

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, APRIL 3, 2012

SESSION OF 2012

196TH OF THE GENERAL ASSEMBLY

No. 22

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (SAMUEL H. SMITH) PRESIDING

PRAYER

The SPEAKER. The prayer this morning will be offered by Rev. Lorina Marshall-Blake of Philadelphia.

REV. LORINA MARSHALL-BLAKE, Guest Chaplain of the House of Representatives, offered the following prayer:

Good morning.

In Psalm 118 it states that this is the day the Lord hath made; let us rejoice and be glad in it. And we are especially glad because we are here today, but we are also especially glad because it is Representative Ron Waters's birthday. So happy birthday, Mr. Rep. He is 26, but he is holding fast.

But the psalmist goes on to say that we are marvelously and wonderfully made, and when we were yet in our mother's womb, He knew all about everyone here and that we are all uniquely gifted for such a time as this.

Let us pray:

O God of love, power, and justice, who wills the freedom and fulfillment of all Your people, we want to first thank You for the constancy of Your loving kindness and tender mercies toward us.

Lord, what great adventure do You have planned for Your people in this august body today? Surprise us, Lord. We stand on tiptoe expectation of what we know You will do.

You tell us in Your Word that You have a plan for each of our lives. We thank You for allowing us both individually and collectively to be a part of Your plan for this day.

You, the creator and sustainer of us all, accept our thanks, again for this moment in time, and we would ask that You guide and direct this body, these leaders and their actions. Grant that each of them may fulfill their responsibility to our State, this region and this community, and this nation.

And again as we gather, Lord, make us ever aware and always mindful of opportunities to serve Your people, keeping in mind the enduring values of life, exerting our efforts in those areas, and on those things upon which all future generations can build with confidence. Let us strive to make this a better world. Continue to give us strength for the journey and the challenges associated therein. Challenge us to always give our best.

And, Lord, we pray especially for the bifocals of faith, that we can see the concern of the moment right under our noses, but also see further on Your purpose in working out Your plan in the world You have made. We pray for the ability to see it close range, our part, as Your legislative body, to become solution partners. Give them the ability to see clearly in the distance those who partner with them, and may they look with new vision through these bifocals of faith and then act.

And finally, help us to understand that no matter what name is given and in what language it is expressed, the philosophy of the Golden Rule is indeed the guidepost by which we should mark the trails of our existence. We thank You for guiding Your government leaders. Make their daily decisions that affect us so that their efforts shall be motivated by the same great rule of charity and good will.

And for this we are truly thankful and grateful, and let this august body say "amen." 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 Monday, April 2, 2012, will be postponed until printed.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 659 By Representatives WATERS, THOMAS, V. BROWN, READSHAW, BISHOP, BUXTON, PAYTON, SANTONI, DiGIROLAMO, MANN, COHEN, CREIGHTON, DALEY, BROWNLEE, FABRIZIO, JOSEPHS, KORTZ, MAHONEY, YOUNGBLOOD, MIRABITO and M. SMITH

A Resolution declaring youth violence as a public health epidemic and supporting the establishment of Statewide trauma-informed education.

Referred to Committee on HEALTH, April 3, 2012.

No. 660 By Representatives TALLMAN, CREIGHTON, HENNESSEY, HESS and SWANGER

A Resolution encouraging the Governor to request that the Independent Regulatory Review Commission and all Commonwealth agencies with guidelines, regulations, licenses, certifications or criteria that require a high school diploma deem a postsecondary degree from

an accredited institution of higher education as satisfying the requirement.

Referred to Committee on EDUCATION, April 3, 2012.

No. 661 By Representatives THOMAS, BARBIN, V. BROWN, BROWNLEE, D. COSTA, DAVIS, DAVIDSON, GEORGE, JOSEPHS, KIRKLAND, KORTZ, KOTIK, MYERS, M. O'BRIEN, PASHINSKI, PAYTON, PRESTON, WATERS, WHEATLEY and MCGEEHAN

A Resolution urging the Office of Attorney General to use the \$69 million being allocated to that office from the national mortgage settlement for housing initiatives.

Referred to Committee on APPROPRIATIONS, April 3, 2012.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2296 By Representatives MASSER, BOBACK, CREIGHTON, DENLINGER, EVERETT, FABRIZIO, FARRY, FLECK, GEORGE, GROVE, HAHN, HEFFLEY, HELM, HESS, LONGIETTI, MILLARD, MILNE, MUNDY, MURT, PICKETT, ROSS, CULVER, STERN, STEVENSON, SWANGER and TOEPEL

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for payments to counties for services to children.

Referred to Committee on CHILDREN AND YOUTH, April 3, 2012.

No. 2297 By Representatives KAMPF, BLOOM, BOYD, CUTLER, DAVIS, GINGRICH, GROVE, HARPER, HARRIS, HICKERNELL, KAUFFMAN, F. KELLER, KILLION, LAWRENCE, MALONEY, METZGAR, MILLARD, MILLER, MILNE, MURT, PICKETT, RAPP, ROCK, ROSS, SCHRODER, STEPHENS, TRUITT and VULAKOVICH

An Act amending Title 15 (Corporations and Unincorporated Associations) of the Pennsylvania Consolidated Statutes, providing for electronic signatures in global and national commerce; in administration, further providing for applicability, functions, documents and processing; in fees, further providing for documents, schedules and disposition of funds; making related repeals; and imposing duties on the Department of State and the Legislative Reference Bureau.

Referred to Committee on STATE GOVERNMENT, April 3, 2012.

No. 2298 By Representatives THOMAS, BROWNLEE, CALTAGIRONE, HARHAI, HARKINS, HORNAMAN, MURT, MUSTIO, MYERS, OBERLANDER, PARKER, PRESTON, SCAVELLO, TRUITT, WATERS, WHEATLEY and DELISSIO

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, providing for career and vocational-technical education.

Referred to Committee on EDUCATION, April 3, 2012.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 2150, PN 3338 (Amended) By Rep. BENNINGHOFF

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in sales and use tax, further providing for discount; and in corporate net income, further providing for definitions and for imposition of tax.

FINANCE.

HB 2230, PN 3152 By Rep. BENNINGHOFF

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, expanding the scope of the act; in local taxes, further providing for vacation of tax ordinances and resolutions by State tax measures; in consolidated collection of local income taxes, further providing for definitions and for tax collection committees; and providing for optional property tax reduction and for School Property Tax Millage Rate Reduction Fund.

FINANCE.

HB 2285, PN 3287 By Rep. MARSICO

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in Pennsylvania Uniform Transfers to Minors Act, further providing for court authorization of a transfer.

JUDICIARY.

HB 2300, PN 3320 By Rep. BENNINGHOFF

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

FINANCE.

SB 1141, PN 1909 By Rep. MILLER

An Act amending the act of November 29, 2004 (P.L.1282, No.158), known as the Manufactured Housing Improvement Act, expanding the coverage of the act to relocated housing.

LABOR AND INDUSTRY.

SENATE RESOLUTION FOR CONCURRENCE

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

SR 246, PN 1929

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

SENATE MESSAGE

HOUSE BILL
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1827, PN 2345**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

**RECESS RESOLUTION
FOR CONCURRENCE**

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

In the Senate,
April 2, 2012

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, April 30, 2012, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, April 30, 2012, unless sooner recalled by the Speaker of the House of Representatives.

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

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

BILL SIGNED BY SPEAKER

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

HB 1827, PN 2345

An Act redesignating a bridge in Irvona Borough, Clearfield County.

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

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 lady, Ms. HARPER, from Montgomery County for the day. Without objection, the leave will be granted.

The Speaker recognizes the minority whip, who requests a leave of absence for the gentleman, Mr. HORNAMAN, from Erie County for the day. Without objection, the leave will be granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—195

Adolph	Donatucci	Kirkland	Quigley
Aument	Dunbar	Knowles	Quinn
Baker	Ellis	Kortz	Rapp
Barbin	Emrick	Kotik	Ravenstahl
Barrar	Evankovich	Krieger	Readshaw
Bear	Evans, D.	Kula	Reed
Benninghoff	Evans, J.	Lawrence	Reese
Bishop	Everett	Longietti	Roae
Bloom	Fabrizio	Maher	Rock
Boback	Farry	Mahoney	Roebuck
Boyd	Fleck	Major	Ross
Boyle, B.	Frankel	Maloney	Sabatina
Boyle, K.	Freeman	Mann	Saccone
Bradford	Gabler	Markosek	Sainato
Brennan	Galloway	Marshall	Samuelson
Briggs	Geist	Marsico	Santarsiero
Brooks	George	Masser	Santoni
Brown, R.	Gerber	Matzie	Saylor
Brown, V.	Gergely	McGeehan	Scavello
Brownlee	Gibbons	Metcalfe	Schroder
Burns	Gillen	Metzgar	Simmons
Buxton	Gillespie	Miccarelli	Smith, K.
Caltagirone	Gingrich	Micozzie	Smith, M.
Carroll	Godshall	Millard	Sonney
Causer	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	Harris	Neuman	Toepel
Curry	Heffley	O'Brien, M.	Toohil
Cutler	Helm	O'Neill	Truitt
Daley	Hennessey	Oberlander	Turzai
Davidson	Hess	Parker	Vereb
Davis	Hickernell	Pashinski	Vitali
Day	Hutchinson	Payne	Vulakovich
Deasy	Josephs	Payton	Waters
DeLissio	Kampf	Peifer	Watson
Delozier	Kauffman	Perry	Wheatley
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			

ADDITIONS—0

NOT VOTING—0

EXCUSED—2

Harper Hornaman

LEAVES ADDED—7

Bishop Evans, D. Perry Waters
Brownlee Myers Roebuck

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

GUESTS INTRODUCED

The SPEAKER. If I could have the members' attention, I would like to welcome some of the guests that are with us.

As the guests of Representative Miccarelli, located to the left of the rostrum, we would like to welcome the mayor of Collingdale Borough, Frank Kelly, and John Hewlings. Will our guests please rise. Welcome to the hall of the House.

Located in the rear of the House, we would like to welcome student government representatives from Point Park University: Anthony Costulas, Dillon Kunkle, Andrew LeDonne, Dave Mechler, and J.W. Tabacchi, and they are guests of Representative Paul Costa and Representative Rob Matzie, both graduates of Point Park University as well. So will our guests please rise. Welcome to the hall of the House.

Also located in the rear of the House, we would like to welcome the Junior Girl Scout Troop No. 1030 from Newberry Township in Cumberland County, and they are here today as guests of Representative Scott Perry. Welcome to the hall of the House, girls.

Also located in the rear of the House, we would like to welcome political science students from East Stroudsburg University, along with their professor, Jeffrey Weber, and they are here today as the guests of Representative Mario Scavello. Will our guests please rise. Welcome to the hall of the House.

As guests of Representative Waters, located in the gallery, we would like to welcome members of the Kappa Alpha Psi fraternity. Welcome to the hall of the House. Please rise.

Also up in the gallery, as guests of Representative Stephens, we would like to welcome Elaine Valenti, Gary Fuess, Alma Fuess, and Jeannie Roman. Will our guests please rise. Welcome to the hall of the House.

As guests of Representative Camille George of Clearfield County, we would like to welcome five pharmacy students from Wilkes University. They are here today seeking support for legislation. The students are Troy Gibson, Stanley Bradley, Kayla Rorabaugh, Angela Passamonte, and Nicholas Koch. Will our guests up in the balcony please rise. Welcome to the hall of the House.

And we have a few guest pages with us today. Located in the well of the House, we would like to welcome guest page Joey Valenti, the guest of Representative Todd Stephens. Welcome to the hall of the House.

As the guests of Representative Grell, we would like to welcome Wyatt Beddow and Matthew Little, and they are students at the Camp Hill Middle School. Welcome to the hall of the House.

And as guests of Representative Delozier, we would like to welcome guest pages Nicole Schnieder and Andrew Schreiber, who attend Trinity High School. Welcome to the hall of the House.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. M. SMITH called up **HR 635, PN 3313**, entitled:

A Resolution recognizing April 14, 2012, as "Martha Dixon Day" in Pennsylvania to honor the life of FBI Special Agent Martha Dixon.

* * *

Mr. CREIGHTON called up **HR 647, PN 3307**, entitled:

A Resolution designating the week of April 15 through 21, 2012, as "Local Government Week" and April 17, 2012, as "Local Government Day" in Pennsylvania.

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Mr. SCAVELLO called up **HR 654, PN 3321**, entitled:

A Resolution commemorating the week of April 9 through 13, 2012, as "Pennsylvania Nonprofit Advocacy Week" in Pennsylvania.

* * *

Mr. SCAVELLO called up **HR 655, PN 3322**, entitled:

A Resolution designating the month of April 2012 as "Anti-Bullying Month" in Pennsylvania.

* * *

Mr. CONKLIN called up **HR 657, PN 3324**, entitled:

A Resolution recognizing the month of April 2012 as "National County Government Month" in Pennsylvania.

* * *

Mr. BENNINGHOFF called up **HR 658, PN 3325**, entitled:

A Resolution designating March 13 of each year as "K9 Veterans Day" in Pennsylvania.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—195

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

Costa, D.	Haluska	Mundy	Swanger
Costa, P.	Hanna	Murphy	Tallman
Cox	Harhai	Murt	Taylor
Creighton	Harhart	Mustio	Thomas
Cruz	Harkins	Myers	Tobash
Culver	Harris	Neuman	Toepel
Curry	Heffley	O'Brien, M.	Toohil
Cutler	Helm	O'Neill	Truitt
Daley	Hennessey	Oberlander	Turzai
Davidson	Hess	Parker	Vereb
Davis	Hickernell	Pashinski	Vitali
Day	Hutchinson	Payne	Vulakovich
Deasy	Josephs	Payton	Waters
DeLissio	Kampf	Peifer	Watson
Delozier	Kauffman	Perry	Wheatley
DeLuca	Kavulich	Petrarca	White
Denlinger	Keller, F.	Petri	Youngblood
DePasquale	Keller, M.K.	Pickett	
Dermody	Keller, W.	Preston	Smith, S., Speaker
DeWeese	Killion	Pyle	
DiGirolamo			

NAYS—0

NOT VOTING—0

EXCUSED—2

Harper Hornaman

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

STATEMENT BY MR. M. SMITH

The SPEAKER. Is the gentleman from Allegheny County, Mr. Matt Smith, seeking recognition under unanimous consent relative to one of the resolutions just adopted?

Mr. M. SMITH. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. M. SMITH. Thank you, Mr. Speaker.

I just want to thank my colleagues for supporting HR 635, honoring Special Agent Martha Dixon and recognizing April 14, 2012, as "Martha Dixon Day" here in Pennsylvania.

Special Agent Dixon made the ultimate sacrifice on November 22, 1994, for her community, and every year she is honored in Mount Lebanon with Martha's Run, the proceeds from which go to playgrounds to help youth in our community. So Special Agent Dixon's legacy truly lives on every single day in our community, and I just wanted to thank my colleagues for your unanimous support.

Thank you, Mr. Speaker.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. Is the gentleman from Monroe County, Mr. Scavello, seeking recognition under unanimous consent relative to one of the resolutions just adopted?

Mr. SCAVELLO. Thank you, Mr. Speaker.

I have some comments on my bullying resolution, and I would just like to submit them for the record. Thank you.

The SPEAKER. The Speaker thanks the gentleman.

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

Thank you , Mr. Speaker.

Mr. Speaker and members of the House, bullying is much more than throwing a few punches and stealing lunch money.

Today's tech-savvy youth bully in a way that is much more subtle and pervasive because they have more access to online social media sites and carry their own cell phones, which provide gateways to new methods of bullying.

Cyberbullying is the new and often more damaging approach to bullying since the individuals do not have to do it face to face.

Nonphysical forms of bullying are the most prevalent in students across Pennsylvania.

More than one-half of Pennsylvania students reported that other students tell lies about them or spread false rumors, about 43 percent have been called names or teased, and one-third of students have been left out of activities on purpose.

For physical bullying, about 18 percent of students across the State reported that they have been hit, kicked, pushed, or shoved in the past year, and roughly 20 percent have had other students take their money or damage their things.

Adopting HR 655 and declaring April as "Anti-Bullying Month" raises the profile of this important issue and starts the discussion of what we can do as parents, educators, and community leaders to give our children a safe learning environment. I would urge my colleagues' support of this resolution.

We all know that kids who are being tormented by bullies are in real danger. Unfortunately, there are too many instances where students right here in Pennsylvania take their own lives after being bullied. Our kids deserve to know that they are not alone, and we could show that today by adopting this resolution supporting April as "Anti-Bullying Month."

The SPEAKER. The House will come to order.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. MICCARELLI called up **HR 652, PN 3316**, entitled:

A Resolution congratulating the Honorable Frank C. Kelly on his unprecedented 42 years of service as Mayor of the Borough of Collingdale.

On the question,

Will the House adopt the resolution?

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

Mr. MICCARELLI. Thank you, Mr. Speaker.

It is my honor today to introduce to the House a very dear friend of mine. Mayor Frank Kelly has been mayor of the Borough of Collingdale for 42 years. That makes him the longest continuously serving mayor in the history of our Commonwealth.

It was always my hope to give these remarks at Frank's retirement dinner, but after years of waiting I concluded that the residents of Collingdale simply are not going to allow him to retire.

Charles Warner once said that politics makes strange bedfellows, and our public expects us to be moral. They expect

us to be hardworking. They expect us to honor the faith they put in us, and people are often concerned with whose interests their elected officials might be supporting. The residents of Collingdale need not worry about who Frank Kelly is for.

For 42 years Frank has put the people of Collingdale first. If he is nothing else, he is honest. He is often brutally honest. When I first asked for his support to run, he was open about his concerns, first about my age, and second, he raised the concern about trusting an Italian with public money. I later found that he was joking about the latter concern.

Many of you may be familiar with my predecessor, the gentleman from Delaware County, retired Representative Ron Raymond. Well, Frank served as his campaign chair for 24 years, and those of you who might have known Ron know what a political feat that must have been. Luckily, with Ron's successor, Frank has a much easier time.

Frank Kelly is a veteran of the United States Army. In 1967 he was appointed to Collingdale Borough Council, and in 1970 he was elected mayor. To put that in some historical perspective, Representative Micozzie did not become an Upper Darby commissioner until 1971.

Frank is a member of St. Joe's Catholic Church and the Collingdale Fire Company No. 1. Frank and his wife, Janet, have raised their family in Collingdale, including 7 children, 17 grandchildren, and 12 great-grandchildren. Aside from his political achievements, Frank is rightly most proud of his family.

I think we should all strive to follow the example Frank has set for us. He is a credit, Mr. Speaker, to our Commonwealth, to Collingdale, and to his family.

FRANK KELLY INTRODUCED

Mr. MICCARELLI. Ladies and gentlemen, Mayor Frank Kelly.

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

The following roll call was recorded:

YEAS—195

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

Causer	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	Harris	Neuman	Toepel
Curry	Heffley	O'Brien, M.	Toohil
Cutler	Helm	O'Neill	Truitt
Daley	Hennessey	Oberlander	Turzai
Davidson	Hess	Parker	Vereb
Davis	Hickernell	Pashinski	Vitali
Day	Hutchinson	Payne	Vulakovich
Deasy	Josephs	Payton	Waters
DeLissio	Kampf	Peifer	Watson
DeLozier	Kauffman	Perry	Wheatley
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—0

NOT VOTING—0

EXCUSED—2

Harper Hornaman

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

* * *

Mr. CLYMER called up **HR 644, PN 3304**, entitled:

A Resolution commemorating the 200th anniversary of the War of 1812.

On the question,
Will the House adopt the resolution?

GUESTS INTRODUCED

The SPEAKER. Prior to recognizing the gentleman, Mr. Clymer, he has asked me to acknowledge some students that are here from the Upper Bucks Christian School in Upper Bucks, and they are up in the balcony. Will our guests please rise. I believe they had something to do with this resolution and the one that will follow. Welcome to the hall of the House.

On the question, the gentleman from Bucks County, Mr. Clymer, is recognized.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, your comments were right on target. The students from Upper Bucks Christian School authored HR 644, which is the 200th anniversary of the War of 1812.

Very briefly, the English Navy was interfering with American international trade, and the result, the War of 1812, came about. And in that 2-year war that extended to 1814,

Mr. Speaker, the British were bombarding Fort McHenry in the Baltimore Harbor, and there was a gentleman who was on a British sloop, Francis Scott Key, who was carefully observing that bombardment. He had been there to try to get release, I believe, of an American on the British warship. And throughout the night, early into the morning, he was wondering if the flag would still be waving there at Fort McHenry, and of course it was, and as a result he was inspired to write our national anthem, "The Star-Spangled Banner."

So it is the 200th anniversary, though, of the War of 1812, and I would ask the members for support of this House resolution. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—195

Adolph	Donatucci	Kirkland	Quigley
Aument	Dunbar	Knowles	Quinn
Baker	Ellis	Kortz	Rapp
Barbin	Emrick	Kotik	Ravenstahl
Barrar	Evankovich	Krieger	Readshaw
Bear	Evans, D.	Kula	Reed
Benninghoff	Evans, J.	Lawrence	Reese
Bishop	Everett	Longietti	Roae
Bloom	Fabrizio	Maher	Rock
Boback	Farry	Mahoney	Roebuck
Boyd	Fleck	Major	Ross
Boyle, B.	Frankel	Maloney	Sabatina
Boyle, K.	Freeman	Mann	Saccone
Bradford	Gabler	Markosek	Sainato
Brennan	Galloway	Marshall	Samuelson
Briggs	Geist	Marsico	Santarsiero
Brooks	George	Masser	Santoni
Brown, R.	Gerber	Matzie	Saylor
Brown, V.	Gergely	McGeehan	Scavello
Brownlee	Gibbons	Metcalfe	Schroder
Burns	Gillen	Metzgar	Simmons
Buxton	Gillespie	Miccarelli	Smith, K.
Caltagirone	Gingrich	Micozzie	Smith, M.
Carroll	Godshall	Millard	Sonney
Causer	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	Harris	Neuman	Toepel
Curry	Heffley	O'Brien, M.	Toohil
Cutler	Helm	O'Neill	Truitt
Daley	Hennessey	Oberlander	Turzai
Davidson	Hess	Parker	Verbe
Davis	Hickernell	Pashinski	Vitali
Day	Hutchinson	Payne	Vulakovich
Deasy	Josephs	Payton	Waters
DeLissio	Kampf	Peifer	Watson
Delozier	Kauffman	Perry	Wheatley
DeLuca	Kavulich	Petrarca	White
Denlinger	Keller, F.	Petri	Youngblood
DePasquale	Keller, M.K.	Pickett	
Dermody	Keller, W.	Preston	Smith, S., Speaker
DeWeese	Killion	Pyle	
DiGrolamo			

NAYS—0

NOT VOTING—0

EXCUSED—2

Harper Hornaman

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

* * *

Mr. CLYMER called up **HR 643, PN 3303**, entitled:

A Resolution recognizing the 225th anniversary of the signing of the Constitution of the United States.

On the question,
Will the House adopt the resolution?

The SPEAKER. On that question, the Speaker recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

This is the second resolution that was authored by the members of the Upper Bucks Christian School, and it is the 225th anniversary of the signing of the Constitution of the United States.

Forty-two of fifty-five delegates met in Philadelphia on September 17, 1787, to sign what, in the opinion of many, is one of the greatest expressions of statesmanship and compromise. It has provided thousands, nay, millions of Americans and those who have become citizens of this great country unlimited freedom, freedom of religion, opportunities in the economic workplace, and has been, by far we have been a country that has expressed the importance of individual freedom and individual responsibility.

So, Mr. Speaker, having shared those thoughts, I would ask for support of this House resolution as well. Thank you.

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

The following roll call was recorded:

YEAS—195

Adolph	Donatucci	Kirkland	Quigley
Aument	Dunbar	Knowles	Quinn
Baker	Ellis	Kortz	Rapp
Barbin	Emrick	Kotik	Ravenstahl
Barrar	Evankovich	Krieger	Readshaw
Bear	Evans, D.	Kula	Reed
Benninghoff	Evans, J.	Lawrence	Reese
Bishop	Everett	Longietti	Roae
Bloom	Fabrizio	Maher	Rock
Boback	Farry	Mahoney	Roebuck
Boyd	Fleck	Major	Ross
Boyle, B.	Frankel	Maloney	Sabatina
Boyle, K.	Freeman	Mann	Saccone
Bradford	Gabler	Markosek	Sainato
Brennan	Galloway	Marshall	Samuelson

Briggs	Geist	Marsico	Santarsiero
Brooks	George	Masser	Santoni
Brown, R.	Gerber	Matzie	Saylor
Brown, V.	Gergely	McGeehan	Scavello
Brownlee	Gibbons	Metcalfe	Schroder
Burns	Gillen	Metzgar	Simmons
Buxton	Gillespie	Miccarelli	Smith, K.
Caltagirone	Gingrich	Micozzie	Smith, M.
Carroll	Godshall	Millard	Sonney
Causer	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	Harris	Neuman	Toepel
Curry	Heffley	O'Brien, M.	Toohil
Cutler	Helm	O'Neill	Truitt
Daley	Hennessey	Oberlander	Turzai
Davidson	Hess	Parker	Vereb
Davis	Hickernell	Pashinski	Vitali
Day	Hutchinson	Payne	Vulakovich
Deasy	Josephs	Payton	Waters
DeLissio	Kampf	Peifer	Watson
Delozier	Kauffman	Perry	Wheatley
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-0

NOT VOTING-0

EXCUSED-2

Harper Hornaman

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

* * *

Mr. WATERS called up **HR 601, PN 3168**, entitled:

A Resolution extending condolences upon the death of Donald "Don" Cornelius, creator of Soul Train.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

Adolph	Donatucci	Kirkland	Quigley
Aument	Dunbar	Knowles	Quinn
Baker	Ellis	Kortz	Rapp
Barbin	Emrick	Kotik	Ravenstahl
Barrar	Evankovich	Krieger	Readshaw
Bear	Evans, D.	Kula	Reed

Benninghoff	Evans, J.	Lawrence	Reese
Bishop	Everett	Longietti	Roae
Bloom	Fabrizio	Maher	Rock
Boback	Farry	Mahoney	Roebuck
Boyd	Fleck	Major	Ross
Boyle, B.	Frankel	Maloney	Sabatina
Boyle, K.	Freeman	Mann	Saccone
Bradford	Gabler	Markosek	Sainato
Brennan	Galloway	Marshall	Samuelson
Briggs	Geist	Marsico	Santarsiero
Brooks	George	Masser	Santoni
Brown, R.	Gerber	Matzie	Saylor
Brown, V.	Gergely	McGeehan	Scavello
Brownlee	Gibbons	Metcalfe	Schroder
Burns	Gillen	Metzgar	Simmons
Buxton	Gillespie	Miccarelli	Smith, K.
Caltagirone	Gingrich	Micozzie	Smith, M.
Carroll	Godshall	Millard	Sonney
Causer	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	Harris	Neuman	Toepel
Curry	Heffley	O'Brien, M.	Toohil
Cutler	Helm	O'Neill	Truitt
Daley	Hennessey	Oberlander	Turzai
Davidson	Hess	Parker	Vereb
Davis	Hickernell	Pashinski	Vitali
Day	Hutchinson	Payne	Vulakovich
Deasy	Josephs	Payton	Waters
DeLissio	Kampf	Peifer	Watson
Delozier	Kauffman	Perry	Wheatley
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-0

NOT VOTING-0

EXCUSED-2

Harper Hornaman

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

* * *

Miss PARKER called up **HR 597, PN 3158**, entitled:

A Resolution recognizing and honoring Dr. Robert R. Jennings as the 13th president of Lincoln University and his long-standing commitment to higher education.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

Adolph	Donatucci	Kirkland	Quigley
Aument	Dunbar	Knowles	Quinn
Baker	Ellis	Kortz	Rapp
Barbin	Emrick	Kotik	Ravenstahl
Barrar	Evankovich	Krieger	Readshaw
Bear	Evans, D.	Kula	Reed
Benninghoff	Evans, J.	Lawrence	Reese
Bishop	Everett	Longietti	Roae
Bloom	Fabrizio	Maher	Rock
Boback	Farry	Mahoney	Roebuck
Boyd	Fleck	Major	Ross
Boyle, B.	Frankel	Maloney	Sabatina
Boyle, K.	Freeman	Mann	Saccone
Bradford	Gabler	Markosek	Sainato
Brennan	Galloway	Marshall	Samuelson
Briggs	Geist	Marsico	Santarsiero
Brooks	George	Masser	Santoni
Brown, R.	Gerber	Matzie	Saylor
Brown, V.	Gergely	McGeehan	Scavello
Brownlee	Gibbons	Metcalfe	Schroder
Burns	Gillen	Metzgar	Simmons
Buxton	Gillespie	Miccarelli	Smith, K.
Caltagirone	Gingrich	Micozzie	Smith, M.
Carroll	Godshall	Millard	Sonney
Causer	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	Harris	Neuman	Toepel
Curry	Heffley	O'Brien, M.	Toohil
Cutler	Helm	O'Neill	Truitt
Daley	Hennessey	Oberlander	Turzai
Davidson	Hess	Parker	Vereb
Davis	Hickernell	Pashinski	Vitali
Day	Hutchinson	Payne	Vulakovich
Deasy	Josephs	Payton	Waters
DeLissio	Kampf	Peifer	Watson
Delozier	Kauffman	Perry	Wheatley
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—0

NOT VOTING—0

EXCUSED—2

Harper Hornaman

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

* * *

Miss PARKER called up **HR 583, PN 3131**, entitled:

A Resolution honoring Patty Jackson, midday host of 105.3 WDAS-FM, on her silver anniversary in radio broadcasting.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

Adolph	Donatucci	Kirkland	Quigley
Aument	Dunbar	Knowles	Quinn
Baker	Ellis	Kortz	Rapp
Barbin	Emrick	Kotik	Ravenstahl
Barrar	Evankovich	Krieger	Readshaw
Bear	Evans, D.	Kula	Reed
Benninghoff	Evans, J.	Lawrence	Reese
Bishop	Everett	Longietti	Roae
Bloom	Fabrizio	Maher	Rock
Boback	Farry	Mahoney	Roebuck
Boyd	Fleck	Major	Ross
Boyle, B.	Frankel	Maloney	Sabatina
Boyle, K.	Freeman	Mann	Saccone
Bradford	Gabler	Markosek	Sainato
Brennan	Galloway	Marshall	Samuelson
Briggs	Geist	Marsico	Santarsiero
Brooks	George	Masser	Santoni
Brown, R.	Gerber	Matzie	Saylor
Brown, V.	Gergely	McGeehan	Scavello
Brownlee	Gibbons	Metcalfe	Schroder
Burns	Gillen	Metzgar	Simmons
Buxton	Gillespie	Miccarelli	Smith, K.
Caltagirone	Gingrich	Micozzie	Smith, M.
Carroll	Godshall	Millard	Sonney
Causer	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	Harris	Neuman	Toepel
Curry	Heffley	O'Brien, M.	Toohil
Cutler	Helm	O'Neill	Truitt
Daley	Hennessey	Oberlander	Turzai
Davidson	Hess	Parker	Vereb
Davis	Hickernell	Pashinski	Vitali
Day	Hutchinson	Payne	Vulakovich
Deasy	Josephs	Payton	Waters
DeLissio	Kampf	Peifer	Watson
Delozier	Kauffman	Perry	Wheatley
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—0

NOT VOTING—0

EXCUSED—2

Harper Hornaman

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

FILMING PERMISSION

The SPEAKER. The Speaker is granting permission for media access to the floor to James Roxbury of Roxbury News for videotaping and audio. Additionally with Roxbury News, access to the floor is granted to Natalie Cake for still photos.

FAREWELL ADDRESS BY MR. DeWEESE

The SPEAKER. If I could have the members' attention.

As is the custom of the House when someone is resigning, retiring, leaving this body, it is our custom to afford members the opportunity to make some farewell remarks. And while the circumstances surrounding this departure are less than flattering to this body, the fact still remains that Representative DeWeese represented the 50th Legislative District since a special election in April of 1976, serving 19 consecutive terms – in fact, he served with my father, and other than, I believe, Matt Ryan, he is certainly one of the longest-serving members who also served as Speaker, having served 36 years in the House. As we all know, he likes to regale us with his stories related to his service in the Marine Corps and his avid interest in Commonwealth, U.S., and world history.

And with that, I would turn the floor over to the gentleman from Greene County, Mr. DeWeese.

Mr. DeWEESE. Nothing, nothing so concentrates the brain as the certain knowledge that one will be hanged within a fortnight. That was the observation, Mr. Speaker, of the late, great 18th century British litterateur Samuel Johnson. He had observed the King's messengers making their way to the Tower of London. The jailers were being formed by the King's troops as to which prisoners were to go to the gallows within 2 weeks. The brain is obviously concentrated.

My circumstances certainly are not that lethal, and to add to a more light metaphor, I remember growing up in the age of black-and-white TV – like Eddie Day Pashinski, I am no longer in the first flush of youth – and I remember Jack Benny once, near the end of his life, lame, making his way to the dais at the American Motion Picture Academy awards ceremony. It was a lifetime achievement award. He had not been a leading man, had just accumulated some good works. And Mr. Benny was welcomed to the dais, and he said, "I don't deserve this..." Oscar, "...but I have arthritis and I don't deserve that either."

Jack Benny's perspective was in the noble tradition of our Judeo-Christian world, and one of the early bishops of Rome, Augustine, said that we live in a fallen and imperfect world, and indeed Speaker Smith alluded to that in his appropriate introductory remarks. But I laud the Speaker for being a gentleman and a friend and being very sensitive to these valedictory observations. He was, as protocol might insist, gracious enough to offer me the dais, and I said no, I want to return to the pit under these challenging moments. I want to return to the pit, because as my good friends from Clinton and Allegheny are aware, from 1988 until 2009 I was at one of these seats, and I would leap – I would almost fly if I saw Metcalfe at the microphone – but I would leap over here to get ready to do

battle. Won some, lost some, but it means a lot to me that Speaker Smith indeed did offer me the dais.

I want to talk about three things and I am going to move it along: one, gratitude; two, humility, and I can tell some of you think that will be the shortest part of the speech; and three, friendship. And then I will end it with – I can take this liberty, why not? – as Sam said, with one military metaphor in closing.

But gratitude, initially, would have to obviously go to my mom and dad; my sister; my brother-in-law; my nephew; my niece; my girlfriend, Stephanie – people who have been through some trying times, horrific emotional encounters, but nevertheless have been strong, durable, and ultimately positive. The people of the 50th District of Greene, Fayette, and Washington, as resilient as the generals from which those counties were named – Greene, Fayette, and Washington – some of whom have made that long peregrination to the Susquehanna Valley to be here, donning blue T-shirts and broad-beamed smiles, but emanating a fraternity that has, in some cases, been there since the commencement of my public service in 1976, and others in more recent campaigns. Unions and businesspeople back home and throughout the State at different levels of my career have been exceedingly generous and warmhearted.

I would have to mention that notwithstanding the obvious travails of the moment, the United Mine Workers of America recently endorsed me. That is a very, very profound statement, pretty much just of an enduring brotherhood. I am blessed to have come from those rural townships and to have been a rural Speaker of the House.

I also want to move quickly to the members. If it had not been for my recent opportunities after the May 10 election, I would never have met Joe Hackett, a cop from the Philadelphia suburbs who, for a moment at least, was sitting near and in Speaker's row. That was before O'Brien left, and obviously you will have to get a new name here pretty soon, but nevertheless, some of the new friendships on the side of the aisle where I reside, which are mostly old friendships, and again, complemented by new friendships – the big, burly restaurateur, Kurt Masser. I am so blessed to have gotten to know these people.

And I will not go on and on and on and talk about everybody that I want to, but I do want to say something about the four chairmen that I have served with: Benninghoff, who is always involved with some casual repartee with Chairwoman Mundy – wonderfully animated dialogues in the Finance Committee. And it is very, very well staffed, and as a person who had not been on a committee since the late eighties, I got reengaged in the committee work. And Chairman Benninghoff; Chairman Barrar, the able-bodied seaman, and his affable cochairman, Chris Sainato – I went to meetings after meetings after meetings, and guess what? I had a good time. I enjoyed myself. Chairman Evans and the indomitable hunter, the great hunter of the northeast, Eddie Staback: Who could have ever convinced me that the deer herd and Sunday hunting would be as incendiary an issue as they have turned out to be, yet handled well and handled statewide, and getting to know Republican freshmen, getting to know my own colleagues on the Democratic side better, in those committee settings.

And lastly, relative to my service on the Labor Committee, and I thank the leader for placing me on the Labor Committee; I had spent a year studying labor history. I spent 20 years fighting Bill Keller and all of a sudden became his best buddy,

at least one of his best buddies. But Ron Miller and Bill Keller run that committee as good as two people that are diametrically opposed on some very, very vital issues could do it.

And when I heard Paul Clymer's remarks just a few moments ago, Mr. Speaker, he talked about that magnificent document of 1787, and I think Paul's words, and I was monitoring them very closely, were "compromise" and "statesmanship," and to Benninghoff, Barrar, Evans, and Miller, Republican chairmen, that has been their paradigm, and that is to be lauded.

But we are sustained by staff. We are sustained by staff, and one of my favorite staff is a new acquaintance of 2 weeks ago – Marla from the Capitol guide corps. I came up here one day alone and took a tour. No one was there when we went back, so I took another tour. Like all of you, all of you, we love this building, and I have loved it from my initial moments here on the floor, and that passion endures and shall continue to grow somehow, some way, some day, when I visit this magnificent setting again.

Now, I thought I saw Mark Cohen last night, and I think I saw Briggs walking about, and if you people saw the lights over in the House Lounge burning brightly, it is because Lynn Bias and Spizz were writing this speech, and they were up very late. But Lynn, Lynn is the sergeant major of the House Lounge and Spizz is the gunnery sergeant; I mean, Spizz does all the heavy lifting. But who around here, who around here cannot appreciate Wally and Cuppy and the pages? Who around here cannot appreciate the guys in the mailroom? Who around here cannot appreciate the Capitol Police and our security guards? And indeed the State Police executive detail, from the current administration all the way back to Milton Shapp – professionals; professionals. The folks in the cafeteria and the folks that have the mops: that is who sustains all of us. And I have been blessed to see a lot of smiles and a lot of handshakes and a lot of pats on the back from many people that we are not on a first-name basis with. It is pretty special when you are given your first name, "Hey, Bill." That is pretty special when it comes from the staff.

But the ultimate goal, Mr. Speaker, not only of the esteemed leader of the chamber and Mr. Turzai, Mr. Dermody, chairmen, the rank and file, the staff, the wonderful staff that I have been blessed with back home and here – all of them, back home and here; all of them, the wonderful staff that I have had – when it boils down to the nub, it boils down to Doyle Heffley. It boils down to Doyle Heffley and a fourth grade class that was in this room the day I took my tour. There were 80 youngsters from the fourth grade from Representative Heffley, our new friend, new freshman, from his district, and they were in our seats and they were debating the efficacy of year-round school. And a couple of them got all fired up, and it was a heck of a debate. And they got the idea that this is what we do here, and it is what we do here. And when you boil it down to the quintessential nub – there is a big word for fusing a big word and a little word together, but I forgot what it is – but the quintessential nub of what we are doing here was exemplified, Mr. Speaker, by those fourth grade youngsters.

When I was in the fourth grade, I was like Tony DeLuca. I was listening to Bob Prince, and I was listening to the "Joe L. Brown Show." And the Pittsburgh Pirates had a show every Sunday afternoon, and back then, when Tony DeLuca and I were young – that was a few years after Abner Doubleday invented baseball – but back then, kids kept box scores – runs, hits, errors – and we learned to keep box scores. And one day

on the "Joe L. Brown Show," when I was the same age as Doyle Heffley's young class, a poem was read, just a couple lines, and my dad found it and gave it to me, and the poem said, "...when the One Great Scorer comes, To mark against your name, He writes – not that you won or lost – But how you played the Game." I laminated it, and I never thought that it would be uttered here today, but I am glad I laminated it. And I think it is important, because we are all, I think, endeavoring to do our best. Mistakes are made, and that is where this humility comes in.

Now, I am not as humble as I want to be, but I am a lot more humble than I used to be. And that is pretty much that part of the speech.

The last thing I want to talk about for a moment, and it amplifies part number one, and that is the friendship. You know, Matt Brouillette and Jeff Coleman – one a classical liberal; one a very conservative – have been a pal of this liberal or progressive or moderate, depending on the issue. I think we are all moderate on something. There are a couple of exceptions, a couple of exceptions. But Matt wanted to know one night about the lessons I have learned, and I told him that humility was paramount, and right there next to it was friendship. And friendship, we are all good acquaintances, some of us are friends, but when you get in a jam – and I am in a jam – those friendships are elevated to superfriendships, and the acquaintanceships are elevated to friendships, and it is just amazing the pats on the back and the goodwill.

Now, some people like Mark Longietti and Dick Stevenson, Bobby Freeman, Jerry Stern, I mean, somehow they were born, they were born with a humility that is tangible. Some of the rest of us, like me and Pete Daley, it took us longer. See, I can say—I can get away with anything with Pete. He lives next door to me.

Anyway, I want to say to all of you: As you know, the tide goes in, the tide goes out, and as we pursue our endeavors on this floor, there are more important things – and I can say it with the harsh reality of the moment – there are more important things than the Speaker's gavel for me now, and there are more important things than the Speaker's portrait. Paramount in my recollections will be the friendships of the people on this floor. My only polite admonition would be that somehow you keep on moving in a way that would embrace more partnerships and less partisanship, and I have been a partisan, so this is more just a good observation as to the way things might work better in the years ahead.

In closing, Mr. Speaker, Jake Wheatley was in Kuwait, and he was not with the Royal Army at Dunkirk, but when the British were being almost overrun and their backs were against the English Channel, the spring of 1940, with Stuka dive bombers darting in and out of the swollen clouds over Normandy, with battle-tested battalions of the Wehrmacht within miles of the beach, with the humming of those big Panzer tanks audible by the troops, a young brigadier made his way along the fighting holes and revved up and gave spirit to some who were momentarily apprehensive. He quoted the indomitable British Prime Minister, Benjamin Disraeli, who said that despair is the conclusion of a fool. His men did not despair; the British rallied on the beaches, made their way to England, came back and fought another day.

I would like to recognize my good friend, Representative Gergely, who has an indomitable passion for poetry, mostly American poetry, mostly poetry that could not be uttered at this

microphone, but he has a favorite poet from Alsace-Lorraine on the German side of the border. And if you think that Gergely loves Alsatian poetry, then you probably ought to get another job. But he said – not Gergely, but the Alsatian poet Rainer Rilke – he said – and this is what I am getting ready to culminate with; these were wonderful lines; I think I learned them at school – Once "Again the forest is fragrant. The..." morning "larks lift...aloft with them the sky that to our shoulders was heavy." As you can imagine, the sky is a bit heavy today. But a long time ago my divorce lawyer shouted at me, "Bill, Bill, it's not all about you. It's not all about you. It's about other people. Ask them how they're doing."

How are you doing? You look good. You look good. You do good work. You serve in a magnificent institution. And as I make my way back to my seat and down the ringing grooves of change, as the world keeps spinning – hopefully not to the Tower of London but to someplace else – I shall remember, I shall remember all of you, staff and members alike. I shall miss you, and I shall miss your friendship.

Thank you.

GUESTS INTRODUCED

The SPEAKER. While it may be obvious now, it would have been neglectful of me not to welcome the friends, family, and guests as Representative DeWeese had the floor. Would you kindly stand, and welcome to the hall of the House.

REMARKS BY SPEAKER

The SPEAKER. One last liberty.

One time, Representative DeWeese stood on the floor making one of his speeches, and he, I forget who he made reference to, but he was doing his usual thing, you know, pointing out individual members, and he made the comment to a male member, he said, "I love you," and he blushed and said, "In a wholesome and manly way, of course." The greatest gift of all is love. May you go in love.

APPROPRIATIONS COMMITTEE MEETING

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

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, the House Appropriations Committee will hold a meeting immediately in the majority caucus room. Thank you.

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

REPUBLICAN CAUCUS

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

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce that Republicans will caucus at 12:15. I would ask our Republican members to please report to our caucus room at 12:15. We would be prepared to come back to the floor at 1 p.m. Thank you.

DEMOCRATIC CAUCUS

The SPEAKER. The gentleman from Allegheny County, Mr. Frankel, is recognized for a caucus announcement.

Mr. FRANKEL. Thank you, Mr. Speaker.

The Democrats will caucus at 12:15. Democrats will caucus at 12:15. Thank you very much.

RECESS

The SPEAKER. Seeing no other announcements, this House stands in recess until 1 p.m., unless sooner recalled by the Speaker.

RECESS EXTENDED

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

AFTER RECESS

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

BILLS REREPORTED FROM COMMITTEE

HB 1891, PN 2697

By Rep. ADOLPH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for bowling center operator civil immunity.

APPROPRIATIONS.

HB 1898, PN 2568

By Rep. ADOLPH

An Act designating the bridge carrying Bridge Street (State Route 4021) over Brubaker Run in the Borough of Hasting, Cambria County, as the Sergeant Derek Lee Shanfield Memorial Bridge.

APPROPRIATIONS.

HB 1906, PN 2597

By Rep. ADOLPH

An Act designating a bridge on that portion of S.R. 4002, Clarence Road, in Snow Shoe Township, Centre County, as the Clarence Bridge of Freedom for All Veterans.

APPROPRIATIONS.

HB 2242, PN 3300

By Rep. ADOLPH

An Act providing for the highway capital budget project itemization for flood-damaged highways to be financed from revenue from the Motor License Fund.

APPROPRIATIONS.

HB 2243, PN 3192

By Rep. ADOLPH

An Act amending the act of July 7, 2011 (P.L.216, No.37), entitled "An act designating U.S. Route 62 in Mercer County as the Mercer County Veterans Highway," designating U.S. Route 62 in Venango County as the Venango County Veterans Highway; designating U.S. Route 62 in Forest County as the Forest County Veterans Highway; and designating U.S. Route 62 in Warren County as the Warren County Veterans Highway.

APPROPRIATIONS.

SB 354, PN 1354

By Rep. ADOLPH

An Act relating to compliance with the Federal REAL ID Act of 2005.

APPROPRIATIONS.

SB 539, PN 545

By Rep. ADOLPH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in driving after imbibing alcohol or utilizing drugs, further providing for grading and for penalties.

APPROPRIATIONS.

SB 817, PN 1830

By Rep. ADOLPH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in juvenile matters, providing for the use of restraints on children during court proceedings.

APPROPRIATIONS.

**RESOLUTION REPORTED
FROM COMMITTEE**

HR 636, PN 3274

By Rep. METCALFE

A Resolution memorializing the President of the United States and Congress to reconsider closing the 911th Airlift Wing.

STATE GOVERNMENT.

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 lady from Philadelphia County, Ms. BISHOP, for the remainder of the day. Without objection, the leave will be granted.

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2244, PN 3297**, entitled:

An Act providing for watershed disaster reconstruction.

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 2136, PN 2981**, entitled:

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

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 1478, PN 1785**, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in alternative provision for third class county convention center authorities, further providing for hotel room rental tax.

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 1588, PN 1954**, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in fiscal affairs, further providing for authorization of five per centum hotel tax in certain counties of the fifth class.

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

Mr. **MOUL** offered the following amendment No. **A08927**:

Amend Bill, page 1, line 19, by inserting a bracket before "sixth"
Amend Bill, page 1, line 19, by inserting after "sixth"

] fifth

Amend Bill, page 1, line 19, by inserting a bracket before "1990"
Amend Bill, page 1, line 19, by inserting after "1990"

] 2010

Amend Bill, page 1, line 20, by inserting a bracket before "78,250"

Amend Bill, page 1, line 20, by inserting after "78,250"

] 101,000

Amend Bill, page 1, line 20, by inserting a bracket before "79,000"

Amend Bill, page 1, line 20, by inserting after "79,000"

] 102,000

Amend Bill, page 1, lines 21 and 22; page 2, lines 1 and 2, by striking out "and any county of the fifth class which as a result" in line 21, all of line 22 on page 1, all of line 1 and "is reclassified as a county of the fifth class." in line 2 on page 2

Amend Bill, page 2, line 17, by striking out "a review" and inserting

an audit

Amend Bill, page 2, line 18, by striking out "review" and inserting

audit

Amend Bill, page 2, line 22, by striking out "of review" and inserting

being audited

Amend Bill, page 2, lines 24 and 25, by striking out "the review of each operator" in line 24 and "at least twice every twelve months" in line 25 and inserting

at least one audit annually

Amend Bill, page 2, line 26, by striking out "review" and inserting

audit

Amend Bill, page 4, by inserting between lines 4 and 5
(iii) Municipalities receiving grants under subclause (ii) must meet or have met the eligibility requirements under subclause (ii)(A) or (B) for a minimum of two years prior to receiving the grant.

Amend Bill, page 7, line 6, by striking out "in 60 days" and inserting
 immediately

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

The SPEAKER. On that question, the Speaker recognizes the gentleman, Mr. Moul.

Mr. MOUL. Thank you, Mr. Speaker.

This is just a technical amendment to put more clarity within the bill itself. It is agreed to with everyone back home. I see no problem with it, and I would certainly appreciate an affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER. On the question of the amendment, the Speaker recognizes the gentleman from Allegheny County, Mr. Frankel.

Mr. FRANKEL. Thank you, Mr. Speaker.

We agree this is a technical amendment, and we support this amendment. Thank you.

The SPEAKER. The Speaker thanks the gentleman.

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

The following roll call was recorded:

YEAS—183

Adolph	DeWeese	Killion	Quigley
Aument	DiGirolamo	Kirkland	Quinn
Baker	Donatucci	Knowles	Ravenstahl
Barbin	Ellis	Kortz	Readshaw
Barrar	Emrick	Kotik	Reed
Bear	Evankovich	Kula	Roae
Benninghoff	Evans, D.	Lawrence	Rock
Bloom	Evans, J.	Longietti	Roebuck
Boback	Everett	Maher	Ross
Boyd	Fabrizio	Mahoney	Sabatina
Boyle, B.	Farry	Major	Sainato
Boyle, K.	Fleck	Mann	Samuelson
Bradford	Frankel	Markosek	Santarsiero
Brennan	Freeman	Marshall	Santoni
Briggs	Gabler	Marsico	Saylor
Brooks	Galloway	Masser	Scavello
Brown, R.	Geist	Matzie	Schroder
Brown, V.	George	McGeehan	Simmons
Brownlee	Gerber	Metzgar	Smith, K.
Burns	Gergely	Miccarelli	Smith, M.
Buxton	Gibbons	Micozzie	Sonney
Caltagirone	Gillespie	Millard	Staback
Carroll	Gingrich	Miller	Stephens
Causar	Godshall	Milne	Stern
Christiana	Goodman	Mirabito	Stevenson
Clymer	Grell	Moul	Sturla
Cohen	Grove	Mullery	Swanger
Conklin	Hackett	Mundy	Tallman
Costa, D.	Hahn	Murphy	Taylor
Costa, P.	Haluska	Murt	Thomas
Cox	Hanna	Myers	Tobash
Creighton	Harhai	Neuman	Toepel
Cruz	Harhart	O'Brien, M.	Toohil

Culver	Harkins	O'Neill	Truitt
Curry	Harris	Oberlander	Turzai
Cutler	Heffley	Parker	Vereb
Daley	Helm	Pashinski	Vitali
Davidson	Hennessey	Payne	Vulakovich
Davis	Hess	Payton	Waters
Day	Hickernell	Peifer	Watson
Deasy	Josephs	Perry	Wheatley
DeLissio	Kampf	Petrarca	White
Delozier	Kauffman	Petri	Youngblood
DeLuca	Kavulich	Pickett	
Denlinger	Keller, M.K.	Preston	Smith, S., Speaker
DePasquale	Keller, W.	Pyle	
Dermody			

NAYS—11

Dunbar	Keller, F.	Metcalfe	Reese
Gillen	Krieger	Mustio	Saccone
Hutchinson	Maloney	Rapp	

NOT VOTING—0

EXCUSED—3

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

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

* * *

The House proceeded to second consideration of **HB 1749, PN 2238**, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in fiscal affairs, further providing for authorization of hotel tax.

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 1839, PN 2356**, entitled:

An Act redesignating Duboistown Bridge, connecting Williamsport and Duboistown over the Susquehanna River, Lycoming County, as the Lance Corporal Abram Howard Memorial Bridge.

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

* * *

The House proceeded to second consideration of **SB 375, PN 1039**, entitled:

An act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipalities, further providing for money.

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

Mr. **BRADFORD** offered the following amendment No. **A09728**:

- Amend Bill, page 2, by inserting between lines 17 and 18
(3) Paragraph (1) shall not apply to the following:
(i) A monetary contribution to a nonprofit community organization or activity that does not exceed \$1,000.
(ii) An in-kind service, including the provision of water or other resources to a nonprofit community organization or activity, the value of which does not exceed \$1,000.
(iii) An agreement for the joint purchase and use of equipment.
(iv) An agreement for the sharing of equipment during emergency situations.

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

The **SPEAKER**. On that question, the Speaker recognizes the gentleman from Montgomery County, Mr. Bradford.

Mr. **BRADFORD**. Thank you, Mr. Speaker.
This is an agreed-to amendment, which we have discussed with Senator Pileggi's office, which will basically allow for a de minimis exception to the bill.

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

On that question, the Speaker recognizes the gentleman from Northampton County, Mr. Freeman.

Mr. **FREEMAN**. Thank you, Mr. Speaker.
I just wanted to clarify that this is an agreed-to amendment. As the gentleman from Montgomery County stated, Senator Pileggi's office signed off on the language, and there is general agreement from both the Democratic and Republican chairs of the Local Government Committee. So I would urge a "yes" vote.

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

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

Mr. **CREIGHTON**. This is an agreed-to amendment. It represents hard work between both sides of the issue. So we are thankful that we came to a very good conclusion. Thank you, Mr. Speaker.

This is an agreed-to amendment. We thank each party for their input, and we will be sending it to the Senate. Thank you, Mr. Speaker.

The **SPEAKER**. The Speaker thanks the gentleman.

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

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—0

EXCUSED—3

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

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1891, PN 2697**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for bowling center operator civil immunity.

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—190

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

DePasquale	Keller, M.K.	Pickett	Youngblood
Dermody	Keller, W.	Preston	
DeWeese	Killion	Pyle	Smith, S.,
DiGirolamo	Kirkland	Quigley	Speaker

NAYS—4

DeLissio	Freeman	Gillen	Petri
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NOT VOTING—0

EXCUSED—3

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

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

* * *

The House proceeded to third consideration of **SB 539, PN 545**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in driving after imbibing alcohol or utilizing drugs, further providing for grading and for penalties.

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?

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

Mr. VITALI. Thank you, Mr. Speaker.

I just want to alert the members that this bill contains a mandatory minimum sentencing provision of 6 months for a third offense.

Mr. Speaker, is there anyone who would stand for interrogation here?

The **SPEAKER**. The gentleman from Dauphin County, Mr. Marsico, indicates that he will stand for interrogation. You may proceed.

Mr. VITALI. Just so we have it clear, I am just wondering if you could just explain the contents of this bill initially, and then we will move along.

Mr. MARSICO. Yes, Mr. Speaker. I would be glad to.

The district attorneys have told us that it is not unusual for a person to drive while intoxicated while a child is in the car, so this is why the bill is needed, they are saying, and also the prime sponsor, the Senator. Thereby, this is endangering the life of a child, as well as the driver and other motorists. D.A.s believe that an additional penalty should be added for those who risk the life of a minor in the vehicle. So that is the intent of the legislation.

Mr. VITALI. Right. So it involves driving while intoxicated.

Mr. MARSICO. That is correct.

Mr. VITALI. So I believe it sets penalties in addition to the other penalties associated with driving while intoxicated.

Mr. MARSICO. Yes, in addition to. And once again, the district attorneys asked for that penalty specifically, additional penalty.

Mr. VITALI. So it deals with first offense, second offense, third offense. So if I am getting this correctly, second offense, the additional penalty is a minimum of a month in jail, and third offense is an additional penalty of 6 months in jail. Is that, if I am reading that correctly?

Mr. MARSICO. Yes, that is correct, Mr. Speaker. If you know the answer to that, then you should— I know you do know that, but that is correct. It would be an additional— Yes.

Mr. VITALI. You know, sometimes appearances are deceiving. You just want to make sure you got it right before you move on to the substance.

Mr. MARSICO. Okay. All right.

Mr. VITALI. Now, what is the penalty now for a first offense, second offense, third offense DUI (driving under the influence) with regard to mandatory incarceration?

Mr. MARSICO. There is no additional penalty for having a child in the car while intoxicated.

Mr. VITALI. No, that is not my question. Put that aside.

Mr. MARSICO. Well, let me just continue, if I could.

Mr. VITALI. Okay.

Mr. MARSICO. For example, under existing law – that is what you are asking, Mr. Speaker? – if it is the person's first or second DUI, the offense is graded as a misdemeanor and the person can be sentenced to imprisonment of not more than 6 months and to pay a fine of \$300.

In addition, the person must undergo a mandatory period of probation of 6 months, attend alcohol safety school, and comply with conditions relating to drug and alcohol treatment.

Mr. VITALI. Okay. I am trying to get at the mandatory minimums for a DUI where the driver was driving alone.

Mr. MARSICO. Yeah; it would be no more than 6 months. I already said that, Mr. Speaker.

Mr. VITALI. No, because I thought there might have been a mandatory minimum with regard to DUI, first offense, second offense, third offense. That is what I am a little confused about.

Mr. MARSICO. Once again, the mandatory part of that is the 6-month mandatory probation. That is right here in the law. We are looking at the law right now.

Mr. VITALI. Okay. So you are saying right now, for like a third DUI, there is no mandatory incarceration. You could be right. I just want to double-check. I have not practiced law in 20 years.

Mr. MARSICO. Mr. Speaker, would you please repeat the question?

Mr. VITALI. Okay. Right now conviction for a third offense DUI where the driver is by himself, is there any mandatory incarceration? Third offense DUI, driver driving by himself.

Mr. MARSICO. Once again, Mr. Speaker, for a third or a subsequent offense, they must undergo imprisonment of not less than 10 days, pay a fine of not less than \$500 nor more than \$5,000, and comply with all the drug and alcohol treatment requirements imposed under sections 3814 and 3815.

Mr. VITALI. So you are saying 10 days for a third offense?

Mr. MARSICO. Yes, for a third offense.

Mr. VITALI. Okay.

Okay. Thank you. That concludes my interrogation.

First of all, I—

The SPEAKER. Is the gentleman seeking recognition on the bill?

Mr. VITALI. I am. I am.

The SPEAKER. The gentleman may proceed, on the bill.

Mr. VITALI. First, and I apologize for taking up all this floor time, but, I mean, I totally support the intent of the bill. I think driving while intoxicated and having a minor in the car is something that should be punished. It should be punished in a very emphatic manner. My only concern here, as it is with every DUI, is that the facts and circumstances have to be weighed.

For example, if you are stone drunk, taking your kid to Cub Scouts, that might be a different scenario where you are a 19-year-old and you are taking your 17-year-old friend home, and they are two different fact scenarios. And the mandatory minimums require these fact scenarios, by and large, to be treated the same, but a judge, if he had the discretion to look at them could see that, you know, a 19-year-old who is drunk taking a 17-year-old friend – in fact, who also may be drunk – somewhere is a wholly different fact scenario than a 40-year-old who is stone drunk taking a toddler somewhere.

So the concern with mandatory minimums is it refuses to let a judge view the facts and circumstances. Plus we need to reserve our cell space for the most vicious, vicious people, the people we need to take off the streets and keep from hurting other people, and sometimes when legislation forces results we do not want, the unintended effect is that.

So while I salute the maker of this bill, I just want to go on the record as to why I have this concern with mandatory minimums.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—193

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

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

NAYS-1

Vitali

NOT VOTING-0

EXCUSED-3

Bishop Harper Hornaman

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

* * *

The House proceeded to third consideration of **SB 817, PN 1830**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in juvenile matters, providing for the use of restraints on children during court proceedings.

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-194

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

NAYS-0

NOT VOTING-0

EXCUSED-3

Bishop Harper Hornaman

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

* * *

The House proceeded to third consideration of **SB 354, PN 1354**, entitled:

An Act relating to compliance with the Federal REAL ID Act of 2005.

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?

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

Mr. VITALI. Thank you, Mr. Speaker.

Is there anyone who might stand for interrogation on this bill?

The SPEAKER. The gentleman from Butler County, Mr. Metcalfe, indicates that he will stand for interrogation. You may proceed.

Mr. VITALI. Thank you, Mr. Speaker.

Perhaps we could have a brief explanation of the bill, just to start things off.

Mr. METCALFE. Mr. Speaker, the legislation that we have before us is to ensure that the State of Pennsylvania, that our Commonwealth, would not be forced into the REAL ID measures that have been promoted by the Federal government, which I believe is a violation of States rights and would cause us to incur a cost to our taxpayer in excess of \$100 million. So this legislation would ensure that we can move forward without being pushed into this REAL ID requirement of the Federal government, that more than a dozen other States have also done.

Mr. VITALI. And I am trying to get at the problems with the Federal REAL ID. Could you outline why we do not want to do this?

Mr. METCALFE. Is that a question, Mr. Speaker?

Mr. VITALI. Yes.

Mr. METCALFE. As I mentioned, there is a cost associated with REAL ID implementation that was over \$100 million for the first year, approximately \$120 million in startup costs and \$39 million a year in continuing costs.

Mr. VITALI. Okay.

Mr. METCALFE. Our State already meets the majority of the criteria that is called for to ensure that we have secure driver's licenses. So for the Federal government to tell us that we have to implement this new process with our driver's licenses, many of us take exception to the Federal government dictating that to us and believe that it is a violation of the Tenth Amendment.

Mr. VITALI. The cost figure is somewhat troubling, because as I listen to one side, I hear a totally different set of figures and facts from people who advocate this. And, you know, I am told that it costs the State of Delaware \$2 million to comply and the State of Florida \$7 million to comply. Could you tell me where you got the figures you just cited and how they were arrived at?

Mr. METCALFE. The figures that we have been given to us through information that PENNDOT has provided.

Mr. VITALI. Do you have any idea how that is broken down? Because I am trying to reconcile a \$2 million cost figure from the State of Delaware and your high cost. Do you know where those costs would come about from?

Mr. METCALFE. Mr. Speaker, I do not know where the figures are coming from that you are noting, but I have confidence that the research that we have done is accurate. Once again, regardless of the cost, this is another instance of where the Federal government is trying to force States into a policy decision that the States otherwise are not choosing to move into.

And currently we have had 16 States that have opted out of REAL ID, and I believe that movement is still continuing as compliance with REAL ID has been pushed off further and further by the Federal government.

Mr. VITALI. Could you tell me what impact does Pennsylvania not adopting this would have under current law on the receipt of Federal funds?

Mr. METCALFE. Pennsylvania not adopting this? I believe under the current law that was passed by the Federal government, it is attempting to force us to comply. I believe, ultimately under current law, that we are ultimately going to send a strong message back to DC, standing with these other 16 States, that we have the right to decide how our driver's licenses will be set up and that that is not something the Federal government has business being involved in.

Mr. VITALI. Well, let me repeat the question, because you may not have heard it. The question is, if we fail to pass this under current Federal law, do we stand to lose any Federal funding? If you could just answer "Yes," "No," or "I do not know" first, it would be appreciated.

Mr. METCALFE. My understanding is that we as a State, through PENNDOT, have not received any information from the Federal government that they will restrict any funds that are flowing between the Feds and Pennsylvania because of us opting out of the REAL ID.

Mr. VITALI. So you are saying you are certain we will not lose funds, or you are saying that you do not know? I just want to be clear.

Mr. METCALFE. I am saying we have no information that we will lose any funds. So my understanding is that we will not, although with the current administration, who knows what they are going to do. They are suing Arizona over other legislation that they have passed. You do not know what this current administration's move is going to be against the people and against the States.

Mr. VITALI. Well, again, I am not asking a predictive question; I am asking what the law passed by Congress, I think in 2005, provides. That is really, I do not know; I am trying to find out. Do you know?

Mr. METCALFE. As I said, I am not aware of any funding that would be curtailed because of our adoption of this legislation.

Mr. VITALI. Okay. I would like to speak on the bill.

The SPEAKER. The gentleman may proceed, on the bill.

Mr. VITALI. Thank you, Mr. Speaker.

I really struggle with this. I really go back and forth on this, because what really concerns me is the occurrence of an Islamic extremist who secures some fissionable nuclear material, brings it into a large metropolitan area like downtown Manhattan, detonates that nuclear material and renders that island uninhabitable for many years to come and results in the death of

tens of thousands of people. You know, I am really, I am really concerned about what one terrorist act could do.

I have seen various reports by various U.S. security agencies which indicate the high probability of a terrorist act involving nuclear material will in fact occur within the next 5 or 10 years. And I think the question we have to ask ourselves is, how will we feel if we become aware that a fanatical Islamic terrorist has succeeded through false identification in aiding in a plot that has such devastating consequences?

You know, Mr. Speaker, it is my understanding from materials I have received that I believe 19 of the 20 people who were involved in boarding the plane with regard to the World Trade Towers on 9/11, between them they had 30 falsified driver's licenses, and I am just concerned with regard to the message we send by backing away from more secure IDs.

In addition to the horrific things that could happen by terrorists getting their hands on nuclear material and detonating in large cities, there are also more mundane things. I have been told by people who are advocating this that this could allow drunk drivers who have lost their license through infractions, in fact assuming another identity and getting another driver's license under another identity and continuing to drive, perhaps causing more damage. Or a child molester, someone convicted of child molestation who is able to get another identity and a driver's license under another name and secure work around children. I am concerned about the damage that could happen if we make it too easy to get falsified driver's licenses.

The loss of privacy has been cited as a reason for this, but I am just thinking about what is in my wallet now: my CVS ExtraCare card that I swipe every time I go to the pharmacy, and my Superfresh club card, and my Borders bonus card, and my Visa and the E-ZPass and all the information that is gathered from me right now and stored in a repository. I think the reality is, we really do not have the privacy we think we do; unbelievable amounts of information are already gathered about us every day.

The privacy issues here, the incremental privacy issues here, incremental loss of privacy compared to the information that is already gathered on us, have to be weighed against the new age of terrorism, the new age of how the specter of terrorism hangs over us. The fact that we know that Al Qaeda is out there; Al Qaeda is out there and we continue to thwart terrorist attacks, but just like that hot hockey goalie who stops shot after shot, sometimes game after game, one is going to get through. One is going to get through, and I think all we can do is try to lengthen the time until that happens. And I think that the more defenses we can put up to that Islamic terrorist bent on the destruction of America, the more safeguards we can put into place, and make no mistake, this is not going to make us safe, but this in conjunction with 100 other things may.

So, Mr. Speaker, before we blithely cite costs – and I think it is ironic that the defender of this bill was the chief proponent of requiring IDs at polling places a couple of weeks ago – before we do that, I think we have to consider, I think we have to consider the world we now live in in the 21st century and the horrific potential to cause massive destruction and the people out there who continually try to cause that destruction upon us.

Thank you, Mr. Speaker.

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

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

Mr. STURLA. Thank you, Mr. Speaker.

Will the maker of the bill rise for brief interrogation?

The SPEAKER. The bill is a Senate bill; however, the chairman of the State Government Committee, Mr. Metcalfe, has indicated that he will stand for interrogation.

Mr. STURLA. Thank you.

Mr. Speaker, is the notion behind this legislation that everything that we need to know is already done as a result of what we have on our driver's license, that that will give us enough proper identification in order to get on an international airplane and things like that?

Mr. METCALFE. Pennsylvania is compliant with the majority of what is being called for in the standards set by REAL ID already. They have 18 benchmarks for those types of requirements on driver's licenses. We are in compliance with 14 of the 18 already.

One of the requirements is to have a facial image capture and retention for all applicants – and that one we are not compliant with – which would give them the information available at a national level and a national-type database setting to run facial recognition software on everybody in this room and everybody in the country. We are not compliant with that biometric side of it.

The other is that they require to commit to mark compliant DL/IDs (driver's license/identifications) with a DHS (Department of Homeland Security)-approved security marking. We have our own security markings on the Pennsylvania driver's license, so we are not utilizing theirs, but we do have those security identifiers.

They want you to commit to be in material compliance with subparts A through D, which is essentially us committing, as I understand it, to actually comply with REAL ID, and then they want you to clearly state on the face of the noncompliant driver's license or ID that the card is not acceptable for official purposes.

So we believe that our driver's licenses are a secure form of identification in Pennsylvania with the security measures that have been implemented with the driver's license and with the information that is required in order to secure one. So we are in compliance with the majority of the requirements under REAL ID, although we do not believe that we should be able to be forced into the additional measures which would cause some additional cost. As was mentioned, there are privacy concerns and there are States rights concerns.

Mr. STURLA. So, Mr. Speaker, I guess the question is, if the FAA (Federal Aviation Administration) says you need a REAL ID or its equivalent in order to get on a domestic flight, would the Pennsylvania driver's license as it currently stands pass that muster?

Mr. METCALFE. Currently it is accepted. If the Federal government moves forward with enforcing REAL ID, then they would tell 16 other States that have passed laws against REAL ID in their State, along with Pennsylvania if we are successful in passing this and having it signed into law, and whatever other States sign up, that ours would not be. I think the political reality is that they will not do that, especially with the mounting opposition to this. That is why they have continued to push off the deadlines for REAL ID enforcement and compliance.

Mr. STURLA. Mr. Speaker, it is my understanding that about 2.5 million people renew their driver's license in Pennsylvania each year. Do you know what the cost to

PENNDOT is currently to renew those 2.5 million driver's licenses every year?

Mr. METCALFE. I do not know what the cost is to renew them, because we all pay for our driver's license when we renew it. So, I mean, there is a cost associated to the driver when they renew, but what the cost is to the State, I am not sure.

Mr. STURLA. I guess what I am interested in is the proposed \$100 million cost of REAL ID. Do we spend \$100 million over a 4- or 5-year period in the State of Pennsylvania renewing driver's licenses? Is it \$5 million? Is it \$10 million?

Mr. METCALFE. Mr. Speaker, would you restate the end of your question, please?

Mr. STURLA. Well, what I am trying to do is get a comparative. If REAL ID would cost the adults in Pennsylvania \$100 million to get a REAL ID issued, what is it costing us to get driver's licenses issued?

And the reason I ask is, when we did the voter ID bill, there were only a couple hundred thousand people who needed IDs, and that was going to cost \$11 million.

Mr. METCALFE. The REAL ID issue, and to comply with it, my understanding is that for the driver's licenses to be issued in compliance with it, you would have to have everyone who has a driver's license in Pennsylvania be reissued a driver's license that meets every one of those standards that they are asking for compliance with. So there would be an enormous cost for us, along with the burden that you put on each one of the Pennsylvania citizens who has a driver's license, to have to have their driver's license reissued just to comply with what the Feds have said they want in an area of our government that they have no business being involved in.

So as far as your comparisons of cost, I do not have the cost figures that you are looking for. All I can tell you is from our research, that it would be, in the initial startup, a cost to the State of about \$120 million, and then yearly thereafter for a period of time, \$39 million a year.

Mr. STURLA. And I guess all I am trying to determine, because the cost factor was brought in here, I mean, there may be other factors as to why people want to vote for or against this, but if I do not know how much it is currently costing me to issue driver's licenses in the State of Pennsylvania – maybe it is costing \$200 million; I do not know the answer to that – but when I hear it is going to cost \$100 million to issue REAL ID, if it is costing me \$200 million to issue driver's licenses, then it is a savings.

Mr. METCALFE. This is in addition to what the State is already spending. I mean, the startup cost for us to comply with REAL ID is estimated at \$141 million – I think I mistakenly said \$120 million earlier – \$141 million in startup costs and \$39 million in increased operating costs over 9 fiscal years. So that is what the Senate fiscal note has determined those costs.

Mr. STURLA. Okay. Thank you, Mr. Speaker. That concludes my interrogation.

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

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

Mr. BARBIN. Thank you, Mr. Speaker.

I rise in support of SB 354 for three reasons. Number one, the REAL ID bill is based on an issue of liberty. It did not balance the personal liberties against the requirements for the terrorism prevention aspect of protecting liberty. Number two, since 2005 when it was offered, that Maine originally opposed

this since that time, 22 other States have gone along doing what this bill would do here for Pennsylvania. And number three, this issue today is exactly the same issue that we failed to recognize in the voter ID bill. The 2005 Federal REAL ID bill was a bad bill because they did not take care of the details. That is why the prime sponsor of the Senate bill is asking us to tell the Federal government we will not go along with it, and our Attorney General is authorized to challenge it. Since that time, the Homeland Security Department has determined that this bill will not be implemented until January 15, 2013. So I urge support of this bill today, and I just wish that we had used the same amount of caution when we applied the voter ID requirements to take away Pennsylvanians' right to vote.

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

On that question, the Speaker recognizes the lady from Philadelphia County, Ms. Josephs.

Ms. JOSEPHS. Thank you, Mr. Speaker.

I rise in support of SB 354. This is a massive, or what the Feds wanted to do in this case is a massive invasion of privacy for the citizens. It was passed in 2005, this bill. It was part of a funding bill for American troops overseas and victims of the 2004 tsunami in south Asia. So as we find ourselves very often, we know this is true, a bad bill buried in the midst of something that absolutely has to be voted for. Everybody voted for it, or lots of people, certainly the vast majority of Congresspeople, but very, very few of them cared at all for this section. REAL ID requires the Department of Motor Vehicles of 56 different jurisdictions to connect their databases, creating a massive, new national database. A security breach at any DMV office, any of the 56 offices, exposes all of our constituents' confidential, personal information and the confidential, personal information of everybody in this country – everybody in this country.

In addition, this bill is blunt. There is no subtlety to it. If you are an undercover agent for any police department, your confidential and secret information will be in this database. That is clever, is it not? Not only that, but if you are a domestic violence survivor, a crime victim, a witness in a case where your life is at risk, anybody who breaches the security of 56 different Departments of Motor Vehicles can get your information. This is not something Pennsylvanians want. We ought to be voting for this bill.

Let me also say that REAL ID requires that hard and electronic copies be kept by every State and territory Department of Motor Vehicles. So if there is any breach of security – and there have been those before; in 2006 there was a breach in the PENNDOT office in Wilkes-Barre – not only the current information, but wayback information of your constituents, which is personal and confidential, will be exposed to anybody who manages to hack in.

Finally, let me say that for me and for the Senator who is the prime sponsor of this bill, and for most people, I believe, who are voting for it, and certainly for the people, our voters, our constituents, our taxpayers, this has got to do with privacy. This has got to do with personal, confidential information. It has nothing whatsoever to do with States rights. Nobody conceived, until we got to the committee meeting where this was voted out in a bipartisan fashion did anybody conceive of the resistance to REAL ID as having anything whatsoever to do with States rights. Let me tell you, Mr. Speaker, that the undercover agent or the crime witness or the person who is fleeing an abusive spouse does not care who gets his or her information. That person does not care if it is the Federal government, if it is the

State government, if it is a private interest. This bill is for privacy, it is respect for people's individual lives and lifestyles. It is a good bill. When we pass this and it goes to the Governor, assuming he will sign it, we will be the largest State by far to reject REAL ID, and there are many people, critics of REAL ID, who think that our weighing in on the side of rejecting this massive national database will be the death knell for this bill.

Thank you, Mr. Speaker. I would like to see us all vote "yes."

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—189

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

NAYS—5

Brownlee	O'Brien, M.	Thomas	Vitali
Donatucci			

NOT VOTING—0

EXCUSED—3

Bishop Harper Hornaman

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

* * *

The House proceeded to third consideration of **HB 1898, PN 2568**, entitled:

An Act designating the bridge carrying Bridge Street (State Route 4021) over Brubaker Run in the Borough of Hasting, Cambria County, as the Sergeant Derek Lee Shanfield Memorial Bridge.

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—194

Adolph	Donatucci	Kirkland	Quigley
Aument	Dunbar	Knowles	Quinn
Baker	Ellis	Kortz	Rapp
Barbin	Emrick	Kotik	Ravenstahl
Barrar	Evankovich	Krieger	Readshaw
Bear	Evans, D.	Kula	Reed
Benninghoff	Evans, J.	Lawrence	Reese
Bloom	Everett	Longietti	Roae
Boback	Fabrizio	Maher	Rock
Boyd	Farry	Mahoney	Roebuck
Boyle, B.	Fleck	Major	Ross
Boyle, K.	Frankel	Maloney	Sabatina
Bradford	Freeman	Mann	Saccone
Brennan	Gabler	Markosek	Sainato
Briggs	Galloway	Marshall	Samuelson
Brooks	Geist	Marsico	Santarsiero
Brown, R.	George	Masser	Santoni
Brown, V.	Gerber	Matzie	Saylor
Brownlee	Gergely	McGeehan	Scavello
Burns	Gibbons	Metcalfe	Schroder
Buxton	Gillen	Metzgar	Simmons
Caltagirone	Gillespie	Miccarelli	Smith, K.
Carroll	Gingrich	Micozzie	Smith, M.
Causer	Godshall	Millard	Sonney
Christiana	Goodman	Miller	Staback
Clymer	Grell	Milne	Stephens
Cohen	Grove	Mirabito	Stern
Conklin	Hackett	Moul	Stevenson
Costa, D.	Hahn	Mullery	Sturla
Costa, P.	Haluska	Mundy	Swanger

Cox	Hanna	Murphy	Tallman
Creighton	Harhai	Murt	Taylor
Cruz	Harhart	Mustio	Thomas
Culver	Harkins	Myers	Tobash
Curry	Harris	Neuman	Toepel
Cutler	Heffley	O'Brien, M.	Toohil
Daley	Helm	O'Neill	Truitt
Davidson	Hennessey	Oberlander	Turzai
Davis	Hess	Parker	Vereb
Day	Hickernell	Pashinski	Vitali
Deasy	Hutchinson	Payne	Vulakovich
DeLissio	Josephs	Payton	Waters
Delozier	Kampf	Peifer	Watson
DeLuca	Kauffman	Perry	Wheatley
Denlinger	Kavulich	Petrarca	White
DePasquale	Keller, F.	Petri	Youngblood
Dermody	Keller, M.K.	Pickett	
DeWeese	Keller, W.	Preston	Smith, S.,
DiGirolamo	Killion	Pyle	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-3

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

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

VOTE CORRECTION

The SPEAKER. For what purpose does the gentleman from Philadelphia, Mr. Thomas, rise?

Mr. THOMAS. Thank you, Mr. Speaker.

I do not know if this is the appropriate time, but I did not want too much time to go by. My button malfunctioned and I should have been recorded a "yes" on noncompliance with the REAL ID Act.

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1906, PN 2597**, entitled:

An Act designating a bridge on that portion of S.R. 4002, Clarence Road, in Snow Shoe Township, Centre County, as the Clarence Bridge of Freedom for All Veterans.

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-194

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

NAYS-0

NOT VOTING-0

EXCUSED-3

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

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

* * *

The House proceeded to third consideration of **HB 2242, PN 3300**, entitled:

An Act providing for the highway capital budget project itemization for flood-damaged highways to be financed from revenue from the Motor License Fund.

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—193

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

NAYS—1

Longietti

NOT VOTING—0

EXCUSED—3

Bishop Harper Hornaman

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

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

* * *

The House proceeded to third consideration of **HB 2243, PN 3192**, entitled:

An Act amending the act of July 7, 2011 (P.L.216, No.37), entitled "An act designating U.S. Route 62 in Mercer County as the Mercer County Veterans Highway," designating U.S. Route 62 in Venango County as the Venango County Veterans Highway; designating U.S. Route 62 in Forest County as the Forest County Veterans Highway; and designating U.S. Route 62 in Warren County as the Warren County Veterans Highway.

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—194

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

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

NAYS—0

NOT VOTING—0

EXCUSED—3

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

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

BILL REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 2137 be removed from the tabled calendar.

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

VOTE CORRECTION

The SPEAKER. For what purpose does the lady from Philadelphia, Ms. Brownlee, rise?

Ms. BROWNLEE. Unanimous consent, Mr. Speaker.

The SPEAKER. The lady may proceed.

Ms. BROWNLEE. There was a malfunction on my button on SB 354. I wish to be recorded as a "yes."

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

Ms. BROWNLEE. Thank you, Mr. Speaker.

CALENDAR CONTINUED

RESOLUTION

Mr. TRUITT called up **HR 223, PN 1564**, entitled:

A Concurrent Resolution urging the Congress of the United States to reexamine the Federal Unemployment Tax Act as it relates to corporate officers.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—190

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

NAYS—4

Dermody	Hanna	Josephs	Vitali
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NOT VOTING—0

EXCUSED—3

Bishop Harper Hornaman

The majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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

STATEMENT BY MR. TRUITT

The SPEAKER. Is the gentleman, Mr. Truitt, seeking recognition under unanimous consent relative to the resolution just adopted?

Mr. TRUITT. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. TRUITT. Thank you, Mr. Speaker.

I would just like to thank my colleagues for their affirmative vote on HR 223. This is an important measure. Not a lot of people are aware that small business owners in Pennsylvania, and in a lot of States, are required to pay unemployment tax on their own salary even though they cannot collect if they become unemployed because their business fails. So we need to deal with this at the State level and the Federal level. So I appreciate your support for this resolution asking the Federal government to do something about it. Thank you.

The SPEAKER. The Speaker thanks the gentleman.

The House will be at ease for a moment.

THE SPEAKER PRO TEMPORE (JOHN MAHER) PRESIDING

The SPEAKER pro tempore. The House will come to order.

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the minority whip, who asks that the gentleman from Philadelphia, Mr. Dwight EVANS, be placed on leave for the balance of the day. Without objection, leave is granted.

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 153, PN 1654**, entitled:

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

On the question recurring,

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

Mr. **CONKLIN** offered the following amendment No. **A08922**:

Amend Bill, page 2, line 27, by inserting after "3."

(a)

Amend Bill, page 3, by inserting after line 1

(b) Upon enactment of legislation by the General Assembly, the 2020 Legislative Reapportionment Commission shall reduce the size of the General Assembly to 153 legislative districts by first eliminating the following representative districts numbered 3, 5, 6, 11, 15, 20, 24, 27, 28, 30, 31, 32, 36, 38, 39, 40, 42, 44, 46, 47, 49, 51, 53, 54, 60, 62, 66, 71, 77, 86, 87, 92, 94, 97, 102, 105, 118, 119, 126, 127, 131, 139, 144, 155, 165, 168, 178, 193, 196 and 199.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Centre County, Mr. Conklin.

Mr. CONKLIN. I want to thank the Speaker.

Mr. Speaker, I want you to look at this amendment. This is a gut-check time. This is either leaders lead from the front or they push from behind. If we are serious about making this go through, it is time for us to step up to the plate. Those of us who cosponsored this piece of legislation now have an opportunity to prove that we mean what we are talking about, to prove that we are willing to go that extra step and make sure that this General Assembly goes into what our wonderful Speaker has in mind: that 153 number to save money. That is all that this is about. This is about those folks who truly believe in this now have an opportunity to prove what they believe in.

Lead from the front. Let us not push from behind. Let us get on the playing field and be part of this team. Thank you, Mr. Speaker.

The SPEAKER pro tempore. On the question, the Chair recognizes the gentleman from Lancaster County, Representative Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

I was wondering if the maker of the amendment might stand for brief interrogation.

The SPEAKER pro tempore. Will the gentleman stand for interrogation?

He indicates that he will. You may proceed.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, have you reviewed the language of HB 153, which proposes the amendment to Article II, section 16, of the PA Constitution as it currently stands?

Mr. CONKLIN. Unless there is something the gentleman would like to inform me of, yes; I have.

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

Mr. Speaker, can I draw your attention to page 1, lines 11 through 12, specifically the language which talks about the districts being, and I am quoting from the bill now, "...as nearly equal in population as practicable." The premise being, Mr. Speaker, the population change and shift is a vital component of reapportionment. Otherwise, there would be no need to ever reapportion here in the Commonwealth. With that in mind, Mr. Speaker, did you take population into account when drafting your amendment and targeting those districts which would be removed?

Mr. CONKLIN. I want to thank the Speaker. That is a wonderful question, but you are also aware that there will be a redistricting commission that will give the ability, that although the numbers may change, just as the redistricting that was

recently tossed out – they did the closest they could – but although the numbers may change, one number may go from the east to the west, one number may go from the south to the north, these are still numbers. So these numbers that are able to be changed, use the redistricting commission to come up with those fair equations, which will be a 25 percent reduction, be able to use those, but these are just giving the numbers to give those folks who really believe in this process the ability to put their number on the line.

Mr. CUTLER. Thank you, Mr. Speaker. On the amendment, if I may.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. CUTLER. Thank you, Mr. Speaker.

The idea of population of a legislative district in the reapportionment process that we just underwent was about 62,500. Twenty-two of the districts that the gentleman has specifically proposed for elimination in his amendment have a population higher than that target number. Therefore, population could not have been the driving factor in this amendment. And while he does concede that population should be a consideration going forward, I really have to question the factors that were used to arrive at those specific districts being removed. Mr. Speaker, I would like to share the pattern that I have seen. Eighteen of the districts specifically listed in the gentleman's amendment which have experienced a population gain over the last 10 years are currently held by Republican legislators. Overall, 32 of the 50 districts that are proposed for elimination are currently held by Republican legislators. Therefore, there certainly seems to be a concerted effort to punish those areas of the State which have really had the audacity to nominate a Republican to represent us here in the House.

Mr. Speaker, I personally do not believe that that is a fair criteria by which to use in the redistricting proposal, and I would hope that those in the House would agree with me. Mr. Speaker, the appropriate process to allow for the elimination of districts is one that is in fact based on population shift. We underwent that process recently; we are still undergoing that process. But, Mr. Speaker, when areas lose population, those are the areas where the representation needs to be shifted. To arbitrarily pick those districts out of thin air based on some nebulous form of criteria that I cannot discern any pattern that relates to them other than the one that I just articulated, I think is fundamentally unfair. Mr. Speaker, this proposal deserves a deliberative approach. I believe it is one that the general population of the Commonwealth wishes us to undertake. And, Mr. Speaker, with that in mind, I think that we should reject this amendment because of the questionable criteria by which the districts were selected.

Mr. Speaker, I urge a "no" vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Bucks County, Representative Petri, on the question.

Mr. PETRI. Mr. Speaker, I would encourage the members to vote against this amendment for the reasons that were just stated by the previous speaker and for the simple fact, Mr. Speaker, that I treat this debate as the first step in a very public debate. Mr. Speaker, the purpose of this particular constitutional amendment is to place the issue before the people, and what this amendment fails to recognize is that it is not ultimately our decision, but rather, the people's decision as to how this process

will unfold and work. Mr. Speaker, in point of fact, this particular measure is not sustainable. It is not appropriate. It is the people's decision as to which districts get eliminated through the commission process that is already established. It is not for members.

Mr. Speaker, I believe that this particular amendment does a disservice to this debate and should be defeated soundly. Thank you.

The SPEAKER pro tempore. On the question, the Chair recognizes the gentleman from Allegheny County, Representative Mustio.

Mr. MUSTIO. Thank you, Mr. Speaker.

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

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

Mr. MUSTIO. I understand what you are trying to do, and I appreciate that. In fact, 8 years ago when I first offered a piece of legislation to downsize, when we were drafting it, to show my sincerity, I requested placing District No. 44 in the legislation. And at that time I was told that we could not specifically identify specific House seats in the legislation. So I guess I am asking you, do you have something that says we can do that now, because obviously you are offering that?

And then my second question or comment would be that it seems like we are just removing numbers. I mean, we are not actually removing the district because the member will still reside in that area and certainly could run for that office under a smaller House. So we would have numbers that would not be sequential across the State. Am I correct in kind of summarizing what you are attempting to do?

Mr. CONKLIN. Absolutely. For instance, the gentleman is well aware of our now retired, former Speaker O'Brien's seat, which happens to be 169 from Philadelphia, now is in York County. Next to me is the 171, which was formerly, would have been further way. What this is getting to be is giving the opportunity for those folks who really believe in this, cosponsored it, who really believe in this, to give them the opportunity to put their numbers on the line. The arguments of saying that it would be out of line with other districts would not help in redistricting as you have seen through redistricting. It was put forth in a fair manner.

POINT OF ORDER

Mr. S. SMITH. Mr. Speaker, point of parliamentary inquiry, or point of order; excuse me.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Jefferson County. What is your parliamentary inquiry?

Mr. S. SMITH. Mr. Speaker, the line of reasoning that the gentleman from Centre County is using seems to be implying that if you do not vote for this amendment, somehow you are not sincerely in favor of the legislation, and I would ask the Chair if his line of reasoning is not questioning motives of members and would bring that to the Chair's attention.

The SPEAKER pro tempore. The Chair thanks the gentleman and would remind all members that casting aspersions on the motives of other members is out of order, and please be mindful of your comments. Thank you.

Mr. CONKLIN. I would apologize, but I am not sure that I went in that direction. But I will try to keep in line. Basically, they are numbers. We are putting them up there to go forward. Again, it is up to this body to decide whether they believe with their own motives of their reasoning for trying to downsize the legislature. Every member has their own motive on why they will vote "yes," up or down, and that is all this piece of legislation is and that is what this amendment is, Mr. Speaker.

The SPEAKER pro tempore. Does the gentleman have further interrogation, or do you wish to speak on the question?

Mr. MUSTIO. On the question, please.

The SPEAKER pro tempore. The gentleman is in order.

Mr. MUSTIO. And I appreciate the comments by the maker of the bill because I detected that tone in the maker of the amendment's— He is very good at that when he stands and speaks. I will compliment him on that. But I guess my comment is, to kind of follow on what the maker of the bill said, that I think once we come to final vote on HB 153, that we will all at that time be able to put our votes on the line. I do recall doing a discharge resolution here several years ago on the very subject, and we had over 90 members that had agreed to cosponsor, but I think when we did the discharge we had maybe 60 votes. So I look forward to being one of the "yes" votes on final passage of 153, and I would hope that our colleague that is the maker of this amendment would be there as well.

Thank you, Mr. Speaker, and I will be voting "no" on this amendment.

The SPEAKER pro tempore. On the question, the Chair recognizes the gentleman from Armstrong County, Representative Pyle.

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

The SPEAKER pro tempore. You may proceed.

Mr. PYLE. Mr. Speaker, earlier the maker of this amendment, whose motivation I do not question, specifically identified all the cosponsors of this bill whose districts were identified by number for elimination. And the question was posed, "Are you willing to eliminate your own seat?" Mr. Speaker, I stand before you today to tell you I am. Mr. Speaker, within this bill is what I feel is a questionable constitutional principle, but it is not to the point where I could ask the Parliamentarian, why do you limit a constitutionally mandated Reapportionment Commission that has to reflect the dealings of the census every 10 years according to the court's one-man-one-vote ruling.

Now, the 60th District, which we can refer to since it is identified within the amendment, did not lose population. It did not grow either. It stayed rather static. Mr. Speaker, it is my understanding, under reapportionment, that does not mean the 60th District will retain the same exact shape it has now; it may change owing to different population shifts. But what I most certainly know, Mr. Speaker, is that had my district, the 60th, grown by more than 8,000 people and I put them on the block, I would be back home wondering, "What is my Rep doing?" If the purpose is to disenfranchise his own people, the maker is free to do it. I will not be helping him, Mr. Speaker.

Repeated poll after repeated poll after repeated poll shows that the people of Pennsylvania support a reduction in the size of this legislature, not only to control costs, which we all know it will not do that much of, but to make it a smaller, more functional body. Yes, Mr. Speaker, even though the 60th District is listed on that hit list of cosponsors – which, by the way, is 18 Democrats, 32 Republicans; nothing hidden

there. That would be questioning motive, and I will not go there – even though it is listed, I will be voting in favor of this bill, but not A08922. I would encourage the members to do the same. Vote against amendment A08922. Thank you.

Mr. Speaker, if I may add as a final comment, to quote a friend of mine, "This legislation is chockablock." Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the minority whip, who asks that the gentleman from Philadelphia, Representative ROEBUCK, be placed on leave for the balance of the day. Without objection, leave is granted.

CONSIDERATION OF HB 153 CONTINUED

The SPEAKER pro tempore. The gentleman from Lancaster County, Representative Boyd, is recognized on the question.

Mr. BOYD. Thank you, Mr. Speaker.

Mr. Speaker, I was wondering if the gentleman would answer a question for me.

The SPEAKER pro tempore. Will the gentleman stand for interrogation?

The gentleman from Centre County, are you standing for interrogation?

Mr. CONKLIN. Yes, Mr. Speaker.

The SPEAKER pro tempore. He indicates that he will. You may proceed.

Mr. BOYD. Thank you, Mr. Speaker.

Mr. Speaker, I have heard references back and forth as to the process of how the specific districts were selected to be listed in the bill. I was a little surprised, and I need to know just very clearly the simple answer to the question: Did you select the numbers of the legislative districts to be eliminated based on the individuals who cosponsored this specific piece of legislation?

Mr. CONKLIN. I think if you look at the numbers, they would correspond.

Mr. BOYD. Thank you, Mr. Speaker. Another question, sir?

The SPEAKER pro tempore. Are you concluding interrogation?

Mr. BOYD. May I continue with interrogation?

The SPEAKER pro tempore. You may continue your interrogation; yes.

Mr. BOYD. Thank you.

Mr. Speaker, my legislative district is 43, and I am a cosponsor of the bill. Can you please tell me why I was not selected, why my district is not being eliminated?

Mr. CONKLIN. There were only 50 slots, Mr. Speaker. I do appreciate that.

Mr. BOYD. I mean, I certainly appreciate that answer.

Mr. CONKLIN. You are also retiring. I mean, you know, I do appreciate you coming forward with that, but I cannot, I did not want to go beyond.

Mr. BOYD. May I go on, sir? Another question?

The SPEAKER pro tempore. Yes, you may continue your interrogation.

Mr. BOYD. Thank you.

I appreciate the answer to the question. So can I assume then, since 43 is fairly low on the numerical list, that you did not just

go numerically, because typically that would be an obvious thing to do, just start and go from the bottom up; that is how they are listed. So was there some other mechanism that you used to choose who you would select? I mean, I would think I would be listed. I think 42 is listed and 44 is listed. I was a little perplexed that 43 was missed. So what other criteria did you use beyond just the numerical list and members who were cosponsors of the bill?

Mr. CONKLIN. There was no passion put towards disenfranchising any voter or any member from that. If you wish, we could suspend the rules and add that number and maybe move another one, but it was just done in a form that we thought would be best appropriate at this time, and I apologize to the speaker if in any way I left him out of the equation.

Mr. BOYD. Thank you, Mr. Speaker. May I speak on the bill?

The SPEAKER pro tempore. The gentleman is in order.

Mr. BOYD. Mr. Speaker, just real briefly.

I wanted to bring out the fact that the gentleman's motive was strictly cosponsors of the bill, to make sure that that is clearly a part of the legislative record, but clearly, that is not all the motivation, because he skipped some people who I would think, many members in this chamber, particularly some of my dear friends on the other side of the aisle, would love to see my district disappear. So I guess I would not want to question the motives or suggest that there was something more behind this than what the speaker has demonstrated, but I will say this: I do not think that there is any one member in this chamber that has the right nor do they have the authority nor do they have the wisdom and the discernment to determine which districts in this State should and should not be eliminated. I would not take it upon myself to make those kinds of recommendations, suggestions. We heard a powerful, powerful speech this morning from a gentleman who is going to be leaving this chamber, and I think the folks from Greene County deserve to have a Representative. I think the folks from Cambria County deserve to have a Representative, Lancaster County. I am concerned that any one of us could choose to pick who should disappear from this chamber. So, you know, based on that, I think that there is, I think that the motivation behind this is less than what is the best political or what is the best public policy and more about playing politics.

For that reason, Mr. Speaker, I would advocate a "no" vote on amendment A08922.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and, on the question, recognizes the gentleman from Cambria County, Representative Barbin.

Mr. BARBIN. Yes, Mr. Speaker.

I rise in opposition to this amendment. I, too, am a cosponsor of the bill, and I think the problem with the amendment is that we have all forgotten what it is we are here for and what it is that we are talking about doing. We are talking about changing the Constitution, and this is not an appropriate amendment if we are serious about saying we are going to go to the public and suggest that we will reform government. Now, yesterday we had some amendments about a unicameral legislature. We have had some other discussions other than the particular size of the House reductions. We have had discussions about the size of the Senate reductions. What we did not do and what should have been done before we came to the floor to do this, since we are not going to an open Constitutional Convention, is we should

have had a public hearing on the bill. And if we had a public hearing on the bill, then we would not have all these amendments that raise these questions. I will be voting in opposition to this amendment, but it is not the maker of the amendment's fault, because there was no opportunity for anyone in the legislature to put forth amendments that would be reviewed before they got to the House floor. Now, that is not his fault. That is the process. We have been at this for, our session is into the second year and we have never even brought this before, to committee to say, if we are going to change the Constitution, what things are really important?

I will oppose this amendment.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER pro tempore. Strike the board, please.

The gentleman, the maker of the amendment, are you seeking recognition?

Mr. CONKLIN. I would like to be the last speaker on this amendment.

The SPEAKER pro tempore. The gentleman is recognized for the second time and may proceed.

Mr. CONKLIN. I want to thank the Speaker. And I want to thank the gentleman who got up and spoke, even though I feel you did question my motives incorrectly. What this is, this is about the League of Women Voters, Common Cause, that have come up, Mr. Speaker, with a fair redistricting plan. If you read this, you would understand that fair redistricting will be done through appropriation of proper population figures put into the event. It does not matter whether your numbers change; the legislative districts will be done. My motives are strictly this, of a fair redistricting plan that is not put out by the courts because we did not listen 10 years ago. My motives are quite clear that I want it done the appropriate way, that I want people not to stand behind a number, but I want them to stand up for the people. Stand up for your district. If you are serious about this, put your own name on the line. Do not stand behind some procedural motions or something behind block lines.

Let us get serious about it. Those of us who are serious, put our names out there, put our numbers on the line. But if you understood the law, you would know that your districts are going to be done fairly and equally. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—42

Boyle, B.	DeWeese	Josephs	O'Brien, M.
Boyle, K.	Donatucci	Keller, W.	Parker
Briggs	Fabrizio	Kirkland	Payton
Brown, V.	Galloway	Kortz	Preston
Brownlee	Gerber	Longietti	Sabatina
Burns	Gergely	Mahoney	Sainato
Cohen	Gibbons	Markosek	Santoni

Conklin	Haluska	McGeehan	Smith, M.
Davis	Hanna	Mundy	Sturla
DePasquale	Harhai	Myers	Waters
Dermody	Harkins		

NAYS—150

Adolph	Ellis	Kula	Readshaw
Aument	Emrick	Lawrence	Reed
Baker	Evankovich	Maher	Reese
Barbin	Evans, J.	Major	Roae
Barrar	Everett	Maloney	Rock
Bear	Farry	Mann	Ross
Benninghoff	Fleck	Marshall	Saccone
Bloom	Frankel	Marsico	Samuelson
Boback	Freeman	Masser	Santarsiero
Boyd	Gabler	Matzie	Saylor
Bradford	Geist	Metcalfe	Scavello
Brennan	George	Metzgar	Schroder
Brooks	Gillen	Miccarelli	Simmons
Brown, R.	Gillespie	Micozzie	Smith, K.
Buxton	Gingrich	Millard	Sonney
Caltagirone	Godshall	Miller	Staback
Carroll	Goodman	Milne	Stephens
Causar	Grell	Mirabito	Stern
Christiana	Grove	Moul	Stevenson
Clymer	Hackett	Mullery	Swanger
Costa, D.	Hahn	Murphy	Tallman
Costa, P.	Harhart	Murt	Taylor
Cox	Harris	Mustio	Thomas
Creighton	Heffley	Neuman	Tobash
Cruz	Helm	O'Neill	Toepel
Culver	Hennessey	Oberlander	Toohil
Curry	Hess	Pashinski	Truitt
Cutler	Hickernell	Payne	Turzai
Daley	Hutchinson	Peifer	Vereb
Davidson	Kampf	Perry	Vitali
Day	Kauffman	Petrarca	Vulakovich
Deasy	Kavulich	Petri	Watson
DeLissio	Keller, F.	Pickett	Wheatley
Delozier	Keller, M.K.	Pyle	White
DeLuca	Killion	Quigley	Youngblood
Denlinger	Knowles	Quinn	
DiGiroloamo	Kotik	Rapp	Smith, S.,
Dunbar	Krieger	Ravenstahl	Speaker

NOT VOTING—0

EXCUSED—5

Bishop	Harper	Hornaman	Roebuck
Evans, D.			

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. **STURLA** offered the following amendment No. **A09574**:

Amend Bill, page 2, lines 29 and 30; page 3, line 1, by striking out "for the first time " in line 29, all of line 30, page 2 and all of line 1, page 3 and inserting to the following session of the General Assembly, and a special Legislative Reapportionment Commission must be constituted for the purpose of reapportioning the Commonwealth. The special commission shall:

- (1) use the most recent Federal decennial census data;
- (2) act by a majority of its entire membership; and
- (3) comply with the provisions set forth in section 17(b), (c), (d), (e), (f), (g), (h) and (i) of Article II of the Constitution of Pennsylvania.

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

The **SPEAKER pro tempore**. On that question, the Chair recognizes the gentleman from Lancaster County, Mr. Sturla.

Mr. **STURLA**. Thank you, Mr. Speaker.

Mr. Speaker, this amendment would provide for the number of members in the House to go to 153, as proposed in the bill, as soon as it is approved by the voters. Now, I understand why, perhaps, the maker of the amendment originally said he would not do this until 2020, because we were already going to have reapportionment done and we would have had to go back in and do reapportionment again. But lo and behold, as a result of an unconstitutional reapportionment that passed, we are going to have to go back in and do reapportionment again anyway. And so if we pass this legislation in this session, we can come back at the beginning of next session and pass it right away and it can go to a referendum with the voters, and if they say yes, it could take place in time for the 2014 reapportionment. It would not be a burden on anyone. We could make this happen right away. I heard members say, you know, the public wants this; every poll says they want it. If they want it, why would we delay it 10 years?

If you look historically back during the Constitutional Convention in 1968, they suggested going to the current system we have, with 203 members in the House and 50 members in the Senate. That was implemented in 1971, 3 years later; did not have to wait 10 years for it to happen, no messing around. Did not wait for 10 years to see if the public thought it was really a good idea after they had already voted for it. They did it. Here is the opportunity to do it. Do not wait until you qualify for your pension to make this happen. Do it now. Here is your opportunity.

The **SPEAKER pro tempore**. Has the gentleman concluded?

On the question, the Chair recognizes the gentleman from Jefferson County, the Speaker of the House, Representative Smith.

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

Mr. Speaker, I gave some thought to the timeline of this, should the voters approve an amendment to the Constitution to reduce the size of the House to 153, and it was not something that I think, it is not one of the things that you know this is absolutely the best way or that is absolutely the right way to do it. But when you look at the change that we are advocating, you look at just the, kind of, turmoil that the reapportionment process generates in the Commonwealth just every 10 years, it seemed to me that while it does delay it longer than I would like, that the change will be most manageable doing it in conjunction with the next regular reapportionment census block.

So I am not saying that this amendment is bad. I am a little bit concerned that the timeline the gentleman has in his amendment may not be achievable, given the time that it does take to do reapportionment, to actually package in the statistics, to draw the lines, to go through the process of public comment, the process of appeal that we are all a little bit more familiar

with today than we might have been a year or two ago. And so on that basis, one, the timeline set forth in the gentleman's amendment I am not positive is actually workable. And the fact that I think given the level of change that this does create in terms of the identity of legislative districts, I mean, you know, they are not our districts. They do not belong to a member; they belong to a group of people. A group of people are assigned a number in a legislative district. I mean, let us face it, there is a historical identity that exists there, and admittedly by doing this we are going to be changing that, kind of, historical pattern that has existed with legislative districts over the last 40 years.

And given those facts, Mr. Speaker, that the timeline of the amendment I do not think is necessarily workable, and the fact that it does, you know, this change is not, it does not happen easily, I think it is better to do it in conjunction with the normal reapportionment timeline to allow for the most, the best management of this in terms of doing it in a fair and proper way, when that reapportionment would take place, at 153.

So I would urge the members to vote against this amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. On the question, the Chair recognizes, for the second time, the gentleman from Lancaster County, the maker of the amendment, Mr. Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, had we not had a plan declared unconstitutional, I would agree with the maker of the bill that it would not make sense to go back in and do reapportionment again, but we had one that was declared unconstitutional. We were actually told by the majority leader that we could have a redrawn plan in a matter of days if we wanted to, to try and meet deadlines earlier this year. Now, if we have an opportunity to do a reapportionment plan, we are going to ask people, if they vote for this bill, if this bill becomes law in two different sessions and we go to a referendum, we are going to be asking people to vote to have there be 153 legislative districts in the State of Pennsylvania. We are going to tell them we do not have a clue of what those districts look like under the current legislation. We do not know what they will look like. Just imagine 10 years from now what that district might look like and vote as to whether or not you want those kinds of legislative districts or not.

This amendment gives us a unique opportunity to say, we are going to do it right away. And we can draw up a plan that has 203 districts, but we can also simultaneously draw up one that has 153 legislative districts, that we would propose to submit to the Reapportionment Commission, that would say, if you want to vote for this on referendum, here is what your district might look like with 153 legislative districts. And the people can actually go in and vote for what they think their district might look like, and then they can actually have it be implemented right away. They do not have to wait, if they are of old age, until they die before it is implemented. We do not have to wait until there are other Representatives in those districts. We do not have to wait until you move to a different district. It will take effect immediately, and we can get the voters what I have been told they are demanding.

And in this particular case, it has been made even more opportune by the fact that we currently have a plan that has been ruled unconstitutional and we are going to have to redo it any way. Here is an opportunity to give Pennsylvanians the ability

to look at what their district is going to look like and even vote on it. Here is an opportunity to implement it now, not sometime later. Here is an opportunity to act on your convictions. I would encourage a "yes" vote.

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

The following roll call was recorded:

YEAS—71

Barbin	DePasquale	Kavulich	Preston
Boyle, B.	Dermody	Keller, F.	Ravenstahl
Boyle, K.	DeWeese	Keller, W.	Readshaw
Bradford	Donatucci	Kirkland	Reese
Briggs	Fabrizio	Kortz	Roae
Brown, V.	Farry	Mahoney	Sabatina
Brownlee	Frankel	Matzie	Santarsiero
Caltagirone	Galloway	McGeehan	Santoni
Cohen	George	Mullery	Smith, K.
Conklin	Gerber	Mundy	Smith, M.
Costa, D.	Gergely	Murphy	Staback
Costa, P.	Gibbons	Myers	Sturla
Cruz	Gillen	Neuman	Thomas
Daley	Goodman	O'Brien, M.	Truitt
Davidson	Haluska	Parker	Waters
Davis	Hanna	Pashinski	White
Deasy	Harkins	Payton	Youngblood
DeLuca	Josephs	Petri	

NAYS—121

Adolph	Evankovich	Lawrence	Rapp
Aument	Evans, J.	Longietti	Reed
Baker	Everett	Maher	Rock
Barrar	Fleck	Major	Ross
Bear	Freeman	Maloney	Saccone
Benninghoff	Gabler	Mann	Sainato
Bloom	Geist	Markosek	Samuelson
Boback	Gillespie	Marshall	Saylor
Boyd	Gingrich	Marsico	Scavello
Brennan	Godshall	Masser	Schroder
Brooks	Grell	Metcalfe	Simmons
Brown, R.	Grove	Metzgar	Sonney
Burns	Hackett	Miccarelli	Stephens
Buxton	Hahn	Micozzie	Stern
Carroll	Harhai	Millard	Stevenson
Causar	Harhart	Miller	Swanger
Christiana	Harris	Milne	Tallman
Clymer	Heffley	Mirabito	Taylor
Cox	Helm	Moul	Tobash
Creighton	Hennessey	Murt	Toepel
Culver	Hess	Mustio	Toohil
Curry	Hickernell	O'Neill	Turzai
Cutler	Hutchinson	Oberlander	Vereb
Day	Kampf	Payne	Vitali
DeLissio	Kauffman	Peifer	Vulakovich
Delozier	Keller, M.K.	Perry	Watson
Denlinger	Killion	Petrarca	Wheatley
DiGirolamo	Knowles	Pickett	
Dunbar	Kotik	Pyle	Smith, S.,
Ellis	Krieger	Quigley	Speaker
Emrick	Kula	Quinn	

NOT VOTING—0

EXCUSED—5

Bishop	Harper	Hornaman	Roebuck
Evans, D.			

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. **GIBBONS** offered the following amendment No. **A09601**:

Amend Bill, page 1, line 1, by striking out "an amendment" and inserting

integrated amendments

Amend Bill, page 1, line 2, by inserting after "Assembly" by providing for a unicameral legislature

Amend Bill, page 1, lines 5 through 13; page 2, lines 1 through 30; page 3, line 1, by striking out all of said lines on said pages and inserting

Section 1. The following integrated amendments to the Constitution of Pennsylvania are proposed in accordance with Article XI:

(1) That section 1 of Article II be amended to read:

§ 1. Legislative power.

The legislative power of this Commonwealth shall be vested in a General Assembly[, which shall consist of a Senate and a House of Representatives].

(2) That section 2 of Article II be amended to read:

§ 2. Election of members; vacancies.

Members of the General Assembly shall be chosen at the general election every second year. Their term of service shall begin on the first day of December next after their election. Whenever a vacancy shall occur [in either House], the presiding officer [thereof] shall issue a writ of election to fill such vacancy for the remainder of the term.

(3) That section 3 of Article II be amended to read:

§ 3. Terms of members.

[Senators] (a) Except as provided in subsection (b), members shall be elected for the term of four years [and Representatives for the term of two years].

(b) At the first general election after the adoption of the amendment adding this subsection, members from odd-numbered districts shall be elected for a term of two years, and members from even-numbered districts shall be elected for a term of four years.

(4) That section 4 of Article II be amended to read:

§ 4. Sessions.

The General Assembly shall be a continuing body during the term for which its [Representatives] members are elected. It shall meet at 12 o'clock noon on the first Tuesday of January each year. Special sessions shall be called by the Governor on petition of a majority of the members [elected to each House] or may be called by the Governor whenever in his opinion the public interest requires.

(5) That section 5 of Article II be amended to read:

§ 5. Qualifications of members.

[Senators] Members of the General Assembly shall be at least 25 years of age [and Representatives 21 years of age]. They shall have been citizens and inhabitants of the State four years, and inhabitants of their respective districts one year next before their election (unless absent on the public business of the United States or of this State), and shall reside in their respective districts during their terms of service.

(6) That section 6 of Article II be amended to read:

§ 6. Disqualification to hold other office.

No [Senator or Representative] member of the General Assembly shall, during the time for which he was elected, be appointed to any civil office under this Commonwealth to which a salary, fee or perquisite is attached. No member of Congress or other person holding any office (except of attorney-at-law or in the National Guard or in a reserve component of the armed forces of the United States) under the

United States or this Commonwealth to which a salary, fee or perquisite is attached shall be a member of [either House] the General Assembly during his continuance in office.

(7) That section 8 of Article II be amended to read:

§ 8. Compensation.

The members of the General Assembly shall receive such salary and mileage for regular and special sessions as shall be fixed by law, and no other compensation whatever, whether for service upon committee or otherwise. No member of [either House] the General Assembly shall during the term for which he may have been elected, receive any increase of salary, or mileage, under any law passed during such term.

(8) That section 9 of Article II be amended to read:

§ 9. Election of officers; judge of election and qualifications of members.

[The Senate shall, at the beginning and close of each regular session and at such other times as may be necessary, elect one of its members President pro tempore, who shall perform the duties of the Lieutenant Governor, in any case of absence or disability of that officer, and whenever the said office of Lieutenant Governor shall be vacant. The House of Representatives] The General Assembly shall elect one of its members as Speaker. [Each House] It shall choose its other officers, and shall judge [of] the election and qualifications of its members.

(9) That section 10 of Article II be amended to read:

§ 10. Quorum.

A majority of [each House] the General Assembly shall constitute a quorum, but a smaller number may adjourn from day to day and compel the attendance of absent members.

(10) That section 11 of Article II be amended to read:

§ 11. Powers of [each house] the General Assembly; expulsion.

[Each House] The General Assembly shall have power to determine the rules of its proceedings and punish its members or other persons for contempt or disorderly behavior in its presence, to enforce obedience to its process, to protect its members against violence or offers of bribes or private solicitation, and, with the concurrence of two-thirds, to expel a member, but not a second time for the same cause, and shall have all other powers necessary for the Legislature of a free State. A member expelled for corruption shall not thereafter be eligible to [either House] the General Assembly, and punishment for contempt or disorderly behavior shall not bar an indictment for the same offense.

(11) That section 12 of Article II be amended to read:

§ 12. Journals; yeas and nays.

[Each House] The General Assembly shall keep a journal of its proceedings and from time to time publish the same, except such parts as require secrecy, and the yeas and nays of the members on any question shall, at the desire of any two of them, be entered on the journal.

(12) That section 13 of Article II be amended to read:

§ 13. Open sessions.

The sessions of [each House] the General Assembly and of committees of the whole shall be open, unless when the business is such as ought to be kept secret.

(13) That section 14 of Article II be repealed:

[§ 14. Adjournments.

Neither House shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.]

(14) That section 15 of Article II be amended to read:

§ 15. Privileges of members.

The members of the General Assembly shall in all cases, except treason, felony, violation of their oath of office, and breach or surety of the peace, be privileged from arrest during their attendance at the sessions of [their respective Houses] the General Assembly and in going to and returning from the same; and for any speech or debate in [either House] the General Assembly, they shall not be questioned in any other place.

(15) That section 16 of Article II be amended to read:

§ 16. Legislative districts.

The Commonwealth shall be divided into [50 senatorial and 203 representative] 201 legislative districts, which shall be composed of compact and contiguous territory as nearly equal in population as practicable. Each [senatorial] legislative district shall elect one [Senator, and each representative district one Representative] member of the General Assembly. Unless absolutely necessary no county, city, incorporated town, borough, township or ward shall be divided in forming [either a senatorial or representative] a legislative district.

(16) That section 17(b) of Article II be amended to read:

§ 17. Legislative Reapportionment Commission.

* * *

(b) The commission shall consist of [five] three members: [four] two of whom shall be the majority and minority leaders of [both the Senate and the House of Representatives] the General Assembly, or deputies appointed by each of them, and a chairman selected as hereinafter provided. No later than 60 days following the official reporting of the Federal decennial census as required by Federal law, the [four] two members shall be certified by the [President pro tempore of the Senate and the Speaker of the House of Representatives] Speaker of the General Assembly to the elections officer of the Commonwealth who under law shall have supervision over elections.

The [four] two members within 45 days after their certification shall select the [fifth] third member, who shall serve as chairman of the commission, and shall immediately certify his name to such elections officer. The chairman shall be a citizen of the Commonwealth other than a local, State or Federal official holding an office to which compensation is attached.

If the [four] two members fail to select the [fifth] third member within the time prescribed, a majority of the entire membership of the Supreme Court within 30 days thereafter shall appoint the chairman as aforesaid and certify his appointment to such elections officer.

Any vacancy in the commission shall be filled within 15 days in the same manner in which such position was originally filled.

* * *

(17) That section 1 of Article III be amended to read:

§ 1. Passage of laws.

No law shall be passed except by bill, and no bill shall be so altered or amended, on its passage through [either House] the General Assembly, as to change its original purpose.

(18) That section 4 of Article III be amended to read:

§ 4. Consideration of bills.

Every bill shall be considered on three different days [in each House]. All amendments made thereto shall be printed for the use of the members before the final vote is taken on the bill and before the final vote is taken, upon written request addressed to the presiding officer of [either House] the General Assembly by at least 25% of the members elected to [that House] the General Assembly, any bill shall be read at length [in that House]. No bill shall become a law, unless on its final passage the vote is taken by yeas and nays, the names of the persons voting for and against it are entered on the journal, and a majority of the members elected to [each House] the General Assembly is recorded thereon as voting in its favor.

(19) That section 5 of Article III be repealed:

[§ 5. Concurring in amendments; conference committee reports.

No amendment to bills by one House shall be concurred in by the other, except by the vote of a majority of the members elected thereto, taken by yeas and nays, and the names of those voting for and against recorded upon the journal thereof; and reports of committees of conference shall be adopted in either House only by the vote of a majority of the members elected thereto, taken by yeas and nays, and the names of those voting recorded upon the journals.]

(20) That section 8 of Article III be amended to read:

§ 8. Signing of bills.

The presiding officer of [each House] the General Assembly shall, in the presence of the [House over which he presides] General Assembly, sign all bills and joint resolutions passed by the General

Assembly, after their titles have been publicly read immediately before signing; and the fact of signing shall be entered on the journal.

(21) That section 9 of Article III be amended to read:

§ 9. Action on concurrent orders and resolutions.

Every order, resolution or vote, [to which the concurrence of both Houses may be necessary,] except on the question of adjournment, shall be presented to the Governor and before it shall take effect be approved by him, or being disapproved, shall be repassed by two-thirds of [both Houses] the General Assembly according to the rules and limitations prescribed in case of a bill.

(22) That section 10 of Article III be repealed:

[§ 10. Revenue bills.

All bills for raising revenue shall originate in the House of Representatives, but the Senate may propose amendments as in other bills.]

(23) That section 13 of Article III be amended to read:

§ 13. Vote denied members with personal interest.

A member who has a personal or private interest in any measure or bill proposed or pending before the General Assembly shall disclose the fact to the [House of which he is a member] General Assembly, and shall not vote thereon.

(24) That section 17 of Article III be amended to read:

§ 17. Appointment of legislative officers and employees.

The General Assembly shall prescribe by law the number, duties and compensation of [the] its officers and employees [of each House], and no payment shall be made from the State Treasury, or be in any way authorized, to any person, except to an acting officer or employee elected or appointed in pursuance of law.

(25) That section 30 of Article III be amended to read:

§ 30. Charitable and educational appropriations.

No appropriation shall be made to any charitable or educational institution not under the absolute control of the Commonwealth, other than normal schools established by law for the professional training of teachers for the public schools of the State, except by a vote of two-thirds of all the members elected to [each House] the General Assembly.

(26) That section 2 of Article IV be amended to read:

§ 2. Duties of Governor; election procedure; tie or contest.

The supreme executive power shall be vested in the Governor, who shall take care that the laws be faithfully executed; he shall be chosen on the day of the general election, by the qualified electors of the Commonwealth, at the places where they shall vote for [Representatives] members of the General Assembly. The returns of every election for Governor shall be sealed up and transmitted to the seat of government, directed to the [President of the Senate] Speaker of the General Assembly, who shall open and publish them in the presence of the members [of both Houses] of the General Assembly. The person having the highest number of votes shall be Governor, but if two or more be equal and highest in votes, one of them shall be chosen Governor by the [joint] vote of the members of [both Houses] the General Assembly. Contested elections shall be determined by a committee, to be selected from [both Houses of] the General Assembly, and formed and regulated in such manner as shall be directed by law.

(27) That section 4 of Article IV be amended to read:

§ 4. Lieutenant Governor.

A Lieutenant Governor shall be chosen jointly with the Governor by the casting by each voter of a single vote applicable to both offices, for the same term, and subject to the same provisions as the Governor; he shall be President of the Senate. As such, he may vote in case of a tie on any question except the final passage of a bill or joint resolution, the adoption of a conference report or the concurrence in amendments made by the House of Representatives.]

(28) That section 8 of Article IV be amended to read:

§ 8. Appointing power.

(a) The Governor shall appoint a Secretary of Education and such other officers as he shall be authorized by law to appoint. The appointment of the Secretary of Education and of such other officers as may be specified by law, shall be subject to the consent of two-thirds or

a majority of the members elected to the [Senate] General Assembly as is specified by law.

(b) The Governor shall fill vacancies in offices to which he appoints by nominating to the [Senate] General Assembly a proper person to fill the vacancy within 90 days of the first day of the vacancy and not thereafter. The [Senate] General Assembly shall act on each executive nomination within 25 legislative days of its submission. If the [Senate] General Assembly has not voted upon a nomination within 15 legislative days following such submission, any [five] 25 members of the [Senate] General Assembly may, in writing, request the presiding officer of the [Senate] General Assembly to place the nomination before the entire [Senate] General Assembly body whereby the nomination must be voted upon prior to the expiration of five legislative days or 25 legislative days following submission by the Governor, whichever occurs first. If the nomination is made during a recess or after adjournment sine die, the [Senate] General Assembly shall act upon it within 25 legislative days after its return or reconvening. If the [Senate] General Assembly for any reason fails to act upon a nomination submitted to it within the required 25 legislative days, the nominee shall take office as if the appointment had been consented to by the [Senate] General Assembly. The Governor shall in a similar manner fill vacancies in the offices of Lieutenant Governor, Auditor General, State Treasurer, justice, judge, justice of the peace and in any other elective office he is authorized to fill. In the case of a vacancy in an elective office, a person shall be elected to the office on the next election day appropriate to the office unless the first day of the vacancy is within two calendar months immediately preceding the election day in which case the election shall be held on the second succeeding election day appropriate to the office.

(c) In acting on executive nominations, the [Senate] General Assembly shall sit with open doors. The votes shall be taken by yeas and nays and shall be entered on the journal.

(29) That section 9 of Article IV be amended to read:

§ 9. Pardoning power; Board of Pardons.

(a) In all criminal cases except impeachment the Governor shall have power to remit fines and forfeitures, to grant reprieves, commutation of sentences and pardons; but no pardon shall be granted, nor sentence commuted, except on the recommendation in writing of a majority of the Board of Pardons, and, in the case of a sentence of death or life imprisonment, on the unanimous recommendation in writing of the Board of Pardons, after full hearing in open session, upon due public notice. The recommendation, with the reasons therefor at length, shall be delivered to the Governor and a copy thereof shall be kept on file in the office of the Lieutenant Governor in a docket kept for that purpose.

(b) The Board of Pardons shall consist of the Lieutenant Governor who shall be chairman, the Attorney General and three members appointed by the Governor with the consent of a majority of the members elected to the [Senate] General Assembly for terms of six years. The three members appointed by the Governor shall be residents of Pennsylvania. One shall be a crime victim, one a corrections expert and the third a doctor of medicine, psychiatrist or psychologist. The board shall keep records of its actions, which shall at all times be open for public inspection.

(30) That section 12 of Article IV be amended to read:

§ 12. Power to convene and adjourn the General Assembly.

He may, on extraordinary occasions, convene the General Assembly[, and in case of disagreement between the two Houses, with respect to the time of adjournment, adjourn them to such time as he shall think proper, not exceeding four months]. He shall have power to convene the [Senate] General Assembly in extraordinary session by proclamation for the transaction of Executive business.

(31) That section 14 of Article IV be amended to read:

§ 14. Vacancy in office of Lieutenant Governor.

In case of the death, conviction on impeachment, failure to qualify or resignation of the Lieutenant Governor[, or in case he should become Governor under section 13 of this article, the President pro tempore of the Senate shall become Lieutenant Governor for the

remainder of the term] , the Governor shall appoint, in accordance with section 8 of this article, a Lieutenant Governor. The appointment shall be subject to the consent of a majority of the members elected to the General Assembly. The appointee, upon approval, shall serve for the remainder of the term. In case of the disability of the Lieutenant Governor, the powers, duties and emoluments of the office shall devolve upon the [President pro tempore of the Senate] Speaker of the General Assembly until the disability is removed. Should there be no Lieutenant Governor, the [President pro tempore of the Senate] Speaker of the General Assembly shall become Governor if a vacancy shall occur in the office of Governor and in case of the disability of the Governor, the powers, duties and emoluments of the office shall devolve upon the [President pro tempore of the Senate] Speaker of the General Assembly until the disability is removed. His seat as [Senator] member of the General Assembly shall become vacant whenever he shall become Governor and shall be filled by election as any other vacancy in the [Senate] General Assembly.

(32) That section 15 of Article IV be amended to read:

§ 15. Approval of bills; vetoes.

Every bill which shall have passed [both Houses] the General Assembly shall be presented to the Governor; if he approves he shall sign it, but if he shall not approve he shall return it with his objections to the [House in which it shall have originated] General Assembly, which [House] shall enter the objections at large upon their journal, and proceed to re-consider it. If after such re-consideration, two-thirds of all the members elected to [that House] the General Assembly shall agree to pass the bill, [it shall be sent with the objections to the other House by which likewise it shall be re-considered, and if approved by two-thirds of all the members elected to that House] it shall be a law; but in such cases the votes of [both Houses] the General Assembly shall be determined by yeas and nays, and the names of the members voting for and against the bill shall be entered on the [journals of each House, respectively] journal. If any bill shall not be returned by the Governor within ten days after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the General Assembly, by their adjournment, prevent its return, in which case it shall be a law, unless he shall file the same, with his objections, in the office of the Secretary of the Commonwealth, and give notice thereof by public proclamation within 30 days after such adjournment.

(33) That section 13(b) and (d) of Article V be amended to read:

§ 13. Election of justices, judges and justices of the peace; vacancies.

* * *

(b) A vacancy in the office of justice, judge or justice of the peace shall be filled by appointment by the Governor. The appointment shall be with the advice and consent of two-thirds of the members elected to the [Senate] General Assembly, except in the case of justices of the peace which shall be by a majority. The person so appointed shall serve for a term ending on the first Monday of January following the next municipal election more than ten months after the vacancy occurs or for the remainder of the unexpired term whichever is less, except in the case of persons selected as additional judges to the Superior Court, where the General Assembly may stagger and fix the length of the initial terms of such additional judges by reference to any of the first, second and third municipal elections more than ten months after the additional judges are selected. The manner by which any additional judges are selected shall be provided by this section for the filling of vacancies in judicial offices.

* * *

(d) At the primary election in 1969, the electors of the Commonwealth may elect to have the justices and judges of the Supreme, Superior, Commonwealth and all other statewide courts appointed by the Governor from a list of persons qualified for the offices submitted to him by the Judicial Qualifications Commission. If a majority vote of those voting on the question is in favor of this method of appointment, then whenever any vacancy occurs thereafter for any reason in such court, the Governor shall fill the vacancy by appointment in the manner prescribed in this subsection. Such appointment shall not require the consent of the [Senate] General

Assembly.

* * *

(34) That section 3 of Article VI be amended to read:

§ 3. Oath of office.

[Senators, Representatives] Members of the General Assembly and all judicial, State and county officers shall, before entering on the duties of their respective offices, take and subscribe the following oath or affirmation before a person authorized to administer oaths.

"I do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity."

The oath or affirmation shall be administered to [a] each member of the [Senate or to a member of the House of Representatives] General Assembly in the hall of [the House to which he shall have been elected] the General Assembly.

Any person refusing to take the oath or affirmation shall forfeit his office.

(35) That section 4 of Article VI be amended to read:

§ 4. Power of impeachment.

[The House of Representatives shall have the sole power of impeachment.] The General Assembly shall have the sole power of impeachment. A majority of the members elected to the General Assembly must concur in the impeachment. Proceeding for impeachment may be initiated in either a regular session or a special session of the General Assembly.

(36) That section 5 of Article VI be amended to read:

§ 5. Trial of impeachments.

[All impeachments shall be tried by the Senate. When sitting for that purpose the Senators shall be upon oath or affirmation. No person shall be convicted without the concurrence of two-thirds of the members present.] Upon the adoption of a resolution of impeachment, which resolution shall give reasonable notice of the acts or omissions alleged to constitute impeachable offenses but need not conform to any particular style, a notice of an impeachment of any officer, other than a justice of the Supreme Court, shall be forthwith served upon the Chief Justice, by the Clerk of the General Assembly, who shall thereupon call a session of the Supreme Court to meet at the Capitol in an expeditious fashion after such notice to try the impeachment. A notice of an impeachment of the Chief Justice or any justice of the Supreme Court shall be served by the Clerk of the General Assembly, upon the President Judge of the Superior Court, and he or she thereupon shall choose, at random, seven judges of the Superior Court to meet within 30 days at the Capitol, to sit as a court to try such impeachment, which court shall organize by electing one of its number to preside. The case against the impeached civil officer shall be brought in the name of the General Assembly and shall be managed by two members of the General Assembly, appointed by the General Assembly, who may make technical or procedural amendments to the articles of impeachment as they deem necessary. The trial shall be conducted in the manner of a civil proceeding and the impeached civil officer shall not be allowed to invoke a privilege against self-incrimination, except as otherwise applicable in a general civil case. No person shall be convicted without the concurrence of two-thirds of the members of the court of impeachment that clear and convincing evidence exists indicating that such person is guilty of one or more impeachable offenses. No officer shall exercise his or her official duties after he or she shall have been impeached and notified thereof, until he or she shall have been acquitted.

(37) That section 7 of Article VI be amended to read:

§ 7. Removal of civil officers.

All civil officers shall hold their offices on the condition that they behave themselves well while in office, and shall be removed on conviction of misbehavior in office or of any infamous crime. Appointed civil officers, other than judges of the courts of record, may be removed at the pleasure of the power by which they shall have been appointed. All civil officers elected by the people, except the Governor, the Lieutenant Governor, members of the General Assembly and judges

of the courts of record, shall be removed by the Governor for reasonable cause, after due notice and full hearing, on the address of two-thirds of the [Senate] General Assembly.

(38) That section 2 of Article VII be amended to read:

§ 2. General election day.

The general election shall be held biennially on the Tuesday next following the first Monday of November in each even-numbered year, but the General Assembly may by law fix a different day, two-thirds of all the members [of each House] consenting thereto: Provided, That such election shall always be held in an even-numbered year.

(39) That section 3 of Article VII be amended to read:

§ 3. Municipal election day; offices to be filled on election days.

All judges elected by the electors of the State at large may be elected at either a general or municipal election, as circumstances may require. All elections for judges of the courts for the several judicial districts, and for county, city, ward, borough, and township officers, for regular terms of service, shall be held on the municipal election day; namely, the Tuesday next following the first Monday of November in each odd-numbered year, but the General Assembly may by law fix a different day, two-thirds of all the members [of each House] consenting thereto: Provided, That such elections shall be held in an odd-numbered year: Provided further, That all judges for the courts of the several judicial districts holding office at the present time, whose terms of office may end in an odd-numbered year, shall continue to hold their offices until the first Monday of January in the next succeeding even-numbered year.

(40) That section 17(b) of Article VIII be amended to read:

§ 17. Special emergency legislation.

* * *

(b) Notwithstanding the provisions of Article III, section 29 subsequent to a Presidential declaration of an emergency or of a major disaster in any part of this Commonwealth, the General Assembly shall have the authority by a vote of two-thirds of all members [elected to each House] to make appropriations limited to moneys required for Federal emergency or major disaster relief. This subsection may apply retroactively to any Presidential declaration of an emergency or of a major disaster in 1976 or 1977.

(41) That section 1 of Article XI be amended to read:

§ 1. Proposal of amendments by the General Assembly and their adoption.

Amendments to this Constitution may be proposed in the [Senate or House of Representatives] General Assembly; and if the same shall be agreed to by a majority of the members elected [to each House] thereto, such proposed amendment or amendments shall be entered on their journals with the yeas and nays taken thereon, and the Secretary of the Commonwealth shall cause the same to be published three months before the next general election, in at least two newspapers in every county in which such newspapers shall be published; and if, in the General Assembly next afterwards chosen, such proposed amendment or amendments shall be agreed to by a majority of the members elected [to each House] thereto, the Secretary of the Commonwealth shall cause the same again to be published in the manner aforesaid; and such proposed amendment or amendments shall be submitted to the qualified electors of the State in such manner, and at such time at least three months after being so agreed to by the [two Houses] General Assembly, as the General Assembly shall prescribe; and, if such amendment or amendments shall be approved by a majority of those voting thereon, such amendment or amendments shall become a part of the Constitution; but no amendment or amendments shall be submitted oftener than once in five years. When two or more amendments shall be submitted they shall be voted upon separately.

(a) In the event a major emergency threatens or is about to threaten the Commonwealth and if the safety or welfare of the Commonwealth requires prompt amendment of this Constitution, such amendments to this Constitution may be proposed in the [Senate or House of Representatives] General Assembly at any regular or special session of the General Assembly, and if agreed to by at least two-thirds of the members elected [to each House] thereto, a proposed amendment

shall be entered on the journal of [each House] the General Assembly with the yeas and nays taken thereon and the official in charge of statewide elections shall promptly publish such proposed amendment in at least two newspapers in every county in which such newspapers are published. Such amendment shall then be submitted to the qualified electors of the Commonwealth in such manner, and at such time, at least one month after being agreed to by [both Houses] the General Assembly as the General Assembly prescribes.

(b) If an emergency amendment is approved by a majority of the qualified electors voting thereon, it shall become part of this Constitution. When two or more emergency amendments are submitted they shall be voted on separately.

Section 2. (a) Upon the first passage by the General Assembly of these proposed constitutional amendments, the Secretary of the Commonwealth shall proceed immediately to comply with the advertising requirements of section 1 of Article XI of the Constitution of Pennsylvania and shall transmit the required advertisements to two newspapers in every county in which such newspapers are published in sufficient time after passage of these proposed constitutional amendments.

(b) Upon the second passage by the General Assembly of these proposed constitutional amendments, the Secretary of the Commonwealth shall proceed immediately to comply with the advertising requirements of section 1 of Article XI of the Constitution of Pennsylvania and shall transmit the required advertisements to two newspapers in every county in which such newspapers are published in sufficient time after passage of these proposed constitutional amendments. The Secretary of the Commonwealth shall submit the proposed constitutional amendments under section 1 to the qualified electors of this Commonwealth as a single ballot question at the first primary, general or municipal election which meets the requirements of and is in conformance with section 1 of Article XI of the Constitution of Pennsylvania and which occurs at least three months after the proposed constitutional amendments are passed by the General Assembly.

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Gibbons.

Mr. GIBBONS. Thank you, Mr. Speaker.

First, I want to say that I applaud the gentleman, the Speaker of the House, for bringing this issue of reducing the size of the legislature to the table. It is an issue that I have been interested in since I was elected in 2007, looking at some of the various proposals that have been out over the years. And the one that I have decided to center my attention on, and what this amendment centers on, is reducing the size of the legislature by looking at the structure of the legislature and bringing us down to a single-chambered, unicameral General Assembly. A unicameral General Assembly would eliminate unnecessary duplication and result in immediate cost savings as the need for duplicative staffing, constituent services, and other functions would be eliminated. The idea of unicameralism is not new to Pennsylvania. We see it all over Pennsylvania at the local level: all of our cities, municipalities, counties – all unicameral legislative bodies. In fact, the Pennsylvania General Assembly was, at its beginning, a unicameral General Assembly from 1777 to 1790. This was pushed by Benjamin Franklin, a former Speaker of this institution, who felt unicameralism was the best model for legislative government.

We also see unicameralism in various parts of the world, numerous national and territorial governments, including provincial governments in Canada, and as we heard yesterday, the State of Nebraska, currently the only State with a unicameral legislative branch. U.S. Senator George William Norris, considered the architect of Nebraska's unicameral

system, traveled the State barnstorming during the Great Depression to promote his idea, claiming that the two-house system was outdated, inefficient, and unnecessary, a claim that I feel continues to hold true today and may even be strengthened by later changes in law. When the unicameral legislature debuted in 1937, the body also saved costs, reducing the cost by half from the old one by eliminating the duplication and overlap.

The bicameral legislative body represents a period in time when one House, the upper chamber, typically, would represent the aristocracy, the upper class, while the lower, the representative branch, would represent the commoners. Within the United States, bicameralism was usually modeled after the United States Congress. In the United States Congress, the upper chamber, the Senate, was based upon each State receiving an equal number of Senators, such that the interests of the various States in size would be balanced, while the lower chamber was apportioned by population. Many States followed that model afterwards, where their upper chambers, or State Senators, would represent geographic areas, independent of their population, typically counties at the State level, and the lower chambers, the House of Representatives, would represent a proportionate population.

However, that changed following the United States Supreme Court's decision in *Reynolds v. Sims* that held onto the one-person-one-vote principle that all districts for both State Senate and State House seats must be more or less proportional to each other. Thus, *Reynolds v. Sims* ended the traditional practice of having State Senators apportioned by county, eliminating that ability for the upper chamber to balance the interest of lower governmental units with varying populations and undercutting a key reason for bicameralism based on the U.S. Federal model.

The key element of this amendment is that we would eliminate both the House and the Senate, thereby leaving a single-chambered General Assembly. The current 253 members in our General Assembly would be reduced down to 201 members, a 20-percent reduction. However, this would allow us to maintain the larger size and smaller size districts that is the concern of many who live in rural communities and rural organizations, such as the farm bureaus and some of the township organizations and other rural groups and individuals. Now, oftentimes these moves for unicameralism are seen as an attack on the upper chamber. I do not believe that is the case and certainly is not my intent to attack our colleagues across the building. We are actually eliminating both House and Senate and combining in a single unit and taking some of the best of both chambers. Like the Senate, there would be 4-year staggered terms, but like the House, it would have a Speaker. And in addition like the House, it would be similar in size. All members, as I said, will be chosen for a 4-year staggered term, with half of them being up every year.

In addition, the amendment addresses other concerns throughout the Constitution, such as the impeachment process, whereby charges would be filed by the General Assembly and tried by the State Supreme Court, following the model in Nebraska. The General Assembly would take up the Senate's role of consenting on gubernatorial appointments, and because there would no longer be a President pro tempore of the Senate, the order of succession is changed to allow for appointment by the Governor and confirmation by the General Assembly upon a

vacancy of Lieutenant Governor. Should there be a vacancy in both the office of Governor and Lieutenant Governor, the Speaker of the Assembly will thereby become Governor, maintaining continuity of government.

As I look at this, I look at three key reasons why people want to reduce the size of the General Assembly: efficiency, effectiveness, and reduction in cost. I believe this measure is the best to reach all three of these key goals. I believe we will become more effective, and I look at effectiveness in a measurement of how many laws, how many bills would be passed into law. Over a 10-year study I did between 1999 and 2009, I found that the House passed 3,654 bills; the Senate, 2,769. However, only 1423 actually were made into law. Now, we heard yesterday that, well, we need these two chambers to balance out the interests, to be a check on each other, but that is often not the case. In fact, often the two-chamber system ends up, instead of becoming a check, becoming a block on the system. Bills bounce from chamber to chamber, never making it to the Governor's desk. The true check comes not intrabranch, but interbranch. And those checks will still be in place with the Governor's veto and with the legislature's ability, or I am sorry, with the State court's ability to overturn the ill-conceived laws that would violate constitutional constructs.

Therefore, I do think it will become more effective in getting laws accomplished and to the Governor's desk, and make each and every vote be more thought out and more thorough. We will become more efficient because that duplication will be eliminated. Right now we see committee meetings and hearings taking place in both chambers, such as the same issue brought before the House and Senate Education or Local Government Committees. The offices, oftentimes, of members of the House and Senate may be located in the same community, sometimes even on the same street, and we deal with the same constituent issues, oftentimes between a Senate and a House member. This waste, this duplication can be eliminated by adopting the unicameral model.

And finally, and I think most importantly, the concern for the people of Pennsylvania is that they want to see us reduce costs. This proposal I believe will reduce the greatest cost of any proposal to reduce the General Assembly; my estimate would be approximately \$90 million, roughly a one-third savings in the current General Assembly's budget. I base this upon the idea of operating a unicameral Assembly similar in size and construct to our current House. This is a much greater reduction than any other proposal, and I think very important if we want to deal with seeing the costs reduced, which I think is a key interest of all of our constituents.

So because I feel this will produce the most efficient, the most effective, and the least cost, while still maintaining that close connection that many of our rural communities are asking for, I ask for your support of this amendment to move us to a unicameral legislature, a change that I understand is tough and moves away from the classical model from what we are all comfortable with, but I think in the end will produce a much better General Assembly, better laws at a lower cost for Pennsylvania. So I would appreciate your support for this amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Brendan Boyle, on the question.

Mr. B. BOYLE. Thank you, Mr. Speaker.

Mr. Speaker, I had not planned on speaking on this amendment, but I really feel that of all the amendments that we are debating these next 2 days, or yesterday and today, this is actually the most important, and here is why. The Speaker's bill, the reform that is contained within it, presents two main positives. The first is, the reduction in members would bring with it a reduction in cost. My estimate is \$50 million; I have seen an estimate of upwards of \$90 million. Those are annual savings that we can return to the taxpayers. The second main positive is the one that the Speaker spoke about yesterday, that it would make the body a more practical working unit as opposed to the size that it currently exists at. However, there is one major negative that is part of the underlying bill, and that is by going from 203 members down to a 20-percent reduction, we would, by necessity, make the district sizes much larger. That would be a real drawback to supporting this bill.

I think one of the great advantages that we have at the State House level is that at only approximately 62,000 people, we are much more direct and much more in contact with our constituents than the State Senate or even Congress. Many of us have observed in our own district offices, we have folks who come in all the time that have Federal levels, that have Federal issues. Why is that? That is because we are much more closely connected to the grassroots level than the folks in Congress who represent districts of over 650,000 people as opposed to those of us who represent one-tenth of that number. If we reduce the size of the General Assembly, we will then be increasing our district sizes. We will actually be going more toward the State Senate model or the Congressional model, where they are not as closely in touch with their constituents.

So that brings us to this amendment, offered by the good gentleman from Lawrence. This amendment, actually, if adopted, would bring us the advantages of the underlying bill while avoiding the disadvantages. We would be able to reduce the size of the legislature, while at the same time, roughly, maintaining the relatively small size of our districts that we have. I think of the impact that this may have on our campaigns. Something that a number of people on both sides of the aisle have observed is how expensive and how costly campaigns have become. Congressional races and even State Senate races are based less on grassroots politics and more on fundraising, yet for those of us at the State House level, we are actually able to knock on every single door in our district. We are actually more directly in touch with the people than any other body, frankly, that I know of in the Philadelphia area, and indeed in the Commonwealth. That is a great advantage that we have and that we offer. We cannot lose that.

By adopting this amendment, by going to a unicameral legislature, we will be able to reduce the size of the legislature – with that, save at least \$50 million a year – yet at the same time we will still be able to maintain the small size of our districts and maintain greater contact with the people. I know many folks in my neighborhood and my district who really do not ever interact with any other level of government, but they come into my district office. For those folks and for those of you who have had the same experience, we are the only direct contact that the people have with their government. That is something important that we should be proud of and that we must preserve.

So, Mr. Speaker, I strongly support this amendment. I believe that it improves the underlying bill, and I enthusiastically recommend we all support it. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Jefferson County, the Speaker, Representative Smith, on the question.

Mr. S. SMITH. Mr. Speaker, I talked a little bit about this subject on an amendment that paralleled it, in some respects, yesterday. And while I certainly do appreciate and respect the maker of the amendment's sincere belief that a unicameral legislature would be better for Pennsylvania, and quite candidly, while we might all debate what the numbers should be under the bill as it is, whether the Senate should be part of it or not, this amendment is probably, in many respects, one of the most legitimate debates that we could have if you are looking to change the face of the General Assembly. Philosophically, I do not agree with a unicameral legislature. I believe that the checks and balances, that while sometimes we get in our little differences of opinion with the other end of the building and they with us, I think that is part of that legislative process that was designed to be somewhat cumbersome in terms of moving legislation through this building and to the Governor's desk. So philosophically, I just do not believe in a unicameral legislature. I do not think it is a better form of governance than a bicameral legislature, so I urge the members to oppose it on those grounds.

The second point I am going to make – I am trying to figure out how to say it without diminishing my respect for someone who is just the opposite of me and believes in a unicameral legislature, because I certainly respect that – but my concern is that if we vote to form, or to basically go to a unicameral legislature, that is in essence voting, by most people's definition, to eliminate the Senate. And while there are lots of days that I might wish we could eliminate the Senate – and we can laugh about it, and you know, I mean, the old joke around here was, the worst decision the General Assembly made was when it created the Senate a long, long time ago – and it is fun to kind of kick around those kinds of thoughts, this is pretty serious. And I do believe that should this amendment pass, that this bill would have no chance of consideration in the Senate and we would be back where we are. So on a philosophical basis, what you think is best, I truly believe the bicameral system is the better of those two. And procedurally speaking, I will put it on the line, I think it would significantly diminish the serious consideration by the Senate of this legislation if this amendment were adopted. I would urge the members to vote "no."

The SPEAKER pro tempore. On the question, the Chair recognizes the gentlelady from Luzerne County, Representative Mundy.

Ms. MUNDY. Thank you, Mr. Speaker.

That is a serious discussion, and I rise in support of the gentleman's amendment. He is right: The Senate will never take up a bill that eliminates their chamber. That is why we need to go to a Constitutional Convention. However, the concept of a Constitutional Convention that takes up the issue of a unicameral legislature and all the issues related to the size and makeup of the legislature, including the redistricting process, is really what we need to do. But in the absence of that, this is a very important discussion about how this General Assembly is structured. There is nothing in the underlying bill, HB 153, that saves any money whatsoever, because I can tell you what is going to happen: You will eliminate 50 House members and we will have bigger districts and we will have more district offices

and we will have more staff, because there is nothing in this bill that caps the number of offices or the amount of staff that we have. Nothing in this bill saves any money the way it is written.

If the goal is to save money, you can save \$93 million by going to a unicameral legislature. Why should we have two chambers with all the administrative overhead, all the staff, when one will do just nicely? If the goal is to streamline the legislative process, where is the hold up? It is between the chambers. We get bills passed here, and they get bills passed there. The holdup is when the back and forth between the chambers occurs. Who is going to get their bill passed and become law? What are the issues surrounding the bill that we all want our fingerprints on? It would force us, as members of this chamber, to be more deliberative and to do our jobs better. How many times do we pass a bill knowing that there are flaws? Or worse yet, we are passing them for political reasons, knowing that the Senate will never take them up and they will never become law.

There is a lot of wasted time and effort that goes into bills like that, and you know it and I know it. So if the goal is to save money, if the goal is to streamline the legislative process, then this is the amendment that will do it, because the underlying bill does not do either one of those things. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady and recognizes the gentleman from Lancaster County, Mr. Sturla, on the question.

Mr. STURLA. Thank you, Mr. Speaker.

I rise in support of this amendment. Yesterday we heard the maker of the bill talk about the fact that a fewer number of people in the House would allow us to better understand the issues, and we could actually talk about those things in a more constructive way and educate our members better. The point of this legislation is that we can do that in one chamber. Currently, as many of you know, we will debate issues over here – sometimes ad infinitum, sometimes not at all. We do not hold the hearing on it; we cut off debate; we do all sorts of things like that, then we send it over to the Senate, and with the exception of a few people on this side of the building conversing with a few people on that side of the building, no one knows what they are thinking. We do not know whether they are interested in taking an issue up or not. Sometimes it is our issue, sometimes it is their issue. And as was pointed out, in some cases there is a lot of duplication, and in a lot of other cases there is a lot of wasted effort for something that is never going to go anywhere in either this chamber or the other chamber.

As was pointed out by the previous speaker, as the bill currently stands, it sounds like it is going to be a moneysaver, eliminate 50 seats, but you did not eliminate the constituents from those 50 seats. They are still going to require the same number of staff to provide services to them. They are still going to require the same number of district offices. We are still going to keep the lights on here. We are still going to have this debate. We are going to have session running 100-and-some days a year. None of those cost savings come as a result of 50 members not being here. Those costs are all the same.

However, if instead of an entire operation that duplicates what we do here or what they do over there, that is eliminated, that saves over \$90 million a year, \$90 million, and virtually nothing on the other one. So from a monetary standpoint, there are 90 million reasons to do this. From a better legislative end of things, there are a whole lot of thousands of reasons in the bills that have passed and never been signed into law because

they died in one chamber or the other. There are all those reasons. My guess is, if somebody showed you pictures of 50 Senators – actually, if they showed you pictures of 100 people, 50 of which were the Senators on the other side of the aisle, there are very few members that could identify which 50 were the Senators on the other side of the aisle. And my guess is, if you showed those 50 Senators 203 pictures or 406 pictures and asked them which 203 were members of the House, you would be lucky if they could identify a dozen. So this is not an effective method of doing business in the State of Pennsylvania, but a unicameral legislature saves money, gives us a better understanding of where issues are, and is a more effective way of governing.

I would encourage that people look at this seriously. If we are going to reform the legislature, do not do something that is reform in name only; do something that actually makes sense for the people of Pennsylvania. Vote "yes" on this amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. On the question, the Chair recognizes the gentleman from Northampton County, Representative Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the amendment offered by the gentleman from Lawrence County today. His proposal is a well-thought-out proposal. He has spent quite a bit of time working on this, dealing with all the issues that would be entailed with going from a bicameral to a unicameral system, and it is a good proposal. In fact, it mirrors a lot of the work that was done by our former colleague, Representative Rich Grucela, from Northampton County, who was also an advocate of unicameralism. The point here today with this amendment is if we want true reform, if we fundamentally wish to change the political culture of Harrisburg, to make a real change, this is the proposal to do it. This proposal will bring about more fundamental change to the political culture of this State and of this capital than just about anything else we can do, with the possible exception of reapportionment reform and campaign finance reform, but this is the ticket to true reform.

As the prime sponsor pointed out, many of the arguments for bicameralism at the State level have faded. The Supreme Court decisions that were handed down back in the 1960s establishing the one-person-one-vote doctrine really took away the purpose of a second chamber. It is duplicative to have two chambers. At one time in our nation's history, many city councils, many municipal councils, were bicameral, and they over time were changed universally to unicameral systems because it was duplicative; it was unnecessary; it served no purpose. Now, those who are against this proposal have argued that we need to have checks and balance. That is what we have in our Federal system that is a bicameral system, but keep in mind, that is a Federal system. By its very nature, the Connecticut Compromise that was adopted by the Founding Fathers was one to balance the interests of the State versus the people, and that is why at the Federal level, we have a Senate, which reflects representation of the States, and a Federal House of Representatives, which reflects representation of the people. That dynamic does not exist at the State level. Both chambers, the Senate and the House, represent people roughly of equal-sized districts within the context of each chamber. Most of the modern democracies in the world today have adopted unicameralism, and if they do have a second chamber, it is not a coequal chamber, as is the case here in Pennsylvania. It is a

chamber with less power that is charged with the review of legislation, as a second pair of eyes to look at the process and make sure that all the t's are crossed and all the i's are dotted as we enact legislation.

Having unicameralism would call upon us as legislators to be more thoughtful and more careful as we craft legislation, knowing that it cannot be cleaned up in another chamber. It has to be done right. We are responsible. And that gets to the crux of this issue, which is responsibility and accountability, and which is achievable through this proposed amendment. I mean no offense against our colleagues on the other side of this building; I respect their service and I acknowledge their contribution to the process. But again, if we want to enact fundamental change, true change that will absolutely change the political culture of this State and of how this institution, the General Assembly, operates, this is the amendment to do so.

The prime sponsor's proposal of reducing the House by 50 does not achieve the same level of change that the gentleman from Lawrence County's amendment would do; it reduces just 50 seats, but as has been mentioned by other speakers, in all likelihood the amount of staff that would be assigned to those enlarged districts would increase. The cost savings of reducing the House by 50 seats would be minimal, and in fact could end up being more with the addition of more staff to service larger legislative districts. However, with the Gibbons amendment, what we achieve is a tremendous cost savings of about \$90 million. You lose 50 legislators plus all the support that goes into that legislative body. That is a tremendous cost savings in terms of the operation of government.

The prime sponsor of this amendment talked about the three positive effects of this proposal: greater efficiency, greater effectiveness, and a reduction of costs, and those are all true. But there is a fourth benefit from this amendment if it were to be adopted: accountability. I know we tend to think in terms of checks and balances being a part of the bicameral system, but in the modern age, in a modern functioning democratic system of government, what we need is greater accountability, which comes from not being able to fingerpoint to another body within an institution. We all know what goes on all too often in the legislative process in a bicameral body: The House blames the Senate, the Senate blames the House for a measure not becoming law. It is not our fault. We passed a good bill; they did not pass it, and vice versa.

We also see how special interests can play against each chamber. If they cannot stop a measure in one chamber, they work extra hard to bottle it up in the other chamber, and at the end of the day, at the end of the day, it is the voters who are left wondering who is responsible for something not happening.

If you want greater accountability, if you want to ensure responsibility, this measure is the measure to adopt. Those who worry about the possibility that going to a unicameral system will lack the proper review of legislation, a second pair of eyes checking our legislation as it works through the process, need not fear. In many governments, in many countries where they have adopted a unicameral system, in the case of, say, Norway or Sweden, which have unicameral parliaments, typically they set up a body within the body, a certain set number of members who have the responsibility of reviewing a piece of legislation before it moves further through the legislative process to ensure that that legislation is drafted properly and does what it is intended to do. So there are means within a unicameral body to provide for greater review. We need not fear the loss of that

review, but if we wish to attain true reform, dynamic reform, fundamental reform, this amendment is that proposal, and I urge the members of this body to support the Gibbons amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and, on the question, recognizes the gentleman from Clinton County, the minority whip, Representative Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, I rise to urge a "yes" vote on amendment A09601.

Mr. Speaker, if the goal of this legislation is to create a more responsive legislature, then this amendment does that. This amendment creates a unicameral legislature that will be far, far more efficient than our current two bodies.

In addition, at 201 members it will be far more cost-effective. So this amendment actually achieves the two major goals of this legislation and achieves them a much better way than the underlying bill.

So I would urge all members to vote "yes" on this amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. On the question, the Chair recognizes the gentleman from Lawrence County, the maker of the amendment, Representative Gibbons, for the second time.

Mr. GIBBONS. Thank you, Mr. Speaker.

I appreciate all of the thoughtful discussion on this amendment, because this is a major change, a major theoretical discussion, something that is a little different, a little harder for some people to understand. It gets somewhat out of that comfort zone of what we expect, and because of that I realize that there would be some concern.

I do want to address one specific concern. I know I mentioned this in my opening remarks, but certainly while some might perceive it, and I expect that, as an attack on our colleagues from the other chamber, I do not see this as an attack on the Senate as a body. In fact, we adopt some of the many parts that make them different from us.

I very specifically constructed this legislation in such a way that we eliminate both the House and the Senate, leaving it as a Pennsylvania General Assembly so as not to pick one body over the other as in Nebraska, where every member is called a Senator. Our members would most likely be members of the General Assembly, not a Representative nor a Senator. I specifically think that that target is to make us be more efficient and a more effective body and a less costly body.

This discussion, as I said, a broad discussion is going on in State Houses in States across this country from up in Maine, where their House has passed this legislation previously, from Kentucky, where the Speaker of the Kentucky House was pushing for this legislation, to Arizona, where I know there is a movement to get this on the ballot through a referendum, to various other States that in some way or another are considering this. It is a significant shift in the way we look at governing in this country at the State level, but I think it is being looked at significantly across the country because it is the most effective, most efficient, and least costly method of providing these services to our constituents and getting their voices heard at the State government level.

While I certainly appreciate the comments of the Speaker, the gentleman from Jefferson, and the fact that we do have a theoretical difference on how best to govern in the legislative branch in Pennsylvania, and I respect what he wants to do, I do feel that this, while perhaps taking some of us out of our

comfort zone, is the better, more cost-effective, more efficient method to go, and I would certainly ask for your support in making Pennsylvania, the General Assembly, the second unicameral legislature in the United States. Thank you.

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

The following roll call was recorded:

YEAS—59

Barbin	Davidson	Hanna	Neuman
Boyle, B.	Deasy	Harhai	O'Brien, M.
Boyle, K.	DeLissio	Harkins	Parker
Brennan	DePasquale	Keller, W.	Payton
Brown, V.	Dermody	Kirkland	Preston
Brownlee	DeWeese	Kortz	Ravenstahl
Burns	Donatucci	Kotik	Readshaw
Caltagirone	Fabrizio	Longietti	Sabatina
Cohen	Frankel	Mahoney	Sainato
Conklin	Freeman	Matzie	Samuelson
Costa, P.	Galloway	McGeehan	Sturla
Creighton	George	Mirabito	Waters
Cruz	Gergely	Mundy	White
Cutler	Gibbons	Murt	Youngblood
Daley	Haluska	Myers	

NAYS—133

Adolph	Farry	Major	Rock
Aument	Fleck	Maloney	Ross
Baker	Gabler	Mann	Saccone
Barrar	Geist	Markosek	Santarsiero
Bea	Gerber	Marshall	Santoni
Benninghoff	Gillen	Marsico	Saylor
Bloom	Gillespie	Masser	Scavello
Boback	Gingrich	Metcalfe	Schroder
Boyd	Godshall	Metzgar	Simmons
Bradford	Goodman	Miccarelli	Smith, K.
Briggs	Grell	Micozzie	Smith, M.
Brooks	Grove	Millard	Sonney
Brown, R.	Hackett	Miller	Staback
Buxton	Hahn	Milne	Stephens
Carroll	Harhart	Moul	Stern
Causer	Harris	Mullery	Stevenson
Christiana	Heffley	Murphy	Swanger
Clymer	Helm	Mustio	Tallman
Costa, D.	Hennessey	O'Neill	Taylor
Cox	Hess	Oberlander	Thomas
Culver	Hickernell	Pashinski	Tobash
Curry	Hutchinson	Payne	Toepel
Davis	Josephs	Peifer	Toohil
Day	Kampf	Perry	Truitt
Delozier	Kauffman	Petrarca	Turzai
DeLuca	Kavulich	Petri	Vereb
Denlinger	Keller, F.	Pickett	Vitali
DiGirolamo	Keller, M.K.	Pyle	Vulakovich
Dunbar	Killion	Quigley	Watson
Ellis	Knowles	Quinn	Wheatley
Emrick	Krieger	Rapp	
Evankovich	Kula	Reed	Smith, S.,
Evans, J.	Lawrence	Reese	Speaker
Everett	Maher	Roe	

NOT VOTING—0

EXCUSED—5

Bishop	Harper	Hornaman	Roebuck
Evans, D.			

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 PASSED OVER TEMPORARILY

The SPEAKER pro tempore. This bill will be over temporarily.

RULES SUSPENDED

The SPEAKER pro tempore. For what purpose does the gentleman, Mr. Ross, seek recognition?

Mr. ROSS. Thank you, Mr. Speaker.

I would like to make a motion to suspend the rules to bring up HB 2137.

The SPEAKER pro tempore. The gentleman, Mr. Ross, makes a motion to suspend the rules for the immediate consideration of HB 2137, which appears on House supplemental calendar B.

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Allegheny County, the minority leader, Mr. Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, I ask the members on our side of the aisle and the whole House to support the motion to suspend the rules.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—179

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

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

NAYS—13

Benninghoff	Galloway	Lawrence	Samuelson
Brooks	Grell	Metzgar	Truitt
Cutler	Hutchinson	Mullery	Vitali
Freeman			

NOT VOTING—0

EXCUSED—5

Bishop	Harper	Hornaman	Roebuck
Evans, D.			

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 B

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2137, PN 3218**, entitled:

An Act providing for a temporary moratorium of court-ordered countywide reassessments and for reforms based upon study.

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

BILL REVERTED TO PRIOR PRINTER'S NUMBER

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Ross.

Mr. ROSS. From Chester County. Thank you.

The SPEAKER pro tempore. Thank you. A momentary lapse.

Mr. ROSS. That is okay.

The SPEAKER pro tempore. The gentleman from Chester County, Representative Ross.

Mr. ROSS. I am sympathetic, Mr. Speaker. I have them, too.
Mr. Speaker, I would like to make a motion to revert to prior printer's No. 2989.

The SPEAKER pro tempore. The gentleman, Mr. Ross, makes a motion that HB 2137 revert to PN 2989.

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Allegheny County, the minority leader, Mr. Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, we support the motion to revert to the prior printer's number, and not just because that prior printer's number is my bill. It is a very good piece of legislation, and reverting to the prior printer's number makes this a very good bill. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Those in favor of the motion to revert to the prior printer's number shall vote "aye"; those opposed, "nay."

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

The following roll call was recorded:

YEAS—192

Adolph	Donatucci	Knowles	Quigley
Aument	Dunbar	Kortz	Quinn
Baker	Ellis	Kotik	Rapp
Barbin	Emrick	Krieger	Ravenstahl
Barrar	Evankovich	Kula	Readshaw
Bear	Evans, J.	Lawrence	Reed
Benninghoff	Everett	Longiotti	Reese
Bloom	Fabrizio	Maher	Roae
Boback	Farry	Mahoney	Rock
Boyd	Fleck	Major	Ross
Boyle, B.	Frankel	Maloney	Sabatina
Boyle, K.	Freeman	Mann	Saccone
Bradford	Gabler	Markosek	Sainato
Brennan	Galloway	Marshall	Samuelson
Briggs	Geist	Marsico	Santarsiero
Brooks	George	Masser	Santoni
Brown, R.	Gerber	Matzie	Saylor
Brown, V.	Gergely	McGeehan	Scavello
Brownlee	Gibbons	Metcalfe	Schroder
Burns	Gillen	Metzgar	Simmons
Buxton	Gillespie	Miccarelli	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	Harris	Neuman	Toepel
Curry	Heffley	O'Brien, M.	Toohil
Cutler	Helm	O'Neill	Truitt
Daley	Hennessey	Oberlander	Turzai
Davidson	Hess	Parker	Vereb
Davis	Hickernell	Pashinski	Vitali
Day	Hutchinson	Payne	Vulakovich

Deasy	Josephs	Payton	Waters
DeLissio	Kampf	Peifer	Watson
Delozier	Kauffman	Perry	Wheatley
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	Kirkland		

NAYS—0

NOT VOTING—0

EXCUSED—5

Bishop	Harper	Hornaman	Roebuck
Evans, D.			

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

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

The SPEAKER pro tempore. The House will be at ease momentarily.

The House will come to order.

LEAVES OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the minority whip, who asks that the gentleman from Philadelphia, Representative WATERS, and the gentelady from Philadelphia, Representative BROWNLEE, be placed on leave for the balance of the day. Without objection, those leaves are granted.

CONSIDERATION OF HB 153 CONTINUED

The SPEAKER pro tempore. It is the understanding of the Chair that the gentleman from Blair County, Representative Stern, intends to withdraw amendments A09580 and A09581 but wishes to make a comment in connection with that action. Is that correct?

Mr. STERN. Yes, Mr. Speaker.

The SPEAKER pro tempore. You may proceed.

Mr. STERN. On House amendment 9580, what I had wanted to do with HB 153 was to amend Article IV of the Constitution to establish an executive branch downsizing commission, and this commission would be responsible for making recommendations for reducing the cost and the size of the executive department of the Commonwealth. As we all know, the executive branch is the most costly branch of government when it comes to government.

The other amendment that I had planned to offer was House amendment 9581, amending Article V to reduce the number of justices in the Supreme Court and the number of judges in all the courts of the unified judicial system by 25 percent. Knowing that in our Constitution all three articles – Article II, Article IV, Article V – deal with the balance of power between the executive, judiciary, and also the legislative branch, I felt that

these two amendments were important, that we should be dealing with all at one time, but it is my understanding that the Speaker is willing to work with me on this issue as far as trying to bring this about, that we can bring this to the voters of Pennsylvania and possibly shepherd this through this General Assembly so we can deal with all three branches of government. But to do so we need to make sure that whatever we do today is acceptable, that it will not be ruled out of order, especially in a judiciary manner, as we have seen some of our statutes here.

So to make sure that it passes constitutional muster and I want to make sure that the provisions of these two amendments will be put into a bill form where it can be vented and put out there before the public before we actually vote on them here in this General Assembly, that it would deal with all three branches. It is relevant, I believe, to today's HB 153, but today I am going to be withdrawing both of these amendments, Mr. Speaker. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and returns to consideration of HB 153 on page 4 of today's calendar.

It is the understanding of the Chair that we have one amendment remaining that is drafted to Article II, section 16, of the Constitution. If you have other amendments pending, please check to make sure we are correct in that understanding.

On the question recurring,

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

Mr. VITALI offered the following amendment No. **A08291**:

Amend Bill, page 2, line 3, by inserting after "district."

The division or formation of a district for the purpose of political advantage is prohibited.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Delaware County, Representative Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

This is a very short and simple amendment, which hopefully can be embraced with unanimity by this chamber. What it simply does is adds to Article II, section 16, the following language, quote, "The division or formation of a district for the purpose of political advantage is prohibited." Let me repeat that. All it does is adds to that section, "The division or formation of a district for the purpose of political advantage is prohibited."

Now, I think this is precisely what the people of the Commonwealth want. That paragraph, Article II, section 16, has some other guidelines: Districts shall be compact; contiguous; of equal size, approximately. But with those standards, we have seen that the Reapportionment Commission has attempted to shift lines for political advantage. We know this has occurred census after census, and in fact we have proof positive this has occurred in the current process, because the Pennsylvania Supreme Court threw out the proposal being contrary to law. I think those of us who have looked at the map have seen the gross partisanship that has occurred with the current lines.

So all this simply does is says that we need to not draw these lines. The makers, the Reapportionment Commission, shall not use political advantage as a reason for drawing the lines. This way lines will just be drawn based on what is best for the people we represent, good public policy. So I would ask for an affirmative vote.

The SPEAKER pro tempore. Has the gentleman, Mr. Vitali, concluded his remarks? Thank you.

GERMANENESS QUESTIONED

The SPEAKER pro tempore. The Chair recognizes the majority leader, Representative Turzai, on the question.

Mr. TURZAI. I move to rule amendment 8291 as not germane. This particular amendment argues that it eliminates gerrymandering. The fact of the matter is, the subject of HB 153 is the number of members in a body of the General Assembly. The subject of this amendment is the establishment of criteria for creating legislative districts. This amendment does not relate to the number of members in a body of the General Assembly. It does not comply with the germaneness requirements of House rule 27.

I would ask the members to vote that this amendment is not germane.

The SPEAKER pro tempore. The gentleman from Allegheny County, the majority leader, Mr. Turzai, has raised the question of whether this amendment, A08291, is germane. Under House rule 27, questions involving whether an amendment is germane is subject to be decided by the House.

On the question,

Will the House sustain the germaneness of the amendment?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, the maker of the amendment, Representative Vitali.

Mr. VITALI. I am shocked, almost speechless. I cannot believe what I have just heard, that there would be an objection to such a simple and germane amendment to this. It kind of reveals bare what we are really about here. This amendment is—

The SPEAKER pro tempore. The Chair will remind the gentleman to refrain from characterizing the motives of your colleagues and speak to the question of germaneness.

Mr. VITALI. Thank you, Mr. Speaker.

This amendment is totally germane. It is in the same paragraph. It is in fact a mere 53 words away from the other change that this bill would do. It is clearly the same topic. The bill in chief deals with legislative districts. The amendment deals with legislative districts. Come on now. Who are we kidding here? This is a pretext.

The bill itself, the bill itself necessarily involves the change in legislative districts. When you go from 203 to 153, you are changing legislative districts. The amendment involves a methodology to change legislative districts. How do you change them? Look at my amendment. You change them without political advantage. So you are dealing with legislative districts. You are dealing with changes in legislative districts. You know, if you just do not like the amendment, just vote "no."

Mr. Speaker, I do not see how you can get an amendment more germane unless you had an amendment identical to the bill.

Mr. Speaker, this amendment is desperately needed, because when you are changing legislative districts, as this bill would do, the danger of political advantage is so acute that the provision which I am suggesting is desperately needed to make sure that when the change that would occur in the bill in chief is done, it is done in a manner protective of the interest of the public and it is not done for partisanship.

So I am not sure, I am not sure this passed the straight-face test. You cannot, you cannot with a straight face say this is not germane. So I would ask for a negative vote. Thank you.

The SPEAKER pro tempore. On the question, the Chair recognizes the gentleman from Allegheny County, the minority leader, Representative Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is germane. Traditionally, the test for germaneness has been the single-subject standard. To pass muster under the single-subject standard, an act must have a single unifying scheme to which all of its provisions are germane. The single unifying scheme here in this amendment is the reforming of our representative democracy. And not only is it germane to the reform of our representative democracy or is it related to reform, it actually is reform. It would reform our democracy by taking politics out of our redistricting system, out of our redistricting process, and as such, Mr. Speaker, I ask my colleagues to join me in voting that this amendment is germane.

The SPEAKER pro tempore. On the question, the Chair recognizes the gentleman from Allegheny County, the majority leader, Representative Turzai.

Mr. TURZAI. Thank you very much.

Any amendment to HB 153 would need to relate to the underlying subject of the bill, which is the size of the General Assembly. Here is what the amendment reads, verbatim: "The division or formation of a district for the purpose of political advantage is prohibited," without any definition of political advantage.

The fact of the matter is, if you want to make change to the redistricting process, which is in the Constitution and which provides that the leaders of the four caucuses are a part of it and that a fifth chairman, which was ultimately chosen by the Supreme Court of Pennsylvania, if you want to change that process, that is a distinct and different constitutional concern – period. If you do not like the 1968 constitutional process whereby four caucus leaders and a fifth, either chosen by those leaders or ultimately appointed by the Supreme Court, if you want that process changed, that is a subsequent and separate constitutional debate.

The only issue that is in front of us here is the size of the General Assembly – period. They are two separate portions of the State's Constitution. If you want to address, as I said, as it appears from the good gentleman from Delaware County, I would say it is a faulty amendment anyhow, but it does not deal with the size of the General Assembly. He wants to deal with the redistricting process as set forth in the State Constitution as defined in the 1968 convention, which was a reform convention, by the way.

This is not germane. It is clearly not germane. Please vote that it is not germane. It is, I would say, in fact a frivolous amendment, and it is not germane. Thank you.

The SPEAKER pro tempore. On the question, the Chair recognizes the gentleman from Cambria County, Representative Barbin.

Mr. BARBIN. Thank you, Mr. Speaker.

I rise in support of this amendment as germane, and I would state for the record that this matter was not put forth before a public hearing.

Now, at the beginning of this discussion on this bill, it was stated that the purpose of the bill is for efficiency, for effectiveness, and for least cost of government. Thereafter, this bill was amended to include not only the number of House seats that would be reduced in a cost-saving method, but also the Senate seats. And additional amendments have been brought up that were determined to be germane that would call for the elimination of one House of this General Assembly. So to now say that the only germane issue is the number of the House seats, it does not make any sense.

At the beginning of this discussion, Federalist 55 was introduced as supportive of this position. Well, Federalist No. 10 is directly on point today, and what it says is that when a bill is used for the purpose of trying to restrain the interests of the minority party or the rights of the minority party, that what we should do, according to Madison, is we should remember that majorities become minorities. So if today you claim germaneness, will not allow the discussion, you just have to remember that it was not so long ago that the majority of today was the minority of yesterday, and it continues to be that way. That is the reason why everyone is allowed to provide a discussion on a bill like this.

There is also another fact, and I will give you the dates: October 31 and today's date.

The SPEAKER pro tempore. The Chair will remind the gentleman the question before the House is germaneness.

Mr. BARBIN. Germaneness on—

The SPEAKER pro tempore. Will you please focus on that.

Mr. BARBIN. With all due respect, this is tinkering with our Constitution.

The statement has been made that the amendment made by the speaker is not germane. This House is determining to change our Constitution, and for that discussion we are trying to limit that discussion, even though it is changing the Constitution.

On October 31, 2011, the same argument on germaneness was made on a bill that said that we will get back to that issue later. The bill at the time was texting. The context was the Senate will never agree to a primary offense for texting so we cannot include, on germaneness grounds, a cell phone ban. The safety of our Commonwealth residents now has been stopped because people are still talking on their cell phones although they are not allowed to text. Today the same issue is raised again with regard to changing our Constitution. We will allow this discussion on a constitutional change but we do not allow the other. This is wrong. If we are not going to have an open constitutional debate, if we are not going to have an open Constitutional Convention, then if we are going to go forward with cost-effective measures, we ought to discuss them all.

It is the Constitution. The discussion requires nothing less. I urge a vote that this is germane.

The SPEAKER pro tempore. Those who believe the amendment is germane will vote "aye"; those who believe the amendment is not germane will vote "no."

On the question recurring,
Will the House sustain the germaneness of the amendment?

The following roll call was recorded:

YEAS—81

Barbin	DeLissio	Kavulich	Pashinski
Boyle, B.	DeLuca	Keller, W.	Payton
Boyle, K.	DePasquale	Kirkland	Petrarca
Bradford	Dermody	Kortz	Preston
Brennan	DeWeese	Kotik	Ravenstahl
Briggs	Donatucci	Kula	Readshaw
Brown, V.	Fabrizio	Longietti	Sabatina
Burns	Frankel	Mahoney	Sainato
Buxton	Freeman	Mann	Samuelson
Caltagirone	Galloway	Markosek	Santarsiero
Carroll	George	Matzie	Santoni
Cohen	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	Wheatley
Davidson	Harkins	O'Brien, M.	White
Davis	Josephs	Parker	Youngblood
Deasy			

NAYS—109

Adolph	Farry	Maher	Reese
Aument	Fleck	Major	Roe
Baker	Gabler	Maloney	Ross
Barrar	Geist	Marshall	Ross
Bear	Gillen	Marsico	Saccone
Benninghoff	Gillespie	Masser	Saylor
Bloom	Gingrich	Metcalfe	Scavello
Boback	Godshall	Metzgar	Schroder
Boyd	Grell	Miccarelli	Simmons
Brooks	Grove	Micozzie	Sonney
Brown, R.	Hackett	Millard	Stephens
Causar	Hahn	Miller	Stern
Christiana	Harhart	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	Verb
Dunbar	Keller, F.	Pickett	Vulakovich
Ellis	Keller, M.K.	Pyle	Watson
Emrick	Killion	Quigley	
Evankovich	Knowles	Quinn	Smith, S., Speaker
Evans, J.	Krieger	Rapp	
Everett	Lawrence	Reed	

NOT VOTING—0

EXCUSED—7

Bishop	Evans, D.	Hornaman	Waters
Brownlee	Harper	Roebuck	

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

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

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair welcomes constituents from the 33d Legislative District, guests of the minority leader, the gentleman from Allegheny County, Representative Frank Dermody. Welcome to the hall of the House.

CONSIDERATION OF HB 153 CONTINUED

The SPEAKER pro tempore. Are there any further amendments to HB 153 that members have introduced that they believe are drafted to Article II, section 16? Any further?

Representative DeLuca, your amendment is drafted to Article II, section 16?

Mr. DeLUCA. Mr. Speaker, it is drafted to Article II of this Constitution, and what it does, Mr. Speaker—

The SPEAKER pro tempore. Mr. DeLuca, the question is Article II, section 16. I am making an inquiry. Is your amendment drafted to that?

Mr. DeLUCA. In my opinion, it is drafted to Article II, section 16, Mr. Speaker.

The SPEAKER pro tempore. We will be at ease while we take a look. Thank you, Mr. DeLuca.

Upon review, there are no further amendments drafted to Article II, section 16, of the Constitution. It is the ruling of the Chair that the single-subject requirement of Article III, section 3, of the Constitution, as reiterated in House rule 20, causes the remaining amendments that have been filed but not drafted to Article II, section 16, of the Constitution to be out of order.

It is the ruling of the Chair that the remaining amendments are therefore out of order and violate recent court decisions such as *DeWeese v. Weaver* and the *City of Philadelphia v. Commonwealth*.

RULING OF CHAIR APPEALED

The SPEAKER pro tempore. For what purpose does the gentleman, the minority leader, from Allegheny County seek recognition?

Mr. DERMODY. I would like to appeal the ruling of the Chair, Mr. Speaker.

The SPEAKER pro tempore. The gentleman, Mr. Dermody, moves that he wishes to appeal the decision of the Chair?

Mr. DERMODY. That is correct.

The SPEAKER pro tempore. The ruling of the Chair is to be reiterated, which is that amendments not drafted to Article II, section 16, of the Constitution are out of order with respect to HB 153 because they violate the single-subject requirement as set forth in House rule 20.

The gentleman from Allegheny County, the minority leader, has appealed that decision of the Chair.

On the question,

Shall the decision of the Chair stand as the judgment of the House?

The SPEAKER pro tempore. On that question, the Chair recognizes the minority leader, the gentleman from Allegheny County, Representative Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, I believe this ruling of the Chair is based on a misunderstanding of the Constitution. While Article III, section 3, clearly prohibits bills from containing more than one subject, Article III, section 3, does not apply to the proposed amendments to the Constitution. Instead, Mr. Speaker, we must turn to Article XI, section 1, of the Constitution, which provides the process for amending the Constitution. Mr. Speaker, Article XI, section 1, provides that "When two or more amendments shall be submitted" – that means submitted to the voters – "they shall be voted upon separately." If the Framers of the Constitution did not intend for us to be able to put more than one amendment in a bill, the Constitution would not have this language. If the Framers did not intend for us to be able to pass multiple constitutional amendments in a single bill, they would not have spoken of amendments in the plural.

Mr. Speaker, further supporting are the words of the Speaker, Jack Seltzer, on June 25, 1980. In response to a parliamentary inquiry asking whether multiple constitutional amendments can be offered to the same bill, Speaker Seltzer stated, "We can find nothing in the constitution...which would prohibit this."

Mr. Speaker, in supporting Speaker Seltzer in his position was also Speaker Matt Ryan, though he was not yet elected Speaker, and Speaker Ryan said that "In the case of the constitutional amendment before us and the bill which is an amendment to the constitution, I suggest that the basic document is the constitution, and if we are suggesting an amendment to it, then the entire constitution is fair game for amendment."

I stand here, Mr. Speaker, as the Democratic leader, and I am joining two respected giants of the Republican Party. Speaker Seltzer and Speaker Ryan both read the same Constitution that we are dealing with today and reached the same conclusion, that a single bill can contain multiple constitutional amendments.

As such and then because the Constitution is clear in allowing multiple amendments to the Constitution, I ask my colleagues to support me in the appeal of the ruling of the Chair.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Allegheny County, the majority leader, Representative Turzai, on the question.

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

I would urge the members to uphold the ruling of the Chair.

First of all, rule 20 of our rules, "Bills Confined to One Subject," "No bill shall be passed containing more than one subject, which shall be clearly expressed in its title, except a general appropriation bill or a bill codifying or compiling the law or a part thereof." It is based on Constitution Article III, section 3.

In 2002 in the Pennsylvania Commonwealth Court's *Mellow* decision, the court said, "...the procedure to be used in proposing such" constitutional "amendments is exclusively committed to the legislature." And in 2005 in the Pennsylvania Supreme Court's *Grimaud* opinion, the court further clarified that "Because the plain language..." of the Constitution "...does not require the legislature to engage in a specific procedure

while proposing amendments, we will not inquire into these internal procedures nor look beyond the recorded votes, for judicial review is precluded pursuant to the Political Question Doctrine."

In the Journal, cited by the good gentleman from Allegheny County, my colleague, who is the minority leader, he cited one aspect of the record but did not finish with the particular record on that day in question of June 25, 1980; it goes back some time. But the paragraph is this: A member stated after the ruling of the Speaker that he did not rise to debate the merits of the amendment proposed by the gentleman, but made it clear that "A constitutional amendment," quote, unquote, "is a very serious thing. It is something that we live with for a very long time." When it was brought up on the floor to another constitutional amendment bill, he did not believe that it was germane, and a vote was taken with respect to that germaneness and it was found to be not germane. So the precedent that is being cited by the good gentleman in fact was defeated on germaneness; if you read the entire record, it was in fact defeated on germaneness purposes. Here we are using rule 20, which is a related rule, and the rules are somewhat different than they were at the time back in 1980.

A review of the legislative history for the past 35 years discloses that whenever a proposed constitutional amendment was voted upon during the time that our good colleagues were in the majority, no amendments to the proposed legislation were offered on the House floor by members of either party; contrast that to today's consideration when over 60 amendments have been filed by the opposition to HB 153, most of which have nothing to do with the subject matter of the bill. I suspect it is a bit of a different approach between the two sides, as when the other side is in the majority, but the fact is we should uphold the ruling of the Chair. These amendments are not confined to the subject at hand in the underlying bill, and I would ask all members to uphold the ruling of the Chair.

Thank you.

PARLIAMENTARY INQUIRIES

The SPEAKER pro tempore. On the question, the motion appealing the decision of the Chair, the gentleman from Delaware County, Representative Vitali, is recognized.

Mr. VITALI. Thank you.

I have a parliamentary inquiry. I have been here 20 years now. I do not ever remember a collective motion that would affect scores of amendments. And so my first question is, is there a precedent with regard to applying the single-subject rule ruling scores of amendments out of order, each of which contain different subjects from each other? Is there is a precedent for this?

The SPEAKER pro tempore. For the benefit of the gentleman from Delaware County, it is a rather frequent occurrence that groups of amendments are recognized as being out of order, and the inquiry is placed by the Chair as to whether or not there is any disagreement with that. This would seem to be one of the moments where there is some disagreement with that, but it happens with some frequency, Mr. Vitali, and I would have hoped you would have known that.

Do you have a further parliamentary inquiry, or do you wish to speak on the question?

Mr. VITALI. I do, I do, I do, I do. Thank you.

There are scores of amendments left. Does the maker of each of these amendments have their own right at some point to argue the germaneness of their own amendments?

The SPEAKER pro tempore. Mr. Vitali, that will depend upon the outcome of the vote on the question before us.

Mr. VITALI. What is the recourse of an individual member right now with regard to his own amendment should this appeal fail?

The SPEAKER pro tempore. Mr. Vitali, it is rather elementary. Members are free to introduce their own legislation. Members are free to introduce other amendments. Members are free to proceed within our rules in any number of ways.

Mr. VITALI. So further parliamentary inquiry.

So if a member who has an amendment still outstanding wants to argue that his amendment is not violative of the single-subject rule and is in fact germane, what would his recourse be right now?

The SPEAKER pro tempore. Germaneness has not been addressed, Mr. Vitali. The motion before the House is appealing the decision of the Chair, under rule 20 of our rules, that there are no further amendments drafted to Article II, section 16, that address the size of the legislature and therefore the remaining amendments are out of order under the single-subject requirement of our rule 20. That is the question before the House. There is not a question of germaneness.

I suppose if you are asking, if you disagree with this ruling, what is your recourse? Your recourse would be to vote on the question that is before us. In fact, your recourse might be to speak on the question that is before us. Those are two avenues that are available to you.

Do you have further parliamentary inquiry?

Mr. VITALI. I do, I do, because what is sort of confusing me here is that, let us say hypothetically we have 40 amendments left, and there may be 40 different arguments for why one of those 40 versus another of those 40 is not violative of the single-subject rule – and some may be violative and some may not be violative – how does a member get a ruling on his own amendment, because it just seems like the result of this vote is going to be an all-or-nothing, but there are actually 40 different fact scenarios we are dealing with?

The SPEAKER pro tempore. Mr. Vitali, if you have 40 different facts, I suggest that you speak on the question and offer those 40 additional facts.

Mr. VITALI. Okay.

A further inquiry. So how would this body's vote possibly distinguish between those 40 different amendments? I am not really getting how it is possible to collectively rule on whether all 40 amendments do or do not comply with the single-subject rule with one vote.

The SPEAKER pro tempore. Mr. Vitali, I am afraid that your not getting how it is possible is not an appropriate parliamentary inquiry.

Do you have a further parliamentary inquiry?

Mr. VITALI. Yes.

The SPEAKER pro tempore. Do you wish to be recognized on the question, Mr. Vitali?

Mr. VITALI. Maybe it is a point of order that I have at this point.

The SPEAKER pro tempore. Mr. Vitali, you were recognized on the question. Instead, you rescinded recognition on the question. You were recognized for a series of

parliamentary inquiries. Do you have another purpose for which you are seeking recognition at this point?

Mr. VITALI. Well, to be clear, I did not rise to be recognized on the question. I rose—

The SPEAKER pro tempore. That is what I said, Mr. Vitali.

Mr. VITALI. Right.

The SPEAKER pro tempore. Thank you.

POINT OF ORDER

The SPEAKER pro tempore. Do you have further—

Mr. VITALI. This would be a point of order now.

The SPEAKER pro tempore. Would you please state your point of order.

Mr. VITALI. My point of order is that it is inappropriate to collectively rule on multiple single-subject issues with one vote.

The SPEAKER pro tempore. Mr. Vitali, I have good news for you. That is in fact the question which is before the House right now – thank you to the gentleman from Allegheny County, the minority leader, Mr. Dermody – and if that is your point of view, I would suggest that you vote in accordance with Representative Dermody on this question or even speak on this question, but that your point of order is a redundancy because that is the very question that is before the House.

Mr. VITALI. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Northampton County, Representative Samuelson, on the question.

Mr. SAMUELSON. Thank you.

I rise to speak on the motion to appeal the ruling of the Chair and give you my reasons why I think we should overturn this ruling. There are several amendments that have been timely filed that should be heard by this House, that should be voted by this House.

I have two amendments filed with regard to the reapportionment process. Now, mind you, the bill in chief, on page 3, line 1, refers to the effective date of this proposed reduction in the size of the legislature, that it shall be effective at the time of the 2020 reapportionment. So the bill in chief refers to the reapportionment.

Now, the majority leader said that we need to work with amendments that relate to the underlying purpose of the bill. I have two amendments. One is amendment 9645, which is based on the nonpartisan Iowa system of reapportionment providing that Pennsylvania would adopt a fair and open and nonpartisan system. My second amendment is amendment 9701, based on the nonpartisan California system of reapportionment so that Pennsylvania would have a fair and open and nonpartisan system of reapportionment.

I know the majority leader said that there are some amendments that have nothing to do with the subject matter of the bill. I believe these two amendments have everything to do with the subject matter of the bill, because you have to address this central question: If we reduce the size of the legislature, if we reduce the House by 50 members and the Senate by 12 members, who is in charge of doing the reducing? Under the existing system, which you could look up in the Constitution, it is the Legislative Reapportionment Commission; it is four party leaders plus a fifth member selected by those four party leaders. So if we do not amend this bill to provide for a fair and open and nonpartisan system of reapportionment, guess who gets to

decide which 50 seats get eliminated in the House? Guess who gets to decide which 12 seats get eliminated in the Senate? It is the majority leader of the House, the minority leader of the House, the majority leader of the Senate, and the minority leader of the Senate. If we do not amend this bill for a nonpartisan system of reapportionment, this would concentrate additional power in the hands of those four legislative leaders. Think about it. For the next 10 years the legislative leaders in both chambers—

POINT OF ORDER

Mr. TURZAI. Point of order, Mr. Speaker. Point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. TURZAI. Yes, sir.

This is not on the subject of the ruling of the Chair. If the good gentleman wants to change the 1968 convention, how it amended the Constitution with respect to reapportionment, he may file a constitutional amendment, and I am sure it will be duly considered by the members as they read all of the cosponsor memos and have significant discussion. This is not about reapportionment. This is about reducing the size of the legislature. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman for his point of order and understands what the gentleman from Northampton County's desire is to do. You are speaking with respect to the motion to appeal the decision of the Chair. So let me just recite that decision that is being appealed again so you can craft your argument specific to it. Under our rule 20, the single-subject provision, it is the ruling of the Chair that amendments that do not pertain to Article II, section 16, and the size of the legislature are out of order. And I do understand where you are trying to go, but I would ask that you try to frame it in the context of that decision of the Chair.

Mr. SAMUELSON. Thank you.

The SPEAKER pro tempore. You may proceed.

Mr. SAMUELSON. I am speaking because these two amendments for the nonpartisan reapportionment process were ruled out of order, and I believe they are directly connected to the subject matter of the bill. If we are going to reduce the size of the legislature, it matters who reduces the size of the legislature.

Now, I do not know who is going to be the majority leader or the minority leader in 10 years. I do not know whether that leader is going to be named Turzai or Tobash or Dermody or Donatucci, but I do know—

POINT OF ORDER

Mr. TURZAI. Point of order, Mr. Speaker, please.

First of all, we should not be mentioning members by name in this context, and second of all, it needs to pertain to the appeal of the Chair. If the good gentleman wants to file a constitutional amendment, he should file a constitutional amendment, and the merits of changing reapportionment can and I am sure will be discussed by many. This is about reducing the size of the legislature. This is not a soapbox for a different issue.

Mr. SAMUELSON. Thank you.

I think if we are going to talk about reducing the size of the legislature, it really does matter who reduces the size of the legislature.

I will not speculate any further about who is going to be the majority leader or minority leader in the year 2020, but think about it.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. SAMUELSON. Think about it. If the power to do that reduction of 50 seats is vested in two people here in the House and two different people over in the Senate to do the reduction of 12 seats, just think what power those people would have. They could keep a naughty-and-nice list for years. They could keep a list of who has dared to be independent, who has dared to speak out against the party line, and 2020 could become payback time. The seats to be eliminated could be the seats of those who have dared to buck the party line, to speak out independently. That is why I think it is so important that if we are going to reduce the size of the legislature in the House and the Senate, we have to put it in the hands of a nonpartisan entity. The State of Iowa does it; the State of California does it.

I have two amendments that are timely filed and properly filed to this bill to provide a nonpartisan, fair, and open system of reapportionment. I think it really matters. I think it is directly connected to the subject matter of this bill.

And so I would urge that we overturn the ruling of the Chair so that these amendments can be debated and voted on by this House of Representatives. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

LEAVES OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the minority whip, who asks that the gentleman from Philadelphia, Mr. MYERS, be placed on leave for the balance of the day. Without objection, that leave is granted.

The Chair recognizes the majority whip, who asks that the gentleman from York, Representative PERRY, be placed on leave for the balance of the day. Without objection, that leave is granted.

CONSIDERATION OF HB 153 CONTINUED

The SPEAKER pro tempore. On the question of appealing the ruling of the decision of the Chair, the Chair recognizes the gentleman from Allegheny County, Representative DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, I support the minority leader's appealing the ruling of the Chair. What I do not understand is the fact that I have an amendment, 8802, which deals with Article II of the Constitution. It deals with the legislature, and that is what we are talking about when we are talking about reducing the size of the legislature.

And I understand a lot of members do not want to vote for this amendment, but it seems to me the public is getting sick and tired of the way we are running this House and the way we are running government, not only here in Harrisburg but in

Washington. The time has come to give everybody their voice. If you want to vote against the amendment because you say it is not germane, then we need to vote that way.

Earlier this session we changed the tune, because everyone here when we voted for an amendment by the gentleman from Adams County, who offered two amendments, we talk about single subjects, but unfortunately, we ruled, and evidently everyone on the other side said it was germane, it was constitutional yet it pertained to two different things. Now, are we going to change every time we are going to do that or are we going to give every member who has been elected by 66,000 or 63,000 people the right to represent their district and come up here and speak on behalf of the citizens of Pennsylvania?

Mr. Speaker, I object to you ruling all these amendments out of order, and it only makes me wonder and it should make everyone wonder, because there will be another Speaker up here one of these days, and if you take away the voice of the members, you have no government at all. And I hope the other side understands if things change, you want your voices heard.

If you do not want to vote for an amendment, do not vote for it. Vote against it. What do you have to fear? Either we vote "yes" or we vote "no," but to automatically have the Speaker rule that all these amendments are out of order when they were filed timely, and we believe as members that they are constitutional and they relate to the legislature, which we are trying to do.

And, Mr. Speaker, I support this bill; I support this bill. I was one of the first ones to sign on to this bill of reducing the legislature, and I am not trying to hinder this bill, but I think I have an amendment that really makes this legislature better and gives credibility to the people out there. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentelady from Philadelphia, Representative Josephs, on the question.

Ms. JOSEPHS. Thank you, Mr. Speaker.

I also rise in support of the motion by the minority leader, the Democratic leader, that we should overrule your ruling, we should reverse your ruling, Mr. Speaker.

I have two amendments – 08379, 08380. They directly address the cost of the legislature. They say, one of them, that when we get to this reduction, we should reduce our expenditures by 20 percent; the other says 25 percent.

Now, we have had plenty of discussion about the cost of this legislature and how it would be better to make it cheaper, and that is what my amendments do. They are to Article II, section 16, both of them. Both of them have the same sort of mechanism. There is one paragraph under section 16 that makes that paragraph A and it adds my amendment as B.

There has been plenty of discussion, and, Mr. Speaker, I do not think our voters care how many of us there are; right now they do not care. What they care about is we are too expensive, and if my two amendments are ruled out of order, I do not question anybody's motivation on the floor, but I am telling you the voters, the public, the constituents, the taxpayers who foot our bill, will be pretty angry, will be pretty angry, and they will ascribe motives to the people who say that these are not germane. They will say, if you do not like it, if you do not want to reduce the amount of money that we spend for this legislature, the public will say, well, then vote against that, vote against that.

And, Mr. Speaker, I will not accept the suggestion that I can just file something, have it go to the State Government Committee, and have it vetted. The individual from Butler has not moved one Democratic bill, has not approved of one Democratic—

The SPEAKER pro tempore. Will the gentelady suspend.

POINT OF ORDER

The SPEAKER pro tempore. For what purpose does the gentleman, Mr. Metcalfe, seek recognition?

Mr. METCALFE. Point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. METCALFE. Mr. Speaker, the gentelady, is she not supposed to be sticking to the motion to appeal and speaking to that motion, Mr. Speaker, because it seems like she is far off on other topics, Mr. Speaker?

The SPEAKER pro tempore. The Chair is inclined to agree with your point of order and would ask the gentelady to confine her remarks to the question of appealing the decision of the Chair.

Ms. JOSEPHS. Thank you, Mr. Speaker.

I believe the decision of the Chair should be appealed. I believe any member of the public who watches this debate will be disgusted. I will not say who for fear of being interrupted by this individual from Butler.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentelady.

The Chair recognizes the gentleman from Centre County, Representative Conklin, on the question.

Mr. CONKLIN. I want to thank the Speaker for indulging us in this.

And I, too, am backing the minority leader, because what I found funny in this whole argument, the majority leader said that these bills have to be constitutional, have to be done with what is being done constitutionally, or that is a close proximity to what he said. And many of our members, in a very wholesome and pure manner, brought amendments to this floor so that the voice of their districts could be heard or a concern could be heard, and I think that is the reason we came here today, to speak for those individuals that cannot talk.

And the one amendment which I would have put in was actually an amendment that gave the people a voice. You see, we are listening here today and we hear a bunch of politicians talking about what is germane, what is not germane; what is constitutional, what is not constitutional. When you look at my personal amendment, it was for a Constitutional Convention to give the people of Pennsylvania a voice. I think nothing more germane to a bill that changes the Constitution than to have the people of Pennsylvania involved in a constitutional change. I do not know why people do not want that brought out. I do not know why folks are afraid of that, but it is time that we listen to the people. We should not be listening to those folks who have maybe a special interest or, as some folks would say, we have our agenda or insulting somebody in one way or the other. No, this is about the People's House and the people's business, Mr. Speaker, and if we are serious about doing the people's

business, I think we should back that minority leader. I think we should back that individual and give these amendments a chance to air.

If you want to vote down a Constitutional Convention, the House can vote the people's voice down. They do not need to let the people involved if they do not want it involved, but you see, I do. I want the people involved in the decisions, and that is all that some of the amendments did. Some of the amendments clarified it. I think they were very important to have in, but due to the fact that perhaps we do not want to listen to all these amendments going through, and I know that is not a motive that anybody on this floor would have, or some folks—

The SPEAKER pro tempore. Will the gentleman remember to not characterize motives of the members but speak to the question before the House. Thank you.

Mr. CONKLIN. And I thank you. That is why I said they would not have that, Mr. Speaker, but I do appreciate you reinforcing that; I do. Thank you.

So I am asking the members to please knock down this motion. Let us allow the constitutionality, the Constitution of Pennsylvania to prevail. Let us allow the people's voice to be heard on this floor. Let us go with the minority leader from Allegheny County. Let us give that gentleman a chance to give the people a chance. Let the people's voice ring clear. Do not use procedural tricks – thank you; procedural tricks. That was given to me. That was somebody else's voice put in this – tricks to be able to stop the people's voice.

Mr. Leader on the minority side, we are with you. We are with the people's voice. We are with the minority leader that understands the people's voice needs to be heard. Thank you, sir.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cambria County, Representative Barbin, on the question.

Mr. BARBIN. Thank you, Mr. Speaker.

I rise in opposition to the ruling of the Chair for the following reason: For the people that are listening to this debate, you have an issue that has now been presented before the House. This is a question of the tyranny of the majority. We have just lumped together about 40 amendments, one amendment which said we are going to have the people determine how we are going to change the Constitution; that was the open Constitutional Convention amendment. And I had an amendment that was ruled out of order en masse, which said that we should discuss and vote on term limits. Now, those were issues that are all in one article of our Constitution. It was titled "The Legislature."

Now, the ruling of the Chair today says that for purpose of the ruling of the Chair, no constitutional amendment will be considered unless that constitutional amendment fits within not Article II with regard of the legislature, but only Article II, section 16. So the good gentleman from Northampton County, who says maybe we should have a different legislative reapportionment committee, his amendment is out of order; and the good gentleman from Centre, who says maybe we should submit this to the public, his amendment is out of order; and my amendment, which would say maybe we should consider it this time, term limits and different numbers of years of services for Representatives or Senators, that is out of order.

Now, I submit to you that this process is what is out of order, and that if we are really going to have reform, then we at least have to say "yea" or "nay" to whatever the amendments are that

involve the legislature, and we do not hide behind the germaneness issue, we do not hide behind the unconstitutionality issue. We just take a vote, because that is what we were elected to do. We are Representatives of our 60,000 or so constituents, and if we do not want to do the job, then somebody else should do it, but since we are here today, let us do the job that we were elected to do.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lancaster County, Representative Sturla, on the question.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to the ruling of the Chair.

As has been pointed out, there have been about 40 amendments that were lumped into a single category for an up-or-down vote as to whether or not they are in order even though they were timely filed as required by the rules adopted by this House. We have heard that they covered issues like a Constitutional Convention and term limits. They also included issues like reapportionment, which it is impossible to reduce the number of the members in the House and the Senate without doing reapportionment, and yet the ruling of the Chair is that discussing reapportionment is out of order. We have heard that there are amendments that would deal with the cost of the legislature, and while a lot of the discussion that we heard today as to why this bill should be adopted dealt with the cost of the legislature, apparently amendments that deal with the cost of the legislature are somehow out of order.

I believe that the maker of the bill was sincere in his intent to try and have issues dealt with. I must say that the ruling of the Chair, however, which rules legitimate, reasonable attempts by members of the legislature to enhance that bill are completely off base. How you can say we can discuss all of those issues that are covered in these amendments when we discuss the bill, but when you want to amend the bill concerning those very same issues, those issues suddenly become out of order, is beyond me.

By voting to sustain the Speaker's ruling on these amendments being out of order, you cannot hide behind some constitutional claim that they just did not apply. They were spoken about directly with relation to this bill as the discussion has occurred over the last 2 days. You cannot accomplish this bill without dealing with issues like reapportionment and the cost of the legislature, and to then say that to try and deal with that is out of order turns a blind eye to the reality of what those amendments say and is a slap in the face to the citizens of Pennsylvania.

Thank you, Mr. Speaker.

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

Mr. KORTZ. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the minority leader's motion to appeal the ruling of the Chair.

Mr. Speaker, HB 153, which I support and am a cosponsor of, I believe it is a good bill, and I commend the Speaker for bringing it to the House floor. That bill is going to amend Article II of the Constitution. Therefore, the other amendments that reside and call out Article II should be fair game. Now, I have two other amendments that called out in Article II – 08314, which would eliminate another part of government to save \$2 million a year, and 09611, which would impose term limits on the House and Senate of 16 years. Both of those call

out Article II. I do not understand why all of a sudden all these amendments ganged en masse have been discarded and said they are out of order when many of these are calling out Article II.

I therefore would respectfully request that we stick with the minority leader's support here in appealing this ruling. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Clinton County, the minority whip, Representative Hanna, on the question.

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the motion to appeal the ruling of the Chair.

The Chair has ruled that these amendments are out of order because of violating the single-subject rule. In fact, at least two of the amendments that have been ruled out of order – amendment 9645 and amendment 9701 – both of which deal with reapportionment, deal directly with the very sentence that HB 153 is attempting to amend in Article II, section 16. HB 153 amends Article II, section 16, the first sentence, where it says, "The Commonwealth shall be divided into 50 senatorial" districts "and 203 representative districts..." It is that 203 that HB 153 seeks to amend. So the very sentence that the bill is attempting to amend goes on to say, "...which shall be composed of compact and contiguous territory as nearly equal in population as practicable." Now, those words are clearly the standards by which reapportionment is done. So the amendment, A9645, and the amendment, A9701, are attempting to amend the very same sentence that the Speaker is attempting to amend with his HB 153.

For that reason, Mr. Speaker, it is clear that at least those amendments, if not all of the amendments, should be in order, and we should uphold the minority leader's motion to appeal the ruling of the Chair.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and, on the question, recognizes the gentleman from Allegheny County, the minority leader, Representative Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, earlier in the debate the majority leader mentioned that the issue here today on this motion to appeal is germaneness, and I want to commend the Speaker pro tem for correctly and accurately pointing out that the issue here today is not germaneness. The issue is the single-subject rule.

And in the precedent that I pointed out, the precedent from Speaker Seltzer and Speaker Ryan is accurate, and they both read the same Constitution that we are working with today and they stated and came to the same conclusion that we are coming to, the correct conclusion: that a single bill can contain multiple constitutional amendments.

And I would be remiss if I also did not point out that on December 5 the prime sponsor of this piece of legislation ruled that a single bill dealing with agricultural property and jury commissioners did not violate the single-subject rule. And here we are today dealing with amendments, many of them that are drafted to Article II, amendments dealing with redistricting, amendments dealing with the legislature contained in the same bill violate the single-subject rule. Mr. Speaker, the precedent

indicates and dictates that they certainly do not. We should overturn the ruling of the Chair and rule that those amendments can be heard.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman, and on the question, recognizes the majority leader, Representative Turzai.

Mr. TURZAI. We were, on our side of the aisle, in the minority for the previous 4 years prior to this session. The fact of the matter is, many of the issues, the constitutional issues that are attempted of being raised in the amendments – term limits, changing the reapportionment process – could all have been put forth in appropriate constitutional amendments – they are separate constitutional issues – and raised by the other side while they were in the majority. They did not do so.

The fact of the matter is, we are on the verge of addressing a constitutional issue, a specific constitutional issue of historic importance: reducing the size of the legislature. It seems to me once again our side is governing and is not afraid to address specific constitutional issues; this one, reducing the size of the legislature, and the members on this side would like to get to a vote on that underlying constitutional issue that is put forth in HB 153. The fact of the matter is the amendments that are filed are designed to obfuscate, to delay, and not to get to the underlying—

Mr. DERMODY. Mr. Speaker? Mr. Speaker? Talk about questioning the motives. Now, wait—

Mr. TURZAI. The fact of the matter is—

Mr. DERMODY. Mr. Speaker?

The SPEAKER pro tempore. The gentleman is reminded we are speaking on the question of the appeal of the decision of the Chair. There is leeway granted to the leaders.

Mr. DERMODY. I think I have been very understanding so far about leeway for the leaders.

The SPEAKER pro tempore. I would respect your judgment, but I would ask that we continue to be respectful and proceed.

Mr. TURZAI. We need to uphold the ruling of the Chair, which is very specific about the single-subject rule as set forth in rule 20. We would ask that we vote to uphold the Chair's ruling and allow us to move to the underlying constitutional issue, should we reduce the size of the legislature, as set forth in HB 153. Thank you.

The SPEAKER pro tempore. For the information of the members, those voting to sustain the decision of the Chair shall vote "aye"; those seeking to overturn the decision of the Chair shall vote "no."

On the question recurring,

Shall the decision of the Chair stand as the judgment of the House?

The following roll call was recorded:

YEAS—109

Adolph	Farry	Maher	Roae
Aument	Fleck	Major	Rock
Baker	Gabler	Maloney	Ross
Barrar	Geist	Marshall	Saccone
Bear	Gillen	Marsico	Saylor
Benninghoff	Gillespie	Masser	Scavello

Bloom	Gingrich	Metcalfe	Schroder
Boback	Godshall	Metzgar	Simmons
Boyd	Grell	Miccarelli	Sonney
Brooks	Grove	Micozzie	Stephens
Brown, R.	Hackett	Millard	Stern
Causar	Hahn	Miller	Stevenson
Christiana	Harhart	Milne	Swanger
Clymer	Harris	Moul	Tallman
Cox	Heffley	Murt	Taylor
Creighton	Helm	Mustio	Thomas
Culver	Hennessey	O'Neill	Tobash
Cutler	Hess	Oberlander	Toepel
Day	Hickernell	Payne	Toohil
Delozier	Hutchinson	Peifer	Truitt
Denlinger	Kampf	Petri	Turzai
DiGirolamo	Kauffman	Pickett	Vereb
Dunbar	Keller, F.	Pyle	Vulakovich
Ellis	Keller, M.K.	Quigley	Watson
Emrick	Killion	Quinn	
Evankovich	Knowles	Rapp	Smith, S.,
Evans, J.	Krieger	Reed	Speaker
Everett	Lawrence	Reese	

NAYS—79

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

NOT VOTING—0

EXCUSED—9

Bishop	Harper	Myers	Roebuck
Brownlee	Hornaman	Perry	Waters
Evans, D.			

Less than a majority of the members elected to the House having voted in the negative, the decision of the Chair stood as the judgment of the House.

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

The SPEAKER pro tempore. There are some housekeeping matters, but for the information of the members, we do not expect any further recorded votes.

BILLS RECOMMITTED

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

HB 153;
HB 1478;
HB 1588;
HB 1749;
HB 1839;
HB 2136;
HB 2137;
HB 2244; and
SB 375.

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

BILLS REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 65 and HB 2003 be removed from the tabled calendar and placed on the active calendar.

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

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1823, PN 2839**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, further providing for teaching safe driving of motor vehicles.

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

BILL TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 1823 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 1823 be removed from the tabled calendar and placed on the active calendar.

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

RESOLUTIONS

Mr. TURZAI called up **HR 225, PN 1566**, entitled:

A Resolution urging Pennsylvanians to use the term "intellectually disabled" to describe individuals with a mental impairment.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HR 225 be removed from the active calendar and placed on the tabled calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HR 225 be removed from the tabled calendar and placed on the active calendar.

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

* * *

Mr. TURZAI called up **HR 315, PN 2831**, entitled:

A Resolution directing the Legislative Budget and Finance Committee and the Joint State Government Commission to study the financial and administrative effectiveness of the emergency medical services system.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HR 315 be removed from the active calendar and placed on the tabled calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HR 315 be removed from the tabled calendar and placed on the active calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 645 be removed from the tabled calendar and placed on the active calendar.

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

BILL TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 645 be removed from the active calendar and placed on the tabled calendar.

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

The SPEAKER pro tempore. The Chair rescinds its announcement with respect to HB 2137 based upon the action earlier today.

Are there any announcements? Last call for announcements, corrections of the record.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER pro tempore. The Chair recognizes Representative Hackett from the county of Delaware, who moves that this House now adjourn until Wednesday, April 4, 2012, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 5:35 p.m., e.d.t., the House adjourned.