

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, FEBRUARY 15, 2005

SESSION OF 2005

189TH OF THE GENERAL ASSEMBLY

No. 14

HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (JOHN M. PERZEL)
PRESIDING**

PRAYER

REV. DAVID TIETJE, Guest Chaplain of the House of Representatives, offered the following prayer:

Let us unite in prayer:

We pause before You, author of life, who is the God of many names – a strong mother God, working night and day; a warm father God, hugging every child; an old aching God, gray with care for humanity; a young growing God, eager and on the move. Great living God, never fully known, You are the joyful darkness far beyond our seeing.

This day we pray that You would journey with us as we move into our unknown futures. As people of faith, gather us around our common struggles as we seek to find hope in the midst of despair, as we attempt to bring liberation to those in bondage, as we discover the power of love to overcome hatred.

As people of faith, challenge us to look beyond our differences and discover the common bonds of compassion for all people, especially the poor, the forgotten, the lonely, and the strangers in our midst. As people of faith, remind us to be thoughtful stewards of creation, especially concerned about the renewal of our environment. And then, O God, remind us that You have granted us the power to change our human circumstances to bring comfort to those who mourn, bread to those who are hungry, and healing to those who are wounded.

Especially this day, we remember Representative Jeff Pyle, who faces surgery this week. Grant him healing grace.

Now we pray that You would enable us to do through words and deeds the works of Your hands on this day. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, February 14, 2005, will be postponed until printed.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. S. SMITH. Mr. Speaker, I move that the following bills be taken from the table:

HB 104;
HB 177; and
HB 279.

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

BILLS ON SECOND CONSIDERATION

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

HB 104, PN 238; HB 177, PN 182; and HB 279, PN 302.

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader. Mr. S. SMITH. Mr. Speaker, I move that the following bills be recommitted to the Committee on Appropriations:

HB 104;
HB 177; and
HB 279.

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

SENATE MESSAGE

ADJOURNMENT RESOLUTION FOR CONCURRENCE

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate
February 14, 2005

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the

Senate recesses this week, it reconvene on Monday, March 14, 2005, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, March 14, 2005, unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,
Will the House concur in the resolution of the Senate?
Resolution was concurred in.
Ordered, That the clerk inform the Senate accordingly.

**COMMUNICATION FROM
PUBLIC EMPLOYEE
RETIREMENT COMMISSION**

The SPEAKER. The Chair acknowledges receipt of a communication from the Public Employee Retirement Commission regarding HB 444, PN 483.

(Copy of communication is on file with the Journal clerk.)

RULES COMMITTEE MEETING

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

**RESOLUTION REPORTED
FROM COMMITTEE**

HR 32, PN 108 By Rep. S. SMITH

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

RULES.

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

HB 127, PN 130 By Rep. BIRMELIN

An Act providing for certain rights of foster parents; and further providing for duties of county agencies and foster family care agencies.

CHILDREN AND YOUTH.

HB 395, PN 422 By Rep. O'BRIEN

An Act prohibiting any municipal pension or retirement system in a city of the first class from denying certain benefits to surviving spouses of firefighters or certain employees upon a subsequent remarriage of the surviving spouse; and making repeals.

JUDICIARY.

HB 399, PN 610 (Amended) By Rep. O'BRIEN

An Act amending Title 54 (Names) of the Pennsylvania Consolidated Statutes, further providing for divorcing and divorced person and surviving spouse to resume prior name.

JUDICIARY.

**BILL REPORTED AND REREFERRED TO
COMMITTEE ON JUDICIARY**

HB 209, PN 211 By Rep. GANNON

An Act establishing the Privately Employed Agents Training and Certification Program; regulating privately employed agents; and providing for powers and duties of the Commissioner of the Pennsylvania State Police.

PROFESSIONAL LICENSURE.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip, who moves for a leave of absence for the day for the gentleman from Lancaster, Mr. CREIGHTON. Without objection, that leave will be granted.

The Chair recognizes the minority whip, who moves for a leave of absence for the day for the gentledady from Philadelphia, Mrs. LEDERER; and the gentleman from Lawrence, Mr. LaGROTTA. Without objection, those leaves will be granted.

MASTER ROLL CALL

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

(Members proceeded to vote.)

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair notes in the hall of the House the gentleman from Lancaster, Mr. Creighton. His name will be added to the master roll.

MASTER ROLL CALL CONTINUED

The following roll call was recorded:

PRESENT—195

Adolph	Feese	Major	Sainato
Argall	Fichter	Manderino	Samuelson
Baker	Fleagle	Mann	Santoni
Baldwin	Flick	Markosek	Sather
Barrar	Forcier	Marsico	Saylor
Bastian	Frankel	McCall	Scavello
Bebko-Jones	Freeman	McGeehan	Schroder
Belardi	Gabig	McGill	Semmel
Belfanti	Gannon	McIlhattan	Shaner
Benninghoff	Geist	McIlhinney	Shapiro
Biancucci	George	McNaughton	Smith, B.
Birmelin	Gerber	Melio	Smith, S. H.
Bishop	Gillespie	Metcalfe	Solobay

Blackwell	Gingrich	Micozzie	Sonney
Blaum	Godshall	Millard	Staback
Boyd	Good	Miller, R.	Stairs
Browne	Goodman	Miller, S.	Steil
Bunt	Grell	Mundy	Stern
Butkovitz	Grucela	Mustio	Stetler
Buxton	Gruitza	Myers	Stevenson, R.
Caltagirone	Habay	Nailor	Stevenson, T.
Cappelli	Haluska	Nickol	Sturla
Casorio	Hanna	O'Brien	Surra
Causer	Harhai	Oliver	Tangretti
Cawley	Harper	O'Neill	Taylor, E. Z.
Civera	Harris	Pallone	Taylor, J.
Clymer	Hasay	Payne	Thomas
Cohen	Hennessey	Petrarca	Tigue
Cornell	Herman	Petri	True
Corrigan	Hershey	Petrone	Turzai
Costa	Hess	Phillips	Veon
Crahalla	Hickernell	Pickett	Vitali
Creighton	Hutchinson	Pistella	Walko
Cruz	James	Preston	Wansacz
Curry	Josephs	Quigley	Washington
Daley	Kauffman	Ramaley	Waters
Dally	Keller, M.	Rapp	Watson
DeLuca	Keller, W.	Raymond	Wheatley
Denlinger	Kenney	Readshaw	Williams
Dermody	Killion	Reed	Wilt
DeWeese	Kirkland	Reichley	Wojnaroski
DiGirolamo	Kotik	Rieger	Wright
Diven	Leach	Roberts	Yewcic
Donatucci	Leh	Roebuck	Youngblood
Eachus	Lescovitz	Rohrer	Yudichak
Ellis	Levdansky	Rooney	Zug
Evans, D.	Mackereth	Ross	
Evans, J.	Maher	Rubley	Perzel,
Fabrizio	Maitland	Ruffing	Speaker
Fairchild			

ADDITIONS—0

NOT VOTING—0

EXCUSED—7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

GUESTS INTRODUCED

The SPEAKER. Serving today as guest pages for Representative Stan Saylor are Greg Frisby, who is actually the guest of Representative Ron Miller, and Matt Waggenpack, who is the guest of Representative Stan Saylor. Greg and Matt are both students at Dallastown Area High School. They are enrolled in the Future Leaders of York program. Please welcome these fine young men to the hall of the House. Will those gentlemen please rise to be recognized.

Serving today as guest pages from Representative Bev Mackereth's district are Laura Gausmann, who is a senior at West York High School; Sam Rundle, who is a junior at West York High School; Rosina Calderone, who is a freshman at Penn State York. Would those guests please stand to be recognized.

We have guest pages today. They are Caitlin McEnroe and Joe Cutrona. They are guests today of Representative Craig Dally. Caitlin and Joe are both juniors at Nazareth Area High School. Would they please rise to be recognized by the House.

HOUSE BILLS
INTRODUCED AND REFERRED

No. 515 By Representatives REED, TURZAI, HUTCHINSON, BOYD, BAKER, BASTIAN, BENNINGHOFF, CAPPELLI, CAUSER, CLYMER, CREIGHTON, DALLY, FAIRCHILD, GEIST, GERGELY, GINGRICH, GOOD, GOODMAN, HARRIS, HERSHEY, KILLION, MACKERETH, MANN, McILHATTAN, METCALFE, S. MILLER, MUNDY, MUSTIO, NICKOL, PICKETT, REICHLEY, SAMUELSON, SCAVELLO, SEMMEL, STEIL, STERN, R. STEVENSON, E. Z. TAYLOR, THOMAS, TIGUE and ZUG

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, offenses and penalties," further providing for the apportionment of business income for corporate net income tax purposes.

Referred to Committee on FINANCE, February 15, 2005.

No. 516 By Representatives WILT, ARMSTRONG, BASTIAN, BENNINGHOFF, CALTAGIRONE, CREIGHTON, DALLY, FORCIER, GRELL, HARRIS, HERSHEY, KOTIK, LaGROTTA, S. MILLER, O'NEILL, ROHRER, SAYLOR, SCAVELLO, SCHRODER, SEMMEL, STABACK and R. STEVENSON

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the attachment of wages by judgment creditors.

Referred to Committee on JUDICIARY, February 15, 2005.

No. 517 By Representatives MARSICO, SOLOBAY, J. EVANS, SCAVELLO, FABRIZIO, BLAUM, BUXTON, ARMSTRONG, CALTAGIRONE, CLYMER, CREIGHTON, FAIRCHILD, FLEAGLE, FREEMAN, GEIST, GINGRICH, GOODMAN, GRUCELA, HARRIS, LEH, MAHER, NAILOR, PAYNE, PHILLIPS, PICKETT, REICHLEY, ROHRER, RUBLEY, B. SMITH, R. STEVENSON, TIGUE, WILT, YOUNGBLOOD and SAYLOR

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for net slot machine revenue distribution.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, February 15, 2005.

No. 518 By Representatives LEVDANSKY, VEON, GRUCELA, BELARDI, BEBKO-JONES, BELFANTI, BLAUM, CALTAGIRONE, DeWEESE, FABRIZIO, FREEMAN, GERGELY, HALUSKA, LaGROTTA, McCALL, MUNDY, ROONEY, SOLOBAY, SURRA, THOMAS, WANSACZ, WILLIAMS, GOODMAN, JOSEPHS, MANDERINO, McGEEHAN, PISTELLA, RUFFING, STURLA, TANGRETTI, WALKO, WASHINGTON, SAYLOR, CURRY and DeLUCA

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing, in corporate net income tax, for the definition of "taxable income."

Referred to Committee on FINANCE, February 15, 2005.

No. 519 By Representatives VEON, LEVDANSKY, BELARDI, BEBKO-JONES, BELFANTI, BLAUM, CALTAGIRONE, DeWEESE, FABRIZIO, FREEMAN, GERGELY, GOODMAN, JOSEPHS, MANDERINO, McGEEHAN, ROONEY, SOLOBAY, SURRA, THOMAS, WANSACZ, WILLIAMS, HALUSKA, LaGROTTA, McCALL, MUNDY, RUFFING, STURLA, TANGRETTI, WALKO, WASHINGTON, CURRY and DeLUCA

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing, in corporate net income tax, for the definition of "taxable income."

Referred to Committee on FINANCE, February 15, 2005.

No. 520 By Representatives VEON, LEVDANSKY, GRUCELA, BELARDI, BEBKO-JONES, BELFANTI, BLAUM, CALTAGIRONE, DeWEESE, FABRIZIO, FREEMAN, GERGELY, HALUSKA, LaGROTTA, McCALL, MUNDY, RUFFING, STURLA, TANGRETTI, WALKO, WASHINGTON, GOODMAN, JOSEPHS, MANDERINO, McGEEHAN, ROONEY, SOLOBAY, SURRA, THOMAS, WANSACZ, WILLIAMS, CURRY and DeLUCA

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing, in corporate net income tax, for the definition of "taxable income."

Referred to Committee on FINANCE, February 15, 2005.

No. 521 By Representatives LEVDANSKY, GRUCELA, VEON, BELARDI, BEBKO-JONES, BELFANTI, BLAUM, CALTAGIRONE, DALEY, DeWEESE, FABRIZIO, FREEMAN, GERGELY, HALUSKA, LaGROTTA, McCALL, MUNDY, RUFFING, STURLA, TANGRETTI, WALKO, WASHINGTON, GEORGE, GOODMAN, JOSEPHS, MANDERINO, McGEEHAN, ROONEY, SOLOBAY, SURRA, THOMAS, WANSACZ, WILLIAMS, CURRY and DeLUCA

An Act requiring the Department of Revenue to submit a unified economic development budget; providing for unified reporting of property tax reductions and abatements, for application for economic development subsidies, for reports, for subsidy limit and job quality standards and for recapture; establishing a private enforcement action; and providing for public record disclosure.

Referred to Committee on COMMERCE, February 15, 2005.

No. 522 By Representatives CAUSER, ARMSTRONG, BAKER, BARRAR, BENNINGHOFF, BOYD, BUNT, CALTAGIRONE, CAPPELLI, CRAHALLA, DALLY, DeWEESE, D. EVANS, FABRIZIO, FREEMAN, GEORGE, GERGELY, GILLESPIE, GINGRICH, GOOD, GOODMAN, HERSHEY, HICKERNELL, M. KELLER, KOTIK, LEDERER, LEVDANSKY, MAJOR, MILLARD, MUSTIO, O'NEILL, PETRI, PICKETT, READSHAW, REICHLEY, SAINATO, SATHER, SAYLOR, SCAVELLO, SCHRODER, B. SMITH, SOLOBAY, R. STEVENSON, E. Z. TAYLOR, THOMAS, TIGUE and YUDICHAK

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for sales of State-owned vehicles and equipment to municipalities; and making editorial changes.

Referred to Committee on LOCAL GOVERNMENT, February 15, 2005.

No. 523 By Representatives FORCIER, ARGALL, ARMSTRONG, BAKER, BALDWIN, BARRAR, BASTIAN, BEBKO-JONES, BELARDI, BELFANTI, BENNINGHOFF, BOYD, BUXTON, CAPPELLI, CAUSER, CLYMER, CORRIGAN, COSTA, CRAHALLA, CREIGHTON, CRUZ, DALEY, DALLY, DeLUCA, DeWEESE, DONATUCCI, ELLIS, D. EVANS, FABRIZIO, FAIRCHILD, FLEAGLE, FLICK, FRANKEL, GEIST, GEORGE, GERGELY, GINGRICH, GODSHALL, GOOD, GOODMAN, GRUCELA, HARPER, HARRIS, HASAY, HERMAN, HERSHEY, HESS, HICKERNELL, HUTCHINSON, JAMES, M. KELLER, W. KELLER, KILLION, KIRKLAND, LEACH, LEDERER, LEH, LESCOVITZ, LEVDANSKY, MAJOR, MANDERINO, MANN, MARKOSEK, MARSICO, McGILL, McILHATTAN, MELIO, METCALFE, MILLARD, R. MILLER, S. MILLER, MUSTIO, O'NEILL, PAYNE, PICKETT, PISTELLA, PYLE, REICHLEY, ROHRER, ROSS, RUBLEY, SAINATO, SANTONI, SATHER, SAYLOR, SCAVELLO, SCHRODER, SEMMEL, SHANER, B. SMITH, S. H. SMITH, SOLOBAY, STABACK, STERN, R. STEVENSON, SURRA, E. Z. TAYLOR, THOMAS, TIGUE, TURZAI, WANSACZ, WASHINGTON, WATSON, WILLIAMS, WILT and YOUNGBLOOD

An Act providing for the observance of the 100th anniversary of the Pennsylvania State Police and for an annual day of remembrance.

Referred to Committee on JUDICIARY, February 15, 2005.

No. 524 By Representatives FORCIER, ARMSTRONG, BAKER, BARRAR, BELFANTI, BENNINGHOFF, BOYD, BROWNE, CAPPELLI, CREIGHTON, GEIST, GILLESPIE, HERMAN, HESS, HICKERNELL, W. KELLER, KOTIK, LEDERER, METCALFE, PHILLIPS, PICKETT, PYLE, READSHAW, REICHLEY, ROHRER, SAINATO, SCAVELLO, SHANER, E. Z. TAYLOR, WATSON and WILT

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

Referred to Committee on JUDICIARY, February 15, 2005.

No. 525 By Representatives FORCIER, ALLEN, ARMSTRONG, BAKER, BALDWIN, BARRAR, BELARDI, BELFANTI, BENNINGHOFF, BIANCUCCI, BOYD, BROWNE, BUXTON, CALTAGIRONE, CAPPELLI, CAUSER, CAWLEY, CLYMER, CORNELL, COSTA, CRUZ, DeWEESE, J. EVANS, FABRIZIO, FAIRCHILD, FLEAGLE, FLICK, FRANKEL, FREEMAN, GABIG, GEIST, GEORGE, GERGELY, GILLESPIE, GINGRICH, GOODMAN, GRUCELA, HARHAI, HARPER, HARRIS, HASAY, HERSHEY, HESS, HUTCHINSON, KAUFFMAN, M. KELLER, KILLION, KOTIK, LEACH, LEH, MACKERETH, MANN, MARSICO, McGEEHAN,

McILHATTAN, MELIO, METCALFE, MICOZZIE, S. MILLER, MUNDY, NAILOR, O'NEILL, PALLONE, PAYNE, PHILLIPS, RAMALEY, RAPP, RAYMOND, READSHAW, REICHLEY, ROHRER, ROSS, RUBLEY, SAINATO, SATHER, SCAVELLO, SCHRODER, SHANER, SOLOBAY, STABACK, STERN, R. STEVENSON, SURRA, E. Z. TAYLOR, THOMAS, TRUE, WALKO, WASHINGTON, WATSON, WILT, WOJNAROSKI, YOUNGBLOOD and ZUG

An Act providing for employment rights of members of volunteer emergency service organizations and for tax credits for employers of employee-volunteers; and making a related repeal.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, February 15, 2005.

No. 526 By Representatives BALDWIN, BROWNE, CALTAGIRONE, CAUSER, FORCIER, GEIST, GILLESPIE, HARPER, HENNESSEY, HUTCHINSON, KILLION, LEH, MAITLAND, PALLONE, ROHRER, SOLOBAY, R. STEVENSON, STURLA, E. Z. TAYLOR, THOMAS, WALKO, WASHINGTON, WATSON, WILT and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for passing stopped authorized and emergency vehicles.

Referred to Committee on TRANSPORTATION, February 15, 2005.

No. 527 By Representatives FORCIER, ARMSTRONG, BUNT, CLYMER, CRAHALLA, DENLINGER, DeWEESE, GILLESPIE, GOODMAN, GRUCELA, HARPER, HARRIS, KAUFFMAN, M. KELLER, W. KELLER, METCALFE, S. MILLER, PALLONE, ROHRER, SATHER, SCAVELLO, SOLOBAY, R. STEVENSON, E. Z. TAYLOR, TIGUE and WANSACZ

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for nuisance actions.

Referred to Committee on JUDICIARY, February 15, 2005.

No. 528 By Representatives FORCIER, ARMSTRONG, BUNT, CAWLEY, DENLINGER, DeWEESE, GERGELY, GODSHALL, GRUCELA, HESS, LEH, LEVDANSKY, S. MILLER, ROHRER, SOLOBAY, STERN, SURRA, E. Z. TAYLOR, THOMAS, TIGUE and WANSACZ

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, authorizing Pennsylvania Game Commission officers to enforce trespass laws.

Referred to Committee on GAME AND FISHERIES, February 15, 2005.

No. 530 By Representatives FORCIER, ARMSTRONG, BUNT, CAWLEY, CRAHALLA, DENLINGER, DeWEESE, GERGELY, GODSHALL, GRUCELA, HESS, LEH, LEVDANSKY, S. MILLER, ROHRER, SOLOBAY, STERN, SURRA, E. Z. TAYLOR, THOMAS, TIGUE and WANSACZ

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, authorizing waterways conservation officers to enforce trespass laws.

Referred to Committee on GAME AND FISHERIES, February 15, 2005.

No. 531 By Representatives FORCIER, BENNINGHOFF, CALTAGIRONE, ELLIS, LEH and ROHRER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for persons not to possess, use, manufacture, control, sell or transfer firearms and for duties of the Pennsylvania State Police relating to firearms and other dangerous articles; and making a related repeal.

Referred to Committee on JUDICIARY, February 15, 2005.

No. 532 By Representatives BAKER, B. SMITH, DeWEESE, ARGALL, ARMSTRONG, BALDWIN, BARRAR, BASTIAN, BOYD, CALTAGIRONE, CAPPELLI, CLYMER, CREIGHTON, J. EVANS, FAIRCHILD, FLEAGLE, FORCIER, GABIG, GEIST, GERGELY, GILLESPIE, GOOD, GRUCELA, HANNA, HARHAI, HARRIS, HASAY, HERSHEY, HESS, HUTCHINSON, JAMES, KAUFFMAN, M. KELLER, MANN, McGEEHAN, McILHATTAN, METCALFE, S. MILLER, PALLONE, PHILLIPS, PYLE, SAINATO, SATHER, SCHRODER, SHANER, STABACK, R. STEVENSON, T. STEVENSON, WALKO, WANSACZ and WILT

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for the right to hunt, fish and harvest game.

Referred to Committee on GAME AND FISHERIES, February 15, 2005.

No. 533 By Representatives BAKER, ALLEN, ARGALL, BELFANTI, BENNINGHOFF, CALTAGIRONE, CAPPELLI, CAUSER, CORRIGAN, CRUZ, DENLINGER, DeWEESE, FABRIZIO, FREEMAN, GERGELY, GINGRICH, GOODMAN, HERMAN, JAMES, M. KELLER, KIRKLAND, LEACH, LEDERER, LEH, LEVDANSKY, McILHATTAN, MUNDY, PALLONE, READSHAW, REICHLEY, SAINATO, STERN, TIGUE, WALKO, WILT and YOUNGBLOOD

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for creditable nonschool service and creditable nonstate service for service performed as a crewleader with the Pennsylvania Conservation Corps.

Referred to Committee on EDUCATION, February 15, 2005.

No. 534 By Representatives BAKER, ALLEN, ARGALL, BASTIAN, BEBKO-JONES, BELFANTI, BENNINGHOFF, BROWNE, CALTAGIRONE, CAPPELLI, CAUSER, CLYMER, CRAHALLA, DeWEESE, FABRIZIO, FLICK, FORCIER, FREEMAN, GEIST, GERGELY, GINGRICH, GRUCELA, HALUSKA, HARHAI, HENNESSEY, HERMAN, HERSHEY, JAMES, M. KELLER, KIRKLAND, LEDERER, LEH, LEVDANSKY, MANN, McCALL, McGEEHAN,

McILHATTAN, MUNDY, O'NEILL, PALLONE, PETRARCA, READSHAW, REICHLEY, RUBLEY, SAINATO, SCAVELLO, SHANER, STERN, E. Z. TAYLOR, THOMAS, TIGUE, WALKO, WILT, WOJNAROSKI, YOUNGBLOOD and YUDICHAK

An Act amending the act of July 2, 1984 (P.L.561, No.112), known as the Pennsylvania Conservation Corps Act, further providing for supervisors.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, February 15, 2005.

No. 535 By Representatives READSHAW, BASTIAN, BENNINGHOFF, BUXTON, CALTAGIRONE, DALEY, GEIST, HARHAI, McCALL, MELIO, NICKOL, PALLONE, RAYMOND, RUBLEY, RUFFING, SAINATO, SHANER, B. SMITH, TANGRETTI, TIGUE, WALKO, WILT, WOJNAROSKI, E. Z. TAYLOR and FABRIZIO

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for penalties involving alteration of physician statements regarding application for special disability plate or parking placard and for penalties regarding violations of handicapped persons and disabled veterans parking places.

Referred to Committee on TRANSPORTATION, February 15, 2005.

No. 536 By Representatives READSHAW, BEBKO-JONES, BISHOP, CALTAGIRONE, CURRY, DALEY, FREEMAN, GEORGE, JOSEPHS, LEACH, MANDERINO, McGEEHAN, McILHATTAN, MELIO, B. SMITH, STABACK, STURLA, TANGRETTI, THOMAS, TIGUE, VEON, WALKO, WHEATLEY, WOJNAROSKI, WRIGHT and FABRIZIO

An Act prohibiting discrimination in insurance coverage on the basis of genetic information or a request for genetic services.

Referred to Committee on INSURANCE, February 15, 2005.

No. 537 By Representatives READSHAW, BEBKO-JONES, BISHOP, CALTAGIRONE, CURRY, DALEY, FREEMAN, GEORGE, JOSEPHS, LEACH, MANDERINO, McGEEHAN, McILHATTAN, MELIO, B. SMITH, STABACK, STURLA, TANGRETTI, THOMAS, TIGUE, VEON, WALKO, WHEATLEY, WOJNAROSKI, WRIGHT and FABRIZIO

An Act amending the act of October 27, 1955 (P.L.744, No.222), known as the Pennsylvania Human Relations Act, prohibiting certain practices of discrimination because of genetic information.

Referred to Committee on JUDICIARY, February 15, 2005.

No. 538 By Representatives MELIO, CALTAGIRONE, CRAHALLA, CREIGHTON, CRUZ, DALEY, DeWEESE, GERGELY, GOODMAN, HENNESSEY, W. KELLER, PALLONE, THOMAS, GRUCELA, JAMES, LESCOVITZ, TANGRETTI and WOJNAROSKI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring the Department of Transportation to

establish, advertise and maintain a toll-free hotline for motorists to report incidents of road rage and to provide courses or counseling for drivers who exhibit road rage.

Referred to Committee on TRANSPORTATION, February 15, 2005.

No. 539 By Representatives MELIO, CALTAGIRONE, CRAHALLA, CREIGHTON, CRUZ, DALEY, DeWEESE, GERGELY, GRUCELA, HESS, LESCOVITZ, REICHLEY, B. SMITH, THOMAS, WOJNAROSKI, HENNESSEY, W. KELLER, MANN, SCAVELLO, TANGRETTI and TIGUE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for restrictions on mobile phone use.

Referred to Committee on TRANSPORTATION, February 15, 2005.

No. 540 By Representatives MELIO, CALTAGIRONE, CASORIO, CRAHALLA, CREIGHTON, CRUZ, DALEY, DeWEESE, GERGELY, W. KELLER, SCAVELLO, THOMAS, GRUCELA, LESCOVITZ, TANGRETTI and WOJNAROSKI

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, integrating criminal and administrative penalties on driving with a suspended or revoked license and driving under the influence of alcohol or a controlled substance.

Referred to Committee on JUDICIARY, February 15, 2005.

No. 541 By Representatives MELIO, CALTAGIRONE, CASORIO, CRAHALLA, CREIGHTON, CRUZ, DALEY, DeWEESE, GEIST, GOODMAN, W. KELLER, SCAVELLO, THOMAS, GERGELY, GRUCELA, LESCOVITZ, TANGRETTI and WOJNAROSKI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the offense of aggressive driving.

Referred to Committee on TRANSPORTATION, February 15, 2005.

No. 542 By Representatives T. STEVENSON, BELFANTI, BUNT, CALTAGIRONE, CREIGHTON, DALEY, DALLY, DERMODY, D. EVANS, FREEMAN, GEIST, GINGRICH, GRUCELA, HARHAI, JOSEPHS, MANN, PETRI, PYLE, SATHER, SCAVELLO, E. Z. TAYLOR, THOMAS, TIGUE, WALKO, WILT, YOUNGBLOOD, FRANKEL, DeLUCA and ROEBUCK

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of failure to maintain automated external defibrillator at athletic events.

Referred to Committee on JUDICIARY, February 15, 2005.

No. 543 By Representatives T. STEVENSON, BAKER, BALDWIN, BARRAR, BENNINGHOFF, BOYD, CALTAGIRONE, CAPPELLI, CREIGHTON, DALEY, DeWEESE, FAIRCHILD, FLEAGLE, FORCIER, GEIST, HENNESSEY, HUTCHINSON, KILLION, LEDERER, LEH,

LEVDANSKY, MANN, McILHATTAN, McNAUGHTON, S. MILLER, MUSTIO, NICKOL, PICKETT, REICHLEY, ROHRER, ROSS, RUBLEY, SATHER, SCAVELLO, SCHRODER, SHANER, E. Z. TAYLOR, WALKO and WATSON

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 exclusions from sales and use tax and for the sale or transfer of unused net operating lost tax credits.

Referred to Committee on FINANCE, February 15, 2005.

No. 544 By Representatives T. STEVENSON, BASTIAN, BOYD, CALTAGIRONE, CORRIGAN, DALEY, DENLINGER, FREEMAN, GEIST, GINGRICH, GRUCELA, MANN, METCALFE, MUSTIO, PHILLIPS, PRESTON, SATHER, SCAVELLO, THOMAS, YOUNGBLOOD, DeLUCA and O'NEILL

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, providing for list of all nominated candidates to the public.

Referred to Committee on STATE GOVERNMENT, February 15, 2005.

No. 545 By Representatives T. STEVENSON, FRANKEL, CALTAGIRONE, DENLINGER, MUSTIO and YOUNGBLOOD

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, providing for the creation of unincorporated districts in counties of the second class; creating unincorporated district administrative commissions; providing for the creation of the Commonwealth Dissolution Fund; and imposing duties on the Department of Community and Economic Development.

Referred to Committee on COMMERCE, February 15, 2005.

No. 546 By Representatives HUTCHINSON, BEBKO-JONES, BENNINGHOFF, CALTAGIRONE, CAUSER, DENLINGER, FABRIZIO, GERGELY, GINGRICH, GODSHALL, GRUCELA, HARHART, HARPER, HESS, LEDERER, MARKOSEK, McCALL, McGILL, McILHATTAN, MELIO, PYLE, REICHLEY, SAINATO, SCAVELLO, R. STEVENSON, E. Z. TAYLOR, THOMAS, WASHINGTON, WILT and YOUNGBLOOD

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for creditable nonschool service and for contributions for purchase of credit for creditable nonschool service.

Referred to Committee on EDUCATION, February 15, 2005.

No. 547 By Representatives CURRY, BALDWIN, BEBKO-JONES, BENNINGHOFF, BLACKWELL, CALTAGIRONE, CAWLEY, CORRIGAN, CRAHALLA, DALEY, DENLINGER, J. EVANS, FABRIZIO, FRANKEL, GEORGE, GOOD, GRELL, GRUCELA, HENNESSEY, HERSHEY, JOSEPHS, LEDERER, MANN, MUNDY, O'NEILL, PALLONE, PISTELLA, READSHAW, SANTONI,

SCAVELLO, SCHRODER, SHANER, T. STEVENSON, THOMAS, WALKO and YOUNGBLOOD

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for information to consumer reporting agency.

Referred to Committee on JUDICIARY, February 15, 2005.

No. 548 By Representatives E. Z. TAYLOR, BEBKO-JONES, CALTAGIRONE, CRAHALLA, DALEY, FREEMAN, GINGRICH, GOOD, GOODMAN, HENNESSEY, HERSHEY, LaGROTTA, LEDERER, MANN, McILHATTAN, PISTELLA, ROSS, RUBLEY, SATHER, SCHRODER, THOMAS, TIGUE, WALKO, WASHINGTON, YOUNGBLOOD, O'NEILL and CORRIGAN

An Act regulating tanning facilities; providing for the registration of persons operating tanning facilities; requiring that certain warnings be given and safeguards be taken; imposing penalties; and making a repeal.

Referred to Committee on HEALTH AND HUMAN SERVICES, February 15, 2005.

No. 549 By Representatives CIVERA, DeLUCA, ARMSTRONG, BIANCUCCI, BUNT, CALTAGIRONE, CRAHALLA, CREIGHTON, FICHTER, GINGRICH, W. KELLER, KILLION, O'NEILL, READSHAW, THOMAS, TIGUE and YOUNGBLOOD

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

Referred to Committee on PROFESSIONAL LICENSURE, February 15, 2005.

No. 550 By Representatives BUTKOVITZ, BLACKWELL, WATERS, OLIVER, McGEEHAN, MAHER, W. KELLER, CALTAGIRONE, WASHINGTON, JAMES, MYERS, ROEBUCK, BISHOP, YOUNGBLOOD, CORRIGAN and LEDERER

An Act providing grants for certain business establishments that experience loss of business income as a result of certain activity by Commonwealth agencies and Commonwealth instrumentalities; providing for the powers and duties of the Department of General Services; imposing penalties; and making an appropriation.

Referred to Committee on FINANCE, February 15, 2005.

No. 551 By Representatives O'NEILL, BALDWIN, CALTAGIRONE, CAPPELLI, CRAHALLA, GEORGE, GRUCELA, HARPER, HERMAN, PETRI, PHILLIPS, RUBLEY, SAINATO, STABACK, STEIL, TANGRETTI, WATSON and WRIGHT

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

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 15, 2005.

No. 552 By Representatives STERN, CORRIGAN, GEORGE, YOUNGBLOOD, GEIST, SATHER, THOMAS, CLYMER, WATSON, FABRIZIO, HENNESSEY, GODSHALL, NAILOR, DENLINGER, HUTCHINSON, READSHAW, BENNINGHOFF, PHILLIPS, SAINATO, GOODMAN, W. KELLER, HICKERNELL, ROSS, TURZAI, SHANER, GINGRICH, WANSACZ, CRAHALLA, MACKERETH, HERMAN, ARMSTRONG, RUBLEY, REICHLEY, BOYD, PICKETT, BALDWIN, HESS, R. MILLER, MUSTIO, FORCIER and CALTAGIRONE

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further providing for unclaimed property.

Referred to Committee on FINANCE, February 15, 2005.

No. 553 By Representatives BEBKO-JONES, CALTAGIRONE, CREIGHTON, DeWEESE, J. EVANS, FABRIZIO, GEORGE, GRUCELA, HARHAI, LEDERER, PALLONE, PISTELLA and WALKO

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for emission inspections; and promulgating regulations.

Referred to Committee on TRANSPORTATION, February 15, 2005.

No. 554 By Representatives BEBKO-JONES, CALTAGIRONE, CASORIO, FREEMAN, LEDERER, PALLONE, TIGUE, WALKO and WASHINGTON

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for the election of commission members.

Referred to Committee on CONSUMER AFFAIRS, February 15, 2005.

No. 555 By Representatives BEBKO-JONES, CALTAGIRONE, CRAHALLA, CREIGHTON, GEIST, GOOD, PALLONE, PISTELLA, THOMAS, TIGUE, WALKO and WASHINGTON

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for access to records and information for purposes of custody.

Referred to Committee on JUDICIARY, February 15, 2005.

No. 556 By Representatives BEBKO-JONES, BELARDI, CALTAGIRONE, CLYMER, DeWEESE, FREEMAN, GEORGE, GINGRICH, GOOD, JAMES, JOSEPHS, PALLONE, PRESTON, SHANER, STERN, THOMAS, WASHINGTON and YEWIC

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for in-State tuition for Pennsylvania National Guard members.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, February 15, 2005.

No. 557 By Representatives GRUCELA, GEORGE, BARRAR, BEBKO-JONES, BELARDI, BELFANTI, BOYD, CALTAGIRONE, CASORIO, CAUSER, CORRIGAN, CRAHALLA, CURRY, DALEY, DALLY, DeWEESE, FAIRCHILD, FLEAGLE, FREEMAN, GEIST, GILLESPIE, GOODMAN, HALUSKA, HARHAI, HARRIS, HERMAN, HESS, KIRKLAND, KOTIK, LaGROTTA, LEVDANSKY, McCALL, PALLONE, REICHLEY, SANTONI, SCAVELLO, SHANER, SOLOBAY, STERN, TANGRETTI, WALKO, WOJNAROSKI, YUDICHAK, PISTELLA, PETRARCA, MANN, BASTIAN, FABRIZIO, LESCOVITZ, DeLUCA and O'NEILL

An Act providing for a Postsecondary Education Tuition Reimbursement Program for volunteer firefighters and emergency services personnel.

Referred to Committee on EDUCATION, February 15, 2005.

No. 558 By Representatives GRUCELA, BLAUM, CALTAGIRONE, CAPPELLI, CRAHALLA, FRANKEL, FREEMAN, JOSEPHS, STERN, THOMAS, TIGUE, BOYD, CREIGHTON, DALLY, GEORGE, GOOD, HARHAI, HUTCHINSON, R. MILLER, SATHER, TANGRETTI, JAMES, PISTELLA, FABRIZIO and YUDICHAK

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for adoption definitions; and establishing the Pennsylvania Adoption Information Retrieval System.

Referred to Committee on JUDICIARY, February 15, 2005.

No. 559 By Representatives GRUCELA, ALLEN, BARRAR, BEBKO-JONES, BELARDI, BENNINGHOFF, BOYD, BUNT, BUXTON, CALTAGIRONE, CAPPELLI, CLYMER, CORRIGAN, CURRY, DALEY, DeWEESE, J. EVANS, FORCIER, GEIST, GEORGE, GOODMAN, HENNESSEY, HERSHEY, HICKERNELL, KILLION, KOTIK, LaGROTTA, LEDERER, LEH, LEVDANSKY, McCALL, McNAUGHTON, R. MILLER, NICKOL, READSHAW, REICHLEY, RUBLEY, SCAVELLO, SCHRODER, SEMMEL, SHANER, STABACK, STERN, TANGRETTI, THOMAS, WALKO, WASHINGTON, WATSON, WOJNAROSKI, YUDICHAK, PISTELLA, PETRARCA, BASTIAN, MANDERINO, FABRIZIO, O'NEILL and DeLUCA

An Act authorizing payment for school property tax increases to certain claimants who occupied homesteads; and providing for the powers and duties of the Department of Revenue.

Referred to Committee on FINANCE, February 15, 2005.

No. 560 By Representatives SCHRODER, BENNINGHOFF, BOYD, CAPPELLI, CLYMER, DALLY, DENLINGER, FAIRCHILD, GEIST, GINGRICH, GRELL, HARRIS, HENNESSEY, HERSHEY, HICKERNELL, HUTCHINSON, JAMES, KILLION, LEH, MUSTIO, PICKETT, ROHRER, SATHER, SCAVELLO, SEMMEL, STERN, R. STEVENSON, E. Z. TAYLOR, TURZAI, WATSON and YOUNGBLOOD

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

Referred to Committee on LABOR RELATIONS, February 15, 2005.

No. 561 By Representatives SCHRODER, BENNINGHOFF, BOYD, BUNT, CALTAGIRONE, CAPPELLI, CLYMER, CRAHALLA, CREIGHTON, J. EVANS, FREEMAN, GEIST, GEORGE, GODSHALL, GOOD, GOODMAN, HARHART, HERSHEY, KILLION, MACKERETH, McILHATTAN, R. MILLER, MUSTIO, PICKETT, READSHAW, RUBLEY, SAINATO, SATHER, SCAVELLO, STABACK, STEIL, R. STEVENSON, TANGRETTI, E. Z. TAYLOR, THOMAS, TIGUE, WALKO and O'NEILL

An Act amending the act of June 26, 2001 (P.L.755, No.77), known as the Tobacco Settlement Act, further providing for adult basic coverage insurance program.

Referred to Committee on INSURANCE, February 15, 2005.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 85 By Representatives YUDICHAK, ARGALL, FREEMAN, HERMAN, TIGUE, BEBKO-JONES, BELARDI, BELFANTI, BLAUM, BROWNE, BUNT, CALTAGIRONE, CAPPELLI, COSTA, CRAHALLA, DeWEESE, J. EVANS, FABRIZIO, FAIRCHILD, GEORGE, GOOD, GOODMAN, GRUCELA, HANNA, HARRIS, HASAY, HENNESSEY, HERSHEY, JOSEPHS, KOTIK, LaGROTTA, LEDERER, MACKERETH, MANN, MARKOSEK, SAMUELSON, SANTONI, SCAVELLO, SEMMEL, SHANER, SOLOBAY, STERN, STETLER, STURLA, SURRA, TANGRETTI, THOMAS, WANSACZ, WHEATLEY, WILT, YOUNGBLOOD, KIRKLAND, DALEY, GEIST, McCALL, McILHATTAN, MUSTIO, NAILOR, O'NEILL, PALLONE, PETRARCA, PETRONE, READSHAW, REICHLEY and ROBERTS

A Concurrent Resolution establishing a commission to study the Commonwealth's fragmented system of local governance and identify methods to promote more regional collaboration in the delivery of municipal services and the execution of local government.

Referred to Committee on LOCAL GOVERNMENT, February 15, 2005.

No. 88 By Representatives HUTCHINSON, HARHART, ARGALL, ARMSTRONG, BARRAR, BASTIAN, BENNINGHOFF, BOYD, BROWNE, CALTAGIRONE, CAPPELLI, CAUSER, CLYMER, CRAHALLA, DALLY, DeLUCA, DeWEESE, EACHUS, J. EVANS, FABRIZIO, FAIRCHILD, FICHTER, FRANKEL, GEIST, GEORGE, GERGELY, GINGRICH, GOODMAN, GRUCELA, HARPER, HARRIS, HENNESSEY, HERSHEY, HESS, HICKERNELL, JAMES, KILLION, LEDERER, MACKERETH, McILHATTAN, MELIO, MILLARD, R. MILLER, MUSTIO, NAILOR, O'NEILL, PHILLIPS, PICKETT, RAMALEY, READSHAW, REED, REICHLEY, ROHRER, ROSS,

RUBLEY, SAINATO, SATHER, SAYLOR, SCAVELLO, SCHRODER, SHANER, STERN, R. STEVENSON, E. Z. TAYLOR, THOMAS, TIGUE, TURZAI, WANSACZ, WASHINGTON, YOUNGBLOOD and YUDICHAK

A Concurrent Resolution establishing a task force to study issues concerning sewage management and treatment at publicly owned treatment facilities and systems throughout this Commonwealth, providing for an advisory committee and directing the Joint Legislative Air and Water Pollution Control and Conservation Committee to provide administrative support to the task force.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 15, 2005.

FINANCE COMMITTEE MEETING

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

Mr. LEH. Mr. Speaker, I would like to announce a meeting of the House Finance Committee immediately upon the call of the break in room 205 of the Matthew Ryan Building.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

There will be a meeting of the House Finance Committee immediately upon the call of the break in room 205 of the Matthew Ryan Building.

We would like to have some order.

ROSA PARKS REMEMBRANCE DAY CEREMONY

The SPEAKER. At this time the Chair would like to recognize Louise Bishop for the purpose of an announcement.

Ms. BISHOP. Thank you, Mr. Speaker.

I am very proud to be here this morning and to say that today is a very special day. Today Rosa Parks, that great civil rights innovator, is being honored, honored with legislation that passed the House of Representatives in 2001, signed into law May 2001. The legislation encourages all citizens of this Commonwealth, especially women, to reflect upon the symbolism and its significance for the civil rights of all Americans.

Those of us who know the story of Rosa Parks know that Rosa Parks was arrested, was fingerprinted, given a number, photographed, and jailed because she refused to get up and give her seat to a white man on the bus. But Rosa Parks' refusing to get up has allowed all women across America to stand. Had it not been for Rosa Parks sitting down, I would not be in the House of Representatives, Representative E. Z. Taylor would not be in leadership, and Senator Vance would not be in the Senate. Fourteen percent of this House are women and a larger number in the Senate, and across America women are mayors, women are Governors, and we have had two unsuccessful bids to the United States of America for President, and all because one day Rosa Parks decided she was tired; she was not giving up her seat to a white man in a racist town called Montgomery, Alabama. But the Supreme Court ruled segregation illegal and all of the channels broke loose for women across America – windows opened, doors of opportunities opened, and glass ceilings came down.

Today as a beneficiary of Rosa Parks refusing to stand up, we have another young woman in another form of business who has come to entertain us and to celebrate Rosa Parks' birth date as we celebrate Black History Month. This young woman is a Philadelphian, has traveled all over the country, nationally and internationally, making music – music of jazz, music of love, music of harmony, music of peace.

Will you put your hands together for one of America's greatest lyricists, one of America's greatest composers, and one of America's greatest recording artists, Rachelle Ferrell, who is going to entertain us. Let us give her a hand.

Ms. FERRELL. Thank you. Thank you.

In tribute to Ms. Rosa Parks, I would like to do a song first a cappella that I am sure that you may recognize. It is a hybrid of an old gospel hymn, and it has been attached to a beautiful melody, an Irish melody, called "Danny Boy," and the words are "Amazing Grace."

("Amazing Grace" was sung by Rachelle Ferrell.)

Ms. FERRELL. God bless you. Thank you.

I will not hold you much longer, but I was asked to do this song. It is entitled "Courage to Care," and I offer it in tribute and salute to not only Rosa Parks and Louise Bishop but to each and every one of you here for your commitment, your dedication, and your ability to care and to put that into legislation.

Thank you, and God bless you.

("Courage to Care" was sung by Rachelle Ferrell.)

Ms. FERRELL. Thank you. God bless you.

Ms. BISHOP. We thank Rachelle Ferrell for continuing the work of Rosa Parks, who is 93 years old and was 93 on February 6, but her work goes on and another ceiling has been cracked.

Thank you, Mr. Speaker. Thank you, ladies and gentlemen.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. BLAUM called up HR 69, PN 444, entitled:

A Resolution honoring the life of Johnny Carson, comedian, entertainer, writer and actor; and expressing condolences on his passing.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

Table with 4 columns of names: Adolph, Argall, Baker, Baldwin, Barrar, Bastian, Bebko-Jones, Belardi, Belfanti, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gabig, Gannon, Major, Manderino, Mann, Markosek, Marsico, McCall, McGeehan, McGill, McIlhatten, Sainato, Samuelson, Santoni, Sather, Saylor, Scavello, Schroder, Semmel, Shaner

Table with 4 columns of names: Benninghoff, Biancucci, Birmelin, Bishop, Blackwell, Blaum, Boyd, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cappelli, Casorio, Causar, Cawley, Civera, Clymer, Cohen, Cornell, Corrigan, Costa, Crahalla, Creighton, Cruz, Curry, Daley, Dally, DeLuca, Denlinger, Dermody, DeWeese, DiGirolamo, Diven, Donatucci, Eachus, Ellis, Evans, D., Evans, J., Fabrizio, Fairchild, Geist, George, Gerber, Gillespie, Gingrich, Godshall, Good, Goodman, Grell, Grucela, Gruitza, Habay, Haluska, Hanna, Harhai, Harper, Harris, Hasay, Hennessey, Herman, Hershey, Hess, Hickernell, Hutchinson, James, Josephs, Kauffman, Keller, M., Keller, W., Kenney, Killion, Kirkland, Kotik, Leach, Leh, Lescovitz, Levdansky, Mackereth, Maher, Maitland, McIlhinney, McNaughton, Melio, Metcalfe, Micozzie, Millard, Miller, R., Miller, S., Mundy, Mustio, Myers, Nailor, Nickol, O'Brien, Oliver, O'Neill, Pallone, Payne, Petrarca, Petri, Petrone, Phillips, Pickett, Pistella, Preston, Quigley, Ramaley, Rapp, Raymond, Readshaw, Reed, Reichley, Rieger, Roberts, Roebuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Shapiro, Smith, B., Smith, S. H., Solobay, Sonney, Staback, Stairs, Steil, Stern, Stetler, Stevenson, R., Stevenson, T., Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigue, True, Turzai, Veon, Vitali, Walko, Wansacz, Washington, Waters, Watson, Wheatley, Williams, Wilt, Wojnaroski, Wright, Yewwic, Youngblood, Yudichak, Zug, Perzel, Speaker

NAYS-0

NOT VOTING-0

EXCUSED-7

Table with 4 columns of names: Allen, Armstrong, Gergely, Harhart, LaGrotta, Lederer, Pyle

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

Mr. KIRKLAND called up HR 72, PN 447, entitled:

A Resolution congratulating Cheyney University of Pennsylvania on its unparalleled place in local, regional and national history, as well as its unique position within the American higher education community, by designating the month of February 2005 as "Cheyney University Month" in Pennsylvania.

On the question, Will the House adopt the resolution?

The SPEAKER. On that question, the Chair recognizes the gentleman from Delaware, Mr. Kirkland.

Mr. KIRKLAND. Thank you, Mr. Speaker.

Mr. Speaker, it is an honor and a privilege to have the opportunity to recognize Cheyney University, the oldest African-American university in the country. We are privileged and pleased to also have with us today the president of that fine university, President Wallace Arnold.

Mr. Speaker, there was a lot of publicity about Cheyney University in the past, and some of the things were negative, but those positive things that are happening today are never really publicized – positive things like increased enrollment, positive things like test scores, and positive things like graduation rate and those persons going on to be professionals after they leave Cheyney University and also coming back for master's degrees at Cheyney University.

So Cheyney University is on the move, and the areas of Cheyney that are being rebuilt, historic areas that are being rebuilt at Cheyney University, are positive things that are happening throughout our Commonwealth.

So on behalf of the university and also on behalf of my colleagues, Representative Killion and Representative Barrar, who both have portions or represent Cheyney University, we are proud to introduce this resolution, and we ask all the members for a positive response.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

Adolph	Feese	Major	Sainato
Argall	Fichter	Manderino	Samuelson
Baker	Fleagle	Mann	Santoni
Baldwin	Flick	Markosek	Sather
Barrar	Forcier	Marsico	Saylor
Bastian	Frankel	McCall	Scavello
Bebko-Jones	Freeman	McGeehan	Schroder
Belardi	Gabig	McGill	Semmel
Belfanti	Gannon	McIlhattan	Shaner
Benninghoff	Geist	McIlhinney	Shapiro
Biancucci	George	McNaughton	Smith, B.
Birmelin	Gerber	Melio	Smith, S. H.
Bishop	Gillespie	Metcalfe	Solobay
Blackwell	Gingrich	Micozzie	Sonney
Blaum	Godshall	Millard	Staback
Boyd	Good	Miller, R.	Stairs
Browne	Goodman	Miller, S.	Steil
Bunt	Grell	Mundy	Stern
Butkovitz	Grucela	Mustio	Stetler
Buxton	Gruitza	Myers	Stevenson, R.
Caltagirone	Habay	Nailor	Stevenson, T.
Cappelli	Haluska	Nickol	Sturla
Casorio	Hanna	O'Brien	Surra
Causar	Harhai	Oliver	Tangretti
Cawley	Harper	O'Neill	Taylor, E. Z.
Civera	Harris	Pallone	Taylor, J.
Clymer	Hasay	Payne	Thomas
Cohen	Hennessey	Petrarca	Tigue
Cornell	Herman	Petri	True
Corrigan	Hershey	Petrone	Turzai
Costa	Hess	Phillips	Veon
Crahalla	Hickernell	Pickett	Vitali
Creighton	Hutchinson	Pistella	Walko
Cruz	James	Preston	Wansacz
Curry	Josephs	Quigley	Washington
Daley	Kauffman	Ramaley	Waters

Dally	Keller, M.	Rapp	Watson
DeLuca	Keller, W.	Raymond	Wheatley
Denlinger	Kenney	Readshaw	Williams
Dermody	Killion	Reed	Wilt
DeWeese	Kirkland	Reichley	Wojnaroski
DiGirolamo	Kotik	Rieger	Wright
Diven	Leach	Roberts	Yewcic
Donatucci	Leh	Roebuck	Youngblood
Eachus	Lescovitz	Rohrer	Yudichak
Ellis	Levdansky	Rooney	Zug
Evans, D.	Mackereth	Ross	
Evans, J.	Maher	Rubley	Perzel,
Fabrizio	Maitland	Ruffing	Speaker
Fairchild			

NAYS—0

NOT VOTING—0

EXCUSED—7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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

GUESTS INTRODUCED

The SPEAKER. At this time the Chair would like to welcome to the hall of the House, as was already mentioned by Representative Kirkland, the president of Cheyney University, President Wallace Arnold, and Mia Keays, Miss Keystone, representing the Keystone Honors Academy at Cheyney University. They are here today as the guests of Representative Thaddeus Kirkland and Representative Tom Killion. Would those guests please rise and be recognized.

CALENDAR CONTINUED

Mrs. GINGRICH called up **HR 73, PN 448**, entitled:

A Resolution designating the month of March 2005 as "Junior Achievement Month" in Pennsylvania.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

Adolph	Feese	Major	Sainato
Argall	Fichter	Manderino	Samuelson
Baker	Fleagle	Mann	Santoni
Baldwin	Flick	Markosek	Sather
Barrar	Forcier	Marsico	Saylor
Bastian	Frankel	McCall	Scavello
Bebko-Jones	Freeman	McGeehan	Schroder
Belardi	Gabig	McGill	Semmel
Belfanti	Gannon	McIlhattan	Shaner
Benninghoff	Geist	McIlhinney	Shapiro
Biancucci	George	McNaughton	Smith, B.
Birmelin	Gerber	Melio	Smith, S. H.
Bishop	Gillespie	Metcalfe	Solobay
Blackwell	Gingrich	Micozzie	Sonney

Blaum	Godshall	Millard	Staback
Boyd	Good	Miller, R.	Stairs
Browne	Goodman	Miller, S.	Steil
Bunt	Grell	Mundy	Stern
Butkovitz	Grucela	Mustio	Stetler
Buxton	Gruitza	Myers	Stevenson, R.
Caltagirone	Habay	Nailor	Stevenson, T.
Cappelli	Haluska	Nickol	Sturla
Casorio	Hanna	O'Brien	Surra
Causer	Harhai	Oliver	Tangretti
Cawley	Harper	O'Neill	Taylor, E. Z.
Civera	Harris	Pallone	Taylor, J.
Clymer	Hasay	Payne	Thomas
Cohen	Hennessey	Petrarca	Tigue
Cornell	Herman	Petri	True
Corrigan	Hershey	Petrone	Turzai
Costa	Hess	Phillips	Veon
Crahalla	Hickernell	Pickett	Vitali
Creighton	Hutchinson	Pistella	Walko
Cruz	James	Preston	Wansacz
Curry	Josephs	Quigley	Washington
Daley	Kauffman	Ramaley	Waters
Dally	Keller, M.	Rapp	Watson
DeLuca	Keller, W.	Raymond	Wheatley
Denlinger	Kenney	Readshaw	Williams
Dermody	Killion	Reed	Wilt
DeWeese	Kirkland	Reichley	Wojnaroski
DiGirolamo	Kotik	Rieger	Wright
Diven	Leach	Roberts	Yewcic
Donatucci	Leh	Roebuck	Youngblood
Eachus	Lescovitz	Rohrer	Yudichak
Ellis	Levdansky	Rooney	Zug
Evans, D.	Mackereth	Ross	
Evans, J.	Maher	Rubley	Perzel,
Fabrizio	Maitland	Ruffing	Speaker
Fairchild			

NAYS-0

NOT VOTING-0

EXCUSED-7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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

* * *

Mrs. MILLER called up **HR 74, PN 449**, entitled:

A Resolution designating the week of February 19 through 26, 2005, as "FFA Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

Adolph	Feese	Major	Sainato
Argall	Fichter	Manderino	Samuelson
Baker	Fleagle	Mann	Santoni
Baldwin	Flick	Markosek	Sather
Barrar	Forcier	Marsico	Saylor
Bastian	Frankel	McCall	Scavello

Bebko-Jones	Freeman	McGeehan	Schroder
Belardi	Gabig	McGill	Semmel
Belfanti	Gannon	McIlhattan	Shaner
Benninghoff	Geist	McIlhinney	Shapiro
Biancucci	George	McNaughton	Smith, B.
Birmelin	Gerber	Melio	Smith, S. H.
Bishop	Gillespie	Metcalfe	Solobay
Blackwell	Gingrich	Micozzie	Sonney
Blaum	Godshall	Millard	Staback
Boyd	Good	Miller, R.	Stairs
Browne	Goodman	Miller, S.	Steil
Bunt	Grell	Mundy	Stern
Butkovitz	Grucela	Mustio	Stetler
Buxton	Gruitza	Myers	Stevenson, R.
Caltagirone	Habay	Nailor	Stevenson, T.
Cappelli	Haluska	Nickol	Sturla
Casorio	Hanna	O'Brien	Surra
Causer	Harhai	Oliver	Tangretti
Cawley	Harper	O'Neill	Taylor, E. Z.
Civera	Harris	Pallone	Taylor, J.
Clymer	Hasay	Payne	Thomas
Cohen	Hennessey	Petrarca	Tigue
Cornell	Herman	Petri	True
Corrigan	Hershey	Petrone	Turzai
Costa	Hess	Phillips	Veon
Crahalla	Hickernell	Pickett	Vitali
Creighton	Hutchinson	Pistella	Walko
Cruz	James	Preston	Wansacz
Curry	Josephs	Quigley	Washington
Daley	Kauffman	Ramaley	Waters
Dally	Keller, M.	Rapp	Watson
DeLuca	Keller, W.	Raymond	Wheatley
Denlinger	Kenney	Readshaw	Williams
Dermody	Killion	Reed	Wilt
DeWeese	Kirkland	Reichley	Wojnaroski
DiGirolamo	Kotik	Rieger	Wright
Diven	Leach	Roberts	Yewcic
Donatucci	Leh	Roebuck	Youngblood
Eachus	Lescovitz	Rohrer	Yudichak
Ellis	Levdansky	Rooney	Zug
Evans, D.	Mackereth	Ross	
Evans, J.	Maher	Rubley	Perzel,
Fabrizio	Maitland	Ruffing	Speaker
Fairchild			

NAYS-0

NOT VOTING-0

EXCUSED-7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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

SUPPLEMENTAL CALENDAR A

RESOLUTIONS PURSUANT TO RULE 35

Mr. GOODMAN called up **HR 80, PN 553**, entitled:

A Resolution congratulating the Honorable John D. W. Reiley on his unprecedented service with the Pennsylvania Liquor Control Board.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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

* * *

Mr. GOODMAN called up **HR 81, PN 554**, entitled:

A Resolution commemorating February 16, 2005, as "Lithuanian Independence Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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

GUESTS INTRODUCED

The SPEAKER. We have several special guests today. They are the guests of Representative Teresa Forcier. We have Miss Crawford County, Alycia McCullough. She is accompanied by her mother, Darby McCullough, and Tracy Coon, codirector of Miss Crawford County. They are seated to the left of the Speaker. Would those guests please rise.

Also seated there is Joe Gifford, who is shadowing Representative Teresa Forcier today.

RESOLUTIONS PURSUANT TO RULE 35

Mr. SCAVELLO called up HR 83, PN 555, entitled:

A Resolution recognizing the month of March 2005 as "National Athletic Training Month" in Pennsylvania.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

- Adolph, Argall, Baker, Baldwin, Barrar, Bastian, Bebko-Jones, Belardi, Belfanti, Benninghoff, Biancucci, Birmelin, Bishop, Blackwell, Blaum, Boyd, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cappelli, Casorio, Causer, Cawley, Civera, Clymer, Cohen, Cornell, Corrigan, Costa, Crahalla, Creighton, Cruz, Curry, Daley, Dally, DeLuca, Denlinger, Dermody, DeWeese, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gabig, Gannon, Geist, George, Gerber, Gillespie, Gingrich, Godshall, Good, Goodman, Grell, Grucela, Gruitza, Habay, Haluska, Hanna, Harhai, Harper, Harris, Hasay, Hennessey, Herman, Hershey, Hess, Hickernell, Hutchinson, James, Josephs, Kauffman, Keller, M., Keller, W., Kenney, Killion, Kirkland, Major, Manderino, Mann, Markosek, Marsico, McCall, McGeehan, McGill, McIlhattan, McIlhinney, McNaughton, Melio, Metcalfe, Micozzie, Millard, Miller, R., Miller, S., Mundy, Mustio, Myers, Nailor, Nickol, O'Brien, Oliver, O'Neill, Pallone, Payne, Petrarca, Petri, Petrone, Phillips, Pickett, Pistella, Preston, Quigley, Ramaley, Rapp, Raymond, Readshaw, Reed, Reichley, Sainato, Samuelson, Santoni, Sather, Saylor, Scavello, Schroder, Semmel, Shaner, Shapiro, Smith, B., Smith, S. H., Solobay, Sonney, Staback, Stairs, Steil, Stern, Stetler, Stevenson, R., Stevenson, T., Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigie, True, Turzai, Veon, Vitali, Walko, Wansacz, Washington, Waters, Watson, Wheatley, Williams, Wilt, Wojnaroski

- DiGirolamo, Diven, Donatucci, Eachus, Ellis, Evans, D., Evans, J., Fabrizio, Fairchild, Kotik, Leach, Leh, Lescovitz, Levdansky, Mackereth, Maher, Maitland, Rieger, Roberts, Roebuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Wright, Yewcic, Youngblood, Yudichak, Zug, Perzel, Speaker

NAYS-0

NOT VOTING-0

EXCUSED-7

- Allen, Armstrong, Gergely, Harhart, LaGrotta, Lederer, Pyle

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

* * *

Mr. WRIGHT called up HR 84, PN 556, entitled:

A Resolution memorializing the Congress of the United States to direct the Internal Revenue Service to rescind its decision to include grants received as payment for damage done by a natural disaster to residential homes in the definition of gross income for Federal income tax purposes.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

- Adolph, Argall, Baker, Baldwin, Barrar, Bastian, Bebko-Jones, Belardi, Belfanti, Benninghoff, Biancucci, Birmelin, Bishop, Blackwell, Blaum, Boyd, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cappelli, Casorio, Causer, Cawley, Civera, Clymer, Cohen, Cornell, Corrigan, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gabig, Gannon, Geist, George, Gerber, Gillespie, Gingrich, Godshall, Good, Goodman, Grell, Grucela, Gruitza, Habay, Haluska, Hanna, Harhai, Harper, Harris, Hasay, Hennessey, Herman, Hershey, Major, Manderino, Mann, Markosek, Marsico, McCall, McGeehan, McGill, McIlhattan, McIlhinney, McNaughton, Melio, Metcalfe, Micozzie, Millard, Miller, R., Miller, S., Mundy, Mustio, Myers, Nailor, Nickol, O'Brien, Oliver, O'Neill, Pallone, Payne, Petrarca, Petri, Petrone, Sainato, Samuelson, Santoni, Sather, Saylor, Scavello, Schroder, Semmel, Shaner, Shapiro, Smith, B., Smith, S. H., Solobay, Sonney, Staback, Stairs, Steil, Stern, Stetler, Stevenson, R., Stevenson, T., Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigie, True, Turzai

Costa	Hess	Phillips	Veon
Crahalla	Hickernell	Pickett	Vitali
Creighton	Hutchinson	Pistella	Walko
Cruz	James	Preston	Wansacz
Curry	Josephs	Quigley	Washington
Daley	Kauffman	Ramaley	Waters
Dally	Keller, M.	Rapp	Watson
DeLuca	Keller, W.	Raymond	Wheatley
Denlinger	Kenney	Readshaw	Williams
Dermody	Killion	Reed	Wilt
DeWeese	Kirkland	Reichley	Wojnaroski
DiGirolamo	Kotik	Rieger	Wright
Diven	Leach	Roberts	Yewcic
Donatucci	Leh	Roebuck	Youngblood
Eachus	Lescovitz	Rohrer	Yudichak
Ellis	Levdansky	Rooney	Zug
Evans, D.	Mackereth	Ross	
Evans, J.	Maher	Rubley	Perzel,
Fabrizio	Maitland	Ruffing	Speaker
Fairchild			

NAYS-0

NOT VOTING-0

EXCUSED-7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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

* * *

Mr. SEMMEL called up **HR 87, PN 559**, entitled:

A Resolution declaring the week of March 6 through 12, 2005, as "Weather Emergency Preparedness Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

Adolph	Feese	Major	Sainato
Argall	Fichter	Manderino	Samuelson
Baker	Fleagle	Mann	Santoni
Baldwin	Flick	Markosek	Sather
Barrar	Forcier	Marsico	Saylor
Bastian	Frankel	McCall	Scavello
Bebko-Jones	Freeman	McGeehan	Schroder
Belardi	Gabig	McGill	Semmel
Belfanti	Gannon	McIlhattan	Shaner
Benninghoff	Geist	McIlhinney	Shapiro
Biancucci	George	McNaughton	Smith, B.
Birmelin	Gerber	Melio	Smith, S. H.
Bishop	Gillespie	Metcalfe	Solobay
Blackwell	Gingrich	Micozzie	Sonney
Blaum	Godshall	Millard	Staback
Boyd	Good	Miller, R.	Stairs
Browne	Goodman	Miller, S.	Steil
Bunt	Grell	Mundy	Stern
Butkovitz	Grucela	Mustio	Stetler
Buxton	Gruitza	Myers	Stevenson, R.
Caltagirone	Habay	Nailor	Stevenson, T.
Cappelli	Haluska	Nickol	Sturla

Casorio	Hanna	O'Brien	Surra
Causler	Harhai	Oliver	Tangretti
Cawley	Harper	O'Neill	Taylor, E. Z.
Civera	Harris	Pallone	Taylor, J.
Clymer	Hasay	Payne	Thomas
Cohen	Hennessey	Petrarca	Tigue
Cornell	Herman	Petri	True
Corrigan	Hershey	Petrone	Turzai
Costa	Hess	Phillips	Veon
Crahalla	Hickernell	Pickett	Vitali
Creighton	Hutchinson	Pistella	Walko
Cruz	James	Preston	Wansacz
Curry	Josephs	Quigley	Washington
Daley	Kauffman	Ramaley	Waters
Dally	Keller, M.	Rapp	Watson
DeLuca	Keller, W.	Raymond	Wheatley
Denlinger	Kenney	Readshaw	Williams
Dermody	Killion	Reed	Wilt
DeWeese	Kirkland	Reichley	Wojnaroski
DiGirolamo	Kotik	Rieger	Wright
Diven	Leach	Roberts	Yewcic
Donatucci	Leh	Roebuck	Youngblood
Eachus	Lescovitz	Rohrer	Yudichak
Ellis	Levdansky	Rooney	Zug
Evans, D.	Mackereth	Ross	
Evans, J.	Maher	Rubley	Perzel,
Fabrizio	Maitland	Ruffing	Speaker
Fairchild			

NAYS-0

NOT VOTING-0

EXCUSED-7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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

* * *

Mr. HERMAN called up **HR 89, PN 561**, entitled:

A Resolution designating the week of March 13 through 19, 2005, as "Cooperative Extension Living Well Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

Adolph	Feese	Major	Sainato
Argall	Fichter	Manderino	Samuelson
Baker	Fleagle	Mann	Santoni
Baldwin	Flick	Markosek	Sather
Barrar	Forcier	Marsico	Saylor
Bastian	Frankel	McCall	Scavello
Bebko-Jones	Freeman	McGeehan	Schroder
Belardi	Gabig	McGill	Semmel
Belfanti	Gannon	McIlhattan	Shaner
Benninghoff	Geist	McIlhinney	Shapiro
Biancucci	George	McNaughton	Smith, B.
Birmelin	Gerber	Melio	Smith, S. H.
Bishop	Gillespie	Metcalfe	Solobay
Blackwell	Gingrich	Micozzie	Sonney

Blaum	Godshall	Millard	Staback
Boyd	Good	Miller, R.	Stairs
Browne	Goodman	Miller, S.	Steil
Bunt	Grell	Mundy	Stern
Butkovitz	Grucela	Mustio	Stetler
Buxton	Gruitza	Myers	Stevenson, R.
Caltagirone	Habay	Nailor	Stevenson, T.
Cappelli	Haluska	Nickol	Sturla
Casorio	Hanna	O'Brien	Surra
Causar	Harhai	Oliver	Tangretti
Cawley	Harper	O'Neill	Taylor, E. Z.
Civera	Harris	Pallone	Taylor, J.
Clymer	Hasay	Payne	Thomas
Cohen	Hennessey	Petrarca	Tigue
Cornell	Herman	Petri	True
Corrigan	Hershey	Petrone	Turzai
Costa	Hess	Phillips	Veon
Crahalla	Hickernell	Pickett	Vitali
Creighton	Hutchinson	Pistella	Walko
Cruz	James	Preston	Wansacz
Curry	Josephs	Quigley	Washington
Daley	Kauffman	Ramaley	Waters
Dally	Keller, M.	Rapp	Watson
DeLuca	Keller, W.	Raymond	Wheatley
Denlinger	Kenney	Readshaw	Williams
Dermody	Killion	Reed	Wilt
DeWeese	Kirkland	Reichley	Wojnaroski
DiGirolamo	Kotik	Rieger	Wright
Diven	Leach	Roberts	Yewcic
Donatucci	Leh	Roebuck	Youngblood
Eachus	Lescovitz	Rohrer	Yudichak
Ellis	Levdansky	Rooney	Zug
Evans, D.	Mackereth	Ross	
Evans, J.	Maher	Rubley	Perzel,
Fabrizio	Maitland	Ruffing	Speaker
Fairchild			

NAYS-0

NOT VOTING-0

EXCUSED-7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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

**U.S. MARINE CORPS LEAGUE
GUESTS INTRODUCED**

The SPEAKER. At this time we have with us today several special guests of Representative Paul Semmel and Representative Tom Tigue.

The Speaker at this time recognizes the respective Veterans Affairs and Emergency Preparedness Committee chairmen for introductions and for comments.

Mr. SEMMEL. Thank you, Mr. Speaker.

With us today, as a special guest of the House Veterans Affairs and Emergency Preparedness Committee, is Helen F. Hicks, the National Commandant of the Marine Corps League. Commandant Hicks is on her nationwide tour of the various State chapters of the Marine Corps League, and we are honored to have her here today.

Commandant Hicks, would you rise.

To continue the introductions, I will call on retired Col. Tom Tigue.

Mr. TIGUE. Thank you, Mr. Speaker.

Accompanying Commandant Hicks this morning is Paul Hastings, and Paul is the former National Commandant of the Marine Corps League, and he currently serves as chairman of the Pennsylvania State Veterans Commission.

Also we have Tom Tanner, who is the current Commandant of the Pennsylvania Department of the Marine Corps League. Tom.

And finally, with Commandant Hicks is John Moyses, the immediate Past Commandant of the Pennsylvania Department of the Marine Corps League.

Mr. Speaker, we are honored to have these individuals in the hall of the Pennsylvania House today, and we further are honored to have them as we consider HR 90, which commemorates the 60th anniversary of the Battle of Iwo Jima.

For those of you who recall the picture taken by the famous photographer, Joseph Rosenthal, Iwo Jima was one of the fiercest battles of World War II. It was less than 8 square miles of volcanic soil. It was so fierce, in fact, that more U.S. marines won the Medal of Honor during the Battle of Iwo Jima than any other battle in the history of the United States. That picture that we have all seen since we were young and some not so young of the raising of the flag at Mount Suribachi is indicative of the heart of patriotism and the courage of all Americans, and I think it is interesting to note that there were six men who raised that flag - five marines and one Navy corpsman. It is also interesting to note that like the United States itself, one of them was a native of Czechoslovakia, one was an American Indian, but they were all Americans; they were all U.S. marines.

And so as we commemorate that fierce battle 60 years ago, we should keep in mind the words of Adm. Chester Nimitz and what he said about the Battle of Iwo Jima: "...uncommon valor was a common virtue." So today, 60 years later, we once again recognize this uncommon valor as we adopt HR 90.

Thank you, Mr. Speaker.

RESOLUTION PURSUANT TO RULE 35

Mr. TIGUE called up **HR 90, PN 562**, entitled:

A Resolution paying tribute to the heroic efforts and sacrifices of our armed forces during the Battle of Iwo Jima on its 60th anniversary.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

Adolph	Feese	Major	Sainato
Argall	Fichter	Manderino	Samuelson
Baker	Fleagle	Mann	Santoni
Baldwin	Flick	Markosek	Sather
Barrar	Forcier	Marsico	Saylor
Bastian	Frankel	McCall	Scavello
Bebko-Jones	Freeman	McGeehan	Schroder
Belardi	Gabig	McGill	Semmel
Belfanti	Gannon	McIlhattan	Shaner
Benninghoff	Geist	McIlhinney	Shapiro
Biancucci	George	McNaughton	Smith, B.
Birmelin	Gerber	Melio	Smith, S. H.

Bishop	Gillespie	Metcalfe	Solobay
Blackwell	Gingrich	Micozzie	Sonney
Blaum	Godshall	Millard	Staback
Boyd	Good	Miller, R.	Stairs
Browne	Goodman	Miller, S.	Steil
Bunt	Grell	Mundy	Stern
Butkovitz	Grucela	Mustio	Stetler
Buxton	Gruitza	Myers	Stevenson, R.
Caltagirone	Habay	Nailor	Stevenson, T.
Cappelli	Haluska	Nickol	Sturla
Casorio	Hanna	O'Brien	Surra
Causser	Harhai	Oliver	Tangretti
Cawley	Harper	O'Neill	Taylor, E. Z.
Civiera	Harris	Pallone	Taylor, J.
Clymer	Hasay	Payne	Thomas
Cohen	Hennessey	Petrarca	Tigue
Cornell	Herman	Petri	True
Corrigan	Hershey	Petrone	Turzai
Costa	Hess	Phillips	Veon
Crahalla	Hickernell	Pickett	Vitali
Creighton	Hutchinson	Pistella	Walko
Cruz	James	Preston	Wansacz
Curry	Josephs	Quigley	Washington
Daley	Kauffman	Ramaley	Waters
Dally	Keller, M.	Rapp	Watson
DeLuca	Keller, W.	Raymond	Wheatley
Denlinger	Kenney	Readshaw	Williams
Dermody	Killion	Reed	Wilt
DeWeese	Kirkland	Reichley	Wojnaroski
DiGirolamo	Kotik	Rieger	Wright
Diven	Leach	Roberts	Yewcic
Donatucci	Leh	Roebuck	Youngblood
Eachus	Lescovitz	Rohrer	Yudichak
Ellis	Levdansky	Rooney	Zug
Evans, D.	Mackereth	Ross	
Evans, J.	Maher	Rubley	Perzel,
Fabrizio	Maitland	Ruffing	Speaker
Fairchild			

NAYS—0

NOT VOTING—0

EXCUSED—7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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

STATEMENT BY MR. FAIRCHILD

The SPEAKER. At this time the Chair recognizes the gentleman, Mr. Fairchild.

Mr. FAIRCHILD. Thank you, Mr. Speaker.

I also rise to congratulate not only the esteemed gentlemen here but all the members here that have served in the Marine Corps or any branch of the service.

I also rise today for just a short, I will call it a remembrance. It was on February 15 in 1969 in Southeast Asia when a soldier of mine was killed by a sniper, an NVA (North Vietnamese Army) sniper. His name was Fred Darrel Whitaker, and he was from Highland, Indiana, and I just wanted to kind of bring back some maybe painful memories to some of us.

I know Representative Tigue and Representative Belfanti served in the jungles of Vietnam, but oftentimes we forget to

remember sometimes the reasons we fought wars, and over 58,000 men and women died in that war and well over half a million were wounded, but I guess this is a little remembrance, and I want to tell Fred, wherever you are, that you are not forgotten, and I wanted to send a message to Fred's family that his efforts are not forgotten, and I want to send a message to our families today and our soldiers today that you will never be forgotten.

Thank you very much, Mr. Speaker.

DEMOCRATIC CAUCUS

The SPEAKER. Are there any caucus announcements?

The gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

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

ANNOUNCEMENT BY MRS. TAYLOR

The SPEAKER. Are there any other announcements?

The Chair recognizes the gentledady from Chester, Mrs. Taylor.

Mrs. TAYLOR. Mr. Speaker, at the present time there is no call for a Republican caucus.

The SPEAKER. The Chair thanks the gentledady.

HEALTH AND HUMAN SERVICES COMMITTEE MEETING

The SPEAKER. The gentleman from Philadelphia, Mr. Kenney.

Mr. KENNEY. Thank you, Mr. Speaker.

Mr. Speaker, at the call of the recess, there will be an immediate meeting of the Health and Human Services Committee in the rear of the House.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

At the call of the recess, there will be an immediate meeting of the Health and Human Services Committee in the rear of the House.

RECESS

The SPEAKER. Are there any further announcements?

This House will be in recess until 1:15.

AFTER RECESS

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

THE SPEAKER PRO TEMPORE (JERRY BIRMELIN) PRESIDING

The SPEAKER pro tempore. The members are asked to come to the House floor. We are going to begin voting in just a few minutes.

REPORT SUBMITTED

The SPEAKER pro tempore. The Speaker acknowledges receipt, pursuant to HR 823, of the report of the Commission on the Future of the Philadelphia, Pittsburgh and Harrisburg International Airports and the Southeastern Pennsylvania Transportation Authority dated January 30, 2005.

(Copy of report is on file with the Chief Clerk.)

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 110, PN 612 (Amended) By Rep. RAYMOND

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further defining "eligible entity."

LIQUOR CONTROL.

BILL REPORTED AND REREFERRED TO COMMITTEE ON CONSUMER AFFAIRS

HB 548, PN 596 By Rep. KENNEY

An Act regulating tanning facilities; providing for the registration of persons operating tanning facilities; requiring that certain warnings be given and safeguards be taken; imposing penalties; and making a repeal.

HEALTH AND HUMAN SERVICES.

CALENDAR CONTINUED

RESOLUTION

Mr. GEIST called up **HR 33, PN 222**, entitled:

A Resolution recognizing the responsibility of the Commonwealth to examine the quality and efficiency of its State highway system; and establishing a select committee to consider toll roads.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

- | | | | |
|-------------|-----------|------------|--------------|
| Adolph | Feese | Major | Sainato |
| Argall | Fichter | Manderino | Samuelson |
| Baker | Fleagle | Mann | Santoni |
| Baldwin | Flick | Markosek | Sather |
| Barrar | Forcier | Marsico | Saylor |
| Bastian | Frankel | McCall | Scavello |
| Bebko-Jones | Freeman | McGeehan | Schroder |
| Belardi | Gabig | McGill | Semmel |
| Belfanti | Gannon | McIlhattan | Shaner |
| Benninghoff | Geist | McIlhinney | Shapiro |
| Bianucci | George | McNaughton | Smith, B. |
| Birmelin | Gerber | Melio | Smith, S. H. |
| Bishop | Gillespie | Metcalfe | Solobay |
| Blackwell | Gingrich | Micozzie | Sonney |
| Blaum | Godshall | Millard | Staback |
| Boyd | Good | Miller, R. | Stairs |
| Browne | Goodman | Miller, S. | Steil |

- | | | | |
|-------------|------------|----------|---------------|
| Bunt | Grell | Mundy | Stern |
| Butkovitz | Grucela | Mustio | Stetler |
| Buxton | Gruitza | Myers | Stevenson, R. |
| Caltagirone | Habay | Nailor | Stevenson, T. |
| Cappelli | Haluska | Nickol | Sturla |
| Casorio | Hanna | O'Brien | Surra |
| Causer | Harhai | Oliver | Tangretti |
| Cawley | Harper | O'Neill | Taylor, E. Z. |
| Civera | Harris | Pallone | Taylor, J. |
| Clymer | Hasay | Payne | Thomas |
| Cohen | Hennessey | Petrarca | Tigue |
| Cornell | Herman | Petri | True |
| Corrigan | Hershey | Petrone | Turzai |
| Costa | Hess | Phillips | Veon |
| Crahalla | Hickernell | Pickett | Vitali |
| Creighton | Hutchinson | Pistella | Walko |
| Cruz | James | Preston | Wansacz |
| Curry | Josephs | Quigley | Washington |
| Daley | Kauffman | Ramaley | Waters |
| Dally | Keller, M. | Rapp | Watson |
| DeLuca | Keller, W. | Raymond | Wheatley |
| Denlinger | Kenney | Readshaw | Williams |
| Dermody | Killion | Reed | Wilt |
| DeWeese | Kirkland | Reichley | Wojnarowski |
| DiGirolamo | Kotik | Rieger | Wright |
| Diven | Leach | Roberts | Yewcic |
| Donatucci | Leh | Roebuck | Youngblood |
| Eachus | Lescovitz | Rohrer | Yudichak |
| Ellis | Levdansky | Rooney | Zug |
| Evans, D. | Mackereth | Ross | |
| Evans, J. | Maher | Rubley | Perzel, |
| Fabrizio | Maitland | Ruffing | Speaker |
| Fairchild | | | |

NAYS—0

NOT VOTING—0

EXCUSED—7

- | | | | |
|-----------|---------|----------|------|
| Allen | Gergely | LaGrotta | Pyle |
| Armstrong | Harhart | Lederer | |

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 398, PN 386**, entitled:

An Act amending the act of December 10, 1968 (P.L.1158, No.365), entitled "An act creating and establishing the Legislative Data Processing Committee: providing for its membership; prescribing its powers, functions and duties; and making an appropriation," further providing for the establishment of the Legislative Data Processing Committee.

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

The SPEAKER pro tempore. This bill has been considered on three different days and agreed to and is now on final passage.

The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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.

SUPPLEMENTAL CALENDAR C

RESOLUTION PURSUANT TO RULE 35

Mrs. GINGRICH called up **HR 96, PN 611**, entitled:

A Resolution recognizing the week of March 6 through 12, 2005, as "Girl Scout Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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

RULES SUSPENDED

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

Mr. RAYMOND. Mr. Speaker, I move that the House rules be suspended so that the House may consider HR 32, PN 108, on House calendar supplemental B.

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

The following roll call was recorded:

YEAS—195

Adolph	Feese	Major	Sainato
Argall	Fichter	Manderino	Samuelson
Baker	Fleagle	Mann	Santoni
Baldwin	Flick	Markosek	Sather
Barrar	Forcier	Marsico	Saylor
Bastian	Frankel	McCall	Scavello
Bebko-Jones	Freeman	McGeehan	Schroder
Belardi	Gabig	McGill	Semmel
Belfanti	Gannon	McIlhattan	Shaner
Benninghoff	Geist	McIlhinney	Shapiro
Biancucci	George	McNaughton	Smith, B.
Birmelin	Gerber	Melio	Smith, S. H.
Bishop	Gillespie	Metcalfe	Solobay
Blackwell	Gingrich	Micozzie	Sonney
Blaum	Godshall	Millard	Staback
Boyd	Good	Miller, R.	Stairs
Browne	Goodman	Miller, S.	Steil
Bunt	Grell	Mundy	Stern
Butkovitz	Grucela	Mustio	Stetler
Buxton	Gruitza	Myers	Stevenson, R.
Caltagirone	Habay	Nailor	Stevenson, T.
Cappelli	Haluska	Nickol	Sturla
Casorio	Hanna	O'Brien	Surra
Causar	Harhai	Oliver	Tangretti
Cawley	Harper	O'Neill	Taylor, E. Z.
Civera	Harris	Pallone	Taylor, J.
Clymer	Hasay	Payne	Thomas
Cohen	Hennessey	Petrarca	Tigue
Cornell	Herman	Petri	True
Corrigan	Hershey	Petrone	Turzai
Costa	Hess	Phillips	Veon
Crahalla	Hickernell	Pickett	Vitali
Creighton	Hutchinson	Pistella	Walko
Cruz	James	Preston	Wansacz
Curry	Josephs	Quigley	Washington
Daley	Kauffman	Ramaley	Waters
Dally	Keller, M.	Rapp	Watson
DeLuca	Keller, W.	Raymond	Wheatley
Denlinger	Kenney	Readshaw	Williams
Dermody	Killion	Reed	Wilt
DeWeese	Kirkland	Reichley	Wojnarowski
DiGirolo	Kotik	Rieger	Wright
Diven	Leach	Roberts	Yewcic
Donatucci	Leh	Roebuck	Youngblood
Eachus	Lescovitz	Rohrer	Yudichak
Ellis	Levdansky	Rooney	Zug

Evans, D.	Mackereth	Ross	
Evans, J.	Maher	Rubley	Perzel,
Fabrizio	Maitland	Ruffing	Speaker
Fairchild			

NAYS—0

NOT VOTING—0

EXCUSED—7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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

SUPPLEMENTAL CALENDAR B

RESOLUTION

Mr. RAYMOND called up **HR 32, PN 108**, entitled:

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

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

Adolph	Feese	Major	Sainato
Argall	Fichter	Manderino	Samuelson
Baker	Fleagle	Mann	Santoni
Baldwin	Flick	Markosek	Sather
Barrar	Forcier	Marsico	Saylor
Bastian	Frankel	McCall	Scavello
Bebko-Jones	Freeman	McGeehan	Schroder
Belardi	Gabig	McGill	Semmel
Belfanti	Gannon	McIlhattan	Shaner
Benninghoff	Geist	McIlhinney	Shapiro
Biancucci	George	McNaughton	Smith, B.
Birmelin	Gerber	Melio	Smith, S. H.
Bishop	Gillespie	Metcalfe	Solobay
Blackwell	Gingrich	Micozzie	Sonney
Blaum	Godshall	Millard	Staback
Boyd	Good	Miller, R.	Stairs
Browne	Goodman	Miller, S.	Steil
Bunt	Grell	Mundy	Stern
Butkovitz	Grucela	Mustio	Stetler
Buxton	Gruitza	Myers	Stevenson, R.
Caltagirone	Habay	Nailor	Stevenson, T.
Cappelli	Haluska	Nickol	Sturla
Casorio	Hanna	O'Brien	Surra
Causar	Harhai	Oliver	Tangretti
Cawley	Harper	O'Neill	Taylor, E. Z.
Civera	Harris	Pallone	Taylor, J.
Clymer	Hasay	Payne	Thomas
Cohen	Hennessey	Petrarca	Tigue
Cornell	Herman	Petri	True
Corrigan	Hershey	Petrone	Turzai
Costa	Hess	Phillips	Veon
Crahalla	Hickernell	Pickett	Vitali
Creighton	Hutchinson	Pistella	Walko
Cruz	James	Preston	Wansacz

Curry	Josephs	Quigley	Washington
Daley	Kauffman	Ramaley	Waters
Dally	Keller, M.	Rapp	Watson
DeLuca	Keller, W.	Raymond	Wheatley
Denlinger	Kenney	Readshaw	Williams
Dermody	Killion	Reed	Wilt
DeWeese	Kirkland	Reichley	Wojnaroski
DiGirolamo	Kotik	Rieger	Wright
Diven	Leach	Roberts	Yewcic
Donatucci	Leh	Roebuck	Youngblood
Eachus	Lescovitz	Rohrer	Yudichak
Ellis	Levdansky	Rooney	Zug
Evans, D.	Mackereth	Ross	
Evans, J.	Maher	Rubley	Perzel,
Fabrizio	Maitland	Ruffing	Speaker
Fairchild			

NAYS-0

NOT VOTING-0

EXCUSED-7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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

THE SPEAKER (JOHN M. PERZEL) PRESIDING

GUEST INTRODUCED

The SPEAKER. We have a special guest, the guest of Representative Nick Micozzie. It would be a magistrate from Delaware County, Kelly A. Micozzie-Aguiry. Would that guest please rise and be recognized by the House. I will keep the card, just in case.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 92, PN 86 By Rep. LEH

An Act providing for multistate sales and use tax administration for commerce.

FINANCE.

HB 126, PN 613 (Amended) By Rep. LEH

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, defining "alternative investment"; and further providing for administrative duties of the State Employees' Retirement Board.

FINANCE.

BILL REPORTED AND REREFERRED TO COMMITTEE ON AGING AND OLDER ADULT SERVICES

HB 246, PN 272 By Rep. LEH

An Act providing for a demonstration program to be known as the Senior Tax Reduction Incentive Volunteer Exchange Program; conferring powers and duties on the Department of Aging; and providing additional powers and duties to school districts.

FINANCE.

BILLS REPORTED AND REREFERRED TO COMMITTEE ON LOCAL GOVERNMENT

HB 266, PN 289 By Rep. LEH

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

FINANCE.

HB 267, PN 290 By Rep. LEH

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

FINANCE.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 3, PN 220**, entitled:

An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, further providing for definitions; establishing the Environmental Endowment Account and the Environmental Stewardship Sinking Fund; continuing the Hazardous Sites Cleanup Fund; further providing for agencies; providing for intergovernmental coordination, for evaluation of applications and for extension of fees; authorizing incurring of indebtedness, sale of bonds, temporary financing and debt retirement; providing for certification and publication of certification; further providing for deposit of disposal fees, for sunset and for adjustments; and making a repeal.

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

Mr. **ADOLPH** offered the following amendment No. **A00091**:

Amend Sec. 3 (Sec. 6104.1), page 7, line 2, by inserting after "certifications."
Twenty-five percent of any money deposited under this subparagraph shall be used for providing grants to counties, municipalities, county conservation districts, watershed organizations or other authorized organizations, for ongoing operation and maintenance costs directly related to maintaining abandoned mine water discharge cleanup projects.

Amend Sec. 3 (Sec. 6104.1), page 7, line 22, by inserting after “Representatives.”

The proposal may include a request for operation and maintenance costs related to abandoned mine water discharge projects.

Amend Sec. 4 (Sec. 6105), page 9, line 7, by striking out the bracket before “may”

Amend Sec. 4 (Sec. 6105), page 9, line 7, by striking out “] shall”

Amend Sec. 4 (Sec. 6105), page 9, line 7, by inserting after “funds”

in an amount equal to at least 10% of the total project cost. Additional local match requirements may be established by the departments

Amend Sec. 4 (Sec. 6105), page 10, line 29, by striking out the bracket before “may”

Amend Sec. 4 (Sec. 6105), page 10, lines 29 and 30, by striking out “] shall”

Amend Sec. 4 (Sec. 6105), page 10, line 30, by inserting after “funds”

in an amount equal to at least 10% of the total project cost. Additional local match requirements may be established by the departments

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

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

Mr. VITALI. Thank you, Mr. Speaker.

Will the maker of the amendment give a brief explanation?

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

Mr. ADOLPH. Thank you, Mr. Speaker.

Amendment A00091 does a couple things. This amendment would allow 25 percent of any excess funds deposited in the Environmental Endowment Account to be used for operation and maintenance on acid mine discharge projects, and what we found out, as we went through this process on this bond issue, is that operating and maintenance expenses could not be used for out of the bond issue. So this amendment would correct that, and this money here would be used for the operating and maintenance on the projects.

Secondly, Mr. Speaker, this amendment would also remove the absolute requirement for a local match on Growing Greener projects, while at the same time, if a match is used, set a base line of at least 10 percent of the total project cost to be this local match. Currently there is a variant schedule of local match requirements for different types of Growing Greener projects. This amendment simply says that if a match is going to be required for a particular program, it should be at least 10 percent. So what we are doing here is actually two things – and I think it was Representative Thomas that brought this up in the Environmental Committee meeting – we are changing the word “shall” to “may,” and if there is going to be a local match, it would be at least a 10-percent match.

Mr. VITALI. Thank you, Mr. Speaker.

May I ask a follow-up question?

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

Mr. VITALI. I have looked at the amendment very quickly.

It does not seem to rule the other amendments filed to this bill out of order. Is that your understanding, that it does not rule the other amendments out of order or it does?

Mr. ADOLPH. It does not.

Mr. VITALI. Thank you. That is all.
Mr. ADOLPH. Thank you.
The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—193

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

NAYS—2

Creighton Wilt

NOT VOTING—0

EXCUSED—7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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

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

Mr. MAHER offered the following amendment No. **A00074**:

Amend Sec. 4 (Sec. 6105), page 11, line 17, by striking out “\$15,000,000” and inserting
\$39,000,000

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

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. Maher. The gentleman, Mr. Maher, indicates that—

The Chair recognizes the gentleman, Mr. Vitali.
Mr. VITALI. Thank you, Mr. Speaker.
Could the maker of the amendment give us a brief explanation?

If I could also note, we do not have a pre-session report, which would expedite this process a bit. I do not know if there is one or not.

The SPEAKER. That is for the Democratic Caucus to prepare.

On that question, the Chair recognizes the gentleman, Mr. Maher, for an explanation of the amendment.

Mr. MAHER. Thank you, Mr. Speaker.
Western Pennsylvania has a proud tradition in the coal industry, which has left us a legacy that basically the area defined by Interstate 80, going east-west, and I-99, going north-south, if you take that entire section of Pennsylvania, about every square mile is undermined. We learned from the Quecreek situation how water collects in these mines, but to those of us who call that area home, it is not a surprise. Abandoned mine discharge is a significant problem, and occasions occur when these mines have collected water, burst at the seams, neighborhoods get wiped out, businesses get flooded, and it is an important problem to be solved.

I applaud the bill as it was prepared because it intends to expedite the addressing of this issue. At current levels of effort, Federal and State authorities estimate that we require approximately 60 to 140 years of continued effort at current funding levels that just the dangerous mines would have been remedied. So this amendment seeks to provide additional funds, and the amount selected was designed to replace a possible loss of Federal funds that could occur as early as July.

Thank you, Mr. Speaker.
Mr. VITALI. If I could ask a follow-up?
The SPEAKER. The gentleman, Mr. Vitali.
Mr. VITALI. As I just look at the text, I see, if I am reading it correctly, the figure of \$15 million crossed out and \$39 million added. Is that correct?

Mr. MAHER. You are reading correctly; yes.
Mr. VITALI. Okay. So the allocation you are seeking is being more than doubled, and I am wondering, where is that coming from? It is difficult in context—

Mr. MAHER. It comes from the bond issue, Mr. Speaker.

Mr. VITALI. Now, the additional – you know, \$15 million; help me with the math; \$15 million – \$24 million you are allocating towards this purpose, what purposes would that not go to pursuant to this bond allocation? In other words, what fund are you taking it from?

Mr. MAHER. It would be drawn from the pool, which does not have a specific earmarking.

Mr. VITALI. Okay. Just so I am clear, my general understanding of the bill is, there is an allocation for DCNR (Department of Conservation and Natural Resources), an allocation for DEP (Department of Environmental Protection), an allocation for another agency. Whose allocation is this coming from?

Mr. MAHER. Again, Mr. Speaker, this is being drawn from the residual, which does not have any earmarking.

Mr. VITALI. Thank you, Mr. Speaker. No further questions.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. ROSS. Thank you, Mr. Speaker.

And although I want to applaud the maker of this amendment for his good intentions and to recognize the seriousness of the problem that he is addressing, in fact I believe that the pool that he is referring to is really all of the other programs, and what we have done in this, as we did in the original Growing Greener, is attempt to balance the very serious needs across the State and to make sure that we were, in an evenhanded way, bringing people from all different ideas and concerns together in a fair and balanced way. And I think that we will have temptations here today to tweak and push and pull this a little bit, but I think the point is right now that the underlying bill is balanced; that if we start shifting moneys, we lose that sense of balance.

I also want to point out that there are some sensitive negotiations going on in Washington right now where we are attempting to draw down additional Federal funds that, really, Pennsylvania deserves for the outstanding abandoned mine problems that we have had. I think that we would wind up undercutting those Federal negotiations by our Senators and Congressmen if we essentially say we can take care of that problem ourselves. We ought to make sure, first, that those negotiations are concluded and, if possible, draw the Federal dollars down so that we can fill the needs that we have for abandoned mines.

So although this is a well-intentioned amendment, I strongly urge my colleagues to vote “no” on it and to keep the underlying balance in place and not undercut our Federal negotiations.

Thank you.

The SPEAKER. On the amendment, the gentleman, Mr. Lescovitz.

Mr. LESCOVITZ. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of this amendment. It was stated that there are Federal dollars out there, but under the present situation in Washington, DC, those Federal dollars are being cut. And mine water drainage is a big problem here in Pennsylvania; therefore, I think it is essential that we do increase the funds in this appropriation for that mine water drainage program here in the Commonwealth, and I ask all my colleagues to support this amendment.

Thank you.

The SPEAKER. On the amendment, the gentlelady from Montgomery, Ms. Harper.

Ms. HARPER. Thank you, Mr. Speaker.
 I just want to point out, for those of you who have an acid mine drainage issue in your districts, the bill as currently written does double the money available for acid mine drainage. It doubles the money available. What the gentleman's amendment seeks to do is to replace Federal funding that he believes may be lost.

I do not diminish the severity of the problem, but I will also be voting "no," because he is actually reallocating the money that has been set forth in the Green plan very carefully to balance all of the needs of the entire State. Acid mine drainage is doubled in the bill as it stands.

Thank you, Mr. Speaker.
 The SPEAKER. The gentleman, Mr. Maher, for the second time.

Mr. MAHER. Mr. Speaker, I think it is actually my first occasion. I was responding to interrogation, but in any case.

The gentlelady is correct. This would increase funding for acid mine drainage and abandoned mine reclamation. With this increase, we might move from a stage where we are looking at a 120-year horizon to remedy this problem to a mere 60 years. Now, I do not think that that is overly ambitious. I think it would be negligent of us to adopt a program where we are aiming to improve the condition, but remember, these mines present a clear and present danger. Homes are lost, businesses are lost, and they continue to poison our streams. They poison the groundwater. Every one of us from the west to those up through the northeast know that this is a problem that needs a remedy, and it is not a remedy on a 70- or 80-year timetable. We need to get to it, and I applaud this bill for heading that direction. There will be an even stronger remedy with this amendment.

I ask for your support. Thank you.
 On the question recurring,
 Will the House agree to the amendment?

The following roll call was recorded:

YEAS—107

Argall	Fairchild	Manderino	Samuelson
Baker	Forcier	Mann	Shaner
Bastian	Frankel	Markosek	Smith, S. H.
Bebko-Jones	Freeman	McCall	Solobay
Belardi	Gabig	McGeehan	Staback
Belfanti	Geist	McIlhattan	Stairs
Biancucci	George	McNaughton	Stetler
Bishop	Goodman	Melio	Stevenson, R.
Blackwell	Grucela	Metcalfe	Stevenson, T.
Blaum	Gruitza	Mundy	Surra
Butkovitz	Habay	Mustio	Tangretti
Buxton	Haluska	Myers	Thomas
Casorio	Hanna	Oliver	Tigue
Causar	Harhai	Pallone	Veon
Cawley	Harris	Petrarca	Walko
Cohen	Hasay	Petrone	Wansacz
Corrigan	Herman	Phillips	Washington
Costa	Hess	Pistella	Waters
Cruz	Hutchinson	Preston	Wheatley
Daley	James	Ramaley	Williams
DeLuca	Keller, W.	Readshaw	Wojnaroski
Dermody	Kirkland	Reed	Yewcic
DeWeese	Kotik	Rieger	Youngblood
Diven	Leach	Roberts	Yudichak
Donatucci	Lescovitz	Rooney	

Eachus	Levdansky	Ruffing	Perzel,
Evans, D.	Maher	Sainato	Speaker
Fabrizio			

NAYS—88

Adolph	Fichter	Major	Rubley
Baldwin	Fleagle	Marsico	Santoni
Barrar	Flick	McGill	Sather
Benninghoff	Gannon	McIlhinney	Saylor
Birmelin	Gerber	Micozzie	Scavello
Boyd	Gillespie	Millard	Schroder
Browne	Gingrich	Miller, R.	Semmel
Bunt	Godshall	Miller, S.	Shapiro
Caltagirone	Good	Nailor	Smith, B.
Cappelli	Grell	Nickol	Sonney
Civera	Harper	O'Brien	Steil
Clymer	Hennessey	O'Neill	Stern
Cornell	Hershey	Payne	Sturla
Crahalla	Hickernell	Petri	Taylor, E. Z.
Creighton	Josephs	Pickett	Taylor, J.
Curry	Kauffman	Quigley	True
Dally	Keller, M.	Rapp	Turzai
Denlinger	Kenney	Raymond	Vitali
DiGirolamo	Killion	Reichley	Watson
Ellis	Leh	Roebuck	Wilt
Evans, J.	Mackereth	Rohrer	Wright
Feese	Maitland	Ross	Zug

NOT VOTING—0

EXCUSED—7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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

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

The SPEAKER. The gentleman, Mr. George, offers the following amendment. Before the clerk— Mr. George, which amendment would you like to offer first?

Mr. GEORGE. Thank you, Mr. Speaker.

95, if you will, please.

The SPEAKER. Not a problem.

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

Mr. GEORGE offered the following amendment No. **A00095**:

Amend Sec. 5 (Sec. 6114), page 13, by inserting between lines 22 and 23

(a) Certification by Governor.—

(1) It is the intent of the General Assembly that current programs funded by the fund shall not be substantially harmed by the enactment of this section.

(2) If the Governor certifies to the General Assembly within ten days of the effective date of this section that more than 15% of the total annual expenses for any specific program

authorized by section 6105 (relating to agencies) and funded by the fund as of December 31, 2004, would be ineligible for funding from Commonwealth indebtedness, then the Governor may reallocate the entire \$3.75-per-ton funding from the landfill fees designated in section 6302 (relating to deposit of disposal fee) to the Environmental Stewardship Sinking Fund and Hazardous Sites Cleanup Fund and deposit it in the Environmental Stewardship Fund.

Amend Sec. 5 (Sec. 6114), page 13, line 23, by striking out “(a)” and inserting

(b)

Amend Sec. 5 (Sec. 6114), page 14, line 14, by striking out “(b)” and inserting

(c)

Amend Sec. 5 (Sec. 6114), page 15, line 19, by striking out “(c)” and inserting

(d)

Amend Sec. 5 (Sec. 6114), page 16, lines 20 through 30; page 17, lines 1 through 20, by striking out all of said lines on said pages and inserting

(e) Debt retirement—

(1) All bonds issued under the authority of this chapter shall be redeemed at maturity, together with all interest due. Principal and interest payments shall be paid from the Environmental Stewardship Sinking Fund. For the specific purpose of redeeming the bonds at maturity and paying all interest on the bonds in accordance with the information received from the Governor, the General Assembly shall appropriate money for the payment of interest on the bonds and notes and the principal of the bonds and notes at maturity. All money paid into the Environmental Stewardship Sinking Fund and all of the money not necessary to pay accruing interest shall be invested by the State Treasurer in securities as are provided by law for the investment of the sinking funds of the Commonwealth.

(2) The State Treasurer shall determine and report to the Secretary of the Budget by November 1 of each year the amount of money necessary for the payment of any interest on outstanding obligations and the principal of the obligations for the following fiscal year and the times and amounts of the payments. The Governor shall include in every budget submitted to the General Assembly full information relating to the issuance of bonds and notes under this chapter and the status of the fund and the Environmental Stewardship Sinking Fund for the payment of interest on the bonds and notes and the principal of the bonds and notes at maturity.

(3) The General Assembly shall appropriate for deposit into the Environmental Stewardship Sinking Fund an amount equal to the sum necessary to meet repayment obligations for principal and interest.

On the question,

Will the House agree to the amendment?

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

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, our Constitution mandates that we are trustees of the State’s environment. What kind of a trustee funds 7 years of spending by cutting 20 years of the same program? What is the benefit of that? Moreover, many of the programs funded today under Growing Greener cannot be funded by using bonds.

A95 is an amendment that would give the Governor the power to stop cuts in existing watershed programs. A95 is an amendment that would give the Governor the power to stop cuts in smart growth planning in Bucks County. A95 is an amendment, Mr. Speaker, that would give the Governor the

power to stop the cuts in the regular DCNR park maintenance. A95 is an amendment that would give the Governor the power to stop cuts in maintaining acid mine drainage systems in my county and all counties that are affected by this.

My amendment, Mr. Speaker, allows the Governor to stop these cuts and prevents the raiding of Growing Greener dollars just to pay for bonds that would do the same exact things as the money was doing today. Hear me: selling bonds to get money to cut the same programs that the money is funding right now. This is an amendment to stop cuts, and I urge you to vote with me to stop these cuts. Most of the language, it is the same language you voted for when you voted to implement the \$250 million water bond a few months ago.

You already have voted for this once. I ask that you do the same responsible thing by voting for this amendment at this moment.

Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Ross.

Mr. ROSS. Thank you, Mr. Speaker.

I would point out to the members that we recently passed the Adolph amendment, which addresses the issue of the operation and maintenance funds. There are several other amendments that also attempt to deal with that, but we have covered that issue.

I would ask for a negative vote on this amendment, because we do not want to be put in the position of a massive reallocation of these funds. We want to be clear as to what we are doing, and the concern on the operation and maintenance issue has been already addressed.

Thank you.

The SPEAKER. The gentlelady from Chester, Mrs. Rubley.

Mrs. RUBLEY. Thank you, Mr. Speaker.

I, too, oppose this amendment. Green PA has been premised on taking the \$4.25 in tipping fees to fund our debt service on the bonds and to give additional money to farmland preservation and the Hazardous Sites Cleanup Fund. It is imperative that we continue to put more money into ag preservation, because they have been losing money, and that we bring money back to the Hazardous Sites Cleanup Fund because they are so low on funds and are not able to address some of our current needs.

In addition, the whole premise of this bill was that the additional moneys would be used to pay off the bonds so that our future generations will not be subjected to huge increases in taxes. Therefore, I urge you to please defeat this amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentlelady.

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

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

Mr. Speaker, I believe, although the other speakers prior to me articulated the reasons that we should oppose this amendment, I also believe, just add to that, that the previous amendment by Mr. Adolph addressed much of the issue and would urge the members to oppose the George amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. George.

Mr. GEORGE. Thank you, Mr. Speaker. I will not be long.

I can assure you that this amendment takes not one nickel from farmland preservation, and I can assure you, before this

day is over, as we have together and away from each other argued and debated what would go on today, I will be able to provide you the facts that if we keep going in this manner, there will be as much as \$495 million that we will not be able to fund in PENNVEST (Pennsylvania Infrastructure Investment Authority). We have the facts, and we accept the fact also that you know what is right from wrong, and we are asking you to think about this because it is the right thing to do.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—90

Bebko-Jones	Evans, D.	Markosek	Shaner
Belardi	Fabrizio	McCall	Shapiro
Belfanti	Frankel	McGeehan	Solobay
Biancucci	Freeman	Melio	Staback
Bishop	George	Mundy	Stetler
Blackwell	Gerber	Myers	Sturla
Blaum	Goodman	Oliver	Surra
Butkovitz	Grucela	Pallone	Tangretti
Buxton	Gruitza	Petrarca	Thomas
Caltagirone	Haluska	Petrone	Tigue
Casorio	Hanna	Pistella	Veon
Cawley	Harhai	Preston	Vitali
Cohen	Hasay	Ramaley	Walko
Corrigan	James	Readshaw	Wansacz
Costa	Josephs	Rieger	Washington
Cruz	Keller, W.	Roberts	Waters
Curry	Kirkland	Roebuck	Wheatley
Daley	Kotik	Rooney	Williams
DeLuca	Leach	Ruffing	Wojnaroski
Dermody	Lescovitz	Sainato	Yewcic
DeWeese	Levdansky	Samuelson	Youngblood
Donatucci	Manderino	Santoni	Yudichak
Eachus	Mann		

NAYS—105

Adolph	Fleagle	Maitland	Ross
Argall	Flick	Major	Rubley
Baker	Forcier	Marsico	Sather
Baldwin	Gabig	McGill	Saylor
Barrar	Gannon	McIlhattan	Scavello
Bastian	Geist	McIlhinney	Schroder
Benninghoff	Gillespie	McNaughton	Semmel
Birmelin	Gingrich	Metcalfe	Smith, B.
Boyd	Godshall	Micozzie	Smith, S. H.
Browne	Good	Millard	Sonney
Bunt	Grell	Miller, R.	Stairs
Cappelli	Habay	Miller, S.	Steil
Causar	Harper	Mustio	Stern
Civera	Harris	Nailor	Stevenson, R.
Clymer	Hennessey	Nickol	Stevenson, T.
Cornell	Herman	O'Brien	Taylor, E. Z.
Crahalla	Hershey	O'Neill	Taylor, J.
Creighton	Hess	Payne	True
Dally	Hickernell	Petri	Turzai
Denlinger	Hutchinson	Phillips	Watson
DiGirolamo	Kauffman	Pickett	Wilt
Diven	Keller, M.	Quigley	Wright
Ellis	Kenny	Rapp	Zug
Evans, J.	Killion	Raymond	
Fairchild	Leh	Reed	
Feese	Mackereth	Reichley	Perzel,
Fichter	Maher	Rohrer	Speaker

NOT VOTING—0

EXCUSED—7

Allen Armstrong	Gergely Harhart	LaGrotta Lederer	Pyle
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Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was not agreed to.

On the question recurring,

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

MOTION TO SUSPEND RULES

The SPEAKER. The Chair at this time recognizes the gentleman, Mr. Surra.

Mr. SURRA. Mr. Speaker, I make a motion for the purpose of suspension of the rules for amendment A00107.

On the question,

Will the House agree to the motion?

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

Mr. SURRA. Thank you, Mr. Speaker.

Mr. Speaker, we had an interesting committee meeting last week on the Green PA proposal, and while I appreciate the fact that there has been a proposal put forward by the other side of the aisle, I think that we need to do a better job, and we need to work together to do a better job.

Mr. Speaker, under the current Growing Greener Program—

The SPEAKER. Mr. Surra?

Mr. SURRA. Yes, sir?

The SPEAKER. Under the rules of the House, we are asking for a brief description of the amendment.

Mr. SURRA. Mr. Speaker, one moment, please.

The SPEAKER. The gentleman.

The Chair recognizes the gentleman, Mr. Surra.

Mr. SURRA. Thank you, Mr. Speaker.

Mr. Speaker, while we are trying to work on this issue and move this Growing Greener/Green PA process forward, I would like to point out, Mr. Speaker, that there are some things that are currently funded under the Growing Greener Program that would not be funded under the Green PA Program, and two of the biggest things for rural legislators are there is absolutely no funding and no assistance for the Fish and Boat Commission or the Game Commission, which had been included in all the previous discussions of the Growing Greener funding. They are not covered under Green PA. Mine reclamation moneys are not funded; brownfields, not funded; Energy Harvest, not funded; new Growing Greener II programs and operating programs; historical preservation grants are not funded under Green PA; increase in DGS (Department of General Services); the green energy purchase, not funded; the green sales tax holiday that we all supported is not funded. Total new Growing Greener spending would be \$800 million, and under the Green PA proposal, it is actually a net gain of only \$170 million.

The Hazardous Sites Cleanup Fund is \$55 million a year under the Growing Greener II amendment and \$30 million a year under Green PA.

Mr. Speaker, I would like to suspend the rules to offer my amendment. This amendment would also float a bond of \$800 million to fund Growing Greener over the next 5 years. There is no permanent increase in tipping fees. However, the tipping fee would be temporarily raised by \$1 a ton for a period of 7 years, until 2012. Then the tipping fee would fall back to \$6.25 a ton.

Mr. Speaker, with this suspension of the rules for this amendment, we would be able to fully fund all the environmental programs, and the glaring problem that I see with HB 3, if we do not suspend the rules, Mr. Speaker, is we are actually taking \$4 a ton of existing revenue that funds existing programs, we are taking that money to borrow money to pay for those programs. So in the first few years of the Green PA plan, we borrow \$800 million – that is true – but it is only \$170 million of new spending because we are paying for programs that we cut. Mr. Speaker, that makes no sense. The purpose of a long-term bond and what my amendment does is we pay that bond in the out years for \$800 million in new spending now.

So if the Fish and Boat Commission funding is important to you and mine reclamation, Game Commission funding, brownfields, historic preservation, increase in the green energy purchase programs, Hazardous Sites Cleanup Fund, the Recycling Fund, if those programs are important to you, then you should support this amendment, Mr. Speaker.

And I know many people, many people have a problem with increasing any fees – \$1; \$1 per person, per year. Now, what you have got to understand, we dispose of about 21 million tons of trash a year in Pennsylvania. Almost half of that comes from New York, New Jersey, and Canada. So I think it is prudent to tax those people and use that revenue to help with environmental problems in our own State.

So for that reason and all the other good reasons, I would encourage the support of the members of the House to suspend the rules. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Smith.

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

Mr. Speaker, I rise to oppose the suspension of the rules. The various plans and options to deal with the demands of the environmental programs in Pennsylvania have been kind of floating around here for a little bit, although when the Governor first announced his desire to propose a bond last spring to deal with or last budget season to deal with environmental problems, he did not put forth an exact plan as to how it would be spent. Subsequent to that, there was legislation introduced last session that more or less embodied the Governor’s proposal, not only how to finance it but how the money would be spent.

In the ensuing period of time, in particular since last November, we put together the primary bill that is before us, HB 3, that is a comprehensive bill that addresses much of what is needed relative to the Governor’s proposal and the Governor’s interests in dealing with some of these environmental programs. The significant difference between the proposal before us embodied in HB 3, the proposal that the Governor more or less put forward, and the bill that this amendment before us, that it is seeking suspension of the rules to consider, is that our plan would fund these programs without

raising taxes. There is a lot of debate over whether or not that is adequate enough, but 6 or 7 years ago, whenever we put Growing Greener I into place, that was the same concern. There is never enough money; we were not spending enough money. Yet today, if you walk around the State, everybody will tell you what a great job we have done with the existing Growing Greener Program.

I think it is important, Mr. Speaker, for us to recognize that what we are debating here today is in fact not the final bill. I am a little concerned as to exactly how this bill is going to be received in the Senate, to be honest with everyone here, and that I think it is most important that we work together to pass a bill to the Senate from which we can work that will not be rejected out of hand. I think that is important.

If we want to get something done, as we have indicated our desire to allow for a bond question to ultimately be on the ballot this spring, if we want to get something done, we need to work in good faith. What we have before us in HB 3 is an honest, good-faith effort to get done what we have set out to do, and I would urge the members to oppose the suspension of the rules.

The SPEAKER. The minority leader defers to the gentleman, Mr. Surra. Mr. Surra.

Mr. SURRA. Thank you, Mr. Speaker.

I appreciate my colleague and neighbor, the majority leader, Representative Smith’s comments, and he did say that originally Growing Greener funded a lot of good programs, and that is a fact, and that is one of the dilemmas with Green PA, is that many of those programs will not be funded adequately, and that is why, if we do not put any new revenue in, if we do not put any new revenue in, we are going to lose and cut environmental programs. That is what this whole argument is all about.

The bottom line is this, Mr. Speaker: We are using existing revenue, if you just use the \$4 a ton to pay for the bond, to borrow \$800 million, of which there is only \$170 million of actual new spending. We would almost be better off if we did nothing and just let the \$4 go. And to say that this is not a fee increase, or a tax increase as it was called, a tax increase on tipping fees, is not really accurate, because HB 3 in its current form extends the \$4 tipping fee from 2012 until 2032, and I think that is appropriate. But let us be honest, it is an increase in spending, because right now, at 2012 the tipping fee would sunset.

So, Mr. Speaker, I really encourage to put new money into our environmental programs. We need to suspend the rules, and I would ask for the members’ support. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—89

Bebko-Jones	Evans, D.	Markosek	Shaner
Belardi	Fabrizio	McCall	Shapiro
Belfanti	Frankel	McGeehan	Solobay
Biancucci	Freeman	Melio	Staback
Bishop	George	Mundy	Stetler
Blackwell	Gerber	Myers	Sturla
Blaum	Goodman	Oliver	Surra
Butkovitz	Grucela	Pallone	Tangretti
Buxton	Gruitza	Petrarca	Thomas
Caltagirone	Haluska	Petrone	Tigue

Casorio	Hanna	Pistella	Veon
Cawley	Harhai	Preston	Vitali
Cohen	James	Ramaley	Walko
Corrigan	Josephs	Readshaw	Wansacz
Costa	Keller, W.	Rieger	Washington
Cruz	Kirkland	Roberts	Waters
Curry	Kotik	Roebuck	Wheatley
Daley	Leach	Rooney	Williams
DeLuca	Lescovitz	Ruffing	Wojnarowski
Dermody	Levdansky	Sainato	Yewcic
DeWeese	Manderino	Samuelson	Youngblood
Donatucci	Mann	Santoni	Yudichak
Eachus			

NAYS—106

Adolph	Fleagle	Maher	Rohrer
Argall	Flick	Maitland	Ross
Baker	Forcier	Major	Rubley
Baldwin	Gabig	Marsico	Sather
Barrar	Gannon	McGill	Saylor
Bastian	Geist	McIlhattan	Scavello
Benninghoff	Gillespie	McIlhinney	Schroder
Birmelin	Gingrich	McNaughton	Semmel
Boyd	Godshall	Metcalfe	Smith, B.
Browne	Good	Micozzie	Smith, S. H.
Bunt	Grell	Millard	Sonney
Cappelli	Habay	Miller, R.	Stairs
Causar	Harper	Miller, S.	Steil
Civera	Harris	Mustio	Stern
Clymer	Hasay	Nailor	Stevenson, R.
Cornell	Hennessey	Nickol	Stevenson, T.
Crahalla	Herman	O'Brien	Taylor, E. Z.
Creighton	Hershey	O'Neill	Taylor, J.
Dally	Hess	Payne	True
Denlinger	Hickernell	Petri	Turzai
DiGirolo	Hutchinson	Phillips	Watson
Diven	Kauffman	Pickett	Wilt
Ellis	Keller, M.	Quigley	Wright
Evans, J.	Kenny	Rapp	Zug
Fairchild	Killion	Raymond	
Feese	Leh	Reed	Perzel,
Fichter	Mackereth	Reichley	Speaker

NOT VOTING—0

EXCUSED—7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

The SPEAKER. The gentleman, Mr. George, would you give us the next amendment that you would like to see before the body?

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker—

The SPEAKER. We need the number, Mr. George.

Mr. GEORGE. 97, if you will, please.

The SPEAKER. No problem.

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

Mr. GEORGE offered the following amendment No. **A00097**:

Amend Title, page 1, line 10, by inserting after "for" disposal fee for municipal waste landfills and for Amend Title, page 1, line 11, by removing the comma after "fees" and inserting

; providing for disposal fee for resource recovery facilities, for deposit of resource recovery disposal fee, for Fire Company and Ambulance Service Grant Program and for Military Family Emergency Assistance Program; further providing

Amend Sec. 6, page 19, line 6, by inserting after "Sections" 6301(a),

Amend Sec. 6, page 19, by inserting between lines 7 and 8

§ 6301. Disposal fee for municipal waste landfills.

(a) Imposition.—Except as otherwise provided in subsection (b), each operator of a municipal waste landfill shall pay, in the same manner prescribed in Chapter 7 of the act of July 27, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, a disposal fee of \$4 per ton for all solid waste disposed of at the municipal waste landfill. The fee established in this section shall not apply to process residue and nonprocessible waste from a resource recovery facility subject to section 6307 (relating to disposal fee for resource recovery facilities) that is disposed of at the municipal waste landfill and is in addition to the fee established in section 701 of the Municipal Waste Planning, Recycling and Waste Reduction Act.

Amend Bill, page 20, by inserting between lines 13 and 14 Section 6.1. The act is amended by adding sections to read:

§ 6307. Disposal fee for resource recovery facilities.

(a) Fee.—Each operator of a resource recovery facility shall pay, in the same manner prescribed in Chapter 7 of the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, a disposal fee of \$4.25 per ton for all solid waste disposed of at a resource recovery facility.

(b) Exception.—Process residue and nonprocessible waste from a resource recovery facility that pays this fee that is consequently disposed of at the municipal waste landfill shall be exempt from fees imposed in section 6301(a) (relating to disposal fee for municipal waste landfills).

§ 6308. Deposit of resource recovery facility disposal fee.

(a) Payment.—For the fiscal year 2005-2006 and beyond, fees received by the department pursuant to section 6307 (relating to disposal fee for municipal waste landfills) shall be paid into the State Treasury as follows:

(1) Sixty percent of the received fees shall be deposited in the Hazardous Sites Cleanup Fund.

(2) Twenty percent of the received fees shall be utilized for the Fire Company and Ambulance Service Grant Program established in section 6309 (relating to Fire Company and Ambulance Service Grant Program).

(3) Twenty percent of received fees shall be utilized by the Department of Military and Veterans Affairs for the Military Family Emergency Assistance Program.

(b) Appropriation.—If the Governor certifies that revenue for the normal operation of programs paid for by the Hazardous Sites Cleanup Fund is sufficient, then 75% of all received fees shall be appropriated to the Fire Company and Ambulance Service Grant Program and 25% of all fees shall be appropriated to the Department of Military and Veterans Affairs for the Military Family Emergency Assistance Program.

§ 6309. Fire Company and Ambulance Service Grant Program.

(a) Establishment.—The Fire Company and Ambulance Service Grant Program shall be established and administered by the Pennsylvania Emergency Management Agency and the Office of the State Fire Commissioner.

(b) Eligibility.—Eligibility in the program is open to those who qualify under the act of July 31, 2003 (P.L.73, No.17), known as the Volunteer Fire Company and Volunteer Ambulance Service Grant Act, as well as nonvolunteer municipal fire, rescue and ambulance units.

(c) Guidelines.—The agency shall develop guidelines, procedures and all applications necessary to implement the grant program, but shall make every attempt to streamline application procedures for any applicant participating under the Volunteer Fire Company and Volunteer Ambulance Service Grant Act. The agency shall submit the guidelines, procedures and applications to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin within 30 days of the effective date of this section.

(d) Award of grants.—

(1) The agency is hereby authorized to make a grant award to each eligible recipient for the following:

(i) Repair or purchase of firefighting, ambulance or rescue equipment or vehicle that can be used for emergency response.

(ii) Training and certification of members to deal with emergencies, especially related to hazardous materials or situations where people can be exposed to hazardous materials.

(iii) Repair or construction of facilities that protect firefighting, ambulance or equipment or vehicles from the elements.

(2) The agency is not required to award every applicant or every county a grant every year under this program, but shall take geography into account when allocating resources, both on an annual and long-term basis, to ensure that resources are spread throughout each region and within each region of this Commonwealth. The goal of this grant program shall be to assist these units in acquiring training or in expenditures related to equipment, vehicles and facilities that would be greater than \$10,000.

§ 6310. Military Family Emergency Assistance Program.

The Department of Military and Veterans Affairs shall establish the Military Family Emergency Assistance Program for Pennsylvanians who are members of the United States Armed Services, the United States Coast Guard, the Pennsylvania National Guard or their family members. They shall distribute these funds as military family relief at the discretion of the Adjutant General to persons qualified under this section who are facing some form of financial or medical crisis. The Adjutant General is authorized to issue regulations governing this program and shall report to the General Assembly on an annual basis on this program and the general type of crises faced by Pennsylvania military families and the type of assistance it provided.

On the question,

Will the House agree to the amendment?

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

Mr. GEORGE. Thank you, sir.

Citizens of 58 counties in Pennsylvania contribute to the Growing Greener Fund on almost every single pound of trash that they throw out, but some communities burn their trash in incinerators and they do not pay that \$4.25 per ton for each ton sent to that facility. Yet you all know as legislators that all communities and all entities are not boycotted from utilizing the Green moneys. They are all entitled to it, whether they contribute or not.

Mr. Speaker, my amendment makes sure that every citizen in Pennsylvania contributes equally to our program and then takes the money and gives 60 percent to the Hazardous Sites Cleanup Fund; 20 percent to fire companies, volunteer or paid, to buy the big-ticket items like vehicles; and 20 percent to start a Military Family Emergency Assistance Program. We need to help pay for the Cleanup Fund, we need to help fire companies, and we need to help military families.

In previous sessions, a large majority of you did not have a problem in asking our citizens to pay this fee, and you were very responsible in that account. So asking this fee to be paid equally should not be difficult.

I ask for your support.

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

Mr. ROSS. Thank you, Mr. Speaker.

Many of us who were here before when we passed the original tipping fee will remember this issue which was discussed and debated thoroughly, and at that point it was the wisdom of this House that these municipal facilities, the recovery facilities, were different in a fundamental way from landfills, and the operations that they perform do not create the same kinds of long-term problems that the landfills do. In addition, we recognize at that point that if those facilities wound up creating ash which went to a landfill, they would then pay the tipping fee. If their ash was not used in a landfill and was beneficially used in cement or some of the other uses that it can be put to, that was a form of recycling, and so therefore, it should not be charged the tipping fee. Again, that was a carefully thought-through idea that we created. There are many municipalities that are counting on and relying on that decision that we made at that time, and I think that it was wise at that point and it is still wise today.

I would therefore ask us, my colleagues, to vote “no” on this amendment, and again, not disturb or upset the existing reasonable compromise we have made on this issue in the past. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Surra.

Mr. SURRA. Thank you, Mr. Speaker.

And very briefly, I rise to support the George amendment, Mr. Speaker. In short, trash is trash.

There are huge investments made by municipalities and various entrepreneurs to site landfills in Pennsylvania, Mr. Speaker, as is a huge investment to site incinerators. Now, frankly, if the people in every other county that dispose of their trash in a landfill have to pay the tipping fee, I think it is appropriate that people that burn their waste pay a tipping fee also, and I would ask for an affirmative vote.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lackawanna, Mr. Wansacz.

Mr. WANSACZ. Thank you, Mr. Speaker.

I, too, would like to ask our members to vote in favor of this.

My constituents in Lackawanna and Luzerne and Wyoming and Susquehanna Counties all have to pay a fee, and as my colleague before me, Representative Surra, said, trash is trash. We all have environmental programs; we all need help with our environment. Whether it is farmland preservation in Wyoming County, Susquehanna, Lackawanna, or Luzerne, we all have to

pay the tipping fee now; why should not residents who have to burn their trash in incinerators?

I would ask for an affirmative vote on this.

The SPEAKER. The Chair thanks the gentleman.

Does the majority leader wish to speak? Mr. Smith.

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

Mr. Speaker, I rise to ask the members to vote against the George amendment.

The bottom line is that when we established the initial program and the initial tipping fee that has funded the bulk of the good works of Growing Greener over the last several years, this issue was debated and there was a balance struck, part of the problem being that many of the municipalities, these incinerators tend to be municipally owned, not exclusively perhaps but they tend to be municipally owned, were set up by the actual local government, and therefore, they had taken on a significant responsibility for managing their local waste. There was a significant, maybe somewhat intricate balance between the financing of those facilities and the impact that an unforeseen additional tipping fee may impose upon them. I think it is important that we try to maintain that balance. They are contributing to the overall situation relative to the tipping fees, ultimately on the ash, and I believe that that balance is important for us to maintain.

I would also comment, Mr. Speaker, that I find it interesting that some of the speakers today, who currently are advocating something here today, opposed all of the tipping fees and opposed what we did when we created Growing Greener, and I remember back to some of those arguments, that it was never enough money for environmental programs and such things, and I think it is important that we look at the success that we have achieved with Growing Greener. What we have here before us is a bill that will build on that success, and it is something that I think we can continue to do in a cooperative way.

This amendment, Mr. Speaker, will upset the balance and the basic floor plan that allows for Growing Greener to function properly, and I would urge the members to vote against it.

Mr. DeWEESE. Mr. Speaker?

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. In response to the gentleman's statement that the George amendment would upset the balance, I would like to offer an argument that would contravene the gentleman's statement and say that the inclusion of the George amendment might strike a balance or at least move in that direction that would allow for a gubernatorial signature to be affixed to this program. Balance is what we are needing, and the George amendment adds balance that the Rendell administration thinks is necessary, and that is just the opposite side of the proverbial coin. This proposal will receive a veto unless it is amended here and there, and here is a good place to start.

The SPEAKER. The gentleman, Mr. George.

Mr. GEORGE. My apology, Mr. Speaker. I do not mean to delay this means. I simply say to you and all who may be listening that it is the intent of most of us that are responsible and understand and feel deeply about the environment. I read the other day where success and happiness is not in worth or position but in the environment around us, where we care for others and we care for this environment.

Mr. Smith said, and I appreciate not only his friendship, but when the Greener Program was passed 5 years ago, there were five or six Republican members that are now in leadership that

supported Bud George until Governor Ridge intervened on the bond proposal. So I am not against that; I am just insisting that we need more money. I will later prove that we are cutting—Not cutting; I apologize, Mr. Speaker. What we are doing is we are neglecting; there will be a shortfall. Republicans do not want a shortfall any more than Democrats. So if the gentleman, the majority leader, spoke about some of us, I did not become an individual that was willing to take the guff of being a conservationist; I have been there. And I can remember the gentleman, who was a good member, Mr. Smith, on my committee when we had the majority, but it was always my idea in the committee that you undertook things and took them up so you can make a bill better – I just adore my majority chairman, who is a good friend – but if that does not happen, we go to the floor and we provide amendments, which you as a speaker must labor with, and I apologize for any undue labor, but I think in this case this is what we ought to do. We ought to be responsive and responsible. We ought to make sure that everybody—Do not forget, 20 percent of incinerated waste is from out of State, Mr. Speaker, waste that we as legislators cannot attach a fee to because of the Federal law. This is one way to make those people coming from out of State and depositing a waste product that is not safe in their own area, that bring it into Pennsylvania, and I ask that we support this amendment.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—76

Bebko-Jones	Eachus	Levdansky	Santoni
Belardi	Evans, D.	Manderino	Shaner
Belfanti	Fabrizio	Markosek	Solobay
Bianucci	Fairchild	McCall	Staback
Blackwell	Frankel	McGeehan	Surra
Blaum	Freeman	Melio	Tangretti
Browne	George	Mundy	Thomas
Butkovitz	Goodman	Myers	Tigue
Caltagirone	Grucela	Petrone	Veon
Cawley	Gruitza	Pistella	Vitali
Cohen	Haluska	Preston	Walko
Corrigan	Hanna	Ramaley	Wansacz
Costa	Harhai	Readshaw	Washington
Cruz	James	Rieger	Waters
Daley	Josephs	Roberts	Wheatley
DeLuca	Keller, W.	Roebuck	Williams
Dermody	Kirkland	Rooney	Wojnarowski
DeWeese	Kotik	Ruffing	Youngblood
Donatucci	Lescovitz	Samuelson	Yudichak

NAYS—119

Adolph	Forcier	Mann	Rublely
Argall	Gabig	Marsico	Sainato
Baker	Gannon	McGill	Sather
Baldwin	Geist	McIlhattan	Saylor
Barrar	Gerber	McIlhinney	Scavello
Bastian	Gillespie	McNaughton	Schroder
Benninghoff	Gingrich	Metcalfe	Semmel
Birmelin	Godshall	Micozzie	Shapiro
Bishop	Good	Millard	Smith, B.
Boyd	Grell	Miller, R.	Smith, S. H.
Bunt	Habay	Miller, S.	Sonney
Buxton	Harper	Mustio	Stairs
Cappelli	Harris	Nailor	Steil

Casorio	Hasay	Nickol	Stern
Causar	Hennessey	O'Brien	Stetler
Civera	Herman	Oliver	Stevenson, R.
Clymer	Hershey	O'Neill	Stevenson, T.
Cornell	Hess	Pallone	Sturla
Crahalla	Hickernell	Payne	Taylor, E. Z.
Creighton	Hutchinson	Petrarca	Taylor, J.
Curry	Kauffman	Petri	True
Dally	Keller, M.	Phillips	Turzai
Denlinger	Kenney	Pickett	Watson
DiGiolamo	Killion	Quigley	Wilt
Diven	Leach	Rapp	Wright
Ellis	Leh	Raymond	Yewcic
Evans, J.	Mackereth	Reed	Zug
Feese	Maher	Reichley	
Fichter	Maitland	Rohrer	Perzel,
Fleagle	Major	Ross	Speaker
Flick			

NOT VOTING—0

EXCUSED—7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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

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

The SPEAKER. Does the gentleman, Mr. Veon, intend to offer any of his amendments? They are withdrawn.

Mr. S. SMITH. Mr. Speaker?

The SPEAKER. Mr. George.

Mr. S. SMITH. Mr. Speaker?

The SPEAKER. Mr. Smith.

Mr. S. SMITH. I am not sure I heard that last exchange. Did the gentleman indicate that he was not offering the other two amendments or at least one of the other two amendments?

The SPEAKER. The gentleman indicated they were withdrawn.

Mr. S. SMITH. Those were the two amendments that basically embodied the Governor's— May I ask a parliamentary inquiry, perhaps, about those amendments?

The SPEAKER. The gentleman will state his point.

Mr. S. SMITH. Were those amendments in essence the embodiment of the Governor's original Growing Greener II proposal? Is that the two amendments that we are referencing?

The SPEAKER. For the information of the gentleman, that is not a parliamentary inquiry. That inquiry has to do with the substance of the amendment.

Mr. S. SMITH. Excuse me, Mr. Speaker.

The SPEAKER. We will turn to the gentleman, Mr. Veon, for the substance of the amendment.

Mr. S. SMITH. Would the gentleman submit to that interrogation?

Mr. VEON. Yes.

Mr. S. SMITH. The amendments, are those basically the amendments that were initially a relative embodiment of the Governor's Growing Greener proposal as it was created last

year or proposed last year and maybe a subsequent version of it from later on?

Mr. VEON. I think it is fair to say that the amendments had much of what the Governor proposed last year, plus what a lot of environmental groups proposed last year is embodied in these two amendments, plus what some of the Republicans were for last year is embodied in these two amendments. So I think it is fair to say it is a well-constructed, bipartisan effort that does contain much of what the Governor had last year.

Mr. S. SMITH. Would those amendments contain the three fees, the significant fees – the regular municipal waste tipping fee, the residual waste tipping fee, and the other third one that was on business and industries, emission fee? Do those amendments embody those tax increases?

Mr. VEON. Those amendments do have some of the fees that the gentleman refers to.

Mr. Speaker, if I could just elaborate further, I think the reason that we are not offering these amendments is that we worked hard to have a compromise amendment drafted, and we put that under the gentleman, Mr. Surra's name, and he made his motion to suspend here and attempted to offer that amendment.

Mr. S. SMITH. Then just let me, to clarify for the record, say, it is your intention then to not introduce the Governor's actual Growing Greener II proposal.

Mr. VEON. Mr. Speaker, I am withdrawing these two amendments, and it is my opinion that what we did was come up with a compromise that we know the Governor supports, that is embodied in Representative Surra's amendment that we tried to suspend the rules for in an effort to try to move this forward. We all have an e-mail from the Governor saying that he will veto this bill if these changes are not made. So I think we have made a good-faith effort with Representative Surra to make positive changes and using the changes he articulated, which, frankly, are better than those that are in my amendment for Democratic members and for Republican members, at least in our judgment.

Mr. S. SMITH. Thank you, Mr. Speaker. I appreciate the gentleman's comments.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. GEORGE. I apologize. I thought that you had queried a question to me, Mr. Speaker, and I thought the majority leader was talking about my amendments, and I simply want to explain that none of my amendments were drafted or knowledgeable to the Governor. I represent Clearfield County, hopefully very well, and I drew them myself. The Governor's Office know nothing about them.

The SPEAKER. Your election results speak clearly for the fact that you represent Clearfield County, Mr. George.

Mr. GEORGE. Thank you very much.

The SPEAKER. Thank you, sir.

Do you have any further amendments, Mr. George?

Mr. GEORGE. I am going to withdraw the amendments that I have drafted and will let the situation come about.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. Thomas, wish to offer his amendment? It would be necessary for the gentleman, Mr. Thomas, to suspend the rules in order to be able to offer his amendment.

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

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, the contents of my amendment were taken care of in the Adolph amendment, and I thank Chairman Adolph for taking into consideration those questions, concerns, that I raised during the committee meeting, and I am glad that it is a part of the bill.

Thank you. So I will withdraw.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

Mr. LEVDANSKY offered the following amendment No. **A00042:**

Amend Title, page 1, line 7, by inserting after “fees;”

establishing the Conservation Heritage Account;

Amend Title, page 1, line 10, by inserting after “certification;”

increasing disposal fee for municipal waste landfills;

Amend Sec. 5, page 13, by inserting between lines 21 and 22

§ 6113.1. Conservation Heritage Account.

(a) Establishment.—The Conservation Heritage Account is hereby established as a separate fund within the State Treasury. The moneys of the account are hereby appropriated on a continuing basis to carry out the provisions of this section.

(b) Source of funding.—The moneys of the Conservation Heritage Account shall consist of the portion of the disposal fee allocated under section 6302(3)(iv) (relating to deposit of disposal fee), all interest earned on those moneys and any other moneys appropriated or made available to the department for deposit into the account.

(c) Allocation.—The moneys of the Conservation Heritage Account shall be allocated annually as follows:

(1) 60% to a restricted revenue account within the Conservation Heritage Account for use by the Pennsylvania Fish and Boat Commission.

(2) 40% to a restricted revenue account within the Conservation Heritage Account for use by the Pennsylvania Game Commission.

(d) Use of account.—

(1) The Pennsylvania Fish and Boat Commission shall use its allocation under subsection (c)(1) for the construction and rehabilitation of infrastructure.

(2) The Pennsylvania Game Commission shall use its allocation under subsection (c)(2) for the construction and rehabilitation of infrastructure.

(e) Administrative expense limitation.—The Pennsylvania Fish and Boat Commission and the Pennsylvania Game Commission shall not expend any moneys from the Conservation Heritage Account under subsection (c)(1) or (2) on administrative expenses.

Amend Sec. 6, page 19, line 6, by inserting after “Sections”
6301(a),

Amend Sec. 6, page 19, by inserting between lines 7 and 8
§ 6301. Disposal fee for municipal waste landfills.

(a) Imposition.—Except as otherwise provided in subsection (b), each operator of a municipal waste landfill shall pay, in the same manner prescribed in Chapter 7 of the act of July 27, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, a disposal fee of [\$4] \$4.75 per ton for all solid waste disposed of at the municipal waste landfill. The fee established in this section shall apply to process residue and nonprocessable waste from a resource recovery facility that is disposed of at the municipal waste landfill and is in addition to the fee established in section 701 of the Municipal Waste Planning, Recycling and Waste Reduction Act.

Amend Sec. 6 (Sec. 6302), page 20, by inserting between lines 1 and 2

(iv) 75¢ per ton shall be deposited into the Conservation Heritage Account established in section 6113.1 (relating to Conservation Heritage Account).

On the question,

Will the House agree to the amendment?

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

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, the terms “environmentalist” and “conservationist” came in vogue in the 1970s with the advent of Earth Day, but about a century ago, there was a group of people in Pennsylvania who were making contributions to wildlife, to conservation, to the environment, long before those terms came in vogue, and those people that were doing that, going back around the turn of the century, were Pennsylvania’s hunters and anglers, and today they continue to make investments that benefit all Pennsylvanians.

The Pennsylvania Game Commission and the Pennsylvania Fish and Boat Commission are charged in law to manage all wildlife – all birds, mammals, amphibians, reptiles, fish. The Game and Fish Commissions are charged to manage all wildlife resources in the interest of all Pennsylvanians, not just people who hunt and fish and buy hunting and fishing licenses. So they have this larger, broader mandate to manage all wildlife in the interest of all Pennsylvanians. But unfortunately, the time has come in the history of these two agencies where they are literally, their budgets are stretched to the breaking point, trying to manage all the programs that they do in the interest of all Pennsylvanians.

Their infrastructure needs alone are significant. The Pennsylvania Fish and Boat Commission has documented about \$153 million worth of infrastructure needed repairs, and almost \$100 million of infrastructure needs and upgrades are requested by the Pennsylvania Game Commission.

The assets of these two agencies are available to all Pennsylvanians for recreation. The game lands do not exist for those who hunt and buy hunting licenses. Those lands are also open to bird watchers, to hikers, to bicycle riders, and to other forms of public recreation. And the boat launches in Pennsylvania are not just for the people who buy fishing licenses or pay boating fees, but if you have a canoe or a kayak, you know, you probably use those facilities as well. So it is high time that all Pennsylvanians do something to help these two agencies with their fiscal needs today.

Under my amendment, I would allocate a 75-cent increase in the tipping fee to create a Conservation Heritage Account, and from that account, 60 percent of the funds would be allocated to the infrastructure needs of the Fish and Boat Commission and 40 percent would be dedicated to the infrastructure needs of the Pennsylvania Game Commission. That means roughly \$9.2 or \$9.3 million would be allocated to the Fish Commission for infrastructure improvements and about \$6 million to the Game Commission, understanding that by the fiscal note, a little more than \$15 million a year would be generated by these fees.

Let me put the fee in perspective – 75 cents a ton. The average Pennsylvanian generates nine-tenths of a ton of waste

per year. There are a little more than two people per household on average in Pennsylvania, and what that means is, under my amendment, tipping fees per household would increase about \$1.80 a year. A dollar eighty a year is about the cost of a cup of coffee, and that is what all Pennsylvanians will be contributing to the wildlife management agencies that manage all wildlife and their interests.

Let me put that in better perspective. There are a lot of bird watchers in Pennsylvania, a lot of wildlife watchers. A buck eighty does not even buy you a 5-pound bag of birdseed, and that is a relatively inexpensive way to support wildlife. So, Mr. Speaker, this just makes a lot of sense – 75 cents a ton to raise the revenue necessary to support our wildlife management agencies.

Again, Mr. Speaker, Pennsylvania's hunters and anglers have done their share to contribute to conservation, environmental protection, and wildlife management in the interest of all Pennsylvanians, and it is high time we recognize their contributions to our Commonwealth's wildlife management efforts and we do our part as general taxpayers to support that effort.

I would ask for an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lackawanna, Mr. Staback.

Mr. STABACK. Thank you, Mr. Speaker.

Mr. Speaker, I rise in strong and full support of the Levdansky amendment. I agree with the sponsor that this amendment is offered as a much-needed investment in the Pennsylvania Fish and Boat Commission and the Game Commission. Without it, the infrastructure needs of these two agencies will probably never, ever be met. The need is simply just too great.

An important point for the members to remember as you consider this amendment is that these properties and the projects are indeed on State-owned facilities. Although these agencies are funded in large part by license fees, their work benefits our entire State. I believe the moderate 75-cent fee proposed in this amendment is a wise investment and will offer these commissions a way out from under a huge backlog of projects. As it now stands, even though the work to be done is through State-owned facilities, the commissions bear the total financial burden, and simply put, Mr. Speaker, that is wrong. The Levdansky amendment will make things right, and I ask for its adoption.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. B. SMITH. Thank you, Mr. Speaker.

On amendment 42, I support the concept of the amendment. However, I oppose the tipping fee increase in the amendment. It is a sad reality that Growing Greener I, Growing Greener II, and Green PA, none of them contain funding for the Game Commission or the Fish and Boat Commission and their infrastructure needs.

I have informed my leadership and I have informed people who are working on this particular bill that it is my hope that the Senate makes improvements to HB 3 which include the Game Commission and the Fish and Boat Commission to address their infrastructure needs. The Fish and Boat Commission's infrastructure needs are \$153 million. The Game Commission has 1.4 million acres of land, so you know

they have infrastructure needs also, but we as a legislature have not done anything to supplement what the hunters and anglers of Pennsylvania are doing. There is a definite need, but we need to move this process along, and for that reason I am asking you to oppose and vote against amendment 42.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Ms. HARPER. Thank you, Mr. Speaker.

Would the gentleman stand for brief interrogation?

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

Ms. HARPER. Thank you, Mr. Speaker.

I just want to clarify the point of the amendment. Is the point of the amendment to add a new 75-cent-per-ton fee to trash dumped by our municipalities and our Pennsylvania families to fund new programs not part of the Growing Greener Program?

Mr. LEVDANSKY. Mr. Speaker, the bill as it presently stands increases the tipping fee \$6 a ton from years 2012 through 2032. So the bill itself raises the tipping fee by \$6 over a 20-year period. My amendment would add an additional 75 cents beginning effective the passage of the bill, so collect 75 cents a ton to begin paying for the infrastructure needs of the two agencies today, or when the bill passes.

Ms. HARPER. Mr. Speaker, it appears the gentleman is confused by the present state of the bill, so if I might ask another question to straighten it out.

My understanding of the bill is that it does not create or raise any new fees, although it does remove the sunset provision from the current \$4.25 fee. My question is, does the gentleman's amendment propose to raise the fee by 75 cents and devote that money to new programs not previously covered by Growing Greener?

Mr. LEVDANSKY. Let me be very succinct about this. The bill as it stands, the bill increases the tipping fee from years 2012 to 2032. In addition to that increase, as proposed by your caucus, I would add an additional 75 cents to be dedicated to the Conservation Heritage Account.

Ms. HARPER. Thank you, Mr. Speaker.

I would like to urge my colleagues to vote "no" on this amendment. The Green plan was carefully calibrated to fund those projects that need to be done now within the existing fee structure.

Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentelady.

The Chair recognizes the gentleman from Elk, Mr. Surra.

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

Mr. Speaker, I rise in support of the Levdansky amendment. The Levdansky amendment would drive needed revenue to our Game and Fish Commissions. They have very, very serious infrastructure problems, Mr. Speaker, and 75 cents per ton on waste would more than fix many of those problems.

Mr. Speaker, as I stated before, approximately 45 percent of the waste that comes into our landfills is coming from New York, New Jersey, Canada, and other States. Mr. Speaker, it makes sense that we should stand behind the sportsmen of Pennsylvania and assist those agencies, the Game Commission and the Fish Commission, by putting a 75-cent tariff on waste.

Mr. Speaker, I think it is something we owe our sportsmen, it is something we owe those commissions, and it is something

that we should have the political will to do, and I encourage a “yes” vote.

The SPEAKER. Mr. Levdansky.

Mr. LEVDANSKY. Mr. Speaker, just one additional point that I would like to make.

When Growing Greener I was first proposed, I forget how many years ago – that was under the Ridge administration – and when Growing Greener II was proposed and passed under the Schweiker administration, both of those proposals originally included, included public funds to assist in the payment of infrastructure needs for the Game and Fish Commissions. So under those first two Growing Greener proposals, they included a proposal as the bills were originally proposed, but by the time they got passed, they did not include any funding for the Game and Fish Commissions. So on two occasions, the legislature sent a signal to the Game and Fish Commissions that we want to help you, but when the die was cast and the deal was cut, Game and Fish Commission infrastructure needs were not included in Growing Greener I or Growing Greener II. Green PA does not even propose to include funding for the infrastructure needs of these two agencies. So the first two times the hunters and anglers in the State had the rug pulled out from under them, so to speak. This time around they do not even get to stand on a rug.

So under this amendment, we would fund them, and I do think it is appropriate for these two wildlife management agencies to receive public support.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair sees no one else.

Mr. Smith.

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

I also rise to urge the members to oppose the Levdansky amendment.

You know, Mr. Speaker, much of what is discussed relative to the Game and Fish agencies within Pennsylvania has some merit to it, and I think it is something that many of us recognize. This body in the latter part of the last session in fact recognized some of the needs that the Fish Commission had by passing an increase in their license fees, which was a significant boost to their ability to carry out the work that they do.

I am familiar with some of the other issues; in particular, with the Fish Commission relative to their capital needs when it comes to fish hatcheries. But to suggest that Growing Greener in and of itself has not been responsive to those two particular agencies I think is somewhat misleading, and I would advance that, Mr. Speaker, based on the fact that virtually all of what we do with these environmental programs under Growing Greener, of all the programs we do, that it certainly enhances the environment both from a perspective of individuals enjoying the outdoors but also from a water-quality perspective in particular.

So I do not want to suggest that there are not additional needs, and certainly working with these agencies to try to improve their overall infrastructure and capital needs and particularly with the Fish Commission and some of their hatcheries’ issues is something that I think that we can continue to do, but at this point in time, I would urge the members to vote against the Levdansky amendment.

Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—64

Bebko-Jones	Eachus	Kotik	Santoni
Belardi	Evans, D.	Leach	Solobay
Belfanti	Fabrizio	Levdansky	Staback
Biancucci	Frankel	Manderino	Sturla
Bishop	Freeman	McCall	Surra
Blackwell	George	McGeehan	Tangretti
Butkovitz	Goodman	Melio	Thomas
Buxton	Grucela	Petrone	Veon
Caltagirone	Gruitza	Pistella	Walko
Cohen	Haluska	Preston	Wansacz
Creighton	Hanna	Ramaley	Waters
Cruz	Harhai	Readshaw	Wheatley
Curry	James	Roberts	Williams
Daley	Josephs	Roebuck	Wojnaroski
Dermody	Keller, W.	Rooney	Youngblood
DeWeese	Kirkland	Ruffing	Yudichak

NAYS—130

Adolph	Fleagle	Markosek	Sainato
Argall	Flick	Marsico	Samuelson
Baker	Forcier	McGill	Sather
Baldwin	Gabig	McIlhattan	Saylor
Barrar	Gannon	McIlhinney	Scavello
Bastian	Geist	McNaughton	Schroder
Benninghoff	Gerber	Metcalfe	Semmel
Birmelin	Gillespie	Micozzie	Shaner
Blaum	Gingrich	Millard	Shapiro
Boyd	Godshall	Miller, R.	Smith, B.
Browne	Good	Miller, S.	Smith, S. H.
Bunt	Grell	Mundy	Sonney
Cappelli	Habay	Mustio	Stairs
Casorio	Harper	Myers	Steil
Causar	Harris	Nailor	Stern
Cawley	Hasay	Nickol	Stetler
Civera	Hennessey	O’Brien	Stevenson, R.
Clymer	Herman	Oliver	Stevenson, T.
Cornell	Hershey	O’Neill	Taylor, E. Z.
Corrigan	Hess	Pallone	Taylor, J.
Costa	Hickernell	Payne	Tigue
Crahalla	Hutchinson	Petrarca	True
Dally	Kauffman	Petri	Turzai
DeLuca	Keller, M.	Phillips	Vitali
Denlinger	Kenney	Pickett	Washington
DiGirolamo	Killion	Quigley	Watson
Diven	Leh	Rapp	Wilt
Donatucci	Lescovitz	Raymond	Wright
Ellis	Mackereth	Reed	Yewcic
Evans, J.	Maher	Reichley	Zug
Fairchild	Maitland	Rohrer	
Feese	Major	Ross	Perzel,
Fichter	Mann	Rubley	Speaker

NOT VOTING—1

Rieger

EXCUSED—7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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

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

The SPEAKER. Does the gentleman, Mr. Levdansky, have any further amendments? The gentleman waives off.

The Chair recognizes the gentleman from Delaware, Mr. Vitali, for the purpose of offering an amendment. Mr. Vitali, which number would you like to start with?

Mr. VITALI. Mr. Speaker, amendment 64.

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

Mr. VITALI offered the following amendment No. **A00064**:

Amend Sec. 4 (Sec. 6105), page 10, by inserting between lines 24 and 25

(ix) To provide funds to inventory greenhouse gas emissions and develop reduction strategies.

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

AMENDMENT WITHDRAWN

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

Mr. VITALI. Mr. Speaker, it is my intention to withdraw this, but may I say a couple of sentences in support of it?

The SPEAKER. We are all ears, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

What this amendment would have done would have been to add to the permitted uses of this funding provided by the bill moneys for greenhouse gas reduction, moneys specifically for an annual inventory of greenhouse gases, and moneys for a climate change action plan.

Global warming, in my view, is one of the most serious environmental issues facing the planet, and I think these uses would be a needed first step, but since I have introduced the Greenhouse Gas Reduction Act today, HB 500, along with the cosponsorship of 48 of my colleagues, I think I am going to save this vote for another day. So I will be withdrawing this amendment.

The SPEAKER. The Chair thanks the gentleman.

The next amendment, Mr. Vitali?

Mr. VITALI. Mr. Speaker, that would be amendment 63.

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

Mr. VITALI offered the following amendment No. **A00063**:

Amend Title, page 1, line 11, by striking out “, for sunset and” and inserting

and for sunset; providing for a bid process for all bond services; further providing

Amend Sec. 5, page 19, by inserting between lines 5 and 6 § 6116. Bids.

(a) Lowest responsible bid.—Any and all bond services performed for indebtedness authorized in this chapter which cannot be

performed by employees of the Commonwealth shall be contracted with and performed by the bond service provider submitting the lowest responsible bid.

(b) Request for proposal.—For each bond service required to be performed, the issuing authority shall distribute a request for proposal requiring a written response.

(c) Written report.—After each bond service provider is selected, the issuing authority shall issue a written report of the selection of the service provider and the basis therefor. A copy of the request for proposal and the responses thereto shall be made a part of the report. This report shall be made available to the public.

(d) Definitions.—The following words and phrases when used in this act shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

“Bond service provider.” Any bond counsel, financial adviser, underwriter, loan and transfer agent, verification agent or printer who provides bond services.

“Bond services.” Legal, financial and other services by a bond service provider rendered in conjunction with any bonds issued.

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

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

Mr. VITALI. Thank you, Mr. Speaker.

Very, very briefly, because we have voted on this in previous sections.

With regard to the bond, the bond issue called for in HB 3, this would deal with the bond services associated with that bond, specifically in the issuance of the bond – bond counsel hired, financial advisers hired, underwriters hired, and so forth – typically the bond services you need to employ. What this amendment would do would be, with regard to those bond services, require any of those services the Commonwealth can perform in house, be bid out to the lowest responsible bidder. In other words, with regard, for example, to the bond counsel, they actually put out a request for a proposal for the bond work, written responses are received, and based on who is selected, a report is filed explaining why a given bond service provider was selected.

Now, this may seem somewhat arcane, but this really goes to the issue of pay-to-play – the issue that is really festering in Philadelphia right now – the idea that certain bond services and other governmental contracts are given to political contributors as an unstated quid pro quo for campaign contributions and other favors.

The purpose of this is twofold: one, to eliminate pay-to-play in the Commonwealth, at least with regard to this bond issue, and two, to reduce the cost of issuing a bond, because bidding yields lower costs from these bond service providers, so more moneys can be used for these environmental programs. So you eliminate pay-to-play and you have more money for environmental programs.

I think this is worth a shot, this bidding out of bonds. It has been done in other States, in other jurisdictions, with success, and it is worthy.

Now, some opponents say, well, you cannot bid out attorneys’ fees like you can lumber, and that is true, and we are not saying this work needs to go to the lowest bidder, but the lowest responsible bidder. Again, this problem is surmounted in other States in many ways. Some States have a prequalification

pool, so only the responsible bidders are really in that pool of people chosen.

So this I think is a good way to eliminate politics from government and get more money for environmental programs, and I would ask for an affirmative vote.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

GERMANENESS QUESTIONED

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

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I understand the gentleman's issue. I believe I may have voted with him in the past on this issue, but it is my opinion, Mr. Speaker, the amendment 63 really should be an amendment on Title 62, a procurement bill, either section 511, competitive bidding, or section 518, professional service.

So, Mr. Speaker, as a result of that, I am going to move that this amendment is nongermane.

The SPEAKER. The gentleman has brought up the question of germaneness. The question of germaneness is decided by the House.

The gentleman from Delaware, Mr. Adolph, has raised the question of whether or not amendment A00063 is germane. Under House rule 27, questions involving whether an amendment is germane to the subject shall be decided by the House.

On the question,

Will the House sustain the germaneness of the amendment?

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

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, it is my opinion that this amendment should be an amendment to a Title 62 bill, a Procurement Code bill, either section 511, which relates to competitive bidding, or section 518, which relates to professional service, and for that reason, Mr. Speaker, I believe this amendment is not germane to this bill.

The SPEAKER. The Chair thanks the gentleman.

Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

I understand perhaps why some people may not want to vote for this amendment, but this is clearly germane. I mean, to be clear, the bill in chief requires the issuance of a bond, the \$800 million bond, and if you look at the bill itself, starting with page 13, it talks about that bond on pages 13, 14, through about page 19. It goes into great detail about the sale of bonds, how they are made in accordance with the provisions of the Debt Enabling Act, the proceeds of the sale, what the Auditor General shall prepare with regard to the bonds, temporary bonds; on and on and on, page after page, specific details about this particular bond issue. What we are doing is simply adding another detail. We are at the end saying, in addition to all these other requirements on page 13 through about page 19, we are adding one more requirement, and that is that the bonds be bid.

Now, germaneness means it is not irrelevant. It is like, you know, adding a welfare amendment to an environmental bill or

something totally irrelevant. But HB 3, its central thrust is bonds. I mean, what is HB 3 about? What is Green PA about? It is about the \$800 million bond issue. What is Growing Greener about? Bond issue. What are we debating about? Bonds, the length of the payment, how the payment; bonds, bonds, bonds. This is a bond issue. Bonds are what are relevant to this discussion. We have been talking about these bonds for months now.

Now, what my amendment deals with is bidding out bond services. It talks about bond service providers for this bill. It talks about bidding out bond service providers. My amendment deals specifically with regard to how we bid out the bonds contained in this particular bill. You can make all sorts of objections to this, but frankly, if you want to have any shred of intellectual honesty here, this is germane; this is clearly germane. It specifies how you bid out bonds in a bill that is about floating a bond. I mean, what could be more germane and relevant?

Mr. Speaker, I understand why some members would prefer not to vote this bill, but I think we just erode the rules and procedures of the House when we just abuse the rules in such a way to declare things nongermane that are just clearly germane. Figure out another reason to vote "no" on this, Mr. Speaker. I would ask for a "yes" vote, holding that this amendment is germane.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I rise in support of the germaneness of the Vitali amendment. I believe this amendment is germane. We should vote on the substance of this amendment. The gentleman from the other side of the aisle has said that this is not germane somehow. Somehow if we are talking about bonds, we are not allowed to say that the bonds should be bid. Let me say that again. If we are talking about bonds and having legislation regarding bonds of this Commonwealth, we are not allowed to say that they should be bid?

Let me ask my colleagues, are you willing to say— Look on this amendment here. Line 11 includes the words "lowest responsible bid." Are you willing to say that that is not germane? Look on line 12, "Request for proposal." Are you willing to say that is not germane? And also lines 15 through 20 talk about when a "...bond service provider is selected, the issuing authority shall issue a written report of the selection...and the basis therefor," and then it concludes on lines 19 and 20, "This report shall be...available to the public." Are you willing to say that making a report like that available to the public is not germane?

I think this language is clearly germane. We should not be afraid to vote on the substance of the Vitali amendment.

Say "yes" to germaneness, and then let us vote "yes" or "no" on the Vitali amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Smith.

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

I rise to support the motion by Mr. Adolph that this amendment is not germane.

I think the key point that is being raised here is that if you were going to change the process through which bonds are issued in Pennsylvania, the proper way to do that is via the law

that Mr. Adolph referenced and that all bonds would be treated in a similar fashion.

Relative to the substance of this vote, I know that this issue has come up in the past, Mr. Speaker, and I believe I have been on the record as voting against the substance of this amendment. I believe this whole House perhaps has voted in that fashion in the past, too. But the key element here is not to try to avoid voting on the substance. It is to suggest that if this were a good idea, which I do not know that I agree with, but if it were a good idea, it should be done in a fashion that is comprehensive with the bond process that takes place, whether it is Growing Greener or a water and sewer project or whatever other things that we may bond finance from time to time in the Commonwealth, and I would urge the members to support the motion that, however the Speaker phrases it, that this amendment is not germane.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. Vitali, wish to speak again?

Mr. VITALI. I just wanted to make sure there were no other speakers. I would like the opportunity to rebut.

The SPEAKER. The minority leader has asked to be last, and out of courtesy to the leader, we would like to give him the opportunity of being last.

Mr. VITALI. Sure. I would always defer to my leader.

Let me be quick, because I really think this argument of germaneness is silly because this is so clearly germane. I mean, we should not even really be discussing it.

I think what the majority leader seems to be saying is that he does not think this is a good idea; this should be done in a broader context; if we want to deal with bond bidding, we ought to be doing it in the broader context of all bonds. But I would say that is irrelevant. It is irrelevant as to whether we ought to be doing it comprehensively or ought to be doing it on a bond-issue-by-bond-issue basis.

The issue really here is not whether it is a good idea but whether it is germane; whether requiring on a bill that requires the floating of a bond provisions with regard to bond bidding, is that relevant? Is that the same topic? Is that the same subject matter? Are they connected in any meaningful way? And of course they are. I mean, of course they are, and I am really struggling to try to say that in a different way because it is just so obvious.

So I would suggest that perhaps if you are going to defeat this amendment, provide a better device, but not this, because you just take away from the integrity of the House rules by declaring something nongermane, something that clearly is not.

So I would ask for an affirmative vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

Not all that long ago we took a bill that dealt with taxicabs and we decided that we would deregulate electricity, and we did it because the PUC (Public Utility Commission) Code was the statute or series of statutes that we were dealing with. We allowed apples and oranges to meld, and we allowed that moment of germaneness to be realized.

The gentleman, Mr. Vitali, is unambiguously correct. One of our young staff associates just pored through this book and found – this book that is a bill – found that bonds were mentioned on 34 different occasions, and on page 8, section 13, line 15, “All sales of the bonds shall be made in accordance

with procedures specified in section 309 of the Capital Facilities Debt Enabling Act,...” et cetera, et cetera, et cetera.

There are merits on both sides of the argument relative to what the gentleman, Mr. Vitali, wants to proffer if the germaneness vote is sustained, and we should vote “yes” or “no” on the substance of what he is attempting to do. But, Mr. Speaker, it is patently obvious that if this General Assembly, if our discussions are to be worthy of merit, if our parliamentary procedures that Mr. Myer, our esteemed Parliamentarian, oversees with his ratiocinative dexterity and parliamentary history, if we are going to have any kind of substantive dialogue and dialectic relative to our rules and procedures, then germaneness, germaneness has to be sustained.

Mr. Vitali is an agent provocateur, even within the confines of our own caucus. There is a love-hate relationship occasionally from even some of our own membership, but his idealism is undiluted, and his reading of parliamentary procedure in this case, Mr. Speaker, is definitive.

There is a sense of exactitude about his mission today that cannot be gainsaid. He is right. You are wrong. We need to sustain his effort. This is germane.

The SPEAKER. Those who believe the amendment is germane will vote “aye”; those who believe the amendment is not germane will vote “no.”

On the question recurring,

Will the House sustain the germaneness of the amendment?

The following roll call was recorded:

YEAS—92

Bebko-Jones	Donatucci	Manderino	Santoni
Belardi	Eachus	Mann	Shaner
Belfanti	Evans, D.	Markosek	Shapiro
Biancucci	Fabrizio	McCall	Solobay
Bishop	Frankel	McGeehan	Staback
Blackwell	Freeman	Melio	Stetler
Blaum	Gabig	Mundy	Sturla
Browne	George	Myers	Surra
Butkovitz	Gerber	Nailor	Tangretti
Buxton	Goodman	Oliver	Thomas
Caltagirone	Grucela	Pallone	Tigue
Casorio	Gruitza	Petrarca	Veon
Cawley	Haluska	Petrone	Vitali
Clymer	Hanna	Pistella	Walko
Cohen	Harhai	Preston	Wansacz
Corrigan	James	Ramaley	Washington
Costa	Josephs	Readshaw	Waters
Cruz	Keller, W.	Rieger	Wheatley
Curry	Kirkland	Roberts	Williams
Daley	Kotik	Roebuck	Wojnaroski
DeLuca	Leach	Rooney	Yewcic
Dermody	Lescovitz	Sainato	Youngblood
DeWeese	Levdansky	Samuelson	Yudichak

NAYS—103

Adolph	Forcier	Major	Rublely
Argall	Gannon	Marsico	Ruffing
Baker	Geist	McGill	Sather
Baldwin	Gillespie	McIlhattan	Saylor
Barrar	Gingrich	McIlhinney	Scavello
Bastian	Godshall	McNaughton	Schroder
Benninghoff	Good	Metcalfe	Semmel
Birmelin	Grell	Micozzie	Smith, B.
Boyd	Habay	Millard	Smith, S. H.
Bunt	Harper	Miller, R.	Sonney
Cappelli	Harris	Miller, S.	Stairs

Causer	Hasay	Mustio	Steil
Civera	Hennessey	Nickol	Stern
Cornell	Herman	O'Brien	Stevenson, R.
Crahalla	Hershey	O'Neill	Stevenson, T.
Creighton	Hess	Payne	Taylor, E. Z.
Dally	Hickernell	Petri	Taylor, J.
Denlinger	Hutchinson	Phillips	True
DiGirolamo	Kauffman	Pickett	Turzai
Diven	Keller, M.	Quigley	Watson
Ellis	Kenney	Rapp	Wilt
Evans, J.	Killion	Raymond	Wright
Fairchild	Leh	Reed	Zug
Feese	Mackereth	Reichley	
Fichter	Maher	Rohrer	Perzel,
Fleagle	Maitland	Ross	Speaker
Flick			

NOT VOTING—0

EXCUSED—7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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

The SPEAKER. The amendment is not germane.

On the question recurring,

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

Mr. SOLOBAY offered the following amendment No. **A00065**:

Amend Bill, page 20, by inserting between lines 13 and 14

Section 6.1. Up to 5% of the money in the Coal and Clay Mine Subsidence Insurance Fund which is not committed to reserves or other Coal and Clay Mine Subsidence Insurance Fund expenses shall be used to fund an Abandoned Mine Subsidence Assistance Program which the Department of Environmental Protection shall develop by promulgating regulations. The regulations shall require that repayment of principal and interest on loans provided through the Abandoned Mine Subsidence Assistance Program shall also be used to fund continued assistance under the Abandoned Mine Subsidence Assistance Program.

Amend Sec. 10, page 20, by inserting between lines 26 and 27

(i) Section 6.1 of this act.

Amend Sec. 10, page 20, line 27, by striking out "(i)" and inserting

(ii)

Amend Sec. 10, page 20, line 28, by striking out "(ii)" and inserting

(iii)

On the question,

Will the House agree to the amendment?

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

Mr. SOLOBAY. Thank you, Mr. Speaker.

This amendment, unlike a lot of the other ones that have been brought on the floor already this afternoon, is an amendment that, short of the freshman members on the floor,

everyone in this chamber has probably voted in favor of this amendment at least two or three different times over the past several sessions.

This amendment deals with allowing the DEP to take surplus funds out of the mine subsidence account that they administer and make available to folks who sustain mine subsidence, who do not have the mine subsidence coverage, low-interest loans and, in some cases, grants to help rebuild their homes whenever the subsidence has occurred, which is a major problem that occurs in the northeast and the southwest portions of our State.

Again, not controversial; although germane to the bill, not necessarily dealing with the issue that a lot of the other amendments have, and I would ask for an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Ross.

Mr. ROSS. Thank you, Mr. Speaker.

Although I am sure that the member offering this amendment has the best of intentions, I would point out that this has not been discussed this session or recently in the Environmental Resources and Energy Committee.

I am not really aware of the condition of either of these two funds or their prospects. I am reluctant in this situation to accept an amendment that would potentially have harmful effects. There is plenty of time in this session and plenty of opportunity through the regular committee process to consider this thing in a more deliberate fashion, and so therefore, I am urging the members to cast a "no" vote on this amendment.

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

Mr. SOLOBAY. Thank you, Mr. Speaker.

To answer one of the questions brought up by the gentleman, the fund has a surplus of \$27 million in it right now. We are basically asking for 5 percent of that to be available. The fiscal note that was delivered to everyone shows that there is approximately \$2.2 million available to be used in this fund. And again, I would reply that the Environmental Committee consistently over the past three sessions has unanimously brought this bill out of committee. It has been voted on on this floor, passed to the Senate, and unfortunately, has dallied over there, but again I request an affirmative vote.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—90

Bebko-Jones	Evans, D.	Mann	Shaner
Belardi	Fabrizio	Markosek	Shapiro
Belfanti	Frankel	McCall	Solobay
Bianucci	Freeman	McGeehan	Staback
Bishop	George	Melio	Stetler
Blackwell	Gerber	Mundy	Sturla
Blaum	Goodman	Myers	Surra
Butkovitz	Grucela	Pallone	Tangretti
Buxton	Gruitza	Petrarca	Thomas
Caltagirone	Habay	Petrone	Tigue
Casorio	Haluska	Pistella	Veon
Cawley	Hanna	Preston	Vitali
Cohen	Harhai	Ramaley	Walko
Corrigan	James	Readshaw	Wansacz
Costa	Josephs	Rieger	Washington
Cruz	Keller, W.	Roberts	Waters
Curry	Kirkland	Roebuck	Wheatley

Daley	Kotik	Rooney	Williams
DeLuca	Leach	Ruffing	Wojnaroski
Dermody	Lescovitz	Sainato	Yewcic
DeWeese	Levdansky	Samuelson	Youngblood
Donatucci	Maher	Santoni	Yudichak
Eachus	Manderino		

NAYS—105

Adolph	Fleagle	Major	Ross
Argall	Flick	Marsico	Rubley
Baker	Forcier	McGill	Sather
Baldwin	Gabig	McIlhatten	Saylor
Barrar	Gannon	McIlhinney	Scavello
Bastian	Geist	McNaughton	Schroder
Benninghoff	Gillespie	Metcalfe	Semmel
Birmelin	Gingrich	Micozzie	Smith, B.
Boyd	Godshall	Millard	Smith, S. H.
Browne	Good	Miller, R.	Sonney
Bunt	Grell	Miller, S.	Stairs
Cappelli	Harper	Mustio	Steil
Causar	Harris	Nailor	Stern
Civera	Hasay	Nickol	Stevenson, R.
Clymer	Hennessey	O'Brien	Stevenson, T.
Cornell	Herman	Oliver	Taylor, E. Z.
Crahalla	Hershey	O'Neill	Taylor, J.
Creighton	Hess	Payne	True
Dally	Hickernell	Petri	Turzai
Denlinger	Hutchinson	Phillips	Watson
DiGirolamo	Kauffman	Pickett	Wilt
Diven	Keller, M.	Quigley	Wright
Ellis	Kenney	Rapp	Zug
Evans, J.	Killion	Raymond	
Fairchild	Leh	Reed	
Feese	Mackereth	Reichley	Perzel,
Fichter	Maitland	Rohrer	Speaker

NOT VOTING—0

EXCUSED—7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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

On the question recurring,

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

Mr. **TANGRETTI** offered the following amendment No. **A00088**:

Amend Sec. 2 (Sec. 6104), page 4, lines 27 through 30, by striking out all of said lines and inserting

(4) (i) For fiscal year 2005-2006 and each fiscal year thereafter, moneys in the fund shall be allocated in accordance with subparagraph (ii).

(ii) (A) Moneys in the fund shall be allocated as follows:

(I) Thirty-one and three-tenths percent to the Department of Conservation and Natural Resources.

(II) Forty-three and seven-tenths percent to the Department of Environmental Protection.

(III) Twenty-five percent to the authority.

(B) The annual allocation to the authority under subclause III shall be reduced, as and if necessary, for an amount as to be determined by the Secretary of the Budget, to the Department of Community and Economic Development for historic preservation tax credits or grants pursuant to legislation enacted for this purpose.

On the question,

Will the House agree to the amendment?

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

Mr. TANGRETTI. Thank you, Mr. Speaker.

Mr. Speaker, on probably no less than four or five occasions, this House has passed a historic tax credit bill and sent it to the Senate, where it, of course, did not go anywhere, unfortunately, and in negotiating with the administration over the years, the Rendell administration, rather, over the last few years, it became obvious that they were concerned about the funding, and so they included it in the Growing Greener bond issue funding scheme, and as you all know, when he presented his Growing Greener II, it was included. Unfortunately, Green PA does not include it, and as you will notice, this amendment is written in such a fashion that we believe it will allay the fears of those who think that it will in fact cause a problem for the funding of the other projects, because two things you have to keep in mind: One is that with the residential and commercial pieces of this particular tax credit program that we envision, we are looking at the outside total amount of money that could conceivably be used for it at \$25 million, and for the residential piece, based on other States' experiences, there is a large, long learning curve, and over the course of a number of years, people become used to using the credits, and it grows from there, but in the initial years, it does not amount to a whole lot of money.

I think that the language is such that it really literally leaves it up to the Budget Secretary to say whether in fact there should be any money included out of the proceeds of these bond issues for that. So we give the individual who has the purse strings the ability to suggest that we may have the ability to use the money for these historic tax credits.

And not that you want to hear me make this pitch one more time, but this is an economic generator. It obviously has environmental implications, thus the inclusion in Growing Greener II. It has worked tremendously well in other States, in other cities across this country. We are foolish if we do not take advantage of it.

So I would ask, Mr. Speaker, for all of my colleagues to give it serious consideration and ask that it be included in Green PA.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentlelady from Chester, Mrs. Rubley.

Mrs. RUBLEY. Thank you, Mr. Speaker.

Regrettably, I have to get up and oppose this amendment, although in the past I have always supported the tax credit for historic preservation and feel strongly about the need to do this very thing. However, this amendment would be reducing the money that goes to PENNVEST.

I serve on the PENNVEST Board, as does Representative George, and we know how many projects there are out there which truly need help. Most of the Growing Greener money that goes to PENNVEST is used to provide grants to our municipalities and other authorities and facilities where the poverty is such that even with the lowest of our low-interest loans, they still cannot afford to do the projects. This is our opportunity to provide them with grant money and get these very much-needed projects moving forward.

So I would ask that we turn down this amendment but continue to work with Representative Tangretti on getting the historic preservation taken care of.

Thank you, Mr. Speaker.

The SPEAKER. Mr. Tangretti.

Mr. TANGRETTI. Thank you, Mr. Speaker.

With all due deference to my colleague, Mrs. Rubley, I just want to read this language so we all are clear about what we are saying: "The annual allocation to the authority under subclause III shall be reduced, as and if necessary, for an amount as to be determined by the Secretary of the Budget, to the Department of Community and Economic Development for historic preservation tax credits or grants pursuant to legislation enacted for this purpose."

Again, the Secretary has the ability to determine what is the priority in any particular year and whether there is enough money to take care of the kinds of needs that the gentledady referred to and whether we can in fact have money for a historic tax credit program.

I think what I would like to do is get the camel's nose under the tent. We would like to get this somewhere in position so that we can at some point have a viable program that makes sense. So again I would beg the indulgence of the House and ask for an affirmative vote.

Thank you very much, 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-91

Bebko-Jones	Evans, D.	McCall	Shapiro
Belardi	Fabrizio	McGeehan	Solobay
Belfanti	Frankel	McGill	Staback
Bianucci	Freeman	Melio	Steil
Bishop	George	Mundy	Stetler
Blackwell	Gerber	Myers	Sturla
Blaum	Goodman	Oliver	Surra
Butkovitz	Grucela	Pallone	Tangretti
Buxton	Gruitza	Petrarca	Thomas
Caltagirone	Haluska	Petrone	Tigue
Casorio	Hanna	Pistella	Veon
Cawley	Harhai	Preston	Vitali
Cohen	James	Ramaley	Walko
Corrigan	Josephs	Readshaw	Wansacz
Costa	Keller, W.	Rieger	Washington
Cruz	Kirkland	Roberts	Waters
Curry	Kotik	Roebuck	Wheatley
Daley	Leach	Rooney	Williams
DeLuca	Lescovitz	Ruffing	Wojnaroski
Dermody	Levdansky	Sainato	Yewcic
DeWeese	Manderino	Samuelson	Youngblood
Donatucci	Mann	Santoni	Yudichak
Eachus	Markosek	Shaner	

NAYS-104

Adolph	Fleagle	Maher	Rohrer
Argall	Flick	Maitland	Ross
Baker	Forcier	Major	Rubley
Baldwin	Gabig	Marsico	Sather
Barrar	Gannon	McIlhattan	Saylor
Bastian	Geist	McIlhinney	Scavello
Benninghoff	Gillespie	McNaughton	Schroder
Birmelin	Gingrich	Metcalfe	Semmel
Boyd	Godshall	Micozzie	Smith, B.
Browne	Good	Millard	Smith, S. H.
Bunt	Grell	Miller, R.	Sonney
Cappelli	Habay	Miller, S.	Stairs
Causer	Harper	Mustio	Stern
Civera	Harris	Nailor	Stevenson, R.
Clymer	Hasay	Nickol	Stevenson, T.
Cornell	Hennessey	O'Brien	Taylor, E. Z.
Crahalla	Herman	O'Neill	Taylor, J.
Creighton	Hershey	Payne	True
Dally	Hess	Petri	Turzai
Denlinger	Hickernell	Phillips	Watson
DiGirolo	Hutchinson	Pickett	Wilt
Diven	Kauffman	Quigley	Wright
Ellis	Keller, M.	Rapp	Zug
Evans, J.	Kenney	Raymond	
Fairchild	Killion	Reed	
Feese	Leh	Reichley	Perzel,
Fichter	Mackereth		Speaker

NOT VOTING-0

EXCUSED-7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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

On the question recurring,

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

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

Mr. DALEY. Mr. Speaker, it was my intent to offer two amendments, amendments 00085 and 00086. The purpose of these amendments was to include an adjustment to the Agricultural Conservation Easement Purchase Fund Program that we have appropriated money to in the past – the Farmland Preservation Program, in other words. My amendment was going to increase that appropriation from this legislation by \$11 million. It needs \$40 million to be caught up on the backlog.

Mr. Speaker, I know the dynamics of this legislation, and I do not want to put our members' and your members' feet to the fire, even though we all probably ought to have our feet to the fire on this particular issue, but I have spoken with the chief of staff, and he has assured me that we can deal with this issue at another time and another place on the Farmland Preservation Program.

That being said, Mr. Speaker, I am going to withdraw my amendments, 85 and 86, to this legislation.

The SPEAKER. The Chair thanks the gentleman.

MOTION TO TABLE

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

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

I rise to ask that the House table this legislation, and I do it succinctly for three reasons, and I think the reasons are inarguable. I do not know about my new friend from Monroe County in the Poconos back there. He might even agree with me. In fact, I think these reasons are incontestable.

Mr. Speaker, the three reasons that I want to table this proposal are, number one, the Governor is going to veto it. Now, we have a friend in Pennsylvania – I think that is what Dick Thornburgh used to say – and the Pennsylvania environment has a friend in Governor Rendell, and it had a friend in Tom Ridge. We had more money back then. You know, I like to talk about the Bill Clinton economy when Pennsylvania had \$300 million to \$900 million surpluses. We were able to be more flexible. But no matter what, the Governor is going to veto this proposal. He is not going to veto every proposal. In fact, if Bud George and Danny Surra's amendatory language would have been incorporated into the body of the bill, the Governor would have affixed his imprimatur on the bill and it would have become law.

We almost had the compromise. It was almost like Sharm el Sheikh 5 or 10 years ago. We just came so close, and we can go back to the drawing board and get this thing done in a month or so.

But anyway, the Governor is not going to sign this proposal, so I would like to table it.

Number two, there is widespread, Mr. Speaker, Mr. Speaker, there is widespread opposition to this proposal. Look hither, thither, and yon across the State and find any outdoors group, any environmental group that would like to have the whole loaf, and we can have the whole loaf. Well, they are not happy with half of the proverbial loaf.

So the Governor is going to veto it. Most of the environmental community in the Commonwealth of Pennsylvania thinks that we are shortchanging them, that we are giving them short shrift.

And third and finally, Mr. Speaker, in just a few minutes, in just a few minutes, we have the option to vote affirmatively on HB 2, which will send this whole concept to the ballot, and we did that with PENNVEST. We put PENNVEST, as my honorable colleague from Jefferson County, Mr. Smith, knows, we put PENNVEST on the ballot. Once it was ratified by the population, then we dotted the i's, crossed the t's, and asserted the legislative prerogatives from the two chambers of the General Assembly. So it is very clear, the road map is already constructed; it is already drawn. That is why this should be tabled.

When we first came up here on Sunday night, we were all singing hosannas. We thought it was time for jubilee. We thought that Tom Ridge and Ed Rendell and the House and Senate environmental activists like Levdansky and Vitali and Surra and Smith, et al., had been able to reach a compromise, and as happens from time to time in this chamber and in this setting, we were not quite able to do it, but I think we can do it. I think it is imminent, and so if we table it, Mr. Speaker, we will not have to exercise a gubernatorial veto, we will not have to experience the dubiety if not the wrath of some of our environmental friends, and number three, we can go on,

as I said, and send this to the ballot with an affirmative vote on HB 2.

For those three succinct, empirically wholesome, high-minded, and unalloyed reasons, I would ask that it be tabled. Thank you.

On the question,

Will the House agree to the motion?

The SPEAKER. The motion to table is only debatable by the floor leaders.

The Chair recognizes the gentleman, Mr. Smith.

PARLIAMENTARY INQUIRY

Mr. DeWEESE. Mr. Speaker?

Of course the Speaker is correct, and realizing the inherent parliamentary gymnastics that have taken place in this room for many, many years, I would like to ask the Honorable Mr. Myer, Counselor Myer, if I might amend or alter my motion to table and make it a motion to recommit. I would like to do that, unless I am denied by our rules and procedures.

The SPEAKER. You can withdraw your motion to table and come back with another motion to recommit.

Mr. DeWEESE. I understand, and I thank the gentleman.

The SPEAKER. But the gentleman, Mr. Smith, was recognized.

Mr. DeWEESE. I understand the dynamics. I accept my fate, if that is the case. If I am allowed though, I am going to ask that it be recommitted to the Environmental Resources Committee of the House, but I will see what the gentleman has to say.

The SPEAKER. The gentleman, Mr. Smith, was recognized on the motion. Does he wish to be recognized, or would he like to give it back to the gentleman from Greene?

Mr. S. SMITH. Mr. Speaker, I presume that the minority leader, upon realizing that a motion to table is only debatable by the leaders and a motion to recommit is debatable by everyone, that that is the purpose for your wanting to change your motion. Given that, Mr. Speaker, I do not see a lot of sense in us wasting time defeating the motion to table if he is going to turn around subsequent to that and propose a motion to recommit.

So although I think it is contrary to what the gentleman is going to do, I have no objection.

The SPEAKER. It is back to you, Mr. DeWeese.

Mr. DeWEESE. In the true spirit of this room and this debating tradition of over 300 years, I thank the gentleman.

MOTION TO RECOMMIT

Mr. DeWEESE. I would move that we recommit this HB 3 to the House of Representatives Environmental Committee.

MOTION TO TABLE WITHDRAWN

The SPEAKER. We are assuming you have withdrawn your motion to table. Is that a correct assumption?

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

It is. I was impetuous.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. S. SMITH. Mr. Speaker?

The SPEAKER. The question is on the motion.

Mr. S. SMITH. Yes.

The SPEAKER. The gentleman, Mr. Smith.

Mr. S. SMITH. I would like to inquire of the minority leader if his reasons for recommitting are the same as his reasons for tabling.

Mr. DeWEESE. I am sure the gentleman does not elicit another rendition, so I will just say, yes, the three reasons still stand.

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

The SPEAKER. Mr. Leach, on the motion to recommit.

Mr. LEACH. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the motion to recommit. I do so because I believe that this bill is not a good bill from the perspective of the environment. You know, it has been said several times during the course of this debate, both in committee and other places, that the next perfect bill we pass will be the first perfect bill we pass. Well, the next bad bill we pass will not be the first bad bill we pass, and we should not use as an excuse our failure to do something correctly in the past as an excuse for not doing it correctly now.

This bill is a pale imitation and an inadequate imitation of the Governor's proposal and for what we need to do for the environment. You know, some people say that this is a shell game, but it is worse than a shell game because a shell game moves money around; this actually costs money from the environment.

Let me just go through a couple of numbers very quickly, Mr. Speaker. Under Growing Greener II, the proposal by the Governor, we would spend about \$2.8 billion over the life of the program the next 27 years on the environment. If we do nothing but extend the tipping fee until 2032, we would spend \$2.3 billion on the environment. If we extend the tipping fee and pass the rest of Green PA, we will spend \$1.5 billion on the environment. We are spending almost three-quarters of a billion dollars less on the environment by passing this bill than if we do absolutely nothing.

Let me just take one facet of this bill and talk about something that is important to southeastern Pennsylvania, which is where I come from, but you can extrapolate this and apply this to any aspect of this bill, and I am going to talk about open space. Over the life of this bill, under this proposal, Green PA, open space gets \$105 million. If we just raise the tipping fee and do nothing else, it gets \$189 million—

The SPEAKER. Mr. Leach, will the gentleman yield.

The motion is on recommittal. Would the gentleman state his reasons for recommittal, not final passage.

Mr. LEACH. I am sorry?

The SPEAKER. Recommittal.

Mr. LEACH. I believe I am, Mr. Speaker. I am talking about the merits of the legislation and why it should be recommitted.

To finish that thought, if we were to spend and pass the Governor's program, it would be over \$500 million on open space. The bottom line is that this seriously shortchanges environmental needs in Pennsylvania. As Representative Surra points out, we get \$170 million of new spending over 7 years and then we lose all of the environmental spending for these programs.

And there is a lot of discussion in this House about being liberal and conservative and Democrat, Republican, and I just make the case that I do not know how anyone can support this. If you are a conservative, not only if you signed a no-tax pledge, this violates it. This extends the tax, and it is not revenue-neutral. So I do not know how you vote for this if you signed a pledge. But beyond that, it represents the worst in everything about government spending. It is a little bit of money spent up front for which we amass about a half a billion dollars of debt service that our children have to pay over the next 25 years or so. If you are on the liberal side of the aisle, this guts environmental programs and shortchanges the environment.

Mr. Speaker, finally, I would say that, as the maker of the motion indicated, the Governor plans to veto this legislation. It would be a tragedy not only for open space, not only for acid mine, not only for HAZCO, which, as someone on the other side of the aisle said to me today, is immoral if we do not fund that, but if we do not accomplish anything today, Mr. Speaker, if the Governor is forced to veto this, think of the State of Pennsylvania, think of the Brookings Report and how it talked about all the things that have not only gone wrong in terms of the environment but in terms of economic policy around the State, and I would ask, Mr. Speaker, therefore for a "yes" vote to recommit this bill.

Thank you.

The SPEAKER. For the information of the members, in Mason's Manual, "The motion to refer is debatable only as to the propriety of committing the main question, and does not open the main question to debate."

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

Mr. SHAPIRO. Thank you, Mr. Speaker.

I rise today to oppose HB 3 and urge my colleagues to recommit the bill.

As the distinguished majority leader said earlier, it is an honest, good-faith effort, but unfortunately, this bill does not get the job done. It recognizes some of the problems but does little to fix them, particularly for my district and for southeastern Pennsylvania in Montgomery County. In fact, a bipartisan group of county commissioners in my county urges us to pass Governor Rendell's Growing Greener package, not HB 3. HB 3 is a fiscally irresponsible package which funds some environmental programs in the short term and saddles our children with paying the bill for three decades to come. It helps a little for 7 years, but it costs a lot for 20.

Specifically, this bill dramatically cuts or reduces funding for brownfields revitalization, community redevelopment, energy efficiency, park rehabilitation, historical preservation, conservation grants, and most importantly, in our community in southeastern Pennsylvania, dramatically reduces our commitment to open space preservation.

The alternative to recommit this bill is to send it back to the committee process, to urge my colleagues to make a real commitment to our environment, to conservation, and to our future.

Again, I respectfully urge my colleagues to recommit this bill to allow for amendments such as the bipartisan deal worked out yesterday with Republican leaders, our Governor, and Democratic leaders and restore the true essence of our commitment to our environment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes at this time the gentleman from Montgomery, Mr. Gerber.

Mr. GERBER. Thank you, Mr. Speaker.

I, too, want to speak in support of the motion to recommit this bill to committee, and specifically, I want to address the needs of Montgomery County and the major environmental problem we face, and that is sprawl. Unfortunately, HB 3 ignores the causes of that problem. It guts funding for urban redevelopment, for brownfields, for historic preservation, for smart growth planning projects, for hazardous sites cleanup. It significantly reduces the investment in preserving open space and for PENNVEST, not to mention it guts Growing Greener I's programs, recycling and hazardous waste cleanup.

I urge my colleagues on both sides of the aisle who have to deal with sprawl in their communities, as we do in Montgomery County, as I do in Lower Merion, in Whitemarsh, in Conshohocken, let us send this bill back to committee so we can have a bill that addresses those issues that I know confront the suburbs of Montgomery County and suburbs all over the Commonwealth.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the motion to recommit to the House Environmental Resources Committee. As the majority chairman of that committee, we debated this bill last week, and unfortunately, it passed just by party lines, 15 to 12, and unfortunately, we could not agree on anything that day.

I have listened to some of these issues, some of the arguments, saying what this bill does not include. I have agreed that this is not a cure-all for every environmental program in the Commonwealth of Pennsylvania. I listened to Representative Surra say that this is only a \$170 million increase. Now, the last two speakers from Montgomery County said this was a decrease and it guts various programs. I heard HAZCO was eliminated.

This is what this bill does; whether you support it or not, this is what this bill does: It gives \$115 million in bond funds for 6 years and \$110 million in the seventh year; \$15 million for allocation of open space. The gentleman from Montgomery County was worrying about open space. That is an increase of \$8 million annually to the year 2012. This is also \$15 million to abandoned mine reclamation; also an \$8-million-a-year increase, a 25-percent increase, to PENNVEST, or nearly \$29 million annually. Now, that may not be enough for you, but do not say it is not funding PENNVEST. It is \$29 million annually. Read the bill. This increases Growing Greener environmental spending by almost \$24 million annually. It may not be enough for you, but I believe it is enough for the people of Pennsylvania, because guess what? There are no new fees or no new taxes in this bill, and that is why it is going to pass today.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Ross.

Mr. ROSS. Thank you, Mr. Speaker.

I want to emphasize a couple of points that have been made and clarify a few that may have been confused.

This legislation does extend the funding for these environmental programs. Now, some of the speakers have

pretended that that has already happened. It has not. We need to do that. We need to take that action.

We do front-end load the open space at the volume that actually the Governor suggested in his original legislation, \$800 million. We put that forward early on because we need to secure that open space now while it is still available. So that is right down the line of what the Governor suggested and what those of us in the southeast think is needed. We directly address the issue of agricultural preservation, and we directly address the question of acid mine drainage.

Now, as I pointed out earlier in the committee meeting, we have actually addressed environmental issues three times in the 8 years that I have been here. This will be the third time, because I have every confidence this is going to be passed. People are worrying about what is going to happen in 2012. Well, I say what we need to do is address the environmental issues in front of us now, and we will continue to look at them, just as we have over the last 8 years, and see what else might need to be done in the future. But this aggressively goes after the very issues that were raised by the Governor earlier on in his administration, and it is a reasonable bill that can be passed out of this chamber and out of the Senate.

We have heard here that the Governor is going to veto this. Now, I certainly hope he thinks about that carefully and I hope he reconsiders that position, because I strongly feel that this meets the vast majority of his needs, that it clearly addresses those things that are outstanding. We have already talked and raised money for economic development; let us not forget that. We do need to do money for Fish and Boat, Game, other things like that, and we should address that through the capital budget program. But for the key environmental issues that have been raised by groups that have come before us, this bill does the job. We need to move it forward; we need to get it out of the House; we need to get that bond issue in front of the voters in the spring. They are expecting that out of us. We do not need to recommit this bill back to the Environmental Resources Committee.

This gets the job done. It is time to move forward with it now. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Ms. HARPER. Thank you, Mr. Speaker.

I feel I must address my colleagues from Montgomery County with respect to the Green plan on Montgomery County, as they are mistaken. I know Montgomery County very well. I chaired the Montgomery County Green Fields/Green Towns Taskforce. I chaired the committee that wrote Montgomery County's open space plan. The voters of Montgomery County have already approved an open space bond, and for the next 7 years, while the Green plan doubles open space funding for Montgomery County, the county will be able to leverage the Green plan's money and buy more land.

It is not in Montgomery County's best interests to recommit this bill. It is in Montgomery County's best interests to get this question on the ballot this spring so that we can start the enhanced spending this summer. Recommitting it is a mistake for our county, and I know that well, because I know Montgomery County and its open space needs.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentelady.

The Chair recognizes the gentleman, Mr. Levdansky.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, if ever a bill needed to be recommitted to committee, this is it.

This bill was introduced just 2 weeks ago. Upon being introduced, it was referred immediately to the Environmental Resources and Energy Committee, where it was rammed out essentially on a party-line vote last week and rushed to the floor this week. That is hardly, hardly an example of a deliberative committee process trying to reach a consensus on a major, major issue facing Pennsylvania.

And a couple reasons why I think we need to put it back into committee. This lime Green PA proposal that we have before us would propose to borrow \$800 million, and \$630 million of that would be used simply to replace the funds that are presently allocated to Growing Greener. The Rendell administration's Growing Greener proposal would spend \$800 million above and beyond what we spend today.

In addition, Mr. Speaker, this lime Green PA proposal would spend \$125 million per year on environmental investments. That is a little bit more than we presently spend this year, but it is a full \$10 million less than was spent in 2000-2001 under the Ridge administration. It is \$10 million less than what we spent 3 fiscal years ago. You can call it lime green or you can call it green light, but it certainly does not resemble anything that we need to do in terms of environmental investment.

As a matter of fact, Mr. Speaker, this reduction, this reduction from just 3 years ago, cannot be considered to be ramping up or turbocharging environmental investments. It is more akin to a car going downhill and throwing it in neutral and coasting along, is what this lime green proposal is really before us.

I also do not understand how members on the other side of the aisle can acknowledge existing deficiencies in the bill, especially regarding investments for the Game and Fish Commission infrastructure. There is an acknowledgment that this bill has deficiencies, but the argument is, well, we will just pass it and send it over to the Senate and let them take care of it. Why should we move a bill that both sides of the aisle recognize as deficient? Why should we not refer it back to committee and deal with these deficiencies that both Republican and Democratic members recognize.

Mr. Speaker, in the end, we need to refer this back to committee to make the necessary improvements so that we can move a bill that we can all support, not something that is lime green. You know, lime green may be a fruit, but it is a bitter fruit. We need to pass a product in the committee and in this body that resembles the deep hues and greens of Pennsylvania forests, something forest green, not something lime green. Recommit this bill so that we can give Pennsylvanians the proper environmental investments that they demand of us.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. STEIL. Thank you, Mr. Speaker.

I rise to oppose the motion to recommit this bill for a very simple reason. Opposing and recommitting this bill would mean we are saying it is better to do nothing than to do something, or in the words of my esteemed colleague, lime green is still better than no green.

Secondly, if we really intend to have an \$800 million bond issue on the referendum this spring, we need to pass this

legislation, because the worst outcome is to float that referendum and have the people of Pennsylvania say no, because we do not know how you are going to spend the money. They will not give us permission to just spend money without a plan. There has to be a plan. We do not want the outcome where Pennsylvania residents say no to this referendum.

Vote "no" to recommitment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. GERBER. Thank you, Mr. Speaker.

I want to again speak in support of the motion to send this bill back to committee. After hearing some of the comments from my colleagues here in the House, I want to be sure that they are not missing some important points that I think, particularly for those folks from southeastern Pennsylvania, are fundamentally important.

First, with respect to preserving open space, to give you an idea of what we could do if we had the desire to do it, under the Governor's plan, Growing Greener II, we could set forth \$282 million for open space as opposed to the Green PA plan of only \$105 million. And to put that in perspective, I want to point out that in Montgomery County, where we have a serious problem of losing open space, our constituents voted for a \$150 million bond, just in Montgomery County alone. Green PA is only \$105 million for the entire Commonwealth. That is a significant difference, and that is a difference that is not good for Montgomery County.

I also want to point out to some of my colleagues that spoke, open space is not the only issue, it is not the only problem that we have in Montgomery County, but sprawl is an issue that we deal with, and it has several causes. Urban decay is one of them, and that is why we need reinvestment in our urban communities. Brownfields in old industrial areas like Conshohocken, where I represent, that is a problem. We need to clean those brownfields, and if we do, we can reduce sprawl. The same with historic preservation.

And I want to add that if all we have is bond money, we can only use it for capital projects; we cannot use it for people power and we cannot use it for the smart growth planning projects that we could use it for if we pass Growing Greener II.

For these reasons, sir, I submit that we must send this bill back to committee so we can get a better bill, and we can do it, and we can do it in a timely fashion. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Wansacz.

Mr. WANSACZ. Thank you, Mr. Speaker.

I, too, rise in support of recommitment.

You know, I am happy with the maker of the bill recognizing that there is a problem with the environment, and what concerns me is I heard many speakers here today talk, when it had to do with other amendments, about those amendments not going through committee. Well, when we are talking about an \$800 million bill, why have there not been any public hearings on this? We did have a meeting, and there was much discussion, but there was never a public hearing on this.

The SPEAKER. Mr. Wansacz, on recommitment.

Mr. WANSACZ. Yes. I am explaining why I want to recommit it back to the Environmental Resources and Energy Committee.

The SPEAKER. Go ahead, Mr. Wansacz.

Mr. WANSACZ. Well, let me explain why there was no public hearing on this, because this bill, Green PA, is not \$800 million; it is \$170 million. In 2012 Pennsylvania is still going to be here. We are still going to have environmental problems; we are still going to need things fixed, but funding gets cut off, and our future generations are left with paying a tab and getting no services to clean up environmental programs.

Mr. Speaker, this bill is a piece of trash, and I say no to trash, and I ask that we get this bill recommitted back to committee so that we can work on addressing our environmental concerns.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Curry.

Mr. CURRY. Thank you, Mr. Speaker.

To my Montgomery County colleagues and suburban colleagues, as you remember, I was a county commissioner a while back, and we worked on environmental programs. I think I am also familiar with the environmental needs of Montgomery County, from the modernized landfill in Upper Merion to the incinerator program in Plymouth, and we have worked on those environmental issues since the seventies. I think Montgomery County has provided leadership in that area.

I would like this body to hear what the current commissioners of Montgomery County say:

Dear Governor Rendell:

We would like to express our support for your Growing Greener proposal aimed at revitalizing our economy, improving our environment and enhancing our quality of life.

As the Montgomery County Commissioners, we are well aware of the challenges our state must face in order to reinvigorate our economy so we no longer rank near the bottom of states in economic growth.

We agree that to truly give our economy a boost and create new jobs, we need to clean up the scars of Pennsylvania's industrial past that exist as unused, unusable and unsafe environmental wastelands. We must turn these sites, including abandoned coal mines and idle steel mills, into productive engines of economic growth once again.

Thank you for proposing a comprehensive plan to address these goals while preserving open space, cleaning up our downtowns and helping make our towns and cities lively once again.

And it is signed by all three county commissioners.

I urge you to recommit this bill.

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

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I know it has been a long day, it is getting late in the afternoon on Tuesday, and we have been debating this issue for quite some time. It really is unfortunate that the House finds itself at this point today, and I think it is fair to say that, unfortunately, this Republican Caucus, these Republican House members here, find themselves betwixt and between.

We have a Governor who has made it very clear, certainly from the start of this term – frankly, well into last term – that he is willing to reach out to Republicans, especially on environmental issues. And it is unfortunate, because we have had a bipartisan coalition really for the last 8 or 9 years on environmental issues, with a Republican Governor and a Republican House joining with Democratic members to pass

Growing Greener, and now with a Democratic Governor reaching his hand out to Republicans, especially Republican members in the suburbs of Philadelphia, where they have had a long history and a long heritage of supporting environmental issues. This Governor, Ed Rendell, has reached out his hand and said, join me in a bipartisan effort for a serious, strong, focused, funded environmental program in the State of Pennsylvania. Republicans announced their environmental plan earlier this year. The first thing Ed Rendell said is, that is a good plan; it is a good start; I want to work with those Republican members; I know we can pass a bill that is good for Pennsylvania. This Governor could not be more bipartisan on this issue.

And again, especially for those members in suburban Philadelphia counties – Montgomery County was alluded to earlier here on the House floor – a county like Montgomery County, where Republican voters and Democratic voters have demonstrated over and over and over again that they support strong environmental programs, whether that be in Washington, DC, or in Harrisburg, and so the Republicans here find themselves betwixt and between, because there are a lot of our more conservative friends in the Republican Caucus, the Republican Party, the Republican House, that are sitting here today that are saying, no fees, no money, no programs that can be well funded.

Gov. Ed Rendell's program, when you cut through all the different numbers that we are talking about here today, Gov. Ed Rendell's program, after you debate all of the figures back and forth here today, the bottom line is that for \$1 a year for every single person in Pennsylvania, we could fund Ed Rendell's environmental program – \$1 per year, per person, we could fund this Governor's environmental program – and unfortunately, our Republican colleagues are betwixt and between. They have members who support the environmental programs, and they have more conservative members, as we know, that say, no fees, no increase, not even a dollar a day for Ed Rendell's environmental program; no. That is unfortunate partisan politics. We were hoping that there were Republican members, who have in the past joined us on environmental issues, who would join us here today, give us a chance to recommit this bill to committee, bring it back in a form and a fashion that can pass this House floor.

And again, I have heard members talk about, they know what is good for their county, and I think every member here has the right to say that and can make that case about their own county. But one thing I know for sure: There is not going to be a bill called HB 3 pass this floor and be signed into law by Gov. Ed Rendell without significant amendments and without significant changes. Do not take my word for it. Read the letter that is in every member's e-mail, as we debate here on the floor, from this Governor, Ed Rendell, who says, I will veto HB 3 if there are no substantial changes made to the bill. Do not take my word for it. Ed Rendell says, and I quote, "The 'GreenPA' legislation" – my editorial comment is, this is the Republican bill – "House Bills 2 and 3, being considered by the House of Representatives today does not reflect the spirit, or the intent of my Growing Greener II initiative. I will veto these bills if they reach my desk without substantial amendments," and he goes on and talks about the details of this program.

For my good Republican colleagues, like it or not, he is the Governor of this State. He is trying to enact a vision about the environment in the State of Pennsylvania. He has the ability to do what he says he is going to do here. And I think we all know,

having worked with this Governor, for him to reach a point to put out a letter that says he would veto a bill this early in the process is very unusual, because he tries very hard to reach out to Republican members, especially on issues like the environment, to join him to do the right thing.

This is an unfortunate partisan political move by some Republican members here today. Sadly, more of my moderate colleagues from the suburbs of Philadelphia who typically would support us on this issue are allowing that to happen. I will admit, I do not fully understand the dynamics of the politics of the Republican Caucus as we stand here today on this Tuesday debating this bill, but I know how they voted before. I know that when you say you know what is good for your county, you do understand that without any additional funding, there will not be anything good for your county. Without a bill in place – and this Governor says he would veto this bill – there will not be anything to go back to the county and say, this would be good for my county.

So unfortunately, Mr. Speaker, I guess we are going to go through this unfortunate partisan political exercise here today, and if the Republicans want to, they can jam down our throats and they can pass a bill that the Governor has already said he would veto. They can pass a bill that every environmental group in the State of Pennsylvania has already said needs to have significant amendments. They could do that here today, but sometime between now and June 30, the end of the fiscal year, we are going to have to get down to work on this issue. And I know, I know, because I know this Governor, that he will again reach out his hand tomorrow, and he will say to his Republican colleagues, I need your help; we ought to work together; we should have a bipartisan compromise on this bill. Now, I can tell you that the Democrats here in the House are ready to do the exact same thing with this Governor, but the Governor has a right to set the parameters for his vision about the environment. This issue is tremendously popular across the State of Pennsylvania.

Mr. Speaker, let us go through this exercise. We would like to have an opportunity to recommit this bill right now, today, back to the committee. Let us bring it back out when we come back from our 3-week recess for budget hearings, and let us have another opportunity to do the right thing, to do it the right way, with Gov. Ed Rendell's support.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. LEACH. Thank you, Mr. Speaker.

I just want to exercise a point of personal privilege in a sense, because some comments I made previously were alluded to, and I just want to respond to that, because, Mr. Speaker, I, too, know Montgomery County. My entire district is encompassed in Montgomery County. I was on the same boards—

The SPEAKER. Mr. Leach? Mr. Leach?

Mr. LEACH. Yes?

The SPEAKER. Are you on tabling?

Mr. LEACH. Yes; I am, Mr. Speaker. Thank you.

The SPEAKER. On recommittal.

Mr. LEACH. I am sorry? I am on recommittal, not tabling. I believe that was withdrawn.

The SPEAKER. I got you.

Mr. LEACH. Anyway, I want to just explain how this affects Montgomery County and why it should be recommitted as a result.

Montgomery County passed a \$150 million bond issue for Montgomery County alone. It is over 10 years, but the Republican commissioners in Montgomery County want to spend the money over 6 years. They say we need to spend it faster, over 6 years, which comes out to about \$25 million per year for Montgomery County alone, one of 67 counties. This bill provides an additional \$8 million a year for the entire State of Pennsylvania, which is pennies for open space preservation in Montgomery County. Whom are we kidding? In exchange for that, after 7 years we get zero dollars – nada, nothing, zero – for the next 20 years. That is compared to the status quo. Compared to the Governor's program, we get \$330 million on top of the \$7 million a year we already get – \$330 million over 4 years.

Mr. Speaker, the language “turbocharge” has been used. This bill is not a turbocharge. This bill is like shifting gears up a gear on a Schwinn. If you really want to turbocharge, you pass Growing Greener II.

Recommit this bill. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Surra. The Chair rescinds.

PARLIAMENTARY INQUIRY

The SPEAKER. The gentleman, Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker.

Just a point of parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. VEON. I do have the Governor's letter to the members that I would like to submit for the record. Is it appropriate to do that at this point?

The SPEAKER. The gentleman is in order.

Mr. VEON. Okay. Thank you, Mr. Speaker. I would like to do so.

The SPEAKER. The Chair thanks the gentleman.

LETTER SUBMITTED FOR THE RECORD

Mr. VEON submitted a letter for the Legislative Journal.

(For letter, see Appendix.)

The SPEAKER. The gentleman, Mr. Surra.

Mr. SURRA. Thank you, Mr. Speaker.

I rise to support the motion to recommit, and the reason I support that motion, Mr. Speaker, is because just yesterday, a little over 24 hours ago, we had an agreement with members in the Republican Caucus for the very amendment that I offered today but we were unable to get a rules suspension for. Not one member on that side of the aisle voted with us. I think we can go back to work, if we recommit this bill, and come out with something that is smart for the environment.

And let me explain to you, in its present form, HB 3 is not smart. Now, I think the problem that you guys are having on the other side of the aisle is the fact that you are trying to get to the \$800 million number that Governor Rendell has proposed, and you are trying to do that by saying there are no new fees. So in

essence, what you do, if we did nothing, by 2012, in its current form, we would have raised \$630 million for environmental spending. So we are taking that money to borrow \$800 million, and we have a net gain of \$170 million. That is not smart. You fiscal conservatives, that is not smart. It is not a wise use of our tax dollars. That is why we need to recommit this bill. It is not \$800 million; it is \$170 million in new spending, and you are kidding yourselves. If you think it is not an increase, it is an increase. After 2012 the \$4 tipping fee is extended until 2032. However, there is no more environmental spending after 2012; we fall off a cliff. It is not smart.

The Governor will veto this bill. This is an exercise in futility. That is why we need to recommit. We are close, Mr. Speaker; we are very close. A little more time and effort and we can make this work, I am convinced.

You know, the automotive euphemism of “turbocharging” was brought in in this discussion. Well, if this were a 500-mile race, the Green PA plan would run out of gas in about a hundred laps. But we need to be in there for the long haul, Mr. Speaker, so I would seriously hope that you would support the effort to recommit.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Thomas. The gentleman, Mr. Thomas, waives off.

PARLIAMENTARY INQUIRY

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

Mr. GABIG. Mr. Speaker, I think this would be in the form of a parliamentary inquiry. It might not be. But I have listened, I could not avoid but listening this afternoon, to some of the loud and very energized comments being made, but if this passes rather than going back to committee, does this not go to the Senate versus going to the Governor to veto? Is this not just going over to the Senate? Is that what we are doing today?

The SPEAKER. The gentleman is correct.

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

The SPEAKER. The gentleman, Mr. Smith. Does the gentleman, Mr. Smith, wish to be recognized? The majority leader.

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

Mr. Speaker, I oppose the motion to recommit, and I would like to recount a few of the arguments that were made by our colleagues as to why this bill should be recommitted.

One of the more recent comments made here on the floor by the minority whip comes a little bit as a surprise to me in that he suggests that this is some partisan political maneuver today, and that kind of surprised me because he went on to say that we have not been willing to compromise. Now, I do not know what your definition of “compromise” is, but you know, roughly a year ago the Governor made his Growing Greener II proposal, which called for roughly \$800 million in bonds that would be spent primarily over the next 4 or 5 years, but we would not start to pay them back until 2012. So for most of us in the room, that would mean we would spend the money in the next 4 to 6 years – gee, what does that coincide with for some people in this building? – but we would not have to pay it back until long down the road, really saddling future generations with a greater

pile of debt. But we at that time, and if I think back even where I was at that point, I was in my mind maybe willing to do something in the neighborhood of \$300 million that would go towards some of the existing Growing Greener programs. I know many in our caucus were at less than that, some were maybe higher than that, but in the sense of compromise, my lands, you guys want to sit right where the Governor started and say we are the ones that are not compromising, that you have not given an inch. In fact, the quote “bipartisan deal” that supposedly was struck over this weekend, which I can tell you unequivocally, whoever told you that there was a deal with the Republican leadership is lying to you, because I never made a deal with anybody relative to the, quote, “bipartisan deal.” It was discussed by senior staff. It was kicked around, admittedly, but I was not there and I did not make a deal. So whoever is telling you that, they are not telling you the truth. There was no deal made.

Now, to the notion that, again, we have not compromised, we ran a pretty open bill today. Everybody had a chance to amend it. There was an opportunity to amend it with the Governor’s proposal, his direct proposal from his initial bill, not the bipartisan, agreed-to plan that, incidentally, in the sense of compromise, went from \$800 million to \$860 million and an additional fee. That is the way I work my— When I am compromising, when I am trying to work with someone to negotiate, generally we think of coming from our respective points of view toward the middle, not toward the other direction. So when the compromise goes from \$800 million to \$860 million, I fail to understand your definition of “compromise” or working together. The fact is, this legislature, and particularly this Republican legislature, has worked diligently to compromise, to find the middle ground, to find not what I think is a perfect bill and not what you think is a perfect bill but something that will satisfy the bulk of our individual needs as we represent our districts. That is what we have before us, and we should not waste that time and effort to get to this point by recommitting this bill.

There was a comment early on by the minority leader that one of his reasons for originally tabling the bill, subsequently changing the motion to recommitment, was that there is widespread opposition. The fact is, Mr. Speaker, there is opposition to this bill but there is opposition to everything we do. And quite frankly, I look back at 1999 or whenever it was when we did the original Growing Greener, that program that was so maligned whenever we did it because it did not spend enough money, and we went through this same debate, but everybody here has gone out for the groundbreaking and the check presentations and all those local events to take credit for what a great program we had in Growing Greener. Widespread opposition? I do not think so. I think the opposition is only those that always want to spend more money, and to that degree, we will probably always face some criticism, some opposition, but there is hardly that widespread opposition.

Finally, Mr. Speaker, I want to address the letter from the Governor, and I appreciate the minority whip for putting that on the record. I also was going to request that that letter be put on the record in regard to the Governor threatening to veto HB 3 if it is not substantially amended.

Number one, in kind of a humorous context, I can assure you that whatever we send to the Senate, it will be amended in a significant way, and maybe not in the direction that some of you

who are opposing HB 3 would like. But let me respond to a couple of the specific comments. Since the Governor’s veto letter was submitted for the record, I would like to respond to that as substantiation of why we should not recommit this bill.

In his letter, the Governor – and I will paraphrase some of these and try to get them accurate, but I am not going to read the whole letter – he said that the funds are not available to widen the scope of Growing Greener as he proposed. Now, that is an interesting thing to say when just a week ago the Governor stood before us and said he was proposing a budget without a tax increase, and as a part of that budget, he proposed pretty wide-ranging, across-the-board cuts in a lot of programs. But we are going to offer a General Fund budget with no tax increase, and the way I am going to do that is by, oh, having a tax increase to support a Growing Greener Program. To me, there is an inconsistency in that.

In the letter the Governor’s Office sent over, it also states, over the last several years, spending from the Hazardous Sites Cleanup Fund has averaged \$50 to \$55 million per year and that the Green PA plan would not do that; it would only have it at around \$30 million a year – only \$30 million, I might add. In response to that, Mr. Speaker, you have to look at the facts. Over the years funding for more and more personnel has been pushed into the Hazardous Sites Cleanup Fund. Their actual annual project funding, the money they are actually spending on projects, reaches around a maximum of \$23 million a year, and that is according to DEP. So if you want to keep sticking other DEP personnel under that program, yeah, it is going to look like it is short-funded, but in fact, this plan that is before us adequately funds the Hazardous Sites Cleanup Fund, and more importantly, it funds it the minute it hits the Governor’s desk, because current law right now provides no funding for the Hazardous Sites Cleanup Fund, an item that in fact the Governor asked us to put off in the last budget negotiations, 6 months ago. It was probably a mistake. We probably should have funded it then, kept it funded as we have in the years past, but at his request, we did not, we left it go, and allowed it to be tied into this Growing Greener debate. But current law does not provide any funding, so if you want to recommit this bill, then you are just again putting off funding for the Hazardous Sites Cleanup Fund.

The Governor’s letter also says, “My Growing Greener II plan funds...” existing “programs with existing revenue and dedicates all money raised by the bond act to expanding our Growing Greener program.” I do not know, but the Governor’s plan really only works by delaying the debt. As I mentioned previously, the Governor’s plan would spend all of this money over the next 4 to 6 years – 4, 5 years – but we would not start paying it back until 2012. How do you justify that? Well, you can say, yeah, you have more money to spend today toward the next couple of years than what the Green PA plan does, but someday you have got to pay the piper, and putting that off until 2012 is totally irresponsible. The Governor’s plan also does not fund the existing programs with existing revenue, because he requires a significant amount of increase in taxes and fees to do it as his plan originally was proposed.

The Governor’s letter also says, “The GreenPA plan would permit \$125 million per year in spending on Growing Greener projects,” \$10 million below the level achieved in fiscal year 2000-2001 under Governor Ridge, but it cannot be considered an actual advance. I heard that mentioned. However, the Governor fails to mention that our plan provides, as I previously

said, the \$25.6 to \$30 million in annual funding for the Hazardous Sites Cleanup Fund, and Green PA is certainly an advance in environmental support without raising taxes.

Finally, Mr. Speaker, the Governor’s veto letter says that in its current form, it “provides too little new money at too high a price to deserve my support or yours.” I have kind of spoken to this already, but the Governor is now supporting a plan – the supposed “bipartisan deal” – the Governor is now supporting a plan that borrows \$860 million in bonds, delays the debt payment until 2012, and in fact, that makes the debt service, the cost of borrowing the money, almost \$500 million higher.

Now, we can argue about all these details in minutia, but the fact is, the plan we have before us is something that has legs. It is a good bill. It does deal with the issues that the Commonwealth faces in regard to environmental issues. We are never going to be 100 percent on the same page – I understand that – but to delay passage of this bill by rereferring it to the Environmental Resources and Energy Committee will only delay the enactment of this program and the growth of this program.

Mr. Speaker, I urge the members to oppose the motion to recommit.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS–88

Bebko-Jones	Eachus	Mann	Santoni
Belardi	Evans, D.	Markosek	Shaner
Belfanti	Fabrizio	McCall	Shapiro
Biancucci	Frankel	McGeehan	Solobay
Bishop	Freeman	Melio	Staback
Blackwell	George	Mundy	Stetler
Blaum	Gerber	Myers	Sturla
Butkovitz	Goodman	Oliver	Surra
Buxton	Grucela	Pallone	Tangretti
Caltagirone	Gruitza	Petrarca	Thomas
Casorio	Haluska	Petrone	Tigue
Cawley	Hanna	Pistella	Veon
Cohen	Harhai	Preston	Vitali
Corrigan	James	Ramaley	Walko
Costa	Josephs	Readshaw	Wansacz
Cruz	Keller, W.	Rieger	Washington
Curry	Kirkland	Roberts	Waters
Daley	Kotik	Roebuck	Wheatley
DeLuca	Leach	Rooney	Williams
Dermody	Lescovitz	Ruffing	Wojnaroski
DeWeese	Levdansky	Sainato	Youngblood
Donatucci	Manderino	Samuelson	Yudichak

NAYS–107

Adolph	Flick	Maitland	Ross
Argall	Forcier	Major	Rubley
Baker	Gabig	Marsico	Sather
Baldwin	Gannon	McGill	Saylor
Barrar	Geist	McIlhattan	Scavello
Bastian	Gillespie	McIlhinney	Schroder
Benninghoff	Gingrich	McNaughton	Semmel
Birmelin	Godshall	Metcalfe	Smith, B.
Boyd	Good	Micozzie	Smith, S. H.
Browne	Grell	Millard	Sonney
Bunt	Habay	Miller, R.	Stairs
Cappelli	Harper	Miller, S.	Steil
Causar	Harris	Mustio	Stern

Civera	Hasay	Nailor	Stevenson, R.
Clymer	Hennessey	Nickol	Stevenson, T.
Cornell	Herman	O'Brien	Taylor, E. Z.
Crahalla	Hershey	O'Neill	Taylor, J.
Creighton	Hess	Payne	True
Dally	Hickernell	Petri	Turzai
Denlinger	Hutchinson	Phillips	Watson
DiGirolamo	Kauffman	Pickett	Wilt
Diven	Keller, M.	Quigley	Wright
Ellis	Kenney	Rapp	Yewcic
Evans, J.	Killion	Raymond	Zug
Fairchild	Leh	Reed	
Feese	Mackereth	Reichley	Perzel,
Fichter	Maher	Rohrer	Speaker
Flagle			

NOT VOTING—0

EXCUSED—7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.

The question is, shall the bill pass finally?

On that question, the Chair recognizes the gentleman from Montgomery, Mr. Leach. The gentleman, Mr. Leach, waives off.

The gentleman, Mr. George.

Mr. GEORGE. Mr. Speaker, what I say will not influence one vote, and I know that and you know that. But if I can, allow me some flexibility in that I just want to say to my colleagues, is a bill not good because it is Governor Rendell's bill, or is a bill not good because he is having difficulty in the number of votes that would be naturally supportive?

I was here when Growing Greener I was passed and Ridge did not want to use bonds. I had a dozen of my fine colleagues on the other side that would have supported me. In fact, we had a public hearing or a public forum outside and they were there, but that night they were pulled off. Does that make them bad? No, no, it does not. It makes them that they wanted to support their Governor, whether he was right or whether he was wrong.

I do not stand here today to condemn my colleagues, but those of us that are here know the young lady from Montgomery said this bill, HB 3, has to be passed by a certain date. No, it does not. HB 2 does. Then my esteemed majority leader said, this will go to the Senate, and what will happen? Well, people like this rank and file will not have much to do, Mr. Speaker – you will – on what happens. And a kind lady from one of the other counties that serves with me did not support one of my bills that would have helped to bring the money in for all of these programs, especially PENNVEST, so just let me reiterate one thing.

The DEP total money will allow a loss on abandoned mine for \$49 million. Maybe they do not want to listen to it, but thank you, Mr. Speaker, that you are listening. But maybe some of you in your areas will know what you did that was right and what you did that was wrong. Oil and gas, oh, that will not be in Montgomery, but it will be up where there are a lot of Democrats and a lot of Republican legislators. And the watershed protection and sewage that all of us in the rural area are up against, we will take a hit of \$997 million. Say what you want; I mean, talk is cheap but it takes money to buy whiskey, so keep on ripping in, because you will rue the day. Oh, I know; yeah, that is right. Thank you for your compliments. And we will lose in PENNVEST \$489 million. And for those of you that fashion sports and want to do the best, DCNR will take a hit in open space of \$177 million. And for those of you that are fashioned and feel the farmland open space and farmland program, you are going to take a hit of \$278 million. The Fish and Boat, naturally, you have already said it, is \$50 million. Brownfields, a program that came through under a Republican administration, we are going to take a hit of \$40 million. One that you should be with us on, those of us in the rural area, community redevelopment and housing, \$90 million.

You do what you please – you are going to do it – but I would say to you that if you have a change in mind, remember that this Governor wants to take care of every area within his reach. He wants to help every area, wherever its geography is. He wants to do something in the environment that has not been done, either by Democrat Governors or Republican Governors. He wants to do what he believes will help us all. He wants to put money in so a fellow that comes from an area like me will be able to remove 3 million ton of abandoned coal fields and waste and create an energy feeling.

I supported Mr. Ross and all the others on their Energy Harvest, yet I find that we did some things that we should not. I did not stand up and take my chairman on recommittal. They have to do what they have to do, and I have to do what I have to do. I am only saying that it probably will pass and it is not going anywhere, but if it does not go anywhere, it will not harm us. What we have to do is do the right thing on HB 2 and get it on the ballot.

And, Mr. Speaker, my apology that I was so long. I did not get up on the other measure. But I am saying, for those of you that sincerely believe that abandoned mines should be taken care of and the hazardous waste program ought to be lifted up, not knocked down, and those of us that need industrial development and things of that nature where we can utilize environmental dollars and put our people back to work, and that probably is not in your area but it is in my area and many Republican areas, this Governor is trying to define that there is a problem, and some of us are sitting and insisting that there is not any problem. So if he can be condemned because he wants to help, well, then you are certainly doing your job right, because you are trying to keep him from doing what is right for the citizens not only in Philadelphia, not only in Clearfield, not only in any other of the 58 counties that we have waste.

And let me say something to you, because you have never been up against it, but right now there is an attempt to put in a waste depository in Centre County, and it will take in 10,000 ton a day, and there is one to go into Clearfield County, where the guy that owns the land will make \$2.2 million for 20 years. And let me tell you something: 30 years from now,

40 years from now, it will not be Governor Rendell, it will not be any of us, but our grandchildren will be trying to find out where they can get the money to remove those waste repositories that are poisoning our water and killing our citizens. It will not be you, but what you will do, you will have violated the trust that your Constitution insists about. You will be violating that we should leave a better place for our children and for those yet to come, and I am telling you, it is on your shoulders, it is not on us that have the courage to stand up and do not what is political but what is right, and I thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Schuylkill, Mr. Argall.

Mr. ARGALL. Thank you, Mr. Speaker.

There has been a good bit of a discussion today regarding the recent history of environmental funding, and I just want to remind everyone what a historic day this is. This is the third of 3 days devoted to allocating some much-needed new dollars to a variety of some of our most pressing environmental problems, and I know that some of our newer members have been very, very involved in this and may not have recalled that it was way back, way, way back in 1999 when we first passed the Growing Greener legislation by an overwhelming vote of 166 to 28. In the Senate it was 49 to 1. And in rereading the testimony from that day, it was very clear to me that those 28 “no” votes were not against the idea of spending those dollars on a number of important environmental initiatives; instead, they kept saying it was not enough, it was not enough, it was not enough, and the majority leader has referenced that in his comments.

The second of those 3 historic days came on June 28, 2002, when we extended the original Growing Greener Program from 5 years to 12 years and from \$645 million to \$1.3 billion. This time the vote was 122 to 76, and it was pretty much the same thing. The members were not objecting to the programs, but we kept hearing, even at \$1.3 billion, it was not enough, it was not enough, it was not enough.

Now, I think if we look at some hard facts today and get beyond the rhetoric, we can see that those two bills really did make a difference. You ask this administration what the results have been, and they will tell you that it saved countless farms, it improved many of our parks and recreation facilities, our water and our wastewater facilities, and more specifically, it became the largest watershed restoration program in the country: 450 miles of acid mine drainage streams cleaned up, 400 miles of stream bank restorations, the restoration of over 5,000 acres of wetlands, and the plugging of over 1,300 abandoned oil and gas wells. That is not bad for a program that was not enough.

Now, today some of the same voices are being raised against this bill, because apparently \$800 million is not enough either. Although I have to tell you that in the little towns that I represent along the Schuylkill River, \$1 million is considered a lot of money, so \$800 million is considered quite a significant sum, and I would hope that the majority of this House, as was done in the last two occasions, can once again come together to pass this important environmental initiative.

As the majority leader has indicated, this may not indeed be the final version, but it is very, very important that we move this issue ahead as well as the next bill so that the voters of Pennsylvania can have their say in the May primary.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Ms. HARPER. Thank you, Mr. Speaker.

Today we have had a full debate on the merits of the various Growing Greener proposals and the alternative Pennsylvania Green plan.

In a few minutes each of us will be asked to cast our vote on the Pennsylvania Green plan as it currently stands. I know this bill goes too far for some of my colleagues and not far enough for others, but each of us gets one vote and each of us has to look in the mirror and face the face there as well as the 60,000 people we represent.

For those of you who do not believe that government should ever borrow and who worry about debt left to our children and grandchildren, I want to remind you that it is okay to borrow for things that last when you know how you are going to be able to pay it back and when the borrowers, who are the voters, approve of the borrowing. That is what this plan is all about. It also does that without requiring you to raise taxes. I ask you to consider that and the debt that we will be leaving our children and our grandchildren if we fail to clean up our spoiled rivers, our abandoned mines, our dirty streams, and if we fail to preserve family farming in Pennsylvania because we were afraid to vote “yes” on this bill.

For those of you who are disappointed that this bill does not propose the level of spending that the Governor proposed, I ask you to recognize, the Governor had his plan, his day in court today. That plan was not put up for a vote and is not before you now. It is not here. Instead of arguing over that, let us share the credit on the Green plan. Let us all vote “yes.” Let us all take a bow for healthier parks and cleaner rivers. Let us take credit together. Let us cut the green ribbons together. Let us celebrate together the acres of preserved farms, the miles of cleaned-up streams. And by all means, let us resolve not to go home empty-handed because this bill is not perfect, because this bill is not yours, because this bill is not the Governor’s bill, because this bill is not everything that you wanted, because if we do that, we really run the risk of getting nothing at all.

For those who feel that the Growing Greener Program should be expanded and who are disappointed that this bill does not fund new programs, please vote “yes” and take credit for the things that the Environmental Stewardship does do and has done. We can work on the other programs at a later date.

For those of you lucky folks from the counties where there are more trees and more protected lands than there are people, then you are lucky, and we recognize that. Please vote “yes” on this bill because it provides a stable source of funding for the Hazardous Sites Cleanup Fund. We can clean up the old abandoned sites and put them back to work for new jobs for the people that you represent, and we can do this without raising fees or taxes. Please also remember that when there is a truck spill in your area, we need the Hazardous Sites Cleanup Fund to take care of that. Please vote “yes.” We recognize it is important for your parts of the State to have jobs, but it is also important for your parts of the State to have what we all want – a clean environment and good jobs.

For those of you who wanted only the Governor’s program and nothing less and nothing more, please recognize that this bill is not perfect, but it will put money into hazardous sites, into farmland, into trails, natural areas, and acid mine drainage.

If politics is the art of the possible, then this is the bill that is possible now. Doing nothing is not an option for Mother Nature. If we do nothing, we are making a choice about how our communities grow and how our communities decay. We are making a choice as to whether we want to sustain family farms, clean up our streams and rivers, and provide funding to clean up the areas that have been messed up by the generations who came before us.

If in the final analysis you are bound and determined to vote “no,” if you are bound and determined to vote “no,” ask yourselves this: How can you vote “no” on an issue that is important to family farms? How can you vote “no” on saving open space when the development pressures are so real in the areas and communities we represent? How can you vote “no” on providing a stable funding source for the Hazardous Sites Cleanup Fund that I believe is our moral responsibility in this Commonwealth? How can you vote “no” to cleaning up acid mine drainage, reclaiming abandoned mines, and restoring our streams and waterways? Mother Nature needs the shot in the arm right now, Mr. Speaker. How can you vote “no”?

In the Philadelphia suburbs, in the Lehigh Valley, in central Pennsylvania, where suburban sprawl is threatening the health and future of our communities, now is the time to act. We need a stable, predictable source of money for farmland, open space, parks, and trails so that we can ensure a stable, predictable source of food and quality of life for the Commonwealth. We need this bill now. Despite your misgivings, I would ask you for a “yes” vote. Please join us and we can all celebrate together.

Thank you.

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

Mr. FREEMAN. To speak on final passage, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Wansacz, is next.

Mr. Wansacz.

Mr. WANSACZ. Mr. Speaker, I will defer to my colleague, Mr. Freeman, and speak after him.

The SPEAKER. Well, he is not next. The gentleman, Mr. Adolph, would be next.

Mr. WANSACZ. Okay. Chairman Adolph did give me permission to speak before him, so I will live by his words.

Mr. Speaker, I, too, agree with Growing Greener I. Growing Greener I is a good program that does many good things, and that is why I am concerned about Green PA’s plan. Green PA, it seems to me, raids Growing Greener I, and that is a big concern that I am having.

Mr. Speaker, I am getting a little bit confused with all the rhetoric going back and forth amongst everybody. Is it possible that I can interrogate the maker of the bill?

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

Mr. WANSACZ. Thank you, Mr. Speaker, and thank you for rising to answer my questions.

We are hearing, obviously, a lot of rhetoric. Can you just tell me how you are funding \$800 million of this bill? How is this working out?

Mr. QUIGLEY. The \$800 million will be funded by the existing tipping fee of \$4.25, a portion of that going to fund the bonds over the lifetime of the bonds, with the remaining portion being dedicated to the Hazardous Sites Cleanup Fund and the Farmland Preservation.

Mr. WANSACZ. So the current \$4.25 that is funding Growing Greener I now will be used to fund this new Green PA plan?

Mr. QUIGLEY. That is correct.

Mr. WANSACZ. Thank you, Mr. Speaker.

We are hearing rumors that there is only \$170 million of new money, and this is being sold as \$800 million of new money. How much money is net new money?

Mr. QUIGLEY. The current amount would be \$60 million of new money based in comparison to the current law. That is over 7 years.

Mr. WANSACZ. Thank you, Mr. Speaker.

Also, from what I gathered when I was reading the bill, it looks like recycling is going to stop being funded in 2009. Is that correct?

Mr. QUIGLEY. That is the current law, and there is no change in that law based on this proposal.

Mr. WANSACZ. Okay. So there is no new funding then to keep recycling going after 2009 under the Green PA plan?

Mr. QUIGLEY. That is current law; that is the current law.

Mr. WANSACZ. I come from an area where brownfields are a problem. What funding is in Green PA’s plan for brownfields?

Mr. QUIGLEY. With respect to brownfields, there is money in this that it would be allocated to the current brownfields program. There is nothing dedicated to that, but money that is put there can be allocated for those purposes.

Mr. WANSACZ. So there is no dedicated funding for brownfields. It is up to the discretion of whom?

Mr. QUIGLEY. There is no dedicated source of funding for the brownfields; that is correct. Money is there in the General Assembly that can be allocated through other means.

Mr. WANSACZ. Thank you, Mr. Speaker.

I am also understanding that there are going to be no new fees in this bill. Well, from what I understand – and I guess it is the interpretation of each individual person – do you consider no new fees extending a current fee when it is to expire in 2012, and what happens in 2012 with the current tipping fee that is set to expire? Is that being extended?

Mr. QUIGLEY. The bill removes the sunset for an existing fee.

Mr. WANSACZ. So in a sense, that would create a new fee then starting in 2012?

Mr. QUIGLEY. No. You are simply removing a sunset to an existing fee.

Mr. WANSACZ. Thank you, Mr. Speaker.

Thank you. I am done with interrogation. Thank you for standing.

Mr. Speaker, I would like to just speak on the bill.

The SPEAKER. The gentleman is in order.

Mr. WANSACZ. Mr. Speaker, I have many, many problems with Green PA’s plan, and one is that after 2012 there is going to be no new funding, and even though there is funding for farmland preservation, there is no dedicated funding and no funding for acid mine drainage, and that concerns me, because recently our newspaper ran a story about all the abandoned mine lands in northeastern Pennsylvania and what it would cost to clean them up. Well, Pennsylvania, in our early history, fueled World War I and World War II with our coal, and we always thought that we would get back our mine land and we would always get it cleaned up, and it did not happen. We really need people to dedicate more funding to this, and it concerns me that

there is money for farmland preservation but not money to clean up the acid mine drainage.

Mr. Speaker, I would ask our members to vote “no.” Something needs to be done on the environment, but this is not the best possible answer. If we can go back and we can work out a compromise, I am confident that between both the Republican and Democratic members in the House, the Senate, and the Governor’s Office, we can come up with a better bill that would address the needs, that would not cut off funding in 2012. Mr. Speaker, after 2012 there will be no funding, and that is a scary proposal, for the next three generations will be paying for that little bit of money that we put in for 7 years and getting nothing in return. That is the next three generations.

Mr. Speaker, I ask you not to do that to our future. I ask you for a “no” vote so we can work together and try to come up with a better plan that will have dedicated funding to make sure that we have a continued funding for our generations.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, HB 3 will mark a significant investment in the environment of Pennsylvania. We have worked long and hard on this, people on both sides of the aisle. We have heard a lot of political rhetoric, talk about partisan politics. I think everybody in this House that knows me knows that I am not a partisan politician. I have reached out to Representatives Bill Keller, Tom Tangretti, and Larry Curry on various issues and Joe Preston recently, last fall, on a telecommunications issue. We need to work together.

This piece of legislation is not perfect by any means, but it is a step in the right direction. It fills the gaps, the funding gaps that are necessary for our environmental needs. We will continue to work for environmental funding here in Pennsylvania, but today is a good step in the right direction, and I would ask my colleagues to forget the partisan politics and let us pass HB 3 on final passage. Let it move to the Senate, and let the Senate debate the issues that we have debated here today.

I hope we will continue investing in the environment, but right now, the way the economy is here in Pennsylvania, with the struggles that we are going to have in mass transit funding, with the struggles that we are going to have in Medicaid funding, we need to pass this bill that increases funding for the environment without raising any fees and taxes at this time.

Thank you for your patience today. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I do not doubt the sincerity of the proponents of the measure that is before us today. However, I recognize, as do almost all the colleagues on my side of the aisle, that this proposal falls woefully short of the goals that all of us hope to attain for the environment. In fact, in many respects, this proposal holds out a very false promise of what it will do because of the way in which this proposal has been structured.

There is a section of the Constitution of the Commonwealth of Pennsylvania which should be guiding us in our deliberations today. Article I, section 27, states, and I quote, “The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the

environment. Pennsylvania’s public natural resources are the common property of all the people, including generations yet to come”; “including generations yet to come.”

The way HB 3 has been structured, the way Green PA has been structured, we would be ignoring those future generations yet to come, because the way this bill is structured, we are talking about mortgaging our environmental future for short-term and limited gains – 7 years of program funding, 27 years of debt. The way this proposal is structured, we would be cannibalizing good existing environmental programs; we would be undercutting the effectiveness of Growing Greener to do the task that we assigned it many years ago.

Again, I do not doubt the sincerity of those who are proponents of this measure, but the reality is that we should be doing better and we can be doing better. Let us not settle for this quarter of a loaf this early in this legislative session. We need to do a better job in securing the promise of the environment of Pennsylvania not just for the next 7 years but for future generations, as our constitutional charge dictates us to.

With that in mind, Mr. Speaker, I would urge the members to vote “no.” Let us go back to the drawing board. Let us put forward a better proposal that will fix this problem, that will provide the funding that needs to be long term to carry us into the future in Pennsylvania not just for the next 7 years but for the next 27 years and beyond. We can do better. We should do better.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Indiana, Mr. Reed.

Mr. REED. Thank you, Mr. Speaker.

As we have debated the Governor’s Growing Greener II proposal for nearly a year now and as we have evaluated the Green PA proposal for several weeks, several times during that time period I have heard the minority chairman of the Environmental Resources and Energy Committee speak about the fact that Green PA will rob the people of Pennsylvania of \$1.8 billion in additional spending on environmental programs. In fact, that quote appeared in my local newspaper in the editorial section just this past weekend.

But I think all too often we, the folks down here in Harrisburg who work in grand, awe-inspiring chambers like this and perhaps the most beautiful Capitol across the nation, forget where that money comes from. In fact, in just the last 3 years, this body has enabled this Commonwealth to borrow, if we enact either of these two proposals, over \$2.2 billion, and I think all too often we forget that those dollars come from people like my grandparents; people like my parents; people like my little sister, struggling to put herself through graduate school. We forget that instead of robbing the people of Pennsylvania of over \$1.8 billion in new spending, perhaps, just perhaps, we are giving a couple extra dollars back to the people of Pennsylvania and coming to a realistic compromise that will allow our State to balance our economy and our environment.

If you look at the Governor’s Growing Greener II proposal, of which many folks who opposed the Green PA proposal have quoted today, if you look at the Web site, if you look at the municipal waste fee in itself, and I quote, “It will only cost the average family of four \$20 a year.” Well, coming from a person who came from the average family of four, perhaps we need to put that in the terms on what that \$20 means to the average family of four in 1 year. It means breakfast for an entire week. It means a gallon of milk, a loaf of bread, toast, half gallon of orange juice. Are the folks who are standing demanding that we

do not pass Green PA but instead demanding these new taxes and fees willing to take breakfast away for an entire week for the average family of four in Pennsylvania?

And then we look at the residual waste and the TRI (Toxics Release Inventory) fees that are proposed. Coming from Indiana County, these fees in themselves would cost my four power plants – the Conemaugh Station, the Keystone Station, the Seward Station, and the Homer City Generating Station – between \$16 and \$18 million each and every year. Those stations are manned by hundreds of—

Mr. DeWEESE. Mr. Speaker?

Mr. REED. —IBEW (International Brotherhood of Electrical Workers)—

Mr. DeWEESE. Mr. Speaker?

The SPEAKER. For what purpose does the gentleman rise?

Mr. DeWEESE. Just to politely remind the gentleman that on final passage, he should limit his debate to things that are actually in the bill. The things that he is talking about are not in this bill.

The SPEAKER. The gentleman is correct. The remarks should be confined to what is actually in the bill.

Mr. REED. Well, I guess it just really comes down to the fact that my support of the Green PA proposal is not a support of the proposal as it stands. It is merely a compromise and a compromise that I see as being much better than putting hundreds upon hundreds of IBEW workers in my district out of work, and how I find it just a little bit ironic that the folks, the same folks who continuously stand and profess to be for the working man, in this case, are willing to vote and willing to stand against the members of the IBEW and willing to, in essence, put the working man out of work.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

We are down to the prime sponsor of the bill. Is there anyone else that wishes to be recognized at this time?

The gentleman, Mr. Quigley.

Mr. QUIGLEY. Thank you, Mr. Speaker.

Again I would like to thank the staff members of the Appropriations and Environmental Resources and Energy Committees for their assistance with the preparation of this bill. I would like to thank Chairman Adolph for his outstanding leadership in shepherding this bill through the committee and to the House floor. I would like to thank the over 60-plus cosponsors from both sides of the aisle for their support for this bill.

When reviewing the details of the Green PA plan, it is difficult to deny the immense opportunity it yields for our communities. This proposal is out of question the most comprehensive and fiscally responsible environmental plan that Pennsylvania has seen in some time. The existing Growing Greener Program, while a great asset to our communities, is slated to expire in 2012. Our Green PA will fund Pennsylvania environmental programs through 2033, a commitment that is certainly unmatched by any other proposal.

Today in communities throughout the State, there are serious concerns regarding funding for programs supporting open space, farmland preservation, watershed protection, mine reclamation, and parks and forest maintenance. We are looking at the impact that each of these areas has on our communities, our health and our economy. We realize exactly how important they are to the overall well-being of this Commonwealth. With Green PA, we took into consideration and worked to ensure

each of these was provided sustainable funding for years to come, and we did so without increasing or creating new taxes or fees.

Among Green PA's best assets is its support for our Hazardous Sites Cleanup Fund, which has been responsible for cleaning some of Pennsylvania's most toxic sites and represents a key component in our ability to revitalize State brownfields and boost economic development. Currently the Hazardous Sites Cleanup Fund is facing a debilitating fiscal shortfall, and its future could be in jeopardy. To address this matter and the surrounding concerns, we ensured that Green PA provided long-term financial assistance to this Hazardous Sites Fund to make certain our communities can continue to benefit from it in the future. This program will provide the next generation of Pennsylvanians with a \$170 million ending balance to help finance the environmental needs of that era.

When we consider all the benefits that Green PA has to offer and the fact it pays for itself – it provides \$2 billion in landmark financial support for key programs through 2033, imposes no new taxes or fees, and leaves our children with a cleaner Pennsylvania and a financial boost – there is no denying the positive impact it would have on our Commonwealth.

I would ask respectfully that all members of the House consider the passage of this bill.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. DeWeese.

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

In September of 1972 in Marine Corps boot camp, I met a drill instructor at the obstacle course during a rope climb, and I was not quite to the top of the rope, and he said, good enough is not good enough, because we thought three-quarters of the way was good enough.

HB 3 is not good enough. It does not come close to being good enough. The Republicans under Tom Ridge a long time ago were willing to go to the bond market and invest in Pennsylvania's environmental cleanup, and I believe they will end up working with Edward G. Rendell and doing that in the near future, between now and our culmination of budget negotiations.

I would ask for a negative vote, Mr. Speaker, for all of the reasons enumerated this afternoon. We came close to a compromise yesterday, and I think we will realize a compromise in subsequent weeks. But this is certainly not worthy of Democratic votes, and I would ask my colleagues on my side of the aisle to oppose it. And as was pointed out by the gentleman from Carlisle, if it came back from the State Senate in similar fashion, it will be rejected by the Governor.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Smith.

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

Mr. Speaker, I made the bulk of my points, really, when we were discussing the motion to recommit, but I would like to just touch on a couple of points that relate to that.

It has been suggested that the Green PA plan that is now before us has fewer benefits, that it does not do as much, that it will shortchange stream restoration and abandoned mine reclamation and PENNVEST and open space preservation and cleanup of polluted sites, and that we would be shortchanging our environmental programs by – I think I saw something that

was put out today by one in opposition to this that it would shortchange it by \$1.8 billion over 20 years.

The fact is, Mr. Speaker, we really have two plans that have been kicked around, in all fairness – the Governor's original plan, which would have proposed spending the \$800 million roughly over 4 years or so; would have put off repaying those, even starting to repay those until 2012. So once this administration is gone, they will have been able to spend the money, but all of us that may or may not still be here, the people of Pennsylvania who will still be here paying the bills and seeking the fruits of our programs will be stuck with paying that bond back, and that total debt service on that original proposal was roughly \$1.7 billion. So the original proposal would have borrowed \$800 million, and the cost of paying it back would have been \$1.7 billion.

In my way of thinking, you must look at the total cost of the bond issue, that interest that you pay over those 20 or 30 years, and count that against your environmental spending. It does not just go away. We could slough it off into the General Fund or put it under another fee, but it is still real money that the real taxpayers of this Commonwealth are required to pay back.

So in a sense of compromise, we came up with a plan that allows, that commits— I learned something from one of my members here a couple of weeks ago. They said, the real problem the environmentalists have with the original Growing Greener plan is that the money we put in is only set there by law, and year to year, we could give or take it away. What they like about a bond issue is that once that bond question goes on the ballot and says we are going to borrow X number of dollars and it is going to go to A, B, and C, then that money has to go to A, B, and C. It kind of removes the legislature's ability to reappropriate that money elsewhere. So I said, wow, if that is their real problem, maybe we should compromise and give in to bond financing this, even though in my heart, in my heart, I believe we would be better off taking these fees and plowing them into these very same programs year in and year out. But I can accept that we would get under pressure and maybe we would cheat a little bit and take a little money away from this or that program, and that if in the name of compromise and putting together a program that satisfies the competing interests in this Commonwealth meant that we had to dedicate funding via a bond instrument, a ballot question, where the voters said, yes, we would support this money for that as we do with some of our other water and sewer projects and things of that like, if that was it, then, to me, that was a compromise, and believe me, for a lot of our members, that is a major compromise, because I still think we would be a lot better off in this Commonwealth by just spending this same amount of money year in and year out and not giving it, any of it, to interest to the bond markets. Now, that would be competitive bidding of bonds, if you want. We just will not do them. But no, that is not satisfactory to some in this community, so we compromised.

Now, did we change the payment schedule? Did we stretch it out so that the money will be spent over 7 years or so, an extended program, quite frankly, beyond that, as opposed to spending it all in 4 years and letting it just drop off the end of the table? Four years from now we will be sitting here paying money back and not have anything, and then we will be looking at a tax increase, all right.

Well, that is not my goal. So we came up with a plan, the Green PA plan, that stretches the spending out a little bit,

changes the payback plan a little bit so that we are starting to pay it back as we go. A little more responsible, and the difference there is that the bond indebtedness that adds roughly \$1.2 billion is the total payback, the total debt service, versus \$1.7 billion. Now, that is also in comparison to what was referred to earlier as some kind of a late-night compromise that was supposedly being worked on over the weekend that I referenced earlier. That compromise, by the way, the debt service on that one would have been \$1.8 billion. So we would have gone from the Governor's original plan of \$1.7 billion to pay for an \$800 million program to a compromise of a \$1.8 billion payback for an \$800 million program – actually, that one was an \$860 million program – versus a compromise that still gets us the basic \$800 million program with a payback of \$1.2 billion, roughly.

So, Mr. Speaker, when I look at what we have before us – and as I said earlier, you know, for some people in here, we could never spend enough money, but keep in mind, for others, we are always spending too much, and there is the compromise – what you have before you today is a good bill. It is a bill that will meet the needs of Pennsylvania's environmental programs. The Green PA proposal will enhance, indisputably, it will enhance the Growing Greener Program that we put in place several years ago.

I would urge the members to put their vote on the board that shows they are in support of Pennsylvania's environment and not hide behind the excuse that it is just not enough.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. George.

Mr. GEORGE. Mr. Speaker, I am not going to be long, and I am not going to talk about the bill. I am just going to say to the gentleman from Indiana, I think you were very unkind. I was in the work force when you were just a gleam in your daddy's eye. I have been an operating engineer since 1955 and in the 666th Pipefitters Union out of Washington since 1949.

Mr. S. SMITH. Mr. Speaker?

Please, on the bill. This sounds like it is more of a point of personal privilege. He is not on the bill.

QUESTION OF PERSONAL PRIVILEGE

Mr. GEORGE. Mr. Speaker, may I have personal privilege?

The SPEAKER. If it is in fact personal privilege, you may continue.

Mr. GEORGE. I thank you, Mr. Speaker.

Mr. Smith, you have known me. You were on my committee. I have gone up to your area to a Democratic function and told people how good you are, so that shows you how I can exaggerate.

Now, Mr. Speaker, there is not a Republican over there that I do not love, that is not welcome in my home, and just because they think differently on matters does not matter to me, but for that gentleman to say that I do not care about working men and women, shame on you.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—109

Adolph	Fairchild	Maher	Ross
Argall	Feese	Maitland	Rubley
Baker	Fichter	Major	Sather
Baldwin	Fleagle	Markosek	Saylor
Barrar	Flick	Marsico	Scavello
Bastian	Gabig	McGill	Schroder
Birmelin	Gannon	McIlhinney	Semmel
Bishop	Geist	McNaughton	Smith, B.
Boyd	Gillespie	Micozzie	Smith, S. H.
Browne	Gingrich	Millard	Sonney
Bunt	Godshall	Miller, R.	Stairs
Cappelli	Good	Miller, S.	Steil
Causar	Grell	Mustio	Stern
Cawley	Harper	Nailor	Stevenson, T.
Civera	Harris	Nickol	Taylor, E. Z.
Clymer	Hasay	O'Brien	Taylor, J.
Cornell	Hennessey	Oliver	Thomas
Corrigan	Herman	O'Neill	Tigue
Crahalla	Hershey	Payne	True
Cruz	Hess	Petri	Waters
Daley	Hickernell	Phillips	Watson
Dally	Kauffman	Pickett	Wright
Denlinger	Keller, M.	Quigley	Youngblood
DiGirolamo	Keller, W.	Raymond	Zug
Diven	Kenney	Readshaw	
Donatucci	Killion	Reed	
Ellis	Leh	Reichley	Perzel,
Evans, J.	Mackereth	Roberts	Speaker

NAYS—86

Bebko-Jones	Frankel	McGeehan	Shaner
Belardi	Freeman	McIlhattan	Shapiro
Belfanti	George	Melio	Solobay
Benninghoff	Gerber	Metcalfe	Staback
Bianucci	Goodman	Mundy	Stetler
Blackwell	Grucela	Myers	Stevenson, R.
Blaum	Gruitza	Pallone	Sturla
Butkovitz	Habay	Petrarca	Surra
Buxton	Haluska	Petrone	Tangretti
Caltagirone	Hanna	Pistella	Turzai
Casorio	Harhai	Preston	Veon
Cohen	Hutchinson	Ramaley	Vitali
Costa	James	Rapp	Walko
Creighton	Josephs	Rieger	Wansacz
Curry	Kirkland	Roebuck	Washington
DeLuca	Kotik	Rohrer	Wheatley
Dermody	Leach	Rooney	Williams
DeWeese	Lescovitz	Ruffing	Wilt
Eachus	Levdanskyy	Sainato	Wojnaroski
Evans, D.	Manderino	Samuelson	Yewcic
Fabrizio	Mann	Santoni	Yudichak
Forcier	McCall		

NOT VOTING—0

EXCUSED—7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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.

GUEST INTRODUCED

The SPEAKER. The Chair welcomes to the hall of the House Michael Brown from Waynesboro Area Senior High School, who is working in Representative Pat Fleagle's district office as part of his senior project. He is located to the left of the Speaker. Would that gentleman please rise and be recognized.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2, PN 219**, entitled:

An Act providing for submission of a question to the electorate authorizing incurring of indebtedness for the maintenance and protection of the environment, open space preservation, watershed protection, abandoned mine reclamation, acid mine drainage remediation and other environmental initiatives.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER. The Chair at this time recognizes the gentleman, Mr. Adolph, who moves for a suspension of the rules in order to immediately bring up an amendment.

Mr. Adolph, amendment 112.

For what purpose does the majority leader rise?

Mr. S. SMITH. Mr. Speaker, an inquiry relative to this amendment.

I believe this amendment was a corrective reprint. It is timely filed and does not require the suspension of the rules. If the Parliamentarian would check that, I would appreciate it.

The SPEAKER. The Chair thanks the gentleman.

It was not brought to our attention; just one moment.

The gentleman is correct. We have a notification that it is a corrective amendment. There is no need to suspend the rules.

On that question, the gentleman, Mr. Adolph.

The clerk will read the amendment 112.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. **ADOLPH** offered the following amendment No. **A00112**:

Amend Title, page 1, line 3, by inserting after "space" and farmland

Amend Sec. 2, page 2, line 2, by inserting after "space" and farmland

Amend Sec. 4, page 2, line 14, by inserting after "space" and farmland

Amend Sec. 6, page 2, line 27, by inserting after "space" and farmland

On the question,

Will the House agree to the amendment?

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

Mr. ADOLPH. Thank you, Mr. Speaker.
 Mr. Speaker, amendment A00112 simply inserts the word “farmland” after “open space” in the question. Obviously, we all know the difference between open space and farmland preservation, and we wanted to make a distinction with that in the question.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—191

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

NAYS—4

Creighton	Forcier	Metcalfe	Wilt
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NOT VOTING—0

EXCUSED—7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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

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

Mr. **GEORGE** offered the following amendment No. **A00053**:

Amend Sec. 4, page 2, lines 17 and 18, by striking out all of said lines and inserting
 initiatives?

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

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

Mr. **GEORGE**. Thank you, Mr. Speaker.

Mr. Speaker, it is said that we in fact are trustees of the environment, and, Mr. Speaker, A53 allows us to follow that oath by deleting the language in the ballot referendum that would force cuts in the existing Growing Greener programs today and in the future. And, Mr. Speaker, your side of the aisle is very progressive and is very cooperative on this amendment because I think it is agreed to, and if it is agreed to, then I can assure you, then this referendum will be on the ballot hopefully the way we send it over.

So I am urging people to accept this amendment.
 Thank you.

The **SPEAKER**. Those in favor of the amendment will vote “aye”; those opposed will vote “no.” The members will proceed to vote.

Mr. **S. SMITH**. Mr. Speaker, just one—

The **SPEAKER**. The Chair rescinds.

Mr. **S. SMITH**. Mr. Speaker, if I could, just briefly sort of on the amendment.

The **SPEAKER**. The gentleman, Mr. Smith, is recognized.

Mr. **S. SMITH**. Simply because the gentleman, Mr. George, came up to my constituents, the Democrats in Jefferson County, and lied to them and told them I was a really good guy, since he misinformed them all these years – I meant “lie” in a friendly way – I think we are going to go ahead and support this and maybe he will come back and tell them how good a guy I am on another day.

Thank you, Mr. Speaker.

The **SPEAKER**. I doubt that, Sam.

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

The following roll call was recorded:

YEAS—188

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

NAYS—7

Forcier	Maher	Metcalfe	Wilt
Habay	Maitland	Turzai	

NOT VOTING—0

EXCUSED—7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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

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

The SPEAKER. It is the understanding of the Chair that all of the additional amendments have been withdrawn.

Seeing no objection to that statement, will the House agree to the bill as amended?

On the question recurring,
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.

The following roll call was recorded:

YEAS—183

Adolph	Fairchild	Maitland	Sainato
Argall	Feese	Major	Samuelson
Baker	Fichter	Manderino	Santoni
Baldwin	Fleagle	Mann	Sather
Barrar	Flick	Markosek	Saylor
Bastian	Frankel	Marsico	Scavello
Bebko-Jones	Freeman	McCall	Schroder
Belardi	Gabig	McGeehan	Semmel
Belfanti	Gannon	McGill	Shaner
Biancucci	Geist	McIlhinney	Shapiro
Birmelin	George	McNaughton	Smith, B.
Bishop	Gerber	Melio	Smith, S. H.
Blackwell	Gillespie	Micozzie	Solobay
Blaum	Gingrich	Millard	Sonney
Boyd	Godshall	Miller, R.	Staback
Browne	Good	Miller, S.	Stairs
Bunt	Goodman	Mundy	Steil
Butkovitz	Grell	Mustio	Stern
Buxton	Grucela	Myers	Stetler
Caltagirone	Gruitza	Nailor	Stevenson, R.
Cappelli	Haluska	Nickol	Stevenson, T.
Casorio	Hanna	O'Brien	Sturla
Causer	Harhai	Oliver	Surra
Cawley	Harper	O'Neill	Tangretti
Civera	Harris	Pallone	Taylor, E. Z.
Clymer	Hasay	Payne	Taylor, J.
Cohen	Hennessey	Petrarca	Thomas
Cornell	Herman	Petri	Tigue
Corrigan	Hershey	Petrone	True
Costa	Hess	Phillips	Veon
Crahalla	Hickernell	Pickett	Vitali
Cruz	James	Pistella	Walko
Curry	Josephs	Preston	Wansacz
Daley	Kauffman	Quigley	Washington
Dally	Keller, M.	Ramaley	Waters
DeLuca	Keller, W.	Raymond	Watson
Denlinger	Kenney	Readshaw	Wheatley
Dermody	Killion	Reed	Williams
DeWeese	Kirkland	Reichley	Wojnaroski
DiGirolamo	Kotik	Rieger	Wright
Diven	Leach	Roberts	Youngblood
Donatucci	Leh	Roebuck	Yudichak
Eachus	Lescovitz	Rooney	Zug
Ellis	Levdansky	Ross	
Evans, D.	Mackereth	Rubley	Perzel,
Evans, J.	Maher	Ruffing	Speaker
Fabrizio			

NAYS-12

Benninghoff	Habay	Metcalf	Turzai
Creighton	Hutchinson	Rapp	Wilt
Forcier	McIlhattan	Rohrer	Yewcic

NOT VOTING-0

EXCUSED-7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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.

SUPPLEMENTAL CALENDAR D

RESOLUTIONS PURSUANT TO RULE 35

Mr. WILLIAMS called up **HR 99, PN 615**, entitled:

A Resolution commemorating the achievements and contributions the late Honorable Harry W. Bass made to the General Assembly and the Commonwealth of Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

Adolph	Feese	Major	Sainato
Argall	Fichter	Manderino	Samuelson
Baker	Fleagle	Mann	Santoni
Baldwin	Flick	Markosek	Sather
Barrar	Forcier	Marsico	Saylor
Bastian	Frankel	McCall	Scavello
Bebko-Jones	Freeman	McGeehan	Schroder
Belardi	Gabig	McGill	Semmel
Belfanti	Gannon	McIlhattan	Shaner
Benninghoff	Geist	McIlhinney	Shapiro
Biancucci	George	McNaughton	Smith, B.
Birmelin	Gerber	Melio	Smith, S. H.
Bishop	Gillespie	Metcalf	Solobay
Blackwell	Gingrich	Micozzie	Sonney
Blaum	Godshall	Millard	Staback
Boyd	Good	Miller, R.	Stairs
Browne	Goodman	Miller, S.	Steil
Bunt	Grell	Mundy	Stern
Butkovitz	Grucela	Mustio	Stetler
Buxton	Gruitza	Myers	Stevenson, R.
Caltagirone	Habay	Nailor	Stevenson, T.
Cappelli	Haluska	Nickol	Sturla
Casorio	Hanna	O'Brien	Surra
Causer	Harhai	Oliver	Tangretti
Cawley	Harper	O'Neill	Taylor, E. Z.
Civera	Harris	Pallone	Taylor, J.
Clymer	Hasay	Payne	Thomas
Cohen	Hennessey	Petrarca	Tigue
Cornell	Herman	Petri	True
Corrigan	Hershey	Petrone	Turzai
Costa	Hess	Phillips	Veon
Crahalla	Hickernell	Pickett	Vitali
Creighton	Hutchinson	Pistella	Walko

Cruz	James	Preston	Wansacz
Curry	Josephs	Quigley	Washington
Daley	Kauffman	Ramaley	Waters
Dally	Keller, M.	Rapp	Watson
DeLuca	Keller, W.	Raymond	Wheatley
Denlinger	Kenney	Readshaw	Williams
Dermody	Killion	Reed	Wilt
DeWeese	Kirkland	Reichley	Wojnaroski
DiGirolamo	Kotik	Rieger	Wright
Diven	Leach	Roberts	Yewcic
Donatucci	Leh	Roebuck	Youngblood
Eachus	Lescovitz	Rohrer	Yudichak
Ellis	Levdansky	Rooney	Zug
Evans, D.	Mackereth	Ross	
Evans, J.	Maher	Rublely	Perzel,
Fabrizio	Maitland	Ruffing	Speaker
Fairchild			

NAYS-0

NOT VOTING-0

EXCUSED-7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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

* * *

Mr. WILLIAMS called up **HR 100, PN 616**, entitled:

A Resolution honoring the late Representative David P. Richardson, Jr., a member of the Pennsylvania House of Representatives from 1973 to 1995.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

Adolph	Feese	Major	Sainato
Argall	Fichter	Manderino	Samuelson
Baker	Fleagle	Mann	Santoni
Baldwin	Flick	Markosek	Sather
Barrar	Forcier	Marsico	Saylor
Bastian	Frankel	McCall	Scavello
Bebko-Jones	Freeman	McGeehan	Schroder
Belardi	Gabig	McGill	Semmel
Belfanti	Gannon	McIlhattan	Shaner
Benninghoff	Geist	McIlhinney	Shapiro
Biancucci	George	McNaughton	Smith, B.
Birmelin	Gerber	Melio	Smith, S. H.
Bishop	Gillespie	Metcalf	Solobay
Blackwell	Gingrich	Micozzie	Sonney
Blaum	Godshall	Millard	Staback
Boyd	Good	Miller, R.	Stairs
Browne	Goodman	Miller, S.	Steil
Bunt	Grell	Mundy	Stern
Butkovitz	Grucela	Mustio	Stetler
Buxton	Gruitza	Myers	Stevenson, R.
Caltagirone	Habay	Nailor	Stevenson, T.
Cappelli	Haluska	Nickol	Sturla
Casorio	Hanna	O'Brien	Surra
Causer	Harhai	Oliver	Tangretti

Cawley	Harper	O'Neill	Taylor, E. Z.
Civera	Harris	Pallone	Taylor, J.
Clymer	Hasay	Payne	Thomas
Cohen	Hennessey	Petrarca	Tigue
Cornell	Herman	Petri	True
Corrigan	Hershey	Petrone	Turzai
Costa	Hess	Phillips	Veon
Crahalla	Hickernell	Pickett	Vitali
Creighton	Hutchinson	Pistella	Walko
Cruz	James	Preston	Wansacz
Curry	Josephs	Quigley	Washington
Daley	Kauffman	Ramaley	Waters
Dally	Keller, M.	Rapp	Watson
DeLuca	Keller, W.	Raymond	Wheatley
Denlinger	Kenny	Readshaw	Williams
Dermody	Killion	Reed	Wilt
DeWeese	Kirkland	Reichley	Wojnaroski
DiGirolamo	Kotik	Rieger	Wright
Diven	Leach	Roberts	Yewcic
Donatucci	Leh	Roebuck	Youngblood
Eachus	Lescovitz	Rohrer	Yudichak
Ellis	Levdansky	Rooney	Zug
Evans, D.	Mackereth	Ross	
Evans, J.	Maher	Rubley	Perzel,
Fabrizio	Maitland	Ruffing	Speaker
Fairchild			

NAYS-0

NOT VOTING-0

EXCUSED-7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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

* * *

Mr. WILLIAMS called up **HR 101, PN 617**, entitled:

A Resolution commemorating the achievements and contributions the Honorable Herbert Arlene made to the General Assembly and the Commonwealth of Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

Adolph	Feese	Major	Sainato
Argall	Fichter	Manderino	Samuelson
Baker	Fleagle	Mann	Santoni
Baldwin	Flick	Markosek	Sather
Barrar	Forcier	Marsico	Saylor
Bastian	Frankel	McCall	Scavello
Bebko-Jones	Freeman	McGeehan	Schroder
Belardi	Gabig	McGill	Semmel
Belfanti	Gannon	McIlhattan	Shaner
Benninghoff	Geist	McIlhinney	Shapiro
Biancucci	George	McNaughton	Smith, B.
Birmelin	Gerber	Melio	Smith, S. H.
Bishop	Gillespie	Metcalfe	Solobay
Blackwell	Gingrich	Micozzie	Sonney
Blaum	Godshall	Millard	Staback

Boyd	Good	Miller, R.	Stairs
Browne	Goodman	Miller, S.	Steil
Bunt	Grell	Mundy	Stern
Butkovitz	Grucela	Mustio	Stetler
Buxton	Gruitza	Myers	Stevenson, R.
Caltagirone	Habay	Nailor	Stevenson, T.
Cappelli	Haluska	Nickol	Sturla
Casorio	Hanna	O'Brien	Surra
Causer	Harhai	Oliver	Tangretti
Cawley	Harper	O'Neill	Taylor, E. Z.
Civera	Harris	Pallone	Taylor, J.
Clymer	Hasay	Payne	Thomas
Cohen	Hennessey	Petrarca	Tigue
Cornell	Herman	Petri	True
Corrigan	Hershey	Petrone	Turzai
Costa	Hess	Phillips	Veon
Crahalla	Hickernell	Pickett	Vitali
Creighton	Hutchinson	Pistella	Walko
Cruz	James	Preston	Wansacz
Curry	Josephs	Quigley	Washington
Daley	Kauffman	Ramaley	Waters
Dally	Keller, M.	Rapp	Watson
DeLuca	Keller, W.	Raymond	Wheatley
Denlinger	Kenny	Readshaw	Williams
Dermody	Killion	Reed	Wilt
DeWeese	Kirkland	Reichley	Wojnaroski
DiGirolamo	Kotik	Rieger	Wright
Diven	Leach	Roberts	Yewcic
Donatucci	Leh	Roebuck	Youngblood
Eachus	Lescovitz	Rohrer	Yudichak
Ellis	Levdansky	Rooney	Zug
Evans, D.	Mackereth	Ross	
Evans, J.	Maher	Rubley	Perzel,
Fabrizio	Maitland	Ruffing	Speaker
Fairchild			

NAYS-0

NOT VOTING-0

EXCUSED-7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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

* * *

Mr. WILLIAMS called up **HR 102, PN 618**, entitled:

A Resolution commemorating the achievements and contributions the Honorable K. Leroy Irvis made to the General Assembly and the Commonwealth of Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

Adolph	Feese	Major	Sainato
Argall	Fichter	Manderino	Samuelson
Baker	Fleagle	Mann	Santoni
Baldwin	Flick	Markosek	Sather
Barrar	Forcier	Marsico	Saylor
Bastian	Frankel	McCall	Scavello

Bebko-Jones	Freeman	McGeehan	Schroder
Belardi	Gabig	McGill	Semmel
Belfanti	Gannon	McIlhattan	Shaner
Benninghoff	Geist	McIlhinney	Shapiro
Biancucci	George	McNaughton	Smith, B.
Birmelin	Gerber	Melio	Smith, S. H.
Bishop	Gillespie	Metcalfe	Solobay
Blackwell	Gingrich	Micozzie	Sonney
Blaum	Godshall	Millard	Staback
Boyd	Good	Miller, R.	Stairs
Browne	Goodman	Miller, S.	Steil
Bunt	Grell	Mundy	Stern
Butkovitz	Grucela	Mustio	Stetler
Buxton	Gruitza	Myers	Stevenson, R.
Caltagirone	Habay	Nailor	Stevenson, T.
Cappelli	Haluska	Nickol	Sturla
Casorio	Hanna	O'Brien	Surra
Causer	Harhai	Oliver	Tangretti
Cawley	Harper	O'Neill	Taylor, E. Z.
Civera	Harris	Pallone	Taylor, J.
Clymer	Hasay	Payne	Thomas
Cohen	Hennessey	Petrarca	Tigue
Cornell	Herman	Petri	True
Corrigan	Hershey	Petrone	Turzai
Costa	Hess	Phillips	Veon
Crahalla	Hickernell	Pickett	Vitali
Creighton	Hutchinson	Pistella	Walko
Cruz	James	Preston	Wansacz
Curry	Josephs	Quigley	Washington
Daley	Kauffman	Ramaley	Waters
Dally	Keller, M.	Rapp	Watson
DeLuca	Keller, W.	Raymond	Wheatley
Denlinger	Kenney	Readshaw	Williams
Dermody	Killion	Reed	Wilt
DeWeese	Kirkland	Reichley	Wojnaroski
DiGirolamo	Kotik	Rieger	Wright
Diven	Leach	Roberts	Yewcic
Donatucci	Leh	Roebuck	Youngblood
Eachus	Lescovitz	Rohrer	Yudichak
Ellis	Levdansky	Rooney	Zug
Evans, D.	Mackereth	Ross	
Evans, J.	Maher	Rubley	Perzel,
Fabrizio	Maitland	Ruffing	Speaker
Fairchild			

NAYS-0

NOT VOTING-0

EXCUSED-7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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

* * *

Mr. WILLIAMS called up **HR 103, PN 619**, entitled:

A Resolution commemorating the achievements and contributions the late Honorable Crystal Bird Fauset made during her lifetime to the General Assembly and the Commonwealth of Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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

* * *

Mr. WILLIAMS called up **HR 104, PN 620**, entitled:

A Resolution commemorating the life of Octavius Catto and his contributions to political activism.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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

* * *

Mr. WILLIAMS called up **HR 105, PN 621**, entitled:

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

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Allen	Gergely	LaGrotta	Pyle
Armstrong	Harhart	Lederer	

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

The SPEAKER. There will be no further votes on the floor of the House.

Tomorrow will be a nonvoting session.

HOUSE BILLS INTRODUCED AND REFERRED

No. 300 By Representatives FLICK, BENNINGHOFF, DENLINGER, BROWNE, ADOLPH, ARMSTRONG, BALDWIN, BOYD, CALTAGIRONE, CAUSER, CLYMER, CRAHALLA, CREIGHTON, ELLIS, FICHTER, GABIG, GEIST, GEORGE, GILLESPIE, HARRIS, HERSHEY, HICKERNELL, HUTCHINSON, KILLION, MARKOSEK, METCALFE, MILLARD, MUSTIO, O'NEILL, PETRARCA, PHILLIPS, PICKETT, READSHAW, REICHLEY, SAINATO, SCAVELLO, SCHRODER, STERN, E. Z. TAYLOR, TRUE, TURZAI, WATSON, WILT, WRIGHT, YOUNGBLOOD and ZUG

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 personal income tax imposition.

Referred to Committee on FINANCE, February 15, 2005.

No. 301 By Representatives FLICK, BENNINGHOFF, WILT, SCAVELLO, ADOLPH, BALDWIN, BOYD, BROWNE, CALTAGIRONE, CAPPELLI, CAUSER, CRAHALLA, CREIGHTON, DENLINGER, GEIST, HARRIS, HERSHEY, HICKERNELL, HUTCHINSON, W. KELLER, KILLION, MILLARD, O'NEILL, PHILLIPS, PICKETT, READSHAW, REICHLEY, SAINATO, SCHRODER, STERN, TRUE, WATSON and YOUNGBLOOD

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further providing for funding for the Budget Stabilization Reserve Fund.

Referred to Committee on FINANCE, February 15, 2005.

REPORT OF COMMITTEE ON COMMITTEES

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

The following report was read:

February 15, 2005

SUPPLEMENTAL REPORT OF THE
COMMITTEE ON COMMITTEES

EDUCATION

Representative Mario Scavello resigns from the House Standing Committee on Education. Representative Michael Diven is appointed to fill the vacancy on the House Standing Committee on Education.

INTERGOVERNMENTAL AFFAIRS

Representative Richard Stevenson resigns from the House Standing Committee on Intergovernmental Affairs. Representative Michael Diven is appointed to fill the vacancy on the House Standing Committee on Intergovernmental Affairs.

TRANSPORTATION

Representative Mario Scavello is appointed to fill the vacancy on the House Standing Committee on Transportation.

GAME & FISHERIES

Representative Michael Diven resigns from the House Standing Committee on Game & Fisheries. No replacement is being named at this time.

These changes take effect immediately.

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

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

RECESS

The SPEAKER. The Chair recognizes Representative Mark Keller of Perry County.

Mr. M. KELLER. Mr. Speaker, I move that this House do now recess until Wednesday, February 16, 2005, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 5:46 p.m., e.s.t., the House recessed.