

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, JULY 5, 2005

SESSION OF 2005

189TH OF THE GENERAL ASSEMBLY

No. 50

### HOUSE OF REPRESENTATIVES

The House convened at 7 p.m., e.d.t.

#### THE SPEAKER PRO TEMPORE (ROBERT J. FLICK) PRESIDING

#### PRAYER

HON. GORDON R. DENLINGER, member of the House of Representatives, offered the following prayer:

Eternal and sovereign God, we thank You for the opportunity to serve in this place as Representatives of the people. As we come before You now, we ask that as we work toward the conclusion of a number of matters that are of great and lasting importance, that You would grant us a measure of Your wisdom, both as individuals and as a body. Give us strength for the task at hand. And help us always to strive, in all that we do, to be faithful to the oath of office, faithful to our own principles, civil towards each other, and mindful of Your authority over the affairs of us all.

This we ask in Your most holy name. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Monday, July 4, 2005, will be postponed until printed.

#### JOURNAL APPROVED

The SPEAKER pro tempore. However, the Journal for March 30 is in print and will be approved.

#### HOUSE BILL INTRODUCED AND REFERRED

**No. 1878** By Representatives J. TAYLOR, KENNEY, PERZEL, ALLEN and O'BRIEN

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, further providing for definitions and for municipal administration.

Referred to Committee on LABOR RELATIONS, July 5, 2005.

#### HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 406** By Representatives THOMAS, CALTAGIRONE, BLACKWELL, DeLUCA, FICHTER, GABIG, GEORGE, GOOD, JAMES, McILHATTAN, O'NEILL, PISTELLA, RAYMOND, SHANER, YOUNGBLOOD, KIRKLAND and BISHOP

A Resolution directing the Legislative Budget and Finance Committee to examine the effectiveness of the Office of Vocational Rehabilitation within the Department of Labor and Industry.

Referred to Committee on LABOR RELATIONS, July 5, 2005.

#### SENATE MESSAGE

#### AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE AND REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, returned **HB 612, PN 2100**; and **HB 1650, PN 2489**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

#### BILL REMOVED FROM TABLE

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

Mr. S. SMITH. Mr. Speaker, I move that SB 706 be taken off the table.

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

#### BILL ON SECOND CONSIDERATION

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

**SB 706, PN 1013.**

**RULES COMMITTEE MEETING**

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

**BILLS ON CONCURRENCE  
REPORTED FROM COMMITTEE****HB 612, PN 2100**

By Rep. S. SMITH

An Act amending the act of March 1, 1988 (P.L.82, No.16), known as the Pennsylvania Infrastructure Investment Authority Act, further providing for definitions.

RULES.

**HB 1650, PN 2489**

By Rep. S. SMITH

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for resident, nonresident and tourist fishing licenses.

RULES.

**BILL REMOVED FROM TABLE**

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

Mr. S. SMITH. Mr. Speaker, I move that the following bill be taken off the table: SB 596.

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

**BILL TABLED**

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

Mr. S. SMITH. Mr. Speaker, I move that the following bill be placed on the table: SB 596.

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

**LEAVES OF ABSENCE**

The SPEAKER pro tempore. The Chair recognizes the majority whip, who requests the leaves of no one this evening.

And the Chair recognizes the minority whip, who requests the gentleman, Mr. HARHAI, be placed on leave for the week and the gentleman, Mr. RIEGER, be placed on leave for the day. Without objection, so will be done.

**MASTER ROLL CALL**

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

The following roll call was recorded:

**PRESENT—199**

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

**ADDITIONS—0****NOT VOTING—0****EXCUSED—2**

Harhai Rieger

**GUESTS INTRODUCED**

The SPEAKER pro tempore. The Chair would like to welcome guests of Ms. Bebk-Jones, Jeff and Sheri Fiolek from Harpers Ferry, West Virginia, formerly from Erie, Pennsylvania, and they are the son and daughter-in-law of

Mary Fiolek, who is chief of staff for Representative Linda Bebkco-Jones. They are seated to the left of the Speaker. Welcome to Harrisburg.

### FILMING PERMISSION

The SPEAKER pro tempore. The Chair wishes to advise the members that the Chair has given permission to Gary Dwight Miller of the Patriot-News to take still photographs this evening for a period of 10 minutes.

If the members will turn to page 4 of today's calendar. We would like to return to consideration of HR 177.

We are about to start business. Members will please take their seats. We could have a long night if we do not get some cooperation from the members.

### CALENDAR

### RESOLUTION

Mr. ARMSTRONG called up **HR 177, PN 2451**, entitled:

A Resolution establishing a select committee to examine the academic atmosphere and the degree to which faculty have the opportunity to instruct and students have the opportunity to learn in an environment conducive to the pursuit of knowledge and truth at State-related and State-owned colleges and universities and community colleges in this Commonwealth.

On the question recurring,

Will the House adopt the resolution as amended?

The SPEAKER pro tempore. The Chair intends to recognize the gentleman, Mr. Pallone; the gentleman, Mr. Maher; the gentleman, Mr. Fleagle; the gentleman, Mr. Preston; the gentleman, Mr. Thomas; the gentleman, Mr. Roberts; the gentleman, Mr. Gerber; and the gentleman, Mr. James; then the gentleman, Mr. Grucela.

The Chair recognizes the gentleman, Mr. Pallone, and asks the House for its attention. We could move quickly or we could move very slowly tonight. It is up to all of you.

Mr. Pallone.

Mr. PALLONE. Thank you, Mr. Speaker.

I rise to oppose HR 177. My distinguished colleagues, during yesterday's debate, offered many of the convincing concepts as to why this resolution is nothing more than a search for a problem that does not exist.

You know, I come from an unusual background. I come from a large family. I attended both a State university as well as a private college, having graduated from Grove City College and attended also the Edinboro State University as well as Penn State University at one of their Commonwealth campuses in New Kensington, and I can tell you that of the three universities that I attended of higher education, never once, never once has any faculty member or administrator or even a fellow student challenged either my Christianity or my beliefs as a Democrat or any other beliefs that I may have in the classroom.

When I attended Grove City College, where I graduated, we were required to take a science course that included all concepts in science, in terms of everything from evolution to creationism.

We all studied it. We were tested on our knowledge from what was shared with us, not necessarily what we believed, but what we were taught, what we learned in the classroom. Whether it be science or history or philosophy or any other subject matter, in any of the universities that I attended, I never had a problem with any faculty member or any administrator challenging or offering any kind of a bias. The whole idea of education is to learn. It is to learn things that you agree with as well as things that you do not agree with.

I think it was Benjamin Franklin who said that if you think education is expensive, try ignorance, and I think HR 177 encourages almost ignorance to some degree because we are going to stifle education and learning in the classroom at the higher education level.

When we look at colleges and we look at students, whether or not you get the grade that you thought you should have had is irrelevant. The fact is, is did you learn something in that classroom? Did you pick up new information? Did you realize something that you did not realize before? And whether you agree with it or not is irrelevant. The issue is whether or not you understood the concept for or against a particular subject or discipline that you may be involved in.

This resolution, while I have utmost trust in the special committee that will be formed, including the subcommittee members of the House Education Higher Education Subcommittee, of which I am a part of, I have no question in the integrity of the members that will be serving on the committee. I have no problem accepting testimony from faculty and administrators and students and parents and anybody else who chooses to appear before the committee. I trust that all of those things will be done well and will be done with all due diligence.

The issue is not mistrust; the issue is not anything other than the fact that we are on a mission looking for a problem that does not exist. There are hundreds of thousands of college students in Pennsylvania. We have 50 letters complaining about possible or alleged academic infringement on academic freedom. We are in a situation where we are out searching for a problem. This is nothing more than taking action unnecessarily.

Mr. Speaker, I encourage the members to vote "no" for all those reasons. Thank you very much.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair apologizes to the gentleman, Mr. Sturla, who was speaking last night when we concluded our business, and therefore, the Chair recognizes the gentleman, Mr. Sturla, at this time, and we will get to the balance of those speakers after he is finished.

Mr. Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, will the maker of the resolution rise for interrogation?

The SPEAKER pro tempore. The gentleman indicates he will. You may proceed.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I am intrigued by this resolution because I may have also been a victim of what I believe your resolution is trying to get to, but I am not sure. So I will tell you the scenario, and then you tell me if in fact this would apply and how it might apply.

Back in architecture school I had a professor that was a postmodernist and a bad one at that. He never acknowledged the shortcomings of the postmodernist movement. He had a lack of

understanding of the modern movement. In fact, one day I was relating a story to him about Alvar Aalto, who is a famous Finnish architect, and somebody said that when you went into one of his buildings, you were so taken by what you saw that you wanted to sit and contemplate the structure, and you would turn around and there was a bench there waiting for you. And he said, well, obviously since Aalto did not use a lot of ornament, there was not much to look at.

We had some real differences about what architecture was. He did not understand altitude and azimuth of the sun as it related to placement of fenestration and walls. He did not grasp the splendor of enfilade. To him, architecture was two-dimensional decoration of surfaces. He did not believe it was possible to think about design in three dimensions prior to putting it on paper, and he openly criticized me for believing that I could. So I know; he told me my grade was affected by the fact that he and I disagreed on these items. So now I am a student; I know my grade is affected because I disagree with my professor on these items. To this day I still believe he was wrong. How does this resolution resolve anything for me?

Mr. ARMSTRONG. Well, Mr. Speaker, I am not sure it resolves anything for the gentleman since it was probably a few years ago that he was in college and completed that course, but to answer the question, Mr. Speaker, this committee will look at the environment, the academic environment, and whether or not it is one that fosters a development of critical thinking and exploration and expression of independent thought. So, Mr. Speaker, maybe the gentleman did not get the grade he deserved, but you know, I would hope that when the committee, when the subcommittee gathers evidence and reads testimony, I would hope that the threshold for evidence would be fairly high.

All of us as employers may have had someone working for us at one time who we felt was getting paid more than they deserved, and maybe as employees we have felt that we have not been paid enough, and I would think that most of us as students in some class have felt that we did not get that grade that we deserved, and I am sure that talking to those of us here who are professors and other professors, there are times when a professor gives a grade and thinks that student really did not deserve that. So I would hope that the committee would not get bogged down into hearing students whine about not getting the grade that they deserved if that is all that they have to base their complaint on.

Thank you, Mr. Speaker.

Mr. STURLA. Mr. Speaker, if I could continue. What I had to base my grade on was comments that the professor made, and aside from whether or not I got a good grade in the class, I did not think the professor knew what he was talking about.

Now, I come before your committee and I relate the same story that I just did. What happens? I am trying to figure out what this committee is going to do. Are they going to arbitrate as to whether I was correct or whether my architecture professor was correct about the postmodernist movement? Are they going to refer it to the head of the department, in which case he might say, well, we have one postmodernist on our staff, and that is just so that we have diversity, or is he going to take it to the dean of students? Are we going to haul them in and say, now, what do you think about this? Do you have the right blend of modernists and postmodernists and classic architects on your staff? What is the outcome? What can possibly proceed out of this hearing process?

Mr. ARMSTRONG. Mr. Speaker, this is not an adjudicative body. This subcommittee will simply be a fact-finding body, and one of the questions that we will ask is, did a student such as yourself take advantage of the grievance machinery that may or may not be in place at the particular State-owned or State-related university?

Mr. STURLA. And, Mr. Speaker, if I did, if I went to my department head and I said, gee, I think that professor is really out of line, and they said, you know what, I do not like the way he practices architecture either, but you know, he has a right to practice architecture that way and teach you that. You have a right to believe what you want to. You can either copy him and do bad architecture, or you can do good architecture.

I guess my question is, what is the outcome of all of that other than I went through a grievance process? And even if I go through the grievance process, have we changed anything that happened in that classroom?

Mr. ARMSTRONG. Mr. Speaker, this subcommittee will simply gather facts. This is a fact-finding body, and our mission is to determine whether or not a student such as that has adequate access to grievance machinery on campus and if that individual is taking advantage of that.

Mr. STURLA. Mr. Speaker, are you saying then that really what this committee is looking at is whether or not there are grievance processes in place on campuses, and if so, why does it not just state that that is what we are going to do and we are going to go interview the universities in question and see whether in fact they have a grievance process in place?

Mr. ARMSTRONG. Well, Mr. Speaker, this committee will look into whether or not there is grievance machinery in place, whether or not the students know about it, avail themselves of it, and whether or not it works.

Mr. STURLA. So is the purpose of this hearing to get information out to students? Is this sort of like the, you know, advertisements I see on TV: Been injured? Want some money? Call an attorney? Is this going to be: got a bad grade? Do not like the process? Call the State House of Representative's select committee? Is that what this is about?

Mr. ARMSTRONG. Mr. Speaker, I will reiterate. This subcommittee is not to be a part of the grievance machinery or the grievance last resort. It is simply to gather facts about the condition of our State-owned and State-related universities as it relates to diversity of thought and tolerance of ideas.

Mr. STURLA. Mr. Speaker, so in the example I used, or I will give more later, but in the example I used, if I had gone to testify and I had gone through the university's grievance procedure and I came and testified before the committee and you found those facts, you talked to my professor, you talked to me, you gathered those facts, now what happens? What possible outcome can there be?

Mr. ARMSTRONG. Well, Mr. Speaker, it is somewhat hypothetical to talk about what will happen, since none of us can divine the future, but I think that before we jump to any conclusions, we ought to closely examine the level of diversity of thought and tolerance of free expression of ideas in our State-owned and State-related universities.

Mr. STURLA. So you are saying the fact that I got to come and complain to the State House of Representatives would somehow create more diverse thought in my architecture school?

Mr. ARMSTRONG. Well, Mr. Speaker, it would certainly bring that to the attention of the institution as well as the legislature.

Mr. STURLA. Mr. Speaker, if I could ask a few more questions.

The complaints that we have been told you have received, were they from constituents in your district or are they from around the State?

Mr. ARMSTRONG. Some were from constituents; in fact, the first two were from constituents, and many of them have been from around the State subsequent to the Appropriations hearings.

Mr. STURLA. And that was because people heard that you were interested in this issue? I guess my question is, did any of these complaints get forwarded to you from any of the Web sites where you might have gotten the information? I believe yesterday we heard testimony that there is similar information to this out on Web sites that are trying to do a national movement. Did they send you any of the complaints?

Mr. ARMSTRONG. Mr. Speaker, I received no complaints from any Web sites.

Mr. STURLA. Mr. Speaker, I want to pursue a little further how this process will happen because yesterday I believe we passed an amendment that said that if a student accuses a professor of a wrongdoing, that that professor will have an opportunity to come back in and defend himself. Is that correct?

Mr. ARMSTRONG. Yes, Mr. Speaker. In the spirit of bipartisanship, we accepted that amendment to the resolution.

Mr. STURLA. Thank you, Mr. Speaker.

So I guess the first question I have is, how will we determine who gets to testify?

Mr. ARMSTRONG. Well, Mr. Speaker, that is a question I think better left to the chairman of the subcommittee and the members of that subcommittee.

Mr. STURLA. Okay. Will it require a majority vote to see who gets to testify, or will anybody that asks to testify get to testify?

Mr. ARMSTRONG. Well again, Mr. Speaker, that decision remains—

The SPEAKER pro tempore. Would the gentleman suspend for a second.

Representative Sturla, questions with respect to what the committee will do are really inappropriate at this time because the Representative may not even be on the committee. So could you draw in your questions.

Mr. STURLA. Thank you, Mr. Speaker.

This resolution, though, establishes a committee and has certain parameters set out in that establishment of that committee; one being that a student that testifies and brings charges against a professor, that that professor will be able to rebut those charges.

So I guess my question is, once a student has been identified and put on the testimony list, do they have to preidentify who it is that they are going to accuse so that the professor can show up at the same time, or does the committee have to go back to that university at some later date to receive testimony from the professor?

Mr. ARMSTRONG. Mr. Speaker, I would reference the Parliamentarian's previous remarks, and that is a question left for the committee.

Mr. STURLA. Well, Mr. Speaker, it is a question that whether it is answered by the committee or not or by you,

leaves great doubt into how these hearings could ever possibly—

The SPEAKER pro tempore. Would the gentleman suspend.

At this point you are not asking questions that can be answered by the gentleman. You are being more argumentative. So if you could complete your interrogation, and if you wish to make a statement, go right ahead and do so. We have a number of other individuals who wish to testify, and we do not seem to be making very much progress.

Thank you.

Mr. STURLA. Thank you, Mr. Speaker.

I will continue to ask questions based on how this select committee is set up and established because I believe it is critical to whether or not we should establish this committee, whether it is even feasible to run this committee.

The SPEAKER pro tempore. But the Chair has indicated that the gentleman is ill equipped to answer that since the committee has not been formed and he has not yet been appointed, if he is to be appointed, a member of that committee. You have been around the House many years, Representative Sturla. You know how select committees work.

Mr. STURLA. Mr. Speaker, if I could, I would just contend that the resolution itself is very specific about if there is someone that accuses a professor, the professor gets to testify, and all I am trying to do is establish how that could possibly happen, because quite frankly—

The SPEAKER pro tempore. That will be up to the members of that committee to make certain that they follow the letter of the resolution if it is adopted by this House.

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

The SPEAKER pro tempore. You are welcome.

Mr. STURLA. Mr. Speaker, if I could continue with some questions based on how it is that we are looking at, and I believe that some of the language in the resolution talks about the "...never-ending pursuit of the truth..." and "...environment of intellectual diversity that protects and fosters independence of thought and speech..." And yet at one point in time, it says, "...that there is no humanly accessible truth that is not, in principle, open to challenge, and that no party or intellectual faction has a monopoly on wisdom..." and now I guess that party could be a single person, but I also believe that there is a political reference there.

And so I guess my question is, if I am in a Middle East studies course and each morning the professor walks in and says, "Today is day 797 since President Bush declared 'mission accomplished,'" that would be quite factual, but would it be considered politically charged? And I guess at that point in time, does it come into question under what you believe qualifies for the, you know, intellectual diversity that you are looking for as a result of this?

Mr. ARMSTRONG. Mr. Speaker, the word "party" is referenced in the resolution, but it is in the legal context, meaning "person or entity." It has nothing to do, let me say for the record, it has nothing to do whatever with any political or ideological party.

Mr. STURLA. So, Mr. Speaker, then if somebody comes into a classroom and says, "I am a rabid George Bush supporter and everybody in this classroom had better support the President," would that be okay and be part of what you would consider their ability to talk about politics?

Mr. ARMSTRONG. Mr. Speaker, that falls outside of the American Association of University Professors—

The SPEAKER pro tempore. Would the gentleman suspend for a minute.

### POINT OF ORDER

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

Mr. MAHER. Mr. Speaker, for a point of order.

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

Mr. MAHER. We have enjoyed an endless series of hypothetical questions about what some group which does not yet exist would conclude based upon some hypothetical circumstance, and I am not sure that any one of us, let alone the maker of this bill, but I am not sure any one of us can provide an answer that is a speculation about a speculation about a speculation, and I would suggest, Mr. Speaker, that that does not go to understanding the resolution. That goes to anticipating the results of a task force which does not yet exist.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman, and the gentleman is totally correct.

Representative Sturla, I would ask that rather than these generalizations which you are trying to form in the way of a question, it might be better if you just go to your concluding remarks. I do not believe the gentleman is in a position to speak on how the committee will act when in fact the committee has not been formed.

You are recognized, and we would wish that you conclude your remarks.

Mr. STURLA. Thank you, Mr. Speaker.

I was simply trying to determine whether or not what I was talking about constituted what the gentleman had proposed in his resolution. After all, the resolution, as we are told, is based on some hypothetical complaints that the gentleman has received because we have not seen any of those complaints yet. We are told that they exist, but I believe that some of these other situations exist also. So the resolution itself is based on information that we have been unable to see, but I will continue here.

Mr. Speaker, as I see this committee, there will be students that will come before this committee, and I actually hope that if this resolution does pass, that there will be ample notice given so that Web sites can be established to get art students and various other people that may feel persecuted by their professors over the years to know that they have a voice now also. But my sense is that there will be 17-, 18-, 19-, 20-year-old students coming before a House subcommittee, and they will be viewed as victims by the nature of their testimony — they have been given a bad grade; they were offended by a comment a professor made who is in a position of authority — and anyone who questions them and interrogates them thoroughly will be viewed as a bully. We saw this in fact in the Education Committee the other day when people asked questions about what these students might be like, and people started rushing to, you know, defend them even though people just wanted to know who they were and what was going on.

On the other hand, I think you will get the professor coming in, and there is already the presumption in this resolution that there are these evil professors out there that are perpetrating

their thoughts on these young blank minds. And so when the professors show up to defend themselves, I am assuming at a later date, because unless there is written testimony provided beforehand and unless the student is limited to only testifying about the professor that they identified to the committee beforehand and the committee says, no, anything else you say is out of line and cannot be entered into the record, unless that happens, there will have to be a second visit to that university, and then the professors will come and the questions will go somewhere along the lines, are you now or have you ever been a member of, and instead of the Communist Party, they will say, a liberal organization or a professors union or the Democratic Party or the ACLU (American Civil Liberties Union) or a church that I do not go to or any line of questioning, and did you try and perpetrate that on the students in your class?

And so I really view this whole select committee as a license to go on a witch hunt across the State of Pennsylvania, looking for a problem that at best might be resolved by someone making a few telephone calls and saying, did you follow the grievance procedure at your university? And if they did and still felt that they were slighted, by calling the university and saying, hey, you know you have a student that felt slighted by your grievance process. Have you reviewed that to make sure that things are okay? Usually that is how things get done. Instead, we are going to spend tens of thousands of dollars of taxpayer money going around making accusations, and I am assuming that the testimony will be sworn testimony and that people will be liable for perjury if they do not testify properly, all because someone did not like what their professor said.

I think this is the wrong road to be heading down. I think we should abandon this process and maybe do a little legwork of making those telephone calls, and I would urge members to vote “no.”

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the resolution, the Chair recognizes the gentleman, Mr. Maher.

Mr. MAHER. Mr. Speaker, much of this debate has centered on the question of which members have received complaints on subjects related to this resolution, and I would observe that it is fairly common that as a body we undertake to deal with subjects that many of us have received no complaints about, whether it is abandoned vehicles in an urban area. In that urban area, lots of complaints; in other communities, no such issue. When we are dealing with a subject about bobcat hunting, in some communities the issue had importance; other communities, no importance whatsoever. And we can go down the parade of a frequent subject that we spend many hours listening to debate on that deals with sludge. There are some communities that have a great concern. There are others that have absolutely no complaints. So my point is, if the standard that is being suggested here is that a matter should not deserve the attention of this legislature unless there is an equal distribution of complaints by constituents across this State, the list of topics that we would be addressing would be rather, rather abbreviated. So I would suggest that that is not a correct standard for your decision today.

I also am struck by how much of the debate has been speculative, speculating, presupposing the findings of this body, presupposing who this task force would even talk with, presupposing what their rules might be, missupposing that it

would have the power to swear witnesses, presupposing conclusions. I find that particularly ironic because the subject here is intellectual freedom, and for a decision to be made based upon close-minded assumptions about what a group of our own colleagues will do is a bit of a disappointment. Creating a task force in select committees is not all that an unusual activity of this body. I am not sure why the suggestion is that this should be so much different.

The debate, though, has been very interesting at some level. We have talked about the Revolutionary War, the Civil War. We have talked about world wars, and so on, and architecture, science. It has been sort of interesting, but it caused me to recollect an experience of my own from many years ago. I happened to attend junior high school in Montgomery, Alabama; public schools. I had a teacher who taught our ninth grade required course in Alabama history. A significant part of that course you might not be surprised to know focused on Montgomery as the cradle of the Confederacy, and this teacher cherished the Confederate view. We were taught all about it. Now, if the subject matter is, what did they stand for, fine, but this course went further. This course went further and said questions such as, who won the war? The teacher explained quite clearly that the Confederacy had won the war. Similar questions appeared on an exam. Now, being the unyielding sort you know me to be, I knew what answer would get a correct mark, but I refused to put it down. So my exam was marked wrong on that item about who won the Civil War because I maintained the Union won. Now, I would say that crosses a line. You might be interested to know when I challenged the teacher about this and asked the question, well, if the Confederacy had actually won, why did Lee surrender at Appomattox? And she easily dismissed that as being one of his few strategic errors.

But the reason I reflect on this memory is that, yes, speaking about points of view and educating students about competing types of thought are all very appropriate, but we all know there is a line out there that should not be crossed. Now, whether that is a prevalent problem in this Commonwealth or not, I have no idea. I suppose this task force will examine that question, but I do believe that all of the members on this side of the aisle are committed to freedom, and having heard a compelling recitation yesterday from Representative Wheatley from Frederick Douglass, I will share another observation of Frederick Douglass. He observed, "I never intend to belong to any party other than the party of freedom. I am a Republican."

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair thanks the gentleman for correcting the record and letting it be known that the Union Forces did win the Civil War.

The Chair recognizes the gentleman, Representative Fleagle.

Mr. FLEAGLE. Thank you, Mr. Speaker.

Mr. Speaker, I have been a member of the House Education Committee for most of my legislative career and am a member of the Higher Education Subcommittee, which in large part would handle the responsibility of carrying out the duties of the examination of the academic atmosphere as outlined in HR 177 in our State-related universities and colleges.

Frankly, Mr. Speaker, I am rather perplexed at the consternation of some of my colleagues on the validity of this subject. You know, the subject of racism and intolerance on campus was brought up in yesterday's debate on this resolution,

and I must remind those, particularly on the Education Committee, that we held hearings on this very subject at several campuses around the State a few years ago, even though, even though, as I recall, the universities tried to quash these hearings, but we still moved ahead on them.

I had not at that time and have not since received any complaints on that subject personally, but having an open and tolerant mind, I was eager to see if that type of abominable behavior existed on our campuses. I think that although no legislation resulted from those hearings, they helped us on the Education Committee better understand the subject and showed us what mechanisms were in place or needed to be improved to wipe out whatever racism existed on our campuses.

I do not come to this discussion today bringing any bias, nor, as members of both sides of the aisle know, am I motivated by what was referred to yesterday as a national movement. These concerns presented to us may not amount to anything that requires follow-up legislation, but they may. We, particularly on the Education Committee as well as the rest of our colleagues here in the House, should be cognizant and informed on this subject. Let us take a look at this question through the select committee and either put it to rest or take action on it.

I ask for a "yes" vote on HR 177. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I sat through the debate yesterday and had some concerns, and what came back to me over and over again, while, you know, in law school I spent some time at Justice and spent some time at the United States Department of Health, Education, and Welfare's Office of General Counsel and spent some time in State government, and through it all I always heard this term "stealth legislation" or "stealth amendment." I did not really know what it meant, and when asked the question, what was a stealth piece of legislation, more often than not I was told, you will know it when you see it rather than when you hear it.

And, Mr. Speaker, what it all meant in relation to HR 177 was that it has form but no substance; it has form but no substance. Secondly, it means that it has a target but no definable mission; target but no definable mission. Thirdly, it means that it has implied results but no real outcome; implied results but no real outcome.

Mr. Speaker, I heard the Madam Secretary, the gentlelady from Chester County, yesterday when she talked about how there was something out there with the 14 State-aided and State-related universities that we needed to look into, and I believed her. I believed that there is something out there that this august body probably needs to examine. My question is whether or not it requires a legislative prescription that has form, no substance; that has a target, no mission; that has implied results but no real outcome, no real remedy.

And so, Mr. Speaker, I concur that something needs to be examined. I question whether HR 177 is the appropriate path to examine these underlying concerns, because, Mr. Speaker, when I look at HR 177, I think and I am sure that the architect of this resolution and the supporters of this resolution do not mean for this resolution to have what I consider to be its predictable outcome, and that is to create hostility within the academic environment.

Mr. Speaker, I think that when our universities hear that we have spent 2 days to form a select committee that has all the trappings of an investigative arm, then it is going to produce hostility and resistance rather than examination and review, and I do not believe that the architect of HR 177 wants a confrontation. You know sometimes, Mr. Speaker, sometimes our legislative prescription is designed to produce controversy rather than relief, and so I think that this resolution at the end of the day is going to create more problems than it is intended to resolve. I would like, if at all possible, I think that there are a number of things that can be done by this august body to examine and review the confusion or conflict in the academic environment that exists out there without forming a select committee. I have the utmost faith in both the Democratic and Republican chairs of the House Education Committee. I have the utmost faith in those two gentlemen. I think they bring good balance. They represent unique partisanship, and so I think that if there is a problem out there, they are in a position to do it rather than create a select committee and spend money that could be spent on something more important. I think that they are in a very good position to do it, and when I look at the composition of the House Education Committee, I have the utmost faith in the people who make up that committee.

So, Mr. Speaker, I offer as a suggestion to allow for the people who have received complaints to submit those complaints to the House Education Committee, let them review those complaints, and let them take the appropriate steps.

Mr. Speaker, we can form a task force that does not have all the trimmings of an investigative arm to look at these issues of academic freedom or whatever we want to call them. There are a number of other things that we can do to deal with this issue without forming a select committee with the face of an investigative arm. And so to that end, Mr. Speaker, I ask that we reject HR 177. It has a face but no body. It has a target but no mission. It has implied results but no defined outcome, no defined remedy. And to that end, let us look at a more appropriate path to dealing with the issues that have been raised around academic freedom.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman, and the Chair turns to the gentleman, Mr. Curry, from Montgomery County for remarks.

Mr. CURRY. Thank you, Mr. Speaker.

May I interrogate the sponsor of the resolution?

The SPEAKER pro tempore. The gentleman indicates he will stand for interrogation. You may proceed.

Mr. CURRY. Mr. Speaker, I have heard various numbers. How many letters from students have you received?

Mr. ARMSTRONG. Several dozen. Approximately 50, Mr. Speaker.

Mr. CURRY. 50?

Mr. ARMSTRONG. Letters, e-mails, phone calls.

Mr. CURRY. Any from faculty or administrators?

Mr. ARMSTRONG. Yes.

Mr. CURRY. And how many from them?

Mr. ARMSTRONG. Less than a dozen, including three trustees from three different State-owned universities.

The SPEAKER pro tempore. I believe the gentleman answered your question, Mr. Curry.

Mr. CURRY. Yes. I have another one. I am waiting for him. Are you ready?

I think I can infer an answer to this, but were those letters delivered to you at one time or did they just kind of filter in at different times? I mean, did you get a package?

Mr. ARMSTRONG. They were received over time, subsequent to the Appropriations hearings.

Mr. CURRY. And they filtered in. They did not come in one bulk package?

Mr. ARMSTRONG. That is correct.

Mr. CURRY. Okay. Are the 50 students from State-supported institutions?

Mr. ARMSTRONG. The bulk of them are, yes.

Mr. CURRY. But some are from private?

Mr. ARMSTRONG. Not too many.

Mr. CURRY. Are the students all from your district? You answered that; I am sorry. Two are from your district and 48 are from around the State.

Did these students also write to their own State Representatives asking them to intervene on their behalf?

Mr. ARMSTRONG. Mr. Speaker, I do not control their—I have no way to know the answer to that one.

Mr. CURRY. Have you written to them or called them to say we are going to follow through on your letter or your request?

Mr. ARMSTRONG. Well, for the most—

The SPEAKER pro tempore. Would the gentleman suspend.

The Speaker would remind the gentleman that what a legislator does with the mailings he or she receives is really not a part for a discussion on the floor.

Mr. CURRY. I understand that. But we need to know what guidance these students have gotten in terms of resolving this problem, and apparently the answer to that is, no guidance.

The SPEAKER pro tempore. Does the gentleman wish to conclude his interrogation and speak on final passage?

Mr. CURRY. I will in a minute; yes, sir.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. CURRY. So you have not talked to any of these students, including the two in your district?

The SPEAKER pro tempore. Again would the gentleman suspend.

Again, that is the same question phrased in a different way. The issue is not what an individual legislator does with the mail or the phone calls that he or she receives. The issue before us is the resolution, HR 177.

Mr. CURRY. Thank you, Mr. Speaker.

Mr. Speaker, the reason for that question is that we are being asked to pursue this but yet we have no idea what guidance these students have received. We do not know what their concerns are or complaints. We are creating a committee. We are about to spend money on this committee to go around the State and pursue these inquiries, and yet we have not seen those complaints. We do not know what we are going for. That is the reason for the question.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Again I remind the gentleman, the only thing before the House is final passage of HR 177.

Mr. CURRY. That is right, and we want to know if that is worth passing or not, and we are going to have trouble finding that out.

The colleges and universities that this resolution asks us to review have detailed policies that cover the kind of complaints mentioned or inferred in the resolution. Ironically, sadly, the prime sponsor has not read these policies or even asked to see



them. There is no complaint that these policies are not working. More importantly, such complaints are more properly handled, reviewed, and investigated by the college administration.

If we pass this resolution, we will be interceding between the administration, the faculty, and the students, totally disregarding the college's ability to effectively pursue the complaints. The task this resolution creates will cause great mischief. It involves the Pennsylvania House too closely in the administration of the colleges. It will cause a chilling entanglement of a political entity with academic institutions.

This resolution says in part, "Students and faculty should be protected from the imposition of ideological orthodoxy, and faculty members have the responsibility to not take advantage of their authority position to introduce inappropriate or irrelevant subject matter outside their field of study...."

Who imposes that ideological orthodoxy? What ideological orthodoxy? You see, here is the problem with the resolution. If you say students and faculty should be protected, then readers and listeners will assume there is something to be protected from. This language itself creates a problem where there is no problem currently. The resolution also says, "...faculty members have the responsibility to not take advantage of their...position to introduce inappropriate or irrelevant subject matter outside their field of study...." Before we suggest that that happens, we should define "inappropriate" and "irrelevant." But alas, the college policies already do that. We should not elevate the evidence before us or what may be put before us to a legislative concern. And where are the boards of trustees in all of this?

Mr. Speaker, these vague claims of academic impropriety will not be illuminated by this investigation. They are better studied by college administrators, and until there is more substantive evidence, which we have not yet seen, of academic impropriety, we should forgo this fishing expedition, and thus, Mr. Speaker, I urge a "no" vote on the resolution.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair would remind the members that we still have six speakers after the gentleman, Mr. Gerber, from Montgomery County, and the Chair recognizes Representative Gerber.

Mr. GERBER. Thank you, Mr. Speaker.

Would the sponsor of the resolution stand for interrogation, please?

The SPEAKER pro tempore. The gentleman indicates he will stand for interrogation. You are in order and may proceed.

Mr. GERBER. Thank you, Mr. Speaker.

I am standing because of the concerns that have been expressed to me by the many faculty members that live in my district in Montgomery County. I have a couple of quick questions that I would like us to address.

As legislators, most of us are not trained as teachers, we are not trained to review teachers, and we are not trained to evaluate curricula; trained educators are, and my question is, why would this committee be in a better position or be more skilled to perform those tasks than the people who have been educated to do that their entire lives?

Mr. ARMSTRONG. Mr. Speaker, the Subcommittee on Higher Education, part of the Education Committee, it is their job to from time to time review the quality of education on the campuses of our universities. It is their job, Mr. Speaker.

Mr. GERBER. And, Mr. Speaker, anticipating that response, my second question is, in light of the fact that we already have a

board of trustees of the State System of Higher Education and trustees at the other State schools such as Temple, Penn State, and the University of Pittsburgh, why is it necessary to have yet another entity, paid for with taxpayer dollars, perform duties such as reviewing hiring and firing processes, the quality of the academic environment, and grading processes when those bodies already exist and are funded by taxpayer dollars?

Mr. ARMSTRONG. Mr. Speaker, we give \$1.8 billion of taxpayer money to our State-owned and State-related universities, and we are accountable to those taxpayers from whom we take that money to make sure that that money is being well spent at those universities to whom it goes.

Mr. GERBER. Thank you, Mr. Speaker.

But I may not have been clear with my long-winded question. My question is, in light of the fact that bodies already exist and are paid for by taxpayer dollars that are charged with the very duties that are contemplated in this resolution, why do we need yet another government entity to perform those duties?

Mr. ARMSTRONG. Mr. Speaker, it is the job of this legislature to from time to time review how well those bodies function and how well they hold their universities accountable.

Mr. GERBER. Thank you, Mr. Speaker.

In light of that answer, I ask, why cannot these tasks be performed here in the Capitol at hearings with the very same individuals being examined in public on these issues, in a much less expensive manner?

Mr. ARMSTRONG. Mr. Speaker, I believe that question falls beyond the scope of the resolution at hand.

Mr. GERBER. Mr. Speaker, I do not believe it does. I am driving at a more efficient way—

The SPEAKER pro tempore. Will the gentleman suspend.

Mr. GERBER. Yes, sir.

The SPEAKER pro tempore. The gentleman has answered your questions. Do you have further questions that would be in a different area?

Mr. GERBER. Yes, Mr. Speaker, I do.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. GERBER. Thank you, Mr. Speaker.

Mr. Speaker, I am also curious as to how this committee will ensure that the testimony brought before it comes with veracity and truth, because as, Mr. Speaker—

The SPEAKER pro tempore. Would the gentleman suspend.

Mr. GERBER. Yes, Mr. Speaker.

The SPEAKER pro tempore. I think we have covered that before, that the gentleman is not a member of the select committee, the select committee has not been formed, and the way the select committee will take testimony and the way that testimony will be handled is not before the House at this time. The only thing before the House is whether or not we should pass HR 177.

Would the gentleman wish to speak on final passage?

Mr. BLAUM. Mr. Speaker?

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

Mr. BLAUM. Mr. Speaker, I think the gentleman's questions are in order – how is this committee going to function? It is potentially a serious embarrassment to the Commonwealth, and his questions are in order, I believe.

The SPEAKER pro tempore. The gentleman, Mr. Gerber, or the gentleman, Mr. Blaum, can make an argument as to whether or not adopting the resolution is wise to do or not wise to do, but the gentleman from Lancaster is not in a position where he

can answer what the select committee will do because the select committee has not been formed, and he may not even be a member of the select committee.

So with that understanding, if the gentleman wishes to speak on final passage, you are so recognized.

Mr. GERBER. Yes, Mr. Speaker.

If I could further interrogate the sponsor of the resolution on the resolution and not on the processes that may result from the passage of the resolution.

The SPEAKER pro tempore. If your questions pertain to the drafting of the resolution?

Mr. GERBER. Yes, Mr. Speaker.

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

Mr. GERBER. Thank you, Mr. Speaker.

My question with respect to the resolution is, does the resolution account for swearing in any person or school or board member or student that may come before this committee?

Mr. ARMSTRONG. Yes, Mr. Speaker, I believe it does. Correction; that was eliminated.

Mr. GERBER. Excuse me; I am sorry. I did not hear the speaker.

Mr. ARMSTRONG. Mr. Speaker, that provision was eliminated. That was part of the bipartisan compromise.

Mr. GERBER. I think the speaker said—

The SPEAKER pro tempore. Could we have order, please. Would the conversations in the aisles break up. Would the members take their seats. This could be a very long night. The gentlemen are entitled to be heard, and they are having trouble understanding what each is saying to the other. It is to our benefit that they hear clearly.

The gentleman is so recognized.

Mr. GERBER. Thank you, Mr. Speaker.

Mr. Speaker, my next question is, does the resolution in any way ensure that the activities of this committee, once it is formed and once it determines its own processes, does the resolution in any way ensure that those that come before the committee will be truthful in their testimony and will not be a stacked deck, for lack of a better phraseology?

Mr. ARMSTRONG. Mr. Speaker, the resolution does make provision for the chairman, the subcommittee chairman, to swear in witnesses. That is correct.

Mr. GERBER. Excuse me, Mr. Speaker, but I believe that the testimony just before that, the statement just before that was that swearing-in language was removed from the resolution. I am confused. Is it in the resolution, or is it not in the resolution?

Mr. ARMSTRONG. The language allowing each committee member to swear in a witness was removed. As the resolution now stands, only the chairman has the authority to swear in witnesses.

Mr. GERBER. Thank you, Mr. Speaker.

And does that language require the chair of this committee to swear in those that testify, or does it only give the chair discretion as to whether or not the chair wishes to swear in someone who is testifying?

Mr. ARMSTRONG. Mr. Speaker, if you are getting at whether or not this committee is going to only hear from, you know, a certain group of witnesses without verifying their testimony, I would hope that that would not be the case.

Given that the members on the committee – we all know who they are – all of them have a reputation for justice and

fairness, I would hope that those members, from the chairman and minority chairman on down, would keep the threshold for evidence very high.

Mr. GERBER. Thank you, Mr. Speaker.

And I am glad that we share the same hopes for the conduct of the committee.

Mr. Speaker, if I could just speak for a moment as to final passage of the resolution.

The SPEAKER pro tempore. The gentleman is so recognized and may proceed.

Mr. GERBER. Thank you, Mr. Speaker.

I urge us to vote “no” on this resolution because of all of the concerns that have been expressed over the last 2 days as to the way this most likely well-thought-out, well-intended resolution could end up being a witch hunt where the deck is stacked, where the people testifying are prechosen, where the issues addressed are predetermined.

It is possible in theory that a committee like this could do good, and to make sure that a committee like this is doing good, Mr. Speaker, and is not being abused or misused to perform a witch hunt, I recommend we reconsider the language of this resolution so that it comes in a form that better ensures the veracity of the testimony and the appropriateness of the issues addressed and to also ensure that we are not wasting taxpayer money to perform functions already performed by existing entities that are now supported with taxpayer dollars.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Philadelphia, Mr. James. Does the gentleman waive off?

The gentleman is recognized and may proceed.

Mr. JAMES. Thank you, Mr. Speaker.

Mr. Speaker, this is such a great process here. One day I received a cosponsor memo in my office in regards to HR 177. I looked at it. You know, I started reading it, and I must have become distracted, but however, I called in and cosponsored the resolution. So obviously, I did not finish reading the cosponsorship. So anyway, over the last 2 days, over the last 2 days particularly members on this side of the aisle have raised some grave concerns, concerns to the degree where I had to call to remove my name as a cosponsor because I am really concerned about the real reason for this resolution. It is kind of like the attack that we had on the voting rights, and now they are starting on academic rights.

So I would encourage all the members to vote “no” on this and against this resolution.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman for his brief remarks and recognizes the gentleman, Mr. Grucela, for brief remarks.

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, would the sponsor of the resolution stand for one brief question?

The SPEAKER pro tempore. I believe the gentleman indicates that he will stand for interrogation, and you are recognized and may proceed for one question.

Mr. GRUCELA. Thank you, Mr. Speaker.

For the record, Mr. Speaker, it is my understanding that this resolution would be all-encompassing, that the committee would investigate all State-owned and State-related universities.

It would not be focusing on just one institution. Is that correct, Mr. Speaker?

Mr. ARMSTRONG. That is correct, Mr. Speaker. Public universities, public institutions.

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker?

The SPEAKER pro tempore. The Chair thanks the gentleman.

On final passage, the gentleman is recognized.

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, I oppose HR 177 for many of the reasons that have already been stated, especially those stated by my colleague from Elk County, Representative Surra, about the fact that mechanisms are already in place, I believe, that can address these particular grievances and the cost-benefit analysis and the results may not be really beneficial in setting up this entire select committee.

Finally, Mr. Speaker, should HR 177 pass, as a member of the select committee assigned by this resolution, I will have the opportunity to further review the complaints and accusations. Therefore, I would suggest to members not on the committee, whether they vote for or against HR 177, that they submit questions to the committee, to the members of the committee, so that they may have answers when we hold these particular hearings.

Mr. Speaker, I will present the balance of my remarks for the record.

The SPEAKER pro tempore. The Chair greatly thanks the gentleman and welcomes the suggestion he has made.

Mr. GRUCELA. Thank you, Mr. Speaker.

## REMARKS SUBMITTED FOR THE RECORD

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

Mr. Speaker, I have no reason to doubt the sincerity of the gentleman from Lancaster County in proposing this resolution. For the last 2 days I have been thinking about how any of us would respond if we heard from 50 constituents on the same subject. In fact, thinking about my own experience, I have heard from at least that many people and more on property taxes and the cost of prescription drugs, but those are other issues.

Additionally, given the very low percentage of young people who are involved in the political process, it is not surprising that only 50 of over 250,000 students would feel the necessity of such an investigation. In fact, there are statistics that show only about 12 percent of young people can name or even know how to contact their State Representative.

In fact, I recently had the opportunity to speak to classes at one of our State universities. In one undergraduate American government class of approximately 25 students, only 2 could tell me who their State Representative was and 1 of them was my son's high school classmate and my constituent. In a graduate State and local government class of approximately 15 students, not one could name the Lieutenant Governor of Pennsylvania.

During our Education Committee meeting on HR 177, Representative Clymer, who has my respect for his sincerity on issues, relayed a story of mistreatment of a high school student who apparently had a philosophical and political disagreement with a teacher. While I believe the incident did occur, I find it hard to believe that the school administration did not investigate and resolve the matter. I am positive that in the school system that I taught in for over 30 years, such an incident would have been addressed and proper actions taken.

Mr. Speaker, I agree with my colleague from Elk County, Representative Surra, in having faith in the current system. I believe there are proper channels to follow within the system for these complaints, and I am confident that administrators of the State-owned and State-related systems would adequately address and satisfactorily resolve such complaints.

For this and other reasons, Mr. Speaker, I oppose HR 177.

Finally, Mr. Speaker, should HR 177 pass, as a member of the select committee assigned by this resolution, I will have the opportunity to further review the complaints and accusations. Therefore, I would suggest to members not on the committee, whether they vote for or against HR 177, they submit questions to the committee members to be asked during the hearings.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. On adoption of the resolution, the Chair recognizes the gentleman from Chester County, Representative Schroder.

We are doing good. We have four more.

Mr. SCHRODER. Thank you, Mr. Speaker.

Mr. Speaker, I want to preface my remarks by saying that I have had the wonderful opportunity of being a legislative fellow at one of our State-owned universities and actually spending a lot of time in the classroom, helping to bring a little dose of reality, I guess, to some of the political science classes. And I can tell you, Mr. Speaker, that, as one might expect, the professors whom I worked with, first of all, I will say they were all consummate professionals and they were all there to serve their students and do the right thing, the ones I worked with. As you might guess, they were probably a little to the left of where I am on most issues, and yes, at times that did come out during the debate and discussion in class. However, at no time did I see any abuse of their position of power over students as a result of that. So I wanted to just preface my remarks with that because that has been my experience with some of the professors I know who are in this State and in the State System.

However, Mr. Speaker, I believe there is another side, if you will, and it is represented in an e-mail that I received from a gentleman who is a friend of mine, whose name, unfortunately, I cannot reveal for personal reasons that he asked me not to, but I will read a portion of this e-mail from a gentleman who is a professor at one of our institutions here in Pennsylvania, and I will also state for the record that he is a self-proclaimed liberal Democrat college professor as well.

The paragraph I will read says, "Speaking of politics, I note you are a co-sponsor of HR 177.... Good for you! Seriously. As a dyed-in-the-wool liberal, I'm appalled by my fellow professors who routinely deny students the right of free expression. I know of students who have dropped classes and, in some cases, left school because of threats made by professors with whom they disagreed. What is even more disturbing is that the administration has supported the professors – provided the professors supported the administration's socio-political agenda. As for those professors who do not support the administration's agenda, suffice it to say they've learned hard lessons about the limits of free speech and civility. (Their tales of woe are sufficient for me to ask you to keep my statements anonymous.)"

Mr. Speaker, I think what this letter points out is that the issue here not only involves students at our universities but also certain professors who do not tow the line, if you will, politically and with sociopolitical economic causes.

Mr. Speaker, we have heard a lot of concern expressed by the other side. I think a gentleman got up and said that these types of things should be taken through the administration. We do not know that these problems even exist out there. Mr. Speaker, I think there is evidence that these problems exist. I think that the resolution is a step in the right direction. I do not know whether these problems are rampant or whether they are isolated, but I do believe that since we have evidence that they are there, the resolution of the gentleman, Mr. Armstrong, is a good step in the right direction, so that by the end of the process, we will get to the bottom of this, and I urge that we vote "yes" on the resolution.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman for his remarks and for his observations, and the Chair recognizes the gentleman, Representative Boyd.

Mr. BOYD. Thank you, Mr. Speaker.

I just rise real briefly to share, actually, a personal experience. The gentleman from Westmoreland County earlier shared that he has never heard of any circumstances or situations like this, and I would like to preface my remarks also by saying that as a graduate of a State-owned system college, I am proud of the State System, and I have had some wonderful professors that have had a tremendous impact on my life and probably some of the reason that I am in this august body today.

However, I did have an interesting experience. I had an interesting experience when I was a student at the State-owned system. I took a class in world religions, and in that class, the first day of the class the professor wrote these letters on the board, GDSNWHR, and he said, "What does that say?" And he said, "Before you answer, bear in mind that the Hebrew language was written only in consonants." So I read that, and I said, "Well, it says, God is now here." And he said, "No, it doesn't." He said, "It says, God is nowhere." And I said, "Are you trying to say that the sum total of the Scriptures is invalid because the Hebrew language was written only in consonants?" And his answer to me was, "I found you. I found you. I routed you out. I knew I would find an Evangelical Christian. Out the door." So I dropped the class.

So for those that say these kinds of things do not happen, I just would share anecdotally and personally that they do happen. I did not take the class, and I think it was a shame because it was a class in world religions, and it would have given me some exposure to maybe some other religions besides Christianity. But I stand here today as living testimony that these kinds of situations do occur, and I think HR 177, and I commend Representative Armstrong for the work he has done in a bipartisan way, I think it is a good start.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the resolution, the Chair recognizes the gentleman, Mr. Herman, from Centre County.

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

I guess I have to rise and also ask people in this chamber to please oppose HR 177. I know the debate has been rather lengthy, spanning the course of time over the last evening and this evening. I am not going to ask to interrogate the maker of the resolution, because that has already been done very extensively. But to some, I think that some of the reasons we should be opposing this are because, as by the prime sponsor's

own admission, there will be a cost involved to the taxpayers to hold this select committee's resolution investigation, and here we are, Mr. Speaker, in this chamber tonight waiting for legislative leaders to develop a 2005-2006 State budget, which is already several days late, and despite that, already this House of Representatives is poised to expend the taxpayers' dollars on an investigation that many in this chamber do not even feel is warranted.

Secondly, Mr. Speaker, I wish to point out that which has been pointed out, and that is that while this select committee is supposed to investigate this or that as described in the resolution at our State-owned and State-related institutions, still the private colleges and universities are excluded from the content of this resolution for investigation, and yet I have to point out that they, too, Mr. Speaker, also receive public State tax dollars in the form of institutional assistance grants, grants that go directly to the private schools and colleges and universities. If nothing else, what is good for the goose is good for the gander. Everybody, all the colleges and universities, should be subject to this select committee's investigation.

Finally, Mr. Speaker, I will conclude with this. I think it can best be summed up by a letter that all of us received from the Faculty & Staff Federation of Community College, which paragraphs read as follows:

"HR 177 represents unwise governmental interference in colleges and universities, not only in hiring, firing, promotion, and tenure, but also in the classroom. Contrary to the resolution's stated purpose, having legislative committees oversee these activities will have a chilling effect on the discussion of controversial issues in the classroom and undermine free inquiry. Policies and procedures already exist on college campuses safeguarding students' freedom of inquiry and expression, and enabling students to appeal grades they believe to be unfairly awarded.

"In addition, while it is essential that diverse viewpoints be respected in the classroom, insisting that all viewpoints on all issues be given equal weight in all classes is not desirable, even if it were possible.

"One of the reasons America's system of higher education has flourished is because it has encouraged free inquiry and debate. By introducing new political considerations in an arena that should be free of them, HR 177 would harm, not help, the cause of academic freedom."

Now, Mr. Speaker, I will conclude my remarks by saying this, that as a member of the Subcommittee on Higher Education I have already voted against this resolution in the Education Committee, but if this resolution passes, you can be certain and sure that I will exercise my duties as an elected official of the Subcommittee on Higher Education with grace and fidelity and exercise a very vigilant eye on all those testifiers and the conduct of this committee.

Thank you, Mr. Speaker, and I urge everybody to oppose HR 177.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair is certain all members appointed to that committee will approach their job with fidelity.

The Chair recognizes the gentleman, Mr. Frankel, and I would remind the members that we still have six members. There seems to be a floating six.

The gentleman, Mr. Frankel, is recognized.

Mr. FRANKEL. Thank you, Mr. Speaker.

I will not try and cover some of the other areas that many of my colleagues have this evening, and I will try and be brief in my remarks, but I want to take this in a different area. I mean, many of us know that Pennsylvania is recognized as a center of academic excellence. Our State-relateds enjoy enormously successful reputations across the board. Their undergraduate programs, their graduate programs, their research programs, their professional schools are all recognized among the finest in the entire United States. They are in many ways the economic engines that drive our communities and provide for a vital economic future that we all hope for.

For my own purpose, I have the privilege along with Representative Wheatley of representing the University of Pittsburgh and I also have the great privilege of serving as a Commonwealth trustee to the University of Pittsburgh, and I can tell you, in the past 10 years the University of Pittsburgh has become the prime mover for our economic future in southwestern Pennsylvania. Let me just give you a few statistics. In the last 9 years there has been an increase of 150 percent in the academic applications, a 12-percent increase in full-time enrollment. They are now the 10th most successful academic institution in the country in successfully garnering National Institutes of Health and Science Foundation grants, ahead of Ivy League schools like Harvard, Yale, and Duke. And by the way, the University of Pennsylvania is ranked 3d and Penn State is ranked 19th – outstanding reputations. Our State System is recognized—

The SPEAKER pro tempore. Would the gentleman suspend for a second.

### MOTION FOR PREVIOUS QUESTION

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

Mr. OLIVER. Thank you, Mr. Speaker.

Mr. Speaker, we have debated this issue now for 2 days, and I think most of us are tired and ready to go home. So because of that, Mr. Speaker, Mr. Speaker, I call for the previous question, and I hope that those folks who are ready to go home will support me.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. Under rule 61, 20 members must second that question.

Mr. FRANKEL. Mr. Speaker, point of order.

The SPEAKER pro tempore. Would the gentleman suspend.

Will all the members please take their seats so that we can determine whether or not there are 20 individuals who second Mr. Oliver's motion.

### PARLIAMENTARY INQUIRY

Mr. DeWEESE. Mr. Speaker, a point of parliamentary procedure.

The SPEAKER pro tempore. For what purpose? A parliamentary inquiry?

Mr. DeWEESE. Is this debatable?

The SPEAKER pro tempore. No.

Mr. DeWEESE. Thank you.

The SPEAKER pro tempore. Are there 20 members who wish to second Mr. Oliver's motion? If so, please rise: Steil, Wright, Watson, Taylor, Gruitza, Waters, Lederer, Youngblood, Cruz, Donatucci, Metcalfe, Adolph, Petri, Payne, Mackereth, Miller, Leh, Hershey, McIlhattan, Petrarca, Hickernell. We have 20 members.

Those who are in favor of adopting the motion will vote "aye"; those opposed, "no."

Mr. DeWEESE. Mr. Speaker? Mr. Speaker? Many of the members do not know whether we are voting on the measure or the motion.

The SPEAKER pro tempore. We are voting on the motion to move the previous question.

Mr. DeWEESE. To cut off debate.

The SPEAKER pro tempore. Those in favor—

Mr. DeWEESE. The motion to cut off debate. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The motion to move the previous question. Those in favor will vote "aye"; those opposed, "no."

On the question,

Will the House agree to the motion?

The following roll call was recorded:

#### YEAS—113

Adolph	Fichter	Mackereth	Ross
Allen	Fleagle	Maher	Rubley
Argall	Flick	Major	Sainato
Armstrong	Gabig	Marsico	Sather
Baker	Gannon	McGill	Saylor
Baldwin	Geist	McIlhattan	Schroder
Barrar	Gillespie	McIlhinney	Sammel
Bastian	Gingrich	McNaughton	Smith, S. H.
Birmelin	Godshall	Metcalfe	Sonney
Bishop	Good	Micozzie	Stairs
Boyd	Grell	Millard	Steil
Bunt	Gruitza	Miller, R.	Stern
Butkovitz	Habay	Miller, S.	Stevenson, R.
Cappelli	Haluska	Mustio	Stevenson, T.
Causar	Harhart	Nailor	Taylor, E. Z.
Civera	Harper	O'Brien	Taylor, J.
Clymer	Harris	Oliver	True
Cornell	Hasay	O'Neill	Turzai
Crahalla	Hennessey	Payne	Waters
Creighton	Hershey	Petri	Watson
Cruz	Hess	Phillips	Wilt
Dally	Hickernell	Pickett	Wright
Denlinger	Kauffman	Pyle	Yewcic
DiGirolamo	Keller, M.	Quigley	Youngblood
Diven	Kenney	Rapp	Zug
Ellis	Killion	Raymond	
Evans, J.	LaGrotta	Reed	
Fairchild	Lederer	Reichley	Perzel,
Feese	Leh	Rohrer	Speaker

#### NAYS—86

Bebko-Jones	Fabrizio	Mann	Scavello
Belardi	Forcier	Markosek	Shaner
Belfanti	Frankel	McCall	Shapiro
Benninghoff	Freeman	McGeehan	Siptroth
Biancucci	George	Melio	Smith, B.
Blackwell	Gerber	Mundy	Solobay
Blaum	Gergely	Myers	Staback
Buxton	Goodman	Nickol	Stetler
Caltagirone	Grucela	Pallone	Sturla
Casorio	Hanna	Petrarca	Surra

Cawley	Herman	Petrone	Tangretti
Cohen	Hutchinson	Pistella	Thomas
Corrigan	James	Preston	Tigue
Costa	Josephs	Ramaley	Veon
Curry	Keller, W.	Readshaw	Vitali
Daley	Kirkland	Roberts	Walko
DeLuca	Kotik	Roebuck	Wansacz
Dermody	Leach	Rooney	Wheatley
DeWeese	Lescovitz	Ruffing	Williams
Donatucci	Levdansky	Samuelson	Wojnaroski
Eachus	Maitland	Santoni	Yudichak
Evans, D.	Manderino		

## NOT VOTING—0

## EXCUSED—2

Harhai                      Rieger

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

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

The following roll call was recorded:

## YEAS—111

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

## NAYS—87

Bebko-Jones	Fabrizio	Mann	Santoni
Belardi	Frankel	Markosek	Scavello
Belfanti	Freeman	McCall	Shaner
Biancucci	George	McGeehan	Shapiro
Bishop	Gerber	McIlhattan	Siptroth
Blackwell	Gergely	McNaughton	Solobay
Blaum	Goodman	Melio	Staback
Butkovitz	Grucela	Mundy	Stetler
Buxton	Haluska	Myers	Sturla
Casorio	Hanna	Oliver	Surra
Cohen	Herman	Pallone	Tangretti

Corrigan	James	Petri	Thomas
Costa	Josephs	Petrone	Veon
Cruz	Keller, W.	Pistella	Vitali
Curry	Kirkland	Preston	Walko
Daley	Kotik	Ramaley	Wansacz
DeLuca	LaGrotta	Readshaw	Waters
Dermody	Leach	Roebuck	Wheatley
DeWeese	Lederer	Rooney	Williams
Donatucci	Lescovitz	Ruffing	Wojnaroski
Eachus	Levdansky	Sainato	Yudichak
Evans, D.	Manderino	Samuelson	

## NOT VOTING—1

Youngblood

## EXCUSED—2

Harhai                      Rieger

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

The SPEAKER pro tempore. The House will turn to supplemental calendar B.

Mr. DeWEESE. Mr. Speaker?

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

Mr. DeWEESE. To utilize—

The SPEAKER pro tempore. The clerk had been told to record the vote. The roll call is concluded, and the yeas were 111 to 87. The resolution was adopted.

## STATEMENT BY DEMOCRATIC LEADER

The SPEAKER pro tempore. Does the gentleman seek recognition?

Mr. DeWEESE. Just to utilize the prerogative of the floor leader momentarily.

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

Mr. DeWEESE. And to just state for the record a brief lamentation that the essence of academic freedom and personal expression that was ostensibly the quintessence of the debate was unhappily squelched just a few moments ago, and I realize there was some impetus of bipartisanship. It was immeasurably more a dominant vote on the Republican side of the aisle.

But I just wanted to state for the record, I think it is a melancholy moment when we had to cut off debate. We have serious budgetary negotiations going on, and this was, I think, profitable. Notwithstanding the fact I thought the measure was not worthwhile, I think it was a good debate, and I regret that it had to be truncated at such an early hour. Sometimes these measures are worth hours and hours and hours of debate, and quite frankly, we do have the time tonight, and again, I express my lament.

The SPEAKER pro tempore. The Chair thanks the gentleman.

**STATEMENT BY MAJORITY LEADER**

The SPEAKER pro tempore. Does the gentleman, Mr. Smith, wish to be recognized?

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

Mr. Speaker, you know, obviously the point of moving the previous question is one that is in parliamentary procedure for a certain purpose. I hope that the record does reflect things accurately, that it was a member of the Democratic Party that moved it, and I believe the record will reflect that roughly half or maybe more than half of the seconding motions were also members of the Democrat Party.

So this was not a movement of the previous question that was engineered by anybody other than just the body of a whole. So I think there is a difference; sometimes we have lamented in the past, both parties, being subject to the power of the majority. I remember when it was foisted on us, and I know when we have used that to cut off debate, and it is something that is engineered, you know, by leadership and as a party maneuver. This particular motion to cut off debate was, frankly, one of the body's and not of the parties, and I think that is important for the record to reflect. The members must have been tired.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair—

Mr. DeWEESE. Mr. Speaker?

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

Mr. DeWEESE. To pretty much agree with the gentleman's statement. I was just expressing it as an institutional regret, not as a partisan statement, although the one statement he did make I think is mathematically inaccurate, but I will not ask that the record be read. But I think the seconding of the effort to squelch debate, the previous question, was probably about 15 to 5 R against D. But again, that is secondary. I was not trying to make a partisan statement; I was just saying an institutional statement.

I think it is a very, very significant moment, and I think the honorable gentleman from Jefferson County alluded to that also. The previous question should only be utilized in the most rare circumstances. It should be a parliamentary rarity. It should be trundled out once or twice every 10 years. The casualty with which it was proffered tonight is lamentable, and I regret that it happened, and I want to say that institutionally, not in a partisan way.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. S. SMITH. Mr. Speaker, I would accept that retort also. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman likewise.

**SUPPLEMENTAL CALENDAR B****RESOLUTION PURSUANT TO RULE 35**

Mr. BLACKWELL called up **HR 407, PN 2551**, entitled:

A Resolution memorializing the life and career of Luther Vandross.

On the question,

Will the House adopt the resolution?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Representative Blackwell.

Mr. BLACKWELL. Mr. Speaker, I make a motion of personal privilege.

The SPEAKER pro tempore. You do not need to make a motion. You have been recognized.

Mr. BLACKWELL. Okay.

The SPEAKER pro tempore. If you wish to, we will recognize you under personal privilege.

Mr. BLACKWELL. Mr. Speaker, I rise to ask the House to support my resolution memorializing the life and career of Luther Vandross, who died Friday at age 54.

Luther was born in 1951 in a New York housing project and raised in a family steeped in the traditions of gospel and soul. He began his career writing and performing music for television commercials and rose to the top of the music industry through a combination of hard work, perseverance, and sheer God-given talent.

He was a legendary R&B (rhythm and blues) artist known for his soulful, romantic ballads, including "Here and Now," "The Power Of Love," and most recently, "Dance With My Father." He earned many of the music industry's highest honors, including eight Grammy Awards—

The SPEAKER pro tempore. Would the gentleman suspend.

The gentleman is entitled to be heard. Please keep your conversations down.

The gentleman may proceed.

Mr. BLACKWELL. He released his first album in 1981 and 14 more over the next two decades. His albums sold more than 25 million copies.

Sadly and suddenly, he suffered a massive stroke in April of 2003, from which he never fully recovered. Just months after the stroke, his final album, "Dance With My Father," debuted at the top of the Billboard Chart, making it his first number one record.

Mr. Speaker, Luther Vandross touched the lives of millions of people with his songs of love, hope, and family. His songs empowered people to overcome adversity and reminded us all how blessed we are to have the power of love in our lives.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman, and the Chair does recognize that we are indeed all blessed.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—199**

Adolph	Feese	Maher	Ruffing
Allen	Fichter	Maitland	Sainato
Argall	Fleagle	Major	Samuelson
Armstrong	Flick	Manderino	Santoni
Baker	Forcier	Mann	Sather
Baldwin	Frankel	Markosek	Saylor
Barrar	Freeman	Marsico	Scavello
Bastian	Gabig	McCall	Schroder
Bebko-Jones	Gannon	McGeehan	Semmel
Belardi	Geist	McGill	Shaner

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

## NAYS—0

## NOT VOTING—0

## EXCUSED—2

Harhai Rieger

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

## SUPPLEMENTAL CALENDAR A

BILLS ON CONCURRENCE  
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 612, PN 2100**, entitled:

An Act amending the act of March 1, 1988 (P.L.82, No.16), known as the Pennsylvania Infrastructure Investment Authority Act, further providing for definitions.

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

The SPEAKER pro tempore. Moved by the gentlelady, Mrs. Rubley, that the House do concur in the amendments inserted by the Senate.

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

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

The following roll call was recorded:

## YEAS—199

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

## NAYS—0

## NOT VOTING—0

## EXCUSED—2

Harhai Rieger



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

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The House proceeded to consideration of concurrence in Senate amendments to **HB 1650, PN 2489**, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for resident, nonresident and tourist fishing licenses.

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

The SPEAKER pro tempore. The gentleman, Mr. Smith, is recognized for brief remarks.

Mr. B. SMITH. Thank you, Mr. Speaker. My remarks will be very brief.

I ask members to concur with the amendments of the Senate. They had two amendments. They changed the effective date of the bill to immediately, and they also allowed charter boat captains to sell these tourist fishing licenses.

I urge concurrence. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Moved by the gentleman, Mr. Smith, that the House concur in the amendments inserted by the Senate.

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

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

The following roll call was recorded:

#### YEAS—199

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

Cohen	Hennessey	Payne	Thomas
Cornell	Herman	Petrarca	Tigue
Corrigan	Hershey	Petri	True
Costa	Hess	Petrone	Turzai
Crahalla	Hickernell	Phillips	Veon
Creighton	Hutchinson	Pickett	Vitali
Cruz	James	Pistella	Walko
Curry	Josephs	Preston	Wansacz
Daley	Kauffman	Pyle	Waters
Dally	Keller, M.	Quigley	Watson
DeLuca	Keller, W.	Ramaley	Wheatley
Denlinger	Kenney	Rapp	Williams
Dermody	Killion	Raymond	Wilt
DeWeese	Kirkland	Readshaw	Wojnarowski
DiGirolamo	Kotik	Reed	Wright
Diven	LaGrotta	Reichley	Yewcic
Donatucci	Leach	Roberts	Youngblood
Eachus	Lederer	Roebuck	Yudichak
Ellis	Leh	Rohrer	Zug
Evans, D.	Lescovitz	Rooney	
Evans, J.	Levdansky	Ross	Perzel,
Fabrizio	Mackereth	Rubley	Speaker
Fairchild			

NAYS—0

NOT VOTING—0

EXCUSED—2

Harhai Rieger

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

Ordered, That the clerk inform the Senate accordingly.

#### MOTION TO RECONSIDER HR 177

The SPEAKER pro tempore. The Chair is in receipt of a reconsideration motion filed by the lady, Representative Josephs, who moves that the vote by which HR 177, PN 2451, was passed on the 5th day of July 2005 be reconsidered.

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

The following roll call was recorded:

#### YEAS—93

Bebko-Jones	Fabrizio	Mann	Scavello
Belardi	Frankel	Markosek	Shaner
Belfanti	Freeman	McCall	Shapiro
Biancucci	George	McGeehan	Siptroth
Bishop	Gerber	McIlhattan	Solobay
Blackwell	Gergely	Melio	Staback
Blaum	Goodman	Mundy	Stetler
Butkovitz	Grucela	Myers	Sturla
Buxton	Gruitza	Oliver	Surra
Caltagirone	Haluska	Pallone	Tangretti
Casorio	Hanna	Petrarca	Thomas
Cawley	Herman	Petrone	Tigue
Cohen	James	Pistella	Veon
Corrigan	Josephs	Preston	Vitali
Costa	Keller, W.	Ramaley	Walko
Cruz	Kirkland	Readshaw	Wansacz
Curry	Kotik	Roberts	Waters
Daley	LaGrotta	Roebuck	Wheatley

DeLuca	Leach	Rooney	Williams
Dermody	Lederer	Ruffing	Wojnaroski
DeWeese	Lescovitz	Sainato	Yewcic
Donatucci	Levdansky	Samuelson	Youngblood
Eachus	Manderino	Santoni	Yudichak
Evans, D.			

## NAYS—106

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

## NOT VOTING—0

## EXCUSED—2

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

The SPEAKER pro tempore. There are no further votes tonight.

We will take caucus announcements.

## REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentlelady from Chester County, Representative Taylor, for caucus announcements.

Mrs. TAYLOR. There will be a Republican informal and formal caucus tomorrow at 9; 9 a.m., informal and formal Republican caucus.

The SPEAKER pro tempore. The Chair thanks the gentlelady.

## DEMOCRATIC CAUCUS

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, before I announce a time, could you let the membership know what time we will be back on the floor tomorrow?

The SPEAKER pro tempore. It is the understanding of the Chair that we will be going into session about 11 o'clock tomorrow. The "about" was my insertion of a word.

Mr. COHEN. Okay.

The SPEAKER pro tempore. I was told 11.

Mr. COHEN. You were told 11. Okay.

We will have informal discussions in the House Democratic caucus at 8:30 in the morning. I think we will caucus at 10 a.m.

The SPEAKER pro tempore. The Chair thanks the gentleman.

## VOTE CORRECTION

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

Mr. GRUITZA. Mr. Speaker, to correct the record.

This is now the second time this has happened to me over the last week where I had voted, and it was very evident, "no" on HR 177, and at the last second, my vote inexplicably went to "yes." I was very much opposed to that resolution and want the record to reflect that I was opposed to HR 177. That is why I voted for reconsideration on that motion as well.

The SPEAKER pro tempore. The Chair thanks the gentleman. Your remarks will be spread upon the record, and the Speaker will ask that your switch be looked into.

## STATEMENT BY MS. JOSEPHS

The SPEAKER pro tempore. For what purpose does the gentlelady, Ms. Josephs, rise?

Ms. JOSEPHS. To correct a little bit different part of the record than people usually do.

The reconsideration motion on HR 177 was filed by myself and Representative James Roebuck, whose signature you probably could not read.

The SPEAKER pro tempore. That is correct.

Ms. JOSEPHS. But I wanted both of the names to be in the record.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentlelady.

## REMARKS SUBMITTED FOR THE RECORD

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

Mr. WANSACZ. Mr. Speaker, I rise to submit remarks for the record on HR 177, since my freedom of speech was taken away from me.

The SPEAKER pro tempore. The gentleman is in order. You may submit the records.

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

Mr. Speaker, I am submitting written remarks on HR 177. Due to circumstances of the debate on July 5, I was denied my freedom of speech by 20 members of the General Assembly when the debate was prematurely terminated. Given the opportunity, I would have interrogated the sponsor of the resolution and then delivered the following remarks.

As a steadfast supporter of higher education, both public and private, I am left wondering why this resolution was ever introduced. Why would the General Assembly choose to investigate only public institutions? If we follow this line of thinking, why should the legislature not investigate all the groups that are given funds? Hospitals? Local governments? The business community? After all, we do provide State funds for economic development.

This resolution reeks of big government, and I would urge a “no” vote, as this measure would open up the door to government controlling free speech in our State’s classrooms.

We do not ask our employers their hiring and firing practices, what signs they have hung in their offices, and if the signs advocate a certain political view, thereby putting pressure on their employees to vote a certain way. This resolution would start this Assembly on a path of boundless investigation. After first higher education, where would we draw the line?

Again, I would urge a “no” vote.

### REMARKS SUBMITTED FOR THE RECORD

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

Mr. SIPTROTH. Thank you, Mr. Speaker.

I want to echo Mr. Wansacz’s sentiments that in fact my freedom of speech was also violated. Thank you.

The SPEAKER pro tempore. Do you intend to submit remarks for the record?

Mr. SIPTROTH. Yes, I would, please.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. SIPTROTH. Thank you, Mr. Speaker.

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

After World War II, our colleges and universities were full of GIs (Government Issue) who came back and went to school on the GI bill. I wonder if our colleges back then were ready for them?

Today we have thousands of service men and women who have served our country and are eligible for the GI bill, Mr. Speaker. I wonder why this legislature is spending more money on investigating this so-called problem of academic freedom instead of having our Education Committee or our Veterans Committee go out to our universities and research and discover what our State-related schools need to do differently to handle the coming challenge of helping thousands of veterans and giving them the proper education, training, services, and programs.

Mr. Speaker, we passed a recent resolution dealing with the issue of studying veterans issues, but, Mr. Speaker, this did not mention our State schools or universities once. Our priorities seem to be misplaced.

I ask for a “no” vote, and let us send a select committee to study a real issue.

### REMARKS SUBMITTED FOR THE RECORD

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

Mr. HANNA. To submit remarks for the record on HR 177.

The SPEAKER pro tempore. The gentleman may submit the records. Thank you very much.

Mr. HANNA. Thank you, Mr. Speaker.

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

I disagree with this resolution. I think holding hearings such as this would resemble the ones that Senator Joseph McCarthy led against suspected Communists in the 1950s.

McCarthyism ruined many people’s lives by accusing without evidence, taking things out of context and blowing things out of proportion. Now because some feel there is a dangerous “subversive” element in existence that poses a danger to our students’ freedom of thought, they want to engage in what is essentially nothing more than a 21st-century version of a witch hunt. It is a partisan measure and a violation of civil and constitutional rights.

This is harassment to get people to kowtow to the Republican political machine. What would they plan to do if they felt that an instructor is acting “too liberal”? What kind of punishment would be reserved for such a person? Will they be looking into the same kinds of offenses perpetrated by conservatives? Apparently, any thoughts or political positions unapproved by the Republican Party are to come under fire.

This is a blatant attempt to gerrymander our institutions of higher learning the way State and Federal Republican lawmakers have gerrymandered voting districts to get them under their control. They will be using the same tactics to disadvantage the teaching community. What has happened with political districts will happen with institutions of higher learning to ensure a forced, artificial higher representation of certain political views in the academic sphere.

If the Republicans are so concerned about promoting free speech and expression of thought, then why are they working so hard to suppress it in people whose views and opinions do not agree with theirs?

Mr. Speaker, I urge my colleagues to vote against this resolution.

### VOTE CORRECTION

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

Ms. YOUNGBLOOD. Mr. Speaker, I would like to correct the record.

On HR 177 my switch did not work at all. I would like to be reported in the negative.

The SPEAKER pro tempore. The Chair thanks the gentelady, and your remarks will be spread upon the record. We will ask that your switch be looked into also.

### STATEMENT BY MR. STURLA

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

Mr. STURLA. Thank you, Mr. Speaker.

I would like the opportunity to submit comments for the record on HR 177, since I was denied the opportunity to speak a second time on that as a result of the calling of the previous question, and because I do not have prepared remarks, I will submit them, if I can, tomorrow.

The SPEAKER pro tempore. That would be in order. The Chair thanks the gentleman.

Mr. STURLA. Thank you, Mr. Speaker.

### VOTE CORRECTION

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

Mr. DALLY. Thank you, Mr. Speaker. Just to correct the record.

On July 2 I voted against HB 102, and I should have been voted in the affirmative. I wanted to correct the record on that, please.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. DALLY. Thank you.

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

### SENATE MESSAGE

#### HOUSE AMENDMENTS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 406, PN 1059**; and **SB 462, PN 1056**.

### RECESS

The SPEAKER pro tempore. The House will stand in recess until the call of the Chair.

### AFTER RECESS

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

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

### SENATE MESSAGE

#### HOUSE BILL CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 86, PN 1945**, with information that the Senate has passed the same without amendment.

### SENATE MESSAGE

#### AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE AND REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, returned **HB 489, PN 2522**; and **HB 1168, PN 2432**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

### BILLS SIGNED BY SPEAKER

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

#### HB 86, PN 1945

An Act authorizing the Department of Conservation and Natural Resources on behalf of the Commonwealth to agree to hold and save the United States Army Corps of Engineers free from certain damages arising from certain construction projects.

#### HB 612, PN 2100

An Act amending the act of March 1, 1988 (P.L.82, No.16), known as the Pennsylvania Infrastructure Investment Authority Act, further providing for definitions.

#### HB 1650, PN 2489

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for resident, nonresident and tourist fishing licenses.

#### SB 406, PN 1059

An Act designating SR 65 in the vicinity of Leetsdale, Allegheny County, as the James E. Russo Highway; designating the bridge carrying State Route 2096 over the Youghiogheny River in the City of McKeesport, Allegheny County, as the Senator Albert V. "Bud" Belan Bridge; designating the SR 0322 bridge over the Swatara Creek between Derry and Swatara Townships in Dauphin County as the Major Richard D. Winters Bridge; designating the bridge on the portion of SR 222 southbound, crossing the Conestoga River in Lancaster County, as the AMVETS POW-MIA Memorial Bridge; designating the Sproul State Forest in Clinton County as the "Russell P. Letterman Wild Area"; and designating a section of State Route 22 in Mifflin County as the Vietnam Veterans Memorial Highway.

#### SB 462, PN 1056

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for sales by Pennsylvania liquor stores, for authority to issue liquor licenses to hotels, restaurants and clubs, for sales by liquor licensees regarding Sunday sales, for sale of malt or brewed beverages by liquor licensees, for malt and brewed beverages retail licenses, for retail dispensers' restrictions on purchases and sales, for revocation and suspension of licenses, for renewal of amusement permits, for the point system for certain licensees and for the assessment of points for noncompliance; providing for renewal of permit for sales for off-premises consumption in cities of the first class; further providing for unlawful acts relative to malt or brewed beverages and licensees; and providing for hours of operation relative to manufacturers, importing distributors and distributors and for unlawful acts relative to liquor, malt and brewed beverages and licensees.

#### SB 608, PN 640

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2005, to June 30, 2006, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2005.

#### SB 609, PN 641

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the

Public School Employees' Retirement Board for the fiscal year July 1, 2005, to June 30, 2006, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2005.

**SB 610, PN 642**

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

**SB 611, PN 643**

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2005, to June 30, 2006, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2005.

**SB 612, PN 644**

An Act making an appropriation from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission.

**SB 613, PN 645**

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of Attorney General.

**SB 614, PN 646**

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development.

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

**BILLS AND RESOLUTIONS PASSED OVER**

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

**RECESS**

The SPEAKER. The Chair recognizes the gentleman from Cumberland, Mr. Grell.

Mr. GRELL. Mr. Speaker, I move that this House do now recess until Wednesday, July 6, 2005, at 12:35 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 12:34 p.m., e.d.t., Wednesday, July 6, 2005, the House recessed.