

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

MONDAY, JUNE 18, 2007

SESSION OF 2007

191ST OF THE GENERAL ASSEMBLY

No. 50

### HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (DENNIS M. O'BRIEN)  
PRESIDING**

#### PRAYER

The SPEAKER. The prayer will be offered by Father Richard Czachor, the guest of Representative Scavello.

REV. RICHARD CZACHOR, Guest Chaplain of the House of Representatives, offered the following prayer:

Let us pray:

Almighty Father, soon this session of the House of Representatives of the Commonwealth of Pennsylvania will convene. Issues will be discussed and decisions will be made that will affect many of Your children, young and old, rich and poor, abled and disabled, born and unborn, and of all races, colors, and creeds.

Guide these elected officials and these challenges that face them. Empower them with the wisdom and understanding of the spirit that guided King Solomon to work for the best interests of his people. Give them the faith and the trust that our savior had that gave Him the ability to overcome the sacrifice and ridicule of the cross.

Gracious Lord, inspire this Assembly in the same way You guided Francis of Assisi, who prayed, Lord, make me a channel of Your peace. Where there is hatred, let me bring Your love; where there is injustice, Your pardon; where there is doubt, true faith; where there is despair in life, let me bring hope; where there is darkness, only light; and where there is sadness, ever joy.

Lord God, lead those here present in true service of the people of Pennsylvania. Give them the ability to work together in collaboration and cooperation, and help them bring harmony to their constituents so we may be loyal and faithful citizens, one nation under God.

May the good Lord guide You in all Your endeavors, may He strengthen You in all Your decisions, may He accompany You in all Your ways, and finally bless You with His peace. Amen.

#### PLEDGE OF ALLEGIANCE

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

### JOURNALS APPROVED

The SPEAKER. The Journals of Tuesday, March 20; Wednesday, March 21; Thursday, March 22; Monday, April 16; and Tuesday, April 17 of 2007 are now in print. Will the House approve those Journals?

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

### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Thursday, June 14, 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 on the Democratic side? The gentleman requests that Representative ROEBUCK from Philadelphia be placed on leave. Without objection, the gentleman, Representative Roebuck, will be placed on leave.

The Chair recognizes the minority whip. Are there any leaves on the Republican side? It is requested that Representative KENNEY from Philadelphia be placed on leave. Without objection, Representative Kenney will be placed on leave.

### MASTER ROLL CALL

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

The following roll call was recorded:

#### PRESENT—201

Adolph	Freeman	Markosek	Ross
Argall	Gabig	Marshall	Rubley
Baker	Galloway	Marsico	Sabatina
Barrar	Geist	McCall	Sainato
Bastian	George	McGeehan	Samuelson
Bear	Gerber	McI. Smith	Santoni
Belfanti	Gergely	McIlhattan	Saylor
Benninghoff	Gibbons	Melio	Scavello
Bennington	Gillespie	Mensch	Schroder
Beyer	Gingrich	Metcalfe	Seip
Biancucci	Godshall	Micozzie	Shapiro

Bishop	Goodman	Millard	Shimkus
Blackwell	Grell	Miller	Siptroth
Boback	Grucela	Milne	Smith, K.
Boyd	Haluska	Moul	Smith, M.
Brennan	Hanna	Moyer	Smith, S.
Brooks	Harhai	Mundy	Solobay
Buxton	Harhart	Murt	Sonney
Caltagirone	Harkins	Mustio	Staback
Cappelli	Harper	Myers	Stairs
Carroll	Harris	Nailor	Steil
Casorio	Helm	Nickol	Stem
Causser	Hennessey	O'Brien, M.	Stevenson
Civera	Hershey	O'Neill	Sturla
Clymer	Hess	Oliver	Surra
Cohen	Hickernell	Pallone	Swanger
Conklin	Hornaman	Parker	Tangretti
Costa	Hutchinson	Pashinski	Taylor, J.
Cox	James	Payne	Taylor, R.
Creighton	Josephs	Payton	Thomas
Cruz	Kauffman	Peifer	True
Curry	Keller, M.	Perry	Turzai
Cutler	Keller, W.	Perzel	Vereb
Daley	Kessler	Petrarca	Vitali
Dally	Killion	Petri	Vulakovich
DeLuca	King	Petrone	Wagner
Denlinger	Kirkland	Phillips	Walko
DePasquale	Kortz	Pickett	Wansacz
Dermody	Kotik	Preston	Waters
DeWeese	Kula	Pyle	Watson
DiGiroamo	Leach	Quigley	Wheatley
Donatucci	Lentz	Quinn	White
Eachus	Levdansky	Ramaley	Williams
Ellis	Longiatti	Rapp	Wojnaroski
Evans, D.	Mackereth	Raymond	Yewcic
Evans, J.	Maher	Readshaw	Youngblood
Everett	Mahoney	Reed	Yudichak
Fabrizio	Major	Reichley	
Fairchild	Manderino	Roae	O'Brien, D.,
Fleck	Mann	Rock	Speaker
Frankel	Mantz	Rohrer	

## ADDITIONS—0

## NOT VOTING—0

## EXCUSED—2

Kenney Roebuck

## LEAVES ADDED—2

Helm Micozzie

## LEAVES CANCELED—2

Helm Roebuck

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

## GUESTS INTRODUCED

The SPEAKER. The Chair would like to welcome, as guests of Representative Mario Scavello, today's Guest Chaplain, Father Richard Czachor, and parishioners from Our Lady of Victory located in Tannersville, Monroe County. Please join the Speaker in welcoming Father Czachor and the parishioners from Our Lady of Victory to the House. Welcome.

Today we welcome guests of Representative Seip, who are seated behind the rail. Sarah Chaffee, a resident of Schuylkill Haven, Pennsylvania, will be a junior at Kutztown University in the fall, majoring in political science. Rachael Schuettler, a resident of Pottsville, Pennsylvania, is a recent graduate of Shippensburg University. She received a B.A. (bachelor of arts) in communications/journalism with a minor in political science. Sarah and Rachael are serving as summer interns in Representative Seip's district office. Accompanying them is Brian Tobin, Representative Seip's chief of staff. Would you please rise and be recognized.

The Speaker will ask the House to join in welcoming Representative Patrick J. Harkins. He has two distinguished pages, Pat and Matt Harkins, who happen to be his twin sons. Would the members please join the Speaker in welcoming them to the House.

Welcome to the hall of the House the winners of Representative John Bear's "There Ought To Be a Law" contest. This contest was open to all fifth graders in the 10 elementary schools in the 97th Legislative District. The winners are Miss Michael Ulmer of Brecht Elementary for her proposed law to require seatbelts on school buses and Austin Koring of Lititz Elementary School. This is a very interesting piece of legislation being recommended by Austin Koring of Lititz Elementary School, for his proposed law is to provide free medical and educational assistance to children with autism. Michael and Austin are seated in the gallery today along with their families. Congratulations, Michael and Austin. Please rise and be recognized by your fellow lawmakers. They are over in the corner, over here. Welcome.

The Chair would also like to recognize the guests of Representative Bob Godshall, who are seated in the rear of the House. They are the winners of A Day at the Capitol with Representative Godshall – Kris Antenuci and kids Frank, 12, and Tommy, 10, and teacher Rory Ferst. Please join me in welcoming them to the House.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 1400** By Representatives FRANKEL, ROSS, BENNINGTON, BEYER, BIANCUCCI, BISHOP, BLACKWELL, BRENNAN, BUXTON, CALTAGIRONE, CARROLL, COHEN, COSTA, CRUZ, CURRY, DALEY, DePASQUALE, DERMODY, DeWEESE, DONATUCCI, EACHUS, D. EVANS, FABRIZIO, FREEMAN, GEORGE, GERBER, GERGELY, HARKINS, HORNAMAN, JAMES, JOSEPHS, KING, KIRKLAND, LEACH, LENTZ, LEVDANSKY, MAHONEY, MANDERINO, MANN, McCALL, McGEEHAN, MUNDY, MYERS, NICKOL, M. O'BRIEN, OLIVER, PARKER, PAYTON, PETRONE, PRESTON, READSHAW, ROEBUCK, SABATINA, SAMUELSON, SANTONI, SAYLOR, SHAPIRO, SIPTROTH, STEIL, STURLA, R. TAYLOR, THOMAS, VITALI, WAGNER, WALKO, WANSACZ, WATERS, WHEATLEY, WILLIAMS, YOUNGBLOOD and MELIO

An Act amending the act of October 27, 1955 (P.L.744, No.222), known as the Pennsylvania Human Relations Act, further providing for findings and declaration of policy, for right to freedom from discrimination in employment, housing and public accommodation; defining "sexual orientation" and "gender identity or expression"; and further providing for unlawful discriminatory practices, for powers and

duties of commission, for education program and for construction and exclusiveness of remedy.

Referred to Committee on STATE GOVERNMENT, June 18, 2007.

**No. 1545** By Representatives BELFANTI, CASORIO, M. O'BRIEN, PASHINSKI, COHEN, KIRKLAND, KORTZ, KOTIK, MAHONEY, PALLONE, VULAKOVICH and YOUNGBLOOD

An Act amending the act of July 23, 1970 (P.L.563, No.195), known as the Public Employe Relations Act, adding law enforcement officers of limited jurisdiction as an additional category of covered employee.

Referred to Committee on LABOR RELATIONS, June 14, 2007.

**No. 1555** By Representative JOSEPHS

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey, at a price to be determined through a public solicitation for proposals, certain lands, buildings and improvements situate in the City and County of Philadelphia, known as the Philadelphia State Office Building.

Referred to Committee on STATE GOVERNMENT, June 14, 2007.

**No. 1562** By Representatives MARKOSEK, M. SMITH, GERBER, BELFANTI, CALTAGIRONE, CARROLL, COHEN, COSTA, FABRIZIO, FRANKEL, FREEMAN, GEIST, GERGELY, GINGRICH, HENNESSEY, JAMES, JOSEPHS, KIRKLAND, KORTZ, KOTIK, KULA, LENTZ, LEVDANSKY, MAHONEY, MANDERINO, MUSTIO, M. O'BRIEN, PALLONE, PETRONE, PRESTON, READSHAW, ROSS, SABATINA, SAINATO, SCAVELLO, SCHRODER, SOLOBAY, STERN, TANGRETTI, THOMAS, WALKO, YOUNGBLOOD and YUDICHAK

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, further providing for supplemental public transportation assistance funding.

Referred to Committee on TRANSPORTATION, June 14, 2007.

**No. 1573** By Representatives SEIP, EACHUS, BRENNAN, CALTAGIRONE, FREEMAN, HORNAMAN, MAHONEY, MUNDY, SANTONI, SIPTROTH, SOLOBAY, THOMAS, WANSACZ, YUDICHAK, JOSEPHS, DALEY and FABRIZIO

An Act establishing the Pennsylvania Center for Health Careers and the Health Careers Leadership Council.

Referred to Committee on LABOR RELATIONS, June 18, 2007.

### HOUSE RESOLUTIONS INTRODUCED AND REFERRED

**No. 332** By Representatives THOMAS, MAHER, MOUL, CALTAGIRONE, KULA, BLACKWELL, ROAE, CURRY, BOYD, SWANGER, JOSEPHS, YOUNGBLOOD and DALEY

A Resolution directing the Legislative Budget and Finance Committee to examine the feasibility of limiting polling places to schools and government buildings that are accessible to persons with disabilities.

Referred to Committee on STATE GOVERNMENT, June 14, 2007.

**No. 334** By Representatives BIANCUCCI, DeLUCA, EACHUS, DeWEESE, McCALL, BELFANTI, BENNINGTON, BRENNAN, CALTAGIRONE, CARROLL, CASORIO, CONKLIN, DePASQUALE, FAIRCHILD, FREEMAN, GALLOWAY, GEORGE, GIBBONS, GOODMAN, GRUCELA, HALUSKA, HANNA, HARHAI, HARKINS, HENNESSEY, HORNAMAN, JAMES, KESSLER, KING, KORTZ, KULA, LENTZ, LONGIETTI, MAHONEY, McILVAINE SMITH, M. O'BRIEN, PALLONE, PASHINSKI, PAYTON, PETRARCA, SANTONI, SAYLOR, SEIP, SHIMKUS, SIPTROTH, K. SMITH, M. SMITH, STURLA, R. TAYLOR, WALKO, WANSACZ, WHEATLEY, J. WHITE, WOJNAROSKI, YOUNGBLOOD and YUDICHAK

A Concurrent Resolution directing the appointment of a task force to study affordable health care insurance, health care access and quality health care services for the citizens of this Commonwealth.

Referred to Committee on INSURANCE, June 14, 2007.

### SENATE BILLS FOR CONCURRENCE

The clerk of the Senate, being introduced, presented the following bills for concurrence:

**SB 116, PN 1038**

Referred to Committee on JUDICIARY, June 18, 2007.

**SB 834, PN 970**

Referred to Committee on APPROPRIATIONS, June 18, 2007.

### SENATE MESSAGE

#### HOUSE AMENDMENTS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 437, PN 853**.

### BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

**SB 437, PN 853**

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

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

### GUESTS INTRODUCED

The SPEAKER. The Chair would ask Representative Moul to come forward for the purpose of an introduction of a special guest.

Representative Moul.

Mr. MOUL. Mr. Speaker, it gives me immense pleasure this afternoon to welcome to the hall of the House Bob and Joan Miller and Lynn Bixler. Bob, Joan, and Lynn are constituents of mine, and I am glad they were able to join us today. They are seated in the back, if you would rise.

### JAMES GETTY PRESENTED

Mr. MOUL. Mr. Speaker, I also rise today to introduce a special guest that will be addressing this esteemed body here today, Mr. Lincoln – James Getty.

A native of Illinois, Jim Getty now resides in the historic town of Gettysburg, where he pays tribute to our 16th President, Abraham Lincoln, as a reenactor.

Throughout his long career, Jim Getty has had the opportunity to address colleges, high school students, and historians throughout the United States. Mr. Getty has also been featured as the "Voice of Lincoln" in two Arts and Entertainment television programs.

I personally have had the opportunity to witness Mr. Getty's portrayal of Abraham Lincoln on several occasions at the Gettysburg Battlefield, and I cannot put into words how moving it has been. Hopefully you will all have the same feelings today as Jim Getty joins us to pay tribute to an American legend.

### REMARKS BY PRESIDENT ABRAHAM LINCOLN

Mr. MOUL. Mr. Speaker, I would ask that at this time you would join with me in welcoming to the hall of the House Mr. Lincoln, the President of the United States.

PRESIDENT LINCOLN. Well, I thank you, Mr. Speaker.

Fellow citizens of the great State of Pennsylvania, if I could be allowed just to reminisce a little bit with you about the significance of this wonderful State or Commonwealth and how it played itself out in my life, I would tell you first that I traced my ancestry here. Mordecai Lincoln, my great-great-grandfather, came from Red Bank, New Jersey, in 1720 and settled in Chester County, Pennsylvania, and there along French Creek he and another man established the Coventry Iron Forge. Later he moved over to Berks County, to Reading, and there he and his wife would have a son. They named him John. John became my great-grandfather. John moved down to Lancaster County, met a young lady by the name of Rebecca Flowers Morris, and they would be married. They had a son and they named him Abraham Lincoln, and he was born in Lancaster.

Later on the Lincolns would be influenced to move down into the beautiful Shenandoah Valley, and there in 1778 my father, Tom Lincoln, was born near Harrisonburg, Virginia. But, see, 2 years earlier, 1776, a man from Virginia, meeting over in Philadelphia on the Fourth of July in 1776, gave us all a

wonderful gift, a birth certificate called our Declaration of Independence. That was always my favorite document. Now, my father would be moved out into Kentucky and eventually I would be born out in Kentucky, but when my father was in Kentucky at the age of 9 years old, another man from Virginia by the name of James Madison would meet with a committee over in Philadelphia, and they would hammer out a wonderful thing called our Constitution so that we could become a union of States. All of those would play into my life as it would here with Pennsylvania and the future of this great country.

I would be born in Kentucky and people would remember me in Illinois being a lawyer, being a House of Representatives member for four 2-year terms, and in the U.S. House of Representatives for one 2-year term, but in that time our country was being divided over a philosophy. We were a country built on laws and principles, and they were about to conflict; they had conflicted. And so as I would get into the political arena and be encouraged to run for President in 1860, the country was on the path to division, North and South, over this terrible thing we called slavery.

As I came into the 1860 election, I would have to look to Pennsylvania, the number two populated State, and fortunately, with the help of Governor Curtin from Bellefonte, I was able to carry the great State of Pennsylvania. Then my train would bring me out to Washington City from Springfield, Illinois, and it would travel in your State. I remember we pulled into Pittsburgh about on the 14th of February. March 4 was Inauguration Day, and we pulled in and stayed at the Monongahela House, and I got to meet some important people there. One was Andrew Carnegie, and later we would put him to work for the railroad, you see, to solve some of our problems of transporting the military and supplies.

I wish I could have met a man there. I certainly loved his music. His name was Stephen Foster. People would ask me at the White House, what would you like the orchestra to play first the night of the reception, Mr. President? I would say, "My Old Kentucky Home" or "Beautiful Dreamer," something by Stephen Foster, but I never got to meet him. But this was my visit to Pittsburgh.

The next day we would leave and go up to Cleveland, stay the night, come up through Erie the following day, and there I would get to meet one of the representatives of the mayor. His name was Strong Vincent. Nobody knew then that as my train would progress up to Buffalo where I could meet with Millard Fillmore, our former President, that this same Strong Vincent would become a brigade commander and would be killed at Gettysburg on the second day of that horrible battle.

On up through New York, over to Albany, down to New York City, into Trenton, and then into Philadelphia, and there staying at the Continental house at Ninth and Chestnut, they took me down on Washington's birthday, the 22d of February, and they let me raise the flag in front of Independence Hall, right where everything had started – our Declaration, our Constitution – all right there. And I said in my brief remarks after I had raised the flag, I said, I have often wondered, I have often concerned myself about what great principle or idea it was that has held these States so long together. It was not the mere separation of our Colonies from the motherland but something in that Declaration giving liberty, not alone to the people of this country, but hope to the world for all future time. It was that which gave promise that in due time the weight should be lifted

from the shoulders of all men and that all should have an unfettered start and a fair chance in the race of life.

I got on the Pennsylvania Railroad, came over through Downingtown, briefly made a drop there, and then on into Lancaster where I spoke, and then on that same Pennsylvania Railroad, we arrived here in Harrisburg. It was still the 22d, Washington's birthday, and we pulled into the Second Street Station, quite a group there with carriages to take me, a military militia group, and they would take me over to the Jones House, which was located at the southeast corner of Market and Second Streets. I met Governor Curtin there. They took us up to the second-floor balcony, and we addressed a large crowd. Then that parade brought me right here to your first Capitol before the terrible burning of that building, and there I would get to meet Mr. Robert Palmer, a member of the Senate, and Mr. Elisha Davis, the Speaker of the House, and I would get to address the legislature. I would tell them that with all this turmoil on our screen of what might happen in the future and how impressed I was by seeing that militia who accompanied me here, it was my hope that we would never have to use that militia.

After the 2:30 meeting here, we went back to the Jones House for an early dinner, and among the guests was Thomas Scott of the Pennsylvania Railroad. I rode that railroad that evening back into Philadelphia and into Washington, and sure enough, 5 weeks after I was sworn into office, we would have a terrible civil war, and it would last for 4 years.

But during that time in 1862, we were able to pass some legislation. Justin Morrill put a bill on my desk that I was happy to sign in 1862. It would create our land-grant colleges. One out of every five men in the country supported his family by farming. So I thought if we could get one university, and you would have one at State College, that would say we will guarantee that in our curriculum there will be courses for farming and agriculture and mechanics. So this came about during my administration.

In 1863, the next year, it could have happened right here, but the battle that I am talking about took place at Gettysburg, the bloodiest 3-day battle of the war, and on the Fourth of July, the same day that Jefferson gave us our birth certificate, Robert E. Lee, outstanding general that he was, had to start his retreat, and 4 1/2 months later I would come to Gettysburg and I would stand on a little platform out in the cemetery where 15,000 people were said to have gathered. I did not have one of these, so they probably could not have all heard me. The Marine Band was there. I think they could hear the band, but I doubt that they could have all heard me. But there was Governor Curtin and a number of northern Governors on the platform, and I referred back to that beloved Declaration that I had talked about.

"Four score and seven years ago our fathers brought forth on this continent a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal.

"Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battle field of that war. We have come to dedicate a portion of that field, as a final resting place for those who here gave their lives that that nation might live. It is altogether fitting and proper that we should do this.

"But in a larger sense, we cannot dedicate – we cannot consecrate – we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it,

far above our poor power to add or detract. The world will little note, nor long remember what we say here, but it can never forget what they did here. It is for us, the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced.

"It is rather for us to be here dedicated to the great task remaining before us, that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion; that we here highly resolve that these dead shall not have died in vain; that this nation, under God, shall have a new birth of freedom; and that this government of the people, by the people, and for the people, shall not perish from the earth."

In the time that I was allowed to continue my first term and head to that second election, which Pennsylvania voted for me again and I am grateful, I would tell you that I understood then that someday a slogan for this great State would be, "Our nation was born in Philadelphia. Our Union was preserved at Gettysburg.

Thank you.

The SPEAKER. Mr. President, thank you for educating us on your close ties and affection for the residents and the Commonwealth of Pennsylvania. We would also like to thank you for enriching us with your words today and for continuing to inspire us with your leadership.

Ladies and gentlemen of the House, please join me in thanking James Getty for his presentation today.

## GUESTS INTRODUCED

The SPEAKER. The Chair would also like to welcome Anne Marie Hutchinson, the daughter of Representative Scott Hutchinson, and Arianna Westley, serving as guest pages today. Please join the Chair in welcoming these two young ladies to the hall of the House.

## CALENDAR

### BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1166**, **PN 1640**, entitled:

An Act designating a portion of State Route 2024, known as Dreshertown Road, in Montgomery County, as the Sergeant James R. Miller Memorial Highway.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally?

The Chair recognizes Representative Shapiro.

Mr. SHAPIRO. Thank you, Mr. Speaker.

Mr. Speaker, I rise today to respectfully ask for the members' support of HB 1166, legislation that would rename a roadway in

Upper Dublin Township, Montgomery County, the Sergeant James R. Miller Memorial Highway.

Joining me in cosponsoring this legislation are 72 other members of the House, including Representatives Murt, Gerber, and Taylor, the other members who represent Upper Dublin Township.

Sergeant Miller's life can be summed up, I believe, with one word – "dedication." He was dedicated to his family. He was dedicated to his country. He was dedicated to the citizens of Upper Dublin Township. He was dedicated to the people with whom he worked. He was dedicated to the Boy Scouts of America, and he was dedicated to bringing the joy of the holiday season to all of those around him.

Sergeant Miller, Mr. Speaker, was a family man. Jim married Barbara Ischinger in 1968. The two met when they were 13. I would note, with some pride, that that was the same age that I met my wife. They were married for 36 years. They had two children together, Doris and Richard, and Jim became a grandfather in 1999. He now has two grandchildren. He was very devoted to his wife and to his family. In fact, Mr. Speaker, I was moved by a posting from his daughter on a commemorative Web site, and I would like to read that for the members. In it Doris Miller-Beck wrote: "Dad, I" just "can't believe that it has been three years since you were taken from us. There are times that it feels like just yesterday. We are learning to live without you, but it isn't easy! Not a day goes by, when we don't think about you. We want to see you, or talk to you, and give a hug! Such a big part of us is missing and our circle isn't complete, but we are moving forward, trying to live and love as you did. I truly hope that you can 'see' us and 'walk' beside us as we continue to love you, forever and always.... Love always, Peanut, Doodlebug and Butterfly."

Jim was not just dedicated to his family; he was dedicated to serving his country. He joined the United States Air Force in 1966 and served in Vietnam and in the gulf wars. He was also involved in the security details following the attacks on our country of September 11, including Operation Noble Eagle and Operation Enduring Freedom. He retired as a master sergeant on November 27, 2003.

Jim was dedicated to the citizens of Upper Dublin Township, and he was hired by the Upper Dublin Township Police Department on April 29, 1976, and, Mr. Speaker, he served as a mentor to all officers. Two of those officers from the Upper Dublin Police Department are with us today, and I would ask that they stand in the rear of the chamber – Officer Andy Boshansky and Officer Dave Madrek. Sergeant Miller died serving the people of Upper Dublin while on duty April 20, 2004.

Jim was dedicated to the men and women with whom he worked. He often took his own time to assist fellow officers and fellow military personnel. He also volunteered time to the Boy Scouts of America. He was a role model for so many in our community.

Brian from the Ambler Ambulance company wrote: "Jim Miller truly touched my life and was truly a great role model. From when I met him nearly 20 years ago as the coach of the little league team I played on through my years working aside him with Ambler Ambulance. No matter what the circumstances Jim was always caring, professional and looking to do right. Even though he may not have known it, I always idolized him. Rest in peace, Jim, may your life and deeds

continue to touch many through the deeds of the many you touched."

#### GUESTS INTRODUCED

Mr. SHAPIRO. Too often recently this chamber has fallen silent as we remember a hero who died overseas. Today we celebrate the life of a hero who died at home in one of our communities. Today is a call to remember Sergeant Miller and other fallen officers, but it is also a day to appreciate the service of each man and woman who dons a police uniform. Representing those brave individuals are John Ward and Leroy Anthony of the Fraternal Order of Police, and I would ask that they please rise at this time.

In closing, Mr. Speaker, let me thank Mrs. Jimmy Miller. Barbara, your sacrifice for decades as Jimmy worked on the police force made our community and the community that I grew up in safer. Your sorrow since Sergeant Miller's death reminds us each that we must rededicate ourselves to supporting our police men and women and the first responders all across Pennsylvania. Please join me in voting "yes" for HB 1166 to do just that.

And to Mrs. Miller, God bless you, and may God bless Sgt. James R. Miller.

Thank you, Mr. Speaker.

On the question recurring,  
Shall the bill pass finally?

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

The following roll call was recorded:

#### YEAS—201

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

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Kenney            Roebuck

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

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

### RESOLUTION PURSUANT TO RULE 35

The SPEAKER. Members will take their seats. We are about to take up a condolence resolution.

Mr. MANTZ called up **HR 325, PN 1889**, entitled:

A Resolution honoring the life and extending condolences for the supreme sacrifice of Marine Lance Corporal Brandon J. Van Parys of New Tripoli, Pennsylvania, who was killed on February 5, 2007, when he was struck by a grenade while on patrol in Anbar Province, Iraq.

On the question,  
Will the House adopt the resolution?

The SPEAKER. The Chair recognizes Representative Mantz.  
Mr. MANTZ. Thank you, Mr. Speaker.

Sadly, for the second time in as many weeks, I rise today to pay tribute to a fallen soldier from the Lehigh Valley, United States Marine Corps Lance Cpl. Brandon J. Van Parys. Lance Corporal Van Parys was just 20 years old when he was struck down by an exploding grenade while on patrol in Al Anbar Province in Iraq on February 20 of this year. He was a member of the 3d Battalion, 6th Marine Regiment, 2d Marine Division, 2d Marine Expeditionary Force. He was fulfilling his dream of serving his country as a member of the Marine Corps and had been in Iraq for only 3 weeks when his life was tragically cut short.

There are no words that can adequately describe his family's grief and sorrow, there are no words that can adequately convey the sympathies of our Commonwealth and our nation to this

family, and there are no words that can adequately express our gratitude and respect for this very young man who gave his life in service to our country. But we can try to put our sympathy, our gratitude, and our respect into words, because it is so very important that we always remember what Lance Corporal Van Parys and what all of our fallen soldiers in this war and in past wars have done for each one of us.

Brandon Van Parys was motivated to serve his country at least in part by the events of September 11, 2001. While many of us reacted to this malicious atrocity with fear or trepidation, Brandon reacted with a resolve and determination to shield, to protect his fellow countrymen from future horrible tragedies like this. He served our nation with dignity, with honor, and with bravery. Although his life on this earth was far too short, he set a strong example of what it means to be a patriotic American, and he gave his family, his community, and our home State of Pennsylvania much of which to be proud.

Brandon was born in Norristown, Montgomery County, where he lived until he was 14, at which time he moved to Lehigh County. He graduated from Northwestern Lehigh High School in 2005 and attended Lehigh Carbon Community College to study criminal justice before joining the Marine Corps in November of 2005. Brandon was a member of the New Life Evangelical Lutheran Church, and he also served as a junior firefighter with the community fire company in New Tripoli.

Representative Bob Mensch would now like to share some thoughts about Brandon by a family member.

Mr. MENSCH. When I met with Brandon's mother Friday afternoon, I asked her if she had any thoughts, any remembrances, and she wrote this beautiful note. If I may, I would like to share it with you:

"The name

"Brandon means sword or warrior.

"Brandon was quiet but when it came to what he thought was justice he let it be known" what he did believe was justice.

"He loved the outdoors, hiking, camping and fishing.

"The Marines took the things that he loved and pushed him farther than he" ever "thought he could go.

"He was nervous about going to Iraq. But he had made a commitment and he followed through.

"In a little over one year Brandon grew from a lad still seeking direction and motivation, into a fine young man with a mission."

And his mother closes, "We miss him dearly."

### GUESTS INTRODUCED

Mr. MANTZ. Several members of Brandon's family and circle of friends are here with us today, and I would like to take a moment to introduce them: Brandon's dad and stepmother, Alan and Tammy Van Parys; Brandon's mother and stepdad, Cathy and Greg Hearn; Brandon's siblings, Christopher and Daniel Van Parys, and Samuel, Jesse, and Ashley Hearn; Tammy Van Parys's father, Dwayne Beller, and his fiancée, Vicki Starr; Brandon's best friend and cousin, Michael Sell; and family friends Patrick Strobel and Helen Edwards. Please recognize them. God bless each of you, and God bless Brandon.

We now ask the members for their support for the resolution now being placed before this body to recognize Marine Corps

Lance Cpl. Brandon J. Van Parys for his service to our country and his sacrifice for each one of us.

The SPEAKER. Members and guests will please rise and remain standing as a sign of respect for a Pennsylvania hero, Marine Lance Cpl. Brandon J. Van Parys.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of Marine Lance Cpl. Brandon J. Van Parys.)

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

The following roll call was recorded:

YEAS—201

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Kenney                      Roebuck

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

The SPEAKER. The Chair recognizes Representative Cohen for any announcements.

**INSURANCE COMMITTEE MEETING**

The SPEAKER. Representative Frankel.  
Mr. FRANKEL. Thank you, Mr. Speaker.  
I am announcing an Insurance Committee meeting at 3:30 in room G-50, Irvis Office Building.

The SPEAKER. The Chair thanks the gentleman.  
The Insurance Committee will meet in the Irvis Office Building, room G-50, at 3:30.

**DEMOCRATIC CAUCUS**

The SPEAKER. Are there any other announcements? Committee meetings? Representative Cohen.

Mr. COHEN. Mr. Speaker, I would like to call a meeting of the House Democratic Caucus for 2:30 p.m. – 2:30, Democratic caucus.

Later in the day, at 3:30, there will be a meeting of the Rules Committee, and we will be back on the floor at 5:30 p.m. – 5:30 p.m. today.

**RULES AND APPROPRIATIONS COMMITTEE MEETINGS**

The SPEAKER. The Chair recognizes Representative Cohen.  
Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, two further announcements.  
There will be a meeting of the Rules Committee at 3:30, a Rules Committee meeting at 3:30 in the majority caucus room, and there will be an Appropriations Committee meeting at the call of the Chair.

The SPEAKER. Rules will meet at 3:30 in the majority caucus room, and Appropriations will meet at the call of the Chair.

**REPUBLICAN CAUCUS**

The SPEAKER. Representative Major.  
Miss MAJOR. Thank you, Mr. Speaker.

The Republicans will caucus immediately at the call of the recess. Once again, Republicans will caucus immediately at the call of the recess. Thank you.

The SPEAKER. The Chair thanks the lady.

Representative Civera.

(Conference held at Speaker's podium.)



The SPEAKER. The House Appropriations Committee will meet immediately in the majority caucus room.

Are there any other announcements? Any other business?

**RECESS**

The SPEAKER. This House will stand in recess until 5:30 p.m.

**RECESS EXTENDED**

The time of recess was extended until 6 p.m.

**AFTER RECESS**

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

**THE SPEAKER PRO TEMPORE  
(JOSEPH A. PETRARCA) PRESIDING**

The SPEAKER pro tempore. Members, please report to the floor.

**LEAVE OF ABSENCE**

The SPEAKER pro tempore. The Chair recognizes the minority whip, who asks that Representative MICOZZIE be placed on leave for the remainder of the day.

**CALENDAR CONTINUED**

**RESOLUTIONS**

Mr. HALUSKA called up **HR 193, PN 1236**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to study the fiscal impact of future increased value of the assets of the Pennsylvania Game Commission in relation to the cost of licenses issued by the Pennsylvania Game Commission.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—200**

Adolph	Freeman	Markosek	Ross
Argall	Gabig	Marshall	Rubley
Baker	Galloway	Marsico	Sabatina
Barrar	Geist	McCall	Sainato
Bastian	George	McGeehan	Samuelson
Bear	Gerber	McI. Smith	Santoni
Belfanti	Gergely	McIlhattan	Saylor
Benninghoff	Gibbons	Melio	Scavello
Bennington	Gillespie	Mensch	Schroder
Beyer	Gingrich	Metcalfe	Seip
Biancucci	Godshall	Millard	Shapiro
Bishop	Goodman	Miller	Shimkus
Blackwell	Grell	Milne	Siptroth
Boback	Grucela	Moul	Smith, K.
Boyd	Haluska	Moyer	Smith, M.
Brennan	Hanna	Mundy	Smith, S.

Brooks	Harhai	Murt	Solobay
Buxton	Harhart	Mustio	Sonney
Caltagirone	Harkins	Myers	Staback
Cappelli	Harper	Nailor	Stairs
Carroll	Harris	Nickol	Steil
Casorio	Helm	O'Brien, M.	Stern
Causer	Hennessey	O'Neill	Stevenson
Civera	Hershey	Oliver	Sturla
Clymer	Hess	Pallone	Surra
Cohen	Hickernell	Parker	Swanger
Conklin	Hornaman	Pashinski	Tangretti
Costa	Hutchinson	Payne	Taylor, J.
Cox	James	Payton	Taylor, R.
Creighton	Josephs	Peifer	Thomas
Cruz	Kauffman	Perry	True
Curry	Keller, M.	Perzel	Turzai
Cutler	Keller, W.	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	Longiotti	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., Speaker
Fleck	Mann	Rohrer	
Frankel	Mantz		

**NAYS—0**

**NOT VOTING—0**

**EXCUSED—3**

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

\* \* \*

Mr. PETRONE called up **HR 292, PN 1638**, entitled:

A Resolution urging the Congress of the United States to provide equitable funding to the United States Department of Housing and Urban Development for the operation of quality affordable housing.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—200**

Adolph	Freeman	Markosek	Ross
Argall	Gabig	Marshall	Rubley
Baker	Galloway	Marsico	Sabatina
Barrar	Geist	McCall	Sainato
Bastian	George	McGeehan	Samuelson
Bear	Gerber	McI. Smith	Santoni
Belfanti	Gergely	McIlhattan	Saylor

Benninghoff	Gibbons	Melio	Scavello
Bennington	Gillespie	Mensch	Schroder
Beyer	Gingrich	Metcalfe	Seip
Biancucci	Godshall	Millard	Shapiro
Bishop	Goodman	Miller	Shimkus
Blackwell	Grell	Milne	Siptroth
Boback	Grucela	Moul	Smith, K.
Boyd	Haluska	Moyer	Smith, M.
Brennan	Hanna	Mundy	Smith, S.
Brooks	Harhai	Murt	Solobay
Buxton	Harhart	Mustio	Sonney
Caltagirone	Harkins	Myers	Staback
Cappelli	Harper	Nailor	Stairs
Carroll	Harris	Nickol	Steil
Casorio	Helm	O'Brien, M.	Stern
Causer	Hennessey	O'Neill	Stevenson
Civera	Hershey	Oliver	Sturla
Clymer	Hess	Pallone	Surra
Cohen	Hickernell	Parker	Swanger
Conklin	Hornaman	Pashinski	Tangretti
Costa	Hutchinson	Payne	Taylor, J.
Cox	James	Payton	Taylor, R.
Creighton	Josephs	Peifer	Thomas
Cruz	Kauffman	Perry	True
Curry	Keller, M.	Perzel	Turzai
Cutler	Keller, W.	Petrarca	Verb
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	Rohrer	Speaker
Frankel	Mantz		

NAYS-0

NOT VOTING-0

EXCUSED-3

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

\* \* \*

Mr. SIPTROTH called up **HR 296, PN 1839**, entitled:

A Concurrent Resolution opposing implementation of costly Federal standards imposed under the REAL ID Act of 2005 (REAL ID Act).

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-200

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

NAYS-0

NOT VOTING-0

EXCUSED-3

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

**STATEMENT BY MR. SIPTROTH**

The SPEAKER pro tempore. The Chair recognizes the gentleman, Representative Siptroth.

Mr. SIPTROTH. Thank you, Mr. Speaker.

Mr. Speaker, I just wanted to thank my colleagues for voting in the affirmative for the REAL ID Act revocation. I stand before you today and my colleagues to implore each of you for support of this resolution demanding for our Federal government to take the recommendations of our nation's Governors and others to amend the requirements proposed under the REAL ID Act.

REAL ID sets unrealistic requirements and timelines for States to implement heightened security measures for driver's licenses and identification cards. Let me be clear, stronger security for issuing identification cards is not the problem; it is the underfunded, unworkable technological requirements that need to be reconsidered. Implementing this REAL ID causes operational and enormous fiscal challenges for States across the country, which is why 16 other States have already passed a similar resolution opposing REAL ID and an additional 14 are considering a resolution.

Again, I want to thank my colleagues for supporting this resolution. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

### LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair returns to leaves of absence and recognizes the minority whip, who asks that the lady from Dauphin, Ms. HELM, be placed on leave for the remainder of the day. Without objection, the lady is placed on leave.

### BILLS REREPORTED FROM COMMITTEE

**HB 795, PN 914** By Rep. DeWEESE

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for a board of control.

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.

**HB 1142, PN 1913** By Rep. DeWEESE

An Act amending the act of June 26, 2001 (P.L.755, No.77), known as the Tobacco Settlement Act, further providing for definitions, for investment of fund and accounts, for use of Tobacco Settlement Fund, for health research program, for department responsibilities, for National Institutes of Health funding formula and for regional biotechnology research centers; establishing the Jonas Salk Legacy Fund Program, the Jonas Salk Legacy Fund Board and the Jonas Salk Legacy Fund; and providing for the sale or assignment of Commonwealth Universal Research Enhancement Program receipts and for the issuance of Commonwealth Universal Research Enhancement Program bond.

RULES.

**HB 1200, PN 1661** By Rep. DeWEESE

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for the powers of the Pennsylvania Energy Development Authority.

RULES.

**HB 1202, PN 1667** By Rep. DeWEESE

An Act providing for the sale of transportation fuels containing clean, renewable or alternative fuel content.

RULES.

**HB 1203, PN 1668** By Rep. DeWEESE

An Act amending the act of November 30, 2004 (P.L.1672, No.213), known as the Alternative Energy Portfolio Standards Act, further providing for the definition of "force majeure," for alternative energy portfolio standards, for portfolio requirements in other states and for interconnection standards for customer-generator facilities.

RULES.

The SPEAKER pro tempore. Those bills will be placed on the supplemental calendar.

### BILLS REREPORTED FROM COMMITTEE

**HB 288, PN 1847** By Rep. DeWEESE

An Act providing for requirements for hospitals and health care facilities that provide services to sexual assault victims, for provision of information and services relating to emergency contraception and for powers and duties of the Department of Health.

RULES.

**HB 614, PN 680** By Rep. DeWEESE

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, establishing the Department of Drug and Alcohol Programs; repealing related provisions of the Pennsylvania Drug and Alcohol Abuse and Control Act; and making editorial changes.

RULES.

**HB 1420, PN 1918** By Rep. DeWEESE

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for the definition of "distributor"; providing for the definition of "small manufacturer"; and further providing for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses, for malt and brewed beverages alternating brewers' licenses, for distributors' and importing distributors' restrictions on sales, storage, etc., and for breweries.

RULES.

**HB 1481, PN 1919** By Rep. DeWEESE

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for wine auction permits.

RULES.

The SPEAKER pro tempore. Those bills will be placed on the active calendar.

**BILL ON CONCURRENCE  
REPORTED FROM COMMITTEE**

**HB 906, PN 1887** By Rep. DeWEESE

An Act amending the act of July 31, 2003 (P.L.73, No.17), known as the Volunteer Fire Company and Volunteer Ambulance Service Grant Act, further defining "volunteer ambulance service"; further providing for guidelines and procedures, for award of grants and for expiration of authority; providing for publication and notice, for special provisions; and repealing an obsolete act.

**RULES.**

The SPEAKER pro tempore. That bill will be placed on the calendar.

**BILLS REREPORTED FROM COMMITTEE**

**HB 43, PN 68** By Rep. D. EVANS

An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, providing for uniform environmental covenants.

**APPROPRIATIONS.**

**HB 902, PN 1054** By Rep. D. EVANS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for applicability and uniformity of law and for disposition and use of liquid fuels and fuels tax.

**APPROPRIATIONS.**

**HB 1000, PN 1756** By Rep. D. EVANS

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for retroactive denial of reimbursement of payments to health care providers by insurers and, in quality health care accountability and protection, for mental health services; and further providing, in quality health care accountability and protection, for procedures.

**APPROPRIATIONS.**

**SB 795, PN 887** By Rep. D. EVANS

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

**APPROPRIATIONS.**

**SB 796, PN 1052** By Rep. D. EVANS

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

**APPROPRIATIONS.**

**SB 797, PN 889**

By Rep. D. EVANS

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

**APPROPRIATIONS.**

The SPEAKER pro tempore. Those bills will be placed on the calendar.

**BILLS REREPORTED FROM COMMITTEE**

**HB 500, PN 1909** By Rep. D. EVANS

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.

**APPROPRIATIONS.**

**HB 501, PN 1910** By Rep. D. EVANS

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.

**APPROPRIATIONS.**

The SPEAKER pro tempore. Those bills will be placed on the supplemental calendar.

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

**HB 1552, PN 1972 (Amended)** By Rep. DeLUCA

An Act establishing the Pennsylvania Infection Control Advisory Committee; providing for duties of the committee, the Department of Health, the Pennsylvania Health Care Cost Containment Council and the Patient Safety Authority; requiring health care facilities to develop and implement infection control plans; and imposing penalties.

**INSURANCE.**

**HB 1556, PN 1915** By Rep. DeLUCA

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for conditions subject to which policies are to be issued; and providing for health insurance coverage for certain children of insured parents.

**INSURANCE.**

**RESOLUTION REPORTED  
FROM COMMITTEE**

**HR 334, PN 1973 (Amended)** By Rep. DeLUCA

A Concurrent Resolution directing the appointment of a task force to study affordable health care insurance, health care access and quality health care services for the citizens of this Commonwealth.

**INSURANCE.**

### HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 335** By Representatives LENTZ, RUBLEY, ADOLPH, MENSCH, BENNINGHOFF, CALTAGIRONE, DeWEESE, DIGIROLAMO, D. EVANS, EVERETT, FABRIZIO, FRANKEL, GALLOWAY, GEORGE, GINGRICH, GRUCELA, HARHART, HENNESSEY, HERSHEY, JAMES, JOSEPHS, KILLION, KOTIK, KULA, LEACH, MAHONEY, MANN, MELIO, MILNE, MOYER, MURT, O'NEILL, RAYMOND, READSHAW, SCAVELLO, SEIP, SIPTROTH, THOMAS, YOUNGBLOOD and SWANGER

A Resolution designating the Valley Forge Military College as the official military college of the Commonwealth of Pennsylvania.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 18, 2007.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 1209** By Representatives McILVAINE SMITH, SEIP, SCAVELLO, CALTAGIRONE, CARROLL, EVERETT, FLECK, FREEMAN, GEORGE, GRUCELA, HALUSKA, HARKINS, HERSHEY, JOSEPHS, KOTIK, KULA, LEACH, MAHONEY, McILHATTAN, MOUL, M. O'BRIEN, RAPP, SURRA, WANSACZ, YOUNGBLOOD, YUDICHAK, MOYER, FAIRCHILD, M. KELLER, LONGIETTI, THOMAS, FABRIZIO and CREIGHTON

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, further providing for powers and duties of counties and for recycling fees.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 18, 2007.

**No. 1212** By Representatives COX, BARRAR, BENNINGHOFF, BEYER, BLACKWELL, BRENNAN, CLYMER, CUTLER, DENLINGER, DeWEESE, ELLIS, EVERETT, FABRIZIO, FAIRCHILD, FRANKEL, GABIG, GEIST, GERGELY, GILLESPIE, GOODMAN, HARRIS, HELM, HENNESSEY, HERSHEY, HUTCHINSON, KAUFFMAN, KING, LENTZ, MAHER, MANTZ, McILHATTAN, MOUL, MURT, D. O'BRIEN, PAYNE, PERRY, PERZEL, PYLE, QUIGLEY, RAMALEY, ROAE, ROCK, ROHRER, SAYLOR, SCHRODER, KESSLER, SEIP, K. SMITH, STERN, SWANGER, TANGRETTI, TURZAI, VEREB, WATSON, KIRKLAND and GINGRICH

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for penalty for persons convicted of felony not to possess, use, manufacture, control, sell or transfer firearms.

Referred to Committee on JUDICIARY, June 18, 2007.

**No. 1526** By Representatives HANNA, BENNINGHOFF, CURRY, FABRIZIO, JAMES, LEVDANSKY, PRESTON and SIPTROTH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for exhaust systems, mufflers and noise control.

Referred to Committee on TRANSPORTATION, June 18, 2007.

**No. 1527** By Representatives ELLIS, BASTIAN, BENNINGHOFF, BEYER, BOYD, BRENNAN, BUXTON, CIVERA, COSTA, DALLY, DeLUCA, J. EVANS, EVERETT, GERGELY, HARHAI, HARHART, HARRIS, HERSHEY, M. KELLER, KILLION, LONGIETTI, MANN, MARSICO, MENSCH, MILLARD, MOUL, NAILOR, PYLE, QUIGLEY, REICHLEY, SAINATO, SAMUELSON, SANTONI, SCHRODER, SEIP, SIPTROTH, SOLOBAY, SONNEY, R. STEVENSON, THOMAS, VEREB, VULAKOVICH, YOUNGBLOOD, PALLONE, KORTZ and GINGRICH

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, providing for the regulation of political activity by police officers.

Referred to Committee on LOCAL GOVERNMENT, June 18, 2007.

**No. 1532** By Representatives RUBLEY, GEIST, SCHRODER, ROSS, CALTAGIRONE, COHEN, CREIGHTON, DALEY, FABRIZIO, FRANKEL, FREEMAN, GEORGE, GINGRICH, HARPER, JAMES, KILLION, KULA, LEACH, MAJOR, R. MILLER, MILNE, MOYER, MURT, NAILOR, PAYNE, PHILLIPS, RAPP, REICHLEY, SAYLOR, SCAVELLO, TANGRETTI, TRUE, VEREB and VITALI

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, providing for the designation of a portion of U.S. Route 202 and a portion of the Pennsylvania Turnpike as a scenic byway.

Referred to Committee on TRANSPORTATION, June 18, 2007.

**No. 1533** By Representatives MILLARD, CAPPELLI, CREIGHTON, DENLINGER, GEIST, HENNESSEY, KOTIK, MENSCH, METCALFE, R. MILLER, MOUL, PHILLIPS, REICHLEY, S. H. SMITH, STERN and VULAKOVICH

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for gubernatorial appointments and for deputies.

Referred to Committee on STATE GOVERNMENT, June 18, 2007.

**No. 1534** By Representatives DENLINGER, BELFANTI, BOYD, CLYMER, COHEN, FLECK, GINGRICH, HENNESSEY, MAHONEY, RAPP, ROHRER, STERN and YOUNGBLOOD

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for Commissioner of Pennsylvania State Police.

Referred to Committee on JUDICIARY, June 18, 2007.

**No. 1535** By Representatives DENLINGER, BELFANTI, BOYD, CLYMER, COHEN, FLECK, GINGRICH, HENNESSEY, MAHONEY, RAPP, ROHRER, STERN and YOUNGBLOOD

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for powers and duties of commission.

Referred to Committee on JUDICIARY, June 18, 2007.

**No. 1536** By Representatives McGEEHAN, BLACKWELL, BRENNAN, CRUZ, JAMES and LEVDANSKY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for sale or transfer of firearms.

Referred to Committee on JUDICIARY, June 18, 2007.

**No. 1537** By Representatives DENLINGER, CALTAGIRONE, CLYMER, CREIGHTON, GINGRICH, HENNESSEY, HERSHEY, JAMES, KIRKLAND, KORTZ, KOTIK, MILLARD, R. MILLER, MYERS, NAILOR, PICKETT, SAYLOR, STERN, WHEATLEY and YOUNGBLOOD

An Act requiring certain facilities to coordinate with licensing agencies and local long-term care ombudsmen to provide assistance to residents in circumstances involving relocation of residents due to voluntary or involuntary closure of the facilities.

Referred to Committee on HEALTH AND HUMAN SERVICES, June 18, 2007.

**No. 1538** By Representatives DENLINGER, BENNINGHOFF, BARRAR, BELFANTI, CAPPELLI, CARROLL, CLYMER, COX, CREIGHTON, DALLY, FAIRCHILD, GEIST, HARRIS, HERSHEY, HESS, JAMES, M. KELLER, KILLION, KORTZ, KOTIK, LEVDANSKY, MILNE, PAYNE, RAPP, REICHLEY, ROHRER, SCAVELLO, SCHRODER, SONNEY, STERN, R. STEVENSON and SURRA

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for determination of paternity and for visitation rights and partial custody when there is a deceased parent.

Referred to Committee on JUDICIARY, June 18, 2007.

**No. 1539** By Representatives JAMES, BLACKWELL, STABACK, LEACH, CURRY, FABRIZIO, HENNESSEY, JOSEPHS, KIRKLAND, MAHONEY, STURLA and THOMAS

An Act requiring the Attorney General to collect data on traffic stops; and making an appropriation.

Referred to Committee on JUDICIARY, June 18, 2007.

**No. 1540** By Representatives JAMES, BLACKWELL, YOUNGBLOOD, BUXTON, COHEN, DALEY, DERMODY, HENNESSEY, KIRKLAND, MAHONEY, MYERS, PARKER, STABACK, STURLA and WALKO

An Act providing for detailed records of all traffic stops; prohibiting traffic stops solely on the basis of racial profiling; authorizing the Attorney General to investigate complaints of racial profiling; and providing for the powers and duties of the Attorney General and for reporting to the General Assembly.

Referred to Committee on JUDICIARY, June 18, 2007.

**No. 1542** By Representatives QUINN, BOYD, CAPPELLI, CLYMER, CUTLER, DENLINGER, EVERETT, FAIRCHILD, FLECK, GEIST, GILLESPIE, GINGRICH, GRELL, HARHART, HENNESSEY, HERSHEY, KAUFFMAN, M. KELLER, KORTZ, MARSHALL, McILHATTAN, MICOZZIE, R. MILLER, MILNE, MOUL, MOYER, MURT, PEIFER, PICKETT, PYLE, REED, REICHLEY, RUBLEY, SCAVELLO, SCHRODER, SOLOBAY, STERN, R. STEVENSON, TRUE, TURZAI and VULAKOVICH

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, further providing for qualifications required to secure compensation.

Referred to Committee on LABOR RELATIONS, June 18, 2007.

**No. 1543** By Representatives SOLOBAY, BLACKWELL, CALTAGIRONE, CAPPELLI, CARROLL, CREIGHTON, FABRIZIO, GEIST, GEORGE, GIBBONS, GODSHALL, HENNESSEY, HERSHEY, JOSEPHS, KILLION, KOTIK, KULA, LEACH, MAHONEY, OLIVER, READSHAW, RUBLEY, SCAVELLO, THOMAS, WALKO, J. WHITE, WOJNAROSKI, YOUNGBLOOD, DENLINGER, KIRKLAND and SONNEY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for expungement of criminal history record.

Referred to Committee on JUDICIARY, June 18, 2007.

**No. 1544** By Representatives MICOZZIE, MANDERINO, CIVERA, CURRY, GEORGE, M. KELLER, KOTIK, MYERS, READSHAW, STURLA, THOMAS, BISHOP, BLACKWELL, COHEN, JOSEPHS, KENNEY, McGEEHAN, M. O'BRIEN, PARKER, PAYTON, ROEBUCK, J. TAYLOR and WILLIAMS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for a successful school budget subsidy system.

Referred to Committee on EDUCATION, June 18, 2007.

**No. 1546** By Representatives CONKLIN, SIPTROTH, THOMAS, KING, KORTZ, COHEN, YOUNGBLOOD, MUSTIO, CLYMER, M. O'BRIEN, GODSHALL, BRENNAN, GEIST, JOSEPHS, MUNDY, O'NEILL, MANN, LEACH, MAHONEY, GIBBONS, DALEY, CURRY, FREEMAN and MENSCH

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for prevention of abduction of children.

Referred to Committee on JUDICIARY, June 18, 2007.

**No. 1547** By Representatives CASORIO, DeWEESE, BISHOP, BOYD, CAPPELLI, CARROLL, CURRY, FABRIZIO, GEIST, GINGRICH, GOODMAN, GRUCELA, HARHAI, JAMES, KIRKLAND, KORTZ, KOTIK, KULA, LONGIETTI, MANN, McILHATTAN, MOYER, MURT, MYERS, PALLONE, PARKER, PETRARCA, PRESTON, READSHAW, RUBLEY, SEIP, STABACK, TANGRETTI, WALKO, WOJNAROSKI, YOUNGBLOOD, SCHRODER, DENLINGER and HORNAMAN

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for schedules of controlled substances.

Referred to Committee on JUDICIARY, June 18, 2007.

**No. 1548** By Representatives KORTZ, VULAKOVICH, BAKER, BELFANTI, BENNINGHOFF, BRENNAN, CALTAGIRONE, CAPPELLI, CARROLL, CLYMER, CURRY, DENLINGER, FREEMAN, GIBBONS, GINGRICH, GOODMAN, HARKINS, HARRIS, HENNESSEY, HORNAMAN, HUTCHINSON, JAMES, M. KELLER, KIRKLAND, KULA, LEVDANSKY, MAHONEY, MELIO, MENSCH, MUNDY, MURT, PEIFER, PERZEL, PETRONE, PICKETT, PYLE, RAPP, REICHLEY, SCAVELLO, SCHRODER, SHIMKUS, SIPTROTH, SOLOBAY, SONNEY, STERN, SURRA, SWANGER, THOMAS, WATERS and YOUNGBLOOD

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for disposition of dependent child.

Referred to Committee on JUDICIARY, June 18, 2007.

**No. 1549** By Representatives KORTZ, BELFANTI, BLACKWELL, BRENNAN, CAPPELLI, CREIGHTON, CRUZ, DeLUCA, DePASQUALE, FABRIZIO, FRANKEL, FREEMAN, GRELL, HENNESSEY, HORNAMAN, W. KELLER, KIRKLAND, KULA, LEVDANSKY, MAHONEY, MANN, McGEEHAN, MILNE, MURT, PETRARCA, SAYLOR, SCHRODER, SIPTROTH, K. SMITH, SONNEY, THOMAS, VULAKOVICH and WALKO

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, prohibiting certain unsafe operation of school buses.

Referred to Committee on EDUCATION, June 18, 2007.

**No. 1551** By Representatives DePASQUALE, GOODMAN, R. TAYLOR, MACKERETH, NICKOL, BELFANTI, BENNINGTON, BIANCUCCI, BLACKWELL, BRENNAN, BUXTON, CALTAGIRONE, CAPPELLI, CLYMER, COHEN, CONKLIN, COSTA, CRUZ, CURRY, DALEY, DALLY, DeLUCA, DERMODY, DeWEESE, DONATUCCI, EACHUS, D. EVANS, EVERETT, FABRIZIO, FLECK, FREEMAN, GALLOWAY, GEIST, GEORGE, GIBBONS, GRUCELA, HALUSKA, HANNA, HARKINS, HARPER, HERSHEY, HORNAMAN, JAMES, JOSEPHS, KAUFFMAN, W. KELLER, KING, KORTZ, KOTIK, KULA, LEACH, LENTZ, LONGIETTI, MAHONEY, MANDERINO, MANN,

MARKOSEK, MARSHALL, McCALL, McGEEHAN, McILHATTAN, McILVAINE SMITH, MELIO, MENSCH, R. MILLER, MOUL, MUNDY, MURT, M. O'BRIEN, PALLONE, PARKER, PASHINSKI, PAYNE, PAYTON, PETRARCA, PETRONE, PRESTON, RAMALEY, RAYMOND, READSHAW, REICHLEY, ROEBUCK, RUBLEY, SABATINA, SAINATO, SANTONI, SAYLOR, SEIP, SIPTROTH, M. SMITH, SOLOBAY, STABACK, STURLA, SURRA, TANGRETTI, THOMAS, VULAKOVICH, WAGNER, WALKO, WANSACZ, WHEATLEY, J. WHITE, WILLIAMS, WOJNAROSKI, YOUNGBLOOD, YUDICHAK, HESS, BARRAR, MANTZ, SWANGER and PHILLIPS

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for issuance of group accident and sickness insurance.

Referred to Committee on INSURANCE, June 18, 2007.

**No. 1553** By Representatives FREEMAN, McILHATTAN, GEORGE, BLACKWELL, BRENNAN, CALTAGIRONE, COHEN, FABRIZIO, GRUCELA, HARHAI, HARKINS, KORTZ, KOTIK, MANN, MENSCH, MYERS, O'NEILL, PETRONE, SIPTROTH, THOMAS and KULA

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, providing for window for multiple service election.

Referred to Committee on FINANCE, June 18, 2007.

**No. 1554** By Representatives COHEN, LEVDANSKY, THOMAS, BELFANTI, CALTAGIRONE, FREEMAN, GEORGE, JAMES, JOSEPHS, MUNDY, CREIGHTON, R. MILLER, RUBLEY, SAYLOR, BLACKWELL, BRENNAN, FABRIZIO, GOODMAN, GRUCELA, KIRKLAND, KORTZ, M. O'BRIEN, SABATINA, SANTONI, SOLOBAY, WALKO, J. WHITE, YOUNGBLOOD and HORNAMAN

An Act requiring companies that receive economic development subsidies to ensure that subsidies result in improved standards of living for working families.

Referred to Committee on COMMERCE, June 18, 2007.

**No. 1557** By Representatives DALLY, DENLINGER, GEIST, GINGRICH, GRUCELA, HENNESSEY, JAMES, LEACH and WATSON

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for confidential communications to clergymen.

Referred to Committee on JUDICIARY, June 18, 2007.

**No. 1558** By Representatives PETRONE, GRUCELA, BELFANTI, CALTAGIRONE, COSTA, CREIGHTON, CURRY, DALEY, J. EVANS, FABRIZIO, FREEMAN, GEORGE, HORNAMAN, JAMES, KIRKLAND, KOTIK, KULA, McCALL, McILVAINE SMITH, MENSCH, MOUL, REICHLEY, SCAVELLO, SEIP, SIPTROTH, SOLOBAY, SONNEY, STERN, STURLA, WALKO and KORTZ

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for teaching of safe driving of motor vehicles and for the standardized driver-education program.

Referred to Committee on EDUCATION, June 18, 2007.

**No. 1559** By Representatives KENNEY, DONATUCCI, J. TAYLOR, WATERS, OLIVER, BISHOP, CRUZ, YOUNGBLOOD, M. O'BRIEN, W. KELLER, KORTZ and PAYNE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for automated red light enforcement systems in first class cities; and providing for automated speed timing systems in first class cities.

Referred to Committee on TRANSPORTATION, June 18, 2007.

**No. 1560** By Representatives S. H. SMITH, REED, BAKER, CAPPELLI, GEORGE, READSHAW, MARSHALL, KILLION, PAYNE, VEREB, SCAVELLO, ARGALL, WATSON, FAIRCHILD, SOLOBAY, GODSHALL, McILHATTAN, SANTONI, HERSHEY, MURT, HICKERNELL, SURRA, SAINATO, TRUE, THOMAS, O'NEILL, PYLE, FLECK, MOYER, R. STEVENSON, DALEY, GEIST, SONNEY, RAPP, REICHLEY, GINGRICH, PHILLIPS, MILNE, GIBBONS, KORTZ, JAMES and PALLONE

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, establishing the Look Toward Your Future program; and further providing for Pennsylvania accountability grants.

Referred to Committee on EDUCATION, June 18, 2007.

**No. 1561** By Representatives S. H. SMITH, REED, BAKER, CAPPELLI, GEORGE, READSHAW, MARSHALL, KILLION, PAYNE, ARGALL, GRELL, PICKETT, WATSON, DALLY, FAIRCHILD, SOLOBAY, GODSHALL, MUSTIO, ROSS, McILHATTAN, ADOLPH, HICKERNELL, SAINATO, PALLONE, TRUE, CLYMER, THOMAS, O'NEILL, MAJOR, RUBLEY, PYLE, FLECK, EVERETT, KIRKLAND, R. STEVENSON, BENNINGHOFF, SONNEY, RAPP, REICHLEY, GINGRICH, MOYER, BOYD, GEIST, PASHINSKI, MILLARD, GOODMAN, PHILLIPS, GIBBONS, KORTZ and BROOKS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for Tools of the Trade Grants.

Referred to Committee on EDUCATION, June 18, 2007.

**No. 1563** By Representatives PALLONE, CALTAGIRONE, COHEN, FABRIZIO, GIBBONS, GRUCELA, HARHAI, HARKINS, HORNAMAN, JAMES, KIRKLAND, KORTZ, KOTIK, KULA, MARKOSEK, MENSCH, MURT, MYERS, PASHINSKI, PETRONE, SOLOBAY, TANGRETTI and THOMAS

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further defining "police

department" and "police officer" for purposes of municipal police training and education.

Referred to Committee on JUDICIARY, June 18, 2007.

**No. 1564** By Representatives WANSACZ, CONKLIN, MAJOR, CREIGHTON, BARRAR, BELFANTI, BEYER, BUXTON, CAPPELLI, CARROLL, DALEY, DENLINGER, ELLIS, EVERETT, FABRIZIO, FAIRCHILD, FLECK, GEORGE, GIBBONS, JAMES, GODSHALL, GOODMAN, GRUCELA, HARHAI, HARPER, KAUFFMAN, M. KELLER, KOTIK, KULA, LONGIETTI, MAHONEY, McILHATTAN, MENSCH, MUNDY, MURT, O'NEILL, M. O'BRIEN, PALLONE, BOBACK, PEIFER, PETRARCA, PHILLIPS, PYLE, RAMALEY, RAPP, READSHAW, ROAE, SAINATO, SAYLOR, SCAVELLO, SHIMKUS, SIPTROTH, K. SMITH, STABACK, STEIL, R. STEVENSON, SURRA, SWANGER, TANGRETTI, THOMAS, YOUNGBLOOD, HANNA, SONNEY, HORNAMAN, KORTZ and BOYD

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for exemptions and special provisions.

Referred to Committee on FINANCE, June 18, 2007.

**No. 1565** By Representatives LENTZ, ADOLPH, BAKER, BELFANTI, BENNINGHOFF, BOYD, BROOKS, CALTAGIRONE, CARROLL, CLYMER, COHEN, DALLY, DENLINGER, DePASQUALE, DeWEESE, D. EVANS, EVERETT, FRANKEL, FREEMAN, GEIST, GEORGE, GIBBONS, GOODMAN, GRUCELA, HARHAI, HENNESSEY, HERSHEY, HESS, HORNAMAN, M. KELLER, W. KELLER, KENNEY, KILLION, KORTZ, KOTIK, KULA, MANN, MARKOSEK, McILHATTAN, MOUL, MOYER, MUNDY, MURT, MYERS, PALLONE, PASHINSKI, PAYNE, PETRONE, PHILLIPS, PYLE, RAMALEY, RAPP, READSHAW, RUBLEY, SANTONI, SAYLOR, SCAVELLO, SOLOBAY, SURRA, J. TAYLOR, R. TAYLOR, THOMAS, VULAKOVICH, WALKO, YOUNGBLOOD and D. O'BRIEN

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for awarding of the Pennsylvania Cross for Valor.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 18, 2007.

**No. 1566** By Representatives LENTZ, ADOLPH, BELFANTI, BOYD, CALTAGIRONE, CARROLL, COHEN, CONKLIN, COSTA, DALEY, DALLY, EVERETT, FREEMAN, GERBER, GIBBONS, GINGRICH, GOODMAN, GRUCELA, HENNESSEY, HORNAMAN, KILLION, KORTZ, KOTIK, KULA, LEACH, MANN, MOYER, MUNDY, MURT, MYERS, PALLONE, READSHAW, REED, RUBLEY, SANTONI, SAYLOR, SCAVELLO, SOLOBAY, THOMAS, WALKO and YOUNGBLOOD

An Act establishing a grant program for volunteer emergency service organizations to provide incentives for establishing partnerships; conferring powers and duties on the Governor's Center for Local Government Services within the Department of Community and Economic Development; and providing for funding.



Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 18, 2007.

**No. 1567** By Representatives CALTAGIRONE, CONKLIN, DALEY, DeLUCA, EVERETT, GILLESPIE, HANNA, HARKINS, HARRIS, KORTZ, LENTZ, MAHER, MARKOSEK, McILHATTAN, MUSTIO, NICKOL, READSHAW, SIPTROTH, SWANGER, TURZAI and VULAKOVICH

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, reducing the size of the General Assembly.

Referred to Committee on RULES, June 18, 2007.

**No. 1568** By Representatives BENNINGHOFF, BEAR, BELFANTI, EVERETT, GOODMAN, GRELL, HARRIS, HERSHEY, HUTCHINSON, KIRKLAND, MARSHALL, PEIFER, PYLE, REICHLEY, SCHRODER, SWANGER and VULAKOVICH

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for establishment of State Gaming Fund and net slot machine revenue distribution and for the Pennsylvania Gaming Economic Development and Tourism Fund.

Referred to Committee on GAMING OVERSIGHT, June 18, 2007.

**No. 1569** By Representatives BENNINGHOFF, THOMAS, BUXTON, CARROLL, CREIGHTON, DENLINGER, FABRIZIO, GEORGE, GIBBONS, GINGRICH, HERSHEY, JAMES, KIRKLAND, KORTZ, LEACH, McILHATTAN, MELIO, R. MILLER, MOUL, PRESTON, REICHLEY, ROAE, RUBLEY and SOLOBAY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for criminal history record expungement.

Referred to Committee on JUDICIARY, June 18, 2007.

**No. 1588** By Representative D. EVANS

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, providing for an oil company gross profits tax; and making an appropriation.

Referred to Committee on APPROPRIATIONS, June 18, 2007.

**No. 1589** By Representative D. EVANS

An Act providing for the capital budget for the fiscal year 2007-2008; itemizing public improvement projects, furniture and equipment projects, transportation assistance projects, redevelopment assistance capital projects, flood control projects, Keystone Recreation, Park and Conservation Fund projects, Environmental Stewardship Fund projects, Motor License Fund projects, State forestry bridge projects and federally funded projects to be constructed or acquired or assisted by the Department of General Services, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, the Department of Environmental Protection and the Department of Transportation, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed, acquired or assisted by the Department of

General Services, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, the Department of Environmental Protection or the Department of Transportation; stating the estimated useful life of the projects; providing an exemption; providing for limitation on certain capital projects, for special provisions for certain redevelopment assistance capital projects and for preemption of local ordinances for Department of Corrections projects; and making appropriations.

Referred to Committee on APPROPRIATIONS, June 18, 2007.

**No. 1590** By Representatives MARKOSEK, D. EVANS, McCALL and DeWEESE

An Act amending Titles 53 (Municipalities Generally), 74 (Transportation) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for public transportation assistance and for income based on use of Commonwealth highways.

Referred to Committee on TRANSPORTATION, June 18, 2007.

### SENATE BILLS FOR CONCURRENCE

The clerk of the Senate, being introduced, presented the following bills for concurrence:

#### **SB 877, PN 1039**

Referred to Committee on HEALTH AND HUMAN SERVICES, June 18, 2007.

#### **SB 929, PN 1112**

Referred to Committee on APPROPRIATIONS, June 18, 2007.

#### **SB 931, PN 1114**

Referred to Committee on APPROPRIATIONS, June 18, 2007.

#### **SB 932, PN 1115**

Referred to Committee on APPROPRIATIONS, June 18, 2007.

#### **SB 933, PN 1116**

Referred to Committee on APPROPRIATIONS, June 18, 2007.

#### **SB 934, PN 1117**

Referred to Committee on APPROPRIATIONS, June 18, 2007.

#### **SB 935, PN 1118**

Referred to Committee on APPROPRIATIONS, June 18, 2007.

**SB 936, PN 1119**

Referred to Committee on APPROPRIATIONS, June 18, 2007.

**SB 937, PN 1120**

Referred to Committee on APPROPRIATIONS, June 18, 2007.

**SB 938, PN 1121**

Referred to Committee on APPROPRIATIONS, June 18, 2007.

**SB 939, PN 1122**

Referred to Committee on APPROPRIATIONS, June 18, 2007.

**SB 940, PN 1123**

Referred to Committee on APPROPRIATIONS, June 18, 2007.

**SB 941, PN 1124**

Referred to Committee on APPROPRIATIONS, June 18, 2007.

**SB 942, PN 1125**

Referred to Committee on APPROPRIATIONS, June 18, 2007.

**SB 943, PN 1126**

Referred to Committee on APPROPRIATIONS, June 18, 2007.

**SB 944, PN 1127**

Referred to Committee on APPROPRIATIONS, June 18, 2007.

**SB 945, PN 1128**

Referred to Committee on APPROPRIATIONS, June 18, 2007.

**SB 946, PN 1129**

Referred to Committee on APPROPRIATIONS, June 18, 2007.

**SB 947, PN 1130**

Referred to Committee on APPROPRIATIONS, June 18, 2007.

**SB 948, PN 1131**

Referred to Committee on APPROPRIATIONS, June 18, 2007.

**SB 950, PN 1132**

Referred to Committee on APPROPRIATIONS, June 18, 2007.

**SB 951, PN 1133**

Referred to Committee on APPROPRIATIONS, June 18, 2007.

**SB 952, PN 1134**

Referred to Committee on APPROPRIATIONS, June 18, 2007.

**SB 953, PN 1135**

Referred to Committee on APPROPRIATIONS, June 18, 2007.

**SB 954, PN 1136**

Referred to Committee on APPROPRIATIONS, June 18, 2007.

**SB 955, PN 1137**

Referred to Committee on APPROPRIATIONS, June 18, 2007.

**SB 956, PN 1138**

Referred to Committee on APPROPRIATIONS, June 18, 2007.

**SB 957, PN 1139**

Referred to Committee on APPROPRIATIONS, June 18, 2007.

**SB 958, PN 1140**

Referred to Committee on APPROPRIATIONS, June 18, 2007.

**SB 959, PN 1141**

Referred to Committee on APPROPRIATIONS, June 18, 2007.

**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 556, PN 624**, entitled:

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.

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

Mr. **SAYLOR** offered the following amendment No. **A01300**:

Amend Sec. 1, page 1, lines 7 through 9, by striking out all of said lines and inserting

Section 1. Section 5(a), (c) and (d) of the act of July 10, 1981 (P.L.214, No.67), known as the Bingo Law, amended December 15, 1982 (P.L.1299, No.293) and February 12, 1988 (P.L.76, No.14), are amended to read:

Amend Sec. 1 (Sec. 5), page 2, by inserting between lines 16 and 17

(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.

\* \* \*

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

#### AMENDMENT PASSED OVER TEMPORARILY

The SPEAKER pro tempore. The Chair will go over this amendment temporarily.

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

#### BILL PASSED OVER TEMPORARILY

The SPEAKER pro tempore. We will go over this bill temporarily.

### SUPPLEMENTAL CALENDAR A

#### BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 795, PN 914**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for a board of control.

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

The SPEAKER pro tempore. The Chair understands that there are no amendments on the bill.

On the question recurring,  
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 917, PN 1067**, entitled:

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

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

The SPEAKER pro tempore. The Chair understands that there are no amendments filed to this bill.

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

### SUPPLEMENTAL CALENDAR A CONTINUED

#### BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 976, PN 1139**, entitled:

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

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

The SPEAKER pro tempore. The Chair understands that there have been no amendments filed to this bill.

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

#### LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. Returning to leaves of absence, the Chair notes the presence of Representative Roebuck on the floor and asks that his name be added to the master roll.

### CALENDAR CONTINUED

#### BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 580, PN 625**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, permitting use of dogs in hunting for wild turkeys.

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

The SPEAKER pro tempore. It is the understanding of the Chair that no amendments have been filed to this bill.

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

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 69, PN 93**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, defining "mounted specimen"; and further providing for buying and selling game.

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

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

(Bill analysis was read.)

The SPEAKER pro tempore. The question is, shall the bill pass finally?

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

The following roll call was recorded:

**YEAS—200**

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

Cruz	Keller, M.	Perzel	True
Curry	Keller, W.	Petrarca	Turzai
Cutler	Kessler	Petri	Vereb
Daley	Killion	Petrone	Vitali
Dally	King	Phillips	Vulakovich
DeLuca	Kirkland	Pickett	Wagner
Denlinger	Kortz	Preston	Walko
DePasquale	Kotik	Pyle	Wansacz
Dermody	Kula	Quigley	Waters
DeWeese	Leach	Quinn	Watson
DiGirolamo	Lentz	Ramaley	Wheatley
Donatucci	Levdansky	Rapp	White
Eachus	Longiotti	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—0**

**NOT VOTING—0**

**EXCUSED—3**

Helm                      Kenney                      Micozzie

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

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

\* \* \*

The House proceeded to third consideration of **HB 441, PN 1755**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of unlawful capture and electronic transmission of identifying information.

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

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

(Bill analysis was read.)

The SPEAKER pro tempore. The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—0

EXCUSED—3

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

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

\* \* \*

The House proceeded to third consideration of **HB 496, PN 1906**, entitled:

An Act amending the act of July 10, 1984 (P.L.688, No.147), known as the Radiation Protection Act, further providing for definitions, for powers of Environmental Quality Board, for nuclear facility and transport fees, for creation of special funds, for response program and for transportation of radioactive materials; and making repeals.

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

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

(Bill analysis was read.)

The SPEAKER pro tempore. The question is, shall the bill pass finally?

On the question, the Chair recognizes the gentleman, Representative George.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, HB 496 updates the Radiation Protection Act with language that has been agreed to by the Department of Environmental Resources, the Pennsylvania Emergency Management, the Pennsylvania State Police, and representatives from each of the three operators of nuclear plants in Pennsylvania.

This bill strengthens the working relationship between the Commonwealth and the nuclear power plant operators in Pennsylvania and to reflect industry and governmental changes in post 9/11. We establish a working group process, strengthening the training and the transportation security measures and updating the fee structure, the first time in over a decade. Failure to pass this bill may prevent PEMA (Pennsylvania Emergency Management Agency) from certifying to the Nuclear Regulatory Commission that the State can sufficiently respond in the event of an accident, which in turn would lead to the shutdown of each of the five nuclear power plants in Pennsylvania, which provide 25 percent of Pennsylvania's electricity.

I ask that you join with me in passing this bill. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,  
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—200

Adolph	Freeman	Marshall	Ross
Argall	Gabig	Marsico	Rubley
Baker	Galloway	McCall	Sabatina

Barrar	Geist	McGeehan	Sainato
Bastian	George	McI. Smith	Samuelson
Bear	Gerber	McIlhattan	Santoni
Belfanti	Gergely	Melio	Saylor
Benninghoff	Gibbons	Mensch	Scavello
Bennington	Gillespie	Metcalfe	Schroder
Beyer	Gingrich	Millard	Seip
Biancucci	Godshall	Miller	Shapiro
Bishop	Goodman	Milne	Shimkus
Blackwell	Grell	Moul	Siptroth
Boback	Grucela	Moyer	Smith, K.
Boyd	Haluska	Mundy	Smith, M.
Brennan	Hanna	Murt	Smith, S.
Brooks	Harhai	Mustio	Solobay
Buxton	Harhart	Myers	Sonney
Caltagirone	Harkins	Nailor	Staback
Cappelli	Harper	Nickol	Stairs
Carroll	Harris	O'Brien, M.	Steil
Casorio	Hennessey	O'Neill	Stern
Causer	Hershey	Oliver	Stevenson
Civera	Hess	Pallone	Sturla
Clymer	Hickernell	Parker	Surra
Cohen	Hornaman	Pashinski	Swanger
Conklin	Hutchinson	Payne	Tangretti
Costa	James	Payton	Taylor, J.
Cox	Josephs	Peifer	Taylor, R.
Creighton	Kauffman	Perry	Thomas
Cruz	Keller, M.	Perzel	True
Curry	Keller, W.	Petrarca	Turzai
Cutler	Kessler	Petri	Vereb
Daley	Killion	Petrone	Vitali
Dally	King	Phillips	Vulakovich
DeLuca	Kirkland	Pickett	Wagner
Denlinger	Kortz	Preston	Walko
DePasquale	Kotik	Pyle	Wansacz
Dermody	Kula	Quigley	Waters
DeWeese	Leach	Quinn	Watson
DiGirolamo	Lentz	Ramaley	Wheatley
Donatucci	Levdansky	Rapp	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.,
Fleck	Mantz	Rohrer	Speaker
Frankel	Markosek		

NAYS—0

NOT VOTING—0

EXCUSED—3

Helm Kenney Micozzie

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

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

### SUPPLEMENTAL CALENDAR B

### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 500, PN 1909**, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

(Bill analysis was read.)

The SPEAKER pro tempore. The question is, shall the bill pass finally?

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

The following roll call was recorded:

### YEAS—200

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

NAYS-0

NOT VOTING-0

EXCUSED-3

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

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

\* \* \*

The House proceeded to third consideration of **HB 501, PN 1910**, entitled:

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.

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

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

(Bill analysis was read.)

The SPEAKER pro tempore. The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-200

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

Cappelli	Harper	Nickol	Stairs
Carroll	Harris	O'Brien, M.	Steil
Casorio	Hennessey	O'Neill	Stern
Causer	Hershey	Oliver	Stevenson
Civera	Hess	Pallone	Sturla
Clymer	Hickernell	Parker	Surra
Cohen	Hornaman	Pashinski	Swanger
Conklin	Hutchinson	Payne	Tangretti
Costa	James	Payton	Taylor, J.
Cox	Josephs	Peifer	Taylor, R.
Creighton	Kauffman	Perry	Thomas
Cruz	Keller, M.	Perzel	True
Curry	Keller, W.	Petrarca	Turzai
Cutler	Kessler	Petri	Vereb
Daley	Killion	Petrone	Vitali
Dally	King	Phillips	Vulakovich
DeLuca	Kirkland	Pickett	Wagner
Denlinger	Kortz	Preston	Walko
DePasquale	Kotik	Pyle	Wansacz
Dermody	Kula	Quigley	Waters
DeWeese	Leach	Quinn	Watson
DiGirolamo	Lentz	Ramaley	Wheatley
Donatucci	Levdansky	Rapp	White
Eachus	Longiotti	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.,
Fleck	Mantz	Rohrer	Speaker
Frankel	Markosek		

NAYS-0

NOT VOTING-0

EXCUSED-3

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

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

**CALENDAR CONTINUED**

**CONSIDERATION OF HB 556 CONTINUED**

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

Mr. **GRUCELA** offered the following amendment No. **A01303**:

Amend Sec. 1, page 1, lines 7 through 9, by striking out all of said lines and inserting

Section 1. Section 5 of the act of July 10, 1981 (P.L.214, No.67), known as the Bingo Law, amended December 15, 1982 (P.L.1299, No.293) and February 12, 1988 (P.L.76, No.14), is amended to read:

Amend Sec. 1 (Sec. 5), page 2, line 16, by striking out all of said line and inserting

(b) Display.—Licenses issued pursuant to this section shall be publicly displayed at games conducted by licensees.

(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 games which shall not exceed a value of \$2,000 for one such game. In addition, no more than \$4,000 in prizes shall be awarded in any calendar day.]

(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 in prizes.]

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

(e) Limitation on compensation.—No person may be employed in the operation or the actual running of a bingo game for compensation greater than \$50 per day, except employees of outside operators under section 5(c)(10), and any person compensated shall be paid individually by check or by cash, in which case the payee shall sign a written receipt therefor. In addition, no person shall receive compensation from more than one source for services rendered in the operation of a bingo game.

(f) Investigation of association.—The licensing authority may request an investigation to verify the statements made in any application for a license.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman, Representative Grucela. Will the gentleman give a brief description of the amendment.

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, basically this amendment removes the cap on the bingo games that are run by your nonprofit local organizations, especially your fire companies. It is a request that was made some time ago. Many of the local nonprofits are concerned since we brought gaming into the State that their particular fundraising efforts would suffer. They had requested that they be able to raise the caps on their prices if not eliminate them. This amendment eliminates any caps on the prizes of those games.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Representative Clymer, on the amendment.

Mr. CLYMER. Mr. Speaker, I know this is on the amendment and I would like to speak on final passage, so I will—

The SPEAKER pro tempore. Will the gentleman suspend.

Will the House please come to order. The gentleman is entitled to be heard. Will the House please come to order.

Mr. CLYMER. Thank you, Mr. Speaker.

Let me just say that I know this is on the amendment and I want to speak on final passage, so I will hold my remarks until tomorrow when the bill comes up on final passage. At that time I do have remarks. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

(Members proceeded to vote.)

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

Mr. MAHER. Mr. Speaker, our rules provide for a brief explanation of each amendment, and I do not recall hearing one. Did I—

The SPEAKER pro tempore. We had a brief description, Mr. Maher, from the sponsor of the amendment, Representative Grucela.

Mr. MAHER. Thank you very much.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—130

Adolph	Galloway	Marshall	Seip
Argall	George	McCall	Shapiro
Barrar	Gerber	McGeehan	Shimkus
Belfanti	Gergely	McI. Smith	Siptroth
Bennington	Gibbons	Melio	Smith, K.
Beyer	Goodman	Moyer	Smith, M.
Bianucci	Grucela	Mundy	Smith, S.
Bishop	Haluska	Mustio	Solobay
Blackwell	Hanna	Myers	Sonney
Brennan	Harhai	O'Brien, M.	Staback

Buxton	Harhart	O'Neill	Stairs
Caltagirone	Harkins	Oliver	Steil
Carroll	Harper	Pallone	Sturla
Casorio	Harris	Parker	Surra
Civera	Hornaman	Pashinski	Tangretti
Cohen	James	Payton	Taylor, R.
Conklin	Josephs	Perzel	Thomas
Costa	Keller, W.	Petrarca	Vitali
Cruz	Kessler	Petri	Wagner
Curry	Killion	Petrone	Walko
Daley	King	Preston	Wansacz
Dally	Kirkland	Quinn	Waters
DeLuca	Kortz	Ramaley	Watson
DePasquale	Kotik	Raymond	Wheatley
Dermody	Kula	Readshaw	White
DeWeese	Leach	Reichley	Williams
DiGirolamo	Lentz	Roebuck	Wojnaroski
Donatucci	Levdansky	Ross	Yewcic
Eachus	Longietti	Sabatina	Youngblood
Evans, D.	Mahoney	Sainato	Yudichak
Fabrizio	Manderino	Samuelson	
Frankel	Mann	Santoni	O'Brien, D., Speaker
Freeman	Markosek	Saylor	

NAYS—70

Baker	Fleck	Marsico	Quigley
Bastian	Gabig	McIlhatten	Rapp
Bear	Geist	Mensch	Reed
Benninghoff	Gillespie	Metcalfe	Roae
Boback	Gingrich	Millard	Rock
Boyd	Godshall	Miller	Rohrer
Brooks	Grell	Milne	Rublely
Cappelli	Hennessey	Moul	Scavello
Causer	Hershey	Murt	Schroder
Clymer	Hess	Nailor	Stern
Cox	Hickernell	Nickol	Stevenson
Creighton	Hutchinson	Payne	Swanger
Cutler	Kauffman	Peifer	Taylor, J.
Denlinger	Keller, M.	Perry	True
Ellis	Mackereth	Phillips	Turzai
Evans, J.	Maher	Pickett	Vereb
Everett	Major	Pyle	Vulakovich
Fairchild	Mantz		

NOT VOTING—0

EXCUSED—3

Helm	Kenney	Micozzie
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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?

The SPEAKER pro tempore. The Chair recognizes the gentleman, Representative Saylor, and asks which amendment he would like to run first.

Mr. SAYLOR. Mr. Speaker, we would like to run 1440.

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

Mr. SAYLOR offered the following amendment No. A01440:

Amend Title, page 1, lines 3 and 4, by striking out "rules" in line 3 and all of line 4 and inserting

the definition of "bona fide member," for rules for licensing and operation and for penalty.

Amend Bill, page 1, lines 7 through 9, by striking out all of said lines and inserting

Section 1. The definition of "bona fide member" in section 3 of the act of July 10, 1981 (P.L.214, No.67), known as the Bingo Law, added December 15, 1982 (P.L.1299, No.293), is amended to read:

Section 3. Definitions.

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

\* \* \*

"Bona fide member." Any individual who holds a full membership in the association as defined by the association's constitution, charter, articles of incorporation or bylaws [and has been a member of the association for at least one year]. The term shall also include those individuals who are members of an auxiliary or recognized junior affiliate of the parent association.

\* \* \*

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

Amend Sec. 1 (Sec. 5), page 2, line 4, by inserting brackets before and after "\$100 per annum" and inserting immediately thereafter \$300 for a two-year period

Amend Sec. 1 (Sec. 5), page 2, line 6, by inserting brackets before and after "\$50 per annum" and inserting immediately thereafter \$150 for a two-year period

Amend Sec. 1 (Sec. 5), page 2, line 8, by inserting brackets before and after "\$100 per annum" and inserting immediately thereafter \$300 for a two-year period

Amend Bill, page 2, line 17, by striking out all of said line and inserting

(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]

(ii) No more than [\$4,000 in prizes] \$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. More than one association may lease the same premises for the conducting of bingo and each association shall have its own license, subject to the limitations enumerated in section 7(b).

(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] \$600 shall be specifically described in the association's records. The association shall obtain the signature receipt of any winner of \$600 or more. These records shall be maintained by the association. Each association shall report to the Department of Revenue prizes awarded as required by section 335 of the act of March 4, 1971 (P.L.6, No.2), known as the "Tax Reform Code of 1971."

(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 in prizes] \$8,000 in prizes.

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

(8) The association has complied with the annual financial report filing requirements in subsection (g).

(9) The association has complied with the educational requirements contained in subsection (h).

(e) Limitation on compensation.—No person may be employed in the operation or the actual running of a bingo game for compensation greater than [\$50] \$100 per calendar day, except employees of outside operators under section 5(c)(10), and any person compensated shall be paid individually by check or by cash, in which case the payee shall sign a written receipt therefor. [In addition, no person shall receive compensation from more than one source for services rendered in the operation of a bingo game.]

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(g) Financial report.—An annual financial report limited to the operation of bingo games detailing gross profit, allowable expenses, rent, staff per diem, cost of supplies, net profit and contributions to charitable causes shall be filed with the licensing authority. This report shall be filed with the application for license and shall be filed by the midterm anniversary date of the license in nonapplication years. This report shall be prepared on a one-page form to be designed by the department. The report shall contain information for the 12-month period immediately preceding a date 60 days prior to the filing of the report. Failure to file the report by the midterm anniversary date of the license shall result in the automatic suspension of the license until the county treasurer certifies the report has been filed in compliance with this act.

(h) Education requirements.—A licensed association that conducts bingo 30 or more times in one calendar year must provide

evidence to the licensing authority that a bona fide member or designee of the association has completed four hours of education in the corresponding license period. The education program shall include seminars on law applicable to bingo involving reporting requirements, recordkeeping, legal operation of bingo and any other related topics the department may require. An education program shall be provided by any nonprofit association approved by the department.

Section 3. Section 7(b) of the act, amended December 15, 1982 (P.L.1299, No.293), is amended to read:

Section 7. Penalty.

\*\*\*

(b) Misdemeanor.—Any person who conducts or assists in the conducting of bingo in violation of the provisions of this act, is guilty of a misdemeanor of the first degree. Any person who permits the conduct of bingo on the same premises, owned by him or leased to him, on more than five days in any one week or by more than [one association] two associations in any calendar day, except for bingo being played at an exposition, carnival or fair, is guilty of a misdemeanor of the first degree.

Section 4. This act shall take effect as follows:

(1) The addition of section 5(h) of the act shall take effect in two years.

(2) This section shall take effect immediately.

(3) The remainder of this act shall take effect in 60 days.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman, Representative Saylor.

Mr. SAYLOR. Thank you, Mr. Speaker.

This amendment is the same as HB 10 of last session, which passed the House 115 to 80 but died in the Senate. License fees are changed from the annual license to a biannual license, and the actual fee is raised for the groups. It allows for winner-takes-all games and increased daily payout from the current \$4,000 limit to raise that limit to \$8,000, but it does cap it. It requires any prize greater than \$600 to be recorded by the association and requires a signature receipt from the winner to be kept on record, and all prizes awarded must be reported to the Department of Revenue.

It increases the maximum daily compensation for a bingo worker from \$50 to \$100. It adds educational requirements that a bona fide member or a designee of the association shall attend 4 hours of bingo education seminars or a variety of bingo-related topics as approved by the Department of Revenue, and this requirement is only for associations who conduct bingos 30 or more times in 1 year.

Mr. Speaker, this is, as I said, the amendment is the same as HB 10, which we have had a fairly good agreement with the Senate on and which they ran out of time last session to pass. I believe that with this amendment in this bill, this bill can become law. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the Chair recognizes Representative Grucela.

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, with all due respect to my good friend from York who has been working on this for some time, his amendment, if adopted, would eliminate the amendment that you just voted on and just passed. That was my amendment to remove the cap.

I would respectfully ask for a "no" vote on the Saylor amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the Chair recognizes Representative Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, one of the questions that I was going to ask was answered by Representative Grucela, and that is, if we adopted the Saylor amendment, how would that impact on what we just passed, and he has already explained that.

I am going to vote against the Saylor amendment as I did last time, and I just want to make a comparison here, the fact that we are expanding these small games of chance—

The SPEAKER pro tempore. Will the gentleman suspend.

Will the House please come to order. The gentleman is entitled to be heard. There is entirely too much noise in the chamber.

Mr. CLYMER. Thank you, Mr. Speaker.

As I was saying to make a distinction, the fact that we are having to expand prizes, expand the dollar amounts for the small games of chance and for the bingo operations, it impacts on the fact that obviously the racinos are making their impact on these communities that hold these operations, and I just remind the members that we are entering into an era where we will probably have to come back again to further expand these operations, because we still have 61,000 slot machines to deal with, and the gentleman, the majority leader, has introduced the table games. That is another magnet that is going to draw money away from these nonprofit organizations that look to these dollars to fund them.

So I am going to vote against the Saylor amendment and hold remarks again when the bill is voted on finally tomorrow, if that is the will of the Speaker.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman for his remarks and recognizes the gentleman from Allegheny, Mr. Maher.

Mr. MAHER. Thank you, Mr. Speaker.

If I might interrogate the maker of the amendment.

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

Mr. MAHER. Thank you, Mr. Speaker.

I just want to clarify the existing state of affairs with this bill and how your amendment interrelates. The earlier amendment, where some of us did not hear whatever explanation was offered, served to eliminate all limits whatsoever with respect to small games of chance. Is that correct?

Mr. SAYLOR. That is correct.

Mr. MAHER. Could we amplify the gentleman's microphone, because that may be part of the problem that we experienced, just because we could not even hear that back here.

Mr. SAYLOR. Yeah. The previous bill took out all prize limits.

Mr. MAHER. So the bill as amended at this point, without your amendment, someone continually could run a bingo game for a \$100,000 prize, a \$1 million prize, a \$10 million prize, a \$100 million prize, and there would be absolutely no restrictions on that.

Mr. SAYLOR. That is correct.

Mr. MAHER. And, Mr. Speaker, your amendment then instead would provide some reasonable parameters on small games of chance?

Mr. SAYLOR. Yes. My amendment would put an \$8,000 cap on the prize money.

Mr. MAHER. Thank you, Mr. Speaker.

If I might speak on the amendment, Mr. Speaker?

The SPEAKER pro tempore. The gentleman is in order.

Mr. MAHER. An unlimited small games of chance is a contradiction, and I do not know if everyone was focused on the impact of that earlier amendment, but if you are looking for a way to create an invitation to organized crime, if you are looking for a way to create an invitation for gambling to happen without oversight even of the Gaming Board, then you should leave absolutely no limits on small games of chance. But let us be honest with it; let us call it the Open Gambling Unregulated in Pennsylvania Act. Consequently, I absolutely embrace the gentleman's amendment and would suggest that even those who have an aversion to gambling would prefer some limits rather than the unlimited course of action that would otherwise exist.

I hope you will join me in supporting some reasonable limitations.

The SPEAKER pro tempore. The Chair thanks the gentleman and, on the amendment, recognizes the gentleman from McKean, Representative Causer.

Mr. CAUSER. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose this amendment. While there may be some very worthwhile and reasonable things in this amendment, I rise to oppose the amendment for two specific reasons. And I think that you have to look at this from the perspective of the volunteer fire departments in the State that are operating on a shoestring and they depend on bingo to operate in this State, and two parts of this amendment that I think are problematic, one being that the amendment increases the license fees for these organizations, which, as I said, are already operating on a shoestring, and I do not think we should be increasing the license fees for the organizations. Also, the amendment requires continuing education for bingo workers. I mean, just think about that – continuing education for bingo workers. I think that is wrong. I think it is an undue requirement on some of these volunteer organizations. I think it is an undue restriction on some of these volunteer fire departments that are depending on bingo to survive, and for those reasons I oppose the amendment.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and, on the amendment, recognizes the gentleman from Elk, Representative Surra.

Mr. SURRA. Thank you, Mr. Speaker.

Mr. Speaker, if the gentleman will stand for very brief interrogation? Thank you.

Mr. Speaker, in the amendment it mentions that certain classes of bingo operators will have to take education courses and training to operate their bingo establishment. Is that accurate, Mr. Speaker?

Mr. SAYLOR. That is accurate.

Mr. SURRA. Could you explain to me what establishments would be caught by this net, Mr. Speaker?

Mr. SAYLOR. Mr. Speaker, it would require anybody who has more than 30 bingo days in a year.

Mr. SURRA. Thank you, Mr. Speaker.  
 And where would they go to take those classes and what entity would be responsible for putting on those education classes, Mr. Speaker?

Mr. SAYLOR. Mr. Speaker, they would be required to be conducted by the Department of Revenue. Right now there has been a controversy between law enforcement and bingo organizations that we have in this Commonwealth. The feeling of law enforcement is some of these associations have been shut down for as much as 2 months in a row because of a violation of what they feel current violations of the Bingo Law are. This helps to bring the two organizations, between law enforcement and the bingo groups, the charity groups, together and will hopefully nil those kinds of conflicts that are currently happening in Pennsylvania.

Mr. SURRA. Thank you, Mr. Speaker.  
 At this time is there any curriculum or any guidelines for what would be involved in a bingo education course, Mr. Speaker?

Mr. SAYLOR. Those parameters would be set up by the Department of Revenue, and, Mr. Speaker, I wanted to correct something. The educational program would be set up by the Department of Revenue, but it would actually be run by the association itself. So I want to correct the record.

Mr. SURRA. So your answer is, is there currently any curriculum or guidelines, the answer is no.

Mr. SAYLOR. No. It must be set up by the Department of Revenue.

Mr. SURRA. Is there any staffing requirements or do we have any personnel to run this, Mr. Speaker?

Mr. SAYLOR. At this current time we do not see, according to the Appropriations Committee, there is no economic impact on the Commonwealth of Pennsylvania, so I would say no.

Mr. SURRA. Thank you, Mr. Speaker. On the bill.

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

Mr. SURRA. On the amendment. Thank you, Mr. Speaker.

Mr. Speaker, I rise against the Saylor amendment, and there have been a number of people stand up and express their support or opposition to this language. You know, years before there was a small games of chance license there was no limit on bingo, and I do not ever recall \$100 million bingo pots at the local fire halls in Pennsylvania.

Let us be clear on whom this is going to help, Mr. Speaker. This is being done for all the volunteer fire companies, all those little volunteer establishments that are out there, and I think this is the least we can do, and I believe to raise their licensing fees and I believe to set up a new bureaucracy where they have to go be educated in how to run their bingo operation is not something that this General Assembly should be involved in.

I think we should oppose the Saylor amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Representative Saylor, on the amendment.

Mr. SAYLOR. Thank you, Mr. Speaker.

Again, this is a bill or an amendment that was agreed to last session by the House. In fact, the gentleman who just spoke was one of those who voted for it last session. One of the things that the associations want is, the fact is, they do not want to have to apply for a license and go through the paperwork on an annual basis. This would create a biannual license which would make

the process for fire companies and other charities far more easy and simpler, and the last time the license fees were changed was in 1981. So here we are, 30-some years later, or almost 30 years later, and we are talking about a slight increase.

More importantly, the Department of Revenue is going to be working with these associations to make sure that they are not in violation of the laws of Pennsylvania. Far too many times in this Commonwealth over the last several years, we have had numerous fire companies and charities cited for violation of the Bingo Law because of the different thought process between law enforcement and the association or the fire company. It is important that these companies be able to continue their bingo operations but do it in a way that will not shut them down. The educational part of this program, while it seems maybe silly to some, how you call out B-13 or whatever it is, it is not quite that simple when it comes to law enforcement. Law enforcement has been fining these organizations for violation of the Bingo Law. This clearly sets down legislation that, one, in many cases is supported by these organizations as a compromise, and as well to work with law enforcement to have a better understanding by them as to exactly what they can and cannot interpret in the Bingo Law.

Thank you very much. I ask for a "yes" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—35

Argall	Hershey	Mustio	Rubley
Beyer	Hess	Nailor	Saylor
Civera	Leach	Nickol	Stairs
Everett	Mackereth	Perry	Taylor, J.
Fairchild	Maher	Perzel	Vulakovich
Gabig	Mensch	Petri	Watson
Gillespie	Miller	Phillips	
Godshall	Moul	Quinn	O'Brien, D.,
Harris	Mundy	Raymond	Speaker
Hennessey			

NAYS—165

Adolph	Evans, J.	Manderino	Ross
Baker	Fabrizio	Mann	Sabatina
Barrar	Fleck	Mantz	Sainato
Bastian	Frankel	Markosek	Samuelson
Bear	Freeman	Marshall	Santoni
Belfanti	Galloway	Marsico	Scavello
Benninghoff	Geist	McCall	Schroder
Bennington	George	McGeehan	Seip
Biancucci	Gerber	McI. Smith	Shapiro
Bishop	Gergely	McIlhattan	Shimkus
Blackwell	Gibbons	Melio	Siptroth
Boback	Gingrich	Metcalfe	Smith, K.
Boyd	Goodman	Millard	Smith, M.
Brennan	Grell	Milne	Smith, S.
Brooks	Grucela	Moyer	Solobay
Buxton	Haluska	Murt	Sonney
Caltagirone	Hanna	Myers	Staback
Cappelli	Harhai	O'Brien, M.	Steil
Carroll	Harhart	O'Neill	Stern
Casorio	Harkins	Oliver	Stevenson
Causser	Harper	Pallone	Sturla
Clymer	Hickernell	Parker	Surra

Cohen	Hornaman	Pashinski	Swanger
Conklin	Hutchinson	Payne	Tangretti
Costa	James	Payton	Taylor, R.
Cox	Josephs	Peifer	Thomas
Creighton	Kauffman	Petrarca	True
Cruz	Keller, M.	Petrone	Turzai
Curry	Keller, W.	Pickett	Verab
Cutler	Kessler	Preston	Vitali
Daley	Killion	Pyle	Wagner
Dally	King	Quigley	Walko
DeLuca	Kirkland	Ramaley	Wansacz
Denlinger	Kortz	Rapp	Waters
DePasquale	Kotik	Readshaw	Wheatley
Dermody	Kula	Reed	White
DeWeese	Lentz	Reichley	Williams
DiGirolo	Levdansky	Roae	Wojnaroski
Donatucci	Longietti	Rock	Yewcic
Eachus	Mahoney	Roebuck	Youngblood
Ellis	Major	Rohrer	Yudichak
Evans, D.			

NOT VOTING—0

EXCUSED—3

Helm Kenney Micozzie

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

On the question recurring,

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

#### AMENDMENT WITHDRAWN

The SPEAKER pro tempore. Does the gentleman, Representative Saylor, have a second amendment?

Mr. SAYLOR. Mr. Speaker, I withdraw the other amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair is not aware of any further amendments.

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.)

#### SUPPLEMENTAL CALENDAR A CONTINUED

#### BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1142, PN 1913**, entitled:

An Act amending the act of June 26, 2001 (P.L.755, No.77), known as the Tobacco Settlement Act, further providing for definitions, for investment of fund and accounts, for use of Tobacco Settlement Fund, for health research program, for department responsibilities, for National Institutes of Health funding formula and for regional biotechnology research centers; establishing the Jonas Salk Legacy Fund Program, the Jonas Salk Legacy Fund Board and the

Jonas Salk Legacy Fund; and providing for the sale or assignment of Commonwealth Universal Research Enhancement Program receipts and for the issuance of Commonwealth Universal Research Enhancement Program bond.

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER pro tempore. The gentleman, Representative Reichley, has filed several amendments to this bill. Is it his intention to run any or all of the amendments?

Mr. REICHLEY. Mr. Speaker?

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

Mr. REICHLEY. Mr. Speaker, are you asking me in which order of which amendments I am requesting to have brought before the House? I think numerically the first one is 1515.

The SPEAKER pro tempore. The Chair inquired as to whether or not you were going to run or withdraw any of these amendments.

Mr. REICHLEY. Mr. Speaker, it is my intention to have the amendments I filed considered on this bill, if mine is the first in numerical order or if there was any parliamentary inquiry that other members were going to place to the Chair.

The SPEAKER pro tempore. Is it the gentleman's intention to have amendment 01515 considered first?

Mr. REICHLEY. Yes, Mr. Speaker.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **REICHLEY** offered the following amendment No. **A01515**:

Amend Sec. 6 (Sec. 2901), page 18, by inserting between lines 14 and 15

"Autism spectrum disorders." Any of the pervasive developmental disorders as defined by the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM), including autistic disorder, Asperger's disorder and pervasive developmental disorder not otherwise specified.

Amend Sec. 6 (Sec. 2904), page 32, by inserting after line 30  
(c) Allocation.—A minimum of \$50,000,000 or 10% of the funds granted, whichever is greater, shall be allocated for the establishment of centers for research for diagnosis and treatment of autism spectrum disorders, including, but not limited to, provider training programs.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On the amendment, the Chair recognizes Representative Reichley.

Mr. REICHLEY. Thank you, Mr. Speaker.

I think as many of us are aware throughout Pennsylvania, the needs of parents and families who have not only children but adult relatives as well suffering from autism and autism spectrum disorders are becoming more and more prevalent. I think some statistics show that 1 out of 185 individuals are now diagnosed suffering from autism. Because the funding within the original tobacco settlement was geared towards health-related matters, if in fact it is the intention of the administration to alter the purpose of that funding, I think that allocating a certain portion of that, that would be 10 percent of

the overall funding structure, would be quite correctly offered for research for diagnosis and treatment of autism spectrum disorders, including but not limited to provider training programs. One of the other issues we have within Pennsylvania is not having sufficient personnel who are trained and credentialed in how to offer assistance to those individuals suffering from autism and other autism spectrum disorders.

So that is the purpose of the amendment, and I appreciate the support of the House. Thank you.

The SPEAKER pro tempore. The Chair recognizes Representative Mackereth.

Mrs. MACKERETH. Thank you, Mr. Speaker.

Mr. Speaker, I would like to interrogate the maker of the bill.

The SPEAKER pro tempore. The bill or the amendment?

Mrs. MACKERETH. I want to speak on the bill, not the amendment.

The SPEAKER pro tempore. The Chair will return to the lady at the appropriate time.

Mrs. MACKERETH. Thank you.

The SPEAKER pro tempore. Thank you.

The Chair recognizes Representative Watson.

Mrs. WATSON. Thank you, Mr. Speaker.

Like Representative Mackereth, I wish to interrogate the maker of the bill. So I understand, Mr. Speaker, that I will wait until the appropriate time. Thank you.

The SPEAKER pro tempore. The Chair thanks the lady.

On the amendment, the Chair recognizes the gentlelady, Representative Wagner.

Ms. WAGNER. Thank you, Mr. Speaker.

As a sponsor of the bill, I stand to oppose amendment 1515. This amendment is not required because autism research is not precluded in the Salk legislation. The Salk legislation purposely does not favor or encourage research in any particular field or disorder so that we can focus on our strengths. Similarly, the Salk legislation does not preclude or exclude research in any particular medical specialty or illness or condition.

The SPEAKER pro tempore. The Chair thanks the lady.

The Chair recognizes the gentleman, Representative Reichley.

Mr. REICHLEY. Thank you, Mr. Speaker.

I am just trying to wait to see if there is anybody else who is going to try to attempt to speak. I know this will be the second time I am speaking, so I am just trying to wait, as long as the Chair has surveyed the floor to determine if there is anybody else who is interested in speaking on this matter.

The SPEAKER pro tempore. I do not believe there are any other Representatives requiring recognition.

Mr. REICHLEY. All right. Thank you, Mr. Speaker.

Mr. Speaker, with all due respect to the gentlelady as the prime sponsor of the bill, I think that that statement ignores the reality of what many of us find in our own districts with people who are suffering from autism. The outcry from these families is that the level of commitment from this State has not been sufficient. Often members in this body, and even the Governor, have talked about the need to establish Pennsylvania as a true leader. Well, instead of allocating \$500 million for bricks-and-mortar construction, which many of the major research institutions who are now cooperating with this endeavor told us they do not need, why not put the money into the research programs that would greatly assist those individuals suffering within our communities?

To say that somehow it is not precluded where the funding goes, that actually contradicts what the Deputy Secretary for the Department of Community and Economic Development told us just this past week, and I think frankly the gentlelady's statements beg the question as to whether we know sufficient amounts about this bill. You know, one of the statements made during the discussion in the House Health and Human Services Committee last week was a statement from the Deputy Secretary that all the money, the \$500 million, goes towards bricks-and-mortar construction of research facilities and associated expenses that would go along with that; nothing towards research dollars. And when we were in the Appropriations Committee in February, the major institutions came before us and said, we have done a wonderful job on our own of raising the money for bricks and mortar, for construction of facilities, for the construction of the labs. What we really need is to have a continued flow of reliable funding, which the tobacco settlement has provided, towards health-related research, particularly cancer-related research.

Well, autism and cancer rank right up there, I think, as ailments and afflictions which touch many members in this body and many members of our communities throughout Pennsylvania. To somehow turn your back on those families who are dealing with autistic children and adult members of their families who are suffering from autism, I think, is callous, for the gentlelady who is the prime sponsor of this bill to say somehow we will work out your funding.

Let us be real about this. This is nothing more than some kind of big program to do a lot of construction and ribbon cutting when reality says we should be looking at the need for finding cures, and there is no better way of doing that than dedicating a certain portion of this very large new spending program. So I am going to ask the members, with all due respect, to reject the comments of the gentlelady, to focus on the needs of our constituents, and to provide a dedicated funding source to pursue the solutions for autism and autism-related disorders.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the Chair recognizes Representative Frankel.

Mr. FRANKEL. Thank you, Mr. Speaker.

While the author of the amendment was correct in terms of what we heard during the Appropriations hearings, there have been a lot of hearings, a lot of discussions subsequently, and virtually all of the major research institutions and universities in the State of Pennsylvania have basically agreed. We have worked with them on this language. We have worked together with the University of Pittsburgh, Penn State, Penn, all the other major research universities who have benefited from the research dollars under the CURE (Commonwealth Universal Research Enhancement Program) formula, because obviously, some of this funding, all of the funding is coming for the bonding from the CURE formula, and they have agreed to this legislation. I have not heard at this point any objections. We have been very careful. We had hearings in Pittsburgh and throughout the State with respect to this fund, and all the concerns that had been articulated early on in this year, when the proposal first was part of the budget proposal by the Governor, had been addressed, and at this point we have agreement from those major research institutions that this is an



appropriate use that they can benefit from. There is still a significant research component under the CURE funds, and I think it would be a great mistake to start earmarking bits and pieces of what we are trying to do in terms of a global approach to promoting research and economic development in the State of Pennsylvania by trying to just identify little pieces for everybody.

Autism will benefit from this. Research in autism will have great benefits from this proposal. As our research institutions gear up and are able to put the muscle they need to be able to attract the researchers, because that is what we are talking about, we are talking about providing the facilities that researchers want, if they are going to come to Pennsylvania to do this research, they are not going to come here just if we have got bare bones. They want to have facilities, and that is the key to attracting the key researchers who do autism, who do Alzheimer's, who do Parkinson's, who do cancer. All these things are absolutely critical, and this proposal addresses it, and the research institutions have, all the vested interests have basically said this is an appropriate use.

Thank you very much. I urge a defeat of this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes on the amendment Representative Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I had not intended to speak on this amendment, but I rise in reaction to a statement by the gentleman from Lehigh County about suggesting that people who do not embrace his amendment are turning their back on people with families who are affected by autism, and I just want to recall, for the record, a vote that was taken on the floor of this House 3 weeks ago when we were talking about the budget, and the gentleman from Delaware County, Representative Civera, put forward an amendment that eliminated all new autism funding from the budget. You recall that Governor Rendell put in an increase from the current \$3 million to \$4.9 million. The gentleman, Mr. Evans, put forward that budget line item for autism funding which went from \$3 million up to \$4.9 million.

Now, the gentleman from Delaware County, Mr. Civera, said, in the text of his amendment, no new funding for autism services, and that amendment was defeated. The vote was 102-96, but it was embraced by 96 Representatives, including the gentleman from Lehigh County, and so I think that if we want to get serious about funding autism services, we should embrace the proposal that is before us in this budget to increase our focus as a State on autism services, and I just wanted to point that out for the record.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Mr. SCAVELLO. I would like to question the maker of the amendment.

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

Mr. SCAVELLO. Thank you.

I just heard a comment in regard to the budget where the—I am probably the number two person, really, in support of autism here. I know the Speaker is a big autism supporter. I did not vote for that budget as well, and the comment that was made from the gentleman from Lehigh was that we did not support that amendment, that budget. However, however, 25 percent of

the budget was cut. In my mind, that budget that we sent over to the Senate was a disgrace.

Do you have any comments on that?

Mr. REICHLEY. I would concur with the gentleman from Monroe that the budget that was approved by this chamber was a disgrace, for just the kinds of reasons that the gentleman from Northampton ignored. There were sufficient funds within the Republican alternative budget to take care of services such as this, but the gentleman from Northampton and others decided that they would vote to cut programs supported by this legislature, including the gentleman from Northampton, for New Choices/New Options, which was zeroed out by the Governor's budget, paying for programs for crop insurance, for safe streets, and that furthermore, that this side of the chamber had put forward programs.

Now, if the gentleman so objected to the Republican version, I would think he would embrace this amendment putting more money towards autism research. So let him join me in asking for more money to be dedicated toward autism research. Do not just stick with partisan labels, Mr. Speaker. Please join all of us on this side to advocate for more funding for autism research.

Mr. SCAVELLO. Thank you very much.

The SPEAKER pro tempore. The Chair thanks the gentleman.

### LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair notes the presence of Representative Helm on the House floor and asks that her name be added to the master roll.

### CONSIDERATION OF HB 1142 CONTINUED

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

The following roll call was recorded:

#### YEAS—100

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

NAYS—101

Belfanti	George	Manderino	Seip
Bennington	Gerber	Mann	Shapiro
Bianucci	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
Costa	James	Pallone	Taylor, R.
Cruz	Josephs	Parker	Thomas
Curry	Keller, W.	Pashinski	Vitali
Daley	Kessler	Payton	Wagner
DeLuca	King	Petrarca	Walko
DePasquale	Kirkland	Petrone	Wansacz
Dermody	Kortz	Preston	Waters
DeWeese	Kotik	Ramaley	Wheatley
Donatucci	Kula	Readshaw	White
Eachus	Leach	Roebuck	Williams
Evans, D.	Lentz	Sabatina	Wojnaroski
Fabrizio	Levdansky	Sainato	Yewcic
Frankel	Longietti	Samuelson	Youngblood
Freeman	Mahoney	Santoni	Yudichak
Galloway			

NOT VOTING—0

EXCUSED—2

Kenney Micozzie

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

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

The SPEAKER pro tempore. Does the gentleman, Representative Reichley, intend to offer his additional amendments?

Mr. REICHLEY. Yes, Mr. Speaker; thank you.

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

Mr. REICHLEY offered the following amendment No. A01524:

Amend Sec. 6 (Sec. 2901), page 20, by inserting between lines 18 and 19

"Molecular and genetic research." This research includes basic preclinical clinical research across a broad range of disciplines and regenerative medicine approaches reflecting four core program areas: tissue engineering and bio materials, cellular therapies, medical devices and artificial organs and clinical translation.

Amend Sec. 6 (Sec. 2904), page 32, by inserting after line 30  
(c) Allocation.—A minimum of \$50,000,000 or 10% of the funds granted, whichever is greater, shall be allocated for the establishment of centers for molecular and genetic research for the regrowth of organs and tissue including, but not limited to, provider training programs.

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

The SPEAKER pro tempore. On the amendment, the Chair recognizes Representative Reichley.

Mr. REICHLEY. Thank you, Mr. Speaker.

This amendment was prompted actually by a visit that the life sciences caucus held out in Pittsburgh roughly a month ago, and we were really very pleasantly treated to an educational session at the McGowan Institute and other research facilities within the Pittsburgh Life Sciences Greenhouse. Some of the amazing technology which McGowan Institute is able to offer is through the growth of new organs and tissue through regenerative molecular therapy. This amendment would seek to set aside 10 percent of Jonas Salk funding for this, and we know that there are other States and other nations that are making great advances. Why should not Pennsylvania be a leader in this area as well?

We have wonderful research institutions here who once again have stressed the need not to have additional dollars to build new facilities but to put the money into the research that is needed in order that people, whether it is from a gunshot wound, whether it is from an accidental amputation, whether it is because of a diseased organ, can now have a wonderful full recovery, and I think this is breaking-edge technology, something that we should embrace and Pennsylvania should be proud to advocate the funding for, and again, I would ask the members to put Pennsylvania on the roadmap to scientific fame by supporting a 10-percent allocation of this funding for molecular regeneration of organs and tissues.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Mr. PRESTON. To speak on the amendment.

The SPEAKER pro tempore. The gentleman is in order.

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

I would ask the members to vote "no" on the Reichley amendment. There are an awful lot of different things, and I know the gentleman's intentions appear to be good. The University of Pittsburgh and some out in my area, in dealing with nanotechnology and some of the other biotechnology, have been doing this for years. Part of the problem they have, believe it or not, is lack of physical capabilities; in other words, the actual buildings. You are encouraging them in trying to cut back on providing, as the University of Pittsburgh and other universities across this State have acquired an awful lot of Federal moneys and also foundation moneys to be able to deal with it. They do not have the space to be able to deal with this. Your amendment, in a sense, curtails an awful lot of that research to be able to happen.

Currently across this nation, but especially in Pennsylvania, we are receiving an awful lot of grant money to be able to deal with this with Federal matching dollars. I would encourage the gentleman that his intentions are good, but the amendment defeats his purpose, because why give the money for something when they do not have anyplace to be able to do the work?

I would encourage you to be able to have a full dimensional thought in this whole process so that we could go ahead with the work. Personally, I will be able to speak on the bill, but the issue that you are dealing with is holding back the research, not providing the funds, but being able to provide the physical

presence, the physical capabilities, the actual buildings that have to go on to create these. These just are not built and these nanotechnology and biotechnology courses are not just done together in a room. They need facilities to be able to deal with it, and they are currently really not there.

We have been coming through in western Pennsylvania with capital programs of millions of dollars to be able to build these buildings, and here I am watching you, unfortunately, trying to take some of those funds away to be able to make this research possible. Being able to allocate the money and not having a place to be able to spend it are two different things.

I would encourage you to rethink your thought. This is a two-dimensional thought as far as the bill itself is concerned. We need to be able to have a full three-dimensional thought so this work can actually be able to be done, and I would ask for a "no" vote on the Reichley amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman, Mr. Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

I rise to oppose the Reichley amendment, because if Jonas Salk were here today and we tried to legislate prescriptively that he should identify a cure in a certain category, we may never have found the polio vaccine. This kind of prescriptiveness runs against the grain of biotechnical innovation, and as the gentleman knows, what we have seen, whether we go to State College or whether you go to Pittsburgh or Philadelphia or anywhere where people are innovating in biotechnology, that they need the intellectual latitude to make good decisions about where that research should go. This kind of prescriptive set-aside really cannot be done here from the House floor. The people who are the emerging bioscientists of tomorrow know best where that money should be invested, and this kind of carve-out really runs against the grain of biotechnical research.

So let us keep Pennsylvania a leader and oppose the Reichley amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentlelady, Ms. Wagner.

Ms. WAGNER. Thank you, Mr. Speaker.

I rise to oppose the amendment because with the Salk legislation, it is not required that molecular or genetic research be precluded. The spirit of this legislation is, as my colleague stated, nonprescriptive so that it would encourage the researchers who are the experts in biomedicine to find the cutting-edge cures for which this legislation is intended.

The SPEAKER pro tempore. The Chair thanks the lady and recognizes, on the amendment, Representative Petri.

Mr. PETRI. Thank you, Mr. Speaker.

I wanted to rise because one of the statements that was made from our good colleague from western Pennsylvania is actually incorrect. We were out there, Representative Reichley and I, and it was on a bipartisan manner. We learned a tremendous amount about what is going on at the University of Pittsburgh. They actually do have the facilities; they do have the facilities. They are topnotch. They are just recently built. And herein lies the real dilemma with what we are being asked to consider today.

Under the current CURE method, institutions who receive part of the tobacco settlement money are not hamstrung with trying to decide how to use the money or how to fit the category. It is broad, and the members of the legislature who were here when that tobacco settlement agreement was reached acted in a brilliant fashion in creating broad discretion so that our research institutions could use the money for bricks and mortar where appropriate, and they could use it for research and other faculty issues where they needed it.

This CURE process that we currently have in place has been the envy of the entire nation, and today we are talking about changing it. Today we are talking about changing it in some material ways, and there are portions of the underlying bill that I support. There are portions that I am not yet sure about. This amendment demonstrates one of those areas.

Now, what would be really nice is if instead of making a decision tonight about a number of amendments, some of which I am going to offer and some of which Representative Reichley has offered, what would be really nice is if we allowed the process to work the way it should and have hearings on this bill.

### MOTION TO RECOMMIT

Mr. PETRI. So I would like to make a motion at this time that we recommit the bill to Health and Human Services for hearings so that we can vet out this issue and all the other issues that are contained in the amendments.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman has moved that the bill and amendment be recommitted to the Health and Human Services Committee.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. On the motion, the Chair recognizes the gentlelady, Representative Mackereth.

Mrs. MACKERETH. Thank you, Mr. Speaker.

Mr. Speaker, I support the motion made by Representative Petri. This is a motion that I made last week in our Health and Human Services Committee. The reason I made that motion was certainly not to hold up this bill. There are components of this bill that I think are wonderful. However, I am concerned about changes that we are making to the basic philosophy that we started this fund with, which was cancer research, and I would like to have answers to some questions that I have prior to having to make a vote on such an important issue and an issue that we are going to be borrowing \$500 million.

So I would encourage everyone to support the motion to rerefer. Thank you.

The SPEAKER pro tempore. The Chair thanks the lady.

On the motion to recommit, the Chair recognizes the gentleman, Mr. Frankel.

Mr. FRANKEL. Thank you, Mr. Speaker.

I will rise to oppose the motion to recommit. I mean, there are few things that have had more hearings than this piece of legislation, both in committees and Policy Committees. I have been to many of the meetings, even the one that the Representative who made the motion had been at, and while he was correct there were some concerns, the fact of the matter is, those concerns have been alleviated.

Quite frankly, I represent in my district the University of Pittsburgh. I am a trustee; have worked very, very closely with the University of Pittsburgh, who did have initial concerns about this legislation, and those concerns have been addressed in the legislation. The fact of the matter is, all the major research institutions in this State support this legislation. We have a letter to that effect from the University of Pittsburgh.

So we have had extensive hearings, extensive meetings, negotiations with stakeholders. This piece of legislation has been honed and sharpened to address everybody's concerns. Yes, the CURE formula and research dollars are very important, and they are key in terms of our capacity to do research, but equally as important are the facilities that we need in order to attract the researchers that make those grants from the National Institutes of Health and the National Science Foundation possible. We are extraordinarily successful in receiving them, and those research institutions that are most successful in receiving them across this State support this piece of legislation, and that is the current state of affairs today. It is not what was effective maybe 2 months ago when we had a hearing in Pittsburgh, but again, this has been a process, as it always is in legislation, and this process in the House, of negotiations, and these issues have been addressed. All the major stakeholders support this piece of legislation, and I think that is what is key.

It is time to move on. It is time to get this into legislation, along with the budget. Let us move forward, and no more hearings are necessary. Please oppose this motion.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes, from Allegheny County, Representative Preston.

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

I also rise against the issue of recommitment. How long, how long, how long do we have to go through this? This goes all the way back to when Mike Fisher was the Attorney General and we were in Federal court. We have had hearings, the universities have had hearings, the think tanks have had hearings, community groups have had hearings, national associations have had hearings, Congress and the U.S. Senate have had hearings in the Commonwealth of Pennsylvania, and here it is, we are asked to go back all over again. I do not like to go over the same ground twice, but here it is, we are being asked to go over it for 8, 9, 10 times. This goes back before Ed Rendell was even elected, when Governor Ridge was elected, and it is time that we got to move on.

How long are you going to take? We had 10 years of indecision. Now we have got to the point where we are ready to make a decision. Let us get it on. Let us get this business. Let us move this bill.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes, on the motion to recommit, Representative Watson.

Mrs. WATSON. Thank you, Mr. Speaker.

I rise in support for the motion to recommit. I have questions, and I heard someone earlier speak in terms of all the stakeholders. I would like to suggest that not even as a State Representative, but I am a stakeholder as a person who is like many in here a cancer survivor. I am a person who has questions not on the concept. Do we need more of bioscience and bioscience research? Absolutely. But when I got here in 2000, from the very beginning I have been a supporter of a bioresearch organization, not in my district, but I am

aware of them and know about them. They are actually in Representative Quinn's district. They have done exactly what you are talking about, and they did it without some of these, what I will call—

The SPEAKER pro tempore. Will the gentle lady suspend. There is entirely too much noise in the chamber.

The lady may continue.

Mrs. WATSON. Thank you, Mr. Speaker.

I am referring to what is now known as the Institute for Hepatitis and Virus Research. When I first became involved with them, they were the Hepatitis B Foundation. Without the benefit of restrictions on brick-and-mortar, with very little money from the State and money that I would have to go in and beg and fight for year after year, they put together, they have done their research. They are the ones who have one of the two programs recognized by NIH (National Institutes of Health) on a biomarker for liver cancer. They are the ones who have a fibrosis biomarker. They have developed this urine DNA method for colon cancer and polyps. With all of that going on and cobbling money from all sources, they have done the very thing we are talking about, and yet when I looked at this bill, Mr. Speaker, they would be cut out from some of the money because of some of the limits that are placed or what I will call the thresholds, and they would be below, so they would not get any funding or be able to apply.

Therefore, Mr. Speaker, while others have said they have had hearings, I have not had the questions that I asked on the technical pieces of this that really would restrict and really would deny the very research that saves lives. That would be denied under this, and I would like that to be discussed, and I broached that subject very carefully in the Health and Human Services Committee when I said that I would be up and speaking on this bill, because I just felt there are things that are not right and that need to be fixed so that, indeed, we do not cut anybody out from doing the necessary research that saves lives.

I ask to please recommit this. Let us get it right so that as it goes forward and it is there forever, it is done the right way. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady and recognizes Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

I rise to oppose recommitment. This concept, the Jonas Salk Fund and the issues of commercialization that are embedded in this bill have been around for 2 solid years. We have had meetings at a number of different levels. If you are really keenly aware of these issues, you could have actually gone to the Philadelphia, PA, bio meeting at the Philadelphia Convention Center last year where there was an array of folks investing in these technologies inside Pennsylvania. The House Democratic Caucus has had an array of Policy Committee meetings around the State, and this has been very well vetted. I can tell you as the majority Policy Committee chairman, I have not seen one single interest group come to me and say, we oppose this process. You know why? Because this is extremely important; it is extremely important to biomedical research and keeping Pennsylvania the leader in biotech. It is also elemental in job creation and economic development. These kinds of jobs average \$60,000-plus a year, for these jobs, and this bill must move today.

I ask that we oppose recommitment.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Seip on the motion to recommit.

Mr. SEIP. Thank you, Mr. Speaker.

I rise to oppose the motion to recommit this piece of legislation. As my colleague from western Pennsylvania so eloquently stated, this legislation needs to move forward. How much longer do we have to wait? All the stakeholders that I represent in the 125th District want this legislation to move forward. It deserves an up-or-down vote today.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Dally.

Mr. DALLY. Thank you, Mr. Speaker.

Mr. Speaker, I had intended to reserve my comments for final passage tomorrow on this bill, if indeed that is when it is on the calendar, but I am forced to rise in support of the motion to recommit, in light of the diatribe of the gentleman from Allegheny about moving this bill forward.

The House Appropriations Committee held a hearing— May I have some order, Mr. Speaker? Mr. Speaker?

The SPEAKER pro tempore. The gentleman is entitled to be heard. Will members please take their seats.

Mr. DALLY. In response to the gentleman from Allegheny and the comments from the gentleman from Schuylkill, on March 14 the House Appropriations Committee held a hearing, and presenting at that hearing was the University of Pennsylvania, and the issue of this bill came up for the purposes of that hearing when Representative Petri asked a question: "I wanted to ask a couple questions about the continuation of funding in the area of cure or the tobacco settlement funds.

"Given Penn's current situation, how important is the continuation of that funding...?" President Gutmann, the president of the University of Pennsylvania, stated, "The cure tobacco settlement funds are absolutely critical to the work we do, and we're very, very supportive of that settlement.

"I think it is one of the great agreements that the state has overseen to make these funds available for medical research and health care in the state. ...The continuation of these is very important to us." That was the president of the University of Pennsylvania.

Now, the dean of the Penn Medical School, Dr. Rubenstein, he stated, "I think the way the Commonwealth has dealt with the tobacco settlement money has been a model around the country and something I just want to say you should feel very proud of.

"...It has enhanced medical research preventive, particularly in focused areas done by peer review and distributed across the state in collaborative ways. It's really a model system and it's been absolutely crucial...in terms of the impact it's had for academic institutions and their outreach, often into the community, in terms of prevention."

He went on to state, "...In the Commonwealth the tobacco settlement has been – money has been invaluable in terms of retention of faculty, recruiting, trying to level the playing field."

Representative Petri asked a question: "Just as a follow-up, the part of the question I really didn't get answered was on the bricks and mortar."

President Gutmann said, "We get between about 9 and \$11 million a year from the cure funds. We have definite bricks and mortar needs.

"What we would not want to see is the funds we have now redirected to bricks and mortar." Let me state that again.

"What we would not want to see is the funds we have now redirected to bricks and mortar. We have in process – we are building a center for advanced medicine, a proton therapy center, and we have in process a medical research building being considered.

"So there are enormous contributions that we will make ourselves to increasing the capacity of our health system and our School of Medicine....

"But we wouldn't want to see that, you know, taken out of the current cure funds."

That is a transcript from the hearing before the Appropriations Committee on March 14 of 2007.

Now, to stand on this House floor and say there are no questions about this legislation is absurd. I think it does need further study because what we are doing is taking research dollars and committing them to bricks and mortar, and the experts in the field have told us that they do not want those research dollars taken away, because that is where they do the most good for the people of Pennsylvania.

So I ask the members of this House to recommit this bill as requested. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes, for the second time on the motion to recommit, Representative Mackereth.

Mrs. MACKERETH. Thank you, Mr. Speaker.

Mr. Speaker, I have served on the Health and Human Services Committee from the day I got here 6 1/2 years ago. At no time in that 6 1/2 years was this bill brought up for consideration, nor did we ever have any hearings. That is not to say there may not have been hearings in other committees. However, the people that were asked to vote on this bill last week out of committee did not have the information that they needed in order to make a good decision. This is an extremely important piece of legislation for a lot of people, for most of Pennsylvania.

I am a cancer survivor also. I care about cancer research, and I want to ensure that the funds are used for research and not for the bricks and mortar that our universities have told us they do not need.

Again, I ask the body to please vote to recommit. Thank you.

The SPEAKER pro tempore. The Chair thanks the lady and recognizes the gentleman, Mr. Reichley.

Mr. REICHLEY. Thank you, Mr. Speaker.

Just in following up to the comments by Representative Dally that dealt with the statements during the Appropriations hearings by the president of the University of Pennsylvania, the dean of the medical school there, I know some of the most ardent defense offered so far this evening against this motion to recommit have been from members of the delegation from Allegheny County. And I think it is also helpful to reflect back that on February 27, a little less than 4 months ago, under questioning from the gentleman from Allegheny, Mr. Frankel, the president of the University of Pittsburgh, Dr. Nordenberg, stated that "...accelerating investments in biomedical research could be a good thing. Our circumstances institutionally may be different than Penn State's because we have just invested heavily in a major research facility that earlier this week" – and this was in February, 4 months ago – "was named the top lab facility by Research & Development Magazine, and so we are very concerned about the flow of funds that would support the researchers that we are going to bring into that building.

"The tobacco settlement legislation as initially crafted" – and these are Dr. Nordenberg's words – "was, it seemed to me, a pretty exemplary piece of legislation. It did commit those dollars to health-related projects. In terms of research, it committed a flow of dollars to institutions based on how successful they were in winning peer-reviewed NIH grants.... And we attract about \$600 million of grant support every year...."

So I think that it is important to understand the University of Pennsylvania was not alone just 4 months ago in explaining to the Appropriations Committee that they did not want a diversion of CURE dollars towards bricks-and-mortar construction. They wanted the current funding scheme to be maintained so that there was still the adequate funding level available for research, and if these are questions that are now arising because the heads of these institutions 4 months ago disagreed with the statements that are being offered by people from the other side of the aisle, I think every member of this General Assembly needs to understand that.

Again, referring back to page 43 of the Appropriations hearing on February 27, Dr. Nordenberg states, "And a big benefit of the act as originally constructed was there was to be some dependability in the dollar flow, so that you could bring in a new faculty member who was likely to attract support over time but who needed to be brought up to a level of competitiveness in terms of NIH funding...." Nothing about building new facilities, nothing about needing to establish new labs, nothing about the need for infrastructure additions. This was all about bringing in highly qualified faculty to pursue groundbreaking research, and this was really what we are getting away from in this haphazard rush to push something through.

While there may have been separate hearings by the Democratic Policy Committee, I know in the Health and Human Services Committee, we did not hold an informational hearing. This bill was brought up for a vote last week. We were denied the opportunity to have an additional hearing last week for information, and I think as the debate is going to reveal tonight, we do not know enough about this. Why not take a break? We are obviously going to be here for another few days, the way the budget is going, so why not take the time to carefully consider this and make sure every one of us knows what is going on?

The reason I bring up that last point is that over a dozen Pennsylvania institutions would have lost all CURE funding in FY (fiscal year) '05-'06 under the changes suggested by the bill 1142, including Arcadia University, Juniata College, Lincoln University, the Abramson Center for Jewish Life, the Oncology Nursing Society, and the Pittsburgh Tissue Engineering Initiative. Furthermore, Pennsylvania CURE recipients would lose at least 40 percent of their funding, including those institutions I mentioned, as well as the Magee Women's Health Corp. and the Fox Chase health center.

There are a number of highly recognized institutions both in Philadelphia and Pittsburgh which would have substantial amounts of research funding reduced or if not eliminated by the legislation as it is right now. We need to take more time to think through this thoroughly.

I urge the members to support the Petri motion for recommitment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the majority leader, on the motion to recommit, Mr. DeWeese.

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

Relative to the previous speaker's comments about we are going to be here a few more days, wants more time, not in the last budget address, but in the previous budget address, Governor Rendell talked to us about the Salk Legacy Fund. My good friends on the Republican side of the aisle sat mute, no inertia, no spontaneity, no focus, no aggression, nothing. The Salk Legacy Fund sat dormant in the casual embrace of the Republican leadership team of this House.

Fast forward to tonight, Mr. Speaker, many stakeholders, including Carnegie Mellon University, the Allegheny-Singer Research Institute, Children's Hospital of Philadelphia, Penn State University, Thomas Jefferson Hospital, Temple University, the University of Pittsburgh, and the University of Pittsburgh Medical Center, Drexel University, the Wistar Institute, the Life Sciences Greenhouse, and a variety of other venture capital and real estate and development entities in our State are saying that after 1 year and 5 months since Governor Rendell proffered this idea, it has been researched by our Democratic Policy Committee. It has been percolating for well over a year, almost a year and a half, and when these major research entities are anxious for the Salk Legacy Fund to be incorporated into this year's budget, I think tonight during our debate is an appropriate time to have these discussions, an appropriate time to have these amendments by not only the previous speaker but by the gentleman who offers the motion to recommit.

We still have a few more hours until the eleventh hour in the p.m., so we do not need to recommit. Let us get down and debate. Let us talk some more about the Salk Legacy Fund. A lot of people are relying upon us to do so. We are acting now. You did not act during your stewardship. I think we should debate it now and debate it tomorrow, debate it this week, but to recommit would be to embrace the casualty of Republican leadership on this issue in recent history.

Thank you very much. I would oppose any motion to recommit.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the minority leader, Mr. Smith.

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

Mr. Speaker, let me be clear about something: Two years ago when this was first proposed by the Governor, it was not a matter of the House Republicans not acting on it; it was a matter that we simply did not agree with it. We were opposed to it, plain and simple, Mr. Speaker, and if you think across the last two budget negotiations, I did not recall any significant push from the then minority members, Democratic members, last year for this item either. But do not, do not suggest, Mr. Speaker, that there was a lack of effort on our part to do anything with this issue. We were simply opposed to it. It is not the right direction to go, Mr. Speaker. It undermines the existing research programs that are so successful in Pennsylvania. It is the wrong direction. So do not even suggest, Mr. Speaker, that it was a lack of effort or a lack of motion on the part of last year's majority party. We are simply opposed to it. It is the wrong direction, and I did not see you pushing it last year, when you could have as well.

The SPEAKER pro tempore. The Chair recognizes the majority leader, Mr. DeWeese.

Mr. DeWEESE. Quickly and succinctly, last year the honorable gentleman, I should say last week the honorable gentleman said we were moving too slow. Now he says we are

moving too fast. Those are schizophrenic observations. We are trying to do the people's business.

Mr. S. SMITH. Mr. Speaker?

Mr. DeWEESE. I would oppose any motion to recommit.

Mr. S. SMITH. Mr. Speaker?

The SPEAKER pro tempore. The Chair recognizes Mr. Smith.

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

Moving in the right direction is important. Just moving for the sake of moving does not do any of us any good. The fact is, this bill, this proposal, this Jonas Salk proposal, does not directly impact the General Fund budget that does impact the people of Pennsylvania, which should be in place by July 1. So spending time on this issue today does little to move forward with the budget process.

I think that is what we should be focusing on, Mr. Speaker, but again, I would reiterate, motion for the sake of motion does not do any of us any good. We need to be making it in a thoughtful and productive way. This legislation is not moving Pennsylvania in the right direction.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes, for the second time on the motion, Representative Frankel.

Mr. FRANKEL. Thank you, Mr. Speaker.

Very quickly, since my dialogue with the chancellor of the University of Pittsburgh was cited in the maker of the amendment's or one of his supporter's comments earlier, I want to say that, yes, those were accurate. It was an accurate dialogue that was portrayed between myself and Chancellor Nordenberg during the Appropriations hearings either in late February or early March, but it is June, Mr. Speaker, and in the last 4 months – and we all know that 4 months in the legislature can be a lifetime in terms of what transpires – there have been hearings, there have been negotiations, and we have come to an agreement with those institutions that had some questions about this legislation.

This legislation now includes an opt-in/opt-out provision that allows those who want to maintain their level of funding for research as opposed to bricks and mortar the capacity to do that. So an institution that had been receiving a certain level of funding under the CURE funds can now retain it by opting out of Jonas Salk and staying put in CURE, with the CURE funds, and retain its research dollars.

So we have been able to negotiate, over months of discussions, a way to address the concerns of all the major stakeholders, and the result has been, Mr. Speaker, as others have indicated here, that we have a broad consensus of those stakeholders. So while February may have shed light in one direction as opposed to concerns about this, June is here, negotiations have taken place and we have addressed those issues, and that is why we have hearings and that is why we have negotiations.

Thank you, Mr. Speaker. Please oppose the motion to recommit.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the lady from Allegheny, Ms. Wagner.

Ms. WAGNER. Thank you, Mr. Speaker.

I also stand to oppose the motion to recommit. First on the question of the formula for CURE funding, the Salk legislation will not disrupt the existing CURE formula, as my colleague

from Allegheny County pointed out. CURE formula grant recipients who choose not to compete for Jonas Salk funding by opting out will continue to receive their relative share of CURE funding as it exists from year to year. All applicants that receive the CURE funding will be eligible for the Salk funding, and if they opt in, they will be able to compete for the 500 million for research infrastructure.

Furthermore, on the question of whether as a Commonwealth we need the bricks and mortar, the hearings on the Salk legislation have turned out repeatedly that we absolutely need the bricks and mortar to attract top researchers to this State. One of the hearings that we had was at the Hillman Cancer Center in Pittsburgh, and before that hearing there was a tour of their proteomics laboratory, which is for the study of protein. It was on this subject that I was particularly impressed, because my own mother had been a recipient of the advances that had been made there at the University of Pittsburgh Medical Center in proteomics, but what was most telling to me was when the director of that laboratory told us that had it been not for that facility, he would not be here in Pennsylvania, would not be here to make the advances that are actually saving lives in this State.

So I oppose the motion to recommit. We absolutely need to move this legislation forward.

Thank you.

The SPEAKER pro tempore. The Chair thanks the lady and recognizes, on the motion, Representative Petri.

Mr. PETRI. Thank you, Mr. Speaker.

Contrary to the previous speaker's comments, there are a number of institutions that will not receive funding. Under the present bill, there are at least 18 institutions that will lose 5.2 million based upon the FY 2006 numbers because the present bill excludes certain types of NIH grants by restricting the recipients. Previous speakers spoke of some of them. I want to remind the members of what some of those institutions are. Because the underlying bill limits funding so that the minimum award is \$25,000, for some unknown reason, the American Aging Association, Arcadia University, Bryn Mawr College, Juniata College, Hepatitis B Foundation, Lincoln University, Abramson Center for Jewish Life, Philadelphia College of Osteopathic Medicine, Philadelphia Health Management Corp., Guthrie Foundation, Family Planning Council, and Wills Eye Hospital would not be eligible.

What do we tell those researchers who have committed their time and energies and are possibly on the verge of some great discovery? That time ran out? That the deal changed? A deal is a deal. The deal we made with these researchers occurred at the time of the tobacco settlement. You cannot change the rules midterm without taking care of those.

Now, if that is not impressive enough— Mr. Speaker, may I have some order?

The SPEAKER pro tempore. The House will come to order. The gentleman is entitled to be heard.

Mr. PETRI. In addition, there are a number of institutions that would lose 40 percent of their funding: the American College of Radiology, Fox Chase Cancer Center, Magee Women's Health Corp., MPC (Mellon Pitt Carnegie) Corp., National Disease Research Interchange, NSABP (National Surgical Adjuvant Breast and Bowel Project) Foundation, Oncology Nursing Society, Pittsburgh Tissue Engineering Initiative, and Wistar Institute.

The list of individuals or categories that would not be recipients is 4 1/2 pages, 4 1/2 pages of research categories, not institution, categories are not going to be eligible under this bill. Before I vote for any bill that would exclude that kind of research, I think I would like to know that. Four and a half pages of categories of companies that are doing remarkable things that are automatically disqualified and we do not know why. Why? Because despite all the rhetoric today, there has not been a formal hearing where these kinds of groups could come in and say why their research is important.

I ask the members to support the motion to recommit.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

Once again I rise to not support recommitment, and I have to tell you that many of the organizations that were on the list, that four-page list that was just expressed, their funding, their amount of funding is de minimis. Most of them are under \$25,000, and I can tell you this: that the other issue here is that none of them, not one has written this General Assembly to say they are opposed to this legislation.

Now, I say, you know, you can create lists, but let us give the proper information about how de minimis these grants truly are. Now, if there is some mechanism for funding that we need to address here, we will have the opportunity, but we have a very important piece of legislation here today and we do not want to lose our focus.

Once again I support not recommitting this bill.

### PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes, for the second time on the motion, Representative Reichley.

Mr. REICHLEY. Mr. Speaker, as a matter of parliamentary inquiry, am I allowed to interrogate the prime sponsor of the bill because we are on a motion to recommit?

The SPEAKER pro tempore. No. The motion and debate should be limited to the merits of recommitment and not the underlying bill, the reasons for and against recommitment.

Mr. REICHLEY. All right. Thank you, Mr. Speaker. On the motion then.

Mr. Speaker, I think it is important, as we have listened to comments from those who would advocate the defeat of this motion for recommitment, to focus on two things: number one, that there has been an issue that institutions which are currently receiving research dollars would have a capacity to opt out – okay; all well and good – for 5 years, but that begs the question that if 50 percent of this CURE funding is to be allocated towards debt service for 15 years, how are those institutions that opted out ever to regain those research dollars for an extended period of time? Where is that money going to come from to replace what they have lost in opportunities for research?

Number two, the gentleman from Allegheny, Mr. Wheatley, raised pointed questions to the Deputy Secretary for the Department of Community and Economic Development as to what the provisions were for ensuring minority representation and allocation of research dollars, and there has been no change to the bill to address that issue since it left the committee last week. I think it is something that would be of interest to ensure

that there is going to be adequate funding not only for the big-ticket kinds of institutions perhaps but to ensure that there is also going to be sufficient minority representation in the provision of research dollars, and if that has not been answered, then it should cause members to ponder and pause as to whether they really want to push through a bill without any kinds of guarantee in the legislative language to that effect.

So again I ask the members to vote "yes" on the Petri motion for recommitment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the motion, the Chair recognizes Representative Argall.

Mr. ARGALL. Thank you, Mr. Speaker.

Mr. Speaker, in caucus today we heard a lot of questions, questions that were raised in committee when this bill was beginning to move at a pretty rapid pace, and we were told that while many people share the goals, that in many cases when those questions were asked, there were no immediate answers. That is why many of the members today are making the suggestion that it be sent back to committee for further study, for fine-tuning.

You know, 20, 25, 30 years ago I was writing documents like this that are on all of our desks. You always wondered as a legislative staffer if people were actually reading these documents that encourage us to learn the facts about this bill, and the one sentence in here that made me I think crystalize in my own mind why I would like to see this get fine-tuned in committee is one question that our staff member asked and said simply, is it advisable to take apart a successful program that is generating results? I would suggest to you that we should only take apart a successful program if we know beyond any uncertain doubt that indeed the replacement will be better than the original.

For our newer members, Speaker Ryan is a building, but for the members who have been here for a few years, Matt Ryan was more than just the guy who hired me 24 years ago and put his name on a contract. One of the landmark pieces of legislation that he worked on was the original tobacco settlement, and I suspect in his final days if you would have asked him what bill he was the most proud of, he would have told you it was the dollars for medical research. This bill begins to unravel those successful programs, and perhaps there is a better way to do it than the way we do it today, but in speaking to the members on our side of the Health and Welfare Committee, we heard again and again and again over the last few days that there is still too much uncertainty, and that is why I would respectfully suggest, Mr. Speaker, that we return this back to committee to allow them to do their homework and to bring a better product to this chamber.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—98

Adolph  
Argall

Fleck  
Gabig

McIlhattan  
Mensch

Raymond  
Reed



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

## NAYS—103

Belfanti	George	Mann	Shimkus
Bennington	Gerber	Markosek	Siproth
Biancucci	Gergely	McCall	Smith, K.
Bishop	Gibbons	McGeehan	Smith, M.
Blackwell	Goodman	McI. Smith	Solobay
Brennan	Grucela	Melio	Staback
Buxton	Haluska	Mundy	Sturla
Caltagirone	Hanna	Myers	Surra
Carroll	Harhai	O'Brien, M.	Tangretti
Casorio	Harkins	Oliver	Taylor, R.
Cohen	Hornaman	Pallone	Thomas
Conklin	James	Parker	Vitali
Costa	Josephs	Pashinski	Wagner
Cruz	Keller, W.	Payton	Walko
Curry	Kessler	Petrarca	Wansacz
Daley	King	Petrone	Waters
DeLuca	Kirkland	Preston	Wheatley
DePasquale	Kortz	Ramaley	White
Dermody	Kotik	Readshaw	Williams
DeWeese	Kula	Roebuck	Wojnaroski
Donatucci	Leach	Sabatina	Yewcic
Eachus	Lentz	Sainato	Youngblood
Evans, D.	Levdansky	Samuelson	Yudichak
Fabrizio	Longietti	Santoni	
Frankel	Mahoney	Seip	O'Brien, D.,
Freeman	Manderino	Shapiro	Speaker
Galloway			

## NOT VOTING—0

## EXCUSED—2

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

**THE SPEAKER (DENNIS M. O'BRIEN)  
PRESIDING**

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

The SPEAKER. The House returns to the Reichley amendment A01524. Does anyone seek recognition on this amendment?

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

The following roll call was recorded:

## YEAS—98

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

## NAYS—103

Belfanti	George	Mann	Shimkus
Bennington	Gerber	Markosek	Siproth
Biancucci	Gergely	McCall	Smith, K.
Bishop	Gibbons	McGeehan	Smith, M.
Blackwell	Goodman	McI. Smith	Solobay
Brennan	Grucela	Melio	Staback
Buxton	Haluska	Mundy	Sturla
Caltagirone	Hanna	Myers	Surra
Carroll	Harhai	O'Brien, M.	Tangretti
Casorio	Harkins	Oliver	Taylor, R.
Cohen	Hornaman	Pallone	Thomas
Conklin	James	Parker	Vitali
Costa	Josephs	Pashinski	Wagner
Cruz	Keller, W.	Payton	Walko
Curry	Kessler	Petrarca	Wansacz
Daley	King	Petrone	Waters
DeLuca	Kirkland	Preston	Wheatley
DePasquale	Kortz	Ramaley	White
Dermody	Kotik	Readshaw	Williams
DeWeese	Kula	Roebuck	Wojnaroski
Donatucci	Leach	Sabatina	Yewcic
Eachus	Lentz	Sainato	Youngblood
Evans, D.	Levdansky	Samuelson	Yudichak
Fabrizio	Longietti	Santoni	
Frankel	Mahoney	Seip	O'Brien, D.,
Freeman	Manderino	Shapiro	Speaker
Galloway			

## NOT VOTING—0

## EXCUSED—2

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

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. REICHLLEY offered the following amendment No. **A01532**:

Amend Sec. 6 (Sec. 2902), page 25, by inserting between lines 18 and 19

(2) No more than 65% of grants awarded for infrastructure projects or starter kit projects shall be for projects located in counties of the first or second class.

Amend Sec. 6 (Sec. 2902), page 25, line 19, by striking out "(2)" and inserting

(3)

Amend Sec. 6 (Sec. 2902), page 25, line 25, by striking out "(3)" and inserting

(4)

On the question,

Will the House agree to the amendment?

#### AMENDMENT WITHDRAWN

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

Mr. REICHLLEY. Mr. Speaker, I would like to actually withdraw 1532 and move for consideration of A01533.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. REICHLLEY offered the following amendment No. **A01533**:

Amend Sec. 6 (Sec. 2902), page 25, by inserting between lines 18 and 19

(2) No more than 50% of grants awarded for infrastructure projects or starter kit projects shall be for projects located in counties of the first class or second class.

Amend Sec. 6 (Sec. 2902), page 25, line 19, by striking out "(2)" and inserting

(3)

Amend Sec. 6 (Sec. 2902), page 25, line 25, by striking out "(3)" and inserting

(4)

On the question,

Will the House agree to the amendment?

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

Mr. REICHLLEY. Thank you, Mr. Speaker.

One of the points that was brought out during the abbreviated discussion we did have in the House Health and Human Services Committee last week was a concern that the bulk of this bricks-and-mortar funding would inordinately, inordinately be provided to institutions in Philadelphia and Pittsburgh. I think there are many fine research entities in Luzerne and

Lackawanna Counties, certainly in the Lehigh Valley, up at State College, and I think it is only fair, because the bulk of people living in Pennsylvania live outside of first- and second-class counties, that half of the funding in this Jonas Salk program should go to institutions located outside of first- and second-class counties.

So I am asking, in the spirit of fairness to the people and the researchers throughout Pennsylvania at the institutions of higher education throughout the Commonwealth, the members to vote "yes" on this amendment.

Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

#### YEAS—98

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

#### NAYS—103

Belfanti	George	Mann	Shimkus
Bennington	Gerber	Markosek	Siproth
Biancucci	Gergely	McCall	Smith, K.
Bishop	Gibbons	McGeehan	Smith, M.
Blackwell	Goodman	McI. Smith	Solobay
Brennan	Grucela	Melio	Staback
Buxton	Haluska	Mundy	Sturla
Caltagirone	Hanna	Myers	Surra
Carroll	Harhai	O'Brien, M.	Tangretti
Casorio	Harkins	Oliver	Taylor, R.
Cohen	Hornaman	Pallone	Thomas
Conklin	James	Parker	Vitali
Costa	Josephs	Pashinski	Wagner
Cruz	Keller, W.	Payton	Walko
Curry	Kessler	Petrarca	Wansacz
Daley	King	Petrone	Waters
DeLuca	Kirkland	Preston	Wheatley
DePasquale	Kortz	Ramaley	White
Dermody	Kotik	Readshaw	Williams
DeWeese	Kula	Roebuck	Wojnaroski
Donatucci	Leach	Sabatina	Yewcic
Eachus	Lentz	Sainato	Youngblood
Evans, D.	Levdansky	Samuelson	Yudichak
Fabrizio	Longiatti	Santoni	

Frankel Mahoney Seip O'Brien, D.,  
Freeman Manderino Shapiro Speaker  
Galloway

NOT VOTING—0

EXCUSED—2

Kenney Micozzie

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

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

Mr. **PETRI** offered the following amendment No. **A01534**:

Amend Sec. 2 (Sec. 902), page 10, line 6, by inserting a period after "Health"

Amend Sec. 2 (Sec. 902), page 10, lines 6 through 8, by striking out "excluding all" in line 6 and all of lines 7 and 8

Amend Sec. 3, page 10, line 10, by striking out ", 904(3)"

Amend Sec. 3, page 10, lines 29 and 30; page 11, lines 1 through 7, by striking out all of said lines on said pages

Amend Sec. 3 (Sec. 908), page 13, lines 1 through 6, by striking out all of said lines

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

The **SPEAKER**. The Chair recognizes Representative Petri.  
Mr. **PETRI**. Thank you, Mr. Speaker.

This amendment restores the funding. My colleagues have indicated that they do not want to see any of our institutions harmed. Well, now is your opportunity. This amendment expands the class of recipients so that anyone under NIH programs, which is the National Institutes of Health, that vets out their program can now be a recipient.

If you recall earlier, we talked about a 4 1/2-page list not of institutions, not of institutions, of categories of research that are considered under NIH. Many of your clients and constituents do research in this area. Under the present bill, they would be ineligible, not eligible to participate. That is not fair. That is not fair to those institutions. They have great discoveries. What is wrong with providing funding for child mental health services? What is wrong with that category? What is wrong with research career programs in the area of mental health or substance abuse? Why would we want to exclude research in those areas? If the National Institutes of Health vets out the program and believes it is worthy, why should we not? Why should we not include some of these categories of scientific evaluation? The list goes on and on and on.

This amendment also takes care of that de minimis amount of \$25,000. In other words, under the present bill, if you are seeking research for less than \$25,000, you are excluded.

You know, recently I was watching that new show they have on "American Inventor," and I was amazed at how many great ideas there are for people who have spent \$1,000, \$2,000 on their research, but this House wants to change the rules. We want to exclude all those people. We want to say, unless you

spend big money, you are not worthy of a grant. Well, let me tell you, if the National Institutes of Health thinks it is a good idea, we ought to and we ought to exclude it.

I encourage the members to vote in favor of this amendment.

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

The following roll call was recorded:

YEAS—98

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

NAYS—103

Belfanti	George	Mann	Shimkus
Bennington	Gerber	Markosek	Siptroth
Bianucci	Gergely	McCall	Smith, K.
Bishop	Gibbons	McGeehan	Smith, M.
Blackwell	Goodman	McI. Smith	Solobay
Brennan	Grucela	Melio	Staback
Buxton	Haluska	Mundy	Sturla
Caltagirone	Hanna	Myers	Surra
Carroll	Harhai	O'Brien, M.	Tangretti
Casorio	Harkins	Oliver	Taylor, R.
Cohen	Hornaman	Pallone	Thomas
Conklin	James	Parker	Vitali
Costa	Josephs	Pashinski	Wagner
Cruz	Keller, W.	Payton	Walko
Curry	Kessler	Petrarca	Wansacz
Daley	King	Petrone	Waters
DeLuca	Kirkland	Preston	Wheatley
DePasquale	Kortz	Ramaley	White
Dermody	Kotik	Readshaw	Williams
DeWeese	Kula	Roebuck	Wojnaroski
Donatucci	Leach	Sabatina	Yewcic
Eachus	Lentz	Sainato	Youngblood
Evans, D.	Levdansky	Samuelson	Yudichak
Fabrizio	Longiotti	Santoni	
Frankel	Mahoney	Seip	O'Brien, D., Speaker
Freeman	Manderino	Shapiro	
Galloway			

NOT VOTING—0

EXCUSED—2

Kenney Micozzie

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

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

Mr. S. SMITH offered the following amendment No. A01535:

Amend Sec. 6 (Sec. 2901), page 21, lines 23 through 26, by striking out all of said lines

Amend Sec. 6 (Sec. 2902), page 22, line 30; page 23, lines 1 through 30; page 24, line 1, by striking out "The board shall place heavier weight or" in line 30, page 22, all of lines 1 through 30, page 23, all of line 1, page 24 and inserting

(c) (Reserved).

Amend Sec. 6 (Sec. 2902), page 25, lines 11 and 12, by striking out "or a starter kit project"

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

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

For what purpose does the gentleman, Representative Benninghoff, rise?

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

I was to offer this amendment. It was filed under Representative Sam Smith's name.

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

Mr. BENNINGHOFF. There has been a lot of discussion tonight on whether we should be using money for research or bricks and mortar and infrastructure and a lot of other details. This amendment simply says that 50 percent of the money ought to be used for research by eliminating a starter kit, which would basically do duplicative spending since we already have over 50 percent of the funding in the CURE program going to infrastructure and into bricks and mortar.

So if you want to see 50 percent of it at least going towards research, then I would ask for your support of this amendment.

Thank you very much.

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

The following roll call was recorded:

YEAS-98

Adolph	Fleck	McIlhattan	Raymond
Argall	Gabig	Mensch	Reed
Baker	Geist	Metcalfe	Reichley
Barrar	Gillespie	Millard	Roae
Bastian	Gingrich	Miller	Rock
Bear	Godshall	Milne	Rohrer
Benninghoff	Grell	Moul	Ross
Beyer	Harhart	Moyer	Rubley
Boback	Harper	Murt	Saylor
Boyd	Harris	Mustio	Scavello
Brooks	Helm	Nailor	Schroder
Cappelli	Hennessey	Nickol	Smith, S.
Causser	Hershey	O'Neill	Sonney
Civera	Hess	Payne	Stairs
Clymer	Hickernell	Peifer	Steil
Cox	Hutchinson	Perry	Stern

Creighton	Kauffman	Perzel	Stevenson
Cutler	Keller, M.	Petri	Swanger
Dally	Killion	Phillips	Taylor, J.
Denlinger	Mackereth	Pickett	True
DiGirolamo	Maher	Pyle	Turzai
Ellis	Major	Quigley	Vereb
Evans, J.	Mantz	Quinn	Vulakovich
Everett	Marshall	Rapp	Watson
Fairchild	Marsico		

NAYS-103

Belfanti	George	Mann	Shimkus
Bennington	Gerber	Markosek	Siproth
Biancucci	Gergely	McCall	Smith, K.
Bishop	Gibbons	McGeehan	Smith, M.
Blackwell	Goodman	McI. Smith	Solobay
Brennan	Gruclera	Melio	Staback
Buxton	Haluska	Mundy	Sturla
Caltagirone	Hanna	Myers	Surra
Carroll	Harhai	O'Brien, M.	Tangretti
Casorio	Harkins	Oliver	Taylor, R.
Cohen	Hornaman	Pallone	Thomas
Conklin	James	Parker	Vitali
Costa	Josephs	Pashinski	Wagner
Cruz	Keller, W.	Payton	Walko
Curry	Kessler	Petrarca	Wansacz
Daley	King	Petrone	Waters
DeLuca	Kirkland	Preston	Wheatley
DePasquale	Kortz	Ramaley	White
Dermody	Kotik	Readshaw	Williams
DeWeese	Kula	Roebuck	Wojnaroski
Donatucci	Leach	Sabatina	Yewcic
Eachus	Lentz	Sainato	Youngblood
Evans, D.	Levdansky	Samuelson	Yudichak
Fabrizio	Longiatti	Santoni	
Frankel	Mahoney	Seip	O'Brien, D., Speaker
Freeman	Manderino	Shapiro	
Galloway			

NOT VOTING-0

EXCUSED-2

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

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

Mrs. GINGRICH offered the following amendment No. A01536:

Amend Sec. 1 (Sec. 306), page 9, lines 4 through 8, by striking out all of said lines and inserting

(viii) For fiscal years 2007-2008 and 2008-2009, 2% for deposit into the Health Venture Investment Account pursuant to this chapter. Commencing in 2009-2010, this 2% allocation shall be annually appropriated for long-term care in the General Appropriation Act.

(ix) For fiscal years 2007-2008 and 2008-2009, 2% for deposit into the Biotechnology Commercialization Account pursuant to this chapter for commercialization activities. Commencing in 2009-2010, this 2% allocation shall be annually appropriated for long-term care in the General Appropriation Act.

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

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

Mrs. GINGRICH. Thank you, Mr. Speaker.

I rise to offer an amendment that I think most people will agree is both responsible and reasonable to this very important bill. In short, this amendment limits the new 2-percent allocation to the venture capital program and the biotechnology commercialization program to 2 years, 2007-08 and 2008-09, and then commencing in 2009-10, the total 4-percent allocation will be appropriated annually in the General Appropriations Act for long-term care.

Now, as we know in looking at the bill, we are talking about a percentage of this money coming from our PACENET (Pharmaceutical Assistance Contract for the Elderly Needs Enhancement Tier) dollars out of the Tobacco Fund that are specifically designed for use for our older population. We just survived a lengthy discourse last week and made some tough decisions on a nursing home assessment bill to reauthorize additional moneys matching the Federal moneys so we would have the funding we need to keep our long-term-care facilities open.

I consider this amendment a win-win situation where the money is available for the first 2 years for the type of advancement that we know this bill is designed to accomplish, and following that, we then put the money back where it is initially designed and very critically needed here in Pennsylvania, into long-term care.

Please give this amendment the consideration it deserves. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—98

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

NAYS—103

Belfanti	George	Mann	Shimkus
Bennington	Gerber	Markosek	Siptroth
Bianucci	Gergely	McCall	Smith, K.
Bishop	Gibbons	McGeehan	Smith, M.
Blackwell	Goodman	McI. Smith	Solobay
Brennan	Grucela	Melio	Staback
Buxton	Haluska	Mundy	Sturla
Caltagirone	Hanna	Myers	Surra
Carroll	Harhai	O'Brien, M.	Tangretti
Casorio	Harkins	Oliver	Taylor, R.
Cohen	Hornaman	Pallone	Thomas
Conklin	James	Parker	Vitali
Costa	Josephs	Pashinski	Wagner
Cruz	Keller, W.	Payton	Walko
Curry	Kessler	Petrarca	Wansacz
Daley	King	Petrone	Waters
DeLuca	Kirkland	Preston	Wheatley
DePasquale	Kortz	Ramaley	White
Dermody	Kotik	Readshaw	Williams
DeWeese	Kula	Roebuck	Wojnaroski
Donatucci	Leach	Sabatina	Yewcic
Eachus	Lentz	Sainato	Youngblood
Evans, D.	Levdansky	Samuelson	Yudichak
Fabrizio	Longiatti	Santoni	
Frankel	Mahoney	Seip	O'Brien, D., Speaker
Freeman	Manderino	Shapiro	
Galloway			

NOT VOTING—0

EXCUSED—2

Kenney Micozzie

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

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

Mr. **PETRI** offered the following amendment No. **A01537**:

Amend Title, page 1, line 17, by inserting after "formula"  
, for accountability procedures

Amend Sec. 2, page 9, lines 28 and 29, by striking out all of said lines and inserting

Section 2. The definition of "applicant" in section 902 of the act is amended and the section is amended by adding definitions to read:

Amend Sec. 2 (Sec. 902), page 10, by inserting between lines 3 and 4

\* \* \*

"Applicant." Any of the following located in this Commonwealth:

(1) A person.

(2) An institution.

(3) An entity established under the act of August 24, 1951 (P.L.1304, No.315), known as the Local Health Administration Law.

(4) A small business.

Amend Sec. 2 (Sec. 902), page 10, by inserting between lines 9 and 10

"Small business." Any for-profit business located in this Commonwealth employing less than 500 employees.

Amend Sec. 3, page 10, line 10, by striking out "903(b)(5), 904(3) and 908" and inserting

903(b), 904(3), 908 and 910

Amend Sec. 3 (Sec. 903), page 10, line 15, by striking out all of said line and inserting

- (1) There is hereby established in the department the Health Research Advisory Committee.
- (2) The committee is comprised of the following:
  - (i) The secretary or a designee, who shall serve as chairperson.
  - (ii) Four members appointed by the Governor.
  - (iii) One member appointed by the President pro tempore of the Senate and one member appointed by the Minority Leader of the Senate.
  - (iv) One member appointed by the Speaker of the House of Representatives and one member appointed by the Minority Leader of the House of Representatives.
- (3) [Members] At least one member appointed by the Governor must be a small business leader with experience in commercializing life sciences focused research. Remaining members appointed to the committee by the Governor must possess expertise in health care or research, with representation by institution-based research specialists, practicing clinicians, clinical investigators and public health professionals.
- (4) Terms are as follows:
  - (i) The secretary shall serve ex officio.
  - (ii) A member under paragraph (2)(ii) shall serve a term of six years.
  - (iii) A member under paragraph (2)(iii) shall serve a term of four years but may be removed at the pleasure of the appointing authority.
  - (iv) A member under paragraph (2)(iv) shall serve a term of two years but may be removed at the pleasure of the appointing authority.
  - (v) An appointment to fill a vacancy shall be for the period of the unexpired term or until a successor is appointed and qualified.

Amend Sec. 3 (Sec. 903), page 10, line 28, by striking out all of said line and inserting

- (6) Members shall receive no payment for their services. Members who are not employees of State government shall be reimbursed for necessary and reasonable expenses incurred in the course of their official duties.

Amend Sec. 3, page 13, by inserting between lines 28 and 29 Section 910. Accountability procedures.

- (a) Requirements.—An applicant that receives a research grant under this chapter shall be subject to a performance review by the department upon completion of a research project or more often as deemed necessary by the department. The performance review shall be based on an evaluation process developed by the department in consultation with the advisory committee. Information shall be submitted by research grant recipients and shall include, as applicable, the following:
  - (1) The progress made in achieving expected research goals and objectives.
  - (2) The extent of clinical activities initiated and completed, detailing the number of treatment, prevention and diagnostic studies; the number of hospitals and health care professionals; the number of subjects relative to targeted goals; and the extent of penetration of the studies throughout the region or this Commonwealth.
  - (3) The number of peer-reviewed publications and the number of licenses and patents filed, including commercial development opportunities.
  - (4) Any changes in risk factors, services provided, incidence of disease, death from disease, stage of disease at the time of diagnosis or other relevant measures of the outcome, impact and effectiveness of the research being conducted.
  - (5) Any major discoveries, new drugs and new approaches for prevention, diagnosis and treatment which are attributable to the completed research project.

(5.1) Any technology transfer that has occurred due to the completed research project. Technology transfer shall include discoveries or products licensed to nonprofit or for-profit companies for further development or commercialization, spin-off companies created, new jobs created, or new investments received to commercialize the discovery or product.

- (6) Any other information deemed necessary by the department.
- (b) Penalty.—Notwithstanding any other provision of this chapter, an applicant that receives an unfavorable review by the department under subsection (a) may be subject to a reduction in or ineligibility for research grant funding under this chapter.

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

The SPEAKER. The Chair recognizes Representative Petri.  
Mr. PETRI. Mr. Speaker, if you could hold a moment.  
The SPEAKER. Okay.

Mr. PETRI. The amendment that is before the House deals with small businesses, and what this amendment does is ensure that a small business, someone who employs 500 or less, can receive a grant. It also creates a very, very important provision in the bill with regard to reporting. It adds an accountability standard that requires the recipient of the CURE moneys to provide data demonstrating their success.

One of the things the government is often accused of is not creating enough accountability. After all, this is taxpayer money, and this amendment requires that the transferee, the recipient, demonstrate that they have actually created spinoff companies and to document those.

So I would encourage the members to add some accountability provisions. After all, this is taxpayer money.

The SPEAKER. The House will be at ease.  
Once again, for the members of the House, the Chair would encourage members to be sensitive when they are engaging in debate, not to refer to anyone who has a cognitive or physical issue when trying to make a point on the floor.

For what purpose does the gentleman, Representative Eachus, rise?

Mr. EACHUS. Thank you, Mr. Speaker.  
I rise to support this amendment.

This advantages small businesses who want to get into an opportunity of bioscience. It really is a good bill for the small business community, and I would like to support the gentleman, Mr. Petri, in his effort on this amendment.

Thank you.

The SPEAKER. Representative Maher. The gentleman waives off.

Does anyone else seek recognition?

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

The following roll call was recorded:

YEAS—201

Adolph	Freeman	Markosek	Ross
Argall	Gabig	Marshall	Rubley
Baker	Galloway	Marsico	Sabatina
Barrar	Geist	McCall	Sainato
Bastian	George	McGeehan	Samuelson
Bear	Gerber	McI. Smith	Santoni

Belfanti	Gergely	McIlhattan	Saylor
Benninghoff	Gibbons	Melio	Scavello
Bennington	Gillespie	Mensch	Schroder
Beyer	Gingrich	Metcalfe	Seip
Biancucci	Godshall	Millard	Shapiro
Bishop	Goodman	Miller	Shimkus
Blackwell	Grell	Milne	Siptroth
Boback	Grucela	Moul	Smith, K.
Boyd	Haluska	Moyer	Smith, M.
Brennan	Hanna	Mundy	Smith, S.
Brooks	Harhai	Murt	Solobay
Buxton	Harhart	Mustio	Sonney
Caltagirone	Harkins	Myers	Staback
Cappelli	Harper	Nailor	Stairs
Carroll	Harris	Nickol	Steil
Casorio	Helm	O'Brien, M.	Stern
Causser	Hennessey	O'Neill	Stevenson
Civera	Hershey	Oliver	Sturla
Clymer	Hess	Pallone	Surra
Cohen	Hickernell	Parker	Swanger
Conklin	Hornaman	Pashinski	Tangretti
Costa	Hutchinson	Payne	Taylor, J.
Cox	James	Payton	Taylor, R.
Creighton	Josephs	Peifer	Thomas
Cruz	Kauffman	Perry	True
Curry	Keller, M.	Perzel	Turzai
Cutler	Keller, W.	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	O'Brien, D., Speaker
Fairchild	Manderino	Rock	
Fleck	Mann	Roebuck	
Frankel	Mantz	Rohrer	

NAYS-0

NOT VOTING-0

EXCUSED-2

Kenney Micozzie

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?

Mr. **PETRI** offered the following amendment No. **A01538**:

Amend Sec. 6 (Sec. 2901), page 19, line 1, by striking out "Up to" and inserting

No more than

Amend Sec. 6 (Sec. 2901), page 20, by inserting between lines 18 and 19

(6) Regional biotechnology centers that are available for use by outside agencies.

Amend Sec. 6 (Sec. 2902), page 21, line 29, by striking out all of said line and inserting  
known as the Jonas Salk Legacy Fund Program.

(1) The program shall

Amend Sec. 6 (Sec. 2902), page 22, line 8, by striking out all of said line and inserting

(2) The board shall have the option of utilizing up to 25% of the CURE receipts bond proceeds for a biosciences infrastructure low-interest loan program. Any loan program that may be adopted by the board for the purpose of creating an ongoing source of funds for biosciences infrastructure may be similar to other loan programs offered by the financing authority. Upon consent of the board to utilize up to 25% of the CURE receipts bond proceeds for a biosciences infrastructure loan program, the board shall submit for publication in the Pennsylvania Bulletin a notice of the loan program requirements and terms.

(3) The department shall submit for publication in the Pennsylvania

Amend Sec. 6 (Sec. 2902), page 22, line 17, by striking out "shall not" and inserting

not more than 50% of whom shall

Amend Sec. 6 (Sec. 2902), page 24, line 5, by inserting after "grant"

or loan

Amend Sec. 6 (Sec. 2902), page 24, by inserting between lines 18 and 19

(vii) A detailed statement of the applicant's record of achievement in the research area the infrastructure project will enhance or expand when constructed.

Amend Sec. 6 (Sec. 2902), page 24, line 19, by striking out "(vii)" and inserting

(viii)

Amend Sec. 6 (Sec. 2902), page 24, line 29, by inserting after "grant"

or loan

Amend Sec. 6 (Sec. 2902), page 25, line 11, by inserting after "grant"

or loan

Amend Sec. 6 (Sec. 2902), page 25, line 13, by inserting after "board"

and in no case may exceed \$15,000,000

Amend Sec. 6 (Sec. 1502), page 25, line 15, by inserting after "non-State"

or non-Federal

Amend Sec. 6 (Sec. 2902), page 25, line 16, by inserting after "non-State"

or non-Federal

Amend Sec. 6 (Sec. 2903), page 29, line 5, by inserting after "designee"

who must be an employee of the DOH

Amend Sec. 6 (Sec. 2903), page 29, line 15, by striking out "a real estate development professional" and inserting

from an independent nonprofit group representing the life sciences industry in Pennsylvania

Amend Sec. 6 (Sec. 2903), page 29, line 16, by inserting after "community"

whose primary place of business is in Pennsylvania

Amend Sec. 6 (Sec. 2903), page 29, line 22, by inserting after "Governor."

Of the individuals representing the biotechnology or biomedical community, one shall be from the Philadelphia region, one from the Pittsburgh region, one from the central Pennsylvania region and one from an organization that is a member of a life sciences greenhouse.

Amend Sec. 6 (Sec. 2903), page 29, by inserting after "Commonwealth"

that engages in biosciences research

Amend Sec. 6 (Sec. 2903), page 31, line 8, by inserting after "department"

no more than \$500,000 annually

Amend Sec. 6 (Sec. 2904), page 32, lines 18 and 19, by striking out all of said lines and inserting

(4) Loan repayments to the extent the board determines to establish a biosciences infrastructure loan program.

Amend Sec. 6 (Sec. 2906), page 35, line 13, by striking out "to capitalize interest."

Amend Sec. 6 (Sec. 2906), page 36, lines 5 through 12, by striking out all of said lines and inserting

(h) (Reserved).

On the question,

Will the House agree to the amendment?

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

Mr. PETRI. Thank you, Mr. Speaker.

The amendment before the House changes the composition of the board. Currently there is very little guidance on who will be on this board that is going to administer taxpayer money and to give out grants. This particular amendment would provide some specificity by requiring that at least 50 percent of the individuals appointed be Pennsylvania residents. Right now you might assume that the Salk Board would include residents of Pennsylvania, but there is no requirement.

It also requires that the members of the board be familiar with the industry; requires that there be a venture capitalist on the board; requires that anyone who is on the board as a nonvoting member engaged in an institution actually be involved in research of biotechnology; also requires that there be a member of the board who is a representative of an independent nonprofit group representing the life science caucus. There are certain regional requirements in the bill, and a detailed statement of achievements is required.

So what this does is, it enhances the opportunity for our taxpayers to know that their money is being vetted and used in the right approach.

I would encourage the members to support this amendment. It also prohibits derivative financing, which is something I do not think that we should encourage this board to participate in.

The SPEAKER. Representative Maher.

Mr. MAHER. Thank you, Mr. Speaker.

I would like to make some inquiries to the maker of the bill to understand the inner relationship with the amendment.

The SPEAKER. Is the gentleman asking for the maker of the bill or the maker of the amendment to stand for interrogation?

Mr. MAHER. The maker of the bill. Thank you, Mr. Speaker.

The SPEAKER. The lady will defer to Representative Eachus, if that is all right with the gentleman. The gentleman is in order and may proceed.

Mr. EACHUS. Can you repeat your question, sir. It is a little loud in the chamber; excuse me.

The SPEAKER. Members will please take their seats; conversations will cease.

The gentleman is in order and may proceed.

Mr. MAHER. Thank you, Mr. Speaker.

This may actually be quite dry, so I am not sure we need the full attention and to suspend all the conferences, but in any case, I would like to draw the speaker's attention to page 36 of the bill, beginning on line 5 and going through line 12.

Mr. EACHUS. Starting on which page, sir?

Mr. MAHER. Page 36, line 5.

Mr. EACHUS. Okay. I am at lines 5 to 12, "Interest rate management"?

Mr. MAHER. That is correct. The amendment that is before us would delete lines 5 through 12, and what I am hoping to do is to get some explanation of the various elements, and lines 5 through 12 create authority for this board to enter into what is casually called here interest rate management but has a list of specific sorts of transactions, and I am hoping for an explanation of these transactions and why these derivative financing transactions would be considered here.

For instance, let us start with the first one. Can you explain to me in this bill the interest rate exchange agreement? What is an interest rate exchange agreement?

Mr. EACHUS. Well, let me generally refer to this section as typical authority behavior, Mr. Speaker. Interest rate management is very typical of authorities in Pennsylvania. This is the kind of action that would be taken in any bond issue in order to finance projects in the Commonwealth. These would be sections which you would find in many areas of State law which would relate directly to bonding authority, which we would allow under the provisions of this bill.

Mr. MAHER. Well, for the benefit of the members, the amendment before us would not permit this. The bill as it stands would permit it. Can you explain what an interest rate exchange agreement is?

Mr. EACHUS. What I can do is essentially tell you that bonding authority is essential to do the capital projects at these facilities. What the lady's bill intends is to allow for our biotechnical research centers in the Commonwealth to focus on investing in capital improvements, building improvements, to expand wet laboratories across the Commonwealth.

Mr. MAHER. Well, I understand the borrowing—

Mr. EACHUS. You asked a question, and I am trying to get to it, Mr. Speaker.

So my point to you is that this activity under this arrangement is very typical of bonding authority. If you want to know prescriptively, I am happy to have a sidebar with you down here in front. I will bring our counsel. He could explain to you this is not atypical of what would be considered in any activity, whether it is the Commonwealth Financing Authority or PEDFA (Pennsylvania Economic Development Financing Authority) or PIDA (Pennsylvania Industrial Development Authority) or the like. This is the kind of activity that relates to, as it says here, the financing authority within the bonding arrangement under this proposal.

Mr. MAHER. Quite apart from whether you believe it is typical or atypical, the members are being asked to make a judgment as to whether or not to allow derivative transactions such as interest rate exchange agreements, and I think it is entirely appropriate to hope that someone could explain for the benefit of the members what is embraced by interest rate exchange agreements.

Mr. EACHUS. As you know, Mr. Speaker, we are currently on the Petri amendment, and he changes the language substantively between lines 5 and 12. I think maybe a more



appropriate line of questioning may be to ask the gentleman why he changed it. As I have explained to you, this is typical authority bond behavior. These types of prescribed areas would be within any authority in Pennsylvania that does bonding, mortgages, to do long-term capital projects.

So if you have a line of questioning, maybe it would be more appropriate for the gentleman relating to his change in lines 5 through 12.

Mr. MAHER. Would that be your answer with respect to corridor agreements as well?

Mr. EACHUS. Excuse me?

Mr. MAHER. Would that be your answer with respect to corridor agreements as well?

Mr. EACHUS. Well, as I said before, this type of language is drawn from existing State law. So this is not atypical of any other— I mean, you can describe it any way you like, but this is very typical of State law relating to bonding authority. So once again, if you would like to ask the gentleman, Mr. Petri—

Mr. MAHER. When you say they are typical—

The SPEAKER. Will the gentleman suspend.

### POINT OF ORDER

The SPEAKER. For what purpose does the gentleman, Representative Preston, rise?

Mr. PRESTON. I thought that we as members, when we ask a question, were not supposed to ask a question that we know the answer to. Am I correct?

The SPEAKER. Will the gentleman state his question again?

Mr. PRESTON. I thought that the rules of the House basically were that members should not ask a question that they already know the answer to. Am I correct in saying that?

The SPEAKER. Generally that is the case.

Mr. PRESTON. Well, then my understanding and my personal opinion of knowing the gentleman's history and his long background, that he is asking questions of which, per se, he could even be qualified as an expert to.

Mr. MAHER. Mr. Speaker, while flattered—

Mr. PRESTON. In other words, Mr. Speaker, this gentleman is speaking on a level of finance of which I have had dealings with him on a professional and contractual level, of which I know that he has offered the opinions in written and in oral form—

The SPEAKER. The Chair will pay close attention to the debate.

Is the gentleman finished with his interrogation?

Mr. MAHER. No, Mr. Speaker.

Although quite flattered by my good friend from Allegheny County and hopeful that to the extent he perceives me as an expert, that he will accept the wisdom of an expert later, I genuinely have questions as to what is the intent of the bill as it stands which would be altered by this amendment, and I am very much interested in having the intent of this language expressed so that the members of this body, including me, can make an informed decision.

The SPEAKER. Representative Preston.

Mr. PRESTON. If I am correct, the gentleman asked for the speaker to give a definition and to explain certain terminology of which his many years of high finance across this Commonwealth of Pennsylvania in dealing with municipal governments and performing and actually providing in written

form in his previous life, where he has offered opinions on bonds and operating governmental subunits, makes him an expert, and therefore he is asking a question, for a person to explain something of which he already knows the answer.

The SPEAKER. The Chair thanks the gentleman.

Has the gentleman terminated his interrogation, or does he wish to make a comment on the amendment?

Mr. MAHER. I have not concluded my interrogation. Of course if there is a disinterest on the part of the makers of this legislation to provide an explanation for the benefit of the chamber, there is certainly nothing I can do about that, but I am very interested in having this information set forth, because what my individual—

The SPEAKER. Is the gentleman making comment on the amendment?

Mr. MAHER. I ultimately would like to speak on the amendment, but I have not heard that, despite the gentleman from Allegheny County's concerns, I have not heard the maker or the gentleman that the maker yielded to express that they are not interested in sharing information.

Mr. EACHUS. Mr. Speaker, maybe I should just be clear for the members. I have answered the gentleman's question. I am finished with interrogation.

The SPEAKER. The gentleman is in order to make a comment on the amendment. He may proceed.

Mr. MAHER. Thank you, Mr. Speaker.

In this era of reform, of openness, of transparency, it is a troubling occasion when straightforward questions as to what is intended in a bill that would empower an authority to go forth—

Mr. EACHUS. Mr. Speaker?

Mr. MAHER. I am speaking on the amendment, Mr. Speaker, if the gentleman—

The SPEAKER. The Chair recognizes Representative Eachus.

Mr. EACHUS. If the gentleman takes umbrage with my answer, I understand, but I have completed my interrogation, and if he is on with the amendment, I am clear. I just wanted to make sure I responded appropriately to the Chair at this point.

The SPEAKER. The gentleman is correct.

The gentleman will reserve his comments to the amendment.

Mr. MAHER. Indeed, Mr. Speaker, which is what I was doing.

In this era that is supposed to be the era of reform, of openness, of transparency, it is disturbing to me and I would hope to others that there is a disinterest, a defensiveness even, about sharing with the members of this General Assembly and the general public what is intended by complex language within this bill.

Now, the understanding that my friend from Allegheny County attributes to me, as flattering as it is, yes, I have some degree of understanding of these sorts of transactions from my experience as a professional, but my individual experience is not what is important here. What is important here is how this language will be embraced by this authority that will be empowered to go forth with all sorts of derivative financial transactions.

Now, the question might be, with hundreds of millions of dollars at stake and if they are to be believed that there is no risk to the Commonwealth with this borrowing of hundreds of millions of dollars, never mind the question about taxpayer money – I think it is all taxpayer money, but I understand that it is coming from the tobacco settlement – if in fact there is

no risk to the Commonwealth, there is no need for hedging transactions because there is nothing, no risk to be hedged.

The very fact that this language is in here suggests to me that despite what you have been told, people are expecting, the makers of this legislation are expecting that a risk is being visited upon the Commonwealth, because these are the sorts of transactions that one might undertake to mitigate risk. Well, if there is no risk, why would you be paying investment bankers millions of dollars to mitigate the risk?

I think it is entirely appropriate for the gentleman, Mr. Petri, to observe, as his amendment does, that if there is no good reason for this permission to be in this bill, it ought not to be there. We have heard no good reason for this to be there. In fact, we have heard people avoiding answering the question of why it is there, what it would do, what it even means.

It is a sad day if you stand for reform, if you stand for transparency. When you are dealing with a billion here or a billion there, it is real money, and I hope you would stand up, I would hope you would stand up and say, you know, if there is no risk to this Commonwealth, there is no need for these transactions, and if nobody can explain what these transactions are all about, there is no reason to create a permission for millions of dollars to be paid to investment bankers and lawyers to mitigate the risk to the Commonwealth.

I hope you would join me with Mr. Petri in supporting his amendment.

And also a little footnote, why the heck would this bill allow for a board without any Pennsylvanians on it? Who is being served by that? What is the reform initiative being advanced by a board that will have a billion dollars, ultimately, of debt without any requirement for even one Pennsylvanian? Who is being served? If that is not against, if that is not stepping on anybody's toes, if it really was an oversight, well, we have the chance to correct it.

Vote with me for the Petri amendment. Thank you.

The SPEAKER. Representative Petri.

Mr. PETRI. Thank you, Mr. Speaker.

Mr. Speaker, there is a real success story, and the success story has been the program that we have had in place. We have talked all night about how this program changes. My amendment encourages some of those success stories. One happens to be located in Bucks County, and Representative Watson spoke about it earlier. We have the Bucks County Biotechnology Center. It has been a tremendous success, because the entrepreneur who started that has encouraged others to utilize the facility. Now, imagine that. A research facility that is available to researchers to do serious committed research on any topic that they may choose. That is a success story.

Now, what my amendment does is put that as the highest priority for determining who should receive State dollars. We do not have enough money to build bricks and mortar in every community, but we do not have to. And what my amendment does is encourage the process whereby when you are committed to your community and you want to do one laboratory, one facility, you go to the top of the list, and that is the way it should be. We should be very concerned about spending \$400 million on bricks and mortar, jeopardizing the valuable research that is occurring right now, and this amendment will cause that to happen because there will be cooperatives. There will be Bucks County biotechnology centers popping all over the community, except they will not be named Bucks County. They will be named Monroe County; they will be named

Schuylkill County, and they will be places where small companies can come, pool their resources, research their ideas, and if they are successful, they will be the future employers in our Commonwealth.

I encourage the members to support this amendment.

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

The following roll call was recorded:

YEAS-98

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

NAYS-103

Belfanti	George	Mann	Shimkus
Bennington	Gerber	Markosek	Siptroth
Bianucci	Gergely	McCall	Smith, K.
Bishop	Gibbons	McGeehan	Smith, M.
Blackwell	Goodman	McI. Smith	Solobay
Brennan	Grucela	Melio	Staback
Buxton	Haluska	Mundy	Sturla
Caltagirone	Hanna	Myers	Surra
Carroll	Harhai	O'Brien, M.	Tangretti
Casorio	Harkins	Oliver	Taylor, R.
Cohen	Hornaman	Pallone	Thomas
Conklin	James	Parker	Vitali
Costa	Josephs	Pashinski	Wagner
Cruz	Keller, W.	Payton	Walko
Curry	Kessler	Petrarca	Wansacz
Daley	King	Petrone	Waters
DeLuca	Kirkland	Preston	Wheatley
DePasquale	Kortz	Ramaley	White
Dermody	Kotik	Readshaw	Williams
DeWeese	Kula	Roebuck	Wojnaroski
Donatucci	Leach	Sabatina	Yewcic
Eachus	Lentz	Sainato	Youngblood
Evans, D.	Levdansky	Samuelson	Yudichak
Fabrizio	Longiotti	Santoni	
Frankel	Mahoney	Seip	O'Brien, D., Speaker
Freeman	Manderino	Shapiro	
Galloway			

NOT VOTING-0

## EXCUSED—2

Kenney Micozzie

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

On the question recurring,

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

## RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentleman from Allegheny County, Representative Wheatley, who moves that the rules be suspended for the purpose of offering amendment A01688.

On the question,

Will the House agree to the motion?

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

Mr. WHEATLEY. Thank you, Mr. Speaker.

I will just ask all the members to support this suspension. It is to allow for some diversity language to be put into this bill as we move forward.

Thank you.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

## YEAS—177

Adolph	Freeman	Marsico	Sabatina
Argall	Galloway	McCall	Sainato
Baker	Geist	McGeehan	Samuelson
Barrar	George	McI. Smith	Santoni
Belfanti	Gerber	McIlhattan	Scavello
Benninghoff	Gergely	Melio	Schroder
Bennington	Gibbons	Mensch	Seip
Beyer	Godshall	Miller	Shapiro
Bianucci	Goodman	Milne	Shimkus
Bishop	Grucela	Moul	Siproth
Blackwell	Haluska	Moyer	Smith, K.
Boback	Hanna	Mundy	Smith, M.
Boyd	Harhai	Murt	Smith, S.
Brennan	Harhart	Mustio	Solobay
Buxton	Harkins	Myers	Sonney
Caltagirone	Harper	Nickol	Staback
Cappelli	Harris	O'Brien, M.	Stairs
Carroll	Helm	O'Neill	Steil
Casorio	Hennessey	Oliver	Stern
Civera	Hershey	Pallone	Sturla
Clymer	Hess	Parker	Surra
Cohen	Hornaman	Pashinski	Tangretti
Conklin	Hutchinson	Payne	Taylor, J.
Costa	James	Payton	Taylor, R.
Cox	Josephs	Perzel	Thomas
Cruz	Keller, W.	Petrarca	Turzai
Curry	Kessler	Petri	Verbe
Daley	Killion	Petrone	Vitali
Dally	King	Phillips	Vulakovich

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

## NAYS—24

Bastian	Gabig	Keller, M.	Perry
Bear	Gillespie	Mackereth	Rohrer
Brooks	Gingrich	Metcalfe	Saylor
Causer	Grell	Millard	Stevenson
Creighton	Hickernell	Nailor	Swanger
Cutler	Kauffman	Peifer	True

## NOT VOTING—0

## EXCUSED—2

Kenney Micozzie

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. WHEATLEY offered the following amendment No. **A01688**:

Amend Sec. 6 (Sec. 2903), page 32, by inserting between lines 6 and 7

(n) Intent.—It is the intent of the General Assembly that the board promote and ensure diversity in the awarding of grants under the programs authorized under this act. The board shall work to enhance the representation of diverse groups in the awarding of contracts and grants.

(1) The board is authorized to investigate investment advisors, fund managers, other consultants and the awarding of grants to ascertain whether effective and meaningful action has been taken or will be taken to enhance the representation of diverse groups in the awarding of contracts and grants.

(2) The board shall work to promote and ensure that it and all contractors and grant awardees afford equal employment opportunity to all prospective employees to be employed and to all actual employees employed by the board, contractors and grantees.

(3) The board shall prepare an annual report to the General Assembly on the activities undertaken by the board, its contractors and awards to grantees to promote diversity and accord equal employment opportunities in accordance with this subsection.

On the question,

Will the House agree to the amendment?

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

The gentleman has to explain the amendment.

Mr. WHEATLEY. Again, thank you, Mr. Speaker.

This is some language to try to strengthen the language around diversity in this bill.

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

The following roll call was recorded:

YEAS—165

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

NAYS—36

Bear	Gabig	Marsico	Rapp
Boyd	Gillespie	McIlhattan	Rohrer
Brooks	Gingrich	Metcalfe	Rubley
Causer	Hickernell	Miller	Saylor
Cox	Hutchinson	Moul	Schroder
Creighton	Kauffman	Nailor	Stevenson
Cutler	Keller, M.	Nickol	Swanger
Denlinger	Mackereth	Peifer	True
Ellis	Mantz	Perry	Turzai

NOT VOTING—0

EXCUSED—2

Kenney Micozzie

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?

RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentleman from Allegheny County, Representative Wheatley, who moves the rules be suspended for the purpose of offering amendment A01687.

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

The SPEAKER. On the motion, Representative Wheatley.  
Mr. WHEATLEY. Thank you, Mr. Speaker.  
Again, I would like to ask for the members' support for a suspension of the rules so that I can offer the amendment to try to incentivize the keystone innovation zones as a way to leverage what we are doing already.

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

The following roll call was recorded:

YEAS—157

Adolph	Galloway	Marshall	Samuelson
Argall	George	McCall	Santoni
Barrar	Gerber	McGeehan	Scavello
Belfanti	Gergely	McI. Smith	Schroder
Bennington	Gibbons	Melio	Seip
Beyer	Godshall	Mensch	Shapiro
Biancucci	Goodman	Millard	Shimkus
Bishop	Grucela	Milne	Siptroth
Blackwell	Haluska	Moyer	Smith, K.
Boback	Hanna	Mundy	Smith, M.
Boyd	Harhai	Murt	Smith, S.
Brennan	Harhart	Mustio	Solobay
Brooks	Harkins	Myers	Staback
Buxton	Harper	O'Brien, M.	Stairs
Caltagirone	Harris	O'Neill	Stern
Carroll	Helm	Oliver	Sturla
Casorio	Hennessey	Pallone	Surra
Civera	Hershey	Parker	Tangretti
Clymer	Hess	Pashinski	Taylor, J.
Cohen	Hornaman	Payne	Taylor, R.
Conklin	James	Payton	Thomas
Costa	Josephs	Perzel	Turzai
Cruz	Keller, W.	Petrarca	Vitali
Curry	Kessler	Petri	Vulakovich
Daley	Killion	Petrone	Wagner
Dally	King	Phillips	Walko
DeLuca	Kirkland	Preston	Wansacz
DePasquale	Kortz	Quigley	Waters
Dermody	Kotik	Quinn	Watson
DeWeese	Kula	Ramaley	Wheatley
DiGirolamo	Leach	Raymond	White

Donatucci	Lentz	Readshaw	Williams
Eachus	Levdansky	Reed	Wojnaroski
Evans, D.	Longietti	Reichley	Yewcic
Evans, J.	Maher	Roae	Youngblood
Fabrizio	Mahoney	Rock	Yudichak
Fairchild	Manderino	Roebuck	
Fleck	Mann	Ross	O'Brien, D.,
Frankel	Mantz	Sabatina	Speaker
Freeman	Markosek	Sainato	

NAYS-44

Baker	Everett	Major	Pyle
Bastian	Gabig	Marsico	Rapp
Bear	Geist	McIlhattan	Rohrer
Benninghoff	Gillespie	Metcalf	Rubley
Cappelli	Gingrich	Miller	Saylor
Causar	Grell	Moul	Sonney
Cox	Hickernell	Nailor	Steil
Creighton	Hutchinson	Nickol	Stevenson
Cutler	Kauffman	Peifer	Swanger
Denlinger	Keller, M.	Perry	True
Ellis	Mackereth	Pickett	Vereb

NOT VOTING-0

EXCUSED-2

Kenney Micozzie

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. WHEATLEY offered the following amendment No. **A01687**:

Amend Sec. 6 (Sec. 2902), page 28, line 9, by inserting after "definitions."

In reviewing applications for grants under the program, the board shall give priority consideration to projects in the Keystone Innovation Zones.

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

The SPEAKER. Representative Wheatley.  
Mr. WHEATLEY. Again, this is just some language to try to clarify and direct to support areas of investments around keystone innovation zones.

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

The following roll call was recorded:

YEAS-137

Adolph	Galloway	Marshall	Schroder
Argall	George	McCall	Seip
Barrar	Gerber	McGeehan	Shapiro
Belfanti	Gergely	McI. Smith	Shimkus

Bennington	Gibbons	Melio	Siptroth
Biancucci	Goodman	Mensch	Smith, K.
Bishop	Grell	Moyer	Smith, M.
Blackwell	Grucela	Mundy	Solobay
Brennan	Haluska	Murt	Staback
Brooks	Hanna	Mustio	Stairs
Buxton	Harhai	Myers	Stern
Caltagirone	Harkins	O'Brien, M.	Sturla
Carroll	Harper	Oliver	Surra
Casorio	Harris	Pallone	Tangretti
Clymer	Hess	Parker	Taylor, J.
Cohen	Hornaman	Pashinski	Taylor, R.
Conklin	James	Payton	Thomas
Costa	Josephs	Petrarca	Vereb
Cruz	Keller, W.	Petrone	Vitali
Curry	Kessler	Phillips	Wagner
Daley	Killion	Preston	Walko
DeLuca	King	Quigley	Wansacz
DePasquale	Kirkland	Quinn	Waters
Dermody	Kortz	Ramaley	Watson
DeWeese	Kotik	Raymond	Wheatley
DiGirolamo	Kula	Readshaw	White
Donatucci	Leach	Roae	Williams
Eachus	Lentz	Rock	Wojnaroski
Evans, D.	Levdansky	Roebuck	Yewcic
Evans, J.	Longietti	Ross	Youngblood
Fabrizio	Maher	Sabatina	Yudichak
Fairchild	Mahoney	Sainato	
Fleck	Manderino	Samuelson	O'Brien, D.,
Frankel	Mann	Santoni	Speaker
Freeman	Markosek	Scavello	

NAYS-64

Baker	Everett	Mantz	Pickett
Bastian	Gabig	Marsico	Pyle
Bear	Geist	McIlhattan	Rapp
Benninghoff	Gillespie	Metcalf	Reed
Beyer	Gingrich	Millard	Reichley
Boback	Godshall	Miller	Rohrer
Boyd	Harhart	Milne	Rubley
Cappelli	Helm	Moul	Saylor
Causar	Hennessey	Nailor	Smith, S.
Civera	Hershey	Nickol	Sonney
Cox	Hickernell	O'Neill	Steil
Creighton	Hutchinson	Payne	Stevenson
Cutler	Kauffman	Peifer	Swanger
Dally	Keller, M.	Perry	True
Denlinger	Mackereth	Perzel	Turzai
Ellis	Major	Petri	Vulakovich

NOT VOTING-0

EXCUSED-2

Kenney Micozzie

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. Are there any further amendments?

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.)

\* \* \*

The House proceeded to second consideration of **HB 1200, PN 1661**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for the powers of the Pennsylvania Energy Development Authority.

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

Mr. **DePASQUALE** offered the following amendment No. **A01429**:

Amend Sec. 2, page 3, line 6, by striking out "2806-C(14)" and inserting

2806-C(2) and (14)

Amend Sec. 2, page 3, line 7, by striking out "is" and inserting  
are

Amend Sec. 2 (Sec. 2806-C), page 3, by inserting between lines 15 and 16

(2) To have existence [for a term of fifty years, or] until its existence shall be terminated by law.

\* \* \*

Amend Sec. 2 (Sec. 2806-C), page 3, lines 29 and 30, by striking out "State departments, authorities, boards and commissions" and inserting

the Department of Community and Economic Development, the Ben Franklin Technology Development Authority and the Redevelopment Capital Assistance Program

Amend Sec. 3, page 4, line 10, by striking out "of the act, amended" and inserting

and (c) of the act, amended or added December 14, 1982 (P.L.1213, No.280) and

Amend Sec. 3, page 4, line 11, by striking out "is" and inserting  
are

Amend Sec. 3 (Sec. 2807-C), page 4, line 21, by inserting a bracket before "The"

Amend Sec. 3 (Sec. 2807-C), page 4, line 23, by striking out the bracket before "The"

Amend Sec. 3 (Sec. 2807-C), page 4, by inserting between lines 26 and 27

(c) Neither the members of the board of the authority nor any person executing the [notes] bonds shall be liable personally on the [notes] bonds or be subject to any personal liability or accountability by reason of the issuance thereof.

\* \* \*

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

The SPEAKER. The Chair recognizes Representative DePasquale.

Mr. DePASQUALE. Thank you, Mr. Speaker.

This legislation has been introduced as part of the energy independent strategy of Governor Rendell, and this legislation will allow the Pennsylvania Energy Development Authority to invest in venture capital to help bring clean-energy companies into Pennsylvania and also to allow consumers to receive the benefit of rebates for turning in less efficient appliances so they can get energy-efficient appliances in return.

## PARLIAMENTARY INQUIRY

The SPEAKER. Representative Harper.

Ms. HARPER. Thank you, Mr. Speaker.

I think I have a parliamentary inquiry.

The SPEAKER. The lady will state her point of parliamentary inquiry.

Ms. HARPER. Is there a fiscal note for this bill?

The SPEAKER. For the bill or for the amendment?

Ms. HARPER. For the bill, Mr. Speaker.

The SPEAKER. There is no fiscal note at this point, but the rules do not require a fiscal note until it is considered for the third time.

## MOTION TO RECOMMIT

Ms. HARPER. Mr. Speaker, then I would like to make a motion that we recommit this bill to the Environmental Resources and Energy Committee.

This bill allows the State of Pennsylvania to get into the business of buying and selling electricity, natural gas, and gasoline for our cars. It removes the debt limit in the authority's act right now, and we have only had one hearing in the Environmental Committee, and that hearing was not at the Capitol.

Therefore, Mr. Speaker, I believe this bill is not yet ready for consideration by the full House and should be sent back to the Environmental and Energy Committee so that we can have a hearing on whether Pennsylvania should follow California's lead and get into the energy business with similarly disastrous results.

The SPEAKER. The lady, Representative Harper, moves that the bill be recommitted to the Environmental Resources Committee. Is that correct?

Ms. HARPER. That is correct. Thank you, Mr. Speaker.

The SPEAKER. The bill and the amendments will be recommitted as a result of this motion.

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

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

Mr. DePASQUALE. I would ask that that motion be rejected. I do respect the gentelady's comments, and actually, two of her main concerns will be handled in the first two amendments that are going to be offered. So I ask you to vote "no" on the motion.

The SPEAKER. Representative DeWeese.

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

A very reasonable way to deal with the gentelady's dilemma or challenge or question would be for all of the amendments to be considered, some incorporated into the body of the proposal, others potentially rejected, and then in the normal course of events, it would go to the Appropriations Committee and a fiscal note would be produced. Then the gentelady could vote "yes" or "no," argue for or against. But just procedurally if we are allowed – and we would not be if we recommitted, so my arguments are against recommitting at this time – we would have a chance to find out exactly what the fiscal impact would be after the amendments are considered one at a time.

So I would only ask, not in a strident or partisan way relative to her motion to recommit, but only I would argue against recommitment at this time so that these other amendments could be considered and then a fiscal note could be developed in the Appropriations Committee, as is our normal course of events. So I would ask for a negative vote on the gentlelady's motion to recommit.

The SPEAKER. Representative George.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, I certainly am not against the practice of the hearings. I think the gentlelady knows that I have every intention, regardless of where these bills sat in the next weeks, but the only reason I stand here to argue that her purpose is self-defeating is that the truth of the matter is that we ought to be concerned about electricity and the generation of energy in that I know she was not here, like this individual and many of you, when the deregulation bill passed. This legislator and his staff worked very hard to prevent what has turned out to be a very, very difficult situation in regard to where we have placed our constituency.

Just today I see where a utility is going to raise their prices 4 percent in the next few weeks and again another 6 percent before the year is out, and in 2009 the cap comes off. I admire the lady greatly, I think she is a very good member, but let us do it this way: Let us take up this bill, because I have promised the chairman, the minority chairman – I guess that is the way to put it; when I was in the minority, they called me the minority chairman, so I guess it is fair to say that – because I intend to, regardless who or who does not, I intend to give every individual in this House an opportunity to bring forth, to speak up, so that we can once and for all, for the first time in my 33 years, get some alleviance and hopefully some independence to our energy problem to be able to, whether or not it goes primarily forth, to get a positive approach that we could get out of the Persian Gulf because we should not any longer be faced with a shortage of power. Already this administration has brought forth a couple of ethanol plants, one in my district, when they have come forth with \$250 million of their own.

So as much as I admire the lady, I must say, let us get this thing where we can voice our opinions. I will not be supportive of every amendment in that I do not want to see Tier II go into Tier I, and you know more about that than many here, because we want to keep those so-called certificates available for energy that is going to be developed through solar, through wind, by the manufacturer of bio, and for ethanol and for all of that, that once and for all this administration, I daresay and happily say, has come forth, and if it does not go any further, no one will be blamed but we as individuals. And I do not care what the Senate does or what the Senate says, you and I are responsible, and a couple years from now if we do not do that, we are going to be blamed for that regulation debacle that went forth, even those 19 of us that voted "no."

So please, let us not go forth on her idea. I want to see ethanol; I want to see coal generation; I want to see the whole gamut. Once and for all, we have got to keep businesses from leaving Pennsylvania, coal sales from going down. For energy to be captive, we have got to do this, and I would ask you to turn down the request to table. Thank you very much.

The SPEAKER. Representative Pyle. I am sorry; Representative Vitali. The gentleman waives off.

Representative Pyle.

Mr. PYLE. Thank you, Mr. Speaker.

As a member of the Environmental Resources and Energy Committee, the debate over the alternative fuels and alternative energy package has gone on with a certain ferocity and gentility, but I would urge the members to become better knowledgeable about this issue, because there were questions in committee for which we were not permitted to amend, that we were told would be addressed prior to the voting of the bill. They have not yet been addressed, Mr. Speaker, and in that spirit of openness and reform, this issue really is too large to fire the gun without knowing the target.

No one in this room denies the need for Pennsylvania to develop alternative energies, to assimilate ideas of solar, of wind, of geothermal, of biomass, of the whole gamut. I would ask, however, that we are allowed more time to make a learned decision and would support that this motion put forth by the gentlelady from Montgomery County be recommitted back into ERE (Environmental Resources and Energy) so that this admirable goal can be researched in its entirety and applied to.

I do not object to the goal of this legislation; I object to it going as fast as it has, as I brought up in committee, and I was assured it would be addressed. Mr. Speaker, it has not been. What we ask now is for more time to study before making a decision that will affect the Commonwealth for the next century.

Thank you, Mr. Speaker.

The SPEAKER. Representative Ross.

Mr. ROSS. Thank you, Mr. Speaker.

We have really been debating this for less than a week at this point. We were not able to actually have substantive amendments, as has been pointed out in committee, and we were in a bit of a hurry, actually, trying to prepare the amendments that are being discussed here.

I strongly agree with the chairman of the committee that we are engaged in some very important business, that the goals and intents are excellent to try and make Pennsylvania more self-sufficient, to try and protect our electric customers, to try to make sure that we have a solid and self-sustaining energy policy here in Pennsylvania. But to attempt to do that in less than a week I think is too fast. I think that we have great opportunities to get broad bipartisan support behind these proposals with some modifications. I am not persuaded that we have all of the elements in place among the amendments currently. There have been ongoing discussions even as recently as a few minutes ago to try and tune up and change some of the alternatives that are being looked at.

This is too important to go this fast with, and I think it would be unfortunate for us to study it after we have already passed the bills out. I think it is important for us to be clear on what we are doing before we pass the bills, and I hope that this motion will carry so that we will have an opportunity, not in a dilatory fashion but within the matter of a week or two, to negotiate a bit further so that we in the House can be fully proud of the legislation that we have, that we can make sure we are not having any unintended consequences on this very important area, and that we can present the Senate with legislation that they will be able to join in with us and pass as well. Thank you.

The SPEAKER. Representative Turzai.

Mr. TURZAI. I rise in support of Representative Harper's motion to recommit. It is my understanding that HB 1200 removes the cap on borrowing for this Energy Development Authority, and it seems to me that we need to know more

about what the powers are that are being granted to this Governor Rendell-controlled authority, particularly in terms of the hard-earned tax dollars that your kids and grandkids will ultimately have to pay back.

I think that in recommitting it, we can find out if in fact the Governor intends to use this authority to borrow the \$850 million that he seeks to get to leverage against our kids and grandkids for his pet projects. If in fact he is using this bill and this authority to borrow \$850 million for unstated pet projects, then we need to know exactly how much future taxpayers are going to have to pay and exactly what they are getting out of it. My understanding is that we will have to pay back over the next 20 years to the tune of \$1.5 billion so that this Governor gets to take around checks across the State for his energy development projects, and I would like to really have a deep-seated understanding and that Pennsylvanians all can know exactly where and how he intends to pay for this and on what types of projects he is going to use it for.

Stop leveraging the future for our kids. Be honest about what you are doing. Quit the smoke and mirrors and the scams. If you think that something needs to be done or enacted and some project needs to be going forward, pay for it as you go. Quit doing this phony borrowing scheme and tell us the truth. Why do we need hearings? Because we need the truth. You never get anything but smoke and mirrors from this administration.

Recommit the bill.

### PARLIAMENTARY INQUIRY

The SPEAKER. Representative Daley.

Mr. DALEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. DALEY. Mr. Speaker, the lady, Ms. Harper, has placed on the table a motion for recommitment back to the Committee on Energy and Environmental Resources. Does that include the amendments, or does that just include the bill as it stands now without those amendments?

The SPEAKER. Under the current rules, a motion to recommit recommits the bill and all amendments.

Mr. DALEY. On the motion, Mr. Speaker.

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

Mr. DALEY. You know, I find it quite delightful that once the minority party now is out of control, that we see all this posturing; we see all this rhetoric; we see all these delay tactics. We all know about it, because we were in your seat for many, many years. We know you are trying to slow this process down. Nothing is greater to this Commonwealth than the consideration of renewable energy and energy resources when your constituents are sitting out there paying \$3 a gallon like our constituents are paying \$3 a gallon, and you are saying let us talk about this this week or next week or the following week. I think you are shortchanging the ability of this legislature to be able to reconsider and consider this legislation now.

Let us vote this down, let us move this package forward, and let us show Pennsylvania that we as a legislature truly care about energy and their consumption.

The SPEAKER. Representative Wansacz.

Mr. WANSACZ. Thank you, Mr. Speaker.

I really do hate following our chairman, who delivers with such a passion, but I rise to ask our members not to recommit. This is a bill that has had hearings. I remember being in York County, and I can tell you I have never been in York County before so I remember being there, and we discussed this issue. This is an issue that is important.

We all know that energy, we have problems coming in the future. We need to move this idea forward. We need to stop talking and stop studying and make some action, because what is going to happen is these caps are going to come off, we are going to be left with no plans, and our energy prices are going to go through the roof. We have a great solution here that Representative DePasquale has put forward. Let us hear it out. Let us move this process forward so that we can really start solving some problems in Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. Representative McCall.

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, I would ask that we do not recommit the DePasquale legislation for a number of reasons. You heard previous speakers talking about smoke and mirrors and charades and all these things, but I would liken it to this: This is about Courtney McCall's energy future, who is 8 years old today; this is about Keith Robert II's energy future, who is 6 years old today, and the reason why I say that is, today Pennsylvanians are spending \$30 billion a year on liquid fuels – \$30 billion a year on liquid fuels. The price of gasoline is at \$3 a gallon, diesel fuel. Electricity and the rate caps are coming off, and our consumers are going to be paying and are paying through the nose. It is high time that as a Commonwealth we take action. This is one bill out of four that we are going to ask you to vote for so we can ensure our young children's energy future moving forward in the 21st century.

We are spending \$25 billion over the course of the last 5 years on investment on alternative and clean energies. This legislation will be the vehicle for us to take that investment and move Pennsylvania even to the front of the pack, beyond California and all other States. We will be a leader if we pass this legislation and put the DePasquale language into law.

I would ask that we do not recommit and we move this debate forward.

The SPEAKER. Representative Saylor.

Mr. SAYLOR. Thank you, Mr. Speaker.

Again, I hear this talk about how this is about the children of our future. Let us be honest about it. That is exactly why many of us on this House floor tonight oppose this. This is just another opportunity for the State of Pennsylvania to borrow more money to put our children further in debt that in the next 30 years they are going to have to pay back with higher taxes. The Governor has already proposed a tax increase or an electric-rate increase, as I would call it if we are fair and honest to our taxpayers of this Commonwealth, to pay this debt back. It is going to raise the electric rates of every senior citizen, every poor person of this State, if we take those caps off the borrowing limits.

Let us be honest about this. This is about our children's future. It is also about the debt that this State is going to incur by borrowing more money. If this program is so important to this Commonwealth and to our future, then why is it not a part of our budget proposal where the Governor finds money in his budget that he submits to this General Assembly to pay for it



now. The truth is, it is just another WAM (walking-around money) that the Governor wants to hand out to his friends and his buddies across this State. That is what this program is, and he is going to do it at the expense of the taxpayers and the consumers of this Commonwealth.

If we want to attract more jobs to Pennsylvania, then why are we raising the electric rates on the businesses of this Commonwealth with this kind of legislation? This is not a good piece of legislation. This is just another way to borrow more money under this administration's spending and borrowing policy, and it is not good for consumers; it is not good for the business community of this State. These are the kinds of things that will only put this State in the next 2 to 3 years in a huge financial bind and require us at that point in time to come up with additional tax increases to pay for it, because that borrowing has gotten way out of hand in this Commonwealth.

Mr. Speaker, I ask for a "yes" vote to recommit this bill to the committee.

The SPEAKER. Representative George, for the second time.

Mr. GEORGE. Mr. Speaker, I do not want to delay; neither do I want to blame anyone. We are all individuals. It makes no difference who we are. We are all subjected to the problem that has been ongoing. It has not been before us for 2 weeks; it has been before us since 1996, and in 2 years it will hit us right smack in the face. So why would we want to argue that the way to alleviate it is to put it back into committee? I have insisted that I am most willing, now that we know what the problem is, to have hearings at the moment that the budget debacle is over and to have them here in Harrisburg, in that we had hearings in York and there were four legislators all that showed up.

And I do not know whether I am in the same place I have been for 33 years, because, Mr. Speaker, when I heard some of my friends across the aisle talking about what the problem is and what they have been hearing, I daresay the old cliché is, if you do not know anything about history, you are doomed to see it repeat itself. Let us not let that happen. Let us not recommit this bill. Thank you.

The SPEAKER. Are there any other members seeking recognition? The Chair recognizes Representative Harper, for the second time.

Ms. HARPER. Thank you, Mr. Speaker.

With all due respect to my colleagues who do not like the bill and with all due respect to my colleagues who do like the bill, this motion is not about that at all. In 2004 when this body, all of us together – Representative George, Representative Ross, all of us who were here in 2004 – passed the renewable energy portfolio standard, which requires that Pennsylvania energy companies ramp up their alternative energy portfolios a little bit every year until in the 15th year we have the development of these alternative energies, we passed that bill in a bipartisan way after hearings on the effect of that bill on energy rates on our consumers, on energy rates on our job-creating businesses, and what it would do for the environment. The stakeholders were at the table. They had a chance to express their concerns and ask their questions, but that did not happen this time. This time we had one singular off-campus hearing in the prime sponsor's district, and we did not have meetings with the people who would be affected by this bill.

There are a dozen amendments offered to this bill. Those amendments could change it in many beneficial ways, and I understand that the prime sponsor is agreeable to some of the amendments, but right now this bill lets Pennsylvania get into

the business of buying and selling gasoline, natural gas, and electricity, and we have not had any hearings on whether that is a good idea or whether Pennsylvania is at all equipped to do that – none. This bill also removes the debt limit entirely without any discussions on what is a reasonable amount of money to put into this, how much will it cost, and where will we get the money.

I understand Chairman George felt under some pressure to get this bill moving, and I have all great respect for him and to the prime sponsor of this bill, but this is a big bill, this is a big question, and the last time we dealt with renewable energy, we held hearings, fleshed it out, and came up with a plan that worked. I would ask you to support my motion to recommit whether you like the bill or not, because it will be a better bill after we have had some hearings and worked out the kinks.

Thank you very much, Mr. Speaker.

The SPEAKER. Representative Everett.

Mr. EVERETT. Thank you, Mr. Speaker.

As a freshman legislator, I rise for the first time in this House to express my extreme disappointment with the way this bill has come to the floor.

This bill had 3 months when it could have been introduced, and we could have had thorough hearings on it and we could have answered all the questions that are being brought up tonight and are not being answered. We have talked about openness and we have talked about reform, and instead, we get a bill that is introduced a week before it comes to the floor, has limited hearings outside of Harrisburg, and it is a huge bill. It puts the Commonwealth of Pennsylvania in the business of buying and selling energy, buying and selling tax credits, and removes caps on the borrowing with no limits at all. I do not even know if I am for or against this bill at this point, and I am on the committee that this was put through. We had no chance to ask questions, we got no explanations as to why we are getting in the energy business, what the purpose of the Commonwealth getting into the energy business is, and why we are doing this at this point.

So I would simply ask that we take a few moments to get these questions answered, to hear both sides from testimony and hearings, and then bring this bill back when it can be explained and I as a committee member can explain it to the folks in my caucus. I thank you.

The SPEAKER. Representative DePasquale.

Mr. DePASQUALE. Thank you, Mr. Speaker.

Three quick points. One, the bonds that— And this is an important note. You can be for this bill or against it on the merits, but this is important to know. The bonds that PEDAA (Pennsylvania Energy Development Authority) currently and even under this bill would have the ability to do are not general obligation bonds.

Mr. S. SMITH. Mr. Speaker?

The SPEAKER. Representative Smith.

Mr. S. SMITH. I would ask this Chair to note whether or not we are speaking about recommitment or not, why this bill should be recommitment or not.

Mr. DePASQUALE. The only thing I am asking is to rebut specific charges that his members made.

The SPEAKER. The only issue before the House is the motion on recommitment. The gentleman will—

Mr. DePASQUALE. Then I will ask for a "no" vote on recommitment.

The SPEAKER. The Chair thanks the gentleman.

Mr. DeWEESE. Mr. Speaker?

The SPEAKER. Representative DeWeese.

Mr. DeWEESE. With all due respect, the opposition was given maximum flexibility during their time at the microphone. My honorable colleague was definitively trying to address comments that he had monitored one at a time. And again, with all due respect to you, Mr. Speaker, as the gentleman responds to the motion to recommit, I would only ask for a parallel sense of flexibility and understanding that was offered to the Republicans. We did not necessarily think that they were focused on the bull's eye but nevertheless gave them flexibility. Our gentleman, Mr. DePasquale, should be given the same.

Thank you.

The SPEAKER. The gentleman is correct. Most of the members were somewhat far afield of the motion to recommit. The gentleman will be extended some latitude, but he will ask the gentleman to stay as close to the motion as he can.

Mr. DePASQUALE. Understood, Mr. Speaker, and thank you.

In the reason to not recommit this bill, it is important to note that the bonds that PEDAs has the ability to offer under current law, and again, the reason not to recommit this is because this bill does not change this, and that is, these are not general obligation bonds. So there is no reason to recommit on that reason, because these are revenue bonds that can only be paid through revenue that the organization can already receive. So that is number one.

Number two, there is no reason to recommit because there has been a hearing on the bill. There has been a committee vote on the bill. So we can debate the actual amendments, all of which, except for one, has a fiscal note that we will be debating tonight. So again, no reason to recommit when we already have amendments filed.

And number three, no reason to recommit is the specific point that has been raised by four specific members tonight. I do not find it a coincidence, because we are going to be fixing that particular point on the very first amendment, which means this is only an effort to get this stuff on the record when you know that Representative Rubley's amendment, again, the reason not to recommit is because we are going to do her amendment right out of the box that is going to fix that specific issue, and as I said at the committee meeting when we voted this out, again, another reason not to recommit, if I can say "not to recommit" any more, and that is because I said and I gave the committee my word at that meeting that I would work with the other side on fixing those two specific points. I worked with Representative Rubley and other members to fix that. Again, no reason to recommit for those specific points, because the first two amendments will fix that specific problem.

Thank you, Mr. Speaker.

The SPEAKER. On the motion to recommit the bill to the Environmental Resources and Energy Committee, those in favor of recommitment— The Chair recognizes Representative Hutchinson.

Mr. HUTCHINSON. Thank you, Mr. Speaker.

Mr. Speaker, I think there is one line of argument that makes great sense for us to recommit this and not vote on this bill today, and that is because for this regime to work, there will have to be a tax increase in order to pay for these bonds, and I, Mr. Speaker, believe that before we go and allow borrowing, we should, number one, know which tax is going to be increased in order for this borrowing to occur, and number two, are there the

votes for that tax? We do not know either of those things at this point, so I think we are premature in voting on this bill today, and therefore, it should be recommitted.

Thank you, Mr. Speaker.

The SPEAKER. Does Representative Moul seek recognition?

On the motion to recommit to the Environmental Resources and Energy Committee, those in favor of recommitment will vote "aye"; those opposed, "no."

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

The following roll call was recorded:

#### YEAS—98

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

#### NAYS—103

Belfanti	George	Mann	Shimkus
Bennington	Gerber	Markosek	Siproth
Bianucci	Gergely	McCall	Smith, K.
Bishop	Gibbons	McGeehan	Smith, M.
Blackwell	Goodman	McL. Smith	Solobay
Brennan	Gruclera	Melio	Staback
Buxton	Haluska	Mundy	Sturla
Caltagirone	Hanna	Myers	Surra
Carroll	Harhai	O'Brien, M.	Tangretti
Casorio	Harkins	Oliver	Taylor, R.
Cohen	Hornaman	Pallone	Thomas
Conklin	James	Parker	Vitali
Costa	Josephs	Pashinski	Wagner
Cruz	Keller, W.	Payton	Walko
Curry	Kessler	Petrarca	Wansacz
Daley	King	Petrone	Waters
DeLuca	Kirkland	Preston	Wheatley
DePasquale	Kortz	Ramaley	White
Dermody	Kotik	Readshaw	Williams
DeWeese	Kula	Roebuck	Wojnaroski
Donatucci	Leach	Sabatina	Yewcic
Eachus	Lentz	Sainato	Youngblood
Evans, D.	Levdansky	Samuelson	Yudichak
Fabrizio	Longiatti	Santoni	
Frankel	Mahoney	Seip	O'Brien, D.,
Freeman	Manderino	Shapiro	Speaker
Galloway			

NOT VOTING—0

EXCUSED—2

Kenney Micozzie

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

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

The SPEAKER. The Chair returns to amendment A01429. The Chair recognizes Representative DePasquale on the amendment.

Mr. DePASQUALE. Thank you, Mr. Speaker.  
This is merely a technical amendment.

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

The following roll call was recorded:

YEAS—178

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

Frankel  
Freeman

Mantz  
Markosek

Roebuck  
Rohrer

O'Brien, D.,  
Speaker

NAYS—23

Bear	Denlinger	Keller, M.	Stern
Beyer	Gabig	McIlhattan	Stevenson
Boyd	Gingrich	Metcalf	Swanger
Causer	Hickernell	Perry	True
Creighton	Hutchinson	Rapp	Turzai
Cutler	Kauffman	Reichley	

NOT VOTING—0

EXCUSED—2

Kenney Micozzie

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?

Mrs. **RUBLEY** offered the following amendment No. **A01488**:

Amend Title, page 1, line 21, by removing the period after "Authority" and inserting  
and for authority indebtedness.

Amend Sec. 1 (Sec. 2801-C), page 2, line 27, by striking out "or"  
Amend Sec. 1 (Sec. 2801-C), page 3, line 5, by removing the period after "measures" and inserting  
or

(5) activities designed to improve the energy efficiency of large-scale industrial production facilities.

Amend Sec. 2 (Sec. 2806-C), page 3, lines 26 through 29, by striking out all of lines 26 through 28 and "(22)" in line 29 and inserting

(21)

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

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

Mrs. RUBLEY. Thank you, Mr. Speaker.

This amendment, A01488, eliminates the ability of PEDA to buy and sell power, and it is my understanding that it is an agreed-upon amendment. Thank you.

The SPEAKER. Representative DePasquale.

Mr. DePASQUALE. This is an agreed-to amendment.

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

The following roll call was recorded:

YEAS—201

Adolph	Freeman	Markosek	Ross
Argall	Gabig	Marshall	Rubley
Baker	Galloway	Marsico	Sabatina

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Kenney Micozzie

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

**GUESTS INTRODUCED**

The SPEAKER. The Chair would like to acknowledge the guests of the majority leader, Representative Bill DeWeese: the NRA (National Rifle Association) from Greene County, who are here in Harrisburg today for a shoot. They are to the left of the Speaker. Would the gentlemen please rise as I call your name: Roy Sisler, Doug Kerr, Pete Shlosky, Mike Haught,

and Roger Darke. Would you please join the Chair in welcoming these gentlemen to the Pennsylvania House of Representatives.

**CONSIDERATION OF HB 1200 CONTINUED**

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

Mrs. **RUBLEY** offered the following amendment No. **A01490**:

Amend Title, page 1, line 21, by removing the period after "Authority" and inserting  
and for authority indebtedness.

Amend Sec. 2 (Sec. 2806-C), page 3, lines 18 through 20, by striking out all of said lines and inserting

(19) To promote and facilitate the sale through this Commonwealth of alternative energy credits as defined in the act of November 30, 2004 (P.L.1672, No.213), known as the "Alternative Energy Portfolio Standards Act." This paragraph shall not be construed as conferring on the Commonwealth the authority to purchase, acquire or sell alternative energy credits.

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

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

Mrs. RUBLEY. Thank you, Mr. Speaker.

This amendment eliminates PEDDA from purchasing and selling alternative energy credits. It is also my understanding that it is an agreed-upon amendment.

The SPEAKER. Representative DePasquale.

Mr. DePASQUALE. Yes, Mr. Speaker, the lady is correct. This is an agreed-upon amendment.

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

The following roll call was recorded:

YEAS-201

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

Causser	Hennessey	O'Neill	Stevenson
Civera	Hershey	Oliver	Sturla
Clymer	Hess	Pallone	Surra
Cohen	Hickernell	Parker	Swanger
Conklin	Hornaman	Pashinski	Tangretti
Costa	Hutchinson	Payne	Taylor, J.
Cox	James	Payton	Taylor, R.
Creighton	Josephs	Peifer	Thomas
Cruz	Kauffman	Perry	True
Curry	Keller, M.	Perzel	Turzai
Cutler	Keller, W.	Petrarca	Verb
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	Rohrer	

NAYS—0

NOT VOTING—0

EXCUSED—2

Kenney Micozzie

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?

Mr. **ROSS** offered the following amendment No. **A01491**:

Amend Title, page 1, line 21, by removing the period after "Authority" and inserting  
and for authority indebtedness.

Amend Sec. 3 (Sec. 2807-C), page 4, line 23, by striking out the bracket before "The"

Amend Sec. 3 (Sec. 2807-C), page 4, line 25, by inserting brackets before and after "\$300,000,000" and inserting immediately thereafter

\$400,000,000

Amend Sec. 3 (Sec. 2807-C), page 4, line 25, by striking out the bracket after "time."

On the question,

Will the House agree to the amendment?

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

Mr. ROSS. Thank you, Mr. Speaker.

In committee, actually, we wound up in this bill removing all of the borrowing limits for the Pennsylvania Energy

Development Authority, their indebtedness. There is currently about \$50 million borrowed, and what I would suggest is that the current cap, or the previous cap had been \$300 million. If we raise it to \$400 million, that would allow the authority for \$350 million worth of borrowing, assuming we wind up generating some funding stream to pay that debt off. And I think that at this point it is appropriate for us to start thinking about how much additional spending we want to do in this area and whether or not we want to have no caps at all, which would happen if this amendment were defeated, and a total open door for endless amounts of borrowing or whether or not there ought to be some limit, some focus, on the amount of borrowing that is authorized by this body.

I encourage you not to allow an unlimited amount of borrowing. I think there should be a targeted number, which can, of course, be raised later if we find that in the next year or two that this money has been used up and that it has been used well. But I would really strongly urge a positive vote on this amendment to signal that we are going to start initially with a generous but reasonable amount and then look to the future to see how this project goes.

The SPEAKER. Representative DePasquale.

Mr. DePASQUALE. Thank you.

I do greatly respect the gentleman from Chester. I would ask for a negative vote on this amendment. I do know that he is trying to be constructive in increasing the limit from \$300 to \$400 million. The reason, again, in committee we did pull out, we did eliminate the debt ceiling in PEDDA. Again to point out, these are not general obligation bonds; these are revenue bonds, and this is simply to give the Pennsylvania Energy Development Authority more flexibility.

An example I want to give is something that is currently in existence, and the Representative did talk about the \$52 million in existing debt that PEDDA currently has. There are two coal-fired power plants that are in existence today because of loans from the Pennsylvania Energy Development Authority. The bond process before you floats the bond, goes through an extensive Wall Street process, goes through insurance company vetting. At the end of the day, if the bond gets issued, the payback from the loan is what pays down the debt. So if for some reason those two coal-fired power plants were to go belly up, it would be the insurance company that would pick up the difference, not the taxpayers. So that is something that, you know, the lawyers and the bondholders on Wall Street, they negotiate that out, so that is why I am asking to vote "no" on this, to give PEDDA greater flexibility.

The SPEAKER. Representative Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

I just wanted to add a couple more points. The Governor in his energy strategy laid out an \$850 million plan. This amendment, if passed, would cripple that plan by cutting it in more than half. The Governor in his plan picked a funding source, despite what has been said earlier. To pay for the Governor's \$850 million plan, there would be a surcharge of \$5.40 on utility bills – just \$5.40 per year. This is a minuscule amount and has overwhelming public support based on recent polling data.

Mr. Speaker, perhaps the two most important problems facing this country are addressed by this bill and the other three bills in the package: the war in Iraq and climate change. Mr. Speaker, it is not time for halfway measures. That \$850 million would let us do things like have solar panels, have

rebates for efficient appliances, venture capital for renewable technology. Mr. Speaker, this is a well-thought-out plan. We cannot ignore these serious problems. We cannot delay. We cannot engage in the halfway measures that the maker is suggesting. [Remarks stricken.]

The SPEAKER. The gentleman will cease.

The gentleman is going too far afield from the issue at hand. He will restrict his—

Mr. VITALI. I will switch with regard to these halfway measures [remarks stricken] to climate change, perhaps the most important problem facing this nation. What that is about is energy conservation and renewable energy, and that is exactly what this measure would do, it would encourage the renewables. It would encourage the solar; it would encourage the wind; it would encourage the biofuels. It is not time for halfway measures. The citizens of Pennsylvania have said they are fully willing to pay that \$5.40 for a full, a full solution to this problem. I believe that the Ross amendment would cripple that full solution, and I would ask for a negative vote.

The SPEAKER. Representative Clymer.

Mr. CLYMER. Mr. Speaker, I request that be removed from the record [remarks stricken]. Mr. Speaker, that is absolutely wrong, and I would like those words removed from the record.

The SPEAKER. The Chair will review those remarks. He will ask the clerk to bring those to the rostrum. The Chair will review those remarks.

Will the House agree to the amendment? On the question, those in favor will vote "aye"— Representative Ross.

Mr. ROSS. Thank you, Mr. Speaker.

I did want to go last, if I could, on my amendment.

The questions, a couple of questions have been raised which I would like to respond to. First, there was a discussion that these bonds could be safely defaulted on, the ones that are currently outstanding by the Pennsylvania Energy Development Authority. That, I think, is really not a very good idea and one that has far-reaching alternatives for the Commonwealth. Defaulting on a bond, even by the Development Authority, which is not directly the Commonwealth, would affect the entire Commonwealth's bond rating and do serious damage to us. So I think that that should not be considered and should not be factored in to any of the members' debates or decisions on this amendment.

Secondly, there is a more profound question, and it goes back, I guess, to the whole process at this point. We have had some of the speakers raise the question that \$350 million of spending on energy development is woefully inadequate but that \$850 million is just right. I am not aware of any testimony that I have heard to this point to explain why \$850 million is just right, why \$350 million at this point is woefully inadequate. Now, I admit that we have not had extensive meetings and discussions on this. We have not had extensive testimony and hearings. We did have one hearing down in York, but that was not necessarily well attended, and I am not sure that this issue was properly gone into at that time.

I think at this point, without an explanation of why we need to go substantially beyond \$350 million of borrowing, that the members would be wise to support this amendment, put that targeted number in. It is generous. It is going some distance toward what the Governor is proposing. It gives us quite a bit of money. To say \$350 million in this situation is paltry, insufficient, and minuscule is, to me, a little bit surprising. I think this is a reasonable amendment and well thought through

from that point of view and gives us a good starting point, and we do not have the justification for the \$850 million, nor do we have that in front of us, quite frankly. Nor do we have the funding mechanisms in front of us. That has been asserted as if it is going to be passed and if it is going to definitely be there, but none of the members can reliably count on that. That particular bill is not even out of committee yet. It may fail in committee; it may be amended in committee. It may fail here on the floor, or it may fail in the Senate. Let us go with something that is reasonable and correctly sized to start with and then take this a step at a time.

Thank you.

The SPEAKER. Representative Adolph.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, may I interrogate the maker of the amendment?

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

Mr. ADOLPH. Thank you.

I realize that it is getting late at night, and going over HB 1200, I have a couple questions regarding your amendment.

You keep on referring to the \$850 million. I do not see the \$850 million in the House bill.

Mr. ROSS. Mr. Speaker, you are quite correct. I was really responding to other debate. The House bill currently has no cap in it whatsoever.

Mr. ADOLPH. So where do you get the \$850 million figure from?

Mr. ROSS. That has been suggested by some other members and perhaps by the administration that that might be a total that eventually will be borrowed. But you are correct in saying, strictly speaking, that if my amendment does not go in, there is no limit, no cap; it is an open-ended proposition.

Mr. ADOLPH. On page 4, line 25, there is a \$300 million figure there. Is that in or out of the House bill?

The SPEAKER. The gentleman will cease.

## POINT OF ORDER

The SPEAKER. For what purpose does the gentleman, Representative Vitali, rise?

Mr. VITALI. A point of order, Mr. Speaker.

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

Mr. VITALI. I would ask that you admonish the other gentleman from Delaware County with regard to the House rule about asking questions he already knows the answer to. He has just engaged in that, and I hope he does not intend to continue doing that.

The SPEAKER. The gentleman may continue his interrogation.

Mr. ADOLPH. Thank you, Mr. Speaker.

On line 25, there is the amount of \$300 million there. Is that in this bill?

Mr. ROSS. Mr. Speaker, I believe that that is in brackets. It was actually taken out of the legislation, and there is, as a result of that, no cap.

Mr. ADOLPH. All right. So technically, even though that paragraph that you are changing is out of the bill, your amendment is correct?

Mr. ROSS. I believe so, Mr. Speaker; yes.

Mr. ADOLPH. Okay. Well, he has answered my questions, and I have no comment at this time, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman. Representative Daley.

Mr. DALEY. Mr. Speaker, will the maker of the amendment stand for interrogation?

The SPEAKER. Will Representative Ross stand for interrogation? The gentleman indicates that he will. The gentleman is in order and may proceed.

Mr. DALEY. Mr. Speaker, I see that the last speaker asked you questions concerning the line item that sets aside the \$300 million in your amendment. Is that correct?

Mr. ROSS. Excuse me, Mr. Speaker? I did not hear the question.

Mr. DALEY. In your amendment, it sets a cap on how much is going to be spent. Is that correct?

Mr. ROSS. My amendment does set a cap, correct.

Mr. DALEY. And what is that cap, Mr. Speaker?

Mr. ROSS. It is \$400 million.

Mr. DALEY. And did you have a chance to look through the rest of the bill and how having \$400 million will impact on all the programs and projects on the rest of the bill, if your amendment is adopted?

Mr. ROSS. Yes, I did, Mr. Speaker.

Mr. DALEY. Could you explain to the House which programs will be cut and how much will be cut with the adoption of your amendment?

Mr. ROSS. No programs would be cut, Mr. Speaker.

Mr. DALEY. Well, how do we go from \$850 million or whatever this capless figure is down to \$300 or \$400 million, Mr. Speaker?

Mr. ROSS. We do not have \$850 million, so we do not go from \$850 million.

Mr. DALEY. How about the total impact on the energy projects, the alternative fuels projects?

Mr. ROSS. There is no impact, because we did not have \$850 million.

Mr. DALEY. In your interpretation of the bill that you are trying to amend, what will be the amount that will be raised by the bill as it currently stands before the House?

Mr. ROSS. There are no moneys to be raised by the bill as it currently stands before the House.

Mr. DALEY. How much will the bond issue generate?

Mr. ROSS. The bond issue cannot go forward until a funding mechanism is identified. There is no funding mechanism in the bill; therefore, there are no moneys in the bill currently to be cut.

Mr. DALEY. And your amendment does provide the funding mechanisms?

Mr. ROSS. No, it does not.

Mr. DALEY. How much money in your amendment will go to PEDA?

Mr. ROSS. What we are doing in my amendment is reinstating a limit for borrowing in PEDA where there currently is none.

Mr. DALEY. And how much money will go into PEDA if your amendment is adopted?

Mr. ROSS. The limit, if a funding mechanism is determined, would be \$400 million.

Mr. DALEY. What aspect then will that have on subsequent programs adopted by PEDA if this \$400 million cap is implemented?

Mr. ROSS. There will be no effect.

Mr. Speaker, I am repeating myself here, I recognize that—

Mr. DALEY. Well, I am sorry, Mr. Speaker. Let me—

Mr. ROSS. The questions are repetitive, so the answers are repetitive.

Mr. DALEY. What funding effect will be on PEDA if your amendment does not pass?

Mr. ROSS. The effect if my amendment does not pass will be, there will be no limit on the potential borrowing at PEDA.

Mr. DALEY. So technically, if your amendment does not pass, PEDA can set up its own limit of \$400 million. Is that correct?

Mr. ROSS. PEDA cannot, I do not think, set up their own funding. They have to get authorization and a funding source adopted by the General Assembly.

Mr. DALEY. So no matter what you do, they still will have to come back to the General Assembly to set up that limit?

Mr. ROSS. In order for them to do any additional borrowing at this point, they will need a funding mechanism. The point of my amendment is to provide guidance in terms of an appropriate amount of money for them to be borrowing at this time, and that is all that it does.

Mr. DALEY. And how did you arrive at the \$400 million guidance principle to be implemented by the General Assembly this evening?

Mr. ROSS. It was derived by an effort on my part to offer some form of compromise to the administration and to indicate that I am and hopefully the members are willing to provide some additional support for some of these, but also since they have not made a justification for a much larger amount, that this seemed to be quite reasonable. Again, from an initial point of view, this obviously can be changed if we find funding sources and decide that there are more projects that could be handled. But quite frankly, 350 additional million dollars of borrowing is pretty substantial to be thrown in all at once, and I think that under the circumstances it would be very difficult for us to spend effectively more than 350 additional million dollars at this point. I do not see how that can be managed.

Mr. DALEY. Mr. Speaker, then you are not telling us it was a quantitative way, it was not a substantive way; it was just your guessing way in order to offer a compromise to the administration to have this bill adopted?

Mr. ROSS. Well, I think that, unfortunately, I would have liked to have sharpened this up a little bit but we did not have the necessary hearings; we did not have the necessary discussions; we did not have the necessary supporting documentation from the administration to put this in any more of a sharpened view. I had to actually adopt or put this amendment forward in a matter of less than a week's time—

Mr. DALEY. I understand.

Mr. ROSS. —and I would have loved to have had an extended discussion within the committee on what exactly we were going to do, who exactly was going to be getting the funding, what the mechanisms and sources were going to be, and to do this in a comprehensive and orderly fashion. When we did the renewable energy portfolio standards or alternative energy portfolio standards, these issues were worked out over the better part of a year, and that is, I think, the right way for this major legislation to be conducted as well. Absent that opportunity, I feel that this is a reasonable compromise and that 350 million additional dollars would wind up being very, very sufficient for the short term.

Mr. DALEY. On the amendment, Mr. Speaker.

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

Mr. DALEY. Thank you, Mr. Speaker.

By the Speaker's own admission, there is no matter of science here that was implemented in terms of identifying the \$300 or \$350 or \$400 million that he set the cap. I think that is not good government. That does not do well in terms of the quantitative way that we must look at econometric modeling for the legislature in terms of the PEDAs funding.

I ask for a "no" vote.

The SPEAKER. Representative George.

Mr. GEORGE. Mr. Speaker, it is not often I will ask this, but I would ask that you would ask my good friends and my colleagues to just pay attention for about 3 minutes while I set this record straight, and by the same token, Mr. Speaker, I would not want you or any of my colleagues on the other side to believe that at any time in my 33 years that I did not believe those on the other side were just as important as I am, but it seems like either they are dieting or whatever it is has affected their memories, and I want the maker of this amendment to listen to this, that when the Pennsylvania House passed the electric deregulation, we authorized the utilities to issue bonds, and we passed a law to guarantee – oh, pay attention – that the ratepayers paid the bill for the bonds.

And, Mr. Speaker, the deregulation had no limits on borrowing. Oh, and, Mr. Speaker, I apologize, but every Republican there in 1996 voted for deregulation. It was 28 Democrats that did not. You know, Mr. Speaker, they voted for unlimited bargaining, unlimited borrowing, and utilities were given the right to borrow – hear me – \$10 billion; \$10 billion. And what did they do? They brought hydrodams in Montana. Companies overseas merged with other companies. On the other hand, the bill, 1200, borrowing will build windmills in the Northeast, help steel plants in the West, build solar plants in Philadelphia, help consumers in central Pennsylvania.

Let me tell you something, Mr. Speaker. My old granddad used to say, talk is cheap, but it takes money to buy whiskey. Let us beat that amendment.

The SPEAKER. Representative Turzai.

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

The SPEAKER. The House will come to order.

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

Many of us have real concerns about increasing any limit at all. This authority presently from the early 1980s has authority to issue up to \$300 million in debt, and about \$61 million of that is presently issued. So there is about \$240 million that this authority has available at the present time.

I myself, and I think I speak for some of my colleagues, are not comfortable with even raising that limit to \$400 million. However, I do rise in support of Representative Ross's amendment, not that I want to see any increase, but there is no cap that presently is in place, and I applaud his desire to put a cap into place.

I think that the earlier discussion about where the moneys are being spent and how it is being funded are crucial with respect to the entire bill, and I know we are going to be talking about that bill tomorrow, but in the interest of making sure that a cap is in place, I will support it, but overall, I am opposed to increasing any debt with respect to this energy fund, and I hope that in the end, this bill fails tomorrow.

Thank you.

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

The following roll call was recorded:

#### YEAS—99

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

#### NAYS—102

Belfanti	Galloway	Manderino	Seip
Bennington	George	Mann	Shapiro
Bianucci	Gerber	Markosek	Shimkus
Bishop	Gergely	McCall	Siptroth
Blackwell	Gibbons	McGeehan	Smith, K.
Brennan	Goodman	McI. Smith	Smith, M.
Buxton	Gruclera	Melio	Solobay
Caltagirone	Haluska	Mundy	Staback
Carroll	Hanna	Myers	Sturla
Casorio	Harhai	O'Brien, M.	Surra
Cohen	Harkins	Oliver	Tangretti
Conklin	Hornaman	Pallone	Taylor, R.
Costa	James	Parker	Thomas
Cruz	Josephs	Pashinski	Vitali
Curry	Keller, W.	Payton	Wagner
Daley	Kessler	Petrarca	Walko
DeLuca	King	Petrone	Wansacz
DePasquale	Kirkland	Preston	Waters
Dermody	Kortz	Ramaley	Wheatley
DeWeese	Kotik	Readshaw	White
Donatucci	Kula	Roebuck	Williams
Eachus	Leach	Sabatina	Wojnaroski
Evans, D.	Lentz	Sainato	Yewcic
Fabrizio	Levdansky	Samuelson	Youngblood
Frankel	Longietti	Santoni	Yudichak
Freeman	Mahoney		

#### NOT VOTING—0

#### EXCUSED—2

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



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

Mr. **ROSS** offered the following amendment No. **A01492**:

Amend Sec. 3, page 4, lines 10 through 26, by striking out all of said lines

Amend Sec. 4, page 4, line 27, by striking out "4" and inserting  
3

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

#### AMENDMENT WITHDRAWN

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

Mr. ROSS. Mr. Speaker, in the interest of letting everybody go home a little earlier, I am going to withdraw this and the other amendments I have for this bill.

The SPEAKER. Does the gentleman wish to offer amendment A01517?

Mr. ROSS. No thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Are there any other announcements of members wishing to withdraw their amendments?

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

Mr. **CLYMER** offered the following amendment No. **A01500**:

Amend Bill, page 2, lines 2 through 5, by striking out all of said lines and inserting

Section 1. Section 514 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, is amended by adding a subsection to read:

Section 514. Sale of Real Estate and Grants of Rights of Way or Other Rights Over or in Real Estate; Tapping Water Lines of Institutions and Sanatoria.—\* \* \*

(f) Whenever the Department of General Services enters into an agreement to lease any riparian rights of the Commonwealth, the lease agreement shall be made under and subject to the following conditions:

(1) that the lessee shall make an annual lease payment of no less than one million dollars (\$1,000,000); and

(2) that the Department of General Services and the Department of Environmental Protection shall annually review the amount of the payment to determine whether it adequately represents the value of the riparian rights to the lessee.

Section 2. The definition of "project" in section 2801-C of the act, added December 14, 1982 (P.L.1213, No. 280), is amended to read:

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

Amend Sec. 3, page 4, line 10, by striking out "3" and inserting  
4

Amend Sec. 4, page 4, line 27, by striking out "4" and inserting  
5

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

#### AMENDMENT WITHDRAWN

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, after a few remarks, Mr. Speaker, after a few remarks, I am going to withdraw my amendment. There are some important provisions that are in the bill, but at the same time, I also understand that on the other side of the aisle, it may impact on some very important developments, and I do not want to do that. It was never the intent to take away from those developments that are going to be constructive, substantive, and that are going to be important to the city of Philadelphia. But let me just share some concerns and the reason for the amendment.

Under the chairmanship of Babette Josephs, the State Government Committee did have the opportunity to listen to the Secretary of General Services talk about riparian rights, a very important issue that these riparian rights are located along the Delaware River, and they impact on a number of important neighborhoods that are also located in that part of the city. And, Mr. Speaker, the issue of riparian rights, for those members who may not be aware of it, are State-owned properties that are very important, they are very valuable, and they are important to the two casinos, specifically to Foxwoods retreats and to SugarHouse, that are to be built supposedly there in the southern part of the city of Philadelphia. The Secretary came before us and told us what the value of those riparian rights would be, and there are approximately 10 acres that are available for each of these two casinos, and, Mr. Speaker, when you get away the smoke and mirrors and you remove the clouds, if you will, the value comes to about \$250,000. That is the minimum amount that would be available for the sale or the lease, the long-term lease, of these 10-acre lots. And, Mr. Speaker, that is so undervalued that I cannot believe that that amount was actually given to us.

We are hearing how this administration is looking to get money for economic development, and yet \$250,000 for riparian rights that are worth millions of dollars that would, if purchased by these two casinos, would add to their wealth enormously, and that is why I put in this amendment, because they are much more valuable than what we were told, and it is up to the General Assembly to make certain that we get a fair market value, and in my opinion, a fair market value that would consider the complete casino and all its additions, not just a vacant lot that is there today.

So, Mr. Speaker, like I said, the Governor is looking to secure money for the Commonwealth, and we want to help him. We want to make sure that if indeed these are to be leased, they are going to be worth what the market will bear, and so I will be coming back in due season with another amendment that will more accurately reflect the value of this important land, and so I am withdrawing this amendment, as I had mentioned earlier.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

#### ANNOUNCEMENT BY SPEAKER

The SPEAKER. For the information of the members, the Chair would like to make an announcement.

There have been some handouts given out on the floor. The Chair will remind members to please, there is nothing wrong

with handing out handouts that pertain to amendments, but the Chair will ask members to attach their name for identification purposes so we know where they came from.

### CONSIDERATION OF HB 1200 CONTINUED

On the question recurring,

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

Mr. MARSICO offered the following amendment No. A01516:

Amend Title, page 1, line 20, by inserting after "determined," " establishing the Office of Inspector General; imposing duties upon the Auditor General and the Legislative Reference Bureau; abolishing an executive office; and

Amend Bill, page 2, lines 2 through 5, by striking out all of said lines and inserting

Section 1. The act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, is amended by adding a section to read:

#### Section 309. Inspector General.

(a) The General Assembly finds and declares as follows:

(1) The following are the purposes of this section:

(i) To establish a full-time program of audit, investigation and performance review to provide increased accountability, integrity and oversight of State government.

(ii) To assist in improving State government operations and in deterring and identifying fraud, abuse and illegal acts.

(iii) To create a wholly independent office of Inspector General to conduct investigations, audits, evaluations, inspections and other reviews in accordance with professional standards which relate to the fields of investigation and auditing in government environments.

(2) The Inspector General shall be appointed under subsection (b)(2) without regard to political affiliation.

(b) The following shall apply to the office:

(1) The Office of Inspector General is established as an independent agency.

(2) (i) The Inspector General shall be appointed by the Governor with the consent of two-thirds of the members elected to the Senate.

(ii) The appointee must demonstrate all of the following:

(A) Integrity.

(B) Capability for strong leadership.

(C) Ability in accounting, auditing, financial analysis, law, management analysis, public administration, investigation or criminal justice administration, or other closely related fields.

(D) Knowledge, skills, abilities and experience in conducting audits and investigations.

(iii) The appointee must not be a public official or public employee.

(iv) The appointee must not have been a public official or public employe within two years of appointment.

(3) Within 90 days of confirmation, the appointee must be certified by an association of inspectors general recognized by the Auditor General.

(4) The term of office shall be six years. An individual is eligible for reappointment.

(5) The Inspector General may be removed from office for cause.

(6) The office has the following powers to accomplish the purposes set forth under subsection (a)(1):

(i) The office shall have access to the physical plant, documents, personnel and records necessary to carry out the duties under paragraph (7).

(ii) The office may subpoena witnesses, administer oaths or affirmations, take testimony and compel the production of documents, as necessary to carry out the duties under paragraph (7).

(iii) The office shall have access to the head of a Commonwealth agency when necessary to carry out the duties under paragraph (7).

(iv) The office may require Commonwealth employes to report to the office information regarding fraud, waste, corruption, illegal acts and abuse.

(7) The office has the following duties:

(i) Audit, evaluate, investigate and inspect the activities, records and persons with contracts, procurements, grants, agreements and other programmatic and financial arrangements involving State government.

(ii) Audit the economy, efficiency, and effectiveness of the operations and functions of State government and conduct reviews of the performance measurement system of each Commonwealth agency.

(iii) Review the reliability and validity of the information provided by performance measures and standards.

(iv) Provide information and evidence which relates to criminal acts to appropriate law enforcement officials.

(v) Initiate reviews or audits of Commonwealth agencies as the Inspector General deems appropriate.

(vi) Upon complaint or upon its own initiative, investigate possible abuse, fraud and service deficiencies.

(vii) Engage in prevention activities. This paragraph includes: review of legislation; review of regulations, policies, procedures and transactions; and training and education.

(viii) Refer matters for further civil, criminal and administrative action to appropriate authorities.

(ix) Conduct joint investigations and projects with other Commonwealth agencies.

(x) Recommend remedial actions to be taken to overcome or correct operating or maintenance identified deficiencies and inefficiencies.

(xi) Issue reports under subsection (e).

(xii) Monitor implementation of recommendations made by the office and other audit agencies.

(xiii) Establish policies and procedures to guide functions and processes conducted by the office.

(xiv) Maintain information regarding the cost of investigations and cooperate with appropriate Commonwealth agencies and prosecutorial authorities in recouping those costs from nongovernmental entities involved in willful misconduct.

(xv) Do all things necessary to carry out the functions set forth in this paragraph.

(c)(1) The office shall be funded from the General Fund in order to accomplish the purposes set forth in section (a)(1).

(2) The Inspector General may do all of the following:

(i) Hire staff necessary for the efficient and effective administration of the office.

(ii) Contract for the services of professional experts necessary to independently perform the functions of the office.

(d) (1) The audit and investigation reports of the office shall be public records to the extent that they do not include information which has been made confidential and exempt from release to the public.

(2) During the course of audit and investigation activities, records shall be considered deliberative in process and not available for outside review.

(3) The following shall apply:

(i) Names and identities of individuals making complaints and information protected by the act of December 12, 1986 (P.L.1559, No.169), known as the Whistleblower Law, shall not be disclosed without the written consent of the individual unless required by law or judicial process.

(ii) The office shall maintain the confidentiality of public records which are made confidential by law and shall be subject to the same penalties as the custodian of those public records for violating confidentiality statutes.

(iii) Efforts shall be made to protect the privacy of individuals or employees whenever possible without interfering in the judicial or administrative process initiated to protect the public.

(e) (1) The office shall immediately report to the head of the Commonwealth agency involved:

(i) Serious or flagrant problems, abuses or deficiencies relating to the administration of programs.

(ii) Interference with operations of the office.

(2) The office shall report the findings of its work to the head of the investigated or audited Commonwealth agency.

(3) The office shall report criminal investigative matters to the Attorney General.

(4) The following shall apply:

(i) By September 1, the office shall issue an annual report which separately lists audit and review reports and other investigative or assistance efforts completed during the fiscal year. The report shall describe accomplishments of the office.

(ii) Copies of the report shall be provided to all of the following:

(A) The Office of General Counsel.

(B) The Chief Clerk of the Senate.

(C) The Chief Clerk of the House of Representatives.

(iii) Upon issuance of the report, members of the media and the public shall be promptly advised of the issuance of the report. The report shall be provided to their representatives upon request.

(f) (1) Audits, investigations, inspections and reviews conducted by the office shall conform to professional standards for offices of inspector general promulgated by an association of inspectors general recognized by the Auditor General.

(2) The following shall apply:

(i) Audits, investigations, inspections and reviews shall be subject to quality assurance reviews by an association of inspectors general recognized by the Auditor General every three to five years.

(ii) A copy of the written report resulting from this review shall be furnished to all of the following:

(A) The Office of General Counsel.

(B) The Chief Clerk of the Senate.

(C) The Chief Clerk of the House of Representatives.

(iii) The report shall also be made available to members of the public upon request.

(g) The Auditor General shall prepare an annual list of recognized associations of inspectors general and submit the list to the Legislative Reference Bureau for publication as a notice in the Pennsylvania Bulletin.

(h) The current Office of Inspector General set forth in 4 Pa. Code Ch. 9 (relating to governmental organization) is abolished. Prior to abolition, the current Office of Inspector General shall cooperate with the office to effectuate transition.

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

"Office" means the Office of Inspector General.

"Public employee" means an individual employed by the Commonwealth or a political subdivision.

"Public official" means an individual elected or appointed to a position in the government of the Commonwealth or a political subdivision.

Section 2. the definition of "project in section 2801-C of the act, added December 14, 1982 (P.L.1213, No.280), is amended to read:

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

Amend Sec. 3, page 4, line 10, by striking out "3" and inserting  
4

Amend Sec. 4, page 4, line 27, by striking out all of said line and inserting

Section 5. This act shall take effect as follows:

(1) The following provisions shall take effect immediately:

(i) Section 309(g) of the act.

(ii) The amendment of the definition of "project" in section 2801-C of the act.

(iii) Section 2806-C(14) of the act.

(iv) Section 2807-C(a) of the act.

(v) This section.

(2) Section 309(h) of the act shall take effect upon initial confirmation of the Inspector General under section 309(b)(1) of the act.

(3) The remainder of this act shall take effect upon publication of the initial notice under section 309(g) of the act.

On the question,

Will the House agree to the amendment?

The SPEAKER. Representative Marsico, on the amendment.

Mr. MARSICO. Thank you, Mr. Speaker.

This amendment creates the Office of Inspector General as an independent agency by statute.

I appreciate an affirmative vote. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—101

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

NAYS—100

Belfanti	George	Mann	Siproth
Bennington	Gerber	Markosek	Smith, K.
Biancucci	Gergely	McCall	Smith, M.
Bishop	Gibbons	McGeehan	Solobay
Blackwell	Goodman	McI. Smith	Staback
Brennan	Grucela	Melio	Sturla
Caltagirone	Haluska	Mundy	Surra
Carroll	Hanna	Myers	Tangretti
Casorio	Harhai	O'Brien, M.	Taylor, R.
Cohen	Harkins	Oliver	Thomas
Conklin	Hornaman	Parker	Vitali
Costa	James	Pashinski	Wagner
Cruz	Josephs	Payton	Walko
Curry	Keller, W.	Petrone	Wansacz
Daley	Kessler	Preston	Waters

DeLuca	King	Ramaley	Wheatley
DePasquale	Kirkland	Readshaw	White
Dermody	Kortz	Roebuck	Williams
DeWeese	Kotik	Sabatina	Wojnaroski
Donatucci	Kula	Sainato	Yewcic
Eachus	Leach	Samuelson	Youngblood
Evans, D.	Lentz	Santoni	Yudichak
Fabrizio	Levdansky	Seip	
Frankel	Longiatti	Shapiro	O'Brien, D.,
Freeman	Mahoney	Shimkus	Speaker
Galloway	Manderino		

NOT VOTING—0

EXCUSED—2

Kenney Micozzie

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?

Mr. **PETRI** offered the following amendment No. **A01528**:

Amend Title, page 1, line 20, by inserting after "determined," " further providing, in Department of Aging, for the allocation of Federal and State funds to area agencies; and

Amend Bill, page 2, lines 2 through 5, by striking out all of said lines and inserting

Section 1. Section 2210-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, amended December 15, 1988 (P.L.1244, No.153), is amended to read:

Section 2210-A. Allocation of Resources.—(a) The area agency shall receive a basic allocation of resources, consisting of State and Federal funds weighted by the proportion of older poor persons who reside in the planning and service area in relation to the total number of older poor persons who reside in the Commonwealth of Pennsylvania utilizing poverty threshold income standards as determined by the United States Office of Management and Budget [except that each area agency shall be held harmless to the amount of State funds received in the preceding program year].

(b) The department may allocate additional resources to area agencies based upon the total number of older persons who reside within the planning and service area, the availability of transportation services, the rural-urban distribution of older persons, and attendant rural program cost differentials, the need for social and medical services, the amount of funds devoted by county commissioners for older persons and other special circumstances as determined by the secretary.

(c) Funds appropriated to carry out the purposes of this act shall be distributed to the local authorities or nonprofit agencies as grants or cost reimbursement for services to the aging, if there is an acceptable plan in accordance with section 2209-A.

Section 2. The definition of "project" in section 2801-C of the act, added December 14, 1982 (P.L.1213, No. 280), is amended to read:

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

Amend Sec. 3, page 4, line 10, by striking out "3" and inserting 4

Amend Sec. 4, page 4, line 27, by striking out "4" and inserting 5

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

The SPEAKER. Representative Petri, on the amendment.  
Mr. PETRI. Thank you, Mr. Speaker.

My amendment deals with the area on aging and specifically puts into statute a formula that is currently used by the Secretary of Aging and provided to the Federal government, and what this amendment does is, it ensures that there are weighting factors in our counties for their AAA funding. This is money that comes from PennCare dollars and comes from the Lottery Fund. So we are talking about money that is used and restricted for aging purposes, and our counties use this to provide a variety of services to our senior citizens, including in-home care, meals, and the array of services that are available through our areas on aging.

I have provided a handout to all the members so that they can see currently, based upon the formula that is used by the Secretary on Aging, how much each of the AAAs are being shorted in their funding. So what you are looking at is a list, county by county, of the money that, according to the formula the Secretary utilizes, you should be getting for your areas on aging.

Now, in order to fully fund our areas on aging, we would need about \$33 million, and what my amendment does is restricts the availability of Medicare Part D savings until those counties have been fully funded. So what would happen under this formula is, the Secretary would be required, for instance, to distribute to Bucks County \$2.5 million for area on aging from Medicare Part D savings. The current balance in the Lottery Fund is approximately \$200 million, so there is already ample money to fund the \$33 million. Even better for our seniors is the fact that we are currently saving approximately \$5 million a week in Medicare Part D savings. So simply by taking about 6 to 7 weeks of savings from Medicare Part D, you can go home and remind your seniors that you made sure that they were worth as much as any other senior in the Commonwealth of Pennsylvania.

You will find that 44 counties do better under my formula and this amendment than they presently receive. There are only about eight counties that, according to the department's figures, receive too much. Those eight counties are not impacted by this amendment. They will still be held harmless under the law because we have a provision that says, regardless of need, you must receive the amount that you received the previous year.

So if you vote for my amendment, you are voting for your seniors; you are voting to save money in the welfare system, because if the senior is taken care of at home, it is less likely that they will need nursing home care. So I believe that my amendment is a very fiscally responsible amendment. You want to be able to help your seniors, particularly those that are most vulnerable in your counties. Your county commissioners have already told you they do not have enough money in their budgets to take care of the valuable services that are needed, and so I would ask that the members vote in favor of this amendment.

**GERMANENESS QUESTIONED**

The SPEAKER. Representative Daley.

Mr. DALEY. Mr. Speaker, I am going to raise the issue of germaneness of amendment 1528 to HB 1200.

The SPEAKER. The gentleman, Representative Daley, raises the point of order that amendment A01528 is not germane. The Speaker, under rule 27, is required to submit the question of germaneness of an amendment to the House for decision.

On the question,

Will the House sustain the germaneness of the amendment?

The SPEAKER. On that point of order, the Chair recognizes the gentleman, Representative Daley.

Mr. DALEY. Thank you, Mr. Speaker.

You all heard the Administrative Code that the Speaker is trying to address. That is not the issue that is before the House. HB 1200 is regarding the energy package. We can Christmas-tree this all you want. It is going to further delay the passage or the rejection of this bill.

I submit to the House, this amendment is not germane to the issue that we have been discussing for the last hour and a half, and I ask for a vote that would indicate it is not germane, Mr. Speaker.

The SPEAKER. On the issue of germaneness, Representative Petri.

Mr. PETRI. Mr. Speaker, I do believe it is germane. It is certainly on topic. It is a Fiscal Code matter. It is a broad topic, and certainly it is appropriate for consideration by the House. I do not think we should be afraid to vote for our seniors.

Thank you.

**PARLIAMENTARY INQUIRY**

The SPEAKER. Those who believe the amendment is— Representative Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

A question and a comment. The question is, if we wish to find this not germane, it is a "no" vote, but if we wish to find this germane, it is a "yes" vote. So if you wish to vote with Mr. Daley, it would be a "no" vote. Is that correct?

The SPEAKER. The gentleman was just about to make that announcement. The gentleman is correct, his statement.

Mr. VITALI. Thank you.

I would like to argue on the motion.

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

Mr. VITALI. Thank you, Mr. Speaker.

The rules specify that germaneness is decided by the House, and our rulings are based on custom and tradition, and although this is an Administrative Code amendment and we are on the Administrative Code, the subject matter is radically different. I have personally introduced many amendments that have been of the same title, but this House has found them not germane again and again. I think we have already established the principle that if something is radically different in subject matter, even though the same title, it can be found not germane.

So I would ask that this be found not germane and ask for a "no" vote.

The SPEAKER. Those who believe the amendment is germane will vote "aye"; those— Representative George, on the motion of germaneness.

Mr. GEORGE. I apologize, Mr. Speaker. I will not be long.

And I do not dare to question your integrity, but you know, since I have been here, this evening I have watched you warn some of my colleagues about going too far left or too far right, and I agree with you. I wish you would have picked it up for the gentleman that spoke over there that said that, that do not forget this helps our seniors. Well, I would like to remind you and him, the light bills hurt our seniors and the excessive bills of gas and things like that. Our seniors use those, too.

So you know, maybe we should caution everybody, but before the evening is over, I will give you a chance to caution me.

The SPEAKER. The Chair thanks the gentleman.

Those who believe the amendment is germane will vote "aye"; those believing the amendment is not germane will vote "no."

On the question recurring,

Will the House sustain the germaneness of the amendment?

The following roll call was recorded:

**YEAS—99**

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

**NAYS—102**

Belfanti	Galloway	Manderino	Seip
Bennington	George	Mann	Shapiro
Bianucci	Gerber	Markosek	Shimkus
Bishop	Gergely	McCall	Siptroth
Blackwell	Gibbons	McGeehan	Smith, K.
Brennan	Goodman	Mcl. Smith	Smith, M.
Buxton	Grucela	Melio	Solobay
Caltagirone	Haluska	Mundy	Staback
Carroll	Hanna	Myers	Sturla
Casorio	Harhai	O'Brien, M.	Surra
Cohen	Harkins	Oliver	Tangretti
Conklin	Hornaman	Pallone	Taylor, R.
Costa	James	Parker	Thomas
Cruz	Josephs	Pashinski	Vitali

Curry	Keller, W.	Payton	Wagner
Daley	Kessler	Petrarca	Walko
DeLuca	King	Petrone	Wansacz
DePasquale	Kirkland	Preston	Waters
Dermody	Kortz	Ramaley	Wheatley
DeWeese	Kotik	Readshaw	White
Donatucci	Kula	Roebuck	Williams
Eachus	Leach	Sabatina	Wojnaroski
Evans, D.	Lentz	Sainato	Yewcic
Fabrizio	Levdansky	Samuelson	Youngblood
Frankel	Longjetti	Santoni	Yudichak
Freeman	Mahoney		

## NOT VOTING-0

## EXCUSED-2

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

**AMENDMENT A01516 RECONSIDERED**

The SPEAKER. The Chair is in receipt of a motion to reconsider a vote on an amendment.

Representative DePasquale and Representative Daley move that the vote by which amendment A01516 to HB 1200 passed on the 18th of June 2007 be reconsidered.

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

The following roll call was recorded:

## YEAS-103

Belfanti	George	Mann	Shimkus
Bennington	Gerber	Markosek	Siptroth
Bianucci	Gergely	McCall	Smith, K.
Bishop	Gibbons	McGeehan	Smith, M.
Blackwell	Goodman	McI. Smith	Solobay
Brennan	Grucela	Melio	Staback
Buxton	Haluska	Mundy	Sturla
Caltagirone	Hanna	Myers	Surra
Carroll	Harhai	O'Brien, M.	Tangretti
Casorio	Harkins	Oliver	Taylor, R.
Cohen	Hornaman	Pallone	Thomas
Conklin	James	Parker	Vitali
Costa	Josephs	Pashinski	Wagner
Cruz	Keller, W.	Payton	Walko
Curry	Kessler	Petrarca	Wansacz
Daley	King	Petrone	Waters
DeLuca	Kirkland	Preston	Wheatley
DePasquale	Kortz	Ramaley	White
Dermody	Kotik	Readshaw	Williams
DeWeese	Kula	Roebuck	Wojnaroski
Donatucci	Leach	Sabatina	Yewcic
Eachus	Lentz	Sainato	Youngblood
Evans, D.	Levdansky	Samuelson	Yudichak
Fabrizio	Longjetti	Santoni	
Frankel	Mahoney	Seip	O'Brien, D.,
Freeman	Manderino	Shapiro	Speaker
Galloway			

## NAYS-98

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

## NOT VOTING-0

## EXCUSED-2

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

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

The clerk read the following amendment No. **A01516**:

Amend Title, page 1, line 20, by inserting after "determined," " establishing the Office of Inspector General; imposing duties upon the Auditor General and the Legislative Reference Bureau; abolishing an executive office; and

Amend Bill, page 2, lines 2 through 5, by striking out all of said lines and inserting

Section 1. The act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, is amended by adding a section to read:

Section 309. Inspector General.

(a) The General Assembly finds and declares as follows:

(1) The following are the purposes of this section:

(i) To establish a full-time program of audit, investigation and performance review to provide increased accountability, integrity and oversight of State government.

(ii) To assist in improving State government operations and in deterring and identifying fraud, abuse and illegal acts.

(iii) To create a wholly independent office of Inspector General to conduct investigations, audits, evaluations, inspections and other reviews in accordance with professional standards which relate to the fields of investigation and auditing in government environments.

(2) The Inspector General shall be appointed under subsection (b)(2) without regard to political affiliation.

(b) The following shall apply to the office:

(1) The Office of Inspector General is established as an independent agency.

(2) (i) The Inspector General shall be appointed by the Governor with the consent of two-thirds of the members elected to the Senate.

(ii) The appointee must demonstrate all of the following:

(A) Integrity.

(B) Capability for strong leadership.

(C) Ability in accounting, auditing, financial analysis, law, management analysis, public administration, investigation or criminal justice administration, or other closely related fields.

(D) Knowledge, skills, abilities and experience in conducting audits and investigations.

(iii) The appointee must not be a public official or public employee.

(iv) The appointee must not have been a public official or public employe within two years of appointment.

(3) Within 90 days of confirmation, the appointee must be certified by an association of inspectors general recognized by the Auditor General.

(4) The term of office shall be six years. An individual is eligible for reappointment.

(5) The Inspector General may be removed from office for cause.

(6) The office has the following powers to accomplish the purposes set forth under subsection (a)(1):

(i) The office shall have access to the physical plant, documents, personnel and records necessary to carry out the duties under paragraph (7).

(ii) The office may subpoena witnesses, administer oaths or affirmations, take testimony and compel the production of documents, as necessary to carry out the duties under paragraph (7).

(iii) The office shall have access to the head of a Commonwealth agency when necessary to carry out the duties under paragraph (7).

(iv) The office may require Commonwealth employes to report to the office information regarding fraud, waste, corruption, illegal acts and abuse.

(7) The office has the following duties:

(i) Audit, evaluate, investigate and inspect the activities, records and persons with contracts, procurements, grants, agreements and other programmatic and financial arrangements involving State government.

(ii) Audit the economy, efficiency, and effectiveness of the operations and functions of State government and conduct reviews of the performance measurement system of each Commonwealth agency.

(iii) Review the reliability and validity of the information provided by performance measures and standards.

(iv) Provide information and evidence which relates to criminal acts to appropriate law enforcement officials.

(v) Initiate reviews or audits of Commonwealth agencies as the Inspector General deems appropriate.

(vi) Upon complaint or upon its own initiative, investigate possible abuse, fraud and service deficiencies.

(vii) Engage in prevention activities. This paragraph includes: review of legislation; review of regulations, policies, procedures and transactions; and training and education.

(viii) Refer matters for further civil, criminal and administrative action to appropriate authorities.

(ix) Conduct joint investigations and projects with other Commonwealth agencies.

(x) Recommend remedial actions to be taken to overcome or correct operating or maintenance identified deficiencies and inefficiencies.

(xi) Issue reports under subsection (e).

(xii) Monitor implementation of recommendations made by the office and other audit agencies.

(xiii) Establish policies and procedures to guide functions and processes conducted by the office.

(xiv) Maintain information regarding the cost of investigations and cooperate with appropriate Commonwealth agencies and

prosecutorial authorities in recouping those costs from nongovernmental entities involved in willful misconduct.

(xv) Do all things necessary to carry out the functions set forth in this paragraph.

(c)(1) The office shall be funded from the General Fund in order to accomplish the purposes set forth in section (a)(1).

(2) The Inspector General may do all of the following:

(i) Hire staff necessary for the efficient and effective administration of the office.

(ii) Contract for the services of professional experts necessary to independently perform the functions of the office.

(d) (1) The audit and investigation reports of the office shall be public records to the extent that they do not include information which has been made confidential and exempt from release to the public.

(2) During the course of audit and investigation activities, records shall be considered deliberative in process and not available for outside review.

(3) The following shall apply:

(i) Names and identities of individuals making complaints and information protected by the act of December 12, 1986 (P.L.1559, No.169), known as the Whistleblower Law, shall not be disclosed without the written consent of the individual unless required by law or judicial process.

(ii) The office shall maintain the confidentiality of public records which are made confidential by law and shall be subject to the same penalties as the custodian of those public records for violating confidentiality statutes.

(iii) Efforts shall be made to protect the privacy of individuals or employees whenever possible without interfering in the judicial or administrative process initiated to protect the public.

(e) (1) The office shall immediately report to the head of the Commonwealth agency involved:

(i) Serious or flagrant problems, abuses or deficiencies relating to the administration of programs.

(ii) Interference with operations of the office.

(2) The office shall report the findings of its work to the head of the investigated or audited Commonwealth agency.

(3) The office shall report criminal investigative matters to the Attorney General.

(4) The following shall apply:

(i) By September 1, the office shall issue an annual report which separately lists audit and review reports and other investigative or assistance efforts completed during the fiscal year. The report shall describe accomplishments of the office.

(ii) Copies of the report shall be provided to all of the following:

(A) The Office of General Counsel.

(B) The Chief Clerk of the Senate.

(C) The Chief Clerk of the House of Representatives.

(iii) Upon issuance of the report, members of the media and the public shall be promptly advised of the issuance of the report. The report shall be provided to their representatives upon request.

(f) (1) Audits, investigations, inspections and reviews conducted by the office shall conform to professional standards for offices of inspector general promulgated by an association of inspectors general recognized by the Auditor General.

(2) The following shall apply:

(i) Audits, investigations, inspections and reviews shall be subject to quality assurance reviews by an association of inspectors general recognized by the Auditor General every three to five years.

(ii) A copy of the written report resulting from this review shall be furnished to all of the following:

(A) The Office of General Counsel.

(B) The Chief Clerk of the Senate.

(C) The Chief Clerk of the House of Representatives.

(iii) The report shall also be made available to members of the public upon request.

(g) The Auditor General shall prepare an annual list of recognized associations of inspectors general and submit the list to the

Legislative Reference Bureau for publication as a notice in the Pennsylvania Bulletin.

(h) The current Office of Inspector General set forth in 4 Pa. Code Ch. 9 (relating to governmental organization) is abolished. Prior to abolition, the current Office of Inspector General shall cooperate with the office to effectuate transition.

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

"Office" means the Office of Inspector General.

"Public employee" means an individual employed by the Commonwealth or a political subdivision.

"Public official" means an individual elected or appointed to a position in the government of the Commonwealth or a political subdivision.

Section 2. the definition of "project in section 2801-C of the act, added December 14, 1982 (P.L.1213, No.280), is amended to read:

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

Amend Sec. 3, page 4, line 10, by striking out "3" and inserting  
4

Amend Sec. 4, page 4, line 27, by striking out all of said line and inserting

Section 5. This act shall take effect as follows:

(1) The following provisions shall take effect immediately:

- (i) Section 309(g) of the act.
- (ii) The amendment of the definition of "project" in section 2801-C of the act.
- (iii) Section 2806-C(14) of the act.
- (iv) Section 2807-C(a) of the act.
- (v) This section.

(2) Section 309(h) of the act shall take effect upon initial confirmation of the Inspector General under section 309(b)(1) of the act.

(3) The remainder of this act shall take effect upon publication of the initial notice under section 309(g) of the act.

On the question recurring,

Will the House agree to the amendment?

The SPEAKER. Representative Marsico.

Mr. MARSICO. Thank you, Mr. Speaker.

Once again, my amendment creates the Office of Inspector General as an independent agency by statute.

I appreciate an affirmative vote.

### GERMANENESS QUESTIONED

The SPEAKER. Representative Vitali.

Mr. VITALI. I rise to make a motion.

The SPEAKER. The gentleman will state his motion.

Mr. VITALI. I move that this amendment is not germane to this bill.

The SPEAKER. The gentleman, Representative Vitali—

Mr. VITALI. Just the Marsico amendment is not germane to HB 1200, is my motion.

The SPEAKER. The gentleman, Representative Vitali, raises the point of order that amendment A01516 to HB 1200 is not germane. The Speaker, under rule 27, is required to submit questions of germaneness of an amendment to the House for decision.

On the question,

Will the House sustain the germaneness of the amendment?

The SPEAKER. On the point of order, the Chair recognizes Representative Vitali.

Mr. VITALI. For the reasons stated for the previous vote, subject matter is radically different than the bill in chief. The precedent of the House has been set that under those circumstances, that type of amendment can be found to be not germane, and for the same reasons we voted the previous amendment not germane, I think we should vote this one not germane.

The SPEAKER. Representative Maher.

Mr. MAHER. Thank you, Mr. Speaker.

Germaneness historically is measured as to whether or not we are in the appropriate title of the Pennsylvania code or statutes, and there is no doubt about that. Now, on the other hand, those who have the votes can overwhelm, but in this case I think you need to think carefully, because if you vote that the Inspector General is not germane with respect to PEDAA, the Pennsylvania Energy Development Authority, that this bill would give unlimited borrowing authority to, it would be a little troubling, because you would be basically saying that you do not want the Inspector General, that the view of those who would vote this as not germane would be voting to say that the Inspector General should be walled off from this unlimited borrowing machine.

It certainly is germane, and I think it is quite appropriate in this era when we are trying to ensure integrity of government that the Inspector General have its due place in the Administrative Code, and I would ask that you defeat this motion of germaneness, unless you believe that the Inspector General just should not look at any of these transactions.

The SPEAKER. Representative Manderino.

Ms. MANDERINO. Thank you, Mr. Speaker.

I rise to support the Vitali motion that this amendment is not germane, and I want to make two points. Number one, the arguments of the last speaker I think are not quite on point. If the amendment being considered here was trying to take any authority away from the Inspector General's Office as it had to do with the content of this bill, then I would say his point is well taken, but that is not what this amendment does. This amendment is asking us to decide whether to take an office which is currently an office within the executive arm of State government and change the nature of that office and make it an independent office. It is not asking us to change the nature of the work that they do and take work away from them that might impact this bill. So the very nature of what it is asking us to do has nothing to do with the content of the bill before us.

Point number two: I will remind members that while it has been past practice of this chamber on occasions that it suited us to say, well, if it is the same code bill, we will say it is germane, we have been reprimanded several times in recent years by the Supreme Court for having done that and have had legislation struck down by the courts because it violated our single-subject rule, and the single-subject rule is something that is not in our House rules but is in our State Constitution that says the General Assembly shall not pass legislation that has multiple subjects in it. I think we are at much greater risk of violating the single-subject rule if we put this in, and that is very strong reason to keep it out.

I urge a vote that this amendment is not germane.



The SPEAKER. Those who believe the amendment is germane will vote "aye"; those believing— Representative Marsico.

Mr. MARSICO. Thank you, Mr. Speaker.

Just in response to the previous member's comments, this clearly, the Administrative Code, creates a new agency, and that is one of the primary authorities within the Administrative Code that we are allowed to do that. We are allowed to do that by statute through the Administrative Code, create another State agency, just like other agencies that were created by the Administrative Code, through the Administrative Code. So clearly, this is germane, and clearly, these are the reasons why if we want to go ahead and look at creating any type of administrative agency or independent agency, this is the way we go.

So I ask for a positive vote, actually to vote this germane and wish that the members look at this as an independent, bipartisan vote. Look at the past, what we have done in the past here in this Commonwealth of Pennsylvania.

So I ask to vote this germane. Thank you.

The SPEAKER. Representative McCall.

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, I would submit that the amendment is not germane, and I would ask the member to put his amendment together as a bill and we will consider the bill and hold hearings on the bill. The reality is that the fiscal note attached to this amendment has a fiscal impact to the Commonwealth of \$20 million. I would hope that the gentleman can tell us where we are going to get the \$20 million to pay for this newly created office.

I would submit that the gentleman, Mr. Vitali, has indicated that it was your side of the aisle that has established the precedent on what is germane and not germane. I would submit that this is an argument meant for another day. I would ask the member to put his amendment into bill form and submit it through the committee process.

Thank you, Mr. Speaker. I would ask and submit that the amendment is not germane.

The SPEAKER. The Chair recognizes Representative Marsico for the second time on the issue of germaneness.

Mr. MARSICO. In response to the leader's, or the whip's question, I think that, I mean, it is very obvious. You take it from the executive office, which is now \$17 to \$20 million. You are just transferring those funds to create an independent agency. I mean, it is not like, you know, we have got to come up with \$20 million or \$17 million. Those dollars are already there, under the Governor's jurisdiction.

Does that answer your question?

The SPEAKER. Those who believe the amendment is germane will vote "aye"; those believing the amendment is—

Mr. MARSICO. Mr. Speaker?

The SPEAKER. For what purpose does the gentleman rise?

Mr. MARSICO. I would like to interrogate the maker of the motion, the member from Delaware County.

The SPEAKER. The gentleman, Representative Vitali, indicates he will stand for interrogation. The gentleman is in order and may proceed.

## POINT OF ORDER

Mr. VITALI. May I ask a point of order here at this point? I am not sure how many times the gentleman is allowed to get up and speak at this point. Is this three or four?

The SPEAKER. The gentleman will state his point of order. The gentleman will state his point of parliamentary inquiry.

Mr. VITALI. My question is, is it in order for him to get up and speak now? He has been up at the podium at least, the mike at least three times, that I am counting. I am just wondering if this is appropriate, after he has gotten up twice to speak on the motion.

The SPEAKER. The gentleman spoke on the amendment twice, but on the issue of germaneness, this is his first time speaking. The Chair inadvertently interrupted him while he was speaking on his first turn on germaneness. The gentleman is in order.

Mr. VITALI. If I am wrong, he has been up twice on the motion, and now he is getting up again to interrogate. I mean, if he is in order, fine, I will answer the questions, but at some point we will just have to stop this.

Mr. METCALFE. Mr. Speaker?

The SPEAKER. The House will be at ease.

The Chair is in error. The Chair has just been informed that the gentleman spoke three times on germaneness.

The Chair was also in error. On constitutional points of order, members are only allowed to speak once. The gentleman has exceeded his limit for speaking.

The gentleman's point of order is in order.

## PARLIAMENTARY INQUIRY

The SPEAKER. Representative Metcalfe.

Mr. METCALFE. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. METCALFE. Mr. Speaker, I know there have been a lot of stories since I have been here about funny things happening late at night, but right now we have a clock on the one wall that says it is ten of eleven, and the clock on our computers says it is five of, so we have a 5-minute discrepancy between the two clocks here that, which one would actually override and which one is accurate, because I think it is important that we abide by our new rules, and I would just—

The SPEAKER. The Chair will only go by the clock that it is looking at in the rear of the House.

Mr. METCALFE. So is that clock actually the correct time of the day as acknowledged by east coast, or is that just the Chair's time?

The SPEAKER. The clock is the correct time of day.

Mr. METCALFE. Thank you, Mr. Speaker.

## PARLIAMENTARY INQUIRY

The SPEAKER. Representative Daley.

Mr. DALEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. DALEY. Mr. Speaker, I can recall very vividly that the Speaker called for a vote on this issue. At that time the gentleman, Mr. Marsico, did raise his voice. I think under the

rules of the House and the parliamentary procedure, nothing else can be taken except the vote.

The SPEAKER. The Chair did not start the taking of the roll. The Chair was recognizing other members at the time he was interrupted.

Representative Smith.

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

Given the turn of events in that one of the prior speakers was deemed to have been out of order because he had spoken a couple of times on this, I would like to use a little bit of the prerogative of the leader's podium to perhaps ask the question that the gentleman from Dauphin County was going to ask.

So I guess first, Mr. Speaker, I should ask if the maker of the motion would stand for interrogation?

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

Mr. S. SMITH. Mr. Speaker, the question relative to germaneness would beg the question of what exactly is part and parcel of the Administrative Code. So my question, Mr. Speaker, is, you know, does the gentleman recognize the broad nature, and can he tell me what all is in the Administrative Code or what would be excluded from this legislation that amends the Administrative Code under the premise that this amendment, this particular amendment, is not germane? What would be allowable? What is not allowable?

Mr. VITALI. Mr. Speaker, as I stated before, the issue of germaneness is one that has been decided by the House, and although prior to the past several terms, prior to the time that Mr. Smith assumed the gavel, assumed the leadership role, it was allowable that anything in the same title be germane. That precedent was changed by the interrogator right now, and he changed that precedent with regard to numerous amendments that I introduced to bills of the same title, that he made the motions and he over time established that precedent. That is the precedent we have been living by because they are the decisions he made over the past, perhaps, two terms.

Mr. S. SMITH. Mr. Speaker, I would beg to differ with the gentleman from Delaware County in that the majority leader does not make the determination of what is germane. The floor of the House, not even the Speaker makes that determination, but the members of the floor ultimately do.

But no longer on interrogation, Mr. Speaker, but I would like to respond by noting for the members the general title of the Administrative Code, and, Mr. Speaker, it reads, and this is just the simple first part of the title: "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers,"—

Mr. DeWEESE. Mr. Speaker?

Mr. S. SMITH. —"and of the several administrative departments, boards, commissions"—

Mr. DeWEESE. Mr. Speaker, point of parliamentary inquiry.

Mr. S. SMITH. —"and officers; fixing the salaries of the Governor...."

## PARLIAMENTARY INQUIRY

The SPEAKER. The gentleman will cease.

Mr. DeWEESE. A point of parliamentary inquiry.

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. DeWEESE. Notwithstanding the fact that the gentleman's commentaries are transfixing—

Mr. S. SMITH. I am smiling.

Mr. DeWEESE. —and we would all like to be inspired by this moment of rhetoric and focus on our issue at hand, would the gentleman be so kind, and if he will not be so kind, that is his prerogative, but we can take up this at 11 o'clock tomorrow. We would ask the gentleman's indulgence so we can do 5 minutes' worth of housekeeping work right now and keep the process going, and my good friend from Jefferson County can launch out on this vitally consuming series of paragraphs that he shared with us tomorrow. In fact—

Mr. S. SMITH. I would be glad to do that, Mr. Speaker. Actually, we all probably should read that once ourselves, because when you get halfway through it, you start thinking the whole thing is a mess.

Mr. DeWEESE. If the gentleman does indicate he will allow for some administrative work on behalf of the Speaker and our floor operations on this side, I would be very—

Mr. S. SMITH. I acquiesce, Mr. Speaker.

Mr. DeWEESE. —grateful, and again, the respectful actions of the minority leader are well noted on this side of the aisle. Thank you, Mr. Speaker.

## BILL PASSED OVER TEMPORARILY

The SPEAKER. Without objection, the bill will go over temporarily.

## BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that the following bill be removed from the tabled bill calendar: SB 158.

On the question,

Will the House agree to the motion?

Motion was agreed to.

## BILLS RECOMMITTED

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

HB 556;

HB 795;

HB 917;

HB 976;

HB 1142;

SB 158; and

SB 580.

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

### CALENDAR 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?

#### BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1109 be recommitted to the Committee on Appropriations.

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

#### BILL REREPORTED FROM COMMITTEE

**HB 684, PN 1976** (Amended) By Rep. D. EVANS

An Act providing for the establishment of an automotive fuel testing and disclosure program, for standards for automotive fuel and for inspection, sampling and testing of automotive fuel; imposing powers and conferring duties on the Department of Agriculture; and providing for penalties.

APPROPRIATIONS.

#### BILL REREFERRED

The SPEAKER. The Chair moves, at the request of the majority leader, that HB 684 be rereferred to the Committee on Transportation.

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

The SPEAKER. For the information of the members, the House will reconvene tomorrow at 11 a.m.

#### ANNOUNCEMENT BY MR. MUSTIO

The SPEAKER. For what purpose does Representative Mustio rise?

Mr. MUSTIO. For an announcement, Mr. Speaker.

The SPEAKER. The gentleman is in order.

Mr. MUSTIO. Tomorrow I will be introducing a discharge resolution on HB 55, and I just wanted to give everybody an

opportunity to sign on, particularly those that are in the Pittsburgh/southwestern media market. The bill specifically deals with the downsizing of the legislature.

Thank you.

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

#### BILLS AND RESOLUTIONS PASSED OVER

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

#### ADJOURNMENT

The SPEAKER. The gentleman, Representative Peifer, from Pike County moves that this House do now adjourn until Tuesday, June 19, 2007, at 11 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 11 p.m., e.d.t., the House adjourned.