

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

WEDNESDAY, SEPTEMBER 17, 2014

SESSION OF 2014

198TH OF THE GENERAL ASSEMBLY

No. 57

### HOUSE OF REPRESENTATIVES

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

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

#### PRAYER

The SPEAKER. Today the prayer will be offered by Rabbi Eric Cytryn, Beth El Temple, Harrisburg, Pennsylvania.

RABBI ERIC CYTRYN, Guest Chaplain of the House of Representatives, offered the following prayer:

Good morning.

Dear God, creator of all, who created each one of us in Your image to continue Your holy work here on earth, our hearts are filled with gratitude and awe as we participate in the democratic process of representing and governing the people of this great Commonwealth.

This morning we ask Your blessing over our elected officials and their staffs and all citizens of our great Commonwealth and our great country. You have given us this great gift of democracy so we can institutionalize the belief that all people are created in Your image, and therefore, absolutely equal of infinite worth and nearly infinite potential.

You have created this world with diverse life, diverse ideas, and diverse faiths so that we can all find a home in Your presence. We pray today that You will guide our elected leaders towards deeper sensitivity towards these diversities. Teach us to protect and defend each other – each person's right to live, each person's right to express their thoughts, each person's right to joyfully pursue happiness, and each person's right to express their faith in our Commonwealth.

Guide us also to a greater sensitivity toward the pain that disease and medical conditions bring to bear on our bodies and souls. Permit us to empathize more deeply with the pain and suffering that can be alleviated through decisions we are empowered to make in this great chamber. Help us to be open-minded in our potential and humble in the face of the power our constituents have given us. We pray that You will empower us to feel joy when our neighbors feel joy and sadness when our neighbors are sad. We pray that You will enable us, through our actions, to teach the world tolerance and kindness, justice and compassion.

You have taught us justice: "Justice shall you pursue that you may long live on the land I am giving to you." And You have also taught us to love our neighbor as yourself and love the

stranger. Continue to challenge us, God, to protect the interests of all of our citizens.

Remind us today, dear God, that we cannot merely pray to You to act on behalf of our fellow citizens. Bless us, please, with strength, determination, and willpower to do instead of merely to pray, for Your sake and for ours, speedily and soon that our land and world may be safe and that our lives may be blessed.

Blessed are You, God of all creation, who blesses all members of this House with the wisdom to govern. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, September 16, 2014, will be postponed until printed.

#### COMMUNICATION FROM PHILADELPHIA PARKING AUTHORITY

The SPEAKER. The Speaker acknowledges receipt of the 2014 Audit Report from the Philadelphia Parking Authority, submitted pursuant to 53 Pa.C.S. § 5510.1(e).

(Copy of communication is on file with the Journal clerk.)

#### HOUSE RESOLUTIONS INTRODUCED AND REFERRED

**No. 1017** By Representatives SCHREIBER, NEILSON, THOMAS, McNEILL, KINSEY, McCARTER, WHITE, COHEN, McGEEHAN, J. HARRIS, FRANKEL, CLAY, HARHAI, YOUNGBLOOD, KIM and GILLEN

A Resolution directing the Joint State Government Commission to establish an advisory committee to assist in the study of whether or not the Pennsylvania State Police and other law enforcement agencies should receive training on the use of nonlethal force against dogs; to determine whether implementing policies and procedures pertaining to nonlethal force is appropriate; to determine the fiscal impact of the training; and to report to the House of Representatives with its findings and recommendations.

Referred to Committee on JUDICIARY, September 17, 2014.

**No. 1018** By Representatives MURT, McGEEHAN, YOUNGBLOOD, MILLARD, DiGIROLAMO, COHEN, V. BROWN, CALTAGIRONE, THOMAS, KIRKLAND, KINSEY, D. MILLER, DONATUCCI, PARKER, READSHAW, GODSHALL, FREEMAN, SCHLOSSBERG, WATSON, LONGIETTI, DAVIDSON, MAHONEY, PAINTER, GINGRICH, MIRABITO, DAVIS, SABATINA and McCARTER

A Resolution directing the Legislative Budget and Finance Committee to conduct a comprehensive study and make a report on the impact of the 10% reduction in funding for county-managed community mental health services implemented during fiscal year 2013 on the availability of mental health treatment and services; and establishing an advisory committee.

Referred to Committee on HUMAN SERVICES, September 17, 2014.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 2479** By Representatives STERN, B. BOYLE, V. BROWN, BOBACK, MUNDY, MIRABITO, KIM, BROWNLEE, WATSON, MILLARD, DAY, BAKER, THOMAS, O'BRIEN, GODSHALL, COHEN, MURT, FARINA, JAMES, KAUFFMAN, SABATINA, READSHAW, CLYMER, HEFFLEY, HARHAI, PETRI and GINGRICH

An Act amending the act of September 9, 1965 (P.L.497, No.251), known as the Newborn Child Testing Act, further providing for the Newborn Child Screening and Follow-up Program.

Referred to Committee on HUMAN SERVICES, September 17, 2014.

**No. 2485** By Representatives SCHREIBER, MILLARD, SAMUELSON, DAVIS, YOUNGBLOOD, NEILSON, KINSEY, HARHAI, SCHLOSSBERG, HARKINS, D. COSTA, BIZZARRO, PASHINSKI, J. HARRIS, MAHONEY, THOMAS, DeLISSIO, FARINA, GIBBONS, McGEEHAN, COHEN, MILNE, MURT, McCARTER, McNEILL and FREEMAN

An Act amending the act of June 28, 1995 (P.L.89, No.18), known as the Conservation and Natural Resources Act, defining "certified lifeguard"; and providing for certified lifeguard requirement in State parks with public beaches.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, September 17, 2014.

**No. 2486** By Representatives HARHAI, HELM, V. BROWN, READSHAW, MILLARD, MAHONEY, P. DALEY, THOMAS, O'BRIEN, LONGIETTI, PASHINSKI, SWANGER, BURNS, ROEBUCK, COHEN, MURT, BISHOP, DONATUCCI, KORTZ, SNYDER, SABATINA, DEASY, KOTIK, BOBACK, QUINN and FABRIZIO

An Act amending the act of November 6, 1987 (P.L.381, No.79), known as the Older Adults Protective Services Act, further providing for definitions; and providing for financial abuse.

Referred to Committee on AGING AND OLDER ADULT SERVICES, September 17, 2014.

**No. 2487** By Representatives MICCARELLI, MICOZZIE, BENNINGHOFF, MIRABITO, THOMAS, BROOKS, ELLIS, LUCAS, CHRISTIANA, W. KELLER, HAHN, O'NEILL, K. BOYLE, SONNEY, McNEILL, KINSEY, SWANGER, WATSON, MILLARD, MAJOR, HENNESSEY, YOUNGBLOOD, CALTAGIRONE, DiGIROLAMO, READSHAW, GRELL, BARRAR, FARINA, GODSHALL, HARHART, COHEN, SAYLOR, KAUFFMAN, BAKER, PASHINSKI, McCARTER, SABATINA, ROCK, MURT, GROVE, FLECK, VEREB, MAHONEY and GINGRICH

An Act amending the act of June 26, 2014 (P.L.790, No.77), entitled "An act designating the 700 to 800 block of U.S. Route 13, also known as the Chester Pike, in Prospect Park Borough, Delaware County, as the Officers Luke Arlington Conner and John Horace Callaghan Memorial Highway," further providing for the Officers Luke Arlington Conner and John Horace Callaghan Memorial Highway.

Referred to Committee on TRANSPORTATION, September 17, 2014.

**No. 2488** By Representatives EVANKOVICH, MILLARD, MACKENZIE, SANKEY, JAMES, LUCAS, ROCK, MURT, SWANGER and GINGRICH

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, in lobbying disclosure, further providing for definitions and for prohibited activities.

Referred to Committee on STATE GOVERNMENT, September 17, 2014.

**No. 2489** By Representatives B. BOYLE, BISHOP, MURT, V. BROWN, K. BOYLE, DAVIS, McNEILL, BRIGGS, PASHINSKI, MILLARD, THOMAS, COHEN, DeLUCA, FRANKEL, MAHONEY, BROWNLEE, W. KELLER and McCARTER

An Act amending the act of November 29, 2006 (P.L.1471, No.165), known as the Sexual Assault Testing and Evidence Collection Act, further providing for the title of the act, for definitions and for sexual assault evidence collection program; and providing for rights of sexual assault victims.

Referred to Committee on JUDICIARY, September 17, 2014.

**No. 2490** By Representatives EVERETT, MILLARD, PICKETT, MURT and COHEN

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for continuing professional education for school or system leaders.

Referred to Committee on EDUCATION, September 17, 2014.

**SENATE BILLS FOR CONCURRENCE**

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

**SB 1210, PN 2277**

Referred to Committee on TRANSPORTATION, September 17, 2014.

**SB 1356, PN 2003**

Referred to Committee on INSURANCE, September 17, 2014.

**SB 1357, PN 2004**

Referred to Committee on INSURANCE, September 17, 2014.

**BILL REPORTED FROM COMMITTEE,  
CONSIDERED FIRST TIME, AND TABLED****HB 2471, PN 4096 (Amended) By Rep. BAKER**

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in casualty insurance, providing for pharmaceutical coverage for oral anticancer medications.

HEALTH.

**RESOLUTIONS REPORTED  
FROM COMMITTEES****HR 929, PN 4097 (Amended) By Rep. HENNESSEY**

A Resolution directing the Legislative Budget and Finance Committee to conduct a study of the existing network of elder abuse task forces in this Commonwealth and to assess the feasibility of expanding the network Statewide.

AGING AND OLDER ADULT SERVICES.

**HR 936, PN 4098 (Amended) By Rep. BAKER**

A Resolution directing the Joint State Government Commission, in collaboration with certain other State departments and agencies, to develop a report on diabetes and to issue the report to the House of Representatives.

HEALTH.

**RESOLUTION REPORTED AND REREFERRED  
TO COMMITTEE ON HUMAN SERVICES****HR 948, PN 3948 By Rep. BAKER**

A Resolution requesting that the Legislative Budget and Finance Committee conduct a comprehensive review of data maintained by the Department of Education and the Department of Public Welfare on the number of transition-age youth and young adults diagnosed with Autism Spectrum Disorders.

Reported from Committee on HEALTH with request that it be rereferred to Committee on HUMAN SERVICES.

The SPEAKER. Without objection, the resolution will be so rereferred.

**SENATE MESSAGE****AMENDED HOUSE BILLS RETURNED  
FOR CONCURRENCE AND  
REFERRED TO COMMITTEE ON RULES**

The clerk of the Senate, being introduced, returned **HB 1052, PN 3691**, and **HB 1558, PN 4073**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**LEAVES OF ABSENCE**

The SPEAKER. The Speaker turns to leaves of absence and recognizes the majority whip, who requests a leave of absence for the gentleman, Mr. GODSHALL, from Montgomery County for the day; the gentleman, Mr. GRELL, from Cumberland County for the day; the gentleman, Mr. O'NEILL, from Bucks County for the day; the gentleman, Mr. REGAN, from York County for the day; and the gentleman, Mr. GROVE, from York County for the day. Without objection, the leaves will be granted.

The Speaker recognizes the minority whip, who requests a leave of absence for the gentleman, Mr. KOTIK, from Allegheny County for the day, and the gentleman, Mr. Pete DALEY, from Washington County for the day. Without objection, the leaves will be granted.

**MASTER ROLL CALL**

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

The following roll call was recorded:

**PRESENT—194**

Adolph	Emrick	Knowles	Pickett
Aument	English	Kortz	Pyle
Baker	Evankovich	Krieger	Quinn
Barbin	Evans	Kula	Rapp
Barrar	Everett	Lawrence	Ravenstahl
Benninghoff	Fabrizio	Longietti	Readshaw
Bishop	Farina	Lucas	Reed
Bizzarro	Farry	Mackenzie	Reese
Bloom	Fee	Maher	Roae
Boback	Fleck	Mahoney	Rock
Boyle, B.	Flynn	Major	Roebuck
Boyle, K.	Frankel	Maloney	Ross
Bradford	Freeman	Markosek	Rozzi
Briggs	Gabler	Marshall	Sabatina
Brooks	Gainey	Marsico	Saccone
Brown, R.	Galloway	Masser	Sainato
Brown, V.	Gergely	Matzie	Samuelson
Brownlee	Gibbons	McCarter	Santarsiero
Burns	Gillen	McGeehan	Saylor
Caltagirone	Gillespie	McGinnis	Scavello
Carroll	Gingrich	McNeill	Schlossberg
Causar	Goodman	Mentzer	Schreiber
Christiana	Greiner	Metcalfe	Simmons
Clay	Hackett	Metzgar	Sims
Clymer	Haggerty	Miccarelli	Smith
Cohen	Hahn	Micozzie	Snyder

Conklin	Haluska	Millard	Sonney
Corbin	Hanna	Miller, D.	Stephens
Costa, D.	Harhai	Miller, R.	Stern
Costa, P.	Harhart	Milne	Stevenson
Cox	Harkins	Mirabito	Sturla
Cruz	Harper	Miranda	Swanger
Culver	Harris, A.	Molchany	Tallman
Cutler	Harris, J.	Moul	Taylor
Daley, M.	Heffley	Mullery	Thomas
Davidson	Helm	Mundy	Tobash
Davis	Hennessey	Murt	Toepel
Day	Hickernell	Mustio	Toohil
Dean	James	Neuman	Topper
Deasy	Kampf	O'Brien	Truitt
DeLissio	Kauffman	Oberlander	Turzai
DeLozier	Kavulich	Painter	Vereb
DeLuca	Keller, F.	Parker	Vitali
Denlinger	Keller, M.K.	Pashinski	Waters
Dermody	Keller, W.	Payne	Watson
DiGirolamo	Killion	Peifer	Wheatley
Donatucci	Kim	Petrarca	White
Dunbar	Kinsey	Petri	Youngblood
Ellis	Kirkland		

## ADDITIONS—0

## NOT VOTING—0

## EXCUSED—8

Daley, P.	Grell	Kotik	Regan
Godshall	Grove	O'Neill	Sankey

## LEAVES ADDED—9

Adolph	Hackett	Hennessey	Miranda
Evans	Haggerty	Metzgar	Wheatley
Frankel			

## LEAVES CANCELED—2

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

## LEAVE OF ABSENCE

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

The House will please come to order.

## GUESTS INTRODUCED

The SPEAKER. I would like to introduce a couple of guests that are with us today. Located to the left of the rostrum, we would like to welcome Tom Burd and Lisa Matthews. They are here today as guests of Representative Kampf. Will our guests please rise. Welcome to the hall of the House.

## UNCONTESTED CALENDAR

## RESOLUTIONS PURSUANT TO RULE 35

Mr. ELLIS called up **HR 966, PN 4043**, entitled:

A Resolution designating the month of September 2014 as "Ovarian Cancer Awareness Month" in Pennsylvania.

\* \* \*

Mr. READSHAW called up **HR 986, PN 4030**, entitled:

A Resolution honoring and recognizing the significance and history of the United States flag-folding ceremony.

\* \* \*

Ms. DONATUCCI called up **HR 993, PN 4050**, entitled:

A Resolution designating September 21, 2014, as "Peace Day in Pennsylvania."

\* \* \*

Ms. BROWNLEE called up **HR 996, PN 4053**, entitled:

A Resolution recognizing the month of September 2014 as "Senior Center Month" in Pennsylvania.

\* \* \*

Ms. BROWNLEE called up **HR 998, PN 4055**, entitled:

A Resolution designating the month of September 2014 as "Emergency Preparedness Month" in Pennsylvania.

\* \* \*

Mr. KINSEY called up **HR 1001, PN 4058**, entitled:

A Resolution designating September 18, 2014, as "Falls and Flu Prevention and Awareness Day" in Pennsylvania.

\* \* \*

Mr. COHEN called up **HR 1007, PN 4077**, entitled:

A Resolution recognizing September 23, 2014, as "National Voter Registration Day" in Pennsylvania and encouraging Pennsylvanians to register and vote.

\* \* \*

Mr. CLYMER called up **HR 1011, PN 4080**, entitled:

A Resolution recognizing September 11, 2014, as a day of solemn commemoration of the events of September 11, 2001, and offering the Commonwealth's deepest and most sincere condolences to the families, friends and loved ones of the innocent victims of the attacks.

On the question,  
Will the House adopt the resolutions?

The following roll call was recorded:

## YEAS—193

Adolph	Emrick	Knowles	Pickett
Aument	English	Kortz	Pyle
Baker	Evankovich	Krieger	Quinn
Barbin	Evans	Kula	Rapp
Barrar	Everett	Lawrence	Ravenstahl
Benninghoff	Fabrizio	Longietti	Readshaw
Bishop	Farina	Lucas	Reed
Bizzarro	Farry	Mackenzie	Reese
Bloom	Fee	Maher	Roe
Boback	Fleck	Mahoney	Rock
Boyle, B.	Flynn	Major	Roebuck
Boyle, K.	Freeman	Maloney	Ross
Bradford	Gabler	Markosek	Rozzi
Briggs	Gainey	Marshall	Sabatina
Brooks	Galloway	Marsico	Saccone
Brown, R.	Gergely	Masser	Sainato
Brown, V.	Gibbons	Matzie	Samuelson
Brownlee	Gillen	McCarter	Santarsiero
Burns	Gillespie	McGeehan	Saylor
Caltagirone	Gingrich	McGinnis	Scavello
Carroll	Goodman	McNeill	Schlossberg
Causar	Greiner	Mentzer	Schreiber
Christiana	Hackett	Metcalfe	Simmons
Clay	Haggerty	Metzgar	Sims
Clymer	Hahn	Miccarelli	Smith
Cohen	Haluska	Micozzie	Snyder
Conklin	Hanna	Millard	Sonney
Corbin	Harhai	Miller, D.	Stephens
Costa, D.	Harhart	Miller, R.	Stern
Costa, P.	Harkins	Milne	Stevenson
Cox	Harper	Mirabito	Sturla
Cruz	Harris, A.	Miranda	Swanger
Culver	Harris, J.	Molchany	Tallman
Cutler	Heffley	Moul	Taylor
Daley, M.	Helm	Mullery	Thomas
Davidson	Hennessey	Mundy	Tobash
Davis	Hickernell	Murt	Toepel
Day	James	Mustio	Toohil
Dean	Kampf	Neuman	Topper
Deasy	Kauffman	O'Brien	Truitt
DeLissio	Kavulich	Oberlander	Turzai
Delozier	Keller, F.	Painter	Vereb
DeLuca	Keller, M.K.	Parker	Vitali
Denlinger	Keller, W.	Pashinski	Waters
Dermody	Killion	Payne	Watson
DiGirolamo	Kim	Peifer	Wheatley
Donatucci	Kinsey	Petrarca	White
Dunbar	Kirkland	Petri	Youngblood
Ellis			

## NAYS—0

## NOT VOTING—0

## EXCUSED—9

Daley, P.	Grell	Kotik	Regan
Frankel	Grove	O'Neill	Sankey
Godshall			

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

The SPEAKER. The House will come to order.

## REMARKS SUBMITTED FOR THE RECORD

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

The gentleman, Mr. Ellis, may proceed.

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

In regards to the previous resolution that we just passed, I would like to submit my comments for the record.

The SPEAKER. The Speaker thanks the gentleman.

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

September is Ovarian Cancer Awareness Month in Pennsylvania, to go along with the national observance.

It is estimated that 22,240 American women will be diagnosed with ovarian cancer this year and more than 14,230 will die as a result. As the ninth most common cancer in women, 1 woman out of every 72 will develop ovarian cancer at some point in her lifetime.

Sadly, there is no single test that will diagnose this cancer, and for this reason many women are not diagnosed until late in the development of ovarian cancer. Ovarian cancer is difficult to diagnose because the symptoms are subtle and very often misinterpreted by both women and physicians, but with early detection, so many women can successfully fight this disease. In fact, 9 out of 10 women whose cancer was found early have gone on to live longer than 5 years after their diagnosis. There is hope, and I want us all to share that hope.

And for those of you out there who have been touched by ovarian cancer – as a patient, loved one, health-care provider, or other – I want to thank you. Thank you for taking up this fight, thank you for being here today, and thank you for your efforts in helping to raise awareness to fight back against this deadly disease.

For me, sponsoring this resolution was deeply personal, as a dear friend of mine and my Capitol staff member passed away from the disease 4 years ago this month.

I consider it a privilege to be able to help – in whatever way I can – to raise awareness of this horrible disease so that other women and their friends and families can have a better chance at life.

## STATEMENT BY MR. KINSEY

## REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Speaker recognizes the gentleman from Philadelphia, Mr. Kinsey, under unanimous consent relative to a resolution that was just adopted.

Mr. KINSEY. Thank you, Mr. Speaker.

I want to thank all my colleagues for their unanimous vote on HR 1001, and I will submit my comments for the record. Thank you.

The SPEAKER. The Speaker thanks the gentleman.

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

For many of us, the flu is just a minor inconvenience – a 24- or 48-hour bug that only sidelines us for a few days before we are back into the swing of our daily lives – but for others the flu can be a dangerous and life-threatening illness. It certainly does not help that each year new strains of influenza across the country are discovered and inflict the elderly and our children in record numbers. Each year it happens:

Patients young and old in emergency rooms wait for hours before being seen by a physician. They miss work, they miss life events, and in some cases have their long-term health severely threatened.

In addition, the sheer numbers of those affected by the flu cause pharmacies to be short of certain medicines, and many go without needed prescriptions because they cannot be filled. Epidemics also cause a shortage of blood for operations and emergencies because there are not enough healthy donors available to give blood. This knowledge causes me great concern. I wonder if our public health officials and institutions were adequately prepared to handle the certain flu epidemic. I know we find ourselves wondering the same. What can we do to ensure proper preparation, and what can be done to ensure that everyone receives proper care in a timely manner?

One thing we can all do is to get a flu vaccination. Getting an annual flu vaccination is the best way to prevent seasonal flu infections and serious flu-related illnesses. Further, early vaccination against the flu has been associated with greater health benefits over time. Older adults, especially those with weakened immune functions or chronic health conditions, are more susceptible to flu complications, often resulting in hospitalization and sometimes death. For these seniors, providing for greater awareness regarding the benefits of getting vaccinated early is critical to their overall health.

In addition, another public health challenge for seniors and others within our communities is preventing falls because the risk of falling increases with each decade of our life cycles.

In my district, the Center in the Park, located within the Germantown section of the city of Philadelphia, is participating in the 2014 National Council on Aging's Flu + You program to help spread these messages among Germantown's and northwest Philadelphia's seniors.

I encourage you all to look for similar opportunities in your districts as we heed Falls and Flu Prevention and Awareness Day.

#### STATEMENT BY MS. BROWNLEE

The SPEAKER. The Speaker recognizes the lady from Philadelphia County, Ms. Brownlee, under unanimous consent relative to one of the resolutions just adopted.

Ms. BROWNLEE. Thank you, Mr. Speaker.

The services our EMS (emergency medical services), fire companies, hospitals, police, and other first responders provide us with are vital to help minimize the damage of loss of life during an emergency. And our ability to help with, or at least trust in, their service makes a life-and-death difference.

The Commonwealth's recognition of Emergency Preparedness Month in September goes a long way to say "thank you" to our first responders while reminding us that we all need to be ready for a disaster – manmade or natural. I am sure many of you have seen or even participated in various drills and training exercises held everywhere from airports to municipal buildings this month, and I hope you have been paying attention. While no one wants to live out a disaster, we definitely want to live through a disaster. Learning how to work with the disaster professionals this month and all year is critical to surviving an incident.

HR 998 also urges us to thank local, State, and Federal emergency responders for their heroic and most important work. Though we should never want them to have to do their jobs, when they do, inevitably, it is a blessing to know that we are all in good hands.

To all my colleagues, please remember to thank a first responder this month. We have much to be grateful to them for.

Also, I would like to thank you for voting in the affirmative for this resolution. Thank you, Mr. Speaker.

#### STATEMENT BY MR. CLYMER

The SPEAKER. The Speaker recognizes the gentleman from Bucks County, Mr. Clymer, under unanimous consent relative to one of the resolutions just adopted.

Mr. CLYMER. Thank you, Mr. Speaker.

I want to thank the members of the General Assembly for supporting HR 1011, a resolution recognizing September 11, 2014, as a day of solemn commemoration of the events of September 11, 2001.

I know that the time has passed and many special events have been held to commemorate with the living families their loved ones who were killed at the Twin Towers those many years ago. Three thousand of our fellow Americans died, and not to mention the brave firemen from New York City, the police, and all those involved with emergency medical services, the time and efforts they put forth to save the lives of those people.

So it is a reminder, Mr. Speaker, that we must maintain a constant vigilance among our borders to secure our borders to make certain that we do not have terrorists within the midst of us that would do such devastation in the future.

And so, Mr. Speaker, let us all remind ourselves of this event and always work hard and in a cooperative way in support of law enforcement who are keeping us safe. That is really an important consideration.

And again, I do thank members for support of this resolution. Thank you.

#### STATEMENT BY MR. COHEN

The SPEAKER. The Speaker recognizes the gentleman from Philadelphia County, Mr. Cohen, under unanimous consent relative to one of the resolutions just adopted.

Mr. COHEN. Thank you, Mr. Speaker.

I deeply appreciate the affirmative vote of the House recognizing September 23, 2014, as "National Voter Registration Day."

Those of us in the legislature and other elective offices take voter registration as a routine fact of life. For others not so deeply involved, however, it is often a very murky situation, often delayed for other more urgent personal priorities that take precedence in the minds of individuals.

A Pennsylvania resident who is a citizen of the United States for at least 1 month before the next election, who is a resident of the election district where the Pennsylvanian wants to register and vote for at least 30 days before the next election, and is at least 18 years of age on the day of the next election may register and vote in Pennsylvania.

Voter registration forms are widely available in Pennsylvania. Pennsylvanians can register to vote in person at a county voter registration commission office, at a legislative office, at public libraries, by mail applications, at a PENNDOT office while acquiring a driver's license, and many other State government and local government offices, including State offices that provide public assistance and services to persons with disabilities; Armed Forces recruiting centers; county Clerk of the Orphans' Court offices, including each marriage license bureau; area agencies on aging; Centers For Independent Living, county mental health and mental disability offices; student disability services offices of the State System of Higher

Education; offices of special education; and ADA (Americans with Disabilities Act) complementary paratransit offices.

The deadline to register and vote for the general election on November 4, 2014, is October 6, 2014; that is October 6, 2014, is the deadline for people to register to vote in this election.

I urge all eligible Pennsylvanians to register and vote for the candidates of their choice. Thank you, Mr. Speaker.

**UNCONTESTED SUPPLEMENTAL CALENDAR A**

**RESOLUTION PURSUANT TO RULE 35**

Mr. MUSTIO called up **HR 1020, PN 4095**, entitled:

A Resolution designating the month of October 2014 as "Safe Eye Surgery Month" in Pennsylvania and recognizing the work of participating ophthalmologists on behalf of the IRIS Registry.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—193**

Adolph	Emrick	Knowles	Pickett
Aument	English	Kortz	Pyle
Baker	Evankovich	Krieger	Quinn
Barbin	Evans	Kula	Rapp
Barrar	Everett	Lawrence	Ravenstahl
Benninghoff	Fabrizio	Longietti	Readshaw
Bishop	Farina	Lucas	Reed
Bizzarro	Farry	Mackenzie	Reese
Bloom	Fee	Maher	Roae
Boback	Fleck	Mahoney	Rock
Boyle, B.	Flynn	Major	Roebuck
Boyle, K.	Freeman	Maloney	Ross
Bradford	Gabler	Markosek	Rozzi
Briggs	Gainey	Marshall	Sabatina
Brooks	Galloway	Marsico	Saccone
Brown, R.	Gergely	Masser	Sainato
Brown, V.	Gibbons	Matzie	Samuelson
Brownlee	Gillen	McCarter	Santarsiero
Burns	Gillespie	McGeehan	Saylor
Caltagirone	Gingrich	McGinnis	Scavello
Carroll	Goodman	McNeill	Schlossberg
Causser	Greiner	Mentzer	Schreiber
Christiana	Hackett	Metcalfe	Simmons
Clay	Haggerty	Metzgar	Sims
Clymer	Hahn	Miccarelli	Smith
Cohen	Haluska	Micozzie	Snyder
Conklin	Hanna	Millard	Sonney
Corbin	Harhai	Miller, D.	Stephens
Costa, D.	Harhart	Miller, R.	Stern
Costa, P.	Harkins	Milne	Stevenson
Cox	Harper	Mirabito	Sturla
Cruz	Harris, A.	Miranda	Swanger
Culver	Harris, J.	Molchany	Tallman
Cutler	Heffley	Moul	Taylor
Daley, M.	Helm	Mullery	Thomas
Davidson	Hennessey	Mundy	Tobash
Davis	Hickernell	Murt	Toepel
Day	James	Mustio	Toohil
Dean	Kampf	Neuman	Topper
Deasy	Kauffman	O'Brien	Truitt
DeLissio	Kavulich	Oberlander	Turzai
Delozier	Keller, F.	Painter	Vereb
DeLuca	Keller, M.K.	Parker	Vitali
Denlinger	Keller, W.	Pashinski	Waters
Dermody	Killion	Payne	Watson
DiGirolamo	Kim	Peifer	Wheatley

Donatucci	Kinsey	Petrarca	White
Dunbar	Kirkland	Petri	Youngblood
Ellis			

NAYS—0

NOT VOTING—0

EXCUSED—9

Daley, P.	Grell	Kotik	Regan
Frankel	Grove	O'Neill	Sankey
Godshall			

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

**GUESTS INTRODUCED**

The SPEAKER. I would like to recognize a couple of others guests that are with us.

Located in the rear of the House, we would like to welcome Shelley Leaphart-Williams from the American Foundation for Suicide Prevention, and Sherea Gilliam from Lifesavers, and they are here today as guests of Representative Adolph. Will our guests please rise. Welcome to the hall of the House; located over there under the left flag.

**CALENDAR**

**RESOLUTION PURSUANT TO RULE 35**

Mrs. CORBIN called up **HR 978, PN 4022**, entitled:

A Resolution honoring the life of chemist Stephanie Louise Kwolek, a true pioneer for women in science whose research on polymers led to the invention of Kevlar, the virtually bulletproof fiber that has been credited with saving thousands of lives.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—193**

Adolph	Emrick	Knowles	Pickett
Aument	English	Kortz	Pyle
Baker	Evankovich	Krieger	Quinn
Barbin	Evans	Kula	Rapp
Barrar	Everett	Lawrence	Ravenstahl
Benninghoff	Fabrizio	Longietti	Readshaw
Bishop	Farina	Lucas	Reed
Bizzarro	Farry	Mackenzie	Reese
Bloom	Fee	Maher	Roae
Boback	Fleck	Mahoney	Rock
Boyle, B.	Flynn	Major	Roebuck
Boyle, K.	Freeman	Maloney	Ross
Bradford	Gabler	Markosek	Rozzi
Briggs	Gainey	Marshall	Sabatina
Brooks	Galloway	Marsico	Saccone
Brown, R.	Gergely	Masser	Sainato
Brown, V.	Gibbons	Matzie	Samuelson
Brownlee	Gillen	McCarter	Santarsiero
Burns	Gillespie	McGeehan	Saylor
Caltagirone	Gingrich	McGinnis	Scavello

Carroll	Goodman	McNeill	Schlossberg
Causser	Greiner	Mentzer	Schreiber
Christiana	Hackett	Metcalfe	Simmons
Clay	Haggerty	Metzgar	Sims
Clymer	Hahn	Miccarelli	Smith
Cohen	Haluska	Micozzie	Snyder
Conklin	Hanna	Millard	Sonney
Corbin	Harhai	Miller, D.	Stephens
Costa, D.	Harhart	Miller, R.	Stern
Costa, P.	Harkins	Milne	Stevenson
Cox	Harper	Mirabito	Sturla
Cruz	Harris, A.	Miranda	Swanger
Culver	Harris, J.	Molchany	Tallman
Cutler	Heffley	Moul	Taylor
Daley, M.	Helm	Mullery	Thomas
Davidson	Hennessey	Mundy	Tobash
Davis	Hickernell	Murt	Toepel
Day	James	Mustio	Toohil
Dean	Kampf	Neuman	Topper
Deasy	Kauffman	O'Brien	Truitt
DeLissio	Kavulich	Oberlander	Turzai
Delozier	Keller, F.	Painter	Vereb
DeLuca	Keller, M.K.	Parker	Vitali
Denlinger	Keller, W.	Pashinski	Waters
Dermody	Killion	Payne	Watson
DiGirolamo	Kim	Peifer	Wheatley
Donatucci	Kinsey	Petrarca	White
Dunbar	Kirkland	Petri	Youngblood
Ellis			

NAYS—0

NOT VOTING—0

EXCUSED—9

Daley, P.	Grell	Kotik	Regan
Frankel	Grove	O'Neill	Sankey
Godshall			

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

### STATEMENT BY MRS. CORBIN

The SPEAKER. For what purpose does the lady from Chester County, Mrs. Corbin, rise?

Mrs. CORBIN. Unanimous consent, Mr. Speaker.

The SPEAKER. The lady may proceed.

Mrs. CORBIN. Thank you, Mr. Speaker.

As the tragic events last weekend in Pike County demonstrated, those who have sworn a solemn oath to protect and defend the public quite literally place their lives on the line—

The SPEAKER. Will the lady suspend one minute, please.

The members will please hold the conversations down. I would appreciate your courtesy. Thank you.

The lady may proceed.

Mrs. CORBIN. Thank you, Mr. Speaker.

As the tragic events last weekend in Pike County demonstrated, those who have sworn a solemn oath to protect and defend the public quite literally place their lives on the line for us each day. That is why I rise today to thank you for honoring a woman whose invention has saved the lives of countless police officers and soldiers.

Stephanie Louise Kwolek was a trailblazing female chemist who was best known for inventing Kevlar, a stronger-than-steel fiber that is used today in body armor and bulletproof vests. Kwolek, who passed away on June 18 at the age of 90, created Kevlar in 1964 while working at DuPont, where she had been employed since graduating in 1946 from what is now known as Carnegie Mellon University in Pittsburgh.

Kevlar is credited with saving the lives of more than 3,000 law enforcement officers, and thousands more of our military personnel have survived attacks because of Ms. Kwolek's work.

In addition to Kevlar, Kwolek patented 17 other inventions over her 40-year career in chemistry. She served as and continues to be a role model for young women considering careers in STEM-related (Science, Technology, Engineering, and Mathematics) fields, an area where women are still vastly underrepresented.

Stephanie Kwolek summed up her greatest invention best when she said, "I don't think there's anything like saving someone's life to bring you satisfaction and happiness."

Thank you for your support of HR 978 recognizing the legacy and important work of this great Pennsylvanian, a groundbreaking female chemist and lifesaver.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the lady.

The House will come to attention.

I would appreciate if the members would kindly take their seats. I would appreciate the attention of the members.

### FAREWELL ADDRESS BY MR. AUMENT

The SPEAKER. I would like to take a couple of moments today and recognize one of the members that will be leaving this body at the end of this session.

Ryan Aument has served the 41st Legislative District of Lancaster County for 4 years. He was first elected in 2010. And before being elected, he served as the Lancaster County Clerk of Courts, and he also was Chief of Staff for Representative Brian Cutler. We will not hold that against him, though. He lives in Landisville with his wife, Kate; their son, Jack; and their daughter, June. And I would like to afford Representative Aument a few moments to make some parting remarks from the dais.

Mr. AUMENT. Thank you, Mr. Speaker.

As I stand here before this incredible House of Representatives, the People's House, I am as much in awe today as I was the first day I stepped into this chamber 4 years ago. My admiration for this House is not just founded in how spectacular and beautiful this legislative chamber is; rather, it is in the promise that those who are elected by the people to serve can peacefully assemble, make decisions by casting their votes, and we can solve problems on behalf of the hardworking men and women of our Commonwealth.

For me, this is the real grandeur of this House, an institution that welcomes people of all backgrounds, from all areas of Pennsylvania, to come to Harrisburg, debate issues, and help make the lives of those we serve better.

James Madison, in writing the Federalist Paper No. 49, said, "The members of the legislative department...are numerous. They are distributed and dwell among the people at large. Their



connections of blood, of friendship, and of acquaintance embrace a great proportion of the most influential part of the society.

"They are more immediately the confidential guardians of the rights and liberties...", and it is true.

Look around this chamber and you will see the people of Pennsylvania. We are diverse and we are unique. We have different backgrounds. There are lawyers, accountants, farmers, people who have served in the military – literally people from all walks of life here, yet we all share the same title: Representative. Each member's vote is equal to every other member's vote, and we all have a similar goal: to help those we serve.

That such a system of governance has survived and prospered for over 330 years is a testament to those who understood how to preserve freedom and liberty. It is a sacred responsibility that we commonly share to preserve, and it has truly been an honor to be a part of something so special.

Since I was first elected in 2010 I have come to respect the difficult work of governing. Finding a path forward when issues facing our State are so difficult is not easy. But when you think about, since the founding of our Republic, it has never been easy. Nothing worthwhile ever is. And we cannot allow the alternative, inaction, to prevail.

As a father of two small children – and I am pleased that both are with me here today. Jack, if you would like to wave to everybody. Jack, can you wave?

Jack was born 2 months prior to my first swearing-in. He will turn 4 next week. He is a handful. Our daughter, June, was born – I do not think you will get a wave from June – but our daughter, June, is 16 months and was born during my second term in office. I am motivated, like you, to ensure that they, along with generations yet to come, have more opportunity to be more successful and prosperous than we have had.

And this is precisely why I have worked with you to make government services more affordable for taxpayers, so that families can keep their hard-earned money and not have to surrender it to the government. It is why I have worked with you on reform, so that everyday citizens can trust that their State government is working to advance their interests, not special interests or incumbency-driven interests.

So I have worked with you and focused on creating a comprehensive, statewide educator evaluation system, because the children of Pennsylvania deserve the very best teachers we can put in front of them. This effort, along with our work to put in place rigorous State academic standards, systems of accountability and transparency, and expanding school choice, will drive student academic achievement in the years to come.

I am proud of the work done to address these issues and so many others, and so many of them in a bipartisan way.

You know, there are some of us here who have served our nation in the Armed Forces. I was blessed to have had the opportunity to serve for 4 years on active duty as a captain in the Army during Operation Iraqi Freedom. It was an honor to stand on this House floor with you to recognize the services made by Pennsylvania's sons and daughters on the occasion of the 10th anniversary of the start of Operation Iraqi Freedom.

On that day I had as my special guests Jack and Barbara Benard. They lost their son, Sfc. Brent Adams, in Ramadi, Iraq, in 2005. And we here also adopted legislation to name a portion of Route 23 in West Hempfield Township in their honor. And

I am pleased that Jack and Barbara are here with me today. If you could wave and be recognized.

Barbara is now the immediate past president of the national Gold Star Mothers, and for those of you, most in this chamber are familiar with the Gold Star Mothers, but they are women who look beyond their own grief to provide counsel and an arm to lean on and friendship to parents going through their own unimaginable grief.

During my time in Iraq and the armed services, I came to really understand what selfless service is all about. My friends, service must always be about others and never about us. Each day that we hold public office, we need to be mindful that our focus remains where it should – on those we serve in our legislative districts. In my brief time here, I have found that when that occurs, when we truly put people first – before our own political well-being and before our own personal ideologies – that we can accomplish great things together. To most people, results really do matter, and they should to us too.

I offer these thoughts because like you I deeply care about the area I represent, Lancaster County and Pennsylvania, and cannot ignore the very real challenges facing our communities. With the abundance of our resources and the blessings we have been given and a strong workforce and economic and educational opportunities, there is simply no reason why through an institution as powerful as this one, the House of Representatives, that we cannot show everyone all across America how leadership really works. The promise of a stronger State, a more prosperous and educated people, and economic opportunity for our children is certainly worth the effort.

In closing, I would like to leave you with this. Benjamin Franklin, one of Pennsylvania's most celebrated statesmen, who presided over this legislative body, said that "Freedom is not a gift bestowed upon us by other men, but a right that belongs to us by the laws of God and nature."

What an incredible truth. God has given us freedom, freedom to chart our own path to help our fellow citizens. I pray that you will use that precious gift to make a meaningful difference for all of the people in Pennsylvania in the many years to come.

As I depart here, I wish to thank my wife, Kate, who is with me this morning, and my family – my father is here – for your love and support. I am grateful for the members of my staff who have so faithfully served the residents of the 41st Legislative District. My thanks to the entire Lancaster County House delegation. It has been an absolute joy to work with you for these last 4 years, as it has been each member of this august body. Thank you all.

### REMARKS BY SPEAKER

The SPEAKER. Ryan, as you step down from the House of Representatives – it is a step down to go to the Senate, you know – I hope that you remain the humble and unassuming individual that you have been in the House.

I was most impressed, one night – I forget where we were – we were talking and you were telling me about some of your service to our country. And you have a resume and a personal record of achievement that is not so widely known, per se, and I think it is a credit to you, the way you carry yourself. And I say unassuming because it is a humble way of living and it serves you well. And I hope that as you go further in your life and career that you will maintain that humility and presence

about you that is endearing and genuine. God bless you and best of luck.

(Commemorative gavel was presented.)

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

The House will come to order.

### TRANSPORTATION COMMITTEE MEETING

The SPEAKER. The Speaker recognizes the gentleman from Delaware County, Mr. Micozzie, for a committee announcement.

Mr. MICOZZIE. Thank you, Mr. Speaker.

There will be a Transportation Committee meeting at the break in room 205 in the Ryan building; Transportation Committee, immediately after the break. Thank you.

The SPEAKER. There will be a Transportation Committee meeting at the break in room 205 in the Ryan building.

### APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Speaker recognizes the gentleman from Delaware County, Mr. Adolph, for a committee announcement.

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

Mr. Speaker, there will be an Appropriations Committee meeting at 12:15 in the majority caucus room; 12:15. Thank you.

The SPEAKER. There will be an Appropriations Committee meeting at 12:15 in the majority caucus room.

### REPUBLICAN CAUCUS

The SPEAKER. The Speaker recognizes the lady from Susquehanna County, Ms. Major, for a caucus announcement.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce Republicans will caucus at 12:20. I would ask our Republican members to please report to our caucus room at 12:20, and then we would be prepared to come back on the floor at 1 p.m. Thank you, Mr. Speaker.

### DEMOCRATIC CAUCUS

The SPEAKER. The Speaker recognizes the gentleman from Allegheny County, Mr. Dermody, for a caucus announcement.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, the Democrats will caucus at 12:30. Thank you.

### RECESS

The SPEAKER. This House stands in recess until 1 p.m., unless sooner recalled by the Speaker.

### RECESS EXTENDED

The time of recess was extended until 1:15 p.m.; further extended until 1:45 p.m.

### AFTER RECESS

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

### BILLS REREPORTED FROM COMMITTEE

**HB 1736, PN 2437**

By Rep. ADOLPH

An Act designating a portion of PA Route 191 in Washington Township, Northampton County, as the "World War II Homefront Heroes Highway."

### APPROPRIATIONS.

**HB 2134, PN 4093**

By Rep. ADOLPH

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, in crime victims, further providing for rights; in administration, further providing for office and for powers and duties of victim advocate; and, in financial matters, further providing for costs.

### APPROPRIATIONS.

**HB 2377, PN 4094**

By Rep. ADOLPH

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, further providing for definitions and for laws suspended during emergency assignments.

### APPROPRIATIONS.

**HB 2384, PN 3826**

By Rep. ADOLPH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, further providing for collection of restitution, reparation, fees, costs, fines and penalties.

### APPROPRIATIONS.

**HB 2385, PN 3827**

By Rep. ADOLPH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in bonds and recognizances, further providing for bail to be governed by general rules.

### APPROPRIATIONS.

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

**HB 2272, PN 3585**

By Rep. MICOZZIE

An Act designating a portion of State Route 309 North in Lynn Township, Lehigh County, between the intersections of Northwest Road and Long Court and Mosserville Road and Mountain Road, as the Lance Corporal Brandon J. Van Parys Memorial Road.

### TRANSPORTATION.

**HB 2409, PN 3937**

By Rep. MICOZZIE

An Act designating a portion of Pennsylvania Route 144 in Centre County as the PFC Donald Ray Lucas Memorial Highway.

### TRANSPORTATION.

**HB 2428, PN 3966**

By Rep. MICOZZIE

An Act designating a portion of Pennsylvania Route 1001 between Rhawn Street, 0100/0000 and Kendrick Street, 0100/2784 in the City of Philadelphia, Philadelphia County, as the Firefighter Daniel Sweeney Memorial Highway.

TRANSPORTATION.

**HB 2482, PN 4087**

By Rep. MICOZZIE

An Act designating the bridge crossing the Delaware River along U.S. Route 22, also known as the Easton-Phillipsburg Toll Bridge, between Phillipsburg, New Jersey and Easton, Pennsylvania as the Sergeant William John Cahir Memorial Bridge.

TRANSPORTATION.

**SB 1239, PN 2295 (Amended)**

By Rep. MICOZZIE

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 prior offenses.

TRANSPORTATION.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE CANCELED**

The SPEAKER. Also, the Speaker recognizes the presence of the gentleman from Allegheny County, Mr. Frankel, on the floor. His name will be added back to the master roll call.

The Speaker returns to leaves of absence and recognizes the presence on the floor of the gentleman from York County, Mr. Grove. Without objection, his name will be added back to the master roll call.

**CALENDAR CONTINUED****BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **SB 1155, PN 2112**, entitled:

An Act amending the act of May 31, 1945 (P.L.1198, No.418), known as the Surface Mining Conservation and Reclamation Act, establishing the Aggregate Advisory Board.

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 2420, PN 3956**, entitled:

An Act amending the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, further providing for appropriation for and limitation on redevelopment assistance capital projects.

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

\* \* \*

The House proceeded to second consideration of **SB 1281, PN 2271**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, providing for public school web accountability and transparency; in grounds and buildings, further providing for approval by department of plans of buildings and exceptions, providing for accountability and reducing costs in construction process, further providing for limitation on new applications for Department of Education approval of public school building projects; in terms and courses of study, providing for payments or reimbursements relating to secretary declaration of weather emergency provisions; and, in reimbursements by Commonwealth and between school districts, further providing for definitions, for approved reimbursable rental for leases, hereafter approved and approved reimbursable sinking fund charges on indebtedness, for payments on account of leases hereafter approved and on account of sinking fund charges on indebtedness for school building hereafter constructed and for payments on account of building costs, providing for lump sum reimbursement for construction or reconstruction.

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

Mrs. **DAVIDSON** offered the following amendment No. **A09532**:

Amend Bill, page 1, line 12, by inserting after "PROJECTS;" in safe schools, further providing for Office of Safe Schools;

Amend Bill, page 2, by inserting between lines 1 and 2

(2) Effective school safety measures enhance the efficiency of school operations and help ensure the responsible and prudent use of taxpayer funds.

Amend Bill, page 2, line 2, by striking out "(2)" and inserting (3)

Amend Bill, page 2, line 6, by striking out "(3)" and inserting (4)

Amend Bill, page 2, line 11, by striking out "(4)" and inserting (5)

Amend Bill, page 2, line 15, by striking out "(5)" and inserting (6)

Amend Bill, page 2, by inserting between lines 19 and 20

(ii) Authorize and empower the Office for Safe Schools to develop telephone hotlines and Internet notification systems to report potential or actual violence or possession of weapons on school property.

Amend Bill, page 2, line 20, by striking out "(II)" and inserting (iii)

Amend Bill, page 2, line 26, by striking out "(III)" and inserting (iv)

Amend Bill, page 27, by inserting between lines 3 and 4

Section 5.1. Section 1302-A(b) of the act is amended by adding a paragraph to read:

Section 1302-A. Office for Safe Schools.—\* \* \*

(b) The office shall have the power and duty to implement the following:

\* \* \*

(10) To develop, subject to funding appropriated by the General Assembly for this purpose, telephone hotlines and Internet notification systems ensuring anonymity to be used by students, parents, teachers, school employes and members of the community to report potential or actual violence or possession of weapons on school property. In complying with this paragraph the office may contract with any State agency or intermediate unit for the provision of services.

\* \* \*

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

The SPEAKER. On that question, the Speaker recognizes the lady from Delaware County, Mrs. Davidson.

Mrs. DAVIDSON. Thank you, Mr. Speaker.

This amendment establishes the school safety hotline that has passed the House in this session and the previous session unanimously, and I would appreciate a "yes" vote.

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

The following roll call was recorded:

YEAS—194

Table listing names of members who voted 'Yes' in four columns: Adolph, Aument, Baker, Barbin, Barrar, Benninghoff, Bishop, Bizzarro, Bloom, Boback, Boyle, B., Boyle, K., Bradford, Briggs, Brooks, Brown, R., Brown, V., Brownlee, Burns, Caltagirone, Carroll, Causer, Christiana, Clay, Clymer, Cohen, Conklin, Corbin, Costa, D., Costa, P., Cox, Cruz, Culver, Cutler, Daley, M., Davidson, Davis, Day, Dean, Deasy, DeLissio, Delozier, Emrick, English, Evankovich, Evans, Everett, Fabrizio, Farina, Farry, Fee, Fleck, Flynn, Frankel, Freeman, Gabler, Gainey, Galloway, Gergely, Gibbons, Gillen, Gillespie, Gingrich, Goodman, Greiner, Grove, Hackett, Haggerty, Hahn, Haluska, Hanna, Harhai, Harhart, Harkins, Harper, Harris, A., Harris, J., Heffley, Helm, Hennessey, Hickernell, James, Kampf, Kauffman, Kirkland, Knowles, Kortz, Krieger, Kula, Lawrence, Longiotti, Lucas, Mackenzie, Maher, Mahoney, Major, Maloney, Markosek, Marshall, Marsico, Masser, Matzie, McCarter, McGeehan, McGinnis, McNeill, Mentzer, Metcalfe, Miccarelli, Micozzie, Millard, Miller, D., Miller, R., Milne, Mirabito, Miranda, Molchany, Moul, Mullery, Mundy, Murt, Mustio, Neuman, O'Brien, Oberlander, Painter, Pickett, Pyle, Quinn, Rapp, Ravenstahl, Readshaw, Reed, Reese, Roae, Rock, Roebuck, Ross, Rozzi, Sabatina, Saccone, Sainato, Samuelson, Santarsiero, Saylor, Scavello, Schlossberg, Schreiber, Simmons, Sims, Smith, Snyder, Sonney, Stephens, Stern, Stevenson, Sturla, Swanger, Tallman, Taylor, Thomas, Tobash, Toepel, Toohil, Topper, Truitt, Turzai, Vereb.

Table listing names of members who were present or excused in four columns: DeLuca, Denlinger, Dermody, DiGirolamo, Donatucci, Dunbar, Ellis, Kavulich, Keller, F., Keller, M.K., Keller, W., Killion, Kim, Kinsey, Parker, Pashinski, Payne, Peifer, Petrarca, Petri, Vitali, Waters, Watson, Wheatley, White, Youngblood.

NAYS—0

NOT VOTING—0

EXCUSED—8

Table listing names of excused members in four columns: Daley, P., Godshall, Grell, Kotik, Metzgar, O'Neill, Regan, Sankey.

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 2419, PN 3955, entitled:

An Act amending the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, further providing for appropriation for and limitation on redevelopment assistance capital projects.

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

Mr. TURZAI offered the following amendment No. A09470:

Amend Bill, page 2, lines 14 through 20, by striking out all of lines 14 through 19 and "(3)" in line 20 and inserting

(1)

Amend Bill, page 2, line 23, by striking out "(4)" and inserting

(2)

Amend Bill, page 2, line 26, by striking out "(5)" and inserting

(3)

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

REMARKS SUBMITTED FOR THE RECORD

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

Mr. TURZAI. Thank you.

This is an amendment that I would just submit some remarks for the record. Thank you.

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

Mr. Speaker, this amendment, A09470, removes the new project "release" limitations from two of the five categories of projects authorized under the Capital Facilities Debt Enabling Act.

Specifically, we remove these limitations for flood control projects and for highway projects. There has been some question about the types of projects we fund under these two types of projects.

Flood control projects itemized under the Capital Facilities Debt Enabling Act are not "disaster recovery" projects; rather, they are preventative projects as defined under the flood control law of 1936 and administered by the Department of Environmental Protection.

Members reviewing the latest itemization bill will see that they include such things as river bank stabilization and levee rehabilitation. Moreover, members should understand that no legislation could limit the amount the Commonwealth could borrow for the purposes of "disaster recovery." Our Constitution (Article VII, section 7 (a)(1)) provides that such debt may be incurred "without limit."

As it relates to highway projects, we were especially careful not to interfere with the good work of this body when we voted in favor of HB 1060 last year. As members may remember, this legislation became Act 89 and allowed PENNDOT to incur up to half a billion in debt for the purpose of funding highway and bridge projects. PENNDOT would use motor license fees and motor fuels revenues to pay this debt.

The Budget Office confirmed that placing a limit on highway projects under the Capital Facilities Debt Enabling Act would not, in any way, limit PENNDOT's ability to fund projects under Act 89.

The fact is, the limitations placed in HB 2419 on highway and flood control projects would not change the way the Commonwealth has done business in any substantial way. The excesses and abuses in debt spending find their roots in the other three categories of capital project.

Still, in an effort to generate unanimity and to end any speculation over the intent of these two provisions, I am offering amendment A09470 to remove the "release" limits for these two categories of capital project.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—194

Adolph	Emrick	Kirkland	Pickett
Aument	English	Knowles	Pyle
Baker	Evankovich	Kortz	Quinn
Barbin	Evans	Krieger	Rapp
Barrar	Everett	Kula	Ravenstahl
Benninghoff	Fabrizio	Lawrence	Readshaw
Bishop	Farina	Longietti	Reed
Bizzarro	Farry	Lucas	Reese
Bloom	Fee	Mackenzie	Roae
Boback	Fleck	Maher	Rock
Boyle, B.	Flynn	Mahoney	Roebuck
Boyle, K.	Frankel	Major	Ross
Bradford	Freeman	Maloney	Rozzi
Briggs	Gabler	Markosek	Sabatina
Brooks	Gainey	Marshall	Saccone
Brown, R.	Galloway	Marsico	Sainato
Brown, V.	Gergely	Masser	Samuelson
Brownlee	Gibbons	Matzie	Santarsiero
Burns	Gillen	McCarter	Saylor
Caltagirone	Gillespie	McGeehan	Scavello
Carroll	Gingrich	McGinnis	Schlossberg
Causar	Goodman	McNeill	Schreiber
Christiana	Greiner	Mentzer	Simmons
Clay	Grove	Metcalfe	Sims
Clymer	Hackett	Miccarelli	Smith

Cohen	Haggerty	Micozzie	Snyder
Conklin	Hahn	Millard	Sonney
Corbin	Haluska	Miller, D.	Stephens
Costa, D.	Hanna	Miller, R.	Stern
Costa, P.	Harhai	Milne	Stevenson
Cox	Harhart	Mirabito	Sturla
Cruz	Harkins	Miranda	Swanger
Culver	Harper	Molchany	Tallman
Cutler	Harris, A.	Moul	Taylor
Daley, M.	Harris, J.	Mullery	Thomas
Davidson	Heffley	Mundy	Tobash
Davis	Helm	Murt	Toepel
Day	Hennessey	Mustio	Toohil
Dean	Hickernell	Neuman	Topper
Deasy	James	O'Brien	Truitt
DeLissio	Kampf	Oberlander	Turzai
DeLozier	Kauffman	Painter	Vereb
DeLuca	Kavulich	Parker	Vitali
Denlinger	Keller, F.	Pashinski	Waters
Dermody	Keller, M.K.	Payne	Watson
DiGirolamo	Keller, W.	Peifer	Wheatley
Donatucci	Killion	Petrarca	White
Dunbar	Kim	Petri	Youngblood
Ellis	Kinsey		

NAYS—0

NOT VOTING—0

EXCUSED—8

Daley, P.	Grell	Metzgar	Regan
Godshall	Kotik	O'Neill	Sankey

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.)

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 601, PN 1266**, entitled:

An Act amending Titles 44 (Law and Justice) and 45 (Legal Notices) of the Pennsylvania Consolidated Statutes, modernizing publication of Commonwealth legal materials; providing for uniformity in electronic legal materials in the areas of designation, authentication, preservation and access; conferring powers and duties on various Commonwealth agencies; and, in publication and effectiveness of Commonwealth documents, further providing for definitions, for the Joint Committee on Documents, for general administration, for payment for documents, for distribution of publication expenses, for effect of future legislation, for publication of official codification, for deposit of documents required, for processing of deposited documents, for preliminary publication in Pennsylvania Bulletin, for permanent supplements to Pennsylvania Code, for pricing and distribution of published documents, for automatic subscriptions, for required contractual arrangements, for official text of published documents, for effective date of documents and for presumptions created.

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	Emrick	Kirkland	Pickett
Aument	English	Knowles	Pyle
Baker	Evankovich	Kortz	Quinn
Barbin	Evans	Krieger	Rapp
Barrar	Everett	Kula	Ravenstahl
Benninghoff	Fabrizio	Lawrence	Readshaw
Bishop	Farina	Longietti	Reed
Bizzarro	Farry	Lucas	Reese
Bloom	Fee	Mackenzie	Roae
Boback	Fleck	Maher	Rock
Boyle, B.	Flynn	Mahoney	Roebuck
Boyle, K.	Frankel	Major	Ross
Bradford	Freeman	Maloney	Rozzi
Briggs	Gabler	Markosek	Sabatina
Brooks	Gainey	Marshall	Saccone
Brown, R.	Galloway	Marsico	Sainato
Brown, V.	Gergely	Masser	Samuelson
Brownlee	Gibbons	Matzie	Santarsiero
Burns	Gillen	McCarter	Saylor
Caltagirone	Gillespie	McGeehan	Scavello
Carroll	Gingrich	McGinnis	Schlossberg
Causar	Goodman	McNeill	Schreiber
Christiana	Greiner	Mentzer	Simmons
Clay	Grove	Metcalfe	Sims
Clymer	Hackett	Miccarelli	Smith
Cohen	Haggerty	Micozzie	Snyder
Conklin	Hahn	Millard	Sonney
Corbin	Haluska	Miller, D.	Stephens
Costa, D.	Hanna	Miller, R.	Stern
Costa, P.	Harhai	Milne	Stevenson
Cox	Harhart	Mirabito	Sturla
Cruz	Harkins	Miranda	Swanger
Culver	Harper	Molchany	Tallman
Cutler	Harris, A.	Moul	Taylor
Daley, M.	Harris, J.	Mullery	Thomas
Davidson	Heffley	Mundy	Tobash
Davis	Helm	Murt	Toepel
Day	Hennessey	Mustio	Toohil
Dean	Hickernell	Neuman	Topper
Deasy	James	O'Brien	Truitt
DeLissio	Kampf	Oberlander	Turzai
Delozier	Kauffman	Painter	Vereb
DeLuca	Kavulich	Parker	Vitali
Denlinger	Keller, F.	Pashinski	Waters
Dermody	Keller, M.K.	Payne	Watson
DiGirolamo	Keller, W.	Peifer	Wheatley
Donatucci	Killion	Petrarca	White
Dunbar	Kim	Petri	Youngblood
Ellis	Kinsey		

NAYS—0

NOT VOTING—0

EXCUSED—8

Daley, P.	Grell	Metzgar	Regan
Godshall	Kotik	O'Neill	Sankey

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 1164, PN 2189**, entitled:

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, providing for drug overdose response 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—194

Adolph	Emrick	Kirkland	Pickett
Aument	English	Knowles	Pyle
Baker	Evankovich	Kortz	Quinn
Barbin	Evans	Krieger	Rapp
Barrar	Everett	Kula	Ravenstahl
Benninghoff	Fabrizio	Lawrence	Readshaw
Bishop	Farina	Longietti	Reed
Bizzarro	Farry	Lucas	Reese
Bloom	Fee	Mackenzie	Roae
Boback	Fleck	Maher	Rock
Boyle, B.	Flynn	Mahoney	Roebuck
Boyle, K.	Frankel	Major	Ross
Bradford	Freeman	Maloney	Rozzi
Briggs	Gabler	Markosek	Sabatina
Brooks	Gainey	Marshall	Saccone
Brown, R.	Galloway	Marsico	Sainato
Brown, V.	Gergely	Masser	Samuelson
Brownlee	Gibbons	Matzie	Santarsiero
Burns	Gillen	McCarter	Saylor
Caltagirone	Gillespie	McGeehan	Scavello
Carroll	Gingrich	McGinnis	Schlossberg
Causar	Goodman	McNeill	Schreiber
Christiana	Greiner	Mentzer	Simmons
Clay	Grove	Metcalfe	Sims
Clymer	Hackett	Miccarelli	Smith
Cohen	Haggerty	Micozzie	Snyder
Conklin	Hahn	Millard	Sonney
Corbin	Haluska	Miller, D.	Stephens
Costa, D.	Hanna	Miller, R.	Stern
Costa, P.	Harhai	Milne	Stevenson
Cox	Harhart	Mirabito	Sturla
Cruz	Harkins	Miranda	Swanger
Culver	Harper	Molchany	Tallman
Cutler	Harris, A.	Moul	Taylor
Daley, M.	Harris, J.	Mullery	Thomas
Davidson	Heffley	Mundy	Tobash
Davis	Helm	Murt	Toepel
Day	Hennessey	Mustio	Toohil

Dean	Hickernell	Neuman	Topper
Deasy	James	O'Brien	Truitt
DeLissio	Kampf	Oberlander	Turzai
Delozier	Kauffman	Painter	Vereb
DeLuca	Kavulich	Parker	Vitali
Denlinger	Keller, F.	Pashinski	Waters
Dermody	Keller, M.K.	Payne	Watson
DiGirolamo	Keller, W.	Peifer	Wheatley
Donatucci	Killion	Petrarca	White
Dunbar	Kim	Petri	Youngblood
Ellis	Kinsey		

NAYS—0

NOT VOTING—0

EXCUSED—8

Daley, P.	Grell	Metzgar	Regan
Godshall	Kotik	O'Neill	Sankey

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.

**RESOLUTION**

Ms. RAPP called up **HR 925, PN 4072**, entitled:

A Resolution directing the Joint State Government Commission to conduct a study and report on the scale and impact of wind turbines in this Commonwealth.

On the question,  
Will the House adopt the resolution?

Mr. **VITALI** offered the following amendment No. **A09499**:

- Amend Resolution, page 1, line 2, by striking out "wind turbines" and inserting  
energy facilities
- Amend Resolution, page 1, line 6, by striking out "alternative"
- Amend Resolution, page 1, line 7, by striking out "Wind turbines" and inserting  
Energy facilities
- Amend Resolution, page 1, line 8, by striking out "onshore wind"
- Amend Resolution, page 1, line 11, by striking out "onshore and offshore wind"
- Amend Resolution, page 2, line 3, by striking out "wind turbines" and inserting  
energy facilities
- Amend Resolution, page 2, line 5, by striking out "wind turbines" and inserting  
energy facilities
- Amend Resolution, page 2, line 6, by striking out "wind turbines" and inserting  
energy facilities
- Amend Resolution, page 2, lines 9 through 11, by striking out "wind turbines, AS COMPARED" in line 9, all of line 10 and "AND OIL" in line 11 and inserting  
energy sources
- Amend Resolution, page 2, line 13, by striking out "wind turbines" and inserting  
energy facilities'

- Amend Resolution, page 2, lines 14 and 15, by striking out ", AS COMPARED TO OTHER SOURCES OF ENERGY, SUCH AS COAL, NATURAL GAS, NUCLEAR AND OIL"
- Amend Resolution, page 2, line 17, by striking out "wind turbines" and inserting  
energy facilities'
- Amend Resolution, page 2, line 20, by striking out "WIND ENERGY" and inserting  
energy facilities
- Amend Resolution, page 2, line 24, by striking out "WIND ENERGY IN RELATION TO"

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

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

Mr. **VITALI**. Thank you, Mr. Speaker.

First, I would like to commend the lady from Warren County with regard to this resolution.

This resolution basically seeks to have the Joint State Government Commission do a study on the effect of wind turbines on bird population and wildlife, and I share her concerns about bird population and wildlife.

But in studying this situation, I have learned that in fact other energy sources, it is argued, have a much deeper and greater impact upon bird populations and wildlife; therefore, what I have tried to do is expand this resolution and not limit its scope to just wind turbines on bird populations, but expand that to all energy sources on bird populations and wildlife.

I was reading a report by the National Academy of Sciences that stated only 3 in 100,000 human-caused bird fatalities are caused by wind turbines. So while you might think because the blades spin and catch the birds, they are a significant source; in fact, statistics bear out that it is just the opposite. In fact, buildings, cats, and cars all kill far more birds than wind turbines.

So the reality is – and I also want to point out a recent study by the national Audubon council that talked about how, by far, climate change has the most severe impact upon bird population, and in fact, wind turbines, by producing carbon-free energy, help that issue.

So this is not against or for wind turbines. All we are saying is, let us look – if we truly care about birds, if we truly care about wildlife habitats, let us expand this study. Let us not limit it to how wind turbines affect bird populations; let us expand it to all sources of energy and how they affect bird populations.

The lady's amendment also deals with subsidies for wind turbines. I think we should be concerned by any government subsidy, but a little bit of research has led me to understand that other sources of energy do in fact get considerable subsidies – oil and coal and natural gas. So my thought was, rather, if we are interested in subsidies – as well we should be as custodians of the public dollar – let us not limit it to subsidies for wind turbines, but let us expand that subsidy to all sources of energy.

For example, Pennsylvania subsidizes fossil fuels at a rate of \$2.9 billion a year, according to a recent PennFuture study.

So what we are really saying here is, we support the lady's concern about studying the effects of energy sources on wildlife, but let us make it a full and fair study.

I might note in passing, because this bill came up on quick notice in the committee, we did a quick amendment because we had to get something out really fast. It kind of took us in the

same direction we wanted to go, but we really did not have enough time before the committee to really get this amendment just the way we wanted to. So this is really our second bite of the apple. We really are trying to get it to where we want it to go.

So I would just ask that we try to get as much information as we can, and that is what my amendment seeks to do: to take the lady's good idea and make it better. So I am sure the lady is going to get up and support my amendment, and I welcome her comments.

The SPEAKER. On the question, the Speaker recognizes the lady from Warren County, Ms. Rapp. The lady yields.

On the amendment, the Speaker recognizes the gentleman from Lancaster County, Mr. Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

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

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

Mr. CUTLER. Mr. Speaker, the term "energy facilities" is used throughout this proposed amendment, and my question is, specifically, does energy facilities include solar energy facilities or solar panels?

Mr. VITALI. I would think that it would. Yes.

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

On the bill, if I may?

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

Mr. CUTLER. Thank you, Mr. Speaker.

My concern about this amendment is, while it utilizes the term "energy facilities," that term in and of itself is not specifically defined, and in fact, it is very vague in the bill. I specifically asked about solar because it is currently not included in the actual language; however, coal, natural gas, nuclear, and oil facilities are all specifically mentioned.

While I appreciate the gentleman's efforts, I think the failure to actually define this term and leave it open-ended creates some ambiguity and vagueness, and unfortunately, we must oppose the amendment at this time because we do not want a piece of legislation not being abundantly clear on what facilities we should be evaluating.

I certainly respect the gentleman's efforts but ask for a "no" vote nonetheless. Thank you.

The SPEAKER. On the amendment, the Speaker recognizes the gentleman from Allegheny County, Mr. Mustio.

Mr. MUSTIO. Thank you, Mr. Speaker.

If I may interrogate the maker of the amendment?

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

Mr. MUSTIO. I had trouble hearing all of your comments so I wanted to make sure that I had them in order to process and make my decision. I know it is difficult to hear.

Mr. VITALI. I am not quite hearing you either.

The SPEAKER. The gentleman will suspend for a second.

The members will kindly hold the conversations down. Especially during interrogation, it is difficult to hear each other.

Mr. MUSTIO. Thank you, Mr. Speaker.

In your comments regarding your amendment, you had referenced a couple of other studies that were done that indicated there was an impact on birds other than wind turbines. Did I hear that correctly?

Mr. VITALI. I referenced a couple of things, and thank you for giving me opportunity to talk about them.

I mean, one of the – I have a report here by the national Audubon council. It talks about "314 North American Bird Species Threatened by Global Warming..." I mean, that is – we are talking extinction here. We are not talking about getting hit by a turbine; we are talking about 300 North American bird species threatened with extinction. So that was one, that was one of the studies we were talking about.

Also, I have a very interesting other study that lists the relative threat of various sources of energy sources broken down, and wind is very low on that list of – it is another study commissioned by Newman, J. and Zillioux in 2009 which really sort of indicates that wind has actually the lowest impact upon wildlife. So there are a couple of studies out there that, quite to the contrary, are not showing that wind has a high impact but are saying that other sources of energy have a much greater impact.

So what we were suggesting with this amendment is, if we want to get it out there as to which energy sources are having an impact, let us include them all in the study.

Mr. MUSTIO. In that last study that you quoted, was there an indication on the relative comparative nature of the source; in other words, the number of wind turbines in comparison to the number of automobiles?

Mr. VITALI. It talks about – the thing I am looking at, the potential highest level of relative wildlife risks for each lifecycle stage of each electricity generation source – and they talk about coal, oil, natural gas, nuclear, hydro, and then they break each of those down by resource extraction, fuel transportation, construction, power generation, transmission, and decommissioning.

So it is a fairly thorough and analytical study that really, I mean, shows that wind is the least of our worries when it comes – as far as energy goes – when it comes to hurting wildlife from energy sources, and then that is just sort of augmented by the fact that global warming is a major threat to birds and renewable sources of energy that do not have CO2 emissions really helps ameliorate the impacts of that.

Mr. MUSTIO. So is there a number per windmill and a number per car in that report?

Mr. VITALI. I am sure there is somewhere.

Mr. MUSTIO. All right.

Mr. VITALI. You know, this is just a resolution at the end of the day. There is only so much – I am sure it is in a lot of material. Can I pull it out and give it to you right now? Maybe if the lady would hold off on the resolution for maybe 2 weeks, I will get all the information that the gentleman wants.

Mr. MUSTIO. Thank you. Thank you.

Mr. Speaker, on the resolution? I think that—

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

Mr. MUSTIO. I am sorry. On the amendment, yes.

It seems to me that the maker of the amendment has acknowledged that there are other studies that already exist on other sources, and it seems like that the maker of the bill's intent – I do not want to speak for her – but my understanding and the reason I was a cosponsor was we wanted to address the specific issue to Pennsylvania. And I would, at this time, since we have other information available, would recommend that we vote "no" on the amendment and "yes" on the bill. Thank you.



The SPEAKER. On the amendment, the Speaker recognizes the lady from Warren County, Ms. Rapp.

Ms. RAPP. Thank you, Mr. Speaker.

First of all, I would like to thank the kind remarks from the minority chairman of the Environmental Resources and Energy Committee.

This amendment was voted down in the committee, and in actuality, within the resolution the language already compares the other energy industries to the turbine industry.

What is going on with turbines should be on everybody's radar.

I have a couple studies in my hand, one from the University of Colorado, and the title of it is: "High bat mortality from wind turbines." Six hundred thousand bats – not the most loved creatures in the world, but we know that there is a concern about the bat population in the State of Pennsylvania – this study said that 600,000 bats perished due to the wind turbine industry. This study was done by the University of Colorado.

There is another study that was done at the Casselman Wind Project in Somerset County, and it also states that even slowing down the blades does not drastically reduce the number of bats that meet their peril at the blades of a turbine. But let us go beyond the study of the wildlife, specifically the bats.

Where I live in the northern Alleghenies, we have seen a great return of the American bald eagle. Since we have seen the peril of the many thousands of bats perishing because of turbines, the last thing I want to see in my area is the death of bald eagles due to the wind turbine. And again, already within the resolution there is a comparison between the other energy industries and the wind turbine, but the resolution goes beyond that.

Currently wind turbines account for about 1 percent of energy to the grid. In case you do not know, we are pretty alarmed, a lot of us, about what is going on with the electrical grid today – how much land mass they are taking in the State of Pennsylvania in comparison to the other industries, and that will be studied in this resolution. So how many more turbines do we need to make even a dent to the grid which all of us and all of our consumers depend on?

I think this is a worthwhile study. The language of the gentleman's amendment is already included within the resolution, so I ask for a "no" vote on this amendment. Thank you, Mr. Speaker.

The SPEAKER. On the amendment, the Speaker recognizes the gentleman, Mr. Vitali, for the second time.

Mr. VITALI. I just wanted to rebut a couple of points that were mentioned.

The gentleman from Lancaster County seems to think that because energy is not defined, it would be a reason for not expanding this study to all energy sources. We are not dealing with a piece of legislation here. What is the risk of harm to have the Joint State Government Commission study too much? I mean, that is silly. I mean, what is the difference if it is not defined, you know?

Just to correct the lady, this amendment was not voted down in committee. This amendment was never run in committee.

I am very concerned with the bald eagle too, and this Audubon report mentions the bald eagle specifically. The news account says, "The national symbol of the United States, the Bald Eagle, could see its current summer range decrease by nearly 75 percent in the next 65 years..." due to climate change. So that is why—

Listen, I agree with your study. I think your study is a great idea. Everything you want studied I think should be studied. All I am saying is we should take it to the next step, study the other sources of energy so we could get the true, big picture. So I would ask for an affirmative vote.

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

(Members proceeded to vote.)

**LEAVES OF ABSENCE**

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

Additionally, the Speaker recognizes the majority whip, who requests a leave of absence for the gentleman from Chester County, Mr. HENNESSEY, for the remainder of the day. Without objection, the leave will be granted.

**CONSIDERATION OF HR 925 CONTINUED**

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

The following roll call was recorded:

**YEAS—76**

Bishop	Deasy	Kavulich	Parker
Bizzarro	DeLissio	Keller, W.	Pashinski
Boyle, B.	DeLuca	Kim	Ravenstahl
Boyle, K.	Dermody	Kinsey	Readshaw
Bradford	Donatucci	Kirkland	Roebuck
Briggs	Evans	Kula	Rozzi
Brown, V.	Fabrizio	Mahoney	Sabatina
Brownlee	Farina	Markosek	Samuelson
Caltagirone	Flynn	Matzie	Santarsiero
Carroll	Frankel	McCarter	Schlossberg
Clay	Freeman	McGeehan	Schreiber
Cohen	Gainey	McNeill	Sims
Conklin	Galloway	Miller, D.	Sturla
Costa, P.	Goodman	Mirabito	Thomas
Cruz	Haluska	Miranda	Vitali
Daley, M.	Hanna	Molchany	Waters
Davidson	Harhai	Mundy	Wheatley
Davis	Harkins	O'Brien	White
Dean	Harris, J.	Painter	Youngblood

**NAYS—116**

Adolph	Farry	Longietti	Quinn
Aument	Fee	Lucas	Rapp
Baker	Fleck	Mackenzie	Reed
Barbin	Gabler	Maher	Reese
Barrar	Gergely	Major	Roae
Benninghoff	Gibbons	Maloney	Rock
Bloom	Gillen	Marshall	Ross
Boback	Gillespie	Marsico	Saccone
Brooks	Gingrich	Masser	Sainato
Brown, R.	Greiner	McGinnis	Saylor
Burns	Grove	Mentzer	Scavello
Causer	Hackett	Metcalfe	Simmons
Christiana	Hahn	Miccarelli	Smith
Clymer	Harhart	Micozzie	Snyder

Corbin	Harper	Millard	Sonney
Costa, D.	Harris, A.	Miller, R.	Stephens
Cox	Heffley	Milne	Stern
Culver	Helm	Moul	Stevenson
Cutler	Hickernell	Mullery	Swanger
Day	James	Murt	Tallman
Delozier	Kampf	Mustio	Taylor
Denlinger	Kauffman	Neuman	Tobash
DiGirolamo	Keller, F.	Oberlander	Toepel
Dunbar	Keller, M.K.	Payne	Toohil
Ellis	Killion	Peifer	Topper
Emrick	Knowles	Petrarca	Truitt
English	Kortz	Petri	Turzai
Evankovich	Krieger	Pickett	Vereb
Everett	Lawrence	Pyle	Watson

NOT VOTING—0

EXCUSED—10

Daley, P.	Haggerty	Metzgar	Regan
Godshall	Hennessey	O'Neill	Sankey
Grell	Kotik		

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 adopt the resolution?

The following roll call was recorded:

YEAS—181

Adolph	English	Kirkland	Pyle
Aument	Evankovich	Knowles	Quinn
Baker	Evans	Kortz	Rapp
Barbin	Everett	Krieger	Ravenstahl
Barrar	Fabrizio	Kula	Readshaw
Benninghoff	Farina	Lawrence	Reed
Bishop	Farry	Longietti	Reese
Bizzarro	Fee	Lucas	Roae
Bloom	Fleck	Mackenzie	Rock
Boback	Flynn	Maher	Roebuck
Boyle, B.	Freeman	Mahoney	Ross
Boyle, K.	Gabler	Major	Rozzi
Brooks	Gainey	Maloney	Sabatina
Brown, R.	Galloway	Markosek	Saccone
Brown, V.	Gergely	Marshall	Sainato
Brownlee	Gibbons	Marsico	Samuelson
Burns	Gillen	Masser	Saylor
Caltagirone	Gillespie	Matzie	Scavello
Carroll	Gingrich	McGeehan	Schlossberg
Causar	Goodman	McGinnis	Schreiber
Christiana	Greiner	Mentzer	Simmons
Clay	Grove	Metcalfe	Sims
Clymer	Hackett	Miccarelli	Smith
Conklin	Hahn	Micozzie	Snyder
Corbin	Haluska	Millard	Sonney
Costa, D.	Hanna	Miller, D.	Stephens
Costa, P.	Harhai	Miller, R.	Stern
Cox	Harhart	Milne	Stevenson
Cruz	Harkins	Mirabito	Sturla
Culver	Harper	Miranda	Swanger
Cutler	Harris, A.	Molchany	Tallman
Davidson	Harris, J.	Moul	Taylor
Davis	Heffley	Mullery	Thomas
Day	Helm	Murt	Tobash
Dean	Hickernell	Mustio	Toepel
Deasy	James	Neuman	Toohil

DeLissio	Kampf	O'Brien	Topper
Delozier	Kauffman	Oberlander	Truitt
DeLuca	Kavulich	Parker	Turzai
Denlinger	Keller, F.	Pashinski	Vereb
Dermody	Keller, M.K.	Payne	Waters
DiGirolamo	Keller, W.	Peifer	Watson
Donatucci	Killion	Petrarca	Wheatley
Dunbar	Kim	Petri	White
Ellis	Kinsey	Pickett	Youngblood
Emrick			

NAYS—11

Bradford	Daley, M.	McNeill	Santarsiero
Briggs	Frankel	Mundy	Vitali
Cohen	McCarter	Painter	

NOT VOTING—0

EXCUSED—10

Daley, P.	Haggerty	Metzgar	Regan
Godshall	Hennessey	O'Neill	Sankey
Grell	Kotik		

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

### BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1565, PN 4071**, entitled:

An Act amending the act of June 22, 1937 (P.L.1987, No.394), known as The Clean Streams Law, further providing for potential pollution.

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

**Mr. ROSS** offered the following amendment No. **A09497**:

Amend Bill, page 2, lines 5 and 6, by striking out "shall not be required under this section. Riparian buffers and riparian forest buffers"

Amend Bill, page 2, line 20, by inserting after "BASIN"  
as close as feasible to the area of disturbance

Amend Bill, page 2, lines 20 and 21, by striking out "TWO-TO-ONE FOR ZONE 1 (1 THROUGH 50 FEET) AND"

Amend Bill, page 2, lines 21 and 22, by striking out "FOR ZONE 2 (50 THROUGH 100 FEET)"

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

The **SPEAKER**. On that question, the Speaker recognizes the gentleman from Chester County, Mr. Ross.

**Mr. ROSS**. Thank you, Mr. Speaker.

This amendment simply further clarifies the circumstances under which an alternative buffer could be offered, focusing on a one-for-one replacement of the buffer that is sought to be replaced, and also encouraging the placement of that buffer to be as close as possible to the location where the disturbance is being proposed. And then finally, it clarifies some confusing language that occurred when we amended the bill in committee,

and is designed to make it plain that under the circumstances and the sequence under which someone would apply for an alternative.

The SPEAKER. On the amendment, the Speaker recognizes the gentleman from Westmoreland County, Mr. Evankovich.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

Would the maker of the amendment rise for brief interrogation?

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

Mr. EVANKOVICH. Thank you, Mr. Speaker.

Mr. Speaker, in the amendment before us, the language strikes out a certain "shall" provision on page 2 of the bill. Under this new language, can you please outline how the duty of the agency changes with regard to approving the new options available for riparian buffers and reforested buffers?

Mr. ROSS. Yes, Mr. Speaker.

Basically, the rules currently are under regulation and the 150-foot buffer is generally applied, but there are provisions for waivers. Under the law that we are looking at, if the bill were to become law, essentially what would happen is the applicant would make application to the department for an environmentally sufficient replacement for the disturbance they propose to create. The department would then have to review that and determine whether it was adequate.

If it is not adequate, obviously they can refuse, but if there is an adequate replacement either through an additional replacement buffer or through alternative means that are environmentally sufficient, then the department would be under the obligation to accept that. And if they fail to, they would lose the effectiveness of the reason for the regulation or the restriction in the first place. And I think that under those circumstances they would essentially, if they enforced it without sufficient environmental justification, they would effectively be letting themselves in for a taking.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

On the bill? I mean the amendment.

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

Mr. EVANKOVICH. So I believe that this is a, Mr. Speaker, a very good amendment. I think it offers a very reasonable compromise to the underlying legislation.

Just to be clear that voting for this amendment makes certain that the new options that are outlined in the bill, the department must make those available to somebody who wants to develop land within that 150-foot riparian buffer zone. And if they do not, after consideration of the all the circumstances at play, if they do not make those options available, they would not be following the intent of this language.

Thank you, Mr. Speaker.

The SPEAKER. On the amendment, the Speaker recognizes the gentleman from Armstrong— The gentleman from Armstrong County waives off.

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

Is the gentleman from Delaware County seeking recognition on the amendment?

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

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

The gentleman from Chester County, Mr. Ross, indicates he will stand for interrogation. You may proceed.

Mr. VITALI. I just wanted to be clear. If this amendment becomes law, could the DEP (Department of Environmental Protection) require buffers if they thought it was necessary to protect water quality?

Mr. ROSS. The scenario in which I understand the law would operate is as follows: The applicant would put an application in front of DEP proposing a mitigation for the disturbance within the 150-foot buffer. If DEP finds that the mitigation proposed is insufficient, they would refuse that or turn that mitigation down. It would then be up to the applicant to determine whether or not they were going to respect the 150-foot buffer or to offer some alternative that would be environmentally satisfactory.

Mr. VITALI. So just to be clear, or what you are saying is that at the end of the day, could the DEP say in a given circumstance to an applicant, "If you want to do this development, you have to respect the 150-foot buffer requirement in this particular circumstance"? Would they have the authority to say to an applicant, "In this particular circumstance, you need to respect and not encroach upon that 150-foot buffer requirement"?

Mr. ROSS. I do not believe, Mr. Speaker, that that would be the exact language that would be used. I think that they would be looking at an application which they would potentially approve or deny.

Remember we are in response to the Environmental Protection Agency's Federal Clean Water Act, so therefore, we have to meet the terms of that Clean Water Act, so that would be what would be in the back of DEP's mind when they were reviewing this.

We have an obligation to continue to work to improve the environmental quality of the streams, but I would not expect them to characterize or otherwise describe their refusal. It would be an approval or a denial, but it would be approved or denied based on the criteria that we have laid out here.

Mr. VITALI. Just to be clear, under current regulations, chapter 102 regulations, the DEP can deny an application in that 150-foot zone unless it meets an exception or there is a waiver.

What I am trying to get at is if this becomes law, would the DEP, if it felt necessary to protect water quality, say to an applicant, "You cannot encroach this 150-foot zone, buffer zone"?

Mr. ROSS. Well, Mr. Speaker, I am not sure how I can answer any differently than I did before. I thought I had answered the question completely and adequately.

I would repeat the fact that ultimately the DEP is in the responsibility of reacting to applications, so the application would have to be sufficient to meet the requirements, and there are a variety of ways that that application could be deemed sufficient. There is not one single method or methodology, but at the end of the day, they would be required to make sure that the water quality was adequately protected and the environment was protected. And quite frankly, if they failed, there would be an opportunity to appeal their decision if the environmental groups or the neighbors felt that it was insufficient and they did not agree with the finding of the department in that case.

Mr. VITALI. Thank you, Mr. Speaker.

The SPEAKER. On the amendment, the Speaker recognizes the lady from Northampton County.

Ms. HAHN. Thank you, Mr. Speaker.

This is an agreed-to amendment, and I would encourage all the members to vote in the affirmative.

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

The following roll call was recorded:

YEAS—191

Adolph	Ellis	Knowles	Pyle
Aument	Emrick	Kortz	Quinn
Baker	English	Krieger	Rapp
Barbin	Evankovich	Kula	Ravenstahl
Barrar	Everett	Lawrence	Readshaw
Benninghoff	Fabrizio	Longietti	Reed
Bishop	Farina	Lucas	Reese
Bizzarro	Farry	Mackenzie	Roae
Bloom	Fee	Maher	Rock
Boback	Fleck	Mahoney	Roebuck
Boyle, B.	Flynn	Major	Ross
Boyle, K.	Frankel	Maloney	Rozzi
Bradford	Freeman	Markosek	Sabatina
Briggs	Gabler	Marshall	Saccone
Brooks	Gainey	Marsico	Sainato
Brown, R.	Galloway	Masser	Samuelson
Brown, V.	Gergely	Matzie	Santarsiero
Brownlee	Gibbons	McCarter	Saylor
Burns	Gillen	McGeehan	Scavello
Caltagirone	Gillespie	McGinnis	Schlossberg
Carroll	Gingrich	McNeill	Schreiber
Causar	Goodman	Mentzer	Simmons
Christiana	Greiner	Metcalfe	Sims
Clay	Grove	Miccarelli	Smith
Clymer	Hackett	Micozzie	Snyder
Cohen	Hahn	Millard	Sonney
Conklin	Haluska	Miller, D.	Stephens
Corbin	Hanna	Miller, R.	Stern
Costa, D.	Harhai	Milne	Stevenson
Costa, P.	Harhart	Mirabito	Sturla
Cox	Harkins	Miranda	Swanger
Cruz	Harper	Molchany	Tallman
Culver	Harris, A.	Moul	Taylor
Cutler	Harris, J.	Mullery	Thomas
Daley, M.	Heffley	Mundy	Tobash
Davidson	Helm	Murt	Toepel
Davis	Hickernell	Mustio	Toohil
Day	James	Neuman	Topper
Dean	Kampf	O'Brien	Truitt
Deasy	Kauffman	Oberlander	Turzai
DeLissio	Kavulich	Painter	Vereb
Delozier	Keller, F.	Parker	Vitali
DeLuca	Keller, M.K.	Pashinski	Waters
Denlinger	Keller, W.	Payne	Watson
Dermody	Killion	Peifer	Wheatley
DiGirolamo	Kim	Petrarca	White
Donatucci	Kinsey	Petri	Youngblood
Dunbar	Kirkland	Pickett	

NAYS—0

NOT VOTING—0

EXCUSED—11

Daley, P.	Grell	Kotik	Regan
Evans	Haggerty	Metzgar	Sankey
Godshall	Hennessey	O'Neill	

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

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

Mr. **SANTARSIERO** offered the following amendment  
No. **A09503**:

- Amend Bill, page 2, by inserting between lines 29 and 30  
(3) Notwithstanding paragraphs (1) and (2) of this subsection, the use of a riparian buffer that is a minimum of 150 feet in width shall be required for the following surface waters, as classified by the Pennsylvania Fish and Boat Commission:
- (i) Approved trout waters.
  - (ii) Class A wild trout streams.
  - (iii) Special regulation areas.
  - (iv) Stream sections that support natural reproduction of trout.
  - (v) Wilderness trout streams.

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

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

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

This amendment is relatively simple. It would maintain the current 150-foot buffer in order to protect streams and rivers that are trout fishing locations for our sportsmen across Pennsylvania. Obviously we have a very robust industry in this State of fishing, and we want to make sure that the trout fishing population is not adversely impacted by a consequence of this bill, and that is what this amendment is intended to address. Thank you.

The **SPEAKER**. On the amendment, is the lady, Ms. Hahn, seeking recognition?

The lady is in order on the amendment.

Ms. **HAHN**. Thank you, Mr. Speaker.

I ask that the members vote in the negative on this amendment.

The **SPEAKER**. On the amendment, those in favor of the amendment, those in favor of— Is the gentleman seeking recognition again?

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

The following roll call was recorded:

YEAS—77

Bishop	Dean	Keller, W.	Pashinski
Bizzarro	Deasy	Kim	Ravenstahl
Boback	DeLissio	Kinsey	Readshaw
Boyle, B.	DeLuca	Kirkland	Roebuck
Boyle, K.	Dermody	Markosek	Rozzi
Bradford	DiGirolamo	Matzie	Sabatina
Briggs	Donatucci	McCarter	Samuelson
Brown, V.	Fabrizio	McGeehan	Santarsiero
Brownlee	Farina	McNeill	Schlossberg
Caltagirone	Flynn	Miller, D.	Schreiber
Carroll	Frankel	Mirabito	Sims
Clay	Freeman	Miranda	Sturla
Cohen	Gainey	Molchany	Thomas
Conklin	Galloway	Mullery	Vereb
Costa, D.	Goodman	Mundy	Vitali

Costa, P.	Hanna	Murt	Waters
Cruz	Harkins	O'Brien	Wheatley
Daley, M.	Harris, J.	Painter	White
Davidson	Kavulich	Parker	Youngblood
Davis			

## NAYS—114

Adolph	Gabler	Longiotti	Quinn
Aument	Gergely	Lucas	Rapp
Baker	Gibbons	Mackenzie	Reed
Barbin	Gillen	Maher	Reese
Barrar	Gillespie	Mahoney	Roae
Benninghoff	Gingrich	Major	Rock
Bloom	Greiner	Maloney	Ross
Brooks	Grove	Marshall	Saccone
Brown, R.	Hackett	Marsico	Sainato
Burns	Hahn	Masser	Saylor
Causar	Haluska	McGinnis	Scavello
Christiana	Harhai	Mentzer	Simmons
Clymer	Harhart	Metcalfe	Smith
Corbin	Harper	Miccarelli	Snyder
Cox	Harris, A.	Micozzie	Sonney
Culver	Heffley	Millard	Stephens
Cutler	Helm	Miller, R.	Stern
Day	Hickernell	Milne	Stevenson
Delozier	James	Moul	Swanger
Denlinger	Kampf	Mustio	Tallman
Dunbar	Kauffman	Neuman	Taylor
Ellis	Keller, F.	Oberlander	Tobash
Emrick	Keller, M.K.	Payne	Toepel
English	Killion	Peifer	Toohil
Evankovich	Knowles	Petrarca	Topper
Everett	Kortz	Petri	Truitt
Farry	Krieger	Pickett	Turzai
Fee	Kula	Pyle	Watson
Fleck	Lawrence		

## NOT VOTING—0

## EXCUSED—11

Daley, P.	Grell	Kotik	Regan
Evans	Haggerty	Metzgar	Sankey
Godshall	Hennessey	O'Neill	

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

On the question recurring,

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

Mr. **SANTARSIERO** offered the following amendment No. **A09505**:

Amend Bill, page 2, by inserting between lines 29 and 30  
(3) Notwithstanding paragraphs (1) and (2) of this subsection, the use of a riparian buffer that is a minimum of 150 feet in width shall be required for a stream used as a source for drinking water.

On the question,

Will the House agree to the amendment?

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

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

Mr. Speaker, with so many stories in the news today about drinking water supplies being threatened by industrial or even commercial activity, the intent of this amendment is very simple: Really, it is just to maintain the current 150-foot buffer, where we have any stream that serves as a drinking water supply, either privately or for a community.

Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the lady from Northampton County, Ms. Hahn.

Ms. **HAHN**. Thank you, Mr. Speaker.

Again, this is not an agreed-to amendment, and I ask for a negative vote.

The SPEAKER. On the amendment, the Speaker recognizes the lady from Luzerne County, Ms. Mundy.

Ms. **MUNDY**. Mr. Speaker, with all due respect to the lady who is opposing this amendment, I would really appreciate an explanation as to why she is opposing it. Just to say no for no reason whatsoever does not seem like an appropriate method of proceeding on this House floor.

The SPEAKER. The lady will suspend.

A member is not required to say anything, and the lady's remarks were out of order.

On the amendment, the Speaker recognizes the gentleman from Montgomery County, Mr. McCarter.

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

I rise in support of this amendment. There is no other scientific – or not even, for that matter, nonscientific – basis for finding a way to help our streams better than riparian buffers. One of the things that is very clear from all of the studies that I know I have read and I am sure many in the chamber have as well: Riparian buffers act as the means by which to keep our water clean. They filter out all of the debris, providing habitats for fish, invertebrates, and amphibians, which keep our streams clean. They act as important temperature modifiers, and they stabilize stream banks and reduce erosion. They filter sediment and materials from runoff and they reduce, most importantly, the impact of flooding.

Every element of riparian buffers works to the advantage of streams all throughout our nation and especially here in Pennsylvania, where we have so many streams that serve as our water supply. This particular amendment adds protection for our drinking water and allows these streams to be used in a most effective way that for all of us benefits us, not only for the commercialization, if you will, in a sense for trout streams, etc., but for every piece of element within our environment that helps us use our water in beneficial ways.

I urge your support for this particular amendment. Thank you.

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

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

Mr. **PASHINSKI**. Thank you, Mr. Speaker.

Would the maker of the bill stand just for some clarification on the 150 feet?

The SPEAKER. The gentleman, are you seeking to interrogate the maker of the amendment that is before us?

Mr. **PASHINSKI**. I will tell you what, let us do that.

The SPEAKER. Well, you said the bill and I was not sure if you—

Mr. PASHINSKI. Yes, let us do that.

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

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

The question that I have is, 150 feet has been set up as a buffer zone, based upon past occurrences, to prevent our stream degradation. Basically, this room is almost 150 feet. Now, why in the construction of buildings and so on, would we have to infringe upon an area that is no more than about the length of this building, from where the Speaker stands to the back of the hall? Why do we have to destroy this area as they build?

Mr. SANTARSIERO. Mr. Speaker, I mean, you are asking a question that is a very good question. It is one that is probably best addressed to the building industry. What I will say as my experience, past experience as a local township official, is that very often builders are trying to push the envelope as much as possible in terms of the amount of land that they can use to develop, and any regulation that would impede that obviously is something that understandably they would not be excited about.

Now, having said that, I think there are a lot of builders who understand that these types of regulations are good policy and they are able to offer designs that actually can comply with that kind of a buffer. But the reason why the buffer is important at the end of the day is because the greater the amount of distance between the water and the activity, the greater the chances that you can prevent any kind of disturbance to the water or contamination to the water. And when it comes to contamination, we are really talking about a process of natural attenuation that will allow any kind of a release, say, of a liquid, for example, of breaking down before it gets to the stream and causes any kind of contamination.

So those are the policy reasons behind it. Again, I cannot speak for what the builder's position would be, but that is the policy behind the buffer.

Mr. PASHINSKI. And I appreciate that. You know, as we stand in this room, we hear the words "150 feet"; it seems like a long distance. As we stand in this room, it does not seem like it is so long. I wonder what the safe and legitimate distance should be regulated then? If not 150, 140, 130, 120? Maybe it would be appropriate when we come up to the bill itself for the maker to answer that question.

Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Bucks County, Mr. Santarsiero, for the second time.

Mr. SANTARSIERO. Mr. Speaker, would it be appropriate for me, and may I request an interrogation of the author of the bill?

The SPEAKER. Assuming that the person is willing to stand for interrogation and that it is addressing your amendment.

Mr. SANTARSIERO. Then, Mr. Speaker, I would ask if the author of the bill would stand for interrogation.

The SPEAKER. Does the lady, Ms. Hahn, stand for interrogation? The gentleman may proceed.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

Mr. Speaker, I suppose my initial question is, as it relates to this amendment, since the intent of this amendment is to try to protect drinking water supplies throughout the State, what the

harm to the underlying policy behind the bill would be by inserting this amendment into the bill?

Ms. HAHN. Mr. Speaker, drinking water supplies are not defined in the bill.

Mr. SANTARSIERO. So, Mr. Speaker, if I may, is the answer to my question that the gentelady is not clear of what the term "drinking water" means?

Ms. HAHN. Mr. Speaker, it is too broad a question. Everyone is concerned about drinking water, but it is not defined as this. It is giving us the best business practice and that is what this underlying bill is doing.

Mr. SANTARSIERO. Mr. Speaker, and again I am not trying to be argumentative; I am trying to understand what the position is, because I think drinking water is a clearly understood term that you would not really need a definition for. But am I understanding the gentelady to say that the reason for her opposition to this amendment is that it is unclear on its face what the term "drinking water" means?

Ms. HAHN. Mr. Speaker, under your amendment, drinking water is not defined so it is not clear. It could mean any stream or any water source.

Mr. SANTARSIERO. Mr. Speaker, I would note that under the Pennsylvania Constitution, Article I, section 27, there is a reference to pure clean water. So I would imagine that if it is clear enough in the Constitution, it should be clear enough for this amendment. Just trying to understand what the basis of—

The SPEAKER. Is the gentleman still seeking interrogation or are you speaking to your amendment?

Mr. SANTARSIERO. No, I am seeking interrogation still, Mr. Speaker.

The SPEAKER. Pardon me, I did not hear you.

Mr. SANTARSIERO. I am struggling to try to phrase the question in a way that does actually get to what I see as the nub of the issue with the amendment and not speak on the bill itself, because I am aware of your admonition that I should not be doing that and I understand and agree with that.

So if the term is broadly used in the context of the State Constitution and it is used in this amendment, is there a substantive objection to including that idea in this bill?

Ms. HAHN. Mr. Speaker, yes, because it would include every stream in the Commonwealth.

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

The SPEAKER. On the amendment, the Speaker recognizes the gentleman from Montgomery County, Mr. Vereb.

Mr. VEREB. Thank you, Mr. Speaker.

If the gentleman could stand for brief interrogation.

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

Mr. VEREB. Thank you, Mr. Speaker.

Mr. Speaker, a residential dwelling with a stream nearby and you drill a well, clearly that well is fed by that stream. Are you now suggesting that you must have a riparian buffer in your backyard?

Mr. SANTARSIERO. Thank you, Mr. Speaker.

Actually, the residential well is fed by an aquifer, not the surface water, so that is actually groundwater.

Mr. VEREB. But it is drinking water, correct, Mr. Speaker?

Mr. SANTARSIERO. Mr. Speaker, if the question is whether or not groundwater can be used as a source of drinking water, I think the answer to that question is yes.

Mr. VEREB. Is aquifer defined in your amendment? I do not see it.

Mr. SANTARSIERO. No, sir. Mr. Speaker, actually the amendment does not talk about groundwater. It talks about surface water. So no, the word "aquifer" is not used in the amendment.

Mr. VEREB. But if I do recall, by looking here, it is talking about drinking water, so clearly the water for an aquifer comes from somewhere, more than groundwater. So if we can get back to my question: Do I need a buffer in my backyard if there is a stream nearby that clearly, clearly is involved in the capacity of that well?

Mr. SANTARSIERO. So let me maybe answer the question this way, Mr. Speaker. This amendment would not impact the situation you are describing because your well would be attaining water, groundwater, from an aquifer, not from a stream.

Mr. VEREB. But respectfully, that is your assessment that that is where that water is coming from, correct?

Mr. SANTARSIERO. No, Mr. Speaker, that is the plain language of the amendment.

Mr. VEREB. Okay, Mr. Speaker, are you aware of any stream in the Commonwealth that does not serve drinking water facilities throughout our Commonwealth?

Mr. SANTARSIERO. Yes; in fact, there is a stream not too far from my house that to my knowledge is not used for drinking water.

Mr. VEREB. Not to be a comedian here, but do you know where that water goes?

The SPEAKER. It goes about as far as this debate is going: down the drain.

Mr. VEREB. Mr. Speaker, I will conclude my remarks.

To the good speaker, we do have wells in southeastern Pennsylvania, not just in other areas, maybe the other part of the State, so I do know a little bit about wells. I am learning about aquifers. This is a great interrogation, Mr. Speaker. And I just want to make sure that every stream that feeds every drinking water supply is not going to be defined under this amendment.

Thank you, Mr. Speaker, for your gratitude and graciousness.

The SPEAKER. For the record, I was not questioning the gentleman's interrogation, just trying to add a little humor to the room.

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

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

Will the maker be kind enough to answer a few questions?

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

Mr. PYLE. Thank you, Mr. Speaker.

Mr. Speaker, the gentleman, my good friend from Montgomery, just hit upon a concern. I know, as the former mayor of a small borough in western Pennsylvania, everything on the western edge of the mountains draws its wells from the Catasauqua aquifer, which starts at about 130 feet and continues down to 440 feet, all fed by surface water, feeding down to what is essentially an underwater stream.

My question is, since all surface dwellings are within 150 feet of that public water supply, will we not be able to live there anymore?

Mr. SANTARSIERO. Well, Mr. Speaker, the question of whether you can live there or not is more of an existential one. What I would say, however, is that this amendment would not have any impact on your ability to live there, nor would it have

any impact on your ability to drill a well and use that well for your drinking water supply.

Mr. PYLE. So we do not really know, correct?

Thank you, Mr. Speaker.

The SPEAKER. On the amendment, the Speaker recognizes the gentleman from York County, Mr. Miller.

Mr. R. MILLER. Thank you, Mr. Speaker.

I would request a "no" vote on this amendment.

I believe it is very well-intentioned, and as the chairman of the Chesapeake Bay Commission, I want to do everything I can to protect our water in this Commonwealth. But as drafted, it is not drafted strictly prospective. It is drafted in a way that basically my house, which is 100 feet from a stream that leads into a drinking water source, would be sitting in a required riparian buffer, and therefore, I guess I would have to tear it down. I am not quite sure.

So I am just asking everybody for a "no" vote on this amendment. Thank you, Mr. Speaker.

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

For what purpose does the gentleman, Mr. Santarsiero, rise? You have been recognized twice on the amendment.

Mr. SANTARSIERO. That was interrogation before, Mr. Speaker.

The SPEAKER. The gentleman has been recognized twice.

You already spoke initially on the amendment, and then later you interrogated the maker of the bill.

Mr. SANTARSIERO. Mr. Speaker, it is my understanding that being recognized twice to speak on the amendment was distinct from asking to speak once on the amendment and once on interrogation.

The SPEAKER. If someone else interrogates you, that does not count as one of the two times. You spoke initially – I checked with the clerk – you spoke initially when I called the amendment up. That is one. And then later you came back and interrogated the maker of the bill.

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

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

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

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

Mr. STEPHENS. Mr. Speaker, I am just trying to get back to this point about the aquifer and the groundwater versus the surface water. The stream that runs by your house, the one that you mentioned before, does that empty into the Delaware River?

Mr. SANTARSIERO. Eventually it all empties into the Atlantic Ocean—

Mr. STEPHENS. Well, that was not my question.

Mr. SANTARSIERO. —but what I would say is, we are talking about a stream, and the definition in the amendment is a stream. But I want to make another point that is very important here.

The SPEAKER. The gentleman will suspend.

You are under interrogation, and the gentleman from Montgomery asked you a direct question, so you will keep your answers to the question.

Mr. SANTARSIERO. And that is what I am going to do.

The SPEAKER. Okay.

Mr. SANTARSIERO. Thank you, Mr. Speaker.  
 So in that respect, it is immaterial whether it ultimately goes into, say, the Delaware River, because we are talking about a stream, and we are talking about a stream in the future because this amends a bill that only takes effect, I believe, in 60 days after the passage of the bill.

Mr. STEPHENS. Mr. Speaker, I did not hear the answer as to whether the stream empties into the Delaware River. Was that a yes or a no?

Mr. SANTARSIERO. Well, it is part of the Delaware River Basin.

Mr. STEPHENS. Oh, it is? Okay. So do you have any idea whether the Delaware River Basin is a source of drinking water for anybody?

Mr. SANTARSIERO. Well, I can tell you the Delaware River is a source of drinking water. It is one of the reasons why many of us are fighting to prevent fracking in the Delaware River Basin, along with the Delaware River Basin Commission as you may be aware of.

Mr. STEPHENS. So let me ask you: Under, then, your proposed amendment which reads, "...a stream used as a source for drinking water..." if your stream empties into the Delaware River, which is then a source of drinking water, is your stream used as a source for drinking water or not?

Mr. SANTARSIERO. I think the gentleman's logic would hold if it were the reverse, but what we are talking about here is the stream being used as a source, not the river. So if you have someone taking water directly out of the stream, then that would be applicable under this amendment. The fact that the stream ultimately flows into a river that is used as drinking water or a drinking water supply does not necessarily, is not impacted by the terms of this particular amendment.

Mr. STEPHENS. So your position is that in order for the stream to be affected by your amendment, it has to be the primary source of drinking water or it has to be directly moved to drinking water. It cannot be a secondary or ancillary source. Is that right?

Mr. SANTARSIERO. The stream, a secondary source?

Mr. STEPHENS. Yeah; I mean, it has to be direct. Your stream would have to be directly used as a source of drinking water. It cannot then flow into the Delaware River, which is a source for drinking water? Is that your position?

Mr. SANTARSIERO. It has to be a source of drinking water; yes.

Mr. STEPHENS. The stream has to be a direct source itself, a primary source. Is that your contention?

Mr. SANTARSIERO. The stream has to be a source of drinking water.

Mr. STEPHENS. Okay. Maybe I should do it this way: Could you show me where in the bill "source" is defined to be the way you are defining it right now?

Mr. SANTARSIERO. I think it is pretty plain, based on the language.

Mr. STEPHENS. Well, that was not my question. My question was, could you show me in the bill where it is defined?

Mr. SANTARSIERO. Mr. Speaker, the purpose of my response was to say that it does not need to be because the language is plain.

Mr. STEPHENS. Mr. Speaker, that concludes my interogation. Thank you.

The SPEAKER. Thank you.

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

The following roll call was recorded:

YEAS—77

Bishop	Dean	Kim	Quinn
Bizzarro	Deasy	Kinsey	Ravenstahl
Boback	DeLissio	Kirkland	Readshaw
Boyle, B.	Dermody	Mahoney	Roebuck
Boyle, K.	DiGirolamo	Matzie	Rozzi
Bradford	Donatucci	McCarter	Sabatina
Briggs	Fabrizio	McGeehan	Samuelson
Brown, V.	Farina	McNeill	Santarsiero
Brownlee	Flynn	Miller, D.	Scavello
Caltagirone	Frankel	Milne	Schlossberg
Carroll	Freeman	Mirabito	Schreiber
Clay	Gainey	Miranda	Sims
Cohen	Galloway	Molchany	Snyder
Conklin	Goodman	Mullery	Sturla
Costa, D.	Hanna	Mundy	Vitali
Costa, P.	Harkins	O'Brien	Waters
Cruz	Harper	Painter	Wheatley
Daley, M.	Kavulich	Parker	White
Davidson	Keller, W.	Pashinski	Youngblood
Davis			

NAYS—114

Adolph	Fleck	Lawrence	Pyle
Aument	Gabler	Longietti	Rapp
Baker	Gergely	Lucas	Reed
Barbin	Gibbons	Mackenzie	Reese
Barrar	Gillen	Maher	Roae
Benninghoff	Gillespie	Major	Rock
Bloom	Gingrich	Maloney	Ross
Brooks	Greiner	Markosek	Saccone
Brown, R.	Grove	Marshall	Sainato
Burns	Hackett	Marsico	Saylor
Causer	Hahn	Masser	Simmons
Christiana	Haluska	McGinnis	Smith
Clymer	Harhai	Mentzer	Sonney
Corbin	Harhart	Metcalfe	Stephens
Cox	Harris, A.	Miccarelli	Stern
Culver	Harris, J.	Micozzie	Stevenson
Cutler	Heffley	Millard	Swanger
Day	Helm	Miller, R.	Tallman
Delozier	Hickernell	Moul	Taylor
DeLuca	James	Murt	Thomas
Denlinger	Kampf	Mustio	Tobash
Dunbar	Kauffman	Neuman	Toepel
Ellis	Keller, F.	Oberlander	Toohil
Emrick	Keller, M.K.	Payne	Topper
English	Killion	Peifer	Truitt
Evankovich	Knowles	Petrarca	Turzai
Everett	Kortz	Petri	Vereb
Farry	Krieger	Pickett	Watson
Fee	Kula		

NOT VOTING—0

EXCUSED—11

Daley, P.	Grell	Kotik	Regan
Evans	Haggerty	Metzgar	Sankey
Godshall	Hennessey	O'Neill	

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



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

Mr. **SANTARSIERO** offered the following amendment No. **A09530**:

Amend Bill, page 2, by inserting between lines 29 and 30  
(3) Notwithstanding paragraphs (1) and (2) of this subsection, the use of a riparian buffer shall be required when natural gas development activities or operations are within 150 feet of a perennial or intermittent river, stream or creek or lake, pond or reservoir of this Commonwealth.

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

AMENDMENT WITHDRAWN

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

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

Mrs. **DEAN** offered the following amendment No. **A09515**:

Amend Bill, page 2, line 1, by striking out "a subsection" and inserting subsections  
Amend Bill, page 2, by inserting between lines 29 and 30  
(d) Annually, the Secretary of Conservation and Natural Resources shall certify whether development within 150 feet of a perennial or intermittent river, stream or creek or lake, pond or reservoir of this Commonwealth has adversely affected fishing, hunting or trapping. The certification shall be published in the Pennsylvania Bulletin.

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

The **SPEAKER**. On that question, the Speaker recognizes the lady from Montgomery County, Mrs. Dean.

Mrs. **DEAN**. Thank you, Mr. Speaker.

This is a very commonsense, simple amendment that I offer, based on the fact that the underlying legislation, if we should pass it, would really have the effect of reversing and eroding environmental protections of our streams, rivers, etc.

So what I ask, by way of this amendment, is simply that DCNR (Department of Conservation and Natural Resources) would certify annually whether or not there has been any adverse impact to fishing and hunting and trapping. I think it is fairly simple. I ask for an affirmative vote.

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

On that question, the Speaker recognizes the lady from Northampton County, Ms. Hahn.

Ms. **HAHN**. Mr. Speaker, I ask for a negative vote on this amendment.

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

The following roll call was recorded:

YEAS—74

Bishop	Dean	Kim	Ravenstahl
Bizzarro	Deasy	Kinsey	Readshaw
Boyle, B.	DeLissio	Kirkland	Roebuck
Boyle, K.	Dermody	Mahoney	Rozzi
Bradford	Donatucci	Matzie	Sabatina
Briggs	Fabrizio	McCarter	Samuelsom
Brown, V.	Farina	McGeehan	Santarsiero
Brownlee	Flynn	McNeill	Schlossberg
Caltagirone	Frankel	Miller, D.	Schreiber
Carroll	Freeman	Miranda	Sims
Clay	Gainey	Molchany	Snyder
Cohen	Galloway	Mullery	Sturla
Conklin	Goodman	Mundy	Thomas
Costa, D.	Haluska	Neuman	Vitali
Costa, P.	Hanna	O'Brien	Waters
Cruz	Harkins	Painter	Wheatley
Daley, M.	Harris, J.	Parker	White
Davidson	Kavulich	Pashinski	Youngblood
Davis	Keller, W.		

NAYS—116

Adolph	Farry	Kula	Pyle
Aument	Fee	Lawrence	Quinn
Baker	Fleck	Longietti	Rapp
Barbin	Gabler	Lucas	Reed
Barrar	Gergely	Mackenzie	Reese
Benninghoff	Gibbons	Maher	Roae
Bloom	Gillen	Major	Rock
Boback	Gillespie	Maloney	Ross
Brooks	Gingrich	Markosek	Saccone
Brown, R.	Greiner	Marshall	Sainato
Burns	Grove	Marsico	Saylor
Causar	Hackett	Masser	Scavello
Christiana	Hahn	McGinnis	Simmons
Clymer	Harhai	Mentzer	Smith
Corbin	Harhart	Metcalfe	Sonney
Cox	Harper	Miccarelli	Stephens
Culver	Harris, A.	Micozzie	Stern
Cutler	Heffley	Millard	Stevenson
Day	Helm	Miller, R.	Swanger
Delozier	Hickernell	Milne	Tallman
DeLuca	James	Moul	Taylor
Denlinger	Kampf	Murt	Tobash
DiGirolamo	Kauffman	Mustio	Toepel
Dunbar	Keller, F.	Oberlander	Toohil
Ellis	Keller, M.K.	Payne	Topper
Emrick	Killion	Peifer	Truitt
English	Knowles	Petrarca	Turzai
Evankovich	Kortz	Petri	Vereb
Everett	Krieger	Pickett	Watson

NOT VOTING—1

Mirabito

EXCUSED—11

Daley, P.	Grell	Kotik	Regan
Evans	Haggerty	Metzgar	Sankey
Godshall	Hennessey	O'Neill	

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?

Mrs. DEAN offered the following amendment No. **A09516**:

Amend Bill, page 2, line 1, by striking out "a subsection" and inserting subsections

Amend Bill, page 2, by inserting between lines 29 and 30

(d) Certification.—Annually, the Pennsylvania Fish and Boat Commission and the Pennsylvania Game Commission shall each certify whether development within 150 feet of a perennial or intermittent river, stream or creek or lake, pond or reservoir of this Commonwealth has adversely affected fishing, hunting or trapping. The certifications shall be published in the Pennsylvania Bulletin.

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

The SPEAKER. On that question, the Speaker recognizes the lady from Montgomery County, Mrs. Dean.

Mrs. DEAN. Thank you, Mr. Speaker.

For similar arguments, perhaps the annual review would be better placed if we put it in the Game Commission and the Fish and Boat Commission. Again, it is a simple annual review to take a look at what impact this legislation, this change in our protection of the buffers, has on fishing, hunting, and trapping. I think it is a commonsense thing, and I ask for an affirmative vote.

Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the lady from Northampton County, Ms. Hahn.

Ms. HAHN. Thank you, Mr. Speaker.

This is not an agreed-to amendment, and I ask for a negative vote.

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

The following roll call was recorded:

YEAS—80

Bishop	DeLissio	Kinsey	Ravenstahl
Bizzarro	Dermody	Kirkland	Readshaw
Boyle, B.	Donatucci	Kortz	Roebuck
Boyle, K.	Fabrizio	Mahoney	Rozzi
Bradford	Farina	Markosek	Sabatina
Briggs	Flynn	Matzie	Samuelson
Brown, V.	Frankel	McCarter	Santarsiero
Brownlee	Freeman	McGeehan	Schlossberg
Caltagirone	Gainey	McNeill	Schreiber
Carroll	Galloway	Miller, D.	Sims
Clay	Gergely	Mirabito	Snyder
Cohen	Goodman	Miranda	Stephens
Conklin	Haluska	Molchany	Sturla
Costa, P.	Hanna	Mullery	Thomas
Cruz	Harkins	Mundy	Vereb
Daley, M.	Harper	Neuman	Vitali
Davidson	Harris, J.	O'Brien	Waters
Davis	Kavulich	Painter	Wheatley
Dean	Keller, W.	Parker	White
Deasy	Kim	Pashinski	Youngblood

NAYS—111

Adolph	Evankovich	Kula	Pyle
Aument	Everett	Lawrence	Quinn
Baker	Farry	Longietti	Rapp
Barbin	Fee	Lucas	Reed
Barrar	Fleck	Mackenzie	Reese
Benninghoff	Gabler	Maher	Roae
Bloom	Gibbons	Major	Rock
Boback	Gillen	Maloney	Ross
Brooks	Gillespie	Marshall	Saccone
Brown, R.	Gingrich	Marsico	Sainato
Burns	Greiner	Masser	Saylor
Causar	Grove	McGinnis	Scavello
Christiana	Hackett	Mentzer	Simmons
Clymer	Hahn	Metcalfe	Smith
Corbin	Harhai	Miccarelli	Sonney
Costa, D.	Harhart	Micozzie	Stern
Cox	Harris, A.	Millard	Stevenson
Culver	Heffley	Miller, R.	Swanger
Cutler	Helm	Milne	Tallman
Day	Hickernell	Moul	Taylor
Delozier	James	Murt	Tobash
DeLuca	Kampf	Mustio	Toepel
Denlinger	Kauffman	Oberlander	Toohil
DiGirolamo	Keller, F.	Payne	Topper
Dunbar	Keller, M.K.	Peifer	Truitt
Ellis	Killion	Petrarca	Turzai
Emrick	Knowles	Petri	Watson
English	Krieger	Pickett	

NOT VOTING—0

EXCUSED—11

Daley, P.	Grell	Kotik	Regan
Evans	Haggerty	Metzgar	Sankey
Godshall	Hennessey	O'Neill	

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. **A09522**:

Amend Bill, page 1, line 18, by inserting after "pollution" and for fences along streams

Amend Bill, page 2, by inserting between lines 29 and 30 Section 2. Section 702 of the act, added October 16, 1980 (P.L.985, No.169), is repealed:

[Section 702. Fences along Streams.—No administrative agency of the Commonwealth or any political subdivision thereof shall require any person to erect a fence along a stream in a pasture or other field used for grazing of farm livestock for the purpose of keeping farm livestock out of the stream.]

Amend Bill, page 2, line 30, by striking out "2" and inserting 3

Amend Bill, page 3, line 2, by striking out "3" and inserting 4

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

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, this one is pretty simple. It simply says there is currently a prohibition in the law about requiring someone to erect fences along a stream pasture in order to keep livestock out of the stream. This would remove that prohibition.

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

On that question, the Speaker recognizes the lady from Northampton County, Ms. Hahn.

Ms. HAHN. Thank you, Mr. Speaker.

Again, this is not an agreed-to amendment. I ask for a negative vote.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—80

Bishop	Deasy	Kim	Pashinski
Bizzarro	DeLissio	Kinsey	Petrarca
Boyle, B.	DeLuca	Kirkland	Ravenstahl
Boyle, K.	Dermodly	Kortz	Readshaw
Bradford	Donatucci	Kula	Roebuck
Briggs	Fabrizio	Mahoney	Rozzi
Brown, V.	Farina	Markosek	Sabatina
Brownlee	Flynn	Matzke	Samuelson
Caltagirone	Frankel	McCarter	Santarsiero
Carroll	Freeman	McGeehan	Schlossberg
Clay	Gainey	McNeill	Schreiber
Cohen	Galloway	Miller, D.	Sims
Conklin	Gergely	Miranda	Snyder
Costa, D.	Goodman	Molchany	Sturla
Costa, P.	Haluska	Mullery	Thomas
Cruz	Hanna	Mundy	Vitali
Daley, M.	Harkins	Neuman	Waters
Davidson	Harris, J.	O'Brien	Wheatley
Davis	Kavulich	Painter	White
Dean	Keller, W.	Parker	Youngblood

NAYS—111

Adolph	Farry	Longiotti	Rapp
Aument	Fee	Lucas	Reed
Baker	Fleck	Mackenzie	Reese
Barbin	Gabler	Maher	Roae
Barrar	Gibbons	Major	Rock
Benninghoff	Gillen	Maloney	Ross
Bloom	Gillespie	Marshall	Saccone
Boback	Gingrich	Marsico	Sainato
Brooks	Greiner	Masser	Saylor
Brown, R.	Grove	McGinnis	Scavello
Burns	Hackett	Mentzer	Simmons
Causar	Hahn	Metcalfe	Smith
Christiana	Harhai	Miccarelli	Sonney
Clymer	Harhart	Micozzie	Stephens
Corbin	Harper	Millard	Stern
Cox	Harris, A.	Miller, R.	Stevenson
Culver	Heffley	Milne	Swanger
Cutler	Helm	Mirabito	Tallman
Day	Hickernell	Moul	Taylor
Delozier	James	Murt	Tobash
Denlinger	Kampf	Mustio	Toepel
DiGirolamo	Kauffman	Oberlander	Toohil
Dunbar	Keller, F.	Payne	Topper
Ellis	Keller, M.K.	Peifer	Truitt
Emrick	Killion	Petri	Turzai

English	Knowles	Pickett	Vereb
Evankovich	Krieger	Pyle	Watson
Everett	Lawrence	Quinn	

NOT VOTING—0

EXCUSED—11

Daley, P.	Grell	Kotik	Regan
Evans	Haggerty	Metzgar	Sankey
Godshall	Hennessey	O'Neill	

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. **A09523**:

Amend Bill, page 1, line 18, by inserting after "pollution" ; and providing for protection of existing riparian barriers

Amend Bill, page 2, by inserting between lines 29 and 30

Section 2. The act is amended by adding a section to read:

Section 404. Protection of existing riparian buffers.

(a) Prohibition.—Except as provided in this section, land development shall not be permitted within a riparian buffer area.

(b) Width of riparian buffer area.—Except as required under subsection (c), the width of the riparian buffer area protected under subsection (a) shall be a minimum of 100 feet on each side of the stream as measured from the top of the bank.

(c) Additional width requirements.—The following apply:

(1) If the water body is designated as high quality or exceptional value, the minimum width shall be 300 feet on each side of the water body as measured from the top of the bank.

(2) In the case of the presence of a nontidal wetland or vernal pond wholly or partially within the riparian buffer area, an additional 25 feet shall be added to the widths in subsection (a) from the wetland or vernal pond boundary.

(3) The following additional distances shall be added to the minimum width provided above based on the following formula:

(i) ten feet if slope is 10% - 15%;

(ii) twenty feet if slope is 16% - 17%;

(iii) thirty feet if slope is 18% - 20%;

(iv) fifty feet if slope is 21% - 23%;

(v) sixty feet if slope is 24% - 25%; or

(vi) seventy feet if slope exceeds 25%.

(d) Definitions.—The following words and phrases when used in this section shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Nontidal wetlands." An area not influenced by tidal fluctuations that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and under normal circumstances support a prevalence of vegetation typically adapted for life in saturated soil conditions.

"Riparian buffer area." An area adjacent to a water body.

"Vernal pond." A small body of standing water that forms in the spring from meltwater and is often dry by midsummer or may be dry before the end of the spring growing season.

"Water body." A natural or manmade pond, lake, wetland, impoundment, stream or watercourse. The term does not include a pond or facility designed and constructed solely to contain storm water.

Amend Bill, page 2, line 30, by striking out "2" and inserting

3

Amend Bill, page 3, line 2, by striking out "3" and inserting

4

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

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, it has been brought to my attention that – actually, I recognize that this was not exactly what I had intended in the drafting of this amendment. What I wanted was the replacement as is currently established under the Ross amendment to be defined in terms of how that replacement got done, because on a one-to-one basis, the concern is that if the part of the riparian buffer that you are disturbing is on a steep slope and the land that you are replacing it with is on flat ground, the resulting reduction in nutrients and sediment that flows into a waterway is not the same.

#### AMENDMENT WITHDRAWN

Mr. STURLA. And so my intent was to use this as the portion that dealt with how that replacement gets done, but it also goes farther than that and extends buffers and things like that. So I will withdraw this amendment at this time.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

On the question recurring,

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

Mr. **BRADFORD** offered the following amendment No. **A09529**:

Amend Bill, page 2, by inserting between lines 29 and 30

(3) Notwithstanding paragraphs (1) and (2) of this subsection, the use of a riparian buffer shall be required when natural gas development activities or operations are within 150 feet of a perennial or intermittent river, stream or creek or lake, pond or reservoir of this Commonwealth.

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. Mr. Speaker, I put forward this amendment in a similar vein to some of the ones previously but with a much narrower scope. I understand if this body intends to in any way diminish the highest standard of environmental protection, that we should do so with particular caution for certain industries and activities that have drawn particular concern in the area of public health, as there is such an area of concern currently in the natural gas development area and there has been quite a bit of debate and discussion. And mindful of the recent ruling on Act 13, where our Supreme Court reminded us specifically about the environmental rights amendment and said, and I think it is apropos and on point today, the Justices said that that act in fact, pointing to the amendment, said,

guarantees "...clean air, pure water, and to the preservation of the natural, scenic, historic and aesthetic values of the environment."

They cited Pennsylvania's history with coal and timber as lessons which lead to the amendment and said, "Pennsylvania has a notable history of what appears, retrospectively, to have been a shortsighted exploitation of its bounteous environment, affecting its minerals, its water, its air, its flora and fauna and its people. When government acts," they write, "the actions must on balance reasonably account for the environment of the affected locale."

What this amendment does is says that if we are going to diminish our environmental protection, while there is such a question of public health in the area of natural gas activity in Pennsylvania, we should not do it specifically in those cases. This amendment carves out natural gas activity and operations from diminishing the buffer requirement.

Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the lady from Northampton County, Ms. Hahn.

Ms. HAHN. Thank you, Mr. Speaker.

Again, this is not an agreed-to amendment, and I ask for a negative vote.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

#### YEAS—89

Adolph	DeLissio	Kinsey	Quinn
Bishop	Dermody	Kirkland	Ravenstahl
Bizzarro	DiGirolamo	Kortz	Readshaw
Boback	Donatucci	Kula	Roebuck
Boyle, B.	Fabrizio	Mahoney	Rozzi
Boyle, K.	Farina	Markosek	Sabatina
Bradford	Flynn	Matzie	Samuelson
Briggs	Frankel	McCarter	Santarsiero
Brown, V.	Freeman	McGeehan	Scavello
Brownlee	Gainey	McNeill	Schlossberg
Burns	Galloway	Miller, D.	Schreiber
Caltagirone	Gergely	Milne	Sims
Carroll	Gillen	Mirabito	Snyder
Clay	Goodman	Miranda	Stephens
Cohen	Haluska	Molchany	Sturla
Conklin	Hanna	Mullery	Thomas
Costa, P.	Harkins	Mundy	Vereb
Cruz	Harper	Neuman	Vitali
Daley, M.	Harris, J.	O'Brien	Waters
Davidson	Kavulich	Painter	Wheatley
Davis	Keller, W.	Parker	White
Dean	Kim	Pashinski	Youngblood
Deasy			

#### NAYS—102

Aument	Farry	Longiatti	Pyle
Baker	Fee	Lucas	Rapp
Barbin	Fleck	Mackenzie	Reed
Barrar	Gabler	Maher	Reese
Benninghoff	Gibbons	Major	Roae
Bloom	Gillespie	Maloney	Rock
Brooks	Gingrich	Marshall	Ross
Brown, R.	Greiner	Marsico	Saccone
Causer	Grove	Masser	Sainato
Christiana	Hackett	McGinnis	Saylor

Clymer	Hahn	Mentzer	Simmons
Corbin	Harhai	Metcalfe	Smith
Costa, D.	Harhart	Miccarelli	Sonney
Cox	Harris, A.	Micozzie	Stern
Culver	Heffley	Millard	Stevenson
Cutler	Helm	Miller, R.	Swanger
Day	Hickernell	Moul	Tallman
DeLozier	James	Murt	Taylor
DeLuca	Kampf	Mustio	Tobash
Denlinger	Kauffman	Oberlander	Toepel
Dunbar	Keller, F.	Payne	Toohil
Ellis	Keller, M.K.	Peifer	Topper
Emrick	Killion	Petrarca	Truitt
English	Knowles	Petri	Turzai
Evankovich	Krieger	Pickett	Watson
Everett	Lawrence		

NOT VOTING—0

EXCUSED—11

Daley, P.	Grell	Kotik	Regan
Evans	Haggerty	Metzgar	Sankey
Godshall	Hennessey	O'Neill	

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. **VITALI** offered the following amendment No. **A09501**:

Amend Bill, page 2, by inserting between lines 29 and 30

(3) The department may, on a case by case basis, require riparian buffers or riparian forested buffers, if the department determines that requiring the buffers is necessary to protect water quality.

On the question,

Will the House agree to the amendment?

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

Mr. VITALI. Thank you, Mr. Speaker.

This is a relatively simple amendment that I think clarifies some of the confusion with regard to the Ross amendment and whether the Department of Environmental Protection can, when necessary, require buffers. So what this amendment says, and I will just quote it all because it is a small one. "The department may, on a case by case basis, require riparian buffers or riparian forested buffers, if the department determines that requiring the buffers is necessary to protect water quality."

What you are simply doing is giving the department the ability to impose buffers if they feel it is necessary to protect water quality. Now, let me be clear: The department, in its testimony before the Environmental Committee, has specifically asked for this authority. I am going to read a letter that was recently sent to the chairman and minority chairman of the Environmental Committee. During the hearing, the DEP further stated that it "...should be authorized, on a case by case basis, to require riparian buffers or riparian forested buffers if the department determines that doing so is necessary to protect water quality." The amendment I put in is the exact language,

almost word for word, with what our Department of Environmental Protection has asked for. Mr. Speaker, I think it is only appropriate that we give our department what they have asked for.

Let me tell you what else the department said in that hearing. There are some, the department said that there are some circumstances under which other best management practices simply do not have the benefit of riparian buffers. This is what they said. These are things that buffers do that other best management practices do. They "reduced effects of storm events" – I am just reading from their testimony – they "reduced the effect of storm events..." they "...slow the speed and reduce the volume of surface runoff from upland areas." Riparian buffers do that and sometimes they are needed to do that. The department also said, "Flood attenuation...buffers permit precipitation to enter into the soil rather than run-off directly into surface waters.... This dissipates stream energy...." This is something that other best management practices do not do. This is what also the department said, "Ice damage control - Riparian forest buffers trap ice slabs and reduce the potential for jamming at downstream constrictions, such as bridges, which can lead to flooding...filtration of pollutants in runoff...."

There are just certain things. "Channel and shoreline stability...light control and water temperature moderation...the amount of light that reaches a water body, reduces algae growth, moderate water temperatures...." There are simply certain things that you need riparian buffers for, so there should be circumstances under which you allow riparian buffers.

I want to move on to the fact that this is not an onerous requirement, because the current requirement of riparian buffers only applies to about 20 percent of the streams in the Commonwealth. We are only talking about that 150-foot requirement in watersheds that are exceptional value or high quality. The rest is just off the table. There are no buffer requirements of 150-feet there. And even when you have those watersheds, there are nine different exceptions and six different waivers. There are many exceptions, such as if you are dealing with a disturbance of less than an acre, you are not subject to that buffer requirement. Road maintenance, pipelines, public safety, not subject to the buffer requirement. This is not an onerous thing. And even if you are, and if you do not fit into one of those exceptions, the department on its own can waive, it can waive this requirement. And in fact, they have waived this requirement, according to the department itself, they have waived— Since the chapter 102 regulations came into effect – this was a couple years ago – waivers from buffer requirements were given 48.3 percent of the time. So even if you did not qualify for an exception and applied for a waiver, it was given almost half the time.

I do not think the builders, when they are calling upon you to vote "no" on this, really truly understand that this is not the onerous thing that they think it is. This is a very important protection for the streams of Pennsylvania. It has very important purposes. The alternate to not having buffers is you have to have much more expensive storm water management systems put into place, which really costs our municipalities money that they well cannot afford.

Riparian buffers are important. We should not be, in a very cavalier fashion like we are doing today, just voting to eliminate that requirement. It is just too important. I ask you to support this amendment.

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

On that question, the Speaker recognizes the lady from Northampton County, Ms. Hahn.

Ms. HAHN. Thank you, Mr. Speaker.

Again, this is not an agreed-to amendment, and I ask for a negative vote. Thank you.

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

(Members proceeded to vote.)

**LEAVE OF ABSENCE**

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

**CONSIDERATION OF HB 1565 CONTINUED**

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

The following roll call was recorded:

**YEAS—85**

Bishop	Dermody	Kirkland	Petri
Bizzarro	DiGirolamo	Longiotti	Quinn
Boback	Donatucci	Mahoney	Ravenstahl
Boyle, B.	English	Markosek	Readshaw
Boyle, K.	Fabrizio	Matzie	Roebuck
Bradford	Farina	McCarter	Rozzi
Briggs	Farry	McGeehan	Sabatina
Brown, V.	Flynn	McNeill	Samuelson
Brownlee	Frankel	Miller, D.	Santarsiero
Caltagirone	Freeman	Milne	Schlossberg
Carroll	Galloway	Mirabito	Schreiber
Clay	Goodman	Miranda	Sims
Cohen	Haluska	Molchany	Stephens
Conklin	Hanna	Mullery	Sturla
Costa, P.	Harkins	Mundy	Thomas
Cruz	Harper	Murt	Vitali
Daley, M.	Harris, J.	O'Brien	Waters
Davidson	Kavulich	Painter	Watson
Davis	Keller, W.	Parker	Wheatley
Dean	Kim	Pashinski	White
Deasy	Kinsey	Petrarca	Youngblood
DeLissio			

**NAYS—105**

Aument	Fleck	Krieger	Rapp
Baker	Gabler	Kula	Reed
Barbin	Gainey	Lawrence	Reese
Barrar	Gergely	Lucas	Roae
Benninghoff	Gibbons	Mackenzie	Rock
Bloom	Gillen	Maher	Ross
Brooks	Gillespie	Major	Saccone
Brown, R.	Gingrich	Maloney	Sainato
Burns	Greiner	Marshall	Saylor
Causser	Grove	Marsico	Scavello
Christiana	Hackett	Masser	Simmons
Clymer	Hahn	McGinnis	Smith
Corbin	Harhai	Mentzer	Snyder
Costa, D.	Harhart	Metcalfe	Sonney

Cox	Harris, A.	Miccarelli	Stern
Culver	Heffley	Micozzie	Stevenson
Cutler	Helm	Millard	Swanger
Day	Hickernell	Miller, R.	Tallman
Delozier	James	Moul	Taylor
DeLuca	Kampf	Mustio	Tobash
Denlinger	Kauffman	Neuman	Toepel
Dunbar	Keller, F.	Oberlander	Toohil
Ellis	Keller, M.K.	Payne	Topper
Emrick	Killion	Peifer	Truitt
Evankovich	Knowles	Pickett	Turzai
Everett	Kortz	Pyle	Vereb
Fee			

**NOT VOTING—0**

**EXCUSED—12**

Adolph	Godshall	Hennessey	O'Neill
Daley, P.	Grell	Kotik	Regan
Evans	Haggerty	Metzgar	Sankey

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. **VITALI** offered the following amendment No. **A09542**:

Amend Bill, page 1, by inserting between lines 3 and 4 (A09497)  
Amend Bill, page 2, line 16, by striking out "100" and inserting 150  
Amend Bill, page 1, lines 6 through 9 (A09497), by striking out all of said lines and inserting  
Amend Bill, page 2, lines 20 through 22, by striking out "FOR ZONE 1 (1" in line 20, all of line 21 and "FEET)" in line 22

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

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

Mr. VITALI. Thank you, Mr. Speaker.

This amendment attempts to ameliorate the damage caused by reducing the buffer requirement, and also, it modifies the Ross amendment to make it more protective of watersheds. And again, we are dealing with the high-quality watersheds and exceptional value watersheds.

The Ross amendment required a – if I am getting this correctly – a one-to-one replacement of buffers, the 150-foot buffer requirement in just the first 100 feet on a one-to-one basis. What this amendment does is takes the concept of the initial Miller amendment, which had a two-to-one replacement, and extends that two-to-one replacement for the entire 150 feet. In other words, if you disturb a buffer in one area, you have to replace it on a two-to-one basis in another area, according to the words of the Ross amendment, "as close as feasible."

The reason for this heightened replacement is the fact that if you try to put a buffer into another area, it takes decades to get its full beneficial effect. For example, right now the beneficial effect of a buffer, if you have a fully grown land with trees and canopies overhanging and protecting the stream, and you have a

lot of growth protecting an area from erosion and so forth, and you try to replace that with a farmland upstream a bit, it is going to take decades for that farmland to grow the vegetation and the trees to have that same beneficial effect. That is why a two-to-one replacement is really critical.

So what this amendment – again, just in summary – would do, if you are going to take a buffer out in one area, it requires you to replace it two-to-one in another area. So I ask for an affirmative vote.

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

On that question, the Speaker recognizes the lady from Northampton County, Ms. Hahn.

Ms. HAHN. Thank you, Mr. Speaker.

Again, this is not an agreed-to amendment, and I ask for a negative vote.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS–68

Bishop	Dean	Keller, W.	Pashinski
Bizzarro	DeLissio	Kim	Ravenstahl
Boyle, B.	Dermoddy	Kinsey	Roebuck
Boyle, K.	Donatucci	Kirkland	Rozzi
Bradford	Fabrizio	Mahoney	Sabatina
Briggs	Farina	Matzie	Samuelson
Brown, V.	Flynn	McCarter	Santarsiero
Brownlee	Frankel	McGeehan	Schlossberg
Caltagirone	Freeman	McNeill	Schreiber
Carroll	Gainey	Miller, D.	Sims
Clay	Galloway	Miranda	Sturla
Cohen	Goodman	Molchany	Thomas
Conklin	Haluska	Mullery	Vitali
Cruz	Hanna	Mundy	Waters
Daley, M.	Harkins	O'Brien	Wheatley
Davidson	Harris, J.	Painter	White
Davis	Kavulich	Parker	Youngblood

NAYS–122

Aument	Farry	Longiotti	Quinn
Baker	Fee	Lucas	Rapp
Barbin	Fleck	Mackenzie	Readshaw
Barrar	Gabler	Maher	Reed
Benninghoff	Gergely	Major	Reese
Bloom	Gibbons	Maloney	Roae
Boback	Gillen	Markosek	Rock
Brooks	Gillespie	Marshall	Ross
Brown, R.	Gingrich	Marsico	Saccone
Burns	Greiner	Masser	Sainato
Causar	Grove	McGinnis	Saylor
Christiana	Hackett	Mentzer	Scavello
Clymer	Hahn	Metcalfe	Simmons
Corbin	Harhai	Miccarelli	Smith
Costa, D.	Harhart	Micozzie	Snyder
Costa, P.	Harper	Millard	Sonney
Cox	Harris, A.	Miller, R.	Stephens
Culver	Heffley	Milne	Stern
Cutler	Helm	Mirabito	Stevenson
Day	Hickernell	Moul	Swanger
Deasy	James	Murt	Tallman
Delozier	Kampf	Mustio	Taylor
DeLuca	Kauffman	Neuman	Tobash
Denlinger	Keller, F.	Oberlander	Toepel
DiGirolamo	Keller, M.K.	Payne	Toohil
Dunbar	Killion	Peifer	Topper
Ellis	Knowles	Petrarca	Truitt

Emrick	Kortz	Petri	Turzai
English	Krieger	Pickett	Vereb
Evankovich	Kula	Pyle	Watson
Everett	Lawrence		

NOT VOTING–0

EXCUSED–12

Adolph	Godshall	Hennessey	O'Neill
Daley, P.	Grell	Kotik	Regan
Evans	Haggerty	Metzgar	Sankey

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

On the question recurring,

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

The SPEAKER. There is one late-filed amendment, which would require a suspension of the rules. Is the gentleman from Delaware County seeking a suspension of the rules for the late-filed amendment? It was amendment 9570.

Thank you.

On the question recurring,

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

**REMARKS SUBMITTED FOR THE RECORD**

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

Mr. FRANKEL. Mr. Speaker, I would like to submit remarks for the record on SB 1164.

The SPEAKER. The gentleman may deliver them to the clerk and they will be noted in the record.

Mr. FRANKEL. Thank you.

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

Mr. Speaker, I rise to genuinely thank my colleagues for their support of SB 1164. As my colleagues on both sides of the aisle know, the work we do here in the House is important. Often the laws we pass are critical to many people across the Commonwealth.

But, Mr. Speaker, colleagues, rarely can we stand up and say that a bill is a literal matter of life and death. But that is exactly what we had in front of us here today with SB 1164. I cannot overstate the importance of this legislation, Mr. Speaker.

SB 1164, as amended by my colleague and good friend from Bucks County, will ensure that police, firefighters, and other first responders have access to the lifesaving drug, naloxone. Furthermore, it ensures that friends and family members of people fighting heroin addiction have access to naloxone so that if tragedy strikes, they will have a chance at saving the life of someone they care about.

Over the summer, House and Senate members attended hearings around the State about the heroin overdose epidemic. Witnesses at these hearings gave harrowing, heartfelt testimony about how quickly

heroin and opiates can end lives, destroy families, and ruin communities.

We learned from these hearings that prescription drug and heroin abuse is not just an urban problem, but one that threatens families in rural and suburban areas just the same.

Many witnesses agreed that SB 1164 includes the critical tool to fight overdoses – getting naloxone into the hands of first responders and concerned friends and families. Pennsylvania would not be a trendsetter by passing this legislation, as we would join nearly half of the States across the country – including our neighbors in Ohio, New York, and New Jersey – in making naloxone accessible. In some States, like Rhode Island, this safe and effective antidote is available over the counter.

Studies have clearly shown that naloxone has few side effects, is safe to administer, and poses very little risk to the person receiving it. Even so, we made it a priority to address both safety and training with the language of SB 1164.

The bill, as amended by the DiGirolamo amendment, contains important language to help train first responders and friends and family to use naloxone. The bill gives our police departments and fire companies the flexibility to pick the type of training they will use, as long as the criteria for the training is consistent with the State-developed training. SB 1164 does not force family members into Internet-based for-profit training courses when a local doctor, health-care professional, or an anti-drug group can train them easier and cheaper.

I believe the language in SB 1164 highlights safety, training, and common sense when it comes to ensuring access to naloxone.

As I conclude, Mr. Speaker, I think it is important to note that SB 1164 represents a collaborative effort. I am glad this effort was embraced by my colleagues, and I hope it will be embraced by the Senate. We have worked with advocates across the State and across the country on this bill, and I am in awe of the work they have done to get us into this position with SB 1164. And as a legislative body, we have worked together in a bipartisan manner to make this a better bill. That is how it is supposed to be done.

I would be remiss if I did not thank my friend and colleague, Chairman DiGirolamo, for the courage to amend this bill to make it right for the first responders, friends, and family.

Today, by passing SB 1164, we have the chance to finally confront a prescription drug and heroin problem that has caused so much suffering to our State, to our constituents, and in some cases, our very own families.

Thank you, colleagues, for voting "yes" on SB 1164.

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 993, PN 3903**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, changing the name of the Department of Public Welfare to the Department of Human Services; providing for a transition period; and establishing a toll-free DHS fraud tip line.

On the question,  
Will the House concur in Senate amendments?

The SPEAKER. Moved by the gentleman, Mr. Murt, that the House concur in the amendments inserted by the Senate.

The Speaker recognizes the gentleman, Mr. Murt, for a brief description of the Senate amendments.

Mr. MURT. Mr. Speaker, the amendment inserted by our colleagues in the State Senate established a toll-free hotline for individuals in the Commonwealth to report incidents of waste,

fraud, and abuse that occur relative to the mission of the Department of Public Welfare.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

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

Mr. VITALI. I just want to be clear about the content of this amendment. Is this the one that renames the Department of Welfare? Got it.

On the question recurring,  
Will the House concur in Senate amendments?

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

The following roll call was recorded:

**YEAS—155**

Aument	Donatucci	Kirkland	Quinn
Barbin	Dunbar	Kortz	Rapp
Barrar	Ellis	Kula	Ravenstahl
Benninghoff	English	Longietti	Readshaw
Bishop	Everett	Mackenzie	Reed
Bizzarro	Fabrizio	Mahoney	Reese
Boback	Farina	Major	Roae
Boyle, B.	Farry	Markosek	Roebuck
Boyle, K.	Fee	Marshall	Ross
Bradford	Fleck	Marsico	Rozzi
Briggs	Flynn	Masser	Sabatina
Brooks	Frankel	Matzie	Saccone
Brown, R.	Freeman	McCarter	Sainato
Brown, V.	Gainey	McGeehan	Samuelson
Brownlee	Galloway	McNeill	Santarsiero
Burns	Gergely	Mentzer	Saylor
Caltagirone	Gibbons	Miccarelli	Scavello
Carroll	Gillespie	Micozzie	Schlossberg
Christiana	Gingrich	Millard	Schreiber
Clay	Goodman	Miller, D.	Simmons
Cohen	Greiner	Miller, R.	Sims
Conklin	Hackett	Milne	Smith
Corbin	Haluska	Mirabito	Snyder
Costa, D.	Hanna	Miranda	Sonney
Costa, P.	Harhai	Molchany	Stevens
Cruz	Harhart	Mullery	Stevenson
Culver	Harkins	Mundy	Sturla
Cutler	Harper	Murt	Taylor
Daley, M.	Harris, A.	Mustio	Thomas
Davidson	Harris, J.	Neuman	Toepel
Davis	Helm	O'Brien	Turzai
Day	Hickernell	Oberlander	Vereb
Dean	James	Painter	Vitali
Deasy	Kampf	Parker	Waters
DeLissio	Kavulich	Pashinski	Watson
Delozier	Keller, W.	Payne	Wheatley
DeLuca	Killion	Peifer	White
Dermody	Kim	Petrarca	Youngblood
DiGirolamo	Kinsey	Petri	

**NAYS—35**

Baker	Gillen	Lawrence	Rock
Bloom	Grove	Lucas	Stern
Causar	Hahn	Maher	Swanger
Clymer	Heffley	Maloney	Tallman
Cox	Kauffman	McGinnis	Tobash
Denlinger	Keller, F.	Metcalfe	Toohil
Emrick	Keller, M.K.	Moul	Topper
Evankovich	Knowles	Pickett	Truitt
Gabler	Krieger	Pyle	

**NOT VOTING—0**



## EXCUSED—12

Adolph	Godshall	Hennessey	O'Neill
Daley, P.	Grell	Kotik	Regan
Evans	Haggerty	Metzgar	Sankey

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were 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 993, PN 3903**

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, changing the name of the Department of Public Welfare to the Department of Human Services; providing for a transition period; and establishing a toll-free DHS fraud tip line.

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

**REMARKS SUBMITTED FOR THE RECORD**

The SPEAKER. The Speaker recognizes the gentleman from Montgomery County, Mr. Murt, under unanimous consent.

Mr. MURT. Mr. Speaker, I want to express my gratitude to the members of the House for their collective support of that bill, even the members that voted in the negative, because their support of the amendment for waste, fraud, and abuse made the bill better, and I am grateful to them as well. And I will be submitting additional comments for the record.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

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

We accomplished something significant today with HB 993, something that will probably not happen again in our lifetimes. For good reason, we changed the name of a department in our State government. We changed the name of the Department of Public Welfare to the more accurate and less-stigmatizing name, the Department of Human Services.

Mr. Speaker, Pennsylvania is the last State in the nation that calls its agency that delivers human services the Department of Public Welfare. This change is appropriate for many reasons, not the least of which is the fact that more than 94 percent of DPW activities are for health and human service objectives. This includes their critically important mission of caring for adults with disabilities. Mr. Speaker, caring for people with disabilities – is not welfare. As a matter of fact, only one of the department's seven program offices deals with programs that might be considered welfare.

Mr. Speaker, DPW's stated mission is to "promote, improve, and sustain the quality of family life, break the cycle of dependency, and to protect and serve Pennsylvania's most vulnerable citizens." Since its establishment, the role of DPW has evolved from caring for charity cases to providing a wide range of human and social services for our constituents in the Commonwealth. DPW aspires to make

Pennsylvanians self-sufficient and not dependent on the Commonwealth. This name change will more accurately represent this mission and the broad array of services provided by DPW.

Mr. Speaker, I know that a name change alone will not change a culture, but it is a means to an end. If we want a human services mission that truly places a priority on helping Pennsylvanians live more meaningful and independent lives, and to find employment, and to contribute to society, and to not become public charges, then we need to change the name to reflect the stated mission. If we want to reduce welfare and public assistance in Pennsylvania, let us start with the name.

This legislation also includes language that requires the department to establish a toll-free telephone number and an e-mail address to make it easy for persons to report waste, fraud, or abuse of public assistance programs, including medical assistance, cash assistance, and food stamps. The bill also requires the department to investigate all credible complaints and to refer them to the appropriate law enforcement agency, and to post and promote the tip line information. This amendment was a result of concerns expressed by our members about waste, fraud, and abuse taking place in DPW. Thank you to the members of this House who expressed these concerns and who worked to make this bill better.

Mr. Speaker, this was not an easy journey, but for all those who stood firm, I say thank you, especially to our leadership for living up to their commitment to run this bill. Thank you especially from those Pennsylvanians who depend on the new "Department of Human Services" and know it as a lifeline. I also wish to express my personal gratitude to my colleague and friend, Representative Pam DeLissio, who worked with great passion to bring this legislation to fruition. Also, thank you to Senator Bob Mensch, who was very supportive of this bill when it was in the Senate.

Thank you, Mr. Speaker.

**LEAVE OF ABSENCE**

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

**SUPPLEMENTAL CALENDAR B****BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 2134, PN 4093**, entitled:

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, in crime victims, further providing for rights; in administration, further providing for office and for powers and duties of victim advocate; and, in financial matters, further providing for costs.

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—174

Aument	Everett	Lawrence	Rapp
Baker	Fabrizio	Longiotti	Ravenstahl
Barbin	Farina	Lucas	Readshaw
Barrar	Farry	Mackenzie	Reed
Benninghoff	Fee	Maher	Reese
Bishop	Fleck	Mahoney	Roae
Bizzarro	Flynn	Major	Rock
Bloom	Frankel	Maloney	Roebuck
Boback	Freeman	Markosek	Ross
Boyle, K.	Gabler	Marshall	Rozzi
Bradford	Galloway	Marsico	Sabatina
Briggs	Gergely	Masser	Saccone
Brooks	Gibbons	Matzie	Sainato
Brown, R.	Gillen	McGeehan	Samuelson
Burns	Gillespie	McGinnis	Santarsiero
Caltagirone	Gingrich	McNeill	Saylor
Carroll	Goodman	Mentzer	Scavello
Causar	Greiner	Metcalfe	Schlossberg
Christiana	Grove	Miccarelli	Schreiber
Clymer	Hahn	Micozzie	Simmons
Cohen	Haluska	Millard	Smith
Conklin	Hanna	Miller, R.	Snyder
Corbin	Harhai	Milne	Sonney
Costa, D.	Harhart	Mirabito	Stephens
Costa, P.	Harkins	Miranda	Stern
Cox	Harper	Molchany	Stevenson
Cruz	Harris, A.	Moul	Sturla
Culver	Heffley	Mullery	Swanger
Cutler	Helm	Mundy	Tallman
Davis	Hickernell	Murt	Taylor
Day	James	Mustio	Tobash
Dean	Kampf	Neuman	Toepel
Deasy	Kauffman	O'Brien	Toohil
Delozier	Kavulich	Oberlander	Topper
DeLuca	Keller, F.	Painter	Truitt
Denlinger	Keller, M.K.	Pashinski	Turzai
Dermody	Keller, W.	Payne	Vereb
DiGirolamo	Killion	Peifer	Vitali
Donatucci	Kim	Petrarca	Waters
Dunbar	Kirkland	Petri	Watson
Ellis	Knowles	Pickett	Wheatley
Emrick	Kortz	Pyle	White
English	Krieger	Quinn	Youngblood
Evanovich	Kula		

## NAYS—15

Boyle, B.	Daley, M.	Harris, J.	Parker
Brown, V.	Davidson	Kinsey	Sims
Brownlee	DeLissio	McCarter	Thomas
Clay	Gainey	Miller, D.	

## NOT VOTING—0

## EXCUSED—13

Adolph	Grell	Hennessey	O'Neill
Daley, P.	Hackett	Kotik	Regan
Evans	Haggerty	Metzgar	Sankey
Godshall			

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.

## LEAVES OF ABSENCE

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

## BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2385, PN 3827**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in bonds and recognizances, further providing for bail to be governed by general rules.

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 certainly appreciate the intent of this bill to make whole victims of a crime. And I understand if a defendant has posted bail, that it is only right, if he is convicted, that that go to pay restitution. I think we are all in agreement with that.

The problem with this bill as I see it is, let us say a defendant's mom posted the bail, which is not uncommon — I used to be in the criminal justice system — or the defendant's brother or sister. They would lose their money. They would be forced, they who had no other involvement in this crime, they would lose the money they put up to help their son or their brother or their sister. They would lose this. And I say that because I am looking at the bill, on page 15, line 17, and it is the words, "on behalf of."

So the problem with this bill is it forces people to pay restitution who really have done nothing wrong other than to have a son who they care for and want to help out. And maybe the ultimate effect of that will be to discourage people from getting bail, and maybe that will increase incarceration costs and cost us all. So I think this bill, although well-intentioned, simply goes too far, and that is why I am going to be a "no" vote.

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

On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Jordan Harris.

Mr. J. HARRIS. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition of this bill. Mr. Speaker, right now in the Commonwealth, our counties already have an issue with overcrowding as folks wait in jail for their day in court. While I understand the intent of this bill and I think the bill is good-intentioned, I think the issue that we will see in

counties throughout the Commonwealth is that people will be more reluctant to put up bail money for their loved ones. And because of that, people will be forced to sit in prison, which will actually cost the taxpayer more dollars to keep folks locked in who would otherwise have had someone who would have posted bail for them.

In the city of Philadelphia right now, you have folks that could wait upwards of a year or two in jail until they have their day in court. While I understand the intent, I think the consequence is that more people will be in jail while they wait and not have folks post bail, and at the end of the day, that is going to cost the taxpayers more and more dollars.

Thank you, Mr. Speaker.

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

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

Ms. BROWNLEE. Thank you, Mr. Speaker.

Will the gentlelady from Cumberland County stand for brief interrogation?

The SPEAKER. The lady, Ms. Delozier, indicates she will stand for interrogation. You may proceed.

Ms. BROWNLEE. Thank you, Mr. Speaker.

Mr. Speaker, for argument's sake, if this House bill passes today, how will the bail money be allocated, because sometimes there is child support? So will it be restitution, fines, costs, then child support? Or child support, restitution, fines, and costs to the courts?

Mr. Speaker, can you explain that to me?

Ms. DELOZIER. Thank you, Mr. Speaker.

This bill simply is dealing with restitution. It is simply dealing with court fees and fines. It does not cover child support.

Ms. BROWNLEE. Thank you, Mr. Speaker.

Some of my other questions were answered – well, were spoken to – some of my other concerns regarding this bill were spoken to by the gentleman from Philadelphia County and the gentleman from Delaware County. I oppose this bill for similar reasons. I believe that it penalizes the family members who care for the offender as opposed to the offender, so I ask for a "no" vote.

Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to this bill for two reasons. Number one, my colleague from Philadelphia County has raised a good argument as to why we should not support this. But, Mr. Speaker, the second argument is, any time we are going to use money from perpetrators of crimes and then do not make it clear that if we are going to use bail money, we need to give it to children and families. Child support should be at the top, helping families that are in trouble as a result of bad behavior, oftentimes.

And so, Mr. Speaker, we do not want to open this door, and we do not want to put forth a bill that takes away the opportunity to get people out after they have gone through their hearings and gone through the process. Too many people do not need to be lying over in our jails like it is a hotel because we have a regressive bail policy.

And so, Mr. Speaker, for those reasons this bill must be rejected on arrival.

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

On that question, the Speaker recognizes the lady from Montgomery County, Mrs. Dean.

Mrs. DEAN. Thank you, Mr. Speaker.

I, too, rise in opposition to HB 2385 for the reasons that have been cited. And I wanted to note that I do get that this is a well-intentioned bill. We do want to get restitution to our victims and their families. But I think that what this bill does actually is distorts the purpose of the bail process, and as a result, it would be an improper use of bail funds. According to the American Bar Association, and I will quote: "Bail is the amount of money defendants must post to be released from custody until their trial. Bail is not a fine. It is not supposed to be used as punishment. The purpose of bail is simply to ensure that defendants will appear for trial and all pretrial hearings for which they must be present." That is the whole purpose of bail.

In moderation of what this bill would do, what I would suggest is we should follow the Federal model. The Federal model allows for this kind of attachment of bail only if it is the defendant's money, not a third party – not a mother, not an aunt, not an uncle, not a grandmom. I would suggest we should go that way if we are going to attach bail at all. I ask for a "no" vote on this.

Thanks, Mr. Speaker.

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

On that question, the Speaker recognizes the lady from Cumberland County, Ms. Delozier.

Ms. DELOZIER. Thank you, Mr. Speaker.

I would simply put out there that number one, any person who puts up any dollars to establish someone's freedom has to sign a form that they are acknowledging that there may be a decision by the court to allow for fines, allow for restitution. And as a previous speaker said that the family should come first, I would have to disagree in this situation, as I believe the innocent victim should come first, because the end result is that this person is only taking the dollars to repay the restitution to the victim if they are found guilty. So they have been found guilty of committing a crime, and therefore, the priority needs to be the innocent victim that they brought into the judicial system without their desire being had because they were the victim of a criminal intent of some sort.

Therefore, the victims need to be made whole if an individual is found guilty of a crime – period. They are aware of the situation of where the fines and fees and restitution will go before the money is put up. I ask for a "yes" vote in order that we can defend and put victims first.

Thank you.

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

For what purpose does the gentleman from Philadelphia County, Mr. Harris, rise?

Mr. J. HARRIS. On the bill, Mr. Speaker.

The SPEAKER. The gentleman is in order and recognized for the second time on the bill.

Mr. J. HARRIS. Thank you, Mr. Speaker.

Mr. Speaker, let me be clear about my opposition to this bill. My opposition to this bill is not about whether victims should receive restitution. I wholeheartedly believe that victims should receive restitution. Let me be clear. There are people, because of this bill, who will not have folks who will be willing to put up bail for them. These people will then have to wait in our jail system at the tune, in many counties of \$40,000 a year until

their day in court, a day in court where they may be found innocent.

So we are talking about taxpayer dollars being spent on folks who could be found innocent, because this system, if this bill passes, will make it harder for people to put up bail money, because they believe that they could lose it. Mr. Speaker, if we want to talk from a conservative perspective, we should be conserving tax dollars and not enacting laws that could possibly have our counties spending money on folks who could be found innocent at the end of the day.

We definitely should put restitution to our victims; that is first and foremost. But what we should not be doing is creating a system that keeps people in prison while they wait for their day in court, understanding that many of them may be found innocent and it is nothing more than a waste of tax dollars, where we could be spending that money doing a lot of other things such as educating our children.

Thank you, Mr. Speaker.

On the question recurring,  
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—141

Aument	Farry	Maher	Readshaw
Baker	Fee	Mahoney	Reed
Barbin	Fleck	Major	Reese
Barrar	Frankel	Maloney	Roae
Benninghoff	Freeman	Markosek	Rock
Bizzarro	Gibbons	Marshall	Ross
Bloom	Gillespie	Marsico	Rozzi
Boback	Gingrich	Masser	Sabatina
Brooks	Goodman	Matzie	Saccone
Brown, R.	Greiner	McGinnis	Sainato
Burns	Grove	McNeill	Samuelson
Caltagirone	Hahn	Mentzer	Santarsiero
Causar	Haluska	Metcalfe	Saylor
Christiana	Hanna	Miccarelli	Scavello
Clymer	Harhai	Micozzie	Schlossberg
Conklin	Harhart	Millard	Simmons
Corbin	Harkins	Miller, R.	Smith
Costa, D.	Harper	Milne	Snyder
Cox	Harris, A.	Mirabito	Sonney
Culver	Heffley	Moul	Stephens
Cutler	Helm	Mullery	Stern
Davis	Hickernell	Murt	Stevenson
Day	Kampf	Mustio	Sturla
Deasy	Kauffman	Neuman	Swanger
Delozier	Kavulich	Oberlander	Tallman
DeLuca	Keller, F.	Painter	Taylor
Denlinger	Keller, M.K.	Payne	Tobash
Dermody	Killion	Peifer	Toepel
DiGirolamo	Knowles	Petrarca	Toohil
Dunbar	Krieger	Petri	Topper
Ellis	Kula	Pickett	Truitt
Emrick	Lawrence	Pyle	Turzai
Evankovich	Longietti	Quinn	Veréb
Everett	Lucas	Rapp	Watson
Fabrizio	Mackenzie	Ravenstahl	White
Farina			

NAYS—46

Bishop	Daley, M.	Harris, J.	Mundy
Boyle, B.	Davidson	James	O'Brien
Boyle, K.	Dean	Keller, W.	Parker

Bradford	DeLissio	Kim	Pashinski
Briggs	Donatucci	Kinsey	Roebuck
Brown, V.	English	Kirkland	Schreiber
Brownlee	Flynn	Kortz	Sims
Carroll	Gabler	McCarter	Thomas
Clay	Gainey	McGeehan	Vitali
Cohen	Galloway	Miller, D.	Waters
Costa, P.	Gergely	Molchany	Youngblood
Cruz	Gillen		

NOT VOTING—0

EXCUSED—15

Adolph	Grell	Kotik	Regan
Daley, P.	Hackett	Metzgar	Sankey
Evans	Haggerty	Miranda	Wheatley
Godshall	Hennessey	O'Neill	

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 1736, PN 2437**, entitled:

An Act designating a portion of PA Route 191 in Washington Township, Northampton County, as the "World War II Homefront Heroes 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—187

Aument	Ellis	Knowles	Pyle
Baker	Emrick	Kortz	Quinn
Barbin	English	Krieger	Rapp
Barrar	Evankovich	Kula	Ravenstahl
Benninghoff	Everett	Lawrence	Readshaw
Bishop	Fabrizio	Longietti	Reed
Bizzarro	Farina	Lucas	Reese
Bloom	Farry	Mackenzie	Roae
Boback	Fee	Maher	Rock
Boyle, B.	Fleck	Mahoney	Roebuck
Boyle, K.	Flynn	Major	Ross
Bradford	Frankel	Maloney	Rozzi
Briggs	Freeman	Markosek	Sabatina
Brooks	Gabler	Marshall	Saccone
Brown, R.	Gainey	Marsico	Sainato
Brown, V.	Galloway	Masser	Samuelson
Brownlee	Gergely	Matzie	Santarsiero
Burns	Gibbons	McCarter	Saylor

Caltagirone	Gillen	McGeehan	Scavello
Carroll	Gillespie	McGinnis	Schlossberg
Causer	Gingrich	McNeill	Schreiber
Christiana	Goodman	Mentzer	Simmons
Clay	Greiner	Metcalfe	Sims
Clymer	Grove	Miccarelli	Smith
Cohen	Hahn	Micozzie	Snyder
Conklin	Haluska	Millard	Sonney
Corbin	Hanna	Miller, D.	Stephens
Costa, D.	Harhai	Miller, R.	Stern
Costa, P.	Harhart	Milne	Stevenson
Cox	Harkins	Mirabito	Sturla
Cruz	Harper	Molchany	Swanger
Culver	Harris, A.	Moul	Tallman
Cutler	Harris, J.	Mullery	Taylor
Daley, M.	Heffley	Mundy	Thomas
Davidson	Helm	Murt	Tobash
Davis	Hickernell	Mustio	Toepel
Day	James	Neuman	Toohil
Dean	Kampf	O'Brien	Topper
Deasy	Kauffman	Oberlander	Truitt
DeLissio	Kavulich	Painter	Turzai
Delozier	Keller, F.	Parker	Vereb
DeLuca	Keller, M.K.	Pashinski	Vitali
Denlinger	Keller, W.	Payne	Waters
Dermody	Killion	Peifer	Watson
DiGirolamo	Kim	Petrarca	White
Donatucci	Kinsey	Petri	Youngblood
Dunbar	Kirkland	Pickett	

NAYS—0

NOT VOTING—0

EXCUSED—15

Adolph	Grell	Kotik	Regan
Daley, P.	Hackett	Metzgar	Sankey
Evans	Haggerty	Miranda	Wheatley
Godshall	Hennessey	O'Neill	

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 2377, PN 4094**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, further providing for definitions and for laws suspended during emergency assignments.

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 Venango County, Mr. James.

Mr. JAMES. Thank you, Mr. Speaker.

Just a few brief comments. I wanted to express how this bill will benefit not only Pennsylvania residents but individuals from other States who are called upon to volunteer and leave their families to assist our communities in restoring critical infrastructure after a disaster has been declared.

Many of us are very much aware of the impact of these disasters and have constituents when they have lost services such as power, water, or gas. It even happened to me in a severe weather incident in my hometown. My entire neighborhood was without power for a week. As we know, time is of the essence during these events, and adequate staging of resources and the necessity of rapid restoration of critical infrastructure is paramount to those whose lives depend on it.

For these reasons, Mr. Speaker, I thank the members for the affirmative vote on second consideration and ask them for an affirmative vote today. Thank you.

On the question recurring,  
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—187

Aument	Ellis	Knowles	Pyle
Baker	Emrick	Kortz	Quinn
Barbin	English	Krieger	Rapp
Barrar	Evankovich	Kula	Ravenstahl
Benninghoff	Everett	Lawrence	Readshaw
Bishop	Fabrizio	Longietti	Reed
Bizzarro	Farina	Lucas	Reese
Bloom	Farry	Mackenzie	Roae
Boback	Fee	Maher	Rock
Boyle, B.	Fleck	Mahoney	Roebuck
Boyle, K.	Flynn	Major	Ross
Bradford	Frankel	Maloney	Rozzi
Briggs	Freeman	Markosek	Sabatina
Brooks	Gabler	Marshall	Saccone
Brown, R.	Gainey	Marsico	Sainato
Brown, V.	Galloway	Masser	Samuelson
Brownlee	Gergely	Matzie	Santarsiero
Burns	Gibbons	McCarter	Saylor
Caltagirone	Gillen	McGeehan	Scavello
Carroll	Gillespie	McGinnis	Schlossberg
Causer	Gingrich	McNeill	Schreiber
Christiana	Goodman	Mentzer	Simmons
Clay	Greiner	Metcalfe	Sims
Clymer	Grove	Miccarelli	Smith
Cohen	Hahn	Micozzie	Snyder
Conklin	Haluska	Millard	Sonney
Corbin	Hanna	Miller, D.	Stephens
Costa, D.	Harhai	Miller, R.	Stern
Costa, P.	Harhart	Milne	Stevenson
Cox	Harkins	Mirabito	Sturla
Cruz	Harper	Molchany	Swanger
Culver	Harris, A.	Moul	Tallman
Cutler	Harris, J.	Mullery	Taylor
Daley, M.	Heffley	Mundy	Thomas
Davidson	Helm	Murt	Tobash
Davis	Hickernell	Mustio	Toepel
Day	James	Neuman	Toohil
Dean	Kampf	O'Brien	Topper
Deasy	Kauffman	Oberlander	Truitt
DeLissio	Kavulich	Painter	Turzai
Delozier	Keller, F.	Parker	Vereb
DeLuca	Keller, M.K.	Pashinski	Vitali

Denlinger	Keller, W.	Payne	Waters
Dermody	Killion	Peifer	Watson
DiGirolamo	Kim	Petrarca	White
Donatucci	Kinsey	Petri	Youngblood
Dunbar	Kirkland	Pickett	

## NAYS—0

## NOT VOTING—0

## EXCUSED—15

Adolph	Grell	Kotik	Regan
Daley, P.	Hackett	Metzgar	Sankey
Evans	Haggerty	Miranda	Wheatley
Godshall	Hennessey	O'Neill	

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.

## RULES SUSPENDED

The SPEAKER. The Speaker recognizes the gentleman from Indiana County, Mr. Reed, for the purpose of making a motion.

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

I move to suspend the rules in order for the immediate consideration of HB 2076 today.

The SPEAKER. The gentleman from Indiana County, Mr. Reed, moves that the House suspend the rules to allow for the consideration of HB 2076 today.

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

The SPEAKER. On that motion, the Speaker recognizes the minority leader, Mr. Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, I would urge all the members to vote to support the motion to suspend the rules.

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

The following roll call was recorded:

## YEAS—167

Aument	Ellis	Kim	Quinn
Baker	Emrick	Kirkland	Rapp
Barbin	English	Knowles	Ravenstahl
Barrar	Evankovich	Kortz	Readshaw
Benninghoff	Everett	Krieger	Reed
Bishop	Fabrizio	Kula	Reese
Bizzarro	Farina	Longietti	Rock
Bloom	Farry	Lucas	Roebuck
Boback	Fee	Mackenzie	Ross
Boyle, B.	Fleck	Maher	Rozzi
Boyle, K.	Flynn	Mahoney	Sabatina
Bradford	Frankel	Major	Sacccone
Briggs	Freeman	Maloney	Sainato
Brooks	Gabler	Markosek	Santarsiero
Brown, R.	Gainey	Marshall	Saylor
Brown, V.	Galloway	Marsico	Scavello

Brownlee	Gergely	Matzie	Schlossberg
Burns	Gibbons	McCarter	Schreiber
Caltagirone	Gillespie	McGeehan	Simmons
Carroll	Gingrich	McNeill	Sims
Causar	Goodman	Mentzer	Smith
Christiana	Greiner	Miccarelli	Snyder
Clay	Grove	Micozzie	Sonney
Clymer	Hahn	Millard	Stephens
Cohen	Haluska	Miller, R.	Stern
Conklin	Hanna	Milne	Stevenson
Corbin	Harhai	Mirabito	Sturla
Costa, D.	Harhart	Molchany	Tallman
Costa, P.	Harkins	Moul	Taylor
Cox	Harper	Mundy	Thomas
Cruz	Harris, A.	Murt	Tobash
Culver	Heffley	Mustio	Toepel
Davis	Helm	O'Brien	Toohil
Day	Hickernell	Oberlander	Topper
Deasy	James	Painter	Turzai
Delozier	Kampf	Pashinski	Vereb
DeLuca	Kauffman	Payne	Vitali
Denlinger	Kavulich	Peifer	Waters
Dermody	Keller, F.	Petrarca	Watson
DiGirolamo	Keller, M.K.	Petri	White
Donatucci	Keller, W.	Pickett	Youngblood
Dunbar	Killion	Pyle	

## NAYS—20

Cutler	Gillen	McGinnis	Parker
Daley, M.	Harris, J.	Metcalfe	Roae
Davidson	Kinsey	Miller, D.	Samuelson
Dean	Lawrence	Mullery	Swanger
DeLissio	Masser	Neuman	Truitt

## NOT VOTING—0

## EXCUSED—15

Adolph	Grell	Kotik	Regan
Daley, P.	Hackett	Metzgar	Sankey
Evans	Haggerty	Miranda	Wheatley
Godshall	Hennessey	O'Neill	

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.

## BILL REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 2076, PN 3480, be removed from the tabled calendar.

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

## SUPPLEMENTAL CALENDAR C

## BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2076, PN 3480**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in transfers of credits between institutions of higher education, further providing for

definitions, for duties of public institutions of higher education and for transfer and articulation oversight committee.

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

### ANNOUNCEMENT BY SPEAKER

The SPEAKER. I wanted to make an announcement of a reminder nature. Today is the day in which our nation celebrates the birth of our United States Constitution, and today is the 227th anniversary of the United States Constitution. I think that is worthy to be noted in the record.

### VOTE CORRECTIONS

The SPEAKER. Is the gentleman from Lycoming County, Mr. Mirabito, seeking recognition for a correction of the record?

Mr. MIRABITO. For some reason on HB 1565, amendment 9515, my button did not record. I wanted to be recorded in the affirmative.

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

Mr. MIRABITO. Thank you.

The SPEAKER. Is the gentleman from Washington County, Mr. Neuman, seeking recognition for a correction of the record?

Mr. NEUMAN. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. NEUMAN. Thank you, Mr. Speaker.

On HB 1565, amendment 9505, I was recorded in the negative. I would like to be recorded in the positive.

### ANNOUNCEMENT BY MR. SANTARSIERO

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

Mr. SANTARSIERO. Thank you, Mr. Speaker.

For the members of the southeast delegation of the Democratic Caucus, there will be a very brief but important meeting in my office at the adjournment. Thank you.

### STATEMENT BY MR. THOMAS

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

Mr. THOMAS. Unanimous consent, Mr. Speaker.

The SPEAKER. The gentleman is recognized under unanimous consent.

Mr. THOMAS. Mr. Speaker, I concur in your acknowledgment of celebrating the birthday of our Constitution, and as you know and we know that there is a provision of our Constitution which says that we have a responsibility—Mr. Speaker, may I get some order?

The SPEAKER. We will try.

The members will hold the conversations down, please.

Mr. THOMAS. There is a section of our Constitution which says that we have a responsibility to provide for an educational system that is thorough and efficient, and, Mr. Speaker, until

such time that we have a fair formula, until such time that all 500 school districts in the Commonwealth of Pennsylvania have the support that they need to provide a quality education without further burdening property tax payers and other people in our local communities, until we do that, then we would give real meaning to the birthday that we celebrate on this day.

Thank you, Mr. Speaker.

### BILLS RECOMMITTED

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

HB 1565;  
HB 2076;  
HB 2419;  
HB 2420;  
SB 1155; and  
SB 1281.

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

### BILLS REMOVED FROM TABLE

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

HB 2382;  
HB 2383;  
HB 2478;  
SB 807; and  
SB 1224.

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

### CALENDAR CONTINUED

#### RESOLUTIONS

Mr. TURZAI called up **HR 672, PN 3065**, entitled:

A Resolution urging the Congress of the United States to oppose S.1900, identified as the Bipartisan Congressional Trade Priorities Act of 2014, and all other Fast Track trade authority legislation that expands presidential authority beyond what is granted by the Constitution of the United States.

On the question,  
Will the House adopt the resolution?

#### RESOLUTION TABLED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HR 672 be removed from the active calendar and placed on the tabled calendar.

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

### RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that HR 672 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 778, PN 3830**, entitled:

A Resolution directing the Joint State Government Commission to conduct a comprehensive study on the Commonwealth's cyber security efforts and protocols to protect private information of our citizens.

On the question,  
Will the House adopt the resolution?

### RESOLUTION TABLED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HR 778 be removed from the active calendar and placed on the tabled calendar.

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

### RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that HR 778 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.

### BILLS AND RESOLUTIONS PASSED OVER

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

### ADJOURNMENT

The SPEAKER. Seeing no further business before this House, the Speaker recognizes the gentleman, Mr. Clay, from Philadelphia County, who moves that this House do now adjourn until Monday, September 22, 2014, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,  
Will the House agree to the motion?  
Motion was agreed to, and at 4:05 p.m., e.d.t., the House adjourned.