

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, JUNE 27, 2007

SESSION OF 2007

191ST OF THE GENERAL ASSEMBLY

No. 58

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (DENNIS M. O'BRIEN) PRESIDING

The SPEAKER. The prayer will be offered by the Rev. Gabriel Zeis, the guest of Representatives Wojnaroski and Haluska.

PRAYER

REV. GABRIEL ZEIS, Guest Chaplain of the House of Representatives, offered the following prayer:

We have been called to this time of opportunity in grace for the purpose of that which is noble, honorable, and virtuous. We have been called in the spirit of wisdom and truth and liberty that these provide to do what is just and proper, to engage in the service of this that is the Commonwealth of Pennsylvania and its citizens, to preserve its integrity and to care for the well-being and safety of those who call it home.

We have a clear mandate. We have been entrusted to defend the principles upon which this great Commonwealth has been founded. And so it is fitting and proper, knowing the limitation we bring to this endeavor, we come before our Divine Creator and seek a guidance that is ever beyond us and a strength that can only be attained by divine wisdom and intervention.

In humility we submit to You, gracious God, and open our hearts to receive Your magnitude of inspiration and guidance. Clear our minds of all prejudice and any disposition that will hinder us from doing what we have been called to do. Make us just in the light of Your keen evaluation so we may always do Your will to apply equity and fairness to all our considerations. Allow us to lead with courage, putting Your will and the well-being of the citizens of this great Commonwealth above our individual interests and comfort, so that truth will reign in this Commonwealth, so that justice may become a legacy for all.

Move our hearts to compassionate wisdom so that we might seek always the well-being of those most powerless and those most in need of our attention and devotion. May You never shun the weary or the disillusioned, the disenfranchised and the impoverished, the homeless and the hungry, the unemployed and the illiterate, and may we ever seek Your divine assistance in meeting the challenges we face and the obstacles put in our path.

Thank You, gracious God and dispenser of all opportunities, for this great opportunity to serve and to serve in the company

of illustrious peers. May we ever labor with one mind to do the work of this Commonwealth as it has commended us until night falls and our hearts again rest at peace in You. Amen.

Thank You.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, June 26, 2007, will be postponed until printed. The Chair hears no objection.

STATEMENT BY MR. DIGIROLAMO

The SPEAKER. For what purpose does the gentleman, Representative DiGirolamo, rise?

Mr. DIGIROLAMO. Mr. Speaker, a point of personal privilege, please.

The SPEAKER. The gentleman will state his point of personal privilege.

Mr. DIGIROLAMO. Thank you, Mr. Speaker.

I know he is a guest of Representative Wojnaroski and Representative Haluska, but I would also like to welcome to the hall of the House Father Gabe. I would like to welcome Father Gabe to the hall of the House also. Father Gabe taught at my alma mater, Bishop Conwell-Egan, and also on many occasions said mass at my parish at St. Ephrem.

Father, good to see you; welcome. And please say a prayer for me, Father.

Thank you, Mr. Speaker.

LEAVES OF ABSENCE

The SPEAKER. Turning to requests for leaves of absence, the Chair recognizes the majority whip, who requests that Representative Matt SMITH be placed on leave for today. Without objection, this leave will be granted.

Turning to the minority whip, the gentleman requests that Representative RUBLEY from Chester County be placed on leave for the day. The Chair hears no objection.

And further, the majority whip additionally requests that Representative SAMUELSON be placed on leave for today. The Chair hears no objection. The gentleman will be placed on leave.

The Chair rescinds that announcement. Representative Samuelson's presence is noted on the floor.

SENATE MESSAGE

**HOUSE BILL
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 13, PN 1536**, with information that the Senate has passed the same without amendment.

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:

HB 13, PN 1536

An Act amending the act of February 2, 1965 (P.L.1860, No.586), entitled "An act encouraging landowners to make land and water areas available to the public for recreational purposes by limiting liability in connection therewith, and repealing certain acts," further providing for liability of landowners toward recreational users, persons or property for acts or acts of omission by recreational users.

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

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—2

Rubleby Smith, M.

LEAVES ADDED—1

Pallone

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

GUESTS INTRODUCED

The SPEAKER. The Chair would like to welcome to the halls of the House Thomas Harper, who is an intern in Representative Moul's district office and a student at York College. And also as the guest of Representative Moul is Larry Miller, a legislative assistant in Representative Moul's district office. Please join the Chair in welcoming these individuals to the House chamber.

Please welcome Mark Stanford, a guest of Representative Marguerite Quinn and a constituent of Representative Chris King of Bucks County. He is serving as a guest page today. Mark is accompanied by Robert Kempfer, who is chaperoning him today. Mark and Robert, please stand to be recognized.

The Chair is pleased to welcome to the hall of the House today Lisa Lin, special guest of Representative Rosita Youngblood. Ms. Lin is a full-time summer intern in Representative Youngblood's district office. Ms. Lin is going to be starting her second year of law school at Temple. She is also a member of the Asian Federation of Greater Philadelphia, which was started to promote voter awareness, voter registration, and community outreach to the Asian communities across the State.

The House welcomes you. Please stand to be acknowledged.

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

HB 1488, PN 1853

By Rep. JAMES

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for the intercept of winnings on slot machines.

GAMING OVERSIGHT.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. MENSCH called up **HR 341, PN 2024**, entitled:

A Resolution designating the month of July 2007 as "Community Band Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—201

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

| | | | |
|-----------|-----------|----------|-------------------------|
| Ellis | Levdansky | Ramaley | Wojnaroski |
| Evans, D. | Longietti | Rapp | Yewcic |
| Evans, J. | Mackereth | Raymond | Youngblood |
| Everett | Maher | Readshaw | Yudichak |
| Fabrizio | Mahoney | Reed | |
| Fairchild | Major | Reichley | O'Brien, D., Speaker |
| Fleck | Manderino | Roae | |
| Frankel | Mann | Rock | |

NAYS—0

NOT VOTING—0

EXCUSED—2

Rubleby Smith, M.

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

* * *

Ms. QUINN called up **HR 349, PN 2063**, entitled:

A Resolution designating Monday, September 24, 2007, as "Family Day - A Day to Eat Dinner with Your Children" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—201

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

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Rubley Smith, M.

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

RESOLUTION

Mr. CONKLIN called up **HR 232, PN 1358**, entitled:

A Resolution urging colleges and universities in this Commonwealth to implement campus security alert systems in order to warn campus communities of impending danger.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—201

| | | | |
|-------------|------------|-------------|-----------|
| Adolph | Freeman | Mantz | Roebuck |
| Argall | Gabig | Markosek | Rohrer |
| Baker | Galloway | Marshall | Ross |
| Barrar | Geist | Marsico | Sabatina |
| Bastian | George | McCall | Sainato |
| Bear | Gerber | McGeehan | Samuelson |
| Belfanti | Gergely | McI. Smith | Santoni |
| Benninghoff | Gibbons | McIlhattan | Saylor |
| Bennington | Gillespie | Melio | Saylor |
| Beyer | Gingrich | Mensch | Scavello |
| Biancucci | Godshall | Metcalfe | Schroder |
| Bishop | Goodman | Micozzie | Seip |
| Blackwell | Grell | Millard | Shapiro |
| Boback | Grucela | Miller | Shimkus |
| Boyd | Haluska | Milne | Siptroth |
| Brennan | Hanna | Moul | Smith, K. |
| Brooks | Harhai | Moyer | Smith, S. |
| Buxton | Harhart | Mundy | Solobay |
| Caltagirone | Harkins | Murt | Sonney |
| Cappelli | Harper | Mustio | Sonney |
| Carroll | Harris | Myers | Staback |
| Casorio | Helm | Nailor | Stairs |
| Causar | Hennessey | Nickol | Stern |
| Civera | Hershey | O'Brien, M. | Stevenson |
| Clymer | Hess | O'Neill | Sturla |
| Cohen | Hickernell | Oliver | Surra |
| | | | Swanger |

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Rubley Smith, M.

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

The SPEAKER. The House will be at ease for a moment.

GUESTS INTRODUCED

The SPEAKER. The Chair would like to recognize and welcome to the floor of the House Eric Melio, Jimmy Melio, who are here as pages for today, and their grandmother, Anna May Melio, Representative Tony Melio's boss, is also here. Would you please join the Chair in welcoming them to the halls of the House.

The Chair would like to welcome to the hall of the House Joshua Gibson, who is a student at Tulpehocken High School – which means land of turtles – who is serving as a guest page of Representative Dwight Evans, seated in the front row. Please stand to be recognized, and welcome to the halls of the House.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1590, PN 2088**, entitled:

An Act amending Titles 53 (Municipalities Generally), 74 (Transportation) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for minority and women-owned business participation, for public transportation assistance and taxation and for income based on use of Commonwealth highways; authorizing local taxation for public transportation assistance; repealing provisions relating to public transportation assistance; providing for transportation issues and for sustainable mobility options; further providing, in metropolitan transportation authorities, for board members and for

operation; consolidating the Turnpike Organization, Extension and Toll Road Conversion Act and further providing for the Pennsylvania Turnpike Commission; in provisions on the Pennsylvania Turnpike, further providing for definitions, for authorizations and for conversion to toll roads and providing for conversion of Interstate 80, for application and for lease of Interstate 80; in taxes for highway maintenance and construction, providing for definitions; further providing for imposition and for allocation of proceeds; providing for special revenue bonds, for expenses, for application of proceeds of obligations, for trust indenture, for exemption, for pledged revenues, for special revenue refunding bonds, for remedies, for Motor License Fund proceeds, for construction and for funding; and making related repeals.

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

The following roll call was recorded:

YEAS—105

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

NAYS—96

| | | | |
|-------------|-----------|------------|----------|
| Adolph | Fleck | Marshall | Quigley |
| Argall | Gabig | Marsico | Quinn |
| Baker | Geist | McIlhattan | Rapp |
| Barrar | Gillespie | Mensch | Raymond |
| Bastian | Gingrich | Metcalfe | Reed |
| Bear | Godshall | Micozzie | Reichley |
| Benninghoff | Grell | Millard | Roae |
| Beyer | Harhart | Miller | Rock |
| Boback | Harper | Milne | Rohrer |
| Boyd | Harris | Moul | Ross |
| Brooks | Helm | Moyer | Saylor |

| | | | |
|------------|------------|----------|------------|
| Causar | Hennessey | Murt | Scavello |
| Civera | Hershey | Mustio | Schroder |
| Clymer | Hess | Nailor | Smith, S. |
| Cox | Hickernell | Nickol | Sonney |
| Creighton | Hutchinson | O'Neill | Stairs |
| Cutler | Kauffman | Payne | Stern |
| Dally | Keller, M. | Peifer | Stevenson |
| Denlinger | Killion | Perry | Swanger |
| DiGirolamo | Longiatti | Perzel | True |
| Ellis | Mackereth | Petri | Turzai |
| Evans, J. | Maher | Phillips | Vereb |
| Everett | Major | Pickett | Vulakovich |
| Fairchild | Mantz | Pyle | Watson |

NOT VOTING—0

EXCUSED—2

Rubleby Smith, M.

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.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 432, PN 500**, entitled:

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

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

Mr. **MOYER** offered the following amendment No. **A02242**:

Amend Title, page 1, line 5, by removing the period after "County" and inserting
; and authorizing the Department of General Services, with the approval of the Department of Conservation and Natural Resources and the Governor, to grant and convey to Skippack Township certain lands situate in Skippack Township, Montgomery County, in exchange for Skippack Township granting and conveying certain lands to the Commonwealth to be added to those existing lands at Evansburg State Park.

Amend Bill, page 3, line 25, by striking out all of said line and inserting

Section 2. Conveyance in Skippack Township, Montgomery County.

(a) Authorization.—The Department of General Services, with the approval of the Department of Conservation and Natural Resources and the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to Skippack Township, free of restrictions on use and alienation imposed by section 20 of the act of June 22, 1964 (Sp. Sess., P.L.131, No.8), known as the Project 70 Land Acquisition and Borrowing Act, certain lands situate in Skippack Township, Montgomery County, in exchange for that certain property to be conveyed to the Commonwealth of Pennsylvania in accordance with subsection (c).

(b) Description of property to be transferred to Skippack Township.—The property to be conveyed in accordance with

subsection (a) consists of eight tracts of land totaling approximately 0.5709-acres and improvements thereon bounded and more particularly described as follows:

TRACT 1

BEGINNING AT A POINT west of the corner of Skippack Pike (SR 0073) and Old Forty Foot Road (SR 1006) as shown on the plan prepared by Traffic Planning and Design, Inc., Pottstown, Pennsylvania dated October 25, 2006 said point being 16.49 feet right of station 47+85.00,

THENCE extending S 15 degrees 36 minutes 41.09 seconds E a distance of 11.51 feet to a point,

THENCE extending S 74 degrees 23 minutes 18.91 seconds W a distance of 20.00 feet to a point,

THENCE extending N 15 degrees 36 minutes 41.09 seconds W a distance of 11.49 feet to a point,

THENCE extending N 74 degrees 19 minutes 31.30 seconds E a distance of 5.49 feet to a point,

THENCE extending N 74 degrees 20 minutes 54.89 seconds E a distance of 14.51 feet to the place of beginning.

Containing 229.98 square feet (0.005 AC) more or less.

TRACT 2

BEGINNING AT A POINT on the Southwest corner of Skippack Pike (SR 0073) and Old Forty Foot Road (SR 1006)/Evansburg Road as shown on the plan prepared by Traffic Planning and Design, Inc., Pottstown, Pennsylvania dated March 27, 2006 said point being 16.12 feet right of station 55+95.54,

THENCE extending N 84 degrees 37 minutes 44.13 seconds E a distance of 21.51 feet to a point,

THENCE extending N 85 degrees 50 minutes 29.28 seconds E a distance of 51.05 feet to a point,

THENCE along a curve to the right having a radius of 2,313.49 feet, a delta of 1 degree 55 minutes 17.62 seconds, an arc distance of 77.59 feet, a chord bearing of N 86 degrees 42 minutes 17.86 seconds E and a chord distance of 77.59 feet to a point,

THENCE extending S 1 degree 35 minutes 24.46 seconds E a distance of 12.10 feet to a point,

THENCE along a curve to the left having a radius of 3,972.73 feet, a delta of 2 degrees 9 minutes 49.36 seconds, an arc distance of 150.03 feet, a chord bearing of S 87 degrees 43 minutes 18.37 seconds W and a chord distance of 150.02 feet to a point,

THENCE extending N 1 degree 35 minutes 33.72 seconds W a distance of 7.89 feet to the place of beginning.

Containing 1,516.92 square feet (0.0348 AC) more or less.

TRACT 3

BEGINNING AT A POINT on the Southwest corner of Skippack Pike (SR 0073) and Old Forty Foot Road (SR 1006)/Evansburg Road as shown on the plan prepared by Traffic Planning and Design, Inc., Pottstown, Pennsylvania dated March 27, 2006 said point being 15.90 feet right of station 57+46.27,

THENCE along a curve to the right having a radius of 2,313.49 feet, a delta of 0 degrees 31 minutes 47.08 seconds, an arc distance of 21.39 feet, a chord bearing of N 87 degrees 55 minutes 50.11 seconds E and a chord distance of 21.39 feet to a point,

THENCE extending N 88 degrees 24 minutes 36.16 seconds E a distance of 128.81 feet to a point,

THENCE extending S 1 degree 35 minutes 24.46 seconds E a distance of 10.00 feet to a point,

THENCE extending S 88 degrees 24 minutes 38.70 seconds W a distance of 71.48 feet to a point,

THENCE along a curve to the left having a radius of 3,973.50 feet, a delta of 1 degree 8 minutes 6.36 seconds, an arc distance of 78.72 feet, a chord bearing of S 87 degrees 50 minutes 35.61 seconds W and a chord distance of 78.72 feet to a point,

THENCE extending N 1 degree 35 minutes 24.46 seconds W a distance of 10.60 feet to the place of beginning.

Containing 1,520.71 square feet (0.0349 AC) more or less.

TRACT 4

BEGINNING AT A POINT on the Southwest corner of Skippack Pike (SR 0073) and Old Forty Foot Road (SR 1006)/Evansburg Road as shown on the plan prepared by Traffic Planning and Design, Inc., Pottstown, Pennsylvania dated February 16, 2007 said point being 16.50 feet right of station 58+96.79,

THENCE extending N 88 degrees 24 minutes 36.16 seconds E a distance of 19.48 feet to a point,

THENCE extending N 87 degrees 33 minutes 28.08 seconds E a distance of 101.39 feet to a point,

THENCE along a curve to the left having a radius of 2,205.71 feet, a delta of 2 degrees 52 minutes 50.70 seconds, an arc distance of 110.90 feet, a chord bearing of N 86 degrees 10 minutes 50.41 seconds E and a chord distance of 110.89 feet to a point,

THENCE along a curve to the right having a radius of 25.00 feet, a delta of 89 degrees 33 minutes 53.15 seconds, an arc distance of 39.08 feet, a chord bearing of S 50 degrees 28 minutes 44.70 seconds E and a chord distance of 35.22 feet to a point,

THENCE extending S 5 degrees 41 minutes 54.33 seconds E a distance of 61.69 feet to a point,

THENCE along a curve to the right having a radius of 472.16 feet, a delta of 11 degrees 12 minutes 40.86 seconds, an arc distance of 92.39 feet, a chord bearing of S 0 degrees 40 minutes 34.27 seconds E and a chord distance of 92.24 feet to a point,

THENCE along a curve to the right having a radius of 274.10 feet, a delta of 18 degrees 52 minutes 54.83 seconds, an arc distance of 90.33 feet, a chord bearing of S 13 degrees 52 minutes 54.77 seconds W and a chord distance of 89.92 feet to a point,

THENCE along a curve to the right having a radius of 1,141.89 feet, a delta of 8 degrees 33 minutes 20.00 seconds, an arc distance of 170.51 feet, a chord bearing of S 30 degrees 48 minutes 50.44 seconds W and a chord distance of 170.35 feet to a point,

THENCE extending S 30 degrees 59 minutes 34.78 seconds W a distance of 0.57 feet to a point,

THENCE extending N 58 degrees 02 minutes 44.36 seconds W a distance of 8.89 feet to a point,

THENCE extending N 31 degrees 57 minutes 15.64 seconds E a distance of 78.24 feet to a point,

THENCE extending N 58 degrees 02 minutes 44.36 seconds W a distance of 3.00 feet to a point,

THENCE along a curve to the left having a radius of 945.05 feet, a delta of 04 degrees 20 minutes 18.55 seconds, an arc distance of 71.56 feet, a chord bearing of N 29 degrees 47 minutes 05.89 seconds E and a chord distance of 71.54 feet to a point,

THENCE extending N 62 degrees 23 minutes 03.85 seconds W a distance of 5.00 feet to a point,

THENCE along a curve to the left having a radius of 254.74 feet, a delta of 22 degrees 08 minutes 59.96 seconds, an arc distance of 98.48 feet, a chord bearing of N 16 degrees 32 minutes 27.40 seconds E and a chord distance of 97.87 feet to a point,

THENCE extending N 84 degrees 32 minutes 01.35 seconds W a distance of 3.00 feet to a point,

THENCE along a curve to the left having a radius of 455.12 feet, a delta of 10 degrees 32 minutes 36.31 seconds, an arc distance of 83.75 feet, a chord bearing of N 0 degrees 11 minutes 40.94 seconds E and a chord distance of 83.63 feet to a point,

THENCE extending S 84 degrees 55 minutes 22.13 seconds W a distance of 2.00 feet to a point,

THENCE extending N 05 degrees 04 minutes 36.82 seconds W a distance of 46.22 feet to a point,

THENCE along a curve to the left having a radius of 40.00 feet, a delta of 89 degrees 37 minutes 29.72 seconds, an arc distance of 62.57 feet, a chord bearing of N 49 degrees 53 minutes 23.80 seconds W and a chord distance of 56.38 feet to a point,

THENCE along a curve to the right having a radius of 2,526.50 feet, a delta of 3 degrees 6 minutes 49.25 seconds, an arc distance of 137.30 feet, a chord bearing of S 86 degrees 51 minutes 13.96 seconds W and a chord distance of 137.28 feet to a point,

THENCE extending S 88 degrees 24 minutes 38.70 seconds W a distance of 57.71 feet to a point,

THENCE extending N 01 degree 35 minutes 24.46 seconds W a distance of 10.00 feet to the place of beginning.

Containing 10,309.89 square feet (0.24 AC) more or less.

TRACT 5

BEGINNING AT A POINT south of the corner of Evansburg Road (G 805) and Skippack Pike (SR 0073) as shown on the plan prepared by Traffic Planning and Design, Inc., Pottstown, Pennsylvania dated October 27, 2006 said point being 16.23 feet right of station 97+69.00,

THENCE extending N 32 degrees 2 minutes 30.37 seconds E a distance of 9.65 feet to a point,

THENCE extending N 30 degrees 38 minutes 27.41 seconds E a distance of 59.86 feet to a point,

THENCE along a curve to the left having a radius of 1,168.70 feet, a delta of 5 degrees 45 minutes 54.66 seconds, an arc distance of 117.60 feet, a chord bearing of N 32 degrees 11 minutes 24.47 seconds E and a chord distance of 117.55 feet to a point,

THENCE extending S 17 degrees 49 minutes 52.12 seconds W a distance of 26.91 feet to a point,

THENCE along a curve to the left having a radius of 997.05 feet, a delta of 0 degrees 43 minutes 45.24 seconds, an arc distance of 12.69 feet, a chord bearing of S 31 degrees 35 minutes 22.81 seconds W and a chord distance of 12.69 feet to a point,

THENCE extending S 31 degrees 57 minutes 15.64 seconds W a distance of 148.24 feet to a point,

THENCE extending N 58 degrees 2 minutes 44.36 seconds W a distance of 5.77 feet to the place of beginning.

Containing 1,046.98 square feet (0.0240 AC) more or less.

TRACT 6

BEGINNING AT A POINT east of the corner of Skippack Pike (SR 0073) and Old Forty Foot Road (SR 1006)/Evansburg Road as shown on the plan prepared by Traffic Planning and Design, Inc., Pottstown, Pennsylvania dated March 27, 2006 said point being 19.78 feet left of station 63+31.93,

THENCE extending N 6 degrees 41 minutes 28.28 seconds E a distance of 19.21 feet to a point,

THENCE along a curve to the right having a radius of 1,438.50 feet, a delta of 4 degrees 48 minutes 58.58 seconds, an arc distance of 120.92 feet, a chord bearing of N 86 degrees 11 minutes 36.61 seconds E and a chord distance of 120.88 feet to a point,

THENCE extending S 4 degrees 12 minutes 33.18 seconds W a distance of 18.04 feet to a point,

THENCE extending S 87 degrees 30 minutes 44.94 seconds W a distance of 37.15 feet to a point,

THENCE extending S 85 degrees 40 minutes 55.82 seconds W a distance of 47.81 feet to a point,

THENCE extending S 83 degrees 56 minutes 39.02 seconds W a distance of 36.94 feet to the place of beginning.

Containing 2,233.22 square feet (0.051 AC) more or less.

TRACT 7

BEGINNING AT A POINT east of the corner of Skippack Pike (SR 0073) and Old Forty Foot Road (SR 1006)/Evansburg Road as shown on the plan prepared by Traffic Planning and Design, Inc., Pottstown, Pennsylvania dated March 27, 2006 said point being 20.55 feet left of station 64+52.11,

THENCE extending N 4 degrees 12 minutes 33.02 seconds E a distance of 18.04 feet to a point,

THENCE along a curve to the right having a radius of 1,438.50 feet, a delta of 2 degrees 54 minutes 32.36 seconds, an arc distance of 73.03 feet, a chord bearing of S 89 degrees 56 minutes 38.16 seconds E and a chord distance of 73.03 feet to a point,

THENCE extending S 1 degree 30 minutes 38.02 seconds W a distance of 13.50 feet to a point,

THENCE along a curve to the right having a radius of 1,425.00 feet, a delta of 2 degrees 10 minutes 22.46 seconds, an arc distance of

54.04 feet, a chord bearing of S 87 degrees 24 minutes 50.96 seconds E and a chord distance of 54.04 feet to a point,

THENCE extending S 4 degrees 5 minutes 18.13 seconds W a distance of 4.32 feet to a point,

THENCE extending N 87 degrees 37 minutes 51.72 seconds W a distance of 63.02 feet to a point,

THENCE extending N 89 degrees 38 minutes 53.42 seconds W a distance of 51.08 feet to a point,

THENCE extending S 87 degrees 30 minutes 44.94 seconds W a distance of 13.63 feet to the place of beginning.

Containing 1,561.77 square feet (0.0359 AC) more or less.

TRACT 8

BEGINNING AT A POINT south of the corner of Skippack Pike (SR 0073) and Old Forty Foot Road (SR 1006)/Evansburg Road as shown on the plan prepared by Traffic Planning and Design, Inc., Pottstown, Pennsylvania dated October 27, 2006 said point being 16.11 feet right of station 99+55.41,

THENCE along a curve to the left having a radius of 1,168.70 feet, a delta of 2 degrees 50 minutes 49.00 seconds, an arc distance of 58.07 feet, a chord bearing of N 27 degrees 53 minutes 3.81 seconds E and a chord distance of 58.07 feet to a point,

THENCE along a curve to the left having a radius of 306.24 feet, a delta of 19 degrees 4 minutes 39.90 seconds, an arc distance of 101.97 feet, a chord bearing of N 13 degrees 59 minutes 29.74 seconds E and a chord distance of 101.50 feet to a point,

THENCE along a curve to the left having a radius of 505.10 feet, a delta of 11 degrees 11 minutes 46.54 seconds, an arc distance of 98.70 feet, a chord bearing of N 0 degrees 41 minutes 2.72 seconds W and a chord distance of 98.55 feet to a point,

THENCE extending N 5 degrees 41 minutes 50.50 seconds W a distance of 59.19 feet to a point,

THENCE along a curve to the right having a radius of 25.00 feet, a delta of 88 degrees 28 minutes 3.47 seconds, an arc distance of 38.60 feet, a chord bearing of N 38 degrees 32 minutes 11.24 seconds E and a chord distance of 34.88 feet to a point,

THENCE extending N 82 degrees 46 minutes 12.97 seconds E a distance of 8.07 feet to a point,

THENCE extending N 82 degrees 10 minutes 9.84 seconds E a distance of 51.16 feet to a point,

THENCE extending N 82 degrees 52 minutes 51.56 seconds E a distance of 49.36 feet to a point,

THENCE extending N 83 degrees 56 minutes 39.02 seconds E a distance of 50.14 feet to a point,

THENCE extending N 85 degrees 40 minutes 55.82 seconds E a distance of 46.56 feet to a point,

THENCE extending N 87 degrees 30 minutes 44.94 seconds E a distance of 49.16 feet to a point,

THENCE extending S 89 degrees 38 minutes 53.42 seconds E a distance of 33.89 feet to a point,

THENCE extending S 0 degrees 29 minutes 26.02 seconds W a distance of 7.01 feet to a point,

THENCE along a curve to the left having a radius of 1,373.50 feet, a delta of 5 degrees 7 minutes 7.80 seconds, an arc distance of 122.71 feet, a chord bearing of S 87 degrees 55 minutes 52.12 seconds W and a chord distance of 122.67 feet to a point,

THENCE extending S 4 degrees 37 minutes 42.00 seconds E a distance of 13.50 feet to a point,

THENCE along a curve to the left having a radius of 1,360 feet, a delta of 2 degrees 54 minutes 39.52 seconds, an arc distance of 69.10 feet, a chord bearing of S 83 degrees 54 minutes 58.46 seconds W and a chord distance of 69.09 feet to a point,

THENCE extending S 82 degrees 27 minutes 39.00 seconds W a distance of 28.79 feet to a point,

THENCE extending N 7 degrees 32 minutes 21.30 seconds W a distance of 13.50 feet to a point,

THENCE extending S 82 degrees 27 minutes 38.70 seconds W a distance of 45.88 feet to a point,

THENCE along a curve to the left having a radius of 40.00 feet, a delta of 87 degrees 32 minutes 1.06 seconds, an arc distance of 61.11 feet, a chord bearing of S 38 degrees 41 minutes 30.94 seconds W and a chord distance of 55.34 feet to a point,

THENCE extending S 5 degrees 4 minutes 36.82 seconds E a distance of 49.18 feet to a point,

THENCE along a curve to the right having a radius of 515.12 feet, a delta of 5 degrees 5 minutes 31.27 seconds, an arc distance of 45.78 feet, a chord bearing of S 2 degrees 31 minutes 50.84 seconds E and a chord distance of 45.76 feet to a point,

THENCE extending S 89 degrees 54 minutes 55.80 seconds E a distance of 5.00 feet to a point,

THENCE along a curve to the right having a radius of 520.12 feet, a delta of 5 degrees 27 minutes 2.36 seconds, an arc distance of 49.48 feet, a chord bearing of S 2 degrees 44 minutes 26.87 seconds W and a chord distance of 49.46 feet to a point,

THENCE along a curve to the right having a radius of 316.74 feet, a delta of 22 degrees 8 minutes 54.37 seconds, an arc distance of 122.44 feet, a chord bearing of S 16 degrees 32 minutes 27.40 seconds W and a chord distance of 121.68 feet to a point,

THENCE extending N 62 degrees 30 minutes 42.03 seconds W a distance of 5.00 feet to a point,

THENCE along a curve to the right having a radius of 997.05 feet, a delta of 3 degrees 36 minutes 33.82 seconds, an arc distance of 62.81 feet, a chord bearing of S 29 degrees 25 minutes 13.07 seconds W and a chord distance of 62.80 feet to a point,

THENCE extending N 17 degrees 49 minutes 52.12 seconds E a distance of 26.91 feet to the place of beginning.

Containing 6,448.80 square feet (0.1480 AC) more or less.

CONTAINING in area 24,868.27 Square Feet or 0.5709-acres, more or less.

(c) Conveyance of property to Commonwealth.—The Department of General Services, with the approval of the Department of Conservation and Natural Resources and the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to receive from Skippack Township certain lands situate in Skippack Township, Montgomery County, in exchange for that property to be conveyed to the Township in accordance with subsection (a).

(d) Description of property to be transferred to Commonwealth.—The property to be conveyed in accordance with subsection (c) consists of approximately 0.5418-acres and improvements thereon bounded and more particularly described as follows:

BEGINNING AT A POINT, a spike in the centerline of Thompson Road, also known as Leshner Road, said point being located the following two (2) courses and distances from the intersection of the centerlines of Thompson Road and Mayhall Road:

1. North 65 degrees 29 minutes 06 seconds West, a distance of 276.43 feet, to a point;

2. North 60 degrees 46 minutes 51 seconds West, a distance of 579.56 feet, to a point;

THENCE, from said beginning point, and leaving said Thompson Road and through property of the Township of Skippack (Block 34, Unit 1), of which this parcel is a part, North 47 degrees 56 minutes 45 seconds East, a distance of 943.86 feet, to a point in line of lands now or formerly of Peco Energy (Block 34, Unit 13 10);

THENCE, along said lands of Peco Energy, South 53 degrees 21 minutes 24 seconds East, a distance of 51.00 feet, to a point, a common corner of this parcel and lands now or formerly of the Commonwealth of Pennsylvania (Block 34, Unit 4);

THENCE, along said lands of the Commonwealth of Pennsylvania, South 50 degrees 56 minutes 50 seconds West, a distance of 955.17 feet, to a point, said point being the first mentioned point and PLACE OF BEGINNING.

CONTAINING in area 23,601.75 Square Feet or 0.5418 acres, more or less.

(e) Conditions of conveyances.—The conveyances described in this section shall be made concurrently and under and subject to all lawful and enforceable easements, servitudes and rights of others,

including but not confined to streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under and subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(f) Restrictive covenants.—

(1) The Department of Conservation and Natural Resources, with the approval of the Department of General Services, shall impose and record Project 70 restrictions on the property to be conveyed in accordance with subsection (c).

(2) Any conveyance authorized under subsection (a) shall be made under and subject to the condition, which shall be contained in the deed of conveyance, that no portion of the property conveyed to Skippack Township shall be used as a licensed facility, as defined in 4 Pa.C.S. § 1103 (relating to definitions), or any other similar type of facility authorized under State law. The condition shall be a covenant running with the land and shall be binding upon Skippack Township, its successors and assigns. Should Skippack Township, its successors or assigns, permit any portion of the property authorized to be conveyed to the Township in this act to be used in violation of this subsection, the title shall immediately revert to and revest in the Commonwealth of Pennsylvania.

(g) Temporary construction easement.—

(1) For the duration of the construction of the Project, temporary easements shall be granted by the Department of General Services, with the approval of the Department of Conservation and Natural Resources and the Governor, to Skippack Township, or its designee, for the purpose of facilitating the construction of this Project, which easements are described as follows:

TEMPORARY EASEMENT 1

BEGINNING AT A POINT west of the corner of Skippack Pike (SR 0073) and Old Forty Foot Road (SR 1006) as shown on the plan prepared by Traffic Planning and Design, Inc., Pottstown, Pennsylvania dated October 27, 2006 said point being 16.49 feet right of station 47+85.00,

THENCE extending S 15 degrees 36 minutes 41.09 seconds E a distance of 48.52 feet to a point,

THENCE extending S 74 degrees 23 minutes 18.91 seconds W a distance of 45.00 feet to a point,

THENCE extending N 15 degrees 36 minutes 41.09 seconds W a distance of 48.49 feet to a point,

THENCE extending N 74 degrees 19 minutes 31.30 seconds E a distance of 5.00 feet to a point,

THENCE extending S 15 degrees 36 minutes 41.09 seconds E a distance of 11.49 feet to a point,

THENCE extending N 74 degrees 23 minutes 18.91 seconds E a distance of 20.00 feet to a point,

THENCE extending N 15 degrees 36 minutes 41.09 seconds W a distance of 11.51 feet to a point,

THENCE extending N 74 degrees 20 minutes 54.89 seconds E a distance of 20.00 feet to the place of beginning.

Containing 1,953.02 square feet (0.0448 AC) more or less.

TEMPORARY EASEMENT 2

BEGINNING AT A POINT on the Southwest corner of Skippack Pike (SR 0073) and Old Forty Foot Road (SR 1006)/Evansburg Road as shown on the plan prepared by Traffic Planning and Design, Inc., Pottstown, Pennsylvania dated March 27, 2006 said point being 24.00 feet right of station 55+95.08,

THENCE along a curve to the right having a radius of 3,972.73 feet, a delta of 2 degrees 9 minutes 49.58 seconds, an arc distance of 150.03 feet, a chord bearing of N 87 degrees 43 minutes 18.37 seconds E and a chord distance of 150.02 feet to a point,

THENCE extending S 1 degree 35 minutes 24.46 seconds E a distance of 4.63 feet to a point,

THENCE along a curve to the left having a radius of 3,967.57 feet, a delta of 2 degrees 9 minutes 59.71 seconds, an arc distance of

150.03 feet, a chord bearing of S 87 degrees 34 minutes 32.04 seconds W and a chord distance of 150.02 feet to a point,

THENCE extending N 1 degree 35 minutes 33.72 seconds W a distance of 5.01 feet to the place of beginning.

Containing 864.30 square feet (0.0198 AC) more or less.

TEMPORARY EASEMENT 3

BEGINNING AT A POINT on the Southwest corner of Skippack Pike (SR 0073) and Old Forty Foot Road (SR 1006)/Evansburg Road as shown on the plan prepared by Traffic Planning and Design, Inc., Pottstown, Pennsylvania dated February 16, 2007 said point being 26.50 feet right of station 58+96.79,

THENCE extending N 88 degrees 24 minutes 38.70 seconds E a distance of 57.71 feet to a point,

THENCE along a curve to the left having a radius of 2,526.50 feet, a delta of 3 degrees 6 minutes 49.25 seconds, an arc distance of 137.30 feet, a chord bearing of N 86 degrees 51 minutes 13.96 seconds E and a chord distance of 137.28 feet to a point,

THENCE along a curve to the right having a radius of 40.00 feet, a delta of 89 degrees 37 minutes 29.72 seconds, an arc distance of 62.57 feet, a chord bearing of S 49 degrees 53 minutes 23.80 seconds E and a chord distance of 56.38 feet to a point,

THENCE extending S 05 degrees 04 minutes 36.82 seconds E a distance of 46.22 feet to a point,

THENCE extending N 84 degrees 55 minutes 22.13 seconds E a distance of 2.00 feet to a point,

THENCE along a curve to the right having a radius of 455.12 feet, a delta of 10 degrees 32 minutes 36.31 seconds, an arc distance of 83.75 feet, a chord bearing of S 0 degrees 11 minutes 40.94 seconds W and a chord distance of 83.63 feet to a point,

THENCE extending S 84 degrees 32 minutes 01.35 seconds E a distance of 3.00 feet to a point,

THENCE along a curve to the right having a radius of 254.74 feet, a delta of 22 degrees 08 minutes 59.96 seconds, an arc distance of 98.48 feet, a chord bearing of S 16 degrees 32 minutes 27.40 seconds W and a chord distance of 97.87 feet to a point,

THENCE extending S 62 degrees 23 minutes 03.85 seconds E a distance of 5.00 feet to a point,

THENCE along a curve to the right having a radius of 945.05 feet, a delta of 04 degrees 20 minutes 18.55 seconds, an arc distance of 71.56 feet, a chord bearing of S 29 degrees 47 minutes 05.89 seconds W and a chord distance of 71.54 feet to a point,

THENCE extending S 58 degrees 02 minutes 44.36 seconds E a distance of 3.00 feet to a point,

THENCE extending S 31 degrees 57 minutes 15.64 seconds W a distance of 78.24 feet to a point,

THENCE extending S 58 degrees 02 minutes 44.36 seconds E a distance of 8.89 feet to a point,

THENCE extending S 30 degrees 59 minutes 34.78 seconds W a distance of 60.31 feet to a point,

THENCE extending S 31 degrees 38 minutes 21.28 seconds W a distance of 20.17 feet to a point,

THENCE extending N 57 degrees 12 minutes 52.92 seconds W a distance of 23.02 feet to a point,

THENCE extending N 30 degrees 53 minutes 21.85 seconds E a distance of 189.71 feet to a point,

THENCE extending N 21 degrees 09 minutes 04.80 seconds E a distance of 109.62 feet to a point,

THENCE extending N 02 degrees 20 minutes 05.20 seconds W a distance of 21.18 feet to a point,

THENCE along a curve to the left having a radius of 441.34 feet, a delta of 10 degrees 53 minutes 12.84 seconds, an arc distance of 83.86 feet, a chord bearing of N 01 degrees 40 minutes 47.73 seconds W and a chord distance of 83.73 feet to a point,

THENCE extending N 05 degrees 04 minutes 36.82 seconds W a distance of 53.71 feet to a point,

THENCE along a curve to the left having a radius of 25.00 feet, a delta of 89 degrees 40 minutes 45.67 seconds, an arc distance of

39.13 feet, a chord bearing of N 49 degrees 54 minutes 42.34 seconds W and a chord distance of 35.26 feet to a point,

THENCE along a curve to the right having a radius of 2,534.00 feet, a delta of 03 degrees 09 minutes 26.54 seconds, an arc distance of 139.64 feet, a chord bearing of S 86 degrees 49 minutes 55.33 seconds W and a chord distance of 139.62 feet to a point,

THENCE extending S 88 degrees 24 minutes 38.70 seconds W a distance of 57.71 feet to a point,

THENCE extending N 1 degree 35 minutes 24.46 seconds W a distance of 7.50 feet to the place of beginning.

Containing 9,106.35 square feet (0.21 AC) more or less.

TEMPORARY EASEMENT 4

BEGINNING AT A POINT south of the corner of Evansburg Road (G 805) and Skippack Pike (SR 0073) as shown on the plan prepared by Traffic Planning and Design, Inc., Pottstown, Pennsylvania dated October 27, 2006 said point being 16.24 feet right of station 97+25.00,

THENCE extending N 31 degrees 20 minutes 28.70 seconds E a distance of 6.17 feet to a point,

THENCE extending N 32 degrees 2 minutes 30.35 seconds E a distance of 37.83 feet to a point,

THENCE extending S 58 degrees 2 minutes 44.36 seconds E a distance of 5.77 feet to a point,

THENCE extending N 31 degrees 57 minutes 15.64 seconds E a distance of 148.24 feet to a point,

THENCE along a curve to the right having a radius of 997.05 feet, a delta of 0 degree 43 minutes 45.24 seconds, an arc distance of 12.69 feet, a chord bearing of N 31 degrees 35 minutes 22.81 seconds E and a chord distance of 12.69 feet to a point,

THENCE extending S 17 degrees 49 minutes 52.12 seconds W a distance of 125.76 feet to a point,

THENCE extending S 64 degrees 15 minutes 7.88 seconds E a distance of 2.40 feet to a point,

THENCE extending S 31 degrees 57 minutes 15.64 seconds W a distance of 83.22 feet to a point,

THENCE extending N 58 degrees 2 minutes 44.36 seconds W a distance of 38.77 feet to the place of beginning.

Containing 4,854.44 square feet (0.1114 AC) more or less.

TEMPORARY EASEMENT 5

BEGINNING AT A POINT Southeast of the corner of Skippack Pike (SR 0073) and Old Forty Foot Road (SR 1006)/Evansburg Road as shown on the plan prepared by Traffic Planning and Design, Inc., Pottstown, Pennsylvania dated October 27, 2006 said point being 22.00 feet right of station 99+29.65,

THENCE along a curve to the left having a radius of 997.05 feet, a delta of 3 degrees 36 minutes 33.82 seconds, an arc distance of 62.81 feet, a chord bearing of N 29 degrees 25 minutes 13.07 seconds E and a chord distance of 62.80 feet to a point,

THENCE extending N 62 degrees 30 minutes 42.03 seconds E a distance of 5.00 feet to a point,

THENCE along a curve to the left having a radius of 316.74 feet, a delta of 22 degrees 8 minutes 54.37 seconds, an arc distance of 122.44 feet, a chord bearing of N 16 degrees 32 minutes 27.40 seconds E and a chord distance of 121.68 feet to a point,

THENCE along a curve to the left having a radius of 520.12 feet, a delta of 5 degrees 27 minutes 3.56 seconds, an arc distance of 49.48 feet, a chord bearing of N 2 degrees 44 minutes 26.87 seconds E and a chord distance of 49.46 feet to a point,

THENCE extending S 89 degrees 54 minutes 55.80 seconds W a distance of 5.00 feet to a point,

THENCE along a curve to the left having a radius of 515.12 feet, a delta of 5 degrees 5 minutes 31.27 seconds, an arc distance of 45.78 feet, a chord bearing of N 2 degrees 31 minutes 50.84 seconds W and a chord distance of 45.76 feet to a point,

THENCE extending N 5 degrees 4 minutes 36.82 seconds W a distance of 49.18 feet to a point,

THENCE along a curve to the right having a radius of 40.00 feet, a delta of 87 degrees 32 minutes 1.06 seconds, an arc distance of

61.11 feet, a chord bearing of N 38 degrees 41 minutes 30.94 seconds E and a chord distance of 55.34 feet to a point,

THENCE extending N 82 degrees 27 minutes 38.70 seconds E a distance of 45.88 feet to a point,

THENCE extending S 7 degrees 32 minutes 21.30 seconds E a distance of 13.50 feet to a point,

THENCE extending N 82 degrees 27 minutes 38.70 seconds E a distance of 28.79 feet to a point,

THENCE along a curve to the right having a radius of 1,360.00 feet, a delta of 2 degrees 54 minutes 39.52 seconds, an arc distance of 69.10 feet, a chord bearing of N 83 degrees 54 minutes 58.46 seconds E and a chord distance of 69.09 feet to a point,

THENCE extending N 4 degrees 37 minutes 41.78 seconds W a distance of 13.50 feet to a point,

THENCE along a curve to the right having a radius of 1,373.50 feet, a delta of 5 degrees 7 minutes 7.81 seconds, an arc distance of 122.71 feet, a chord bearing of N 87 degrees 55 minutes 52.12 seconds E and a chord distance of 122.67 feet to a point,

THENCE extending N 0 degrees 29 minutes 26.02 seconds E a distance of 7.01 feet to a point,

THENCE extending N 89 degrees 38 minutes 53.42 seconds E a distance of 15.58 feet to a point,

THENCE extending S 85 degrees 27 minutes 49.29 seconds E a distance of 78.67 feet to a point,

THENCE extending S 85 degrees 49 minutes 32.86 seconds E a distance of 49.11 feet to a point,

THENCE extending S 44 degrees 19 minutes 58.42 seconds W a distance of 24.53 feet to a point,

THENCE along a curve to the left having a radius of 1,360.00 feet, a delta of 9 degrees 24 minutes 40.44 seconds, an arc distance of 223.39 feet, a chord bearing of N 88 degrees 53 minutes 46.96 seconds W and a chord distance of 223.14 feet to a point,

THENCE extending S 3 degrees 36 minutes 7.18 seconds E a distance of 15.00 feet to a point,

THENCE along a curve to the left having a radius of 1,345.00 feet, a delta of 3 degrees 56 minutes 14.12 seconds, an arc distance of 92.43 feet, a chord bearing of S 84 degrees 25 minutes 45.76 seconds W and a chord distance of 92.41 feet to a point,

THENCE extending S 82 degrees 27 minutes 38.70 seconds W a distance of 28.79 feet to a point,

THENCE extending N 7 degrees 32 minutes 21.30 seconds W a distance of 15.00 feet to a point,

THENCE extending S 82 degrees 27 minutes 38.70 seconds W a distance of 56.71 feet to a point,

THENCE along a curve to the left having a radius of 20.00 feet, a delta of 92 degrees 38 minutes 6.88 seconds, an arc distance of 32.34 feet, a chord bearing of S 36 degrees 8 minutes 35.04 seconds W and a chord distance of 28.93 feet to a point,

THENCE extending S 4 degrees 28 minutes 19.41 seconds W a distance of 100.04 feet to a point,

THENCE extending S 89 degrees 59 minutes 4.91 seconds E a distance of 13.00 feet to a point,

THENCE along a curve to the right having a radius of 538.12 feet, a delta of 5 degrees 49 minutes 50.11 seconds, an arc distance of 54.76 feet, a chord bearing of S 2 degrees 55 minutes 50.14 seconds W and a chord distance of 54.74 feet to a point,

THENCE extending S 83 degrees 55 minutes 24.62 seconds E a distance of 9.99 feet to a point,

THENCE along a curve to the right having a radius of 344.74 feet, a delta of 21 degrees 32 minutes 20.83 seconds, an arc distance of 129.60 feet, a chord bearing of S 16 degrees 50 minutes 45.76 seconds W and a chord distance of 128.84 feet to a point,

THENCE along a curve to the right having a radius of 1,030.05 feet, a delta of 4 degrees 20 minutes 19.49 seconds, an arc distance of 78.00 feet, a chord bearing of S 29 degrees 47 minutes 5.90 seconds W and a chord distance of 77.98 feet to a point,

THENCE extending S 31 degrees 57 minutes 15.64 seconds W a distance of 109.02 feet to a point,

THENCE extending N 64 degrees 15 minutes 7.88 seconds W a distance of 2.40 feet to a point,

THENCE extending N 17 degrees 49 minutes 52.12 seconds E a distance of 125.78 feet to the place of beginning.

Containing 16,734.67 square feet (0.384 AC) more or less.

TEMPORARY EASEMENT 6

BEGINNING AT A POINT east of the corner of Skippack Pike (SR 0073) and Old Forty Foot Road (SR 1006)/Evansburg Road as shown on the plan prepared by Traffic Planning and Design, Inc., Pottstown, Pennsylvania dated March 27, 2006 said point being 38.50 feet left of station 63+36.16,

THENCE extending N 6 degrees 41 minutes 28.28 seconds E a distance of 6.67 feet to a point,

THENCE along a curve to the right having a radius of 1,445.00 feet, a delta of 4 degrees 46 minutes 56.33 seconds, an arc distance of 120.61 feet, a chord bearing of N 86 degrees 14 minutes 8.45 seconds E and a chord distance of 120.57 feet to a point,

THENCE extending S 4 degrees 12 minutes 33.18 seconds W a distance of 6.53 feet to a point,

THENCE along a curve to the left having a radius of 1,438.50 feet, a delta of 4 degrees 48 minutes 58.58 seconds, an arc distance of 120.92 feet, a chord bearing of S 86 degrees 11 minutes 36.61 seconds W and a chord distance of 120.88 feet to the place of beginning.

Containing 784.81 square feet (0.018 AC) more or less.

TEMPORARY EASEMENT 7

BEGINNING AT A POINT east of the corner of Skippack Pike (SR 0073) and Old Forty Foot Road (SR 1006)/Evansburg Road as shown on the plan prepared by Traffic Planning and Design, Inc., Pottstown, Pennsylvania dated March 27, 2006 said point being 38.50 feet left of station 64+53.84,

THENCE extending N 4 degrees 12 minutes 33.02 seconds E a distance of 6.53 feet to a point,

THENCE along a curve to the right having a radius of 1,445.00 feet, a delta of 3 degrees 54 minutes 35.86 seconds, an arc distance of 98.61 feet, a chord bearing of S 89 degrees 25 minutes 5.31 seconds E and a chord distance of 98.59 feet to a point,

THENCE extending S 2 degrees 32 minutes 12.62 seconds W a distance of 10.00 feet to a point,

THENCE along a curve to the right having a radius of 1,435.00 feet, a delta of 1 degree 09 minutes 2.36 seconds, an arc distance of 28.82 feet, a chord bearing of S 86 degrees 53 minutes 16.20 seconds E and a chord distance of 28.82 feet to a point,

THENCE extending S 4 degrees 12 minutes 33.02 seconds W a distance of 10.00 feet to a point,

THENCE along a curve to the left having a radius of 1,425.00 feet, a delta of 2 degrees 10 minutes 23.77 seconds, an arc distance of 54.05 feet, a chord bearing of N 87 degrees 24 minutes 10.09 seconds W and a chord distance of 54.05 feet to a point,

THENCE extending N 1 degree 30 minutes 38.02 seconds E a distance of 13.50 feet to a point,

THENCE along a curve to the left having a radius of 1,438.50 feet, a delta of 2 degrees 54 minutes 32.36 seconds, an arc distance of 73.03 feet, a chord bearing of S 89 degrees 56 minutes 38.16 seconds W and a chord distance of 73.03 feet to the place of beginning.

Containing 1,338.07 square feet (0.031 AC) more or less.

TEMPORARY EASEMENT 8

BEGINNING AT A POINT east of the corner of Skippack Pike (SR 0073) and Old Forty Foot Road (SR 1006)/Evansburg Road as shown on the plan prepared by Traffic Planning and Design, Inc., Pottstown, Pennsylvania dated March 27, 2006 said point being 20.68 feet left of station 65+77.99,

THENCE extending N 4 degrees 12 minutes 33.02 seconds E a distance of 14.32 feet to a point,

THENCE along a curve to the right having a radius of 1,435.00 feet, a delta of 2 degrees 56 minutes 30.85 seconds, an arc distance of 73.68 feet, a chord bearing of S 84 degrees 50 minutes 29.60 seconds E and a chord distance of 73.67 feet to a point,

THENCE extending N 6 degrees 37 minutes 45.82 seconds E a distance of 40.00 feet to a point,

THENCE extending S 83 degrees 11 minutes 40.08 seconds E a distance of 151.01 feet to a point,

THENCE extending N 7 degrees 24 minutes 1.60 seconds W a distance of 55.42 feet to a point,

THENCE extending N 82 degrees 18 minutes 18.45 seconds W a distance of 109.73 feet to a point,

THENCE extending N 83 degrees 59 minutes 7.60 seconds W a distance of 95.75 feet to a point,

THENCE extending N 87 degrees 37 minutes 51.72 seconds W a distance of 17.90 feet to the place of beginning.

Containing 9,190.88 square feet (0.211 AC) more or less.

TEMPORARY EASEMENT 9

BEGINNING AT A POINT west of the corner of Skippack Pike (SR 0073) and Old Forty Foot Road (SR 1006)/Evansburg Road as shown on the plan prepared by Traffic Planning and Design, Inc., Pottstown, Pennsylvania dated March 27, 2006 said point being 20.72 feet right of station 66+45.47,

THENCE extending S 85 degrees 49 minutes 32.86 seconds E a distance of 44.32 feet to a point,

THENCE extending S 82 degrees 18 minutes 18.45 seconds E a distance of 35.14 feet to a point,

THENCE extending S 6 degrees 46 minutes 25.84 seconds W a distance of 15.70 feet to a point,

THENCE extending N 83 degrees 13 minutes 46.10 seconds W a distance of 74.91 feet to a point,

THENCE extending S 6 degrees 37 minutes 45.82 seconds W a distance of 5.00 feet to a point,

THENCE along a curve to the left having a radius of 1,360.00 feet, a delta of 0 degrees 49 minutes 12.57 seconds, an arc distance of 19.47 feet, a chord bearing of N 83 degrees 46 minutes 50.46 seconds W and a chord distance of 19.47 feet to a point,

THENCE extending N 44 degrees 19 minutes 58.42 seconds E a distance of 24.53 feet to the place of beginning.

Containing 1,403.90 square feet (0.0322 AC) more or less.

TEMPORARY EASEMENT 10

BEGINNING AT A POINT north of the corner of Skippack Pike (SR 0073) and Old Forty Foot Road (SR 1006)/Evansburg Road as shown on the plan prepared by Traffic Planning and Design, Inc., Pottstown, Pennsylvania dated November 30, 2006 said point being 9.94 feet right of station 109+58.78,

THENCE extending N 11 degrees 51 minutes 30.12 seconds W a distance of 47.59 feet to a point,

THENCE extending N 11 degrees 36 minutes 09.48 seconds W a distance of 51.05 feet to a point,

THENCE extending N 11 degrees 40 minutes 06.31 seconds W a distance of 49.16 feet to a point,

THENCE extending N 11 degrees 44 minutes 24.99 seconds W a distance of 48.23 feet to a point,

THENCE extending N 11 degrees 06 minutes 35.06 seconds W a distance of 38.26 feet to a point,

THENCE extending N 11 degrees 25 minutes 52.82 seconds W a distance of 12.02 feet to a point,

THENCE extending N 11 degrees 00 minutes 16.91 seconds W a distance of 49.59 feet to a point,

THENCE extending N 10 degrees 14 minutes 40.83 seconds W a distance of 49.08 feet to a point,

THENCE extending N 10 degrees 13 minutes 18.19 seconds W a distance of 49.02 feet to a point,

THENCE extending N 09 degrees 10 minutes 23.14 seconds W a distance of 50.00 feet to a point,

THENCE extending N 07 degrees 17 minutes 34.19 seconds W a distance of 50.11 feet to a point,

THENCE extending N 05 degrees 10 minutes 22.31 seconds W a distance of 45.80 feet to a point,

THENCE extending N 85 degrees 01 minute 00.76 seconds E a distance of 7.73 feet to a point,

THENCE along a curve to the left having a radius of 2,081.50 feet, a delta of 06 degrees 06 minutes 41.91 seconds, an arc distance of 222.03 feet, a chord bearing of S 08 degrees 02 minutes 20.09 seconds E and a chord distance of 221.92 feet to a point,

THENCE extending N 78 degrees 54 minutes 25.02 seconds E a distance of 7.50 feet to a point,

THENCE along a curve to the left having a radius of 2,074.00 feet, a delta of 00 degrees 40 minutes 56.48 seconds, an arc distance of 24.70 feet, a chord bearing of S 11 degrees 26 minutes 09.20 seconds E and a chord distance of 24.70 feet to a point,

THENCE extending S 11 degrees 46 minutes 37.71 seconds E a distance of 84.99 feet to a point,

THENCE extending S 78 degrees 14 minutes 02.12 seconds W a distance of 6.00 feet to a point,

THENCE extending S 11 degrees 46 minutes 37.44 seconds E a distance of 208.58 feet to a point,

THENCE extending S 85 degrees 57 minutes 06.66 seconds W a distance of 10.15 feet to the place of beginning.

Containing 5,349.43 square feet (0.123 AC) more or less.

TEMPORARY EASEMENT 11

BEGINNING AT A POINT on the Southwest corner of Skippack Pike (SR 0073) and Old Forty Foot Road (SR 1006)/Evansburg Road as shown on the plan prepared by Traffic Planning and Design, Inc., Pottstown, Pennsylvania dated March 27, 2006 said point being 28.00 feet right of station 57+46.03,

THENCE along a curve to the right having a radius of 3,973.50 feet, a delta of 1 degree 8 minutes 6.36 seconds, an arc distance of 78.72 feet, a chord bearing of N 87 degrees 50 minutes 35.61 seconds E and a chord distance of 78.72 feet to a point,

THENCE extending N 88 degrees 24 minutes 38.70 seconds E a distance of 71.48 feet to a point,

THENCE extending S 1 degree 35 minutes 24.00 seconds E a distance of 7.50 feet to a point,

THENCE extending S 88 degrees 24 minutes 38.70 seconds W a distance of 96.57 feet to a point,

THENCE along a curve to the left having a radius of 3,967.57 feet, a delta of 0 degrees 46 minutes 27.84 seconds, an arc distance of 53.62 feet, a chord bearing of S 89 degrees 2 minutes 45.83 seconds W and a chord distance of 53.62 feet to a point,

THENCE extending N 1 degree 35 minutes 24.46 seconds W a distance of 6.13 feet to the place of beginning.

Containing 1,086.77 square feet (0.025 AC) more or less.

(2) The easements shall terminate and revert back to the Commonwealth of Pennsylvania, when the necessary construction of the improvements has been completed, but not more than five years from the effective date of this section.

(h) Deeds of conveyance.—The deed for the conveyance of the property in accordance with subsections (a) and (c) shall be by Special Warranty Deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(i) Costs and fees.—All costs and fees incidental to the conveyances contained in this section shall be borne by Skippack Township.

(j) Alternate disposition.—In the event that these conveyances are not executed within 12 months of the effective date of this section, the authorization contained in this section shall become null and void. Section 3. Effective date.

On the question,

Will the House agree to the amendment?

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

Mr. MOYER. Mr. Speaker? Mr. Speaker, I rise to introduce amendment A2242 to HB 432. This amendment will allow a very important road realignment project in my district to move forward. This project will ease congestion at an extremely busy

road intersection. My amendment will allow the same to convey a 57-acre portion of Evansburg State Park to Skippack Township, Montgomery County, for this purpose. In exchange for this land, Skippack Township will convey a .54-acre parcel of township-owned land to the State for inclusion in the State park. Project 70 land use restrictions on the Evansburg State Park land will be removed and imposed on the parcel of land to be conveyed to the State by Skippack Township.

And I have been working with the township, the Department of General Services, the Department of Conservation and Natural Resources, and PENNDOT on this legislation, and all parties have reached agreement on this proposal.

I respectfully ask for your support, Mr. Speaker. Thank you.

The SPEAKER. Representative Vitali, on the amendment.

Mr. VITALI. Thank you, Mr. Speaker.

Will the maker of the amendment stand for brief interrogation?

The SPEAKER. The gentleman indicates that he will.

Mr. MOYER. Yes.

The SPEAKER. Representative Vitali is in order and may proceed in one moment.

The Chair will remind the members that we are about to debate this amendment. Members will take their seats. Members will take their seats. The Chair requests that if members have conversations that are not relevant to the debate, will they please take them to the anteroom.

The noise level is still too loud. Members will take their conversations off the floor.

Representative Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

I have no reason to believe there is anything amiss here, but as a member of the State Government Committee for the past 15 years, whose duties include scrutinizing land transfers to make sure public interest is served, may I ask why this land transfer did not move, or maybe it did and I just missed it. I do not recall this being considered by the State Government Committee per se. Could you tell me why, if I am correct in that, or maybe it went under another number, but could you tell me why it did not if in fact it did not go through the State Government Committee?

Mr. MOYER. Well, Mr. Speaker, this was introduced to me at the last minute. I know that DGS (Department of General Services), DCNR (Department of Conservation and Natural Resources), and the Governor's Office are involved with this. All parties are in agreement and did not have time, it is a very timely issue, Mr. Speaker, and we did not have time to get to the State Committee.

Mr. VITALI. How long ago did this issue arise? In other words, if I am hearing you, is this in regard to transferring property for a highway intersection? The acoustics are very bad here. Was that what you were saying, something about transferring for a—

Mr. MOYER. Right. Mr. Speaker, what we have here is a very historic property situated on the Evansburg State Park in the township of Skippack, Montgomery County, and it is a timely issue that the township is interested in having an intersection improved. The developer has agreed to do the improvements, but as a result of those improvements, it had to get closer to the property. I got very involved and told the Secretary of DCNR I was concerned about the closeness, the proximity of the road to this historic property, which is on the National Registry, and as a result of my involvement, I got the

Governor's Office involved, DCNR involved, General Services involved, the Museum Commission involved, and we were able to move the road a farther distance away from the house. And so as a result of all these negotiations, we did not have time to go in front of your committee, Mr. Speaker. So it is a timely issue that has to be resolved before the end of session.

Mr. VITALI. When did this project get on the drawing board?

Mr. MOYER. Well, to the best of my knowledge, Mr. Speaker – I was just elected in November – this property has been under negotiation for some years, but the negotiations on the land swap have only taken place within the last month, in my involvement at least.

Mr. VITALI. Right. I mean, maybe you can help me out, because my concern here is that if this has been on the bulletin board since before you were elected, I am still not understanding my question, why this has not gone through the State Government Committee.

Mr. MOYER. Well, Mr. Speaker, we very much would like to take it through the State Government Committee, but unfortunately, the State Government Committee was not holding any hearings this week, and it is an emergency situation that has to be resolved before the end of this session, and that is why we are doing it, Mr. Speaker, on the floor.

Mr. VITALI. That is what I do not understand, because I have been going to State Government meetings regularly throughout this term, and I am just not sure why this could not have been the subject matter of a prior State Government Committee meeting.

Mr. MOYER. Well, I can only stress, Mr. Speaker, that the Governor himself is heavily involved in this negotiation and very much wants to see this agreement take place before the end of session, and it is an agreed-to amendment, Mr. Speaker.

Mr. VITALI. Mr. Speaker, could you, and I certainly understand the— Has a rule 32 been prepared, which a rule 32, you know, I am sure you are familiar with, a formal rule 32, which is generally required of all bills going through committee, has a written memorandum from the Department of General Services been prepared, and if so, do you have that available for inspection?

Mr. MOYER. Mr. Speaker, that is a very good question. A rule 32 has been ordered, and we are awaiting rule 32 from DGS, Mr. Speaker.

Mr. VITALI. So we do not at the time of this vote have a written rule 32. Is that correct?

Mr. MOYER. Physically, Mr. Speaker, I do not have a rule 32 in my hand, but I should have it very shortly, Mr. Speaker.

Mr. VITALI. Okay. Explain to me, you had mentioned this involves taking some of Evansburg State Park, and I guess the reason is to move a road farther away from a historic building?

Mr. MOYER. Right. What we have again, Mr. Speaker, we have on Evansburg Park a very historic property situated at Route 73 in Skippack Township and Evansburg Road and Old Forty Foot Road, and what the township of Skippack has requested from the developer is that the intersection be improved to handle the additional traffic that will be generated from the development. As a result of that, some discussions about taking some ground from that Evansburg Park and doing a swap between Evansburg, the State, and Skippack Township took place.

When it was brought to my attention, Mr. Speaker, I went out to the property and was concerned. It was too close to the historic property. When I visited the property, Mr. Speaker, it was only 5 feet away from the property. Now it is 23 feet away from the property. All parties are in agreement – PENNDOT, DCNR, the Museum Commission, the Governor's Office, myself. And that is why I am in front of the House today, Mr. Speaker, to ask for your support.

Mr. VITALI. What I am trying to get at is the relationship between the closeness of the house to this intersection and this acreage of land. I am not quite getting that.

Mr. MOYER. Mr. Speaker—

Mr. VITALI. Hold on. Just let me finish the question.

You are apparently transferring land because a historic building is too close to a road, and that is what I am not quite getting.

Mr. MOYER. Well, Mr. Speaker, in order for PENNDOT to accommodate the road alignment, they had to get closer to the property. That was the only way they could do the road alignment. I was unhappy, Mr. Speaker, with how close the road was to this historic property, and again, Mr. Speaker, I requested of DCNR and PENNDOT to visit with the developer and myself at the site and the Museum Commission, and we came to a compromise, Mr. Speaker, where we moved the line, the road improvements, 23 feet away from the house, which satisfied, Mr. Speaker, all parties. It was basically the way the road alignment was requested by PENNDOT, and that is why we had to get closer to the property, Mr. Speaker.

Mr. VITALI. So you are taking, the property in question is the property between the historic property and where the road was, and then as you are moving it, is that the property you are taking?

Mr. MOYER. Right; right. What we had, Mr. Speaker, is I had requested that we move across the street to a piece of ground that is also within Evansburg State Park, owned by the State. Unfortunately, we were not able to do that without razing four properties on the other side of the road because PENNDOT needs to have a straight alignment, not a curved alignment. So we compromised. We kept the road as far away from the house as possible.

Again, I have to stress, the Governor himself and the Governor's Office and the administration support this, along with the administration of the Secretary of DCNR, the Museum Commission. We are also going to have an archeologist on site when we move some dirt, just to make sure that there are no artifacts in the area, Mr. Speaker.

Mr. VITALI. Regrettably we have to do this here and take up 203 members' time because this was not done in the State Government Committee.

Mr. MOYER. Right; right.

Mr. VITALI. So if you will just be patient with me, these are the type questions I would have asked in committee.

Mr. MOYER. I understand, Mr. Speaker, and I very much wanted to take this in front of the State Committee, but we did not have the time, unfortunately.

Mr. VITALI. That is an issue.

So you are—

The SPEAKER. The gentleman will cease for one moment.

It is unacceptable that the two gentlemen who are debating this amendment have to scream in order to be heard. Members will take their seats. Conversations in the well of the House and on the side aisles will break up. The Sergeants at Arms—

Mr. MOYER. Mr. Speaker? If it would not be out of order, may I have a sidebar with the Speaker and the chairman of the committee, Representative Josephs?

Mr. VITALI. It is my understanding that there is some contemplation of withdrawing this amendment, so I am going to just discontinue my interrogation at this point.

The SPEAKER. The Chair thanks the gentleman.

The House will be at ease.

Representative Baker.

Mr. BAKER. Thank you, Mr. Speaker.

Mr. Speaker, I just had a sidebar conversation with the majority chairperson of the State Government Committee, and she has graciously agreed to consider this bill on Friday, when she schedules a meeting, and I believe the prime sponsor of the amendment is in agreement to work with her and myself to consider the bill on Friday, and accordingly, I believe he is in a position to withdraw the amendment, and I will let him speak to that issue.

AMENDMENT WITHDRAWN

The SPEAKER. Representative Moyer.

Mr. MOYER. Mr. Speaker, I am more than satisfied. I had a meeting, a sidebar, with Chairman Babette Josephs, and I do agree to a meeting on Friday, and I will withdraw my amendment.

The SPEAKER. The Chair thanks the gentleman.

Representative Josephs.

Ms. JOSEPHS. Thank you, Mr. Speaker.

Yes, that is the case. We are a very, very active committee. We do deal with these. I thank the gentleman for withdrawing it. I thank the Speaker.

The SPEAKER. The Chair thanks the lady.

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

* * *

The House proceeded to second consideration of **HB 847, PN 1443**, 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 eligibility and for qualifications; and providing for continuing professional development for school and system leaders and for Pennsylvania school leadership standards.

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

* * *

The House proceeded to second consideration of **HB 894, PN 1877**, 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 referendum or public hearing required prior to construction or lease.

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

Mr. LEACH offered the following amendment No. **A02072**:

Amend Sec. 1 (Sec. 701.1), page 2, lines 17 through 21, by striking out "the" in line 17, all of lines 18 through 20 and "States Green Building Council." in line 21 and inserting
any additional LEED costs.

Amend Sec. 1 (Sec. 701.1), page 2, line 24, by striking out "operating" and inserting
LEED

Amend Sec. 1 (Sec. 701.1), page 5, lines 8 through 15, by striking out all of said lines and inserting

(5) "LEED" means the Leadership in Energy and Environmental Design, a program designed by the United States Green Building Council and committed to designing buildings in an energy-efficient and environmentally conservative manner.

(6) "LEED for schools rating system" means the most current version of the Leadership in Energy and Environmental Design (LEED) program designed by the United States Green Building Council (USGBC) to measure the energy and environmental performance of K-12 schools.

(7) "LEED cost" means the design, construction and registration costs directly attributable to achieving points under the Leadership in Energy and Environmental Design (LEED) for schools rating system, including, but not limited to, energy performance benchmarking, life-cycle cost assessments, low-impact development stormwater management technologies, energy and lighting modeling, alternative energy technology, building commissioning, and registration with the United States Green Building Council (USGBC).

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

The SPEAKER. On the amendment, the Chair recognizes Representative Leach for an explanation.

Mr. LEACH. Thank you, Mr. Speaker.

Mr. Speaker, this bill says that any money spent making a school LEED (Leadership in Energy and Environmental Design) compliant, which is a set of environmental standards to make schools cleaner and greener and more economically efficient, will not count against Act 34, limits on school construction costs. This amendment is a technical amendment defining what the LEED standards are, and I would urge support.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—158

| | | | |
|------------|----------|------------|-----------|
| Adolph | George | Marsico | Sabatina |
| Barrar | Gerber | McCall | Sainato |
| Bastian | Gergely | McGeehan | Samuelson |
| Belfanti | Gibbons | McI. Smith | Santoni |
| Bennington | Gingrich | McIlhattan | Saylor |
| Beyer | Godshall | Melio | Schroder |
| Bianucci | Goodman | Mensch | Seip |
| Bishop | Grell | Micozzie | Shapiro |
| Blackwell | Grucela | Millard | Shimkus |
| Boback | Haluska | Miller | Siptroth |
| Brennan | Hanna | Milne | Smith, K. |
| Buxton | Harhai | Moul | Solobay |

| | | | |
|-------------|------------|-------------|-------------------------|
| Caltagirone | Harkins | Moyer | Staback |
| Carroll | Harper | Mundy | Stairs |
| Casorio | Harris | Murt | Steil |
| Civera | Hennessey | Mustio | Sturla |
| Clymer | Hershey | Myers | Surra |
| Cohen | Hornaman | Nailor | Tangretti |
| Conklin | James | Nickol | Taylor, J. |
| Costa | Josephs | O'Brien, M. | Taylor, R. |
| Cruz | Keller, W. | O'Neill | Thomas |
| Curry | Kenney | Oliver | Turzai |
| Daley | Kessler | Pallone | Vereb |
| Dally | Killion | Parker | Vitali |
| DeLuca | King | Pashinski | Vulakovich |
| DePasquale | Kirkland | Payne | Wagner |
| Dermody | Kortz | Payton | Walko |
| DeWeese | Kotik | Perzel | Wansacz |
| DiGirolamo | Kula | Petrarca | Waters |
| Donatucci | Leach | Petri | Watson |
| Eachus | Lentz | Petrone | Wheatley |
| Evans, D. | Levdansky | Preston | White |
| Evans, J. | Longiotti | Quigley | Williams |
| Everett | Mackereth | Quinn | Wojnaroski |
| Fabrizio | Maher | Ramaley | Yewcic |
| Fairchild | Mahoney | Raymond | Youngblood |
| Frankel | Manderino | Readshaw | Yudichak |
| Freeman | Mann | Reed | |
| Gabig | Markosek | Roebuck | O'Brien, D., Speaker |
| Galloway | Marshall | Ross | |

NAYS—43

| | | | |
|-------------|------------|------------|-----------|
| Argall | Denlinger | Keller, M. | Roae |
| Baker | Ellis | Major | Rock |
| Bear | Fleck | Mantz | Rohrer |
| Benninghoff | Geist | Metcalfe | Scavello |
| Boyd | Gillespie | Peifer | Smith, S. |
| Brooks | Harhart | Perry | Sonney |
| Cappelli | Helm | Phillips | Stern |
| Causer | Hess | Pickett | Stevenson |
| Cox | Hickernell | Pyle | Swanger |
| Creighton | Hutchinson | Rapp | True |
| Cutler | Kauffman | Reichley | |

NOT VOTING—0

EXCUSED—2

| | |
|-------|-----------|
| Ruble | Smith, M. |
|-------|-----------|

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. GODSHALL offered the following amendment No. **A02106**:

Amend Title, page 1, line 6, by removing the period after "lease" and inserting
and for approved reimbursable rental for certain leases and approved reimbursable sinking fund charges on indebtedness.

Amend Bill, page 5, by inserting between lines 15 and 16 Section 2. Section 2574(a) of the act, amended September 29, 1959 (P.L.992, No.407), is amended to read:

Section 2574. Approved Reimbursable Rental for Leases Hereafter Approved and Approved Reimbursable Sinking Fund

Charges on Indebtedness.—(a) For school building projects for which the general construction contract is awarded subsequent to March 22, 1956, and for approved school building projects for which the general construction contract was awarded but for which a lease was not approved by the Department of [Public Instruction] Education prior to March 22, 1956, the Department of [Public Instruction] Education shall calculate an approved reimbursable rental or approved reimbursable sinking fund charges. Reimbursable sinking fund charges may include charges for temporary indebtedness within constitutional limitations, if the indebtedness is incurred for approved [permanent] improvements to the school plant including the cost of acquiring a suitable site for a school building, the cost of constructing a new school building, or the cost of providing needed additions or alterations to existing buildings for which no bond issue is provided and for which an approved obligation or obligations other than bonds have been issued and the obligation or obligations are payable within five (5) years from the date of issue of the obligation in equal annual installments. As used in this section, "building" shall include a permanent structure that contains or is attached to relocatable or modular classrooms. The term "relocatable or modular classroom" shall mean a classroom not of a permanent nature which meets the criteria and specifications of the Department of Education.

Approved reimbursable rental or sinking fund charge shall consist of that part of the annual rental or sinking fund charge attributable to—

(1) The cost of acquiring the land upon which the school buildings are situate, the cost of necessary rough grading to permit proper placement of the building upon said land and the cost of sewage treatment plants, as required by the Department of Health, to the extent that such costs are deemed reasonable by the Department of [Public Instruction] Education and the interest on such costs of acquisition, grading and sewage treatment plants earned subsequent to date the construction contract is awarded, and

(2) The approved building construction cost and the interest on such construction cost.

* * *

Amend Sec. 2, page 5, line 16, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendment?

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

Mr. GODSHALL. Thank you, Mr. Speaker.

This amendment was approved in bill form in the last session, approved by this House 198 to 0. Really what it does, the present regulation, if you have an older school building and you want to renovate that building, you get reimbursement for those renovations based really on your aid ratio, and right now with a regulation over at the Department of Education, if you have any modular classrooms attached to that building, you will also have to remove those modular classrooms in order to be eligible for the reimbursement to the bricks-and-mortar building. This amendment just says that the bricks-and-mortar building renovations, the school district is entitled to, and it allows for that exception. I have also had one of my school districts in my district that had an exception prior to this vote, and it meant a lot of money in renovation reimbursement to the district.

So it has been passed before. I would appreciate your positive vote.

The SPEAKER. Representative Vitali.

Mr. VITALI. Oh, thank you, Mr. Speaker.

It was caucused this morning very briefly and a couple of red flags were raised. I just want to make sure I understand this.

You said there would be reimbursement for renovation. I understood that was part of your presentation.

Mr. GODSHALL. If you have a building that exists today, you do renovations, you are allowed for reimbursement.

Mr. VITALI. Reimbursement from whom?

Mr. GODSHALL. Department of Education.

Mr. VITALI. In other words, if I have a school district, high school, for example, and we renovate that high school, which my district recently did, there is reimbursement from the—

Mr. GODSHALL. Department of Education based on your aid ratio.

Mr. VITALI. Right. And how does this amendment affect that?

Mr. GODSHALL. What this amendment— Also part of a regulation at DEP (Department of Environmental Protection), it says if you have two modular classrooms on that high school in your district, you are not entitled to the renovation moneys for the high school unless you also remove the modulares. This amendment just says, if the modulares are there, they will probably be removed down the road anyway sometime; you still get the reimbursement for your high school.

Mr. VITALI. So your amendment basically removes the requirement of removing the modulares to get the money, okay, to get the money you might be entitled to for renovation?

Mr. GODSHALL. Right. When we passed this last year, it was supported by the School Boards Association and also PSEA (Pennsylvania State Education Association).

Mr. VITALI. Now, it was mentioned in caucus that the Department of Education opposes this amendment. Is that your understanding?

Mr. GODSHALL. I had a call 5 minutes ago, and they were totally confused. They thought the reimbursement had to do with the modulares, as far as renovating the modulares, which it has nothing to do with renovating the modulares. We are not asking for that. It is only the renovations to the existing building.

Mr. VITALI. I guess what I am trying to get at, does the administration and/or the Department of Ed oppose or support your amendment?

Mr. GODSHALL. The department, when they called me 5 minutes ago, said they were opposed to it, but they plainly did not understand it. They had totally misread the intent of the legislation. Last year they were in favor of it.

Mr. VITALI. Do you know if the administration beyond the personnel in the Department of Ed has taken a position on your amendment?

Mr. GODSHALL. I did not understand that last question.

Mr. VITALI. Do you know if the Governor's Office, for example—

Mr. GODSHALL. I have no idea. I did not know that anybody opposed the amendment until 5 minutes ago, and as I said, it was supported last year unanimously in this body and by PSEA and the School Boards Association. They just misread the amendment.

Mr. VITALI. Right.

Mr. GODSHALL. And I told them I would work with them after the fact, but right now, it is the same amendment we passed last year.

Mr. VITALI. Right.

Does your amendment have a fiscal note, and I ask that because I would think that if you are removing certain requirements to get aid, then more aid is going to have to be given or qualified for. Does your amendment have a fiscal note?

Mr. GODSHALL. There is a fiscal note that was given to me by your department, appropriations department, and it said there was no cost to the Commonwealth or costs could not be contemplated. There was no cost, is what it said.

Mr. VITALI. Your fiscal vote indicates no cost. Is that—

Mr. GODSHALL. Right.

Mr. VITALI. Okay.

Mr. GODSHALL. You voted for this, by the way, last year.

Mr. VITALI. I am sorry?

Mr. GODSHALL. You voted for this last year.

Mr. VITALI. I vote for all sorts of crazy things unwittingly sometimes. It is the nature of this job. I admit it. I am sorry.

Thank you. That concludes my interrogation.

The SPEAKER. Representative Leach.

Mr. LEACH. Mr. Speaker, I do not oppose this amendment. It is an agreed-to amendment. I have no problem with it.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—201

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

| | | | |
|-----------|-----------|----------|-------------------------|
| Donatucci | Leach | Quigley | White |
| Eachus | Lentz | Quinn | Williams |
| Ellis | Levdansky | Ramaley | Wojnaroski |
| Evans, D. | Longiotti | Rapp | Yewcic |
| Evans, J. | Mackereth | Raymond | Youngblood |
| Everett | Maher | Readshaw | Yudichak |
| Fabrizio | Mahoney | Reed | |
| Fairchild | Major | Reichley | O'Brien, D., Speaker |
| Fleck | Manderino | Roae | |
| Frankel | Mann | Rock | |

NAYS—0

NOT VOTING—0

EXCUSED—2

Rublely Smith, M.

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?

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

GUEST INTRODUCED

The SPEAKER. The Chair would like to recognize Mickey Thomas of Wilkes-Barre. He is the chairman of the Luzerne-Schuylkill Workforce Investment Board and father of Michael Thomas, executive director of the House northeastern Democratic delegation. He is the guest of Representatives Yudichak and Pashinski. Would you please welcome Mickey Thomas to the floor of the House.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 902, PN 1054**, entitled:

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.

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

Ms. **HARPER** offered the following amendment No. **A01480**:

Amend Sec. 1 (Sec. 6101), page 1, lines 16 through 18, by striking out all of said lines and inserting

(b) Sanctions.—When a court of competent jurisdiction determines that an ordinance adopted by a local authority is in violation of subsection (a), the local authority is subject to the following sanctions until the local authority repeals or substantially amends the ordinance to remove the language that was found to be in violation of subsection (a):

Amend Sec. 1 (Sec. 6101), page 2, by inserting between lines 7 and 8

(c) Suspended funds.—Upon notification that the local authority has repealed or substantially amended the ordinance to remove the language that was found to be in violation of subsection (a), the department shall immediately end all sanctions against the local authority and return all suspended funds to the local authority.

Amend Sec. 2, page 2, line 9, by striking out "a subsection" and inserting subsections

Amend Sec. 2 (Sec. 9010), page 3, by inserting between lines 5 and 6

(c.2) Release funds.—Upon notification that the local authority has repealed or substantially amended the ordinance to remove the language that was found to be in violation of subsection (a), the county shall release those funds withheld by the county and due the local agency.

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

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

Ms. HARPER. Mr. Speaker, this is basically a technical amendment which allows the municipality and PENNDOT both to know when they are in violation of this law and when they can get their liquid fuels money back. It just gives a process whereby the bill will work. I do not believe that there is any opposition to it.

The SPEAKER. Representative Geist.

Mr. GEIST. As far as I know, this is an agreed-to amendment.

The SPEAKER. Representative Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

I would agree with my cochairman on the Transportation Committee. This is an agreed-to amendment.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—201

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

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Rublely Smith, M.

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. DeLUCA offered the following amendment No. A01525:

Amend Title, page 1, line 3, by striking out "and" where it appears the first time and inserting a comma

Amend Title, page 1, line 4, by removing the period after "tax" and inserting

, for stop intersections or junctions and for traffic-control devices.

Amend Sec. 1, page 1, lines 7 and 8, by striking out all of said lines and inserting

Section 1. Sections 6101, 6109(e) and 6122(a) of Title 75 of the Pennsylvania Consolidated Statutes are amended to read:

Amend Sec. 1, page 2, by inserting between lines 7 and 8 § 6109. Specific powers of department and local authorities.

(e) Engineering and traffic investigation required.—

(1) Action by local authorities under this section shall be taken only after completing an engineering and traffic investigation when and in such manner as required by regulations promulgated by the department. No engineering and traffic investigation is required to establish a speed limit under section 3362(a)(1.2) (relating to maximum speed limits).

(2) This subsection shall not apply to actions by local authorities in adopting regulations or ordinances designating any intersection or junction of non-Federal and noninterstate highways or roadways within a residence district as a stop intersection or junction and in erecting official traffic-control devices giving notice of such designation.

* * *

§ 6122. Authority to erect traffic-control devices.

(a) General rule.—The department on State-designated highways and local authorities on any highway within their boundaries may erect official traffic-control devices, which shall be installed and maintained in conformance with the manual and regulations published by the department upon all highways as required to carry out the provisions of this title or to regulate, restrict, direct, warn, prohibit or guide traffic.

(1) [Local] Except as provided in paragraph (3), local authorities shall obtain approval of the department prior to erecting an official traffic-control device on a State-designated highway except where department regulations provide otherwise.

(2) [Local] Except as provided in paragraph (3), local authorities shall obtain approval of the department prior to erecting any traffic signal except in a municipality with a traffic engineer qualified in accordance with department regulations.

(3) Notwithstanding any other provision of this section, a local authority may erect a stop sign on a non-Federal and noninterstate highway in a residence district within its boundaries without the approval of the department.

* * *

Amend Sec. 3, page 3, by inserting between lines 10 and 11

(3) The amendments of 75 Pa.C.S. §§ 6109(e) and 6122(a) shall take effect immediately.

Amend Sec. 3, page 3, line 11, by striking out "(3)" and inserting (4)

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

BILL PASSED OVER TEMPORARILY

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

The bill will go over temporarily.

* * *

The House proceeded to second consideration of **HB 1529, PN 1991**, entitled:

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

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

The SPEAKER. The Chair turns to page 5 of today's House calendar.

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

Mr. McILHATTAN. Mr. Speaker, I had risen to ask some questions on HB 1529, and you did not recognize me. I would like to be recognized.

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds its announcement that the bill was agreed to on second consideration.

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

The SPEAKER. The Chair recognizes the gentleman, Representative McIlhattan, on second consideration of HB 1529.

Mr. McILHATTAN. Thank you, Mr. Speaker.

Will the maker of the legislation stand for brief interrogation, Mr. Speaker?

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

Mr. McILHATTAN. Thank you, Mr. Speaker.

Mr. Speaker, I am not a member of the Hollywood crowd so I do not know a lot about film production, and my questions might be elementary, but I have a few questions I would like to have answered before I make a decision how to vote on this legislation.

Mr. Speaker, how many films have we produced in Pennsylvania during the last, let us say, 10 years? Do you have any idea? I am asking. I do not know.

Mr. STURLA. I do not have the statistics for the last 10 years, Mr. Speaker.

Mr. McILHATTAN. Okay. Let me ask you another question. Is Pennsylvania a leader or considered among the leaders in sites for film productions in this country? I am asking. I do not know that question.

Mr. STURLA. I am not sure I quite understand the question. When you say, are we a leader in terms of—

Mr. McILHATTAN. I mean, do a lot of companies come to Pennsylvania to produce films now?

Mr. STURLA. There are a fair amount, but I do not know how you define a lot.

Mr. McILHATTAN. 50 or more?

Mr. STURLA. I am sorry. I did not hear.

Mr. McILHATTAN. 50 or more, let us say. I am just curious.

Mr. STURLA. There are more than 50 films a year made in Pennsylvania; not all of them are blockbusters.

Mr. McILHATTAN. Okay. Do we have any idea how long a film company spends in an area when they produce a film in Pennsylvania? Is it months? Is it years? Is it days? Do you have any idea?

Mr. STURLA. It varies depending upon the production. In most cases, it is several weeks to several months, but this is not looking at the length of time that they are here but the amount of money that they spend while they are here.

Mr. McILHATTAN. Okay.

Mr. STURLA. Sometimes in a day they will spend a million dollars in a production.

Mr. McILHATTAN. Thank you.

And one more question, Mr. Speaker, maybe two. Have you talked to or have you been informed of a film production company personnel to tell you that they are not coming to Pennsylvania because we are not offering this incentive? Are we losing to other States because we do not have it? Is there any conversation to substantiate that, is my question?

Mr. STURLA. Mr. Speaker, there is anecdotal evidence that, for instance, in New Mexico when they finally passed a credit for films, the number of films produced in that State the next year increased by tenfold.

Mr. McILHATTAN. Okay. So you look at this as being a big incentive. Correct, Mr. Speaker?

Mr. STURLA. I am sorry. Could you repeat that again.

Mr. McILHATTAN. Do you think this will be a pretty big incentive to attract more film producers to come to this area and produce films? Correct?

Mr. STURLA. Yes, Mr. Speaker. As a matter of fact, I know of at least one independent filmmaker in the city of Lancaster who said that one of the reasons they like making films here is that they live here, but that part of the thing that keeps them making films here is the fact that even with the meager program that we have right now that has \$10 million in the program, they are able to get some tax credits, and that is the kind of incentive that they need in order to continue to produce films here, because otherwise, the production costs are such that there are incentives in other States to go do it elsewhere and it becomes cheaper to do it elsewhere.

Mr. McILHATTAN. What is the cost of this bill, Mr. Speaker?

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

The Chair was under the impression the gentleman had finished his interrogation.

Mr. McILHATTAN. I asked for cost.

The SPEAKER. The Chair was wrong. The gentleman may continue his interrogation.

Mr. STURLA. Mr. Speaker, HB 1529, the costs we are looking at are \$15 million for the grant program.

Mr. McILHATTAN. Okay. Thank you very much, Mr. Speaker. I appreciate it. Thank you.

The SPEAKER. Representative Watson.

Mrs. WATSON. Thank you, Mr. Speaker.

I would like to speak in favor of the bill and perhaps answer some questions, also give testimony that the previous gentleman had.

I have had the opportunity in my legislative district that I shared at the time with Representative McIlhinney, now Senator McIlhinney, and that is Delaware Valley College, which was the site for the filmmaking of the Mel Gibson movie "Signs." I also have the opportunity and have a number of folks who work in the various craft unions and who work on films. So I have seen then both sides. No, I did not meet Mel Gibson; sorry. But in any event, I can attest to the amount of time that was spent, the amount of money that it brings into an area when the film comes in, and all the beneficiaries, down to caterers, down to dry-cleaning people, supplies, hardware. I was amazed because I never understood. For those of you who do not know, when the trees do not look green, they fill them in and paint them, and that caused a real mess in Doylestown of them going out to get the proper supplies. That is anecdotal, but the point is that I really believe that this is something that is valuable; it is necessary.

Do we lose films to other States? Yes, we do; notably Louisiana and now for some reason – and I believe it is tax reasons – New Mexico.

Again, you have all heard the fact that many films are made outside of the United States, most notably in the British Columbia area. This is a great opportunity, and while

you think that filmmaking is only associated with Hollywood, the bulk of filmmaking is not done in Hollywood anymore because it is just too expensive. This is actually economic development. It is not, you know, starstruck people just wanting to see that. It is good, solid economic development. I witnessed it personally. I have always had an interest in this and used to support some things with former Representative Tom Stevenson. I just wish I had had an opportunity to be a cosponsor, but I did not get the memo.

The SPEAKER. The Chair thanks the lady.

Representative Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I would also like to raise concerns about this legislation.

In our existing budget is a \$10 million line item for film grants. There is a proposal by the administration to raise it to \$20 million this year.

Now, when I look back, we have had many films made in Pennsylvania before there was even a film grant program. I think of "The Philadelphia Story" or "Rocky" or "Witness" or "The Sixth Sense." These are films that were made in Pennsylvania without any economic incentives, without any film grants.

I realize we have an existing \$10 million program in our budget, but I have to raise concerns about the proposal to double that program this year. We are facing a very tight budget year. Can Pennsylvania really afford to increase that line item by 100 percent? And so I would like to raise concern about that budget issue. I know the Senate has already voted on a budget that holds the line at \$10 million, and I would like to encourage us to take a hard look at this line item in our negotiations, and also I raise concerns about this legislation and the companion piece of legislation that is coming up.

Thank you, Mr. Speaker.

The SPEAKER. Representative Daley.

Mr. DALEY. Mr. Speaker, I rise in support of HB 1529.

The House Commerce Committee voted this bill out unanimously – I am sorry – with one dissenting vote last Tuesday.

What a great opportunity for Pennsylvania this bill and this legislation does. We know all about "Witness" in Lancaster and the "Rocky" movies in Philadelphia and some of the movies like "The Deer Hunter" in western Pennsylvania and "The Mothman Prophecies." This is a great opportunity.

Yesterday when we had the press conference, it was indicated by those that make the movies in Pennsylvania that Pennsylvania has a unique opportunity to offer all types of venue and there is no other State in the United States that creates the venues that Pennsylvania does and has for the production of movies.

We want the filmmaking industry to become a growing, year-round film industry in Pennsylvania. We want the opportunities that Philadelphia has to be the same opportunities for western and central Pennsylvania. We want to level the playing field, Mr. Speaker, level the playing field in terms of economic opportunity for all of the State to participate in these types of programs.

The SPEAKER. The gentleman requests that there be order in the House. The gentleman is correct. Conversations in the side aisles to the right of the Speaker and in the well of the House will please break up. Members will take their seats.

Representative Daley.

Mr. DALEY. Thank you, Mr. Speaker.

What price can we pay on offering Pennsylvania to the rest of the world, the opportunity for them to see what we are all about? The last speaker with that mentality is telling us to bury our head in the sand and let progress pass us by as New Mexico forges ahead, Texas forges ahead, many States forge ahead to attract industry to come to Pennsylvania such as the film industry.

It is not all about movies. It is about the universities, it is about the colleges across Pennsylvania that already have considerable presence in the entertainment industry – CMU (Carnegie Mellon University) in western Pennsylvania and Point Park, the production and design program at IUP (Indiana University of Pennsylvania), not to mention Tom Savini's makeup and design program at Douglas Business School in Westmoreland County, in Monessen.

The financial potential for us is over \$500 million in new productions that are waiting and watching what we do today. I was just on the phone within the last 30 minutes with one of the producers of a major motion picture that is ongoing right now in Pennsylvania. It is called "The Kill Point," made in Lawrenceville, and they have already produced 3 episodes of this made-for-TV movie, and they said, if you pass this bill, we are coming back to make 12 more episodes in Lawrenceville, in Allegheny County.

In 1995 to 2005, films, TV, and video production in Pennsylvania totaled \$612 million and yielded \$60 million in State and local taxes. Now, I think that is a pretty good offset for the money that we would invest in this program to the return that we get. How often do we give grant programs and they bring nothing back? This is a program that brings everything back.

Mr. Speaker, I ask for approval of HB 1529. It makes good sense, and we will all see you at the movies. Thank you.

MOTION TO SUSPEND RULES

The SPEAKER. The Chair has been informed that there is an amendment filed to this bill.

Representative Youngblood moves for suspension of the rules for the immediate consideration of amendment A02294.

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

The SPEAKER. On the motion for suspension of the rules, the Chair recognizes Representative Youngblood.

Ms. YOUNGBLOOD. Mr. Speaker, the reason I am requesting that the rules be suspended to offer this amendment, what I am asking is that the film industry makes a 10-percent commitment to charities in the Commonwealth of Pennsylvania in the form of a grant or in kind.

We have such organizations and foundations as the American Cancer Society of Pennsylvania, ovarian cancer, and various other artistic groups. All the charities would have to be registered with the Department of State as well as registered with the IRS (Internal Revenue Service), and from this approved list, any film that is made in the Commonwealth of Pennsylvania, they would give them 10 percent of it from their budget. And I just think that is a small request when you look at some of the films that have been made here and have grossed

hundreds of millions of dollars. This is just a small request to ask to help out our charitable organizations.

The SPEAKER. The Chair recognizes Representative Sturla on the motion to suspend the rules.

Mr. STURLA. Thank you, Mr. Speaker.

I would encourage members to vote not to suspend the rules.

This amendment would defeat the purpose of this bill, which is to provide an incentive for those companies to locate here, and what we do is, we have a grant program that you would basically be saying to them, come take advantage of this grant program and then we will take it back from you because you have to contribute it to charities. If we want to do that, then let us just do a grant program for charities and tell the film industry they do not have to bother being the middleman.

I would encourage members to vote "no" on suspension of the rules for this amendment at this point in time.

Thank you, Mr. Speaker.

The SPEAKER. Representative Youngblood.

Ms. YOUNGBLOOD. Mr. Speaker, I am also to HB 28 offering that they get an additional incentive, the film industry, with additional tax credits if they give the 10 percent to charities, and I just think this is a small token of something that could be done for the many charitable organizations in the Commonwealth of Pennsylvania. They will get an additional tax credit, and we are only asking for 10 percent.

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

The following roll call was recorded:

YEAS—119

| | | | |
|-------------|------------|-------------|------------|
| Adolph | George | Melio | Sainato |
| Argall | Gingrich | Metcalfe | Samuelson |
| Baker | Harhart | Micozzie | Scavello |
| Barrar | Harkins | Millard | Schroder |
| Bear | Harper | Moyer | Seip |
| Biancucci | Hennessey | Murt | Smith, S. |
| Bishop | Hershey | Mustio | Solobay |
| Blackwell | Hess | Myers | Sonney |
| Boback | Hickernell | Nickol | Staback |
| Boyd | Hornaman | O'Brien, M. | Stairs |
| Brooks | Hutchinson | Oliver | Steil |
| Buxton | James | Pallone | Stern |
| Caltagirone | Josephs | Parker | Stevenson |
| Carroll | Kauffman | Payne | Tangretti |
| Causer | Keller, W. | Payton | Taylor, J. |
| Civera | Kenney | Peifer | Taylor, R. |
| Cohen | Kessler | Perzel | Thomas |
| Cruz | Killion | Petrarca | True |
| Cutler | Kirkland | Phillips | Turzai |
| Dally | Kortz | Pyle | Vitali |
| Denlinger | Kotik | Quinn | Vulakovich |
| DiGirolamo | Kula | Rapp | Waters |
| Donatucci | Maher | Raymond | Watson |
| Ellis | Mahoney | Readshaw | White |
| Evans, J. | Major | Reed | Williams |
| Fabrizio | Manderino | Reichley | Wojnaroski |
| Fairchild | Mann | Rock | Yewcic |
| Fleck | Mantz | Roebuck | Youngblood |
| Freeman | Marshall | Rohrer | Yudichak |
| Gabig | McGeehan | Sabatina | |

NAYS—82

| | | | |
|----------|---------|-----------|---------|
| Bastian | Everett | Levdansky | Quigley |
| Belfanti | Frankel | Longiatti | Ramaley |

| | | | |
|-------------|------------|------------|--------------|
| Benninghoff | Galloway | Mackereth | Roae |
| Bennington | Geist | Markosek | Ross |
| Beyer | Gerber | Marsico | Santoni |
| Brennan | Gergely | McCall | Saylor |
| Cappelli | Gibbons | McI. Smith | Shapiro |
| Casorio | Gillespie | McIlhattan | Shimkus |
| Clymer | Godshall | Mensch | Siptroth |
| Conklin | Goodman | Miller | Smith, K. |
| Costa | Grell | Milne | Sturla |
| Cox | Grucela | Moul | Surra |
| Creighton | Haluska | Mundy | Swanger |
| Curry | Hanna | Nailor | Vereb |
| Daley | Harhai | O'Neill | Wagner |
| DeLuca | Harris | Pashinski | Walko |
| DePasquale | Helm | Perry | Wansacz |
| Dermody | Keller, M. | Petri | Wheatley |
| DeWeese | King | Petrone | |
| Eachus | Leach | Pickett | O'Brien, D., |
| Evans, D. | Lentz | Preston | Speaker |

NOT VOTING—0

EXCUSED—2

Rublely Smith, M.

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

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

The SPEAKER. The Chair returns to second consideration of the bill.

The Chair recognizes Representative Bob Bastian.

Mr. GODSHALL. Thank you, Mr. Speaker.

As chairman, having spent 12 years as chairman of the Tourism and Recreational—

The SPEAKER. The gentleman will cease.

The Chair recognizes Representative Bob Bastian. You are next. You are two on the list.

Representative Bastian.

Mr. BASTIAN. Thank you, Mr. Speaker.

About a week ago I was on the set of a movie production in Pittsburgh and had the opportunity to see the number of people working and the number of dollars spent. This is an economic development issue; it is a jobs issue for southwestern Pennsylvania.

I commend Representative Sturla for this bill. Please support HB 1529.

Thank you.

The SPEAKER. Representative Gabig.

Mr. GABIG. Thank you, Mr. Speaker.

Representative Will Gabig from Cumberland County, for the gentleman.

The gentleman from Lancaster County, the maker of the bill, would he respond to some questions?

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

Mr. GABIG. Just a follow-up on the Representative from Lehigh County, or Samuelson, up there in the great Lehigh Valley somewhere. I am not sure what county he is from. I did not understand your response in terms of how this impacts the budget. I heard it was \$15 million and I heard it is a good

economic development tool, but as I understand it, we have passed a budget over to the Senate, which was gutted and replaced and sent back to us, and it is sitting and waiting for Democratic leadership to bring up to the floor for us to vote on, and I just wondered what, if any, impact your bill has on the budget. Does it have any impact at all, and if so, what impact?

Mr. STURLA. No.

Mr. GABIG. So is this not coming out of the General Fund, or was this included in the budget, Mr. Speaker?

Mr. STURLA. Yes. I believe the one version of the budget had \$20 million in instead of \$15 million, so it actually would be a \$5 million savings.

Mr. GABIG. So when you say the one version, was that the version that was passed out of the House that the gentleman refers to, Mr. Speaker?

Mr. STURLA. Yes, Mr. Speaker.

Mr. GABIG. And so then as I understand, that budget was amended in the Senate and has been sent back to us and is awaiting us to take some action on. Do you know what, if any, impact it would have as the budget bill currently is, you know, sitting here waiting for us? How much is it in the Senate version, in other words, Mr. Speaker?

Mr. STURLA. It is \$10 million in the Senate version, Mr. Speaker. So I believe this is the happy compromise.

Mr. GABIG. All right. I appreciate the gentleman's responses.

Mr. Speaker, if I could just make some comment here on— Is it appropriate to make comment on—

The SPEAKER. The gentleman is in order. If he has terminated his interrogation, he may make his remarks.

Mr. GABIG. Thank you.

I know we are only on second consideration, but since people were discussing it and since we are sort of getting ready for the budget, it seems to me that we need to be careful with these bills that seem to be affecting line items in the overall budget that we are trying to pass. We have a constitutional duty to pass the budget by June 30.

Now, I know we worked on the clock up here, and I think the clock that is in the hall is the same that is in the rest of world, as I understand it, but the date, I know sometimes we have different legislative dates, but it seems to me we are getting very close to that constitutional deadline to pass the budget, and if everybody gets their pet projects and starts increasing line items or decreasing some and taking it from one line item to another, we are going to be here for a very, very long time. And I guess the gentleman has a good program. I think I have supported this program in the past for him in prior budgets, but because where we are in the budget process, I am concerned about, not the gentleman here, but just generally everybody putting in their bills which are affecting line items in a budget which we are trying to get passed by June 30.

So those are my concerns, and I just want to put them on the record.

Thank you very much, Mr. Speaker.

The SPEAKER. The Chair recognizes Representative Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

As chair of the Tourism and Recreation Committee for the last 12 years, we have studied this issue, we have worked with this issue, we have worked with the film industry, and we had a serious meeting with the film industry; that was both the Philadelphia Film Office and the Pittsburgh Film Office.

We know what the obstacles are to try to get this kind of activity into Pennsylvania. We have New York right on our border that gives all kinds of incentives to anybody and everybody that wants to do a film up there. They are only really usurped by Canada, who practically pays them to come into their country to do these films.

So, you know, without some kind of incentives, you know, we do not have much of a chance of getting a lot of this work done here in Pennsylvania.

I wholeheartedly agree with this, and I ask for a favorable vote. Thank you.

The SPEAKER. Representative Samuelson, for the second time.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I just wanted to add one point about this debate, and as we consider our budget negotiations and what the appropriate level for the film grant is, one of the gentlemen, the gentleman from Washington County, spoke about the economic impact of films and the impact in our communities. I want to suggest to this House that if you think about some of the other impacts of our budget decisions, I would like to ask this House to consider the impact of books versus movies, and if you look at this budget, there is proposed a 100-percent increase in the film grant line item, yet what about our public libraries? Three-tenths of a percent, three-tenths of a percent for public libraries, which have been around in Pennsylvania since 1731. We had the very first public library in America, and when you think about the impact books and learning and the economic impact of libraries, to me that is a much more sound investment in the future of our Commonwealth than giving grants to the film industry or the television industry. Yes, films have an economic impact, but as I pointed out before, we have had many films in Pennsylvania that were made here even before we had this film grant program.

So as we enter these final few days of the budget negotiations, I would like to point out the disparity between a proposed 100-percent increase in film grants at a time when the public libraries at this point are listed as only three-tenths-of-a-percent increase. I would suggest we redirect some of that additional funding over to our public libraries.

Thank you.

The SPEAKER. Representative Nailor.

Mr. NAILOR. Thank you, Mr. Speaker.

I have some of the concerns that one of the previous speakers talked about with the budget process, but I have a serious concern with the money that we are losing in our economy in Pennsylvania by not attracting filmmaking into Pennsylvania.

In the past 6 or 8 years, we have had some major films made in Pittsburgh and in Harrisburg, in the Poconos and Philadelphia, and when those film crews come into Pennsylvania, they bring millions of dollars into our economy, and that is money that we are missing, because oftentimes now, I understand, they are going to Canada to film those films for a number of reasons. New York City, Pittsburgh used to attract filming. It was amazing to find out that people went there because of their brownstone buildings. No one would have ever guessed that, but, film industry, look at what we have to offer in Pennsylvania. They are willing to bring their millions of dollars in here, but we have to have something to entice them, to attract them. It is a major plus to our economy, and I do not think we can afford to miss this.

I do not know if this is long-term, but I am going to go along with this legislation in hopes that it is going to work, it is going to help our economy and bring additional moneys into Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. Representative Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, just to, hopefully, allay any fears that anyone has about this, this would raise the cap on the grants from \$10 million to \$15 million. That does not mean that if there is only \$10 million appropriated in the budget, that that is how much money gets put into the program. It simply says that we cannot put more than \$15 million into the program, and I would hope that we would put that full \$15 million in as it does have a great multiplier effect in terms of what the film industry spends on films and what they would be getting back in terms of grants here to help promote those films and their production in the State of Pennsylvania.

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

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

CONSIDERATION OF HB 902 CONTINUED

AMENDMENT WITHDRAWN

The SPEAKER. The Chair returns to page 6 of today's House calendar, HB 902, PN 1054, and recognizes Representative DeLuca.

The Chair inquires, is it the gentleman's intention to offer either or both of the amendments to this bill?

Mr. DeLUCA. Thank you, Mr. Speaker.

I am going to withdraw these. I have two amendments to the bill, but let me say that I have a commitment from the majority and the minority Transportation chairmen to move these two pieces of legislation, which I feel is very critical. One pertains to the municipalities in requiring them to get a traffic safety study to do stop signs on municipal roads, State roads that go through their district.

And the other one, very important. We had an incident in Pittsburgh where an individual was eluding a police officer, and not only did he kill two people but he injured four other people pretty critically, and when I researched to find out what the penalty was, it was a felony 3. We are reducing it down to a felony 2, which gives a more stricter penalty. The mandatory penalty would be 5 years.

What we have found out is that district attorneys out there have a good sense of plea-bargaining these cases down, and I think it is critical that we do something to tell them that we are serious. If you are going to elude a police officer, a law enforcement officer, then you are going to pay the price if you happen to kill somebody while you are eluding the police officer, and I have a commitment from both the majority and the minority chairmen to run these two pieces of legislation. Therefore, I will be withdrawing these two amendments.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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 1573, PN 1927**, entitled:

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

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

Mr. **SEIP** offered the following amendment No. **A02214**:

Amend Sec. 1, page 1, lines 6 and 7, by striking out "Health Care Reform Accessibility" and inserting

 Pennsylvania Center for Health Careers

Amend Sec. 3, page 3, line 29, by striking out "and educators" and inserting

 , educators and Statewide health care associations

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

The **SPEAKER**. The Chair recognizes Representative Seip on the amendment.

Mr. **SEIP**. Thank you, Mr. Speaker.

I believe this amendment is an agreed-upon amendment. It changes the name of the bill to better clarify what it really does, and the amendment also provides for the addition of a statewide health care association to the membership of the council, which I believe will further empower the council to carry out their duties under this legislation.

Thank you, Mr. Speaker.

The **SPEAKER**. Representative Boyd.

Mr. **BOYD**. Thank you, Mr. Speaker.

Mr. Speaker, as the vice chair of the Labor Committee, I did review the amendment, and it is agreed to.

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

The following roll call was recorded:

YEAS—201

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

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Rubley Smith, M.

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. **BOYD** offered the following amendment No. **A01887**:

Amend Sec. 3, page 4, by inserting between lines 21 and 22
(iv) Submit by January 31 of each year a report to the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives, summarizing its activities and making recommendations as to prospective legislation.

Amend Sec. 3, page 4, line 22, by striking out "(iv)" and inserting
(v)

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

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

Mr. BOYD. Thank you, Mr. Speaker.

Mr. Speaker, this is an agreed-to amendment. It is something we worked with the prime sponsor on, so it is agreed to.

Thank you.

The SPEAKER. Representative Seip.

Mr. SEIP. Thank you, Mr. Speaker.

This is an agreed-to amendment, and I thank the gentleman from Lancaster County for the amendment to make my bill better.

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

The following roll call was recorded:

YEAS—201

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Rubley

Smith, M.

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?

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

* * *

The House proceeded to second consideration of **SB 116, PN 1038**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for selection of prospective jurors.

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

The SPEAKER. The Chair inquires of Representative Moul, is it his intention to withdraw the amendment? The Chair thanks the gentleman.

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

Mr. VEREB offered the following amendment No. **A01943**:

Amend Title, page 1, line 3, by removing the period after "jurors" and inserting

; providing for statewide jury information system; and further providing for no limitation applicable.

Amend Bill, page 5, by inserting between lines 24 and 25

Section 3. Section 5551 of Title 42 is amended to read:

§ 5551. No limitation applicable.

A prosecution for the following offenses may be commenced at any time:

- (1) Murder.
- (2) Voluntary manslaughter.
- (3) Conspiracy to commit murder or solicitation to commit murder if a murder results from the conspiracy or solicitation.
- (4) Any felony alleged to have been perpetrated in connection with a murder of the first or second degree, as set forth in 18 Pa.C.S. § 2502(a) or (b) and (d) (relating to murder).
- (5) A violation of 75 Pa.C.S. § 3742 (relating to accidents involving death or personal injury) or 3732 (relating to homicide by vehicle) if the accused was the driver of a vehicle involved in an accident resulting in the death of any person.
- (6) A violation of 18 Pa.C.S. § 2702(a)(1), (2), (4) or (7)

(relating to aggravated assault) if the accused knew the victim was a law enforcement officer and the law enforcement officer was acting within the scope of the officer's duties.

Amend Sec. 3, page 5, line 25, by striking out "3" and inserting
4

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

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

Mr. VEREB. Thank you, Mr. Speaker.

My amendment will remove the statute of limitations for prosecutions for aggravated assault where the victim is a law enforcement officer acting within the scope of his or her duties and the offender knew the victim was a law enforcement officer. This will mean that a criminal action can be brought at any time under any of the following circumstances: where the offender causes or attempts to cause serious bodily injury with extreme indifference to human life; where the offender's causing or attempts to cause serious bodily injury are intentional, knowing, or reckless; where the offender causes or attempts to cause bodily injury with a deadly weapon; and where the offender uses tear gas or a Taser.

Mr. Speaker, this piece of legislation, this amendment, is extremely important to me. As you may know, I was a law enforcement officer for 10 years. Back on June 25, 1994, a partner of mine, Sgt. Paul Price, responded to a fight call in the borough of Conshohocken. Moments later Sergeant Price was found lying in the street, a victim of an assault, lying there for dead.

As a former law enforcement officer, the subject is very close to my heart. Law enforcement officers—

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

The SPEAKER. For what purpose does the gentleman—

Mr. S. SMITH. Just to ask, Mr. Speaker, if we could maybe just get a little bit of order with the sensitivity of the issue.

The SPEAKER. The Chair thanks the gentleman.

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

The SPEAKER. The Sergeants at Arms will please break up conversations on the floor. The Chair will remind the members again, if you have a conversation that is that important, please take it to the anteroom. Members will take their seats.

Mr. VEREB. Thank you, Mr. Speaker.

As many of you know, I was a law enforcement officer for 10 years in Montgomery County, and on the evening of June 25, 1994, Conshohocken Police Sgt. Paul Price responded to a fight call at approximately 3 a.m. The officer was succumbed by an attack of an individual who left the scene before police arrived. Sergeant Price was found lying for dead in the streets of Conshohocken, and Sergeant Price was unable to return to duty after barely surviving. He is fully disabled and working for the Montgomery County District Attorney's Office.

I am here as a former law enforcement officer and a current legislator letting you know why this is important to me, and that is because I am the person that found Sgt. Paul Price, and I can assure you that at 3 o'clock in the morning on this date in June, the last thing I was worried about was the statute of limitations. These types of loopholes are certain loopholes that our Founding Fathers did not put in place to intentionally neglect successful prosecutions of aggravated assault against a police officer.

Often these suspects that act in this way escape prosecution for extended periods of time. In this case Sergeant Price's service weapon was stolen from him that evening as well as

other articles from the police vehicle. The fact of the matter is that close to 10 years later, there was a shooting in Berks County, and the weapon used in the shooting was ultimately found out to be Sgt. Paul Price's service weapon. The actor not only could not be questioned but certainly could not have been potentially prosecuted for this act against Sergeant Price because of the statute of limitations.

It is suggested he had suffered significant bodily injury resulting in his retirement. This case remained open for the assault for 10 years, and certainly without the successful prosecution, Sergeant Price will never see the day for the justice system to hold the actor of this heinous act to him be brought to any type of justice, civil or criminal.

As a freshman legislator, I just want to thank all who have been supporting me in this effort. I look forward for your hopeful "yes" vote towards this amendment.

Thank you, Mr. Speaker.

The SPEAKER. Representative Siptroth.

Mr. SIPTROTH. Thank you, Mr. Speaker.

Will the gentleman stand for a brief moment of interrogation?

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

Mr. SIPTROTH. Thank you, Mr. Speaker.

Would you reveal the current bill number that you have regarding this piece of legislation?

Mr. VEREB. The amendment number?

Mr. SIPTROTH. No. The current bill. You also have this in bill form.

Mr. VEREB. It is HB 694.

Mr. SIPTROTH. Thank you very much.

On the amendment.

The SPEAKER. The Chair recognizes the gentleman.

Mr. SIPTROTH. Thank you, Mr. Speaker.

Mr. Speaker, I support this 100 percent and have stood beside Representative Vereb on a number of occasions to support this bill, and I certainly hope that the members will support this amendment.

Thank you very much.

Mr. VEREB. Thank you, sir.

GERMANENESS QUESTIONED

The SPEAKER. Representative Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

Although the goal of this legislation is very important, this amendment is not germane to the subject matter here. We are dealing, the bill in chief, we are dealing with the subject of jury pools, jurors. This has to do with the statute of limitations with regard to the assault of an officer. It is a totally different subject matter, and therefore I would move that this amendment not be germane.

The SPEAKER. The gentleman moves that the amendment 1943 is not germane to SB 116, PN 1038.

On the question,

Will the House sustain the germaneness of the amendment?

The SPEAKER. Representative Turzai. On the motion of germaneness, the Chair recognizes Representative Turzai.

Mr. TURZAI. Thank you, Mr. Speaker.

This amendment and the bill both specifically address the administration of justice. One is dealing with statute of limitations, and one is dealing with the jury. There is a lot of latitude in these particular areas when it is dealing with law enforcement and criminal justice administration to be in the same bill. There is absolutely no doubt that there is germaneness, and I am shocked that the gentleman from Delaware County would attempt to stop a bill dealing with how crimes against police officers are prosecuted in this State, that he and anybody that would support him would attempt to stop such good legislation on the basis of such a specious argument.

Thank you very, very much. I would ask everybody to say that this is germane, and I applaud the maker of this bill. I would just also applaud his selflessness in not being concerned about his name being on the bill but making sure to look out for an appropriate vehicle. He diligently looked for an appropriate vehicle to make sure that the right thing got done. I applaud the maker, and I would ask everybody to vote this as germane.

Thank you.

The SPEAKER. Representative Waters, on the motion of germaneness.

QUESTION OF GERMANENESS WITHDRAWN

The SPEAKER. For what purpose does the gentleman, Representative Vitali, rise?

Mr. VITALI. Mr. Speaker, I am going to withdraw the motion for germaneness and, when the appropriate time comes, speak on the amendment.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The SPEAKER. Representative Waters. Waives off. The Chair thanks the gentleman.

Does the gentleman, Representative McGeehan, seek recognition on the amendment? The gentleman waives off.

On the amendment, Representative Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

I rise in opposition to the Vereb amendment. I think it is very bad public policy. It hurts our criminal justice system when we eliminate statutes of limitation.

Mr. Speaker, in law school there was an adage, good facts make bad law, and I think that is exemplified by this. This is certainly a compelling set of facts. The set of facts, a police officer being brutally beaten, just compels us to want to not let the person who did this get off, and I share in that sentiment, but the problem is, when you eliminate a statute of limitations, you increase the chances that an innocent person is wrongfully convicted. Everyone accused of a crime is presumed innocent and everyone is entitled to a fair trial, and we all need to walk through life with the knowledge that if we do not do anything wrong, the chances of us being convicted are minuscule.

When you eliminate the statute of limitations, you create a situation that a person 10, 15, 20 years down the line can be said, you, 20 years ago when you were a young man of 20, now that you are an adult of 40, you committed a crime; you brutally beat a police officer; you need to stand trial now; on the night of August 15, 1976, you committed a crime. You then, having that

accusation made against you, have to go back to August 15, 1976, figure out where your whereabouts were. Does anyone know where they were on August 15, 1976? Well, I happen to, too, but that is beside the point. You have to find witnesses who could be lost, who could be deceased. Your opportunity to present a defense is greatly diminished as time goes by. That is the whole purpose of a statute of limitations.

Mr. Speaker, loopholes have been referred to, be they search and seizure, be they statute of limitations. They are all in place for good reasons. They are in place to create an institutional framework where people are not put in a position to wrongly defend themselves. We have the situation of an officer who was brutally beaten, and they think they know who did it, but do you know what we are doing when we say we know who did it but we cannot get him? We are presuming guilt; we are presuming guilt. We say, we know who did it; we just cannot prosecute him. But we are presuming guilt, and that goes against our system of justice.

Mr. Speaker, I do not expect to get more than a couple of votes here tonight, but I just think that when you start eliminating statutes of limitations, you are eroding our system of justice.

Thank you.

The SPEAKER. Representative Pyle.

Mr. PYLE. Thank you, Mr. Speaker.

Will the maker of the amendment please rise for interrogation?

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

Mr. PYLE. Thank you.

Before we have to put this vote up, let me make sure I have the facts straight. What you seek to do with A1943 is to remove the end of a statute of limitations on aggravated assault on a police officer. Correct?

Mr. VEREB. Correct.

Mr. PYLE. Okay. Just for my own clarity here, many of our small boroughs in western Pennsylvania where I live have stipulations in place where the hired borough policemen must live within the borough.

I know, as a former mayor of a small town, 80 percent of the police complaint calls are domestic disputes. Using deductive logic, if the policeman lives in the same town as a domestic dispute between husband and wife in a household and is assaulted yet both of those people continue to live in the same town, would the ag assault stipulation protect that police officer against further transgressions against his well-being in the future, in your opinion, Mr. Speaker?

Mr. VEREB. My amendment specifically speaks to the level of assault. A simple threat— It has to be aggravated in fashion, deliberate, and obviously knowing that the police officer is acting or the law enforcement officer is acting in direct duty.

Mr. PYLE. In the interest of knowledge, could you please differentiate between the crimes of assault and aggravated assault, Mr. Speaker?

Mr. VEREB. Aggravated assault is obviously a more serious crime. Aggravated assault has a number of sections which cover the levels of aggravated assault and whom it would be against. Aggravated assault in regards to the amendment that I am filing, specifically of a law enforcement officer, it is a felony grading, and it definitely calls for serious bodily injury, bodily injury which creates a substantial risk of death or which causes

serious, permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ.

Mr. PYLE. Mr. Speaker, I just heard you use the words "serious injury" three different times, so if I vote "yes" on your amendment, I am removing a statute of limitations against people who have seriously injured a policeman?

Mr. VEREB. That is correct, and if you vote "yes" on this amendment, you are sending a message to the law enforcement community that you are with them, and if you vote "no" to this amendment, you have that option.

Mr. PYLE. I think I will exercise the former, Mr. Speaker. Thank you.

The SPEAKER. Representative Stern.

Mr. STERN. Thank you, Mr. Speaker.

I rise in support of the Vereb amendment.

Every year there is a police memorial – for the last several years – sponsored by the F.O.P. (Fraternal Order of Police). This year we honored three fallen police officers, and we need to remember what the police officers do for this Commonwealth.

We have already removed the statute of limitations under sexual abuse cases for children under the age of 18 up to the age of 50. This General Assembly has passed legislation like this. This is not without precedent, Mr. Speaker, and this is a good amendment offered by Representative Vereb, and I stand in support of this amendment today.

If we cannot loosen the statute of limitations in support of those who protect us every day in the streets of this Commonwealth, then shame on this body. I stand in support of the Vereb amendment and would ask for a favorable vote.

The SPEAKER. Are there any other members seeking recognition on the amendment?

For the second time, the Chair recognizes Representative Vitali.

Mr. VITALI. I just want to bring up a couple more points that were shared with me by staff during the debate. A, if you have a situation – because even a simple assault on a police officer would fall under the statute because of the enhanced nature of hitting a police officer – so if you are in a situation where, you know, you are in a domestic situation or what have you and you merely punch a police officer, you merely punch him, that person who did the punching, even if there is no significant injury because it would simply be a simple assault under other circumstances, could be charged 30 years down the line if we remove the statute of limitations. I am not sure that is what we want here.

The second point I wanted to bring out is, we already have exclusions from our statute of limitations for this in other cases. For example, if you have a situation where someone, let us say, hits a police officer and cannot be found because they are out of State – let us say they are in New Jersey – that time in New Jersey would not count toward this statute of limitations. So you already have some protections in here.

Thank you, Mr. Speaker.

The SPEAKER. Representative Vereb.

Mr. VEREB. Thank you, Mr. Speaker.

I want to make it very clear, perhaps if a lot of the sidebars were not going on, they would have heard what the purpose of this amendment is. I specifically identified the sections that this amendment will address, and simply going up and slapping a police officer is not an aggravated defined in the way I described in this amendment. That is not the intent of this

amendment. I am aware of what the last speaker has offered, and I respectfully disagree that that is the intention of this.

I do want to further acknowledge, I think we all recognize, certainly by the memoriams that we do here, that law enforcement officers are the front line; they are the symbol of our society. And I appreciate everyone's effort and support on this, but I also want to read out the organizations who have endorsed this legislation: the Pennsylvania District Attorneys Association; the Police Chiefs' Association of Montgomery County; a person who helped me significantly with this and supports it 100 percent, Montgomery County District Attorney Bruce Castor; Fraternal Order of Police, Montgomery County Lodge 14; Fraternal Order of Police, Brady Paul Memorial Lodge No. 54; Fraternal Order of Police, Lodge No. 62; Fraternal Order of Police, Pennsylvania State Lodge; Pennsylvania Chiefs of Police Association; the Pennsylvania State Troopers Association.

I would also like to briefly read an e-mail that was sent out today by the president of the Fraternal Order of Police, State Lodge, Mr. Mark Koch, asking members to support the Vereb amendment: "The amendment eliminates the statute of limitations for an aggravated criminal assault against an officer when the defendant knew the victim was a law enforcement officer and the law enforcement officer was acting within the scope of the officers' duties.

"This amendment will guarantee that those who harm our officers will be brought to justice. There should be no legal loophole allowing these defendants to get away with hurting officers who put their lives on the line every day to maintain peace for all Pennsylvanians," signed Mark Koch, president of the State Lodge.

Mr. Speaker, I thank you for the time and the privilege to be here to offer this amendment, and I urge all members a "yes" vote. Thank you.

The SPEAKER. Does the gentleman, Representative Caltagirone, seek recognition?

Mr. CALTAGIRONE. Mr. Speaker, I rise in support of this amendment to the bill. I think it is an issue that has to be addressed, and I would urge the members on this side of the aisle to support the amendment. Thank you.

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

The following roll call was recorded:

YEAS—200

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

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

NAYS-1

Vitali

NOT VOTING-0

EXCUSED-2

Rubley Smith, M.

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. COSTA offered the following amendment No. A01976:

Amend Title, page 1, line 2, by inserting after "providing" for exemptions from jury duty and

Amend Bill, page 1, lines 6 and 7, by striking out all of said lines and inserting

Section 1. Section 4503(a) of Title 42 of the Pennsylvania Consolidated Statutes is amended by adding a paragraph to read: § 4503. Exemptions from jury duty.

(a) General rule.—No person shall be exempt or excused from jury duty except the following:

(5) Persons 70 years of age or older who opt not to

serve.

Section 2. Section 4521(a) of Title 42 is amended to read:
Amend Sec. 2, page 2, line 26, by striking out "2" and inserting 3

Amend Sec. 3, page 5, 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 Costa.

Mr. COSTA. Thank you, Mr. Speaker.

Now, this amendment is identical to HB 688, which the House passed in April of this year 191 to 3. This is also identical to a bill that we passed last session 195 to 0. I would just hope that the House would support this amendment again.

Thank you, sir.

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

(Members proceeded to vote.)

The SPEAKER. For what purpose does the lady rise?

Ms. BENNINGTON. Mr. Speaker, I apologize. I was up front. I wanted to speak on this amendment.

VOTE STRICKEN

The SPEAKER. The clerk will strike the vote.

The Chair recognizes the lady.

Ms. BENNINGTON. Thank you, Mr. Speaker. I will be brief.

Mr. Speaker, SB 116, the purpose of this bill is to expand the diversity in our jury pool in Pennsylvania. I spoke out in opposition to HB 688, which also provided the 70-and-out provision for jurors. Briefly, I will repeat my concerns.

There are already a variety of methods for being excused from jury duty rather than allowing able-bodied individuals who are healthy to opt out of jury duty merely because they attain the age of 70. In Allegheny County, we are experiencing a crisis, yes, a crisis with regard to diversity on our jury pool. SB 116 was intended to be curative of HB 688 in allowing people to opt out merely because they are 70. In voting "yes" on this amendment, we are placing limitations on SB 116, which is attempting to expand the diversity.

So I would encourage members to vote "no" on this amendment. Thank you.

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

The following roll call was recorded:

YEAS-167

| | | | |
|---------|----------|-----------|-----------|
| Adolph | Fleck | Major | Rock |
| Argall | Frankel | Manderino | Roebuck |
| Baker | Freeman | Mann | Sabatina |
| Barrar | Galloway | Marshall | Samuelson |
| Bastian | Geist | Marsico | Santoni |

| | | | |
|-------------|------------|-------------|-------------------------|
| Bear | George | McCall | Scavello |
| Belfanti | Gerber | McGeehan | Seip |
| Beyer | Gergely | McIlhattan | Shapiro |
| Biancucci | Gibbons | Melio | Shimkus |
| Bishop | Gingrich | Mensch | Siptroth |
| Blackwell | Godshall | Micozzie | Smith, K. |
| Boback | Goodman | Millard | Smith, S. |
| Boyd | Grell | Milne | Solobay |
| Brennan | Grucela | Moyer | Sonney |
| Brooks | Haluska | Murt | Staback |
| Buxton | Hanna | Mustio | Stairs |
| Caltagirone | Harhai | Myers | Steil |
| Cappelli | Harhart | Nailor | Stern |
| Carroll | Harkins | O'Brien, M. | Stevenson |
| Casorio | Harper | O'Neill | Sturla |
| Civera | Harris | Oliver | Surra |
| Cohen | Helm | Pallone | Tangretti |
| Costa | Hennessey | Parker | Taylor, J. |
| Cox | Hershey | Pashinski | Taylor, R. |
| Creighton | Hess | Payne | Thomas |
| Cruz | Hickernell | Payton | True |
| Curry | James | Peifer | Turzai |
| Cutler | Josephs | Perzel | Vereb |
| Daley | Kauffman | Petrarca | Vulakovich |
| Dally | Keller, M. | Petri | Walko |
| DeLuca | Keller, W. | Petrone | Wansacz |
| Denlinger | Kenney | Phillips | Waters |
| Dermody | Kessler | Pickett | Watson |
| DeWeese | Killion | Preston | White |
| DiGirolamo | King | Pyle | Williams |
| Donatucci | Kirkland | Quigley | Wojnarowski |
| Eachus | Kortz | Quinn | Yewcic |
| Ellis | Kotik | Ramaley | Youngblood |
| Evans, D. | Kula | Raymond | Yudichak |
| Evans, J. | Leach | Readshaw | |
| Everett | Levdansky | Reed | O'Brien, D., Speaker |
| Fabrizio | Mahoney | Reichley | |
| Fairchild | | | |

NAYS—34

| | | | |
|-------------|------------|--------|----------|
| Benninghoff | Hutchinson | Miller | Ross |
| Bennington | Lentz | Moul | Sainato |
| Causar | Longietti | Mundy | Saylor |
| Clymer | Mackereth | Nickol | Schroder |
| Conklin | Maher | Perry | Swanger |
| DePasquale | Mantz | Rapp | Vitali |
| Gabig | Markosek | Roae | Wagner |
| Gillespie | McI. Smith | Rohrer | Wheatley |
| Hornaman | Metcalfe | | |

NOT VOTING—0

EXCUSED—2

Rubleby Smith, M.

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. For what purpose does the gentleman rise?
Mr. WILLIAMS. Personal privilege.

The SPEAKER. The only thing in order is the taking of the vote. The gentleman will postpone his request.

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 SPEAKER. There are several members who have asked to speak under the provision of unanimous consent. The Chair will recognize those Representatives in order in a moment.

Before we go to requests for unanimous consent, the Chair will ask for announcements.

CONSUMER AFFAIRS COMMITTEE MEETING

The SPEAKER. The Chair recognizes Representative Preston.

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

At the call of the recess, there will be an immediate meeting of the Consumer Affairs Committee in room 39 East Wing. It will be short. I would encourage the members to show up on a very timely basis.

The SPEAKER. The Chair thanks the gentleman.

The Consumer Affairs Committee will meet at the recess in room 39 East Wing.

TRANSPORTATION COMMITTEE MEETING

The SPEAKER. Representative Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, the Transportation Committee will meet in room G-50 Irvis Office Building at 1:30 – 1:30, room G-50, Irvis. Thank you.

The SPEAKER. The Transportation Committee will meet at 1:30 in room G-50 Irvis.

APPROPRIATIONS COMMITTEE MEETING

RULES COMMITTEE MEETING

The SPEAKER. Representative McCall.

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, there will be an Appropriations Committee meeting in the majority caucus room at 2:30, there will be a Rules Committee meeting in the majority caucus room at 2:45, and we will be back on the floor at 3 o'clock. No caucus is necessary at this time.

The SPEAKER. Appropriations will meet at 2:30 and Rules will meet at 2:45, both in the majority caucus room.

Representative Major, no announcement?

Miss MAJOR. Thank you, Mr. Speaker.

There is no need for a Republican caucus.

The SPEAKER. The Chair thanks the lady.

STATEMENT BY MR. WILLIAMS

The SPEAKER. Under the provision of unanimous consent, the Chair recognizes Representative Jewell Williams.

Mr. WILLIAMS. Thank you, Mr. Speaker.

Today I rise, because in the city of Philadelphia, over 200 people have been murdered.

Can we get everybody's attention, Mr. Speaker? Mr. Speaker, can we get everybody's attention?

The SPEAKER. The gentleman is entitled to have order in the House. Members will take their seats or take their conversations elsewhere.

Mr. WILLIAMS. Again, Mr. Speaker, in the city of Philadelphia, more than 200 people have been murdered to this day, which means that thousands of people have been shot in the city of Philadelphia. We continue to put our votes up from the Philadelphia delegation and the Black Caucus. We continue to support everybody's concerns all around the Commonwealth of Pennsylvania when it comes to putting up votes.

The city of Philadelphia is in trouble. People are dying in the city of Philadelphia. Now, I have heard the wisecracks; I heard the jokes: Yes, that is Black on Black crime, and you people need to take care of your own. Well, let me just tell you this: Children are dying— Yo, can we get quiet over there a minute? George? DeLuca? Can we get some quiet? Now, I am telling you that the Philadelphia delegation and the African-American legislators have been putting up votes to support everybody's cause. We are asking for gun legislation to get passed so we can start helping the city of Philadelphia to save children, to save babies, and to save lives. All we are asking for is to get some of these bills passed to give our police the tools and to help the citizens of the city of Philadelphia.

Mr. Speaker, we need help in the city of Philadelphia. It is our obligation as lawmakers to help the cities and the counties who are in need. Those gentlemen up there who crafted the legislation, who crafted the Declaration of Independence, talked about helping people who need help. Mr. Speaker, in the city of Philadelphia, we need help. We need help, and I am asking, Mr. Speaker, if we can get some help to the city of Philadelphia to help us resolve some of the problems that we have on gun violence and people who are dying in the streets of the city of Philadelphia.

Thank you, Mr. Speaker, and thank you, House, for giving your attention.

The SPEAKER. The Chair thanks the gentleman for his comments. He will also caution all members that even though you get excited and passionate about an issue, it is not proper to mention other members' names on the floor of the House.

The gentleman is misinterpreting— The gentleman will cease for a moment. The Chair was asking all members of the House to refrain from mentioning other members' names on the floor under the provision of unanimous consent.

The Chair recognizes Representative Reichley. Representative Cruz?

Mr. REICHLEY. I will defer to Mr. Cruz, Representative Cruz.

STATEMENT BY MR. CRUZ

The SPEAKER. Representative Cruz.

Mr. CRUZ. Mr. Speaker, I rise to support what Representative Williams is trying to do here, but also I introduced a piece of legislation that not all the members of Philadelphia are on, and I ask all the members of Philadelphia

to get on board. And you are going to get a little bit of hostility all over this State whether or not, but we have a problem in Philadelphia. I redrafted my bill to make it a target program for Philadelphia only, a program to end the gun violence and the registry program.

So I am urging all the members in Philadelphia to start supporting this bill and let us help one another. We do have a problem in Philadelphia, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

STATEMENT BY MR. REICHLEY

The SPEAKER. Under the provision of unanimous consent, the Chair recognizes Representative Reichley.

Mr. REICHLEY. Thank you, Mr. Speaker, and I feel somewhat reluctant about standing up after such a dramatic presentation as that by the gentleman from Philadelphia. This is just sort of a footnote on the debate on 1590. It actually ties in somewhat, though, to their last comment.

With the passage of 1590 as it was today in the House, we have restricted the amount of personal income tax revenue that is available for programs such as gun checks and safe neighborhoods, which would assist causes such as the gentleman from Philadelphia just requested, because within the McCall amendment, for the first time, 3.03 percent of personal income tax revenue is now restricted for the use of mass transit. That is an amount of money that will not be available for other programs within the General Fund. So I think the members should be aware that by passing 1590 as it was written and passed on Monday night with the McCall amendment, we have restricted the availability of funds to address concerns such as identified by the gentleman from Philadelphia.

In addition, the language of the McCall amendment actually provides \$180 million less than the amendment which the Republican side offered just yesterday because of the repealer language of the Public Transportation Assistance Fund, whereby with the repealer language, there is no longer a public transit assistance fund from which to transfer \$180 million. So by passing 1590 in its present form, we have actually shortchanged mass transit by \$180 million and further restricted the amount of revenue that is available from the General Fund for other causes.

Thank you, Mr. Speaker.

STATEMENT BY MR. CLYMER

The SPEAKER. For what purpose does the gentleman, Representative Clymer, rise?

Mr. CLYMER. For unanimous consent.

The SPEAKER. The gentleman is entitled to proceed.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, certainly I and all others feel concerns and express our heartfelt concerns about this situation in the city of Philadelphia, but I also want to forewarn you that the day those two large casinos come on line, it is going to bring more crime, more dysfunctional families, more problems for you than what you have now. So I just want to forewarn you that if you are concerned, and I know you are, think about what is going to happen within the next couple of years.

Thank you, Mr. Speaker.

STATEMENT BY MR. METCALFE

The SPEAKER. For what purpose does the gentleman, Representative Metcalfe, rise?

Mr. METCALFE. Unanimous consent, Mr. Speaker.

The SPEAKER. Without objection, the gentleman may proceed.

Mr. METCALFE. Mr. Speaker, certainly my sympathies are extended to the gentleman from Philadelphia in his passion for protecting those who have lost their lives to violent crime in Philadelphia, and I share his concern, I share his passion, for wanting to make sure that Pennsylvania citizens' lives are protected, whether they are in Philadelphia or Pittsburgh or in the rural remote sections of Pennsylvania.

Mr. Speaker, when all of us stood here on swearing-in day, we all raised our hand and swore to uphold and defend the Constitutions of our State and Nation. Part of that is to ensure that we protect the rights of our citizens, the rights as declared in those documents. We have stood on this floor and we have debated one gun control measure after another, of which the majority of us have concurred in the past that they were not proper solutions to the crime situations in Philadelphia or in the rest of the State.

Mr. Speaker, I offer to the gentleman from Philadelphia to work with him to try and find solutions to the problem of addressing the issue of crime in Philadelphia and the lives that are being lost, but I and the majority of us that are serving here are not willing to give up the rights that we have, that are declared in those Constitutions, especially the Second Amendment right that needs to be protected.

Thank you, Mr. Speaker.

STATEMENT BY MR. SCAVELLO

The SPEAKER. For what purpose does the gentleman, Representative Scavello, rise?

Mr. SCAVELLO. Thank you, Mr. Speaker.

You know, I rise because I truly believe that there is—

The SPEAKER. Is the gentleman asking for unanimous consent?

Mr. SCAVELLO. Yes.

The SPEAKER. Without objection, the gentleman is in order and may proceed.

Mr. SCAVELLO. Thank you very much.

I rise because I truly believe that there is a problem, and one of the solutions, and it is a solution, is the bill that Representative, Representative— Forgive me; the cat got my tongue. All right. I will not say Representative Costa. Representative Perzel, excuse me; the bill, the police bill, hiring those extra police officers across the State. Our police departments in Pennsylvania are becoming more reactive than proactive. Any opportunity that we can get to put more police officers on our streets, that instead of going there to take a report, the visibility of the police officer is so important.

I urge the members to get behind that bill and put 10,000 more police officers on the streets of Pennsylvania. I think that is the solution. So I ask the members to get on, look at that legislation and get on board. Thank you very much.

The SPEAKER. The Chair thanks the members of the House for being courteous to those who have asked to be recognized

under unanimous consent. It is wonderful to view this level of conversation and the level of attention that the members have extended to those that have requested to be recognized under the provision of unanimous consent.

STATEMENT BY MR. BLACKWELL

The SPEAKER. For what reason does the gentleman, Representative Blackwell, rise?

Mr. BLACKWELL. Unanimous consent, Mr. Speaker.

The SPEAKER. Without objection, the gentleman is in order and may proceed.

Mr. BLACKWELL. Thank you, Mr. Speaker.

Mr. Speaker, this is my third year serving in this House, and I have watched a lot of things. You know, my background is as a labor leader, but I also happen to be saved. For those of you who do not understand that, what it means is that I believe in the Lord Jesus Christ, that He saved me and that I am here for a purpose, and one thing that I believe in is helping people.

Now, I have heard a lot of arguments here about sympathy. I am not asking for your sympathy; I am asking for empathy. I am not trying to control what you do in your home; I am trying to control the behavior on the streets of Philadelphia in terms of crime.

Now, the gentleman asked for help. He did not ask you how to help him. If what we are debating in terms of gun control is not the answer, well, if that is not the answer, what is your answer to help us? Help us come up with an answer for what is going on. Philadelphia happens to be a part of the Commonwealth of Pennsylvania. I am tired of Philadelphia being treated like it is some stepchild in this Commonwealth.

Now, not too long ago I got a letter from someone who did not sign the letter, and I believe every member of the Black Caucus got this same letter, and it invoked the name of the late great State Representative David P. Richardson and what he meant to Philadelphia and to Philadelphia's Black community, because when he came here, he did not forget whom he represented. He was not afraid to stand up for people who did not have help, did not have a good quality of life, and I am talking about people who are law-abiding citizens, and it implored us to carry on that type of legacy.

Now, let me say this to you, Mr. Speaker: I have been trained to go after things I want in an aggressive manner as a labor leader, but I also understand diplomacy. But you know what? It seems like the type of diplomacy that we have been trying to exert has fallen on deaf ears. In some of these committees we cannot even get our doggone bills heard or brought to the floor. These are some of the same people who came to us and asked us for our votes for leadership. I am getting tired of it. I am getting tired of it.

All I hear about is reform, reform, reform. Well, it is time to reform the situation in Philadelphia. Those same people that are talking about reform, talk about how you are going to help us deal with this situation in Philadelphia, because if you are going to turn a deaf ear to me, I am going to get up every time I am on this floor and ask for unanimous consent and keep it going until somebody hears it.

I believe that every person in here has it in their heart to do good. I am going to believe that, Mr. Speaker, because I truly believe that. We may have differences; there is nothing wrong with that. We may have our own politics; there is nothing wrong

with that. But we are here to create a better quality of life for all of our people. I thought that was what we were supposed to be about.

There is not a race war here; it is a class war. We all need to understand that. There is a book called "A Tale of Two Cities." What this here is about is a house with two different ways of looking at things, and there is nothing wrong with that, but politics is the art of compromising. We have to come to the Senate and try to compromise on some things rather than beat each other up every day, day in and day out. That does nothing. That is why people are so cynical about politics. But while this debate is going on, certain folks are getting what they want, and there are all these bills. Everything is passed. Sometimes because nothing is said, Mr. Speaker, it does not mean it is not being noticed. Sometimes people take kindness for weakness. Please do not continue to think that way about me, please, because you are going to make a tragic mistake here.

I am tired of there being nothing said or done in the way of helping Philadelphia with its problems in terms of gun violence. I did not say gun control; I said gun violence. I do not know what it is going to take to wake some folks up. Maybe if you have someone in your family be a victim of gun violence, then you will start to see what we are talking about. I am tired of you having sympathy for me. I am not asking you for that. Sympathy does not buy me any groceries. Sympathy does not help me walk down the street being safe. Have empathy if you really mean what you say, because until you come up with an idea that will help, then you need to just be quiet, because all you are doing is saying words that mean nothing in terms of quality of life. But either we are going to do something about this— You notice when we had that session of the Committee of the Whole, I wonder why nobody's vote was shown. What are we hiding from? I am not ashamed to show my vote. If I believe in something, I will tell you publicly. I will let people see it publicly. But see, that allows some folks to hide.

Now, I am going to say something. There is a Bible caucus or whatever you want to call it, a study group. When are you going to start speaking up for the poor? When are you going to start speaking up for the downtrodden? That is why I do not come to your meetings, because I do not take you seriously. I do not see you speaking up for things that you supposedly claim that you believe about. I do not see you doing it, so what does it mean? Mr. Speaker, I do not mean to be offensive to anyone, and if I am, please forgive me, but it is time we stop talking about doing things that we do not mean. I can get along with everybody, but do not do something to me that makes my shoe wet and tell me it is raining when I know it is not. I am getting tired of it.

Now, if you want confrontation, and I am not advocating that, but if you want confrontation, remember David P. Richardson, who happened to be a very personal friend of mine. He and my father came to this House together. I knew the man quite well. He invoked Malcolm X on this floor many times. Now, if you want to relive that history, continue to take us for granted.

Thank you, Mr. Speaker.

STATEMENT BY MR. LEACH

The SPEAKER. For what purpose does the gentleman, Representative Leach, rise?

Mr. LEACH. Mr. Speaker, I just request unanimous consent.

The SPEAKER. Without objection, the gentleman is in order and may proceed.

Mr. LEACH. First of all, I appreciate the discussion that we are having today. It is good to have discussions like this. However, I just want to make one brief point.

Now, I come from a suburban district. We do not have the same kind of crime problems they have in Philadelphia, but my district borders Philadelphia, and I remember reading in the paper about a 6-year-old girl who was sitting on her stoop, an innocent bystander, who was shot and killed, and I have a 6-year-old daughter – she will be here this afternoon running around – and so this sort of hits home to me in a way, and I think it is important we address this issue.

And I wanted to just touch on something that another member said about the constitutional issue. The existence of the Second Amendment, which does exist and which I believe applies to individuals, that does not preclude any discussion of any legislation with the word "gun" in it, any more than the First Amendment precludes any discussion of any legislation affecting speech, or the Fourth Amendment precludes any searches, or the Eighth Amendment precludes any punishment. The bottom line, Mr. Speaker, is that in every constitutional provision, the court adopts a balancing test. The lawyers know that here. They look at the societal interests, how compelling that is, versus the interests of the constitutional right, and they strike a balancing test, and I personally think that means that some gun violence legislation is constitutional and some is not. I personally, and it is only my personal opinion, would not think that the bill originally drafted by Representative Cruz is constitutional. However, I do think that the bill drafted by Representative Williams is, and I think that we can look at these bills and we can say, you know, we can pick and choose, but just saying we cannot discuss anything with the word "gun" in it because of this constitutional provision is just not an accurate reading of the Constitution, and I think people should stop using that in an inaccurate way to mislead people. The fact is that we can have, you know, when you balance the right, for example, of someone to get their 26th gun of the year as a couple versus the right, the interest the State has in not having people buy hundreds of guns and distribute them to felons and juveniles and people with mental health histories, I think you have a very good constitutional issue, that that comports with the Second Amendment.

So I hope going forward that we can view these issues in a sort of thoughtful, nuanced way with an eye to history, with an eye to precedent, and an eye to what protects both the rights of the individual sufficiently and the rights of society sufficiently.

And again, I am glad that we are having discussions like this, and I wish we would do that more often. Thank you.

STATEMENT BY MISS PARKER

The SPEAKER. For what purpose does the lady, Representative Parker, rise?

Miss PARKER. Unanimous consent, Mr. Speaker.

The SPEAKER. Without objection, the gentlelady is in order and may proceed.

Miss PARKER. Mr. Speaker, I rise today to support the comments that were so eloquently expressed by the speakers before me. I particularly want to comment on the issue of an

individual's constitutional right to bear arms. I want to also make sure that I am clear, because sometimes in the midst of our passion and our emotion, terms, and words are very powerful in terms of allowing people to understand what your perspective and your opinion is. I do not think that you will be able to talk to a member from the county of Philadelphia and for them to tell you that—

The SPEAKER. May I interrupt the gentlelady for one second?

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair gives permission to the Transportation Committee and Consumer Affairs Committee to meet while we continue this discussion.

STATEMENT BY MISS PARKER CONTINUED

Miss PARKER. I do not think anyone, Mr. Speaker, from Philadelphia County is interested in taking away an individual's right to bear arms. The one thing that we are saying, Mr. Speaker, we are talking about the control of illegal handguns in the city of Philadelphia. I respect the right of members from both sides of the aisle in their rights to bear arms, but we really do want you to understand that when those guns are being sold out of the trunks of cars and vans in the city of Philadelphia, they are being purchased by individuals who have the right to bear arms and they are buying them in bulk, and they are traveling from county upon county outside of the city of Philadelphia and they are selling these guns, you know, triple the price, quadruple the price in our cities.

Mr. Speaker, I would like members on both sides of the aisle to know that although I represent the county and the city of Philadelphia, when I think about our responsibilities as lawmakers, I do not simply think about Philadelphia County and the city of Philadelphia or the 200th Legislative District. That would be having tunnel vision and be shortsighted. So when I think about the votes that I cast and when I think about what I speak on here, I have a regional thought. I am thinking regionally about how what we do is not going to impact only the county of Philadelphia but I am thinking about rural Pennsylvania, too, I am thinking about suburban Pennsylvania, too, because whatever affects one directly affects another indirectly.

Let us talk about how this violence in Philadelphia hurts our pocketbook, that eventually all counties in the Commonwealth of Pennsylvania have to pay for that violence. Do you want me to tell you how we pay for it, Mr. Speaker? We pay for it with the rising costs in corrections, the high rates of recidivism and not being able to treat ex-offenders and help them to get jobs. We pay for it in those individuals being shot, going overtime into our emergency units, and we have to foot the bill. The taxpayers foot the bill.

So I just ask my colleagues from both sides of the aisle, because when it comes to the control of illegal handguns, remember – understand my terminology here; I am being very specific – I am not talking about gun control. I believe in your right to bear arms. I am asking for help in controlling the flow of illegal handguns in the city of Philadelphia. Please remember that. Sometimes we speak and you just think guns. I mean,

Representative Leach was so correct. We think we have a constitutional right to bear arms, and so when the issue of guns comes up, we do not even want to have a discussion. All we are saying, Mr. Speaker, is do not have tunnel vision on this issue. Think about this issue regionally. Think about how your county, even if you live in Beaver County and Greene County and the right to bear arms is something that is extremely important there, Mr. Speaker, think about how your taxpaying residents of your county are having to pay for the violence going on in the city of Philadelphia. Again, through the bill of Representative Perzel, 10,000 more police officers. Why is there a need? Who will foot the bill? The Commonwealth of Pennsylvania, Mr. Speaker. Who is paying for that increased number of people who are murdered and are going to our emergency units? The Commonwealth of Pennsylvania, Mr. Speaker.

So either way you look at it, we are either going to pay on the front end or we are going to pay on the back end, Mr. Speaker, and what we are saying to you is whether you vote them up or down, because I am real clear with my constituents when I talk about this issue back home. I tell them in a minute, this is not a Democratic or Republican issue. We have individuals from both sides of the aisle who simply say, Representative Parker, Cherelle, I cannot beat this; I believe in my constitutional right to bear arms. I ask you to not think about this issue with just simply tunnel vision. I ask you to think about it the way that I think about my responsibilities here as a legislator. I think about it using a regional approach. I am not only concerned about the city of Philadelphia; I am concerned about rural Pennsylvania. I am concerned about farmers, Mr. Speaker. This young woman born and raised in the city of Philadelphia, I am concerned about the quality of life for farmers in the counties in the Commonwealth of Pennsylvania.

I ask us, whether we vote them up or we vote them down, think about straw purchasing, commonsense laws that we can develop, regionalism. Take off your blinders and just have a more broad approach.

Thank you for your time, Mr. Speaker.

STATEMENT BY MR. CRUZ

The SPEAKER. For what purpose does Representative Cruz rise?

Mr. CRUZ. Unanimous consent, Mr. Speaker.

The SPEAKER. Without objection, the gentleman is in order and may proceed.

Mr. CRUZ. We will sit here all day and debate the issue, and we are all on board, everybody here in Philadelphia, because we all live there, and I introduced a bill because if you do not think that you can drive out of Philadelphia and go to other counties in Pennsylvania and commit crime, you are wrong. So I had a lot of grief over that bill that I introduced about the registry, and I made an exception. I mean, we reintroduced it to make it a target program for Philadelphia, but it seemed to not be working, because it is not being introduced.

Mr. Speaker, I ask you today, you from Philadelphia, to take the lead and guide us the right way and sit with us, the Philadelphia delegation in the House of Representatives, to find a solution on the gun problem in Pennsylvania, especially in Philadelphia.

Thank you, Mr. Speaker.

STATEMENT BY MR. MYERS

The SPEAKER. For what purpose does the gentleman, Representative Myers, rise?

Mr. MYERS. Thank you, Mr. Speaker.

The same reason as everybody else.

The SPEAKER. The gentleman is recognized under the provision of unanimous consent. Without objection, the gentleman is in order and may proceed.

Mr. MYERS. Thank you, Mr. Speaker.

Mr. Speaker, a couple of things. One, I stand here real proud because I see my young people exercising some leadership in this House, and I was not going to speak because I wanted to see what the young people were going to do. You know, these are our reformers as far as the Black Caucus goes. These are our reformers, and I think that some of the issues they raise are salient and legitimate. I heard one of my young colleagues say, how come everybody else's bill can come out of committee and none of ours can? I think that is a legitimate concern.

I heard one of the speakers from the Commonwealth Caucus say that they are willing to help put together legislation that will address this problem of crime. Now, crime, as some of my young colleagues have said, is not just in Philadelphia. Each one of you knows that every morning at 5 o'clock when you turn on Harrisburg news, York, Lancaster, Dauphin County, the same situation is going on.

And for me, it is not really just about guns. Let me do a self-disclosure. When I heard my colleague talk about 10,000 police, I can resonate with that. Why? Because my son is missing because of violence and crime and there are not enough investigators to find him. There are not enough investigators to stay on top of the case to follow all the leads, because every day there are another six, eight homicides.

I believe that this issue of crime is much more than just guns. Let me say that. There are many spokes in that wheel. There are guns; there are drugs; there are gangs; there is the lack of employment; there is low self-esteem; there is peer pressure, poor economic stimulus. There are a number of issues in this problem of crime that need to be addressed, and as one of my young colleagues had mentioned to me, if this problem was tantamount as we have seen epidemics across this country happen in other communities, there would be a much larger push to solve the problem. When Columbine happened, the whole country stood up and legislative initiatives and proposals started to roll out of the hoppers. So I would challenge— I am sorry my good friend from the Commonwealth Caucus is not here, but I hope somebody will deliver this message that we will gladly accept input from any caucus in this chamber that believes that they have some kind of way that can help us reduce crime.

And I am going to close by saying this here: I do agree with Leach's position that just because the name or the word "guns" appears in the conversation, it does not necessarily mean that we need to shut the conversation down, because there are many different ways to address the word "gun," and we are just saying, if you want to help us, then help us. You know, we can rephrase our argument, we can rephrase the discussion of the public policy initiative, but we need to find a way to do this.

And to my leadership, to my leadership, there are some young, bright people in this caucus that need to be given the same level of support that other young, bright colleagues are given, and I was glad to hear Representative Williams bring that

up, and I do not think it is going to be the last time we are going to have this discussion.

Thank you, Mr. Speaker.

STATEMENT BY MR. GERBER

The SPEAKER. For what purpose does the gentleman, Representative Gerber, rise?

Mr. GERBER. Thank you, Mr. Speaker.

I rise to applaud the efforts of my colleagues and to share yet another voice from the suburbs. Representative Daylin Leach was very articulate in expressing how these issues impact us in the suburbs, but I wanted to add to that voice. I have constituents that work in Philadelphia, constituents who go to school in Philadelphia, constituents who have kids in Philadelphia, constituents that shop and enjoy the cultural assets in Philadelphia, so this issue is not unique to Philadelphia. It impacts all of us, whether we live in Philadelphia, work in Philadelphia, or just visit, and also because these problems do not know city borders. The flow of illegal guns comes into Montgomery County, maybe not as much as it does into Philadelphia County, but certainly at levels that are unacceptable.

So I thank my colleagues who are taking a lead on this important issue, applaud them for their dedication to their constituents and to advancing good policy that will enable people who hunt and want to protect their homes to bear the arms that they want to bear but will keep those illegal guns out of the hands of the people who are not responsible with them and use them to perpetuate crime and violence on all kinds of people across our Commonwealth.

Thank you, Mr. Speaker.

STATEMENT BY MR. GABIG

The SPEAKER. For what purpose does the gentleman, Representative Gabig, rise?

Mr. GABIG. Thank you, Mr. Speaker, and I guess I would join in some of those that have stood, and the Speaker himself for the compliment of our whole House here on this unanimous consent, as we all get to speak our piece. Anyone could stand up to object. I was here one time when somebody objected. Maybe I got a little too emotional about one of the issues that we were talking about, but I want to say, which it was unintended at the time, by the way, but I want to say a couple of things.

We had hearings on this issue, and many of the members that spoke, Jewell Williams – I know we are not supposed to mention names – but the gentleman from Philadelphia that spoke first on the issue and I came in together in 2000. He was in the sheriff's department, I believe, and I came out of the D.A.'s office here in Cumberland County and Dauphin County, so we sort of shared a law enforcement background and we have worked together on a lot of issues. And then I heard Representative Daylin Leach on his constitutional argument.

Representative Reichley mentioned some issues about transportation, and I do not know, but we have a bill, HB 1388, that has passed out of Judiciary – I do not know if it was last week or this week; these days are starting to run together with me – which did something that the Governor asked us to do from the podium when he gave his budget address. When I first got here as a D.A., it was a felony of the third degree for anyone

to possess a stolen gun, a stolen handgun. It was a felony of the third degree. During the course of time that I have been here, we have tried to address some of the concerns – and I agree, it is simply not a Philadelphia issue, they are going through some things right now, but it is a Commonwealth issue – tried to give law enforcement some tools to prevent some of this activity, and we wanted to make those that were basically dealing in stolen guns, dealing in stolen guns, a higher offense than somebody who just merely possessed it, the one person that possessed it, and so we increased that to a felony 2 if you were dealing in stolen guns and not merely possessing it. Inadvertently, an unintended consequence of that, the mere possession of it dropped down to the value of it and it was no longer a felony 3. It turned out, as the Governor said here, to be a misdemeanor. That was not the intent. I believe it was supported by a vast, vast majority. We intended to increase the penalty and the crime, the grading of the offense, for those that were in the business of doing it, would be dealing with it.

So Representative Reichley has a bill that has passed, I believe it was unanimous, out of Judiciary. I think it is in the House Rules Committee. I know both, I have heard both sides. Both leadership is in support of this bill and intends to run it before we break for summer. Both sides are very, very supportive of HB 1388, which it is a felony, it makes it a felony 2 to possess a stolen gun, and there is the increase already to those that are dealing in stolen guns. As many of the speakers know, it is already a crime here in Pennsylvania to do these straw purchases. It is a matter of enforcing those laws.

So those would be my remarks on unanimous consent that I think are— I would have to point out, however, so those are sort of nice comments and I think we can all share and agree on those, including both leaderships, Majority Leader DeWeese, the whip McCall, not to mention any names; Speaker O'Brien, the former Judiciary chairman, has always been very, very, from Philadelphia, supportive of our law enforcement efforts, as have been many of the people that spoke earlier. But the Governor in his budget cut the Attorney General's and the State Police budget. So I hope as we go through this budget process, I know that the budget is sitting here waiting for us to bring up and we are trying to get done with transportation and energy and some of these other things that we are trying to get done with before we get to the budget, but I certainly hope— The State Police, I know, is typically considered to be small town or rural, but remember, they are our State bureau of investigation as well. They are our SBI, so to speak. It is all in one here in Pennsylvania. Some of the greatest investigators, criminal investigators in the world, are in our State Police. They also do all the lab work, the ballistics work, all that forensics work that we see on "CSI" that happens in a half-hour. Our State Police here in Pennsylvania do do that work. Our Attorney General certainly has statewide, including all the organized crime, the antigang. We heard about some gang activity that goes on, including in my county and here in Dauphin County, Philadelphia, Pittsburgh. It is a growing problem. So I would encourage us all to look very closely, putting our money where our mouth is, so to speak. I am not, you know, just saying that, speaking to us all, that when it comes to these budget negotiations, that we make sure we fully fund the law enforcement people that are out there trying to protect all of us.

So I appreciate the passion. I certainly did not take any offense. I know it gets a little heated, and I appreciate the gentleman sharing his faith with us. We all, I think, are

good-hearted people trying to do the right thing. There are those, and I think the people from the city of the first class have come, they understand the significance of the Second Amendment, which many of them when they first got up here I do not think they did understand it, and they have talked to many of us and they go, oh, you have a different district than I do. My district is 300-and-some square miles. I have farms on my district. You know, I have people that have pickup trucks that drive. And their district is 3 miles and we represent the same number of people, different districts. I have learned a lot coming up here about the whole State of Pennsylvania, and we do have to work together, and I hope we can move this issue that leaders on both sides, I know, are concerned about this. So I just wanted to share those thoughts with the House.

Thank you, Mr. Speaker.

STATEMENT BY MR. DePASQUALE

The SPEAKER. Without objection, the Chair recognizes Representative DePasquale under the provision of unanimous consent.

Mr. DePASQUALE. Thank you, Mr. Speaker.

There is an item that I want to throw into the mix in this discussion which I think is important, something I have not talked about before, at least not in this chamber, and that is the issue of drugs, which I think leads a lot to our gun violence in many of our cities.

I have an interesting background on this issue, because my father spent 8 1/2 years in prison for making a very bad mistake when it came to drugs, and if we want to have a comprehensive anticrime policy in this State, we must find a way to get our youth off of or not using drugs in the first place. In my view, and believe me when I tell you, because people can look at this however they want, but because of my dad being in prison, I obviously visited him in prison several times over the course of that 8 1/2 years – hundreds and hundreds of basically young kids filling up those prisons because of drug offenses. All I am asking is, as part of this discussion, we must confront the fact that too many of our kids are getting hooked on this crap and somehow we have got to find a way to stop it.

Thank you, Mr. Speaker.

STATEMENT BY MR. VEREB

The SPEAKER. Without objection, the gentleman, Representative Vereb, is recognized under the provision of unanimous consent.

Mr. VEREB. Thank you, Mr. Speaker.

To my colleagues from Philadelphia, I certainly sympathize with you and understand your needs and desires for a call for action, and I also sympathize with the comments by the previous speaker.

As earlier stated, I served in law enforcement bordering Philadelphia, and the one thing I have to offer is that I think what people need to understand about Philadelphia is that Philadelphians are not just killing Philadelphians. People are coming to Philadelphia to do exactly what he just said. Back in the late eighties and early nineties on interdiction details, I cannot tell you with most of our hands put together how many

people had come from the western portion of this State to the neighborhoods of Philadelphia to purchase their narcotics, to return to their area and sell them.

And I also agree that we are dealing with a number of phases. We are dealing with law enforcement, we are dealing with the criminal justice system, the judiciary. We are dealing with programs for kids, making sure that law enforcement has the ability to get to the child before the flashy Mercedes and the flashy drug dealer. We need to get there then, and if we do not get there then, there is no system that is going to stop what you are doing or attempting to do.

I think we all respect the Second Amendment, I think we all respect the right to bear arms, but we are dealing with a crisis, as defined. And I think one thing, Mr. Speaker, in all consideration of what we did in this House with the Reform Commission, certainly being from Philadelphia, the thought process is that we have a number of resources in this Commonwealth that we can solicit who have addressed these types of crimes, including the former police commissioner of Philadelphia who can understand what goes on, and instead of us forming amendments and bills and amendments to try to fix a problem that maybe we all do not quite understand, because I know I do not, I know it is a problem, but maybe over the summer the Speaker puts together a group of legislators with a very short time line to look into what the potential fixes are on all aspects of this issue. I am in no way attempting to slow this process down, but I think as the arguments come up on these individual bills, these bills do not address every single issue that we are facing in the complexity of the crisis in Philadelphia.

So I thank the previous speakers for their arguments. I do think they have legitimate concern in terms of the crime and in terms of the children, and I just want people to clearly understand from history that it is not just Philadelphians in Philadelphia killing Philadelphians, and when we can observe that, we can make a more, hopefully, collective judgment.

Thank you, Mr. Speaker.

STATEMENT BY MR. KIRKLAND

The SPEAKER. Without objection, the Chair recognizes Representative Kirkland under the provision of unanimous consent.

Mr. KIRKLAND. Thank you, Mr. Speaker.

Mr. Speaker, just let me say that as was stated earlier, this is a good discussion, and discussions in this House sometimes happen to be just that, discussions, especially when it talks about the issue that we are discussing today.

It is my hope that we learn to move past the discussions into action. And this is not just about, as was stated before, Philadelphia. I have learned that the more we talk about the issues of Philadelphia and the violence in Philadelphia, that some folks just have a genuine disdain for Philadelphia and they consider it just their issue. And so I want us to understand that this moves beyond Philadelphia. Philadelphia has a very magnified problem, but it moves into communities such as Chester where young people are being gunned down and moves into communities such as Lancaster, and it moves into Montgomery County and every county throughout this Commonwealth.

And so today, Mr. Speaker, as we go through the discussion, the feel-good discussions, I am hoping that we have a clear

understanding that no longer can it just be discussions, that we as a body have to actively move forward and make sure something is done legislatively to stem this violent tide that just wrecks havoc throughout our Commonwealth. And so with that said, as chairman of the Pennsylvania Legislative Black Caucus, where there are 17 votes, our membership is going to be gathering and meeting and looking at what is good for the Commonwealth and what is good, what we see good as legislation that positively impacts the lives of our folks throughout this Commonwealth that would encourage a stoppage of this violence throughout the Commonwealth.

And I say that, Mr. Speaker, to let yourself and everyone else in this House know that we sat here and we talked about transportation, and when we talked about transportation in a SEPTA (Southeastern Pennsylvania Transportation Authority) vein, as my other colleague talked about in a tunnel vision vein, SEPTA and as long as it was a Philadelphia problem, folks kind of brushed it under the rug, but when we started talking about mass transit and realizing the needs throughout the Commonwealth, folks began to get on board, and now today we are starting to find ways of fixing our mass transit problem. That same kind of effort, that same kind of mindset has to be in place to fix this violence problem, this gun problem throughout our Commonwealth.

And so as I said before, as chairman of the Pennsylvania Legislative Black Caucus, we will be meeting and we will be discussing and we understand the importance of moving this budget along and moving this process along. I heard my other colleague on the other side talk about maybe forming a body of legislators over the summer. Well, by summer's end, if we keep up the same, if the same projections or the same things are happening from now till August, the death toll would have probably doubled or tripled. And so I do not know if we have that kind of time, Mr. Speaker. I do not know if we have that kind of time to sit back and wait and try to reinvent the wheel. But as I said before, we will be meeting, we will be caucusing, because we believe that the time is now. These feel-good conversations are great, but we as a body, as a House of Representatives, men and women who have been sent here to do the work of the people, and I believe that violence and gun violence is a major issue throughout the Commonwealth of Pennsylvania, and we have been called to do a job.

And so our membership will stand, will meet, and do, in the words of Malcolm X, take it in any means necessary, any means necessary to make sure that some positive action is taken on this House floor. Thank you, Mr. Speaker.

STATEMENT BY MR. STURLA

The SPEAKER. Without objection, the Chair recognizes Representative Sturla under the provision of unanimous consent.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I rise to add my voice to those who today have gotten up and spoken about gun violence in our State.

I recently had the opportunity to speak with my mayor in the city that I represent, the city of Lancaster, who talked about his first 500 days that he has been in office and the fact that the police force in Lancaster has confiscated over 1,000 guns in that time period in the city of Lancaster. And it is not just the city that has the gun violence problems. As we have all read in the

national headlines, it has been Lancaster County that has seen gun violence also.

A couple of our colleagues spoke about supporting law enforcement, and several talked about increasing our police forces and wanting to support the State Police. One thing that I think we need to realize is that about \$400 million of the current State Police budget goes simply to patrol the areas of the State that do not have any local police force that is paid for by any local taxes. And we here in Pennsylvania, the members from Philadelphia, the members from Lancaster, the members from 75 percent of the State that have a local police department get our constituents to pay State tax dollars so that we can send \$400 million to parts of the State that refuse to have a local police department, and we provide the police for them. We send the State Police out to do that.

Now, that sounds like a worthy cause, and I believe it is, but if I then am supposed to adequately represent my constituents and if the members of Philadelphia are supposed to adequately represent their constituents and the members of the 75 percent of the rest of the State that has a local police department want to adequately represent our constituents, we should demand that the State help us pay for our police protection also. And when I extrapolate those numbers and know that we are spending \$400 million on 25 percent of the State's population so they can get State Police protection, we would need to spend \$1.2 billion of State dollars to help support our local police departments. And so I would ask that my colleagues on the other side that said let us support law enforcement, that they help me come up with that \$1.2 billion so that I can provide adequate police protection in my district also, because I am helping to pay for police protection in their district currently.

And so together with looking at gun laws and laws that we can do to help provide the necessary protection that we need so that we can track down the criminals, we can work together on this process, and I would hope that we would do so. Thank you, Mr. Speaker.

STATEMENT BY MR. COHEN

The SPEAKER. Without objection, the Chair recognizes Representative Cohen under the provision of unanimous consent.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, about 40 years ago there were riots in the cities of our country, and President Lyndon Johnson appointed the National Commission on Civil Disorders to look into the causes of the riots. And President Johnson believed that there was probably some kind of conspiracy organizing in various cities creating the riots, and the commission looked into that, and they did not find any conspiracy whatsoever. They found a more serious problem. They found a problem of widespread apathy about serious problems in the cities of our country. And they wrote at that time, in words that were famous then and certainly are as haunting today, that our country is moving closer and closer to having two societies separate and unequal. Those words ring even truer today than they rang then.

Philadelphia is really two cities. We have a very thriving city in many respects. We have very nice houses. People who come to much of my district are very impressed by the quality of the houses. They say it looks like a suburb. I am fortunate that of all the murders in Philadelphia, very, very few of them take place

in my district. I represent about 4 percent of the city, and maybe one-half of 1 percent or 1 percent of all the murders each year are in my district. But despite being relatively fortunate upon who lives in my district and what the problems of the people are there, I am well aware that there is another Philadelphia that is radically different from the Commonwealth of Pennsylvania, and it is a Philadelphia that impacts all of us, and it is a Philadelphia that we have to be more responsive to, not because they have power to force us to be responsive, they do not, but because it is the right thing to do.

In Philadelphia today, with a population of roughly 1.5 million, there are only 373,000 people, according to the 2005 census, who have year-round, full-time jobs. That is less than one-quarter of the total population of Philadelphia. National figures are well over 60 percent of the population has full-time jobs. And there is a very, very high poverty rate in the city of Philadelphia. Among White people the poverty rate is 15 percent; among Asian people the poverty rate is 20 percent; among Black people the poverty rate is 32 percent; among Latinos the poverty rate is 41 percent. These are serious problems, and they lead to people becoming desperate; they lead to people seizing what they mistakenly believe are opportunities in the drug trade; they lead to a sense of hopelessness and alienation.

These are problems that really demand our consideration to whatever degree we can. We are simply not doing enough. The calendar we go over every day contains worthwhile bills that do some good for the people of Pennsylvania. It is unlikely, though, that passing every bill on our calendar year after year, decade after decade, is going to have very much impact on the poverty-stricken people in Philadelphia and those like them around the State.

What we need to do is to reach out and find the commitment and the will to deal with serious problems of people who do not have simple problems that could easily be solved by changing a sentence in the law here or giving out a grant for a nonprofit there, the people who have fundamental problems adjusting to life, adjusting to the need to find work, adjusting to the need to fend off the dangers of drugs and alcohol. The problems in Philadelphia and other urban centers in this Commonwealth are extraordinarily serious. They demand all of our attention. They demand all of our attention, although in many, many districts, it is not the most politically expedient thing to do. They demand our attention because it is right.

Under all the religious traditions in our country, the key moral legitimacy of government is based on its dealing with the problems of the poor. This goes back to Biblical times. It has been said that the poor have always been with us and always will be with us, but we have a duty, a serious duty to try to make their lives better and to try to end the social pathologies that threaten the lives of everybody.

When people of different races move into neighborhoods in Philadelphia, there is a lot of panic, less than there used to be, but still a lot. And the reason there is panic is because the people are considered poor. They are considered more likely to commit crimes, more likely to take drugs, and the people who are middle class are very, very scared of their presence. We have to end the spiral of apathy, of defeatism, of cynicism. We have to face major problems, and hopefully we will be able to increase our facing of major problems in this and future legislative sessions.

Thank you, Mr. Speaker.

STATEMENT BY MS. BISHOP

The SPEAKER. Without objection, the Chair recognizes Representative Bishop under the provision of unanimous consent.

Ms. BISHOP. Thank you, Mr. Speaker. And since it looks as if I am the last one, I will try to bring as many of what-we-have-heard issues together and see if we can come with some kind of a solution.

First of all, let me say thank you, Mr. Speaker, for offering this opportunity for the House to be able to express and discuss some of the underlying issues that have been simmering for a long time. To hear both sides of the aisle from all over the Commonwealth of Pennsylvania address issues that are similar is very encouraging because it means if all of us are experiencing some of the same kind of situations, then all of us can get together and come up with something that will perhaps bring a solution to this.

I would like to look, first of all, at the issue of guns that everyone has been talking about and concerned about, and I want to say that there is a proliferation of brokenness not only in the city of Philadelphia but in the entire Commonwealth and in our nation. People are broken, people are hurting, people are experiencing great unhappiness, and we need to look at some of those issues which are causing people to pick up a gun. I maintain that when a person picks up a gun and shoots another person, that person is already dead before he kills someone else with a gun. So while we are looking at issues that will eliminate guns, we certainly need to look at what is causing them to want to reach out and shoot someone. And so I would just like to bring a couple of things to your attention. People are in need in the Commonwealth of Pennsylvania. They have great needs. And when a person is hurting and in need and their children are crying out, they are crying out for food, they are crying out to be heard. The schools are not equal, and they are not getting what they are supposed to be getting in school. They certainly are not getting the education that we give money for them to get. Rural students are suffering as much as those in the city of Philadelphia because they do not get everything they need to make them whole educationally or socially.

And so I think we need to look at some of the laws that we have already passed that are damaging to certain people, and number one is the register, the national register, which we have put in place and which holds a record on everyone from the time they get a record. So if someone gets a record at the age of 16 or 17, they made a bad mistake, that record is still there when they get themselves straightened out and want to go and get a job and they cannot get a job, hold a job, and feed their family and take care of their family. They cannot have a whole family because they cannot get a decent pay. And so we need to look at how long they should stay on that register. Should they be on the national register for the rest of their lives? Is there any point where they should come off and be able to go out and maintain their family and get a job like everyone else?

Often in my district there are men who come to me who committed a crime with a gun. They did not kill anyone. They sold drugs. They had a gun. They got straightened out in jail, believe it or not. They went straight. They have been out 5, 6, 7 years, and they cannot get a decent job because the record kills them. So that is a serious issue that I think this House really needs to look at. And let me say for the conversation that

is being had today, this is the place where it should be because this is the place where many of those problems can be fixed.

Now, a lot of the members are upset because they have not been able to get their gun legislation out of committee, and if they cannot get it out of committee, they cannot get it to the floor for a vote. And while I grew up in a house where there were guns, all of the men had guns – they used them for hunting – we were taught early what guns were for. So I understand that there is a certain kind of protection that people have to have, but if we remove the need for killing, then we can perhaps remove the need for people to have to fight for guns.

If we can make sure that we have in place adequate jobs for people— And I understand African-American men are the last ones to be hired and the first ones to be fired. They just cannot get decent jobs because of the disparity. And we do not like to deal with it; we do not like to hear it, but it is a fact. And when a man cannot take care of his job, if he has a record and has decided to go straight, he is forced to go back into crime, a life that he has come out of, and start all over again because there is no way that he can earn a decent living. And if we do not look at mothers that are out there trying to take care of kids, who do not have enough money, who are not able to do it, who send their sons out to sell drugs, I would not do it, you would not do it, a lot of us do not like it, but for some mothers, that is the only hope they have to pay the rent, to keep a roof over their heads, and so they are involved in it.

We do not look at ways to help people. We pass legislation every day, and I wonder how many of us are conscious of the poor or those who do not have insurance or those who are sick, those who cannot get to doctors. We must as a body start to do what we came to do. We were sent here to be a voice for the people in our district who could not speak for themselves. Mentally ill are not remembered the way they should. The homelessness, they are walking the streets because half of them are mentally ill with no place to go, no one to look after them, and we do not look at the proper legislation and do not have the proper appropriation to take care of them.

So I close with saying, if we want to end guns and we want to end crime and we want to take the illegal guns off the street, we first have got to stop the drug sales that are coming into our city and into our State from other places. They do not manufacture those drugs there. They are coming into our country, and the borders are not as protected as they should be, but that is beyond us. But when we take care of the drugs that are coming in, when we arrest the big drug dealers and not the little guys on the street that are selling some pot here and some crack there, when we get rid of the big-time drug dealers, stop them from coming into our cities and stop them from coming into our country, then maybe we will be able to control the flow of guns and control the flow of crime in our city. Our devastation, our brokenness, our sickness cannot end until those of us in the House of Representatives start thinking across the board, across the board, across the State. When we look and do legislation for the Commonwealth of Pennsylvania, we will be doing what we were sent to do.

And lastly, let me close with this; some of you may have heard it before: But when a baby cries, a baby does not cry in Black and a baby does not cry in Hispanic and a baby does not cry in White and it does not cry in Asian and it does not cry in Jewish. A baby cries because a baby is in need, and we have to remove the lines and try to find ways to meet the needs of the people that are hurting in the Commonwealth of Pennsylvania.

That is what we were sent here to do. I believe that is what most of us want to do, but I think we get caught up sometimes more in politics than we do in people-tics, and people-tics and politics sometimes do not go together.

Thank you, Mr. Speaker.

STATEMENT BY MR. QUIGLEY

The SPEAKER. Without objection, the Chair recognizes Representative Quigley under the provision of unanimous consent.

Mr. QUIGLEY. Thank you, Mr. Speaker.

Again, I commend my colleagues for this exercise today of discussing the very important issue of crime and gun violence in the Commonwealth. As a former resident of Philadelphia, I was born and raised in the Roxborough-Manayunk section and spent the first 34 years of my life there. My family still lives in that area, so I am well aware of the crime issues in Philadelphia.

Just last week a major methamphetamine bust took place two blocks from the house that I grew up in, and as the other speakers have mentioned, that is a root problem throughout this Commonwealth. The Republican Policy Committee held a hearing earlier this year in Montgomery County to talk about the issue of illegal drugs and violence within the county, and a number of my colleagues came from other parts of the State to that hearing and were taken aback by what they had heard from the Montgomery County district attorney as well as the police chiefs of the two big urban areas in Montgomery County, Norristown and Pottstown, which is in my district. And I believe that these types of hearings and these types of discussions from listening to the people who are on the ground, our law enforcement officials, we also heard from drug treatment people at that hearing, as we do not want to focus solely on law enforcement but also on the treatment side of that issue. And we did hear from people from Eagleville Hospital and from other areas, and we believe that the testimony there was beneficial to find out solutions of how to deal with the areas of treatment, with the areas of interdiction, with the areas of education for our young people.

So I think a comprehensive strategy of looking at both the violence aspect of it, from a law enforcement perspective, how can we beef up, how can we find reasonable solutions that will accommodate everyone and that everyone in this chamber can agree on? I think that some of the reasons why perhaps these bills have not been brought up is that the fear is that there are not enough votes in the committee or perhaps that they will be defeated, and I think that that will not address this problem. It will cause some political divisiveness. We will get into the Second Amendment right issue versus the gun control issue, but I think we need to take a step back and try to find a way to look at all these problems comprehensively, bring all our people to the table from around this Commonwealth so that we can find solutions that everyone can live with. And I know my colleague earlier from Montgomery County recommended that perhaps or suggested that perhaps a commission to look into this designated by the Speaker, and I know the Reform Commission that you graciously brought forward has brought forward some positive discussion and perhaps that this idea could be explored further where, again, we could bring everybody to the table, hear from people throughout the Commonwealth, and come up with solutions that all of us as Democrat, Republican, rural or

urban can come together and find a way to address this problem that, again, is not only a Philadelphia problem but is a problem in the Commonwealth.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

STATEMENT BY SPEAKER

The SPEAKER. The Chair would also like to again express its appreciation to all the members for the level of respect and the inclusive nature of the conversation that took place today. I think this is an extraordinary example of collegial conversation where we are putting aside our respective differences and we are having a conversation about how a very serious issue can be addressed in a bipartisan fashion on a statewide basis.

The Chair has listened to the impassioned pleas from those legislators from Philadelphia and from the counties beyond Philadelphia, and the Chair would like to initiate a Speaker's Commission on Crime Prevention. I would encourage all the members that are interested in expanding this conversation to contact the Speaker's office as individual members, if you would like to be part of this conversation. The Speaker would also like to encourage individuals from corrections, from the D.A.s, from the courts, from the police departments, from education, from behavioral health organizations, like Community Behavioral Health in the city of Philadelphia, Health and Human Services, juvenile justice, State corrections, probation and parole, sheriffs, behavioral health organizations, and chiefs of police.

I think this was the beginning of a conversation that should be expanded and deliberated over the summer. The Chair has spoken with Chairman Caltagirone, Representative Blackwell, and others that are interested and would encourage members of this House to please join in this conversation. This was a wonderful opportunity today to come together and share very intimately the concerns that we all have, and I think the broad-based conversation should continue so that we can say what we are for and not what we are against, and I thank the members for bringing that to the Chair's attention.

STATEMENT BY MAJORITY LEADER

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

Mr. DeWEESE. Just 30 seconds. Eloquent testimony, Mr. Speaker, on your part.

I would like to make certain that, especially amongst my rural colleagues, we realize that if we are going to have 10,000 more police, if we are going to change the paradigm in law enforcement, it is going to cost money; it is going to cost money. And there was an inferential commentary relative to the Governor's budget and the State Police, Attorney General, that is okay, but there was not a simultaneous comment as to where the money would come from if we were to enhance those numbers, augment those forces.

So just a tincture of reality into this dialectic, if we are going to enhance law enforcement capabilities, it has a price tag, and there has to be enough courage within this chamber to generate

the additional revenues or show us where we are going to cut other facets of the State budget to pay for these worthy pursuits.

Thank you.

STATEMENT BY MR. KIRKLAND

The SPEAKER. The Chair, without objection, recognizes Representative Kirkland under the provision of unanimous consent.

Mr. KIRKLAND. Thank you, Mr. Speaker.

I just wanted to—

The SPEAKER. May the Chair interrupt the gentleman for an announcement.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair gives permission for the Appropriations Committee to meet.

STATEMENT BY MR. KIRKLAND CONTINUED

Mr. KIRKLAND. Thank you, Mr. Speaker.

I just would like for you to add to your list, you named a number of organizations, law enforcement, and what have you, if you would be so kind as to add to your list maybe some organizations who have lost loved ones to violence, such as there are a number of groups, there is Women of Strength, Mothers in Charge, and it is groups of women who have lost their sons to this type of violence. So I would appreciate that.

The SPEAKER. The Chair thanks the gentleman. I have been at the ceremonies right before Christmas for Mothers in Charge, and the gentleman is appropriate in his suggestion. They should be included.

STATEMENT BY MR. R. TAYLOR

The SPEAKER. Representative Taylor. Without objection, the gentleman is recognized under the provision of unanimous consent.

Mr. R. TAYLOR. Mr. Speaker, I have been approached by a number of peace churches about this issue, about gun violence. It is very important, and anybody who knows me and spends some time with me knows I am Mennonite, and I am very proud of that, and my faith is profound. But there are many others who are concerned about this issue, too, and I certainly would welcome their consideration in being a voice in this issue because the folks out in Montgomery County join with their brothers and sisters in Philadelphia and other areas that have faced this issue, and it is a serious issue, and my neighbors have talked to me a number of times. So you know, I think this legislature gets beat up a lot, but today I think was a good, shining moment for the legislature where there was a discourse. It was an honest discourse. It was not politically charged. It was honest viewpoints. But I just want to reemphasize, there are folks out in Montgomery County who remember these folks in Philadelphia and all the other places that are facing these issues.

So again, I ask that the peace churches have some voice in this issue, too. Thank you.

The SPEAKER. Is there any other member that seeks recognition under the provision of unanimous consent?

RECESS

The SPEAKER. This House will stand in recess until 3 p.m.

AFTER RECESS

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

BILLS REREPORTED FROM COMMITTEE

HB 1196, PN 1499

By Rep. D. EVANS

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

APPROPRIATIONS.

SB 431, PN 162

By Rep. D. EVANS

An Act authorizing the release of Project 70 restrictions on certain lands owned by the Commonwealth of Pennsylvania, Pennsylvania Game Commission, being conveyed by the Pennsylvania Game Commission in return for the imposition of Project 70 restrictions on certain lands being conveyed to the Commonwealth of Pennsylvania, solely for the use of the Pennsylvania Game Commission in Adams County.

APPROPRIATIONS.

The SPEAKER. These bills will be placed on the supplemental calendar.

BILL REREPORTED FROM COMMITTEE

SB 86, PN 1250 (Amended)

By Rep. D. EVANS

An Act amending the act of May 2, 1947 (P.L.143, No.62), entitled "An act regulating the sale and resale for profit and the carrying on of the business of selling or reselling tickets or other devices for admission to places of amusement; providing for the licensing of persons reselling such tickets for profit; providing for the suspension and revocation of such licenses; imposing duties on licensees and owners or operators of places of amusement; imposing powers and duties on the Department of Revenue, county treasurers, district attorneys, and the receiver of taxes, and city solicitors in cities of the first class; making disposition of moneys collected and providing penalties," further providing for reselling of tickets and for printing prices on tickets.

APPROPRIATIONS.

The SPEAKER. The bill will be placed on the active calendar.

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

HB 1610, PN 2126 (Amended) By Rep. PRESTON

An Act amending the act of July 9, 1990 (P.L.340, No.78), known as the Public Safety Emergency Telephone Act, further defining "contribution rate"; and further providing for county plan and expenditures.

CONSUMER AFFAIRS.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 1640 By Representatives FABRIZIO, CALTAGIRONE, CAPPELLI, CLYMER, J. EVANS, GINGRICH, GRUCELA, HALUSKA, KIRKLAND, KORTZ, KULA, McILHATTAN, MOUL, PETRONE, READSHAW, SANTONI, SWANGER, WOJNAROSKI, YOUNGBLOOD and JAMES

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

Referred to Committee on JUDICIARY, June 27, 2007.

No. 1641 By Representatives QUIGLEY, TURZAI, ADOLPH, ARGALL, BAKER, BARRAR, BASTIAN, BEAR, BENNINGHOFF, BOYD, BROOKS, CAPPELLI, CAUSER, CLYMER, COX, CREIGHTON, CUTLER, DALLY, DeLUCA, DENLINGER, ELLIS, J. EVANS, EVERETT, FAIRCHILD, FLECK, GABIG, GEIST, GILLESPIE, GINGRICH, GRELL, HARHART, HARPER, HARRIS, HELM, HENNESSEY, HERSHEY, HESS, HICKERNELL, HUTCHINSON, KAUFFMAN, M. KELLER, KENNEY, KILLION, MACKERETH, MAHER, MAJOR, MANTZ, MARSHALL, MARSICO, McILHATTAN, MENSCH, METCALFE, MILLARD, R. MILLER, MILNE, MOUL, MOYER, MURT, MUSTIO, NAILOR, NICKOL, PALLONE, PAYNE, PERRY, PHILLIPS, PICKETT, PYLE, QUINN, RAPP, REED, ROAE, REICHLEY, ROCK, ROHRER, RUBLEY, SAYLOR, SCHRODER, SONNEY, STAIRS, STERN, R. STEVENSON, SWANGER, TRUE, VEREB, VULAKOVICH and CIVERA

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

Referred to Committee on FINANCE, June 27, 2007.

No. 1642 By Representatives WAGNER, GERGELY, BENNINGTON, BIANCUCCI, BRENNAN, CALTAGIRONE, CARROLL, CONKLIN, COSTA, DeLUCA, DePASQUALE, EACHUS, D. EVANS, GALLOWAY, GOODMAN, HALUSKA, HARHAI, HORNAMAN, JAMES, W. KELLER, KING, KIRKLAND, KORTZ, KULA, LEACH, LENTZ, LEVDANSKY, LONGIETTI, MAHER, MAHONEY, MANDERINO, MARKOSEK, McGEEHAN, MUSTIO, PARKER, PASHINSKI, PAYTON, PETRARCA, PETRONE, PRESTON, SABATINA, SAINATO, SANTONI, SEIP, SHIMKUS, SIPTROTH, SOLOBAY, R. TAYLOR, THOMAS,

TURZAI, WANSACZ, WATERS, WHEATLEY, J. WHITE, WILLIAMS, WOJNAROSKI, YOUNGBLOOD and YUDICHAK

An Act amending the act of April 6, 1956 (1955 P.L.1414, No.465), known as the Second Class County Port Authority Act, further providing for board members.

Referred to Committee on TRANSPORTATION, June 27, 2007.

No. 1643 By Representatives BENNINGTON, PARKER, MUNDY, LEACH, WHEATLEY, FRANKEL, BELFANTI, BRENNAN, CALTAGIRONE, HERSHEY, JAMES, KORTZ, PETRONE, READSHAW, SCHRODER, SHIMKUS, SIPTROTH, SURRA, WANSACZ and YOUNGBLOOD

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 residence and right to free school privileges.

Referred to Committee on EDUCATION, June 27, 2007.

No. 1644 By Representatives HARRIS, BENNINGHOFF, BAKER, BEAR, BELFANTI, CALTAGIRONE, CAPPELLI, CAUSER, CONKLIN, DENLINGER, DiGIROLAMO, EVERETT, FAIRCHILD, FLECK, GEIST, GEORGE, GIBBONS, GILLESPIE, GINGRICH, GRELL, HARHART, HENNESSEY, HERSHEY, HESS, HICKERNELL, JAMES, M. KELLER, KENNEY, KORTZ, KOTIK, KULA, MAJOR, MANTZ, McILHATTAN, MILNE, MOUL, MOYER, MURT, MUSTIO, MYERS, NAILOR, O'NEILL, PAYNE, PETRONE, PHILLIPS, PYLE, RAMALEY, RAPP, RUBLEY, SAINATO, SCAVELLO, SOLOBAY, TANGRETTI, R. TAYLOR, TRUE, TURZAI, VEREB, WHEATLEY, WOJNAROSKI, YOUNGBLOOD, YUDICHAK and ROHRER

An Act designating a portion of State Route 22/322 from the Mifflintown exit in Juniata County to the Juniata/Mifflin County line, as the Dr. L.G. Guiser Memorial Highway.

Referred to Committee on TRANSPORTATION, June 27, 2007.

No. 1645 By Representatives GRUCELA, BRENNAN, CAPPELLI, CARROLL, CAUSER, CLYMER, COHEN, CRUZ, DeLUCA, EVERETT, FABRIZIO, FAIRCHILD, FLECK, GEIST, GEORGE, GIBBONS, GOODMAN, HARHAI, HARHART, JAMES, KORTZ, KULA, McGEEHAN, McILVAINE SMITH, MOYER, MURT, NAILOR, M. O'BRIEN, PALLONE, PAYNE, QUIGLEY, RAPP, READSHAW, RUBLEY, SCAVELLO, SCHRODER, STABACK, R. STEVENSON, VULAKOVICH, WOJNAROSKI, YUDICHAK and PETRONE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for World War II Battle of the Bulge plate.

Referred to Committee on TRANSPORTATION, June 27, 2007.

No. 1646 By Representatives GRUCELA, BELFANTI, BIANCUCCI, BRENNAN, CALTAGIRONE, CREIGHTON, GIBBONS, GOODMAN, HARHAI, HARKINS, HERSHEY,

KORTZ, KOTIK, MURT, PETRONE, PYLE, RAPP, READSHAW, SABATINA, SANTONI, SCAVELLO, SHIMKUS, SOLOBAY, SURRA, TANGRETTI, WOJNAROSKI, YOUNGBLOOD, HORNAMAN, HENNESSEY, DeLUCA, DALLY, MELIO, CARROLL, W. KELLER, HARPER and HALUSKA

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for technology grants to benefit students in nonpublic and private schools.

Referred to Committee on EDUCATION, June 27, 2007.

No. 1647 By Representatives PHILLIPS, SURRA, TURZAI, BAKER, BELFANTI, BENNINGHOFF, BOYD, CALTAGIRONE, CLYMER, CURRY, CUTLER, DENLINGER, EVERETT, FABRIZIO, FAIRCHILD, GABIG, GEIST, GEORGE, GIBBONS, GINGRICH, HENNESSEY, HERSHEY, HESS, HUTCHINSON, JAMES, W. KELLER, KOTIK, LONGIETTI, MARSHALL, McGEEHAN, McILHATTAN, MOYER, MYERS, NAILOR, PALLONE, PAYNE, PETRI, PETRONE, QUINN, READSHAW, STABACK, R. STEVENSON, SWANGER, THOMAS, VULAKOVICH and WATSON

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

Referred to Committee on FINANCE, June 27, 2007.

No. 1648 By Representatives PHILLIPS, FAIRCHILD, PICKETT, BOYD, CAPPELLI, CARROLL, CASORIO, GINGRICH, HARRIS, HERSHEY, HESS, HORNAMAN, M. KELLER, KIRKLAND, KORTZ, McILHATTAN, R. MILLER, MILNE, MOUL, PYLE, RAPP, READSHAW, RUBLEY, SCAVELLO, SONNEY, SWANGER, TRUE and WATSON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for intoxication or drugged condition.

Referred to Committee on JUDICIARY, June 27, 2007.

No. 1649 By Representatives BARRAR, BENNINGHOFF, CURRY, FRANKEL, JOSEPHS, W. KELLER, KILLION, KIRKLAND, KORTZ, KOTIK, MACKERETH, PERZEL, RAYMOND, REICHLEY, SANTONI and YOUNGBLOOD

An Act providing for fluoridation of public water.

Referred to Committee on HEALTH AND HUMAN SERVICES, June 27, 2007.

SENATE BILLS FOR CONCURRENCE

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

SB 246, PN 1227

Referred to Committee on HEALTH AND HUMAN SERVICES, June 27, 2007.

SB 466, PN 1226

Referred to Committee on LABOR RELATIONS, June 27, 2007.

SB 728, PN 1233

Referred to Committee on APPROPRIATIONS, June 27, 2007.

SB 811, PN 995

Referred to Committee on AGING AND OLDER ADULT SERVICES, June 27, 2007.

SB 913, PN 1234

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 27, 2007.

SB 968, PN 1235

Referred to Committee on INSURANCE, June 27, 2007.

SB 972, PN 1196

Referred to Committee on STATE GOVERNMENT, June 27, 2007.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 781, PN 900**, with information that the Senate has passed the same without amendment.

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:

HB 781, PN 900

An Act redesignating the Maple Avenue Bridge on State Route 271 in the City of Johnstown, Cambria County, as the Colonel John Joseph Tominac Memorial Bridge.

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

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to requests for leaves of absence. It is requested by the majority whip that Representative PALLONE from Westmoreland County be placed on leave for the remainder of the day. The Chair hears no objection. The leave will be granted.

GUEST INTRODUCED

The SPEAKER. I would like to welcome to the hall of the House Mr. James Dougherty, who is my guest and serving as a guest page. James is a recent graduate of Franklinton Charter High School. Please stand and be recognized, James. Welcome to the House.

BILLS REREPORTED FROM COMMITTEE

HB 983, PN 1980 By Rep. DeWEESE

An Act amending the act of January 19, 1967 (1968, P.L.992, No.442), entitled "An act authorizing the Commonwealth of Pennsylvania and the local government units thereof to preserve, acquire or hold land for open space uses," further providing for acquisition of interests in real property, for local taxing options and for exercise of eminent domain.

RULES.

HB 1320, PN 1625 By Rep. DeWEESE

An Act providing for a program for the disposal of home-generated medical sharps, and for powers and duties of the Department of Environmental Protection.

RULES.

HB 1422, PN 1885 By Rep. DeWEESE

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

RULES.

HB 1488, PN 1853 By Rep. DeWEESE

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for the intercept of winnings on slot machines.

RULES.

The SPEAKER. These bills will be placed on the active calendar.

GUESTS INTRODUCED

The SPEAKER. The Chair welcomes Adam Kaster and his fiancée, Diana Olarte. Adam is the son of my legislative assistant, Gale Kaster. Adam is a recent graduate of Temple University, and Diane is a recent graduate of Drexel University, and they are getting married on July 14, and Adam will be attending law school at Temple in the fall. Please join the Speaker in welcoming them to the floor of the House.

CALENDAR CONTINUED**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **SB 933, PN 1116**, entitled:

An Act making an appropriation to the Trustees of Drexel University, Philadelphia.

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

The SPEAKER. The Chair recognizes Representative Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I have two amendments listed to this bill, SB 933, regarding Drexel University, and also three amendments listed to the next bill, SB 934, regarding the University of Pennsylvania. It is my intention to withdraw these amendments, and I want to speak about the reason for doing that.

I have been in discussions with the leadership of the House and have an agreement to pursue an additional study of the nonpreferred appropriations. Those of you who have been here for many years know that in 1994 this House established a select committee to study the nonpreferred appropriations. Seven members of this House served on that committee, and they made their report, and at the time this committee talked about how the nonpreferred appropriations had grown from approximately \$300 million in the 1970s to \$628 million at that time, 1994. Well, today as we consider nonpreferred appropriations, the grand total is \$785 million, and I think there are a lot of questions about these line items, the one that is on the board right now, Drexel University, but really all of the nonpreferred appropriations, I have heard many questions on both sides of the aisle, and so I am encouraged by the willingness of the leaders to entertain a new study, a fresh look at this issue. We need to inject some fairness and accountability into the issue of nonpreferred appropriations. You know that I have raised this issue on the floor of this House many years: Why do certain universities get these special appropriations but not all? Why do certain hospitals get these appropriations but not all? Why do certain museums get these appropriations but not all?

So I look forward to working with my colleagues on both sides of the aisle. In a fresh look at this, at the issue of nonpreferred appropriations, how do we inject fairness into this process? How do we inject accountability? And I look for a study. Over the next 6-month period, we will have a resolution on the floor of the House in the next day or two to establish that study.

The Constitution of Pennsylvania holds us to a higher standard, a higher standard when we are considering nonpreferreds. As you know, while the regular budget requires a simple majority, the Constitution requires a two-thirds vote when we are distributing public money to a private institution, a two-thirds vote for public money going to a private institution. So I think it is time that we have that higher accountability, and I welcome input on both sides of the aisle to study this issue over the next 6 months so that by next year's budget, we will have some changes, some real changes in the way that these nonpreferred appropriations are handled.

So I thank the leaders for entertaining this study, and I am willing to withdraw these amendments on SB 933 and SB 934 so that we can make real progress on this issue. Thank you, Mr. Speaker.

The SPEAKER. The Chairs thanks the gentleman.

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

* * *

The House proceeded to second consideration of **SB 934, PN 1117**, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania.

On the question,
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 647, PN 2109**, entitled:

An Act relating to crane operator licensure; establishing the State Board of Crane Operators; conferring powers and imposing duties relative to regulating the practice of crane operation; imposing penalties; and making an appropriation.

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

RULES SUSPENDED

The SPEAKER. The gentleman moves that the House rules be suspended for the immediate adoption— The Chair recognizes Representative Civera.

Mr. CIVERA. Mr. Speaker, if I am in order, I have a motion, that I move to suspend rules 21 and 24 so that I might offer amendment 02335 so that the bill can be voted on final passage today.

The SPEAKER. The gentleman moves to suspend the rules.

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

The SPEAKER. The Chair recognizes the majority leader. The House will be at ease.

Mr. DeWEESE. Mr. Speaker?

The SPEAKER. The Chair recognizes the majority leader. Mr. DeWEESE. The gentleman's motion is agreed to.

PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman, Representative Vitali, rise?

Mr. VITALI. I guess I have a parliamentary inquiry because it just seems like this may be appropriate for two motions. If I am understanding this, he wants to suspend the rules so that

he can consider this amendment on third consideration, and then if that is successful, suspending the rules again to do third consideration, to do an amended bill without the 24-hour notice, and I am wondering whether it is appropriate to take them one at a time. In other words, because there are two different issues and we do not know whether the first one is going to go in, if the amendment does not go in, then the second amendment is a moot point. So I am just wondering whether it is really appropriate to combine these two motions.

The SPEAKER. The gentleman's motion is proper. It is appropriate for members, when they make a motion to suspend the rules, to state that specific rule that they want to suspend or all of the rules or a combination of the rules therein.

Mr. VITALI. But my point, if I can just, is that it just seems like you are almost, the second motion is contingent upon the first motion passing, and I am not sure, is that the way we do things here? I do not think the second part of his motion is really before the House. I think we just consider things that are— I guess in the law it might be a justiciable issue, but the point is, his second motion is not right because the first motion has not succeeded yet, and the second is really not in— I am questioning whether the second motion really is in order at this time or the second part of it is in order because he has to get the first amendment in before that is even appropriate.

The SPEAKER. In answer to the gentleman's question, the motion is proper and it is in order.

Mr. VITALI. Thank you.

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

The following roll call was recorded:

YEAS—190

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

| | | | |
|------------|-----------|----------|--------------|
| Dally | Kenney | Petri | Wagner |
| DeLuca | Kessler | Petrone | Walko |
| Denlinger | Killion | Phillips | Wansacz |
| DePasquale | Kirkland | Pickett | Waters |
| Dermody | Kortz | Preston | Watson |
| DeWeese | Kotik | Pyle | Wheatley |
| DiGirolamo | Kula | Quigley | White |
| Donatucci | Leach | Quinn | Williams |
| Eachus | Lentz | Ramaley | Wojnarowski |
| Ellis | Levdansky | Rapp | Yewcic |
| Evans, D. | Mackereth | Raymond | Youngblood |
| Evans, J. | Maher | Readshaw | Yudichak |
| Everett | Mahoney | Reed | |
| Fabrizio | Major | Reichley | O'Brien, D., |
| Fairchild | Manderino | Roae | Speaker |

NAYS-10

| | | | |
|------------|------------|----------|--------|
| Creighton | King | Metcalfe | Steil |
| Grell | Longietti | Shapiro | Vitali |
| Hutchinson | McI. Smith | | |

NOT VOTING-0

EXCUSED-3

| | | |
|---------|--------|-----------|
| Pallone | Rubley | Smith, M. |
|---------|--------|-----------|

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

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

Mr. **CIVERA** offered the following amendment No. **A02335**:

Amend Bill, page 13, by inserting between lines 7 and 8 Section 506. License without certification.

(a) Eligibility.—For a period of one year following the effective date of this section, an individual shall be eligible for licensure without certification, as required by this act, if the individual:

(1) meets the qualifications under section 502, except section 502(a)(3);

(2) has passed a practical examination administered by NCCCO. Proof of successful completion of the practical examination shall be provided to the board; and

(3) can document five or more years' experience, immediately preceding the date of application for licensure to operate a crane as defined in this act. Licenses granted under this provision shall be issued only for the operation of cranes where documentation, acceptable to the board, has been provided. Licenses issued pursuant to this section shall only authorize the operation of a crane within the experience documented and accepted by the board.

(b) Renewal.—Licenses issued under this section are not required to obtain certification for purposes of biennial renewal under section 502(b).

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

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

Mr. **CIVERA**. Thank you, Mr. Speaker.

Mr. Speaker, what this amendment does, from the day of enactment of HB 647, we allow a 1-year window for people that operate cranes 5 or more years to go in and to take a practical examination, and the written examination is not a part of getting the license. So the written examination would be exempt. For 1 year from the enactment, they could go in and take a practical examination and be licensed to operate a crane in Pennsylvania, 15 tons or more.

Thank you, and this has been agreed to, Mr. Speaker, by all parties to address this issue, as they did yesterday. So I would hope that we could adopt this amendment. Thank you.

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

Mr. **MILLER**. Thank you, Mr. Speaker.

I rise to support this amendment. I would, though, like to ask the maker of the amendment for a clarification, if I could?

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

Mr. **MILLER**. Thank you, Mr. Speaker.

I just want to make sure I do understand – I believe I do – what the practical test would consist of. It is basically one of these operators that with the 5 years of experience or more actually get into the cab of a crane and prove that they can do what they have been doing?

Mr. **CIVERA**. Mr. Speaker, that is correct.

Mr. **MILLER**. Okay. And then this does not require a written test?

Mr. **CIVERA**. That is correct, Mr. Speaker.

Mr. **MILLER**. Mr. Speaker, that ends the questions that I have.

Mr. Speaker, I appreciate the effort of the gentleman to help out many of these fine people that have worked for many years in this industry and would ask everyone to support amendment A02335. Thank you.

The SPEAKER. Representative Sturla.

Mr. **STURLA**. Thank you, Mr. Speaker.

Mr. Speaker, this is an agreed-to amendment, and just to clarify, it would allow those crane operators that are currently operating cranes to become licensed in a crane of their same classification. So it would not just allow someone to say, that currently operates a 10-ton crane to pass a practical test on a 10-ton crane and then be licensed to operate a 100-ton crane.

So there are protections in here. I think this is a good amendment that we have worked out, and I would ask members to support the amendment.

The SPEAKER. Representative Fairchild, on the amendment.

Mr. **FAIRCHILD**. Thank you, Mr. Speaker.

The last speaker raised a point that— May I interrogate the gentleman from York, please?

The SPEAKER. The gentleman wants to interrogate Representative Sturla?

Mr. **FAIRCHILD**. Yes.

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

Mr. **FAIRCHILD**. Thank you, Mr. Speaker.

In the construction business it is not unusual for, especially on the smaller cranes, for an operator to operate a 10-ton crane, a 25-ton crane, a 50-ton crane, depending upon the assignment or the work that he is asked to do by his employer. Are you saying in your last statement that that person would have to

have 5 years' experience with that specific tonnage of crane before he would qualify for a practical test?

Mr. STURLA. Yes, Mr. Speaker, and it also talks about it being documented, the experience being documented and accepted by the board. What we are trying to prevent here is, because we are allowing for the grandfathering, we do not want the grandfathering of someone who is operating currently a 10- or 20-ton, or a 10-ton crane to skirt the licensure requirement to operate a 100-ton crane by simply getting certified as being able to operate a 10-ton crane, which would be exempted under the law as we would propose it anyway, and then go out and operate a 100-ton crane.

Mr. FAIRCHILD. Well, I understand that, but the way the business operates, just the way we operate here, you start off as a member, then you proceed to be a subcommittee chairman, and then a chairman, et cetera. In that business a lot of times there is no difference, where you start on the smaller crane; you work your way up. You may have spent your last 4 1/2 years operating a 50- or 100-ton crane, but you worked your way up from a 15 to 25 to 50, and you are saying now that does not count? You would have to have 5 years operating one specific tonnage of crane to qualify for the license?

Mr. STURLA. Mr. Speaker, you would need to have 5 years' experience operating cranes. You would have to show expertise when you went for your certification with the crane load that you were looking for.

Mr. FAIRCHILD. Well, that is fine, but then you cannot say, well, you have to have 5 years' experience operating that same tonnage of crane. If you say that is what that practical test is, to test that person to make sure his or her skills are commensurate with the license he or she seeks, I am okay with that.

Mr. STURLA. Mr. Speaker, if I could, we are requiring 5 years' experience operating a crane that is above the 15-ton limit. If someone does not have that much experience, then we want them to pass the practical and written exam, just like someone who would walk on the job tomorrow. So what we are saying is, the grandfather clause is supposed to be for people who have substantial experience. If someone has less than 5 years' experience operating that level of crane, then we want them to pass the practical and the written exam. If this is someone, as we had heard was the case, where there is a family business where they have been operating this crane for 20 years, then we are going to let them be certified to operate that crane forever, essentially. But that is not to say that they get certified on that crane and then say, now, tomorrow we are going out and buying one that is 10 times that size. And now I have my license. I get to operate that crane, too, because I was grandfathered because I could operate a 10-ton crane.

Mr. FAIRCHILD. Okay. Just for clarification then, this amendment specifies that you need 5 years operating a crane above 15 ton to—

Mr. STURLA. That is correct.

Mr. FAIRCHILD. —qualify for the practical test.

Mr. STURLA. To qualify to be grandfathered and only take the practical test.

Mr. FAIRCHILD. Yes.

Mr. STURLA. If you do not have 5 years' experience on a crane more than 15 tons, you would need to pass the written and the practical exam, but remember, this is a grandfather clause, so if you do not have more than 5 years, it is hard to be grandfathered. You are basically new at that tonnage level.

Mr. FAIRCHILD. I understand that, and I am leaning towards definitely supporting this. What about— I mean, how are we going to address the person that has, let us say, they operated a 20-ton crane for 15 years. They want to be grandfathered under the practical test, which they are eligible to do if they do it within 1 year. What kind of certificate will he or she receive as far as a crane operator certificate?

Mr. STURLA. It will be verification that they passed, Mr. Speaker.

Mr. FAIRCHILD. I am sorry?

Mr. STURLA. When they passed the practical test, there will be verification that they passed. It is a license without certification.

Mr. FAIRCHILD. For what size crane?

Mr. STURLA. For a 20-ton crane. It is to operate a crane—

Mr. FAIRCHILD. Okay. Let me give you the next example then. That same person who has operated cranes for 15 years — he has operated 3 years under a 20-ton crane, 3 years under a 50-ton crane, and 3 years under a 100-ton crane, and the rest were 15 or less — eligible for a practical test, what kind of certification is he going to get?

Mr. STURLA. Mr. Speaker, it is a license without certification to show that they have the experience on a crane of that tonnage, so if they had only operated a 100-ton crane for 3 years but had operated a 50-ton crane for 3 years prior to that, my sense is that they would be able to prove that they had operated a crane of at least 50 tons for more than 5 years. If they wanted to operate a 100-ton crane, they would have to pass the written and the practical exam on the 100-ton crane.

Mr. FAIRCHILD. And the board is going to make the regulations to specify all this, to clarify it?

Mr. STURLA. Yes.

Mr. FAIRCHILD. And will these have to go through the Professional Licensure, the IRRC (Independent Regulatory Review Commission) process, and whatnot?

Mr. STURLA. Yes. There is an 18-month period, Mr. Speaker.

Mr. FAIRCHILD. Thank you. The gentleman thanks the legislator from Lancaster County.

The SPEAKER. Representative Adolph.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support Representative Civera's amendment.

I think Representative Civera, Representative Sturla, and myself heard the comments made by several members yesterday regarding grandfathering or exempting certain crane operators who have the experience on the job site but may have the inability, for whatever the reason may be, to take a written test. We are giving those individuals an opportunity that have the 5-year experience on these cranes to be exempt from the written exam.

I think this is a good compromise amendment, and I ask for support from my colleagues on both sides of the aisle.

Thank you very much.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—197

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

NAYS—3

| | | |
|-------------|-------|------|
| Benninghoff | Mantz | Rapp |
|-------------|-------|------|

NOT VOTING—0

EXCUSED—3

| | | |
|---------|--------|-----------|
| Pallone | Rubley | Smith, M. |
|---------|--------|-----------|

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

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

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

(Bill analysis was read.)

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

The Chair recognizes Representative Fairchild.

Mr. FAIRCHILD. Thank you, Mr. Speaker.

Would the maker of the bill stand for brief interrogation?

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

Mr. FAIRCHILD. Thank you, Mr. Speaker.

Yesterday, if my memory is correct, we amended the bill to exempt cranes and draglines used in coal operations. Is that correct?

Mr. CIVERA. Yes, Mr. Speaker.

Mr. FAIRCHILD. Would you tell us, what is the difference between a crane and a dragline used in a coal operation versus a crane or a dragline used in an earth-moving operation?

Mr. CIVERA. Mine Safety and Health Administration oversees all that activity that goes on in mining.

Mr. FAIRCHILD. Do they have specific licensing requirements?

Mr. CIVERA. No.

Mr. FAIRCHILD. So they will be unlicensed?

Mr. CIVERA. My understanding is, Mr. Speaker, the coal miners do have a license, and everything runs under the specific specifications of when they obtain such a license requirement by the coal miners.

Mr. FAIRCHILD. Which regulations are more strict, the mine operations that control the cranes and draglines or the OSHA (Occupational Safety and Health Administration) regulations that control the cranes and draglines?

Mr. CIVERA. There are two different requirements, Mr. Speaker. OSHA has their requirements. I have not looked at it that closely to give you an honest response, and the miners have their requirements.

Mr. FAIRCHILD. From the aspect of safety and certification, are there more accidents that happen with mine draglines and cranes than on simple earth-moving activities with draglines and cranes?

Mr. CIVERA. Mr. Speaker, I do not know about the mining aspect of it, but I can answer you as far as the OSHA part of it. Between 1972 and 2004, the crane operators, there were 106 serious crane accidents reported to OSHA in Pennsylvania alone. Of the 106 accidents, 99 resulted in at least one fatality and in some cases were multiple fatalities.

Mr. FAIRCHILD. Since when was that? What was the date on that, Mr. Speaker?

Mr. CIVERA. Since 1972 and 2004.

Mr. FAIRCHILD. So about 32 years.

Are there any more statistics? I see you talking up there with staff.

Mr. CIVERA. What I have been told, Mr. Speaker, there are approximately about 1300 crane operators that will be licensed, so when you look at the 106, that is a significant number.

Mr. FAIRCHILD. How many, with the exemption that was put into the bill, will not be licensed under your bill?

Mr. CIVERA. We know the numbers that the Department of State have supplied. There will be 1300 that will be licensed.

The answer to your question on exemption, I cannot answer that.

Mr. FAIRCHILD. I am just curious, and I really do not know the answer, but did the Department of State get the— How did they get the amount of cranes, and did they assume one operator per crane, or how do we know how many cranes are in Pennsylvania that are over 15 tons?

Mr. CIVERA. Mr. Speaker, when the rules are that when you go before the Department of State to require a certain group to be licensed, there is a requirement that is labeled as the Sunrise Report. It has to be given over to the Department of State. It is reviewed very, very thoroughly whether they believe that it should go further or it should be denied. When I was the chairman of the Licensure Committee, sometimes those reports took anywhere up to 6 to 9 months, and that is where the number was determined of 1300, and here is the Sunrise Report that they just gave to me.

Mr. FAIRCHILD. Okay. I was just curious. I did not know we tracked crane owners in Pennsylvania.

That concludes my questioning, Mr. Speaker.

The SPEAKER. The gentleman has concluded his interrogation?

Mr. FAIRCHILD. Yes. I would like to make a brief statement.

The SPEAKER. The gentleman is recognized for remarks.

Mr. FAIRCHILD. Thank you, Mr. Speaker.

I appreciate the improvements that were attempted to be made on this bill. However, I still feel that we are going to have a lot of problems. Maybe it will be worked out when we get to the regulation stage, but I am still very leery, and I am going to vote "no" on the bill.

Thank you very much, 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—137

| | | | |
|-------------|------------|-------------|------------|
| Adolph | Galloway | Markosek | Santoni |
| Argall | George | Marshall | Seip |
| Barrar | Gerber | McCall | Shapiro |
| Belfanti | Gergely | McGeehan | Shimkus |
| Bennington | Gibbons | McI. Smith | Siptroth |
| Beyer | Godshall | Melio | Smith, K. |
| Bianucci | Goodman | Mensch | Smith, S. |
| Bishop | Grucela | Micozzie | Solobay |
| Blackwell | Haluska | Millard | Staback |
| Boback | Hanna | Moyer | Stairs |
| Brennan | Harhai | Mundy | Steil |
| Buxton | Harhart | Murt | Sturla |
| Caltagirone | Harkins | Mustio | Surra |
| Carroll | Harper | Myers | Tangretti |
| Casorio | Hennessey | O'Brien, M. | Taylor, J. |
| Civera | Hershey | O'Neill | Taylor, R. |
| Cohen | Hornaman | Oliver | Thomas |
| Conklin | James | Parker | Vereb |
| Costa | Josephs | Pashinski | Vitali |
| Cruz | Keller, W. | Payton | Wagner |
| Curry | Kenney | Perzel | Walko |
| Daley | Kessler | Petrarca | Wansacz |
| Dally | Killion | Petri | Waters |
| DeLuca | King | Petrone | Watson |
| DePasquale | Kirkland | Preston | Wheatley |

| | | | |
|------------|-----------|-----------|-------------------------|
| Dermody | Kortz | Quinn | White |
| DeWeese | Kotik | Ramaley | Williams |
| DiGirolamo | Kula | Raymond | Wojnaroski |
| Donatucci | Leach | Readshaw | Yewcic |
| Eachus | Lentz | Reichley | Youngblood |
| Evans, D. | Levdansky | Roebuck | Yudichak |
| Evans, J. | Longiatti | Ross | |
| Fabrizio | Mahoney | Sabatina | O'Brien, D., Speaker |
| Frankel | Manderino | Sainato | |
| Freeman | Mann | Samuelson | |

NAYS—63

| | | | |
|-------------|------------|------------|------------|
| Baker | Fleck | Mantz | Rapp |
| Bastian | Gabig | Marsico | Reed |
| Bear | Geist | McIlhattan | Roae |
| Benninghoff | Gillespie | Metcalfe | Rock |
| Boyd | Gingrich | Miller | Rohrer |
| Brooks | Grell | Milne | Saylor |
| Cappelli | Harris | Moul | Scavello |
| Causler | Helm | Nailor | Schroder |
| Clymer | Hess | Nickol | Sonney |
| Cox | Hickernell | Payne | Stern |
| Creighton | Hutchinson | Peifer | Stevenson |
| Cutler | Kauffman | Perry | Swanger |
| Denlinger | Keller, M. | Phillips | True |
| Ellis | Mackereth | Pickett | Turzai |
| Everett | Maher | Pyle | Vulakovich |
| Fairchild | Major | Quigley | |

NOT VOTING—0

EXCUSED—3

| | | |
|---------|--------|-----------|
| Pallone | Rubley | Smith, M. |
|---------|--------|-----------|

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 708, PN 793**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further providing for ranking of local government capital project loan applications.

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?

Does the gentleman, Representative Vitali, seek recognition on the bill?

Mr. VITALI. Yes.

The SPEAKER. The gentleman is in order.

Mr. VITALI. Perhaps just a more involved explanation might be appropriate. I am trying to find the page in my pre-session report here.

The SPEAKER. Members are asked to please hold their conversations to a minimum. The Chair cannot hear the gentleman's question. Will the gentleman state his question again?

Mr. VITALI. Yes. Would the maker of the bill stand for brief interrogation?

The SPEAKER. Representative Yudichak has indicated he will stand for interrogation. The gentleman is in order and may begin his interrogation.

Mr. VITALI. Reading the pre-session report, I am not quite sure what this does. Could you just give me a little fuller explanation.

Mr. YUDICHAK. Thank you, Mr. Speaker.

This bill, HB 708, went through the Finance Committee, passed unanimously in the Finance Committee. It specifically deals with promoting municipal cooperation. What we are trying to do, when you have a lot of municipalities, particularly municipalities like the ones I represent in northeastern Pennsylvania – small third-class cities, small townships, small boroughs – they are under tremendous, tremendous fiscal distress. In fact, I have two Act 47 municipalities in my district alone. What we are trying to do is to make sure that State programs like this loan program give priority to those communities that work together in a regional fashion to provide municipal services – public safety, recreational projects, et cetera. What my bill would do would put in statute and make sure that DCED (Department of Community and Economic Development) gives priority to those municipalities that are working together to save tax dollars and to promote regionalization.

Mr. VITALI. In other words, is priority given to DCED programs where there are joint municipalities involved as opposed to single municipalities?

Mr. YUDICHAK. Correct.

Mr. VITALI. Does the administration have a position on this bill?

Mr. YUDICHAK. The administration was very helpful in drafting the legislation and helping me move it through committee.

Mr. VITALI. Any opposition you are aware of?

Mr. YUDICHAK. Not to my knowledge.

Mr. VITALI. Thank you.

The SPEAKER. Representative Cappelli.

Mr. CAPPELLI. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of HB 708 and want to commend Representative Yudichak on this legislation.

It is high time that we not only promote but incentivize municipal cooperation when it comes to accessing State financial assistance for capital works and infrastructure projects, and again, I would urge support for HB 708.

Thank you.

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—199

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

NAYS—1

Perry

NOT VOTING—0

EXCUSED—3

Pallone Rubley Smith, M.

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 825, PN 2013**, entitled:

An Act amending Title 22 (Detectives and Private Police) of the Pennsylvania Consolidated Statutes, amending the heading of Title 22 and 22 Pa.C.S. Ch. 3; codifying and making extensive revisions to The Private Detective Act of 1953; codifying the Lethal Weapons Training Act; further providing for the definition of "privately employed agents"; providing for the continuation of certain licenses; making an appropriation; and making related repeals.

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 Walko.
Mr. WALKO. Thank you, Mr. Speaker.

Could we wait one moment while I get a ruling on a corrective amendment that must be filed due to there being a typographical error in the legislation?

The SPEAKER. The House will be at ease.

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds its announcement that the bill has been agreed to on third consideration.

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

The SPEAKER. The gentleman is recognized for the purpose of offering a technical amendment A02080.

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

Mr. **WALKO** offered the following amendment No. **A02080**:

Amend Sec. 5, page 49, line 9, by striking out "paragraph (1)" and inserting
paragraphs (1) and (2)

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

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

Mr. WALKO. Thank you, Mr. Speaker.

This amendment simply corrects a typographical error in the legislation, and I believe it is an agreed-to amendment. Thank you.

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

The following roll call was recorded:

YEAS—200

| | | | |
|-------------|------------|-------------|-------------------------|
| Adolph | Freeman | Mantz | Roebuck |
| Argall | Gabig | Markosek | Rohrer |
| Baker | Galloway | Marshall | Ross |
| Barrar | Geist | Marsico | Sabatina |
| Bastian | George | McCall | Sainato |
| Bear | Gerber | McGeehan | Samuelson |
| Belfanti | Gergely | McI. Smith | Santoni |
| Benninghoff | Gibbons | McIlhattan | Saylor |
| Bennington | Gillespie | Melio | Scavello |
| Beyer | Gingrich | Mensch | Schroder |
| Biancucci | Godshall | Metcalfe | Seip |
| Bishop | Goodman | Micozzie | Shapiro |
| Blackwell | Grell | Millard | Shimkus |
| Boback | Grucela | Miller | Sipthroth |
| Boyd | Haluska | Milne | Smith, K. |
| Brennan | Hanna | Moul | Smith, S. |
| Brooks | Harhai | Moyer | Solobay |
| Buxton | Harhart | Mundy | Sonney |
| Caltagirone | Harkins | Murt | Staback |
| Cappelli | Harper | Mustio | Stairs |
| Carroll | Harris | Myers | Steil |
| Casorio | Helm | Nailor | Stern |
| Causer | Hennessey | Nickol | Stevenson |
| Civera | Hershey | O'Brien, M. | Strula |
| Clymer | Hess | O'Neill | Surra |
| Cohen | Hickernell | Oliver | 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 | Kenney | Petrarca | Vitali |
| Dally | Kessler | Petri | Vulakovich |
| DeLuca | Killion | Petrone | Wagner |
| Denlinger | King | Phillips | Walko |
| DePasquale | Kirkland | Pickett | Wansacz |
| Dermody | Kortz | Preston | Waters |
| DeWeese | Kotik | Pyle | Watson |
| DiGirolamo | Kula | Quigley | Wheatley |
| Donatucci | Leach | Quinn | White |
| Eachus | Lentz | Ramaley | Williams |
| Ellis | Levdansky | Rapp | Wojnarowski |
| Evans, D. | Longiotti | Raymond | Yewcic |
| Evans, J. | Mackereth | Readshaw | Youngblood |
| Everett | Maher | Reed | Yudichak |
| Fabrizio | Mahoney | Reichley | |
| Fairchild | Major | Roae | O'Brien, D., Speaker |
| Fleck | Manderino | Rock | |
| Frankel | Mann | | |

NAYS—0

NOT VOTING—0

EXCUSED—3

| | | |
|---------|---------|-----------|
| Pallone | Rubleby | Smith, M. |
|---------|---------|-----------|

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

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

Bill as amended was agreed to.

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

(Bill analysis was read.)

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

PARLIAMENTARY INQUIRY

The SPEAKER. Representative Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

A parliamentary inquiry.

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. SAMUELSON. With the adoption of that technical amendment, does that require another 24 hours?

The SPEAKER. No, it does not. Technical amendments do not require 24 hours.

Mr. SAMUELSON. Okay.

The SPEAKER. Substantive amendments do.

Mr. SAMUELSON. Thank you, Mr. Speaker.

The SPEAKER. Thank you.

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—198

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

NAYS—2

Everett Metcalfe

NOT VOTING—0

EXCUSED—3

Pallone Rubley Smith, M.

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 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 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 Bennington.
Ms. BENNINGTON. Thank you, Mr. Speaker.

I am proud to introduce HB 976 as my first piece of legislation.

This bill would place Pennsylvania statutes online. We are the only State in the United States that does not provide free Internet access to our laws. My legislation brings Pennsylvania

into the 21st century and furthers the mission of transparency in governance.

I would urge a "yes" vote on this important bill. Thank you.

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—200

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

NAYS—0

NOT VOTING—0

EXCUSED—3

| | | |
|---------|--------|-----------|
| Pallone | Rubley | Smith, M. |
|---------|--------|-----------|

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 A

BILL ON THIRD CONSIDERATION

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

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

On the question,
Will the House agree to the bill on 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?
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 | Mantz | Roebuck |
| Argall | Gabig | Markosek | Rohrer |
| Baker | Galloway | Marshall | Ross |
| Barrar | Geist | Marsico | Sabatina |
| Bastian | George | McCall | Sainato |
| Bear | Gerber | McGeehan | Samuelson |
| Belfanti | Gergely | McI. Smith | Santoni |
| Benninghoff | Gibbons | McIlhattan | Saylor |
| Bennington | Gillespie | Melio | Scavello |
| Beyer | Gingrich | Mensch | Schroder |
| Bianucci | Godshall | Metcalfe | Seip |
| Bishop | Goodman | Micozzie | Shapiro |
| Blackwell | Grell | Millard | Shimkus |
| Boback | Grucela | Miller | Siptroth |
| Boyd | Haluska | Milne | Smith, K. |
| Brennan | Hanna | Moul | Smith, S. |
| Brooks | Harhai | Moyer | Solobay |
| Buxton | Harhart | Mundy | Sonney |
| Caltagirone | Harkins | Murt | Staback |
| Cappelli | Harper | Mustio | Stairs |
| Carroll | Harris | Myers | Steil |
| Casorio | Helm | Nailor | Stern |
| Causer | Hennessey | Nickol | Stevenson |
| Civera | Hershey | O'Brien, M. | Sturla |
| Clymer | Hess | O'Neill | Surra |
| Cohen | Hickernell | Oliver | 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 | Kenney | Petrarca | Vitali |
| Dally | Kessler | Petri | Vulakovich |
| DeLuca | Killion | Petrone | Wagner |
| Denlinger | King | Phillips | Walko |
| DePasquale | Kirkland | Pickett | Wansacz |
| Dermody | Kortz | Preston | Waters |
| DeWeese | Kotik | Pyle | Watson |
| DiGirolamo | Kula | Quigley | Wheatley |
| Donatucci | Leach | Quinn | White |
| Eachus | Lentz | Ramaley | Williams |
| Ellis | Levdansky | Rapp | Wojnaroski |
| Evans, D. | Longietti | Raymond | Yewcic |
| Evans, J. | Mackereth | Readshaw | Youngblood |
| Everett | Maher | Reed | Yudichak |
| Fabrizio | Mahoney | Reichley | |
| Fairchild | Major | Roae | O'Brien, D., |
| Fleck | Manderino | Rock | Speaker |
| Frankel | Mann | | |

NAYS—0

NOT VOTING—0

EXCUSED—3

Pallone Rubley Smith, M.

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1408, PN 2106**, entitled:

An Act amending the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, further providing for appropriation for and limitation on redevelopment assistance capital projects.

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?

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds its announcement that the bill was agreed to on third consideration.

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

The SPEAKER. The Chair recognizes Representative Turzai. Mr. TURZAI. Mr. Speaker, I would like to interrogate the maker of this bill.

BILL PASSED OVER TEMPORARILY

The SPEAKER. This bill will go over temporarily.

SUPPLEMENTAL CALENDAR A CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 431, PN 162**, entitled:

An Act authorizing the release of Project 70 restrictions on certain lands owned by the Commonwealth of Pennsylvania, Pennsylvania Game Commission, being conveyed by the Pennsylvania Game Commission in return for the imposition of Project 70 restrictions on certain lands being conveyed to the Commonwealth of Pennsylvania, solely for the use of the Pennsylvania Game Commission in Adams County.

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?

Representative Vitali.
Mr. VITALI. Can anyone stand for interrogation on this bill?
The SPEAKER. Can the gentleman be more specific?
Mr. VITALI. Whom do we have here?

The SPEAKER. The gentleman, Representative Nickol, says he will stand for interrogation. The gentleman is in order.

Mr. VITALI. Project 70 restrictions, I just want to make sure there is no opposition from environmental groups. Whenever Project 70 restrictions are lifted, there is that concern.

Could you just be more specific about what Project 70 restrictions are being lifted?

Mr. NICKOL. Mr. Speaker, this involves land that is owned by the Game Commission that was acquired with Project 70 funds. Currently there are two separate tracts of land that are located in close proximity, and the Game Commission has been negotiating with the private landowner who owned the land in between those two tracts to acquire a plot of land that he currently owns in exchange for some of the game land.

So what this is, is an exchange of land in which the State receives – I have to look here at the exact acreage – but I believe it is something around 30 acres of land that the State acquires, and in exchange, it is 17 or 18 acres that are transferred to the private landowner. It connects the two tracts of land, and the land that goes to the private landowner has deed restrictions so that he cannot develop that land.

As I said, it was sought by the Game Commission itself, and because the land was acquired with Project 70 funds,

it requires a removal of the restriction on that land for the Game Commission to be able to do this land transfer.

Mr. VITALI. Thank you.

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—200

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

NAYS—0

NOT VOTING—0

EXCUSED—3

| | | |
|---------|--------|-----------|
| Pallone | Rubley | Smith, M. |
|---------|--------|-----------|

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 797, PN 889**, entitled:

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.

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

NAYS-0

NOT VOTING-0

EXCUSED-3

| | | |
|---------|-------|-----------|
| Pallone | Ruble | Smith, M. |
|---------|-------|-----------|

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

BILL ON FINAL PASSAGE

The House proceeded to consideration on final passage of **HB 1556, PN 2105**, entitled:

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.

On the question,
Shall the bill pass finally?

(Bill analysis was read.)

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-200

| | | | |
|-------------|-----------|------------|-----------|
| Adolph | Freeman | Mantz | Roebuck |
| Argall | Gabig | Markosek | Rohrer |
| Baker | Galloway | Marshall | Ross |
| Barrar | Geist | Marsico | Sabatina |
| Bastian | George | McCall | Sainato |
| Bear | Gerber | McGeehan | Samuelson |
| Belfanti | Gergely | McI. Smith | Santoni |
| Benninghoff | Gibbons | McIlhattan | Saylor |
| Bennington | Gillespie | Melio | Scavello |

| | | | |
|-------------|------------|-------------|--------------|
| Beyer | Gingrich | Mensch | Schroder |
| Bianucci | Godshall | Metcalfe | Seip |
| Bishop | Goodman | Micozzie | Shapiro |
| Blackwell | Grell | Millard | Shimkus |
| Boback | Grucela | Miller | Siproth |
| Boyd | Haluska | Milne | Smith, K. |
| Brennan | Hanna | Moul | Smith, S. |
| Brooks | Harhai | Moyer | Solobay |
| Buxton | Harhart | Mundy | Sonney |
| Caltagirone | Harkins | Murt | Staback |
| Cappelli | Harper | Mustio | Stairs |
| Carroll | Harris | Myers | Steil |
| Casorio | Helm | Nailor | Stern |
| Causer | Hennessey | Nickol | Stevenson |
| Civera | Hershey | O'Brien, M. | Sturla |
| Clymer | Hess | O'Neill | Surra |
| Cohen | Hickernell | Oliver | 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 | Kenney | Petrarca | Vitali |
| Dally | Kessler | Petri | Vulakovich |
| DeLuca | Killion | Petrone | Wagner |
| Denlinger | King | Phillips | Walko |
| DePasquale | Kirkland | Pickett | Wansacz |
| Dermody | Kortz | Preston | Waters |
| DeWeese | Kotik | Pyle | Watson |
| DiGirolamo | Kula | Quigley | Wheatley |
| Donatucci | Leach | Quinn | White |
| Eachus | Lentz | Ramaley | Williams |
| Ellis | Levdansky | Rapp | Wojnaroski |
| Evans, D. | Longietti | Raymond | Yewcic |
| Evans, J. | Mackereth | Readshaw | Youngblood |
| Everett | Maher | Reed | Yudichak |
| Fabrizio | Mahoney | Reichley | |
| Fairchild | Major | Roae | O'Brien, D., |
| Fleck | Manderino | Rock | Speaker |
| Frankel | Mann | | |

NAYS-0

NOT VOTING-0

EXCUSED-3

| | | |
|---------|-------|-----------|
| Pallone | Ruble | Smith, M. |
|---------|-------|-----------|

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.

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

HB 919, PN 2127 (Amended)

By Rep. ROEBUCK

An Act providing for Commonwealth support for a Specialty Teacher Loan Forgiveness Program for Pennsylvania residents who graduate from institutions of higher education and who apply their degrees to teaching certain subjects in public schools in this Commonwealth and for Commonwealth support for a Professional Personnel Recruitment Initiative Program to provide grants to certain institutions of higher education; and making appropriations.

EDUCATION.

HB 922, PN 2128 (Amended) By Rep. ROEBUCK

An Act establishing an Urban Educators Recruitment Program in the Department of Education; and making an appropriation.

EDUCATION.

HB 923, PN 2129 (Amended) By Rep. ROEBUCK

An Act establishing and providing for the implementation and administration of the Beginning Educator Support and Training (BEST) Program; and providing for powers and duties of the Department of Education.

EDUCATION.

HB 924, PN 2130 (Amended) By Rep. ROEBUCK

An Act establishing and providing for the implementation and administration of the Call Me Mister Program; providing for powers and duties of the Department of Education and the State Board of Education; and making an appropriation.

EDUCATION.

HB 984, PN 2131 (Amended) By Rep. PETRONE

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, further providing, in Allegheny Regional Asset District, for governing board and for capital budget.

URBAN AFFAIRS.

HB 1130, PN 2132 (Amended) By Rep. PETRONE

An Act amending the act of April 21, 1949 (P.L.665, No.155), known as the First Class City Home Rule Act, providing for campaign report format.

URBAN AFFAIRS.

BILL REREPORTED FROM COMMITTEE

HB 684, PN 2133 (Amended) By Rep. MARKOSEK

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; establishing the Octane Testing Account; and providing for penalties.

TRANSPORTATION.

RESOLUTIONS REPORTED FROM COMMITTEE

HR 352, PN 2084 By Rep. MARKOSEK

A Resolution directing the Legislative Budget and Finance Committee to study alternatives to the liquid fuels tax for purposes of funding the Commonwealth's transportation infrastructure and to report its findings to the General Assembly.

TRANSPORTATION.

HR 353, PN 2085 By Rep. MARKOSEK

A Resolution directing the Legislative Budget and Finance Committee to study the feasibility and cost-effectiveness of placing transit agency employees under the Commonwealth's jurisdiction for the purposes of providing health benefits and pension benefits and to make a report.

TRANSPORTATION.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 34 be removed from the tabled bill calendar.

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

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1044, PN 1642**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for powers and duties of the Municipal Police Officers' Education and Training Commission and for police training.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1044 be placed on the table.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1044 be removed from the table.

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

RESOLUTION

Mr. DeWEESE called up **HR 216, PN 1838**, entitled:

A Concurrent Resolution memorializing Congress to designate September 11 as "National Emergency Responders' Day," declaring September 11 as "Pennsylvania Emergency Responders' Day" and recognizing emergency responders for their valuable service.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 216 be placed on the table.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 216 be removed from the table.

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

The SPEAKER. The House will be at ease.

BILLS RECOMMENDED

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

HB 432;
HB 894;
HB 1529;
HB 1573;
SB 116;
SB 933; and
SB 934.

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

**HOUSE BILL
INTRODUCED AND REFERRED****No. 1656** By Representative MOYER

An Act authorizing and directing the Department of General Services, with the approval of the Department of Conservation and Natural Resources and the Governor, to grant and convey to Skippack Township certain lands situate in Skippack Township, Montgomery County, in exchange for Skippack Township granting and conveying certain lands to the Commonwealth to be added to those existing lands at Evansburg State Park.

Referred to Committee on STATE GOVERNMENT,
June 27, 2007.

CONSIDERATION OF HB 1408 CONTINUED

On the question recurring,
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 Turzai.
Mr. TURZAI. Thank you very much, Mr. Speaker.

I would ask the maker of the bill for interrogation.

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

Mr. TURZAI. I have seen different numbers, but what is our current amount that the Commonwealth borrows under the Capital Facilities Debt Enabling Act? What is the total amount that we are permitted to borrow under the Capital Facilities Debt Enabling Act?

The SPEAKER. If the gentleman will pause for a moment, the Chair will ask the members to please hold their conversations to a minimum. The conversations in the center aisles and along the walls, members will please break up the conferences, take their seats. Conferences will break up.

Representative Evans.

Mr. D. EVANS. Mr. Speaker, I need to be clear on your question. Is your question that you are asking, what is the overall debt of the Commonwealth, or is your question that you are asking what the Capital Facilities is? Which one is it?

Mr. TURZAI. My understanding is that HB 1408 amends the Capital Facilities Debt Enabling Act. My first question is – and I will ask questions about the entire outstanding debt – but my first question is, what presently is the amount of indebtedness permitted under their Capital Facilities Debt Enabling Act?

Mr. D. EVANS. Mr. Speaker, in all fairness, because I do not want to give you an incorrect answer, there are a couple. First, we are nowhere near our constitutional ability in borrowing in debt, first, but what I can do, if you want to put the House at ease, I can have somebody kind of run and get the information for you.

Mr. TURZAI. Okay. Thank you.

I will have further questioning, but that is the first initial question, and it is not what our constitutional – what is allowable. We are talking about a particular existing statute to which this bill is amending. So I will have specific questions about this bill and what it does to the Commonwealth's indebtedness under the existing statute.

Thank you. I will wait until the information is ready.

The SPEAKER. The Chair will go over the bill temporarily. We have it now?

Mr. D. EVANS. Mr. Speaker, I can read some of this information to you or I can tell you exactly where you can find it. Where you exactly can find it is in the Governor's executive budget, executive budget regarding the outstanding capital budget debt. As of next fiscal year, it will be \$7 billion, 13 percent of the constitutional limit.

Now, I want you to understand, Mr. Speaker, this is something that did not come from me. It came from Senator Armstrong, Senator Armstrong, chairman of the Senate Appropriations Committee. The point I am only raising is the information is in the capital executive budget.

The SPEAKER. Mr. Evans, would you please speak into the microphone. It is difficult for the members.

Mr. D. EVANS. What I was just saying, Mr. Speaker, is that this information is in the Governor's executive budget. I wanted to tell him exactly where the information came from so he can know where we can make reference of it.

Mr. TURZAI. Mr. Speaker, okay. I think I understood you correctly, and I just want to make sure. You indicated that presently under the Capital Facilities Debt Enabling Act, the Commonwealth can borrow up to 7 billion, with a "b," dollars; \$7 billion.

Mr. D. EVANS. No, Mr. Speaker. Let me correct that. This is what I said. According to the Governor's executive budget for 2007-2008, the Commonwealth's outstanding capital budget debt at the end of next fiscal year will be \$7 billion. That is 13 percent of the constitutional limit projected in terms of the current fiscal year.

Mr. TURZAI. But what, sir, is the amount by statute allowed to be borrowed under the Capital Facilities Debt Enabling Act today, and then of course the follow-up question is, why do we need to change that amount to increase it? But what is permitted to be borrowed today under the Capital Facilities Debt Enabling Act?

Mr. D. EVANS. Our constitutional debt limit is \$54 billion.

Mr. TURZAI. Okay. That is fine. I am not asking what the constitutional limit is, but I am assuming – I have to assume from your first question that it is \$7 billion, and you are saying that we are actually allowed to borrow up to \$54 billion.

Mr. D. EVANS. Mr. Speaker, I did not say that. Mr. Speaker, listen to me, please; listen to me. I did not say that. And what is better for me is to give you the reference of where this is. This is in the Governor's executive budget. Any member has access to it.

Mr. TURZAI. Well, no, but the executive budget really does not answer the question. It is the existing law. Now, you want to amend, you want to amend the existing law. You want to amend the existing law to increase the amount that the State of Pennsylvania and its taxpayers borrow, that future taxpayers have to spend, and it is a pretty simple question. What does the statute presently allow, not what the Governor's budget sets forth as what it wants, what does the statute presently allow to be borrowed, and why do you want to increase the amount that can be borrowed, and to what amount do you want to increase what can be borrowed?

Mr. D. EVANS. You see, Mr. Speaker, where I think we are going back and forth is—

Mr. TURZAI. I am not going back and forth. They are pretty simple questions.

Mr. D. EVANS. Are you finished?

Mr. TURZAI. I am finished.

Mr. D. EVANS. Okay. I am going to repeat again what I said to you. There is the capital budget debt, which that is what we are talking about, and then there is the overall debt. What I have expressed to you is I have read you the information. Now, you asked me the question specifically relating to what is in the statute. I just read that information to you.

Mr. TURZAI. What do you want to do with this bill? You want to increase the amount of borrowing allowed by statute. That is why you are proposing the bill. To what extent do you want to increase the amount of borrowing, from what number to what number?

Mr. D. EVANS. In this bill, HB 1408, it increases the maximum of redevelopment assistance capital projects that may be undertaken by the Commonwealth from \$2.65 to \$3.15 billion, an increase of \$500 million. That is what it says in the fiscal note, sir.

Mr. TURZAI. And is that redevelopment assistance capital project amount a subset of the Capital Facilities Debt Enabling Act? Is that a subset of that?

Mr. D. EVANS. No, Mr. Speaker.

Mr. TURZAI. Then why are we amending the Capital Facilities Debt Enabling Act?

Mr. D. EVANS. Because in order to borrow additional revenue, that is what we have to do, Mr. Speaker.

Mr. TURZAI. Why is there a need for the Commonwealth to— Well, let me ask you this: Of the \$2.65 billion that we already can borrow under the redevelopment assistance capital project line, which I would contend seems pretty clear is part of the Capital Facilities Debt Enabling Act, that \$2.65 billion, how much of that has already been lent out and how much has not been lent out?

Mr. D. EVANS. Currently, Mr. Speaker, we are at our cap.

Mr. TURZAI. So we have lent out in the Commonwealth of Pennsylvania all \$2.65 billion for capital redevelopment assistance projects?

Mr. D. EVANS. Mr. Speaker, normally we fund the economic redevelopment program, and that has not happened in the 4 years of the Ed Rendell administration. That has happened over the entire period, sir, in terms of the various Governors that we have and General Assemblies relating to that number. So it is not in the 4-year period that that has occurred. That has occurred when Democrats ran the House, Republicans were in the House, Republican Governors, Democratic Governors. So, sir, that occurred probably when Benjamin Franklin was here and stood in this position.

Mr. TURZAI. I understand. But it is this Governor and this House Democratic Caucus that want to increase it by another \$500 million.

Mr. D. EVANS. No. I would hope that this is not viewed as a partisan issue. I would hope that when those investments are made throughout the Commonwealth of Pennsylvania, that they are made in Democratic areas, Republican areas, rural areas, suburban areas, urban; they are made everywhere throughout the Commonwealth. There is no limit to this, sir.

Mr. TURZAI. Will all that \$500 million, the increase that you want from \$2.65 billion that is already lent out to \$3-billion-plus that you want to lend out, of that amount of money, what will the terms of the bond issuance, the lending be? When will that \$500 million be paid back, and how much will it cost us to pay it back? If we lend out \$500 million, how much will we have to pay in principal, interest, and fees on that \$500 million until the entire \$500 million is paid back?

Mr. D. EVANS. Sir, the only thing we are trying to do as the legislative branch, not the executive branch, is give the authorization to the executive branch, who, in return, are the ones who go to the marketplace. So, you know, the Governor proposes; we legislate. So you would have to ask the Secretary of the Budget those particular questions.

Mr. TURZAI. Well, certainly the esteemed chair of the Appropriations Committee, with such an extensive staff dealing with numbers and who has a day-to-day relationship with the Secretary of Revenue, should be able to tell the taxpayers of Pennsylvania, if you lent out the entire \$500 million – and again, let me reiterate that it is on top of \$2.65 billion that has already been lent – that \$500 million, if that has all been lent out, what will it cost the taxpayers in principal, interest, and fees to pay that \$500 million back?

Mr. D. EVANS. Mr. Speaker, in all due respect to the gentleman's question, I thought we were not supposed to ask questions to answers that we already know, because to be technical, if he only reads the fiscal note, that question will be answered.

Mr. TURZAI. If you have the answer, I would be glad to have it. I do not know the number, and I am asking it because you are the person who is the sponsor of the bill, and if you could read it to the public and to me, I would appreciate it. Thank you very much. I do not think – unless you want to hide it from the public or the members, otherwise could you read us what that number is?

Mr. D. EVANS. Well, sir, Mr. Speaker, I thought that, you know, the information is on the fiscal note. Everybody receives it. What it says exactly is it will cost approximately \$8 billion per year for 20 years. That is what it says. It says it right on the fiscal note.

Mr. TURZAI. Well, I will have to figure out my math here.

Mr. D. EVANS. My mistake, Mr. Speaker; \$8 million. It is right here.

Mr. TURZAI. So that total would be about \$160 to \$170 million on top of the \$500 million, to pay back the \$500 million in principal?

Mr. D. EVANS. I answered the question, Mr. Speaker, already.

Mr. TURZAI. \$160 million. Is that accurate?

Mr. D. EVANS. I cannot tell you if it is accurate, but I answered the question.

Mr. TURZAI. In how many years will that money be paid back, the principal, debt, and interest – the principal, interest, and fees?

Mr. D. EVANS. Mr. Speaker, it is on the fiscal note. It says 20 years.

Mr. TURZAI. And finally, how much of that has been estimated to be fees to be paid to underwriters, lawyers, printers for the debt issuance? To take that \$500 million and issue it, what is the specific cost going to be to the lawyers, underwriters, and printers that I assume that the Governor's Office gets to pick as to who will get to do that? What is the cost of those fees to those individuals for your debt issuance of \$500 million that you want to borrow on the taxpayers' backs?

Mr. D. EVANS. I cannot answer that question, Mr. Speaker, first.

And secondly, Mr. Speaker, I already explained to the gentleman how the process works. The only thing we are doing is raising the limit I described to him, the 20-year period. I described the \$8 million is in the fiscal note. I read from the fiscal note that I have here. I read from Senator Armstrong's fiscal note; I read the information. I told him he can look in the Governor's executive budget. So I believe, Mr. Speaker, I have answered those questions.

Mr. TURZAI. I would like to speak on the bill, please.

The SPEAKER. The gentleman is recognized.

Mr. TURZAI. Well, I think this week already, based on the Governor's proposals and based on our colleagues on the other side of the aisle, they have sought to offer borrowing of up to \$500 million under the Jonas Salk Fund; an unlimited amount of borrowing under the Energy Fund, although the Governor's proposals have put forth \$850 million; and now an additional \$500 million for the RCAP (Redevelopment Assistance Capital Program) borrowing for these capital assistance projects, and

keep in mind, they have already spent \$2.65 billion that we have to repay with taxpayer dollars.

To the best of my addition, it might not be as good as the esteemed chair of the Appropriations Committee from Philadelphia County, but that adds up right now to about \$1.85 billion worth of borrowing at a minimum that we have done so far this past 2 weeks. And I want everybody out there to recognize that borrowing, every dollar that gets borrowed, has to be done in a bond issuance, and lawyers, underwriters, and printers get nice fees for those issuances, and future taxpayers – guess what? – have to pay that money back, and it comes out of either dollars that were set aside for other projects that we put priorities on or from future taxes that your kids and my kids and your grandkids and my kids have to pay back, every one of it.

There is no free ride. This administration and its supporters on the other side of the aisle want their cake and eat it, too. They want to increase spending in the operating budget by over 7 percent, almost 8 percent. They want to use up every dollar of the surplus, which is nearing \$700 million, plus they want to spend money on additional capital projects, on Jonas Salk projects, on Energy Fund projects, that the Governor and select colleagues in the legislature get to go around passing out checks that each one of you and your kids and grandkids get to pay back.

It is irresponsible. Stop the madness. Enough is enough. No more debt; no more borrowing. They have got enough money; they should have used it wisely. Thank you.

Mr. D. EVANS. Mr. Speaker?

The SPEAKER. Representative Evans.

Mr. D. EVANS. You know, this investment, because that is what it is, is not being invested in New York, is not being invested in Ohio, is not being invested in West Virginia or Maryland, but it is being invested in Pennsylvanians, and the greatest challenge we have is what we do about our infrastructure, because this is invested all throughout the Commonwealth of Pennsylvania. So basically Pennsylvanians are making this investment.

It is strange when I hear statements made such as what has been made about where these investments are being made. These investments are not being made overseas or to any other State. They are investing in our communities, our townships, our villages. Our communities, that is where they are. This is a practice, not just under this Governor but previous Governors. I have been around for a little while with this, and what is probably troubling most to me about this process is that people are not looking here in terms of the future of this State. We are trying to retool this State for the future. We are trying to figure out, where do we make strategic investments? We talk about our schools, we talk about our transit, we talk about our highways, we talk about our roads, and it is strange that we do not want to talk about investment.

Now, I have worked closely with the chairman of the Appropriations Committee on that side of the aisle and the Republican leader. We have been trying to work together. I am going to, so from your side you can have a better understanding, ask that we have a discussion about this tomorrow, but this is one of the issues that we will have to address in tomorrow's budget. So because of the chairman – and he and I just had a conversation; he wants to have a discussion – I am going to ask, Mr. Speaker, that we bring this up tomorrow and we vote on this particular issue so he can have whatever clarity that he needs.

But I wanted to especially say to the gentleman who raises the question, this is money, Pennsylvania money, that is going right back to Pennsylvanians. It is not going to someone else, and I find it strange that Pennsylvanians would not want to invest money into our own constituents. That is exactly—Delaware County and Bucks County and Lackawanna and Franklin County and Beaver County and Greene County and Erie County and Westmoreland County, all 67 counties, one way or another, will benefit by the reinvestment. So because the chairman asked me, I am going to ask that we bring this bill back up, Mr. Speaker, for a vote tomorrow and just go over this bill temporarily, Mr. Speaker. Until tomorrow, Mr. Speaker.

BILL PASSED OVER

The SPEAKER. Without objection, the bill is over for today.

JUDICIARY COMMITTEE MEETING

The SPEAKER. Are there any announcements?

The Chair recognizes Representative Caltagirone for an announcement.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

The House Judiciary Committee will meet immediately in room 205, Ryan Office Building, for a vote on HB 29.

The SPEAKER. The Judiciary Committee will meet immediately in room 205, Ryan Office Building.

STATE GOVERNMENT COMMITTEE MEETING

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

Ms. JOSEPHS. Thank you, Mr. Speaker.

The House State Government Committee meeting is called for Friday, room 60E, at the call of the Chair. You will get a notice, members, and I will make another announcement, but please put it down.

Thank you, Mr. Speaker.

The SPEAKER. State Government will meet on Friday at the call of the Chair in room 60E.

Representative Josephs.

Ms. JOSEPHS. Thank you, Mr. Speaker. I have to make a correction.

The State Government Committee meeting is called for Friday at the call of the Chair in Ryan Building 205.

The SPEAKER. The Chair thanks the lady.

DEMOCRATIC CAUCUS

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

Mr. DeWEESE. Thank you, Mr. Speaker. Just a matter of scheduling.

We will caucus at 10 a.m., and we will report to the floor at 11 a.m. Thank you, Mr. Speaker.

REPUBLICAN CAUCUS

The SPEAKER. Representative Major.

Miss MAJOR. Thank you, Mr. Speaker.

I would also like to call a Republican caucus for tomorrow morning at 10 a.m. Thank you.

The SPEAKER. The Chair thanks the lady.

The House will be at ease.

For the information of the members, there will be no further votes today.

ANNOUNCEMENT BY SPEAKER

Mr. DeWEESE. Mr. Speaker, Louise Williams Bishop asking for recognition.

The SPEAKER. Before the Chair recognizes Louise Bishop, it is her birthday. This is the correct day, and the Chair and the members would like to wish you a very happy birthday.

And now the Chair recognizes Representative Bishop.

Ms. BISHOP. Thank you very much, Mr. Speaker, and I just wanted to say I did have birthday cake in the back for anyone who would like to stop by and get a slice. I thank you very much. Bless you.

The SPEAKER. The Chair thanks the lady.

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 Chair recognizes the gentleman from Philadelphia, Representative Michael O'Brien, who moves that this House do now adjourn until Thursday, June 28, 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 5:12 p.m., e.d.t., the House adjourned.