenced by some of the lessons we have learned over the years – first in 1989 with a measure that failed by a million votes because people were not convinced that the revenue that was raised would go to property tax reduction. However, there was a recognition that the people of Pennsylvania may be willing to go to another source of revenue to reduce their property taxes. Then Act 50, which I had spent a lot of time with the late Representative Boyes in drafting, was building on the experience of 1989, with targeting the property tax reduction to homestead exemptions and looking for ways to get more voter input, but because there was not enough voter input in that process, that only resulted in limited relief across the State.

Now with SB 100 we have the next building block in effective property tax reform, locally based property tax reform for the Commonwealth, and the most important component of this reform is that we will see a mandatory – and I want to repeat that – a mandatory 50-percent reduction in most of the school districts in terms of property taxes throughout the State.

Now, there were some indications throughout the gambling debate that is it appropriate to vote against the gambling measure and then go ahead and vote for SB 100? Now, I would submit that it was, because if you look at the total amount of benefit that comes out of SB 100, the amount that comes from

the gambling revenue for most districts is insignificant, is insignificant compared to the other provisions in this bill that allow for additional sources of revenue and that mandatory 50-percent reduction, and in some places, 100-percent reduction.

The bill is not perfect. It will result in varied tax rates throughout the State in order to get to that mandatory reduction, but the bottom line in terms of what we are trying to accomplish with SB 100 is maybe not the gambling revenue will provide the needed reform, but as a total package it will for the first time provide mandatory relief for property taxes throughout the Commonwealth, and that is why I ask for concurrence on SB 100.

The SPEAKER pro tempore. The Chair thanks the gentleman, Mr. Browne, and recognizes the gentleman, Mr. Benninghoff, of Centre County. Mr. Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

I want to make a quick comment and then ask the maker of the amendment if he will answer a question.

I get a little disturbed when I hear this called property tax reform. It may be some relief, but I do not totally see it as reform. In order to have reform, I think we need to be addressing how we fund education and some of the inequities across the Commonwealth as well as the resources in order to do that.

With that in mind, I would like to see if there would be someone that I could interrogate on a quick question, just for a better understanding.

The SPEAKER pro tempore. The gentleman, Mr. Steil, will stand for interrogation. Mr. Steil.

Mr. BENNINGHOFF. Thank you.

As we just finished on the last proposal now under the taxation, I am trying to understand the economics of being able to raise \$1 billion, and I want to be clear on the fact that in order to get any relief, we are dependent on raising that money.

The SPEAKER pro tempore. Excuse me, Mr. Benninghoff.

I know the hour is late, but, members, please give the gentleman the time he deserves and please be quiet.

Thank you.

Mr. BENNINGHOFF. Thank you, and thank you, Mr. Steil.

I just want to clarify, in order to get any property tax relief from the previous bill that was passed, known as gaming, would we first have to raise \$900 million?

Mr. STEIL. That is my understanding, yes.

Mr. BENNINGHOFF. \$400 million for the reserve and then—

Mr. STEIL. \$500 million for disbursement.

Mr. BENNINGHOFF. And that is before \$1 could be paid out in any kind of property tax relief.

Mr. STEIL. That is correct.

Mr. BENNINGHOFF. My next question to that then, I am trying to distinguish how Pennsylvania will raise \$1 billion when we see some of our other established States – Nevada, New Jersey – not tipping over \$750 million.

Mr. STEIL. I am not qualified to speak to the revenue that will be generated from the gaming bill. I can only tell you what is in this bill. If those receipts from the gaming bill do not achieve the levels that are required by this bill, then we will all be back here discussing it again.

Mr. BENNINGHOFF. I appreciate your honesty and your willingness to answer that.

Mr. Speaker, I would just make a final comment on this. Thank you, Mr. Steil.

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

Mr. BENNINGHOFF. Thank you, and I will keep this brief.

I have not decided which way I want to vote on this bill. We would all like to be able to march out of here and say we did something for property taxes. I think we do need to be very clear and not be using terminology that this is reform. I guess we found some other pot of money or at least a perceived pot of money. It does make me concerned to be making promises to the people of the Commonwealth that we are going to give you relief on money that we hope we make in the next several years down the road. To me, that is somewhat of a false promise.

But I think we do need to be cognizant of the fact, if we really want to talk about reform, then we need to talk about how we fund education. Most of us do not see property tax as that resource any more, and we need to be open minded to some others. So I just encourage the members to think about what it is that we are truly telling the taxpayers we are doing.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Mr. George of Clearfield County.

Mr. GEORGE. Thank you, Mr. Speaker.

Now, Mr. Speaker, a moment ago I heard, well, one of our colleagues talking about \$50, \$100, and to that individual that did not sound like very much. I would submit to him that if somebody gives you \$50, it may not sound like much, but if you owe somebody \$50 and do not have it, it is a great deal.

Now, Governor Rendell had this vision and it has become a reality, and the truth of the matter is, it is the first move to reducing the troublesome burden on property taxes. Now, just last night, if you will, Mr. Speaker, we argued about another bill and being able to pay your utility bill and what would happen if you did not, and I would further submit that \$50 or \$100 or \$200 or \$300 goes a long way to paying those bills. So Governor Rendell should feel very, very enthused and happy about what is going on at the moment, and he should realize that it only came about because all of us, Republican and Democrat, share the same concerns and are hopeful for the same alleviation of the burden that is imposed upon the working men and women, which is worse now than it has been over the last 10 years because of the reduction in the amount of money that the State is providing in subsidy and the fact that the economy is as it is. So I do not know whether you feel like this personally, but you should. You have done an ombudsman job, you and the Governor.

Thank you very much.

THE SPEAKER (JOHN M. PERZEL) PRESIDING

The SPEAKER. The Chair thanks the gentleman.

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

Mr. ROEBUCK. Thank you, Mr. Speaker.

I want to raise two concerns I have with this particular legislation. The first certainly is the issue of back-end referendum. Back-end referendum is not educationally sound; it creates very serious problems for our school districts, and I hope that we will move from this point to seek ways in which

we can design systems that do indeed adequately fund our public school systems, and I hope that we can recognize the onerous limits we impose upon school districts through the referendum proposal.

The second concern I have, Mr. Speaker, is the failure of this bill to really deliver property tax relief to the city of Philadelphia. Wage tax relief is not property tax relief. What this bill does indeed is provide an incentive to make living outside the city more attractive than living in the city, and that is a very serious issue for me, and I think we ought to look at ways in which we can indeed deliver the benefits of property tax relief to all of the citizens of Pennsylvania on an equal basis.

Those reservations notwithstanding, I will vote for this legislation, but I certainly am not quite ready to join that parade down Broad Street unless my suburban colleagues do indeed reciprocate with providing benefits to city residents as we are providing to those who live in the suburbs.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Dauphin, Mr. Payne.

Mr. PAYNE. Thank you, Mr. Speaker.

Mr. Speaker, if I could, while I am a "yes" vote on this bill, I think it is important for the constituents and the taxpayers and residents of the Commonwealth of Pennsylvania to understand, we are not talking about a billion dollars; we are not talking about a major tax cut in the property taxes, particularly in the 106th District. As an example, in my school districts, Central Dauphin, the average taxpayer is going to get \$161, \$161 back; Derry Township schools are \$197. Mr. Speaker, when our taxpayers pay \$4,000 and \$5,000 and \$6,000 in school property taxes and you tell them we are giving them \$160 or \$190, that is not major property tax relief, and it is not going to happen in '04, it is not going to happen in '05, it is not going to happen in '06. It will be lucky if it happens in '07. The school districts have to opt in, and they get one shot at this, in May of '05 to opt in to the plan. They can also shift the burden onto the income. When you do all the changes in the formulas, some people are going to see their taxes go up. I only hope that the majority of seniors on fixed incomes actually get some kind of a tax break and the school boards have the ability to look at shifting from property to income.

But, Mr. Speaker, make no doubt about it, tonight is not a property tax freedom day; it is a little small sliver compared to what we have been told over the past months of this major billion-dollar property tax reduction plan that has turned out to be maybe \$500 million and maybe in 5 or 6 years.

Thank you, Mr. Speaker.

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 opposition to SB 100.

Mr. Speaker, I have been talking back in Butler County and wherever I get a chance to in the State when the opportunity arises about real property tax reform, Mr. Speaker, about eliminating property tax and restoring the right for someone to truly own their own property and not to have to pay that never-ending lease that we pay that we call property tax right now.

Mr. Speaker, this bill here is not the answer that the people across Pennsylvania have been asking for and looking for.

Mr. Speaker, this bill and the reduction that is being promised here, the reduction that is not going to be realized for at least 2 years from now, possibly 3 or 4 years from now, possibly taking us through two election cycles, this is not the answer that the voters of Pennsylvania are looking for.

Mr. Speaker, this is a political answer to a very real problem. Mr. Speaker, there are people losing their homes today, and this relief is not going to help them. This relief is not going to help them from losing their homes today or tomorrow or by the end of this year or by the end of next year.

Mr. Speaker, the referendum that is being offered in this piece of legislation, the supposed referendum, is not the referendum that people across Pennsylvania are in favor of. I received an e-mail recently from a lady who has been working on this issue and delivering hundreds of petition signatures to me with people that want to have the chance to say “yea” or “nay” to their school district increasing their taxes. There are so many loopholes written in this referendum provision, Mr. Speaker, that this effectively is no referendum position. This referendum position, so-called referendum, with the automatic increases yearly that they are allowed to go up to, as we calculate by the inflationary index that we are calculating, and I do not know the exact term that we are using, whether it is the CPI (Consumer Price Index) or the job growth in the area, but whatever percentage we are giving the school districts to raise the taxes, you can be assured, Mr. Speaker, that those school districts that are abusing taxpayers now and raising taxes too much and too often are going to raise these taxes year after year after year to that percentage they can get away with without going to referendum, just to ensure that they have that money built up that they can spend, spend, spend.

I am going to be voting against SB 100, Mr. Speaker, because this is not property tax reform, this is not property tax relief, and this is not voter referendum.

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 cannot tell you that at 10 to 3 in the morning on July 4, 2004, how proud I am of this legislature over the last 14 hours. We have had a tremendous debate about some very important issues, and that members feeling passionately on both sides of each of these issues have done this—

The SPEAKER. Mr. Veon, just one moment.

The gentleman is entitled to be heard. Please. Keep the noise levels down, please.

Mr. Veon.

Mr. VEON. Mr. Speaker, members very passionately on both sides of these issues have done this State House very proud in articulating their point of view very strongly and making their case very clear.

Mr. Speaker, I believe that we are in fact conducting a historic debate, because I think this is a rare opportunity for the State legislature to make historical change in the State of Pennsylvania. When you look back over the last 30 or 40 or 50 years in the State legislature, you can point to several historic changes in the law – creation of the State income tax, creation of the State lottery, creation of the community college system, creation of the State System of Higher Education – and, Mr. Speaker, I want to make a strong case that onto that list, whether you agree or disagree with what we pass here today, that the licensing of slot machines in Pennsylvania is a historic issue, and certainly the cutting of property taxes funded by

State government, funded by State revenue, for the first time ever in the history of Pennsylvania, is in fact a historic issue and historic day.

And, Mr. Speaker, I do want to make it clear that in addition to the fact that we are putting together a bill here today that will provide \$1 billion in property tax cuts, in addition to doing that, we are making a significant change that should be articulated here, and that by providing a billion dollars in property tax cuts, financed by State revenue, paid for by the slot licensing that we just passed, we are in fact also increasing the State share, the State share of the funding of local school districts, something many of us have fought for since the day we got here. That share has gone down in the 20 years that I have been here. For the first time ever, Mr. Speaker, for the first time ever, in this historic moment, we are going to pass a bill that will for the first time start to increase the State share of funding of local school districts. That is historic change, and we are making history by passing this bill.

Mr. Speaker, I have heard some folks here say that this is no big deal, that these kinds of cuts do not mean very much. Well, I know we come from all different areas of the State of Pennsylvania, and I, of course, hail from the county of Beaver, and my constituents are going to receive very significant tax relief, significant property tax cuts. Very quickly, Mr. Speaker, for example, 50 percent tax reduction, 21 percent property tax reduction, 15 percent property tax reduction, 50 percent, 28 percent, 23 percent, 35 percent, 24 percent, 50 percent, 38 percent, and, Mr. Speaker, where I come from in Beaver County, those are real; those are significant; they mean something to real Pennsylvanians. It is real property tax relief.

I called a constituent in Beaver Falls last night who just happened to get his property tax bill that day, and I asked him to tell me how much his property taxes were in that tax bill – \$900. And I looked at the printout that we have; that gentleman is going to receive a \$450 property tax cut once this State is collecting a billion dollars from these slot machines, a 50-percent property tax cut, and each and every one of us is going to be able to talk to real people in our districts who are going to receive real property tax reduction.

Mr. Speaker, I do want to make a comment about the back-end referendum that is in this legislation, and I do want to say that I am proud of the effort that many people here made to soften the very sharp edges of the back-end referendum, to make it as reasonable and rational as possible. Mr. Speaker, since the day I got to the legislature, I have opposed referendum. I think public officials ought to be elected to use their own judgment to make good decisions, and if this back-end referendum were standing on its own, the legislation by itself, I would not vote for it. But, Mr. Speaker, it is not standing on its own; it is included in this bill that provides incredible, historic property tax relief.

Mr. Speaker, as a couple of other speakers mentioned here tonight, there are so many members all throughout the chamber who deserve a lot of credit for bringing this issue to the point it is right now, members that fought for tax reform, who talked about property tax reduction. Mr. Speaker, I think that everybody in this chamber also knows and will note that a tremendous amount of credit can and should and ought to go to Gov. Ed Rendell, who made this issue a priority in his campaign and in the day he walked into the State Capitol and he said that we are not going to do business as usual. Well, Mr. Speaker,

when we pass this bill, it will not be business as usual in the State of Pennsylvania.

I again congratulate the members in this Assembly for the debate that was conducted here tonight, and I strongly urge a “yes” vote for historic property tax cuts.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House concur in Senate amendments to House 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—164

Adolph	Fairchild	Lewis	Scavello
Allen	Feese	Lynch	Schroder
Argall	Fichter	Mann	Scrimenti
Baker	Flick	Markosek	Semmel
Baldwin	Frankel	McCall	Shaner
Bard	Freeman	McGeehan	Smith, S. H.
Barrar	Gannon	McGill	Solobay
Bebko-Jones	Geist	McIlhattan	Staback
Belardi	George	McIlhinney	Stairs
Belfanti	Gergely	McNaughton	Steil
Benninghoff	Gingrich	Melio	Stetler
Biancucci	Good	Micozzie	Stevenson, R.
Bishop	Goodman	Millard	Sturla
Blaum	Grucela	Miller, S.	Surra
Browne	Gruitza	Mundy	Tangretti
Butkovitz	Habay	Myers	Taylor, E. Z.
Buxton	Haluska	O’Brien	Taylor, J.
Caltagirone	Hanna	Oliver	Thomas
Cappelli	Harhai	Pallone	Tigue
Casorio	Harhart	Payne	Travaglio
Causer	Harper	Petrarca	True
Cawley	Harris	Petri	Turzai
Civera	Hasay	Petrone	Veon
Cohen	Hennessey	Phillips	Walko
Cornell, S. E.	Herman	Pickett	Wansacz
Corrigan	Hershey	Pistella	Washington
Costa	Hickernell	Preston	Waters
Coy	Horsey	Raymond	Watson
Crahalla	Hutchinson	Readshaw	Weber
Cruz	James	Reed	Wheatley
Curry	Josephs	Reichley	Williams
Daley	Keller	Rieger	Wilt
Dally	Kenney	Roberts	Wojnaroski
DeLuca	Killion	Roebuck	Wright
Dermody	Kirkland	Rooney	Yewcic
DeWeese	Kotik	Ross	Youngblood
DiGirolamo	LaGrotta	Rubley	Yudichak
Donatucci	Laughlin	Ruffing	Zug
Eachus	Leach	Sainato	
Evans, D.	Lederer	Samuelson	
Evans, J.	Lescovitz	Santoni	Perzel,
Fabrizio	Levdansky		Speaker

NAYS—37

Armstrong	Diven	Mackereth	Nickol
Bastian	Egolf	Maher	Rohrer
Birmelin	Fleagle	Maitland	Sather
Boyd	Forcier	Major	Saylor
Bunt	Gabig	Marsico	Smith, B.
Clymer	Gillespie	Metcalfe	Stem
Coleman	Godshall	Miller, R.	Stevenson, T.
Creighton	Hess	Mustio	Vance

Dailey Leh Nailor Vitali
Denlinger

NOT VOTING—0

EXCUSED—2

Manderino O’Neill

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

Ordered, That the clerk inform the Senate accordingly.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair at this time recognizes the majority Appropriations chairman, the gentleman from Schuylkill, Mr. Argall.

Mr. ARGALL. Thank you, Mr. Speaker.

At the declaration of the recess the Appropriations Committee will meet in room 245.

The SPEAKER. The Chair thanks the gentleman.

Appropriations will meet in room 245 at the recess.

REPUBLICAN CAUCUS

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

Mrs. TAYLOR. Mr. Speaker, at the call of the recess the Republican majority caucus will meet, and I hope that it will be a short meeting so that we can come back to the floor.

Thank you very much.

The SPEAKER. The Chair thanks the gentlelady.

DEMOCRATIC CAUCUS

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, the Democrats will caucus immediately upon the call of the recess. We have a list of bills to go over, and we will go over them. I do not believe – I could be corrected – but I do not believe that that will include the budget. But we have a long list of bills to go over.

SENATE MESSAGE

**HOUSE AMENDMENTS
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 769, PN 1654**.

SENATE MESSAGE

AMENDED HOUSE BILLS RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, returned **HB 1117, PN 4319; HB 2529, PN 4318; HB 2531, PN 4298; HB 2532, PN 4299; HB 2533, PN 4300; HB 2534, PN 4301; HB 2535, PN 4302; HB 2536, PN 4303; HB 2537, PN 4304; HB 2538, PN 4305; HB 2539, PN 4306; HB 2540, PN 4307; HB 2541, PN 4308; HB 2542, PN 4309; HB 2543, PN 4310; HB 2550, PN 4311; HB 2553, PN 4312; HB 2554, PN 4313; HB 2555, PN 4314; HB 2556, PN 4322; HB 2558, PN 4315; HB 2559, PN 4316; and HB 2590, PN 4317**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

CONFERENCE COMMITTEE MEETINGS

The SPEAKER. The Chair recognizes the majority leader for a report on the conference committees.

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

Mr. Speaker, I need to announce the call of the conference committee for HB 2579, which will take place in the Appropriations Committee meeting room, and that will be at 3:15. And a conference committee meeting on HB 564. That will take place in the Appropriations Committee conference room at about 3:20.

The SPEAKER. The Chair thanks the gentleman.

RULES COMMITTEE MEETING

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

BILLS ON CONCURRENCE
REPORTED FROM COMMITTEE**HB 1117, PN 4319**

By Rep. S. SMITH

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for railroad protection, railroad vandalism and interference with transportation facilities and for penalties; and providing for railroad civil immunity.

RULES.

HB 2529, PN 4318

By Rep. S. SMITH

A Supplement to the act of April 1, 1863 (P.L.213, No.227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

RULES.

HB 2531, PN 4298

By Rep. S. SMITH

A Supplement to the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3), entitled "An act providing for the establishment and operation of the University of Pittsburgh as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the chancellor to make an annual report of the operations of the University of Pittsburgh," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

RULES.

HB 2532, PN 4299

By Rep. S. SMITH

A Supplement to the act of November 30, 1965 (P.L.843, No.355), entitled "An act providing for the establishment and operation of Temple University as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; providing for public support and capital improvements; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Temple University," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

RULES.

HB 2533, PN 4300

By Rep. S. SMITH

A Supplement to the act of July 7, 1972 (P.L.743, No.176), known as the Lincoln University Commonwealth Act, making an appropriation for carrying the same into effect; providing for a basis for payments of the appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

RULES.

HB 2534, PN 4301

By Rep. S. SMITH

An Act making an appropriation to the Trustees of Drexel University, Philadelphia.

RULES.

HB 2535, PN 4302

By Rep. S. SMITH

An Act making appropriations to the Trustees of the University of Pennsylvania.

RULES.

HB 2536, PN 4303

By Rep. S. SMITH

An Act making appropriations to the Philadelphia Health and Education Corporation for the Colleges of Medicine, Public Health, Nursing and Health Professions and for continuation of pediatric services.

RULES.

HB 2537, PN 4304

By Rep. S. SMITH

An Act making appropriations to the Thomas Jefferson University, Philadelphia.

RULES.

HB 2538, PN 4305

By Rep. S. SMITH

An Act making an appropriation to the Philadelphia College of Osteopathic Medicine, Philadelphia.

RULES.

HB 2539, PN 4306

By Rep. S. SMITH

An Act making an appropriation to the Pennsylvania College of Optometry, Philadelphia.

RULES.

HB 2540, PN 4307

By Rep. S. SMITH

An Act making an appropriation to the University of the Arts, Philadelphia, for instruction and student aid.

RULES.

HB 2541, PN 4308

By Rep. S. SMITH

An Act making appropriations to the Trustees of the Berean Training and Industrial School at Philadelphia for operation and maintenance expenses and for payment of debt service.

RULES.

HB 2542, PN 4309

By Rep. S. SMITH

An Act making an appropriation to the Johnson Technical Institute of Scranton for operation and maintenance expenses.

RULES.

HB 2543, PN 4310

By Rep. S. SMITH

An Act making an appropriation to the Williamson Free School of Mechanical Trades in Delaware County for operation and maintenance expenses.

RULES.

HB 2550, PN 4311

By Rep. S. SMITH

An Act making an appropriation to The Children's Institute, Pittsburgh, for treatment and rehabilitation of certain persons with disabling diseases.

RULES.

HB 2553, PN 4312

By Rep. S. SMITH

An Act making appropriations to the Carnegie Museums of Pittsburgh for operations and maintenance expenses and the purchase of apparatus, supplies and equipment.

RULES.

HB 2554, PN 4313

By Rep. S. SMITH

An Act making an appropriation to the Franklin Institute Science Museum for maintenance expenses.

RULES.

HB 2555, PN 4314

By Rep. S. SMITH

An Act making an appropriation to the Academy of Natural Sciences for maintenance expenses.

RULES.

HB 2556, PN 4322

By Rep. S. SMITH

An Act making an appropriation to the African-American Museum in Philadelphia for operating expenses.

RULES.

HB 2558, PN 4315

By Rep. S. SMITH

An Act making an appropriation to the Mercer Museum in Doylestown, Pennsylvania, for operating expenses.

RULES.

HB 2559, PN 4316

By Rep. S. SMITH

An Act making an appropriation to the Whitaker Center for Science and the Arts in Harrisburg, Pennsylvania, for operating expenses.

RULES.

HB 2590, PN 4317

By Rep. S. SMITH

An Act making an appropriation to the Lake Erie College of Osteopathic Medicine, Erie.

RULES.

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I have gained additional information as to what we are going to be discussing in caucus. We have a list of bills immediately available that we will begin with. I am told that sometime at 3:30 or not too long after 3:30, we will be given the budget, and at such time as we have the budget and we are finished with the other bills, we will start discussing the budget.

So there will be an immediate caucus which will not start with the budget but will come to include the budget upon the call of the recess.

The SPEAKER. The Chair thanks the gentleman.

VOTE CORRECTIONS

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

Mr. EACHUS. Thank you, Mr. Speaker.

I rise to correct the record.

On HB 2330, amendment A3373, the Costa amendment, Mr. Speaker, I would like my vote to have been recorded in the affirmative. I voted accidentally in the negative.

The SPEAKER. The Chair thanks the gentleman. The gentleman's remarks will be spread across the record.

The gentleman, Mr. Wansacz.

Mr. WANSACZ. Thank you, Mr. Speaker.

I, too, rise to correct the record.

On amendment A3373, the Costa amendment, I would like to be recorded in the affirmative.

The SPEAKER. The Chair thanks the gentleman. The gentleman's remarks will be spread across the record.

RECESS

The SPEAKER. Are there any further announcements?

This House stands in recess until 4 o'clock.

AFTER RECESS

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

BILL SIGNED BY SPEAKER

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

SB 769, PN 1654

An Act providing for immunization against the influenza virus and pneumococcal disease for elderly persons.

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

HOUSE BILLS INTRODUCED AND REFERRED

No. 2795 By Representatives D. EVANS, O'BRIEN, MYERS, WILLIAMS, J. TAYLOR, BEBKO-JONES, GEORGE, O'NEILL, THOMAS, BARD, GOODMAN, MELIO, BROWNE, CURRY, FRANKEL, CRAHALLA and PAYNE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for serious drug trafficking and violent repeat offenders not to possess, use, manufacture, control, sell or transfer firearms.

Referred to Committee on JUDICIARY, July 3, 2004.

No. 2796 By Representatives HICKERNELL, FREEMAN, HERMAN, LEWIS, THOMAS, ARMSTRONG, BARRAR, BOYD, BROWNE, BUXTON, CAUSER, S. E. CORNELL, CRUZ, DAILEY, DALEY, FRANKEL, GEIST, GOOD, HERSHEY, HORSEY, KILLION, KOTIK, LAUGHLIN, LEDERER, McCALL, S. MILLER, O'NEILL, PAYNE, PICKETT, READSHAW, REICHLEY, ROSS, RUBLEY, SATHER, SCAVELLO, SCHRODER, SCRIMENTI, SOLOBAY, TANGRETTI, E. Z. TAYLOR, TRUE and YOUNGBLOOD

An Act amending the act of April 23, 2002 (P.L.298, No.39), known as the Main Street Act, further providing for the Main Street Program.

Referred to Committee on LOCAL GOVERNMENT, July 3, 2004.

No. 2797 By Representatives HICKERNELL, BOYD, CAPPELLI, CRAHALLA, GODSHALL, REICHLEY, SCHRODER, TANGRETTI, TIGUE, TRUE, WILT and YOUNGBLOOD

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, providing for enforcement of violation of condominium, cooperative and planned community provisions; consolidating provisions applicable to certain condominiums under the Unit Property Act; and making a related repeal.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, July 3, 2004.

No. 2798 By Representatives NAILOR, RUBLEY, ARGALL, DeWEESE, BALDWIN, BUNT, CAPPELLI, CAUSER, CREIGHTON, GRUCELA, HARHART, HARRIS, HERSHEY, HESS, JAMES, KILLION, LEDERER, LYNCH, MACKERETH, R. MILLER, NICKOL, PHILLIPS, ROSS, SAYLOR, SCAVELLO, SCRIMENTI, SHANER, B. SMITH, R. STEVENSON and E. Z. TAYLOR

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for borough powers to convey land.

Referred to Committee on LOCAL GOVERNMENT, July 3, 2004.

No. 2799 By Representatives WILLIAMS, O'BRIEN, D. EVANS, FRANKEL, JAMES, JOSEPHS, KIRKLAND, RUFFING, J. TAYLOR, THOMAS and WATERS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for persons not to possess, use, manufacture, control, sell or transfer firearms and for carrying firearms on public streets or public property in Philadelphia.

Referred to Committee on JUDICIARY, July 3, 2004.

No. 2800 By Representatives WILLIAMS, O'BRIEN, D. EVANS, FRANKEL, JAMES, JOSEPHS, KIRKLAND, RUFFING, J. TAYLOR, THOMAS and WATERS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for persons not to possess, use, manufacture, control, sell or transfer firearms and for carrying firearms on public streets or public property in Philadelphia.

Referred to Committee on JUDICIARY, July 3, 2004.

No. 2801 By Representatives HERSHEY, ROSS, DALEY, BUNT, NICKOL, GODSHALL, BAKER, BALDWIN, BARD, BARRAR, BASTIAN, CALTAGIRONE, CIVERA, CLYMER, S. E. CORNELL, COY, CRAHALLA, DAILEY, DIGIROLAMO, FICHTER, FLEAGLE, FLICK, GABIG, GILLESPIE, HARHART, HARPER, HENNESSEY, KILLION, LEH, MACKERETH, MAITLAND, MAJOR, McILHINNEY, MELIO, MICOZZIE, R. MILLER, NAILOR, O'NEILL, PICKETT, REICHLEY, SANTONI, SAYLOR, SCHRODER, SEMMEL, STAIRS, STEIL, TANGRETTI, E. Z. TAYLOR, VITALI and WATSON

An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, further providing for definitions, for limitation on local regulations and for the purchase of agricultural conservation easements.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, July 3, 2004.

No. 2802 By Representatives GEIST, VEON, McCALL, BALDWIN, BARD, BIANCUCCI, BOYD, BUNT, DERMODY, J. EVANS, FRANKEL, GRUCELA, HARHAI, LaGROTTA, LAUGHLIN, LEWIS, MARSICO, PRESTON, ROBERTS, T. STEVENSON, TANGRETTI and WEBER

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, adding provisions relating to rail freight preservation, improvement and infrastructure security; establishing the Pennsylvania Railroad Authority; imposing penalties; making an appropriation; and making a related repeal.

Referred to Committee on TRANSPORTATION, July 3, 2004.

No. 2803 By Representatives ALLEN, BELFANTI, THOMAS, GOODMAN, BAKER, BROWNE, CAPPELLI, CRAHALLA, DAILEY, GEORGE, HALUSKA, HERSHEY, HESS, LYNCH, MANN, McILHATTAN, R. MILLER, MUNDY, NICKOL, PHILLIPS, READSHAW, REICHLEY, SCAVELLO, SCHRODER, STABACK, E. Z. TAYLOR, J. TAYLOR, TIGUE, WALKO and YOUNGBLOOD

An Act regulating certain pharmacies, manufacturers and wholesalers that advertise for sale or sell drugs or devices via the Internet; providing for powers and duties of the Office of Attorney General; and imposing penalties.

Referred to Committee on INSURANCE, July 3, 2004.

SENATE BILLS FOR CONCURRENCE

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

SB 1097, PN 1782

Referred to Committee on TRANSPORTATION, July 3, 2004.

SB 1147, PN 1780

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, July 3, 2004.

SB 1186, PN 1760

Referred to Committee on TRANSPORTATION, July 3, 2004.

REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. S. SMITH presented the report of the committee of conference on **HB 564, PN 4325**.

REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. S. SMITH presented the report of the committee of conference on **HB 2579, PN 4326**.

SENATE MESSAGE

HOUSE AMENDMENTS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to the Senate amendments to **HB 1130, PN 4139**.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 2544, PN 3686; HB 2545, PN 3687; HB 2546, PN 3688; HB 2547, PN 3689; HB 2548, PN 3690; HB 2549, PN 3691; HB 2551, PN 3693; HB 2552, PN 3694; and HB 2557, PN 3699**, with information that the Senate has passed the same without amendment.

SUPPLEMENTAL CALENDAR H

BILLS ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 2529, PN 4318**, entitled:

A Supplement to the act of April 1, 1863 (P.L.213, No.227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of

Agricultural Colleges,” making appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

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

PARLIAMENTARY INQUIRY

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

Mr. VITALI. A parliamentary inquiry.
Is this the conference report on the budget?

The SPEAKER. HB 2529: “A Supplement to the act of April 1, 1863...entitled ‘An act to accept the grant of Public Lands, by the United States....’ ” No, Mr. Vitali.

Mr. VITALI. This is not on the screen, Mr. Speaker.
The SPEAKER. It is on the screen, Mr. Vitali.

The Chair apologizes, Mr. Vitali.

Mr. Vitali, you can pull it up. It is on the rolling session now, Mr. Vitali. Do you have any further questions? Okay.

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—198

Adolph	Egolf	Lescovitz	Sainato
Allen	Evans, D.	Levdansky	Samuelson
Argall	Evans, J.	Lewis	Santoni
Armstrong	Fabrizio	Lynch	Sather
Baker	Fairchild	Mackereth	Saylor
Baldwin	Feese	Maher	Scavello
Bard	Fichter	Maitland	Schroder
Barrar	Fleagle	Major	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
Bianucci	Gannon	McGill	Staback
Birmelin	Geist	McIlhattan	Stairs
Bishop	George	McIlhinney	Steil
Blaum	Gergely	McNaughton	Stern
Boyd	Gillespie	Melio	Stetler
Browne	Gingrich	Micozzie	Stevenson, R.
Bunt	Godshall	Millard	Stevenson, T.
Butkovitz	Good	Miller, R.	Sturla
Buxton	Goodman	Miller, S.	Surra
Caltagirone	Grucela	Mundy	Tangretti
Cappelli	Gruitza	Mustio	Taylor, E. Z.
Casorio	Habay	Myers	Taylor, J.
Causer	Hanna	Nailor	Thomas
Cawley	Harhai	Nickol	Tigue
Civera	Harhart	O’Brien	Travaglio
Clymer	Harper	Oliver	True
Cohen	Harris	Pallone	Turzai
Coleman	Hasay	Payne	Vance
Cornell, S. E.	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	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	Perzel,
Eachus	Leh	Ruffing	Speaker

NAYS—2

Haluska Metcalfe

NOT VOTING—1

Williams

EXCUSED—2

Manderino O’Neill

The two-thirds 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.

The House proceeded to consideration of concurrence in Senate amendments to **HB 2531, PN 4298**, entitled:

A Supplement to the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3), entitled “An act providing for the establishment and operation of the University of Pittsburgh as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the chancellor to make an annual report of the operations of the University of Pittsburgh.” making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

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

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—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	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	McLhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespie	Melio	Stetler
Boyd	Gingrich	Micozzie	Stevenson, R.
Browne	Godshall	Millard	Stevenson, T.
Bunt	Good	Miller, R.	Sturla
Butkovitz	Goodman	Miller, S.	Surra
Buxton	Grucela	Mundy	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappelli	Habay	Myers	Taylor, J.
Casorio	Hanna	Nailor	Thomas
Causar	Harhai	Nickol	Tigue
Cawley	Harhart	O'Brien	Travaglio
Civera	Harper	Oliver	True
Clymer	Harris	Pallone	Turzai
Cohen	Hasay	Payne	Vance
Coleman	Hennessey	Petrarca	Veon
Cornell, S. E.	Herman	Petri	Vitali
Corrigan	Hershey	Petrone	Walko
Costa	Hess	Phillips	Wansacz
Coy	Hickernell	Pickett	Washington
Crahalla	Horsey	Pistella	Waters
Creighton	Hutchinson	Preston	Watson
Cruz	James	Raymond	Weber
Curry	Josephs	Readshaw	Wheatley
Dailey	Keller	Reed	Williams
Daley	Kenney	Reichley	Wilt
Dally	Killion	Rieger	Wojnaroski
DeLuca	Kirkland	Roberts	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	Lescovitz	Sainato	Speaker
Egolf			

NAYS—2

Haluska	Metcalfe
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NOT VOTING—0

EXCUSED—2

Manderino	O'Neill
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The two-thirds 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.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 2532, PN 4299**, entitled:

A Supplement to the act of November 30, 1965 (P.L.843, No.355), entitled "An act providing for the establishment and operation of Temple University as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; providing for public support and capital improvements; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Temple University," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

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

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—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	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	McLhattan	Stairs
Birmelin	George	McIlhinney	Steil
Bishop	Gergely	McNaughton	Stern
Blaum	Gillespie	Melio	Stetler
Boyd	Gingrich	Micozzie	Stevenson, R.
Browne	Godshall	Millard	Stevenson, T.
Bunt	Good	Miller, R.	Sturla
Butkovitz	Goodman	Miller, S.	Surra
Buxton	Grucela	Mundy	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappelli	Habay	Myers	Taylor, J.
Casorio	Hanna	Nailor	Thomas
Causar	Harhai	Nickol	Tigue
Cawley	Harhart	O'Brien	Travaglio
Civera	Harper	Oliver	True
Clymer	Harris	Pallone	Turzai
Cohen	Hasay	Payne	Vance

Coleman	Hennessey	Petrarca	Veon
Cornell, S. E.	Herman	Petri	Vitali
Corrigan	Hershey	Petrone	Walko
Costa	Hess	Phillips	Wansacz
Coy	Hickernell	Pickett	Washington
Crahalla	Horsley	Pistella	Waters
Creighton	Hutchinson	Preston	Watson
Cruz	James	Raymond	Weber
Curry	Josephs	Readshaw	Wheatley
Dailey	Keller	Reed	Williams
Daley	Kenney	Reichley	Wilt
Dally	Killion	Rieger	Wojnaroski
DeLuca	Kirkland	Roberts	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	Lescovitz	Sainato	Speaker
Egolf			

NAYS-2

Haluska Metcalfe

NOT VOTING-0

EXCUSED-2

Manderino O'Neill

The two-thirds 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.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 2533, PN 4300**, entitled:

A Supplement to the act of July 7, 1972 (P.L.743, No.176), known as the Lincoln University Commonwealth Act, making an appropriation for carrying the same into effect; providing for a basis for payments of the appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

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

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-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	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	Micozzie	Stevenson, R.
Browne	Godshall	Millard	Stevenson, T.
Bunt	Good	Miller, R.	Sturla
Butkovitz	Goodman	Miller, S.	Surra
Buxton	Grucela	Mundy	Tangretti
Caltagirone	Gruitza	Mustio	Taylor, E. Z.
Cappelli	Habay	Myers	Taylor, J.
Casorio	Hanna	Nailor	Thomas
Causar	Harhai	Nickol	Tigue
Cawley	Harhart	O'Brien	Travaglio
Civera	Harper	Oliver	True
Clymer	Harris	Pallone	Turzai
Cohen	Hasay	Payne	Vance
Coleman	Hennessey	Petrarca	Veon
Cornell, S. E.	Herman	Petri	Vitali
Corrigan	Hershey	Petrone	Walko
Costa	Hess	Phillips	Wansacz
Coy	Hickernell	Pickett	Washington
Crahalla	Horsley	Pistella	Waters
Creighton	Hutchinson	Preston	Watson
Cruz	James	Raymond	Weber
Curry	Josephs	Readshaw	Wheatley
Dailey	Keller	Reed	Williams
Daley	Kenney	Reichley	Wilt
Dally	Killion	Rieger	Wojnaroski
DeLuca	Kirkland	Roberts	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	Lescovitz	Sainato	Speaker
Egolf			

NAYS-2

Haluska Metcalfe

NOT VOTING-0

EXCUSED-2

Manderino O'Neill

The two-thirds 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.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 2534, PN 4301**, entitled:

An Act making an appropriation to the Trustees of Drexel University, Philadelphia.

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

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

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—198

Adolph	Egolf	Lescovitz	Sainato
Allen	Evans, D.	Levdansky	Santoni
Argall	Evans, J.	Lewis	Sather
Armstrong	Fabrizio	Lynch	Saylor
Baker	Fairchild	Mackereth	Scavello
Baldwin	Feese	Maher	Schroder
Bard	Fichter	Maitland	Scrimenti
Barrar	Fleagle	Major	Semmel
Bastian	Flick	Mann	Shaner
Bebko-Jones	Forcier	Markosek	Smith, B.
Belardi	Frankel	Marsico	Smith, S. H.
Belfanti	Freeman	McCall	Solobay
Benninghoff	Gabig	McGeehan	Staback
Biancucci	Gannon	McGill	Stairs
Birmelin	Geist	McIlhattan	Steil
Bishop	George	McIlhinney	Stern
Blaum	Gergely	McNaughton	Stetler
Boyd	Gillespie	Melio	Stevenson, R.
Browne	Gingrich	Micozzie	Stevenson, T.
Bunt	Godshall	Millard	Sturla
Butkovitz	Good	Miller, R.	Surra
Buxton	Goodman	Miller, S.	Tangretti
Caltagirone	Grucela	Mundy	Taylor, E. Z.
Cappelli	Gruitza	Mustio	Taylor, J.
Casorio	Habay	Myers	Thomas
Causar	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, S. E.	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	Perzel,
Eachus	Leh	Ruffing	Speaker

NAYS—3

Haluska	Metcalfe	Samuelson
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NOT VOTING—0

EXCUSED—2

Manderino O'Neill

The two-thirds 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.

The House proceeded to consideration of concurrence in Senate amendments to **HB 2535, PN 4302**, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania.

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

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

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—197

Adolph	Evans, D.	Levdansky	Santoni
Allen	Evans, J.	Lewis	Sather
Argall	Fabrizio	Lynch	Saylor
Armstrong	Fairchild	Mackereth	Scavello
Baker	Feese	Maher	Schroder
Baldwin	Fichter	Maitland	Scrimenti
Bard	Fleagle	Major	Semmel
Barrar	Flick	Mann	Shaner
Bastian	Forcier	Markosek	Smith, B.
Bebko-Jones	Frankel	Marsico	Smith, S. H.
Belardi	Freeman	McCall	Solobay
Belfanti	Gabig	McGeehan	Staback
Benninghoff	Gannon	McGill	Stairs
Biancucci	Geist	McIlhattan	Steil
Bishop	George	McIlhinney	Stern
Blaum	Gergely	McNaughton	Stetler
Boyd	Gillespie	Melio	Stevenson, R.
Browne	Gingrich	Micozzie	Stevenson, T.
Bunt	Godshall	Millard	Sturla
Butkovitz	Good	Miller, R.	Surra
Buxton	Goodman	Miller, S.	Tangretti
Caltagirone	Grucela	Mundy	Taylor, E. Z.
Cappelli	Gruitza	Mustio	Taylor, J.
Casorio	Habay	Myers	Thomas
Causar	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, S. E.	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	Lescovitz	Sainato	Speaker

NAYS—4

Birmelin	Haluska	Metcalfe	Samuelson
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NOT VOTING—0

EXCUSED—2

Manderino	O'Neill
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The two-thirds 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.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 2536, PN 4303**, entitled:

An Act making appropriations to the Philadelphia Health and Education Corporation for the Colleges of Medicine, Public Health, Nursing and Health Professions and for continuation of pediatric services.

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

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

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—196

Adolph	Evans, D.	Levdansky	Sainato
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	Mann	Semmel
Bastian	Forcier	Markosek	Shaner
Bebko-Jones	Frankel	Marsico	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.

Belfanti	Gabig	McGeehan	Staback
Benninghoff	Gannon	McGill	Stairs
Biancucci	Geist	McIlhattan	Steil
Bishop	George	McIlhinney	Stern
Blaum	Gergely	McNaughton	Stetler
Boyd	Gillespie	Melio	Stevenson, R.
Browne	Gingrich	Micozzie	Stevenson, T.
Bunt	Godshall	Millard	Sturla
Butkovitz	Good	Miller, R.	Surra
Buxton	Goodman	Miller, S.	Tangretti
Caltagirone	Gruclera	Mundy	Taylor, E. Z.
Cappelli	Gruitza	Mustio	Taylor, J.
Casorio	Habay	Myers	Thomas
Causar	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, S. E.	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	Lescovitz		Speaker

NAYS—5

Birmelin	Metcalfe	Samuelson	Solobay
Haluska			

NOT VOTING—0

EXCUSED—2

Manderino	O'Neill
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The two-thirds 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.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 2537, PN 4304**, entitled:

An Act making appropriations to the Thomas Jefferson University, Philadelphia.

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

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

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—195

Adolph	Evans, J.	Levdansky	Sainato
Allen	Fabrizio	Lewis	Santoni
Argall	Fairchild	Lynch	Sather
Armstrong	Feese	Mackereth	Saylor
Baker	Fichter	Maher	Scavello
Baldwin	Fleagle	Maitland	Schroder
Bard	Flick	Major	Scrimenti
Barrar	Forcier	Mann	Semmel
Bastian	Frankel	Markosek	Shaner
Bebko-Jones	Freeman	Marsico	Smith, B.
Belardi	Gabig	McCall	Smith, S. H.
Belfanti	Gannon	McGeehan	Staback
Benninghoff	Geist	McGill	Stairs
Bianucci	George	McIlhattan	Steil
Bishop	Gergely	McIlhinney	Stern
Blaum	Gillespie	McNaughton	Stetler
Boyd	Gingrich	Melio	Stevenson, R.
Browne	Godshall	Micozzie	Stevenson, T.
Bunt	Good	Millard	Sturla
Butkovitz	Goodman	Miller, R.	Surra
Buxton	Grucela	Miller, S.	Tangretti
Caltagirone	Gruitza	Mundy	Taylor, E. Z.
Cappelli	Habay	Mustio	Taylor, J.
Casorio	Hanna	Myers	Thomas
Causar	Harhai	Nailor	Tigue
Cawley	Harhart	Nickol	Travaglio
Civera	Harper	O'Brien	True
Clymer	Harris	Oliver	Turza i
Cohen	Hasay	Pallone	Vance
Coleman	Hennessey	Payne	Veon
Cornell, S. E.	Herman	Petrarca	Vitali
Corrigan	Hershey	Petri	Walko
Costa	Hess	Petrone	Wansacz
Coy	Hickernell	Phillips	Washington
Crahalla	Horsey	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	Roberts	Yewcic
Dermody	LaGrotta	Roebuck	Youngblood
DeWeese	Laughlin	Rohrer	Yudichak
DiGirolamo	Leach	Rooney	Zug
Diven	Lederer	Ross	
Donatucci	Leh	Rublely	Perzel,
Eachus	Lescovitz	Ruffing	Speaker
Evans, D.			

NAYS—6

Birmelin	Haluska	Samuelson	Solobay
Egolf	Metcalfe		

NOT VOTING—0

EXCUSED—2

Manderino	O'Neill
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The two-thirds 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.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 2538, PN 4305**, entitled:

An Act making an appropriation to the Philadelphia College of Osteopathic Medicine, Philadelphia.

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

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

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—195

Adolph	Evans, J.	Levdansky	Sainato
Allen	Fabrizio	Lewis	Santoni
Argall	Fairchild	Lynch	Sather
Armstrong	Feese	Mackereth	Saylor
Baker	Fichter	Maher	Scavello
Baldwin	Fleagle	Maitland	Schroder
Bard	Flick	Major	Scrimenti
Barrar	Forcier	Mann	Semmel
Bastian	Frankel	Markosek	Shaner
Bebko-Jones	Freeman	Marsico	Smith, B.
Belardi	Gabig	McCall	Smith, S. H.
Belfanti	Gannon	McGeehan	Staback
Benninghoff	Geist	McGill	Stairs
Bianucci	George	McIlhattan	Steil
Bishop	Gergely	McIlhinney	Stern
Blaum	Gillespie	McNaughton	Stetler
Boyd	Gingrich	Melio	Stevenson, R.
Browne	Godshall	Micozzie	Stevenson, T.
Bunt	Good	Millard	Sturla
Butkovitz	Goodman	Miller, R.	Surra
Buxton	Grucela	Miller, S.	Tangretti
Caltagirone	Gruitza	Mundy	Taylor, E. Z.
Cappelli	Habay	Mustio	Taylor, J.
Casorio	Hanna	Myers	Thomas
Causar	Harhai	Nailor	Tigue
Cawley	Harhart	Nickol	Travaglio
Civera	Harper	O'Brien	True
Clymer	Harris	Oliver	Turza i
Cohen	Hasay	Pallone	Vance
Coleman	Hennessey	Payne	Veon
Cornell, S. E.	Herman	Petrarca	Vitali
Corrigan	Hershey	Petri	Walko
Costa	Hess	Petrone	Wansacz
Coy	Hickernell	Phillips	Washington
Crahalla	Horsey	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	Roberts	Yewcic
Dermody	LaGrotta	Roebuck	Youngblood
DeWeese	Laughlin	Rohrer	Yudichak
DiGirolamo	Leach	Rooney	Zug
Diven	Lederer	Ross	
Donatucci	Leh	Rubley	Perzel,
Eachus	Lescovitz	Ruffing	Speaker
Evans, D.			

NAYS—6

Birmelin	Haluska	Samuelson	Solobay
Egolf	Metcalfe		

NOT VOTING—0

EXCUSED—2

Manderino	O'Neill
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The two-thirds 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.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 2539, PN 4306**, entitled:

An Act making an appropriation to the Pennsylvania College of Optometry, Philadelphia.

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

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

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—195

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

Butkovitz	Goodman	Miller, R.	Surra
Buxton	Grucela	Miller, S.	Tangretti
Caltagirone	Gruitza	Mundy	Taylor, E. Z.
Cappelli	Habay	Mustio	Taylor, J.
Casorio	Hanna	Myers	Thomas
Causer	Harhai	Nailor	Tigue
Cawley	Harhart	Nickol	Travaglio
Civera	Harper	O'Brien	True
Clymer	Harris	Oliver	Turzai
Cohen	Hasay	Pallone	Vance
Coleman	Hennessey	Payne	Veon
Cornell, S. E.	Herman	Petrarca	Vitali
Corrigan	Hershey	Petri	Walko
Costa	Hess	Petrone	Wansacz
Coy	Hickernell	Phillips	Washington
Crahalla	Horsey	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	Roberts	Yewcic
Dermody	LaGrotta	Roebuck	Youngblood
DeWeese	Laughlin	Rohrer	Yudichak
DiGirolamo	Leach	Rooney	Zug
Diven	Lederer	Ross	
Donatucci	Leh	Rubley	Perzel,
Eachus	Lescovitz	Ruffing	Speaker
Evans, D.			

NAYS—6

Birmelin	Haluska	Samuelson	Solobay
Egolf	Metcalfe		

NOT VOTING—0

EXCUSED—2

Manderino	O'Neill
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The two-thirds 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.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 2540, PN 4307**, entitled:

An Act making an appropriation to the University of the Arts, Philadelphia, for instruction and student aid.

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

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

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—193

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

NAYS—8

Birmelin	Haluska	Metcalfe	Samuelson
Egolf	Maher	Rohrer	Solobay

NOT VOTING—0

EXCUSED—2

Manderino	O'Neill
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The two-thirds 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.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 2541, PN 4308**, entitled:

An Act making appropriations to the Trustees of the Berean Training and Industrial School at Philadelphia for operation and maintenance expenses and for payment of debt service.

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

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

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—193

Adolph	Evans, D.	Levdansky	Santoni
Allen	Evans, J.	Lewis	Sather
Argall	Fabrizio	Lynch	Saylor
Armstrong	Fairchild	Mackereth	Scavello
Baker	Feese	Maher	Schroder
Baldwin	Fichter	Maitland	Scrimenti
Bard	Fleagle	Major	Semmel
Barrar	Flick	Mann	Shaner
Bastian	Forcier	Markosek	Smith, B.
Bebko-Jones	Frankel	Marsico	Smith, S. H.
Belardi	Freeman	McCall	Staback
Belfanti	Gabig	McGeehan	Stairs
Benninghoff	Gannon	McGill	Steil
Biancucci	Geist	McIlhattan	Stern
Bishop	George	McIlhinney	Stetler
Blaum	Gergely	McNaughton	Stevenson, R.
Boyd	Gillespie	Melio	Stevenson, T.
Browne	Gingrich	Micozzie	Sturla
Bunt	Godshall	Millard	Surra
Butkovitz	Good	Miller, R.	Tangretti
Buxton	Goodman	Miller, S.	Taylor, E. Z.
Caltagirone	Grucela	Mundy	Taylor, J.
Cappelli	Gruitza	Mustio	Thomas
Casorio	Habay	Myers	Tigue
Causer	Harhai	Nailor	Travaglio
Cawley	Harhart	Nickol	True
Civera	Harper	O'Brien	Turzai
Clymer	Harris	Oliver	Vance
Cohen	Hasay	Pallone	Veon
Coleman	Hennessey	Payne	Vitali
Cornell, S. E.	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
Curry	Josephs	Raymond	Williams
Dailey	Keller	Readshaw	Wilt
Daley	Kenney	Reed	Wojnaroski
Dally	Killion	Reichley	Wright
DeLuca	Kirkland	Rieger	Yewcic
Denlinger	Kotik	Roberts	Youngblood
Dermody	LaGrotta	Roebuck	Yudichak
DeWeese	Laughlin	Rooney	Zug
DiGirolamo	Leach	Ross	
Diven	Lederer	Rubley	

Donatucci	Leh	Ruffing	Perzel,
Eachus	Lescovitz	Sainato	Speaker

NAYS—8

Birmelin	Haluska	Metcalfe	Samuelson
Egolf	Hanna	Rohrer	Solobay

NOT VOTING—0

EXCUSED—2

Manderino	O'Neill
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The two-thirds 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.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 2542, PN 4309**, entitled:

An Act making an appropriation to the Johnson Technical Institute of Scranton for operation and maintenance expenses.

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

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

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—193

Adolph	Evans, D.	Levdansky	Santoni
Allen	Evans, J.	Lewis	Sather
Argall	Fabrizio	Lynch	Saylor
Armstrong	Fairchild	Mackereth	Scavello
Baker	Feese	Maher	Schroder
Baldwin	Fichter	Maitland	Scrimenti
Bard	Fleagle	Major	Semmel
Barrar	Flick	Mann	Shaner
Bastian	Forcier	Markosek	Smith, B.
Bebko-Jones	Frankel	Marsico	Smith, S. H.
Belardi	Freeman	McCall	Staback
Belfanti	Gabig	McGeehan	Stairs
Benninghoff	Gannon	McGill	Steil
Bianucci	Geist	McIlhattan	Stern
Bishop	George	McIlhinney	Stetler
Blaum	Gergely	McNaughton	Stevenson, R.
Boyd	Gillespie	Melio	Stevenson, T.
Browne	Gingrich	Micozzie	Sturla
Bunt	Godshall	Millard	Surra
Butkovitz	Good	Miller, R.	Tangretti
Buxton	Goodman	Miller, S.	Taylor, E. Z.
Caltagirone	Grucela	Mundy	Taylor, J.
Cappelli	Gruitza	Mustio	Thomas
Casorio	Habay	Myers	Tigue
Causer	Harhai	Nailor	Travaglio

Cawley	Harhart	Nickol	True
Civera	Harper	O'Brien	Turzai
Clymer	Harris	Oliver	Vance
Cohen	Hasay	Pallone	Veon
Coleman	Hennessey	Payne	Vitali
Cornell, S. E.	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
Curry	Josephs	Raymond	Williams
Dailey	Keller	Readshaw	Wilt
Daley	Kenney	Reed	Wojnarowski
Dally	Killion	Reichley	Wright
DeLuca	Kirkland	Rieger	Yewcic
Denlinger	Kotik	Roberts	Youngblood
Dermody	LaGrotta	Roebuck	Yudichak
DeWeese	Laughlin	Rooney	Zug
DiGirolamo	Leach	Ross	
Diven	Lederer	Rubley	
Donatucci	Leh	Ruffing	Perzel,
Eachus	Lescovitz	Sainato	Speaker

NAYS—8

Birmelin	Haluska	Metcalfe	Samuelson
Egolf	Hanna	Rohrer	Solobay

NOT VOTING—0

EXCUSED—2

Manderino	O'Neill
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The two-thirds 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.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 2543, PN 4310**, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades in Delaware County for operation and maintenance expenses.

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

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

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—193

Adolph	Evans, D.	Levdansky	Santoni
Allen	Evans, J.	Lewis	Sather

Argall	Fabrizio	Lynch	Saylor
Armstrong	Fairchild	Mackereth	Scavello
Baker	Feese	Maher	Schroder
Baldwin	Fichter	Maitland	Scrimenti
Bard	Fleagle	Major	Semmel
Barrar	Flick	Mann	Shaner
Bastian	Forcier	Markosek	Smith, B.
Bebko-Jones	Frankel	Marsico	Smith, S. H.
Belardi	Freeman	McCall	Staback
Belfanti	Gabig	McGeehan	Stairs
Benninghoff	Gannon	McGill	Steil
Biancucci	Geist	McIlhattan	Stern
Bishop	George	McIlhinney	Stetler
Blaum	Gergely	McNaughton	Stevenson, R.
Boyd	Gillespie	Melio	Stevenson, T.
Browne	Gingrich	Micozzie	Sturla
Bunt	Godshall	Millard	Surra
Butkovitz	Good	Miller, R.	Tangretti
Buxton	Goodman	Miller, S.	Taylor, E. Z.
Caltagirone	Grucela	Mundy	Taylor, J.
Cappelli	Gruitza	Mustio	Thomas
Casorio	Habay	Myers	Tigue
Causar	Harhai	Nailor	Travaglio
Cawley	Harhart	Nickol	True
Civera	Harper	O'Brien	Turzai
Clymer	Harris	Oliver	Vance
Cohen	Hasay	Pallone	Veon
Coleman	Hennessey	Payne	Vitali
Cornell, S. E.	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
Curry	Josephs	Raymond	Williams
Dailey	Keller	Readshaw	Wilt
Daley	Kenney	Reed	Wojnaroski
Dally	Killion	Reichley	Wright
DeLuca	Kirkland	Rieger	Yewcic
Denlinger	Kotik	Roberts	Youngblood
Dermody	LaGrotta	Roebuck	Yudichak
DeWeese	Laughlin	Rooney	Zug
DiGirolamo	Leach	Ross	
Diven	Lederer	Rubley	
Donatucci	Leh	Ruffing	Perzel,
Eachus	Lescovitz	Sainato	Speaker

NAYS—8

Birmelin	Haluska	Metcalf	Samuelson
Egolf	Hanna	Rohrer	Solobay

NOT VOTING—0

EXCUSED—2

Manderino	O'Neill
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The two-thirds 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.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 2550, PN 4311**, entitled:

An Act making an appropriation to The Children's Institute, Pittsburgh, for treatment and rehabilitation of certain persons with disabling diseases.

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

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

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—194

Adolph	Evans, D.	Levdansky	Santoni
Allen	Evans, J.	Lewis	Sather
Argall	Fabrizio	Lynch	Saylor
Armstrong	Fairchild	Mackereth	Scavello
Baker	Feese	Maher	Schroder
Baldwin	Fichter	Maitland	Scrimenti
Bard	Fleagle	Major	Semmel
Barrar	Flick	Mann	Shaner
Bastian	Forcier	Markosek	Smith, B.
Bebko-Jones	Frankel	Marsico	Smith, S. H.
Belardi	Freeman	McCall	Solobay
Belfanti	Gabig	McGeehan	Staback
Benninghoff	Gannon	McGill	Stairs
Biancucci	Geist	McIlhattan	Steil
Bishop	George	McIlhinney	Stern
Blaum	Gergely	McNaughton	Stetler
Boyd	Gillespie	Melio	Stevenson, R.
Browne	Gingrich	Micozzie	Stevenson, T.
Bunt	Godshall	Millard	Sturla
Butkovitz	Good	Miller, R.	Surra
Buxton	Goodman	Miller, S.	Tangretti
Caltagirone	Grucela	Mundy	Taylor, E. Z.
Cappelli	Gruitza	Mustio	Taylor, J.
Casorio	Habay	Myers	Thomas
Causar	Harhai	Nailor	Tigue
Cawley	Harhart	Nickol	Travaglio
Civera	Harper	O'Brien	True
Clymer	Harris	Oliver	Turzai
Cohen	Hasay	Pallone	Vance
Coleman	Hennessey	Payne	Veon
Cornell, S. E.	Herman	Petrarca	Vitali
Corrigan	Hershey	Petri	Walko
Costa	Hess	Petrone	Wansacz
Coy	Hickernell	Phillips	Washington
Crahalla	Horsey	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	Roberts	Yewcic
Dermody	LaGrotta	Roebuck	Youngblood
DeWeese	Laughlin	Rooney	Yudichak
DiGirolamo	Leach	Ross	Zug
Diven	Lederer	Rubley	
Donatucci	Leh	Ruffing	Perzel,
Eachus	Lescovitz	Sainato	Speaker

NAYS—7

Birmelin	Haluska	Metcalf	Samuelson
Egolf	Hanna	Rohrer	

NOT VOTING—0

EXCUSED—2

Manderino O'Neill

The two-thirds 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.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 2553, PN 4312**, entitled:

An Act making appropriations to the Carnegie Museums of Pittsburgh for operations and maintenance expenses and the purchase of apparatus, supplies and equipment.

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

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

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—190

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

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

NAYS—11

Birmelin	Haluska	Hutchinson	Samuelson
Egolf	Hanna	Metcalfe	Solobay
Forcier	Herman	Rohrer	

NOT VOTING—0

EXCUSED—2

Manderino O'Neill

The two-thirds 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.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 2554, PN 4313**, entitled:

An Act making an appropriation to the Franklin Institute Science Museum for maintenance expenses.

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

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

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—190

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

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

NAYS-11

Birmelin	Haluska	Hutchinson	Samuelson
Egolf	Hanna	Metcalfe	Solobay
Forcier	Herman	Rohrer	

NOT VOTING-0

EXCUSED-2

Manderino	O'Neill
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The two-thirds 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.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 2555, PN 4314**, entitled:

An Act making an appropriation to the Academy of Natural Sciences for maintenance expenses.

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

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

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-190

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

NAYS-11

Birmelin	Haluska	Hutchinson	Samuelson
Egolf	Hanna	Metcalfe	Solobay
Forcier	Herman	Rohrer	

NOT VOTING-0

EXCUSED-2

Manderino	O'Neill
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The two-thirds 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.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 2556, PN 4322**, entitled:

An Act making an appropriation to the African-American Museum in Philadelphia for operating expenses.

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

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

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—190

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

Denlinger	Laughlin	Roebuck	Youngblood
Dermody	Leach	Rooney	Yudichak
DeWeese	Lederer	Ross	Zug
DiGirolamo	Leh	Rubley	
Diven	Lescovitz	Ruffing	Perzel,
Donatucci	Levdansky	Sainato	Speaker

NAYS—11

Birmelin	Haluska	Hutchinson	Samuelson
Egolf	Hanna	Metcalf	Solobay
Forcier	Herman	Rohrer	

NOT VOTING—0

EXCUSED—2

Manderino	O'Neill
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The two-thirds 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.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 2558, PN 4315**, entitled:

An Act making an appropriation to the Mercer Museum in Doylestown, Pennsylvania, for operating expenses.

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

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

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—190

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

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

NAYS-11

Birmelin	Haluska	Hutchinson	Samuelson
Egolf	Hanna	Metcalfe	Solobay
Forcier	Herman	Rohrer	

NOT VOTING-0

EXCUSED-2

Manderino O'Neill

The two-thirds 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.

The House proceeded to consideration of concurrence in Senate amendments to **HB 2559, PN 4316**, entitled:

An Act making an appropriation to the Whitaker Center for Science and the Arts in Harrisburg, Pennsylvania, for operating expenses.

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

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

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-190

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

NAYS-11

Birmelin	Haluska	Hutchinson	Samuelson
Egolf	Hanna	Metcalfe	Solobay
Forcier	Herman	Rohrer	

NOT VOTING-0

EXCUSED-2

Manderino O'Neill

The two-thirds 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.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 2590, PN 4317**, entitled:

An Act making an appropriation to the Lake Erie College of Osteopathic Medicine, Erie.

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

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

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—193

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

Donatucci	Leh	Ruffing	Perzel,
Eachus	Lescovitz	Sainato	Speaker

NAYS—8

Birmelin	Haluska	Metcalf	Samuelson
Egolf	Hanna	Rohrer	Solobay

NOT VOTING—0

EXCUSED—2

Manderino	O'Neill
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The two-thirds 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.

BILLS SIGNED BY SPEAKER

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

HB 1130, PN 4139

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for learners' permits, for drivers of emergency vehicles, for the Child Passenger Restraint Fund, for oral hazard warnings and for civil immunity for lenders of child passenger restraint systems.

HB 2529, PN 4318

A Supplement to the act of April 1, 1863 (P.L.213, No.227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

HB 2531, PN 4298

A Supplement to the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3), entitled "An act providing for the establishment and operation of the University of Pittsburgh as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the chancellor to make an annual report of the operations of the University of Pittsburgh;" making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

HB 2532, PN 4299

A Supplement to the act of November 30, 1965 (P.L.843, No.355), entitled "An act providing for the establishment and operation of Temple University as an instrumentality of the Commonwealth to serve

as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; providing for public support and capital improvements; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Temple University," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

HB 2533, PN 4300

A Supplement to the act of July 7, 1972 (P.L.743, No.176), known as the Lincoln University Commonwealth Act, making an appropriation for carrying the same into effect; providing for a basis for payments of the appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

HB 2534, PN 4301

An Act making an appropriation to the Trustees of Drexel University, Philadelphia.

HB 2535, PN 4302

An Act making appropriations to the Trustees of the University of Pennsylvania.

HB 2536, PN 4303

An Act making appropriations to the Philadelphia Health and Education Corporation for the Colleges of Medicine, Public Health, Nursing and Health Professions and for continuation of pediatric services.

HB 2537, PN 4304

An Act making appropriations to the Thomas Jefferson University, Philadelphia.

HB 2538, PN 4305

An Act making an appropriation to the Philadelphia College of Osteopathic Medicine, Philadelphia.

HB 2539, PN 4306

An Act making an appropriation to the Pennsylvania College of Optometry, Philadelphia.

HB 2540, PN 4307

An Act making an appropriation to the University of the Arts, Philadelphia, for instruction and student aid.

HB 2541, PN 4308

An Act making appropriations to the Trustees of the Berean Training and Industrial School at Philadelphia for operation and maintenance expenses and for payment of debt service.

HB 2542, PN 4309

An Act making an appropriation to the Johnson Technical Institute of Scranton for operation and maintenance expenses.

HB 2543, PN 4310

An Act making an appropriation to the Williamson Free School of Mechanical Trades in Delaware County for operation and maintenance expenses.

HB 2544, PN 3686

An Act making an appropriation to the Fox Chase Institute for Cancer Research, Philadelphia, for the operation and maintenance of the cancer research program.

HB 2545, PN 3687

An Act making appropriations to the Wistar Institute, Philadelphia, for operation and maintenance expenses and for research.

HB 2546, PN 3688

An Act making an appropriation to the Central Penn Oncology Group.

HB 2547, PN 3689

An Act making an appropriation to the Lancaster Cleft Palate for outpatient-inpatient treatment.

HB 2548, PN 3690

An Act making an appropriation to the Pittsburgh Cleft Palate for outpatient-inpatient treatment.

HB 2549, PN 3691

An Act making an appropriation to the Burn Foundation, Philadelphia, for outpatient and inpatient treatment.

HB 2550, PN 4311

An Act making an appropriation to The Children's Institute, Pittsburgh, for treatment and rehabilitation of certain persons with disabling diseases.

HB 2551, PN 3693

An Act making an appropriation to The Children's Hospital of Philadelphia for comprehensive patient care and general maintenance and operation of the hospital.

HB 2552, PN 3694

An Act making an appropriation to the Beacon Lodge Camp.

HB 2553, PN 4312

An Act making appropriations to the Carnegie Museums of Pittsburgh for operations and maintenance expenses and the purchase of apparatus, supplies and equipment.

HB 2554, PN 4313

An Act making an appropriation to the Franklin Institute Science Museum for maintenance expenses.

HB 2555, PN 4314

An Act making an appropriation to the Academy of Natural Sciences for maintenance expenses.

HB 2556, PN 4322

An Act making an appropriation to the African-American Museum in Philadelphia for operating expenses.

HB 2557, PN 3699

An Act making an appropriation to the Everhart Museum in Scranton for operating expenses.

HB 2558, PN 4315

An Act making an appropriation to the Mercer Museum in Doylestown, Pennsylvania, for operating expenses.

HB 2559, PN 4316

An Act making an appropriation to the Whitaker Center for Science and the Arts in Harrisburg, Pennsylvania, for operating expenses.

HB 2590, PN 4317

An Act making an appropriation to the Lake Erie College of Osteopathic Medicine, Erie.

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

SUPPLEMENTAL CALENDAR I

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 1117, PN 4319**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for railroad protection, railroad vandalism and interference with transportation facilities and for penalties; and providing for railroad civil immunity.

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

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

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—201

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	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	Good	Millard	Sturla
Butkovitz	Goodman	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, S. E.	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	Lescovitz	Sainato	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—2

Manderino O'Neill

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 C

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 1039, PN 4230**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, providing for Medicaid managed care organization assessments, for intermediate care facilities for the mentally retarded persons assessments, for administration of assessments by the Department of Public Welfare, for enforcement and for a report on certain pharmaceutical programs.

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

The SPEAKER. It is moved by the lady, Mrs. Dailey, that the House do concur in the amendments inserted by the Senate.

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—198

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

NAYS—3

Habay	Maher	Metcalfe
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NOT VOTING—0

EXCUSED—2

Manderino	O'Neill
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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.

Mr. DeWEESE. Mr. Speaker?

The SPEAKER. Yes, Mr. DeWeese.

Mr. DeWEESE. I think Representative Maher would like to interrogate me, but he is not being able to get your attention.

VOTE CORRECTION

The SPEAKER. I apologize. The gentleman, Mr. Maher.

Mr. MAHER. Thank you, Mr. Speaker.

Just while we have a brief moment, to correct the record.

On the last vote, I wanted to vote in the affirmative. I was recorded in the negative.

The SPEAKER. The Chair thanks the gentleman. The gentleman's remarks will be spread across the record.

BILLS SIGNED BY SPEAKER

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

HB 1039, PN 4230

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, providing for Medicaid managed care organization assessments, for intermediate care facilities for the mentally retarded persons assessments, for administration of assessments by the Department of Public Welfare, for enforcement and for a report on certain pharmaceutical programs.

HB 1117, PN 4319

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for railroad protection, railroad vandalism and interference with transportation facilities and for penalties; and providing for railroad civil immunity.

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

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, Mr. Smith, from Jefferson County.

Mr. S. SMITH. Mr. Speaker, I move that this House do now adjourn until Sunday, July 4, 2004, at 5:20 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 5:19 a.m., e.d.t., Sunday, July 4, 2004, the House adjourned.