

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, JUNE 12, 2007

SESSION OF 2007

191ST OF THE GENERAL ASSEMBLY

No. 47

HOUSE OF REPRESENTATIVES

The House convened at 1 p.m., e.d.t.

THE SPEAKER (DENNIS M. O'BRIEN) PRESIDING

PRAYER

HON. FRANK SHIMKUS, member of the House of Representatives, offered the following prayer:

Let us humble ourselves as we ask for God's blessing this day. I share with you the words of Psalm 1:

Blessed is he that walks not in the counsel of the ungodly or stands in the way of sinners or sits in the seat of the scornful. But his delight is in the law and the Lord, and on his law he does meditate day and night. And he shall be like a tree planted by the rivers of water that gives forth its fruit in its season. Its leaf does not wither and fall and everything that he does shall prosper.

Heavenly Father, in all the decisions that we make, in the way we treat each other, in the steps we take to be stewards of the people's trust, let us be ever mindful of Your Word and Your law.

Bless us, we pray this day, with wisdom and humility, and guide us to honor You and each other in all that we do. In Your name we pray. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Monday, June 11, 2007, will be postponed until printed. The Chair hears no objection.

LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence, the Chair recognizes the majority whip. Are there any leaves? The gentleman requests that Representative SAMUELSON from Northampton be placed on leave for the day. The Chair hears no objection. The leave will be granted.

Turning to leaves of absence, the Chair recognizes the minority whip, who requests that Representative GINGRICH

from Lebanon County and Representative METCALFE from Butler County be placed on leave for today. The Chair hears no objection. The leaves will be granted.

MASTER ROLL CALL

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

(Members proceeded to vote.)

GUESTS INTRODUCED

The SPEAKER. While we are taking the roll, the Chair would like to take the opportunity to recognize his friends from northeast Philadelphia, the Primrose Club from St. Katherine's. Would you please join the Chair in welcoming our northeast friends.

MASTER ROLL CALL CONTINUED

The following roll call was recorded:

PRESENT—200

Adolph	Freeman	Markosek	Rohrer
Argall	Gabig	Marshall	Ross
Baker	Galloway	Marsico	Rublely
Barrar	Geist	McCall	Sabatina
Bastian	George	McGeehan	Sainato
Bear	Gerber	McI. Smith	Santoni
Belfanti	Gergely	McIlhattan	Saylor
Benninghoff	Gibbons	Melio	Scavello
Bennington	Gillespie	Mensch	Schroder
Beyer	Godshall	Micozzie	Seip
Biancucci	Goodman	Millard	Shapiro
Bishop	Grell	Miller	Shimkus
Blackwell	Gruclala	Milne	Siptroth
Boback	Haluska	Moul	Smith, K.
Boyd	Hanna	Moyer	Smith, M.
Brennan	Harhai	Mundy	Smith, S.
Brooks	Harhart	Murt	Solobay
Buxton	Harkins	Mustio	Sonney
Caltagirone	Harper	Myers	Staback
Cappelli	Harris	Nailor	Stairs
Carroll	Helm	Nickol	Steil
Casorio	Hennessey	O'Brien, M.	Stern
Causer	Hershey	O'Neill	Stevenson
Civera	Hess	Oliver	Sturla
Clymer	Hickernell	Pallone	Surra
Cohen	Hornaman	Parker	Swanger
Conklin	Hutchinson	Pashinski	Tangretti
Costa	James	Payne	Taylor, J.
Cox	Josephs	Payton	Taylor, R.
Creighton	Kauffman	Peifer	Thomas

Cruz	Keller, M.	Perry	True
Curry	Keller, W.	Perzel	Turzai
Cutler	Kenney	Petrarca	Vereb
Daley	Kessler	Petri	Vitali
Dally	Killion	Petrone	Vulakovich
DeLuca	King	Phillips	Wagner
Denlinger	Kirkland	Pickett	Walko
DePasquale	Kortz	Preston	Wansacz
Dermody	Kotik	Pyle	Waters
DeWeese	Kula	Quigley	Watson
DiGirolamo	Leach	Quinn	Wheatley
Donatucci	Lentz	Ramaley	White
Eachus	Levdansky	Rapp	Williams
Ellis	Longietti	Raymond	Wojnaroski
Evans, D.	Mackereth	Readshaw	Yewcic
Evans, J.	Maher	Reed	Youngblood
Everett	Mahoney	Reichley	Yudichak
Fabrizio	Major	Roae	
Fairchild	Manderino	Rock	O'Brien, D.,
Fleck	Mann	Roebuck	Speaker
Frankel	Mantz		

ADDITIONS—0

NOT VOTING—0

EXCUSED—3

Gingrich Metcalfe Samuelson

LEAVES ADDED—1

Costa

The SPEAKER. A quorum being present, the House will proceed to conduct business.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 755, PN 831

By Rep. STURLA

An Act amending the act of May 11, 1889 (P.L.188, No.210), entitled "A further supplement to an act, entitled 'An act to establish a board of wardens for the Port of Philadelphia, and for the regulation of pilots and pilotage, and for other purposes,' approved March twenty-ninth, one thousand eight hundred and three, and for regulating the rates of pilotage and number of pilots," further providing for certain charges.

PROFESSIONAL LICENSURE.

CÔTE D'IVOIRE DELEGATION INTRODUCED

The SPEAKER. The Chair recognizes Representative Hershey for the purpose of an introduction.

Mr. HERSHEY. Thank you, Mr. Speaker.

I am happy to introduce some guests today from the Ivory Coast. These folks are guests of Lt. Gov. Catherine Baker Knoll and Senator Mike Brubaker. They are over here on an ag extension.

Leading the group is Mr. Singo Maniga – he is president of their local chamber of commerce; Mr. Bile Aka Joachim – he is a lawyer; and Alex, the interpreter; Rev. Moussa Bamba; Simone Bamba; and Mr. Chris Blaise, student with the delegation. They are over here to interest us in coffee and

cocoa beans, and I would like to ask the guests to rise and ask the House to give a Pennsylvania welcome. Thank you.

GUESTS INTRODUCED

The SPEAKER. The Chair recognizes Representative Harhart for the purpose of an introduction. The Chair recognizes Representative Harhart for an introduction.

Mrs. HARHART. Thank you, Mr. Speaker.

Today I would like to welcome to the House of Representatives a young lady, Elizabeth Albright, who is the daughter of Thomas and Carolyn Albright from Northampton, Pennsylvania. She is accompanied by her grandparents, Barbara and Lowell Albright. She is a junior at the Northampton High School and the winner of the essay contest "There Ought To Be a Law" that I hold every year. Her suggestion is to provide for an improved system of public transportation, bicycle paths, walkways, and sidewalks throughout the Commonwealth of Pennsylvania.

So I would like you to welcome and to congratulate Elizabeth on winning the "There Ought To Be a Law" contest and her grandparents. They are sitting in the back of the House floor to the right, in the corner. Please welcome them.

SAMANTHA SANTORO PRESENTED

The SPEAKER. The Chair recognizes Representative Creighton and requests that Representative Creighton come forward for the purpose of presenting a citation.

Mr. CREIGHTON. I take great pleasure in introducing to the House Samantha Santoro. On May 3 in Ephrata, Pennsylvania, in the Scholarship Doubles Bowling League, Samantha broke the national and the Pennsylvania U.S. Bowling Congress junior girls bowling record. She rolled her perfect game, a 300 game, with a series total of 845. The old record, the national record, was 843.

Samantha has many, many records and awards. She is 2006 State champion. What is amazing to me, in competition she has bowled five perfect games. She is the daughter of Nicholas and Marci Santoro and resides in my district in Reinholds, PA. Would the parents, Marci and Nicholas, stand up. She has worked in the House as an intern for the House Judiciary Committee under Representative Thomas Caltagirone.

The House of Representatives of Pennsylvania extends congratulations to Samantha upon your championship and award-setting scores. We offer best wishes for every future success.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1528 By Representatives STURLA, DeWEESE, WHEATLEY, EACHUS, GERGELY, SURRA and D. O'BRIEN

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a film production tax credit and conferring powers and imposing duties upon the Department of Community and Economic Development.

Referred to Committee on COMMERCE, June 12, 2007.

No. 1529 By Representatives STURLA, DeWEESE, WHEATLEY, EACHUS, GERGELY, SURRA and D. O'BRIEN

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, further providing for film production grants.

Referred to Committee on COMMERCE, June 12, 2007.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mrs. BEYER called up **HR 298, PN 1655**, entitled:

A Resolution recognizing the work and achievements of Ben Gress, founder and president of the Mountainville No. 30 Crime Watch in Allentown, and commending the organization upon the celebration of its 25th anniversary.

On the question,
Will the House adopt the resolution?

The SPEAKER. The Chair recognizes Representative Beyer.
Mrs. BEYER. Good afternoon. Thank you, Mr. Speaker.

I come before you today to ask for your consideration of HR 298, which will pay tribute to 25 years of hard work, leadership, and service to the citizens of Allentown. I am joined in this effort by my colleagues, Representatives Jennifer Mann, Steve Samuelson, and Joseph Brennan.

At the foot of South Mountain on the south side of Allentown, there is a group of people who have been and continue to be dedicated to reducing and eliminating crime and protecting their neighborhood and their neighbors. That group is known as Mountainville No. 30 Crime Watch.

Mr. Speaker, can you—

The SPEAKER. The gentlelady from Northampton County requests that members please reduce their conversations to a minimum. If your conversation is necessary, please take it to one of the anterooms in the back of the House. Members will clear the aisle.

Representative Beyer, you may continue.

Mrs. BEYER. Thank you, Mr. Speaker.

This organization, 75 strong, has continued to help patrol the streets of their neighborhood area and become the effective eyes and ears for the Allentown City Police Department. Ever since its inception 25 years ago, Mr. Ben Gress has served as president of this organization. From the beginning Ben and his group have been very active in many ways. Ben's first priority was to organize a series of programs that included a child fingerprint program, a funeral watch, a vacation watch, senior ID photo program, and also scheduled nightly patrols.

In addition to this, Ben operated a base station for those nightly patrols and was responsible for securing the first time ever crime watch insurance for his members. Ben was a founding member of the Allentown Crime Watch President's Council and has also received accolades for his outstanding work. He established nearly 15 crime watch groups throughout the city of Allentown, many of them thriving today.

In 1984 Ben received the Governor's Award for his work and programs that he initiated. In that same year he organized the Leonard Buck Awards Banquet, which each year honors people

who volunteer their time and efforts for the cause of making crime watch programs work effectively.

Ben's reach goes far outside the Allentown area. He has helped to organize no less than 15 crime watch groups in Northampton, Carbon, Berks, and Schuylkill Counties. Ben continues to be active in many endeavors, including serving as vice president of the Property of Merits organization and a longtime member of the Pennsylvania Crime Prevention Officers Association.

On another note, Ben is the creator of the Allentown Crime Watch logo, which includes our famous Pennsylvania Keystone and the image that is known all over the nation, McGruff "The Crime Dog." Additionally, his dedication to serving the residents of Allentown is epitomized by never missing a single meeting of the Mountainville Crime Watch in 25 years.

The 25th anniversary of the founding of Mountainville No. 30 Crime Watch will arrive on Flag Day, June 14. It is fitting that we honor the flag that day, but we can also look at it with pride that people like Ben Gress and the 75 members of the Mountainville No. 30, these members volunteer their time to advance the cause of liberty and safety.

Ben is here today along with his fellow officers from Mountainville No. 30 Crime Watch and their partners from the Allentown Police Department: Carolyn McNamara, secretary; John McNamara, treasurer; Asst. Chief Joseph Hanna; Lt. Daryl Hendricks; and retired Allentown Police Captain and Crime Prevention Officer Robert Ring. They are all seated at the left of the Speaker. Also in attendance are 30 members of the Mountainville No. 30 Crime Watch, who are seated at the rear of the House chamber.

Will you please join me in congratulating Ben and the Mountainville Crime Watch group for 25 years of dedicated service to the city of Allentown.

With that, I ask today for your affirmative vote for Ben Gress, the 75 members of the Mountainville No. 30 Crime Watch, with the honors contained in HR 298. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—200

Adolph	Freeman	Markosek	Rohrer
Argall	Gabig	Marshall	Ross
Baker	Galloway	Marsico	Rubley
Barrar	Geist	McCall	Sabatina
Bastian	George	McGeehan	Sainato
Bear	Gerber	McI. Smith	Santoni
Belfanti	Gergely	McIlhattan	Saylor
Benninghoff	Gibbons	Melio	Scavello
Bennington	Gillespie	Mensch	Schroder
Beyer	Godshall	Micozzie	Seip
Biancucci	Goodman	Millard	Shapiro
Bishop	Grell	Miller	Shimkus
Blackwell	Gruclera	Milne	Sipthoth
Boback	Haluska	Moul	Smith, K.
Boyd	Hanna	Moyer	Smith, M.
Brennan	Harhai	Mundy	Smith, S.
Brooks	Harhart	Murt	Solobay
Buxton	Harkins	Mustio	Sonney
Caltagirone	Harper	Myers	Staback
Cappelli	Harris	Nailor	Stairs
Carroll	Helm	Nickol	Steil

Casorio	Hennessey	O'Brien, M.	Stern
Causar	Hershey	O'Neill	Stevenson
Civera	Hess	Oliver	Sturla
Clymer	Hickernell	Pallone	Surra
Cohen	Hornaman	Parker	Swanger
Conklin	Hutchinson	Pashinski	Tangretti
Costa	James	Payne	Taylor, J.
Cox	Josephs	Payton	Taylor, R.
Creighton	Kauffman	Peifer	Thomas
Cruz	Keller, M.	Perry	True
Curry	Keller, W.	Perzel	Turzai
Cutler	Kenney	Petrarca	Vereb
Daley	Kessler	Petri	Vitali
Dally	Killion	Petrone	Vulakovich
DeLuca	King	Phillips	Wagner
Denlinger	Kirkland	Pickett	Walko
DePasquale	Kortz	Preston	Wansacz
Dermody	Kotik	Pyle	Waters
DeWeese	Kula	Quigley	Watson
DiGirolamo	Leach	Quinn	Wheatley
Donatucci	Lentz	Ramaley	White
Eachus	Levdansky	Rapp	Williams
Ellis	Longietti	Raymond	Wojnaroski
Evans, D.	Mackereth	Readshaw	Yewcic
Evans, J.	Maher	Reed	Youngblood
Everett	Mahoney	Reichley	Yudichak
Fabrizio	Major	Roae	
Fairchild	Manderino	Rock	O'Brien, D.,
Fleck	Mann	Roebuck	Speaker
Frankel	Mantz		

NAYS—0

NOT VOTING—0

EXCUSED—3

Gingrich Metcalfe Samuelson

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

* * *

Mr. PEIFER called up **HR 315, PN 1761**, entitled:

A Resolution recognizing June 12, 2007, as "Dairy Farmers Appreciation Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The SPEAKER. The Chair recognizes Representative Peifer.
Mr. PEIFER. Thank you, Mr. Speaker.

HR 315 designates June 12 as "Dairy Farmers Appreciation Day" in Pennsylvania. This resolution recognizes the dairy industry as the leading agricultural industry in the Commonwealth, accounting for 37 percent of the agricultural income today.

This resolution not only recognizes the importance of the dairy industry and the farmers but also the problems that they face in operating their farms today. Many people do not think about the costs that go into a gallon of milk or a half gallon of ice cream, just like we had outside on the Capitol steps, but the cost of production has gone up, Mr. Speaker, with the price of power and energy, with the price of feed and grain, with the

price of fertilizer and seed, and of course, the price of property taxes which are being paid on their properties.

In fact, Mr. Speaker, in Wayne County, in 1997 Wayne County had over 200 dairy farms. Today there are only 97; 97 farmers are producing milk in Wayne County today. That is half of the farmers we have lost in that 10-year period because they cannot keep up with the cost of production.

I would also like to say that Pennsylvania ranks third nationally in the production of butter, fifth in milk, and seventh in cheese.

GUESTS INTRODUCED

Mr. PEIFER. I have some special guests here today, Mr. Speaker; our friends from the Farm Bureau. Mr. Dave Williams is here. Our friend, Mr. Brian Smith, a dairy farmer from Wayne County, he is also here today. We also have two dairy princesses. The 2005 Dairy Princess Miss Tiffany Schweighofer is here from beautiful Damascus Township, and her counterpart, the 2007 Dairy Princess Miss Lauren DeVrize, is here today, and she was just awarded on Sunday, dairy princess.

So please support HR 315. Show our dairy farmers, they need your help and support, and we are all behind them today. Thank you.

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

The following roll call was recorded:

YEAS—200

Adolph	Freeman	Markosek	Rohrer
Argall	Gabig	Marshall	Ross
Baker	Galloway	Marsico	Rubley
Barrar	Geist	McCall	Sabatina
Bastian	George	McGeehan	Sainato
Bear	Gerber	McI. Smith	Santoni
Belfanti	Gergely	McIlhattan	Saylor
Benninghoff	Gibbons	Melio	Scavello
Bennington	Gillespie	Mensch	Schroder
Beyer	Godshall	Micozzie	Seip
Biancucci	Goodman	Millard	Shapiro
Bishop	Grell	Miller	Shimkus
Blackwell	Grucela	Milne	Siptroth
Boback	Haluska	Moul	Smith, K.
Boyd	Hanna	Moyer	Smith, M.
Brennan	Harhai	Mundy	Smith, S.
Brooks	Harhart	Murt	Solobay
Buxton	Harkins	Mustio	Sonney
Caltagirone	Harper	Myers	Staback
Cappelli	Harris	Nailor	Stairs
Carroll	Helm	Nickol	Steil
Casorio	Hennessey	O'Brien, M.	Stern
Causar	Hershey	O'Neill	Stevenson
Civera	Hess	Oliver	Sturla
Clymer	Hickernell	Pallone	Surra
Cohen	Hornaman	Parker	Swanger
Conklin	Hutchinson	Pashinski	Tangretti
Costa	James	Payne	Taylor, J.
Cox	Josephs	Payton	Taylor, R.
Creighton	Kauffman	Peifer	Thomas
Cruz	Keller, M.	Perry	True
Curry	Keller, W.	Perzel	Turzai
Cutler	Kenney	Petrarca	Vereb
Daley	Kessler	Petri	Vitali
Dally	Killion	Petrone	Vulakovich

DeLuca	King	Phillips	Wagner
Denlinger	Kirkland	Pickett	Walko
DePasquale	Kortz	Preston	Wansacz
Dermody	Kotik	Pyle	Waters
DeWeese	Kula	Quigley	Watson
DiGirolamo	Leach	Quinn	Wheatley
Donatucci	Lentz	Ramaley	White
Eachus	Levdansky	Rapp	Williams
Ellis	Longietti	Raymond	Wojnaroski
Evans, D.	Mackereth	Readshaw	Yewcic
Evans, J.	Maher	Reed	Youngblood
Everett	Mahoney	Reichley	Yudichak
Fabrizio	Major	Roae	
Fairchild	Manderino	Rock	O'Brien, D.,
Fleck	Mann	Roebuck	Speaker
Frankel	Mantz		

NAYS—0

NOT VOTING—0

EXCUSED—3

Gingrich Metcalfe Samuelson

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

GUESTS INTRODUCED

The SPEAKER. Representative Tony Payton and Representative John Taylor would like to recognize Rev. Kenneth Delaney and his wife, Marie Delaney, and Bob White. They are sitting in the rear of the House. Would you please rise. We would like to welcome you to the House chamber.

RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the majority whip, Representative McCall.

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, I would like to call an immediate meeting of the Rules Committee in the majority caucus room. We will be back on the floor in a half-hour.

The SPEAKER. The Chair thanks the gentleman.

In the majority caucus room, the Rules Committee will meet immediately.

The House will stand at ease.

REPUBLICAN CAUCUS

The SPEAKER. Are there any other announcements?
Representative Major.

Miss MAJOR. Thank you, Mr. Speaker.

I would like to announce a Republican caucus immediately. We would need about 1 hour. So Republicans will meet immediately in the caucus room. Thank you, Mr. Speaker.

TRANSPORTATION COMMITTEE MEETING

The SPEAKER. Representative Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, a point of information. Will we be recessed for very long at this time?

The SPEAKER. The Chair is in the process of taking announcements. The Republicans have asked for approximately 1 hour. So it is the anticipation of the Chair that the House will be in recess until approximately 2:30.

Mr. MARKOSEK. Okay. Thank you, Mr. Speaker.

I would like to call a meeting of the Transportation Committee in room G-50, Irvis Office Building, in about 15 minutes.

The SPEAKER. The Chair thanks the gentleman.

Mr. MARKOSEK. Thank you.

The SPEAKER. The Transportation Committee will meet at the break in room G-50, Irvis Office Building.

Are there any other announcements?

RECESS

The SPEAKER. This House will stand in recess until 2:30 p.m.

AFTER RECESS

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

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

HB 976, PN 1139

By Rep. DeWEESE

An Act amending the act of December 10, 1968 (P.L.1158, No.365), entitled "An act creating and establishing the Legislative Data Processing Committee: providing for its membership; prescribing its powers, functions and duties; and making an appropriation," directing the committee to provide limited public access to statutes in computer information systems.

RULES.

BILLS REREPORTED FROM COMMITTEE

HB 706, PN 791

By Rep. DeWEESE

An Act amending the act of July 10, 1981 (P.L.214, No.67), known as the Bingo Law, further defining "bona fide member."

RULES.

HB 731, PN 859

By Rep. DeWEESE

An Act amending the act of August 10, 1951 (P.L.1189, No.265), entitled, as amended, "An act regulating the appointment, promotion, suspension, reduction, removal and reinstatement of employees (except superintendents, assistant superintendents, inspectors, chief clerks and school guards) in bureaus of police in cities of the second class; and defining the powers and duties of civil service commissions in such

cities for such purposes," further providing for qualifications for appointment in the competitive class of the civil service.

RULES.

HB 1109, PN 1338

By Rep. DeWEESE

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing, in fishing licenses, for nonresident and tourist licenses, for one-day resident fishing licenses, for issuing agents and for license, permit and issuing agent fees.

RULES.

HB 1116, PN 1843

By Rep. DeWEESE

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, providing for vouchers for licenses.

RULES.

HB 1120, PN 1371

By Rep. DeWEESE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining "licensing board" and "professional or occupational license"; and defining the offense of impersonating the holder of a professional or occupational license.

RULES.

HB 1192, PN 1496

By Rep. DeWEESE

An Act providing for the designation of the building referred to as the Keystone Building in the City of Harrisburg as the Speaker James J. Manderino Office Building.

RULES.

HB 1196, PN 1499

By Rep. DeWEESE

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey certain lands situate in the City of Connellsville, Fayette County, to the City of Connellsville.

RULES.

The SPEAKER. Without objection, these bills will be placed on the active calendar. The Chair hears no objection.

BILLS REREPORTED FROM COMMITTEE

HB 500, PN 1845

By Rep. DeWEESE

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, providing for perfusionist licensing, qualifications, supervision and scope of practice, regulations and exemptions.

RULES.

HB 501, PN 1846

By Rep. DeWEESE

An Act amending the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act, providing for perfusionist licensing, qualifications, supervision and scope of practice, regulations and exemptions.

RULES.

HB 556, PN 624

By Rep. DeWEESE

An Act amending the act of July 10, 1981 (P.L.214, No.67), known as the Bingo Law, further providing for rules for licensing and operation.

RULES.

The SPEAKER. Without objection, these bills will be placed on the supplemental calendar. The Chair hears no objection.

LEAVE OF ABSENCE

The SPEAKER. Without objection, Representative COSTA from Allegheny County will be placed on leave. The Chair sees no objection. The gentleman is on leave.

CALENDAR CONTINUED

RESOLUTIONS

Mr. KENNEY called up **HR 159, PN 1531**, entitled:

A Resolution directing the Joint State Government Commission to conduct a comprehensive study on the waiting list for community-based mental retardation services.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

Adolph	Gabig	Markosek	Rohrer
Argall	Galloway	Marshall	Ross
Baker	Geist	Marsico	Rubley
Barrar	George	McCall	Sabatina
Bastian	Gerber	McGeehan	Sainato
Bear	Gergely	McI. Smith	Santoni
Belfanti	Gibbons	McIlhattan	Saylor
Benninghoff	Gillespie	Melio	Scavello
Bennington	Godshall	Mensch	Schroder
Beyer	Goodman	Micozzie	Seip
Biancucci	Grell	Millard	Shapiro
Bishop	Gruclera	Miller	Shimkus
Blackwell	Haluska	Milne	Siptroth
Boback	Hanna	Moul	Smith, K.
Boyd	Harhai	Moyer	Smith, M.
Brennan	Harhart	Mundy	Smith, S.
Brooks	Harkins	Murt	Solobay
Buxton	Harper	Mustio	Sonney
Caltagirone	Harris	Myers	Staback
Cappelli	Helm	Nailor	Stairs
Carroll	Hennessey	Nickol	Steil
Casorio	Hershey	O'Brien, M.	Stern
Causar	Hess	O'Neill	Stevenson
Civera	Hickernell	Oliver	Sturla
Clymer	Hornaman	Pallone	Surra
Cohen	Hutchinson	Parker	Swanger
Conklin	James	Pashinski	Tangretti
Cox	Josephs	Payne	Taylor, J.
Creighton	Kauffman	Payton	Taylor, R.
Cruz	Keller, M.	Peifer	Thomas
Curry	Keller, W.	Perry	True
Cutler	Kenney	Perzel	Turzai
Daley	Kessler	Petrarca	Vereb

Dally	Killion	Petri	Vitali
DeLuca	King	Petrone	Vulakovich
Denlinger	Kirkland	Phillips	Wagner
DePasquale	Kortz	Pickett	Walko
Dermody	Kotik	Preston	Wansacz
DeWeese	Kula	Pyle	Waters
DiGirolamo	Leach	Quigley	Watson
Donatucci	Lentz	Quinn	Wheatley
Eachus	Levdansky	Ramaley	White
Ellis	Longietti	Rapp	Williams
Evans, D.	Mackereth	Raymond	Wojnaroski
Evans, J.	Maher	Readshaw	Yewcic
Everett	Mahoney	Reed	Youngblood
Fabrizio	Major	Reichley	Yudichak
Fairchild	Manderino	Roae	
Fleck	Mann	Rock	O'Brien, D.,
Frankel	Mantz	Roebuck	Speaker
Freeman			

NAYS—0

NOT VOTING—0

EXCUSED—4

Costa	Gingrich	Metcalf	Samuelson
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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Mr. COHEN called up **HR 106, PN 729**, entitled:

A Resolution urging auto manufacturers to develop and produce plug-in hybrid vehicles for consumer use within this Commonwealth.

On the question,
Will the House adopt the resolution?

The SPEAKER. The Chair recognizes Representative Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, last year the citizens, businesses, and government of the United States spent almost \$310 billion for imported oil, up 300 percent since 2001 and about 11 times the annual Pennsylvania State budget. We need to focus on near-term solutions that could significantly reduce the use or stretch out the supply of petroleum for our transportation sector.

One potential solution that should be examined is based on Benjamin Franklin's own scientific works in Pennsylvania from 250 years ago. Franklin, who had already developed a more efficient appliance to heat homes called the Franklin Stove, invented and coined the term "electric battery" in 1748.

Today larger and more powerful electric batteries form the basis of a concept called plug-in hybrid vehicles. They are essentially similar to today's hybrids, like the Toyota Prius and the Ford Escape, but with bigger batteries and the ability to plug into an outlet overnight. The battery is the equivalent of a second small fuel tank that is always used first and can be filled at home with electricity from an ordinary 120-volt socket, at a cost of less than \$1 per gallon. Thus with a plug-in hybrid, the first 10, 20, or 30 miles of driving per day could be powered by electricity and not powered by gasoline.

HR 106 is an expression from the House of Representatives of the Commonwealth of Pennsylvania to urge manufacturers to develop and produce plug-in hybrids for consumer use within this Commonwealth, and it further resolves that auto manufacturers consider manufacturing plug-in hybrid vehicles or their components within this Commonwealth.

Mr. Speaker, I first proposed legislation to promote plug-in hybrids back in 2005. Pennsylvania was the first State legislature to have introduced bills to promote plug-in hybrids. Now President Bush was photographed a few weeks ago with a plug-in hybrid on the White House lawn.

Car manufacturers are now seriously looking at plug-in hybrids, and every bit of public pressure to get them to make them is useful. I ask for your support of HR 106.

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

The following roll call was recorded:

YEAS—199

Adolph	Gabig	Markosek	Rohrer
Argall	Galloway	Marshall	Ross
Baker	Geist	Marsico	Rubley
Barrar	George	McCall	Sabatina
Bastian	Gerber	McGeehan	Sainato
Bear	Gergely	McI. Smith	Santoni
Belfanti	Gibbons	McIlhattan	Saylor
Benninghoff	Gillespie	Melio	Scavello
Bennington	Godshall	Mensch	Schroder
Beyer	Goodman	Micozzie	Seip
Biancucci	Grell	Millard	Shapiro
Bishop	Grucela	Miller	Shimkus
Blackwell	Haluska	Milne	Siptroth
Boback	Hanna	Moul	Smith, K.
Boyd	Harhai	Moyer	Smith, M.
Brennan	Harhart	Mundy	Smith, S.
Brooks	Harkins	Murt	Solobay
Buxton	Harper	Mustio	Sonney
Caltagirone	Harris	Myers	Staback
Cappelli	Helm	Nailor	Stairs
Carroll	Hennessey	Nickol	Steil
Casorio	Hershey	O'Brien, M.	Stern
Causer	Hess	O'Neill	Stevenson
Civera	Hickernell	Oliver	Sturla
Clymer	Hornaman	Pallone	Surra
Cohen	Hutchinson	Parker	Swanger
Conklin	James	Pashinski	Tangretti
Cox	Josephs	Payne	Taylor, J.
Creighton	Kauffman	Payton	Taylor, R.
Cruz	Keller, M.	Peifer	Thomas
Curry	Keller, W.	Perry	True
Cutler	Kenney	Perzel	Turzai
Daley	Kessler	Petrarca	Vereb
Dally	Killion	Petri	Vitali
DeLuca	King	Petrone	Vulakovich
Denlinger	Kirkland	Phillips	Wagner
DePasquale	Kortz	Pickett	Walko
Dermody	Kotik	Preston	Wansacz
DeWeese	Kula	Pyle	Waters
DiGirolamo	Leach	Quigley	Watson
Donatucci	Lentz	Quinn	Wheatley
Eachus	Levdansky	Ramaley	White
Ellis	Longietti	Rapp	Williams
Evans, D.	Mackereth	Raymond	Wojnaroski
Evans, J.	Maher	Readshaw	Yewcic
Everett	Mahoney	Reed	Youngblood
Fabrizio	Major	Reichley	Yudichak
Fairchild	Manderino	Roae	

Fleck
Frankel
Freeman

Mann
Mantz

Rock
Roebuck

O'Brien, D.,
Speaker

NAYS—0

NOT VOTING—0

EXCUSED—4

Costa

Gingrich

Metcalfe

Samuelson

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

SUPPLEMENTAL CALENDAR A

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 706, PN 791**, entitled:

An Act amending the act of July 10, 1981 (P.L.214, No.67), known as the Bingo Law, further defining "bona fide member."

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

Mr. **SAYLOR** offered the following amendment No. **A01302**:

Amend Title, page 1, line 4, by striking out "member." " and inserting

member"; and further providing for rules for licensing and operation.

Amend Bill, page 2, by inserting between lines 5 and 6

Section 2. Section 5(c) and (d) of the act, amended December 15, 1982 (P.L.1299, No.293) and February 12, 1988 (P.L.76, No.14), are amended to read:

Section 5. Rules for licensing and operation.

* * *

(c) Operation.—Each licensed association shall comply with the following restrictions and rules governing the operation of bingo:

(1) No person under the age of 18 shall be permitted to play bingo unless accompanied by an adult.

(2) No association shall conduct bingo more than twice in any one week, except an association shall be permitted to conduct the game of bingo for a period not to exceed ten days at the association's exposition, carnival or fair site in addition to the regularly scheduled games.

(3) Prizes awarded shall not exceed a value of \$250 for any one game of bingo, except [for jackpot] as follows:

(i) Jackpot games which shall not exceed a value of \$2,000 for one such game. [In addition, no more than \$4,000 in prizes]

(ii) No more than \$8,000 in prizes shall be awarded in any calendar day.

(iii) Winner-takes-all games which shall pay out 100% of the gross revenues generated from the bingo game.

(4) Only associations licensed to conduct bingo shall be permitted to advertise their bingo games. Such advertisements shall contain the date, time, location, whether cash or

merchandise prizes will be awarded and the name of the association licensed to conduct the bingo game and the name of the individual in charge of the operation of the game. An association shall not advertise the prizes or their dollar value which will be awarded nor shall they advertise a guaranteed prize dollar value.

(5) The association shall own the equipment used in playing bingo or shall sign a written agreement leasing the equipment from another licensed association for a fee which is not determined by the amount of receipts realized from the playing of bingo or the number of people attending bingo games. Joint ownership of bingo equipment shall be permitted only if both owners of the equipment are licensed associations. This paragraph shall not apply to associations contracting charitable organizations or outside operators to conduct bingo at expositions, carnivals or fairs.

(6) The association shall own both the premises upon which bingo is played and the personal property used in the conduct of the game, or if it does not, the association shall sign a written agreement leasing such premises or personal property from the owner thereof for a fee which is not determined by either the amount of receipts realized from the playing of bingo or the number of people attending bingo games. An association shall not lease such premises or personal property from any person who has been convicted of a felony or a violation of this act.

(7) Each association shall keep written records of the moneys and merchandise collected and distributed for each day they conduct bingo. These records shall indicate the total proceeds collected, the total prize money distributed, the total value of all merchandise awarded as a prize and the amount of moneys paid as rentals or wages and to whom such rentals or wages were paid. All prizes awarded having a value greater than \$250 shall be specifically described in the association's records.

(8) Each association shall deposit with a financial institution all proceeds for each day's bingo game in an account in the association's name. This deposit shall be made before any of the proceeds may be used for any other purpose, except for payment of prize money and compensation to members employed in the operation of the game.

(9) No association shall permit any person who is not a bona fide member of the association or who has been convicted of a felony or a violation of this act to manage, set up, supervise or participate in the operation of the association's bingo games. Nothing contained in this act shall be construed to prohibit individuals under 18 years of age from participating in the operation of the game and being compensated therefor if written permission is obtained from their parent or guardian.

(10) Associations which obtain a license for the purpose of conducting bingo at an exposition, carnival or fair for a period not exceeding ten days shall be permitted to contract a charitable organization to manage, set up, supervise or participate in the operation of the bingo game provided only merchandise prizes are awarded. Only bona fide members of the contracted charitable organization shall be permitted to participate in the operation of the bingo game. If no charitable organizations are available, the association may contract an outside operator to conduct the game for merchandise at the exposition, carnival or fair site. The provisions of this paragraph shall not be construed to allow bingo games to be ordinarily carried out on a commercial basis in this Commonwealth.

(11) No person shall participate in the operation of bingo games on more than four days in any calendar week, which games may be operated by no more than two different licensed associations. This provision shall not apply to persons engaged in the operation of bingo for merchandise at expositions, carnivals or fairs not exceeding ten days in duration.

(12) No supplier of merchandise nor any person who has been convicted of a felony or a violation of this act shall have a pecuniary interest in the operation or proceeds of the bingo game.

(d) Application for license.—Each association shall apply to the licensing authority for a license on a form to be prescribed by the Secretary of the Commonwealth. Said form shall contain an affidavit to be affirmed by the executive officer or secretary of the association stating that:

(1) No person under the age of 18 will be permitted by the association to play bingo unless accompanied by an adult.

(2) The facility in which any game of bingo is to be played does have adequate means of ingress and egress and adequate sanitary facilities available in the area.

(3) The association is the sole or joint owner with a licensed association of the equipment used in playing bingo or it leases the equipment from another licensed association under a written agreement for a fee which is not determined by the amount of receipts realized from the playing of bingo or the number of people attending bingo games. This paragraph shall not apply to associations contracting with charitable organizations or outside operators to conduct bingo at expositions, carnivals or fairs.

(4) The association is the owner of both the premises upon which bingo is played and the personal property used in the conduct of the game or, if it is not, that the association is not leasing such premises or personal property from the owner thereof under an oral agreement, nor is it leasing such premises or personal property from the owner thereof under a written agreement at a rental which is determined by either the amount of receipts realized from the playing of bingo or the number of people attending bingo games, nor is it leasing such premises or personal property from a person who has been convicted of a felony or a violation of this act.

(5) The association will not conduct the playing of bingo more than twice per week in any one week, except those associations conducting bingo at expositions, carnivals or fairs.

(6) The association in any calendar day will not award a total of more than [\$4,000] \$8,000 in prizes.

(7) The association is a nonprofit association as defined in this act.

* * *

Amend Sec. 2, page 2, line 6, by striking out "2" and inserting
3

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

The SPEAKER. On the amendment, the Chair recognizes Representative Saylor.

Mr. SAYLOR. Mr. Speaker, the current law allows for \$250 on any one game and a \$2,000 jackpot for games. In addition to these types of games, the amendment permits winner-takes-all games where 100 percent of gross revenues generated from the game is given to the winner. This amendment permits an organization to award \$8,000 in prizes in one calendar day, different than the \$4,000 currently permitted under the current law.

The SPEAKER. Representative Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, would the maker of the amendment stand for a brief interrogation?

The SPEAKER. The gentleman indicates that he will. The gentleman is in order and may proceed.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, could the gentleman more fully explain "winner-takes-all"? What does that mean as far as the dollars?

Are we talking about \$50, \$1,000, \$2,000? What are the parameters, the financial parameters of a winner-takes-all?

Mr. SAYLOR. Mr. Speaker, it is when all the players of the game put money in a kitty to play that particular game and the winner receives all the money that is in that particular kitty.

Mr. CLYMER. So it could go from \$50 to \$5,000. Would that be correct?

Mr. SAYLOR. That is correct.

Mr. CLYMER. Okay. Mr. Speaker, my second concern is with the \$8,000 in prizes that can be awarded in a calendar day. So in a 30-day time frame, \$8,000 could be awarded in 15 of those days. Would that be correct?

Mr. SAYLOR. That is true.

Mr. CLYMER. Okay. Mr. Speaker, that ends my interrogation. I would like to speak on the amendment.

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I was here in the General Assembly when we initiated small games of chance for private and for nonprofit and charitable organizations here in the Commonwealth of Pennsylvania, and one of the issues that was discussed was the fact that we would have limitations on the amount of moneys that would be dispensed, for the simple reason we did not want to have these unintended consequences of large sums of money, and \$8,000 is not a small number, although that is a total sum of prizes that can be awarded on a specific day, but we wanted to keep this within a framework whereby everyone could be comfortable with what we were doing.

I believe that there are some unintended consequences in this amendment. The winner-takes-all, that could go from \$50 to \$5,000 to \$7,000 and on upward, because it depends on how much the person is putting into the kitty at the time of winner-takes-all, and the \$8,000, again, is beyond what we had proposed at that time.

So I am going to vote against this bill, against this amendment, and I would urge the other members to consider carefully the consequences and also vote "no." Thank you.

The SPEAKER. Representative Grucela.

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the amendment from the gentleman from York. I believe it is a good amendment. There are many nonprofits, especially the fire companies and emergency companies, that have these bingo games, that our concern is gaming is coming into the State, that it may hurt their particular nonprofit organizations that raise this money. In fact, I have an amendment to another bill later on that would actually remove the entire cap, but I believe the Representative has a good amendment, and I believe this amendment did pass the full House once before in a previous session.

So I would rise and ask the members to support the gentleman from York's amendment. Thank you, Mr. Speaker.

The SPEAKER. Representative Santoni.

Mr. SANTONI. Thank you, Mr. Speaker.

I, too, agree and support the Saylor amendment. I think it makes HB 706 a better bill, and as Representative Grucela indicated, it does help our nonprofits and people that rely on this for help.

So I would ask for support of the Saylor amendment to HB 706. Thank you.

The SPEAKER. Are there any other members seeking recognition on this amendment before the Chair recognizes the prime sponsor?

Representative Saylor.

Mr. SAYLOR. Thank you, Mr. Speaker; thank you, Mr. Speaker.

This amendment does two things: One, today with our instituting gambling in Pennsylvania, many of our nonprofit organizations throughout the State are going to be put at serious risk to be able to raise the money that they fund a lot of community projects throughout this Commonwealth. By allowing these caps to come off and raise that cap to \$8,000 a day, these local organizations will be able to continue to attract individuals to come into communities, whether it is veterans groups, fire company groups, church organizations, so on and so forth, to continue to do their fundraising at a local level at the capacity they are currently doing without suffering losses to our gambling casinos that we have or, I should say, our slot parlors.

More importantly as well is that many times these prizes are not just dollars. Sometimes it may be a Longaberger basket. It could be any number of prizes that come up as well. So it is not all cash money that we are talking about when we talk about prizes.

So I would ask the House's consideration on this amendment. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—179

Adolph	Gerber	McCall	Sabatina
Argall	Gergely	McGeehan	Sainato
Barrar	Gibbons	McI. Smith	Santoni
Bastian	Gillespie	McIlhattan	Saylor
Belfanti	Godshall	Melio	Scavello
Benninghoff	Goodman	Mensch	Schroder
Bennington	Grell	Micozzie	Seip
Beyer	Grucela	Millard	Shapiro
Biancucci	Haluska	Miller	Shimkus
Bishop	Hanna	Moul	Siptroth
Blackwell	Harhai	Moyer	Smith, K.
Boback	Harhart	Mundy	Smith, M.
Brennan	Harkins	Mustio	Smith, S.
Brooks	Harper	Myers	Solobay
Buxton	Harris	Nailor	Sonney
Caltagirone	Helm	Nickol	Staback
Cappelli	Hennessey	O'Brien, M.	Stairs
Carroll	Hess	O'Neill	Steil
Casorio	Hornaman	Oliver	Stevenson
Causar	James	Pallone	Sturla
Civera	Josephs	Parker	Surra
Cohen	Keller, M.	Pashinski	Swanger
Conklin	Keller, W.	Payne	Tangretti
Cruz	Kenney	Payton	Taylor, J.
Curry	Kessler	Peifer	Taylor, R.
Daley	Killion	Perry	Thomas
Dally	King	Perzel	Turzai
DeLuca	Kirkland	Petrarca	Vereb
DePasquale	Kortz	Petrone	Vitali
Dermody	Kotik	Phillips	Vulakovich
DeWeese	Kula	Pickett	Wagner
DiGirolamo	Leach	Preston	Walko
Donatucci	Lentz	Pyle	Wansacz
Eachus	Levdansky	Quigley	Waters
Ellis	Longietti	Quinn	Watson
Evans, D.	Mackereth	Ramaley	Wheatley

Evans, J.	Maier	Rapp	White
Everett	Mahoney	Raymond	Williams
Fabrizio	Major	Readshaw	Wojnaroski
Fairchild	Manderino	Reed	Yewcic
Frankel	Mann	Reichley	Youngblood
Freeman	Mantz	Roae	Yudichak
Gabig	Markosek	Roebuck	
Galloway	Marshall	Ross	O'Brien, D.,
Geist	Marsico	Rubley	Speaker
George			

NAYS—20

Baker	Creighton	Hickernell	Petri
Bear	Cutler	Hutchinson	Rock
Boyd	Denlinger	Kauffman	Rohrer
Clymer	Fleck	Milne	Stern
Cox	Hershey	Murt	True

NOT VOTING—0

EXCUSED—4

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

On the question,

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

* * *

The House proceeded to second consideration of **HB 731, PN 859**, entitled:

An Act amending the act of August 10, 1951 (P.L.1189, No.265), entitled, as amended, "An act regulating the appointment, promotion, suspension, reduction, removal and reinstatement of employes (except superintendents, assistant superintendents, inspectors, chief clerks and school guards) in bureaus of police in cities of the second class; and defining the powers and duties of civil service commissions in such cities for such purposes," further providing for qualifications for appointment in the competitive class of the civil service.

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 810, PN 928**, entitled:

An Act requiring landlords to grant medical access; providing for termination of residential leases for terminal or mental illness; and making an inconsistent repeal.

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

Mr. **HESS** offered the following amendment No. **A00987**:

Amend Sec. 2, page 1, line 14, by inserting after "a"
licensed

Amend Sec. 2, page 1, by inserting between lines 14 and 15
"Dwelling." A unit for residential use and occupancy and the
structure of which it is a part.

"Landlord." Any of the following:

(1) The owner, lessor or sublessor of residential
premises.

(2) The agent of the owner, lessor or sublessor under
paragraph (1).

(3) Any person authorized by the owner, lessor or
sublessor under paragraph (1) to manage the premises or to
receive rent from a tenant under a rental agreement.

"Person." Natural persons, copartnerships, associations, private
and public corporations, the Commonwealth and any of its political
subdivisions and agencies.

"Tenant." A person entitled under a rental agreement to the use
and occupancy of residential premises to the exclusion of others.

Amend Sec. 4, page 1, line 17, by inserting after "Access"
by authorized persons

Amend Sec. 4, page 1, line 18; page 2, lines 1 and 2, by striking
out all of said lines on said pages and inserting

(a) Provision of access.—A landlord shall provide access to the
tenant's dwelling by a person designated in any of the following
manners:

(1) Under a durable power of attorney.

(2) By an attorney-in-fact.

(3) By the tenant or appointed guardian of the tenant.

(b) Certification.—The designation or appointment under
subsection (a) shall be accompanied by a certification of the tenant's
illness signed by a licensed physician.

Amend Sec. 5, page 2, lines 5 through 8, by striking out all of
said lines and inserting
terminate a residential lease upon 30 days' written notice given by the
tenant, an authorized agent of the tenant under a durable power of
attorney or a court-appointed guardian. The written notice must contain
the physician's certification. The provisions of this subsection may only
be invoked if the tenant did not know or have reason to know about the
illness at the time the tenant entered into the lease.

Amend Sec. 5, page 2, line 9, by inserting after "to"
residential

Amend Sec. 5, page 2, line 11, by striking out "act" and inserting
section

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

The **SPEAKER**. The Chair recognizes Representative Hess
for a brief explanation.

Mr. **HESS**. Thank you, Mr. Speaker.

Mr. Speaker, this is a technical amendment, and it is agreed
to.

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

The following roll call was recorded:

YEAS—199

Adolph	Gabig	Markosek	Rohrer
Argall	Galloway	Marshall	Ross
Baker	Geist	Marsico	Rubley
Barrar	George	McCall	Sabatina
Bastian	Gerber	McGeehan	Sainato
Bear	Gergely	McI. Smith	Santoni
Belfanti	Gibbons	McIlhattan	Saylor
Benninghoff	Gillespie	Melio	Scavello
Bennington	Godshall	Mensch	Schroder
Beyer	Goodman	Micozzie	Seip
Biancucci	Grell	Millard	Shapiro
Bishop	Grucela	Miller	Shimkus
Blackwell	Haluska	Milne	Siptroth
Boback	Hanna	Moul	Smith, K.
Boyd	Harhai	Moyer	Smith, M.
Brennan	Harhart	Mundy	Smith, S.
Brooks	Harkins	Murt	Solobay
Buxton	Harper	Mustio	Sonney
Caltagirone	Harris	Myers	Staback
Cappelli	Helm	Nailor	Stairs
Carroll	Hennessey	Nickol	Steil
Casorio	Hershey	O'Brien, M.	Stern
Causer	Hess	O'Neill	Stevenson
Civera	Hickernell	Oliver	Sturla
Clymer	Hornaman	Pallone	Surra
Cohen	Hutchinson	Parker	Swanger
Conklin	James	Pashinski	Tangretti
Cox	Josephs	Payne	Taylor, J.
Creighton	Kauffman	Payton	Taylor, R.
Cruz	Keller, M.	Peifer	Thomas
Curry	Keller, W.	Perry	True
Cutler	Kenney	Perzel	Turzai
Daley	Kessler	Petrarca	Vereb
Dally	Killion	Petri	Vitali
DeLuca	King	Petrone	Vulakovich
Denlinger	Kirkland	Phillips	Wagner
DePasquale	Kortz	Pickett	Walko
Dermody	Kotik	Preston	Wansacz
DeWeese	Kula	Pyle	Waters
DiGirolamo	Leach	Quigley	Watson
Donatucci	Lentz	Quinn	Wheatley
Eachus	Levdansky	Ramaley	White
Ellis	Longietti	Rapp	Williams
Evans, D.	Mackereth	Raymond	Wojnaroski
Evans, J.	Maher	Readshaw	Yewcic
Everett	Mahoney	Reed	Youngblood
Fabrizio	Major	Reichley	Yudichak
Fairchild	Manderino	Roae	
Fleck	Mann	Rock	O'Brien, D., Speaker
Frankel	Mantz	Roebuck	
Freeman			

NAYS—0

NOT VOTING—0

EXCUSED—4

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

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

RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentleman from Lehigh County, Representative Reichley, who makes a motion to suspend the rules for the purpose of offering amendment A01455.

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

The SPEAKER. The Chair recognizes Representative Reichley on the suspension of the rules.

Mr. REICHLEY. Thank you, Mr. Speaker.

I believe this is an agreed-to amendment that we have worked on with the honorable chairlady on this legislation to amend the definition of "mental illness."

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

The following roll call was recorded:

YEAS—190

Adolph	Gabig	Markosek	Ross
Argall	Geist	Marshall	Rubley
Baker	George	Marsico	Sabatina
Barrar	Gerber	McCall	Sainato
Bastian	Gergely	McGeehan	Santoni
Bear	Gibbons	McIlhattan	Saylor
Belfanti	Gillespie	Melio	Scavello
Bennington	Godshall	Mensch	Schroder
Beyer	Goodman	Micozzie	Seip
Biancucci	Grucela	Millard	Shapiro
Bishop	Haluska	Miller	Shimkus
Blackwell	Hanna	Milne	Siptroth
Boback	Harhai	Moul	Smith, K.
Boyd	Harhart	Moyer	Smith, M.
Brennan	Harkins	Murt	Smith, S.
Brooks	Harper	Mustio	Solobay
Buxton	Harris	Myers	Sonney
Caltagirone	Helm	Nailor	Staback
Cappelli	Hennessey	Nickol	Stairs
Carroll	Hershey	O'Brien, M.	Steil
Casorio	Hess	O'Neill	Stern
Causar	Hickernell	Oliver	Stevenson
Civera	Hornaman	Pallone	Sturla
Clymer	Hutchinson	Parker	Surra
Cohen	James	Pashinski	Tangretti
Conklin	Josephs	Payne	Taylor, J.
Creighton	Kauffman	Payton	Taylor, R.
Cruz	Keller, M.	Peifer	Thomas
Curry	Keller, W.	Perzel	True
Cutler	Kenney	Petrarca	Turzai
Daley	Kessler	Petri	Vereb
Dally	Killion	Petrone	Vitali
DeLuca	King	Phillips	Vulakovich
Denlinger	Kirkland	Pickett	Wagner
Dermody	Kortz	Preston	Walko
DeWeese	Kotik	Pyle	Wansacz
DiGirolamo	Kula	Quigley	Waters
Donatucci	Leach	Quinn	Watson
Eachus	Lentz	Ramaley	Wheatley
Ellis	Levdansky	Rapp	White
Evans, D.	Longietti	Raymond	Williams
Evans, J.	Mackereth	Readshaw	Wojnaroski
Everett	Maher	Reed	Yewcic
Fabrizio	Mahoney	Reichley	Youngblood
Fairchild	Major	Roae	Yudichak
Fleck	Manderino	Rock	

Frankel
Freeman

Mann
Mantz

Roebuck
Rohrer

O'Brien, D.,
Speaker

NAYS—9

Benninghoff
Cox
DePasquale

Galloway
Grell

McI. Smith
Mundy

Perry
Swanger

NOT VOTING—0**EXCUSED—4**

Costa

Gingrich

Metcalfe

Samuelson

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

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

Mr. **REICHLEY** offered the following amendment No. **A01455**:

Amend Sec. 2, page 1, by inserting between lines 14 and 15
"Continuing treatment." Either treatment on two or more occasions or treatment on at least one occasion resulting in a regimen of continuing treatment.

"Mental illness." A condition certified by a licensed psychiatrist that renders a person unable to perform their job duties and unable to adjust to other work due to their mental condition which requires continuing treatment by a health care provider.

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

The SPEAKER. The Chair recognizes Representative Reichley on the amendment.

Mr. REICHLEY. Thank you, Mr. Speaker.

As I briefly referred to before, this amendment seeks to clarify the definition of "mental illness." As many of the members probably understand, Representative Bishop's legislation would create a situation where a person who suffers from a terminal physical illness would be allowed to be relieved of the obligations under a residential lease. This clarifies the condition of a person suffering from a mental illness. The mental illness would be such that it would be a condition certified by a licensed psychiatrist and that a determination is made that the individual is unable to perform their job duties and unable to adjust to work due to the mental condition which requires continuing treatment by a health-care provider, more or less the definition of "disability," "mental health disability."

Thank you.

The SPEAKER. Representative Bishop.

Ms. BISHOP. Thank you, Mr. Speaker.

This is an agreed-to amendment.

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

The following roll call was recorded:

YEAS—199

Adolph	Gabig	Markosek	Rohrer
Argall	Galloway	Marshall	Ross
Baker	Geist	Marsico	Rubley
Barrar	George	McCall	Sabatina
Bastian	Gerber	McGeehan	Sainato
Bear	Gergely	McI. Smith	Santoni
Belfanti	Gibbons	McIlhatten	Saylor
Benninghoff	Gillespie	Melio	Scavello
Bennington	Godshall	Mensch	Schroder
Beyer	Goodman	Micozzie	Seip
Biancucci	Grell	Millard	Shapiro
Bishop	Grucela	Miller	Shimkus
Blackwell	Haluska	Milne	Siptroth
Boback	Hanna	Moul	Smith, K.
Boyd	Harhai	Moyer	Smith, M.
Brennan	Harhart	Mundy	Smith, S.
Brooks	Harkins	Murt	Solobay
Buxton	Harper	Mustio	Sonney
Caltagirone	Harris	Myers	Staback
Cappelli	Helm	Nailor	Stairs
Carroll	Hennessey	Nickol	Steil
Casorio	Hershey	O'Brien, M.	Stern
Causar	Hess	O'Neill	Stevenson
Civera	Hickernell	Oliver	Sturla
Clymer	Hornaman	Pallone	Surra
Cohen	Hutchinson	Parker	Swanger
Conklin	James	Pashinski	Tangretti
Cox	Josephs	Payne	Taylor, J.
Creighton	Kauffman	Payton	Taylor, R.
Cruz	Keller, M.	Peifer	Thomas
Curry	Keller, W.	Perry	True
Cutler	Kenney	Perzel	Turzai
Daley	Kessler	Petrarca	Vereb
Dally	Killion	Petri	Vitali
DeLuca	King	Petrone	Vulakovich
Denlinger	Kirkland	Phillips	Wagner
DePasquale	Kortz	Pickett	Walko
Dermody	Kotik	Preston	Wansacz
DeWeese	Kula	Pyle	Waters
DiGirolamo	Leach	Quigley	Watson
Donatucci	Lentz	Quinn	Wheatley
Eachus	Levdansky	Ramaley	White
Ellis	Longietti	Rapp	Williams
Evans, D.	Mackereth	Raymond	Wojnaroski
Evans, J.	Maher	Readshaw	Yewcic
Everett	Mahoney	Reed	Youngblood
Fabrizio	Major	Reichley	Yudichak
Fairchild	Manderino	Roae	
Fleck	Mann	Rock	O'Brien, D.,
Frankel	Mantz	Roebuck	Speaker
Freeman			

NAYS—0

NOT VOTING—0

EXCUSED—4

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

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

The SPEAKER. The Chair is informed there are no other amendments being offered to this bill.

Any members seek recognition?

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

GUEST INTRODUCED

The SPEAKER. Today we have Havilah Mohler, the guest page of Representative Mark Keller. Would you please join the Chair in welcoming her to the floor of the House.

SUPPLEMENTAL CALENDAR A CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1109, PN 1338**, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing, in fishing licenses, for nonresident and tourist licenses, for one-day resident fishing licenses, for issuing agents and for license, permit and issuing agent fees.

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

The SPEAKER. The Chair will go over this bill temporarily.

BILL PASSED OVER

The SPEAKER. The Chair rescinds its announcement. This bill will be over for today.

* * *

The House proceeded to second consideration of **HB 1116, PN 1843**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, providing for vouchers for licenses.

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

* * *

The House proceeded to second consideration of **HB 1120, PN 1371**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining "licensing board" and "professional or occupational license"; and defining the offense of impersonating the holder of a professional or occupational license.

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

* * *

BILL PASSED OVER

The SPEAKER. HB 1192 is over for today.

* * *

The House proceeded to second consideration of **HB 1196, PN 1499**, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey certain lands situate in the City of Connellsville, Fayette County, to the City of Connellsville.

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

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1367, PN 1632**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for medical assistance payments for institutional care, for definitions, for authorization, for amount, for repayment, for regulations and for time periods; and providing for the Senior Care and Services Study Commission.

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

The SPEAKER. The Chair recognizes Representative Turzai. Mr. TURZAI. Thank you very much, Mr. Speaker.

The amendments that were filed by myself and by Representative Mauree Gingrich have been withdrawn. We have a commitment from the majority leader to run a public welfare bill, HB 430, next week through committee, and our amendments will be placed on HB 430. We understand that that bill and the opportunity to do amendments will be taken not only through second consideration but through final consideration on the floor.

Thank you very, very much.

MOTION TO SUSPEND RULES

The SPEAKER. Representative Boyd.
Mr. BOYD. Thank you, Mr. Speaker.

I would like to make a motion to suspend the rules for the House to consider amendment A1384.

The SPEAKER. The gentleman, Representative Boyd, makes a motion to suspend the rules for the immediate consideration of amendment 1384.

Mr. BOYD. Thank you, Mr. Speaker.

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

The SPEAKER. The Chair recognizes the gentleman on the motion.

Mr. BOYD. Mr. Speaker, this is a very simple amendment. It appears that what HB 1367 does is extends the nursing home bed assessment for MA (medical assistance) beds, and there appears, in my opinion, that when this was drafted, that there was an oversight, because this nursing home assessment actually is placed on beds that are both MA recipients and non-MA recipients. What my amendment would do is very simply exclude non-MA beds from being assessed this fee because non-MA recipients do not get any money back. In my opinion, it is a matter of fairness. Those facilities that do not have any MA beds should not end up having to pick up the tab to fund those with MA beds.

So I am asking the members to support the motion to suspend the rules. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

I have a great deal of respect for the gentleman, Mr. Boyd. He and I discussed his amendment yesterday. This amendment is not agreed to. I would ask the members of the General Assembly to oppose this motion to suspend.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—100

Adolph	Gabig	Micozzie	Rock
Argall	Geist	Millard	Rohrer
Baker	Gillespie	Miller	Ross
Barrar	Godshall	Milne	Rublely
Bastian	Grell	Moul	Saylor
Bear	Harhart	Moyer	Scavello
Benninghoff	Harper	Murt	Schroder
Beyer	Harris	Mustio	Smith, S.
Boback	Helm	Nailor	Sonney
Boyd	Hennessey	Nickol	Stairs
Brooks	Hershey	O'Neill	Steil
Cappelli	Hess	Payne	Stern
Causar	Hickernell	Peifer	Stevenson
Civera	Hutchinson	Perzel	Swanger
Clymer	Kauffman	Petri	Taylor, J.
Cox	Keller, M.	Phillips	True
Creighton	Kenney	Pickett	Turzai
Cutler	Killion	Pyle	Vereb
Dally	Mackereth	Quigley	Vitali
Denlinger	Maher	Quinn	Vulakovich
DiGirolamo	Major	Rapp	Watson
Ellis	Mantz	Raymond	Yewcic
Evans, J.	Marshall	Reed	
Everett	Marsico	Reichley	O'Brien, D.,
Fairchild	McIlhattan	Roae	Speaker
Fleck	Mensch		

NAYS—99

Belfanti	Galloway	Mahoney	Santoni
Bennington	George	Manderino	Seip
Biancucci	Gerber	Mann	Shapiro
Bishop	Gergely	Markosek	Shimkus

Blackwell	Gibbons	McCall	Siptroth
Brennan	Goodman	McGeehan	Smith, K.
Buxton	Grucela	McI. Smith	Smith, M.
Caltagirone	Haluska	Melio	Solobay
Carroll	Hanna	Mundy	Staback
Casorio	Harhai	Myers	Sturla
Cohen	Harkins	O'Brien, M.	Surra
Conklin	Hornaman	Oliver	Tangretti
Cruz	James	Pallone	Taylor, R.
Curry	Josephs	Parker	Thomas
Daley	Keller, W.	Pashinski	Wagner
DeLuca	Kessler	Payton	Walko
DePasquale	King	Perry	Wansacz
Dermody	Kirkland	Petrarca	Waters
DeWeese	Kortz	Petrone	Wheatley
Donatucci	Kotik	Preston	White
Eachus	Kula	Ramaley	Williams
Evans, D.	Leach	Readshaw	Wojnaroski
Fabrizio	Lentz	Roebuck	Youngblood
Frankel	Levdansky	Sabatina	Yudichak
Freeman	Longietti	Sainato	

NOT VOTING—0

EXCUSED—4

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

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

The SPEAKER. The Chair is informed there are no other amendments pending to the bill.

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

The SPEAKER. The House will be at ease momentarily.

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

HB 432, PN 500

By Rep. JOSEPHS

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey to the Borough of Mansfield certain lands situate in the Borough of Mansfield, Tioga County.

STATE GOVERNMENT.

HB 885, PN 1039

By Rep. MARKOSEK

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, providing for the implementation and coordination of advanced multimodal traveler information through 511 service and other means and for powers and duties of the Department of Transportation.

TRANSPORTATION.

HB 1291, PN 1596

By Rep. MARKOSEK

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, further providing for metropolitan transportation authority powers relating to alternative means of raising revenue or reducing expenses.

TRANSPORTATION.

SENATE MESSAGE**RECESS RESOLUTION
FOR CONCURRENCE**

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

In the Senate,
June 11, 2007

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, June 18, 2007, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, June 18, 2007, unless sooner recalled by the Speaker of the House of Representatives.

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

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

RESOLUTIONMr. DeWEESE called up **HR 297, PN 1663**, entitled:

A Resolution opposing the designation of national interest electric transmission corridors and memorializing the Congress of the United States to repeal or modify certain provisions of the Energy Policy Act of 2005.

On the question,
Will the House adopt the resolution?

The SPEAKER. On the question, the Chair recognizes Representative Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

Mr. Speaker, could I have a little bit of order, please; just a little bit.

The SPEAKER. The gentleman requests that all conversations cease on the floor.

The Chair will remind the members that if they have a conversation that is urgent, to please take it to one of the anterooms off the floor. The Sergeants at Arms will clear the aisles. The members will take their seats.

Representative Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

Mr. Speaker, I just want to go into a little bit of history and possible consequences of this type of legislation. This resolution came out of the Consumer Affairs Committee just recently, and it is my understanding – and I cannot say that I understand the issue fully, which I do not – but it is my understanding from the industry and speaking to the PJM (Pennsylvania-Jersey-Maryland Interconnection) people, PJM people, that additional lines, that is electrical lines, will be needed because of substantial electric congestion in the Middle Atlantic area of PJM. The congestion is due to ever-increasing demands for electricity, and the demand is expected to increase over the next 10 years. This congestion can lead to supply shortages and blackouts, not to mention increases in customers' bills. The infrastructure that carries electricity simply has not kept pace with the increase in the demand for electricity.

Prior to deregulating the electric industry some 10 years ago, the industry was strictly a matter to be handled by the State and the PUC (Public Utility Commission). Electricity generated and transmitted in Pennsylvania stayed in Pennsylvania, and electricity was not coming in from anywhere else. Deregulation changed all that. The movement of electricity and the reliability of service is managed and controlled by the PJM Interconnection. The electric grid controlled by PJM now incorporates 13 States, including Pennsylvania. We now get electricity from outside and inside Pennsylvania, and we can export electricity outside of Pennsylvania. This means that the jurisdiction over electricity and transmission lines must be shared among States and the Federal government. That is a matter that the General Assembly must take a closer look at prior to voting on legislation, and that is why I voted "no" in committee. We simply need a little more time to analyze the issue, and we also need more information.

I looked back at where this PJM came from, because when we were in committee, I was not sure exactly what PJM meant. In 1999 the Federal government, via the Federal Energy Regulatory Commission, urged all transmission owners to voluntarily join regional transmission organizations, which is what PJM is. In 2002 the Federal Energy Regulatory Commission required jurisdictional utilities to participate in the PJM. This shows the inherent Federal interplay and involvement on this issue. Federal involvement is not a new development here. While the PUC lost its power of placement authority in 2005, it did so only with respect to transmission lines in national corridors, or areas of high electric congestion. The PUC still maintains 100 percent power when the proposed transmission line is not in a national corridor.

I contacted my own electric company to ask them just exactly where they were on this issue, and I got this following statement back: "In June 2006, the PJM board approved a five-year plan designed to maintain the reliability of the transmission grid in the PJM region, including the Allegheny Power transmission zone. The plan includes construction of a new 500-kV transmission line,...," basically in southwestern Pennsylvania. "The remainder of the project," as I said, "is necessary to meet the growing demand for electricity in the Mid-Atlantic region that may cause overloading on Allegheny Power's transmission line. If these potential problems are not addressed, it could result in blackouts, rolling blackouts and brownouts for customers in Allegheny Power's transmission zone as early as 2011." Two thousand eleven is 5 years down the road.

Additionally, they said, "New generation will be needed to meet growth in demand and the anticipated retirements of old generation." We are going to have plants that will be going out of line basically because they cannot meet the antipollution devices which are now required to be put in place, and that is going to be, again, less electricity and not more. "Although difficult to project with complete accuracy, new capacity will be needed in the PJM region that includes Pennsylvania in the" year "2013 to 2014 time frame. In addition, upgrades to the regional transmission network that include projects like the TrAIL proposal will provide increased reliability for the region. This transmission line will strengthen the overall integrity of the system and will allow for additional west to east transfer of power that will benefit all of PJM. This line will also assist in providing greater access to markets for the output of new coal and wind generation. There are also some local Pennsylvania reliability benefits. We need to think of the transmission grid like the interstate highway system." And I think that is very important. This only deals with interstate transmission lines. The interstate highway also is regulated. We cannot have Route 80, say, stopping at the Ohio border at one location and then Route 80 coming across Ohio and coming into another location. It has got to have some Federal involvement. "Power can flow across the grid and reinforcements to the grid increase the size and number of paths that power can flow over to ensure that the lights stay. PJM reviews and approves these kinds of projects with overall grid reliability as the most important consideration."

I would like to point one other thing out: As I said in here, that new generation is going to be needed in 7 to 8 years at a maximum, and possibly we are looking at blackouts as early as 2011. I went to PECO, my company back home, and I asked them, about how long does it take to put a generating facility online? The answer was, the last two that they put online, one came on in 1986, that took 12 years, and the last one they put on came on in 1990 and that took 16 years to complete. So that is what we are looking at as far as timeline for new generation, and we are looking at a shortage.

But my whole point here is that I really wish we would have time to have a hearing on this issue before we vote on it.

Thank you, Mr. Speaker.

The SPEAKER. Representative George.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, I urge support for HR 297. It is our responsibility and our duty.

The Pennsylvania Constitution spells out that we in the General Assembly are the trustees of Pennsylvania's public natural resources, which are the common property of all the citizens of this great Commonwealth. Yet this plan to have the Federal government designate 50 of our 67 counties as part of a national electric corridor is a noose strangling any pretensions to self-government and self-determination by us as a body politic and collectively as a Commonwealth.

We are not serving any Commonwealth citizen, any of our constituents, should we let this power grab by the Federal government go unchallenged. It is dangerous to enable Big Brother in Washington, DC, to hold such sway over any State, not just Pennsylvania. It would be derelict of each and every one of us not to try to pull the plug on this gambit.

If any of you have any concerns about property rights, the powers and the scope of government, responsibilities of the legislature, you will support HR 297 and oppose this bid by the

Federal government. This is an eminent domain issue. The Federal proposal asks us to surrender as a Commonwealth and as a legislature.

I urge and command a "yes" vote on the resolution by House Leader DeWeese. To do otherwise, to do otherwise is a surrender of our duties and responsibilities to ourselves and to the people of Pennsylvania.

Thank you.

The SPEAKER. Representative Yewcic.

Mr. YEWIC. Thank you, Mr. Speaker.

I think that this resolution is a timely resolution that we need to pass, because from personal experience when I was first elected, there was a power line that was proposed to go through Ohio and across Pennsylvania and went right through the heart of my district, and I could tell you from firsthand experience that people were absolutely irate that someone would force this upon them because it became an eminent domain issue.

Do we in Pennsylvania, with this resolution, not want to stop the Federal government or give them eminent domain powers over the State? I do not believe we should do that.

You know, it was said that we need more information. Well, the problem is we do not have time. You know, the comment period is ending in July, beginning of July, and we need to get this resolution out there in order to facilitate ongoing discussions in Congress to take a look at this law.

Hopefully, I would like to repeal this section, because I believe, as the previous speaker said, the State of Pennsylvania and the people of Pennsylvania should retain control of their own destiny. We already have mechanisms in place to deal with these issues. That is what happened in previous years in my district. When the people objected to the power line, the system worked. It went elsewhere in a different direction. That could happen here, but the PUC is in place to help protect people in Pennsylvania, help people in our district, and be sure this is just the first power line. There are at least a handful of others who can go through central Pennsylvania, southeast Pennsylvania, and in the northeast corner of Pennsylvania. It is not going to stop here.

This is a timely resolution to let our voice be heard that Pennsylvanians control its own destiny and that we do not want to give the Federal government more eminent domain powers than what they have already.

Mr. Speaker, can we have a little bit of order?

The SPEAKER. The Chair will remind the members once again that if you have a conversation, please take it off the floor in one of the anterooms. Members will clear the aisles. All conferences and conversations will cease.

The gentleman is in order, and he may proceed.

Mr. YEWIC. Mr. Speaker, what happened in my district was very emotional, and it got to a point where people were accusing the power companies of strong-arming. To give you an example, one elderly gentleman stood up at a church, where there was a public meeting in a church, and told the representative from the power company that one of two things are going to happen. Either you are going to come on my property and take my property or I am either going to pull out a gun or you are going to pull out a gun and we are going to shoot each other. That is how these emotions tend to range in a lot of rural areas in Pennsylvania.

We should do everything we can to protect people's properties. You know, it was not long ago we had the Kelo case up in Connecticut, and we could not wait in this chamber to get

up and take credit and take control of doing something to protect people's private property. We needed to pass a law based on the Kelo to protect people from eminent domain so people or companies did not take someone's house to build a shopping mall or some business or a gym. This is the same type of issue. Now we have the power companies who want to come in and went to the Federal government and they want legislation. They have legislation to use eminent domain to take our property. You know, it was not that long ago I remember in committee when the same power companies wanted to bypass the PUC and automatically have rate increases. Well, that was stopped. Now they want Federal eminent domain to put these power lines in. Well, it is all about money.

I think we ought to stand up, vote this resolution to try and protect property owners in Pennsylvania, and not cave in to big industry. This is a private property issue that we need to support our private property owners. It gets very emotional, and if it happens in Washington and Greene Counties, it is going to happen in a lot of other counties across Pennsylvania. We have mechanisms in place in Pennsylvania to stop it or at least govern over this and let our voices be heard. Let us not give our voices to the Federal government. Let us keep that power intact in this House, in the Senate, and with the PUC.

Thank you, Mr. Speaker.

The SPEAKER. Representative Preston.

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

This is more than just an issue of dealing with the southwest Pennsylvania area of Fayette and Greene Counties. This is a resolution and the concept that will probably affect about 80 percent of the residents of the Commonwealth of Pennsylvania somewhere in the next near future. It does involve adequate planning, but it also means something about respect for the citizens of the Commonwealth of Pennsylvania, and as you have heard the two previous speakers in dealing with certain issues, whether it is eminent domain— Mr. Speaker, could I— Mr. Speaker, could I— I cannot hear.

The SPEAKER. Once again the Chair will ask members to hold their conversations to a minimum. The gentleman is entitled to be heard. The Sergeants at Arms will clear the aisles. Members will take their seats.

Mr. PRESTON. Thank you, Mr. Speaker.

This is an issue, again, that affects so much of this State and is coming in the future, and maybe there are a lot of members here who do not feel that this affects them. One way or another it is going to affect you in the future, whether your area grows or does not grow. It is going to affect you as far as the development of the land; it is going to affect people's houses and their choices. This is more than just a constitutional right. This is more than— And you just heard the gentleman talk about Big Brother is going to take some different things away from you. This has to do with as we plan our infrastructure and are we going to let the Federal government dictate to us in the Commonwealth of Pennsylvania what rights we have or not.

There are certain stipulations that have been coming out of the Federal government that basically say, if someone applies for a rate increase or for a permit for it to be able to go through respective pieces of land, that in drawing up this plan, that if it does not pass with the PUC within a certain amount of time, then you lose all rights; that the Federal government can come into your backyard in your legislative district and say, this is where it is going to go, and you are not going to have any

say-so over it at all. I do not think that we in Pennsylvania need to have that happen.

If you are in the southeast and going up to the northeast, there is basically almost no way possible that if someone makes the appropriate application to the Public Utility Commission, that that Public Utility Commission is going to be able to act on that submission within a year, and if they do not act on that submission within a year, again, the Federal government will basically be able to say, well, the PUC did not act in a timely basis. And if you have ever seen these applications, sometimes it is almost like you are bringing a whole dolly 4 or 5 feet high, 6 feet long, with thousands upon thousands of pieces of information, and you are going to lose that right, and you within the legislature, you within the Congress, you within the Senate are not going to have any say-so let alone the people that you have been elected to represent. That is why this is more than just what is happening in Greene County. This is almost like a snowball rolling down a hill. It is going to get bigger if we let them get away with it.

If you care about where you live and in your backyard, you will stand up and speak and support HR 297. It is the right thing to do. The time is not going to go away, and we have to be able to respect our State, our residents, and the people who sent us here.

This is a very tough situation when we talk about brownouts and blackouts, but we still do have the time to be able to make the submission. We have the time to make the Federal government stand up and be able to listen to those residents that are being affected now and to be able to hear from the residents in the future. We need to speak loud and we need to speak clear, and we need to be able to speak unanimously on this issue, because if not, when the time comes when it happens in your backyard, you are going to be wondering what is going to go on, whether you have a farm, whether you have a house, whether you have a barn, whether you have a small business, 200-foot-wide corridors of high-output lines.

You heard the gentleman speak earlier from Cambria County, and it was an issue. It was an issue that an awful lot of utility companies were not even speaking to the people in those districts. They were speaking to everybody else. That may not be the case here, right now, but it will happen to you in the near future. This is something we need to be able to wake up to. This is an issue about the States rights and to be able to protect the citizens we are elected to, and I am hoping that we are going to support HR 297.

Thank you very much, Mr. Speaker.

The SPEAKER. Representative Ross.

Mr. ROSS. Thank you, Mr. Speaker.

I will be brief.

There are some misconceptions on this piece of legislation that I would like to try and correct. First of all, this piece of legislation does not— The underlying Federal law is not designed to resolve problems internally within Pennsylvania. It is not designed to deal with problems that we may have with our grid. PJM was mentioned earlier, and PJM in fact is actively working on that problem, and I have every reason to believe that we are going to have a combination of measures that are going to be brought forward, probably some transmission lines internally here within Pennsylvania and within the PJM district, that are going to deal with the problems that we have here.

This Federal legislation was not designed to deal with that problem and it does not deal with that problem. This legislation

is designed, rather, to deal with interstate problems, and from talking to the people at the Federal Energy Regulatory Commission and also the Department of Energy in Washington, the problem that they have identified that this particular corridor is meant to address is a problem originating in southern New York State, and that problem has arisen because, unlike PJM, in New York State they have failed to look forward and address congestion problems. They have failed to deal with the needs of power in southern New York State. They have not addressed that problem. I think the Federal government ought to be holding their feet to the fire to develop solutions locally in southern New York State first. Right now there is no incentive under the Federal legislation for them to deal with their problems. They can simply do nothing, continue to fail to plan, and at an appropriate time they can run power lines from West Virginia and Connecticut across Pennsylvania and have themselves bailed out. I think that is wrong. I think that is bad planning on the Federal level. It does not solve any problems or help us in any way. There have been discussions about needs for generation here in Pennsylvania. This is a transmission corridor. It says nothing about new electric generation plants. There are no provisions for new electric generation plants in the Federal legislation, and this resolution is silent on that issue as well. So that is actually a totally unrelated issue.

So I think that we ought to ask our Federal delegation to go back and revisit this law, as the resolution suggests, and focus some pressure properly on those areas that are failing to plan adequately and ask them to address their own problems first before we look at running high-tension wires across our neighbors' backyards.

The SPEAKER. Representative Daley.

Mr. DALEY. HR 297 should be passed not as Democrats or Republicans but as Pennsylvanians.

The United States Constitution, the 10th Amendment, says that those powers that are not given to the United States government, they are reserved to the States and to its people. This issue today we are dealing with is powers that should be reserved to the State of Pennsylvania. We are not in Washington, DC.

You know, one thing I really admire about the Republican Party nationally and even in here and the Democrats, too, is that you are opposed to big government, and this is big government absolutely at its worst, where it is going to come into Pennsylvania, into Fayette County, into Greene County, into my county in Washington County, and it is going to tell us what is best for us because of New York, Virginia, and the New England States. Well, I think we need to send a message overwhelmingly to Washington, DC, saying, guess what? The 10th Amendment starts here in Pennsylvania. We are not, none of us— Fifty counties are going to be affected. Not just Greene and Washington Counties, but all of us want to stand up and say, back off; get out of our State. Do what is best for Pennsylvania and leave that up to us, because I love New York, but I do not want to love New York at the expense of Pennsylvanians, and I love Virginia, but I do not love Virginia at the expense of Pennsylvanians.

Mr. Speaker, Representative DeWeese has led the charge in southwestern Pennsylvania. We have thousands of signatures of people that are going to be directly affected in my district, Representative Solobay's district, Representative DeWeese's district. We know we are the beginning. It is like we talked

about the gun law and the handgun law. This is a slippery slope. If you touch it at the beginning, it is a slippery slope, and that is what the Feds are trying to do.

The national electric transmission corridor act does not concern Pennsylvania. It concerns other States but you. This is big government at its worst. This is big government telling you what to do, what is best for Pennsylvania. There is no one in this legislature— After 25 years of my being here, I chaired the coal caucus; I am on the PEDAB, the Pennsylvania Energy Development Authority Board. I fought for coal and oil and gas and wind and solar and biofuels. This does not have to do with energy. It has to do with the government telling us what is best for Pennsylvania. It affects 2 counties now; it affects 50 counties in the very near future. Please tell Washington, DC, keep it out of Pennsylvania; go back and revisit the national energy transmission corridor.

Vote "yes" if you are opposed to big government; vote "no" if you want more big government in our lives in Pennsylvania. Thank you.

The SPEAKER. Representative Mundy.

Ms. MUNDY. Thank you, Mr. Speaker.

I will be brief.

I commend Representative DeWeese for taking a lead on this issue and for introducing this resolution.

There should be one thing that is absolutely sacrosanct, and that is the siting of these lines. Whether we need additional transmission lines, that, to me, is not even the issue. If we do need additional transmission lines, if we do need cheaper power in the east from the west and Pennsylvania needs to take part in this process, I do not even necessarily disagree with that, but it is absolutely wrong to bypass the PUC, bypass the public input process that is in place with the PUC in order to site these lines in your neighborhood or my neighborhood. That is absolutely wrong, and it should not be allowed to happen.

We need to send a strong message to our congressional delegation that do not bypass the PUC with the siting of these lines. Make sure that local residents have input into where they are put and whose property you take and how much damage you cause to our natural resources.

Please support HR 297 and tell Washington the things that you should be doing, you are not doing, and the things you should not be doing, you are doing. Let us get with the program.

The SPEAKER. Representative Stairs.

Mr. STAIRS. Thank you, Mr. Speaker.

In listening to the conversation and the discussion on this matter, I certainly concur with some of my colleagues. This is not just a Washington and Greene County issue. This is an issue that affects all in the Commonwealth.

I certainly concur with the remarks with regard to big government. I think that is a very correct statement. Many Republicans and Democrats are opposed to the reach of big government into our lives, particularly property and eminent domain. So I certainly can concur that I agree with that.

My only concern is I believe we need a hearing on this issue, and I suspect that once we have a hearing, get everything out on the table and discuss it so we all understand what is going on and how it affects all of us, not just a couple of us, that I may and probably will be a strong supporter of this resolution, but I do think we have maybe tried to high-speed or fast-forward this process, and we are not getting the complete message and not having all the facts on the table.

I am reminded in the last session – in fact, last year I was serving on the Transportation Committee, and we gave up our sovereignty to some extent on auto emissions, just as we lament here about giving up our sovereignty to the Federal government in having them push us around and dictate to us on this issue, on these California emissions. We gave another State a priority over Pennsylvania in deciding automobile emissions, and I think that is wrong, not that I am opposed to the California emissions or am in favor of those, but I think we should control our own destiny, as was stated here on this thing with the Federal government. So there are a lot of unknowns, and I would hope that we can clarify those.

MOTION TO RECOMMIT

Mr. STAIRS. So I would, with your permission, Mr. Speaker, like to make a motion that we refer this back to the Consumer Affairs Committee, have hearings, get this out on the table, and discuss it thoroughly, and certainly with that discussion, it is quite possible that we all could support it, but I would like to have that discussion first, so I would like to make that a motion, Mr. Speaker.

The SPEAKER. Representative Stairs makes a motion that the resolution be referred to the House Consumer Affairs Committee.

On the question,

Will the House agree to the motion?

The SPEAKER. On the motion, the Chair recognizes Representative Preston.

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

As the chairman of the Consumer Affairs Committee and to my good friend who has made this motion, I would like to be able to say that we reject his request at this time.

I, as chairman of the committee, am committed and have been in the process of arranging with Mr. DeWeese's office and also along with Mr. Solobay's, arranging that this summer we will have hearings on this issue, but we also have heard that there is a timeline as far as being able to have this resolution to be submitted for an official recognition as far as we as a body politic are concerned.

Clearly I will agree with the gentleman that there is an awful lot of information that needs to be learned in this, but also at the same time, this issue about the eminent domain and the States rights has to be recodified, and unfortunately, I must ask the members to be able to vote "no" so that we can vote on this resolution, so that we can send it and have it officially recorded in the body of dealing with the Federal government.

Thank you.

The SPEAKER. On the recommittal motion, the Chair recognizes the majority leader, Representative DeWeese.

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

I would politely argue against the honorable gentleman from Westmoreland for the specific reason that tomorrow, or at least in the language of the bureaucracy, as early as tomorrow, the United States Congress may vote to strip funding from FERC, the Federal Energy Regulatory Commission, and limit its ability to conduct this effort. They may do that as section 1221 is being debated in the United States Congress.

Now, my honorable friend from right over the Allegheny Mountain Range certainly is aware, as a studious participant in this process, that this issue has been pertinent since late 2006. It has been percolating aggressively in the rural townships of Greene, Fayette, and Washington in the ensuing months after the new year.

We have, my staff and I, prepared and delivered testimony before the United States Congress. The honorable chairman, Mr. Preston, will hold hearings on this issue in general this summer. But for this resolution we are asking that it go today, after many, many weeks, on behalf of many of us, so that the United States Congress will get the impression, the strong and unalloyed impression, that the Pennsylvania General Assembly is not in favor of section 1221.

I will save my more aggressive and enthusiastic observations for final vote, but nevertheless, we are going to have hearings. So the honorable gentleman is going to get his hearings, but on this particular resolution, it is pretty much, in my view, a States rights resolution, it is a smaller government resolution, it is a Federal mandate resolution, and I have heard the cacophony of chorus calls from the other side again and again and again over the past many years about Federal mandates. This is your chance, Mr. Speaker, to vote against a Federal mandate. Let us vote against this motion to recommit.

Thank you.

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

The following roll call was recorded:

YEAS—47

Argall	Everett	Maier	Reed
Bastian	Geist	Major	Reichley
Boyd	Godshall	McIlhattan	Rock
Cappelli	Harhart	Mensch	Smith, S.
Causar	Harper	Micozzie	Sonney
Civera	Harris	Millard	Stairs
Clymer	Hershey	Moyer	Steil
Creighton	Hickernell	Perry	Stevenson
Cutler	Hutchinson	Perzel	Turzai
Dally	Kauffman	Pyle	Vereb
Ellis	Keller, M.	Quigley	Vulakovich
Evans, J.	Mackereth	Rapp	

NAYS—152

Adolph	Galloway	McCall	Sainato
Baker	George	McGeahan	Santoni
Barrar	Gerber	McI. Smith	Saylor
Bear	Gergely	Melio	Scavella
Belfanti	Gibbons	Miller	Schroder
Benninghoff	Gillespie	Milne	Seip
Bennington	Goodman	Moul	Shapiro
Beyer	Grell	Mundy	Shimkus
Biancucci	Grucela	Murt	Siptroth
Bishop	Haluska	Mustio	Smith, K.
Blackwell	Hanna	Myers	Smith, M.
Boback	Harhai	Nailor	Solobay
Brennan	Harkins	Nickol	Staback
Brooks	Helm	O'Brien, M.	Stern
Buxton	Hennessey	O'Neill	Sturla
Caltagirone	Hess	Oliver	Surra
Carroll	Hornaman	Pallone	Swanger
Casorio	James	Parker	Tangretti
Cohen	Josephs	Pashinski	Taylor, J.
Conklin	Keller, W.	Payne	Taylor, R.

Cox	Kenney	Payton	Thomas
Cruz	Kessler	Peifer	True
Curry	Killion	Petrarca	Vitali
Daley	King	Petri	Wagner
DeLuca	Kirkland	Petrone	Walko
Denlinger	Kortz	Phillips	Wansacz
DePasquale	Kotik	Pickett	Waters
Dermody	Kula	Preston	Watson
DeWeese	Leach	Quinn	Wheatley
DiGirolamo	Lentz	Ramaley	White
Donatucci	Levdansky	Raymond	Williams
Eachus	Longietti	Readshaw	Wojnaroski
Evans, D.	Mahoney	Roae	Yewcic
Fabrizio	Manderino	Roebuck	Youngblood
Fairchild	Mann	Rohrer	Yudichak
Fleck	Mantz	Ross	
Frankel	Markosek	Rubley	O'Brien, D., Speaker
Freeman	Marshall	Sabatina	
Gabig	Marsico		

NOT VOTING—0

EXCUSED—4

Costa	Gingrich	Metcalfe	Samuelson
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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.

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

GUESTS INTRODUCED

The SPEAKER. The Chair would like to recognize, as the guests of the majority leader, Representative DeWeese, we have the Greene County Commissioners. Pam Snyder and Dave Coder are seated to the left of the Speaker. Would you please rise, on the podium.

Also as the guests of the majority leader, we have Robbie Matesic – would you please rise – Rick Layton, Brenna Chipoletti, Richard Yanock, Tony Corso, and Tracy Corso. Welcome to the House of Representatives.

CONSIDERATION OF HR 297 CONTINUED

The SPEAKER. The Chair recognizes the majority leader, Representative DeWeese.

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

The gentleman, Mr. Maher, my colleague from the South Hills of Allegheny County, is seeking recognition. I would yield to the gentleman.

The SPEAKER. The Chair recognizes Representative Maher on the resolution.

Mr. MAHER. Thank you, Mr. Speaker.

I thought you had me on the queue, and I would not want to deprive the majority leader the opportunity of speaking with the final word. So I thank him for acknowledging my interest in addressing this.

There is no doubt that Pennsylvania will need more power lines. There is no doubt that the grid will need to be enhanced. In the old days power stayed within a short radius. In this era Pennsylvania has an opportunity to have electricity as an export

industry, where king coal is able to sell electricity to other States. To accomplish that, we will need a better grid.

I often find that my good friend from Greene County, the majority leader, and I examine the same set of facts and the same sets of principles and reach entirely different conclusions. This, however, is not one of those times.

I would agree that if Uncle Sam wants to identify a corridor in Pennsylvania in the interest of interstate commerce, it would be within its rights, but 50 out of 67 counties, Mr. Speaker, is not a corridor; it is the whole house. It would be much the same as if in your front yard you had a right of way for the power company to run its pole and its power line over the first few feet of your front yard, and instead of taking the first few feet of your front yard, they say, we will leave you a couple feet in the backyard and the rest is ours. That is not establishing a corridor. That is taking the whole, the whole property for 50 counties.

For that reason I agree with my good friend from Greene County, and while I would have phrased this resolution a bit differently, I would encourage you to join me in voting for it and chastising the Democratically controlled Congress and asking that Congress to stop pandering to Hillary Clinton's New York State, and I really do applaud the gentleman from Greene County and ask for your support.

The SPEAKER. The Chair recognizes Representative Solobay.

Mr. SOLOBAY. Thank you, Mr. Speaker.

I am not sure if I will be quite as colorful as the last speaker in the comments that he possessed, but one thing I have learned here is how to count the board, and a few minutes ago I think was a true tale of how this resolution is probably going to end up. I will not be redundant on comments that have been made through the course of the last half-hour or 45 minutes or so, but one simple fact is, you know, today we are talking about it being Washington and Greene Counties. Yesterday it was Representative Yewcic's area. Tomorrow, as you heard the last speaker say, it could be 50 of the 67 counties we have in Pennsylvania.

So please support this resolution wholeheartedly. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes, for the second time, Representative Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

I also am going to be brief, but I would like to correct a few of the things that were said earlier here.

First of all, this Federal property-taking which we are all of a sudden, you know, opposed to, there is no Federal property-taking in this effort. You know, this Federal deal came through in 1999. If we are worried about the Federal government, we should have been worried about it in 1999, not in the year 2007, 8 years after that.

The Federal government issued all transmission owners to voluntarily join regional transmission organizations, RTOs, which we have, the PJM, in 1999, and then they came forward and said, for those that did not join, they had to join, and that was done in the year 2002; not 2007, but 2002. The only jurisdiction that was taken away from the PUC, not today, not yesterday, and not tomorrow, was taken away at that time basically dealing with interstate transmission lines, interstate transmission lines in highly congested areas. That is what the PJM has authority to work on and only that. Other than that, everything is totally in the hands of the PUC like it always was.

I just would like to say in conclusion, you know, in talking with the industry— And as far as the regional transmission organizations, all of a sudden I understand now we are bailing out New York. I have no idea where this came from, because New York is not in our regional transmission organization. They have their own. Our regional transmission organization is 13 States; it is a unit. We share electric in that unit. We share our electric in that unit. We do not share in New York's. You know, New York is their own organization.

And in conclusion, I just want to say that when the industry says that we can, if we do not do something, you know, very quickly, that we are going to be looking at rolling blackouts and brownouts as early as 2011 in the PJM region where we are in and that absolutely new generation capacity is needed by the year 2013 and 2014. Whether it comes from West Virginia or whether we have to build new plants in Pennsylvania, it has to come from someplace or we are going to be in real trouble, and that is a matter of record, and I stand by those statements.

Thank you, Mr. Speaker.

The SPEAKER. Representative Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Two things: Number one, as chairman of the House Intergovernmental Affairs Committee, we strongly stand in support of the House Consumer Affairs Committee and its support for HR 297.

And secondly, Mr. Speaker, I just want to kind of set the record straight. I have the utmost respect for Representative Maher and the information that he provided, but I think it is important for the record to at least be clear. Number one, the Energy Act and this whole issue of electric corridor transmission was provided for in 2005, implemented in 2006, and the Congress in 2005 and 2006 was not the Congress that is there in 2007 and 2008.

I am glad that he lifted up the Congress of 2007, because we are moving this issue in hope and with some, with some hopefulness that this new Congress will modify the Energy Act and/or repeal this provision and allow the people of the Commonwealth of Pennsylvania to have something to say about what happens in Pennsylvania. So I thank him for lifting up the Congress of 2007. There might be hope where there was no hope in '05 and '06.

Thank you, Mr. Speaker.

The SPEAKER. Are there any other members seeking recognition on the resolution? The Chair recognizes the majority leader, Representative DeWeese.

Mr. DeWEESE. Thank you very much, Mr. Speaker. I will make this somewhat brief.

From the invention of the light bulb until the advent of Dick Cheney, the 50 States – of course, there were not 50 States when Edison was at his intellectual apogee, but nevertheless, you get the picture – every public utility commission in the nation made these decisions. From the invention of the light bulb until that surreptitious meeting with Mr. Cheney and utility executives in the White House complex in 2005, and then the world turned upside down, Republican House, Republican Senate in Washington, DC, in a rush to judgment, passed a proposal that rips out the West Virginia Public Utility Commission, the Pennsylvania Public Utility Commission, the Ohio Public Utility Commission, every utility commission in the nation's ability to site power lines. This is a brand-new phenomenon, and in section 1221 of the Federal code, they allow the long arm of the United States government to

intercede amongst our townships and boroughs and cities and towns.

If you look at the map of Pennsylvania, as has been said, but if you look at the map – and you probably cannot see it from here, it is very graphic – with the exception of two counties and the northern tier from Erie halfway across the State, the whole Commonwealth is embraced. As someone said, I believe it was my colleague from Upper St. Clair who said the whole House. Well, essentially when 50 out of 67 counties are involved and the ones that are not are on the New York border, my speculation is that 80 or 90 percent of the Commonwealth's residents could be impacted by this. The way the code is structured right now, Gettysburg or Valley Forge or Fort Pitt could be affected. The way it is right now, wetlands from Presque Isle to Greene County over to Bucks County could be affected. Federal parks, State parks, prime agricultural land in Lancaster County, Berks County, could be affected.

Mr. Speaker, we are not saying we do not want to do our part. We would like to mine a lot of UMWA (United Mine Workers of America) coal in those western counties and ship it by rail down to the counties surrounding Baltimore, surrounding Washington, DC. We would like them to build some big power plants down there. The hardscrabble coal valleys and steel valleys of Pennsylvania have experienced the aggressions of corporate America for over 100 years. In my home county there is a massive power plant with another one being constructed. The water volume is dubious, the water quality is marginal in some cases, and now massive power lines ostensibly are going to cut a wide swath through our area. Those lush horse farms down in Maryland will probably not be affected. The Virginia countryside will not be affected in the same way.

There is no reason why we cannot build power plants in the Eastern United States. They should not all be built in the Ohio Valley, the Monongahela Valley, the Allegheny Valley. There is no reason for that. But if they are going to be built and if those lines are going to be constructed, then our own Pennsylvania Public Utility Commission, Republicans and Democrats appointed by a variety of chief executives, should make that ultimate decision. And make no mistake about it, electric rates will rise. Green spaces will be limited. Our backyards will be intruded upon. Our lives will change. The long arm of the Federal government will have more musculature.

Are they going to next, Mr. Speaker, say, well, you are going to place a nuclear power plant in this township; you are going to place a wind farm next to that borough; there is going to be a hydroelectric plant, by the way, down along the next county over? All of these decisions historically, from Edison's invention of the light bulb until that secret conclave by the inimitable Richard Cheney, Vice President of the United States, which launched section 1221, until then, our own PUC would have had that call. What this, what this resolution simply does, and it is really not all that complicated, is say to the Federal government, please repeal section 1221; Pennsylvania wants to site its own power lines. It is as simple as that.

For States rights and for an aggressive commentary against Federal mandates, an affirmative vote would be appropriate. Thank you.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—188

Adolph	Freeman	Marshall	Ross
Argall	Gabig	Marsico	Rublely
Baker	Geist	McCall	Sabatina
Barrar	George	McGeehan	Sainato
Bastian	Gergely	McI. Smith	Santoni
Bear	Gibbons	McIlhattan	Saylor
Belfanti	Gillespie	Melio	Scavello
Benninghoff	Goodman	Mensch	Schroder
Bennington	Grell	Miller	Seip
Beyer	Grucela	Milne	Shapiro
Biancucci	Haluska	Moul	Shimkus
Bishop	Hanna	Moyer	Siptroth
Blackwell	Harhai	Mundy	Smith, K.
Boback	Harhart	Murt	Smith, M.
Boyd	Harkins	Mustio	Solobay
Brennan	Harper	Myers	Sonney
Brooks	Harris	Nailor	Staback
Buxton	Helm	Nickol	Steil
Caltagirone	Hennessey	O'Brien, M.	Stern
Cappelli	Hershey	O'Neill	Stevenson
Carroll	Hess	Oliver	Sturla
Casorio	Hickernell	Pallone	Surra
Civera	Hornaman	Parker	Swanger
Cohen	James	Pashinski	Tangretti
Conklin	Josephs	Payne	Taylor, J.
Cox	Kauffman	Payton	Taylor, R.
Creighton	Keller, M.	Peifer	Thomas
Cruz	Keller, W.	Perry	True
Curry	Kenney	Perzel	Turzai
Cutler	Kessler	Petrarca	Vereb
Daley	Killion	Petri	Vitali
Dally	King	Petrone	Vulakovich
DeLuca	Kirkland	Phillips	Wagner
Denlinger	Kortz	Pickett	Walko
DePasquale	Kotik	Preston	Wansacz
Dermody	Kula	Pyle	Waters
DeWeese	Leach	Quigley	Watson
DiGirolamo	Lentz	Quinn	Wheatley
Donatucci	Levdansky	Ramaley	White
Eachus	Longietti	Raymond	Williams
Ellis	Mackereth	Readshaw	Wojnaroski
Evans, D.	Maher	Reed	Yewcic
Evans, J.	Mahoney	Reichley	Youngblood
Everett	Major	Roae	Yudichak
Fabrizio	Manderino	Rock	
Fairchild	Mann	Roebuck	O'Brien, D., Speaker
Fleck	Mantz	Rohrer	
Frankel	Markosek		

NAYS—11

Causar	Gerber	Micozzie	Smith, S.
Clymer	Godshall	Millard	Stairs
Galloway	Hutchinson	Rapp	

NOT VOTING—0

EXCUSED—4

Costa	Gingrich	Metcalfe	Samuelson
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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

HB 656, PN 1884 (Amended) By Rep. HANNA

An Act amending the act of December 19, 1974 (P.L.973, No.319), known as the Pennsylvania Farmland and Forest Land Assessment Act of 1974, further providing for split-off, separation or transfer.

AGRICULTURE AND RURAL AFFAIRS.

HB 1422, PN 1885 (Amended) By Rep. HANNA

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, codifying the Public Eating and Drinking Place Law and the Food Act; providing for the protection of public health and for regulations; requiring licensing; further providing for food employee certification and for farmers' market; providing for penalties; and making related repeals.

AGRICULTURE AND RURAL AFFAIRS.

HB 1423, PN 1886 (Amended) By Rep. HANNA

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, defining "local government unit"; and providing for general testing and inspections.

AGRICULTURE AND RURAL AFFAIRS.

COMMITTEE MEETING POSTPONED

The SPEAKER. Are there any announcements? Any further business?

Representative Daley.

Mr. DALEY. Mr. Speaker, the Commerce Committee meeting scheduled for tomorrow at 8:30, the informational meeting, will be postponed because of the budget meeting, the caucus, tomorrow at 9.

The SPEAKER. The Chair thanks the gentleman.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. Representative Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

I have two announcements to make.

First, for members of the Appropriations Committee, Representative Evans has asked me to announce that for members of the Appropriations Committee, there will be an immediate meeting after the recess today, an immediate meeting for members of the Appropriations Committee in room— The immediate meeting of the Appropriations Committee will be in room 140, 140 for members of the Appropriations Committee.

DEMOCRATIC CAUCUS

Mr. COHEN. Now, my normal role is announcing Democratic caucuses.

There will be a Democratic caucus tomorrow morning at 9 a.m., 9 a.m. tomorrow morning.

I am told that the Appropriations Committee I announced – this will teach me to announce Appropriations Committee meetings – I am told that the Appropriations Committee meeting tomorrow will be called off the floor. So there is no reason for anybody who was planning to attend the Appropriations Committee meeting today to go there; the meeting is going to be called tomorrow off the floor of the House.

The SPEAKER. For clarification, the gentleman is announcing there will be an Appropriations Committee tomorrow?

Mr. COHEN. No— I yield to the gentleman, Mr. Keller. Let us have an Appropriations spokesman figure this out.

The SPEAKER. The Chair will ask no one to leave until we get this announcement correct.

Mr. W. KELLER. Thank you, Mr. Speaker.

We are going to have an Appropriations Committee meeting at the end of recess today – so at the call, when we are done, right now when we are done we are going to leave here – in the majority hearing room, caucus room, and tomorrow, we are just going to have a caucus tomorrow, a budget caucus tomorrow, called off the floor. All right? Thank you.

The SPEAKER. The Appropriations Committee will meet at the recess today in the majority caucus room.

COMMERCE COMMITTEE MEETING

The SPEAKER. Representative Daley.

Mr. DALEY. Mr. Speaker, now that I have been enlightened about the budget caucus meeting, the Commerce Committee will meet tomorrow at 8:30 for our informational meeting; 8:30 tomorrow morning, informational meeting.

Thank you, Mr. Speaker.

The SPEAKER. The Commerce Committee will meet tomorrow morning at 8:30.

Are there any announcements on the Republican side? The Chair thanks the lady.

Are there any further announcements? Any other business?

The Chair will remind the members, the Chair will remind the members that the House will convene at 10 a.m. tomorrow – 10 a.m. There will be no further votes.

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that the following bills be recommitted to the Committee on Appropriations:

HB 706;
HB 731;
HB 810;
HB 1116;
HB 1196;
HB 1120; and
HB 1192.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that the following bills be removed from the tabled bill calendar: SB 795 and SB 798.

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

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. Are there any other announcements?

The Chair recognizes Representative Longietti from Mercer County, who moves that this House do now recess until Wednesday, June 13, 2007, at 10 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 4:13 p.m., e.d.t., the House recessed.