

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, FEBRUARY 15, 2012

SESSION OF 2012

196TH OF THE GENERAL ASSEMBLY

No. 13

HOUSE OF REPRESENTATIVES

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

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

PRAYER

The SPEAKER. This morning the prayer will be offered by the Reverend Joel Petruschke, Evangelical Lutheran Church of Our Saviour, Harrisburg, Pennsylvania.

REV. JOEL PETRUSCHKE, Guest Chaplain of the House of Representatives, offered the following prayer:

Let us pray:

Holy God, gracious Lord, You come to us anew every day and You are there with each endeavor of our lives. Help us to recognize Your presence, and empower us by Your grace to do that which is before us in accordance with Your will.

Holy and gracious Lord, You bless our country, our State, our communities with government and authorities and individuals who serve in those positions. We give thanks to You for providing structure for the good of society and its people. We ask that the decisions made here by this body would serve to seek the well-being of our State and its populace.

Holy God, gracious Lord, You alone can do all things. May the peace that comes from You and that which surpasses all human understanding be upon this Commonwealth, be upon our communities, be upon our families, be upon our world, and be upon each one of our hearts. 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, February 14, 2012, will be postponed until printed.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 576 By Representatives BENNINGHOFF, AUMENT, BAKER, COX, CUTLER, DALEY, DAVIDSON, FLECK, GILLEN, GINGRICH, GROVE, HARHART, HARRIS, HORNAMAN, LAWRENCE, MALONEY, RAPP, ROAE, SCHRODER, SWANGER, TALLMAN, TRUITT and YOUNGBLOOD

A Resolution amending the Rules of the House of Representatives, further providing for time of meeting.

Referred to Committee on RULES, February 15, 2012.

HOUSE BILL INTRODUCED AND REFERRED

No. 2215 By Representatives NEUMAN, WHITE, READSHAW, AUMENT, BAKER, BARBIN, BARRAR, BISHOP, BOYD, B. BOYLE, BRADFORD, BRENNAN, BROOKS, CALTAGIRONE, CARROLL, CHRISTIANA, CLYMER, CONKLIN, D. COSTA, COX, CUTLER, DALEY, DEASY, DeLUCA, DENLINGER, DiGIROLAMO, ELLIS, EVERETT, FABRIZIO, FLECK, FREEMAN, GABLER, GEIST, GEORGE, GILLESPIE, GINGRICH, GODSHALL, GOODMAN, GRELL, GROVE, HAHN, HALUSKA, HARHAI, HARHART, HARRIS, HENNESSEY, HICKERNELL, HORNAMAN, KAUFFMAN, M. K. KELLER, KILLION, KNOWLES, KORTZ, KOTIK, KULA, LONGIETTI, MAHONEY, MAJOR, MANN, MARSHALL, MARSICO, MATZIE, MICOZZIE, MILLARD, MIRABITO, MULLERY, MURPHY, MURT, MUSTIO, M. O'BRIEN, O'NEILL, PAYNE, PYLE, QUINN, RAPP, RAVENSTAHL, ROCK, ROEBUCK, ROSS, SABATINA, SAINATO, SANTONI, SCAVELLO, SCHRODER, K. SMITH, M. SMITH, SONNEY, STABACK, STERN, SWANGER, TAYLOR, TOEPEL, TOOHIL, VEREB, WATSON, YOUNGBLOOD, FRANKEL, DELOZIER and DONATUCCI

An Act designating an interchange at the intersection of Route 136 and Interstate 70 in Washington County as the Officer John David Dryer Memorial Interchange.

Referred to Committee on TRANSPORTATION, February 15, 2012.

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

HB 1832, PN 3111 (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 physician assistants.

PROFESSIONAL LICENSURE.

HB 1833, PN 3112 (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 licenses, exemptions, nonresident practitioners, graduate students, biennial registration and continuing medical education.

PROFESSIONAL LICENSURE.

LEAVES OF ABSENCE

The SPEAKER. The Speaker turns to leaves of absence and recognizes the majority whip, who requests a leave of absence for the gentleman, Mr. EVANKOVICH, from Westmoreland County for the day; the gentleman, Mr. MICCARELLI, from Delaware County for the day; and the gentleman, Mr. HENNESSEY, from Chester County for the day. Without objection, the leaves will be granted.

The minority whip does not have any requests for leaves of absence.

Will the members please report to the floor. We are about to take the master roll call.

MASTER ROLL CALL

The SPEAKER. We are about to take the master roll call. The members will proceed to vote.

The following roll call was recorded:

PRESENT—194

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—3

| | | |
|------------|-----------|------------|
| Evankovich | Hennessey | Miccarelli |
|------------|-----------|------------|

LEAVES ADDED—3

| | | |
|----------|-------|----------|
| Bradford | Cohen | Wheatley |
|----------|-------|----------|

LEAVES CANCELED—2

| | |
|----------|-----------|
| Bradford | Hennessey |
|----------|-----------|

The SPEAKER. One hundred and ninety-four members having voted on the master roll call, a quorum is present.

GUESTS INTRODUCED

The SPEAKER. If I could have the members' attention. If I could have the members' attention, we would like to welcome some of the guests that are with us and would appreciate a little bit of order.

Located to the left of the rostrum, as guests of Representative Lawrence, we would like to welcome the Shock family. Will they please rise. Welcome to the hall of the House.

And up in the gallery, we would like to welcome juniors and seniors from the Purchase Line School District, and they are here today as our guests, and specifically of Representative Reed and Representative Pyle. Will our guests please rise. Welcome to the hall of the House.

And in the well of the House, we have a guest page, Jared Embree, and he is the guest of Representative Toepel, along with his father, Josh Embree, who is here with him, and he is sitting over to the left of the rostrum. So Jared and Josh, please rise. Welcome to the hall of the House.

And additionally as a guest page, as the guest of Representative Fred Keller, we would like to welcome Michael Schmit. Welcome to the hall of the House, Michael.

UNCONTESTED CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. STEVENSON called up **HR 574, PN 3100**, entitled:

A Resolution designating the month of March 2012 as "Brain Injury Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—0

EXCUSED—3

| | | |
|------------|-----------|------------|
| Evankovich | Hennessey | Miccarelli |
|------------|-----------|------------|

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

GUESTS INTRODUCED

The SPEAKER. If I could have the members' attention, I have a couple other guests that are with us.

Located to the left of the Speaker, as guests of Representatives Pyle, Longietti, Stevenson, and Brooks, we would like to welcome Lt. Col. Gary Fleming, vice commander of the Pennsylvania Wing Civil Air Patrol, and Maj. Shelly Fleming, who is a PA Wing Group 6 commander. Will our guests please rise. Welcome to the hall of the House.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. For the purpose of making an announcement, the gentleman from Delaware County, Mr. Adolph, is recognized.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, the House Appropriations Committee meeting will be at 11:30 in the majority caucus room; 11:30 in the majority caucus room. Thank you.

The SPEAKER. The Appropriations Committee meeting will be in the majority caucus room at 11:30.

REPUBLICAN CAUCUS

The SPEAKER. The lady from Susquehanna, Ms. Major, is recognized for the purpose of an announcement.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce that Republicans will caucus at 11:45. I would ask our Republican members to please report to our caucus room at 11:45, and we would be prepared to come back to the floor at 12:30. Thank you, Mr. Speaker.

DEMOCRATIC CAUCUS

The SPEAKER. The gentleman from Allegheny County, Mr. Frankel, is recognized for the purpose of an announcement.

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at 11:45; Democrats will caucus at 11:45. Thank you.

GUESTS INTRODUCED

The SPEAKER. If I could have the members' attention, please. We just have a couple other guests that are with us and wanted to recognize them while we were still here before the caucus break.

Amy, who is the reader for the House floor here, has Guy and Nancy Storm with their granddaughter, Hannah, and they are up in the balcony? Oh, in the back of the House; I apologize. They are in the back of the House. Please give us a wave, and welcome to the hall of the House.

Amy, you can wave to them too.

RECESS

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

AFTER RECESS

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

The SPEAKER. The members will please report to the floor. The House will come to order.

BILL REREPORTED FROM COMMITTEE**HB 1682, PN 3105**

By Rep. ADOLPH

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, providing for the creation of land banks for the conversion of vacant or tax-delinquent properties into productive use.

APPROPRIATIONS.

CALENDAR**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 1405, PN 1679**, entitled:

An Act amending the act of July 9, 1976 (P.L.817, No.143), known as the Mental Health Procedures Act, in criminal justice determinations, further providing for incompetence and for procedure.

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

* * *

The House proceeded to second consideration of **HB 1873, PN 2410**, entitled:

An Act amending the act of June 25, 1931 (P.L.1352, No.332), referred to as the Delaware River Joint Toll Bridge Compact, providing for audits.

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

* * *

The SPEAKER. The House will come to order.

The House proceeded to second consideration of **HB 2175, PN 3095**, entitled:

An Act amending the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, in capital facilities, further providing for definitions, for legislative procedures and for appropriations and limitations on projects; providing for review of proposals; and further providing for funding and administration of projects.

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Turzai, who calls up amendment A08873, which is a replacement amendment for amendment A08851.

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

Mr. **TURZAI** offered the following amendment No. **A08873**:

Amend Bill, page 7, lines 8 through 30; page 8, line 1, by striking out all of said lines on said pages and inserting
At least once each legislative session, the Governor shall submit a capital project itemization bill to the General Assembly specifically itemizing the capital projects to be financed from the proceeds of obligations of the Commonwealth. No redevelopment assistance capital project may receive funds unless the project was itemized in a capital budget project itemization bill, a capital budget bill or a capital project itemization bill enacted within ten years of the date the project is approved under section 318 or the project has been approved by the secretary on or before December 31, 2011. Each capital project must be listed under its category and include all of the following:

- (1) A specific description of the capital project, including the municipality in which the capital project is located.
- (2) Estimated financial cost of the capital project.
- (3) The fund to be charged with the repayment of the obligation to be incurred.

Amend Bill, page 9, line 18, by inserting after "capital"
projects

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

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

Mr. **TURZAI**. Thank you very much, Mr. Speaker.

Amendment 8873 is a corrective reprint of amendment 8851, which we worked with our colleagues on the other side of the aisle.

This amendment deletes the provision of the bill which sunsets projects which were itemized but not approved on or before December 31 of 2011. Instead, the amendment clarifies that a project must be approved by the Office of the Budget within 10 years from when the project was itemized by the General Assembly, and there have been past pieces of legislation that have in fact set forth that itemization – nine, to be exact, within the past 10 years. This means that any redevelopment assistance capital project which was itemized in any bill which was enacted within the last 10 years remains eligible for approval by the Budget Office and for funding of the grant request. Projects which were itemized more than 10 years ago are no longer eligible for funding and must be reitemized under this legislation. Going forward, all redevelopment assistance capital projects must be approved by the Budget Office within 10 years from when the project is itemized to receive funding. If they are not approved within that timeframe, they must be reitemized. They can be reitemized through the legislative process.

The amendment inserts the word "project" into the amendatory language of section 317(b). That is a technical change so that the act will use the correct term as formally defined under the definitions.

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 Allegheny County, Mr. Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, we think this is a good amendment, and we would ask the members to support it.

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.

I was just sort of reading my screen as you were talking, and I just wanted to double-check whether the amendment you were describing is the same as the amendment 8873. It probably is; I just want to double-check, because sometimes it is deceptive when you are just looking at the screen.

The SPEAKER. Will the gentleman suspend.

Are you seeking to interrogate the maker of the amendment—

Mr. VITALI. Yes.

The SPEAKER. —or were you asking a rhetorical question?

I am not sure.

Mr. VITALI. I will interrogate.

The SPEAKER. Will the gentleman, Mr. Turzai, stand for interrogation? The gentleman indicates he will stand for interrogation. Would you please restate your question.

Mr. VITALI. I just wanted to make sure you are confident that the amendment you are describing is the same as the amendment on the screen. I have some confusion, as I mentioned, reading it. Is that the same amendment? I did not see "10 years" in there anywhere and you are talking 10 years, and I just want to make sure what we are voting on is the same as what you are describing.

Mr. TURZAI. Yes. Amendment 8873 is a corrective reprint of amendment 8851, and the line specifically that references "ten years" would be line 10. Line 10 of that amendment is where "ten years" is denoted.

Mr. VITALI. Okay. Thank you. That concludes my interrogation.

Mr. TURZAI. Thanks.

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

The following roll call was recorded:

YEAS—193

| | | | |
|-------------|------------|-----------|------------|
| Adolph | DiGirolamo | Kirkland | Quinn |
| Aument | Donatucci | Knowles | Rapp |
| Baker | Dunbar | Kortz | Ravenstahl |
| Barbin | Ellis | Kotik | Readshaw |
| Barrar | Emrick | Krieger | Reed |
| Bear | Evans, J. | Kula | Reese |
| Benninghoff | Everett | Lawrence | Roae |
| Bishop | Fabrizio | Longietti | Rock |

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

NAYS—1

Evans, D.

NOT VOTING—0

EXCUSED—3

Evankovich Hennessey Miccarelli

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

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

Mr. **TURZAI** offered the following amendment
No. **A08865**:

Amend Bill, page 14, by inserting between lines 1 and 2
(1) Disclosure.—Upon a redevelopment assistance capital project being approved, the office shall post on its Internet website the date of approval of the project, the name of the applicant, a short description of the project, the location of the project, including the municipality in which it is located, and the amount of the project grant approved for the project.

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

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

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

Amendment 8865 requires additional postings on the Internet by the Budget Office with respect to available projects. The amendment requires the office to post the date that the project was approved by the office, the name of the applicant, a description of the project, the location of the project including the municipality in which the project is located, and the amount of the project grant approved.

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, we support the amendment and urge a "yes" vote.

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

The following roll call was recorded:

YEAS—193

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

| | | | |
|------------|--------------|----------|------------|
| DeLissio | Kampf | Perry | Wheatley |
| DeLozier | Kauffman | Petrarca | White |
| DeLuca | Kavulich | Petri | Youngblood |
| Denlinger | Keller, F. | Pickett | |
| DePasquale | Keller, M.K. | Preston | Smith, S., |
| Dermody | Keller, W. | Pyle | Speaker |
| DeWeese | Killion | Quigley | |

NAYS—1

Evans, D.

NOT VOTING—0

EXCUSED—3

Evankovich Hennessey Miccarelli

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. **MARKOSEK** offered the following amendment
No. **A08820**:

- Amend Bill, page 1, line 6, by inserting after "procedures"
, for reports related to redevelopment assistance capital projects
- Amend Bill, page 6, line 9, by striking out "Section 303 of the act, amended" and inserting
Sections 303 and 313.1 of the act, amended or added
- Amend Bill, page 6, line 10, by striking out "is" and inserting
are
- Amend Bill, page 8, by inserting after line 30
Section 313.1. Reports related to redevelopment assistance capital projects.

The Secretary of the Budget shall, within ten days of the expiration of each quarter of each fiscal year, provide to the chairman and minority chairman of the Appropriations Committee of the Senate and the chairman and minority chairman of the Appropriations Committee of the House of Representatives a report relating to redevelopment assistance capital projects which addresses at least all of the following materials:

- (1) An itemized list of the redevelopment assistance capital projects approved [for release and construction] in the preceding quarter.
- (2) An estimate of the amount of funds remaining under the cap provided in section 317(b).
- (3) An estimate of the total amount of outstanding debt related to redevelopment assistance capital projects.
- (4) An estimate of the amount of outstanding debt related to redevelopment assistance capital projects which will be paid [or refinanced] in the succeeding four quarters.

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

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

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, this is primarily a technical amendment. We changed some of the language to make sure that it matches the

bill. I think the most important thing here relative to the reporting is under the Capital Facilities Debt Enabling Act, the Secretary of the Budget is required to provide quarterly reports about RCAP projects to the chairs of the Appropriations Committees in both Houses. We are not getting, right now, those reports, and we have not to our record seen any reports since the fall of 2010.

So while this does not necessarily add any additional enforcement language, I think it is a good opportunity for all of us, in this amendment, to pass this amendment and send a message to the Secretary of the Budget that he has a requirement under the Capital Facilities Debt Enabling Act to supply the chairs of the Appropriations Committees with the appropriate information regarding RCAPs and RCAP projects. 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. Turzai.

Mr. TURZAI. Thank you, Mr. Speaker.

We support the amendment, 8820.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

LEAVES OF ABSENCE

The SPEAKER. The Speaker returns to leaves of absence and recognizes the minority whip, who requests a leave of absence for the gentleman, Mr. COHEN, from Philadelphia County for the day, and the gentleman from Allegheny County, Mr. WHEATLEY, for the day. Without objection, the leaves will be granted.

CONSIDERATION OF HB 2175 CONTINUED

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—191

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

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

NAYS—1

Evans, D.

NOT VOTING—0

EXCUSED—5

| | | | |
|------------|-----------|------------|----------|
| Cohen | Hennessey | Miccarelli | Wheatley |
| Evankovich | | | |

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. MATZIE offered the following amendment No. A08859:

Amend Bill, page 9, line 21, by inserting after "\$150,000,000." The amount of outstanding obligations for redevelopment assistance capital projects that are projected to create at least 150 additional jobs shall not count against the limitation set forth in this subsection.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Speaker recognizes the gentleman from Beaver County, Mr. Matzie.

Mr. MATZIE. Thank you, Mr. Speaker.

This amendment would add language to the bill to specify that redevelopment assistance capital projects that are projected to create at least 150 additional jobs shall be exempt from the debt limit included in this bill. It is about jobs, jobs, jobs.

Now, the last couple of weeks we started doing some stuff on jobs, but it is not enough, quite frankly, in my judgment. I think this is a perfect opportunity for us to really tell the people of Pennsylvania that we are serious about jobs, with our unemployment rate at over seven and nearly half a million Pennsylvanians unable to find a job. This important amendment I think sends a clear message that we are serious here in the General Assembly.

I urge a "yes" 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 Delaware County, Mr. Killion.

Mr. KILLION. Thank you, Mr. Speaker.

The gentleman from Beaver, he is right; it is about jobs. But what this bill does is helps us create jobs, but in a fiscally responsible manner. This amendment would remove the cap. If you remove the cap, we could continue to borrow way more than we need to, and what we need to realize is that every dollar we borrow must be paid back with interest, and that interest affects our bond rating and that debt affects our bond rating. If our bond rating drops, it costs us more to borrow money. Those are dollars that are not available for social programs, are not available for education.

So I understand what the gentleman is trying to accomplish, but this amendment would defeat the entire purpose of the bill. We could have the RCAP program (Redevelopment Assistance Capital Program) at reasonable levels and have the revenue necessary to create jobs, and we will do that. But with this amendment, we completely eliminate the cap and we put ourselves in a position where we borrow way more than we should, borrow irresponsibly, increase our debt higher than it should be, watch our bond rating go down, our interest costs go up.

I encourage a "no" vote on this amendment, Mr. Speaker. 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. Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, I would stand up and ask the members to approve this. I think it is just, to echo what Representative Matzie has said, this is about jobs, jobs, jobs. RCAP projects have traditionally been a source, a resource for creating jobs in Pennsylvania, and this does that. And we need to support, certainly, these kinds of jobs that this will create and move forward with this particular amendment, and I would ask the members to support 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 Lancaster County, Mr. Bear.

Mr. BEAR. Thank you, Mr. Speaker.

I rise to urge my colleagues to vote "no" on the amendment, A8859.

Like the gentleman from Delaware County said earlier, this will destroy the whole purpose of this bill. If you go to 150 people or more in job creation, essentially almost every RCAP project could maybe meet that threshold and again defeat what we are trying to do, which is lower the debt on the RCAP list.

So I ask all my colleagues to vote against 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 Cambria County, Mr. Barbin.

Mr. BARBIN. Thank you, Mr. Speaker.

I rise in support of this amendment, and in support thereof I remind the legislature of our 23d Speaker, Ben Franklin, his words to this Assembly when the same issue was raised. This issue was raised previously in the Assembly when Franklin came before the Assembly and said, we need a hospital. It is going to cost 2,000 pounds for us to have a hospital. The Assembly at the time was much like the Assembly as we are now: worried about the perception of the public if we do not do the politically good thing, which is to say we are cutting spending. So he asked the legislature for the 2,000 pounds. They refused. He then came back to them and said, all right. I will raise the 2,000 pounds from private investors in Philadelphia if you put up 2,000 pounds to make the hospital of Pennsylvania a reality. And hence, when he did that, he gave us the start of the original RCAP program. So today as we sit here and we decide whether the technical language should be included or not, we should remember his words. The bottom line was the hospital was a good purpose, just like all the RCAP projects that provide 150 jobs or more are good purposes. The RCAP process requires locals to come up with a 50-percent share. That 50-percent share means that only good projects will be funded.

So the only question that we are really here for today is to whether, because we would like to say we are going to cut spending, we should not go ahead with what is right. A 50-percent local share is right, especially on projects that employ more than 150 people. Our Commonwealth is not in a position where they have a bad bond rating. As a matter of fact, our bond rating is higher than most of the States along the eastern seaboard. We are in a good position to create jobs. This amendment does that.

I ask all those who are really for coming out of the recession early to not change our RCAP procedure to one where we will not be able to finance the jobs necessary to come out of the recession.

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, Mr. Speaker.

Would the maker of the amendment be kind enough to answer a few questions?

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

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

Mr. Speaker, the prior speaker almost hit on all the points I had wished to ask about, but in reading your language, sir, are you saying we have to create 150 new jobs for somebody to be eligible for an RCAP?

Mr. MATZIE. Thank you, Mr. Speaker.

There has to be an expectation that it is going to create jobs and create an additional 150 jobs with this language in this legislation. That is really why we put the amendment in place.

Mr. PYLE. That is certainly an honorable intention, but as the previous speaker brought up, how do you treat hospitals?

What if there is an RCAP that meets the 50-percent match to build, I do not know, an emergency room or a geriatric wing? Are we going to require them to hire 150 people to enlarge a hospital's capacity?

Mr. MATZIE. Well, I am not really sure what the intent of the previous speaker's analogy was. I mean, you would have to ask him on that. What I am saying is, any time anybody comes to this State or anyone wants to stay in this State and wants to do a project, there is a level of expectation when our professionals, from the administrators all the way down to DCED (Department of Community and Economic Development), work with them to create jobs. What I am saying is, if an additional 150 jobs, if that 150 threshold, they should be exempt. I mean, I think it is pretty clear in the black and white.

Mr. PYLE. Okay. This 150, are we talking actual creations or are we talking projections here? I have done a little bit of grant work in the past.

Mr. MATZIE. Well, I think that is a good question, and I think that is a problem that maybe we have had with some of our programs in the Commonwealth. There have been projects where there has been projection and that projection was never met and there was never a repercussion. I think the RCAP program has done a pretty good job over the years allowing our administration and both of our caucuses, as well as on the Senate side, to support projects, and I think that that opportunity to have that 150 should be in place. It should not be projected; it should be actual.

Mr. PYLE. Okay. That was my question. In reading, in due respect to the speaker, I saw no guarantee that these 150 were guaranteed jobs. In the language, it projects as merely a projection.

Now, having done a lot of grant work prior to being elected to this legislature, Mr. Speaker, it is the oldest trick in the book: we are going to create 400 jobs; look at us; give us money, and then somehow they do not come about. That is why I am asking, is there a concrete guarantee in place that whoever does receive an RCAP can validate that they have created 150, or then what happens? Do they have to give the money back, or what is the vision of this amendment?

Mr. MATZIE. Well, I think any time we have a program that deals with economic development, there is the expectation, and the last thing we want to do is really tie the hands of our Governor. When our Governor is talking to folks— And we talked about it when we talked about HB 1950 last week and creating projects and creating the potential for some development back in southwestern Pennsylvania. We do not want to hamstring the Governor or his administration or DCED, quite frankly, from going out and having the ability to put something on the table.

Now, as you said, and likewise myself working on many projects over the years, when a developer or someone wants to stay in this State and goes to the administration seeking RCAP dollars, there will be a projected number. There is no question about it.

Mr. PYLE. Sure.

Mr. MATZIE. And it is very difficult oftentimes to really quantify if in fact that projected number will be reached until the project is completed.

Now, we do not have the ability to police that project as far as the language that I am introducing here. That would be up to the administration to go after folks, if in fact that would be the case down the road, if they do not come up with those job

creation numbers. We have many projects and many programs that have a job number attached to it.

I know there has been a lot of criticism over the years of the Opportunity Grant Program in the DCED. There has always been that magical number that was thrown out there, and there have been oftentimes where that magical number was not met and nothing ever happened, the company goes bankrupt, and the State is out of money. So that is the last thing we want to see happen.

Mr. PYLE. Mr. Speaker, what you are referring to right now is much too realistic and has happened many, many times, at least in my experience.

Mr. Speaker, on the amendment, please.

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

Mr. PYLE. Thank you. And I appreciate your answers to my previous questions.

Mr. Speaker, I do not know that this amendment has those rock-solid job guarantees built in. If we are talking about projections, everybody in this place could go to the Governor tomorrow and say, "We need a million dollars; we are going to make 6,000 jobs," knowing we do not have to verify them. I just do not know that that is a good move.

And again my concern is, the gentleman from Cambria brought up his hospitals. What if you do have a worthy triage, trauma, oncology center out there? They cannot afford to hire 150 new people, but nonetheless, the services are needed. They are a vital part of our infrastructure.

Mr. Speaker, I have got to ask my colleagues, and quite regrettably to the Speaker, to vote against 8859. 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 rise to support the Matzie amendment. In response to the previous speaker's concerns, my experience with DCED is they do an extremely efficient job of monitoring the projections to see that they are complied with, and in fact they do pursue companies who fail to meet the projections. I have firsthand knowledge of that fact, that DCED, both under the prior administration as well as under the current administration, makes every effort to be sure that job projections are honored when they follow up on these grants and the dollars that require those job projections. So I am not sure that that concern is a reason that we should not support the Matzie amendment.

Let me say this, though. I think there is a very strong reason why we all need to be for this amendment. I would ask you to look at page 4, line 20, of the bill, where it specifically says that the bill will make a broader list of projects eligible, and that broader list of eligible projects includes projects that do not create any jobs, that do not – let me repeat that – do not create any jobs. The project list is expanded to include projects like that.

What it says is that all they have to do is maintain jobs. Why, that is a worthy goal. We want to maintain every job we possibly can in this State, but we want to do what the gentleman from Beaver is trying to do, and that is give an incentive for job creation. And it makes every bit of sense to say that if a project can conceivably create 150 or more jobs, it should be exempt from the cap. If we are about jobs, we should say that any

project that will create 150 or more jobs, it should be exempt from the cap.

So I urge everybody to support the gentleman from Beaver and support 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 Lancaster County, Mr. Boyd.

Mr. BOYD. Thank you, Mr. Speaker.

I was wondering if the gentleman would stand for a question, please?

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

Mr. BOYD. Mr. Speaker, just a quick question. In reference to your amendment, is there any clawback provision in the amendment in that if somebody claims that a project is going to create a certain number of jobs and then it does not do it, can the State come back and take the money back later?

Mr. MATZIE. No. There is nothing in the amendment and there is nothing in the underlying bill or the existing program.

Mr. BOYD. Thank you, Mr. Speaker.

If I could speak briefly on the bill.

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

Mr. BOYD. Mr. Speaker, I guess one of the concerns that I would have with the amendment, the way it is drafted without a clawback provision, is that in essence, somebody who is applying for an RCAP grant can say whatever they want in terms of the number of jobs that are going to be created by the request and, in essence, bypass the cap simply by artificially inflating the number of jobs that they would say that they are going to create. And in effect, if the amendment goes in, there is no limitation on any project as long as somebody is willing to artificially inflate the number of jobs that they are saying they are going to create.

So while I appreciate the intent of the maker of the amendment, I really feel that it is in fact going to totally neuter the bill from any of the fine provisions that the maker of the bill had intended for. So because of that, I just absolutely have to oppose 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 Clearfield County, Mr. Gabler.

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

On the amendment?

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

Mr. GABLER. Thank you very much.

I just want to point out, I fear that the conversation on this amendment has been slightly missing the mark. I think that it is a very noble goal, and I commend the maker of the amendment, especially on his remarks on interrogation, that creating jobs is a great thing. I think that the purpose of the underlying bill, however, is to have us set priorities and truly get to what Pennsylvanians are looking for and to do it in a way that is responsive to the debt level that our State is experiencing.

What this amendment does is this amendment creates a loophole in the calculation of debt, and by creating that loophole, regardless of what is claimed or anything else, it renders the people that are in charge of these programs

incapable of truly controlling the level of debt. So whether a project is claimed to create jobs or not, the fact of the matter is, we cannot truly account for our debt unless we count everything, and excluding certain projects from the debt calculation renders the underlying bill useless.

And for those reasons, I ask for a negative vote on 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 gentleman from Allegheny County, Mr. Turzai.

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

With all due respect to the good gentleman from Beaver County, I do rise in opposition to the amendment. Understand that right now, under the program, there is an existing limit. It has been increased exponentially over the last 8 years, and the goal of the underlying bill is to be balanced in reducing that limit so that we are paying off our credit card.

Just to use a quote from Ben Franklin, a penny saved is a penny earned, and we are going to be able to save many pennies under this particular proposal. But it is a balanced proposal, because for these projects, it is going to allow more clarity, openness, and accountability. That is in the underlying goal. All of these projects and the whole point of the program has been, if you buy into the notion, is that they are designed to create economic development.

With respect to the economic development, you would presume under the criteria that they are all supposed to be private-sector job-creation projects. This particular amendment is saying there should be zero limit – zero limit, no credit card limit at all – for any project that could be projected to create 150 jobs. The fact of the matter is, even now we have an existing limit. We are immediately reducing that limit and then, over time, continuing to reduce that limit by about \$2.5 billion so that future taxpayers are not paying in principal and interest and fees with their future tax dollars on these projects.

So the fact of the matter is, the criteria for the projects would still be job-creation oriented, but you would have a limit on what the credit card amount is. This eliminates the credit card limit, which is even beyond what is presently in place. And not only is it undermining the purpose of the underlying bill, but it is in fact eliminating any limit whatsoever, and no family or business operates a line of credit without a limit on it. This in fact is completely getting rid of any limit whatsoever.

The fact of the matter is, what we want to do is to pay down our debt, and the way we pay down that debt is to take an immediate reduction in that debt by about \$500 million, and over time reduce it by another \$2 billion, and yet, you are still able to maintain these levels of projects on a year-to-year basis ongoing.

I would ask everybody to please vote "no." This is about bringing accountability, fiscal responsibility, fiscal stability, openness, clarity, to these projects, while at the same time making sure that they are all focused in fact on private-sector job creation, not any singular particular project. Thank you.

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

On that question, the Speaker recognizes the gentleman from Cambria County, Mr. Barbin, for the second time.

Mr. BARBIN. Thank you, Mr. Speaker.

I rise, again, in support of the amendment. As the good gentleman from Allegheny has now made abundantly clear, the

only part of this legislation that would in fact make sure that the jobs or that the money is used to create jobs is the legislation that is offered by the Representative from Beaver County.

His amendment says that if you are going to get RCAP funding, you have to create jobs. The bill itself does not require that. So I believe that if you are really for making the money that the taxpayer asks us to invest wisely accountable, then you have to make sure that the underlying legislation, or at least the 150-job exception, be used wisely. And that is why I believe Mr. Franklin would have said, yes, a penny saved is a penny earned, but in this case, if you accept the legislation and deny the amendment, it will be translated into, a penny saved is a job lost.

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, this is not about putting an unlimited credit card out there; this is about investing in jobs in Pennsylvania. You know, the analogy was made that businesses operate under certain limits, but I do not know of a single business that says they will not invest in their own business in order to create more jobs and a better environment for them to operate in. They oftentimes place limits on what they want to do that they consider to be frivolous or that they consider to be nice things to have but not necessary, but they are always willing to invest in growing their business as long as it makes economic sense, and what the Matzie amendment says is, we are willing to invest in projects that create jobs in the State of Pennsylvania.

Now, understand, it has been said, well, what if somebody just comes in and says they are going to create 6,000 jobs; how are we supposed to know that? The project needs to get approved by the administration first. The administration needs to agree that it is going to create 150 jobs. There are safeguards built in to this that it is not just a willy-nilly, I think I am going to create a couple hundred jobs; therefore, give me lots of money, and there is no one watching the checkbook.

If you believe that this administration is not capable of determining whether or not businesses will be good for areas in terms of creating jobs, if you believe this administration is not capable of being mindful of how much debt they are amassing in order to create jobs, if you believe that this administration is incapable of those things, then vote against the Matzie amendment. But if you believe that this and other administrations are perfectly capable of trying to work with business and industry to create jobs in this State, then the Matzie amendment makes perfect sense, and I would encourage you to vote for it.

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 Clearfield County, Mr. Gabler, for the second time.

Mr. GABLER. Thank you very much, Mr. Speaker, and I appreciate the indulgence of the members. To my recollection, this is the first time I have ever risen twice on one measure on the House floor, but I do feel compelled to correct what I believe was an inaccurate statement made on this House floor.

The gentleman from Cambria asserted that the amendment before us would require all RCAP projects to create jobs, and that is incorrect. What I think is very clear to assert, what the

purpose of this amendment would do: This amendment would exclude certain projects from the calculation of the debt limit. That is all that it would do. It would not make any requirement on all RCAP projects, and I just think that it is important to point that out.

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 Beaver County, Mr. Matzie, for the second time.

Mr. MATZIE. Thank you, Mr. Speaker.

Again, as I said at the onset, I think the gentleman, the majority leader's bill is certainly laudable, but I just have concerns about the jobs. There is nothing in the intent relative to the underlying bill or the capital budget that has a number when it comes to jobs. And basically what the previous gentleman from Lancaster mentioned was, it is about the administration's ability to work with and find and establish and make sure that we do have job creation. And if in fact RCAP is going to be utilized, then in this matching project, in this matching program, that that project and that business plan, if you will, will be laudable and will be something that can be approved.

So I would urge a "yes" vote on this. This puts a clear number and says 150, and I would hope that the chamber agrees. Please vote "yes" on this amendment. Thank you.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

LEAVE OF ABSENCE

The SPEAKER. The Speaker returns to leaves of absence and recognizes the minority whip, who requests a leave of absence for the gentleman, Mr. BRADFORD, from Montgomery County. Without objection, the leave will be granted.

CONSIDERATION OF HB 2175 CONTINUED

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—84

| | | | |
|-------------|------------|------------|-------------|
| Barbin | DeLissio | Josephs | Pashinski |
| Bishop | DeLuca | Kavulich | Payton |
| Boyle, B. | DePasquale | Keller, W. | Petrarca |
| Boyle, K. | Dermody | Kirkland | Preston |
| Brennan | DeWeese | Kortz | Ravenstahl |
| Briggs | Donatucci | Kotik | Readshaw |
| Brown, V. | Evans, D. | Kula | Roebuck |
| Brownlee | Fabrizio | Longietti | Sabatina |
| Burns | Frankel | Mahoney | Sainato |
| Buxton | Freeman | Mann | Samuelson |
| Caltagirone | Galloway | Markosek | Santarsiero |
| Carroll | George | Matzie | Santoni |
| Conklin | Gerber | McGeehan | Smith, K. |
| Costa, D. | Gergely | Mirabito | Smith, M. |
| Costa, P. | Gibbons | Mullery | Staback |
| Cruz | Goodman | Mundy | Sturla |
| Curry | Haluska | Murphy | Thomas |

| | | | |
|----------|----------|-------------|------------|
| Daley | Hanna | Myers | Vitali |
| Davidson | Harhai | Neuman | Waters |
| Davis | Harkins | O'Brien, M. | White |
| Deasy | Hornaman | Parker | Youngblood |

NAYS—107

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

NOT VOTING—0

EXCUSED—6

| | | | |
|----------|------------|------------|----------|
| Bradford | Evankovich | Miccarelli | Wheatley |
| Cohen | Hennessey | | |

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?

The SPEAKER. It is the Speaker's understanding that the other amendments that had been filed have been withdrawn.

On the question recurring,

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

* * *

The House proceeded to second consideration of **HB 3, PN 2754**, entitled:

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, providing for public-private transportation partnerships; and making a related repeal.

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

Mr. **SANTARSIERO** offered the following amendment No. **A06706**:

Amend Bill, page 48, by inserting between lines 10 and 11
(b.1) Requirements of development entities.—In order to submit a proposal, a development entity must commit to financing any transportation project with at least 51% American financing.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Speaker recognizes the gentleman from Bucks, Mr. Santarsiero.

Mr. **SANTARSIERO**. Thank you, Mr. Speaker.

This amendment is fairly straightforward. It would require that the financing for any project, any P3 (public-private partnership) project, be made with at least 51 percent American financing, obviously to keep some control over the project in the United States. The amendment would do that by requiring 51 percent American financing.

I ask the House to approve the amendment.

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

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

Mr. **LAWRENCE**. Thank you, Mr. Speaker.

Mr. Speaker, may I interrogate the maker of the amendment?

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

Excuse me; I am sorry. Did you say you wanted to interrogate the maker?

Mr. **LAWRENCE**. Yes. May I interrogate the maker?

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

Mr. **LAWRENCE**. Thank you, Mr. Speaker.

Mr. Speaker, could you explain in the amendment how a development entity would enforce the provisions of this amendment?

Mr. **SANTARSIERO**. Well, Mr. Speaker, I would say that when the deal is approved, it is part of the deal that the financing package would have to be approved as well, and therefore, American, the 51-percent requirement, would be enforced at that time.

Mr. **LAWRENCE**. So if a development entity sells bonds to finance the P3 project, how would the entity prevent non-American financing from coming in to the project, from purchasing some of these bonds?

Mr. **SANTARSIERO**. Well, Mr. Speaker, it would have to be part of the upfront deal with the development entity, because the bond sale could be structured in any way. So as a consequence, as part of the initial agreement with the development entity, they would have to be required to follow what is in statute. And if they did not do that, at the end of the day, obviously any deal would be subject to challenge in court.

Mr. **LAWRENCE**. Mr. Speaker, I am sure you are aware of the multibillion-dollar secondary market for bonds? Billions of dollars of bonds are freely traded every day. Would it not be impossible for a development entity to follow the ownership of

these bonds until their eventual maturity? Each bond could have hundreds or thousands of owners over its lifetime.

Mr. SANTARSIERO. Mr. Speaker, if you are asking me, would it be possible, the answer is yes, it should be possible. And if there is a legal requirement in the statute and then a legal requirement in a binding agreement with the development entity, there would be a responsibility to follow through with that. And so there would be a legal remedy to the extent that that did not occur.

Mr. LAWRENCE. Thank you.

Mr. Speaker, are you aware of any similar provision on debt issued directly by the Commonwealth or her agencies?

Mr. SANTARSIERO. I am not personally, Mr. Speaker; no.

Mr. LAWRENCE. So a non-American entity could purchase debt of the Pennsylvania Turnpike Commission or, for that matter, the Council Rock School District but not a P3 project?

Mr. SANTARSIERO. I am sorry, Mr. Speaker. I was distracted. Could you repeat the question?

Mr. LAWRENCE. Are you proposing that a non-American entity could purchase debt of the Pennsylvania Turnpike Commission or, for that matter, the Council Rock School District but not a P3 project?

Mr. SANTARSIERO. I am sorry, Mr. Speaker. I am having a hard time hearing the question.

The SPEAKER. The gentleman will suspend.

The House will please come to order. If you could hold the conversations down. Will members please clear the aisles and take their seats. Take the conversations to the back, kindly. The members participating in interrogation are having trouble hearing each other.

Members will please hold the conversations down and take the conversations to the back of the House if necessary.

Mr. SANTARSIERO. I am sorry, Mr. Speaker. Could the gentleman repeat his question?

The SPEAKER. The gentleman will just hold on one second, please.

Members will please clear the aisles. Take the conversations to the rear of the House if necessary.

The Speaker thanks the members for their attention. The Speaker thanks the members.

The two gentlemen may proceed with interrogation. I have lost track of who was speaking, but you guys probably know.

Mr. LAWRENCE. Thank you, Mr. Speaker.

Mr. Speaker, to restate the question, I asked if you were aware of any similar provision of debt issued directly by the Commonwealth or her agencies, and you said that you were not. So my question is, a non-American entity could purchase debt of the Turnpike Commission or of, for that matter, the Council Rock School District but not a P3 project. Is that correct?

Mr. SANTARSIERO. Well, Mr. Speaker, thank you for repeating the question, and I do apologize. The gentleman from Montgomery County was distracting all of us.

The SPEAKER. He is actually still on leave. I could probably, you know, just shut him up permanently for the rest of the day.

Mr. SANTARSIERO. Mr. Speaker, if the gentleman wants to propose a bill that would restrict debt being purchased in those circumstances, we could certainly consider that.

Mr. LAWRENCE. Mr. Speaker, if I may, just to be clear, and I appreciate the suggestion, but if I could have a yes or no: A non-American entity can purchase currently debt issued by

the Turnpike Commission, the Commonwealth of Pennsylvania, PHEAA (Pennsylvania Higher Education Assistance Agency), or as I have mentioned, the Council Rock School District, but not a P3 project under this amendment?

Mr. SANTARSIERO. Mr. Speaker, I appreciate the gentleman's concern about debt being issued on behalf of those other entities. What I will say, however, is that this proposal does allow foreign investment, but it has to be 51 percent American investment.

Mr. LAWRENCE. So that is a yes?

Mr. SANTARSIERO. I do not know that the question answer was seeking a yes or a no, Mr. Speaker, but I believe I have answered the substance of what the gentleman was asking.

Mr. LAWRENCE. Thank you, Mr. Speaker. That concludes my interrogation. If I may, on the amendment?

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

Mr. LAWRENCE. Thank you, Mr. Speaker.

Mr. Speaker, I believe the gentleman from Bucks has good intentions. On the face of it, this amendment sounds innocent. With that being said, this amendment is absolutely unenforceable. Frankly, it could create a situation that the entire P3 program is killed before it even starts.

When a project comes before investors on Wall Street with this restriction, frankly, they will laugh the project out of the room. How on earth is an entity building a new road in Pennsylvania going to keep track of who buys and sells the bonds used to finance that road in the years after the bonds are sold? Most of these bonds have 10-, 20-, 30-year terms. These bonds might be bought and sold 10 times a day. This provision is completely unworkable.

We are in a global economy, competing for global dollars. People around the world are looking to invest. This bill takes these investment dollars and puts Pennsylvania workers to work – rebuilding bridges, roads, transportation infrastructure. Do not be fooled by an amendment that sounds good on its surface. This amendment will kill the program before it starts.

I 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 Bucks County, Mr. Petri.

Mr. PETRI. Thank you, Mr. Speaker.

I would join the previous speaker in asking for a "no" vote on this amendment for the following reason.

The pool of money that is going to come in from investors needs to come in from as broad a source as possible, Mr. Speaker. If we curtail the availability of funds, we will just have less projects and less jobs to place out on the street. I think to put those requirements in as a mandate is not the free market system, and it is not the way to proceed.

I will say, though, Mr. Speaker, it would not surprise me if certain recipients of the projects, people who are actually developing the work, do not themselves place voluntary restrictions on the types of entities and the places they get their supplies and materials. Knowing the types of groups that are interested in these projects, Mr. Speaker, it would not surprise me if many of them tried as best they could to fill these projects with Pennsylvania workers, but to require them to do so by way of mandate is the wrong way to proceed.

If the maker of this amendment had proposed some sort of credit-type of incentive, that might have been workable. But a mandate will restrict the pool of money. It means we will have less projects and less jobs for Pennsylvanians, and that we cannot have in this economy.

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 Philadelphia County, Mr. McGeehan.

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

Mr. Speaker, I join with my colleague from Bucks County, Representative Santarsiero, in supporting this amendment.

I heard examples, Mr. Speaker, from prior comments about this amendment dealing with the construction of schools and the like. I must tell you, though, Mr. Speaker, there is a distinct difference in these P3 projects when it comes to critical infrastructures of this Commonwealth, whether it is our roads, whether it is our bridges, whether it is our ports, and whether it is our airports. They are different, Mr. Speaker. They are the lifeblood of this Commonwealth. They are critical assets that the people we are charged with representing own and operate and control. To allow foreign entities to dominate and to control the majority financing for this project raises troubling concerns in my mind, and should raise troubling concerns in your mind as well. These projects are not for 2 years or 5 years; these projects are for generations, generations of foreign investment that can control our highways, our bridges, our airports, our ports, the critical infrastructure that is the lifeblood of this Commonwealth. That is the difference in this Santarsiero amendment.

You are voting, you are voting on the Santarsiero amendment to assure that 51 percent of the financing for this critical infrastructure is dominated by domestic, American moneys and not foreign moneys. Read the newspaper headlines every single day in any paper in this country and know the volatility, know the fickleness of foreign policy and who are our friends and who are our enemies. It changes like we change our clothes every day.

The Santarsiero amendment is absolutely dead-on in assuring that Americans control the critical assets that allow this country to be this country, and we should not jeopardize that in any way. This is a strong amendment that assures American interests control the assets in this Commonwealth, and I urge an affirmative vote.

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

On that question, the Speaker recognizes the gentleman from Perry County, Mr. Keller.

Mr. M. KELLER. Thank you, Mr. Speaker. On the amendment.

I think that, sure, we would love to have 100 percent Pennsylvania-American participation, but I think it is too much, that we are really not looking at it in a respective way.

The fact of the matter is that as we look at these projects, the last bill we just talked about was jobs. If this amendment goes in, we are eliminating jobs out of Pennsylvania. We are eliminating jobs out of America. It is unfortunate, but when it comes to the bonds, we do not control that. I wish we could, but we cannot.

So in essence, I believe that putting this amendment into this particular bill will just say, Pennsylvania, we are not open to do any business here with anybody but anybody from America. So I would ask our members to vote "no" 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 Westmoreland County, Mr. Krieger.

Mr. KRIEGER. Thank you, Mr. Speaker.

And certainly all of us want America to be dominant, not only in this country but in the world. We certainly have the greatest country in the world. I think it is important to remember, however, what the practical impact of this amendment would be.

Simply looking at the law of supply and demand, we will have fewer funds competing for these bonds. The fewer the funds competing for the bonds, it is going to affect those interest rates. The more money competing for those bonds, the higher the bond prices will be, the lower the interest rates will be. It works on the other side and opposite: The fewer funds we have chasing these bonds, the lower the price of the bonds will be, according to the law of supply and demand, and the higher the interest rate. So if you do this, remember, what you are doing is you are imposing additional costs upon the users of these assets, and those users of these assets are our constituents. So that is the price you are asking our constituents to pay for, I think, for feel-good legislation.

So thank you, Mr. Speaker. I would ask that we have a "no" vote.

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

On that question, the Speaker recognizes the gentleman from York County, Mr. Saylor.

Mr. SAYLOR. Thank you, Mr. Speaker.

I rise today to oppose the Santarsiero amendment. You know, in 32 States that have P3s, none of these States have this requirement in it. Governors and Presidents across this nation for years have been talking about foreign investment. President Obama talks about it. We talk about it here. All our Governors, Governor Rendell, sought it, traveled around the world to get it. Governor Corbett encourages it as well.

Based upon the arguments I have been hearing on the floor here, I guess we should kick Honda, Toyota, Kia, a lot of other foreign car companies out of the United States or out of our nation. It is amazing. We are not talking about some Communist nation coming here and taking over our economy; we are talking about companies that come from Australia, Spain, Canada.

Teachers' pension funds from the Canadian area want to invest here in the United States. I do not know what the Canadian pension fund would do to threaten our economy, but it is amazing that all of a sudden, when we are trying to create jobs in this Commonwealth, we find people rising up and saying, well, we want to create jobs, but only jobs that are this way or that way. The truth of it is, the ownerships of these highways are that of Pennsylvania. The Commonwealth of Pennsylvania owns the highways. We are forming a partnership with any number of investors from anywhere – American,

Pennsylvanian, or foreign countries – to improve our infrastructure; to create jobs in Pennsylvania not only, not only from these investments which will have highway construction going on, whether it is a cement plant, an asphalt plant, or workers who are actually building the highways. But not only that, people know, I have heard press conferences over the last week or two on the other side of the aisle wanting us to do something about highways in this Commonwealth. This is one of the leading ways the rest of the States of this nation have gone in improving their highway system. It is just one. It is a piece of the highway program. We know if our infrastructure does not improve in this State, we cannot expect to attract new companies to invest here or companies to expand here if our infrastructure is not what it needs to be.

I appreciate what the gentleman is trying to do, but the truth is, this just does not help the bill at all and destroys jobs that can be created here in Pennsylvania and help our consumers as well with safer and better highways. 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. DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

Would the maker of the amendment stand for brief interrogation?

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

Mr. DeLUCA. Mr. Speaker, have you been contacted by any of the banks and the bond councils and the bond market opposing your amendment?

Mr. SANTARSIERO. I have not, Mr. Speaker.

Mr. DeLUCA. Have you been contacted by any contractors or the business community saying we are going to lose jobs because of your amendment?

Mr. SANTARSIERO. I have not, Mr. Speaker.

Mr. DeLUCA. That is all, Mr. Speaker.

I am amazed that—

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

Mr. DeLUCA. I am amazed that we have so many experts in this House who are talking about losing jobs, that this amendment is going to cost us jobs; people are not going to invest 49 percent because we have 51 percent in this bill, but they are not going to invest in the Commonwealth of Pennsylvania because of that. And yet we get correspondence on all kinds of legislation opposing bad pieces of legislation that affect the stakeholders, and yet nobody has contacted us about the Santarsiero amendment.

You know, I am amazed, because the fact is that we are going to lose jobs and nobody will invest in Pennsylvania, and you think they would be concerned about this. This amendment is not a new amendment; it has been there for quite awhile, a couple of days, 2 or 3 days. And I just think that even if the other 21 or 20-some States do not have it, why do we have to follow the other States? We do not follow them in insurance, we do not follow them anyplace else, but now we care about how we are going to follow them with this P3 legislation.

I ask my colleagues on our side of the aisle who are strictly in favor of creating jobs, and I am sure this whole House is worried about creating jobs and I am sure the sponsor of this amendment is worried about creating jobs, that we vote for it, because I think it is a good amendment.

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

On that question, the Speaker recognizes the gentleman from Blair County, Mr. Geist.

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

It is a global economy. There is a tremendous competition for investment. We in Pennsylvania are not in the game. We do not have a P3 right now.

We are not talking about small projects; we are talking about large, large projects. We are talking about projects in eastern Pennsylvania that can empty every one of the trade halls in this State. We are talking about yards of concrete, and, Mr. Speaker, I do not know of a concrete manufacturer in Pennsylvania that is not owned by a foreign entity. We are talking about probably hiring every civil engineer in eastern Pennsylvania. We are talking about a materials industry that will be tested to supply all of this. Why would we vote for an amendment that is going to be an impediment for investment in the State of Pennsylvania?

I have talked to our friends in the trade halls; I have talked to our friends who invest in this. It is about time we put Pennsylvanians back to work building infrastructure in this State. We are a State with worn-out highways, worn-out bridges. They do not heal themselves. These projects free up moneys that can be used for maintenance as well as build new constructions.

I would absolutely vote for jobs and oppose 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 Bucks County, Mr. Santarsiero, for the second time.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

Mr. Speaker, we have heard a number of colleagues get up and talk about jobs. We have heard a number of colleagues get up and analogize to the private sector and different companies and the fact that we are indeed in a global economy today. There is no question about that, Mr. Speaker, none whatsoever. But the critical difference here, Mr. Speaker – and every member in this chamber knows it – is we are talking about critical public infrastructure for the Commonwealth of Pennsylvania. This is not merely an economic issue; this can well be a national security issue as well, Mr. Speaker.

Now, in a few moments I am going to offer another amendment that is going to require that any of these entities that take on these jobs actually be American companies. That amendment would have no force if this amendment were not also passed, Mr. Speaker, because the financing in this is a critical component.

Now, we have heard about how, allegedly, this is going to make it impossible to get financing, and therefore, it is going to cost jobs. The fact of the matter is, Mr. Speaker, that this amendment, as noted earlier, would only require 51 percent American financing. So there would still be financing from other sources, but it would enable us to maintain American control over this work and over the financing of it.

This will have no impact on the ability to create jobs. Jobs will still be created. The argument from the other side seems to be predicated on this notion that we cannot obtain American financing anymore. The United States is still the largest economy in the world with the largest financial markets in the world, and I daresay there will be absolutely no problem getting

51 percent American financing on these jobs – none whatsoever. It will have absolutely no impact on these projects going forward. It will have absolutely no impact on further jobs being created as a result of this. What it will do, in conjunction with the next amendment, is enable us to maintain control over our vital infrastructure here in the Commonwealth of Pennsylvania.

And lest anyone believe that there is not precedent for this type of legislation, look throughout these United States and here in Pennsylvania, as well at the proposals that we see regularly about not investing in countries like Iran. I remember back to the time when I was a college student and the issue back then was apartheid, and our school and schools across the country took power and they stopped their administrations in those schools from investing in companies that at that time were investing in South Africa. And finally, when the United States took similar action, what happened? The apartheid regime collapsed.

So these types of measures are not unique. They can be very powerful and they can make a real policy difference, and I believe that every member in this legislature knows that is the case. And I urge all of you, for our Commonwealth, for our country, and our national security, that you approve 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 Westmoreland County, Mr. Krieger, for the second time.

Mr. KRIEGER. Thank you, Mr. Speaker.

With all due respect to the gentleman, he is mixing apples and oranges, and I do not even know where to start. First of all, he talks about apartheid. Now, that clearly was limiting U.S. investment in a foreign entity for reasons that we all know. That is not what he is talking about here. He is now talking about whether we should restrict foreign investment into the United States. Unless you think there is a political reason why we need to be punished, and that is exactly what we intended to do whenever we did not allow investment in South Africa because of apartheid, we intended to punish South Africa and we intended to change that country's policy. So it is clearly apples and oranges here, unless he thinks we should restrict foreign investment so we can be punished for some reason.

He is also confusing something else. Regardless of whether this amendment is passed or not, these assets will be American owned. They will be owned by the Commonwealth of Pennsylvania. The Commonwealth of Pennsylvania will control these assets, whether it is 100-percent American financed or 100-percent foreign financed. So there is no national security issue here. We are talking about who owns and who invests and who buys these bonds.

And in my previous comments I talked about that, and the fact of the matter is, there is probably American financing, certainly, to do this. Fewer funds chasing these bonds means higher interest rates, which means higher costs. Why should we, while we are going to control the assets either way, incur additional costs, why should we not allow some entity to invest? It does not make any sense from a political perspective. It certainly does not make any sense from a national security perspective, because we will own these assets regardless. It makes our people incur higher costs for no good reason.

I would again ask for 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. Vereb.

Mr. VEREB. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to the amendment, and I do so for many of the obvious reasons that have been stated, Mr. Speaker, so we will leave that stand. But one particular comment my good friend from Allegheny County, my good friend the chairman there, brought up is the fact of there being a lack of job-creating experts here. And, you know, we are trying. We are trying to be job creators, right? We are all interested in our economy and trying to grow the economy. How about joining us in trying, trying to be job-creating experts, Mr. Speaker, because clearly after the last two sessions, there is living proof that there were no job-creating experts in the chamber.

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 Philadelphia, Mr. McGeehan, for the second time.

Mr. MCGEEHAN. Thank you, Mr. Speaker.

I do rise for a second time to support the Santarsiero amendment. I heard the comment that we are mixing apples and oranges. Well, how do you like these apples? Money is power. Money is power, and it should not be lost on anybody in this House. And the money that funds these projects, and I heard some examples, whether it was with Honda or whether it was building schools or whether it was building rest stops on the turnpike, they are small apples, Mr. Speaker. What the Santarsiero amendment is doing is saying our critical infrastructure, whether it is our roads, whether it is our bridges, whether it is our airports, whether it is the facilities that allow this Commonwealth to operate on a daily basis, is at risk in P3s if we do not require the majority of money funding these projects to be American based.

I heard comments about the cost. This will not raise costs. There is plenty of financing in this country to fund our roads and bridges and critical infrastructure. It will not cost jobs in this Commonwealth. There is plenty of financing among American firms to do the projects that we are talking about.

Mr. Speaker, you look out in any venue around the world today and find that Chinese money is funding many of the projects in many countries around the world. Do we want the Chinese to be the major funder of highway projects in America? Do we want the Chinese to fund the improvements in our critical bridges and airports and roads? That is the question, Mr. Speaker. That is at the heart of the Santarsiero amendment.

Apples-and-oranges analogies are fine, but in the final analysis, money is power, and we need to keep American money in these infrastructures to assure that we control, we the people in this Commonwealth control the assets forever and not allow anyone else to control our destiny. A "yes" vote will assure that.

I urge an affirmative vote for the Santarsiero amendment.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

LEAVES OF ABSENCE CANCELED

The SPEAKER. The Speaker returns to leaves of absence and recognizes the presence on the floor of the gentleman from Montgomery County, Mr. Bradford. His name will be added back to the master roll call.

As well, the Speaker recognizes the presence of the gentleman from Chester County, Mr. Hennessey. His name will be added to the master roll call as well.

CONSIDERATION OF HB 3 CONTINUED

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

The following roll call was recorded:

YEAS—85

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

NAYS—108

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

NOT VOTING—0

EXCUSED—4

Cohen Evankovich Miccarelli Wheatley

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

GUESTS INTRODUCED

The SPEAKER. The Speaker would like to pause for a moment to introduce some additional guests that are with us, as the guests of Representative Dick Stevenson. Located over to the left of the Speaker, we would like to welcome Cadet CMSgt. Curtis Scheboth, Cadet CMSgt. Ceara Berry, Cadet 2d Lt. Michael Kittlson, Cadet 2d Lt. Maizee Zaccone, Capt. Thomas Marak, Maj. Kevin Berry, and although they were here earlier, Maj. Shelly Fleming and Lt. Col. Gary Fleming. Will our guests please rise. Welcome to the hall of the House, and thank you for your service.

CONSIDERATION OF HB 3 CONTINUED

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

Mr. **SANTARSIERO** offered the following amendment
No. **A06705**:

Amend Bill, page 39, line 27, by inserting after "ENTITY" where it occurs the second time

which is majority-owned by an American person, entity, group or organization and

Amend Bill, page 40, line 12, by inserting after "AUTHORITY" and which is majority-owned by an American person,

entity, group or organization

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Bucks County, Mr. Santarsiero.

Mr. **SANTARSIERO**. Thank you, Mr. Speaker.

Perhaps we will have a different outcome on this one.

As I mentioned a moment ago, Mr. Speaker, this amendment would require that any of the private entities doing the work would have to be American companies, American-controlled companies. And for that reason and the reasons I indicated before, 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 gentleman from Chester County, Mr. Lawrence.

Mr. **LAWRENCE**. Thank you, Mr. Speaker.

Mr. Speaker, I will spare the maker of the amendment an interrogation and I will simply speak on the amendment.

For all of the same reasons that I outlined on the previous amendment, this amendment is simply unenforceable. Imagine,

if you will, one share of IBM stock. How can you possibly keep track of who has owned that share of stock over the last hour let alone the last 30 years? What we are talking about here is keeping track of who owns a particular percentage of the project. It is simply unenforceable.

I simply would encourage my colleagues to vote "no" on the amendment. Thank you.

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

Is the gentleman, Mr. Santarsiero, seeking recognition for the second time?

Mr. SANTARSIERO. If there are no other speakers.

The SPEAKER. Nobody was jumping up. I think they were just going to rely on the debate of the last amendment.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

The SPEAKER. It is probably the same vote.

Mr. SANTARSIERO. We will see.

Mr. Speaker, do we really want foreign corporations building, operating, and maintaining our critical infrastructure in the Commonwealth of Pennsylvania?

As currently written, HB 3 does not speak to the issue. It would allow any corporation in any part of the world, whether an Iranian corporation, a Chinese corporation, a corporation from the United Arab Emirates, or Syria, to come in, build, and then operate and maintain our critical infrastructure. I do not know about you, Mr. Speaker, but I think I would have a hard time explaining to the residents of Bucks County why it is an Iranian company is operating and maintaining I-95 and then charging us a toll for the privilege of using it.

Mr. Speaker, whatever you might have thought about the financing issue, this one is clear-cut. We should not turn over our critical infrastructure to foreign corporations. It is bad enough that the United States is already so heavily in debt to the Chinese, and as a consequence, on a daily basis as our debt rises, loses power to be able to control our own destiny. We should not hand over our critical infrastructure to foreign corporations.

This is one of the most critical issues for us at the end of the day, because at the end of the day, Mr. Speaker, one of our greatest obligations as a State government is to be responsible for the safety and well-being of our people. And if we allow the construction, operation, and maintenance of infrastructure to some foreign entity, then we are abrogating that responsibility.

And I believe the people of this Commonwealth are watching these votes today, and they will ask what your vote was and why you voted. And I urge my colleagues to stand with the people of this Commonwealth, with their health and safety and ultimately with our country, and vote "yes" on this amendment. Thank you.

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

The following roll call was recorded:

YEAS-86

| | | | |
|-----------|------------|------------|------------|
| Barbin | DeLissio | Kavulich | Payton |
| Bishop | DeLuca | Keller, W. | Petrarca |
| Boyle, B. | DePasquale | Kirkland | Preston |
| Boyle, K. | Dermody | Kortz | Ravenstahl |
| Bradford | DeWeese | Kotik | Readshaw |
| Brennan | Donatucci | Kula | Roebuck |

| | | | |
|-------------|-----------|-------------|-------------|
| Briggs | Evans, D. | Longietti | Sabatina |
| Brown, V. | Fabrizio | Mahoney | Sainato |
| Brownlee | Frankel | Mann | Samuelson |
| Burns | Freeman | Markosek | Santarsiero |
| Buxton | Galloway | Matzie | Santoni |
| Caltagirone | George | McGeehan | Smith, K. |
| Carroll | Gerber | Mirabito | Smith, M. |
| Conklin | Gergely | Mullery | Staback |
| Costa, D. | Gibbons | Mundy | Stephens |
| Costa, P. | Goodman | Murphy | Sturla |
| Cruz | Haluska | Myers | Thomas |
| Curry | Hanna | Neuman | Vitali |
| Daley | Harhai | O'Brien, M. | Waters |
| Davidson | Harkins | Parker | White |
| Davis | Hornaman | Pashinski | Youngblood |
| Deasy | Josephs | | |

NAYS-107

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

NOT VOTING-0

EXCUSED-4

| | | | |
|-------|------------|------------|----------|
| Cohen | Evankovich | Miccarelli | Wheatley |
|-------|------------|------------|----------|

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. **SANTARSIERO** offered the following amendment
No. **A06530**:

Amend Bill, page 50, line 6, by inserting after "**PROPOSALS**"
and the public entity shall give substantial weight and priority to the following factors:

- (1) The offeror commits to using American made construction materials.
- (2) The offeror commits to using Pennsylvania made

steel.

(3) The offeror's principal place of business is located in the United States.

(4) The offeror's principal place of business is located in this Commonwealth.

(5) The offeror has or will create a physical presence in this Commonwealth

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Bucks County, Mr. Santarsiero.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is fairly straightforward. All that it would require is that in considering a P3, that a number of factors be considered and weighted as priority factors before actually entering into the agreement, and those factors are that the construction materials are American made, that the entity would be using Pennsylvania steel, that the principal place of business of the entity would be in the United States, that the principal place of business of the entity would be located in the Commonwealth, and that the entity would have a real presence in Pennsylvania. These would not be requirements, Mr. Speaker; they would merely be factors to be weighted in favor of providing a contract to a particular entity. And as a consequence, Mr. Speaker, I think it strikes a good balance between some of the concerns that were raised earlier and the interest in making sure that we provide Pennsylvania jobs and have entities right here in the Commonwealth who ultimately will be responsible for this work.

So I urge an affirmative vote, Mr. Speaker, 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 Blair County, Mr. Geist.

Mr. GEIST. Thank you.

Would the maker of the amendment stand for brief interrogation?

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

Mr. GEIST. You are saying that you cannot put foreign materials into a project. Is that correct?

Mr. SANTARSIERO. No, Mr. Speaker. As I just mentioned a moment ago, this does not require that the private entity do any of these things. It merely states that these are factors that should be given some priority weight in considering a prospective agreement.

Mr. GEIST. Thank you.

Mr. Speaker, may I be recognized on the amendment?

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

Mr. GEIST. Mr. Speaker, the development of this legislation and the criteria used was developed by all four caucuses and two different Governor Offices now. We think the criteria is very well-done. We really believe that there is no need for this amendment at this time and would ask a "no" vote.

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

On that question, the Speaker recognizes the gentleman from York County, Mr. Grove.

Mr. GROVE. Thank you, Mr. Speaker.

I stand in opposition of A06530. Under the current bill, these are the evaluation criteria already put into law: cost; price; financial commitment; innovative financing; bonding; technical, scientific, technological, or socioeconomic merit; financial strength and viability; design, operation, and feasibility of the transportation project; public reputation, qualifications, industry experience, and financial capacity of the private entity; the ability of the transportation project to improve economic growth, to improve public safety, to reduce congestion, to increase capacity, or to rehabilitate, reconstruct, or expand an existing transportation facility; the compatibility of the proposal with existing local and regional land-use plans; the commitment of local communities to approve land-use plans in preparation for the transportation project; other factors deemed appropriate by the public entity.

Mr. Speaker, this amendment is redundant. It is unnecessary. Most P3 legislation follows this strict criteria when used. It provides flexibility for those entities looking to invest in Pennsylvania and in infrastructure around the country, to be able to do so without great inhibition, Mr. Speaker.

I would urge my colleagues to oppose A06530, as the legislation has already covered the criteria needed to get these projects going, get jobs moving, and rebuild our infrastructure, Mr. Speaker. Thank you.

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. Mr. Speaker, I am just amazed. What I am hearing is that the gentleman from Bucks County who has proposed this amendment has the audacity to suggest that Pennsylvanians get jobs and are employed as a result of this bill. He has the audacity to suggest that we ought to be looking here first for the suppliers that supply these jobs. He has the audacity to suggest that we use our tax dollars in conjunction with private entities to employ Pennsylvanians. How dare he do that? I just do not believe what I am hearing from the other side of the aisle, all because I will be darned if we will have a Democratic amendment on this bill.

Go ahead. I mean, I am baffled. But I think this is a great amendment, and I think Pennsylvanians believe this is a great amendment. And you can vote against all those Pennsylvanians that will not have a job when there is one of those P3 projects that is done with all foreign corporations, with all foreign materials, with all foreign suppliers, all foreign money. Go ahead, have at it. You will not have our vote to do that, though.

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 Armstrong County, Mr. Pyle.

Mr. PYLE. Thank you, Mr. Speaker.

May I speak on this amendment?

The SPEAKER. The gentleman was recognized to speak on the amendment.

Mr. PYLE. Thank you.

Mr. Speaker, a lot of folks do not know this, but where I live is the Steel Belt of Pennsylvania, western PA. We make a lot of this stuff. The problem is, Mr. Speaker, right now you cannot buy a Pennsylvania I- or H-beam in any dimension.

Mr. Speaker, a pharmacy back home just tried to build a brand-new development, had to wait 7 months for an I-beam, and I am from western Pennsylvania, land of the Steelers. We make steel.

Now, Mr. Speaker, as much as anybody, I am sure everybody sitting on this floor, this august body, wants to see Pennsylvania tax money going into Pennsylvania workers. That is not the issue here, Mr. Speaker.

Mr. Speaker, last summer Armstrong County was blessed to have a bridge project done, the Judge J. Frank Graff Bridge. It spans the Allegheny River, Route 422. We got a big, big, big chunk of Obama stimulus money to do this bridge, and nobody objected. And then we saw those were not Pennsylvanians; those were green-carded Hondurans and Greeks painting our bridge, which caused a lot of questions: Why are we using Obama money? Why are we hiring foreign nationals to paint our bridges? No, we did not like it. The fact of the matter is, the bridge had to be done. It did get done.

Mr. Speaker, in a larger sense, we are putting more and more hurdles in the way of us being able to address our transportation issues. Nobody here pretends that P3 is the end-all, be-all, fix-all. What we do know is it is an integral tool, one that is essential for us to be able to go to. Let us say somebody does want to build the first commuter rail in the Alle-Kiski Valley in 50 years. We cannot afford that. It is not on PENNDOT's list. We are not going to work Pennsylvanians, but we do have private money that wants to do it. What if we do want to put HOT (high-occupancy toll) lanes on the Schuylkill going in and out of Philadelphia? How about expanding 79, 81, 83? Do you want me to keep going, Mr. Speaker?

The more hurdles we put in place, the less likelihood we are going to be able to do these things. And then we come back and yell about how the other side is inefficient in addressing our infrastructural buildouts.

Sorry, Mr. Speaker. This amendment does not hold water. I would 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 Lancaster County, Mr. Sturla, for the second time.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I have a steel manufacturing facility in my district who will gladly supply you with an I-beam any day of the week. They are looking for work and ready to provide steel for the State of Pennsylvania. All this amendment does is give them first chance. This amendment does not prohibit the "green-carded Hondurans" that you talked about from coming in and doing the job if no one else wants to. It says, give Pennsylvanians a chance to do it first. You can vote against that and you can be for the foreign nationals and you can do anything you want to, but you are not going to get a vote over here for that.

Thank you, Mr. Speaker.

Mr. PYLE. Thank you, Mr. Speaker. And I truly appreciate the—

The SPEAKER. Whoa, whoa, whoa, whoa. Not so fast.

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

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

Mr. PYLE. Thank you, Mr. Speaker.

I apologize for my protocol breach. I appreciate the gentleman from Lancaster's input. When it takes 7 months to obtain a simple 6-inch H-beam – which, by the way, not only did I make, my dad made, my grandfather made – when it takes 7 months to get that from 40 miles away in western Pennsylvania, you understand there is a little bit of a problem there. Now, if these are American-made products, how do we treat ArcelorMittal over in Steelton? It is a Belgian company. Does that qualify as American? I do not know. What about Allegheny Technologies Inc.? How about AK Steel? How about LTV? How about any of them? Pennsylvanian companies, none of which exist anymore. So where do we buy this? Can you fix every bridge for me? I do not think you have that kind of steel.

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. Preston.

Mr. PRESTON. Thank you, Mr. Speaker.

It is interesting, because I am just a country boy from Vandergrift, Pennsylvania, off the Kiskiminetas River, and I was trying to understand the logic of some of the conversations I have heard, when we talk about America and buy here and ship here in America. And here on this side of the aisle, we have complained day after day, year after year. Every time I get on the phone and just try to get conversation on customer service with our largest corporations, banks, lending institutions, some of the construction companies and everything, I wind up talking to a foreign country; a lot of different times. But yet, in a sense, we are trying to say we want to bring it back here, but now I am hearing the other side say, well, we want everybody to come over here. What are we trying to say? I mean, it is okay for our companies to take all our business somewhere else, and yet, in a sense, we want to say, build in Pennsylvania, ship in Pennsylvania.

I know next week I am going to be here in a sense and one of the colleagues on the other side of the aisle from our committee on dealing with probably one of the most major bills dealing with pipeline safety. What the issue is and what this will do is permeate a growth of steel being made here in Pennsylvania and in the United States and stop sending all of our materials so another country can build over there and then ship it back to us. Come on; let us stay at home for a change.

You talk about buy America, build America, but yet, in a sense, here we are fighting over when one side is trying to say we want to build here, have it here in the United States and in Pennsylvania, but yet on the other side they say, well, we want to have everybody from everywhere else to come over and do it for us. I will be quite frank: I do not need anybody to lift my fork to feed me, but yet, in a sense, we are asking for other countries to feed us. All of us have homes. We want to build things at home, so why are we encouraging someone else to build our home that does not even live here? Come on. Let us be realistic. I am tired of getting on the phone and not understanding somebody trying to tell me what to do with my accounts and my services, whether I am dealing with systems— And I am not, I have experience. I have put my signature on over about \$500 million worth of bonds in the past few years,

and yes, there are paper trails. So let us be very realistic. Let us talk about it. If you care about home, if you want to build home, if you want to say about pride, made here in America, we should be voting for this amendment. And if not, continue to let somebody else build your home, build your bathrooms, build your computers, build your cars. Build it here in America. Let us do it here in America, and let us quit trying to be on the doublespeak.

Like I said, I grew up in a country town where we just had to build things on our own, where the steel mills do not go that much anymore, and we are sending all our scrap to somebody else to come back and to build our steel to come where we buy it back. It is time. Stand up and be the people that we need to be, and let us build things in our own home State. Let us build it here in Pennsylvania, build it here in America. Vote the other way and we are just going to continue the same old school. Let us build it here at home. Bring everything else home.

Thank you, Mr. Speaker.

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

The Speaker recognizes the gentleman from Bucks County, Mr. Santarsiero, for the second time.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

Mr. Speaker, let us step back for a minute. Many of the speeches that I have just heard in opposition to this amendment are not at all based on the language of the amendment. As the gentleman from Lancaster County pointed out several times, this amendment would merely take these criteria and make them priority criteria in consideration of any application for a P3, so that as between a company that committed to use steel from anyplace in the world and a company that committed to use American steel, the company that committed to use American steel would have a leg up. It does not require that each of these criteria be met before a project be given out. It merely makes them priority considerations in determining whether or not an agreement would be allowed.

Mr. Speaker, I am astounded, frankly. I truly am. I am astounded that this House has rejected the notion that we should only allow American companies to do this work, but now I am even more astounded that we will not even allow these criteria to be considered as priority considerations in entering into a P3. Mr. Speaker, all this amendment does is it tells the people of this Commonwealth that we consider these criteria important because they ultimately support a very important policy goal for our State, which is providing jobs here in Pennsylvania, which is making sure that whoever is doing this work has a presence here in Pennsylvania, to the greatest extent possible. And yes, at the end of the day, supporting things like American steel. And you know, Mr. Speaker, I am amazed because I have heard these stories today about how, well, we just are not going to have the steel to do that. And I am reminded whenever I travel to Bethlehem, Pennsylvania, or even Fairless Hills in Bucks County, and I see these old steel plants that are either all shuttered up now or at a fraction of their former capacity and glory, that if these types of policies had been enacted years ago, maybe that would not be the case today.

I want to leave you with a story, Mr. Speaker. It is a story from many years ago. Back in January 1942, Franklin Roosevelt issued the order to convert to wartime production. And at the Fisher Guide Plant in Ewing, New Jersey – where a lot of Bucks

County residents worked because it is just right across the river – they were worried that they were going to be able to convert from making truck bodies to torpedo bombers. And in a mere 4 months from the issuance of that order, the first torpedo bomber rolled off the assembly at the Fisher Guide Plant. It was an amazing story of American ingenuity and American industry. It was repeated at factory after factory after factory throughout the United States, and it, without question, was one of the things that enabled the United States to prevail and beat Fascist Japan and Nazi Germany.

Where are we today, Mr. Speaker, if we are not willing to stand up for American jobs, American industry, American ingenuity? We are not even requiring it. We are merely saying that this is a priority for us, that we as a legislature are saying—

Mr. TURZAI. Mr. Speaker?

Mr. SANTARSIERO. —we care about this.

Mr. TURZAI. Mr. Speaker?

Mr. SANTARSIERO. That is all this amendment does.

Mr. TURZAI. Mr. Speaker?

POINT OF ORDER

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

Mr. TURZAI. Sir, with all due respect, to in any way equate opposition to this particular amendment, no matter where anybody should fall on this particular amendment, to a regime in Germany that everybody at that time during the forties found abhorrent is really off the wall and should be stricken.

Look, this is a debate about the merits of the amendment and we need to just stick to the amendment instead of this sort of demagoguery. I would ask that, please, those remarks be stricken from the record and that we stick to the amendment as it is. Thank you.

Mr. DERMODY. Mr. Speaker?

The SPEAKER. In seeking the Parliamentarian's opinion as to his judgment as to the bounds of the gentleman's debate, we will review that. It is not my initial impression that they are necessary to be stricken from the record, but we will certainly review them and appreciate the intent of the gentleman, Mr. Turzai's remarks.

Does the gentleman, Mr. Dermody, seek recognition?

Mr. DERMODY. Yes, Mr. Speaker, briefly.

I would just like to say that the characterization that was made is not an accurate description of what the gentleman was saying with regards to this amendment and the impact of this amendment. I believe he is just referring to closing of factories and conversion of factories to different types of manufactured goods, and that was all.

The SPEAKER. The Speaker appreciates the gentleman, Mr. Dermody's comments as well.

The gentleman, Mr. Santarsiero, is still in order. I would kindly suggest to maybe draw the conclusion of the story. The argument was getting a little astray from the actual content of the amendment, but we will allow you to proceed.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

Mr. Speaker, I was just accused of demagoguery. Mr. Speaker, I will not ever shy away from standing up for American workers and the strength of this country and our future and our future to compete and be a strong country and for

this Commonwealth to succeed. If I am going to be accused of that for offering this amendment, well—

The SPEAKER. The gentleman will suspend.

The Speaker indicated that we would address this. I would appreciate if the gentleman would confine the remarks to the merits of the amendment that is before us, please.

Mr. SANTARSIERO. Mr. Speaker, I think I have made my point clear. And I think my colleagues here in the House understand the issue. At the end of the day, I ask you to support something that, as I said before, is merely telling the rest of this State and the companies that wish to bid on these projects what our priorities are as a legislature. That is all we are doing. If we cannot do that, I think that raises some serious questions.

Thank you, Mr. Speaker.

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

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

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

Just brief remarks. Please understand that many of us are absolutely pro-American jobs. We want manufacturing. We want good service jobs in this country. We think that the underlying P3 legislation promotes American jobs, both in terms of the transportation industry and in related industries. And we recognize that you can be pro-American jobs, just like my ancestors from abroad who came here and worked in the steel industry or relatives on both my mom's and dad's side who worked in the steel industry. You could be pro-American jobs and for this bill and against this amendment. Thank you very much.

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

The following roll call was recorded:

YEAS—107

| | | | |
|-------------|------------|-------------|-------------|
| Barbin | DePasquale | Kavulich | Peifer |
| Bishop | Dermody | Keller, W. | Petrarca |
| Boyle, B. | DeWeese | Kirkland | Preston |
| Boyle, K. | Donatucci | Kortz | Quinn |
| Bradford | Emrick | Kotik | Ravenstahl |
| Brennan | Evans, D. | Kula | Readshaw |
| Briggs | Fabrizio | Longietti | Reese |
| Brooks | Frankel | Mahoney | Roebuck |
| Brown, R. | Freeman | Maloney | Sabatina |
| Brown, V. | Gabler | Mann | Sainato |
| Brownlee | Galloway | Markosek | Samuelson |
| Burns | George | Matzie | Santarsiero |
| Buxton | Gerber | McGeehan | Santoni |
| Caltagirone | Gergely | Metzgar | Scavello |
| Carroll | Gibbons | Millard | Simmons |
| Conklin | Gillen | Mirabito | Smith, K. |
| Costa, D. | Goodman | Mullery | Smith, M. |
| Costa, P. | Hahn | Mundy | Staback |
| Cruz | Haluska | Murphy | Stephens |
| Curry | Hanna | Murt | Sturla |
| Daley | Harhai | Myers | Thomas |
| Davidson | Harkins | Neuman | Truitt |
| Davis | Harper | O'Brien, M. | Vitali |
| Day | Harris | Parker | Waters |
| Deasy | Heffley | Pashinski | White |
| DeLissio | Hornaman | Payne | Youngblood |
| DeLuca | Josephs | Payton | |

NAYS—86

| | | | |
|-------------|--------------|------------|------------|
| Adolph | Everett | Krieger | Roae |
| Aument | Farry | Lawrence | Rock |
| Baker | Fleck | Maher | Ross |
| Barrar | Geist | Major | Saccone |
| Bear | Gillespie | Marshall | Saylor |
| Benninghoff | Gingrich | Marsico | Schroder |
| Bloom | Godshall | Masser | Sonney |
| Boback | Grell | Metcalfe | Stern |
| Boyd | Grove | Micozzie | Stevenson |
| Causar | Hackett | Miller | Swanger |
| Christiana | Harhart | Milne | Tallman |
| Clymer | Helm | Moul | Taylor |
| Cox | Hennessey | Mustio | Tobash |
| Creighton | Hess | O'Neill | Toepel |
| Culver | Hickernell | Oberlander | Toohil |
| Cutler | Hutchinson | Perry | Turzai |
| Delozier | Kampf | Petri | Vereb |
| Denlinger | Kauffman | Pickett | Vulakovich |
| DiGirolamo | Keller, F. | Pyle | Watson |
| Dunbar | Keller, M.K. | Quigley | |
| Ellis | Killion | Rapp | Smith, S., |
| Evans, J. | Knowles | Reed | Speaker |

NOT VOTING—0

EXCUSED—4

| | | | |
|-------|------------|------------|----------|
| Cohen | Evankovich | Miccarelli | Wheatley |
|-------|------------|------------|----------|

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 all the other amendments are either out of order or have been withdrawn.

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. LONGIETTI offered the following amendment
No. A06686:

Amend Bill, page 45, by inserting between lines 12 and 13
(5) Upon adoption of a resolution, the board shall submit the approved transportation project to the General Assembly for ratification within 14 days.

Amend Bill, page 45, line 13, by striking out "(5)" and inserting
(6)

Amend Bill, page 45, lines 23 through 30; page 46, lines 1 through 8, by striking out all of said lines on said pages and inserting
(1) Final approval and ratification of transportation projects shall be granted by an enactment of the General Assembly.

(2) If final approval and ratification is not granted by the General Assembly within 24 legislative days of receipt of the board-approved project, the project is deemed rejected.

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

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

Mr. LONGIETTI. Thank you, Mr. Speaker.

Mr. Speaker, my amendment simply would require that any transportation project under this bill be approved and ratified by this General Assembly. It also sets timelines for the General Assembly to do that. I think this is an important amendment. I have long been and have been a consistent proponent of not ceding our authority as a General Assembly, particularly in this case, to a seven-member, nonelected commission. I think that commission has a function, but I think this General Assembly has an overriding function to put its stamp of approval on projects before they become approved, and to look at the best interest of Pennsylvanians across this State. My amendment merely does what this bill does in regard to the mainline of the turnpike. If we look at page 68 of the bill, lines 9 through 7, it specifically states that the Turnpike Commission is prohibited from entering into a P3 project regarding the turnpike mainline, quote, "UNLESS SPECIFIC AUTHORITY IS GRANTED THROUGH AN ACT OF LAW PASSED BY THE GENERAL ASSEMBLY."

And so, what is good for the turnpike mainline is good for all other projects. We should not be treating them separately and differently. I think the legislation, the bill gets it right in regard to the turnpike mainline, and I think we ought to apply that same standard to all transportation projects and allow for review and make sure that our voices as members of this General Assembly are heard.

Thank you, Mr. Speaker.

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. This is an additional hurdle that is not necessary, and I would ask the members to please vote "no." Thank you.

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

On that question, the Speaker recognizes the gentleman from Luzerne County, Mr. Carroll.

Mr. CARROLL. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is similar to the amendment from the other day. It really gets to the essence of what we do in this chamber, Mr. Speaker, and that is cast votes. It seems to me that a vote by this chamber and a vote by the Senate are completely appropriate with respect to these major policy decisions. I think it is the essence of what we do here, and I wholeheartedly support the Longietti amendment.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—86

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

NAYS—107

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

NOT VOTING—0

EXCUSED—4

| | | | |
|-------|------------|------------|----------|
| Cohen | Evankovich | Miccarelli | Wheatley |
|-------|------------|------------|----------|

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. **LONGIETTI** offered the following amendment
No. **A06697**:

Amend Bill, page 46, by inserting between lines 8 and 9
(4) Notwithstanding paragraphs (1), (2) and (3) for a transportation project that involves or affects an interstate with user fees, final approval must be granted by an enactment of the General Assembly.

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

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

Mr. **LONGIETTI**. Thank you, Mr. Speaker.

Mr. Speaker, what this amendment does is it precisely requires the approval of the General Assembly for any P3 project that affects an interstate highway and involves user fees. We just heard, two amendments ago we heard one of the speakers on that amendment, on the other side of the aisle, talk about expanding interstate highways; P3 projects could expand, and I believe he said Interstate 79 and he mentioned a number of other interstates. But whenever you do a P3 project that is an expansion like that, you are going to have to toll it. There is going to be a user fee, and we know from the past history of this legislature that that is something that affects many of us in our districts.

These are significant projects. Whenever you impose user fees that could be contemplated by this bill, it affects the economy of our area when our businesses have to pay those user fees, when our residents have to pay those user fees. I think it is something that merits the review of this General Assembly. I am not willing to give up my voice. I am not willing to give up my vote and my voice to be able to oppose a P3 project involving an interstate that is going to toll that interstate. I do not think that we should give up our vote and our voice on those important matters.

And the problem is that we need this amendment because the bill does not adequately protect us. As I indicated on the last amendment, with the turnpike mainline, it requires approval of the General Assembly, but with every other project, including an interstate project that would involve tolling, it only provides a very, very short window of time for the General Assembly to put forward a resolution that passes both Houses to stop it. And that is not adequate. I have been here 5 years and I have seen how long it takes. I also know that I have no control over the calendar as one member of this body. The majority party, by and large, controls the calendar. So even if I wanted to stop the tolling of an interstate highway P3 project that the commission approves, under this bill I could not do that, because I cannot force my resolution to come up for a vote. And I know that it is a red herring, that it looks like there is a way to stop it, but there is no way to stop it. The only way to stop it is my amendment. My amendment requires the approval of the General Assembly on a P3 project that involves an interstate highway being tolled.

As I said previously, we just heard, just within the last 20 minutes we heard a member on the other side of the aisle talk about P3 projects expanding interstates like I-79, which runs

through my county. I do not want to see that highway tolled, and I want to have a voice to be able to express that on this House floor, along with my fellow members. So I urge support of this amendment.

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

On that question, the Speaker recognizes the gentleman from Monroe County, Mr. Scavello.

Mr. **SCAVELLO**. Mr. Speaker, with all due respect, I do not want the possibility of tolling I-80 coming to this floor for a vote. We have had that vote here already, and guess what? You guys voted to toll it, and it would happen again. I would take my chances somewhere else, because I know this body already did it to me when we begged not to have it done. So I am against this amendment because I think it only puts I-80 tolled again for me. Thank you, Mr. Speaker.

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

Those in favor of the amendment will vote "aye"; those opposed— Excuse me.

On the question, the gentleman from Mercer County, Mr. Longietti, is recognized for the second time.

Mr. **LONGIETTI**. Thank you, Mr. Speaker.

Mr. Speaker, if I had a chance to have two safeguards in place or one safeguard in place when it comes to tolling interstate highways, I always pick two. This is not an either/or. My amendment is not an either/or. It does not say that only the General Assembly can decide it; it says if the commission decides it, the General Assembly can stop it, and I think that is an additional safeguard.

So in response to the gentleman from Monroe County: Give me two safeguards. Do not put me at the mercy of an unelected commission, where I have absolutely no power to influence or stop. If they approve a project, give me a second chance. Give me, as a member of the General Assembly, a second chance to put an end to it. We know how slim that vote was on Interstate 80 the first time. It passed literally by one vote in this body, and since then we have had some turnover of members. I would like to have that safeguard, that chance if that commission approves it. I want a second chance here in this General Assembly to represent my constituents and put a stop to it. I think adding that safeguard does nothing but helps us to make sure that the interstates remain free.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—93

| | | | |
|-----------|------------|------------|------------|
| Barbin | DeLissio | Kampf | Parker |
| Bishop | DeLuca | Kavulich | Pashinski |
| Boyle, B. | DePasquale | Keller, W. | Payton |
| Boyle, K. | Dermody | Kirkland | Petrarca |
| Bradford | DeWeese | Kortz | Petri |
| Brennan | Donatucci | Kotik | Preston |
| Briggs | Evans, D. | Kula | Ravenstahl |
| Brooks | Fabrizio | Longietti | Readshaw |
| Brown, R. | Frankel | Maher | Roebuck |
| Brown, V. | Freeman | Mahoney | Sabatina |
| Brownlee | Galloway | Mann | Sainato |
| Burns | George | Markosek | Samuelson |

| | | | |
|-------------|----------|-------------|-------------|
| Buxton | Gerber | Matzie | Santarsiero |
| Caltagirone | Gergely | McGeehan | Santoni |
| Carroll | Gibbons | Millard | Smith, K. |
| Conklin | Gillen | Mirabito | Smith, M. |
| Costa, D. | Goodman | Mullery | Staback |
| Costa, P. | Haluska | Mundy | Sturla |
| Cruz | Hanna | Murphy | Thomas |
| Curry | Harhai | Myers | Vitali |
| Daley | Harkins | Neuman | Waters |
| Davidson | Hornaman | O'Brien, M. | White |
| Davis | Josephs | Oberlander | Youngblood |
| Deasy | | | |

NAYS—96

| | | | |
|------------|--------------|----------|-----------------------|
| Adolph | Gabler | Major | Rock |
| Aument | Geist | Maloney | Ross |
| Baker | Gillespie | Marshall | Saccone |
| Barrar | Gingrich | Marsico | Saylor |
| Bear | Godshall | Masser | Scavello |
| Bloom | Grell | Metcalfe | Schroder |
| Boyd | Grove | Metzgar | Simmons |
| Causar | Hackett | Micozzie | Sonney |
| Christiana | Hahn | Miller | Stephens |
| Clymer | Harhart | Milne | Stern |
| Cox | Harper | Moul | Stevenson |
| Creighton | Harris | Murt | Swanger |
| Culver | Heffley | Mustio | Tallman |
| Cutler | Helm | O'Neill | Taylor |
| Day | Hennessey | Payne | Tobash |
| DeLozier | Hess | Peifer | Toepel |
| Denlinger | Hickernell | Perry | Truitt |
| DiGirolamo | Hutchinson | Pyle | Turzai |
| Dunbar | Kauffman | Quigley | Vereb |
| Ellis | Keller, F. | Quinn | Vulakovich |
| Emrick | Keller, M.K. | Rapp | Watson |
| Evans, J. | Killion | Reed | |
| Everett | Knowles | Reese | Smith, S., Speaker |
| Farry | Krieger | Roae | |
| Fleck | Lawrence | | |

NOT VOTING—4

| | | | |
|-------------|--------|---------|--------|
| Benninghoff | Boback | Pickett | Toohil |
|-------------|--------|---------|--------|

EXCUSED—4

| | | | |
|-------|------------|------------|----------|
| Cohen | Evankovich | Miccarelli | Wheatley |
|-------|------------|------------|----------|

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?

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

REMARKS SUBMITTED FOR THE RECORD

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

Mr. GABLER. Mr. Speaker, I would just like to submit some remarks for the record.

The SPEAKER. The gentleman may submit them to the clerk, and they will be noted for the record.

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

Mr. Speaker, while I appreciate the efforts of the gentleman from Mercer County, I strongly oppose this amendment. As we found with the approval of Act 44 of 2007, it is very easy for this Assembly to approve a tolling project in a sparsely populated area of the State. Members will vote for projects that they do not perceive their constituents will pay for. Meanwhile, tolling projects in areas of the State with enough political clout to defeat them would not be approved. I oppose this amendment because it would ensure that the only tolls that would ever be created would be the tyranny of the majority over the rural portions of this State, like the areas I represent.

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 24

The SPEAKER. The gentleman, Mr. Vereb, is recognized for a motion relative to House calendar supplemental A.

Mr. VEREB. That is correct, Mr. Speaker.

Mr. Speaker, under rule 24, I make a motion to proceed on HB 1682. It certainly has been debated. It was amended, and I believe it is an agreed-to motion, Mr. Speaker, to proceed to a final vote on HB 1682.

The SPEAKER. The gentleman from Montgomery County, Mr. Vereb, has moved to proceed under rule 24.

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

The SPEAKER. On that question, the minority leader, Mr. Dermody, is recognized.

Mr. DERMODY. Thank you, Mr. Speaker.

We support the motion. I urge the members to vote for the motion to proceed.

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

The following roll call was recorded:

YEAS—175

| | | | |
|-------------|------------|--------------|-------------|
| Adolph | DiGirolamo | Keller, F. | Pyle |
| Aument | Donatucci | Keller, M.K. | Quigley |
| Baker | Dunbar | Keller, W. | Quinn |
| Barbin | Ellis | Killion | Rapp |
| Barrar | Emrick | Kirkland | Ravenstahl |
| Bear | Evans, D. | Knowles | Readshaw |
| Benninghoff | Evans, J. | Kortz | Reed |
| Bishop | Everett | Kula | Reese |
| Bloom | Fabrizio | Longietti | Rock |
| Boback | Farry | Maher | Roebuck |
| Boyd | Fleck | Mahoney | Ross |
| Boyle, B. | Frankel | Major | Sabatina |
| Boyle, K. | Freeman | Maloney | Saccone |
| Bradford | Gabler | Mann | Sainato |
| Brennan | Galloway | Markosek | Santarsiero |
| Briggs | Geist | Marshall | Santoni |
| Brooks | George | Marsico | Saylor |
| Brown, R. | Gerber | Masser | Scavello |
| Brown, V. | Gergely | Matzie | Simmons |
| Brownlee | Gibbons | McGeehan | Smith, K. |
| Burns | Gillespie | Micozzie | Smith, M. |
| Buxton | Gingrich | Millard | Sonney |
| Caltagirone | Godshall | Miller | Staback |
| Carroll | Goodman | Mirabito | Stephens |

| | | | |
|------------|------------|-------------|------------|
| Causer | Grove | Moul | Stern |
| Christiana | Hackett | Mundy | Stevenson |
| Clymer | Hahn | Murphy | Sturla |
| Conklin | Haluska | Murt | Swanger |
| Costa, D. | Hanna | Mustio | Taylor |
| Costa, P. | Harhai | Myers | Thomas |
| Creighton | Harhart | Neuman | Tobash |
| Cruz | Harkins | O'Brien, M. | Toepel |
| Culver | Harper | O'Neill | Toohil |
| Curry | Harris | Oberlander | Turzai |
| Daley | Heffley | Parker | Vereb |
| Davis | Helm | Pashinski | Vitali |
| Day | Hennessey | Payne | Vulakovich |
| Deasy | Hess | Payton | Waters |
| DeLissio | Hickernell | Peifer | Watson |
| Delozier | Hornaman | Perry | White |
| DeLuca | Josephs | Petrarca | Youngblood |
| Denlinger | Kampf | Petri | |
| DePasquale | Kauffman | Pickett | Smith, S., |
| Dermody | Kavulich | Preston | Speaker |
| DeWeese | | | |

NAYS—18

| | | | |
|----------|------------|---------|-----------|
| Cox | Hutchinson | Metzgar | Samuelson |
| Cutler | Kotik | Milne | Schroder |
| Davidson | Krieger | Mullery | Tallman |
| Gillen | Lawrence | Roae | Truitt |
| Grell | Metcalfe | | |

NOT VOTING—0

EXCUSED—4

| | | | |
|-------|------------|------------|----------|
| Cohen | Evankovich | Miccarelli | Wheatley |
|-------|------------|------------|----------|

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

SUPPLEMENTAL CALENDAR A

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1682, PN 3105**, entitled:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, providing for the creation of land banks for the conversion of vacant or tax-delinquent properties into productive use.

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—180

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

NAYS—13

| | | | |
|-----------|------------|------------|-------|
| Cox | Hutchinson | Metcalfe | Perry |
| Creighton | Keller, F. | Metzgar | Rapp |
| Denlinger | Krieger | Oberlander | Roae |
| Dunbar | | | |

NOT VOTING—0

EXCUSED—4

| | | | |
|-------|------------|------------|----------|
| Cohen | Evankovich | Miccarelli | Wheatley |
|-------|------------|------------|----------|

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.

VOTE CORRECTION

The SPEAKER. For what purpose does the lady from Bradford County, Ms. Pickett, rise?

Ms. PICKETT. Thank you, Mr. Speaker.

I would like to correct the record, please. On amendment 6697, I would like to be recorded a "no." There was a malfunction with my recording button.

The SPEAKER. The lady's remarks will be noted for the record.

STATEMENT BY MR. TAYLOR

The SPEAKER. Is the gentleman, Mr. Taylor, seeking recognition under unanimous consent relative to the legislation that was passed a few minutes ago?

Mr. TAYLOR. I am, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. TAYLOR. Thank you.

I would like to thank all the members for their patience and support, but particularly, I want to thank the staff of both sides of the aisle on the Urban Affairs Committee, as well as Chairman Thomas and Chairman Ross, because the amount of time that they spent dealing with stakeholders in this process all across the Commonwealth to make sure that every possible scenario was covered was a whole lot of work. So I appreciate it, and thank you for your work. Thanks.

VOTE CORRECTION

The SPEAKER. For what purpose does the lady from Luzerne County, Ms. Boback, rise?

Ms. BOBACK. Thank you, Mr. Speaker.

On amendment 6697, I was nonvoted. I would vote "yea" for the record, please.

The SPEAKER. The lady's remarks will be noted for the record.

**MOTION TO RECONSIDER
SECOND CONSIDERATION OF HB 3**

The SPEAKER. The Speaker is in receipt of a motion to reconsider pursuant to rule 26, moved by the gentleman, Mr. Sturla, and the gentleman, Mr. Dermody, that the vote by which HB 3 was agreed to on second consideration.

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

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

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, I notice that I think there were several people who for one reason or another missed the opportunity to vote on that last amendment offered by Representative Longietti, the gentleman from Mercer County, and we would like to give people the opportunity to do that. So we would like to reconsider moving the bill to second consideration so we then can reconsider the Longietti amendment and give everybody here an opportunity to vote; excuse me, Mr. Speaker, to be recorded.

The SPEAKER. On the question to reconsider the vote by which HB 3 was agreed to on second consideration, the Speaker recognizes the majority leader, Mr. Turzai.

Mr. TURZAI. Thank you very much.

We have had considerable debate on amendments for HB 3 over the course of a number of days. This bill has now moved to third consideration. Everybody had an opportunity to handle each of those various amendments, many of which were substantially similar. We would ask all members to please vote "no" on moving HB 3 essentially back to second consideration. Please vote "no."

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

The following roll call was recorded:

YEAS—85

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

NAYS—108

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

NOT VOTING—0

EXCUSED—4

Cohen Evankovich Miccarelli Wheatley

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

VOTE CORRECTION

The SPEAKER. For what purpose does the lady from Luzerne County, Ms. Toohil, rise?

Ms. TOOHL. Mr. Speaker, on amendment 6697, I would like to request to be recorded as a "yea" vote.

The SPEAKER. The lady's remarks will be noted for the record.

Ms. TOOHL. Thank you, Mr. Speaker.

VOTE CORRECTION

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

Mr. BENNINGHOFF. Mr. Speaker, I had a problem with my button. I was not recorded. I wish to be recorded as a "no." Thank you.

The SPEAKER. The gentleman's remarks will be noted for the record.

PARLIAMENTARY INQUIRY

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

Mr. STURLA. Parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman may state his inquiry.

Mr. STURLA. Mr. Speaker, I believe I know the answer to this, but I want to make sure. It is my understanding that if somebody rises afterwards, after the vote is taken, and says that they wish to be recorded in the affirmative or the negative, that it is only the vote that actually counts, that this is maybe a reflection of what their intention would have been, but it does not change the actual vote. Is that correct?

The SPEAKER. That is substantially correct; yes.

Mr. STURLA. So even if people stand up and say "I would have been for this," because it does not change the actual vote, really the net effect is that they would have voted against it. And if they said they would have voted against it, even if it had passed, the net effect—

The SPEAKER. The gentleman will suspend. I do not think that is a parliamentary inquiry.

Mr. STURLA. Well, I guess I am trying to figure out what the net effect is. The net effect—

The SPEAKER. That is not a parliamentary inquiry.

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

The SPEAKER. Does the gentleman have an additional parliamentary inquiry?

Mr. STURLA. My question, Mr. Speaker, is: The net effect is that my intention of how I would have voted does not actually count as the way I voted. Is that correct?

The SPEAKER. The gentleman's initial legitimate parliamentary inquiry was, is the only thing that counts, in essence, the recorded vote, and the answer is yes. That is the vote that matters in terms of the actions of this House that are recorded in terms of the movement of legislation, the passing or failing of amendments or motions.

Mr. STURLA. 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 3;

HB 1405;

HB 1873; and

HB 2175.

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 1841;

HB 1842;

HB 1934;

HB 2125;

HB 2158; and

HB 2192.

On the question,

Will the House agree to the motion?

Motion was agreed to.

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. The Speaker recognizes the gentleman, Mr. Dunbar, from Westmoreland County, who moves this House do adjourn until Monday, March 12, 2012, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 3:12 p.m., e.s.t., the House adjourned.