

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

WEDNESDAY, NOVEMBER 16, 2011

SESSION OF 2011

195TH OF THE GENERAL ASSEMBLY

No. 76

### HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (SAMUEL H. SMITH)  
PRESIDING**

#### PRAYER

HON. MATTHEW E. BAKER, member of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.  
Let us pray together:

Almighty and loving God, we humbly come before You with our prayers that we may be honest and sincere in our duties. Let our wisdom not be that from below, which is earthly, unspiritual, and of the devil. Instead, let it be wisdom that comes from heaven, which is, first of all, pure, then peace-loving, considerate, submissive, full of mercy and good fruit, impartial and sincere. O that we may always conduct ourselves in the world in the holiness and sincerity that are from God, not according to worldly wisdom but according to God's grace.

Lord, uphold us in our integrity and set us in Your presence forever. May integrity and uprightness protect us, because our hope is in You. May our hearts be blameless toward Your decrees that we may not be put to shame, and let our eyes be good that our whole body may be full of light.

Lord, as long as it is day, quicken us to do the work of Him who sent us, because night is coming when no one can work, and whatever good our hands find to do, to do it with all our might. Lord, grant that we may never be lacking in zeal but full of spiritual fervor, serving the Lord that we may stand firm and be moved by nothing, always giving ourselves fully to the work of the Lord, because we know that our labor in the Lord is not in vain.

Lord, make us zealous for good purposes, and in whatever we do, enable us to work at them with all our hearts, souls, and minds as working for the Lord. And, Lord, enable us to do the work of everyday for its fullest as the duty of the day requires, making the most of every opportunity, because the days are short and numbered; that when our Lord comes, he may find us doing so in spirit and in truth and one day say to us, "Well done, good and faithful servants."

Thank You for hearing our prayers, Lord. It is in our Lord and Savior Jesus' name we pray. Amen.

### PLEDGE OF ALLEGIANCE

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

### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, November 15, 2011, will be postponed until printed.

### BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

**HB 469, PN 2756** (Amended) By Rep. HARHART

An Act amending the act of March 2, 1956 (1955 P.L.1211, No.376), known as the Practical Nurse Law, further providing for violations.

PROFESSIONAL LICENSURE.

**HB 470, PN 2757** (Amended) By Rep. HARHART

An Act amending the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law, further providing for use of title.

PROFESSIONAL LICENSURE.

**SB 366, PN 351** By Rep. HARHART

An Act amending the act of December 22, 1983 (P.L.306, No.84), known as the Board of Vehicles Act, further providing for definitions, for licensure and for State Board of Vehicle Manufacturers, Dealers and Salespersons.

PROFESSIONAL LICENSURE.

**SB 957, PN 1804** (Amended) By Rep. HARHART

An Act amending the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act, further providing for definitions, for State Board of Osteopathic Medicine, for athletic trainers and for reasons for refusal, revocation or suspension of license.

PROFESSIONAL LICENSURE.

**SB 967, PN 1805** (Amended)

By Rep. HARHART

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, further providing for definitions, for the State Board of Medicine and for athletic trainers.

PROFESSIONAL LICENSURE.

### SENATE MESSAGE

HOUSE BILL  
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 735, PN 2093**, 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 735, PN 2093

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for unlawful acts concerning licenses.

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

### INSURANCE COMMITTEE MEETING

The SPEAKER. The Speaker recognizes the gentleman, Mr. Micozzie, for the purpose of making an announcement.

Mr. MICOZZIE. Mr. Speaker, there will be an Insurance Committee meeting in G-50 in the Irvis Building at the recess, unless you are going to not have a recess. Can you tell me what— I am trying to understand what the schedule is today.

The SPEAKER. When we come back at 12:30, there would be a later point in time where we will probably have to break for a short period of time for an Appropriations Committee meeting. I do not know if that would afford you the time you need, but that would be one opportunity later today.

Mr. MICOZZIE. Thank you, Mr. Speaker. That is very helpful.

### DEMOCRATIC CAUCUS

The SPEAKER. The Speaker recognizes the gentleman from Allegheny County, Mr. Frankel, for the purpose of an announcement as well.

Mr. FRANKEL. Thank you, Mr. Speaker.

There will be an immediate Democratic caucus — an immediate Democratic caucus. Thank you.

The SPEAKER. Any other announcements?

### RECESS

The SPEAKER. This House stands in recess until 12:30, unless sooner recalled by the Speaker.

### RECESS EXTENDED

The time of recess was extended until 1 p.m.; further extended until 1:30 p.m.

### AFTER RECESS

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

The SPEAKER. Members will please report to the floor.

### LEAVES OF ABSENCE

The SPEAKER. The Speaker turns to leaves of absence and recognizes the minority whip, who requests a leave of absence for the gentleman, Mr. CRUZ, from Philadelphia County for the day; the gentleman, Mr. Dwight EVANS, from Philadelphia County for the day; the gentleman, Mr. MULLERY, from Luzerne County for the day; the gentleman, Mr. MYERS, from Philadelphia County for the day; the gentleman, Mr. STABACK, from Lackawanna County for the day; and the gentleman, Mr. WHEATLEY, from Allegheny County for the day. Without objection, the leaves will be granted.

The majority whip indicates there are no requests for leaves.

### MASTER ROLL CALL

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

The following roll call was recorded:

#### PRESENT—196

Adolph	Dunbar	Kirkland	Rapp
Aument	Ellis	Knowles	Ravenstahl
Baker	Emrick	Kortz	Readshaw
Barbin	Evankovich	Kotik	Reed
Barrar	Evans, J.	Krieger	Reese
Bear	Everett	Kula	Reichley
Benninghoff	Fabrizio	Lawrence	Roae
Bishop	Farry	Longiotti	Rock
Bloom	Fleck	Maher	Roebuck
Boback	Frankel	Mahoney	Ross
Boyd	Freeman	Major	Sabatina
Boyle, B.	Gabler	Maloney	Saccone
Boyle, K.	Galloway	Mann	Sainato
Bradford	Geist	Markosek	Samuelson
Brennan	George	Marshall	Santarsiero
Briggs	Gerber	Marsico	Santoni
Brooks	Gergely	Masser	Saylor
Brown, R.	Gibbons	Matzie	Scavello
Brown, V.	Gillen	McGeehan	Schroder
Brownlee	Gillespie	Metcalfe	Shapiro
Burns	Gingrich	Metzgar	Simmons

Buxton	Godshall	Miccarelli	Smith, K.
Caltagirone	Goodman	Micozzie	Smith, M.
Carroll	Grell	Millard	Sonney
Causer	Grove	Miller	Stephens
Christiana	Hackett	Milne	Stern
Clymer	Hahn	Mirabito	Stevenson
Cohen	Haluska	Moul	Sturla
Conklin	Hanna	Mundy	Swanger
Costa, D.	Harhai	Murphy	Tallman
Costa, P.	Harhart	Murt	Taylor
Cox	Harkins	Neuman	Thomas
Creighton	Harper	O'Brien, D.	Tobash
Culver	Harris	O'Brien, M.	Toepel
Curry	Heffley	O'Neill	Toohil
Cutler	Helm	Oberlander	Truitt
Daley	Hennessey	Parker	Turzai
Davidson	Hess	Pashinski	Vereb
Davis	Hickernell	Payne	Vitali
Day	Hornaman	Payton	Vulakovich
Deasy	Hutchinson	Peifer	Wagner
DeLissio	Johnson	Perry	Waters
Delozier	Josephs	Petrarca	Watson
DeLuca	Kampf	Petri	White
Denlinger	Kauffman	Pickett	Williams
DePasquale	Kavulich	Preston	Youngblood
Dermody	Keller, F.	Pyle	
DeWeese	Keller, M.K.	Quigley	Smith, S.,
DiGiolamo	Keller, W.	Quinn	Speaker
Donatucci	Killion		

ADDITIONS—0

NOT VOTING—0

EXCUSED—7

Cruz	Mullery	Myers	Wheatley
Evans, D.	Mustio	Staback	

LEAVES ADDED—4

Bear	Evans, J.	Fleck	Metcalfe
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The SPEAKER. One hundred ninety-six members having voted on the master roll call, a quorum is present.

**HOUSE BILLS  
INTRODUCED AND REFERRED**

**No. 1989** By Representatives CUTLER, V. BROWN, CAUSER, CLYMER, CREIGHTON, DENLINGER, FREEMAN, GEIST, GINGRICH, HENNESSEY, HICKERNELL, KAUFFMAN, KILLION, KNOWLES, KORTZ, MAJOR, MILLARD, MILLER, MOUL, MURT, QUINN, ROCK, SWANGER, TOOHIL, VULAKOVICH and YOUNGBLOOD

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for duties relating to missing children and other missing persons.

Referred to Committee on JUDICIARY, November 16, 2011.

**No. 1991** By Representatives CUTLER, WATERS, AUMENT, BAKER, BOBACK, V. BROWN, CLYMER, CREIGHTON, DALEY, FARRY, FLECK, GABLER, GEIST, GINGRICH, GROVE, HARHAI, HELM, HESS,

HICKERNELL, KAUFFMAN, KILLION, MAJOR, MILLARD, MILLER, MULLERY, PICKETT, PYLE, REED, REICHLEY, SAYLOR, SONNEY, STERN, SWANGER, TOEPEL, VULAKOVICH and WATSON

An Act amending the act of July 10, 1986 (P.L.1398, No.122), known as the Energy Conservation and Assistance Act, further providing for definitions; providing for verification and assistance amounts and for fraud reporting to Inspector General; further providing for weatherization and energy conservation; providing for performance audits by the Auditor General; and making editorial changes.

Referred to Committee on HEALTH, November 16, 2011.

**No. 1992** By Representatives MICOZZIE, QUINN, GODSHALL, WATSON, CARROLL, DAVIS, GEIST, HESS, JOSEPHS, MAHER, MUNDY, MURPHY, READSHAW, SAINATO, SANTONI, VULAKOVICH, HALUSKA, M. O'BRIEN, K. BOYLE, PASHINSKI and SANTARSIERO

An Act providing for violence prevention committees in health care facilities, for their powers and duties, for remedies and for the powers and duties of the Department of Labor and Industry.

Referred to Committee on HEALTH, November 16, 2011.

**No. 1993** By Representative PETRI

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, providing for gas transmission line right-of-way.

Referred to Committee on TRANSPORTATION, November 16, 2011.

**SENATE BILLS FOR CONCURRENCE**

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

**SB 473, PN 468**

Referred to Committee on GAME AND FISHERIES, November 16, 2011.

**SB 853, PN 870**

Referred to Committee on GAME AND FISHERIES, November 16, 2011.

**SB 923, PN 960**

Referred to Committee on URBAN AFFAIRS, November 16, 2011.

**SB 1183, PN 1778**

Referred to Committee on JUDICIARY, November 16, 2011.

**SB 1228, PN 1716**

Referred to Committee on CONSUMER AFFAIRS, November 16, 2011.

**SB 1276, PN 1780**

Referred to Committee on LOCAL GOVERNMENT, November 16, 2011.

**SB 1310, PN 1782**

Referred to Committee on LABOR AND INDUSTRY, November 16, 2011.

**CALENDAR****BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 1950, PN 2689**, entitled:

An Act amending Titles 27 (Environmental Resources) and 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes, requiring rents and royalties from oil and gas leases of Commonwealth land to be placed in a special fund to be used for conservation, recreation, dams, flood control and certain interfund transfers; authorizing the Secretary of Conservation and Natural Resources to determine the need for and location of such projects and to acquire the necessary land; providing for interfund transfers; authorizing counties to impose and collect an unconventional gas well impact fee; providing for distribution of fees and for the Oil and Gas Lease Fund; consolidating the Oil and Gas Act; and repealing an act relating to the establishment of the Oil and Gas Lease Fund and the Oil and Gas Act.

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

**GUESTS INTRODUCED**

The SPEAKER. The Speaker apologizes. We did want to recognize a few guests before we proceed with the second consideration of HB 1950.

Located to the left of the Speaker, we would like to welcome, as guests of Representatives Tarah Toohil and Jerry Knowles, the guests are Miranda Milillo and Stephen Valente, and they are students from Marian Catholic High School. Will our guests please rise, and welcome to the hall of the House.

Located in the rear of the House, we would like to welcome Alyssa Gestl. She is a senior at Palmyra Area High School and is job-shadowing the Democratic executive director of the House Professional Licensure Committee for the day, and she is the guest of Representative Readshaw. I am not sure if she is actually back there. Oh, here she is, over here. Welcome to the hall of the House.

Also up in the gallery we would like to welcome Thomas Kashatus of the White Haven Center Leadership Development Class; Barbara Day from The Arc of Luzerne County and Northeast Pennsylvania; and Steven Gilson from the Selinsgrove Center, and they are guests of Representative Toohil and Representative Carroll. Will our guests please rise. Welcome to the hall of the House.

And in the well of the House, we would like to welcome some guest pages: Madilynn Amron, Michael Miele, Janelle Wheeland, and Sarah Lamade. These students attend South

Williamsport High School and are enrolled in the advanced placement government class. Also serving as a guest page is Matt Lindsey. Matt is an intern in the district office of Representative Mirabito, and obviously they are guests of Representative Mirabito. Welcome to the hall of the House.

**CONSIDERATION OF HB 1950 CONTINUED**

The SPEAKER. Turning to second consideration of HB 1950, the question is, will the House agree to the bill?

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

Mr. BEAR offered the following amendment No. **A06432**:

Amend Bill, page 3, by inserting between lines 18 and 19 (A06347)

(5) On July 1, 2013, and each July 1 thereafter, an amount equal to 5% of the total money received from the prior fiscal year, not to exceed \$5,000,000, shall be transferred from the fund to the Fish Fund for administration and use by the Pennsylvania Fish and Boat Commission for responsibilities related to reviews necessary to determine the impact of unconventional gas well development on aquatic resources as well as flood control and high hazard dam projects.

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Lancaster County, Mr. Bear.

Mr. BEAR. Thank you, Mr. Speaker.

My amendment basically takes funds from the Oil and Gas Lease Fund and directs it to the Fish and Boat Commission, and essentially it would be used for their activity dealing with the monitoring of the Marcellus Shale, but it also gives them flexibility to also do repairs to high-hazard dams that are deemed unsafe.

So that is essentially what my amendment does.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Delaware County, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

Will the maker of the amendment stand for brief interrogation?

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

Mr. VITALI. Now, you are taking money from the Oil and Gas Lease Fund to fund various projects. Now, I have a question.

I have in front of me a newspaper article about the Fish and Boat Commission leasing 43,000 acres under their waterways for drilling. Could you tell me if that lease went through or what sort of revenues to the Fish and Boat Commission are expected from that 43,000 acres of leasing?

Mr. BEAR. Thank you, Mr. Speaker.

I do not know the exact revenues from the leases, but I will tell you, I have talked to the Fish and Boat Commission and I want to clarify one thing you mentioned. This does two things.

One is to actually help the implementation of monitoring the Marcellus Shale, which the Fish and Boat Commission said they do not have revenue for—

Mr. VITALI. To be clear, if you could just answer the question on the floor, I would appreciate it. My initial question involved revenues related to leasing. I will ask other questions after we deal with that. Please.

Mr. BEAR. I answered the question. I do not have that estimate.

Mr. VITALI. Okay. Do you know if in fact the Fish and Boat Commission in fact has leased 43,000 acres for drilling?

Mr. BEAR. Mr. Speaker, I do not know the answer to that. I think they did sign their first lease, though, just a few weeks ago.

Mr. VITALI. So as far as you know, they could be receiving tens of millions of dollars from this lease, but you just do not know that right now.

Mr. BEAR. Correct.

Mr. VITALI. Okay.

Thank you, Mr. Speaker. That concludes my interrogation. I would like to speak on the—

The SPEAKER. The gentleman is in order, on the amendment.

Mr. VITALI. Mr. Speaker, I certainly salute the gentleman for wanting to help out the Fish and Boat Commission for the projects they want to pursue. But I guess my concern with this amendment, as with the previous amendments, is the source of funding. As we have seen yesterday, we are seeing today this increasing pattern of using the Oil and Gas Lease Fund, a fund set aside; it is for conservation programs going to uses which really fall off the mark.

Mr. Speaker, the Oil and Gas Lease Fund is a fund which is essentially providing the operating budget for the Department of Conservation and Natural Resources, and it is needed to do that. As we talked about yesterday, the Department of Conservation and Natural Resources has a billion – billion with a "b" – dollar backlog in infrastructure projects, important projects: dam and water safety projects, sewage treatment plant projects. Mr. Speaker, this money is needed for its current designated uses. Mr. Speaker, this is the people's money. We should not be diverting it for use after use.

Mr. Speaker, there is a much better source for moneys for the Fish and Boat Commission and other uses – a drilling tax. We are leaving money on the table with a drilling tax. The bill in chief's 1-percent effective tax is a joke. Mr. Speaker, a fair tax, a 6-percent tax, would give us around \$400 million—

The SPEAKER. The gentleman will suspend.

Mr. VITALI. —\$400 million this year.

The SPEAKER. The gentleman will suspend.

While I appreciate the point the gentleman is making, I think it is a little bit off of the actual merits, pro or con, on this amendment and would kindly ask the member to try to constrain his comments to the language in this amendment.

Mr. VITALI. Thank you, Mr. Speaker. Thank you. I will try to tie that in, because a piece of the Bear amendment goes to the use of the funds, and I am suggesting an alternative use of the funds would be better, which is the drilling tax, which we are not doing.

Mr. Speaker, we cannot continue to divert money from the Oil and Gas Lease Fund. We need to let drillers pay their fair share. I would ask that this issue that the maker of the amendment is bringing up be reworked – reworked – and I will

support him if he reworks this amendment. But for now, I think we need to vote "no" on this so we can move forward.

I ask for a "no" vote. Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Montgomery County, Mr. Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

I would like to interrogate the maker of the amendment.

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

Mr. GODSHALL. Mr. Speaker, are you aware of any wells that the Fish and Boat Commission, Marcellus wells, has on their own property?

Mr. BEAR. Thank you, Mr. Speaker.

I am not.

Mr. GODSHALL. Are you aware of how much land that the Fish and Boat Commission on their own property has already leased for drilling at this time?

Mr. BEAR. Actually – thank you, Mr. Speaker – I am not. I think the gentleman prior asked that question. I do not know the answer.

Mr. GODSHALL. Thank you, Mr. Speaker. I would like to speak on the amendment.

The SPEAKER. The gentleman is in order, on the amendment.

Mr. GODSHALL. The Fish and Boat Commission has 40,000 acres of their own land. I know they have entertained— You know, I have no idea if they have any active wells drilled at this point, but I know they have entertained the leasing of a major or quite a number of acres of their own land for drilling.

I am not sure why when you have an agency who has their own land, who can drill their own wells, would further take money from the Oil and Gas Lease Fund for activities which they should be able to resolve with moneys that they have from their own wells from their own land.

So I would ask for a negative vote on this amendment.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Lawrence County, Mr. Gibbons.

Mr. GIBBONS. Thank you, Mr. Speaker.

Will the gentleman, the maker of the amendment, rise for brief interrogation?

The SPEAKER. The gentleman will stand for interrogation. You may proceed.

Mr. GIBBONS. Thank you, Mr. Speaker.

Mr. Speaker, you mentioned at the beginning that this money could be used to fund some of the operations for the oversight and the addition of the waterways, but my understanding in reading the amendment is, would this money also be used to fund some of the \$60 million in structurally deficient dams that the Fish and Boat Commission currently owns?

Mr. BEAR. That is correct, Mr. Speaker. Right now there are 16 dams throughout the Commonwealth that are designated unsafe, high-hazard dams, and right now there is no money to repair them. So this would allow the Fish and Boat Commission to have some funds to gradually make the repairs. And that is only the tip of the iceberg, Mr. Speaker, because after we get through those 16 dams for \$64 million, you have more, for a total of about \$120 million, that need work down the road that are not quite at that critical stage.

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

The SPEAKER. Does the gentleman want to continue on the amendment? He is in order and may proceed.

Mr. GIBBONS. I would ask my colleagues to support this amendment. I think it is important that we provide the funding for the Fish and Boat Commission to be able to repair these structurally deficient dams. These dams range all across the State from, two of them, the Lower Hereford Manor and Upper Hereford Manor Lake Dams in Beaver County in my district to the Glade Run Dam in Butler County, Colyer Lake in Centre County, Opossum Lake in Cumberland County, Kyle Lake in Jefferson, Speedwell Forge Dam in Lancaster, Leaser Lake in Lehigh, Minsi Lake in Northampton, Somerset Lake in Somerset, Nessmuk Lake in Tioga, Canonsburg Dam in Washington, Dutch Fork Dam in Washington, Belmont Lake in Wayne, Lower Woods Pond in Wayne, and Donegal Dam in Westmoreland. These range across a number of our members' districts. But even if they are not in your district, I would almost guarantee that many of your people, many of your fishermen, your sportsmen who like to go out and fish, go fish in these dams, these dams that may no longer be there, like the Hereford Manor Lake Dam, a popular fishing area in western Pennsylvania that will be torn down later this year because it is structurally deficient, yet we do not have the funds, the Fish and Boat Commission does not have the funds to repair it.

I would ask the members to please support this amendment so that we can provide the funding to allow our sportsmen, our fishermen, to continue to fish in these lakes if these dams hold up.

I thank you, Mr. Speaker, and I thank the maker of the amendment.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the lady from Montgomery County, Ms. Harper.

Ms. HARPER. Thank you, Mr. Speaker. On the amendment.

The SPEAKER. The lady is in order, on the amendment.

Ms. HARPER. Regretfully, I must rise to oppose this amendment. It takes money from the Oil and Gas Lease Fund, and one of the best things about the bill that we are currently debating is that it uses the Oil and Gas Lease Fund to provide a sustainable source of funding going forward for the Environmental Stewardship Fund, farmland preservation, watershed work, acid mine drainage cleanup, open space, parks and recreation.

I have nothing against the Fish and Boat Commission. I like them and understand they do important work. But I also recognize that they have other sources for funding, and they do not need to make the bill not as attractive, quite frankly, by cutting into the money that the bill designates for these other very worthy environmental projects.

I would ask my colleagues to vote "no" on taking any more money out of the Pennsylvania Oil and Gas Lease Fund. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Gergely.

Mr. GERGELY. Thank you, Mr. Speaker.

I would like to thank the maker of the amendment from Lancaster and echo much of the message from the member from

Lawrence. High-hazard dams are owned by the Fish Commission that they have not been able to address, that we could provide a funding source for to help these lakes, keep these lakes safe, keep the areas below these lakes from a hazard of flooding, but more importantly, the economic value of a lake like Somerset Lake in Somerset County or Donegal Lake, which I have frequented many times and many, many fishermen use. I was at hearings on behalf of the Representative from Lawrence County about Hereford Manor Lakes and the businesses around it and the need to find an obligation for possibly the Fish Commission to bond to fix an asset of their commission and an asset to all those recreational sportsmen and fishermen in this State.

This is a good issue. As much as it is for the lakes, it is also for the exceptional waterways, that we can research and keep a monitor on. As the Fish Commission moves forward in partnership with the Marcellus industry in protecting our streams and waterways, this makes good sense. This protects waterways. It does not take moneys away from that. This is good stewardship and conservation for the State of Pennsylvania, and I urge a "yes" vote. Thank you.

The SPEAKER. The question is, will the House agree to the amendment?

On the question, the Speaker recognizes the gentleman from Montgomery County, Mr. Gerber.

Mr. GERBER. Thank you, Mr. Speaker.

I stand to urge a "no" vote on amendment 6432. I would like to speak in agreement with the gentlelady from Montgomery County. We do recognize that fish and game is important to Pennsylvania. It is important for our recreational opportunities. It is an important part of our culture. It is important for tourism purposes. But we should not be taking moneys away from much more critical environmental programs that currently would benefit from this funding under the underlying bill.

Mr. Speaker, again, I urge a "no" vote on amendment 6432. Thank you.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Clinton County, Mr. Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, I likewise rise to urge a "no" vote on amendment A06432.

Mr. Speaker, I do not disagree with anybody that has spoken so far. This is absolutely a good idea, but the money is coming from the wrong place, Mr. Speaker. We cannot take this money from the Oil and Gas Lease Fund. This good idea should be funded from Governor Corbett's proposed Marcellus Shale tax. He is the one that outlined the tax in HB 1950 that should provide the funds to do this work for the Fish and Boat Commission. A number of bills were introduced and a number of amendments were introduced that would have allowed for that. This money should be coming from Governor Corbett's proposed Marcellus Shale tax. It should not be coming from the Oil and Gas Lease Fund. This puts tremendous pressure on DCNR (Department of Conservation and Natural Resources) to lease more State forest ground. That is what the Oil and Gas Lease Fund is. It is money raised from leases.

Let me reiterate what DCNR has said about more leasing: "There are no unleased acres left in Pennsylvania's state forests where Marcellus Shale natural gas drilling sites, pipelines and access roads could be built without damaging environmentally

sensitive areas,..." according to an analysis by DCNR. Let me reiterate: There are no unleased acres left without damaging environmentally sensitive areas. That is what DCNR said. If you do this, you will put more pressure on them to lease ground that should not be leased.

If there is any doubt about this fund putting more pressure on DCNR and the Oil and Gas Lease Fund, let me remind you that the underlying bill, HB 1950, spends \$55 million off the top from the Oil and Gas Lease Fund. It spends \$55 million off the top from the Oil and Gas Lease Fund. That is the underlying bill. Yesterday we adopted two amendments from the gentleman from Adams County that spend an additional \$12 1/2 million from the Oil and Gas Lease Fund. Today you are being asked to take another \$5 million from the Oil and Gas Lease Fund. Mr. Speaker, that is \$72 1/2 million from a fund that last year collected only \$32 million.

Let me remind you what I said yesterday: That is deficit spending. In case you did not hear me, let me remind you, that is deficit spending. Taking \$72 1/2 million from a fund that only collected \$32 million leaves a \$40 million deficit. That is deficit spending. You cannot support this amendment. It clearly will put more pressure on DCNR to raise more money from leasing. It is the only way they could possibly pay for this.

Once again, if we are going to do this wonderful idea, and I commend the gentleman from Lancaster for the good idea, because I support fishing – nobody loves fishing more than I. This is a great idea. If we are going to do it, we should be taking the money from Governor Corbett's proposed Marcellus Shale tax that he has outlined in HB 1950. That is where the funds should be coming from; they should not be coming from DCNR and the Oil and Gas Lease Fund.

I urge a "no" vote. Thank you.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Montgomery County, Mr. Godshall, for the second time.

Mr. GODSHALL. Thank you, Mr. Speaker.

I am going to be brief. But it was mentioned that the sportsmen of Pennsylvania would be benefiting from this grant. I myself am probably as big a sportsman as we have in this caucus and have been for many years. At the same time, I do know we have a Game Commission and a Fish Commission in Pennsylvania. I do know that in this case, the Fish Commission has 40,000 acres – let me repeat – 40,000 acres of their own land and have all kinds of ability to generate their own funds to take care of their own problems. Forty thousand acres means a lot of revenue from a lot of wells, and they are actively out leasing lands at this point.

You know, this is not necessary. I would ask for a negative vote.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Crawford County, Mr. John Evans.

Mr. J. EVANS. Thank you very much, Mr. Speaker.

I stand, regrettably, to oppose this amendment as well. The gentleman from Lancaster is well intentioned, and I know he has some issues in his district that are looking for some funding. But as has been mentioned by some of the previous speakers, this is, I believe, coming from the wrong fund.

The Senate bill has an appropriation for \$1 1/2 million for the Fish and Boat Commission in their language to deal with Marcellus Shale issues, and I do feel that is appropriate. But \$5 million, without the accountability factors involved, is awfully difficult to explain.

As we move forward, I am hoping that the language will show accountability for the money spent by that department, whether it be for law enforcement, whether it be for legal litigation, whether it be for outside counsel or even for their biologists to deal with the extensive issues that we are seeing with the Marcellus Shale industry. But I am of the agreement that it should come more from an impact fee than from this Oil and Gas Lease Fund.

So for those reasons I am opposing the Bear amendment. Thank you very much.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Lancaster, Mr. Bear, for the second time.

Mr. BEAR. Thank you, Mr. Speaker.

I just want to wrap up and make a few points.

First of all, I could not disagree more. This is exactly the right fund to take it from. The fund specifically says it can be used for flood control in such projects. That is why we chose this fund.

Number two, the notion that you are taking away from Growing Greener and other funds is just not true. That will be fully funded regardless of whether this amendment goes in.

Three, the Fish and Boat Commission is not supported by the General Fund, and the only revenue they basically get is from the licenses from boats and fishing licenses. That is it. That is why we do not have these lakes fixed, the high-hazard dams. For many years, these dams have been unfixed and in some cases, such as in Lancaster County, they are completely drained. So I think it is completely appropriate to do this. As I spoke to the commission, they have had a couple of sources in the past they have been able to use, but it has never been through any dedicated source.

The fourth thing is, in terms of leases of the land. I just found out the answer to that. They are still negotiating the leases, and this is not the Game Commission, which has over a million acres. Instead, you heard it from one of my colleagues, it has 40,000 acres and they have not finalized any of those leases.

So, Mr. Speaker, I would be asking for an affirmative vote. This is appropriate use for this fund. There is a definite need, and I think across Pennsylvania there are a lot of citizens as well as legislators that would be benefiting from this amendment. Thank you very much.

## LEAVES OF ABSENCE

The SPEAKER. The Speaker returns to leaves of absence and recognizes the majority whip, who requests a leave of absence for the gentleman from Butler County, Mr. METCALFE, and the gentleman from Huntingdon County, Mr. FLECK, for the remainder of the day. Without objection, the leaves will be granted.

### CONSIDERATION OF HB 1950 CONTINUED

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

The following roll call was recorded:

#### YEAS—44

Aument	Gibbons	Marshall	Ross
Bear	Gillespie	Metzgar	Sainato
Bloom	Goodman	Miccarelli	Saylor
Boback	Grove	Moul	Scavello
Boyd	Harhai	Payne	Stevenson
Brown, R.	Harhart	Peifer	Tallman
Christiana	Harris	Petrarca	Tobash
Creighton	Helm	Quinn	Turzai
Cutler	Hennessey	Readshaw	
Denlinger	Hickernell	Reed	Smith, S., Speaker
Everett	Maher	Reichley	
Gergely	Major		

#### NAYS—150

Adolph	DiGirolamo	Killion	Pyle
Baker	Donatucci	Kirkland	Quigley
Barbin	Dunbar	Knowles	Rapp
Barrar	Ellis	Kortz	Ravenstahl
Benninghoff	Emrick	Kotik	Reese
Bishop	Evankovich	Krieger	Roae
Boyle, B.	Evans, J.	Kula	Rock
Boyle, K.	Fabrizio	Lawrence	Roebuck
Bradford	Farry	Longietti	Sabatina
Brennan	Frankel	Mahoney	Saccone
Briggs	Freeman	Maloney	Samuelson
Brooks	Gabler	Mann	Santarsiero
Brown, V.	Galloway	Markosek	Santoni
Brownlee	Geist	Marsico	Schroder
Burns	George	Masser	Shapiro
Buxton	Gerber	Matzie	Simmons
Caltagirone	Gillen	McGeehan	Smith, K.
Carroll	Gingrich	Micozzie	Smith, M.
Causar	Godshall	Millard	Sonney
Clymer	Grell	Miller	Stephens
Cohen	Hackett	Milne	Stern
Conklin	Hahn	Mirabito	Sturla
Costa, D.	Haluska	Mundy	Swanger
Costa, P.	Hanna	Murphy	Taylor
Cox	Harkins	Murt	Thomas
Culver	Harper	Neuman	Toepel
Curry	Heffley	O'Brien, D.	Toohil
Daley	Hess	O'Brien, M.	Truitt
Davidson	Hornaman	O'Neill	Vereb
Davis	Hutchinson	Oberlander	Vitali
Day	Johnson	Parker	Vulakovich
Deasy	Josephs	Pashinski	Wagner
DeLissio	Kampf	Payton	Waters
Delozier	Kauffman	Perry	Watson
DeLuca	Kavulich	Petri	White
DePasquale	Keller, F.	Pickett	Williams
Dermody	Keller, M.K.	Preston	Youngblood
DeWeese	Keller, W.		

#### NOT VOTING—0

#### EXCUSED—9

Cruz	Metcalfe	Mustio	Staback
Evans, D.	Mullery	Myers	Wheatley
Fleck			

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

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

Mr. MAHER offered the following amendment  
No. A06137:

Amend Bill, page 44, by inserting between lines 25 and 26  
(A06347)

#### (a.1) Road damage.—

(1) Upon filing an application for a well permit, and before continuing to operate an oil or gas well, the owner or operator of the well shall file a bond covering road damage on a form to be prescribed and furnished by the department. The bond shall be filed with the department for State highways to be traveled incident to oil and gas operations. The bond shall be filed with a municipality for local highways to be traveled incident to oil and gas operations. The bond shall be payable to the Commonwealth or the municipality, as applicable, and conditioned upon the payment of all sums due for restoration and repair of roads damaged by oil and gas operations. The bond required shall be in the amount of \$250,000 per road mile.

(2) Liability under the bond shall continue until the well has been properly plugged in accordance with this chapter and for a period of one year after filing of the certificate of plugging with the department. Each bond shall be executed by the owner or operator and a corporate surety licensed to do business in this Commonwealth and approved by the secretary.

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Maher.

Mr. MAHER. Thank you, Mr. Speaker.

This amendment provides for an increase in the bonding by drillers for the roads in the townships, the counties, and across our State that are subject to the risk of damage from the drilling process. My understanding is that there are very many companies that are what you might call good actors in this business; that if they damage your road, they are very quick to get about repairing it. Unfortunately, not everyone is a good actor, and a community that is spending a quarter of a million dollars to resurface a road or a million and a quarter a mile to rebuild a road needs a bit more security than the \$6,000 bonds that have been posted. Now, I do not know at the end of the day if this is the right number, but we are in the middle of a process and I would suggest it is important that we understand we need to have a more significant bond. So I hope you will join me in protecting your local communities from the real impact where the rubber meets the road.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Clinton County, Mr. Hanna.



Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, this is an agreed-to amendment. As a matter of fact, Mr. Speaker, I would like to remind members on both sides of the aisle that I have filed the exact same amendment, and I would urge a "yes" vote on this amendment. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Bucks County, Mr. Petri.

Mr. PETRI. Thank you, Mr. Speaker.

I would urge the members to support this amendment. In the end, what is our primary responsibility? The protection of our residents and citizens. Imagine somebody comes into your office years from now and says to you, well, we had this bill and we had this accident in the area, and you say, oh, do not worry about it, we took care of it, and then they find out there are inadequate funds to really respond to the claim. It would be a very uncomfortable circumstance. We have an opportunity to increase the bonding requirements. I think this is very reasonable, and quite frankly, it is our responsibility. Thank you.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Venango County, Mr. Hutchinson.

Mr. HUTCHINSON. Mr. Speaker, I would like to interrogate the maker of the amendment, please.

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

Mr. HUTCHINSON. Mr. Speaker, I just wanted to clarify, the bonding you are talking about in this bill, you are referring to the road bonding and not the well plugging bonding. Is that correct, Mr. Speaker?

Mr. MAHER. That is correct.

Mr. HUTCHINSON. Mr. Speaker, I also wanted to clarify, is it the intent of the maker to hold the drilling company liable until the well is later plugged, which may be 30 or 40 years from now, that this bond would continue until that point, years down the road when the well itself is plugged?

Mr. MAHER. I think the gentleman will be happy to know that that is not my intent. The road bond, the particulars of course will be established by regulation, but my expectation is that the road bond would be as it is now, during the period that the drilling and the water equipment is going back and forth across the road. So when the drilling is completed, that the bond would be cleared, and I would also like to remind those members that the bond itself is not cash. It could be, but generally it is not cash. It is really more of sort of an insurance policy that someone says that this company is good for in the event that they have to repair the damage.

Mr. HUTCHINSON. Mr. Speaker, lines 17 through 23 say that "...the bond shall continue until the well has been properly plugged in accordance with this chapter...." I guess that is why I am thinking that maybe this was drafted incorrectly, but it seems odd that we would keep a drilling company liable for a road when they will have a period of activity on that road and then maybe 30 or 40 years from now they will come back and plug the well. In the meantime, the bond would have to be maintained until that plugging occurs those many years down the road. I just—

Mr. MAHER. I thank the gentleman for pointing that out, and I would say that with our having to redraft so many amendments overnight due to the gut and replace, that we may need a corrective reprint on this amendment, and I would encourage the Speaker to think about putting this over temporarily so we can get the corrective reprint.

Or, Mr. Speaker, if you have concluded, at some point when it would be in order, I can make a motion to divide the amendment.

The SPEAKER. The Chair needs to evaluate, A, whether that amendment is divisible, and two, without seeing a redrafted amendment, it is difficult to determine what is corrective and what is a changed amendment. So we have to evaluate that if you would give us a moment.

Mr. MAHER. And, Mr. Speaker, as you consider that, I would also note that there is a further correction of this notice where it talks about putting this in page 44, between lines 25 and 26. That does not flow either, Mr. Speaker. So the amendment will need a correction in any case.

The SPEAKER. And to answer one of the questions, the amendment is not divisible as it has been drafted.

#### AMENDMENT PASSED OVER TEMPORARILY

The SPEAKER. If the gentleman would be willing to, at a minimum, go over the amendment temporarily and if he wants to seek to get a corrective reprint drafted, the process is probably worth doing, but I do not know that I am able to determine it corrective without seeing it.

I apologize; I just am not sure I can make that determination.

Mr. MAHER. Mr. Speaker, you are exactly correct, and I will be happy if you choose to go over this amendment temporarily to investigate that question.

The SPEAKER. The Speaker thanks the gentleman.

Amendment A06137 is over temporarily.

On the question recurring,

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

Mr. **MAHER** offered the following amendment No. **A06161**:

Amend Bill, page 6, by inserting between lines 43 and 44 (A06347)

(c) Public availability.—A report under this section shall be a public record under the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Maher.

Mr. MAHER. Thank you, Mr. Speaker.

This amendment simply restores the Right-to-Know protections that were embraced unanimously by the House before the Baker amendment.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the minority leader, Mr. Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, this amendment improves transparency in this bill and I would urge the members to support it.

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

The following roll call was recorded:

YEAS—194

Adolph	Donatucci	Killion	Rapp
Aument	Dunbar	Kirkland	Ravenstahl
Baker	Ellis	Knowles	Readshaw
Barbin	Emrick	Kortz	Reed
Barrar	Evankovich	Kotik	Reese
Bear	Evans, J.	Krieger	Reichley
Benninghoff	Everett	Kula	Roae
Bishop	Fabrizio	Lawrence	Rock
Bloom	Farry	Longietti	Roebuck
Boback	Frankel	Maher	Ross
Boyd	Freeman	Mahoney	Sabatina
Boyle, B.	Gabler	Major	Saccone
Boyle, K.	Galloway	Maloney	Sainato
Bradford	Geist	Mann	Samuelson
Brennan	George	Markosek	Santarsiero
Briggs	Gerber	Marshall	Santoni
Brooks	Gergely	Marsico	Saylor
Brown, R.	Gibbons	Masser	Scavello
Brown, V.	Gillen	Matzie	Schroder
Brownlee	Gillespie	McGeehan	Shapiro
Burns	Gingrich	Metzgar	Simmons
Buxton	Godshall	Miccarelli	Smith, K.
Caltagirone	Goodman	Micozzie	Smith, M.
Carroll	Grell	Millard	Sonney
Causar	Grove	Miller	Stephens
Christiana	Hackett	Milne	Stern
Clymer	Hahn	Mirabito	Stevenson
Cohen	Haluska	Moul	Sturla
Conklin	Hanna	Mundy	Swanger
Costa, D.	Harhai	Murphy	Tallman
Costa, P.	Harhart	Murt	Taylor
Cox	Harkins	Neuman	Thomas
Creighton	Harper	O'Brien, D.	Tobash
Culver	Harris	O'Brien, M.	Toepel
Curry	Heffley	O'Neill	Toohil
Cutler	Helm	Oberlander	Truitt
Daley	Hennessey	Parker	Turzai
Davidson	Hess	Pashinski	Verb
Davis	Hickernell	Payne	Vitali
Day	Hornaman	Payton	Vulakovich
Deasy	Hutchinson	Peifer	Wagner
DeLissio	Johnson	Perry	Waters
DeLozier	Josephs	Petrarca	Watson
DeLuca	Kampf	Petri	White
Denlinger	Kauffman	Pickett	Williams
DePasquale	Kavulich	Preston	Youngblood
Dermody	Keller, F.	Pyle	
DeWeese	Keller, M.K.	Quigley	Smith, S., Speaker
DiGirolamo	Keller, W.	Quinn	

NAYS—0

NOT VOTING—0

EXCUSED—9

Cruz	Metcalfe	Mustio	Staback
Evans, D.	Mullery	Myers	Wheatley
Fleck			

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

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

Mr. MAHER offered the following amendment No. A06164:

Amend Bill, page 8, line 23 (A06347), by striking out "chapter" and inserting section

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Maher.

Mr. MAHER. Thank you, Mr. Speaker.

This amendment is, I believe, a technical amendment. There is a reference to a chapter and I believe it was intended to be a section. It deals with the Right-to-Know Law and preventing information gathered during an investigation from being subject to the Right-to-Know Law, but otherwise leaving the Right-to-Know Law intact. The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Clinton County, Mr. Hanna.

Mr. HANNA. Mr. Speaker, we agree with the maker of the amendment and we would urge a "yes" vote.

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

The following roll call was recorded:

YEAS—194

Adolph	Donatucci	Killion	Rapp
Aument	Dunbar	Kirkland	Ravenstahl
Baker	Ellis	Knowles	Readshaw
Barbin	Emrick	Kortz	Reed
Barrar	Evankovich	Kotik	Reese
Bear	Evans, J.	Krieger	Reichley
Benninghoff	Everett	Kula	Roae
Bishop	Fabrizio	Lawrence	Rock
Bloom	Farry	Longietti	Roebuck
Boback	Frankel	Maher	Ross
Boyd	Freeman	Mahoney	Sabatina
Boyle, B.	Gabler	Major	Saccone
Boyle, K.	Galloway	Maloney	Sainato
Bradford	Geist	Mann	Samuelson
Brennan	George	Markosek	Santarsiero
Briggs	Gerber	Marshall	Santoni
Brooks	Gergely	Marsico	Saylor
Brown, R.	Gibbons	Masser	Scavello
Brown, V.	Gillen	Matzie	Schroder
Brownlee	Gillespie	McGeehan	Shapiro
Burns	Gingrich	Metzgar	Simmons
Buxton	Godshall	Miccarelli	Smith, K.
Caltagirone	Goodman	Micozzie	Smith, M.
Carroll	Grell	Millard	Sonney
Causar	Grove	Miller	Stephens

Christiana	Hackett	Milne	Stern
Clymer	Hahn	Mirabito	Stevenson
Cohen	Haluska	Moul	Sturla
Conklin	Hanna	Mundy	Swanger
Costa, D.	Harhai	Murphy	Tallman
Costa, P.	Harhart	Murt	Taylor
Cox	Harkins	Neuman	Thomas
Creighton	Harper	O'Brien, D.	Tobash
Culver	Harris	O'Brien, M.	Toepel
Curry	Heffley	O'Neill	Toohil
Cutler	Helm	Oberlander	Truitt
Daley	Hennessey	Parker	Turzai
Davidson	Hess	Pashinski	Vereb
Davis	Hickernell	Payne	Vitali
Day	Hornaman	Payton	Vulakovich
Deasy	Hutchinson	Peifer	Wagner
DeLissio	Johnson	Perry	Waters
DeLozier	Josephs	Petrarca	Watson
DeLuca	Kampf	Petri	White
Denlinger	Kauffman	Pickett	Williams
DePasquale	Kavulich	Preston	Youngblood
Dermody	Keller, F.	Pyle	
DeWeese	Keller, M.K.	Quigley	Smith, S.,
DiGirolamo	Keller, W.	Quinn	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-9

Cruz	Metcalfe	Mustio	Staback
Evans, D.	Mullery	Myers	Wheatley
Fleck			

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

On the question recurring,

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

Mr. MAHER offered the following amendment No. **A06165**:

Amend Bill, page 20, line 16 (A06347), by striking out "The" and inserting

No later than 30 days prior to submitting the application required in subsection (a), the

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Maher.

Mr. MAHER. Thank you, Mr. Speaker.

This amendment does not change the notices that are required to interested parties, but rather provides a bit more time for them to be aware.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Delaware County, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

Will the maker of the amendment stand for brief interrogation?

The SPEAKER. The gentleman indicates he will stand for interrogation. Just give him a moment to get back to the microphone.

The gentleman from Delaware County may proceed with interrogation.

Mr. VITALI. Just in an overabundance of caution, what notices are we dealing with here?

Mr. MAHER. This is for the plat plans and to provide that rather than notifying people once they have been submitted, that to the extent that there might be confusion or questions, to notify the interested parties 30 days before it is submitted so that those questions can be resolved before they are actually submitted.

Mr. VITALI. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-194

Adolph	Donatucci	Killion	Rapp
Aument	Dunbar	Kirkland	Ravenstahl
Baker	Ellis	Knowles	Readshaw
Barbin	Emrick	Kortz	Reed
Barrar	Evankovich	Kotik	Reese
Bear	Evans, J.	Krieger	Reichley
Benninghoff	Everett	Kula	Roae
Bishop	Fabrizio	Lawrence	Rock
Bloom	Farry	Longietti	Roebuck
Boback	Frankel	Maher	Ross
Boyd	Freeman	Mahoney	Sabatina
Boyle, B.	Gabler	Major	Saccione
Boyle, K.	Galloway	Maloney	Sainato
Bradford	Geist	Mann	Samuelson
Brennan	George	Markosek	Santarsiero
Briggs	Gerber	Marshall	Santoni
Brooks	Gergely	Marsico	Saylor
Brown, R.	Gibbons	Masser	Scavello
Brown, V.	Gillen	Matzie	Schroder
Brownlee	Gillespie	McGeehan	Shapiro
Burns	Gingrich	Metzgar	Simmons
Buxton	Godshall	Miccarelli	Smith, K.
Caltagirone	Goodman	Micozzie	Smith, M.
Carroll	Grell	Millard	Sonney
Causar	Grove	Miller	Stephens
Christiana	Hackett	Milne	Stern
Clymer	Hahn	Mirabito	Stevenson
Cohen	Haluska	Moul	Sturla
Conklin	Hanna	Mundy	Swanger
Costa, D.	Harhai	Murphy	Tallman
Costa, P.	Harhart	Murt	Taylor
Cox	Harkins	Neuman	Thomas
Creighton	Harper	O'Brien, D.	Tobash
Culver	Harris	O'Brien, M.	Toepel
Curry	Heffley	O'Neill	Toohil
Cutler	Helm	Oberlander	Truitt
Daley	Hennessey	Parker	Turzai
Davidson	Hess	Pashinski	Vereb
Davis	Hickernell	Payne	Vitali
Day	Hornaman	Payton	Vulakovich
Deasy	Hutchinson	Peifer	Wagner
DeLissio	Johnson	Perry	Waters
DeLozier	Josephs	Petrarca	Watson

DeLuca	Kampf	Petri	White
Denlinger	Kauffman	Pickett	Williams
DePasquale	Kavulich	Preston	Youngblood
Dermody	Keller, F.	Pyle	
DeWeese	Keller, M.K.	Quigley	Smith, S.,
DiGirolamo	Keller, W.	Quinn	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—9

Cruz	Metcalfe	Mustio	Staback
Evans, D.	Mullery	Myers	Wheatley
Fleck			

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

On the question recurring,

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

Mr. **MAHER** offered the following amendment No. **A06168**:

Amend Bill, page 32, line 7 (A06347), by inserting after "conducted."  
Any compressor situate within 2,500 feet of a dwelling shall be in a soundproof building such that the noise level immediately outside such building does not exceed 60 dBA.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Maher.

Mr. MAHER. Thank you, Mr. Speaker.

Drilling is a temporary enterprise. Compressors are forever, and this amendment seeks to recognize that the sound level associated with compressors, if it is nearby a dwelling, is enough to drive somebody crazy. The incremental cost associated with soundproofing, compared to the costs of the gathering lines and the pipeline, is very, very small with the high-technology sound depression technologies that are available. So this amendment provides that compressors that are situated near dwellings will need to have soundproofing so that the level of sound outside of the building is not more than 60 decibels. I just ran my decibel meter – some of you may have these on your mobile devices – and just as a point of reference, the sound in here just a few minutes ago was about 70 decibels. So it is not exactly silence that we are talking about, but dampening the sound down so that by the time it gets to neighboring homes, it will not be a constant source of annoyance.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, this amendment limits the noise for compressor stations within 2500 feet from a residence, and we support the amendment, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

The SPEAKER. For the record, the lady from Warren County's button is malfunctioning. To be recorded, I would need you to state for the record how you want to be voted since we have a malfunction.

Ms. RAPP. Thank you, Mr. Speaker.

I choose to be a "no" on this amendment.

The SPEAKER. The Speaker thanks the lady.

Ms. RAPP. Thank you.

The SPEAKER. Maybe it is working now. The clerk will—  
We could use this gimmick on another day.

The following roll call was recorded:

YEAS—191

Adolph	Dunbar	Kirkland	Ravenstahl
Aument	Ellis	Knowles	Readshaw
Baker	Emrick	Kortz	Reed
Barbin	Evankovich	Kotik	Reese
Barrar	Evans, J.	Krieger	Reichley
Bear	Everett	Kula	Roae
Benninghoff	Fabrizio	Lawrence	Rock
Bishop	Farry	Longietti	Roebuck
Bloom	Frankel	Maher	Ross
Boback	Freeman	Mahoney	Sabatina
Boyd	Gabler	Major	Saccone
Boyle, B.	Galloway	Maloney	Sainato
Boyle, K.	Geist	Mann	Samuelson
Bradford	George	Markosek	Santarsiero
Brennan	Gerber	Marshall	Santoni
Briggs	Gergely	Marsico	Saylor
Brooks	Gibbons	Masser	Scavello
Brown, R.	Gillen	Matzie	Schroder
Brown, V.	Gillespie	McGeehan	Shapiro
Brownlee	Gingrich	Metzgar	Simmons
Burns	Godshall	Miccarelli	Smith, K.
Buxton	Goodman	Micozzie	Smith, M.
Caltagirone	Grell	Millard	Sonney
Carroll	Grove	Miller	Stephens
Christiana	Hackett	Milne	Stern
Clymer	Hahn	Mirabito	Stevenson
Cohen	Haluska	Moul	Sturla
Conklin	Hanna	Mundy	Swanger
Costa, D.	Harhai	Murphy	Tallman
Costa, P.	Harhart	Murt	Taylor
Cox	Harkins	Neuman	Thomas
Creighton	Harper	O'Brien, D.	Tobash
Culver	Harris	O'Brien, M.	Toepel
Curry	Heffley	O'Neill	Toohil
Cutler	Helm	Oberlander	Truitt
Daley	Hennessey	Parker	Turzai
Davidson	Hess	Pashinski	Vereb
Davis	Hickernell	Payne	Vitali
Day	Hornaman	Payton	Vulakovich
Deasy	Johnson	Peifer	Wagner
DeLissio	Josephs	Perry	Waters
DeLozier	Kampf	Petrarca	Watson
DeLuca	Kauffman	Petri	White

Denlinger	Kavulich	Pickett	Williams
DePasquale	Keller, F.	Preston	Youngblood
Dermody	Keller, M.K.	Pyle	
DeWeese	Keller, W.	Quigley	Smith, S.,
DiGirolo	Killion	Quinn	Speaker
Donatucci			

## NAYS—3

Causer	Hutchinson	Rapp
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## NOT VOTING—0

## EXCUSED—9

Cruz	Metcalf	Mustio	Staback
Evans, D.	Mullery	Myers	Wheatley
Fleck			

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

The SPEAKER. The lady from Warren County's vote should have been recorded on the electronic roll call in the negative.

On the question recurring,

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

The SPEAKER. For what purpose does the gentleman from Montgomery County, Mr. Shapiro, rise?

Mr. SHAPIRO. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman may state his inquiry.

Mr. SHAPIRO. In light of the roll that the gentleman from Allegheny is on, I was wondering if it would be appropriate for me to refile all of my amendments under his name for hopes that they might pass?

The SPEAKER. Was that a parliamentary inquiry, or were you seeking some personal advice?

Mr. SHAPIRO. Thank you, Mr. Speaker.

On the question recurring,

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

Mr. MAHER offered the following amendment No. **A06155**:

Amend Bill, page 5, line 20 (A06347), by striking out "producing natural gas"

Amend Bill, page 5, line 23 (A06347), by striking out "of production"

Amend Bill, page 5, line 25 (A06347), by striking out "of production"

Amend Bill, page 5, line 27 (A06347), by striking out "of production"

Amend Bill, page 5, line 29 (A06347), by striking out "of production"

Amend Bill, page 5, line 30 (A06347), by striking out "of production"

Amend Bill, page 5, line 33 (A06347), by striking out "producing natural gas"

Amend Bill, page 5, line 36 (A06347), by striking out "of production"

Amend Bill, page 5, line 38 (A06347), by striking out "of production"

Amend Bill, page 5, line 40 (A06347), by striking out "of production"

Amend Bill, page 5, line 42 (A06347), by striking out "of production"

Amend Bill, page 5, line 43 (A06347), by striking out "of production"

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Maher.

Mr. MAHER. Thank you, Mr. Speaker.

When we talk about impacts, impacts that are associated with wells that are actually operable, not those that are plugged, currently, in the processes, there are exploratory wells, there are developed wells, there are producing wells, there are capped wells, and there are plugged wells. The capping is really no more than turning a valve, much like you might on your sink; that if the question is where do you produce, do you produce here or do you produce somewhere else, it is not a big deal to shut off a well. In terms of the impact associated with that well, it is largely the same once a well has gone through the exploratory, the development, and has become productive.

So my thought is that if we are going to have an impact fee, that impact fee should relate to wells that are in that stage of development that they can be productive, and it does not really matter if the owner decides to turn off the valve for whatever other reason, and insofar as if turning off the valve would cause them to be free of an impact fee, if an owner has a choice between turning off a well in Pennsylvania or turning off a well in Ohio, I would rather have them think that it does not do them much good to turn off the well in Pennsylvania. So I think we actually will have more production in Pennsylvania if the impact fee is associated with a well that has been developed as long as it is not plugged. So this is not dealing with just producing wells, but wells, once the well is there, it has an impact until it is plugged. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Delaware County, Mr. Vitali.

Mr. VITALI. Would the maker of the amendment stand for brief interrogation?

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

Mr. VITALI. I just want to be clear what this is doing. Would this impact the fee schedule in this bill? In other words, as I understand it generally, the bill in chief sets a certain amount for year 1, a flat figure or certain amount for year 2 through year 10, and that yields a certain amount of money for the well. Now, would this affect that portion of the bill? Is that what we are talking about?

Mr. MAHER. Well, in all fairness, I am not sure that I am looking at the same bill as the gentleman because instead of having a 10-year fee, this bill has a 4-year fee. It does relate to that section, and the point is that once a well exists, that it will have the impact fee in year 1, year 2, year 3, year 4, quite apart from whether or not the owner of the well chooses to turn the valve off.

Mr. VITALI. So maybe I need to get a better handle on the bill in chief to get context for your question. So the impact fee in the bill in chief goes for the first 4 years. Is that what you are contending?

Mr. MAHER. I think we are on the amendment, Mr. Speaker, but I would say that the way I read the bill, it seems to talk about years 1 through 4.

Mr. VITALI. Right. So your amendment would affect whether the impact fee was charged in years 1 through 4? Your amendment would affect whether the impact fee was charged in years 1 through 4?

Mr. MAHER. My amendment would provide that a developed well would pay the fee in years 1 through 4, regardless of whether or not the owner has decided to permit that well to be a producing well during those 4 years.

Mr. VITALI. So would you say that on balance, your amendment would yield more moneys in impact fees or less?

Mr. MAHER. I do not think it ultimately changes that, Mr. Speaker. It is a question of which 4 years, not whether.

Mr. VITALI. Does your amendment have a fiscal note?

Mr. MAHER. The originally filed amendment had a fiscal note. I am not sure if the reprint of the amendment yet has its fiscal note, but it would not surprise me if a fiscal note said that it has no fiscal impact because the sum of 1 to 4 remains the sum of 1 to 4.

Mr. VITALI. So it is your contention then that your amendment would not affect in the long run whether more moneys or less moneys were garnered from a specific well?

Mr. MAHER. I believe that is correct, Mr. Speaker. The object of my amendment is that if there is going to be an impact fee, that that impact fee should be associated with the time of the impact.

Mr. VITALI. Okay. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—141

Aument	DeLuca	Kirkland	Quigley
Barrar	DePasquale	Kortz	Quinn
Bear	Dermody	Kotik	Ravenstahl
Benninghoff	DeWeese	Kula	Readshaw
Bishop	DiGirolamo	Lawrence	Reichley
Boback	Donatucci	Longietti	Roae
Boyd	Evans, J.	Maher	Roebuck
Boyle, B.	Fabrizio	Mahoney	Ross
Boyle, K.	Farry	Mann	Sabatina
Bradford	Frankel	Markosek	Sainato
Brennan	Freeman	Marshall	Samuelson
Briggs	Galloway	Marsico	Santarsiero
Brooks	George	Masser	Santoni
Brown, R.	Gerber	Matzie	Scavello
Brown, V.	Gergely	McGeehan	Schroder
Brownlee	Gibbons	Metzgar	Shapiro
Burns	Gingrich	Miccarelli	Simmons
Buxton	Goodman	Milne	Smith, K.
Caltagirone	Hackett	Mirabito	Smith, M.
Carroll	Hahn	Moul	Stephens
Christiana	Haluska	Mundy	Sturla
Clymer	Hanna	Murphy	Swanger
Cohen	Harhai	Murt	Taylor
Conklin	Harkins	Neuman	Thomas
Costa, D.	Harper	O'Brien, D.	Toepel
Costa, P.	Hennessey	O'Brien, M.	Truitt

Culver	Hickernell	O'Neill	Vereb
Curry	Hornaman	Parker	Vitali
Cutler	Johnson	Pashinski	Vulakovich
Daley	Josephs	Payne	Wagner
Davidson	Kampf	Payton	Waters
Davis	Kavulich	Peifer	Watson
Day	Keller, M.K.	Petrarca	White
Deasy	Keller, W.	Petri	Williams
DeLissio	Killion	Preston	Youngblood
Delozier			

NAYS—53

Adolph	Geist	Knowles	Rock
Baker	Gillen	Krieger	Saccone
Barbin	Gillespie	Major	Saylor
Bloom	Godshall	Maloney	Sonney
Causer	Grell	Micozzie	Stern
Cox	Grove	Millard	Stevenson
Creighton	Harhart	Miller	Tallman
Dunlinger	Harris	Oberlander	Tobash
Dunbar	Heffley	Perry	Toohil
Ellis	Helm	Pickett	Turzai
Emrick	Hess	Pyle	
Evankovich	Hutchinson	Rapp	Smith, S.,
Everett	Kauffman	Reed	Speaker
Gabler	Keller, F.	Reese	

NOT VOTING—0

EXCUSED—9

Cruz	Metcalfe	Mustio	Staback
Evans, D.	Mullery	Myers	Wheatley
Fleck			

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

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

Mr. MAHER offered the following amendment  
No. A06145:

Amend Bill, page 4, line 32 (A06347), by inserting after "unconventional"

gas  
Amend Bill, page 4, line 44 (A06347), by striking out "a" and inserting

an unconventional gas  
Amend Bill, page 4, line 51; page 5, lines 1 through 3 (A06347), by striking out "wells" in line 51 on page 4 and all of lines 1 through 3 on page 5 and inserting

one of the following:  
(1) Vertical or horizontal well bores stimulated by hydraulic fracture treatments.

(2) Using multilateral well bores or other techniques to expose more of the formation of the well bore.

Amend Bill, page 5, line 6 (A06347), by inserting after "unconventional"

gas  
Amend Bill, page 5, line 45 (A06347), by striking out "an unconventional vertical" and inserting

a vertical unconventional  
Amend Bill, page 5, lines 48 and 49 (A06347), by striking out "an unconventional vertical" and inserting

a vertical unconventional

Amend Bill, page 5, lines 50 and 51; page 6, lines 1 through 3 (A06347), by striking all of said lines on said pages and inserting well that utilizes hydraulic fracture treatment through a

Amend Bill, page 11, line 44 (A06347), by inserting after "unconventional"

gas

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Maher.

Mr. MAHER. Mr. Speaker, this is purely a technical amendment to provide for consistency of definitions.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Clinton County, Mr. Hanna.

Mr. HANNA. Mr. Speaker, we would agree.

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

The following roll call was recorded:

YEAS—194

Adolph	Donatucci	Killion	Rapp
Aument	Dunbar	Kirkland	Ravenstahl
Baker	Ellis	Knowles	Readshaw
Barbin	Emrick	Kortz	Reed
Barrar	Evankovich	Kotik	Reese
Bear	Evans, J.	Krieger	Reichley
Benninghoff	Everett	Kula	Roae
Bishop	Fabrizio	Lawrence	Rock
Bloom	Farry	Longietti	Roebuck
Boback	Frankel	Maher	Ross
Boyd	Freeman	Mahoney	Sabatina
Boyle, B.	Gabler	Major	Saccone
Boyle, K.	Galloway	Maloney	Sainato
Bradford	Geist	Mann	Samuelson
Brennan	George	Markosek	Santarsiero
Briggs	Gerber	Marshall	Santoni
Brooks	Gergely	Marsico	Saylor
Brown, R.	Gibbons	Masser	Scavello
Brown, V.	Gillen	Matzie	Schroder
Brownlee	Gillespie	McGeehan	Shapiro
Burns	Gingrich	Metzgar	Simmons
Buxton	Godshall	Miccarelli	Smith, K.
Caltagirone	Goodman	Micozzie	Smith, M.
Carroll	Grell	Millard	Sonney
Causar	Grove	Miller	Stephens
Christiana	Hackett	Milne	Stern
Clymer	Hahn	Mirabito	Stevenson
Cohen	Haluska	Moul	Sturla
Conklin	Hanna	Mundy	Swanger
Costa, D.	Harhai	Murphy	Tallman
Costa, P.	Harhart	Murt	Taylor
Cox	Harkins	Neuman	Thomas
Creighton	Harper	O'Brien, D.	Tobash
Culver	Harris	O'Brien, M.	Toepel
Curry	Heffley	O'Neill	Toohil
Cutler	Helm	Oberlander	Truitt
Daley	Hennessey	Parker	Turzai
Davidson	Hess	Pashinski	Vereb
Davis	Hickernell	Payne	Vitali
Day	Hornaman	Payton	Vulakovich
Deasy	Hutchinson	Peifer	Wagner
DeLissio	Johnson	Perry	Waters
Delozier	Josephs	Petrarca	Watson

DeLuca	Kampf	Petri	White
Denlinger	Kauffman	Pickett	Williams
DePasquale	Kavulich	Preston	Youngblood
Dermody	Keller, F.	Pyle	
DeWeese	Keller, M.K.	Quigley	Smith, S.,
DiGirolamo	Keller, W.	Quinn	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—9

Cruz	Metcalfe	Mustio	Staback
Evans, D.	Mullery	Myers	Wheatley
Fleck			

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

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

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

The House will come to order.

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

Mr. **BOYD** offered the following amendment No. **A06442**:

Amend Bill, page 11, by inserting between lines 6 and 7 (A06347)

(11) Career and technical centers for training of workers in the oil and gas industry.

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Lancaster County, Mr. Boyd.

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

It is a very simple amendment, simply allowing for in the county share of revenue that at the county's discretion adding to the list of locations that the counties can drive revenue to, career and technical schools for the training of workers in the oil and gas industry. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—194

Adolph	Donatucci	Killion	Rapp
Aument	Dunbar	Kirkland	Ravenstahl
Baker	Ellis	Knowles	Readshaw
Barbin	Emrick	Kortz	Reed
Barrar	Evankovich	Kotik	Reese

Bear	Evans, J.	Krieger	Reichley
Benninghoff	Everett	Kula	Roae
Bishop	Fabrizio	Lawrence	Rock
Bloom	Farry	Longiotti	Roebuck
Boback	Frankel	Maher	Ross
Boyd	Freeman	Mahoney	Sabatina
Boyle, B.	Gabler	Major	Saccone
Boyle, K.	Galloway	Maloney	Sainato
Bradford	Geist	Mann	Samuelson
Brennan	George	Markosek	Santarsiero
Briggs	Gerber	Marshall	Santoni
Brooks	Gergely	Marsico	Saylor
Brown, R.	Gibbons	Masser	Scavello
Brown, V.	Gillen	Matzie	Schroder
Brownlee	Gillespie	McGeehan	Shapiro
Burns	Gingrich	Metzgar	Simmons
Buxton	Godshall	Miccarelli	Smith, K.
Caltagirone	Goodman	Micozzie	Smith, M.
Carroll	Grell	Millard	Sonney
Causser	Grove	Miller	Stephens
Christiana	Hackett	Milne	Stern
Clymer	Hahn	Mirabito	Stevenson
Cohen	Haluska	Moul	Sturla
Conklin	Hanna	Mundy	Swanger
Costa, D.	Harhai	Murphy	Tallman
Costa, P.	Harhart	Murt	Taylor
Cox	Harkins	Neuman	Thomas
Creighton	Harper	O'Brien, D.	Tobash
Culver	Harris	O'Brien, M.	Toepel
Curry	Heffley	O'Neill	Toohil
Cutler	Helm	Oberlander	Truitt
Daley	Hennessey	Parker	Turzai
Davidson	Hess	Pashinski	Vereb
Davis	Hickernell	Payne	Vitali
Day	Hornaman	Payton	Vulakovich
Deasy	Hutchinson	Peifer	Wagner
DeLissio	Johnson	Perry	Waters
Delozier	Josephs	Petrarca	Watson
DeLuca	Kampf	Petri	White
Denlinger	Kauffman	Pickett	Williams
DePasquale	Kavulich	Preston	Youngblood
Dermody	Keller, F.	Pyle	
DeWeese	Keller, M.K.	Quigley	Smith, S., Speaker
DiGirolamo	Keller, W.	Quinn	

NAYS—0

NOT VOTING—0

EXCUSED—9

Cruz	Metcalf	Mustio	Staback
Evans, D.	Mullery	Myers	Wheatley
Fleck			

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

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

The SPEAKER. The House will come to order.  
For what purpose does the lady, Ms. Bishop, rise?  
Ms. BISHOP. Point of personal privilege, Mr. Speaker. Unanimous consent, Mr. Speaker.

The SPEAKER. In the middle of the consideration of this bill, which is actually the subject before us, HB 1950, I would prefer not to get into unanimous consents. I do have one, at least

one other member, the gentleman, Mr. Waters, who has requested unanimous consent, and we intend to get to that at some point in time after we get through the bill.

The Speaker thanks the lady.  
Ms. BISHOP. Thank you.

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

Mr. VITALI offered the following amendment No. **A06034**:

Amend Bill, page 17, by inserting between lines 16 and 17 (A06347)

"Unconventional shale formation." A shale formation that typically produces natural gas through high volume hydraulic fracturing or horizontal well bores. The term shall include the Rhinestreet, Burket, Marcellus, Mandata and Utica Shale formations and other formations designated by the department.

Amend Bill, page 31, by inserting between lines 23 and 24 (A06347)

(h) Spacing.—A permit for a well intending to produce from an unconventional shale formation shall not be issued by the department unless it is located not less than two miles from the nearest well drilled into an unconventional shale formation. For the purposes of this subsection, multiple wells on a single drill pad shall constitute a single well. The well spacing requirements under this subsection shall not be waived.

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

AMENDMENT WITHDRAWN

The SPEAKER. On that question, the Speaker recognizes the gentleman from Delaware County, Mr. Vitali.

Mr. VITALI. Mr. Speaker, very quickly, what this amendment would do would be to require a 2-mile spacing between well pads, and the purpose of the amendment would have been to reduce the impact of drilling in the Commonwealth. I think this amendment could probably use a little tweaking. We have worked on it, but I just think it can be a little better.

So rather than run it now, Mr. Speaker, I think I am just going to save this for another day so I can do the necessary work that I think we need to do the best job possible. So I will be withdrawing this amendment.

The SPEAKER. The Speaker thanks the gentleman. The amendment is withdrawn.

BILL PASSED OVER TEMPORARILY

The SPEAKER. HB 1950 will be over temporarily. We will be coming back to it. We need to allow for a couple committee meetings to take place. We will have those announcements in a second.

It would be the intention of the Speaker to remain in session with no roll-call votes, allow the committees to meet during that period of time, and we would then entertain the couple of unanimous consents that have been requested on a subject unrelated to the business specifically before the House. So the bill is over temporarily.



### INSURANCE COMMITTEE MEETING

The SPEAKER. For the purpose of an announcement, the Speaker recognizes the gentleman from Delaware County, Mr. Micozzie.

Mr. MICOZZIE. Thank you, Mr. Speaker.

There will be an Insurance voting committee meeting immediately in G-50 in the Irvis Building. Thank you.

The SPEAKER. There will be an immediate Insurance Committee meeting in G-50 of the Irvis Building.

### CONSUMER AFFAIRS COMMITTEE MEETING

The SPEAKER. For the purpose of an announcement, the Speaker recognizes the gentleman from Montgomery County, Mr. Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

In order to conduct a voting meeting tomorrow, I have to announce the following on the floor today. The Consumer Affairs Committee will have a voting meeting tomorrow morning at 9:15 in room 148, Main Capitol, right across from my office. A very brief meeting; it is HR 505 that is on the agenda. It is a concurrent resolution dealing with the PUC (Public Utility Commission). It is absolutely necessary that we meet tomorrow for that very brief time to approve this resolution. Thank you.

The SPEAKER. The Consumer Affairs Committee will have a meeting tomorrow morning at 9:15 in room 148 of the Main Capitol.

### EDUCATION COMMITTEE MEETING

The SPEAKER. The Speaker recognizes the gentleman from Bucks County, Mr. Clymer, for the purpose of an announcement.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, the House Education Committee will meet immediately at the call of the Chair. We are meeting in room 60 in the East Wing. That is immediately, room 60 in the East Wing. Thank you.

The SPEAKER. The Education Committee will meet immediately at the call of the Chair in room 60, East Wing.

### APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. For the purpose of an announcement, the Speaker recognizes the gentleman from Delaware County, Mr. Adolph.

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

Mr. Speaker, I would like to call a House Appropriations Committee meeting immediately in the majority caucus room. Thank you.

The SPEAKER. There will be an immediate Appropriations Committee meeting in the majority caucus room.

The gentleman from Philadelphia, Mr. Waters, would you be prepared to be recognized under unanimous consent?

The House will please come to order.

Mr. WATERS. Thank you.

Mr. Speaker, it was my understanding, and maybe I did not hear you correctly, that we would entertain unanimous consent when we come back from the committee meetings. I much prefer to do it that way if it is okay with you.

The SPEAKER. Obviously, the gentleman can defer. We were trying to accomplish a couple of things at one time. If the gentleman—

Mr. WATERS. Okay.

The SPEAKER. —seeks to—

Mr. WATERS. That is what I thought I understood your message to be, Mr. Speaker. I could be wrong. But if you are saying that you are granting unanimous consent at this time, then I would, because I feel as though this is an important subject, wish that we could have some order on the floor.

The SPEAKER. Will the House please come to order. The members will please take their seats.

Mr. WATERS. Are we officially at ease, Mr. Speaker?

The SPEAKER. No, Mr. Waters. We are still in session. The reason that I made the announcement the way I did is because the committees are not allowed to meet unless the Speaker gives them permission to meet while we are in session and we are not allowed to have roll-call votes while a committee is meeting off the floor of the House.

Mr. WATERS. I would just request, Mr. Speaker, and to your due diligence in this matter, that some of the committees have members who are interested in this topic attending those meetings. So as a result of that, I would ask if you would please allow this unanimous consent to be extended until we come back.

The SPEAKER. The Speaker understands the gentleman and respects what he is saying. We will defer that till a little later.

Mr. WATERS. Thank you.

The SPEAKER. We will try to get it in later then.

Mr. WATERS. Thank you, Mr. Speaker.

The SPEAKER. In that case, the House will be at ease for a few moments until the committees have finished their business.

The House will come to order.

### BILLS REREPORTED FROM COMMITTEE

**HB 98, PN 2573**

By Rep. ADOLPH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for special registration plates generally and for personal registration plates; and making editorial changes.

APPROPRIATIONS.

**HB 1526, PN 2696**

By Rep. ADOLPH

An Act amending the act of April 6, 1951 (P.L.69, No.20), known as The Landlord and Tenant Act of 1951, providing for death of a tenant.

APPROPRIATIONS.

**HB 1884, PN 2450**

By Rep. ADOLPH

An Act authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey to the Borough of Tyrone certain land

and improvements situate in the Borough of Tyrone, Blair County, known as the Tyrone Armory.

#### APPROPRIATIONS.

### BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

**HB 1983, PN 2764** (Amended) By Rep. MICOZZIE

An Act amending the act of December 18, 1996 (P.L.1066, No.159), known as the Accident and Health Filing Reform Act, dividing the act into Federal compliance and Commonwealth exclusivity; in Federal compliance, further providing for definitions, for required filings, for review procedure, for notice of disapproval, for use of disapproved forms or rates, for review of form or rate disapproval, for disapproval after use, for filing of provider contracts, for record maintenance, for public comment and for penalties and providing for regulations and for expiration; in Commonwealth exclusivity, providing for regulations and for action by the Insurance Commissioner; and making editorial changes.

#### INSURANCE.

### HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 505** By Representatives PRESTON, CALTAGIRONE, D. COSTA, HENNESSEY and JOSEPHS

A Concurrent Resolution disapproving a Pennsylvania Public Utility Commission regulation on Natural Gas Distribution Companies and the Promotion of Competitive Retail Markets.

Referred to Committee on CONSUMER AFFAIRS, November 16, 2011.

### LEAVE OF ABSENCE

The SPEAKER. The Speaker returns to leaves of absence and recognizes the majority whip, who requests a leave of absence for the gentleman from Lancaster County, Mr. BEAR, for the remainder of the day. Without objection, the leave will be granted.

### CONSIDERATION OF HB 1950 CONTINUED

The SPEAKER. We are returning to the second consideration of HB 1950 on page 2 of today's House calendar. Earlier today the gentleman from Allegheny, Mr. Maher, had proposed amendment A06137, which was discovered to have required a corrective reprint. That amendment has now been produced.

On the question recurring,

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

Mr. MAHER offered the following amendment No. **A06491**:

Amend Bill, page 44, by inserting between lines 25 and 26 (A06347)

#### (a.1) Road damage.—

(1) Upon filing an application for a well permit, and before continuing to operate an oil or gas well, the owner or operator of the well shall file a bond covering road damage on a form to be prescribed and furnished by the department. The bond shall be filed with the department for State highways to be traveled incident to oil and gas operations. The bond shall be filed with a municipality for local highways to be traveled incident to oil and gas operations. The bond shall be payable to the Commonwealth or the municipality, as applicable, and conditioned upon the payment of all sums due for restoration and repair of roads damaged by oil and gas operations. The bond required shall be in the amount of \$250,000 per road mile.

(2) Liability under the bond shall continue during drilling, hydraulic fracturing and completion of a well. Each bond shall be executed by the owner or operator and a corporate surety licensed to do business in this Commonwealth and approved by the secretary.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Speaker recognizes the gentleman from Allegheny, Mr. Maher.

Mr. MAHER. Thank you, Mr. Speaker.

This is the amendment that needed the corrective reprint, and I again thank the gentleman from Venango County for pointing out the deficiency in the original version of the amendment. This provides for a higher level of bonding for roads during and only during the period of drilling, fracking, and completion of a well. And as I said before, I am not sure this is the number that will be there at the end of the day, but I think we certainly need a higher number than we have today.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment?

Does the gentleman, Mr. Hanna, seek recognition?

Mr. HANNA. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed on the amendment.

Mr. HANNA. I rise to support the gentleman from Allegheny's amendment and would urge a "yes" vote.

The SPEAKER. The question is, will the House agree to the amendment?

On the amendment, the lady from Warren County, Ms. Rapp, is recognized on the amendment.

Ms. RAPP. Mr. Speaker, I would like to interrogate the maker of the amendment, please.

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

Ms. RAPP. Mr. Speaker, could I ask the rationale for upping the costs of the road bonding?

The SPEAKER. The gentleman may proceed.

Mr. MAHER. Thank you, Mr. Speaker.

Currently in the communities I represent, the bonding has been \$6,000 per road mile, and it costs about a quarter million dollars per road mile to resurface a road if it is necessary, and consequently, the \$6,000 per mile seems insufficient.

Again, I will be open-minded when we complete this process where the correct numbers should be, but I will remind the members that we are not talking about cash being on deposit somewhere. The bond is in fact sort of an insurance policy against damages. It is then returned to the driller upon a happy result. And most drillers have really been good citizens about this, but there are some that have not.

Ms. RAPP. Thank you, Mr. Speaker. If I may, on the amendment?

The SPEAKER. The lady is in order, on the amendment.

Ms. RAPP. Mr. Speaker, I have the honor of serving on the task force on forestry, and just last month we talked about this issue specifically in regard to the Marcellus drilling, and there was a gentleman at that meeting from the Pennsylvania Department of Transportation. And at that meeting it was relayed to us that up to this point in time, the producers have given to the State of Pennsylvania through upgrading and maintaining the roads for production of the gas over \$400 million. And specifically, we asked the gentleman from PENNDOT what the impact on the roads financially has been at this point in time and has there been a cost to PENNDOT in regards to the maintenance and upgrades of the roads? And the reply was, we see no impact because indeed the producers have even gone above the standards of what PENNDOT has required for maintaining those roads at the end of the day. They have even replaced some bridges that they were not even requested to replace.

So, and I understand certainly the need for maintaining our roads, but at this point in time, what I am hearing from PENNDOT, that there is no financial impact on PENNDOT at this point in time and that the companies actually are providing resources that maybe PENNDOT did not even have, that they are bringing the roads up to higher standards, I cannot justify putting a higher permit, a bonding permit, on the producers.

So I would just like my colleagues to think about that, and the fact that PENNDOT itself has said that there is really no negative impact, and indeed there may be a big positive impact at the end of the day with the producers improving the roads where they are hauling.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Venango County, Mr. Hutchinson.

Mr. HUTCHINSON. Thank you, Mr. Speaker.

I, too, want to echo the gentelady from Warren's comments and say that we have a lot of concerns about this arbitrary increasing of the number, the bond amount number. I think it is not justified. I think we have not had bonds forfeited because, and to just arbitrarily say we want to make a specific industry pay an arbitrary dollar amount in bonding because we do not like the industry maybe, I think it is a very bad precedent that we are setting. It is not justified, as the gentelady who spoke before me, it is not justified in that Pennsylvania as a State is doing quite well in getting their roads fixed up by those who are using them to develop the Marcellus play, and I just think that this is an ill-conceived amendment that is setting an arbitrary number, singling out a single industry, and it is not justified. I ask my colleagues to join me in opposing this amendment.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the lady from Bradford County, Ms. Pickett.

Ms. PICKETT. Thank you, Mr. Speaker.

May I interrogate the maker of the amendment, please?

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

Ms. PICKETT. May I assume that we are only talking about State roads here?

Mr. MAHER. It is for State and municipal roads.

Ms. PICKETT. I am sorry.

Mr. MAHER. State and municipal roads.

Ms. PICKETT. Okay. State and municipal roads. So our municipal roads at this time, in general, in the drilling areas have a maintenance agreement with the gas companies. The gas companies are fixing those roads well beyond the level to which would be required of them. Can you tell me how this would affect all those maintenance agreements that those municipalities have?

Mr. MAHER. You are quite correct that most of the drillers that I have heard of are well behaved and good citizens and good neighbors with respect to roads and bridges. For those, their bonds would be returned. It is a matter of providing, essentially, insurance against bad behavior. So for all those who are behaving well, I would expect there would be little real cost because their bonding experience is based upon their own behavior. For those who have a record of bad behavior, they will find that it will be in their interest to start behaving well.

Ms. PICKETT. So, Mr. Speaker, returning the bond would not be in fact returning the cost of the bond to them, right?

Mr. MAHER. That is correct.

Ms. PICKETT. So if we have companies that are spending hundreds of millions of dollars bringing roads well beyond the level of which they are required to do, and we do have, so now we are going to say over and above that though, we need you to put out money for a bond. Is that correct?

Mr. MAHER. That would be correct, and in that case, I imagine that their bonding company would say, well, recognizing that maintenance agreement and your intention of the maintenance agreement, it is a remote prospect that you would ever need performance on the bond and that their premiums would be consequently low. But certainly, there would be some premium; there is no doubt.

Ms. PICKETT. So inconsequential would be I guess in the eye of the beholder, but there are a lot of miles of roads considered here. Can you tell me in fact how the roads would be chosen? Could you describe that again as to what roads they would be required to put this larger bond on?

Mr. MAHER. I would expect that it would be much the same as what is undertaken with respect to maintenance agreements, that there are decisions made as to which routes the vehicles would be traveling, and that that would then distinguish those roads from roads in general.

Ms. PICKETT. And, Mr. Speaker, there are a lot of subcontractors used, many of them local subcontractors, used in the construction and the different processes or phases of drilling a well. Would these subcontractors be also required to put up a bond?

Mr. MAHER. I would not think so. I think it would be the responsible party, and just as if you hire a contractor for any particular purpose but are dealing with the outside world, to the outside world you are still the responsible party. So it would be

the drilling company and they would deal with their contractors as they saw fit.

Ms. PICKETT. So would that mean, Mr. Speaker, that they could in fact bill back a portion of the cost of that to those subcontractors that are then doing some of the work and using those roads?

Mr. MAHER. That would be entirely up to them as it is with their maintenance agreements now.

Ms. PICKETT. So in other words, our subcontractors, our local subcontractors, could be hit with part of this cost?

Mr. MAHER. Just as they can be hit with the maintenance agreement costs, yes.

Ms. PICKETT. We have a posting agreement going on with PENNDOT right now in the districts of the northern tier. It is working out very well. This would in fact affect that posting agreement that is up with PENNDOT.

Mr. MAHER. I am unaware of that particular agreement.

Ms. PICKETT. And, Mr. Speaker, I would just wonder again if in fact even though they are spending an incredible amount of money to bring a road back up, we are requiring them to keep this bond till the end of their – any concept of work they might have on that road going to a certain well pad area.

Mr. MAHER. Only through completion of the well.

Ms. PICKETT. Completion of the well, could you define "completion of the well"?

Mr. MAHER. Completion of the well is the process that, first, there is the exploratory process, then there is the drilling, then there is completion, which is to take a hole which is drilled and actually turn it into a well. So once you get that set of pipes and so forth that remain at the site, that is your completion.

Ms. PICKETT. So, Mr. Speaker, if they complete two wells on a well pad and come back in 8 to 10 years and drill two, three, or four more, they must maintain this bond throughout that time period.

Mr. MAHER. If they commence drilling again, they would commence the bond again, but in the meantime, there would be no bond.

Ms. PICKETT. And, Mr. Speaker, if they should come back in the middle of that time period and do some refracking on that well, they are going to be able to take the bond away and put the bond back throughout this time period?

Mr. MAHER. Well, I think we would refer to the definition of terms, and if I recall, and I am not certain that I do, but if I recall, this bill distinguishes between refracking and fracturing to begin with and this talks about the hydraulic fracturing, so I would not expect that a refracturing would be subject to it, but certainly, regulations will speak to that question definitively, but my expectation is it would be during the original fracturing process.

Ms. PICKETT. Mr. Speaker, may I make some comments, please?

The SPEAKER. The lady is in order, on the amendment.

Ms. PICKETT. I would have to ask in all due respect that we do not vote for this amendment. Mr. Speaker, I believe that in the northern tier, specifically where I am, we are seeing an incredible amount of money being spent on roads. Initially, perhaps, we had some concerns about bonding, but I am just not aware of that anymore. In the past couple of years, some of the companies in Bradford County have actually put more money into our roads, municipal and State combined, than our entire PENNDOT budget for the region.

Mr. Speaker, I believe that this could have somewhat of a chilling effect on what they might be doing with our roads, and I certainly would not want to put us in a position of causing that. We are finding that the maintenance agreements that the companies have in place with the municipal governments are being very well honored, perhaps beyond anything that we really had hoped initially. I hear absolutely almost minimal complaints from anything, and when I do hear a complaint, the company takes care of it, the company involved takes care of it. I am very, very concerned about what this might do with our subcontractors and our other trucking companies that are in the area. We spent a lot of time trying to sort that out and make sure that they are being treated as they should be throughout the process of drilling different sites and wells, and I am concerned that this particular move could make a difference in how those subcontractors are able to work on our municipal and State roads.

So, Mr. Speaker, I see way too much potential to undo a lot of the good things we have been able to do with roads in the drilling areas, and I would ask for a "no" vote.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Tioga, Mr. Baker.

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

Mr. Speaker, I rise to oppose this amendment. This amendment, quite frankly, \$250,000 per road mile, rural roads, they are so long, they are so plentiful. This is very, very difficult and creates an uncompetitive disadvantage for a growing industry that is creating thousands upon thousands of jobs, billions of dollars of capital investment, and additional income through royalties and supply chain impacts to corporate net income tax, corporate franchise taxes, sales taxes, and here we are again trying to put yet another nail into a growing, thriving economy and industry. If we truly want to be competitive, both domestically and otherwise, why are we trying to make it more difficult for an industry? I am concerned about the wording in the amendment, "The bond required shall be in the amount of \$250,000 per road mile," and it does not clarify what kind of well – conventional well, unconventional well, storage wells. Again, it differentiates from other industries. It targets this gas industry. We have tremendous amount of economic activity in rural areas traveling these very same roads, quite frankly, that may be contributing to some of the degradation to the roads, such as the timber industry. Spanning Tioga and Bradford Counties, we have one of the largest wind turbine farms in the entire Commonwealth and they exact a toll as well on some of these roads, but no, here it just says wells and it is \$250,000 per road mile.

Mr. Speaker, I think there are a lot of problems with this amendment, and I respectfully request the members to defeat the amendment. Thank you very much.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the lady from Susquehanna, Ms. Major.

Ms. MAJOR. Thank you, Mr. Speaker.

I rise, too, to oppose amendment 6491 and do so for many of the reasons that have been previously addressed here, certainly the interrogation that occurred with my colleague from Bradford County. Indeed, I do agree that Pennsylvania is currently

experiencing severe problems with our transportation system, but it has been my experience in the counties that I represent that the natural gas industry has been a willing partner to step up and work with municipalities, the townships, and the boroughs whose roads are directly impacted by the increased truck traffic that we see. I am absolutely concerned about how this will impact the local businesses, our logging businesses, our bluestone businesses, our excavating contractors. Many of those industries are working as small businesses with the gas industry to help build the pads that they are working. So I am just wondering how this will pass down and am absolutely concerned.

I think the \$250,000 that is mentioned in the amendment is extremely high, and again, I would ask for a "no" vote, ask my colleagues to vote "no" on this amendment. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Mercer County, Mr. Longietti.

Mr. LONGIETTI. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the gentleman's amendment from Allegheny County. This is an issue that I have been working on for the past 5 years. It has been since 1978; 1978 was the last time that PENNDOT revised the bonding amounts in Pennsylvania, and today they reflect but a small, small fraction of the actual costs to repair roadways. I have tried to encourage PENNDOT to revise that bonding schedule. I filed what is now HB 1099 this session and in previous sessions that would require PENNDOT to revise that bonding schedule by January 1 of 2012 and to update it every 3 years thereafter. Unfortunately, the General Assembly has not taken up that legislation. PENNDOT has not moved at all to revise the bonding schedule, even though we know just in the last few years the bid contract index went up by 80 percent. So this has forced an amendment, like what we are seeing right now to HB 1950 that is on the floor, because our bonding requirements have not been updated in over 30 years, 33 years. We have not updated those amounts. What prompted my bill and my support of the gentleman's amendment is actually a gas drilling company in my district which has pounded down the roadways, which has not been a good citizen, even though most of them have, this particular company has not been a good citizen, has refused to make repairs, has contested and used their considerable wealth to contest at every angle and every opportunity the municipality reaching out to them saying that you need to step up to the plate and help repair these roads that you have damaged.

So as the gentleman has indicated in his remarks, this is designed for the bad actor. There are not that many of them out there, but they do exist and I can attest to that personally in my district. If PENNDOT would update these bonding requirements, we would not be here. If my legislation would get time on the floor of the House and a vote in the House and the Senate, we would not be here. But unfortunately, that has not happened. So now we are leaving our municipalities in the lurch. They are the ones that bear the brunt of the costs to pursue the road company with their attorneys, to pursue them for the cost of repairing their roads. So I commend the gentleman for offering this amendment. I think it is a good amendment, good companies do not need to fear it, but it does protect our local municipalities. I know we have experienced it

in Mercer County. I have heard firsthand from a number of townships in my area of a particular gas company who has damaged roadways, who has not stepped up to the plate, and we have a minuscule bond that is available right now based on 1978 costs.

So I urge my fellow colleagues to adopt this amendment. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Mercer County, Mr. Stevenson.

Mr. STEVENSON. Thank you, Mr. Speaker.

I have no doubt that my colleague from Allegheny County has the best interest of this industry and of Pennsylvania in mind with this amendment. During the debate today, we have heard many reasons why this amendment is not a good idea, particularly from the viewpoint of the gas industry. I also am reluctant to disagree with my colleague from Mercer County since we represent many similar areas. However, I am standing today to speak in opposition to this amendment. We have heard loud and clear from our constituents across this Commonwealth that the number one issue on their minds these days is jobs, and I am standing to speak on that issue. Certainly, we do not want jobs at the expense of our environment or at the expense of our roads or at the expense of our communities. As has been stated here today, clearly, most of these drilling operators are extremely good citizens, and I have drilling in the southern part of my district where my experience has been totally different from the experience of my colleague from Mercer County, where the roads have been well repaired, where these have been good citizens, these drillers have taken care of those issues above and beyond the expectations of the local municipalities, but if we are indeed going to support this industry in the hope that our economy will be further supported by it, that we will see the results of the jobs it creates and the revenue that will come to this Commonwealth as a result, then I would be very cautious about limiting that industry's ability to function.

I think when we are imposing this type of a burden on the industry, that perhaps is what we are doing. It is for these reasons that I feel this idea or this initiative is largely a solution in search of a problem, and I think for those reasons I would ask for a negative vote on the Maher amendment.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Clinton County, Mr. Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, I once again rise in support of the amendment. Mr. Speaker, it is our understanding that current law only provides for bonds in the amount around \$6,000 for certain second-class roads and \$12,000 per mile for first-class roads. If that is accurate, it certainly does not cover the cost of rebuilding a road which currently today is estimated at somewhere around a million dollars a mile. So obviously what the gentleman from Allegheny is proposing is both reasonable and affordable, and I believe that our choice is between protecting our communities and protecting big oil.

In my estimation, our communities have to come first, and I ask that you support the amendment. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Greene County, Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

I have happy news from Greene County. The Marcellus Shale industry, happily habituated in those hills, has been performing responsibly relative to the roads. Notwithstanding the comments of the dapper gentleman from Grove City who preceded our whip at the microphone and the honorable gentleman whose amendment was discussed and delineated last night, the fact is, Mr. Maher's amendment is only an insurance policy. Royal Dutch Shell, British Petroleum, ExxonMobil, Range, Chesapeake, God bless America, these people can afford a bond. We are only asking for a bond. My speculation is that not a nickel will change hands. We do not have to worry about nails in the proverbial coffin. We just want corporate Pennsylvania to behave in an honorable fashion, and the happy news is, in Greene County, so far, so good. If you go to Bob Evans in Greene County, which is like the Bricco of Greene County, and you look down, you look down from the hill—Mr. Speaker, without hyperbole, without hyperbole, there is not one minute of the day or night that goes by that those big 80,000-pound rigs do not come rumbling up and down number 21 route between Waynesburg and Carmichaels, and so far, so good. But I join, as I do so often, my honorable and erudite colleague from Upper St. Clair, the Honorable Mr. Maher, in endorsing his amendment. Thank you.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Butler County, Mr. Ellis.

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

If I can follow the gentleman from Greene County, I will also say, so far, so good. Four hundred million dollars the industry has invested in roads across the Commonwealth. And I will tell you this, Mr. Speaker, quick little story. I have a gentleman that represents one of the municipalities in my district who made a trip up into the gentelady's district from Bradford, and he came back and he said, I cannot wait until we have drilling so we have roads like they have up there. This is unnecessary. Not just for the obvious reason that many people believe it is an arbitrary number, but I will say this, that we left this out of legislation, we did not go after the issue initially because we did not want to single one industry out over the next. The way this amendment is written, Mr. Speaker, it is not clear if this would be just those going after the Marcellus Shale. It is shallow wells and it is oil production. Now, everyone knows, oil production, a lot of it in Pennsylvania is the small mom-and-pop operations.

I cannot stand here today and say that this is the right direction for us to go in. I cannot disagree with the hundreds of local officials that are happy with the maintenance agreements that other folks have brought up. This is an idea that we left out on purpose, and I would encourage a "no" vote on this amendment. Thank you very much, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Kotik.

Mr. KOTIK. Thank you, Mr. Speaker.

Oftentimes when the gentleman from Upper St. Clair gets up, a lot of us groan on this side, but one of the things I often remark about the gentleman from Upper St. Clair, he usually

does his homework and he does not introduce amendments by whim or without sound reasoning, and I think he has introduced an amendment that has sound reasoning and logic and the best interest of the Commonwealth of Pennsylvania in seeking to ensure that a lot of the roads in my district and some of my colleagues in southwestern Pennsylvania are adequately taken care of. So it is with that in mind that I ask for support of the Maher amendment. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Lycoming, Mr. Everett.

Mr. EVERETT. Thank you, Mr. Speaker.

If I could interrogate the maker of the amendment.

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

Mr. EVERETT. Mr. Speaker, I may have missed this in earlier interrogation. If I did, I apologize. But the \$250,000 number, that was arrived at by working with PENNDOT and the industry on how much it costs to repair roads to come up with that number?

Mr. MAHER. That was arrived at by working with my local officials about how much this has been costing them to repair each mile of road.

Mr. EVERETT. Thank you, Mr. Speaker.

And this, your amendment as written, would only apply to the gas industry and not to other people who are doing heavy hauling on State roads, State and municipal roads?

Mr. MAHER. I certainly wanted an amendment which was germane, and therefore, you are correct.

Mr. EVERETT. And, Mr. Speaker, under the uniformity clause, do you believe that we can assess this one industry 4,000 percent more than we are currently assessing other industries and that that will stand up to a judicial challenge of being uniform?

Mr. MAHER. The uniformity clause of our Constitution, of course, goes as to taxation, and this bill contains no taxation.

Mr. EVERETT. Do you have specific instances of the number of bonds that have been needed to be used with respect to the industry and the Commonwealth of Pennsylvania in the past year, 2 years, or 3 years?

Mr. MAHER. I do not have an encyclopedia of information on this; no, sir.

Mr. EVERETT. Thank you, Mr. Speaker.

I would like to speak on the amendment, please.

The SPEAKER. The gentleman is in order, on the amendment.

Mr. EVERETT. Mr. Speaker, despite the gentleman from Greene County's assurances, I think we have heard quite a bit of hyperbole about this issue. We are fixing a problem that does not need to be fixed. The industry has been very good about not only repairing roads it uses but improving roads. My fear is, in Lycoming County, where they have been good stewards of our roads, and this year as we have heard from other folks in the north-central part of the State and other parts of the State where this operation is ongoing, they have spent more money than PENNDOT spends in 5 years on roads. And I am afraid that we are out here trying to put an extra, what is an extra tax on this industry for no purpose. To say that bonds do not cost money is not true. Bonds do cost money, and I see no reason to have this industry spend money where they do not need to. I have townships and a PENNDOT maintenance district that have a

great relationship with the industry. They have excess maintenance agreements that ensure that our roads are repaired and those have worked just fine, and I do not see any purpose of putting any extra burden on this industry than we have already placed on it, and I would ask a "no" vote on the Maher amendment. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Kortz.

Mr. KORTZ. Thank you, Mr. Speaker.

I have been to that Bob Evans restaurant that the gentleman from Greene County talked about, and I do not know that I would contrast it with Bricco, but be that as it may, I rise in support of this amendment, sir, and I commend the gentleman from Allegheny County. I think he is doing the exact right thing. Sir, the facts are that it takes about 500 heavy trucks in the construction and bringing a well to operation. When I say heavy trucks, we are talking about trucks that weigh 80,000 pounds. Now, you take 500 trucks at 80,000 pounds, that is a lot of load bearing on these roads and bridges in this Commonwealth. Now, when you get into the back roads of Greene County, Washington, and others, some of these roads are not built to take that type of load bearing. It is a simple fact. This amendment will help to ensure that those roads and bridges are going to be taken care of in case something bad happens and we have a bad actor.

And yes, the industry has been good; there is no doubt about it. I welcome the industry to Pennsylvania. We want to see the jobs. We want to see the gas developed, but also we want to protect our roads and bridges. I would be remiss if I did not add that we have some land in Greene County, there are about 15 of us, we have some hunting land down there, about 1200 acres, and I do not want to see Bell Run Road or Bulldog or Ridge Road ruined and we have a problem down there because they are getting ready to drill.

So with that, I would urge all my colleagues to vote in favor of the amendment. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, yesterday I arose on the floor relative to two amendments introduced by the gentleman from Adams County that were very well-intended amendments that had something to do with transportation, in particular, mass transit, using natural gas to fuel mass transit vehicles. And at that time I said, you know, in spite of the fact that these were a very good idea, we did not have a sufficient funding source to fund those kinds of things. In fact, his amendments tapped a funding source that, if anything, is near depletion and would also rob a lot of other useful items that we currently fund from that source. So for that reason, I asked folks not to vote for those.

This amendment also reflects a very, very good idea, an idea whose time is way past coming into fruition. But the difference is, it has a very good and substantial funding source. The gas companies, the drillers, they have plenty of money. And keep in mind, as the gentleman from Mercer mentioned, that this is not for the good guys, this is for the bad guys. The good guys will be fine under this. It is the bad guys that this picks up.

A couple of years ago the House Transportation Committee hosted a hearing in Greene County, at the district of the gentleman from Greene County, on this very subject of road bonding and the insufficient bonding that was currently on the books at that time, which is still on the books. It has been insufficient for many, many, many, many years. Now, we can argue about whether this amendment is too high, but certainly, we are long past due when we should be dealing with the issue of road bonding. And I might add that PENNDOT has been reluctant to deal with this over several administrations. They can do it, but they have not. So it is really up to us. We have an excellent opportunity here today with the amendment offered by the gentleman from Upper St. Clair to have a sufficient road bonding program in place, at least for the natural gas industry and the drilling industry and the drill sites.

So for that reason, I would ask all the members to please vote for the Maher amendment to HB 1950. Thank you very much.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Armstrong County, Mr. Pyle.

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

Would the maker of the amendment answer a few questions maybe?

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

Mr. PYLE. Thank you, Mr. Speaker.

I have never been on this end of it, Mr. Speaker, but I do have a few questions that pertain to your amendment. I assume the purpose of this is, rightfully, to repair that which was wronged, to fix, repair roads damaged by Marcellus exploration?

Mr. MAHER. Correct.

Mr. PYLE. So I assume that this damage is caused mostly by the increased weight of the water trucks, the gantry trucks, compressor trucks, adding additional weight to roads that were not designed to handle that weight?

Mr. MAHER. I have heard that theory, Mr. Speaker, but the simplest explanation is that the communities I represent take great pride in maintaining their roads. They have had ordinances accommodative to drilling, and the amount of the bond currently is not enough to pay for my driveway being repaved.

Mr. PYLE. That is a very good point.

Mr. MAHER. And consequently, they have asked that the bond be increased, recognizing there are plenty of good companies that will never have a care in the world about this, but there are some that are not.

Mr. PYLE. Would your amendment apply to companies, as is common in my county, Armstrong, where we are exploring for Marcellus quite enthusiastically, would it also apply to, say, triaxles that haul coal?

Mr. MAHER. No, it would not.

Mr. PYLE. Would it apply to milk trucks or steel coil hauling trucks?

Mr. MAHER. Just as is the case with the rest of this bill, it would not.

Mr. PYLE. You separate it as just oil and gas trucks?

Mr. MAHER. Because the entire bill is about oil and gas.

Mr. PYLE. So it does apply to shallow wells?

Mr. MAHER. I would need to look at it in context again. My understanding is, it is in the section where we are talking about unconventional, but if they are drilling, I suppose it might, but again, I would have to go back and look at the language. We have been through a number—

Mr. PYLE. Derivations; understood.

Mr. MAHER. Right.

Mr. PYLE. \$250,000 per mile. The reason I am asking—

May I speak on the amendment, Mr. Speaker?

The SPEAKER. The gentleman is in order, on the amendment.

Mr. PYLE. Thank you.

I have nothing but respect for my friend from Upper St. Clair. We have worked together many, many times, but in doing the math – I live in the Gas Belt, Mr. Speaker – we have 14,000 shallow wells at \$250,000 per mile, which if each well had 1 mile, and there are often many, many miles associated to them, that would work out to \$3 1/2 billion, which if you want Armstrong County to pay for all the roads and bridges in the State next year, you could probably do it. Unfortunately, I do not feel that is fair, nor is it equitable.

I do not mean to call attention to anyone's benefit or detriment of the bill, but I would call out in section (a.1), subsection (1), "Upon filing an application for a well permit, and before continuing to operate an oil or gas well...." It does not differentiate between shallow wells, which are normally qualified by DEP (Department of Environmental Protection), DCNR as anything above the Elk sandstone, which starts in my area at 6,000 feet, which means if we drill shallow wells, like we have for 100 years, we cannot do that anymore unless we want to put up \$3 1/2 billion for a traditional industry we have had for 100 years.

Now, I understand the fracking component of this. Does that apply equally to horizontal fracking deployments as well as vertical fracking deployments, because they haul different amounts of water?

Oh, I am sorry. I stopped interrogating—

The SPEAKER. The gentleman was off interrogation. You can ask rhetorical questions.

Mr. PYLE. It is not rhetorical, sir.

The SPEAKER. The general rule is that you are allowed to interrogate and then go back to speaking on an amendment or a bill under one turn at the microphone. We have generally refrained from interrogation and then speaking on the amendment and then going back to interrogation.

Mr. PYLE. I apologize, Mr. Speaker.

The SPEAKER. The gentleman may proceed on the amendment.

Mr. PYLE. Thank you.

I would urge a vote against this, Mr. Speaker, for many reasons, one being that it virtually kills the entire shallow well industry in western Pennsylvania. Shallow wells produce, many times, far, far less than the threshold of 90 Mcf (1,000 cubic feet) per day. Typically, a shallow well will do less than 20 or 30, yet without that differentiation between Marcellus and shallow well trucks, it kills the industry. At last count, there are at least 7 shallow well drillers in Armstrong County, each one employing more than 150 people. This bill is quite, quite harmful to my area, and if you are unaware, Armstrong County can arguably be called the treasure chest of the State. They have shallow gas, deep gas, shallow coal, deep coal, lumber, agriculture, gravel. You name it, we have it.

I am curious as to the purpose of this amendment, why it does not apply to milk trucks, which are similarly heavy vehicles carrying liquid; it does not apply to steel coil trucks, which typically out of the Leechburg Allegheny Ludlum plant hauls 60,000 to 80,000 pounds of steel at a time. I am surprised it does not apply to triaxles, which tip the scales at 30 tons.

Mr. Speaker, it is a great idea. I do not feel it is ready to be voted. I would encourage a "no" vote.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Washington County, Mr. White.

Mr. WHITE. Thank you, Mr. Speaker.

I rise in support of the Maher amendment, and I want to give a little bit of maybe a different perspective than what has been said here already today. A large portion of my district, as I had already mentioned, is at the center of Marcellus Shale drilling activity, and I have to say, I am going to echo the comments of some of my colleagues, when we talk about some of the big companies that are doing work in my district, they have been very responsible when it comes to roads; they have. I cannot say that they have not. When we have had problems with certain roads after they are done and they are reclaiming them, they work with us, and there is a good communication there.

But I think that one of the things that we are not looking at is, I think we have made a fundamental mistake of terming the industry as being just these companies that we have already talked about, but in reality, there are other small operators out there that are not being lumped in with, quote, "the industry" that we need to talk about, and I have an actual experience with this. In Cecil Township, Washington County, there is a gentleman who was a dentist by trade and decided to get into the Marcellus Shale business. He went out and got his permits and decided he was going to drill a well, and he started moving heavy equipment up and down the back roads and moving things around. I think it is safe to say that he did not have the resources that a lot of the larger companies had, and that was one of the big questions that we all had was, if this guy screws up our roads, he is not capitalized to be able to fix them. So it is not necessarily that we are attacking the big companies, although I would hope that the larger companies would embrace if they are already doing what they say they are doing and they intend to keep doing what they say they are going to do, this should be easy for them. But what we need to look at is the reality that as this industry develops, smaller operators without the ability to do the right thing are going to be out there. They are out there now, and these are the people that we need to be protecting against.

So with all due respect to the big drilling companies, we have got to realize that there is a broader definition of the industry here. And to the point that some of the bigger companies will not be able to afford to operate under a higher bond requirement, I find that a little bit hard to believe. I think the nail-in-the-coffin statement is a little farfetched. I mean, I turn on my TV back home, the strike zone at the Pirate games, the power play of the Penguin games; they are all sponsored by the natural gas industry. If they can afford to put their name there, they can afford to do the right thing and put the bond requirements on our roads.

Vote "yes" on the Maher amendment.



The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Lancaster County, Mr. Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, for years we have heard that maintaining roads in rural Pennsylvania is expensive, and when PENNDOT tries to give the roads back to local municipalities in rural Pennsylvania, we have been told that a lot of those local municipalities do not want it because it just costs too much to maintain those roads. And now today we are hearing that it really does not cost much at all to maintain those roads and they are in just fine condition and we should not require the companies to bond them beyond where they are because we do not need to; they are in great condition and they really do not cost very much to maintain. Now, you cannot have it both ways.

At some point in time I would hope that we would be able to adjust our transportation legislation so that any of these roads that have been improved by these companies actually get given back to the local municipalities, because in any other State they would be local roads. But in the meantime, you cannot continue to have the rest of Pennsylvania pay to maintain those roads while the areas that are experiencing the Marcellus Shale drilling reap the benefits. If you are not going to share the bounty, then do not expect the rest of Pennsylvania to pay to maintain those roads for you.

This is a matter of fairness. It is a matter of who is actually doing the damage. The companies have said they want to do this because they want the roads better than they are and they are willing to do that, the good companies that are out there, the majority of the companies that are out there. This will have an insignificant impact on those companies. It is the ones that are trying to get by and scam the system that this amendment seeks to remedy.

I would encourage a "yes" vote for the Maher amendment. Thank you.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Indiana County, Mr. Reed.

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

And since we have been discussing this for a while, I will be short, but I do think it is important to point out that although we may all agree that there needs to be changes to the bonding requirements in Pennsylvania, a 4,000-percent increase in bonding from \$6,000 a square mile to \$250,000 a mile is a little bit exorbitant.

And secondly, if we were only focusing on the Marcellus Shale industry, the unconventional well industry, that would be one thing, but this amendment in no way differentiates between Marcellus Shale well drilling and the conventional well drilling.

And for folks who pointed out that many Marcellus Shale companies come from other States or other nations and have long held the belief of concern for our local conventional well drillers that have been operating in Pennsylvania, some for nearly 100 years, they should know that this amendment as filed, since it does not make a difference between conventional wells and unconventional wells, will effectively put each and every one of those conventional well companies out of business in Pennsylvania by not allowing them to drill for a single conventional well in the future. So the only folks who will have the drilling, who even have a shot at drilling under this

particular amendment, will be the large corporate companies like the ones folks have been focused on from other States and from other nations.

Mr. Speaker, this amendment, although the topic is certainly a topic that we need to continue with during the discussion with the Senate, during the discussion with the Governor to get reasonable bonding requirements in place, we need to make sure that the key word that we focus on is "reasonable," and we need to make sure that we protect our homegrown conventional well industry in the process.

I would ask for a negative vote on this amendment. Thank you.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Maher, for the second time.

Mr. MAHER. Well, I am certainly flattered by the attention that this amendment has garnered. I wish again to thank the gentleman from Venango for pointing out the typographical problem in its original version, and I am glad people are thinking about the subject.

And insofar as the 14,000 shallow wells of my dear colleague, you should be aware that wells that are already drilled are unaffected, completely unaffected, anywhere in Pennsylvania.

The current bond of \$6,000 a mile literally is not enough to pave my own driveway. If you can find someone who will pave a mile of road for you for \$6,000, please give them my phone number, because I would certainly like to talk to them about my driveway.

Now, in terms of singling out, the entire subject here is this one industry, and it is not intended to be punitive, but it is what my local elected officials have requested. My local elected officials, who are pretty reasonable people, where employment has increased in the particular town, Peters Township, substantially because it is limited government, low regulation, commonsense government, but they have encountered situations where the \$6,000 bond, the driller says keep it; keep it.

Now, I am not surprised that in so much of Pennsylvania there has been so much good experience. That does not surprise me at all. In fact, I know that that is true and I am delighted for it, and I am delighted that virtually all of these companies are good citizens, but as is the case with bonding generally, the good citizens will be recognized as such and the bad citizens, well, they will not get a bond the second time.

So I am flattered that what earlier today I thought was a largely agreed-to amendment on this side of the aisle has attracted the attention of the front office to such an excited degree. I would still encourage you that at the end of the day I think the right answer on this amendment, that where you stand will depend on where you sleep, and if you are in a community that has had bad experiences and then there is no one to chase, I think you vote "yes," and if you think that your community does not need protection against the bad actors, well, then I think you vote "no."

Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

## YEAS—93

Barbin	DeLuca	Kirkland	Preston
Bishop	DePasquale	Kortz	Ravenstahl
Boyle, B.	Dermody	Kotik	Readshaw
Boyle, K.	DeWeese	Kula	Roebuck
Bradford	DiGirolamo	Longiotti	Sabatina
Brennan	Donatucci	Maher	Sainato
Briggs	Fabrizio	Mahoney	Samuelson
Brooks	Frankel	Mann	Santarsiero
Brown, V.	Freeman	Markosek	Santoni
Brownlee	Galloway	Matzie	Schroder
Burns	George	McGeehan	Shapiro
Buxton	Gerber	Metzgar	Smith, K.
Caltagirone	Goodman	Mirabito	Smith, M.
Carroll	Haluska	Mundy	Stephens
Cohen	Hanna	Murphy	Sturla
Conklin	Harhai	Neuman	Swanger
Costa, D.	Harkins	O'Brien, D.	Thomas
Costa, P.	Hornaman	O'Brien, M.	Vitali
Curry	Johnson	Parker	Wagner
Daley	Josephs	Pashinski	Waters
Davidson	Kavulich	Payton	White
Davis	Keller, M.K.	Petrarca	Williams
Deasy	Keller, W.	Petri	Youngblood
DeLissio			

## NAYS—100

Adolph	Gabler	Krieger	Reese
Aument	Geist	Lawrence	Reichley
Baker	Gergely	Major	Roae
Barrar	Gibbons	Maloney	Rock
Benninghoff	Gillen	Marshall	Ross
Bloom	Gillespie	Marsico	Saccone
Boback	Gingrich	Masser	Saylor
Boyd	Godshall	Miccarelli	Scavello
Brown, R.	Grell	Micozzie	Simmons
Causar	Grove	Millard	Sonney
Christiana	Hackett	Miller	Stern
Clymer	Hahn	Milne	Stevenson
Cox	Harhart	Moul	Tallman
Creighton	Harper	Murt	Taylor
Culver	Harris	O'Neill	Tobash
Cutler	Heffley	Oberlander	Toepel
Day	Helm	Payne	Toohil
Delozier	Hennessey	Peifer	Truitt
Denlinger	Hess	Perry	Turzai
Dunbar	Hickernell	Pickett	Vereb
Ellis	Hutchinson	Pyle	Vulakovich
Emrick	Kampf	Quigley	Watson
Evanovich	Kauffman	Quinn	
Evans, J.	Keller, F.	Rapp	Smith, S.,
Everett	Killion	Reed	Speaker
Farry	Knowles		

## NOT VOTING—0

## EXCUSED—10

Bear	Fleck	Mustio	Staback
Cruz	Metcalfe	Myers	Wheatley
Evans, D.	Mullery		

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

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

Mr. **GEORGE** offered the following amendment  
No. **A06372**:

Amend Bill, page 34, line 7 (A06347), by striking out "A" and inserting

In addition to the requirements of subsection (c.1), a

Amend Bill, page 34, line 26 (A06347), by inserting after "supply."

The department shall ensure the restored or replaced water supply meets the applicable water quality standards consistent with the Safe Drinking Water Act (Public Law 93-523, 21 U.S.C. § 349 and 42 U.S.C. §§ 201 and 300f et seq.), the act of May 1, 1984 (P.L.206, No.43), known as the Pennsylvania Safe Drinking Water Act, and predrilling or alteration water quality standards as determined by the department. The Environmental Quality Board shall promulgate regulations necessary to meet the requirements of this subsection.

Amend Bill, page 34, by inserting between lines 26 and 27 (A06347)

(b.1) Survey.—Upon a written request by any landowner residing within 5,500 feet but farther than 2,500 feet of a proposed gas well using hydraulic fracturing, the well permit applicant shall conduct a predrilling or prealteration survey, using a facility or laboratory certified by the department, and send a copy of the survey by certified mail to the requester. A predrilling or prealteration survey shall provide at a minimum the testing results for chemicals or chemical compounds known to be commonly used for hydraulic fracturing, including all major cations and anions, arsenic, benzene, toluene, ethylbenzene, xylenes, manganese, dissolved methane, total dissolved solids, chlorides, nutrients and radionuclides.

(b.2) Telephone number.—The department shall establish a single Statewide toll-free telephone number that persons may use to report cases of water contamination. The Statewide toll-free telephone number shall be provided in a conspicuous manner in the notification required under section 201(b) and on the department's Internet website.

(b.3) Responses.—The department shall develop appropriate administrative responses to calls received on the Statewide toll-free number for water contamination.

(b.4) Website.—The department shall establish a website that lists the confirmed cases of water supply contamination that result from hydraulic fracturing.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Speaker recognizes the gentleman from Clearfield, Mr. George.

Mr. GEORGE. Thank you, Mr. Speaker.

This amendment would allow for the protection of an individual's water supplies from pollution. It will also allow for gas companies to prove their commitment to maintaining a good relationship with surrounding landowners. This amendment would allow a landowner who might be living a quarter of a mile from a well to request a predrilling or prealteration survey to be conducted prior to the commencement of drilling. This simple act will ensure that water supplies are cleaned if they become polluted, or the gas company can determine if the pollution existed prior to drilling. Some companies are doing this already. This amendment protects all parties involved.

It is time we did what was right for our landowners to have their land and water protected, and it is fair to assume we should be able to protect these gas companies that are doing so much.

I ask for your affirmative vote.

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

The following roll call was recorded:

YEAS—151

Adolph	DiGirolamo	Kortz	Readshaw
Baker	Donatucci	Kotik	Reed
Barbin	Ellis	Kula	Reichley
Barrar	Evans, J.	Lawrence	Roebuck
Bishop	Fabrizio	Longiotti	Ross
Boback	Farry	Maher	Sabatina
Boyle, B.	Frankel	Mahoney	Sainato
Boyle, K.	Freeman	Major	Samuelson
Bradford	Gabler	Mann	Santarsiero
Brennan	Galloway	Markosek	Santoni
Briggs	George	Matzie	Scavello
Brooks	Gerber	McGeehan	Schroder
Brown, R.	Gergely	Metzgar	Shapiro
Brown, V.	Gibbons	Miccarelli	Simmons
Brownlee	Gillen	Micozzie	Smith, K.
Burns	Gillespie	Millard	Smith, M.
Buxton	Goodman	Milne	Sonney
Caltagirone	Grell	Mirabito	Stephens
Carroll	Grove	Moul	Stern
Christiana	Hackett	Mundy	Stevenson
Clymer	Hahn	Murphy	Sturla
Cohen	Haluska	Murt	Swanger
Conklin	Hanna	Neuman	Taylor
Costa, D.	Harhai	O'Brien, D.	Thomas
Costa, P.	Harhart	O'Brien, M.	Tobash
Culver	Harkins	O'Neill	Toepel
Curry	Harper	Parker	Truitt
Daley	Helm	Pashinski	Vereb
Davidson	Hennessey	Payne	Vitali
Davis	Hornaman	Payton	Wagner
Day	Johnson	Peifer	Waters
Deasy	Josephs	Petrarca	Watson
DeLissio	Kampf	Petri	White
Delozier	Kavulich	Pickett	Williams
DeLuca	Keller, W.	Preston	Youngblood
Denlinger	Killion	Quigley	
DePasquale	Kirkland	Quinn	Smith, S., Speaker
Dermody	Knowles	Ravenstahl	
DeWeese			

NAYS—42

Aument	Everett	Keller, M.K.	Rapp
Benninghoff	Geist	Krieger	Reese
Bloom	Gingrich	Maloney	Roae
Boyd	Godshall	Marshall	Rock
Causar	Harris	Marsico	Saccone
Cox	Heffley	Masser	Saylor
Creighton	Hess	Miller	Tallman
Cutler	Hickernell	Oberlander	Toohil
Dunbar	Hutchinson	Perry	Turzai
Emrick	Kauffman	Pyle	Vulakovich
Evanovich	Keller, F.		

NOT VOTING—0

EXCUSED—10

Bear	Fleck	Mustio	Staback
Cruz	Metcalfe	Myers	Wheatley
Evans, D.	Mullery		

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

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

Mr. VITALI offered the following amendment No. **A06067**:

Amend Bill, page 19, by inserting between lines 25 and 26 (A06347)

3227. Air contaminant emissions.

Amend Bill, page 48, by inserting between lines 17 and 18 (A06347)

§ 3227. Air contaminant emissions.

(a) Protocols for air contaminant emissions.—No later than three months after the effective date of this chapter, the department shall publish protocols for the detection, quantification and reporting of air contaminant emissions from unconventional gas production processes including wellhead activities and the storage of unconventional gas prior to processing.

(b) Report on air contaminant emissions.—No later than nine months after the effective date of this chapter, the department shall publish for public comment a draft report quantifying through measurements and calculations the total air contaminant emissions in this Commonwealth from unconventional gas development processes including wellhead activities and the storage of unconventional gas prior to processing. The department shall publish the final report no later than one year after the effective date of this chapter. The department shall publish a revised report every five years thereafter.

(c) Use of best available scientific principles.—The department shall use best available scientific principles in developing the protocols and reports required by this section.

Amend Bill, page 80, line 33 (A06347), by inserting after "3225,"

3227,

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Delaware County, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

What this amendment would do would be to require that the Pennsylvania Department of Environmental Protection collect data relating to air pollution from Marcellus well activity and make that data available to the public.

I ask for an affirmative vote.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the majority leader, Mr. Turzai.

Mr. TURZAI. It is my understanding that this is a process that is being undertaken by the Department of Environmental Protection, and I have no objection to this particular amendment. Thank you.

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

The following roll call was recorded:

## YEAS—183

Adolph	Dunbar	Keller, W.	Quigley
Aument	Ellis	Killion	Quinn
Baker	Emrick	Kirkland	Ravenstahl
Barbin	Evankovich	Knowles	Readshaw
Barrar	Evans, J.	Kortz	Reed
Benninghoff	Everett	Kotik	Reese
Bishop	Fabrizio	Krieger	Reichley
Boback	Farry	Kula	Rock
Boyd	Frankel	Lawrence	Roebuck
Boyle, B.	Freeman	Longiatti	Ross
Boyle, K.	Gabler	Maher	Sabatina
Bradford	Galloway	Mahoney	Saccone
Brennan	Geist	Major	Sainato
Briggs	George	Maloney	Samuelson
Brooks	Gerber	Mann	Santarsiero
Brown, R.	Gergely	Markosek	Santoni
Brown, V.	Gibbons	Marshall	Saylor
Brownlee	Gillen	Marsico	Scavello
Burns	Gillespie	Masser	Schroder
Buxton	Gingrich	Matzie	Shapiro
Caltagirone	Godshall	McGeehan	Simmons
Carroll	Goodman	Metzgar	Smith, K.
Christiana	Grell	Miccarelli	Smith, M.
Clymer	Grove	Micozzie	Stephens
Cohen	Hackett	Millard	Stern
Conklin	Hahn	Miller	Stevenson
Costa, D.	Haluska	Milne	Sturla
Costa, P.	Hanna	Mirabito	Swanger
Cox	Harhai	Moul	Tallman
Culver	Harhart	Mundy	Taylor
Curry	Harkins	Murphy	Thomas
Cutler	Harper	Murt	Tobash
Daley	Harris	Neuman	Toepel
Davidson	Heffley	O'Brien, D.	Toohil
Davis	Helm	O'Brien, M.	Truitt
Day	Hennessey	O'Neill	Turzai
Deasy	Hess	Parker	Vereb
DeLissio	Hickernell	Pashinski	Vitali
Delozier	Hornaman	Payne	Vulakovich
DeLuca	Johnson	Payton	Wagner
Denlinger	Josephs	Peifer	Waters
DePasquale	Kampf	Perry	Watson
Dermody	Kauffman	Petrarca	White
DeWeese	Kavulich	Petri	Williams
DiGirolamo	Keller, F.	Pickett	Youngblood
Donatucci	Keller, M.K.	Preston	

## NAYS—10

Bloom	Hutchinson	Rapp	
Causer	Oberlander	Roae	Smith, S.,
Creighton	Pyle	Sonney	Speaker

## NOT VOTING—0

## EXCUSED—10

Bear	Fleck	Mustio	Staback
Cruz	Metcalfe	Myers	Wheatley
Evans, D.	Mullery		

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. It is the Speaker's understanding that the gentleman from Delaware has withdrawn his other amendments. The Speaker thanks the gentleman.

On the question recurring,

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

**MOTION FOR PREVIOUS QUESTION**

The SPEAKER. For what purpose does the gentleman from Montgomery, Mr. Vereb, rise?

Mr. VEREB. Mr. Speaker, we have been debating amendments, approving some, disapproving others, for 2 days.

At this point, Mr. Speaker, I rise to move the previous question pursuant to House rule 61.

Mr. DERMODY. Mr. Speaker? Mr. Speaker?

Mr. VEREB. My motion for the previous question concerning whether the House will agree to the bill on second consideration does not include any pending amendments.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Vereb, moves the previous question on HB 1950. Those who second the motion will rise and remain standing until their names are recorded. Twenty members are required.

Will all the members kindly take their seats unless they want to be noted as a seconder.

The gentleman, Mr. Hutchinson; the gentleman, Mr. Causer; the gentleman, Mr. Ellis; the gentleman, Mr. Pyle; the gentleman, Mr. Quigley; the gentleman, Mr. Gabler; the gentleman, Mr. Grove; the gentleman, Mr. Ross; the gentleman, Mr. Perry; the lady, Ms. Major; the gentleman, Mr. Saylor; the gentleman, Mr. Everett; the gentleman, Mr. Reed; the gentleman, Mr. Knowles; the gentleman, Mr. Miller; the gentleman, Mr. Marsico; the gentleman, Mr. Baker; the gentleman, Mr. John Evans; the gentleman, Mr. Geist; the gentleman, Mr. Boyd; the gentleman, Mr. Vulakovich.

The motion for the previous question having been made and seconded, those in favor of the motion—

**PARLIAMENTARY INQUIRY**

Mr. DERMODY. Point of order, Mr. Speaker. Parliamentary inquiry.

The SPEAKER. The gentleman may state his parliamentary inquiry.

Mr. DERMODY. Mr. Speaker, there is precedent that exists that the leaders have an opportunity or the leader has an opportunity to debate and argue for a period of time on a motion to move the previous question. I would like the ability to argue and to debate this motion to move the previous question, consistent with our precedent.

The SPEAKER. The Parliamentarian advises me that various speakers have ruled differently over the years. My predecessor and I believe earlier in this session it has been my ruling that the motion to move the previous question shuts off all debate, including the floor leaders.

Mr. DERMODY. I believe your predecessor was not asked specifically about the leaders, Mr. Speaker.

The SPEAKER. I am relying on the counsel, the historic memory of the Parliamentarian for that— It is quite, although in fact it may not be relevant, it is really subject to the ruling of the Chair, and that has been the ruling previously this session.

Mr. DERMODY. Mr. Speaker, Speaker Perzel also let the leaders speak on motions to move the previous question. We are asking the ability—

The SPEAKER. The gentleman is correct. As I said, the Parliamentarian has advised me that various Speakers over the course of history have ruled differently in different sessions. It is my interpretation of the way the rule, the motion is set forth, that it shuts off all debate.

Mr. DERMODY. The ruling is that I can no longer speak. So you will be more restrictive than previous Speakers on the ability for leaders to speak. Is that correct, Mr. Speaker?

The SPEAKER. I am not sure I understood the comment, the parliamentary inquiry by the gentleman.

Mr. DERMODY. My point is, Mr. Speaker, you are taking the most restrictive view to stifle debate here this evening as you have previously.

The SPEAKER. The Speaker is taking what he believes to be a literal interpretation of the motion to move the previous question, which the plain reading of it says that it shuts off all debate.

The motion for the previous question having been made and seconded, those in favor of the motion for the previous question will vote "aye"; those opposed will vote "no." An "aye" vote is a vote to end all debate and bring the House to an immediate vote.

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

The following roll call was recorded:

YEAS—105

Adolph	Farry	Major	Roae
Aument	Gabler	Maloney	Rock
Baker	Geist	Marshall	Ross
Barrar	Gillespie	Marsico	Saccone
Benninghoff	Gingrich	Masser	Saylor
Bloom	Godshall	Metzgar	Scavello
Boback	Grove	Miccarelli	Schroder
Boyd	Hackett	Micozzie	Simmons
Brooks	Hahn	Millard	Sonney
Brown, R.	Harhart	Miller	Stephens
Causar	Harper	Milne	Stern
Christiana	Harris	Moul	Stevenson
Clymer	Heffley	Murt	Swanger
Cox	Helm	O'Neill	Tallman
Creighton	Hennessey	Oberlander	Taylor
Culver	Hess	Payne	Tobash
Cutler	Hickernell	Peifer	Toepel
Day	Hutchinson	Perry	Toohil
Delozier	Kampf	Petri	Truitt
Denlinger	Kauffman	Pickett	Turzai
DiGiroloamo	Keller, F.	Pyle	Vereb
Dunbar	Keller, M.K.	Quigley	Vulakovich
Ellis	Killion	Quinn	Watson
Emrick	Knowles	Rapp	
Evankovich	Krieger	Reed	Smith, S.,
Evans, J.	Lawrence	Reese	Speaker
Everett	Maher	Reichley	

NAYS—88

Barbin	DeLissio	Johnson	Payton
Bishop	DeLuca	Josephs	Petrarca
Boyle, B.	DePasquale	Kavulich	Preston
Boyle, K.	Dermody	Keller, W.	Ravenstahl
Bradford	DeWeese	Kirkland	Readshaw
Brennan	Donatucci	Kortz	Roebuck
Briggs	Fabrizio	Kotik	Sabatina
Brown, V.	Frankel	Kula	Sainato
Brownlee	Freeman	Longietti	Samuelson
Burns	Galloway	Mahoney	Santarsiero
Buxton	George	Mann	Santoni
Caltagirone	Gerber	Markosek	Shapiro
Carroll	Gergely	Matzie	Smith, K.
Cohen	Gibbons	McGeehan	Smith, M.
Conklin	Gillen	Mirabito	Sturla
Costa, D.	Goodman	Mundy	Thomas
Costa, P.	Grell	Murphy	Vitali
Curry	Haluska	Neuman	Wagner
Daley	Hanna	O'Brien, D.	Waters
Davidson	Harhai	O'Brien, M.	White
Davis	Harkins	Parker	Williams
Deasy	Hornaman	Pashinski	Youngblood

NOT VOTING—0

EXCUSED—10

Bear	Fleck	Mustio	Staback
Cruz	Metcalfe	Myers	Wheatley
Evans, D.	Mullery		

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

The SPEAKER. The majority of the members having voted in the affirmative, the motion is adopted, and the question before the House is the second consideration of HB 1950.

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.)

VOTE CORRECTION

The SPEAKER. For what purpose does the gentleman, Mr. Day, rise?

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

The SPEAKER. The gentleman may state his correction.

Mr. DAY. Mr. Speaker, earlier today on an amendment to HB 1950, amendment No. 6432, I was recorded in the negative, and I would like to be recorded as a "yes" vote.

The SPEAKER. The gentleman's remarks will be placed upon the record.

Mr. DAY. Thank you.

### STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER. For what purpose does the gentleman from Bucks, Mr. Clymer, rise?

Mr. CLYMER. Thank you, Mr. Speaker.

Could I at this point in time make a committee announcement?

The SPEAKER. The gentleman may make his announcement.

Mr. CLYMER. Thank you.

Mr. Speaker, at the call of the Chair tomorrow, that is Thursday, the 17th, there will be a meeting of the House Education Committee in room G-50. We have that room for the entire day, and the two bills under consideration are HB 1971 and HB 1823. Thank you, Mr. Speaker.

The SPEAKER. The Education Committee will meet tomorrow at the call of the Chair in room G-50.

### ANNOUNCEMENT BY SPEAKER

The SPEAKER. Will the House come to order. Will the members kindly take their seats.

The Speaker would appreciate the attention of the members. There are a couple of members that have requested to speak under unanimous consent about a matter that is of rather high profile and sensitive and emotional and timely, and we would like to do that while we are here, because in the opinion of the Speaker, it is a very important issue and would agree with the necessity to have some unanimous consent addressing to the issue, and obviously, the Speaker gives his consent.

The Speaker thanks the members.

### STATEMENT BY MR. WATERS

The SPEAKER. With that, the Speaker recognizes the gentleman from Philadelphia, Mr. Waters, under unanimous consent.

Mr. WATERS. Thank you, Mr. Speaker.

Mr. Speaker, I stand here today to speak with the members of the General Assembly about an issue that indeed is very important and pressing. This chamber has entertained a lot of legislation and debate about things that many people feel as though are important, and perhaps it is important, but I would think that for all of us that we should agree that there should be no issue more pressing before us right now than what has happened in one of our most prestigious institutions of higher education in this State.

There are some matters that have taken place that should make what happened there priority number one, and I believe that all of us, while the nation is watching, while the children are watching, and while the taxpayers are watching what is going on and day by day what has taken place out there and more and more news comes forth, it puts more pressure on us to make sure that we address the issues surrounding State College. So I would ask that we make this priority number one, and some of the things that we need to do in order to do that is to put together a joint commission, a bipartisan commission where we have everyone showing that they are concerned about answering

these questions and finding out the flaws and the defects that have allowed something like this to take place for more than a decade and maybe even longer.

Penn State has gotten tremendous taxpayers' dollars for years and years. The taxpayers are watching. They want to know how we are spending their money and what are we funding, and based on what we have seen come out recently, we have to make decisions on how we are going to continue to spend taxpayers' dollars, but more importantly, we have to figure out what legislative measures have to be put in place to deal with making sure that children are protected as we move forward. The number one priority of government is safety and the health of the people it serves, and right now that is in question at this particular site.

So for us, the General Assembly here, my colleagues on both sides of the aisle, this is a conservative position that we both share. I know some people do not think that we are conservative all the time, but right now we are all conservative on this issue, and I hope that we are. So we have to address this and we have to address it now because we cannot treat this as something that we will get to in time. In time we have all been blindsided by this for at least 13 years, and now it is no longer a time for us to wait 13 more hours. It is time to get on this issue and to get on it now, because people are looking for justice and people are looking for a response from us. And I engage all of us and request all of us to act on this and act on this now, a bipartisan commission with the power, if necessary, to subpoena what we need to present the facts and get to the evidence and get to the truth.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

### STATEMENT BY MAJORITY LEADER

The SPEAKER. The Speaker recognizes the majority leader, Mr. Turzai.

Mr. TURZAI. The good gentleman from Philadelphia and I have spoken, and I had told him – and I am very, very appreciative and supportive of his comments – that we had already at the request of the Speaker, myself, spoken to the respective chairs of the Judiciary Committee – the good gentleman from Dauphin County, the good gentleman from Berks County, and their lead counsels, Ryan Boop and Dave Tyler – who have already begun to work on concurrent resolution language. When we spoke with the Governor, the Governor had in fact requested that we speak with Senate leaders, and they are in agreement with this, and a bipartisan, bicameral commission with members from outside the legislative chambers will also be on the commission. We expect all of the Judiciary chairs, Republican and Democrat, to be on that commission, and that concurrent resolution is being drafted and will be put up for a vote with all deliberate speed.

We are very, very appreciative of the fact that there is bipartisan support. We recognize that when it comes to children, we are all for the protection of those children, and we keep the victims with respect to the scandal that has been put into issue in our thoughts and prayers. And I believe that this General Assembly will do well by those individuals by being focused in our probe and in our recommendations that will then come before the General Assembly and ultimately to the Governor.

Thank you very much, Mr. Speaker.

**STATEMENT BY MS. BISHOP**

The SPEAKER. The Speaker recognizes the lady from Philadelphia, Ms. Bishop, under unanimous consent.

Ms. BISHOP. Thank you, Mr. Speaker.

Section No. 6384 of the Child Protective Services Law imposes a statutory duty on the House Children and Youth Committee to review the manner in which the Child Protective Services Law is administered at the State and the local level. In furtherance of this statutory duty, I intend to work with Republican chairmen to review the administration of this law as it pertains to the many issues and questions raised by the Sandusky grand jury report. I expect that the review will include, among other things, a review of relevant records and reports in the possession of the department and the county children and youth agencies or the like thereof.

In addition, I think it is abundantly clear that the statutory duties of the department and the county agencies pertaining to training on the identification of abused children and reporting duties have not received the attention the children of the Commonwealth of Pennsylvania deserve and should have. It is my hope that following this review the Children and Youth Committee will be in a position to provide information to the General Assembly as it was to be and also the programs and services mandated by our children protective services are effectively meeting the laws, goals, and where they are not meeting them.

There has been much public discussion about a need to change our reporting laws. We intend to provide information to lawmakers so that any changes made can be changes that will truly help to protect all of our children, all of our children.

Mr. Speaker, thank you for this privilege. I have not shared this in some 60 years until a couple of days ago when I deemed it extremely necessary because of what was happening to our children to come forth and to speak out on their behalf. Having been abused as a child twice by what appeared to be a loving stepfather living in a loving home with 11 other sisters and brothers, though my oldest brother and I were stepchildren, I found out what it was like to be abused by someone you loved and by someone you thought loved you in the right manner. We do not understand unless we have experienced what abusers are like, and we need to know and to understand tonight, this body needs to understand, because having been abused, I can tell you I have been abused, I can tell you there are people right here who have had this experience, both male and female, but they do not have it yet, the nerve to come forth and speak out. But it happens with relatives, it happens with those you love, it happens, and you do not want to hurt your sisters, your brothers, your mother. You do not want to tell what has happened. So you live in fear all your life, and you cover yourself to make sure that there is always someone around you to give you the covering you need to be safe.

I think the law ought to be the one that is giving the children the covering they need to feel safe. I think the law ought to be there to help those who have been abused and are unable to speak about it until they are 30, 35, 40 years old. The law does not permit that to come forth now because they say that happened too long ago. It is a limit that we put on that. So you cannot speak. It does not do anything. There is no opportunity for them to get any kind of counseling that they need, there is no opportunity for them to even have jobs because they move from one job to the next job. Many of them are not as fortunate as

I have been. So I feel that it is my responsibility. While I have counseled maybe hundreds, I do not know how many, in my lifetime of people who have been abused, I have been able to talk, I have been able to help, but the law needs to be in place, and this House has the power to put that law in place.

So I beg you, when those bills come before you, whether they are mine or anyone else's, please vote so that our children can be safe and so that the villains that pretend to be their friends and pretend to love them in the right way but have the wrong intentions will be able to be punished and all of our children, some of them may be yours, your grandchildren, mine, but all of them will be safe only when this House moves to the point that we bring sexual child abuse out of the Dark Ages into the 21st century, where we deal with it as we deal with everything else. It happens in the neighborhoods, in families, next door, in institutions, in the church. You have the ability to help, to help those who need your help. Thank you very much.

The SPEAKER. The Speaker thanks the lady.

The Speaker recognizes the gentleman, Mr. Williams, from Philadelphia County under unanimous consent. The gentleman indicates that—

Is the gentleman from Greene County, Mr. DeWeese, seeking recognition under unanimous consent?

Mr. DeWEESE. In light of Chairman Bishop's remarks, I will reserve my unanimous consent for tomorrow. It will take 2 minutes, but it will deal with this case.

The SPEAKER. Is the gentleman from Philadelphia, Mr. Roebuck, seeking—

Perhaps the lady, Ms. Bishop, has said it all.

**STATEMENT BY MR. KIRKLAND**

The SPEAKER. The gentleman from Delaware County, Mr. Kirkland, is recognized under unanimous consent.

Mr. KIRKLAND. Thank you, Mr. Speaker.

The gentlelady from Philadelphia has said it all, but I do want to add this to the mix. Mr. Speaker, many times we hear of these things and we do nothing or we take our time in doing things or even addressing the issue when it comes to child abuse.

What I did, Mr. Speaker, is I took a page from a movie. I closed my eyes and I imagined that it was my grandson in the shower with the coach being abused. I said that because we have done a lot today. We have done over the course of this week Marcellus Shale, we dealt with gaming, we dealt with roads. We have dealt with everything under the sun when in fact this should have been a priority. I am glad we are at this point now, but it should have been a priority.

Mr. Speaker, I have heard folks talk about putting together the commission and having subpoena powers. The reality of it is, a person cannot police themselves. I say that because our Governor was Attorney General then. A person cannot police themselves, and I want that to be on the record and folks to understand the magnitude of what we are talking about at Penn State.

Mr. Speaker, we are funding child abuse and child abusers. It is my hope that not only we deal with this commission but we deal with the funding at the university until, until this situation is corrected and addressed properly, legally. If this was another university, a smaller college or university, we would be up in arms and we would snatch their funding, we would withhold

their funding, we would have had meetings. It is Penn State; it is Happy Valley.

Mr. Speaker, I am hoping that we are serious about this issue, that we no longer fund this type of activity, and that we realize that we cannot police ourselves. Thank you, Mr. Speaker.

#### STATEMENT BY MR. THOMAS

The SPEAKER. The gentleman from Philadelphia, Mr. Thomas, is recognized under unanimous consent.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I concur with my colleagues on both sides in calling on immediate action to deal with this issue as it relates to children across the board. And so by way of recommendation to the majority leader, and that is, the majority leader call for a bicameral commission that is bipartisan and that will include both Judiciary chairpersons from both the House and Senate. I ask that you include the Children and Youth chairpersons, maybe even the chairs of Education, because unless there is a collaborative, collaborative effort, where there is cooperation, communication, and a consensus among all of those standing committees and ultimately State departments that impact on what happens to children, then we will miss our opportunity to not only correct this issue for the children who have immediately been impacted but for children who are yet unborn in this great State. And so I just ask that you include chairs from those other committees as a part of this bicameral commission.

The SPEAKER. Is the gentleman, Mr. Godshall, seeking unanimous consent on this subject? Not that we have to stay on this. It just seems in an orderly sense, given the nature of it.

Is there anyone else seeking unanimous consent relative to the obvious topic?

#### STATEMENT BY MINORITY LEADER

The SPEAKER. The gentleman, Mr. Dermody?

Mr. DERMODY. Yes, Mr. Speaker.

The SPEAKER. The minority leader, Mr. Dermody, may proceed.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, I will be brief.

I, too, was in a meeting yesterday, in a meeting with the Governor on this issue, and I appreciated the opportunity to discuss with him and I appreciate the majority leader also working to create a commission, or what have you, to go and look into and investigate this issue. But there are several issues that we need to deal with if we expect the public to trust us. This commission has to be independent, must be impartial, and it has got to be empowered to find the truth. We have to have the subpoena power, the ability to put witnesses under oath. We have to have members who have nothing to do with these current investigations that are going on. I expect that is what happened, and we will work closely with everybody in this room to make sure that it does happen.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

#### STATEMENT BY MR. CONKLIN

The SPEAKER. Is the gentleman from Centre County, Mr. Conklin, seeking recognition under unanimous consent?

Mr. CONKLIN. Yes, Mr. Speaker.

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

Mr. CONKLIN. Mr. Speaker, I would like to thank this body for being willing to take control of this situation. When you look at past history of some of the members and the people that are involved in this, I think it is prudent that we do it bipartisanly. But, Mr. Speaker, as we go down this road, what I am asking the committee as they go down this road, remember why we are doing it, that it is for the abuse that has happened to children, not just today but the past and the future, Mr. Speaker.

And as this good body goes forward, I think it is also important that we not only look at the abuse but what happened and how it happened. I am asking this committee, as someone that represents State College, Pennsylvania, we want our reputation back. I am asking this committee when they do it, to leave no stone unturned, no body unhindered, and no investigation undone. I am asking them to treat this as though they would have any child abuse case. Forget that it is Penn State, forget that it is the people involved, but I am asking them as they do it, treat them like they would anyone else and do a thorough investigation so we, the folks who live in that community, can untarnish our reputation and shine light on this situation.

I want to thank this body for its concern, and I want to thank the Speaker.

The SPEAKER. The Speaker thanks the gentleman.

For the information of the members, we have a few more votes. We are still on today's House calendar.

#### BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 120, PN 2692**, entitled:

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for prohibited acts and penalties.

On the question,

Will the House agree to the bill on second consideration?

Mr. **M. O'BRIEN** offered the following amendment No. **A06207**:

Amend Bill, page 2, line 12, by striking out "chief law enforcement officer of" and inserting

investigating officer in

Amend Bill, page 2, lines 16 and 17, by striking out "individual" in line 16 and "resides" in line 17 and inserting

violation occurred

On the question,

Will the House agree to the amendment?



The SPEAKER. On that question, the Speaker recognizes the gentleman, Mr. O'Brien.

Mr. M. O'BRIEN. Thank you, Mr. Speaker.

This amendment is at the suggestion of the Pennsylvania State Police and the bureaus of police chiefs, and I would ask for an affirmative vote. Thank you.

LEAVE OF ABSENCE

The SPEAKER. The Speaker returns to leave of absence and recognizes the majority whip, who requests a leave for the gentleman from Crawford County, Mr. John EVANS, for the remainder of the day. Without objection, the leave will be granted.

CONSIDERATION OF HB 120 CONTINUED

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

The following roll call was recorded:

YEAS—192

- Adolph, Aument, Baker, Barbin, Barrar, Benninghoff, Bishop, Bloom, Boback, Boyd, Boyle, B., Boyle, K., Bradford, Brennan, Briggs, Brooks, Brown, R., Brown, V., Brownlee, Burns, Buxton, Caltagirone, Carroll, Causer, Christiana, Clymer, Cohen, Conklin, Costa, D., Costa, P., Cox, Creighton, Culver, Curry, Cutler, Daley, Davidson, Davis, Day, Deasy, DeLissio, Delozier, DeLuca, Denlinger, DePasquale, Dunbar, Ellis, Emrick, Evankovich, Everett, Fabrizio, Farry, Frankel, Freeman, Gabler, Galloway, Geist, George, Gerber, Gergely, Gibbons, Gillen, Gillespie, Gingrich, Godshall, Goodman, Grell, Grove, Hackett, Hahn, Haluska, Hanna, Harhai, Harhart, Harkins, Harper, Harris, Heffley, Helm, Hennessey, Hess, Hickernell, Hornaman, Hutchinson, Johnson, Josephs, Kampf, Kauffman, Kavulich, Keller, F., Knowles, Kortz, Kotik, Krieger, Kula, Lawrence, Longiotti, Maher, Mahoney, Major, Maloney, Mann, Markosek, Marshall, Marsico, Masser, Matzie, McGeehan, Metzgar, Miccarelli, Micozzie, Millard, Miller, Milne, Mirabito, Moul, Mundy, Murphy, Murt, Neuman, O'Brien, D., O'Brien, M., O'Neill, Oberlander, Parker, Pashinski, Payne, Payton, Peifer, Perry, Petrarca, Petri, Pickett, Preston, Pyle, Ravenstahl, Readshaw, Reed, Reese, Reichley, Roae, Rock, Roebuck, Ross, Sabatina, Saccone, Sainato, Samuelson, Santarsiero, Santoni, Saylor, Scavello, Schroder, Shapiro, Simmons, Smith, K., Smith, M., Sonney, Stephens, Stern, Stevenson, Sturla, Swanger, Tallman, Taylor, Thomas, Tobash, Toepel, Toohil, Truitt, Turzai, Vereb, Vitali, Vulakovich, Wagner, Waters, Watson, White, Williams, Youngblood

- Dermody, DeWeese, DiGirolamo, Donatucci, Keller, M.K., Keller, W., Killion, Kirkland, Quigley, Quinn, Rapp, Smith, S., Speaker

NAYS—0

NOT VOTING—0

EXCUSED—11

- Bear, Cruz, Evans, D., Evans, J., Fleck, Metcalfe, Mullery, Mustio, Myers, Staback, Wheatley

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

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

\* \* \*

The House proceeded to second consideration of HB 121, PN 2693, entitled:

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for general and specific powers; and providing for child endangerment protection.

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

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 1884, PN 2450, entitled:

An Act authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey to the Borough of Tyrone certain land and improvements situate in the Borough of Tyrone, Blair County, known as the Tyrone Armory.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—192

Adolph	Dunbar	Knowles	Ravenstahl
Aument	Ellis	Kortz	Readshaw
Baker	Emrick	Kotik	Reed
Barbin	Evankovich	Krieger	Reese
Barrar	Everett	Kula	Reichley
Benninghoff	Fabrizio	Lawrence	Roae
Bishop	Farry	Longiatti	Rock
Bloom	Frankel	Maher	Roebuck
Boback	Freeman	Mahoney	Ross
Boyd	Gabler	Major	Sabatina
Boyle, B.	Galloway	Maloney	Saccone
Boyle, K.	Geist	Mann	Sainato
Bradford	George	Markosek	Samuelson
Brennan	Gerber	Marshall	Santarsiero
Briggs	Gergely	Marsico	Santoni
Brooks	Gibbons	Masser	Saylor
Brown, R.	Gillen	Matzie	Scavello
Brown, V.	Gillespie	McGeehan	Schroder
Brownlee	Gingrich	Metzgar	Shapiro
Burns	Godshall	Miccarelli	Simmons
Buxton	Goodman	Micozzie	Smith, K.
Caltagirone	Grell	Millard	Smith, M.
Carroll	Grove	Miller	Sonney
Causer	Hackett	Milne	Stephens
Christiana	Hahn	Mirabito	Stern
Clymer	Haluska	Moul	Stevenson
Cohen	Hanna	Mundy	Sturla
Conklin	Harhai	Murphy	Swanger
Costa, D.	Harhart	Murt	Tallman
Costa, P.	Harkins	Neuman	Taylor
Cox	Harper	O'Brien, D.	Thomas
Creighton	Harris	O'Brien, M.	Tobash
Culver	Heffley	O'Neill	Toepel
Curry	Helm	Oberlander	Toohil
Cutler	Hennessey	Parker	Truitt
Daley	Hess	Pashinski	Turzai
Davidson	Hickernell	Payne	Vereb
Davis	Hornaman	Payton	Vitali
Day	Hutchinson	Peifer	Vulakovich
Deasy	Johnson	Perry	Wagner
DeLissio	Josephs	Petrarca	Waters
DeLozier	Kampf	Petri	Watson
DeLuca	Kauffman	Pickett	White
Denlinger	Kavulich	Preston	Williams
DePasquale	Keller, F.	Pyle	Youngblood
Dermody	Keller, M.K.	Quigley	
DeWeese	Keller, W.	Quinn	Smith, S.,
DiGirolo	Killion	Rapp	Speaker
Donatucci	Kirkland		

NAYS—0

NOT VOTING—0

EXCUSED—11

Bear	Evans, J.	Mullery	Staback
Cruz	Fleck	Mustio	Wheatley
Evans, D.	Metcalfe	Myers	

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 98, PN 2573**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for special registration plates generally and for personal registration plates; and making editorial changes.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—192

Adolph	Dunbar	Knowles	Ravenstahl
Aument	Ellis	Kortz	Readshaw
Baker	Emrick	Kotik	Reed
Barbin	Evankovich	Krieger	Reese
Barrar	Everett	Kula	Reichley
Benninghoff	Fabrizio	Lawrence	Roae
Bishop	Farry	Longiatti	Rock
Bloom	Frankel	Maher	Roebuck
Boback	Freeman	Mahoney	Ross
Boyd	Gabler	Major	Sabatina
Boyle, B.	Galloway	Maloney	Saccone
Boyle, K.	Geist	Mann	Sainato
Bradford	George	Markosek	Samuelson
Brennan	Gerber	Marshall	Santarsiero
Briggs	Gergely	Marsico	Santoni
Brooks	Gibbons	Masser	Saylor
Brown, R.	Gillen	Matzie	Scavello
Brown, V.	Gillespie	McGeehan	Schroder
Brownlee	Gingrich	Metzgar	Shapiro
Burns	Godshall	Miccarelli	Simmons
Buxton	Goodman	Micozzie	Smith, K.
Caltagirone	Grell	Millard	Smith, M.
Carroll	Grove	Miller	Sonney
Causer	Hackett	Milne	Stephens
Christiana	Hahn	Mirabito	Stern
Clymer	Haluska	Moul	Stevenson
Cohen	Hanna	Mundy	Sturla
Conklin	Harhai	Murphy	Swanger
Costa, D.	Harhart	Murt	Tallman
Costa, P.	Harkins	Neuman	Taylor
Cox	Harper	O'Brien, D.	Thomas
Creighton	Harris	O'Brien, M.	Tobash
Culver	Heffley	O'Neill	Toepel
Curry	Helm	Oberlander	Toohil
Cutler	Hennessey	Parker	Truitt
Daley	Hess	Pashinski	Turzai
Davidson	Hickernell	Payne	Vereb
Davis	Hornaman	Payton	Vitali
Day	Hutchinson	Peifer	Vulakovich
Deasy	Johnson	Perry	Wagner
DeLissio	Josephs	Petrarca	Waters
DeLozier	Kampf	Petri	Watson
DeLuca	Kauffman	Pickett	White
Denlinger	Kavulich	Preston	Williams
DePasquale	Keller, F.	Pyle	Youngblood

Dermody	Keller, M.K.	Quigley	
DeWeese	Keller, W.	Quinn	Smith, S.,
DiGirolamo	Killion	Rapp	Speaker
Donatucci	Kirkland		

NAYS-0

NOT VOTING-0

EXCUSED-11

Bear	Evans, J.	Mullery	Staback
Cruz	Fleck	Mustio	Wheatley
Evans, D.	Metcalfe	Myers	

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 1526, PN 2696**, entitled:

An Act amending the act of April 6, 1951 (P.L.69, No.20), known as The Landlord and Tenant Act of 1951, providing for death of a tenant.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-192

Adolph	Dunbar	Knowles	Ravenstahl
Aument	Ellis	Kortz	Readshaw
Baker	Emrick	Kotik	Reed
Barbin	Evankovich	Krieger	Reese
Barrar	Everett	Kula	Reichley
Benninghoff	Fabrizio	Lawrence	Roae
Bishop	Farry	Longietti	Rock
Bloom	Frankel	Maher	Roebuck
Boback	Freeman	Mahoney	Ross
Boyd	Gabler	Major	Sabatina
Boyle, B.	Galloway	Maloney	Saccone
Boyle, K.	Geist	Mann	Sainato
Bradford	George	Markosek	Samuelson
Brennan	Gerber	Marshall	Santarsiero
Briggs	Gergely	Marsico	Santoni
Brooks	Gibbons	Masser	Saylor
Brown, R.	Gillen	Matzie	Scavello
Brown, V.	Gillespie	McGeehan	Schroder
Brownlee	Gingrich	Metzgar	Shapiro
Burns	Godshall	Miccarelli	Simmons
Buxton	Goodman	Micozzie	Smith, K.
Caltagirone	Grell	Millard	Smith, M.

Carroll	Grove	Miller	Sonney
Causer	Hackett	Milne	Stephens
Christiana	Hahn	Mirabito	Stern
Clymer	Haluska	Moul	Stevenson
Cohen	Hanna	Mundy	Sturla
Conklin	Harhai	Murphy	Swanger
Costa, D.	Harhart	Murt	Tallman
Costa, P.	Harkins	Neuman	Taylor
Cox	Harper	O'Brien, D.	Thomas
Creighton	Harris	O'Brien, M.	Tobash
Culver	Heffley	O'Neill	Toepel
Curry	Helm	Oberlander	Toohil
Cutler	Hennessey	Parker	Truitt
Daley	Hess	Pashinski	Turzai
Davidson	Hickernell	Payne	Vereb
Davis	Hornaman	Payton	Vitali
Day	Hutchinson	Peifer	Vulakovich
Deasy	Johnson	Perry	Wagner
DeLissio	Josephs	Petrarca	Waters
DeLozier	Kampf	Petri	Watson
DeLuca	Kauffman	Pickett	White
Denlinger	Kavulich	Preston	Williams
DePasquale	Keller, F.	Pyle	Youngblood
Dermody	Keller, M.K.	Quigley	
DeWeese	Keller, W.	Quinn	Smith, S.,
DiGirolamo	Killion	Rapp	Speaker
Donatucci	Kirkland		

NAYS-0

NOT VOTING-0

EXCUSED-11

Bear	Evans, J.	Mullery	Staback
Cruz	Fleck	Mustio	Wheatley
Evans, D.	Metcalfe	Myers	

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.

**ANNOUNCEMENT BY SPEAKER**

The SPEAKER. For the information of the members, there will be no more votes.

Additionally, when the Speaker does adjourn this evening, we will be reconvening tomorrow morning at 9 o'clock. Do not shoot the messenger, please.

**STATEMENT BY MR. STURLA**

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

Mr. STURLA. Unanimous consent.

The SPEAKER. The gentleman from Lancaster, Mr. Sturla, is recognized under unanimous consent.

Mr. STURLA. Thank you, Mr. Speaker.

I would be remiss if I did not point out that just a few moments ago my colleagues on the other side of the aisle called the previous question for the ninth time this session. In the history of this august body, there has only ever been called – the previous question has only ever been called four times in the entire session and we are yet then one-half of the way through this session. That not only stifles debate among the members in

this body, but it also basically says to your constituents, I am not going to listen to you anymore. Imagine going to a town meeting and when you just did not want to hear what your constituents had to say anymore, you said, that is it; I am leaving; done; call in the previous question. That is essentially what occurred here today for the ninth time this session.

In the past 36 years the previous question has only been called 30 times. It has been called nine times this session, nine times.

Thank you, Mr. Speaker.

### BILLS RECOMMITTED

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

HB 120;  
HB 121; and  
HB 1950.

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

### BILLS REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that the following bills be removed from the tabled calendar and placed on the active calendar:

HB 469;  
HB 470;  
HB 1397;  
HB 1891;  
HB 1905;  
HB 1955;  
HB 1956;  
SB 361; and  
SB 638.

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

### BILLS REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that the following bills be removed from the tabled calendar and placed on the active calendar:

HB 709;  
HB 1191;  
HB 1329;  
HB 1541; and  
HB 1685.

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

### BILLS TABLED

The SPEAKER. The Speaker recognizes the majority leader, who moves that the following bills be removed from the active calendar and placed on the tabled calendar:

HB 709;  
HB 1191;  
HB 1329;  
HB 1541; and  
HB 1685.

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

### CALENDAR CONTINUED

### RESOLUTION

Mr. TURZAI called up **HR 89, 917**, entitled:

A Resolution directing the Joint State Government Commission to study and review the economic impacts on the regulated community and on the Commonwealth of implementation of the 2008 amendments to the Dog Law and the regulatory standards which were adopted to implement the legislation.

On the question,  
Will the House adopt the resolution?

### RESOLUTION TABLED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HR 89 be removed from the active calendar and placed on the tabled calendar.

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

### RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that HR 89 be removed from the tabled calendar and placed on active calendar.

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

### REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. For what purpose does the lady, Ms. Donatucci, rise?

Ms. DONATUCCI. Mr. Speaker, I would like to submit remarks for HB 439 to become part of the Journal.

The SPEAKER. The lady will submit her remarks to the clerk, and they will be placed on the record, and the Speaker thanks the lady.

Ms. DONATUCCI. Thank you, Mr. Speaker.

Ms. DONATUCCI submitted the following remarks for the Legislative Journal:

Mr. Speaker, I have a problem with a bill that states "Prohibiting certain licensees from knowingly employing illegal aliens; and imposing sanctions." It appears to single out specific licensees. If a bill is prohibiting licensees, there should be no exceptions, and this apparently leaves an opening for exceptions and nowhere in the bill does it specify those possible exceptions. However, the lady from Philadelphia County did point out that, although licensed, attorneys are exempt from this bill.

Also, under the arm of the law, the punishment should fit the crime. It appears to me that this punishment is quite stiff. I might be able to accept a suspension of a license for a specific time period, which could increase on subsequent violations; but a lifetime revocation of a license appears to be extreme.

For these reasons, Mr. Speaker, I urge the Assembly to vote "no" on HB 439.

Thank you, Mr. Speaker.

### **BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED**

**HB 1980, PN 2767** (Amended)                      By Rep. CLYMER

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in professional employees, further providing for rating system.

EDUCATION.

### **BILLS AND RESOLUTIONS PASSED OVER**

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

### **ADJOURNMENT**

The SPEAKER. Seeing no further business before the House, the Speaker recognizes the gentleman, Mr. Heffley, from Carbon County, who moves that this House do now adjourn until Thursday, November 17, 2011, at 9 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 6:11 p.m., e.s.t., the House adjourned.