

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, FEBRUARY 3, 1999

SESSION OF 1999

183D OF THE GENERAL ASSEMBLY

No. 9

HOUSE OF REPRESENTATIVES

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

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

PRAYER

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

Let us pray:

O God of yesterday, today, and tomorrow, we come to You as we begin every session of this Assembly. We come in prayer, asking for Your blessing, Your guidance, Your discernment, Your justice, and Your compassion. It is an awesome task to govern and to lead. It is a task that others are quick to criticize. It is a task in which hindsight becomes so much clearer than foresight. We pray for visionary leadership and are challenged in the age of technology of finding new paradigms of doing business in the 21st century, yet we hold on to our past. We hold on to our old structures and old allegiances. We are afraid of change for fear of failure as well as fear of success.

It cannot be easy to be a politician, a representative of all kinds of people with all kinds of agendas and needs. It cannot be easy to cope with the pressures of constituents, the pressure of party politics, the pressure of family, pressure of staff, pressure of hectic schedules demanding one's time, energy, and commitment. It cannot be easy to dream and to put those visions into law and reality. At times it must be discouraging and frustrating. At times it must be overwhelming.

O God, give to the men and the women in this room and their staff and family the stamina, the courage, the tenacity to be strong in their beliefs as they work together to bring the common good to all. Give them clear vision of tomorrow as they celebrate their work today and as they reflect on the accomplishment of yesterday.

Grant them Your peace in their spiritual lives as they seek to be humble servants of our Commonwealth. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, February 2, 1999, will be postponed until printed. The Chair hears no objection.

LEAVES OF ABSENCE

The SPEAKER. It is the understanding of the Chair that there are no requests for leaves of absence.

DEMOCRATIC CAUCUS

The SPEAKER. For the benefit of the members in their offices, the House is going to recess, and Mr. Coy is now recognized for an announcement for the Democratic caucus.

Mr. COY. Thank you, Mr. Speaker.

The Democratic members will be in caucus at the call of the recess. We anticipate obviously that the matter that we will vote on later today will be discussed at caucus now. It is very important that members attend. So I would encourage that members attend the Democratic caucus immediately upon the declaration of recess.

The SPEAKER. The Chair thanks the gentleman and urges the Democrat members to report immediately to their caucus room so that we can do the whole day in as short a period of time as is possible.

The Republican caucus will not meet. We suggest that you go to your offices, do your regular work, and have lunch prior to coming back here at 1 o'clock, because we start at 1; there will be no further breaks.

Mr. Coy.

Mr. COY. And, Mr. Speaker, for the information of our members, there is lunch in our caucus room.

The SPEAKER. We will all be there.

Mr. COY. We could probably use the help.

The SPEAKER. Does the majority leader or minority leader have any further announcements?

ANNOUNCEMENT BY SPEAKER

The SPEAKER. For the information – I do not know if they are on the floor – but for the information of the press who have requested permission to take photographs during the stadium debate, I will give that permission, but I will do it at 1 o'clock when I know that that is going to take place.

RECESS

The SPEAKER. Does the majority leader or minority leader have any further business?

Hearing none, this House stands in recess to the call of the Chair, which will be approximately 1 o'clock.

AFTER RECESS

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

STATE GOVERNMENT COMMITTEE MEETING

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, there is to be a meeting in the rear of the hall of the State Government Committee to consider legislation. I ask all members to be there right now so we can consider this particular bill. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

Members of the State Government Committee may retire to the area behind the rail to meet with Mr. Clymer and the Committee on State Government.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—201

Adolph	Evans	Manderino	Saylor
Allen	Fairchild	Mann	Schroder
Argall	Fargo	Markosek	Schuler
Armstrong	Feese	Marsico	Scrimenti
Baker	Fichter	Masland	Semmel
Bard	Fleagle	Mayernik	Serafini
Barley	Flick	McCall	Seyfert
Barrar	Forcier	McGeehan	Shaner
Bastian	Frankel	McGill	Smith, B.
Battisto	Freeman	McIlhattan	Smith, S. H.
Bebko-Jones	Gannon	McIlhinney	Snyder
Belardi	Geist	McNaughton	Solobay
Belfanti	George	Melio	Staback
Benninghoff	Gigliotti	Metcalfe	Stairs
Birmelin	Gladeck	Michlovic	Steelman
Bishop	Godshall	Micozzie	Steil
Blaum	Gordner	Miller, R.	Stern
Boyes	Grucela	Miller, S.	Stetler
Browne	Gruitza	Mundy	Stevenson
Bunt	Habay	Myers	Srittmatter
Butkovitz	Haluska	Nailor	Sturla
Buxton	Hanna	Nickol	Surra
Caltagirone	Harhai	O'Brien	Tangretti
Cappabianca	Harhart	Oliver	Taylor, J.
Cam	Hasay	Orie	Thomas
Casorio	Hennessey	Perzel	Tigue
Cawley	Herman	Pesci	Travaglio
Chadwick	Hershey	Petrarca	Trello
Civera	Hess	Petrone	Trich
Clark	Horsey	Phillips	True
Clymer	Hutchinson	Pippy	Tulli
Cohen, L. I.	Jadlowiec	Pistella	Vance

Cohen, M.	James	Platts	Van Horne
Colafella	Josephs	Preston	Veon
Cornell	Kaiser	Ramos	Vitali
Corrigan	Keller	Raymond	Walko
Costa	Kenney	Readshaw	Washington
Coy	Kirkland	Reinard	Williams
Curry	Krebs	Rieger	Wilt
Dailey	LaGrotta	Roberts	Wogan
Daley	Laughlin	Robinson	Wojnaroski
Dally	Lawless	Roebuck	Wright
DeLuca	Lederer	Rohrer	Yewcic
Dempsey	Leh	Rooney	Youngblood
Dermody	Lescovitz	Ross	Yudichak
DeWeese	Levdansky	Rubley	Zimmerman
DiGirolamo	Lucyk	Ruffing	Zug
Donatucci	Lynch	Sainato	
Druce	Maher	Samuelson	Ryan, Speaker
Eachus	Maitland	Santoni	
Egolf	Major	Sather	

ADDITIONS—0

NOT VOTING—0

EXCUSED—1

Taylor, E. Z.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 164, PN 152

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.

HB 181, PN 295 (Amended)

By Rep. HERMAN

An Act authorizing the Department of Community and Economic Development to adopt a program of training, examination and qualification for tax collectors.

LOCAL GOVERNMENT.

FILMING PERMISSION

The SPEAKER. The Chair advises the members that permission is being now given to a number of individuals from the news media to be on the floor to take pictures. As usual and in accordance with our rules, they are permitted on the side aisles and across the back of the chamber: Fox 53, Pittsburgh, Cindy McGrath; WHTM-TV, Harrisburg, Mr. McKee; WTAE, Chris Winters and Sheldon Ingram; WHP-TV, Harrisburg, Al Gnoza and Wallace Patanow. Paul Vathis of Associated Press is also included.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. ZIMMERMAN called up **HR 16, PN 181**, entitled:

A Resolution designating the week of February 8 through 12, 1999, as "Students in Free Enterprise Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

RESOLUTION PASSED OVER

The **SPEAKER**. The Chair is in error. HR 16 is over for the day.

Ms. **BEBKO-JONES** called up **HR 17, PN 212**, entitled:

A Resolution observing the week of April 26 through 30, 1999, as "Crime Victims' Rights Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

Adolph	Evans	Mann	Saylor
Allen	Fairchild	Markosek	Schroder
Argall	Fargo	Marsico	Schuler
Armstrong	Feese	Masland	Scrimenti
Baker	Fichter	Mayernik	Semmel
Bard	Fleagle	McCall	Serafini
Barley	Flick	McGeehan	Seyfert
Barrar	Forcier	McGill	Shaner
Bastian	Frankel	McIlhattan	Smith, B.
Battisto	Freeman	McIlhinney	Smith, S. H.
Bebko-Jones	Gannon	McNaughton	Snyder
Belardi	Geist	Melio	Solobay
Belfanti	George	Metcalfe	Staback
Benninghoff	Gigliotti	Michlovic	Stairs
Birmelin	Gladeck	Micozzie	Steelman
Bishop	Godshall	Miller, R.	Steil
Blaum	Gordner	Miller, S.	Stern
Boyes	Grucela	Mundy	Stetler
Browne	Gruitza	Myers	Stevenson
Bunt	Habay	Nailor	Strittmatter
Butkovitz	Haluska	Nickol	Sturla
Buxton	Hanna	O'Brien	Surra
Caltagirone	Harhai	Oliver	Tangretti
Cappabianca	Harhart	Orie	Taylor, J.
Carn	Hasay	Perzel	Thomas
Casorio	Hennessey	Pesci	Tigue
Cawley	Herman	Petrarca	Travaglio
Chadwick	Hershey	Petrone	Trello
Civera	Hess	Phillips	Trich
Clark	Horsey	Pippy	True
Clymer	Hutchinson	Pistella	Tulli
Cohen, L. I.	Jadlowiec	Platts	Vance
Cohen, M.	James	Preston	Van Home
Colafella	Josephs	Ramos	Veon
Cornell	Kaiser	Raymond	Vitali
Corrigan	Keller	Readshaw	Waiko
Costa	Kirkland	Reinard	Washington
Coy	Krebs	Rieger	Williams
Curry	LaGrotta	Roberts	Wilt
Dailey	Laughlin	Robinson	Wogan

Daley	Lawless	Roebuck	Wojnaroski
Dally	Lederer	Rohrer	Wright
DeLuca	Leh	Rooney	Yewcic
Dempsey	Lescovitz	Ross	Youngblood
Dermody	Levdansky	Rublely	Yudichak
DeWeese	Lucyk	Ruffing	Zimmerman
DiGirolamo	Lynch	Sainato	Zug
Donatucci	Maher	Samuelson	
Druce	Maitland	Santoni	Ryan,
Eachus	Major	Sather	Speaker
Egoif	Manderino		

NAYS—0

NOT VOTING—1

Kenney

EXCUSED—1

Taylor, E. Z.

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

Ms. **BEBKO-JONES** called up **HR 18, PN 213**, entitled:

A Resolution designating the month of October 1999 as "Polish-American Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

Adolph	Evans	Mann	Saylor
Allen	Fairchild	Markosek	Schroder
Argall	Fargo	Marsico	Schuler
Armstrong	Feese	Masland	Scrimenti
Baker	Fichter	Mayernik	Semmel
Bard	Fleagle	McCall	Serafini
Barley	Flick	McGeehan	Seyfert
Barrar	Forcier	McGill	Shaner
Bastian	Frankel	McIlhattan	Smith, B.
Battisto	Freeman	McIlhinney	Smith, S. H.
Bebko-Jones	Gannon	McNaughton	Snyder
Belardi	Geist	Melio	Solobay
Belfanti	George	Metcalfe	Staback
Benninghoff	Gigliotti	Michlovic	Stairs
Birmelin	Gladeck	Micozzie	Steelman
Bishop	Godshall	Miller, R.	Steil
Blaum	Gordner	Miller, S.	Stern
Boyes	Grucela	Mundy	Stetler
Browne	Gruitza	Myers	Stevenson
Bunt	Habay	Nailor	Strittmatter
Butkovitz	Haluska	Nickol	Sturla
Buxton	Hanna	O'Brien	Surra
Caltagirone	Harhai	Oliver	Tangretti
Cappabianca	Harhart	Orie	Taylor, J.
Carn	Hasay	Perzel	Thomas
Casorio	Hennessey	Pesci	Tigue
Cawley	Herman	Petrarca	Travaglio
Chadwick	Hershey	Petrone	Trello
Civera	Hess	Phillips	Trich
Clark	Horsey	Pippy	True
Clymer	Hutchinson	Pistella	Tulli
Cohen, L. I.	Jadlowiec	Platts	Vance
Cohen, M.	James	Preston	Van Home

Colafella	Josephs	Ramos	Veon
Cornell	Kaiser	Raymond	Vitali
Corrigan	Keller	Readshaw	Walko
Costa	Kenney	Reinard	Washington
Coy	Kirkland	Rieger	Williams
Curry	Krebs	Roberts	Wilt
Dailey	Laughlin	Robinson	Wogan
Daley	Lawless	Roebuck	Wojnaroski
Dally	Lederer	Rohrer	Wright
DeLuca	Leh	Rooney	Yewcic
Dempsey	Lescovitz	Ross	Youngblood
Dermody	Levdansky	Rubley	Yudichak
DeWeese	Lucyk	Ruffing	Zimmerman
DiGirolamo	Lynch	Sainato	Zug
Donatucci	Maher	Samuelson	
Druce	Maitland	Santoni	Ryan,
Eachus	Major	Sather	Speaker
Egolf	Manderino		

NAYS-0

NOT VOTING-1

LaGrotta

EXCUSED-1

Taylor, E. Z.

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

Ms. BEBKO-JONES called up HR 19, PN 214, entitled:

A Resolution designating the month of March as "Women's History Month."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-200

Adolph	Evans	Mann	Saylor
Allen	Fairchild	Markosek	Schroder
Argall	Fargo	Marsico	Schuler
Armstrong	Feese	Masland	Scrimenti
Baker	Fichter	Mayernik	Semmel
Bard	Fleagle	McCall	Serafini
Barley	Flick	McGeehan	Seyfert
Barrar	Forcier	McGill	Shaner
Bastian	Frankel	McIlhattan	Smith, B.
Battisto	Freeman	McIlhinney	Smith, S. H.
Bebko-Jones	Gannon	McNaughton	Snyder
Belardi	Geist	Melio	Solobay
Belfanti	George	Metcalfe	Staback
Benninghoff	Gigliotti	Michlovic	Stairs
Birmelin	Gladeck	Micozzie	Steelman
Bishop	Godshall	Miller, R.	Steil
Blaum	Gordner	Miller, S.	Stern
Boyes	Grucela	Mundy	Stetler
Browne	Gruitza	Myers	Stevenson
Bunt	Habay	Nailor	Strittmatter
Butkovitz	Haluska	Nickol	Sturla
Buxton	Hanna	O'Brien	Surra
Caltagirone	Harhai	Oliver	Tangretti
Cappabianca	Harhart	Orie	Taylor, J.
Carn	Hasay	Perzel	Thomas
Casorio	Hennessey	Pesci	Tigue

Cawley	Herman	Petrarca	Travaglio
Chadwick	Hershey	Petrone	Trello
Civera	Hess	Phillips	Trich
Clark	Horsey	Pippy	True
Clymer	Hutchinson	Pistella	Tulli
Cohen, L. I.	Jadlowiec	Platts	Vance
Cohen, M.	James	Preston	Van Horne
Colafella	Josephs	Ramos	Veon
Cornell	Kaiser	Raymond	Vitali
Corrigan	Keller	Readshaw	Walko
Costa	Kenney	Reinard	Washington
Coy	Kirkland	Rieger	Williams
Curry	Krebs	Roberts	Wilt
Dailey	Laughlin	Robinson	Wogan
Daley	Lawless	Roebuck	Wojnaroski
Dally	Lederer	Rohrer	Wright
DeLuca	Leh	Rooney	Yewcic
Dempsey	Lescovitz	Ross	Youngblood
Dermody	Levdansky	Rubley	Yudichak
DeWeese	Lucyk	Ruffing	Zimmerman
DiGirolamo	Lynch	Sainato	Zug
Donatucci	Maher	Samuelson	
Druce	Maitland	Santoni	Ryan,
Eachus	Major	Sather	Speaker
Egolf	Manderino		

NAYS-0

NOT VOTING-1

LaGrotta

EXCUSED-1

Taylor, E. Z.

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

Mr. ROSS called up HR 20, PN 215, entitled:

A Resolution designating the week of March 7 through 13, 1999, as "Space Satellite and Technology Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-200

Adolph	Evans	Mann	Saylor
Allen	Fairchild	Markosek	Schroder
Argall	Fargo	Marsico	Schuler
Armstrong	Feese	Masland	Scrimenti
Baker	Fichter	Mayernik	Semmel
Bard	Fleagle	McCall	Serafini
Barley	Flick	McGeehan	Seyfert
Barrar	Forcier	McGill	Shaner
Bastian	Frankel	McIlhattan	Smith, B.
Battisto	Freeman	McIlhinney	Smith, S. H.
Bebko-Jones	Gannon	McNaughton	Snyder
Belardi	Geist	Melio	Solobay
Belfanti	George	Metcalfe	Staback
Benninghoff	Gigliotti	Michlovic	Stairs
Birmelin	Gladeck	Micozzie	Steelman
Bishop	Godshall	Miller, R.	Steil
Blaum	Gordner	Miller, S.	Stern
Boyes	Grucela	Mundy	Stetler

Browne	Gruitza	Myers	Stevenson
Bunt	Habay	Nailor	Strittmatter
Butkovitz	Haluska	Nickol	Sturla
Buxton	Hanna	O'Brien	Surra
Caltagirone	Harhai	Oliver	Tangretti
Cappabianca	Harhart	Orie	Taylor, J.
Carn	Hasay	Perzel	Thomas
Casorio	Hennessey	Pesci	Tigue
Cawley	Herman	Petrarca	Travaglio
Chadwick	Hershey	Petrone	Trello
Civera	Hess	Phillips	Trich
Clark	Horsey	Pippy	True
Clymer	Hutchinson	Pistella	Tulli
Cohen, L. I.	Jadlowiec	Platts	Vance
Cohen, M.	James	Preston	Van Home
Colafella	Josephs	Ramos	Veon
Cornell	Kaiser	Raymond	Vitali
Corrigan	Keller	Readshaw	Walko
Costa	Kenney	Reinard	Washington
Coy	Kirkland	Rieger	Williams
Curry	Krebs	Roberts	Wilt
Dailey	Laughlin	Robinson	Wogan
Daley	Lawless	Roebuck	Wojnarowski
Dally	Lederer	Rohrer	Wright
DeLuca	Leh	Rooney	Yewcic
Dempsey	Lescovitz	Ross	Youngblood
Dermody	Levdansky	Rubley	Yudichak
DeWeese	Lucy	Ruffing	Zimmerman
DiGirolamo	Lynch	Sainato	Zug
Donatucci	Maher	Samuelson	
Druce	Maitland	Santoni	Ryan,
Eachus	Major	Sather	Speaker
Egolf	Manderino		

NAYS—0

NOT VOTING—1

LaGrotta

EXCUSED—1

Taylor, E. Z.

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

GUEST INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, seated to the left of the Speaker, Kelsey Bugaile, a fifth grade student from the West Hanover Elementary School in Dauphin County. She is here as the guest of Representative Ron Marsico and Representative Rick Geist. Would the guest please rise.

The Chair requests the gentleman, Mr. Chadwick, to temporarily preside.

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

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 255, PN 229.

BILL RECOMMITTED

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

Mr. PERZEL. Mr. Speaker, I move that SB 255 be recommitted to the Committee on Appropriations.

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

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

HB 1, PN 216

By Rep. BOYES

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

FINANCE.

RULES COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the majority leader, who calls for an immediate meeting of the Rules Committee at the majority leader's desk.

**RESOLUTION REPORTED
FROM COMMITTEE**

HR 15, PN 180

By Rep. PERZEL

A Resolution providing for the establishment of a task force to study the mental retardation services system in Pennsylvania.

RULES.

SUPPLEMENTAL CALENDAR A

RESOLUTION

Mr. FAIRCHILD called up **HR 15, PN 180**, entitled:

A Resolution providing for the establishment of a task force to study the mental retardation services system in Pennsylvania.

On the question,
Will the House adopt the resolution?

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

Mr. EACHUS. Thank you, Mr. Speaker.

I would just like to urge my colleagues on the Democratic side to support this proposal. The bipartisan work that we began last session, looking into the challenges in our mental retardation system, are yet unfinished, and I urge your support for this resolution today. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—201

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Taylor, E. Z.

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

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 113, PN 94**, entitled:

An Act amending the act of June 22, 1964 (Sp.Sess., P.L.84, No.6), known as the Eminent Domain Code, further providing for compensation for delay in payment.

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

The SPEAKER pro tempore. The Chair has been advised that all amendments have been withdrawn to HB 113.

On the question recurring,
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—200

Adolph	Fairchild	Mann	Saylor
Allen	Fargo	Markosek	Schroder
Argall	Feese	Marsico	Schuler
Armstrong	Fichter	Masland	Scrimenti
Baker	Fleagle	Mayernik	Semmel
Bard	Flick	McCall	Serafini
Barley	Forcier	McGeehan	Seyfert
Barrar	Frankel	McGill	Shaner
Bastian	Freeman	McIlhattan	Smith, B.
Battisto	Gannon	McIlhinney	Smith, S. H.
Bebko-Jones	Geist	McNaughton	Snyder
Belardi	George	Melio	Solobay
Belfanti	Gigliotti	Metcalfe	Staback
Benninghoff	Gladeck	Michlovic	Stairs
Birmelin	Godshall	Micozzie	Steelman
Bishop	Gordner	Miller, R.	Steil
Blaum	Grucela	Miller, S.	Stern
Boyes	Gruitza	Mundy	Stetler
Browne	Habay	Myers	Stevenson
Bunt	Haluska	Nailor	Strittmatter
Butkovitz	Hanna	Nickol	Sturla
Buxton	Harhai	O'Brien	Surra
Caltagirone	Harhart	Oliver	Tangretti
Cappabianca	Hasay	Orie	Taylor, J.
Casorio	Hennessey	Perzel	Thomas
Cawley	Herman	Pesci	Tigue
Chadwick	Hershey	Petrarca	Travaglio
Civera	Hess	Petrone	Trello
Clark	Horsey	Phillips	Trich
Clymer	Hutchinson	Pippy	True
Cohen, L. I.	Jadlowiec	Pistella	Tulli
Cohen, M.	James	Platts	Vance
Colafella	Josephs	Preston	Van Home
Cornell	Kaiser	Ramos	Veon
Corrigan	Keller	Raymond	Vitali
Costa	Kenney	Readshaw	Walko

Coy	Kirkland	Reinard	Washington
Curry	Krebs	Rieger	Williams
Dailey	LaGrotta	Roberts	Wilt
Daley	Laughlin	Robinson	Wogan
Dally	Lawless	Roebuck	Wojnaroski
DeLuca	Lederer	Rohrer	Wright
Dempsey	Leh	Rooney	Yewcic
Dermody	Lescovitz	Ross	Youngblood
DeWeese	Levdansky	Rubley	Yudichak
DiGirolamo	Lucyk	Ruffing	Zimmerman
Donatucci	Lynch	Sainato	Zug
Druce	Maher	Samuelson	
Eachus	Maitland	Santoni	Ryan,
Egolf	Major	Sather	Speaker
Evans	Manderino		

NAYS—0

NOT VOTING—1

Cam

EXCUSED—1

Taylor, E. Z.

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 proceed to third consideration of **SB 10, PN 206**, entitled:

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

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

Mr. **ROBINSON** offered the following amendment No. **A0199**:

Amend Sec. 4, page 12, line 28, by striking out "Certificates of the" and inserting

Duties of

Amend Sec. 4, page 13, line 29, by inserting before "Auditor" Reliance by

Amend Sec. 4, page 14, by inserting between lines 8 and 9 (d) Financial reviews of capital projects.—

(1) The Auditor General shall examine the books, documents or other papers of any corporation, association or individual of a project that is being considered for receipt of funds equal to or in excess of \$5,000,000 as a capital project in a capital budget under Article XVI-B of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code. The purpose of the examination shall be to form a judgment regarding the reliability of the information contained in any such books, documents or papers.

(2) The examination shall be in the nature of a financial review and not an audit, and the approval of the Auditor General shall not be necessary for the project to be designated as a capital project in the capital budget.

(3) In the performance of the duty under this section, the Auditor General is authorized to hire accountants or professionals with expertise in the subject matter to be examined.

(4) The Auditor General may enforce this section in the same manner as provided in section 1602 of The Fiscal Code.

(5) An examination under this section shall not be construed to prohibit the Auditor General from conducting an audit in accordance with Article IV of The Fiscal Code.

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

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

Mr. ROBINSON. Thank you, Mr. Speaker.

Mr. Speaker, this is the first amendment to SB 10. This particular amendment gives authorization to our Auditor General to be involved in the process of reviewing those capital projects in excess of \$5 million that would be subject to the provisions of SB 10.

As all of you know, the Auditor General is already authorized by the State Constitution and by the laws of this General Assembly, signed by the Governor, to audit capital projects, among other projects. This is not an attempt to give to the Auditor General additional authority but certainly to direct him in this instance to focus in on capital projects of \$5 million or more — \$5 million or more. That certainly would address the building of any major facilities whether they be convention centers or sport stadiums and arenas. This is consistent with the whole idea that there should be sufficient taxpayer protections and accountability attached to any legislation that addresses the issue of increasing this Commonwealth's debt ceiling and specifically as it relates to stadiums and arenas.

Thank you, Mr. Speaker.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. The Chair recognizes the lady from Montgomery County, Representative Williams, on the amendment.

Ms. WILLIAMS. No. Mr. Speaker, I am rising for a point of parliamentary inquiry.

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

Ms. WILLIAMS. My father, Leon Hess, owns the New York Jets. That organization has a direct economic interest in the operations of the NFL (National Football League), including the sitings of football teams. I ask, therefore, to be excused from these votes.

The SPEAKER pro tempore. The Chair had reviewed that matter, and although we are not convinced that there is any conflict, the lady is certainly excused from these votes.

Ms. WILLIAMS. Thank you.

The SPEAKER pro tempore. The Chair thanks the lady.

On the amendment, the Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, although I am sure that there is a lot of merit in the amendment that is before us, we have been working diligently with the members on the other side of the aisle, with our own caucus, with the Senate, and with the Governor, and I would have to respectfully ask the members to please vote "no" on the Robinson amendment.

The SPEAKER pro tempore. Mr. Robinson, for the second time.

Mr. ROBINSON. Mr. Speaker, I certainly appreciate the efforts of the majority leader, particularly in bringing SB 10 to its present status, and all the assistance and help he has given in reviewing those items put before him. But I believe this amendment speaks to an issue that even the majority leader would have to admit is not addressed right now in SB 10, and that is, how do we make sure that all the taxpayer dollars that we are proposing to put into building stadiums and other facilities that have a cost of more than \$5 million to taxpayers, that there will be a proper accounting for all the taxpayer dollars?

I ask the members to carefully consider this and only to ask yourself one question: If not this amendment, what amendment will guarantee that taxpayer dollars are protected?

I encourage members to vote for the Robinson amendment. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—65

Belardi	Gruitza	Melio	Shaner
Belfanti	Habay	Michlovic	Solobay
Bishop	Hajuska	Mundy	Steelman
Carn	Harhai	Myers	Stevenson
Casorio	Horsey	Pesci	Tangretti
Cohen, M.	James	Petrarca	Thomas
Colafrilla	Kirkland	Petrone	Travaglio
Costa	LaGrotta	Pistella	Trello
Curry	Laughlin	Ramos	Trich
DeLuca	Levdansky	Roberts	Vitali
Dermody	Lucyk	Robinson	Walko
Eachus	Manderino	Roebuck	Washington
Freeman	Mann	Ruffing	Wogan
George	Markosek	Sainato	Yewcic
Gigliotti	Mayernik	Samuelson	Youngblood
Gordner	McCall	Scrimenti	Yudichak
Grucela			

NAYS—134

Adolph	DeWeese	Leh	Santoni
Allen	DiGirolamo	Lescovitz	Sather
Argall	Donatucci	Lynch	Saylor
Armstrong	Druce	Maher	Schroder
Baker	Egolf	Maitland	Schuler
Bard	Evans	Major	Semmel
Barley	Fairchild	Marsico	Serafini
Barrar	Fargo	Masland	Seyfert
Bastian	Feese	McGeehan	Smith, B.
Battisto	Fichter	McGill	Smith, S. H.
Bebko-Jones	Fleagle	McIlhattan	Snyder
Benninghoff	Flick	McIlhinney	Staback
Birmelin	Forcier	McNaughton	Stairs
Blaum	Frankel	Metcalfe	Steil
Boyes	Gannon	Micozzie	Stern
Browne	Geist	Miller, R.	Stetler
Bunt	Gladeck	Miller, S.	Struttmatter
Butkovitz	Godshall	Nailor	Sturla
Buxton	Hanna	Nickol	Surra
Caltagirone	Harhart	O'Brien	Taylor, J.
Cappabianca	Hasay	Oliver	Tigue
Cawley	Hennessey	Orie	True
Chadwick	Herman	Perzel	Tulli
Civera	Hershey	Phillips	Vance
Clark	Hess	Pippy	Van Horne
Clymer	Hutchinson	Platts	Veon

Cohen, L. I.	Jadlowiec	Raymond	Wilt
Cornell	Josephs	Readshaw	Wojnaroski
Corrigan	Kaiser	Reinard	Wright
Coy	Keller	Rieger	Zimmerman
Dailey	Kenney	Rohrer	Zug
Daley	Krebs	Rooney	
Dally	Lawless	Ross	Ryan,
Dempsey	Lederer	Rubley	Speaker

NOT VOTING—2

Preston	Williams
---------	----------

EXCUSED—1

Taylor, E. Z.

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

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

Mr. ROBINSON offered the following amendment No. A0200:

Amend Bill, page 14, by inserting between lines 8 and 9 Section 4.1. Financial reviews of capital projects.

(a) Examination.—The State Treasurer shall examine the books, documents or other papers of any corporation, association or individual of a project that is being considered for receipt of funds equal to or in excess of \$5,000,000 as a capital project in a capital budget under Article XVI-B of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code. The purpose of the examination shall be to form a judgment regarding the reliability of the information contained in any such books, documents or papers.

(b) Examination not an audit.—The examination shall be in the nature of a financial review and not an audit, and the approval of the State Treasurer shall not be necessary for the project to be designated as a capital project in the capital budget.

(c) Authorization to hire.—In the performance of the duty under this section, the State Treasurer is authorized to hire accountants or professionals with expertise in the subject matter to be examined.

(d) Enforcement.—The State Treasurer may enforce this section in the same manner as provided in section 1602 of The Fiscal Code.

(e) Audit.—An examination under this section shall not be construed to prohibit the State Treasurer from conducting an audit in accordance with section 1502 of The Fiscal Code at such time as the State Treasurer is presented with a payment requisition involving the capital project.

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Allegheny County, Mr. Robinson. Mr. ROBINSON. Thank you, Mr. Speaker.

Mr. Speaker, this particular amendment is offered in the same spirit. It has essentially the same substance as the amendment previously voted. I think it is rather obvious that the issue of taxpayer protections are not at this present time addressed in SB 10. What I am suggesting to the members is that the State Treasurer, who is authorized at this point to conduct audits of capital projects, be given an opportunity to review any financial

papers submitted to the Commonwealth prior to any final arrangement being made to conclude contracts on capital projects.

This is an extension of the responsibilities of the State Treasurer, but in no way would this prohibit her, in this case, from conducting those audits that she is legally required to conduct and the Constitution authorizes. But again, this is geared toward sufficient taxpayer protections, and I encourage all members to review this amendment very carefully, and I encourage a "yes" vote. Thank you, Mr. Speaker.

The SPEAKER pro tempore. On the amendment, does the majority leader seek recognition?

The House will stand at ease momentarily.

Mr. PERZEL. Mr. Speaker?

The SPEAKER pro tempore. The gentleman, Mr. Perzel.

Mr. PERZEL. When we get to the amendment that the minority leader and I will be offering in about 10 minutes, there are a number of taxpayer protections in that particular amendment that will go a long way to making sure that the taxpayers are protected, and I would like to ask the members for right now to vote "no" and wait for that amendment.

The SPEAKER pro tempore. For the second time, Mr. Robinson.

Mr. ROBINSON. Mr. Speaker, I certainly appreciate what the majority leader has been attempting to do, and certainly, the bipartisan effort will make it much more clear to all members what taxpayer protections might be in place, but we have before us right now an amendment that very specifically addresses those taxpayer protections. Those taxpayer protections are not addressed, at least by my way of understanding, in SB 10 as presented to the House. If the majority leader is correct, then I anxiously await to see what those protections are, because I think that the bottom line is, the majority leader agrees with me that there need to be sufficient taxpayer protections prior to the General Assembly and the Governor approving any kind of raising of the debt ceiling in the Commonwealth of Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman, Mr. Veon, is recognized on the amendment.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I did not want this opportunity to go by when the gentleman from Pittsburgh is offering his amendment on taxpayer protection to not recognize the tremendous amount of work that the gentleman from Pittsburgh, Mr. Robinson, and the gentleman from Philadelphia, Mr. Carn, have done on the issues of stadiums, financing of stadiums, construction of stadiums, attendance at stadiums in the State of Pennsylvania. They have spent more time, effort, and energy than any other legislators in this chamber on this issue over the last year and a half. They have held probably 10 public hearings, have had dozens of witnesses, a tremendous amount of testimony, and quite frankly, I think they did a tremendous job in raising very important issues. And I want to say that even though and although these amendments may fail here today on the House floor, the amendments offered by the gentleman from Pittsburgh, as everyone well knows by now, many of the principles, many of the concepts, many of the points that they have been making over the last year and a half are in fact incorporated in a final version that is going to pass here in the House by the amendment offered by the majority leader and the minority leader. Much of that is their handiwork, in my opinion. Those are concepts that they have brought forward to protect the

taxpayers of this State, to help their neighborhoods in those cities, and I just want to commend and congratulate them for the work they have done on this very important and difficult and challenging issue. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—62

Belardi	Gruitza	Melio	Scrimenti
Belfanti	Habay	Mundy	Shaner
Carn	Haluska	Myers	Solobay
Casorio	Harhai	Pesci	Steelman
Cohen, M.	Horsey	Petrarca	Stevenson
Costa	James	Pisteila	Tangretti
Curry	Kenney	Ramos	Travaglio
DeLuca	Kirkland	Readshaw	Trello
Dermody	LaGrotta	Roberts	Vitali
Eachus	Laughlin	Robinson	Walko
Fairchild	Levdansky	Roebuck	Washington
Freeman	Lucyk	Ruffing	Wogan
George	Maher	Sainato	Yewcic
Gigliotti	Manderino	Samuelson	Youngblood
Gordner	Mann	Sather	Yudichak
Grucela	McCall		

NAYS—137

Adolph	Dempsey	Lynch	Saylor
Allen	DeWeese	Maitland	Schroder
Argall	DiGirolamo	Major	Schuler
Armstrong	Donatucci	Markosek	Semmel
Baker	Druce	Marsico	Seraffini
Bard	Egolf	Masland	Seyfert
Barley	Evans	Mayernik	Smith, B.
Barrar	Fargo	McGeehan	Smith, S. H.
Bastian	Feese	McGill	Snyder
Battisto	Fichter	McIlhattan	Staback
Bebko-Jones	Fleagle	McIlhinney	Stairs
Benninghoff	Flick	McNaughton	Steil
Birmelin	Forcier	Metcalfe	Stern
Bishop	Frankel	Michlovic	Stetler
Blaum	Gannon	Micozzie	Strittmatter
Boyes	Geist	Miller, R.	Sturla
Browne	Gladeck	Miller, S.	Surra
Bunt	Godshall	Nailor	Taylor, J.
Butkovitz	Hanna	Nickol	Thomas
Buxton	Harhart	O'Brien	Tigue
Caltagirone	Hasay	Oliver	Trich
Cappabianca	Hennessey	Orie	True
Cawley	Herman	Perzel	Tulli
Chadwick	Hershey	Petrone	Vance
Civera	Hess	Phillips	Van Horne
Clark	Hutchinson	Pippy	Veon
Clymer	Jadlowiec	Platts	Wilt
Cohen, L. I.	Josephs	Raymond	Wojnaroski
Colafella	Kaiser	Reinard	Wright
Cornell	Keller	Rieger	Zimmerman
Corrigan	Krebs	Rohrer	Zug
Coy	Lawless	Rooney	
Dailey	Lederer	Ross	Ryan,
Daley	Leh	Rubleby	Speaker
Dally	Lescovitz	Santoni	

NOT VOTING—2

Preston	Williams
---------	----------

EXCUSED—1

Taylor, E. Z.

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

GUEST INTRODUCED

The SPEAKER pro tempore. The Chair would like to take this opportunity to welcome a special guest to the hall of the House. The Chair would like to welcome Mrs. Elsie Hillman, former National Republican Committee member from Pennsylvania, who is here today as the guest of Representatives Fred Trello, John Perzel, and, I suspect, many of the rest of us. Elsie, welcome to the hall of the House.

CONSIDERATION OF SB 10 CONTINUED

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

Mr. ROBINSON offered the following amendment No. A0201:

Amend Title, page 1, line 3, by inserting after "appropriations;"
establishing the Capital Projects Oversight Board
and providing for it powers and duties;

Amend Bill, page 27, by inserting between lines 2 and 3
Section 18.1. Oversight of Capital Projects.

(a) Capital Projects Oversight Board.—The Capital Projects Oversight Board is established in order to provide review and oversight of capital projects. The board shall also assist in providing information relating to ways each project benefits the community at large.

(b) Membership.—The board shall consist of nine members and shall reflect the racial and ethnic diversity of this Commonwealth. The Governor shall designate one of the appointed members as chair of the board. The following shall serve on the board:

(1) One member appointed by the President pro tempore of the Senate.

(2) One member appointed by the Minority Leader of the Senate.

(3) One member appointed by the Speaker of the House of Representatives.

(4) One member appointed by the Minority Leader of the House of Representatives.

(5) Five members from across this Commonwealth appointed by the Governor.

(c) Terms of office.—

(1) The terms of office for appointed board members shall be two years and until their successors have been appointed, but no member shall serve more than six months beyond the expiration of the member's term unless reappointed. No member shall serve more than two terms.

(2) Terms of office of members shall expire on the third Tuesday of January of each odd-numbered year.

(3) In the case of a vacancy in a position filled by appointment of the Governor, the Governor shall make an appointment for the unexpired portion of the term. In the case of a vacancy in a position filled by appointment of a legislative leader, the legislative leader shall make an appointment for the unexpired portion of the term.

(d) Quorum and meetings.—The board shall meet at least twice per year, as well as at the call of the Governor. A majority of the members of the board shall constitute a quorum.

(e) Compensation and expenses.—

(1) The members of the board shall serve without compensation. However, members other than the Governor shall be entitled to receive traveling and other reasonable expenses incurred in the discharge of their official duties.

(2) The expenses of the board under this section shall be borne by the Executive Office of the Governor.

(f) Annual report.—The board shall, no later than July 1 of each year, prepare a comprehensive annual report detailing its review of each capital project.

(g) Applicability.—This section shall apply only to capital projects involving expenditures over \$5,000,000.

Amend Sec. 21, page 27, line 16, by striking out all of said line and inserting

This act shall take effect as follows:

(1) Section 18.1 shall take effect in 120 days.

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

On the question,

Will the House agree to the amendment?

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

Mr. ROBINSON. Thank you, Mr. Speaker.

Mr. Speaker, this is the last of my amendments, and I hope that legislators will pay particular attention to this one, because this gives to legislators an opportunity to get involved in the capital budget process in a way that heretofore you have not been involved.

You should remember that the previous two amendments did not give any authority to the Treasurer or the Auditor General to make any final decisions. Those final decisions were left with the Governor, as well they should be. This particular amendment creates a Capital Projects Oversight Board. Many members have been anxious over the years to have an opportunity to identify, to recommend projects in the capital budget in a fashion different than we do now. This recommendation, through this amendment, is consistent with Governor Ridge indicating that he would like to do capital budget projects in Pennsylvania differently than they have been done in the past.

This, Mr. Speaker, amendment A0201, is something different. As you will see, the President of the Senate would appoint one member, one member appointed by the minority leader of the Senate, one member appointed by the Speaker of the House of Representatives, one member appointed by the minority leader of the House of Representatives, and five members from across this Commonwealth appointed by the Governor — five members appointed by the Governor. This group of individuals would only be reviewing capital budget items of \$5 million or more. This would certainly impact upon any stadiums, any arenas, any major construction projects. This gives you, as individual members of this House, an opportunity to be involved in the capital budget process, but it leaves with the Governor the final say-so as to which projects go forward. It also gives people around this Commonwealth an opportunity to be involved in this process with us, but the Governor would pick those people. This is consistent with what Gov. Tom Ridge said he wanted to do as far as capital projects in this Commonwealth, something different.

Mr. Speaker, I encourage the members to support this particular amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman, Mr. Snyder, on the amendment.

Mr. SNYDER. Mr. Speaker, while we certainly respect the intention of the maker of this amendment to try to address some of the concerns of the members of this body to deal with some of the issues that we are going to be discussing later this afternoon, as the majority leader had requested earlier, we are asking to oppose these amendments at this time, with the thought and the hope that we will resolve most of these issues with a more comprehensive amendment that we will be considering later. Thank you.

The SPEAKER pro tempore. For the second time, Mr. Robinson.

Mr. ROBINSON. Mr. Speaker, I certainly appreciate the gentleman's comments and appreciate also his effort to try to address these issues. Let me just say that we already have in front of us the solution to the problem. For those of you who wanted to be in support of a different process, who wanted to be involved in capital projects, this is the moment of truth. Here it is, something different. Legislators can be involved, and the Governor still can make the final choice.

One last comment, if I might, Mr. Speaker. SB 10 does not at this moment, at this moment, contain my amendment. It does not contain the creation of a Capital Projects Oversight Board. It does not give you as individual members any opportunity to be represented.

Again, I encourage you to review this carefully and ask yourself, if you have an opportunity to recommend projects in your district, would you like to use the present process that we have or the one that is contained in amendment A0201? Please vote for amendment A0201. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—58

Belardi	Habay	Mundy	Solobay
Belfanti	Haluska	Myers	Steelman
Birmelitt	Harhai	Pesci	Stevenson
Carn	Horsey	Petrarca	Tangretti
Casorio	James	Pistella	Tigue
Cohen, M.	Kirkland	Preston	Travaglio
Costa	LaGrotta	Roberts	Trich
Curry	Laughlin	Robinson	Vitali
DeLuca	Lawless	Roebuck	Walko
Dermody	Levdansky	Ruffing	Washington
Eachus	Lucyk	Sainato	Wogan
Freeman	Manderino	Samuelson	Yewcic
George	Mann	Scrimenti	Youngblood
Gigliotti	McCall	Shaner	Yudichak
Grucela	Melio		

NAYS—141

Adolph	Donatucci	Maher	Santoni
Allen	Druce	Maitland	Sather
Argall	Egolf	Major	Saylor
Armstrong	Evans	Markosek	Schroder
Baker	Fairchild	Marsico	Schuler
Bard	Fargo	Masland	Semmel
Barley	Feese	Mayernik	Serafini
Barrar	Fichter	McGeehan	Seyfert

Bastian	Fleagle	McGill	Smith, B.
Battisto	Flick	McIlhattan	Smith, S. H.
Bebko-Jones	Forcier	McIlhinney	Snyder
Benninghoff	Frankel	McNaughton	Staback
Bishop	Gannon	Metcalfe	Stairs
Blaum	Geist	Michlovic	Steil
Boyes	Gladeck	Micozzie	Stern
Browne	Godshall	Miller, R.	Stetler
Bunt	Gordner	Miller, S.	Strittmatter
Butkovitz	Gruitza	Nailor	Sturla
Buxton	Hanna	Nickol	Surra
Cappabianca	Harhart	O'Brien	Taylor, J.
Cawley	Hasay	Oliver	Thomas
Chadwick	Hennessey	Orie	Trello
Civera	Herman	Perzel	True
Clark	Hershey	Petrone	Tulli
Clymer	Hess	Phillips	Vance
Cohen, L. I.	Hutchinson	Pippy	Van Horne
Colafella	Jadlowiec	Platts	Veon
Cornell	Josephs	Ramos	Wilt
Corrigan	Kaiser	Raymond	Wojnaroski
Coy	Keller	Readshaw	Wright
Dailey	Kenney	Reinard	Zimmerman
Daley	Krebs	Rieger	Zug
Dally	Lederer	Rohrer	
Dempsey	Leh	Rooney	Ryan,
DeWeese	Lescovitz	Ross	Speaker
DiGirolamo	Lynch	Rubley	

NOT VOTING—2

Caltagirone	Williams
-------------	----------

EXCUSED—1

Taylor, E. Z.

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

FILMING PERMISSION

The SPEAKER pro tempore. The Chair wishes to advise the members that he has given permission to Lake Fong of the Pittsburgh Post-Gazette to take still photographs of the House proceedings.

CONSIDERATION OF SB 10 CONTINUED

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

Mr. CARN offered the following amendment No. A0202:

Amend Title, page 1, line 3, by inserting after "officers;" requiring that professional sports franchises that receive public assistance through the capital budget or other means be subjected to regular State economic assistance criteria and requirements; conferring powers and duties upon the Department of Community and Economic Development;

Amend Bill, page 27, by inserting between lines 2 and 3 Section 18.1. Sports franchise funding.

(a) Eligibility for funding.—To be eligible for funding a sports franchise shall do the following:

- (1) Locate, modernize or maintain operations in this Commonwealth.
- (2) Invest private capital in the project.

(b) Limitation on funding.—The funding amount shall be no more than one-third of the total eligible project cost.

(c) Eligible costs.—The eligible costs shall be as follows:

- (1) Land and building acquisition costs directly associated with the purchase, renovation or new construction of a facility which will be used for an eligible purpose.
- (2) Site preparation and testing.
- (3) Construction.
- (4) Renovation of a facility.
- (5) Environmental assessment.
- (6) Remediation of hazardous materials.
- (7) Utilities.

(d) Ineligible costs.—Ineligible expenses include, but are not limited to, refinancing or retirement of existing debt and costs unrelated to a franchise's upgrade or maintenance of operation of a sports facility.

(e) Terms of loans.—

(1) Interest rates shall be 3.7%, 5.25% or 6.75%, based on the area unemployment rate.

(2) The term shall be up to 15 years. A sports franchise shall not be eligible for another loan until 15 years have elapsed from payment of the previous loan.

(f) Restrictions.—

(1) A sports franchise may not be delinquent in or in default of an existing private or public loan unless it has entered into a workout agreement satisfactory to the creditors and is fully in compliance with the terms of the agreement.

(2) The borrower and its principals must be current in payment of all applicable State and local taxes unless they have entered into a workout agreement satisfactory to the respective taxing authorities and are fully in compliance with the terms of the agreement.

(3) The borrower, its principals and managerial officers must disclose any potential conflict of interest with any officials or employees of the Department of Community and Economic Development or any officers or employees of any public entity which is submitting an application on behalf of the borrower.

(g) Out-of-State teams.—Sports franchises attempting to relocate to Pennsylvania shall not be eligible for loans under this section.

(h) Fees.—The department shall charge a nonrefundable loan commitment fee of 1% of the approved loan amount. A check in the required amount shall be payable to the Commonwealth and returned to the department with the signed and executed loan commitment letter. This loan fee may be included as part of the project cost.

(i) Employment requirements.—

(1) Nonmanagement and nonplayer employees shall receive a base salary of at least 150% of the minimum wage.

(2) Fifteen percent of nonmanagement and nonplayer positions should be reserved for public assistance recipients.

(3) An additional 15% of nonmanagement and nonplayer positions should be reserved for residents that reside within a ten-mile radius of a new facility.

(j) Relocation of existing franchise.—In the event an existing Pennsylvania franchise relocates to another state, the franchise is liable to the Commonwealth for any outstanding debt or costs associated with this assistance.

Amend Sec. 21, page 27, line 16, by striking out all of said line and inserting

This act shall take effect as follows:

- (1) Section 18.1 of this act shall take effect in 60 days.
- (2) The remainder of this act shall take effect immediately.

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Philadelphia, Mr. Carn.

Mr. CARN. Thank you, Mr. Speaker.

I stand here today to offer amendment A0202. This is an amendment that will provide the moneys that we would like to give to sports franchises as a loan. As I review the majority leader's amendment that he will be presenting later, the money is being given away to the franchise owners as a grant. So I am just trying to protect the interest of the taxpayers' money by saying, if we must participate in this process, let us not give corporate welfare; let us not just give the money away; let us do what we do to other businesses in the Commonwealth: we lend them money; we collateralize our money. I do not know why we must feel that we have to give a grant to multimillion-dollar businesses, but I am just suggesting that it is bad public policy to just give money away to businesses.

So this amendment says that we will lend the franchises the money that they need in order to do what they have to do as opposed to just giving them hundreds of millions of taxpayers' dollars with no obligation to pay it back. Thank you, Mr. Speaker.

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

Mr. PERZEL. Mr. Speaker, since the amendment was mentioned, I wanted the members to know that there is a guaranteed payback in the amendment that I am going to be offering. So I want everybody to be clear about that. Our constituents, the taxpayers, are not going to be paying for this. It is going to be coming from the revenues from the teams.

It is a guaranteed payback, Mr. Speaker, so I would respectfully ask for a "no" vote on the Carn amendment.

The SPEAKER pro tempore. Mr. Carn, do you seek recognition for the second time?

Mr. CARN. Yes, I do, Mr. Speaker.

The SPEAKER pro tempore. The gentleman is recognized.

Mr. CARN. When we reviewed the majority leader's amendment in caucus, it became very clear in our caucus that this was a grant and that they are not obligated to pay the money back, and I ask for an affirmative vote on this amendment.

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

The following roll call was recorded:

YEAS—60

Belardi	Harhai	Masland	Samuelson
Belfanti	Hasay	Mayemik	Scrimenti
Benninghoff	Horsey	McNaughton	Shaner
Boyes	James	Melio	Smith, B.
Carn	Kirkland	Myers	Solobay
Casorio	Krebs	Pesci	Steelman
Cohen, M.	Laughlin	Petrarca	Stevenson
Curry	Lawless	Pistella	Thomas
Dermody	Levdansky	Platts	Travaglio
Eachus	Lucyk	Roberts	Trello
Freeman	Maher	Robinson	Vitali
George	Manderino	Roebuck	Walko
Grucela	Mann	Rohrer	Washington
Habay	Markosek	Ruffing	Yewcic
Haluska	Marsico	Sainato	Youngblood

NAYS—139

Adolph	DeWeese	Leh	Saylor
Allen	DiGirolamo	Lescovitz	Schroder
Argall	Donatucci	Lynch	Schuler

Armstrong	Druce	Maitland	Semmel
Baker	Egolf	Major	Serafini
Bard	Evans	McCall	Seyfert
Barley	Fairchild	McGeehan	Smith, S. H.
Barrar	Fargo	McGill	Snyder
Bastian	Feese	McIlhattan	Staback
Battisto	Fichter	McIlhinney	Stairs
Bebko-Jones	Fleagle	Metcalfe	Steil
Birmelin	Flick	Michlovic	Stern
Bishop	Forcier	Micozzie	Stetler
Blaum	Frankel	Miller, R.	Strittmatter
Browne	Gannon	Miller, S.	Sturla
Bunt	Geist	Mundy	Surra
Butkovitz	Gigliotti	Nailor	Tangretti
Buxton	Gladeck	Nickol	Taylor, J.
Caltagirone	Godshall	O'Brien	Tigue
Cappabianca	Gordner	Oliver	Trich
Cawley	Gruitza	Orie	True
Chadwick	Hanna	Perzel	Tulli
Civera	Harhart	Petrone	Vance
Clark	Hennessey	Phillips	Van Home
Clymer	Herman	Pippy	Veon
Cohen, L. I.	Hershey	Ramos	Wilt
Colafella	Hess	Raymond	Wogan
Cornell	Hutchinson	Readshaw	Wojnaroski
Corrigan	Jadlowiec	Reinard	Wright
Costa	Josephs	Rieger	Yudichak
Coy	Kaiser	Rooney	Zimmerman
Dailey	Keller	Ross	Zug
Daley	Kenney	Rubley	
Dally	LaGrotta	Santoni	Ryan,
DeLuca	Lederer	Sather	Speaker
Dempsey			

NOT VOTING—2

Preston Williams

EXCUSED—1

Taylor, E. Z.

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

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

Mr. CARN offered the following amendment No. A0203:

Amend Title, page 1, line 3, by inserting after "officers;" creating the Sports Facility Authority and the Sports Facility Authority Board; providing for powers and duties of the board, for a right of first refusal prior to relocation of certain franchises and for regulation of ticket prices; imposing conditions upon the use of public funds for construction of professional sports facilities; requiring certain professional sports franchises to conduct community impact studies and develop community benefit plans in conjunction with the construction of certain athletic facilities; providing for naming of publicly funded sports facilities in certain municipalities and for education and community development; regulating admission to publicly funded sports facilities; conferring powers and duties on the Department of Community and Economic Development; requiring publicly funded construction of sports facilities to guarantee employment to public assistance recipients; conferring powers and duties upon the Department of Labor and Industry and the Department of Public Welfare; imposing penalties;

Amend Bill, page 27, by inserting between lines 2 and 3 Section 18.1. Sports Facility Authority.

(a) Sports Facility Authority.—

(1) A body corporate and politic known as the Sports Facility Authority is hereby created as a public corporation and government instrumentality.

(2) The authority shall be governed by a board known as the Sports Facility Authority Board, which shall consist of the following members, one of whom shall be designated chairperson by the Governor:

- (i) The State Treasurer or a designee.
- (ii) The Auditor General or a designee.
- (iii) The Secretary of Community and Economic Development or a designee.
- (iv) The Secretary of the Budget or a designee.
- (v) An appointee of the Attorney General who shall be either the Director of the Public Protection Division, the Director of the Bureau of Consumer Protection or the Consumer Advocate.
- (vi) An appointee of the President pro tempore of the Senate.
- (vii) An appointee of the Minority Leader of the Senate.
- (viii) An appointee of the Speaker of the House of Representatives.
- (ix) An appointee of the Minority Leader of the House of Representatives.

(3) Board members other than elected officials and cabinet officers shall serve four-year terms.

(4) Board members shall receive no compensation but shall be entitled to reimbursement for actual and necessary expenses incurred in the performance of their duties.

(5) The board shall appoint an executive director who shall serve at the pleasure of the board.

(6) No action of the board shall occur in the absence of a quorum, which shall consist of five members. Except as otherwise provided, a vote of a majority of the members present shall be required for any action.

(7) The board may:

- (i) Make bylaws governing the management and regulation of its affairs and the affairs of the authority.
- (ii) Enter into contracts of all kinds and execute instruments necessary or appropriate to the management of its affairs and the affairs of the authority.
- (iii) Hire or appoint officers, agents and employees and fix their compensation, if any.
- (iv) Adopt, use and alter at will a corporate seal.
- (v) Acquire and hold in the name of the authority real, personal and intangible property or an interest therein, including, but not limited to, professional sports franchises and facilities.

- (vi) Borrow money by issuing notes and bonds.
- (vii) Invest any funds held which are not required for immediate expenditure or for operation of the authority.
- (viii) Perform any act necessary or convenient to carry out the functions, duties and responsibilities assigned by this act.
- (ix) Examine the level of public access to professional sports events held in facilities constructed with, renovated with or supported to any extent by public funds.
- (x) Determine and report to the Governor whether there is adequate public access to professional sports events held in facilities constructed with, renovated with or supported to any extent by public funds.

(8) The authority shall have a right of first refusal to purchase sports organizations which are being sold. Within seven days after receiving a bona fide purchase offer for a sports organization, the owner thereof shall send a copy of the offer to the authority, after

which the authority shall have 30 days in which to determine whether to exercise its right of first refusal.

(9) The authority shall have one year from notification of a bona fide purchase offer in which to procure financing, and the sports organization may not be moved outside this Commonwealth while financing is being procured.

(10) The authority's sources of funding shall include the following:

(i) Ten percent of the gross amount of all luxury box, parking and concessions revenues received by sports organizations as a result of sports events held in this Commonwealth shall be forwarded to the authority.

(ii) Ten percent of the gross amount of all television and radio revenues received by sports organizations as a result of sports events held in this Commonwealth shall be forwarded to the authority.

(iii) Five percent of the gross amount of all revenues generated as a result of nonsporting events held at facilities.

(iv) The public share of any proceeds generated from the sale of naming rights of a facility shall be forwarded to the authority.

(v) A surcharge on the sale of tickets.

(11) The authority's funds shall be disbursed after meeting operating expenses as follows:

(i) Seventy percent of the luxury box, parking and concessions revenues, television and radio revenues, proceeds from the sale of naming rights and nonsporting event revenues received by the authority shall be forwarded to the school district in which the facility generating the revenues is located.

(ii) Thirty percent of the luxury box, parking and concessions revenues, television and radio revenues, proceeds from the sale of naming rights and nonsporting event revenues received by the authority shall be forwarded to the municipality where the facility generating the revenues is located.

(12) The authority shall submit an annual report of its activities to the Governor and General Assembly no later than 30 days after the end of the calendar year to which the report applies.

(b) Public funds.—

(1) Public funds may not be expended to construct or renovate a facility unless the sports organization that owns or leases the facility agrees in a writing approved by the authority in advance:

(i) to provide a minimum of 180 days' written notice prior to relocating outside of this Commonwealth;

(ii) to grant a right of first refusal which permits submission of a proposal to prevent relocation of the team outside of this Commonwealth; and

(iii) to forfeit the team name, team logo and team colors upon relocation outside of this Commonwealth.

(2) Upon relocation of the sports organization, any public funds used to construct or renovate a facility shall be refunded as follows:

(i) Fifty percent to the department for use for community and economic development in the region where the facility is located.

(ii) Fifty percent to the local municipality to be dedicated to public education, community development and work force development.

(c) Expenditure of public funds prohibited.—Public funds may not be expended to construct a facility unless the sports organization that will own or lease the facility has completed a community impact study and implemented a community benefit and participation plan approved by the department.

(d) Community advisory group.—The community benefit and participation plan required under subsection (c) shall be developed and implemented with the assistance of a community advisory group formed by the sports organization and comprised of residents and other

representative entities located within a ten-mile radius of the proposed facility.

(e) Public records.—Copies of the results of the community impact study and the community benefit and participation plan approved by the department shall be filed with the department and county where the proposed facility will be located and shall be available upon request for public inspection.

(f) Naming.—

(1) Except as set forth in paragraph (2), a facility or a playing surface in the facility shall be named for the Commonwealth, an appropriate public figure, landmark, natural resource or host municipality if all of the following apply:

(i) The facility is located in a municipality.

(ii) The facility is constructed or renovated with the use of money from the Commonwealth.

(2) The department may sell the naming rights to the facility or a playing surface in the facility.

(3) Money from a sale under subsection (a) shall be dedicated to public education and community development in the host municipality and surrounding region.

(g) Seating.—

(1) If public funds are expended to construct or renovate a facility, all of the following shall apply:

(i) At least 10% of the seating at the facility shall be reserved for sale at a reasonable price set by the department to facilitate enjoyment of the facility by individuals who reside in the municipality where the facility is located.

(ii) The department shall ensure that the operation of the facility is in compliance with the Americans with Disabilities Act (Public Law 101-336, 104 Stat. 327).

(2) A sports organization that intentionally, recklessly or negligently violates subsection (a) shall be subject to an administrative penalty of not more than \$5,000. This subsection is subject to 2 Pa.C.S. Ch. 5 Subch. A (relating to practice and procedure of Commonwealth agencies) and Ch. 7 Subch. A (relating to judicial review of Commonwealth agency action).

(h) Public funds.—

(1) Except as set forth in paragraph (2), if public funds are expended to construct, renovate or operate a facility, all of the following shall apply:

(i) At least 15% of the labor cost of the construction, renovation or operation shall be used to provide employment for individuals who are eligible for assistance under section 432(3) of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code.

(ii) At least 15% of the labor cost of the construction, renovation or operation shall be used to provide employment for individuals who reside within ten miles of the facility.

(iii) Persons employed in the permanent operation of a facility shall receive a base salary of 150% of the minimum wage. Management and playing employees are exempt from this provision.

Facilities hosting nonmajor league franchise events are exempt from this paragraph.

(2) (i) If the person bearing the labor cost establishes to the satisfaction of the Department of Public Welfare that there is an insufficient number of qualified individuals under paragraph (1)(i) to meet the required percentage, employment shall only be provided for the qualified individuals.

(ii) If the person bearing the labor cost establishes to the satisfaction of the Department of Labor and Industry that there is an insufficient number of qualified individuals under paragraph (1)(ii) to meet the required percentage, employment shall only be provided for the qualified individuals.

(3) A person that, intentionally, recklessly or negligently violates this section shall be subject to a civil penalty in the amount of 16.5% of the labor cost of the construction or renovation.

(i) Restrictions.—

(1) The sports organization may not be delinquent in or in default of any existing private or public loan unless they have entered into a workout agreement satisfactory to the respective creditors and are fully in compliance with the terms of that agreement.

(2) The sports organization and its principals must be current in payment of all applicable State and local taxes unless they have entered into a workout agreement satisfactory to the respective taxing authority and are fully in compliance with the terms of that agreement.

(3) The sports organization, its principals and managerial officers must disclose any potential conflict of interest with any officials or employees of the department or any officers or employees of any public entity that is submitting an application on behalf of the borrower.

(4) Sports organizations attempting to relocate to Pennsylvania shall not be eligible for this program.

(5) The sports organization may not receive additional construction funding for a period of 20 years.

(j) Other laws applicable to authority.—

(1) The authority shall be considered to be a Commonwealth agency for purposes of the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act.

(2) The authority shall comply with competitive bidding requirements imposed upon, and contract compliance plans used by, the Department of General Services of the Commonwealth.

(3) Every project application shall contain a certification that the applicant shall, in every contract for construction, expansion or renovation, comply with the provisions of the act of March 3, 1978 (P.L.6, No.3), known as the Steel Products Procurement Act.

(k) Rules and regulations.—The department is authorized to adopt rules and regulations necessary to implement the provisions of this section.

(l) Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

“Authority.” The Sports Facility Authority created in subsection (a).

“Board.” The Sports Facility Authority Board created in subsection (a).

“Community benefit and participation plan.” A plan for participation by neighborhoods and communities within a ten-mile radius of a facility in terms of employment, contracting and other economic and noneconomic opportunity.

“Community impact study.” A study to determine the impact of a facility on neighborhoods and communities within a ten-mile radius in terms of the environment, commercial development, job creation and community opportunity.

“Department.” The Department of Community and Economic Development of the Commonwealth.

“Facility.” A place owned or leased by a sports organization and at which professional sporting events are conducted by a sports organization, including the playing surface thereof, the parking facilities attendant thereto and any other necessary supporting structures.

“Funding entity.” The Commonwealth or a political subdivision.

“Major league franchise.” Member clubs affiliated with the Major League Baseball, National Football League, National Hockey League or National Basketball Association.

“Playing surface.” The surface on which an athletic event is played.

“Public access.” Access to professional sports events in the form of affordable ticket prices or significant free broadcast television coverage or both.

“Public funds.” Money received from a funding entity.

“Sports organization.” A sole proprietorship, partnership, association or corporation that owns a professional sports franchise and exhibits events involving that professional sports franchise at a facility located in this Commonwealth.

Amend Sec. 21, page 27, line 16, by striking out all of said line and inserting

This act shall take effect as follows:

(1) Section 18.1(f) shall take effect July 1, 1999, or immediately, whichever occurs later.

(2) The remainder of section 18.1 shall take effect in 60 days.

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

On the question,

Will the House agree to the amendment?

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

Mr. CARN. Thank you, Mr. Speaker.

I offer this amendment also in trying to protect the interests of the taxpayers. This amendment would create the Pennsylvania Sports Facility Authority, that would give some structure to how the money is raised and distributed. Presently there are no parameters that watch over the spending of these grants that we want to give to these businesses. So this particular amendment will create a sports authority and will lay out procedures, as any authority that we have created, to guarantee the protection of the taxpayers' money, so that when we just give it away otherwise, we can have some way of guaranteeing how it is spent so that it is spent in the best interests of our taxpayers and not the best interests of just the owners.

I ask for an affirmative vote on this amendment.

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

Mr. PERZEL. Mr. Speaker, for the Allegheny County stadiums, there is already an authority set up, and I am sure many of the members of the other side of the aisle know that. When Philadelphia comes back for the enabling legislation, I am quite sure at that time that we will be doing an authority for the Philadelphia sports teams.

So I would just ask the members to vote “no” for right now, based on the two things — number one, knowing that Pittsburgh already has one, and we will be setting one up for Philadelphia at a future date. Thank you, Mr. Speaker.

The SPEAKER pro tempore. Mr. Carn, for the second time.

Mr. CARN. Mr. Speaker, the Pennsylvania Sports Facility Authority is not just for Philadelphia and Pittsburgh. There are other arenas and sports stadiums throughout the Commonwealth, and what this amendment attempts to do is to put some structure into this whole process of building stadiums and arenas not just in Philadelphia, not just in Pittsburgh, but throughout the whole Commonwealth of Pennsylvania. Clearly, when we are talking about public policy, I am just concerned that without establishing some authority or structure to govern the spending of taxpayers' money, that we are failing in our responsibility to oversee and protect the taxpayer.

So I am just asking for an affirmative vote so that an instrument can be put in place statewide that establishes a public policy, a public policy, to protect the interests of our taxpayers' money. When we are asked to give hundreds of millions in grants, like we are proposing to do, we want to make sure that the taxpayers have some structure that protects their interests.

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

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—48

Belardi	Harhai	Myers	Solobay
Belfanti	Horsey	Pesci	Steelman
Bishop	James	Petrarca	Stevenson
Cam	Kirkland	Pistella	Tangretti
Casorio	Laughlin	Platts	Thomas
Cohen, M.	Lawless	Roberts	Travaglio
Curry	Levdansky	Robinson	Trello
Dermody	Lucyk	Roebuck	Trich
George	Maher	Ruffing	Vitali
Grucela	Manderino	Sainato	Walko
Habay	Masland	Scrimenti	Washington
Haluska	Melio	Shaner	Youngblood

NAYS—151

Adolph	Donatucci	Lescovitz	Samuelson
Allen	Druce	Lynch	Santoni
Argall	Eachus	Maitland	Sather
Armstrong	Egolf	Major	Saylor
Baker	Evans	Mann	Schroder
Bard	Fairchild	Markosek	Schuler
Barley	Fargo	Marsico	Semmel
Barrar	Feese	Mayernik	Serafini
Bastian	Fichter	McCall	Seyfert
Battisto	Fleagle	McGeehan	Smith, B.
Bebko-Jones	Flick	McGill	Smith, S. H.
Benninghoff	Forcier	McIlhattan	Snyder
Birmelin	Frankel	McIlhinney	Staback
Blaum	Freeman	McNaughton	Stairs
Boyes	Gannon	Metcalfe	Steil
Browne	Geist	Michlovic	Stern
Bunt	Gigliotti	Micozzie	Stetler
Butkovitz	Gladeck	Miller, R.	Strittmatter
Buxton	Godshall	Miller, S.	Sturla
Caltagirone	Gordner	Mundy	Surra
Cappabianca	Gruitza	Nailor	Taylor, J.
Cawley	Hanna	Nickol	Tigue
Chadwick	Harhart	O'Brien	True
Civera	Hasay	Oliver	Tulli
Clark	Hennessey	Orie	Vance
Clymer	Herman	Perzel	Van Horne
Cohen, L. I.	Hershey	Petrone	Veon
Colafella	Hess	Phillips	Wilt
Cornell	Hutchinson	Pippy	Wogan
Corrigan	Jadlowiec	Ramos	Wojnaroski
Costa	Josephs	Raymond	Wright
Coy	Kaiser	Readshaw	Yewcic
Dailey	Keiler	Reinard	Yudichak
Daley	Kenney	Rieger	Zimmerman
Dally	Krebs	Rohrer	Zug
DeLuca	LaGrotta	Rooney	
Dempsey	Lederer	Ross	Ryan,
DeWeese	Leh	Rubley	Speaker
DiGirolamo			

NOT VOTING—2

Preston	Williams
---------	----------

EXCUSED—1

Taylor, E. Z.

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

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

The SPEAKER pro tempore. The gentleman, Mr. Gordner, offers the following amendment, which the clerk will read. The Chair understands the gentleman withdraws his amendment. The Chair thanks the gentleman.

The gentleman, Mr. Vitali, offers the following amendment, which the clerk will read. The Chair understands the gentleman withdraws the amendment. The Chair thanks the gentleman.

Will the gentleman, Mr. Walko, be offering his amendment?

Mr. WALKO. Mr. Speaker, in light of the possibility that the Perzel amendments will pass, my amendment would be somewhat moot, and upon the advice of the Democratic leader and Democratic whip, I withdraw my amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair understands the majority leader seeks recognition for the purpose of making a motion.

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

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader, Mr. Perzel.

Mr. PERZEL. Mr. Speaker, I move that the rules of the House be suspended to permit me to offer amendment A0401.

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

The following roll call was recorded:

YEAS—188

Adolph	Egolf	Maitland	Sainato
Allen	Evans	Major	Santoni
Argall	Fairchild	Manderino	Sather
Armstrong	Fargo	Mann	Saylor
Baker	Feese	Markosek	Schroder
Bard	Fichter	Marsico	Schuler
Barley	Fleagle	Masland	Scrimenti
Barrar	Flick	Mayernik	Semmel
Bastian	Forcier	McCall	Serafini
Battisto	Frankel	McGeehan	Seyfert
Bebko-Jones	Freeman	McGill	Shaner
Belardi	Gannon	McIlhattan	Smith, B.
Belfanti	Geist	McIlhinney	Smith, S. H.
Benninghoff	George	McNaughton	Snyder
Birmelin	Gigliotti	Melio	Solobay
Bishop	Gladeck	Metcalfe	Staback
Blaum	Godshall	Michlovic	Stairs
Boyes	Gordner	Micozzie	Stern
Browne	Grucela	Miller, R.	Stetler
Bunt	Gruitza	Miller, S.	Stevenson
Butkovitz	Habay	Mundy	Strittmatter
Buxton	Haluska	Myers	Sturla
Caltagirone	Hanna	Nailor	Surra
Cappabianca	Harhai	Nickol	Tangretti
Cam	Harhart	O'Brien	Taylor, J.
Cawley	Hasay	Oliver	Thomas
Chadwick	Hennessey	Orie	Tigue
Civera	Herman	Perzel	Trello
Clark	Hershey	Petrarca	Trich
Clymer	Hess	Petrone	True
Cohen, M.	Horshey	Phillips	Tulli
Colafella	Hutchinson	Pippy	Vance
Cornell	Jadlowiec	Pistella	Van Horne
Corrigan	James	Preston	Veon
Costa	Josephs	Ramos	Walko
Coy	Kaiser	Raymond	Washington

Curry	Keller	Readshaw	Wilt
Dailey	Kenney	Reinard	Wogan
Daley	Kirkland	Rieger	Wojnarowski
Dally	LaGrotta	Roberts	Wright
DeLuca	Laughlin	Robinson	Youngblood
Dempsey	Lawless	Roebuck	Yudichak
Dermody	Lederer	Rohrer	Zimmerman
DeWeese	Leh	Rooney	Zug
DiGirolamo	Lescovitz	Ross	
Donatucci	Lucyk	Rublely	Ryan,
Druce	Lynch	Ruffing	Speaker
Eachus	Maher		

NAYS—12

Casorio	Levdansky	Samuelson	Travaglio
Cohen, L. I.	Pesci	Steelman	Vitali
Krebs	Platts	Steil	Yewcic

NOT VOTING—1

Williams

EXCUSED—1

Taylor, E. Z.

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. **PERZEL** offered the following amendment No. **A0401**:

Amend Table of Contents, page 1, lines 5 through 18, page 2, lines 1 through 14, by striking out all of said lines and on said pages inserting

Chapter 1.	Preliminary Provisions
Section 101.	Short title.
Chapter 3.	Capital Facilities Debt Enabling
Section 301.	Recodification.
Section 302.	Definitions.
Section 303.	Procedures for capital budget bill and debt authorizing legislation.
Section 304.	Certificates of the Auditor General.
Section 305.	Constitutional limitations, authorizations, issuing officials.
Section 306.	Temporary <i>financing authorizing</i> .
Section 307.	Bonds, issue of bonds and notes, maturity, interest.
Section 308.	Direct obligations, exemption from taxation, means of payment.
Section 309.	Sale of bond.
Section 310.	Disposition and use of proceeds.
Section 311.	Capital Debt Fund; investments; redemption of bonds.
Section 312.	Funding bonds.
Section 313.	Reporting requirements.
Section 314.	Registration of bonds.
Section 315.	Voting requirements.
Section 316.	Appropriation.
Section 317.	Appropriation for and limitation on redevelopment assistance capital projects.
Section 318.	Funding and administration of redevelopment assistance capital projects.
Chapter 5.	Sports Facilities Financing.
Section 501.	Definitions.
Section 502.	Commonwealth funds.

Section 503.	Eligibility.
Section 504.	Requirement.
Section 505.	Other agreements.
Section 506.	Report.
Section 507.	Financial commitment.
Section 508.	Enforcement and penalties.
Section 509.	Expiration.
Section 510.	Scope.
Chapter 51.	Miscellaneous Provisions
Section 5101.	Repeals.
Section 5102.	Effective date.

Amend Bill, page 2, by inserting between lines 16 and 17

CHAPTER 1

PRELIMINARY PROVISIONS

Amend Sec. 1, page 2, line 17, by striking out "1" and inserting
101

Amend Bill, page 2, by inserting lines 19 and 20

CHAPTER 3

CAPITAL FACILITIES

Section 301. Recodification.

This chapter is a recodification of Article XVI-B of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code. This chapter is a reenactment and continuation of Article XVI-B of The Fiscal Code.

Amend Sec. 2, page 2, line 20, by striking out "2" and inserting
302

Amend Sec. 2, page 2, line 21, by striking out "act" and inserting
chapter

Amend Sec. 2, page 2, line 24, by striking out "Includes the" and inserting

The

Amend Sec. 2, page 3, lines 9 through 30, page 4, lines 1 through 5, by striking out all of said lines on said pages and inserting
"Capital project." A project which is financed by debt or by other funds and which meets all of the following:

(1) Is an undertaking to construct, repair, renovate, improve, equip, furnish or acquire any:

(i) building, structure, facility or physical public betterment or improvement;

(ii) land or rights in land; or

(iii) furnishings, machinery, apparatus or equipment, for a building, structure, facility or physical public betterment or improvement.

(2) Is designated in a capital budget as a capital project.

(3) Has an estimated useful life in excess of five years.

(4) Has an estimated financial cost in excess of \$100,000. This paragraph does not apply to original equipment or furnishings for previously authorized public improvement projects.

Capital projects are categorized as community college projects, flood control projects, highway projects, other capital projects, PIDA projects, public improvement projects, redevelopment assistance capital projects, redevelopment assistance projects, site development projects and transportation assistance projects.

Amend Sec. 2, page 4, line 8, by striking out "Include projects" and inserting

Projects

Amend Sec. 2, page 4, line 14, by striking out "act" and inserting
chapter

Amend Sec. 2, page 4, line 15, by striking out "Includes obligations" and inserting

Obligations

Amend Sec. 2, page 5, line 17, by striking out "Includes acquisition" and inserting

Acquisition

Amend Sec. 2, page 5, line 23, by striking out "act" and inserting
chapter

Amend Sec. 2, page 6, line 22, by striking out "Include projects" and inserting

Projects

Amend Sec. 2, page 6, lines 27 and 28, by striking out all of said lines and inserting

"Fund." Any fund other than a fund, or an account in a fund, established by this chapter.

Amend Sec. 2, page 7, line 4, by striking out "Include projects" and inserting

Projects

Amend Sec. 2, page 7, line 18, by striking out "Include temporary" and inserting

Temporary

Amend Sec. 2, page 7, line 19, by striking out "act" and inserting chapter

Amend Sec. 2, page 8, line 8, by striking out "Include projects" and inserting

Projects

Amend Sec. 2, page 8, line 13, by striking out "Include projects" and inserting

Projects

Amend Sec. 2, page 8, line 24, by striking out "systems or"

Amend Sec. 2, page 8, line 25, by striking out "systems or"

Amend Sec. 2, page 9, line 10, by striking out "in" and inserting toward

Amend Sec. 2, page 9, line 11, by striking out "donation" and inserting

or fixed assets which have a substantial useful life and are directly related to the project

Amend Sec. 2, page 9, line 18, by striking out "\$2,000,000" and inserting

\$1,000,000

Amend Sec. 2, page 10, lines 6 and 7, by striking out all of said lines and inserting any of the following:

(i) A redevelopment authority.

(ii) An industrial development authority.

(iii) A general purpose unit of local government.

(iv) A local development district which has an agreement with a general purpose unit of local government under which the unit assumes ultimate responsibility for debt incurred to obtain the 50% non-State participation required by paragraph (5).

Amend Sec. 2, page 10, line 8, by striking out "Include projects" and inserting

Projects

Amend Sec. 2, page 10, line 20, by striking out "Include projects" and inserting

Projects

Amend Sec. 2, page 10, lines 20 through 24, by striking out all of said lines and inserting

"Site development projects." Projects of the type authorized for the Department of Community and Economic Development under the act of May 6, 1968 (P.L.117, No.61), known as the Site Development Act.

Amend Sec. 2, page 10, line 28, by striking out "act" and inserting chapter

Amend Sec. 2, page 11, line 1, by striking out "Include projects" and inserting

Projects

Amend Sec. 3, page 11, line 11, by striking out "3" and inserting 303

Amend Sec. 3, page 11, line 14, by striking out "act" and inserting chapter

Amend Sec. 4, page 12, line 28, by striking out "4" and inserting 304

Amend Sec. 4, page 13, line 29, by striking out "Auditor General" and inserting

Reliance on certifications

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

Amend Sec. 4, page 14, line 6, by striking out all of said line and inserting

Revenue; and

(3) any certificate furnished by the appropriate bank or trust company operating as

Amend Sec. 5, page 14, line 9, by striking out "5" and inserting 305

Amend Sec. 5, page 14, line 18, by striking out "act" and inserting chapter

Amend Sec. 6, page 14, line 19, by striking out all of said line and inserting

Section 306. Temporary borrowing.

Amend Sec. 6, page 14, line 21, by striking out "7" and inserting 307

Amend Sec. 6, page 14, line 22, by striking out "act" and inserting chapter

Amend Sec. 6, page 15, line 5, by striking out "act" and inserting chapter

Amend Sec. 6, page 15, line 22, by striking out "notice" and inserting

notes

Amend Sec. 6, page 15, line 28, by striking out "enter into" and inserting

do the following:

(i) Enter into

Amend Sec. 6, page 16, lines 1 and 2, by striking out "do the following:" in line 1, all of line 2 and inserting

purchase or underwrite an issue or series of

Amend Sec. 6, page 16, line 4, by striking out all of said line

Amend Sec. 6, page 16, line 5, by striking out "(iii)" and inserting (ii)

Amend Sec. 6, page 16, line 7, by striking out "(iv)" and inserting (iii)

Amend Sec. 6, page 16, line 10, by striking out "(v)" and inserting (iv)

Amend Sec. 6, page 16, line 12, by striking out "(vi)" and inserting (v)

Amend Sec. 6, page 16, line 14, by striking out "(vii)" and inserting (vi)

Amend Sec. 6, page 16, line 25, by striking out "State Treasurer" and inserting

Issuance of replacement notes

Amend Sec. 6, page 17, line 12, by striking out "sections 7 and 9" and inserting

section 312

Amend Sec. 6, page 17, line 20, by striking out "10" and inserting 310

Amend Sec. 7, page 17, line 24, by striking out "7" and inserting 307

Amend Sec. 7, page 17, line 26, by striking out "funding"

Amend Sec. 7, page 17, line 27, by striking out "act" and inserting chapter

Amend Sec. 7, page 17, line 28, by striking out "6" and inserting 306 and bonds issued under paragraph (2)

Amend Sec. 7, page 18, line 1, by striking out "issued" and inserting

issue

Amend Sec. 7, page 18, line 18, by striking out "facilities"

Amend Sec. 7, page 19, line 24, by striking out "act" and inserting chapter

Amend Sec. 7, page 19, line 28, by striking out "act" and inserting chapter

Amend Sec. 7, page 20, line 9, by striking out "act" and inserting chapter

Amend Sec. 7, page 20, line 14, by striking out "act" and inserting chapter

Amend Sec. 7, page 20, line 16, by striking out "act" and inserting chapter

Amend Sec. 8, page 20, line 18, by striking out "8" and inserting 308

Amend Sec. 8, page 20, line 21, by striking out "act" and inserting chapter

Amend Sec. 8, page 20, line 25, by striking out "act" and inserting chapter

Amend Sec. 8, page 20, line 26, by inserting after "purposes" except as provided under act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971

Amend Sec. 8, page 20, line 28, by striking out "act" and inserting chapter

Amend Sec. 9, page 20, line 30, by striking out "9" and inserting 309

Amend Sec. 9, page 21, line 1, by striking out "act" and inserting chapter

Amend Sec. 9, page 21, line 4, by inserting after "bidder" or bidders

Amend Sec. 9, page 21, line 13, by striking out "act" and inserting chapter

Amend Sec. 10, page 21, line 19, by striking out "10" and inserting 310

Amend Sec. 10, page 21, line 21, by striking out "6" and inserting 306

Amend Sec. 10, page 21, line 30, by striking out "6(d)." and inserting 306(d). The proceeds of funding bonds shall be deposited and applied as provided in section 312.

Amend Sec. 11, page 22, line 16, by striking out "11" and inserting 311

Amend Sec. 11, page 22, line 18, by striking out "act" and inserting chapter

Amend Sec. 11, page 22, line 20, by striking out "act" and inserting chapter

Amend Sec. 11, page 23, line 7, by striking out "act" and inserting chapter

Amend Sec. 11, page 23, line 11, by striking out "act" and inserting chapter

Amend Sec. 11, page 23, lines 15 through 21, by striking out "within two years after cancellation," in line 15, all of lines 16 through 21 and inserting in accordance with the act of April 27, 1925 (P.L.319, No.180), entitled, "An act relating to the destruction of cancelled or unused bonds or other evidences of indebtedness of this Commonwealth."

Amend Sec. 12, page 23, line 22, by striking out "12" and inserting 312

Amend Sec. 12, page 24, line 1, by striking out "3 through 11" and inserting 303 through 311

Amend Sec. 12, page 24, line 13, by striking out "act" and inserting chapter

Amend Sec. 12, page 24, line 16, by striking out "7(d)" and inserting 307(d)

Amend Sec. 13, page 24, line 17, by striking out "13" and inserting 313

Amend Sec. 14, page 24, line 23, by striking out "14" and inserting 314

Amend Sec. 14, page 24, line 28, by striking out "7(d)" and inserting 307(d)

Amend Sec. 15, page 25, line 2, by striking out "15" and inserting 315

Amend Sec. 15, page 25, line 3, by striking out "act" and inserting chapter

Amend Sec. 16, page 25, line 8, by striking out "16" and inserting 316

Amend Sec. 16, page 25, line 10, by striking out "act" and inserting chapter

Amend Sec. 17, page 25, line 15, by striking out "17" and inserting 317

Amend Sec. 17, page 25, line 24, by striking out "to be issued" and inserting outstanding

Amend Sec. 17, page 25, line 25, by striking out "\$850,000,000" and inserting \$1,200,000,000

Amend Sec. 18, page 25, line 26, by striking out "18" and inserting 318

Amend Sec. 18, page 26, lines 9 and 10, by striking out "member of the Master Appraisal Institute" and inserting certified appraiser

Amend Sec. 18, page 26, line 12, by inserting after "for" direct land and building acquisition costs and

Amend Sec. 18, page 26, line 21, by inserting after "assistance" capital

Amend Sec. 18, page 27, line 1, by inserting after "bonds" and notes

Amend Bill, page 27, by inserting between lines 2 and 3

CHAPTER 5

SPORTS FACILITIES FINANCING

Section 501. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Base line tax amount." The average of taxes referred to in section 504(7)(i) paid to the Commonwealth in 1996, 1997 and 1998.

"Contracting authority." An authority created pursuant to the act of May 2, 1945 (P.L.382, No.164), known as the Municipality Authorities Act of 1945, for the purpose of constructing or renovating a facility or other authority established under the laws of this Commonwealth which is eligible to apply for and receive redevelopment assistance capital grants under Chapter 3, under a contract with the office to receive Commonwealth grants under this chapter.

"Contracting municipality." A city, county, township, town or borough which contracts with the office to receive Commonwealth funds to construct or renovate a facility.

"Facility." A stadium, arena or other place owned or leased by a professional sports organization at which a professional athletic event is conducted in the presence of individuals who pay admission to view the event. The term includes a facility to be constructed as well as an existing facility.

"Office." The Office of the Budget.

"Professional sports organization." A sole proprietorship, corporation, limited liability company, partnership or association that:

- (1) owns a professional major league baseball or national football franchise; and
- (2) conducts professional athletic events of the franchise at a facility.

Section 502. Commonwealth funds.

The receipt of grants of Commonwealth funds by a contracting municipality or contracting authority under this act to finance any cost related to the construction or renovation of a facility shall be subject to the requirements of this chapter.

Section 503. Eligibility.

In order for a facility to qualify for grants of Commonwealth funds, the professional sports organization utilizing the facility must certify that:

(1) it maintains its headquarters, principal business offices, training facilities and camps except baseball spring training, and related enterprises and activities except minor league activities, in this Commonwealth;

(2) except for a sole proprietorship, it is incorporated, organized or otherwise created under the laws of this Commonwealth; and

(3) it will continue to comply with the certifications under paragraphs (1) and (2) for the duration of the lease under section 504(1) or for the initial term of the debt, whichever is longer.

Section 504. Requirement.

In order for grants of Commonwealth funds to be used to construct or renovate a facility, the contracting municipality or contracting authority must contract with the professional sports organization to ensure compliance by the professional sports organization with the following terms and conditions:

(1) Agreement by the professional sports organization to remain and conduct professional sporting events in the facility for the duration of the lease or for the term of any debt of the Commonwealth, whichever is longer, but in no event longer than 29.5 years. The contract shall include agreement by the professional sports organization that, if the agreement to remain and conduct professional sporting events is violated, the contracting municipality or contracting authority shall seek specific performance of the agreement to remain and conduct professional sporting events or receive a payment in the amount set forth in the agreement between the contracting municipality or contracting authority and the professional sports organization and the amount equal to the Commonwealth's principal contribution under this act to the construction or renovation of the facility.

(2) Establishment of a procedure to provide written notice by the professional sports organization to the contracting municipality or contracting authority and the Commonwealth of any sale, transfer or relocation of its sports franchise or team immediately upon entering into any commitment to sell, transfer or relocate the sports franchise or team.

(3) Agreement that, if the professional sports organization sells or transfers its sports franchise or team, the purchaser or transferee shall be bound by and shall contract to be subject to the same terms and conditions required by this chapter as a condition of the sale.

(4) Agreement that all costs of design and construction of a new or renovated facility which are due to delays or which exceed the projected costs set forth in the financial plan or contract with the office, shall be the responsibility of the contracting municipality or contracting authority or the professional sports organization.

(5) Agreement that during the term of the lease for the facility, the professional sports organization or the contracting municipality or contracting authority shall be responsible for all capital improvements to the facility and for all operating expenses relating to the use of the facility, including security, cleaning, insurance, maintenance and utilities.

(6) Agreement to set aside a specified minimum number of days, at reasonable times throughout the year, to be available for the use of the facility by the contracting municipality or contracting authority or by the Commonwealth. Under this agreement, the Commonwealth shall receive the same number of days and be entitled to the same terms as the contracting municipality or contracting authority.

(7) Agreement to make an additional rental payment of \$25,000,000 reduced by available credits under subparagraphs (i) through (iii) in the tax year immediately following the expiration of the first ten-year period of occupancy or lease of the facility, and at the expiration of every ten-year period thereafter. The professional sports organization shall pay the additional rental payment to the contracting municipality or contracting authority, which shall remit

the additional rental payment to the Commonwealth. The additional rental payment made by the professional sports organization shall be reduced by the following credits:

(i) The credits available for the first ten-year period of occupancy or lease shall be amounts paid to the Commonwealth which exceed the product of the base line tax amount multiplied by 7.5. The credits available for each subsequent ten-year period of occupancy shall be the amounts paid to the Commonwealth which exceed the product of the base line tax amount multiplied by 10. Available credits include all of the following:

(A) An amount equal to all corporate net income tax, capital stock and franchise tax and personal income tax related to the ownership and operation of the professional sports organization.

(B) An amount equal to:

(I) all personal income tax withheld from its employees by the professional sports organization;

(II) all personal income tax withheld from the employees of any provider of events at, or services to, or any operator of an enterprise in, a facility or facility complex; and

(III) all personal income tax to which the Commonwealth would be entitled from performers or other participants, including visiting teams, at an event or activity at the facility.

(C) An amount equal to all sales and use tax related to the operation of the professional sports organization and the facility and enterprises developed as part of the facility complex. This clause includes sales and use tax paid by any provider of events or activities at, or services to, a facility, including sales and use tax paid by vendors and concessionaires and contractors at the facility.

(D) An amount equal to all tax paid, by the professional sports organization or by any provider of events or activities at, or services to, a facility, to the Commonwealth related to the sale of any liquor, wine or malt or brewed beverage in the facility or facility complex.

(E) The amount paid by the professional sports organization or by any provider of events or activities at, or services to, a facility or facility complex of any new tax enacted by the Commonwealth following the effective date of this chapter.

(ii) In addition to the credits available under subparagraph (i), the professional sports organization may credit an amount equal to one-third of the following, incurred prior to the occupancy or lease of the facility:

(A) all personal income tax withheld from personnel by the professional sports organization or by a contractor or other entity involved in the construction or renovation of the facility; and

(B) sales and use tax paid on materials and other construction costs, whether withheld or paid by the professional sports organization or other entity, directly related to the construction or renovation of the facility.

(iii) To the extent the amount of the credits available for a specific ten-year period under subparagraphs (i) and (ii) exceeds \$25,000,000, the excess may be carried over and added to the amount of credits claimed under subparagraphs (i) and (ii) for the following ten-year period. Any excess credit still remaining shall be carried over to subsequent ten-year periods until it is exhausted or until the expiration of this chapter under section 509, whichever is sooner.

(iv) Payments shall be made by the professional sports organization and remitted by the contracting municipality or contracting authority at a time and in a manner, including required documentation of all credits, as the office prescribes.

This subparagraph includes annual reconciliation of all credits under subparagraphs (i) through (iii). All tax records and information shall be subject to all confidentiality protections provided by the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971; however, the Department of Revenue shall provide records and information to the office as necessary for the office to enforce this chapter.

(8) An agreement that, upon sale of the facility or the expiration of termination of the lease at the facility, the Commonwealth shall have an option to purchase for \$1 a one-third interest in the facility.

Section 505. Other agreements.

The contracting municipality or the contracting authority and the professional sports organization may enter into all other agreements necessary and appropriate for the construction, renovation and operation of the facility. The contracting municipality or the contracting authority shall enter into all contracts with the office required to receive Commonwealth funds.

Section 506. Report.

The office shall file a report every ten years to the General Assembly regarding the additional rental payments under this chapter.

Section 507. Financial commitment.

The contracting municipality or contracting authority and the professional sports organization must provide to the office all of the following:

- (1) A financial plan for all funding related to the construction or renovation of the facility, to include details regarding the financial commitment of the parties to the project.
- (2) An economic development plan for the area surrounding the facility.
- (3) A plan to provide affordable seating within a portion of the facility.
- (4) A representation from the contracting municipality or contracting authority that tax revenues to the Commonwealth will be increased and a description of how the grant of Commonwealth funds will provide the increase.

Section 508. Enforcement and penalties.

(a) Injunction.—The Commonwealth may enjoin a violation of section 504.

(b) Withhold funding.—The Commonwealth has the right to withhold funding under this chapter and to exercise all rights and remedies at law or in equity for any of the following:

- (1) Failure of a professional sports organization to comply with the provisions of this chapter in a timely and appropriate manner.
- (2) A violation of a covenant under any agreement with, or for the benefit of, the Commonwealth, relating to the construction or renovation or use of the facility.
- (3) Any other violation of law applicable to the construction or renovation or use of the facility.

(c) Civil penalty.—A person that intentionally, recklessly, or negligently violates this chapter shall be subject to a civil penalty of up to \$100,000 per violation.

(d) Criminal penalty.—A person that intentionally or knowingly provides false or fraudulent information or makes a material misrepresentation under this chapter commits a misdemeanor of the third degree.

Section 509. Expiration.

This chapter shall cease to apply to each participating professional sports organization 30 years following the occupancy or lease of the facility.

Section 510. Scope.

This issuance of grants under this chapter is subject to Chapter 3.

CHAPTER 51

MISCELLANEOUS PROVISIONS

Amend Sec. 19, page 27, line 3, by striking out "19" and inserting 5101

Amend Sec. 19, page 27, line 7, by striking out "this act" and inserting

Chapter 3

Amend Sec. 20, page 27, lines 8 through 14, by striking out all of said lines

Amend Sec. 21, page 27, line 15, by striking out "21" and inserting 5102

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question of the adoption of the amendment, the Chair recognizes the majority leader.

Mr. PERZEL. Thank you, Mr. Speaker.

Mr. Speaker, this amendment, the Perzel-DeWeese amendment, is the best taxpayer protection package for stadium financing in the country to date. You can boil it down to the two words I mentioned earlier. It is a guaranteed payback, Mr. Speaker.

This proposal meets the concerns raised by dozens of members of this House of Representatives and concerns that I had myself.

Our constituents, the taxpayers, did not want us to give the teams money as a gift without any arrangements to pay the money back, Mr. Speaker. They were very clear about that. We listened to what the taxpayers had to say.

We are requiring the four teams to pay back the money the taxpayers are investing in the four stadiums. This will save the Pirates and keep the Steelers, Phillies, and Eagles in Pennsylvania.

Other States have written blank checks to the teams, but Pennsylvania will not do that, Mr. Speaker. The teams have guaranteed a payback to the Commonwealth of Pennsylvania. No other State has done this.

The teams will remain in Pennsylvania for the next 30 years at least. The teams are responsible for any cost overruns, Mr. Speaker. If the stadiums do not generate the State taxes that the teams expect, we are requiring the teams to pay the money back. If their revenues, the tax revenues, fall short, the owner of the team will have to write a check and send it in.

To repeat, Mr. Speaker, this amendment is a winner for the Commonwealth of Pennsylvania. The taxpayers are protected.

Remember, the teams will be playing in stadiums owned by the taxpayers, through the two cities. The teams will not own these stadiums. They are not private stadiums. The public will own them.

It should also be noted that this legislation raises the debt ceiling by \$650 million. That will help communities all across Pennsylvania get the projects that they need to improve the quality of life for millions of our residents.

This is a good amendment, Mr. Speaker. It is a good compromise, and I ask the members to support it.

The SPEAKER. On the question of the adoption of the Perzel amendment, the gentleman, Mr. DeWeese.

Mr. DEWEESE. Thank you, Mr. Speaker.

In the spirit of bipartisanship, I am very anxious to agree with the gentleman from Philadelphia, the majority leader, for three basic reasons, Mr. Speaker.

One, our actions today will preserve four great traditions in our State. Most all of us remember Richie Ashburn, Norman Sneed, Bill Mazerowski, Andy Russell, Mel Blount. These traditions are going to be preserved today by our bipartisan action. Democrats and Republicans, working with Governor Ridge, we are going to preserve these four great traditions. It is almost like conserving

natural resources. It is a little bit different. But we are preserving something very special in our State.

Number two, we are creating jobs, Mr. Speaker — thousands and thousands and thousands of building trades workers, men and women, pipefitters and plumbers, electrical workers, carpenters and bricklayers, sheet metal workers. We are creating jobs, Mr. Speaker — thousands and thousands and thousands of jobs — not just, as the majority leader and I have talked, not just in these two big cities, but one crucial factor here is that more than half, more than half of all the dollars that will be injected into our economy will go to non-big-city stadium operations. They will go to places like Greene and Fayette and Washington and Snyder and Pike and Monroe and Warren. They will go across the State to innumerable projects, construction projects.

So we are preserving something special, number one, Mr. Speaker. Number two, we are creating thousands and thousands and thousands of jobs. And as the gentleman from Philadelphia observed earlier, Mr. Speaker— And I am very happy that he and I have been able to work together on this project and that we have worked with Governor Ridge on this project, we have worked with Mayor Rendell and Mayor Murphy, we have worked with the four teams, and we have worked with a lot of folks out in the 67 counties about projects in their districts — recreational centers, libraries, college buildings. Construction, construction, construction. Jobs, jobs, jobs. We are at the best economy that we have ever realized. Whether Governor Ridge or Bill Clinton or John Pippy gets the credit, we are all, we are all, we are all beneficiaries of a very good economy. So why not preserve, why not create jobs, and finally, what Mr. Perzel iterated a little while ago, and it is most important, and I figuratively doff my hat to my colleague, because his focus on this issue was paramount. We were all doing a political high-wire act, and the gentleman from Philadelphia made certain that there will be no loss to Pennsylvania's taxpayers — \$25 million every 10 years or else, and that is in additional tax revenues. There will be a surge, a surge of additional tax revenues into the Treasury by these four entities in their new settings, and if for some reason those new tax revenues are not available, then the teams will write out a check.

We are getting something very special, we are creating jobs, and there will be no loss, in my view, to the Pennsylvania taxpayers.

For those three reasons, Mr. Speaker, I ask for the concurrence of the membership on the Perzel-DeWeese amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia County, Mr. Carn.

Will the gentleman yield for a moment; will the gentleman yield for a moment.

My list of speakers is Carn, Vitali, Robinson, Colafella, Yewcic, Lawless, DeLuca, and Rohrer, in that order.

Mr. CARN. Thank you, Mr. Speaker.

I would like to interrogate the majority leader, if I may, sir.

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

Mr. CARN. Thank you, Mr. Speaker.

Mr. Speaker, can I get a clarification on how this money will be paid back, because, again, are you saying this is a loan and they make monthly payments? I am trying to be clear on how the

taxpayer gets its money back. Can you explain that, please, Mr. Speaker?

Mr. PERZEL. It is a guaranteed payment. Every 10 years they are sent a bill for \$25 million, and that is the way it works.

Mr. CARN. Are you saying that the teams will write a check for \$25 million every 10 years to the State of Pennsylvania?

Mr. PERZEL. No.

We will use a hypothetical. Let us use the Steelers. If the Steelers generate \$3 million, or \$10 million — it is easier to use \$10 million; it is easy to multiply; I went to public schools — at the end of 30 years, \$10 million a year would be \$300 million. If they generate \$325 million, then they only owe the Commonwealth of Pennsylvania \$50 million. If they generate \$375 million, which is above what they have been raising already, then the loan would be taken down to nothing; that is right.

Mr. CARN. So when you say they are generating money, are you talking about the money that they make off concessions, parking? I am trying to get a sense of where this money is coming from that pays back Pennsylvania this \$320 million.

Mr. PERZEL. Well, it is a combination of all the taxes that they collect. Using the Eagles, for example, knowing that it was not a very good season for them, they have decided to up the amount of money they are going to be paying their players. If the players get the additional \$50 million that we are told, that by itself would generate \$1.4 million a year to the Commonwealth on that \$50 million. That could be an offset toward the \$25 million due every 10 years.

Mr. CARN. So you are saying that that is the income tax revenue that would be generated from the salaries of the players that you are referring to?

Mr. PERZEL. No. I used that as an example. It is all of the revenue, whether it be the concessions, whether it be the payroll, whether it be the corporate net income tax if they are a corporation — they are required in this amendment to be corporations of the Commonwealth of Pennsylvania; they would be paying the corporate net income tax — all of those taxes.

Mr. CARN. I am just trying to be clear, Mr. Speaker. So you are saying then, if I was a business owner and I got this kind of grant from the State, all I have to do is keep paying my income taxes, which is what I was paying anyway. Is that a clear assessment?

Mr. PERZEL. No. We ask them to raise above what they were going to raise already. For instance, on the 10th of February, the Pirates can leave. If they leave, we get nothing. If they stay and generate extra money, we are using it as an offset, but they have to still give us what they owed already.

Mr. CARN. What they owe already. So I am just saying then, those who are paying income taxes already, we are counting those dollars as the dollars to pay the State back. I just want to get clarity on that, Mr. Speaker.

Mr. PERZEL. I apologize. Would you repeat that question.

Mr. CARN. I just want clarity.

So we are going to count the income taxes that the players are already paying as part of the money that is being paid back?

Mr. PERZEL. Only new taxes, extra taxes above what they pay already, will be allowed to be used to offset that \$25 million every 10 years.

Mr. CARN. And how do you anticipate them paying back? And you mentioned that if they do not make the \$25 million, they will

write us a check for the balance. My question is, where in the legislation protects us if they do not write that check?

The SPEAKER. Will the gentleman yield.

FILMING PERMISSION

The SPEAKER. The Chair neglected to advise the members that permission has been given to Fox 43, Harrisburg, Kevin Johns, to videotape; Ed Specht of KYW-TV, Philadelphia, to videotape; and Derrick Gunn and Eldon Wheeler of Comcast Sports Net to videotape with audio.

CONSIDERATION OF SB 10 CONTINUED

The SPEAKER. The Chair apologizes and recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, the answer is, there are civil and criminal penalties on page 16, starting at about lines 49 and 50. They are outlined there.

Mr. CARN. My next question, Mr. Speaker, is, are we going to have the State taxpayers' money collateralized? Are they going to be required, as any loan would be, since you are saying they are going to pay it back, is there any collateral to protect the taxpayers' money?

Mr. PERZEL. The burden is on the teams to collect the extra revenue to be able to pay off the taxes.

Mr. CARN. I do not have faith in the teams, so I am trying to protect the taxpayer, because I do not think the teams are obligated to the taxpayer. I just want to know that we have protection, because you are saying that they are going to write us a check, and I do not know that they are going to write a check, Mr. Speaker. I just want to protect what you say to be true by having some legislation; that if they do not have collateral, that we have some options to take to protect the taxpayers' money.

Mr. PERZEL. Mr. Speaker, it is a guaranteed payment with criminal and civil penalties attached to it. That is the bottom line. It is page 16. That is the answer to your question, Mr. Speaker.

Mr. CARN. How do you define "guarantee"? We have a contract already in place?

Mr. PERZEL. Mr. Speaker, if the facility is ever sold, we have the opportunity of taking our portion back for \$1.

Mr. CARN. And that is supposed to— So that is the answer to how the taxpayers' interest is protected. I just want to see— I mean, we give out loans to businesses in this Commonwealth, and I think that is good public policy, but we require those businesses to collateralize the money so that we are assured that the taxpayer will get their money back. Now, why are we not collateralizing this grant, since it is going to be paid back?

Mr. PERZEL. There are civil and criminal penalties, Mr. Speaker, and we own the assets, so—

Mr. CARN. Mr. Speaker, is it true that this is not a loan but a grant?

Mr. PERZEL. It is a guaranteed repayment. I have stated that four times now.

Mr. CARN. But is it a grant or is it a loan?

Mr. PERZEL. It is a hybrid, a portion of probably both.

Mr. CARN. So it is not a grant and it is not a loan; you said a hybrid. So we are saying then that we are just giving the money to the sports teams; they are not obligated to pay that money back.

Mr. PERZEL. They are guaranteeing \$75 million back to the Commonwealth of Pennsylvania.

Mr. CARN. Thank you, Mr. Speaker.

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

Mr. CARN. Thank you, Mr. Speaker.

I rise to raise concerns about a deal that provides \$320 million in a grant that is being sold as some paying-back loan, where there is no logical loan repayment process. We are talking about the money to pay back on the income taxes that they are already paying, and that concerns me, because, again, I pay income taxes now, and if I had a deal such as this that all I have to pay back is the existing income taxes I am already paying plus a few dollars extra, I think that would be a great deal, and I would like to say that if that is the public policy that we are promoting in Pennsylvania, I think all small businesses, all entrepreneurs, should have the same option in order to do what they have to do to create more economic opportunities in their communities.

Now, I also want to point out that we have, through our hearings, had several presentations that showed that the jobs that are going to be created are very few, at minimum wage. I think we need to really question whether or not— Spending as much money as we are proposing to do and really giving it away for a few jobs is not good public policy, and I just ask that the members be aware that this proposal is a bad proposal for taxpayers, and I just advocate a negative vote on the Perzel amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman, Mr. Carn.

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

Mr. VITALI. Thank you, Mr. Speaker.

I rise in opposition to the Perzel amendment.

Mr. Speaker, in my view, upon analysis of this amendment, it is clearly a grant, not a loan. I think the so-called taxpayer protections are merely illusory and simply smoke and mirrors. What this is, Mr. Speaker, is a \$300-million grant to professional sports teams. If you think that is appropriate, if your constituents think that is appropriate, that is fine, but it is a grant. Let us call a spade a spade.

Mr. Speaker, the so-called taxpayer protection— Mr. Speaker, what we have here, I think even by the majority leader's admission, is a situation where there is no repayment schedule. The municipalities will own the stadiums, but the owners will reside in them and occupy them and use them rent free. It is an outright grant.

Mr. Speaker, the so-called payback, the theory, Mr. Speaker, is that if tax revenues do not increase over time, then this \$25 million over each 10-year period will need to be repaid. Mr. Speaker, the fallacy of that argument is, it does not take into account inflation. Mr. Speaker, despite any enhancement in economic growth due to the stadiums, the personal income tax, the sales tax, the corporate net income tax, and the other taxes that are used for credit, that are used to forgive this so-called repayment, they are going to rise anyway. In 30 years, regardless of these stadiums, earnings, sales tax, income tax, corporate net income tax are going to rise enormously in any event.

There is really no taxpayer— There is going to be really no extra money generated by these stadiums to pay this money back, Mr. Speaker, aside from the fact that there are no interest payments involved. Mr. Speaker, I think we have to concede that this simply is a \$300-million grant to sports stadiums. Then the question

becomes, is this grant appropriate? Is an outright grant to sports stadiums appropriate?

Mr. Speaker, I feel it is inappropriate, because I feel we are being the victims of extortion; we are being victims of extortion by professional sports teams. It is inappropriate, when these teams pay their players tens and even hundreds of millions of dollars and their franchise values are even approaching \$1 billion, that we should consider paying State money. Their position is, either you pay us now or we are going to leave. Well, my position there is, do not let the door hit you in the backside.

Mr. Speaker, Governor Ridge spoke to us earlier this week about Pennsylvania being the leader in this and that, Pennsylvania being first in this and that. Mr. Speaker, my feeling is, Pennsylvania should be the first in telling these extortionist owners, no; we are not going to play by your games. Perhaps others, other cities, will follow, other cities and States will follow Pennsylvania's lead and also say no.

Mr. Speaker, I will use an example that I used in caucus today. When my father, whom I consider Joe Everyman in my district, heard this proposal, his responses were, "Who the heck do you think you guys up there are kidding? You must think we're stupid back here."

Mr. Speaker, I think that our constituents are going to see this for what it is, and my constituents have told me to vote "no." Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. ROBINSON. Thank you, Mr. Speaker.

Mr. Speaker, we have heard a lot of things said, and it would appear that many members are anxious to vote "yes." Before you do that, those of you who plan to do that, let me just ask you to do something that one of my former colleagues, Dick Olsz, used to ask us to do, and that is, think about it.

Mr. Speaker, if it is appropriate, I would like to interrogate the majority leader and then finish my statement.

The SPEAKER. The gentleman, Mr. Snyder, will be glad to answer your questions.

Mr. ROBINSON. Mr. Speaker, if I might, I need the majority leader.

The SPEAKER. The majority leader yielded to the gentleman, Mr. Snyder.

Mr. ROBINSON. Mr. Speaker, I do not believe that the gentleman, Mr. Snyder, will be able to speak to comments that the gentleman, Mr. Perzel, made, and that is my only reason for asking for Mr. Perzel.

The SPEAKER. Mr. Perzel.

Mr. ROBINSON. Thank you, Mr. Speaker.

Mr. Speaker, during your presentation relative to the consideration of amendments, you indicated that some of the concerns that I and others had would be addressed in SB 10. Mr. Speaker, I recognize that SB 10 does not cover every item, every issue, that you and I would like it to cover, but I would like to ask some questions that I do not have the answer to, I do not know if you have the answer to, but I think it is important that they be asked and that you at least, as someone who has attempted to come up with some compromise, have a chance to comment on in a public arena.

Mr. Speaker, one of the concerns that is not addressed in SB 10 is the issue of how we involve minorities and women in the

building of stadiums and capital projects. That is an issue which was addressed tangentially by Carn-Robinson 1 and 2, and I was wondering if SB 10 addresses it, and if it does not, will there be any opportunity for persons like myself and Representative Carn to address that?

The SPEAKER. The gentleman, Mr. Perzel.

Mr. PERZEL. Thank you, Mr. Speaker.

Mr. Speaker, the money is going to the contracting authorities, whether they be the stadium authorities, whether they be the counties, or whether they be the cities. If anybody were going to work on an issue like that, we are not involved in that; they would be doing the actual building themselves. We are putting up a guaranteed repayment program, and we have nothing to do with it above that.

Mr. ROBINSON. Thank you, Mr. Speaker.

Mr. Speaker, another concern that was addressed in Carn-Robinson 2 and is not addressed in SB 10 or in your proposed amendment is the issue of whether or not these contracts that would be let to build these stadiums—

The SPEAKER. Will the gentleman yield.

The matter before the House is the Perzel amendments and not a subsequent amendment that may or may not be offered or a Senate amendment that may or may not be offered. What is before the House is the Perzel amendment.

Mr. ROBINSON. Thank you, Mr. Speaker.

Mr. Speaker, the reason I raised that concern is that the majority leader has said on several occasions and certainly has alluded to the fact that some kind of bipartisan cooperation produced his amendment and that would address most of the concerns that House members have. Well, I am one of the House members who has worked on this issue for 4 years, and I am simply trying to find out from the majority leader whether or not this bipartisan effort can accommodate, if not today, tomorrow, some of the concerns that I have raised and Representative Carn.

The SPEAKER. It is the belief of the Chair, for the majority leader or any other person to answer that question would include the discussion on other amendments or bills that are not pending before this body, and I would respectfully request the gentleman to restrict his remarks to the amendment offered by the gentleman, Mr. Perzel.

Mr. ROBINSON. Thank you, Mr. Speaker.

Mr. Speaker, if I might continue with my commentary.

First of all, let me thank all of the staff that worked diligently with Carn and Robinson, Representative Carn and Representative Robinson, in helping this Commonwealth come at least to this point.

Previous speakers, in referring to SB 10, amendments, Mr. Perzel's effort, Mr. DeWeese's effort—

The SPEAKER. Will the gentleman yield. Are you beyond interrogation now? You are making comments?

Mr. ROBINSON. Yes, Mr. Speaker. I am sorry. Yes.

The SPEAKER. You are on the amendment now?

Mr. ROBINSON. Yes, sir.

The SPEAKER. The gentleman is recognized.

Mr. ROBINSON. Mr. Speaker, so we want to thank all of those, including the Governor, who have seen some of the light and wisdom of Carn-Robinson 2 and who have helped to bring this process to this point.

Also, on this particular amendment, if I might, there are obviously other capital projects that would be impacted if indeed

this particular amendment were passed. I am particularly interested because there may be many projects, including two stadiums, to be plunked down in my legislative district. I am also concerned about this amendment because it does indicate, to me at least, that there are some unanswered questions, some of which the Speaker has indicated perhaps are not appropriate for me to raise at this time, and I certainly respect and will adhere to the Speaker's admonition.

I do not believe that this amendment identifies for us those parties who are going to be accountable for the taxpayer dollars; not this amendment. Perhaps in some contractual relationship or some other circumstance or some other legislation, that might be addressed, and I will trust the majority leader that he will attend to that, and hopefully those of us who want to see more accountability will have an opportunity to access whatever process he or others think would be appropriate.

These projects that might occur in my district, and let me just deal with the two stadiums very quickly and how it relates to this particular amendment. I think there are a number of unanswered questions, some of which have been asked, some of which have not been asked, and some of which your constituents are going to ask. Think about it; think about it real hard, whether you vote up or whether you vote down, what is going to be the impact in your district as well as throughout this Commonwealth.

The accountability issue is just one issue; putting the parameters on is just one issue, and I have spoken on that before and indicated that I do not think that SB 10 or the Perzel amendment adequately addresses it at this time; not today. At the end of the day, each of you and I are still going to represent our districts, and when the moment of truth comes for those projects that many of you anticipate, you are still going to have to get the matching funds, you are still going to have to get the cooperation of the Governor, and this amendment is not going to help you, not on that part. Think about it, because I certainly am, and I am going to think about it in terms of those two stadiums that are supposedly going to be placed in the 19th Legislative District, the district I represent, under a proposal that I am not totally convinced will do what I would like to see done.

But also recognize that there are some other projects that might occur in my district and your district that might be jeopardized, might be threatened, if indeed we are unable to pass this amendment. I have a national aviary, a science center, and a number of other important projects that are hanging their future on the passage of this amendment. Is that the way I want it? No. But that evidently is the way that it is. Think about it.

I will not belabor the point much more, Mr. Speaker, and I thank you for your indulgence. I would just hope that those taxpayer protections that the majority leader spoke about and that he feels are contained in that amendment, if they do not prove to be there, that he would be willing to work with some of us to make the necessary adjustments to make sure the taxpayers are protected.

One last comment, if I might.

Under the leadership of Representative Evans, when the Appropriations Committee considered a number of capital projects in the past and how we might deal with our colleges and universities, we required them to submit to us sufficient documentation after the money was spent. We should at least ask that this amendment do that, or we need to make some other arrangement to make sure that the same thing we request of

Penn State and Pitt and Lincoln and Temple, we are asking of the Pirates, the Steelers, the Eagles, and the Phillies – that is, at the end of the day, after you have spent our money, let us know how you spent it. With all due respect to the majority leader, this particular amendment and SB 10 do not address that issue, but I hope that they will think about it, and in the future maybe they will decide that we need to have some additional taxpayer protections.

Thank you, Mr. Speaker, and I thank all the members of the House for your diligence and your patience, and I thank you for all your cooperation.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Beaver County, Mr. Colafella.

Mr. COLAFELLA. Thank you, Mr. Speaker.

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

Since 1986 this State has provided more than \$98 million into stadium and arena projects around Pennsylvania. Let me tell you some of the stadiums that we funded in Pennsylvania: The Northeast Pennsylvania Civic Center, \$19 million; the Reading Civic Center, \$16 million; Three Rivers Stadium, \$13 million; the Altoona Stadium, \$11 million; Erie Stadium, the great county of Erie, \$9 million; Northampton Ballyard, \$5 million; Johnstown's Point Stadium, \$1 million, and the list goes on and on and on.

Altoona will open a 6,000-seat ballpark this year for the Curve, a new Class AA baseball team. Is that community's decision to lure a minor-league team more deserving of State support than the need to build a stadium for the Pittsburgh Pirates, which drew 1.5 million last year? I do not think so.

Lackawanna County used State help to build a 10,000-seat stadium to host the Red Barons, a AAA baseball club.

Mr. Speaker, we provided this money with no strings attached to all of these projects. No one in this legislature – no one in this legislature – has criticized this State for providing these funds with no strings attached and no moneys coming back to the State of Pennsylvania. In this legislation, these teams are required to pay the State back, and we are investing to build new stadiums for Pittsburgh and Philadelphia, but they are going to pay the taxpayers of Pennsylvania back. There is more taxpayer protection in this bill than any capital project provided by this State.

For a brighter economic future for all of the people of Pennsylvania, I urge you to vote "yes" on this amendment. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Yewcic.

Mr. YEWIC. Thank you, Mr. Speaker.

Yesterday late afternoon, as I heard the radio and the 6 o'clock news, this was being billed as a loan that is to be paid back to the taxpayers, but as I read the amendment, it is not a loan; it is a grant.

If you turn to pages 14 and 15, I would like to go down and explain how this works. These are tax credits, the money that will be raised to offset the loan. For instance, all corporate net income tax, capital stock and franchise tax, and personal income tax related to the ownership of the team will be used to offset this grant; all personal income tax withheld from its employees by professional sports organizations; all personal income tax withheld from the employees of any provider of events at the facility; all personal income tax to which the Commonwealth will be entitled to from any performer or participants at any event at the facility; all sales and use tax paid for by vendors and concession sellers; all taxes to the sale of any liquor, wine, or malt beverage or any other

new tax; all personal income tax withheld from personnel by a professional sports organization or by a contractor or other entity involved in the construction or renovation of the facility; and any sales and use tax paid on materials for new construction costs.

This is a sweetheart deal, and let me make this analogy: If all of our homeowners who had a mortgage could offset that mortgage payment by their property taxes, this is the same kind of deal. We are giving millions of dollars away to millionaires.

Now, I have an uncle who played for the New England Patriots and coached for many years in the NFL. He lives in Boston. He was in Johnstown a couple weeks ago at an awards dinner, and under contract right now in many NFL teams, specifically the New England Patriots, in their clause, if the team players show up in the off season to work out, they get another \$50,000 to \$100,000 just to come to work out in the off season. Eighty percent of the players do not bother to show up because the money does not mean anything to them. A hundred thousand dollars just to work out at the stadium; it means nothing. They do not show up. If you take that money and multiply it by the 50 people who are on the teams, that is from \$2½ million to about \$5 million a year that the teams would have to finance their own stadiums. This is money that we are throwing away. Many people in my district cannot even afford to go see a professional game, and yet we are standing here giving these people a grant that they can offset taxes that they would pay anyway to pay off this loan. It is a farce, it is a sham, and it should not be supported. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman, Mr. Yewcic.

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

Mr. LAWLESS. Thank you, Mr. Speaker.

Mr. Speaker, when the majority leader opened up with this amendment, he made a statement: The teams will not own the stadium; the taxpayers will. Well, Mr. Speaker, if this is in fact true, then I have several questions that I would like to have answered on behalf of the taxpayers.

One is, in most stadiums that were built across this country, in lieu of the taxpayers being involved, the teams were allowed to charge a personal seat licensing fee in lieu of the taxpayer involvement, direct taxpayer money. With the setup that we are going to allow in this State, the teams would continue to allow a personal licensure fee, which means that in order for you to go to the games, you are going to have to buy a seat. That does not entitle you to sit in it for the game; that just gives you a license to be entitled to buy the seat for the game.

The second issue is, the stadium naming fee. Again, across the country you are seeing more and more sports stadiums being named after big business. They are paying millions and millions of dollars. I have heard up to \$100 million to name a stadium.

Now, the fact of the matter is, again this money goes not to the taxpayers but to the owners. Why would we build a stadium with taxpayer money, allow them to charge people – the taxpayers – to sit in these seats which were built by taxpayers, and then name the stadium which the taxpayers, as Mr. Perzel has said, the taxpayers built? Mr. Speaker, this just does not make sense. We as taxpayers and the taxpayers that we represent should be entitled to any naming fee of this stadium. The deal, as I understand it, is a third from the locals – a third meaning the city of Philadelphia or Pittsburgh area – a third from the State, and a third from the owners. Well, is it not ironic that the third that the owners are putting up counts the money that they are going to get for naming

the stadium owned by us? Mr. Speaker, that does not make sense to me and I do not think it makes sense to taxpayers.

Furthermore, in order to understand the word “loan,” I think you have to have President Clinton’s vocabulary, because the fact of the matter is, when the President was interviewed, he stated, it depends on what the definition of “is” is. Well, we are playing the same semantics here. It depends on what the definition of “loan” is, and the fact of the matter is, this is not a loan. This is money being allocated to these teams from taxpayers. For example, which individual in this State or business in this State would not accept \$25 million right now at today’s value to be paid back 30 years from now? Each and every one of us would like to have that deal, Mr. Speaker.

I want to talk a little bit, too, about the minority leader, Mr. DeWeese, who stated in his speech and he named a few of the athletes that we all grew up with and had a loyalty to the city of Pittsburgh. Well, Mr. Speaker, that is great and that is good tradition, and naming those prestigious athletes helps build your case for giving this money for the stadiums, taxpayer money to stadiums. There is only one problem with that, and you all know it sitting here in this House and you all know it and your constituents know it – there is no loyalty to these players back to the fans of Pittsburgh and Philadelphia today. They sign for a couple-million-dollar contract; they are gone. We see contracts that are being signed for \$91 million, \$100 million for a pitcher who can throw a baseball every fifth day, and yet you are asking the taxpayers to come up with millions and millions of dollars to give these athletes playgrounds.

So it comes down to the loyalty. Well, we today, not with my vote, but we today will pass legislation which gives these athletes playgrounds that cost millions and millions of dollars, but where will their loyalty be? Nowhere. Where was the loyalty of Pittsburgh? The reason we are sitting here today is because these owners threatened to leave. So where was their loyalty to the Willie Stargells of the world, to the Roberto Clementes? They are gone; that loyalty is gone. This is big business. It is big money. It no longer exists, and the question is, why should we as taxpayers pay for that kind of loyalty to these teams?

And let me just close by saying that Governor Ridge 5 short years ago when he was running for Governor in a debate that was reported in the Erie Times stated, quote, “Am I as governor interested in direct government subsidy to million-dollar stadiums for million-dollar players in baseball and hockey?” And he rhetorically answers himself, “I don’t think so when the average person can’t afford the tickets for the games and there are so many other pressing problems.” Well, Governor Ridge, “promises made, promises kept” was his campaign slogan this time. You promised the people of Pennsylvania that there would be no funding for these stadiums. So much for promises made, promises kept.

Mr. Speaker, another quote from the Governor: “Direct subsidies for future stadiums? I have a real problem with that.” That was the Governor’s answer again to his own question.

Mr. Speaker, what it comes down to is, it is time to make these promises and it is time to keep the promises that you made, and the fact of the matter is, once again we in Pennsylvania are going to spend the taxpayers’ money with zero or very little accountability.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the majority whip.

Mr. SNYDER. Thank you, Mr. Speaker.

Mr. Speaker, in our area, if you travel through the Lehigh Valley on Route 22 or I-78, you will see several industrial parks along that corridor where jobs are created, where businesses are locating, and that type of economic stimulus occurs throughout Pennsylvania in many communities. Many of these industrial parks, Mr. Speaker, are created by an authority or an organization that gets funding from the State, the county, the municipality. They take those funds and they build roads, and sometimes they will even build buildings and lease those buildings out to potential business tenants. Once they lease that building out, Mr. Speaker, whoever takes over that building has the right to use that property for conducting their business, and what goes on in that business is really up to them. If they want to name it the Snyder Building and hire 500 people in there and manufacture widgets, that is a right they have, but there has been some kind of assistance in order to put that building and make it available to that employer.

Mr. Speaker, what this program is doing that we are voting on right now is very similar. The State is not giving its money to team owners. The money is going to an authority in which other forms of financing and revenue will also be found, including funding from the team owners themselves. That authority will then construct stadiums and lease them to the appropriate professional sporting teams, and that stadium then, Mr. Speaker, will enable them to conduct business within that stadium, and they also carry with it the responsibility for maintaining that facility, staffing that facility, and basically absorbing all the expenses related to it.

Mr. Speaker, we have already heard many reasons why this proposal is different than any other proposal that has been offered to professional sports throughout the country. We guarantee that there will be sporting teams in those stadiums for 29½ years. We guarantee that there will be a return on the investment that the State makes to that authority, whether it is through new revenues or through direct paybacks in lease rental from the team owners.

A previous speaker talked about the fact that these teams are already paying taxes, and that is true, Mr. Speaker, and those are not the taxes that are going to be utilized to pay back the State.

Mr. Speaker, many of these teams, as we know, may not be here more than a year or 2 years or maybe 10 years. What we have done, through this proposal, is say that we will anticipate that the same revenues we are getting today will continue to come into the State for 29½ years. There is no credit given to team owners for the current tax revenues continuing for 29½ years. What we are saying though is, if this is truly going to generate the economic benefit in terms of new taxes, new economic dollars to the State, then we will allow the team owners to share in some of that enhancement of revenues to the State by giving them a credit against the money they owe us. If their projections are not accurate and they fall short in the economic benefits that they have proved right now are going to happen, then they have to pay for it themselves. Mr. Speaker, there are many, many guarantees in this legislation to ensure that payment.

An earlier speaker asked, well, how do we know we are going to get the money? The increased taxes are going to be paid every single year. As soon as these stadiums open and there is new sales tax in the concessions, the salaries rise, and there is additional personal income tax, that money is going to continue to come into the State every single year. We will be getting our money. It is not until the first 10-year period when the bill comes due for the \$25 million that the teams have to come and prove to us that they

have already paid us that money, and if they did not pay us that money, that is the time they have to make up the difference, and there are penalties in this to make sure that that happens. There are assurances in here that if these current teams do not stay there, that another team will be there with a performance contract. We also provide for other agreements to be developed that provide additional security above and beyond what is already in this statute.

Mr. Speaker, in terms of some of the issues people brought up about the actual construction and how some of those agreements are made out, section 505 of the amendment deals with other agreements, and it is the contracting authority or the contracting municipality that is going to enter into the agreements for the construction, renovation, and operation of the facility. Many of the issues that were discussed earlier on this House floor will have the opportunity to be raised during that part of the construction phase.

Mr. Speaker, the earlier proposal we had was truly a giveaway of taxpayers' money. Mr. Speaker, this proposal, due to the hard work of the House of Representatives, its leaders on both sides of the aisle, we stood firm on the part of the taxpayers and said we are not accepting that proposal. The amendment that we have presented today is going to be, I think, a model for other States to follow, because we are the first ones who have stood up for the taxpayers and said we are not going to give your money away. We are going to make sure that your money comes back. In addition to that, we add all the other economic benefits that hopefully will occur as a result of these stadiums as well as what it means for Pennsylvania's quality of life.

Mr. Speaker, many people might say this is not a good deal, but to me, this is a good deal, and I ask for your support. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, let me first say that I intend to vote for this proposed amendment to SB 10.

However, prior to the roll call, Mr. Speaker, I would like to say the following for the record: Let me first congratulate the majority leader, Mr. Perzel, and the minority leader, Representative DeWeese, for their leadership in coming up with a piece of legislation that for the first time that I can remember in this House since I have been here that provided taxpayers' protection for capital budget projects – the first time that I can remember that we are providing taxpayers' protection for capital projects.

Let me also say, Mr. Speaker, that we are going to ensure that the Pirates and the Steelers, the Philadelphia Eagles, the Phillies and Eagles, will remain in Pennsylvania for at least the next 30 years. And as I relate to these four professional teams and I was out there fighting against Renaissance, the Renaissance Initiative in Allegheny County, I guess it all depends on where you sit when we talk about big business. I would have wished that we had this taxpayers' protection plan when we gave \$185 million to the Philadelphia shipyard 2 years ago. Where were the safeguards then? Where was all the rhetoric then? We did not hear it. But let me ask you this: Not only the \$185 million, but what about the other taxpayers' money from the Federal government? That is our money that goes to the Federal government, too, that they gave to the Philadelphia shipyard, and I am sure that the owners were not poor owners in the Philadelphia shipyard.

Let me also say that I wished – that I wished – that the mayor of the city of Pittsburgh, Mayor Murphy, and the Allegheny County commissioners, Commissioners Dawida and Cranmer, had the foresight – had the foresight – to put these safeguards in to protect the taxpayers' money in Allegheny County, which they did not show their leadership when they had plan B.

Now, let me say, Mr. Speaker, in closing, that I hope – that I hope – the owners of the Pittsburgh Steelers and the Pittsburgh Pirates do not forget the little people, and when I say the little people, I am talking about the 62 full-time employees – the little people who work at the stadiums – and the 950 part-time employees who have helped subsidize their salaries in today's economy, that they do not forget those little people, and that they make sure that they are taken care of just like the construction industry out there will be taken care of and the other jobs that we are going to create. I hope that they realize that these people are very important to our economy.

Mr. Speaker, this is a good proposal. I support it, and I ask my colleagues to support it. Thank you very much.

The SPEAKER. The Chair recognizes the gentleman from Berks County, Mr. Rohrer.

Mr. ROHRER. Thank you, Mr. Speaker.

I rise being a member who is very, very disappointed that we are even dealing with this issue on the floor of this House.

There is a euphoria among some, it seems, that this issue is before us, but I think I speak for an awful lot who are very chagrined that we are dealing with this issue when all of us know why it is before us and how it got to this place.

We stood here not too many months ago when this issue first came up, and there were not the votes. Both caucuses independently spoke against why this was bad policy, and there were clearly not the votes. The issue has not changed. Intervening time has changed perhaps and lots of money has flowed with promises for projects in districts, some of which are legitimate, but the attempt has been to hook together the legitimate with the illegitimate and to have us stand on this floor today and to put up a vote for an issue that is clearly here before us because we have been blackmailed and extorted. You all know that what I am saying is correct. This would not be here had we all not been told, if you do not, we will leave. That is not the way to conduct public policy. Public policy and the citizens of this State are ill served when we succumb to this kind of pressure to make public policy.

We have heard many comments about this specific amendment today. We have all heard comments about what the amendment was going to be yesterday, and yet there are significant differences. First we hear it is going to be a giveaway. Nobody likes it. So we come up with another way – we call it a loan. Then we find out that it is not really a loan; it is a hybrid, but they are still going to have to pay us back. According to the definition, that is a loan. Well, it is either a loan or it is not. They are either paying us back or they are not. If it is a giveaway, we have already said we cannot do that; we do not want to do that. On the other hand, we are saying they have got to pay it back but it is not a loan.

Now, where in the world is common sense on this issue? Do we not have the ability to understand English? Words do mean something, and a loan is a loan or a loan is not a loan. Giving it is giving it or it is a loan, but in any case, it is here before us.

We are told, for instance, as a taxpayer safeguard, that if there are cost overruns on this facility, which there have been in almost every facility built in other States, some of them gigantic, that the

owners are obligated to pay the overruns. Unfortunately, that is not what the amendment says. It says that, on page 14, "Agreement that all costs" – lines 13 through 18 – "Agreement that all costs of design and construction of a new or renovated facility which are due to delays or which exceed the projected costs set forth in the financial plan or contract with the office, shall be the responsibility of the contracting municipality or contracting authority or the professional sports organization."

Now, that is no guarantee that the professional sports organization will pay the overrun. That tells me there is just as much likelihood that the city of Philadelphia, or the authority in Pittsburgh, the taxpayers, will pick up the overrun. There is an equal chance. That is no guarantee. We are not guaranteed of much taxpayer protection at all, and I am very saddened that we have those who stand up and believe that we can spend this in any fashion we want and convince the taxpayers of the State that this is something other than what it is. This is a shell game, and it is disrespect of the highest sort to those of us who are here and to the taxpayer who ultimately will pick up the tab.

The other aspect that, frankly, I do not like which also the taxpayers and the citizens of the State have already expressed their attitude that they do not like is not just the fact that we are taking taxpayers' dollars and giving it to a special interest for their benefit – the primary beneficiary will be the sports teams – not only that we are going to call it something other than it is, but that we are subjected to putting up a vote for an item that is combined with legitimate things in our district that we ought to vote for and support and hook it together to vote for something that clearly has taxpayer opposition, and rightly so. This is bad policy; this is bad process, and it is dangerous.

The precedent that is also set policywise is that if we permit an entity, a business, such as what we are talking about today – team owners – to come to us and to tell us and threaten us with the threat that because of their perhaps poor negotiation in granting too high salaries or whatever and they cannot make the money they can make, they need to make, and they are going to threaten to go somewhere else, if they can hold us hostage to obtain tax-free dollars and/or a free gift to stay here, then what prevents any company anywhere else in this State to do the same thing when they fall on hard times or whatever? And what are we going to say? No to them? Perhaps somebody comes and they have 10,000 employees, far more impact than what these guys will give. What are we going to tell them? No? We give it here. Why can we not give it there?

The slippery slope is one on which we cannot draw a line in the future. This is bad direction, and I think fundamentally, as far as I am concerned, the reason this is so fraught with problems is that fundamentally, the granting of moneys, be it in the form of a loan or something else that it may be called, is fundamentally unconstitutional.

And I call your attention – I call your attention – to Article VIII, section 8, of our Pennsylvania Constitution, and I will read it. It says, the "Commonwealth Credit Not to Be Pledged. Section 8. The credit of the Commonwealth shall not be pledged or loaned to any individual, company, corporation or association nor shall the Commonwealth become a joint owner or stockholder in any company, corporation or association."

Now, the founders and those who put this in here perhaps did not envision a hybrid, but they did envision a loan or the extension of credit. The provision is here strictly for the purpose that the

Commonwealth is not held hostage, that the Commonwealth conduct its business in the interest of the general public. If we do policy that benefits all business equally across this State, then we have conducted good policy, but if we conduct business and policy such that it favors particular interests, we have violated this section, and whether you choose to set up an authority who one would say meets the parameters, clearly the obligation that the owners pay back money constitutes a loan and therefore violates this section.

THE SPEAKER PRO TEMPORE (PATRICIA H. VANCE) PRESIDING

CONSTITUTIONAL POINT OF ORDER

Mr. ROHRER. Madam Speaker, I move that this House consider the issue of constitutionality on this amendment, and I move that this amendment as written is not constitutional and in violation of the letter of section 8 if not the spirit and the clear intent of what this is.

The SPEAKER pro tempore. The gentleman, Mr. Rohrer, raises the point of order that amendment 0401 is unconstitutional.

The Speaker, under rule 4, is required to submit questions affecting the constitutionality of an amendment to the House for decision.

On the question,

Will the House sustain the constitutionality of the amendment?

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

Mr. SNYDER. Madam Speaker, the gentleman raises the question of constitutionality under the provision that says that the Commonwealth shall not pledge or loan to any individual, company, corporation, or association nor shall the Commonwealth become a joint owner or stockholder in any company, corporation, or association.

Madam Speaker, if one reads this amendment, if one heard the comments we made earlier on how the financing of the stadiums will be accomplished in which the State, perhaps the municipalities or counties, will be providing money to an authority, which will be the organization that constructs stadiums and then leases those stadiums out, there is nothing in this amendment that provides money directly to any private corporation, to any individual, to any association other than a State or municipal-created authority. The State is providing financing through that. We are not taking ownership of any particular organization. We are making an investment in an authority.

Each one of us has municipalities and counties that have authorities for providing funding for hospitals, for colleges within their own communities. We provide authorities for many, many purposes. In fact, there are almost 3,000 different authorities in this Commonwealth. To say that what we are doing today is unconstitutional is in essence saying the financing that we have utilized to provide for public works projects for infrastructure in our communities is unconstitutional.

I ask you, therefore, to vote that it is constitutional. Thank you very much.

The SPEAKER pro tempore. Those voting "aye" will vote to declare—

Mr. ROHRER. Madam Speaker, can I comment again?

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

Mr. ROHRER. While I am still up, can I still comment on this motion? Is that it?

The SPEAKER pro tempore. Each member is allowed to speak only once, but you may proceed.

Mr. ROHRER. I think that there is a distinction that has got to be made here. We are all aware that authorities are established in order to flow through State moneys, but there from a policy perspective is very strong reason to look at the way a lot of those have been set up. In fact, an authority becomes a third party. You have got to look at where the money is going, to whom is the money ultimately flowing, and for whose benefit?

We obviously all know today that if it were not for the sports teams and their benefit as derived from these moneys, we would not be sitting here today discussing this issue. Regardless of whether an authority is set up to legally circumvent this section of the Constitution or not, the primary beneficiary still remains a private entity, and therefore, Madam Speaker, I say that this in fact does apply and this restriction does apply, and therefore, unconstitutionality should stand.

The SPEAKER pro tempore. Those voting "aye" will declare the amendment to be constitutional; those voting "no" will vote to declare the amendment to be unconstitutional.

On the question recurring,

Will the House sustain the constitutionality of the amendment?

The following roll call was recorded:

YEAS—169

Adolph	DiGirolamo	Lynch	Schuler
Allen	Donatucci	Maher	Semmel
Argall	Druce	Maitland	Serafini
Armstrong	Eachus	Major	Seyfert
Baker	Evans	Manderino	Shaner
Bard	Fairchild	Mann	Smith, B.
Barley	Fargo	Markosek	Smith, S. H.
Barrar	Feese	Marsico	Snyder
Bastian	Fichter	Mayernik	Solobay
Battisto	Fleagle	McGeehan	Staback
Bebko-Jones	Flick	McGill	Stairs
Belardi	Frankel	McIlhattan	Steelman
Belfanti	Freeman	McIlhinney	Steil
Benninghoff	Gannon	Melio	Stern
Bishop	Geist	Michlovic	Stetler
Blaum	Gigliotti	Micozzie	Stevenson
Boyes	Gladeck	Mundy	Strittmatter
Browne	Godshall	Myers	Sturla
Bunt	Gordner	Nickol	Surra
Butkovitz	Gruitza	O'Brien	Tangretti
Buxton	Habay	Oliver	Taylor, J.
Caltagirone	Hanna	Orie	Thomas
Cappabianca	Harhart	Perzel	Tigue
Cawley	Hasay	Petrone	Trello
Chadwick	Hennessey	Phillips	Trich
Civera	Herman	Pippy	True
Clark	Hershey	Pistella	Tulli
Clymer	Hess	Ramos	Vance
Cohen, L. I.	Horsey	Raymond	Van Horne
Cohen, M.	Hutchinson	Readshaw	Veon
Colafella	Jadlowiec	Reinard	Walco
Cornell	James	Rieger	Washington
Corrigan	Josephs	Roberts	Wogan
Costa	Kaiser	Robinson	Wojnaroski

Coy	Keller	Roebuck	Wright
Curry	Kenney	Rooney	Youngblood
Dailey	Kirkland	Ross	Yudichak
Daley	Krebs	Rubley	Zimmerman
Dally	LaGrotta	Sainato	Zug
DeLuca	Laughlin	Samuelson	
Dempsey	Lederer	Santoni	Ryan,
Dermody	Lescovitz	Sather	Speaker
DeWeese	Lucyk	Schroder	

NAYS—30

Birmelin	Harhai	Miller, R.	Ruffing
Carn	Lawless	Miller, S.	Saylor
Casorio	Leh	Nailor	Scrimenti
Egolf	Levdansky	Pesci	Travaglio
Forcier	Masland	Petrarca	Vitali
George	McCall	Platts	Wilt
Grucela	McNaughton	Rohrer	Yewcic
Haluska	Metcalfe		

NOT VOTING—2

Preston Williams

EXCUSED—1

Taylor, E. Z.

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

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

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny County, Mr. Petrone.

Mr. PETRONE. Thank you, Madam Speaker.

Madam Speaker, I rise in support of the DeWeese-Perzel amendment. I rise in strong support of the DeWeese and Perzel amendment, and I would hope truly that all of my colleagues vote for this, because it is an investment in our future; it truly is an investment in our future.

In my years here, I have had the pleasure of working and voting on many, many issues for everyone's district, for every county of this Commonwealth. I have voted for convention centers for Philadelphia, for roads and bridges for Cambria County, for conservation efforts in Erie. I did it knowing what a fine State we have and because I believe in Pennsylvania.

I want to keep my colleague, Mr. Kirkland, in the legislature and I want to keep Mr. Kirkland with the Pittsburgh Steelers, because I think they are both super people, but if this legislation was for money to help the embattled Chester County district of Mr. Kirkland, where I spent a lot of time and I know his needs well, I would vote for it. I would vote for it if it was to invest money in every one of the counties of Pennsylvania other than Allegheny, because I believe it is the right thing to do. I believe this is the biggest vote that we can ever make in the 19 years that I have been here.

And like my colleague, Mr. Horsey, says, it is not a grant; it is not a loan; it is a groan. Well, if it is a groan, let us do it and get it done, because we have invested taxpayer dollars in private entities like the Chrysler Corporation, when taxpayer money kept them afloat and made them healthy. We have invested billions of taxpayer dollars in bailing out the savings and loans of this country to protect our citizens. So it is an investment by all of us in all of our futures. Do not be shy about it; do not be shy about it.

For us in Pittsburgh it might be a little more, but I hope that raising the ceiling above and beyond what we are doing means something to every one of you, and I will vote for it on that basis.

A little example. In 1982 we needed a new airport. It was a vague idea in Pittsburgh, but the Strategy 21 process, with Governor Thornburgh and Mayor Caliguiri and Commissioner Foerster, got it done. It is a wonderful airport with taxpayer dollars, but the people of Allegheny County just do not fly in and out of there.

At that airport right now we have 6,000 jobs at stake. They are mechanic and machinist jobs for US Air. We need money for site acquisition and development to keep US Air in Pittsburgh, in Pennsylvania, because they are being moved by Charlotte and Tampa, and if we do not put it up, they are going south, I guarantee you. So this is a major investment in keeping 6,000 jobs and families in the State of Pennsylvania, but I would vote for it if they were in any one of your counties because I know what it means to us.

I know what it means to the young people that care about their future and want to stay here in Pennsylvania. They have been demonstrating and making good sense in doing what they are doing. This is not only for us today but it is for them tomorrow and your grandkids 20, 30 years from now. It is about a quality of life that we want to keep the continuity of in this State.

So do not be afraid to vote for this legislation; do not be afraid to pass this bill; do not be afraid to put the investment and the funds back into this Commonwealth. Support the DeWeese-Perzel amendment knowing that it is the right thing to do, and I truly hope every Senator on the other side, if they believe in this State, will do the same thing. And next month and next year when any one of you come with legislation to help support your district, I will be happy to vote for it. I will be happy to vote for it if there is an apprenticeship training program for young people to learn trades in your districts as part of this construction effort. So that is what it is about, and if you believe anything else, you just do not know what is happening; you just do not have faith in this Commonwealth or our future.

I would like to leave you with a few words that I have shared with our esteemed leader, Mr. DeWeese. Maybe the rest of you might like to hear these. It is not the critic who counts, not the man who points out how the strong man stumbled, or whether the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood, who strives valiantly, who errs and comes up short again and again, and who knows the great enthusiasms, the great devotions, and spends himself in a worthy cause, who at best knows the triumph of high achievement, who at the worst, if he fails, at least he fails while daring greatly. So, Madam Speaker, dare greatly so that this place shall never be but those cold and timid souls who know neither victory or defeat.

So dare greatly, Madam Speaker, and vote for the DeWeese-Perzel amendment. Thank you.

GUEST INTRODUCED

The SPEAKER pro tempore. The Speaker is pleased to welcome to the hall of the House Mayor Thomas McGroarty of Wilkes-Barre, who is here as a guest of Representative Kevin Blaum. Would the gentleman please rise in the gallery.

CONSIDERATION OF SB 10 CONTINUED

The SPEAKER pro tempore. The Chair recognizes the lady from Montgomery County, Representative Cohen.

Mrs. COHEN. Thank you, Madam Speaker.

Will the maker of the amendment stand for interrogation, please?

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

Mrs. COHEN. Thank you, Madam Speaker.

Madam Speaker, I am concerned about putting in this amendment, adding this amendment to a very noble SB 10, which provides funding for items like the Regional Performing Arts Center in Philadelphia and all of our museums and cultural institutions.

My question is— Well, first, I did vote “no” to suspend the rules to include this because I truly believe that the stadium issue is separate from the other issues on capital projects, and I think we should deal with the stadiums separate from all of the other worthwhile issues. But my main question is, if we charge our volunteer firemen, when we give them a loan, 2 percent—these are volunteers, people who do not get paid, people who risk their lives to save our lives—why are we not charging interest to these teams who are not volunteers?

Mr. SNYDER. Madam Speaker, I am sorry. What was the last part of the question? My mind just went.

Mrs. COHEN. The question is, if we charge our volunteer fire companies 2 percent, and these are people who are volunteers; they do not get paid; they put their lives on the line to protect our lives.

Mr. SNYDER. Madam Speaker, you know, the analogy of the volunteer firemen is maybe not quite as appropriate as some of the other grants and loans we are making through this program, but certainly that is a program where the State is subsidizing the interest on the loans that we take out to provide the funding to our volunteer fire companies, and we do support that. And through the programs that we have, the taxes on insurance premiums and things, we help support volunteer firemen through other sources.

Capital projects normally are determined based on the merit of the economic development and the enhancement that it makes overall to the State’s revenues, to the economic development of this Commonwealth. The specific issue about the stadiums, Madam Speaker, is that the principal will be repaid through either new revenues that are generated or by payment from the team owners themselves to the authority, which will then in return reimburse the State for our investment, our portion of the investment to the stadiums.

Any study that has been done on the stadium expansions or the ability to provide more programs through new stadiums, such as, if you look in the proposal, this provides for not only use of the facilities by professional sports teams but it also allows for other community programs to be conducted there. One example is the Army-Navy game. I understand in Philadelphia that

Temple University may be using some of these. So there are additional revenues that will be coming from the use of these stadiums that will go back to the city and the State that will benefit.

There are also economic benefits outside the stadium, and the only thing we have been focusing on today is the additional revenues to the State generated by the in-stadium taxes—the sales tax, the personal income tax—but as a result of the expansion of these programs, most economists will tell us that there is going to be a growth in the hospitality industry, there are going to be some spinoffs from the additional jobs created outside the stadium, and those economic benefits that will be a result of this investment we expect will offset and probably exceed any interest that we would be paying on those bonds during the time that these bonds are being paid back through those revenues from the stadium.

Mrs. COHEN. Thank you, Madam Speaker.

Madam Speaker, I have been asked by some of my constituents to ask if the stadium in Philadelphia, the football stadium in Philadelphia, will cost less because we only need 50 yards and one goalpost.

I have no further questions. I would like to speak on the amendment, Madam Speaker.

The SPEAKER pro tempore. Madam, you may proceed.

Mrs. COHEN. Thank you, Madam Speaker.

One of the things that concerns me, Madam Speaker, about this proposal is, many of you know that I pledged when I was first elected to return at least 10 percent of my salary as a Representative back to the community, and I have done so, and everybody knows what we earn. My concern is that owners and particularly players are not giving of their own personal salaries back to the community. I realize that the players are contract employees—they could be gone at a moment’s notice—but I believe that they, as well as the owners, have to show their commitment to the fans, to the people of our regions, and show their support for us by making a pledge, and I would at this point ask them to pledge a portion of their personal salary, as I have done, show their commitment and give it back to the community, and I think this is the opportunity for the owners and the players to speak up on this. Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Butler County, Mr. Metcalfe.

Mr. METCALFE. Thank you, Madam Speaker.

At first it kind of confused me. As a freshman, I did not know what I should address you as, and after some inquiries, I found the help. Thank you.

I wanted to give everyone a freshman’s view of what is happening here today. As many of you have already experienced as a freshman the many breakfasts and appointments that one needs to make in the morning, I was out this morning walking from the Capitol over to the Hilton, where one of the meetings was going to be, and enjoying the beautiful weather here in Harrisburg this morning, just appreciating what a nice day it was, and happened to observe one of God’s small creations—a squirrel—that was enjoying his day in Harrisburg skirting along the branch, taking a moment to scratch behind his ear. But I will tell you, today is a good day in Harrisburg for squirrels, but it is not a good day for the taxpayers of Pennsylvania, and it is especially not a good day for the children of Pennsylvania as they will be burdened with the increasing debt that we will burden them with for the next 30 years.

This is going to cost our children approximately \$200 million in interest and unpaid – unpaid – back principal. So there will be some principal paid back, but the unpaid back principal and the interest is going to cost our generation and future generations approximately \$200 million. This is morally wrong – morally wrong – to burden our children with this. It would be bad enough if it was just burdening our generation, but when we have the chance here to keep our children's debts to a minimum and we are going to vote to increase the debt on our children's generation, that is not moral.

During a time when we have older citizens losing their homes, doing reverse mortgages because of the outrageously high property tax situation, should we not be using our resources to correct that problem rather than to build stadiums?

As everyone knows, we have recently experienced a drought situation in Pennsylvania. We have water and sewer problems throughout our Commonwealth. Should we not be using the resources of the taxpayers to correct those types of problems rather than building stadiums? Stadiums will be used by the few. Water and sewer is something that we all need.

You know, recently I was back home in the district, and my wife and my daughter and I were traveling to some destination within the district talking about the stadium issue, as my daughter, 12 years old, has acquired a new interest in politics since the campaigning season and since I have been elected, and she was sharing with me the concerns of one of her classmates and the concerns of one of her classmates' parents. This child's parents would like to have her going to a different school, but because of the taxes that we take from them to use their money to force them to put their child in the school she is now attending, they are not able to.

When we have a high-tech age, which might destroy the baseball and football industry anyhow with virtual reality, when you may be able to have the game happening in your living room with you sitting at home plate 10, 15 years from now – we have the technology now; it is just a matter of cost and time – when we have children in this high-tech age that are not receiving, not receiving the education that we would have for them, the education that they can use to succeed to make our nation and our State a success, should we be directing our resources to building stadiums, stadiums that are going to benefit the few instead of the many? Or should we be directing our resources to help the older citizens of Pennsylvania to be able to keep their homes, to help all of us be able to receive clean water and have sewers that are not acting up and not causing problems in rural areas where they are forced to go to sand mounds and have additional expenses after only around 10 years or so? Should we not be using our money to benefit the many instead of the few? I say yes. But today is certainly a great day for the squirrels of Harrisburg, but as I said, this is not a good day, if this resolution passes and ultimately the bill passes, this will not be a good day for the citizens of Pennsylvania, for the taxpayers of Pennsylvania, for the families of Pennsylvania, and for our children.

I was 6 years old approximately when they built Three Rivers, and two of the promises were economic prosperity for the area and that it would pay for itself. Thirty years later, \$4 million of debt, and where is the economic prosperity? People have been fleeing Allegheny County to move to Butler to get away from the high taxes. We need elected officials to be leaders in this Commonwealth, leaders with a vision for our State more than just

major league baseball and football. We need to create an environment in this State where businesses will flock, where jobs will be created, where children will receive the kind of education that we all know they deserve because of the money that we already spent.

I would urge each and every one of you to contemplate what Representative Rohrer also spoke on, even though the vote already went down, but I believe few of you actually listened to what he said, and I believe even fewer of you actually read in the Constitution what he said. So I would urge each and every one of you, if you do not have a copy of the Constitution with you, to read that and not cast your vote based on previous expenditures but base your vote on this expenditure.

I would urge everyone to vote "no" for this resolution and for this bill. Thank you.

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

Mr. ADOLPH. Thank you, Madam Speaker.

What I would like to do for the next couple of minutes is explain to my colleagues, also to explain to taxpayers back home, why last session back in November when this was presented to us in caucus I was not supportive of it, and there were a lot of reasons why we were not supportive of it. There were many unanswered questions. I would like to go over a couple of those unanswered questions now that we now have the answers for.

We met with the mayor of Philadelphia back in November and some representatives from the city of Philadelphia, and we wanted to know, how are they going to raise their one-third of the share? They did not have the answers back in November. I listened to the mayor on television, listened to him on the radio. He was talking about a sports lottery. He was talking about possibly a regional sales tax. I know our delegation from the southeast, we were concerned about, was the nonresident city wage tax going to be increased? A lot of unanswered questions regarding local taxes.

Well, we said "no" in November because of those tax issues. From November to February of this year, the mayor has put together a local package that does not increase the nonresident city wage tax, does not put a regional sales tax on. His proposal includes the increase in city wage taxes that the high-priced players are going to be earning over the next 30 years. He is also proposing that out-of-town tourists that come in will be paying an auto rental fee for their leased automobiles – not Pennsylvania residents, not the local people. He is also proposing a 5-percent tax at the price of the ticket. This is for the people that are enjoying the Phillies, enjoying the Philadelphia Eagles – the users. The users of the stadium will be paying the freight. Those that are not using the stadiums will not be paying any additional taxes whatsoever.

Now, I was also concerned in November about the sweetheart deal that this was coming about, not paying any money back. Now, I have heard some of my colleagues say this is not a loan, all right? What exactly is it? Well, it is a guaranteed lease payment. Now, I do not care whether it is an increase in tax revenues generated by additional revenue to the stadiums or whether you call it a loan payment. If the State has additional money as a result of the construction of these stadiums, if at the end of a 10-year period we have \$25 million more, you can call it what you want to call it, but we have \$25 million more.

Now, was it paid back by taxes? Yes, the people that are using the stadiums. Not being paid back by any State tax dollars, not by any increase in sales tax or increase in the State income tax; it is

being paid by the players who are paying the Philadelphia city wage tax on their increases. And the maintenance from Veterans Stadium over the next 30 years would cost over \$75 million. The mayor is putting that money toward their share.

Now, let us talk about some intangibles, and I think this is important. First of all, I do not think anybody out there is against the construction of these stadiums. We are going to put 8,000 people to work as a result of the construction of these stadiums. Nobody is upset about that. Where I live, an awful lot of people have an opportunity to go down to Wilmington, go down to Baltimore, and sit at brand-new stadiums, and they are doing it — drive over and go to Trenton. They like the new stadiums. Nobody is arguing about building them. We are losing money in Pennsylvania to out-of-town stadiums. I have friends and family members that go see the Baltimore Orioles on a weekly basis. They do not like Veterans Stadium. We are losing tourism dollars.

Let us talk about a quality-of-life issue, because that has been mentioned from a couple of my colleagues saying that, you know, we are putting our next generation in debt. Well, I will tell you what. There is an entertainment value when a family goes down to the Phillies. A ticket costs \$8. It is going to cost you 40 cents a ticket to go see the Phillies under this plan. That is good, clean family entertainment. I think what really irks the people is that the owners of these stadiums, they are perceived as owning the stadiums. They own the ballpark and they own the ball teams, but they do not own the stadiums. If they pick up and leave, we have the stadiums to bring in another franchise. We would have a hard time bringing another franchise into Veterans Stadium or Three Rivers Stadium.

So we are going to have these professional sports teams here in Pennsylvania for the next 30 years. Would I rather see the owners pay for everything? Absolutely. Is that possible? Not possible; they cannot get the financing. The reason why we are able to swing this is because this is tax-free, low-interest bonds, okay? That is the reason. Professional ball clubs cannot go out and get that type of interest rate. That is why it is making this affordable.

In closing, we are spending money on education. We are spending money on our elderly. Yesterday the Governor came in here and proposed almost a \$19-billion budget — tax cuts; benefits for senior citizens; middle-income people, low-income people tax cuts. We are concerned about Pennsylvania. This will create jobs, and this will not increase your taxes.

I would appreciate my colleagues' support of this bill, and thank you very much, Madam Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Blair County, Mr. Geist.

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

I would hope that I could rise today to put a little different oblique to this process, and I would like to start off by praising the leaders of the Democratic Caucus, especially Representative Veon. We come from districts that are very much alike. We know the building tools that we do not have. We know the heart of the people who live there and what it takes to rebuild our towns.

I would also like to talk about the leadership of our Republican Caucus, especially Representative Perzel. For 5 years now, Governor Ridge has occupied the highest office of this State. The members of this General Assembly have pulled together under John's leadership to help this Governor put forth his agenda. But today we are talking about an agenda that is not really the Governor's; it is every one of us who have projects in our districts

that are funded by this program. Whether it be \$1 million for the new police building in the city of Altoona, whether it be a project for a parking garage that will ensure development and new jobs moving into an old downtown, whether it is a center for new business startups in the high-technology field to attract them to an area where they would not develop, it is the ability of us to use the ability of the State's credit to fund these projects. They are not Republican projects and they are not Democratic projects, but rather they are good investments of our State's credit to build future worth.

And, Madam Speaker, I am sure that not one of my words will change any one vote on the floor of this House, but I would like to say thank you to those people who are going to make a "yes" vote and finance the future. Last week I had the opportunity of listening to a radio talk shock — whatever you want to call them, shock-jock — talk show where he literally ripped the leadership of this place apart, and thank God, Madam Speaker, that there are those people on the floor of this House and our leadership on both sides of the aisle that are courageous enough to put this vote up so that we can vote for those little projects. Nobody knows about them outside of our districts. We are not talking about the Philadelphia Phillies; we are not talking about the Philadelphia Eagles, the Pittsburgh Steelers, the Pittsburgh Pirates, but we are talking about the creation in investment in our communities, and especially those communities that do not have the assets to do it themselves.

I believe this will be the fourth time that I have voted to increase the ceiling and bond issues since I have been a member of this General Assembly, and I feel very comfortable voting for my district. Thank you very much.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny County, Mr. Walko.

Mr. WALKO. Thank you, Madam Speaker.

I represent parts of the city of Pittsburgh, and we have a big question that we are confronted with. Plan B or not plan B: that is the question. "Whether 'tis nobler in the mind to resist the slings and arrows of outrageous fortune, or to take arms against a sea of troubles, and by opposing end them." Like Hamlet, I always knew what I had to do when the matter of raising the debt ceiling came before us in this chamber in the form of a "yes" or "no" vote. The only choices we have in this chamber are "yes" and "no." We can make our efforts to improve a bill, to improve a process on the way, and I have tried since day 1 back in 1997 to improve the process leading up to this very moment. I fought a regressive sales tax hike in southwestern Pennsylvania, I fought the creation of a new omnipotent authority in southwestern Pennsylvania, and I sought more private contributions and more public scrutiny. Now the road has ended, and now it is time to vote "yes" or "no," and I will vote "yes."

Focusing on the stadiums, I will vote "yes," because for better or worse, those stadiums are important to downtown Pittsburgh, and the vitality of downtown Pittsburgh is important to the rest of the city of Pittsburgh. It is important that our commercial center be stabilized for city revenue purposes, for quality-of-life purposes.

Now, there are a lot of hopes about economic development and much more development and investment in Pittsburgh as a result of these investments. Now, is there faith involved? Yes. We hope that the stadiums and other investments, along with the Carnegie Science Center and other North Side attractions, together with a burgeoning cultural district, will lead to residential and commercial development in the North Side and downtown, and

they will complement the convention center improvements and expansion in my district as well.

The requirement of an economic development plan to be approved by the Secretary of the Budget is a very positive step. The fact that it will be available for comment will be very helpful. I, for one, will review those plans and comment on those plans, and as some of my constituents know, I can be rather outspoken at times. Moreover, I am extremely pleased by the interaction of the North Side neighborhood groups with the Public Auditorium Authority. I am particularly pleased with the interaction of the North Side Leadership Conference, a coalition of 14 North Side neighborhood groups, that has been dealing along with the authority. I believe that those neighborhood organizations will help ensure that the opportunities presented by the developments are seized and that the burdens brought forth will be mitigated.

On the other projects, many of them in my district, raising the debt ceiling is vital. Other projects in Pittsburgh, in my district, require a debt-ceiling increase, like the renovation of Heinz Hall, the development of a downtown marketplace at 5th and Forbes Avenues, the 7th Street and Fort Duquesne Boulevard mixed-use development in the Pittsburgh cultural district, and the Lawrenceville Development property acquisition and site preparation in support of the National Robotics Engineering Consortium expansion, and finally, in the strip district, improvements and renovations to Pittsburgh Ballet's training session. We need to make these investments, and I want to make these investments.

Now, as far as sports stadium investments in particular, I will continue to press for certain things. As the Representative from Penn Hills, Mr. DeLuca, pointed out earlier, we all should work to ensure the protection of the jobs of the workers of Teamsters Local 250. Those jobs are important to them, and they should be installed in the new stadiums. Labor was very influential in getting this to come to a positive vote, and I hope they will support the Local 250 of the Teamsters.

We must also work to get Major League Baseball's dysfunctional economy somehow in order, and to the extent that we cannot effect change in that economy, I and many of you, I am sure, are disappointed. That battle must lay ahead in Congress, and we all know that if baseball does not enact revenue-sharing and salary caps, the Pirates and other small-market teams will never be on a level playing field.

Now, like Hamlet, we have traveled through a multifaceted, emotional, circuitous issue. We have come to this point at the end of the day, and like Hamlet, each of us will do what we knew we would do all along, and somewhere out in the Commonwealth of Pennsylvania it will be said, "Now cracks a noble heart. Good night, sweet prince."

Thank you, Madam Speaker.

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

Mr. MICHLOVIC. Thank you, Madam Speaker.

Madam Speaker, much of the focus of the debate on this bill has been on the stadiums, and perhaps rightfully so. There is the lion's share of the money; it is going to the stadiums, but I think we forget something about the other \$350 million that we are spending in this capital budget, and that is that there are a lot of very wealthy people that will enjoy the benefits of those expenditures on that money, too. The difference between them and the money spent on the stadiums is, in the stadiums we have wealthy people, publicly

wealthy people. The stadium owners, the athletes — everybody knows how much they make, and they are all upset about it. But what we often forget is that the people that own businesses that are coming to the State in our districts, and just because there is a project in your district does not mean that the guy is wealthy that is coming in with that project; more than likely he has some money, he or she. So it is really a difference of the one case being publicly known and in the other case it is not known, and I give you an instance in my district.

Last year, from the last capital budget we funded, we received a very large grant from the Capital Fund. The Governor came down and cut the ribbon. We built a facility out of an old steel mill and put a brand-new high-tech company in there called Echostar. They promised 2,700 jobs within 3 years. There are 500 jobs already in that facility. There will be another 500 jobs in that facility — an old steel mill that we completely refurbished — there will be another 500 by the end of this year, and I am sure they are going to make their mark of 2,700 in a 3-year period.

Now, the guy that owns that company owns six satellites. He is wealthy. He is pretty wealthy. In fact, he is a lot wealthier than most of those athletes that we decry in the speeches on the floor of this House. But take a look at it, Madam Speaker. It does not matter to me, and it should not matter to you. The point is that he used his wealth to create those jobs. He used his wealth in the district, and he is taking advantage of our largesse as a State to come in and give him low-cost loans, and believe me, they negotiated for every dime they could. But there is a product, and I think that is the way we have to look at it.

I have listened to some of the speeches on this floor and the great pretenders here, pretending that all the projects on the one hand are wonderful projects and that nobody else is taking advantage of the State on that side of the ledger. But on the stadium side of the ledger, all those guys, all those guys are wealthy, and for some reason, their wealth and their good fortune does not deserve this kind of a loan. It is the same loan, Madam Speaker. It reminds me of the old story about the woman that was being asked for her amorous attentions and offered a certain amount of money, and she declined. Then she was offered much, much more money, and she accepted. Now, the person who offered said, "Well, let's go down somewhere in between," and she said, "Hey, what do you think I am?" And he said, "We've already decided; now we're just haggling about the price."

We are really talking about, we are really talking about the same thing, Madam Speaker. People are going to get wealthy on all of this money that comes into these projects, every one of them. If they were not, they would not be doing it; they would not be putting their money out there to build a company or to expand a company. The thing that we have to keep our eyes on is the jobs and the economy of this State. That is why we have a capital budget. And I submit to you that it really does not make much of a difference whether a person who has a job is working in a stadium or working in a factory; somehow they got that job and they like that job, and we ought to support them whatever that job is, and we support them by voting for this bill, just like we voted for the thousands of other — not thousands — for the many other capital budgets over the course of our careers without blinking an eye, and as the Representative said earlier, we in those measures supported many, many stadiums then without blinking an eye. We need to do the same for this bill and not make some crazy distinction between this kind of wealth and another kind of wealth.

It is really toward the same end, and the same end is jobs in Pennsylvania. That is what we have to keep our eye on, and that is what we vote for in this amendment and in the bill. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington County, Mr. Daley.

Mr. DALEY. Thank you, Madam Speaker.

Madam Speaker, October 1971, we are at Three Rivers Stadium, and in your mind's eye the Pittsburgh Pirates are playing the Baltimore Orioles, and the great Roberto Clemente comes to the bat, and we are losing, if you are a Pirates fan, we are losing 6 to 3, and Roberto stands up at that bat and at that plate and he swings and that ball goes over that fence, and the Pirates end up winning that game. Is that a reason to vote for this bill? Absolutely not.

I am standing at Three Rivers Stadium in November, and Terry Bradshaw goes back into a pass; he throws the pass. There is 6 seconds left; the clock is running. The ball hits Frenchy Fuqua; it bounces in the air. Franco Harris grabs it off the turf, runs down the field, and beats the Oakland Raiders, and the Steelers went on to play in the Super Bowl and won. But is that a reason to vote for this bill? Absolutely not.

Is it for economic development, Madam Speaker, where we in southwestern Pennsylvania have lost over 400,000 jobs since 1980? Is it economic development? Is that going to create the 150,000 jobs or the 8,000 jobs? Is that why we should vote for this bill? Absolutely not.

If you have been to Baltimore and you have been to Cleveland, you see that the cities have a love affair with their teams. They have a pride. They go to Jacob's stadium; they go down to the stadium in Baltimore — Camden Yards. If you have ever been there and you see the love affair that the people have with that stadium in that town, is that a reason to vote for this bill, because that is the kind of pride that we need in Philadelphia and Pittsburgh? Absolutely not.

You know, my district, like your district, and I look at all these legislators, I look at these legislators from western Pennsylvania, and we had a vote, and in our vote out in Beaver County in Nick Colafella's area and in Washington County and Armstrong County and Greene County and Fayette County and all the surrounding counties, they voted 73 percent against giving the rich stadium owners and the rich ballplayers anything. Should we vote against this bill? Maybe.

You know, I have been in this legislature now for 17 years, and I have seen issues come and go — when AMP came and they were in dire straits, and everybody here lined up because they wanted to help AMP to keep the jobs, to keep the pride, in central Pennsylvania; and Caterpillar in York County, when people lined up here to save those jobs at Caterpillar; and when Sony came into Westmoreland County, we built roads, we built bridges, we built everything to bring them into Westmoreland County. But I hear legislators here standing in the back like demagogues telling us that we ought to give money to the poor, and we ought to give money to the senior citizens, and we ought not to do this because this is a class struggle; it is giving money to the rich. Well, do you know what? If this were plan A or plan B or plan C where we were giving money away, I could see voting against this.

You know, we have a legacy; we have a legacy not to each other but to our children and our grandchildren, and that legacy is to leave the place a better place. You know, every time I see a business come into my area, the first thing they ask me is, what

kind of recreation do you have, what kind of roads do you have, what kind of schools do you have, and what kind of professional sports do you have? And do you know what, Madam Speaker? On this issue, this is the type of issue that leaders lead and followers follow. You make the decision what you want to be, a leader or a follower. Vote "yes." Thank you.

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

Mr. MICOZZIE. Thank you, Madam Speaker.

We heard a lot of rhetoric tonight or this afternoon of why we should not build stadiums. We all know the benefits of all the other projects that are in the bill or in this amendment. But what is the downside of not providing a loan for the four stadiums, to build the four stadiums? It is certain that the Pittsburgh Pirates will leave Pennsylvania. The Eagles will move their training facilities and their offices to Delaware and New Jersey. New Jersey Governor Whitman will definitely build a new stadium for the Eagles. The Steelers will give legal notice that they are leaving the State. The Phillies will devise a strategy to exit or try to exist in a substandard stadium.

Although it can be argued whether a new stadium or a professional team is an economic benefit to a community, it can be definitely stated that at least it provides a psychological benefit for a community. That can be very well demonstrated in Charlotte, Nashville, and San Antonio.

Cleveland is an example of what could happen. The Browns moved to Baltimore for a new stadium. Cleveland is now spending more to build a new stadium for the new Cleveland Browns than it would have spent to keep the old Browns. Cleveland increased taxes to fund a new stadium without any return on their expenditures. St. Petersburg built a new stadium with public funds without having a team. Houston is waiting for a football team with open arms and is willing to fund a stadium with public funds.

I am fully aware that there are many residents in Pennsylvania who really do not care if the teams leave Philadelphia and/or Pittsburgh, but the fact remains that it has been demonstrated in other cities where teams have finally left and there was an outcry by the majority of residents when reality set in. Public pressure then built up in Cleveland and other places and in other cities to provide new facilities for sports teams. The new stadiums that were built were built at a much greater cost to attract new ones.

In closing, there is one thing that is very certain. A Philadelphia and/or Pittsburgh that is economically sound is less of a tax burden to all the residents of Pennsylvania. We in State government have an obligation to try to reach that important goal. I believe that keeping the teams here in Pennsylvania — both the Eagles and the Steelers, the Phillies and the Pirates — are a benefit to all of the residents of Pennsylvania, and I ask for a positive vote on the amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny County, Mr. Preston.

Mr. PRESTON. Thank you, Madam Speaker.

This is a contentious situation, I guess, in my district, mainly because there are an awful lot of different variables that play a part. I guess over the last several months I have had a chance to talk personally one on one with the principals, and I guess in my political life I have learned how to trust people until they prove otherwise, because when we talk about the economy and when we talk about work in my district, there is also an issue about those who get the jobs and those who do not, and in most cases, because

my district is primarily a black district or a district of people of color, the unions have not seen fit within the building trades and nor have I been an avid supporter of those people in the building trades, because for some reason, the doors have been shut. Now, I am hoping that the Governor, I am hoping that the trades, and I am hoping that the people who own the respective franchises are going to do this.

I have received calls from two local council people — Sala Udin and Valerie McDonald — in my area, who are people of color, who have asked that I vote for this to be able to see something happen, and they have said to me that they feel that they have assurances. Well, I do personally have strong reservations, because a lot of times when I look at the Governor's staff, when I look at the staff of the Rooneys or I look at the staff of the McClatchys, when I look at the mayor's staff, I look at the county commissioners' staff and I look at other elected officials' staffs, I do not see a wide range of what Pennsylvania was supposed to be about.

I have heard other statements, too, about we should be using this money for something else. Well, this is probably the first time that I have heard these large discussions because of scale, because it has always been that when someone has their match within a capital budget, usually we have always approved it. They have had the money in hand in almost any of the districts. I have heard statements talk about, well, we should use this money about sewer projects. Well, maybe some of those speakers who said that do not understand what the State is about. If we are going to use something for a sewer project, I have always been led to think that it was about a community that did not have the wherewithal to be able to do these things. Instead we hear gentlemen sitting up here talking about that we should give sewer projects to people to help them buy \$400,000 to \$800,000 homes. Well, I have personal problems about that.

The average age of a stadium is roughly around 30 years because of the acid-rain situation. If we look adequately at the infrastructure that we need to do to be able to build the proper roads and to be able to build the stadium that we need to be able to stay a first-class area within southwestern Pennsylvania, we need to take the bull by the horns and lead and get this over with so we can get on about the people's business. I am hoping that that is what we will do today. Let us do what is right for the communities and keep Pennsylvania as a first-class State. Let us go ahead and pass this piece of legislation. Let us get on with the work, let us get on with the people's business so that that is what the people expect us to be able to do, and let us vote for this amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny County, Mr. Maher.

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

This issue has an awful long history, and it is not just long but awful. Two years ago when this first came before this House, I was a private citizen and at that time had grave concerns with what was ahead. By all accounts, back then the stadium proposal was a giveaway. It entailed tax increases, and it was a proposal that did not hold the owners of the teams accountable. At that time and today, I still believe that those who should pay for stadiums are those that use them — the players and the owners. Accordingly, I am proud to support this proposal today, because this proposal holds those who will benefit from using the stadiums accountable for paying for Pennsylvania's participation and construction costs.

This proposal simply offers to lend a hand and refuses to provide a handout.

I am a C.P.A. (certified public accountant), and I can tell you that substantively from my perspective of a C.P.A., this is most definitely a loan, and if you were on the other side of the transaction, you most assuredly would feel like this is a loan. But you do not need to be a C.P.A. to understand that. It is pretty simple. Every nickel of principal that comes from Pennsylvania's taxpayers, every nickel will be repaid to Pennsylvania's taxpayers, and that is a loan by any definition.

Now, of course, this loan includes TIF (tax increment financing) features that are a bit innovative and other attributes that make it different than the sort of loan you would get by walking into your local bank. But ultimately the bottom-line question is, who will repay the principal on this loan? Those that use the stadiums — the owners, the players. Taxpayers will not be on the hook. Is this everything we might have wanted here? Perhaps not, but of course, we can really only direct that part of the transaction that involves Pennsylvania tax dollars. The aspects that deal with the local front, we have little ability to direct.

And with respect to the Pennsylvania portion, this proposal is a hard-fought victory for Pennsylvania's taxpayers. These stadiums will go forward but be paid for by those who use them — the players and the owners. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bradford County, Mr. Chadwick.

Mr. CHADWICK. Thank you, Madam Speaker.

I am not going to speak about the taxpayer protections and other economic considerations contained in this amendment. Many others have already done that. I would like to address some of the intangible benefits of this legislation.

Many of us remember Bill Mazeroski, who hit the most famous home run in World Series history to beat the Yankees in the seventh game of the 1960 World Series. As a 10-year-old child, I sat in front of the television rapt and watched Jim Bunning throw his perfect game against my favorite team, the New York Mets. We all thrilled to the heroics of Terry Bradshaw and Franco Harris and Lynn Swann and the "Steel Curtain" as they won all those Super Bowls. And Philadelphians are rightly proud of Philadelphia Eagle Chuck Bednarik, who, with apologies to Deion Sanders, was the last of the great 60-minute players. Some of you may even know that in 1943 during World War II, the Philadelphia Eagles and the Pittsburgh Steelers actually combined and played together for a season. I believe they may have been known as the Steagles.

Generations of Pennsylvanians have grown up with these teams and thrilled to their exploits. They are part of who we are and what we are. Tom Petrone is right. This is a quality-of-life issue. It is about giving our children and our grandchildren the chance to have the same wonderful memories that we have.

Mr. DeWEESE. Madam Speaker?

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

Mr. DeWEESE. Could the Chair please try to get some more order so that the gentleman's remarks may be heard?

The SPEAKER pro tempore. The gentleman is correct. The speakers deserve to be heard. I think we have seven more speakers, so I ask for your indulgence, please.

Mr. CHADWICK. I thank the lady, and I thank the gentleman.

This legislation is about continuing our efforts to rebuild our two great world-class cities. It is about economic development and

tourism and jobs all over this great State, and ultimately it is about building a better future for all of our citizens. This legislation is good public policy, and we should all support it. Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny County, Mr. Trello.

Mr. TRELLO. Thank you, Madam Speaker.

Madam Speaker, the dialogue here today made me very proud that I am part of this General Assembly and mostly proud because I am an American, and today we heard many, many men and women get up and express their opinion on either side of this great, great issue. But what we have to understand is that we in government must have some vision. Take for an example my good friend, Leonardo da Vinci. About two centuries ago he had visions about airplanes, and he drew printings of it. He had visions about submarines and what it would do today. And our own inventors, the Wright Brothers. What would we do today if they did not have the vision about making people fly in airplanes? And Edison. What would our communications be today if he did not have any vision about our communications system? And my good friend, Enrico Fermi, who split the first atom in a little laboratory in Chicago that made it possible to invent the atomic bomb. We might still be fighting World War II if it were not for men and people with vision.

About 30 years ago, Madam Speaker, there was a gentleman in Pittsburgh running for office, and at that time Allegheny County and Pittsburgh had an opportunity to have a rapid transit system called skybus. That skybus cost was going to be about \$750 million. Eighty percent of that money was to be paid by the Federal government, 10 percent by the State, and 5 percent by Allegheny County. We had a politician that was running on the platform, we do not need to spend that money for skybus; it is going to cost \$17 million a mile, and he scared the heck out of our taxpayers there and it was finally scrapped. Because he did not have any vision, we do not have rapid transit in Allegheny County that would take you to every part of the area and create economic development, because we all know if we do not have rapid transit, we do not have any economic development.

And that was a story about skybus, but that is not like us here in our General Assembly. We have vision, and I am proud to support the DeWeese and the Perzel amendment, and I am proud to tell my constituents back home that this will be no cost to our taxpayers. After all, the economic development that is going to take place with all this additional money by raising the ceiling might create the opportunity for some of us to get ramps in their district to take us to undeveloped ground that will create more jobs and more vision.

So let us be people of vision today. Let us be people of vision and recognize the opportunities that are going to take place because of this economic development issue that is before us, and vote "yes." Thank you, Mr. Speaker.

THE SPEAKER (MATTHEW J. RYAN) PRESIDING

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Delaware, Mr. Vitali, for the second time on the question. The gentleman waives off.

The Chair recognizes the gentleman from Lancaster, Mr. Sturla; waives off.

The Chair recognizes the gentleman from Philadelphia County, Mr. Evans.

Mr. EVANS. Mr. Speaker, I, too, have been listening to this debate and want to compliment the majority leader for coming up with what I consider a real compromise for an issue that I think members on both sides of the aisle were very much concerned about. My general sense, Mr. Speaker, is that, no, this is not a perfect plan, but this amendment, Mr. Speaker, I believe will take us a long way to protecting the taxpayers. Could we have stronger language? The answer is yes, Mr. Speaker, we could always have stronger language. But understanding the political reality, not just this House, the Senate, and the Governor, as well as the teams that are involved, I think that this will go a long way to at least address the majority of the concerns of members in the House and the Senate and the Governor. So I stand, Mr. Speaker, to say that I plan on supporting the Perzel amendment. Certainly that is one step. The other step to it is the enabling legislation at the appropriate time.

In addition to that, Mr. Speaker, I as a Philadelphia legislator have been meeting with the mayor from the city of Philadelphia, spending a lot of time with him talking about the importance of other issues, such as education, welfare-to-work, workforce training. As Mike Veon said earlier, this all started when Representative Carn and Representative Robinson raised some very principal positions to protect the taxpayers. So I, too, want to give them credit for raising the consciousness of all of us on both sides of the aisle from last November.

So at this particular point, Mr. Speaker, I would ask that we all would join together and make this bipartisan, not a question of urban versus rural, rural versus the suburbs, but the fact is that we all are moving together with what I consider opportunity for the entire State. So I am going to support the Perzel amendment and ask my colleagues to do the same. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. KAISER. Mr. Speaker, my remarks will be very short.

Recently the Federal government came out and said Pennsylvania was one of four States that lost population. In fact, out of those four States that lost population, Pennsylvania lost the most, and out of the different categories, the one that lost the most people was the age group between 18 and 35. Pennsylvania is losing its young people. They are going to other areas of the country for opportunities. With this legislation we will be sending a very clear message to the young people of Pennsylvania to stay here.

There was a rally here in the rotunda this week, and if you had the opportunity to be there, the vast majority of the people were young people. They know how important it is to stay here in Pennsylvania. In fact, they would like to stay here in Pennsylvania, but unfortunately, the opportunities are not here.

I am voting "yes" on this legislation because I feel very strongly that it will be sending a message to young people to stay here in Pennsylvania. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the Democratic floor leader, Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

My summary will be brief.

I agree with everything that the gentleman, Mr. Kaiser, just enunciated, and I want to say for the last time, at least the last time today at this microphone, that \$419 million of capital budget redevelopment assistance money will be available for the 67 counties in the State. A significant impulse in many of our rural Democrats' perspective in supporting this measure is the fact that several tens of millions of dollars more will be spent in rural Pennsylvania, in Democratic and Republican seats. Hopefully there will be a variety of projects not only for recreational centers and art facilities and college and university enhancements, but possibly there will also be infrastructural development, and as the gentleman, Mr. Trello, said, we believe that the Governor and his administration will look favorably upon a wide variety of programs. But if we are going to inject more money into the Pennsylvania economy through the bond market, amortized over 30 years, something we do all the time for our universities and hospitals and prisons, this is manifestly a transcendent opportunity for rural people, rural Democrats especially, to get some projects and some construction and some work in parts of rural Pennsylvania that heretofore may have been neglected.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. Thomas, desire recognition on this subject?

Mr. THOMAS. Yes, Mr. Speaker.

Mr. Speaker, I first would like to thank floor leaders from both sides of the aisle along with members from both caucuses for all of the work that has gone into this particular effort. Representatives Robinson and Carn have done a marvelous job in carrying the information forward.

One of the things that I have said early on which I still remain steadfast to, and that is that stadiums, owners, must come second to the 15,000 to 20,000 people that will be taken off the welfare rolls come March 3; the 40-plus percent of young people between the ages of 18 and 24, single males who are out of work and who are underemployed; the growing population of mothers, single mothers, with children who need access to affordable child care; and to the number of community-based organizations that are struggling to try to make a difference in dealing with issues of crime, public safety, and issues of education, quality education. I have said that those things had to be dealt with first, and then we could talk about the issue of stadiums and owners.

It is my understanding from a series of meetings that I have been involved in and commitments that I have received from the mayor of the city of Philadelphia, from the Appropriations chair from this side, from the chair of the Philadelphia delegation, and from the chair of the Pennsylvania Legislative Black Caucus, and that is that those issues have been adequately dealt with. Through 332, there will be apprenticeship and employment opportunities. Through the Building Trades Council, there will be a host of other opportunities. It is also my understanding that the issue of funding for education is an issue that is going to be addressed very shortly.

Welfare reform is very much tied to this, and I know that we as a delegation will be sitting down, hopefully in a bipartisan effort, to look at ways in which we can deal with the 15,000 to 20,000 people who will be facing elimination from welfare come March 3, especially with respect to apprenticeship opportunities, because with apprenticeship opportunities and folks going to have training, then they should be allowed to continue until such time that they are able to secure gainful employment.

So, Mr. Speaker, I hope and trust that the commitments that people have made, that those commitments are honored. I hope and trust that this amendment will in fact become an opportunity that will benefit the masses over a select few. I will continue to watch the process with a jaundiced eye and continue to give my best in making sure that we truly do something that will benefit Pennsylvanians who need this kind of economic stimulus and benefit communities who have been waiting for an opportunity like this. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the majority leader, Mr. Perzel.

Mr. PERZEL. Thank you, Mr. Speaker.

I am going to try to make this as brief as I possibly can.

I wanted to remind the members, I heard the gentleman from Delaware County when he said that nobody wants to help millionaire owners and millionaire players. He is absolutely right; there is nobody in this room, Democrat or Republican, old, young, black, white, whatever you are, that wants to help millionaire owners and millionaire players. But the truth of the matter is that in Cleveland, Ohio, when they lost their team to Baltimore, they spent more to attract one football team than this whole deal is. They are not getting a penny back. We are getting our money back, Mr. Speaker. In St. Petersburg, Florida, they have built a baseball field, a whole stadium, with no team. They expect to take somebody's team, and that team could be the Pittsburgh Pirates. Now, I do not like that, but it is a political reality of life. You now have a guaranteed payback that you have never had before in the history of this type of a stadium deal.

It is a good deal for Pennsylvania. I do not like it, I know my constituents do not like it, and I know you do not like it, but I do not want to lose those teams to other cities that have already built stadiums.

So there are just a couple things, Mr. Speaker: The owners are going to be here for 30 years. They have got a commitment for that time period. The owners are paying any cost overruns on the stadiums. If a team leaves Pennsylvania, they have got to pay the money back. The stadiums will produce 8,000 jobs. You all know that we lifted the cap so every community can benefit from other economic programs.

I am urging a "yes" vote, and I thank you for your time, 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—138

Adolph	DeWeese	Lescovitz	Serafini
Allen	DiGirolamo	Lucyk	Smith, S. H.
Argall	Donatucci	Lynch	Snyder
Armstrong	Druce	Maher	Solobay
Baker	Eachus	Maitland	Staback
Barley	Evans	Major	Stairs
Barrar	Fargo	Manderino	Steelman
Bastian	Feese	Markosek	Stern
Battisto	Fleagle	Mayernik	Stetler
Bebko-Jones	Flick	McGeehan	Stevenson
Belardi	Frankel	McGill	Strittmatter
Benninghoff	Gannon	Melio	Sturla
Bishop	Geist	Michlovic	Surra
Blaum	Gigliotti	Micozzie	Tangretti

Bunt	Gladeck	Mundy	Taylor, J.
Butkovitz	Godshall	Myers	Thomas
Buxton	Gordner	O'Brien	Tigue
Caltagirone	Gruitza	Oliver	Trello
Cappabianca	Habay	Orie	Trich
Cawley	Hanna	Perzel	True
Chadwick	Herman	Petrone	Tulli
Civera	Hershey	Phillips	Van Horne
Clymer	Hess	Pippy	Veon
Cohen, L. I.	Horsey	Pistella	Walko
Cohen, M.	Jadlowiec	Preston	Washington
Colaella	James	Ramos	Wilt
Cornell	Josephs	Raymond	Wojnaroski
Corrigan	Kaiser	Readshaw	Wright
Costa	Keller	Reinard	Youngblood
Coy	Kenney	Rieger	Yudichak
Curry	Kirkland	Robinson	Zimmerman
Daley	Krebs	Roebuck	Zug
DeLuca	LaGrotta	Rooney	
Dempsey	Laughlin	Santoni	Ryan,
Dermody	Lederer	Semmel	Speaker

NAYS-61

Bard	Haluska	McNaughton	Samuelson
Birmelin	Harhai	Metcalfe	Sather
Boyes	Harhart	Miller, R.	Saylor
Browne	Hasay	Miller, S.	Schroder
Carn	Hennessey	Nailor	Schuler
Casorio	Hutchinson	Nickol	Scrimenti
Clark	Lawless	Pesci	Seyfert
Dailey	Leh	Petrarca	Shaner
Dally	Levdansky	Platts	Smith, B.
Egolf	Mann	Roberts	Steil
Fairchild	Marsico	Rohrer	Travaglio
Fichter	Masland	Ross	Vance
Forcier	McCaill	Rublely	Vitali
Freeman	McIlhattan	Ruffing	Wogan
George	McIlhinney	Sainato	Yewcic
Grucela			

NOT VOTING-2

Belfanti	Williams
----------	----------

EXCUSED-1

Taylor, E. Z.

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

On the question,

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

Bill as amended was agreed to.

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.

The question is, shall the bill pass finally?

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

(Members proceeded to vote.)

The SPEAKER. Mr. James, there is nothing in order at this time but the taking of the roll call. Would you be satisfied making remarks at the conclusion under unanimous consent?

Mr. JAMES. Yes. I was just going to submit them for the record.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Shall the bill pass finally?

The following roll call was recorded:

YEAS-136

Adolph	DeWeese	Lucyk	Smith, S. H.
Allen	DiGirolamo	Lynch	Snyder
Argall	Druce	Maher	Solobay
Armstrong	Eachus	Maitland	Staback
Baker	Evans	Major	Stairs
Barley	Fargo	Manderino	Steelman
Barrar	Feese	Markosek	Stern
Bastian	Fleagle	Mayernik	Stetler
Battisto	Flick	McGeehan	Stevenson
Bebko-Jones	Frankel	McGill	Strittmatter
Belardi	Gannon	Melio	Sturla
Benninghoff	Geist	Michlovic	Surra
Bishop	Gigliotti	Micozzie	Tangretti
Blaum	Gladeck	Mundy	Taylor, J.
Bunt	Godshall	Myers	Thomas
Butkovitz	Gordner	O'Brien	Tigue
Buxton	Gruitza	Oliver	Trello
Caltagirone	Habay	Orie	Trich
Cappabianca	Hanna	Perzel	True
Cawley	Herman	Petrone	Tulli
Chadwick	Hershey	Phillips	Van Horne
Civera	Hess	Pippy	Veon
Clymer	Horsey	Pistella	Walko
Cohen, L. I.	Jadlowiec	Preston	Washington
Cohen, M.	James	Ramos	Wilt
Colaella	Josephs	Raymond	Wojnaroski
Cornell	Kaiser	Readshaw	Wright
Corrigan	Keller	Reinard	Youngblood
Costa	Kenney	Rieger	Yudichak
Coy	Kirkland	Robinson	Zimmerman
Curry	Krebs	Roebuck	Zug
Daley	LaGrotta	Rooney	
DeLuca	Laughlin	Santoni	Ryan,
Dempsey	Lederer	Semmel	Speaker
Dermody	Lescovitz		

NAYS-62

Bard	Grucela	McNaughton	Samuelson
Birmelin	Haluska	Metcalfe	Sather
Boyes	Harhai	Miller, R.	Saylor
Browne	Harhart	Miller, S.	Schroder
Carn	Hasay	Nailor	Schuler
Casorio	Hennessey	Nickol	Scrimenti
Clark	Hutchinson	Pesci	Seyfert
Dailey	Lawless	Petrarca	Shaner
Dally	Leh	Platts	Smith, B.
Donatucci	Levdansky	Roberts	Steil
Egolf	Mann	Rohrer	Travaglio
Fairchild	Marsico	Ross	Vance
Fichter	Masland	Rublely	Vitali
Forcier	McCaill	Ruffing	Wogan
Freeman	McIlhattan	Sainato	Yewcic
George	McIlhinney		

NOT VOTING-3

Belfanti	Serafini	Williams
----------	----------	----------

EXCUSED-1

Taylor, E. Z.

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.

VOTE CORRECTIONS

The SPEAKER. Mr. Belfanti, the vote has not been announced, because the board is stricken. Is that what you are going to—

Mr. BELFANTI. Yes, Mr. Speaker. I believe on the last two votes, my “yes” switch did not work.

The SPEAKER. The gentleman, Mr. Belfanti, was not on the roll call that was just taken. We will take your remarks for the record that you would have voted which way?

Mr. BELFANTI. I voted “yes” on both the Perzel amendment and on final passage, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. BELFANTI. Mr. Speaker?

The SPEAKER. The roll-call vote on final passage is 136 to 62.

The majority required by the Constitution having voted in the affirmative, the bill passes finally, and the clerk will present the same to the Senate for its concurrence.

Who seeks recognition? Mr. Belfanti.

Mr. BELFANTI. Mr. Speaker, I know that quite often we ask that our votes be recorded for the record after the roll call, but there have also been various times in the chamber when it is an exceedingly either critical or controversial vote, that if a member is indicating that his switch is not working before the light is switched off, that they are given consideration and the vote is taken again. I would just like to see if this switch would work if it was retaken. So I am asking for a reconsideration or just a revote.

The SPEAKER. Mr. Belfanti, that bill, when it passed, got out of this chamber that fast.

The gentleman, Mr. Preston.

Mr. PRESTON. Thank you, Mr. Speaker.

To correct the record.

The SPEAKER. The gentleman is in order.

Mr. PRESTON. On amendments 0199 and 0200, the Robinson amendments, my switch malfunctioned. I was not recorded. I would like to be recorded in the affirmative.

On amendment 0202, the Carn amendment, my switch malfunctioned. I would also like to be recorded. I was not recorded. I would like to be recorded in the affirmative.

And on amendment 0203, on the Carn amendment, the switch malfunctioned. I was not recorded. I would like to be recorded in the negative.

The SPEAKER. We will have the Chief Clerk examine your machine.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. Mr. James.

Mr. JAMES. Yes. I would like to have my remarks submitted for the record, and also, Representative Washington would like to have some remarks submitted for the record.

The SPEAKER. The gentleman will send them to the desk.

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

Mr. Speaker, when this issue first made its way to the General Assembly, I had a number of concerns, as did many of my colleagues and members of the Pennsylvania Legislative Black Caucus.

Thanks to Carn-Robinson, we made our concerns public. We made sure every lawmaker and every Pennsylvanian understood that the original proposal contained serious flaws that warranted further review. And you listened.

Now, it seems as though we have a plan that protects taxpayers, saves our professional sports teams from leaving the State, promises economic development across Pennsylvania, and gives us a golden opportunity to create decent jobs for those who need it most, although it will not be enough jobs.

Due to the open and continuing communications with Democratic leaders, Philadelphia’s mayor, leaders of the Philadelphia delegation and the PLBC (Pennsylvania Legislative Black Caucus), this has become a comprehensive community redevelopment plan that I can now support.

But I stress that my vote today is not about stadiums or professional sports teams like the Phillies or the Eagles. My vote today is about family-sustaining jobs and economic development in the communities throughout Philadelphia and across our Commonwealth.

In addition to the \$300 million for stadium construction, there is an additional \$419 million available for redevelopment projects that can begin immediately, making this one of the largest economic development bills ever passed in Pennsylvania.

I was pleased to hear the reassurances that a portion of this money has been dedicated to capital improvements and economic development projects in Philadelphia.

We face a time when thousands of Pennsylvanians will be forced off welfare and possibly into a job market that may not be able to support them all. The projects promised in this measure could lead to real jobs with a living wage for those who need it most.

Pennsylvanians will benefit. And taxpayers can rest assured that their investments are protected, through the efforts of the Pennsylvania Legislative Black Caucus and House Democrats. Trade unions have agreed to a better working relationship, promising to include more minorities and females in professional apprentice programs.

Mr. Speaker, this is not a handout to professional sports teams. They will be held accountable for the public money they receive. They must repay the money they receive over 30 years – the first provision of its kind for capital projects in our State.

And that is a good thing. Corporate welfare has never provided benefits to the communities in my district. The trickle-down theory did not work.

This measure recognizes the shortcomings of corporate welfare by making guarantees that protect taxpayer interests and rebuild our communities.

Mr. Speaker, I vote “yes” because it is a high five to economic development and job creation in my community, and I encourage my colleagues to do the same for the rest of Pennsylvania.

* * *

Ms. WASHINGTON submitted the following remarks for the Legislative Journal:

Mr. Speaker, let me take a few minutes of your time to tell you why I favor this bill.

By approving this legislation, House Democrats will have protected the taxpayers by requiring no tax increases for funding. It is the teams that will have to guarantee repayment, so the State will recoup its \$300-million investment. The risk is entirely on the teams.

This is not a gift to the teams. It is a grant that must be repaid to the State through increased taxes that the new stadiums are supposed to generate. The team may change owners, but if ownership is transferred, the obligation to repay the loan is transferred with it.

The Democrats have fought for communities, and in addition to the money for stadiums, there will be \$419 million available for other economic and community development projects for all of Pennsylvania.

The economic benefits and capital improvement projects in my district that will come from this – including jobs and a commitment from labor and trade unions – are too great to be ignored. Apprenticeships will be available for new workers in the trades, and other programs will benefit all people within my district.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 8, PN 296 (Amended)

By Rep. STAIRS

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," further providing for continuing professional development and for a program for continuing professional education; and providing for national board certification.

EDUCATION.

SB 273, PN 293

By Rep. CLYMER

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

STATE GOVERNMENT.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that HB 1 and SB 273 be removed from the table.

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

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that HB 1 and SB 273 be recommitted to the Committee on Appropriations.

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

HOUSE BILLS INTRODUCED AND REFERRED

No. 296 By Representatives CORRIGAN, STETLER, COY, JOSEPHS, CURRY, DeLUCA and M. COHEN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for maximum speed limits.

Referred to Committee on TRANSPORTATION, February 3, 1999.

No. 297 By Representatives CARN, ROBINSON, WALKO, TRELLO, YOUNGBLOOD and M. COHEN

An Act requiring that professional sports franchises that receive public assistance through the capital budget or other means be subjected to regular State economic assistance criteria and requirements; and conferring powers and duties upon the Department of Community and Economic Development.

Referred to Committee on APPROPRIATIONS, February 3, 1999.

No. 298 By Representatives CARN, ROBINSON, WALKO, TRELLO, YOUNGBLOOD and M. COHEN

An Act creating the Pennsylvania Sports Facility Authority and the Pennsylvania Sports Facility Authority Board; providing for powers and duties of the board, for a right of first refusal prior to relocation of certain franchises and for regulation of ticket prices; imposing conditions upon the use of public funds for construction of professional sports facilities; requiring certain professional sports franchises to conduct community impact studies and develop community benefit plans in conjunction with the construction of certain athletic facilities; providing for naming of publicly funded sports facilities in certain municipalities and for education and community development; regulating admission to publicly funded sports facilities; conferring powers and duties on the Department of Community and Economic Development; requiring publicly funded construction of sports facilities to guarantee employment to public assistance recipients; conferring powers and duties upon the Department of Labor and Industry and the Department of Public Welfare; and imposing penalties.

Referred to Committee on STATE GOVERNMENT, February 3, 1999.

No. 299 By Representatives ROBINSON and CARN

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, providing for financial reviews of certain capital projects.

Referred to Committee on APPROPRIATIONS, February 3, 1999.

No. 300 By Representatives ROBINSON and CARN

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, providing for financial reviews of certain capital projects.

Referred to Committee on APPROPRIATIONS, February 3, 1999.

No. 301 By Representatives ROBINSON and CARN

An Act providing for oversight and review of capital projects; establishing the Capital Projects Oversight Board and providing for its powers and duties.

Referred to Committee on APPROPRIATIONS, February 3, 1999.

No. 302 By Representatives BELFANTI, LEH, EACHUS, DRUCE, TIGUE, BUXTON, DeWEESE, DEMPSEY, M. COHEN, YOUNGBLOOD, ROONEY, SAINATO, YEWIC, CORRIGAN, CURRY, ROSS, BELARDI, GRUITZA, MELIO, WOJNAROSKI, WALKO, CALTAGIRONE, TRICH, SHANER, HALUSKA, PLATTS, SURRA, STERN, KELLER, JOSEPHS, C. WILLIAMS, PETRARCA, HORSEY, PISTELLA, MANDERINO, DeLUCA, RAMOS, BEBKO-JONES, PESCI, STURLA, ROHRER, MARSICO, BROWNE, GEORGE, GORDNER, HERSHEY, SANTONI, MUNDY, THOMAS, SAYLOR, READSHAW, TRELLO, STABACK, PRESTON, DALEY, GIGLIOTTI, COLAFELLA, YUDICHAK, WASHINGTON, STEELMAN and SERAFINI

An Act amending the act of July 14, 1961 (P.L.637, No.329), known as the Wage Payment and Collection Law, providing for duty of successor employer to pay back wages; and further providing for enforcement.

Referred to Committee on LABOR RELATIONS, February 3, 1999.

No. 303 By Representatives CURRY, MICOZZIE, TRAVAGLIO, YOUNGBLOOD, LAUGHLIN, McCALL, MELIO, BELFANTI, C. WILLIAMS, HALUSKA, BAKER, ORIE, SAINATO, LEDERER, GLADECK, M. COHEN, PETRARCA, STABACK, HARHAI, COLAFELLA, J. TAYLOR, ROEBUCK, TRELLO, BUNT, RAMOS, SHANER, SERAFINI, STEELMAN, L. I. COHEN and HORSEY

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for creditable nonschool service and for creditable work experience.

Referred to Committee on EDUCATION, February 3, 1999.

No. 304 By Representatives CURRY, TRICH, LAUGHLIN, JAMES, TRAVAGLIO, WALKO, YOUNGBLOOD, WOJNAROSKI, McCALL, MELIO, BELFANTI, ARMSTRONG, MYERS, NICKOL, CORRIGAN, LEVDANSKY, MANDERINO, FREEMAN, C. WILLIAMS, PETRARCA, SAINATO, THOMAS, READSHAW, GEORGE, PESCI, COY, MAYERNIK, M. COHEN, SEYFERT, SURRA, TANGRETTI, TRELLO, RAMOS, ROBERTS, SHANER, DERMODY, JOSEPHS, HORSEY, STEELMAN, SERAFINI, L. I. COHEN, HARHAI and CIVERA

An Act providing school district property tax exemption to certain senior citizens, widows, widowers and permanently disabled persons with limited incomes; providing for in-lieu-of-tax payments; and providing for State reimbursement.

Referred to Committee on FINANCE, February 3, 1999.

No. 305 By Representatives CURRY, CASORIO, TRAVAGLIO, YOUNGBLOOD, YUDICHAK, WASHINGTON, LAUGHLIN, McCALL, LEVDANSKY, COY, MELIO, BELFANTI, C. WILLIAMS, ORIE, WOJNAROSKI, SAINATO, LEDERER, PESCI, DeWEESE, MAYERNIK, M. COHEN, BROWNE, PETRARCA, STABACK, HARHAI, ROBINSON, J. TAYLOR, ROEBUCK, SHANER, GIGLIOTTI, SOLOBAY, GRUCELA, JOSEPHS, SERAFINI, STEELMAN, HORSEY and CIVERA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the annual fee for passenger car registration.

Referred to Committee on TRANSPORTATION, February 3, 1999.

No. 306 By Representatives CURRY, MICOZZIE, McNAUGHTON, B. SMITH, YOUNGBLOOD, DeLUCA, LEVDANSKY, FLICK, CAWLEY, MELIO, VAN HORNE, CORRIGAN, RUBLEY, HASAY, FREEMAN, C. WILLIAMS, PETRARCA, READSHAW, ROONEY, LEDERER, COY, LAUGHLIN, ROHRER, WOGAN, SANTONI, GORDNER, HERMAN, CLARK, M. COHEN, SEYFERT, BROWNE, COLAFELLA, STERN, STABACK, E. Z. TAYLOR, ROSS, TRELLO, WILT, SHANER, FORCIER, L. I. COHEN, ADOLPH and SAYLOR

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, repealing certain provisions imposing sales and use tax on lawn care services.

Referred to Committee on FINANCE, February 3, 1999.

No. 307 By Representatives CURRY, YOUNGBLOOD, DeLUCA, CORRIGAN, McCALL, TIGUE, STURLA, MELIO, BELFANTI, C. WILLIAMS, LEDERER, COY, LAUGHLIN, M. COHEN, COLAFELLA, STABACK, HARHAI, RAMOS, SHANER and SERAFINI

An Act establishing a Statewide fingerprinting network for law enforcement; conferring powers and duties on the Pennsylvania Commission on Crime and Delinquency and the Pennsylvania State Police; establishing the Law Enforcement Fingerprint Network Fund; and making an appropriation.

Referred to Committee on JUDICIARY, February 3, 1999.

No. 308 By Representatives KAISER, RUBLEY, MAHER, READSHAW, WOJNAROSKI, ZUG, SOLOBAY, MARSICO, TIGUE, WILT, MELIO, CORRIGAN, GIGLIOTTI, HORSEY, M. COHEN, WOGAN, LEDERER and LAUGHLIN

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of falsifying identification to law enforcement officers; and providing penalties.

Referred to Committee on JUDICIARY, February 3, 1999.

No. 309 By Representatives KAISER, PESCI, MAHER, READSHAW, NAILOR, STABACK, HALUSKA, SEYFERT, TIGUE, MELIO, GIGLIOTTI, HORSEY, M. COHEN, LEDERER and LAUGHLIN

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, providing for written notice to all candidates of the results of elections.

Referred to Committee on STATE GOVERNMENT, February 3, 1999.

No. 310 By Representatives KAISER, PRESTON, PETRARCA, RUBLEY, FAIRCHILD, MARKOSEK, SHANER, TIGUE, BELFANTI, COLAFELLA, CLARK, READSHAW, BROWNE, SEYFERT, STABACK, HALUSKA, CAWLEY, HORSEY, MAHER, STEELMAN, STERN, CORRIGAN, DeLUCA, NICKOL, YOUNGBLOOD, MICHLOVIC, HARHAI, SAYLOR, MELIO, RAMOS, BARRAR, SCRIMENTI and M. COHEN

An Act providing for agreements for purchase of group insurance by school directors.

Referred to Committee on EDUCATION, February 3, 1999.

No. 311 By Representatives KAISER, WOGAN, LEDERER, TIGUE, READSHAW, HORSEY, MAHER, FAIRCHILD, CORRIGAN, HERSHEY, MICHLOVIC, YOUNGBLOOD, HARHAI, SAYLOR, MAYERNIK, RAMOS, RUFFING, CIVERA and M. COHEN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for municipal police jurisdiction in relation to certain boundary highways.

Referred to Committee on JUDICIARY, February 3, 1999.

No. 312 By Representatives KAISER, READSHAW, PESCI, SAYLOR, LUCYK, RUBLEY, MAHER, STEELMAN, WALKO, WOJNAROSKI, STABACK, HALUSKA, SAINATO, SOLOBAY, CAWLEY, RUFFING, KELLER, SEYFERT, TIGUE, GRUCELA, WILT, MELIO, MARKOSEK, GIGLIOTTI, HORSEY, M. COHEN, WOGAN, CAPPABIANCA and LAUGHLIN

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, increasing prize limits.

Referred to Committee on STATE GOVERNMENT, February 3, 1999.

No. 313 By Representatives KAISER, READSHAW, PESCI, SAYLOR, LUCYK, RUBLEY, MAHER, STEELMAN, WALKO, WOJNAROSKI, STABACK, HALUSKA, SAINATO, SOLOBAY, CAWLEY, RUFFING, KELLER, SEYFERT, TIGUE, GRUCELA, WILT, MELIO, MARKOSEK, GIGLIOTTI, HORSEY, M. COHEN, WOGAN, CAPPABIANCA and LAUGHLIN

An Act amending the act of July 10, 1981 (P.L.214, No.67), known as the Bingo Law, further providing for prize limits.

Referred to Committee on STATE GOVERNMENT, February 3, 1999.

No. 314 By Representatives HERSHEY, SEMMEL, EGOLF, MICHLOVIC, ARGALL, ARMSTRONG, BAKER, BARD, BEBKO-JONES, BELFANTI, BENNINGHOFF, CLARK, L. I. COHEN, M. COHEN, COLAFELLA, CORRIGAN, COY, DeLUCA, FORCIER, GEIST, GEORGE, HARHAI, HENNESSEY, HERMAN, JAMES, LAUGHLIN, LEDERER, LUCYK, MAJOR, McCALL, MELIO, S. MILLER, NAILOR, ORIE, PESCI, PIPPY, PISTELLA, READSHAW, RUBLEY, SATHER, SAYLOR, SCHULER, SEYFERT, STABACK, STAIRS, STERN, SURRA, E. Z. TAYLOR, TRELLO, TRUE, WILT, YOUNGBLOOD and GRUCELA

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for the State Veterans' Commission.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, February 3, 1999.

No. 315 By Representatives MYERS, YOUNGBLOOD, THOMAS, ROEBUCK, LAUGHLIN, M. COHEN, CURRY, MANDERINO, CARN, ROBINSON, JAMES, BELARDI, OLIVER, BISHOP, EVANS, HORSEY, KIRKLAND, PRESTON, RAMOS, WASHINGTON and JOSEPHS

An Act acknowledging the fundamental injustice, cruelty, brutality and inhumanity of slavery in the United States and the 13 American colonies between 1619 and 1865, and in Pennsylvania during a portion of that time; establishing the African-American Reparation Study Commission to examine the institution of slavery, subsequent de jure and de facto racial and economic discrimination against African-Americans and the impact of these forces on living African-Americans; making recommendations to the General Assembly on appropriate remedies; and making an appropriation.

Referred to Committee on STATE GOVERNMENT, February 3, 1999.

No. 316 By Representatives EGOLF, FLICK, PLATTS, BUNT, BARRAR, MAITLAND, LYNCH, VANCE, ARMSTRONG, ZUG, STEVENSON, HESS, PHILLIPS, NICKOL, NAILOR, MASLAND, SEYFERT, SCHULER, GIGLIOTTI, HUTCHINSON, CLARK, MARSICO, STERN, READSHAW, FICHTER, S. H. SMITH, RUBLEY, McILHINNEY, HENNESSEY, FAIRCHILD, MAJOR, FORCIER, ROHRER, HERSHEY, E. Z. TAYLOR, SAYLOR, TRUE, STABACK, S. MILLER, BARD, BENNINGHOFF, DeLUCA, RAYMOND, McCALL, R. MILLER, HALUSKA, COLAFELLA, HASAY, BROWNE, CIVERA, HARHAI and METCALFE

An Act providing for procedures for students expelled from school and for powers and duties of boards of school directors.

Referred to Committee on EDUCATION, February 3, 1999.

No. 317 By Representatives EGOLF, LYNCH, LAUGHLIN, MAITLAND, TIGUE, THOMAS, NAILOR, BAKER, PLATTS, HENNESSEY, WOGAN, VANCE, PRESTON, HERSHEY, E. Z. TAYLOR, TRELLO, MAHER, SCHRODER, STERN, TRUE, HARHAI, SEYFERT, WILT, SCRIMENTI and M. COHEN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for release or delivery of a child taken into custody and for the place of detention of a child alleged to be delinquent.

Referred to Committee on JUDICIARY, February 3, 1999.

No. 318 By Representatives EGOLF, CLARK, BENNINGHOFF, McNAUGHTON, BUNT, COY, WALKO, BARRAR, MELIO, MARKOSEK, MAITLAND, LYNCH, GODSHALL, VANCE, ARMSTRONG, CORRIGAN, ZUG, STEVENSON, HESS, FLICK, PHILLIPS, NICKOL, NAILOR, GEIST, MASLAND, TULLI, SATHER, FARGO, SCHULER, MUNDY, KAISER, DEMPSEY, WOJNAROSKI, HUTCHINSON, BIRMELIN, PESCI, CHADWICK, SANTONI, ARGALL, MARSICO, STERN, READSHAW, KELLER, TRAVAGLIO, FICHTER, ALLEN, HERMAN, VAN HORNE, SHANER, RUBLEY, WOGAN, McILHINNEY, GIGLIOTTI, FAIRCHILD, MAJOR, PETRARCA, CASORIO, FORCIER, MICHLOVIC, JADLOWIEC, ROHRER, HERSHEY, E. Z. TAYLOR, SAYLOR, TRELLO, TRUE, LEH, BARD, S. MILLER, DiGIROLAMO, SAINATO, MAHER, STABACK, J. TAYLOR, TIGUE, DeLUCA, SEYFERT, DRUCE, McCALL, HALUSKA, MAYERNIK, ADOLPH, B. SMITH, DALLY, D. W. SNYDER, COLAFELLA, BASTIAN, SERAFINI, ORIE, BROWNE, CLYMER, CIVERA, HARHAI, SCRIMENTI, WILT and C. WILLIAMS

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, further providing for ineligibility of incarcerated employees.

Referred to Committee on LABOR RELATIONS, February 3, 1999.

No. 319 By Representatives FAIRCHILD, MARKOSEK, HUTCHINSON, EACHUS, WILT, PHILLIPS, BELFANTI, ALLEN, ARGALL, ARMSTRONG, BAKER, BEBKO-JONES, BELARDI, BENNINGHOFF, BIRMELIN, BROWNE, BUXTON, CALTAGIRONE, CAPPABIANCA, CASORIO, CAWLEY, CIVERA, CLARK, L. I. COHEN, M. COHEN, CORRIGAN, COSTA, COY, DeLUCA, DiGIROLAMO, EGOLF, FARGO, FEESE, FICHTER, FLEAGLE, FRANKEL, GEORGE, GIGLIOTTI, GODSHALL, GORDNER, GRUCELA, GRUITZA, HALUSKA, HANNA, HARHAI, HASAY, HENNESSEY, HERMAN, HESS, JADLOWIEC, KAISER, KELLER, LAUGHLIN, LEDERER, LESCOVITZ, LYNCH, MAHER, MAITLAND, MARSICO, MASLAND, MAYERNIK, McCALL, McNAUGHTON, MELIO, MICHLOVIC, MICOZZIE, S. MILLER, NAILOR, OLIVER, ORIE, PESCI, PETRARCA, PLATTS, PRESTON, RAMOS, RAYMOND, READSHAW, ROBERTS, RUBLEY, SAINATO, SATHER, SAYLOR, SCRIMENTI, SEMMEL, SERAFINI, SEYFERT, SHANER, S. H. SMITH, D. W. SNYDER, SOLOBAY, STABACK, STAIRS, STEELMAN, STERN, STEVENSON, STURLA, SURRA, TANGRETTI, E. Z. TAYLOR, THOMAS, TIGUE, TRAVAGLIO, TRELLO, TRICH, TRUE, VAN HORNE, VANCE, WALKO, C. WILLIAMS, WOGAN, WOJNAROSKI, YEWIC, YOUNGBLOOD, YUDICHAK, ZIMMERMAN, BUNT, FREEMAN and ROEBUCK

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

Referred to Committee on HEALTH AND HUMAN SERVICES, February 3, 1999.

No. 320 By Representatives B. SMITH, CAWLEY, FORCIER, STABACK and SURRA

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for the nonpayment of fines and costs and for enforcement of the Fish and Boat Code.

Referred to Committee on GAME AND FISHERIES, February 3, 1999.

No. 321 By Representatives B. SMITH, STABACK and SURRA

An Act repealing the act of February 4, 1808 (P.L.34, No.18), entitled, "An act declaring part of Wallenpaupack Creek, in Wayne County, a Public Highway."

Referred to Committee on GAME AND FISHERIES, February 3, 1999.

No. 322 By Representatives RUBLEY, THOMAS, SEYFERT, MASLAND, CORRIGAN, MICOZZIE, HENNESSEY, C. WILLIAMS, E. Z. TAYLOR, TRELLO, STERN, MAHER, STABACK, STEELMAN, PISTELLA, CIVERA, WILT and M. COHEN

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for grading for the use of tobacco in schools.

Referred to Committee on EDUCATION, February 3, 1999.

No. 323 By Representatives WOJNAROSKI, M. COHEN, PESCI, STABACK, CASORIO, WALKO, DALLY, JOSEPHS, BEBKO-JONES, TRELLO, CALTAGIRONE, LEVDANSKY, B. SMITH, GRUCELA, PETRARCA, EACHUS and ROBERTS

An Act designating the polka as the official dance of Pennsylvania.

Referred to Committee on STATE GOVERNMENT, February 3, 1999.

No. 324 By Representatives ROHRER, EGOLF, GEIST, LEH, MARKOSEK, McNAUGHTON, SAYLOR, SEYFERT, STERN, E. Z. TAYLOR and YEWIC

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, placing restrictions on private influence.

Referred to Committee on STATE GOVERNMENT, February 3, 1999.

No. 325 By Representatives ROHRER, EGOLF, HESS, LYNCH, MASLAND, STEVENSON, SEYFERT, GEIST, NAILOR, ALLEN, HUTCHINSON, STERN, BIRMELIN, MAITLAND, PIPPY, SCHRODER, BARD, BARRAR, LEH,

MAHER, PLATTS, E. Z. TAYLOR, TRUE, BENNINGHOFF, FORCIER, CIVERA, FICHTER, CORRIGAN, FAIRCHILD, FARGO and RAYMOND

An Act providing for spending limitations on the Commonwealth.

Referred to Committee on APPROPRIATIONS, February 3, 1999.

No. 326 By Representatives ROHRER, FORCIER, EGOLF, GEIST, HERSHEY, HUTCHINSON, LAUGHLIN, LYNCH, MARSICO, McNAUGHTON, MICOZZIE, NAILOR, ORIE, SAINATO, SAYLOR, SCHULER, SEMMEL, SEYFERT, SHANER, S. H. SMITH, STABACK, STERN, E. Z. TAYLOR, TRUE, TULLI, WILT, YEWIC, ZUG, METCALFE, BASTIAN, ARMSTRONG, BAKER, BARRAR, BELARDI, BIRMELIN, BROWNE, BUNT, CLARK, CLYMER, DeLUCA, FAIRCHILD, FARGO, FICHTER, GIGLIOTTI, HARHAI, HENNESSEY, HESS, JADLOWIEC, LEH, MAHER, McCALL, MELIO, S. MILLER, NICKOL and PESCI

An Act amending the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, providing for economic impact statements.

Referred to Committee on APPROPRIATIONS, February 3, 1999.

No. 327 By Representatives ROHRER, BAKER, BELARDI, CAWLEY, CLYMER, GEIST, HALUSKA, HENNESSEY, LAUGHLIN, LEH, McCALL, S. MILLER, PESCI, PISTELLA, READSHAW, RUBLEY, STABACK, STERN, TRELLO and WILT

An Act amending the act of July 9, 1987 (P.L.220, No.39), known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act, further providing for reciprocity.

Referred to Committee on PROFESSIONAL LICENSURE, February 3, 1999.

No. 328 By Representatives EVANS, LEVDANSKY, DeWEESE, MICHLOVIC, SANTONI, CORRIGAN, CALTAGIRONE, M. COHEN, PESCI, LAUGHLIN, ROBINSON, WOJNAROSKI, TRELLO, PRESTON and TANGRETTI

An Act establishing a Riverboat Gaming Commission; authorizing riverboat gaming upon approval of electorate; providing for a Racetrack Gaming Control Board; authorizing slot machine gaming at racetracks; establishing certain funds; providing for the disbursement of moneys for educational and other purposes; making appropriations; and making a repeal.

Referred to Committee on JUDICIARY, February 3, 1999.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 23 By Representatives CURRY, LAUGHLIN, JAMES, WALKO, YOUNGBLOOD, DeLUCA, McCALL, STABACK, BISHOP, MYERS, MAITLAND, CORRIGAN, MANDERINO, HALUSKA, C. WILLIAMS, THOMAS, READSHAW,

RUBLEY, KREBS, WOJNAROSKI, ROEBUCK, FAIRCHILD, GEORGE, TIGUE, PESCI, BENNINGHOFF, MUNDY, M. COHEN, SEYFERT, COLAFELLA, STERN, EVANS, BARRAR, ROSS, TRELLO, RAMOS, SHANER, GIGLIOTTI, STURLA, HORSEY, STEELMAN, L. I. COHEN, MICOZZIE and HARHAI

A Resolution instructing the Education Committee to conduct a comprehensive review of the Public School Code of 1949 in order to bring it up to date by deleting obsolete provisions and irrelevant language.

Referred to Committee on RULES, February 3, 1999.

No. 28 By Representatives BEBKO-JONES, CAPPABIANCA, THOMAS, READSHAW, PESCI, SEYFERT, M. COHEN, WOJNAROSKI, SAINATO, SCRIMENTI, BELFANTI, VAN HORNE, CORRIGAN, ROBINSON, CARN, JAMES, STABACK, MELIO, BARRAR, YOUNGBLOOD, DeLUCA, PISTELLA, TRELLO, RAMOS, GIGLIOTTI, PETRARCA, HORSEY, SERAFINI and SHANER

A Resolution urging the Department of Community and Economic Development to establish guidelines which require developers of construction projects occurring within a community to hire 50% of their work force from the area where the project is located.

Referred to Committee on RULES, February 3, 1999.

BILLS PASSED OVER

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

ADJOURNMENT

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

Hearing none, the Chair recognizes the gentleman from Butler County, Mr. Metcalfe.

Mr. METCALFE. Mr. Speaker, I move that this House do now adjourn until Monday, February 8, 1999, at 1 p.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:55 p.m., e.s.t., the House adjourned.