

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

MONDAY, JUNE 26, 2006

SESSION OF 2006

190TH OF THE GENERAL ASSEMBLY

No. 43

### HOUSE OF REPRESENTATIVES

The House convened at 1 p.m., e.d.t.

**THE SPEAKER (JOHN M. PERZEL)  
PRESIDING**

#### PRAYER

REV. JULIANN V. WHIPPLE, Chaplain of the House of Representatives, offered the following prayer:

Let us pray:

Gracious God, as I stand before You this afternoon, I ask that You would not let my unworthiness stand between You and the members of this body as we join in prayer. Hear not my voice but listen to the yearnings of the hearts now open before You in this moment when each of us is alone with You.

We ask You to be patient with us as we attempt to hear Your voice and the guidance You long to give us. It is not that we do not want You to guide us; it is just that our faith is small and our doubt is large. We get sidetracked by the ways of the world and we forget the first day we met You, when we recognized that there is so much more to life than what we can see, touch, and taste.

So we seek Your blessing this afternoon. God forbid that any of us here should add to the problems of the hour, but rather resolve, by Your help, to become part of the answer.

And unless Your blessing accompanies what we do here, we waste our time. So guide us in what we propose so that You can bless us in what we produce. With humbled hearts we pray. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Thursday, June 22, 2006, will be postponed until printed.

### SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 248, PN 4277**; and **HB 2317, PN 4338**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

### SENATE MESSAGE

HOUSE BILL  
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 2026, PN 2803**, with information that the Senate has passed the same without amendment.

### SENATE MESSAGE

HOUSE AMENDMENTS  
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 1150, PN 1835**.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### HB 2026, PN 2803

An Act designating a bridge in Coudersport Borough, Potter County, as the Specialist Mike Franklin Memorial Bridge.

#### SB 1150, PN 1835

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for offense of demonstrating at a commemorative service and for commemorative service demonstration action.

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

**CALENDAR****BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 311**, **PN 3580**, entitled:

An Act amending the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law, further defining "unfair methods of competition" and "unfair or deceptive acts or practices."

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

**BILL TABLED**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. S. SMITH. Mr. Speaker, I move that HB 311 be placed upon the table.

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

**BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. S. SMITH. Mr. Speaker, I move that HB 311 be taken off the table.

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

\* \* \*

The House proceeded to third consideration of **HB 2053**, **PN 2830**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of failure to provide identification to law enforcement authorities.

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

**BILL TABLED**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. S. SMITH. Mr. Speaker, I move that HB 2053 be placed upon the table.

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

**BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. S. SMITH. Mr. Speaker, I move that HB 2053 be taken off the table.

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

\* \* \*

The House proceeded to third consideration of **HB 1903**, **PN 2604**, entitled:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, further providing, in management of planned communities, for quorums; and providing for management of substantial planned communities.

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

**BILL TABLED**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. S. SMITH. Mr. Speaker, I move that HB 1903 be placed upon the table.

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

**BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. S. SMITH. Mr. Speaker, I move that HB 1903 be taken off the table.

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

**BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. S. SMITH. Mr. Speaker, I move that SB 1201 be taken off the table.

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

**BILL RECOMMENDED**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. S. SMITH. Mr. Speaker, I move that SB 1201 be recommitted to the Committee on Rules.

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

**BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. S. SMITH. Mr. Speaker, I move that SB 660 be taken from the table.

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

**BILL ON SECOND CONSIDERATION**

The following bill, having been called up, was considered for the second time and agreed to, and ordered transcribed for third consideration:

**SB 660, PN 1423.**

**BILL RECOMMITTED**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. S. SMITH. Mr. Speaker, I move that SB 660 be recommitted to the Appropriations Committee.

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

**RULES COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the majority leader, who moves for an immediate meeting of the Rules Committee.

**VOTE CORRECTION**

The SPEAKER. The Chair at this time recognizes Representative Daryl Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.  
Mr. Speaker, if I could correct the record.

The SPEAKER. The gentleman is in order.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, on June 21 at 4:20 p.m., we voted on HB 2563. My vote was recorded in the negative, and I wish that it be recorded in the affirmative.

The SPEAKER. The Chair thanks the gentleman. The gentleman's remarks will be spread across the record.

Mr. METCALFE. Thank you, Mr. Speaker.

**BILLS REREPORTED FROM COMMITTEE**

**HB 956, PN 4166** By Rep. S. SMITH

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, further providing for delegation of taxing power.

RULES.

**HB 1082, PN 4167**

By Rep. S. SMITH

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, further providing for delegation of taxing power and for limitations on rates of specific taxes.

RULES.

**HB 1809, PN 2382**

By Rep. S. SMITH

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for arson and related offenses.

RULES.

**HB 1959, PN 2692**

By Rep. S. SMITH

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for fees charged by the Insurance Department.

RULES.

**HB 2608, PN 3923**

By Rep. S. SMITH

An Act establishing the School-Based Mentoring Grant Program; imposing additional powers and duties on the Department of Education and making an appropriation.

RULES.

**HB 2746, PN 4302**

By Rep. S. SMITH

An Act authorizing the Department of Transportation, with the approval of the Governor, to grant and convey to AMFIRE Mining Company, LLC, the right to remove coal underlying certain highway right-of-way situate in Cresson Township, Cambria County.

RULES.

**RESOLUTION REPORTED FROM COMMITTEE**

**HR 799, PN 4249**

By Rep. S. SMITH

A Concurrent Resolution memorializing the President of the United States and the United States Congress to secure all borders of this nation to protect American citizens from the dangers of unlawful invasion and illegal immigration.

RULES.

**BILLS ON SECOND CONSIDERATION**

The following bills, having been called up, were considered for the second time and agreed to, and ordered transcribed for third consideration:

**HB 956, PN 4166; HB 1082, PN 4167; HB 1809, PN 2382; HB 1959, PN 2692; HB 2608, PN 3923; and HB 2746, PN 4302.**

**BILLS RECOMMITTED**

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move the following bills be recommitted to the Committee on Appropriations:

- HB 2608;
- HB 2746;
- HB 1959;
- HB 1809;
- HB 1082; and
- HB 956.

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

**LEAVES OF ABSENCE**

The SPEAKER. The Chair recognizes the majority whip, who moves for a leave of absence for the day for the gentlelady from Chester, Mrs. TAYLOR; the gentleman from Bucks, Mr. STEIL, for the day; the gentleman from Mercer, Mr. WILT, for the week; and the gentlelady from Chester, Mrs. RUBLEY, for the day. Without objection, those leaves will be granted.

The Chair recognizes the minority whip, who moves for a leave of absence for today for the gentleman from Northampton, Mr. SAMUELSON; the gentleman from Philadelphia, Mr. RIEGER; and the gentleman from Allegheny, Mr. LEVDANSKY. Without objection, those leaves will be granted.

**MASTER ROLL CALL**

The SPEAKER. The Chair is about to take the master roll, and the members will proceed to vote.

The following roll call was recorded:

**PRESENT—196**

Adolph	Fairchild	Mackereth	Rooney
Allen	Feese	Maher	Ross
Argall	Fichter	Maitland	Ruffing
Armstrong	Flaherty	Major	Sabatina
Baker	Flagle	Manderino	Sainato
Baldwin	Flick	Mann	Santoni
Barrar	Forcier	Markosek	Sather
Bastian	Frankel	Marsico	Saylor
Bebko-Jones	Freeman	McCall	Scavello
Belardi	Gabig	McGeehan	Schroder
Belfanti	Gannon	McGill	Semmel
Benninghoff	Geist	McIlhattan	Shaner
Beyer	George	McIlhinney	Shapiro
Biancucci	Gerber	McNaughton	Siptroth
Birmelin	Gergely	Melio	Smith, B.
Bishop	Gillespie	Metcalfe	Smith, S. H.
Blackwell	Gingrich	Micozzie	Solobay
Blaum	Godshall	Millard	Sonney
Boyd	Good	Miller, R.	Staback
Bunt	Goodman	Miller, S.	Stairs
Buxton	Grell	Mundy	Stern
Caltagirone	Grucela	Mustio	Stetler
Cappelli	Gruitza	Myers	Stevenson, R.
Casorio	Haluska	Nailor	Stevenson, T.

Causer	Hanna	Nickol	Sturla
Cawley	Harhai	O'Brien	Surra
Civera	Harhart	Oliver	Tangretti
Clymer	Harper	O'Neill	Taylor, J.
Cohen	Harris	Pallone	Thomas
Cornell	Hasay	Parker	Tigue
Corrigan	Hennessey	Payne	True
Costa	Herman	Petrarca	Turzai
Crahalla	Hershey	Petri	Veon
Creighton	Hess	Petrone	Vitali
Cruz	Hickernell	Phillips	Walko
Curry	Hutchinson	Pickett	Wansacz
Daley	James	Pistella	Waters
Dally	Josephs	Preston	Watson
DeLuca	Kauffman	Pyle	Wheatley
Denlinger	Keller, M.	Quigley	Williams
Dermody	Keller, W.	Ramaley	Wojnaroski
DeWeese	Kenney	Rapp	Wright
DiGirolamo	Killion	Raymond	Yewcic
Diven	Kirkland	Readshaw	Youngblood
Donatucci	Kotik	Reed	Yudichak
Eachus	LaGrotta	Reichley	Zug
Ellis	Leach	Roberts	
Evans, D.	Lederer	Roebuck	
Evans, J.	Leh	Rohrer	Perzel, Speaker
Fabrizio	Lescovitz		

**ADDITIONS—0**

**NOT VOTING—0**

**EXCUSED—7**

Levdansky	Rubley	Steil	Wilt
Rieger	Samuelson	Taylor, E. Z.	

**LEAVES ADDED—2**

Armstrong	McGill
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**LEAVES CANCELED—2**

Samuelson	Steil
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**GUEST INTRODUCED**

The SPEAKER. We have a special guest joining us today. As the guest page of Representative David Hickernell is Amanda Leonard. Amanda is the daughter of John Leonard, who serves as a House floor page. Please join me today in welcoming Amanda. Amanda, please rise and be recognized.

**VOTE CORRECTION**

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

Mr. CREIGHTON. I would like to correct the record.

The SPEAKER. The gentleman is in order.

Mr. CREIGHTON. On HB 2563 I want to be recorded in the positive.

The SPEAKER. The Chair thanks the gentleman. The gentleman's remarks will be spread across the record.

### GUEST INTRODUCED

The SPEAKER. The Chair would like to welcome to the hall of the House Juliette Joseph, granddaughter of Representative Marie Lederer, a third grade student at St. Katherine of Siena. She is obviously the guest of Representative Marie Lederer. Would she please rise and be recognized. She is seated below the Speaker. Here she is.

### FILMING PERMISSION

The SPEAKER. The Chair would like to mention to the members it is giving permission for Andrew Carson of the Donegal Ledger to take still photographs on the floor of the House of Representatives for the next 10 minutes.

### DONEGAL HIGH SCHOOL GIRLS SOFTBALL TEAM PRESENTED

The SPEAKER. At this time the Chair would like to welcome to the rostrum Representative Hickernell for the purposes of a citation.

Mr. HICKERNELL. Thank you, Mr. Speaker.

Good afternoon.

It is a pleasure for me today to welcome to the House of Representatives the 2006 State AAA Girls Softball Championship Team, the Donegal High School Lady Indians. Welcome, ladies.

It is a true honor for me to recognize these young ladies here in the House of Representatives for their outstanding accomplishment in winning the 2006 State title.

Just a week and a half ago, on June 16, the Indians defeated the Punxsutawney Lady Chucks at Shippensburg University by a score of 3 to 0 to win the State championship. This team amassed an overall season record of 27 to 4, and, ladies and gentlemen, you can only imagine how proud the entire community is of these young ladies.

Let me tell you, in addition to being proud of their accomplishment, this is also the first Donegal sports team in the entire history of the school to ever win a State championship in any sport. What an accomplishment.

Now, I would like to brag for just a moment. Obviously, I represent Donegal as their House member, but I also happen to be a 1977 graduate of Donegal High School, and I can tell you I have never been more proud to be a graduate and affiliated with that school district.

As a side note, I should also mention that three of the mothers of the winning team also graduated with me way back in 1977, and they are all here with us today.

Standing behind me today are team captains Lindsey Corso and Tori Hatt along with head coach Tom Hartman and school principal John Felix. I also want to introduce the remainder of the team, who are seated in the back – and, ladies, you can stand as well, if you would, please – Morgan Kibler, Samantha Houseal, Brielle Edgell, Whitney Breneman, Nicole Hess, Jennifer Swarr, Taylor Hatt, Brandy Grenauer, Kaitlyn Houseal, Abby Hoover, Emily McNiff, Ashten Barbieri, Amanda High, and Danielle Truett. Let us give these ladies a round of applause.

Also joining us today are various school administrators, assistant coaches, and many of the parents of the girls, and we welcome you to the House and congratulate you as well.

Again, congratulations, girls, on a job well done, and this team is a very young team – only 2 seniors out of the 16 – so we expect big things out of them next year and hope to have them back here again.

Thank you very much.

### GUESTS INTRODUCED

The SPEAKER. The Chair would like to welcome Venture 222, Junior Police Academy, from North Huntingdon, PA. They are the guests today of Representative James Casorio. They are seated in the balcony. Would those guests please stand and be recognized.

### HOUSE SCHOLARSHIP AWARD RECIPIENTS INTRODUCED

The SPEAKER. Today I have a special pleasure of introducing three of the four students who have been awarded the House scholarship awards for the 2006-2007 school year.

The House Scholarship Program, which all of you are a part of, by the way, was established to recognize and reward students for academic achievement and community and school leadership, and I am proud to introduce them today as our winners. They were selected by an independent panel convened by the Foundation for Enhancing Communities.

The students are seated with their parents in the rear of the chamber, and I will call their names. I ask that each stand to be recognized by the House of Representatives, but please hold your applause until they are all introduced.

A hearty congratulations to Jessica Fegley of Berks County, a graduate of Brandywine Heights High School, who will attend Franklin & Marshall College.

Melissa Jabour of Lancaster County, who is a graduate of Lampeter-Strasburg High School, will attend the University of Pennsylvania.

Rebecca Wojtaszek of Somerset County, who just graduated from North Star High School, will attend St. Francis University. Great job.

Rebecca brought her sister, Melissa, who is with her today, and, Melissa, please stand and be recognized also, for she, remarkably, also received a House scholarship 2 years ago and continues to excel at the University of Pittsburgh.

And congratulations as well to Helena Tzou of Westmoreland County, who will attend the University of Pittsburgh. She could not join us this afternoon but does deserve that recognition. Congratulations.

### GUESTS INTRODUCED

The SPEAKER. We have two additional special guests here today as guests of Representative Kathy Manderino. They are Rosemary Twomey and Caroline Estey-King, to the left of the Speaker. Would those two guests rise and be recognized.

**RESOLUTIONS PURSUANT TO RULE 35**

Mr. REED called up **HR 424, PN 4245**, entitled:

A Resolution designating August 2006 as “Native American Awareness Month” in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—194**

Adolph	Fairchild	Lescovitz	Rohrer
Allen	Feese	Mackereth	Rooney
Argall	Fichter	Maher	Ross
Armstrong	Flaherty	Maitland	Ruffing
Baker	Fleagle	Major	Sabatina
Baldwin	Flick	Manderino	Sainato
Barrar	Forcier	Mann	Santoni
Bastian	Frankel	Markosek	Sather
Bebko-Jones	Freeman	Marsico	Saylor
Belardi	Gabig	McCall	Scavello
Belfanti	Gannon	McGeehan	Schroder
Benninghoff	Geist	McGill	Semmel
Beyer	George	McIlhatten	Shaner
Biancucci	Gerber	McIlhinney	Shapiro
Birmelin	Gergely	McNaughton	Siptroth
Blackwell	Gillespie	Melio	Smith, B.
Blaum	Gingrich	Metcalfe	Smith, S. H.
Boyd	Godshall	Micozzie	Solobay
Bunt	Good	Millard	Sonney
Buxton	Goodman	Miller, R.	Staback
Caltagirone	Grell	Miller, S.	Stairs
Cappelli	Grucela	Mundy	Stern
Casorio	Gruitza	Mustio	Stetler
Causar	Haluska	Myers	Stevenson, R.
Cawley	Hanna	Nailor	Stevenson, T.
Civera	Harhai	Nickol	Sturla
Clymer	Harhart	O'Brien	Surra
Cohen	Harper	Oliver	Tangretti
Cornell	Harris	O'Neill	Taylor, J.
Corrigan	Hasay	Pallone	Tigue
Costa	Hennessey	Parker	True
Crahalla	Herman	Payne	Turzai
Creighton	Hershey	Petrarca	Veon
Cruz	Hess	Petri	Vitali
Curry	Hickernell	Petrone	Walko
Daley	Hutchinson	Phillips	Wansacz
Dally	James	Pickett	Waters
DeLuca	Josephs	Pistella	Watson
Denlinger	Kauffman	Preston	Wheatley
Dermody	Keller, M.	Pyle	Williams
DeWeese	Keller, W.	Quigley	Wojnaroski
DiGirolamo	Kenney	Ramaley	Wright
Diven	Killion	Rapp	Yewcic
Donatucci	Kirkland	Raymond	Youngblood
Eachus	Kotik	Readshaw	Yudichak
Ellis	LaGrotta	Reed	Zug
Evans, D.	Leach	Reichley	
Evans, J.	Lederer	Roberts	Perzel,
Fabrizio	Leh	Roebuck	Speaker

**NAYS—0**

**NOT VOTING—2**

Bishop Thomas

**EXCUSED—7**

Levdansky Rubley Steil Wilt  
Rieger Samuelson Taylor, E. Z.

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

\* \* \*

Mr. RAMALEY called up **HR 646, PN 3681**, entitled:

A Resolution designating the month of September 2006 as “Ovarian Cancer Awareness Month” in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. Ramaley.

Mr. RAMALEY. Thank you, Mr. Speaker.

Mr. Speaker, on May 6, 2002, my aunt, Gwen Kordalski, was diagnosed with ovarian cancer.

Two years ago when I first ran for this office, I was surrounded by family, friends, and multitudes of hardworking volunteers, but no one worked harder on my campaign than my Aunt Gwen. No matter how weak from chemotherapy treatments or how much pain she was experiencing, she was there, day in and day out, making phone calls, coordinating volunteers, and performing any other needed task. Her hard work and sacrifice was and is an inspiration to me every day.

After 3 1/2 years of fighting, including two bouts with cancer, several serious surgeries, and multiple rounds of chemotherapy, my aunt lost her battle in the early morning hours of December 31, 2005.

In 2005 an estimated 22,500 women were expected to be diagnosed with ovarian cancer, and the disease was estimated to claim more than 16,200 lives.

Research indicates that 80 percent of women are diagnosed in the late stages of ovarian cancer. A leading researcher has acknowledged that there are often no warning signs for ovarian cancer, and by the time it is diagnosed, it has usually spread to a level that does not respond well to treatment.

While advancements have been made in diagnosing and treating some types of cancer, including breast cancer and prostate cancer, ovarian cancer continues to be especially harsh and punishing. While new research is under way, we clearly have a long way to go.

Mr. Speaker, by proclaiming September 2006 as “Ovarian Cancer Awareness Month,” this Pennsylvania House of Representatives will make a clear statement of support to those struggling with this disease as well as for the ongoing efforts to fight and one day cure ovarian cancer.

Thus, I ask for adoption of HR 646. Thank you, Mr. Speaker. The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—196

Adolph	Fairchild	Mackereth	Rooney
Allen	Feese	Maher	Ross
Argall	Fichter	Maitland	Ruffing
Armstrong	Flaherty	Major	Sabatina
Baker	Fleagle	Manderino	Sainato
Baldwin	Flick	Mann	Santoni
Barrar	Forcier	Markosek	Sather
Bastian	Frankel	Marsico	Saylor
Bebko-Jones	Freeman	McCall	Scavello
Belardi	Gabig	McGeehan	Schroder
Belfanti	Gannon	McGill	Semmel
Benninghoff	Geist	McIlhattan	Shaner
Beyer	George	McIlhinney	Shapiro
Biancucci	Gerber	McNaughton	Siptroth
Birmelin	Gergely	Melio	Smith, B.
Bishop	Gillespie	Metcalfe	Smith, S. H.
Blackwell	Gingrich	Micozzie	Solobay
Blaum	Godshall	Millard	Sonney
Boyd	Good	Miller, R.	Staback
Bunt	Goodman	Miller, S.	Stairs
Buxton	Grell	Mundy	Stern
Caltagirone	Grucela	Mustio	Stetler
Cappelli	Gruitza	Myers	Stevenson, R.
Casorio	Haluska	Nailor	Stevenson, T.
Causer	Hanna	Nickol	Sturla
Cawley	Harhai	O'Brien	Surra
Civera	Harhart	Oliver	Tangretti
Clymer	Harper	O'Neill	Taylor, J.
Cohen	Harris	Pallone	Thomas
Cornell	Hasay	Parker	Tigue
Corrigan	Hennessey	Payne	True
Costa	Herman	Petrarca	Turzai
Crahalla	Hershey	Petri	Veon
Creighton	Hess	Petrone	Vitali
Cruz	Hickernell	Phillips	Walko
Curry	Hutchinson	Pickett	Wansacz
Daley	James	Pistella	Waters
Dally	Josephs	Preston	Watson
DeLuca	Kauffman	Pyle	Wheatley
Denlinger	Keller, M.	Quigley	Williams
Dermody	Keller, W.	Ramaley	Wojnaroski
DeWeese	Kenney	Rapp	Wright
DiGirolamo	Killion	Raymond	Yewcic
Diven	Kirkland	Readshaw	Youngblood
Donatucci	Kotik	Reed	Yudichak
Eachus	LaGrotta	Reichley	Zug
Ellis	Leach	Roberts	
Evans, D.	Lederer	Roebuck	
Evans, J.	Leh	Rohrer	Perzel,
Fabrizio	Lescovitz		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—7

Levdansky	Rubley	Steil	Wilt
Rieger	Samuelson	Taylor, E. Z.	

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

\* \* \*

Mr. CAUSER called up **HR 763, PN 4089**, entitled:

A Resolution recognizing the 125th anniversary celebration of the Bradford refinery of the American Refining Group, Inc., on September 7 through 9, 2006.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

Adolph	Fairchild	Mackereth	Rooney
Allen	Feese	Maher	Ross
Argall	Fichter	Maitland	Ruffing
Armstrong	Flaherty	Major	Sabatina
Baker	Fleagle	Manderino	Sainato
Baldwin	Flick	Mann	Santoni
Barrar	Forcier	Markosek	Sather
Bastian	Frankel	Marsico	Saylor
Bebko-Jones	Freeman	McCall	Scavello
Belardi	Gabig	McGeehan	Schroder
Belfanti	Gannon	McGill	Semmel
Benninghoff	Geist	McIlhattan	Shaner
Beyer	George	McIlhinney	Shapiro
Biancucci	Gerber	McNaughton	Siptroth
Birmelin	Gergely	Melio	Smith, B.
Bishop	Gillespie	Metcalfe	Smith, S. H.
Blackwell	Gingrich	Micozzie	Solobay
Blaum	Godshall	Millard	Sonney
Boyd	Good	Miller, R.	Staback
Bunt	Goodman	Miller, S.	Stairs
Buxton	Grell	Mundy	Stern
Caltagirone	Grucela	Mustio	Stetler
Cappelli	Gruitza	Myers	Stevenson, R.
Casorio	Haluska	Nailor	Stevenson, T.
Causer	Hanna	Nickol	Sturla
Cawley	Harhai	O'Brien	Surra
Civera	Harhart	Oliver	Tangretti
Clymer	Harper	O'Neill	Taylor, J.
Cohen	Harris	Pallone	Thomas
Cornell	Hasay	Parker	Tigue
Corrigan	Hennessey	Payne	True
Costa	Herman	Petrarca	Turzai
Crahalla	Hershey	Petri	Veon
Creighton	Hess	Petrone	Vitali
Cruz	Hickernell	Phillips	Walko
Curry	Hutchinson	Pickett	Wansacz
Daley	James	Pistella	Waters
Dally	Josephs	Preston	Watson
DeLuca	Kauffman	Pyle	Wheatley
Denlinger	Keller, M.	Quigley	Williams
Dermody	Keller, W.	Ramaley	Wojnaroski
DeWeese	Kenney	Rapp	Wright
DiGirolamo	Killion	Raymond	Yewcic
Diven	Kirkland	Readshaw	Youngblood
Donatucci	Kotik	Reed	Yudichak
Eachus	LaGrotta	Reichley	Zug
Ellis	Leach	Roberts	
Evans, D.	Lederer	Roebuck	
Evans, J.	Leh	Rohrer	Perzel,
Fabrizio	Lescovitz		Speaker

NAYS—0

NOT VOTING—0

EXCUSED-7

Levdansky	Rubley	Steil	Wilt
Rieger	Samuelson	Taylor, E. Z.	

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

\* \* \*

Mr. SHAPIRO called up **HR 787, PN 4177**, entitled:

A Resolution designating the month of September 2006 as "Prostate Cancer Awareness Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-196

Adolph	Fairchild	Mackereth	Rooney
Allen	Feese	Maher	Ross
Argall	Fichter	Maitland	Ruffing
Armstrong	Flaherty	Major	Sabatina
Baker	Fleagle	Manderino	Sainato
Baldwin	Flick	Mann	Santoni
Barrar	Forcier	Markosek	Sather
Bastian	Frankel	Marsico	Saylor
Bebko-Jones	Freeman	McCall	Scavello
Belardi	Gabig	McGeehan	Schroder
Belfanti	Gannon	McGill	Semmel
Benninghoff	Geist	McIlhattan	Shaner
Beyer	George	McIlhinney	Shapiro
Bianucci	Gerber	McNaughton	Siptroth
Birmelin	Gergely	Melio	Smith, B.
Bishop	Gillespie	Metcalfe	Smith, S. H.
Blackwell	Gingrich	Micozzie	Solobay
Blaum	Godshall	Millard	Sonney
Boyd	Good	Miller, R.	Staback
Bunt	Goodman	Miller, S.	Stairs
Buxton	Grell	Mundy	Stern
Caltagirone	Grucela	Mustio	Stetler
Cappelli	Gruitza	Myers	Stevenson, R.
Casorio	Haluska	Nailor	Stevenson, T.
Causar	Hanna	Nickol	Sturla
Cawley	Harhai	O'Brien	Surra
Civera	Harhart	Oliver	Tangretti
Clymer	Harper	O'Neill	Taylor, J.
Cohen	Harris	Pallone	Thomas
Cornell	Hasay	Parker	Tigue
Corrigan	Hennessey	Payne	True
Costa	Herman	Petrarca	Turzai
Crahalla	Hershey	Petri	Veon
Creighton	Hess	Petrone	Vitali
Cruz	Hickernell	Phillips	Walko
Curry	Hutchinson	Pickett	Wansacz
Daley	James	Pistella	Waters
Dally	Josephs	Preston	Watson
DeLuca	Kauffman	Pyle	Wheatley
Denlinger	Keller, M.	Quigley	Williams
Dermody	Keller, W.	Ramaley	Wojnaroski
DeWeese	Kenney	Rapp	Wright
DiGirolamo	Killion	Raymond	Yewcic
Diven	Kirkland	Readshaw	Youngblood
Donatucci	Kotik	Reed	Yudichak
Eachus	LaGrotta	Reichley	Zug
Ellis	Leach	Roberts	
Evans, D.	Lederer	Roebuck	

Evans, J. Fabrizio	Leh Lescovitz	Rohrer	Perzel, Speaker
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NAYS-0

NOT VOTING-0

EXCUSED-7

Levdansky	Rubley	Steil	Wilt
Rieger	Samuelson	Taylor, E. Z.	

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

\* \* \*

Ms. RAPP called up **HR 797, PN 4247**, entitled:

A Resolution recognizing the life and contributions of United States Supreme Court Justice Robert H. Jackson.

On the question,  
Will the House adopt the resolution?

The SPEAKER. On that question, the Chair recognizes the gentlelady, Ms. Rapp.

Ms. RAPP. Thank you, Mr. Speaker.

Today I have the privilege of sponsoring a resolution recognizing the extraordinary life and work of U.S. Supreme Court Associate Justice Robert H. Jackson.

Born on February 13, 1892, in his family's farmhouse located in Spring Creek, Warren County, Justice Jackson relied on intelligence and hard work to rise from his humble, rural beginnings as a country lawyer to have a significant impact on national and world affairs.

Through his writing and actions in both private and government practice, Justice Jackson personified the American ideal of justice for all as the Attorney General of the United States during the presidency of Franklin Delano Roosevelt and later as Chief United States Prosecutor of Nazi war criminals at the Nuremberg Trials following World War II.

His pioneer approach of applying international law to aggressive war crimes and other crimes against humanity set the standards that are used to address these issues in 21st-century courtrooms as well.

Justice Jackson served on the U.S. Supreme Court for 13 years until his death in October of 1954. His final ruling on the historic *Brown v. Board of Education* case to outlaw segregation in public schools during the summer of 1954 further cemented his legacy as one of the High Court's greatest thinkers and a man whose eloquence, fairness, and undiminished respect for individual liberty earned him the admiration of his fellow citizens and peers around the world.

Yet even with all his well-deserved fame and admiration on both the national and international stage, Justice Jackson stayed true to his very strong northwestern Pennsylvania roots and maintained a continued interest in his original hometown and eventual vacation spot of choice of Spring Creek throughout his entire life.



With those thoughts in mind, Mr. Speaker, I urge a “yes” vote on final passage of this resolution.

GUESTS INTRODUCED

Ms. RAPP. I would also like to take this opportunity to recognize the following individuals joining us on the House floor today who helped make this occasion possible: Thomas Loftus, grandson of Justice Jackson and board of directors member of the Robert H. Jackson Center located in Jamestown, New York. Tom, if you would stand. Peggy Myers from Warren County and a member of the Robert H. Jackson Center Society. Peggy. And last but certainly not least, Spring Creek resident Lynne Myers, who spent over a year researching the life of Justice Jackson and working with the Pennsylvania Historical and Museum Commission to create a highway marker in his honor so local residents and future generations will remember that a man of this great stature was born in Spring Creek in Warren County, Pennsylvania. Lynne.

Thank you. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentlelady.

The Chair recognizes the Democrat leader, the gentleman, Mr. DeWeese.

Mr. DeWEESE. I would like to thank the gentlelady, Representative Rapp.

If any of our colleagues have ever seen the History Channel production on the Nuremberg Trial, the gentleman, the Justice, the prosecutor, Mr. Jackson, is eminently well portrayed in that History Channel effort, and I will admit, I was not aware of his Pennsylvania lineage. He played a very, very dominant role in the midcentury and was exemplary in Germany after the war in bringing Nazi war criminals to justice.

So I would like to thank her for enhancing my fund of knowledge and give special kudos to her and to this resolution. Thank you.

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

The following roll call was recorded:

YEAS—196

Adolph	Fairchild	Mackereth	Rooney
Allen	Feese	Maher	Ross
Argall	Fichter	Maitland	Ruffing
Armstrong	Flaherty	Major	Sabatina
Baker	Fleagle	Manderino	Sainato
Baldwin	Flick	Mann	Santoni
Barrar	Forcier	Markosek	Sather
Bastian	Frankel	Marsico	Saylor
Bebko-Jones	Freeman	McCall	Scavello
Belardi	Gabig	McGeehan	Schroder
Belfanti	Gannon	McGill	Semmel
Benninghoff	Geist	McIlhattan	Shaner
Beyer	George	McIlhinney	Shapiro
Bianucci	Gerber	McNaughton	Siptroth
Birmelin	Gergely	Melio	Smith, B.
Bishop	Gillespie	Metcalfe	Smith, S. H.
Blackwell	Gingrich	Micozzie	Solobay
Blaum	Godshall	Millard	Sonney
Boyd	Good	Miller, R.	Staback
Bunt	Goodman	Miller, S.	Stairs
Buxton	Grell	Mundy	Stern
Caltagirone	Grucela	Mustio	Stetler
Cappelli	Gruitza	Myers	Stevenson, R.
Casorio	Haluska	Nailor	Stevenson, T.

Causer	Hanna	Nickol	Sturla
Cawley	Harhai	O'Brien	Surra
Civera	Harhart	Oliver	Tangretti
Clymer	Harper	O'Neill	Taylor, J.
Cohen	Harris	Pallone	Thomas
Cornell	Hasay	Parker	Tigue
Corrigan	Hennessey	Payne	True
Costa	Herman	Petrarca	Turzai
Crahalla	Hershey	Petri	Veon
Creighton	Hess	Petrone	Vitali
Cruz	Hickernell	Phillips	Walko
Curry	Hutchinson	Pickett	Wansacz
Daley	James	Pistella	Waters
Dally	Josephs	Preston	Watson
DeLuca	Kauffman	Pyle	Wheatley
Denlinger	Keller, M.	Quigley	Williams
Denatody	Keller, W.	Ramaley	Wojnaroski
DeWeese	Kenney	Rapp	Wright
DiGirolamo	Killion	Raymond	Yewcic
Diven	Kirkland	Readshaw	Youngblood
Donatucci	Kotik	Reed	Yudichak
Eachus	LaGrotta	Reichley	Zug
Ellis	Leach	Roberts	
Evans, D.	Lederer	Roebuck	
Evans, J.	Leh	Rohrer	Perzel, Speaker
Fabrizio	Lescovitz		

NAYS—0

NOT VOTING—0

EXCUSED—7

Levdansky	Rubley	Steil	Wilt
Rieger	Samuelson	Taylor, E. Z.	

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

\* \* \*

Mr. SANTONI called up **HR 809, PN 4347**, entitled:

A Resolution honoring the Villanova University men’s basketball team on their outstanding achievements during the 2005-2006 basketball season.

On the question,  
Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the gentleman, Mr. Santoni.

Mr. SANTONI. Thank you, Mr. Speaker.

Very briefly, I just want to ask the members to support, of course, HR 809, which does honor the 2005-2006 Villanova University Basketball Team. We have had a number of resolutions honoring other sports teams, most notably the numerous resolutions honoring the Pittsburgh Steelers, so I thought it was in our best interest to recognize other outstanding sports teams.

As a proud alum of Villanova University, I am very honored to be able to announce this resolution. And if you are wondering why we are doing this today and why I introduced it so late because the basketball season has long been gone, Villanova has been named as the recipient of the John Wanamaker Award for

the outstanding sports team in the Philadelphia area, and they are receiving that award this week.

So I just wanted to make that announcement and to ask the members to support and honor the Villanova Basketball Team for their exploits in the 2005-2006 season. Thank you.

The SPEAKER. The Chair thanks the gentleman. Our former Speaker, Mr. Ryan, was a Villanova graduate.

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

The following roll call was recorded:

YEAS—196

Adolph	Fairchild	Mackereth	Rooney
Allen	Feese	Maher	Ross
Argall	Fichter	Maitland	Ruffing
Armstrong	Flaherty	Major	Sabatina
Baker	Fleagle	Manderino	Sainato
Baldwin	Flick	Mann	Santoni
Barrar	Forcier	Markosek	Sather
Bastian	Frankel	Marsico	Saylor
Bebko-Jones	Freeman	McCall	Scavello
Belardi	Gabig	McGeehan	Schroder
Belfanti	Gannon	McGill	Semmel
Benninghoff	Geist	McIlhattan	Shaner
Beyer	George	McIlhinney	Shapiro
Biancucci	Gerber	McNaughton	Siptroth
Birmelin	Gergely	Melio	Smith, B.
Bishop	Gillespie	Metcalfe	Smith, S. H.
Blackwell	Gingrich	Micozzie	Solobay
Blaum	Godshall	Millard	Sonney
Boyd	Good	Miller, R.	Staback
Bunt	Goodman	Miller, S.	Stairs
Buxton	Grell	Mundy	Stern
Caltagirone	Grucela	Mustio	Stetler
Cappelli	Gruitza	Myers	Stevenson, R.
Casorio	Haluska	Nailor	Stevenson, T.
Causar	Hanna	Nickol	Sturla
Cawley	Harhai	O'Brien	Surra
Civera	Harhart	Oliver	Tangretti
Clymer	Harper	O'Neill	Taylor, J.
Cohen	Harris	Pallone	Thomas
Cornell	Hasay	Parker	Tigue
Corrigan	Hennessey	Payne	True
Costa	Herman	Petrarca	Turzai
Crahalla	Hershey	Petri	Veon
Creighton	Hess	Petrone	Vitali
Cruz	Hickernell	Phillips	Walko
Curry	Hutchinson	Pickett	Wansacz
Daley	James	Pistella	Waters
Dally	Josephs	Preston	Watson
DeLuca	Kauffman	Pyle	Wheatley
Denlinger	Keller, M.	Quigley	Williams
Dermody	Keller, W.	Ramaley	Wojnaroski
DeWeese	Kenney	Rapp	Wright
DiGiroamo	Killion	Raymond	Yewcic
Diven	Kirkland	Readshaw	Youngblood
Donatucci	Kotik	Reed	Yudichak
Eachus	LaGrotta	Reichley	Zug
Ellis	Leach	Roberts	
Evans, D.	Lederer	Roebuck	
Evans, J.	Leh	Rohrer	Perzel,
Fabrizio	Lescovitz		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—7

Levdansky	Rubley	Steil	Wilt
Rieger	Samuelson	Taylor, E. Z.	

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

GUESTS INTRODUCED

The SPEAKER. The Chair would like to welcome to the hall of the House Richard and Carolyn Stubbs and their three daughters, Kiera, Hannah, and Charlotte. They are the guests today of Representative Scott Petri. They are seated to the left of the Speaker. Would they please rise and be recognized.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS COMMITTEE MEETING

The SPEAKER. The Chair at this time recognizes the gentleman from Blair, Mr. Stern, for the purpose of an announcement.

Mr. STERN. Thank you, Mr. Speaker.

The House Veterans Affairs and Emergency Preparedness Committee would like to call an immediate meeting at the rear of the hall of the House to consider one bill at the call of recess.

The SPEAKER. The Chair thanks the gentleman.

At the call of the recess, the Veterans Affairs and Emergency Preparedness Committee will meet in the rear of the House.

LOCAL GOVERNMENT COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Centre, Mr. Herman.

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

There will be a meeting of the House Local Government Committee immediately upon the recess at the rear of the chamber.

The SPEAKER. The Chair thanks the gentleman.

At the call of the recess, the Local Government Committee will meet in the rear of the House.

VOTE CORRECTION

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Leh.

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

Would it be appropriate to correct the record at this time?

The SPEAKER. The gentleman is in order.

Mr. LEH. On June 21, last week, HB 2563, I was recorded in the negative, and I wish to be recorded in the positive. It was an oversight on my part.

The SPEAKER. The Chair thanks the gentleman.

Mr. LEH. Thank you.

### CONSUMER AFFAIRS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Chester, Mr. Flick, for the purpose of an announcement.

Mr. FLICK. Thank you, Mr. Speaker.

My apologies. I was looking over some mail.

The Consumer Affairs Committee will have a meeting at the rear of the House immediately for consideration of legislation, which I mentioned last week.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

At the call of the recess, the Consumer Affairs Committee will meet in the rear of the House.

### JUDICIARY COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. O'Brien, for the purpose of an announcement.

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

Immediately upon the declaration of the recess, there will be a meeting of the House Judiciary Committee in 39 East Wing; 39 East Wing.

The SPEAKER. At the call of the recess, the Judiciary Committee will meet in room 39, East Wing.

### VOTE CORRECTIONS

The SPEAKER. The gentleman, Mr. Turzai, for the purpose of a correction of the record.

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

On June 21, HB 2563, I was recorded in the negative and the machine was incorrect. I should be reported in the affirmative on HB 2563 on June 21.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from York, Mr. Miller.

Mr. MILLER. Thank you, Mr. Speaker.

I would like to correct the record.

On June 21 on HB 2563, I was recorded in the negative, and I would like to be recorded in the affirmative. Thank you.

The SPEAKER. The Chair thanks the gentleman. The gentleman's remarks will be spread across the record.

The gentleman from York, Mr. Gillespie.

Mr. GILLESPIE. Mr. Speaker, thank you.

On June 21 on HB 2563, I was recorded in the negative and wish to be recorded in the affirmative.

The SPEAKER. The Chair thanks the gentleman. The gentleman's remarks will be spread across the record.

### REPUBLICAN CAUCUS

The SPEAKER. The gentleman, Mr. Argall.

Mr. ARGALL. Thank you, Mr. Speaker.

At the declaration of the recess, the House Republicans will caucus. We would hope to return to the floor by 3:30.

The SPEAKER. The Chair thanks the gentleman.

### APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Fleagle, for the purpose of an announcement.

Mr. FLEAGLE. Thank you, Mr. Speaker.

There will be a House Appropriations Committee meeting immediately upon the call of the recess.

The SPEAKER. The Chair thanks the gentleman.

At the call of the recess, the Appropriations Committee will meet.

### DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the gentleman, Mr. Cohen, for the purpose of an announcement.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, there will be a Democratic caucus immediately upon the call of the recess.

The SPEAKER. The Chair thanks the gentleman.

### COMMITTEE MEETING POSTPONED

The SPEAKER. The Chair recognizes the gentleman, Mr. Allen.

Mr. ALLEN. Thank you, Mr. Speaker.

The Labor Relations Committee meeting that was supposed to be held today is postponed until tomorrow at the call of the Chair. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Are there any further announcements?

### GUEST INTRODUCED

The SPEAKER. The Chair would like to recognize a special guest, James Eagan. He is a guest today of Representative Bebkö-Jones, and he is a guest page seated in the front of the Speaker. Would that guest please rise and be recognized.

### RECESS

The SPEAKER. This House is in recess until 3:30 p.m., unless sooner recalled by the Speaker.

### AFTER RECESS

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

### THE SPEAKER PRO TEMPORE (JERRY BIRME LIN) PRESIDING

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 2834** By Representatives McNAUGHTON, SCAVELLO, BALDWIN, BARRAR, BOYD, CAPPELLI, CREIGHTON, DALLY, J. EVANS, FICHTER, GEIST,

GODSHALL, GOOD, HENNESSEY, HICKERNELL, LEACH, LEH, R. MILLER, REICHLEY, E. Z. TAYLOR, THOMAS, YOUNGBLOOD and DENLINGER

An Act amending Title 45 (Legal Notices) of the Pennsylvania Consolidated Statutes, adding a definition of “community paper of mass dissemination”; and further providing for legal advertising.

Referred to Committee on JUDICIARY, June 26, 2006.

**No. 2835** By Representatives TANGRETTI, BELFANTI, BEYER, CALTAGIRONE, CASORIO, CRAHALLA, GEIST, GOODMAN, HARHAI, HENNESSEY, MANN, MICOZZIE, PISTELLA, READSHAW, SABATINA, SIPTROTH, TRUE, WOJNAROSKI and YOUNGBLOOD

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, imposing a central or regional booking fee on criminal convictions to fund the start-up, operation or maintenance of a central or regional booking center.

Referred to Committee on JUDICIARY, June 26, 2006.

**No. 2836** By Representatives YEWIC, BOYD, BUNT, CALTAGIRONE, COHEN, CRAHALLA, FORCIER, GEORGE, HALUSKA, HENNESSEY, HERSHEY, JAMES, LEDERER, MUNDY, SATHER, STABACK, STERN, TANGRETTI, THOMAS, WOJNAROSKI, YOUNGBLOOD, SIPTROTH and DENLINGER

An Act amending the act of May 31, 1945 (P.L.1198, No.418), known as the Surface Mining Conservation and Reclamation Act, requiring agreement between a landowner and a potential extractor providing for compensation.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 26, 2006.

**No. 2837** By Representatives ALLEN, MANN, S. MILLER, ARGALL, BENNINGHOFF, BEYER, BUNT, CALTAGIRONE, CAPPELLI, COHEN, CREIGHTON, GEIST, GOODMAN, LEACH, PHILLIPS, SCHRODER, E. Z. TAYLOR and YOUNGBLOOD

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for parental discretion in classroom placement of twins and higher order multiples.

Referred to Committee on EDUCATION, June 26, 2006.

**No. 2838** By Representatives GILLESPIE, BALDWIN, BOYD, CALTAGIRONE, CRAHALLA, CREIGHTON, DALLY, GABIG, GEORGE, GINGRICH, GOODMAN, KOTIK, MACKERETH, MILLARD, R. MILLER, SAYLOR and STABACK

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in sales and use tax, further providing for the definition of “secretarial or editing services”; and providing for the definition of “medical transcriptionist services.”

Referred to Committee on FINANCE, June 26, 2006.

**No. 2839** By Representatives GEIST and McCALL

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, further providing for metropolitan transportation authority powers relating to alternative means of raising revenue or reducing expenses.

Referred to Committee on TRANSPORTATION, June 26, 2006.

**No. 2840** By Representatives FLAHERTY, DeWEESE, COHEN, FRANKEL, BARRAR, BEYER, CALTAGIRONE, DeLUCA, DERMODY, EACHUS, FREEMAN, GEORGE, GOODMAN, GRUCELA, KOTIK, LEACH, LEH, McILHATTAN, PARKER, PETRARCA, RAMALEY, SIPTROTH, SOLOBAY, STABACK, TANGRETTI, THOMAS, TIGUE, WALKO, WANSACZ, WOJNAROSKI, YOUNGBLOOD, YUDICHAK and DENLINGER

An Act amending the act of December 17, 1986 (P.L.1693, No.202), known as the New Home Construction Local Tax Abatement Act, further providing for procedure for obtaining an exemption.

Referred to Committee on FINANCE, June 26, 2006.

**No. 2841** By Representatives GEORGE, BELFANTI, CURRY, GRUCELA, JAMES, LEACH, MUNDY, PALLONE, PETRARCA, SHANER, SURRA, TANGRETTI, YUDICHAK and CALTAGIRONE

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a weatherization tax credit.

Referred to Committee on FINANCE, June 26, 2006.

**No. 2842** By Representatives SURRA, BALDWIN, BEBKO-JONES, BELARDI, BEYER, BOYD, BUNT, CALTAGIRONE, CAPPELLI, CAUSER, COHEN, CRAHALLA, CRUZ, DeWEESE, DONATUCCI, FABRIZIO, FAIRCHILD, FICHTER, FORCIER, GEIST, GEORGE, GINGRICH, GOODMAN, GRUCELA, HASAY, HERSHEY, HESS, JAMES, KOTIK, MAJOR, MANN, MARKOSEK, MCGILL, McILHATTAN, MILLARD, MUNDY, NAILOR, PALLONE, PARKER, PAYNE, PETRONE, PHILLIPS, PISTELLA, RAMALEY, READSHAW, REED, ROBERTS, SIPTROTH, B. SMITH, SONNEY, STABACK, R. STEVENSON, TANGRETTI, E. Z. TAYLOR, THOMAS, WANSACZ, WOJNAROSKI and YOUNGBLOOD

An Act designating SR 255 from SR 948, Fox Township, to the former St. Mary’s Borough line in Elk County, as the William F. Renwick Memorial Highway.

Referred to Committee on TRANSPORTATION, June 26, 2006.

## SENATE BILLS FOR CONCURRENCE

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

**SB 451, PN 1812**

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, June 26, 2006.

**SB 917, PN 1884**

Referred to Committee on PROFESSIONAL LICENSURE, June 26, 2006.

**SB 1090, PN 1913**

Referred to Committee on LABOR RELATIONS, June 26, 2006.

**SB 1188, PN 1910**

Referred to Committee on AGING AND OLDER ADULT SERVICES, June 26, 2006.

**SB 1205, PN 1869**

Referred to Committee on JUDICIARY, June 26, 2006.

**LEAVE OF ABSENCE CANCELED**

The SPEAKER pro tempore. The Chair notes the presence of Mr. Samuelson on the House floor and asks that his name be added to the master roll call.

**BILLS REREPORTED FROM COMMITTEE****HB 243, PN 269** By Rep. FEESE

An Act establishing the Flood Insurance Premium Assistance Program to provide premium assistance to eligible Pennsylvania residents who purchase flood insurance; and imposing powers and duties on the Insurance Department.

## APPROPRIATIONS.

**HB 256, PN 2210** By Rep. FEESE

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 definitions and for health services.

## APPROPRIATIONS.

**HB 258, PN 4313** By Rep. FEESE

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, providing for pharmaceutical modification statement.

## APPROPRIATIONS.

**HB 446, PN 485** By Rep. FEESE

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for liquor importers' licenses.

## APPROPRIATIONS.

**HB 548, PN 596** By Rep. FEESE

An Act regulating tanning facilities; providing for the registration of persons operating tanning facilities; requiring that certain warnings be given and safeguards be taken; imposing penalties; and making a repeal.

## APPROPRIATIONS.

**HB 1729, PN 3853** By Rep. FEESE

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 compulsory school attendance and for exceptions to compulsory school attendance; and requiring all public school districts in this Commonwealth to conduct interviews for all students who withdraw or are illegally absent from school.

## APPROPRIATIONS.

**HB 1959, PN 2692** By Rep. FEESE

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for fees charged by the Insurance Department.

## APPROPRIATIONS.

**HB 2253, PN 3141** By Rep. FEESE

An Act establishing the State Energy Office and an advisory council; and imposing duties on the State Energy Office.

## APPROPRIATIONS.

**HB 2292, PN 3428** By Rep. FEESE

An Act providing for the protection of consumers from phishing and for criminal and civil enforcement.

## APPROPRIATIONS.

**HB 2397, PN 4351 (Amended)** By Rep. FEESE

An Act amending the act of January 25, 1966 (1965 P.L.1546, No.541), referred to as the Higher Education Scholarship Law, further providing for the length of scholarships.

## APPROPRIATIONS.

**HB 2544, PN 3750** By Rep. FEESE

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, further providing for county employee retirement allowances.

## APPROPRIATIONS.

**HB 2588, PN 4314** By Rep. FEESE

An Act requiring a circulating nurse in certain operating rooms.

## APPROPRIATIONS.

**HB 2590, PN 3908**

By Rep. FEESE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for costs imposed following conviction for passing bad checks.

APPROPRIATIONS.

**HB 2597, PN 3915**

By Rep. FEESE

An Act amending the act of April 13, 1988 (P.L.349, No.51), entitled, "An act designating a section of Traffic Route 63 in Philadelphia County, Pennsylvania, as the Veterans Memorial Road," further providing for designation; and providing for signs.

APPROPRIATIONS.

**HB 2631, PN 4039**

By Rep. FEESE

An Act amending the act of February 19, 1980 (P.L.15, No.9), known as the Real Estate Licensing and Registration Act, defining "commercial property"; and further providing for disclosure at initial interview.

APPROPRIATIONS.

**HB 2699, PN 4132**

By Rep. FEESE

An Act authorizing and directing the Department of Public Welfare to establish and maintain a managed health care program for medical assistance recipients; requiring actuarially sound rates for certain managed care organizations; providing for the right of appeal and approval by the General Assembly of changes to the Commonwealth medical assistance plan and associated waivers; and repealing inconsistent portions of other acts.

APPROPRIATIONS.

**HB 2802, PN 4290**

By Rep. FEESE

An Act amending the act of July 2, 2004 (P.L.492, No.57), known as the Sign Language Interpreter and Transliterator State Registration Act, further providing for definitions and for State registration requirements.

APPROPRIATIONS.

**SB 300, PN 1902**

By Rep. FEESE

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing, in personal income tax, for medical and health savings accounts; and repealing provisions relating to taxation of medical and health savings accounts.

APPROPRIATIONS.

**SB 845, PN 1355**

By Rep. FEESE

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for court-appointed child custody health care or behavioral health practitioners.

APPROPRIATIONS.

**SB 1007, PN 1650**

By Rep. FEESE

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for fire insurance contracts, standard policy provisions to exclude damage caused by terrorism.

APPROPRIATIONS.

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

**HB 534, PN 582**

By Rep. SEMMEL

An Act amending the act of July 2, 1984 (P.L.561, No.112), known as the Pennsylvania Conservation Corps Act, further providing for supervisors.

VETERANS AFFAIRS AND EMERGENCY  
PREPAREDNESS.

**HB 2687, PN 4083**

By Rep. FLICK

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of unlawful procurement, sale or receipt of telephone records.

CONSUMER AFFAIRS.

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

**SB 1205, PN 1869**

By Rep. O'BRIEN

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for insurance proceeds intercept; and further providing for State disbursement unit.

JUDICIARY.

**MISS SUNBURST PRESENTED**

The SPEAKER pro tempore. The Chair recognizes the gentleman from Monroe County, Mr. Siptroth, for the purpose of a citation.

Mr. SIPTROTH. Thank you, Mr. Speaker.

Mr. Speaker, I would like to ask you to welcome to the hall of the House Miss Jasmine Ortiz on her fine job of representing her community and her family proudly at the National Sunburst Pennsylvania State Finals Pageant in May. Miss Ortiz, this lovely girl behind me, will now be qualified for the international title where she will represent the State of Pennsylvania.

Along with Miss Ortiz today, seated to the left of the Speaker, are her mother, Maria; her father, Herbert; her grandmother, Amparo; and her uncle, Andres, if they would please rise.

Mr. Speaker, while Miss Ortiz is only 5 1/2 years old, she has demonstrated her tremendous talent playing the piano by taking first place in the talent portion of the National Sunburst State Finals. I hope that you will join me and Representative Scavello in welcoming, congratulating, and wishing the best

wishes to Miss Jasmine Ortiz of Stroudsburg in her future pageants.

Thank you, Mr. Speaker.

Mr. SCAVELLO. You let John go first. He says all the good stuff.

But this young lady is very talented, and I am going to tell you, she is a beauty queen, as you have all seen. From the age 4 to 6 category in the National Sunburst Pennsylvania State Finals, she qualified for the international title representing the Commonwealth.

And why are we both here? Jasmine's mom works for Representative Siptroth, and they live in my district.

Congratulations, sweetheart.

### HARRISBURG LEGISLATIVE LEAVES

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Eachus, for a request for leaves, I believe. Mr. Eachus.

Mr. EACHUS. Mr. Speaker, two of our members on Capitol leave, please: Mr. LaGROTTA and Mr. ROONEY.

The SPEAKER pro tempore. Without objection, the leaves are granted.

### SEAMUS DAVEY-FITZPATRICK PRESENTED

The SPEAKER pro tempore. The Chair recognizes Representative Scavello for comments and a presentation.

Mr. SCAVELLO. Thank you, Mr. Speaker.

It is my pleasure to introduce to you a young man who had an opportunity few children ever experience. Seamus Davey-Fitzpatrick recently made his film debut in the remake of the 1976 horror film "The Omen." He plays the rather dark and chilling title role of Damien.

Seamus got his first job when he was a month old. A casting director called his mother, who was pregnant at the time, for a job, but she had given birth, so he had cast Seamus in a prepilot for a new TV series. He received his first Screen Actors Guild waiver to appear on the set with Mark Ruffalo and Jorja Fox. He can be seen on TV in the current Flintstone's Gummy Vitamin commercial.

When he is not acting, Seamus attends J.M. Hill Elementary School in East Stroudsburg, and he says gym and recess are his favorite subjects. I guess we have something in common, do we not?

During his 8 months filming "The Omen," he was tutored and did his schoolwork from the Czech Republic. He can now speak a little Czech.

Although Seamus can stare down anyone with the evil glare, he is a lighthearted boy who enjoys skateboarding, baseball, and soccer. As a matter of fact, his soccer team just won the year-end tournament.

He is using his stardom to do good for his community, and this I really like about this young man. He helped raise almost \$1,000 for a local Salvation Army homeless shelter and collected nine cases of food for their food pantry. Nice going, Seamus.

Now, I have a young man that lives in Paradise Township, Frank Struckle, who always watches this, and he told me to tell you, live long and prosper, Seamus.

He is here today with his parents, Marty Davey and James Fitzpatrick, both actors, and they are seated down here in the well to my left. Please stand up.

And how about a nice hand for Seamus Davey-Fitzpatrick, who is my guest page here today.

Thank you, Mr. Speaker.

## CALENDAR CONTINUED

### BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2738, PN 4191**, entitled:

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further providing for schedule of compensation, for definitions relating to procedure and for enforcement of standards and processing of claims; providing for the Workers' Compensation Appeal Board; further providing for assignment of claims to referees, for rehearings, for counsel fees and for the Office of Adjudication; providing for an Uninsured Employers Guaranty Fund; and making a related repeal.

On the question,

Will the House agree to the bill on third consideration?

Mr. EACHUS offered the following amendment No. **A08443**:

Amend Sec. 2 (Sec. 401), page 3, lines 27 through 30, by striking out all of said lines and inserting

The term "resolution hearing," when used in this article, shall mean a procedure established by the Office of Adjudication with the sole purpose of providing a venue to present a compromise and release to a judge in an expedited fashion.

Amend Sec. 3 (Sec. 401.1), page 5, line 11, by striking out "on" and inserting

of

Amend Sec. 3 (Sec. 401.1), page 5, lines 13 through 26, by striking out "In the" in line 13 and all of lines 14 through 26 and inserting

Within one hundred twenty (120) days of the effective date of this paragraph, the Office of Adjudication shall create a resolution hearing procedure to hear compromise and release agreements in an expedited manner. The hearing shall be held within fourteen (14) business days of notice of a commutation or compromise and release.

The worker's compensation judge conducting a resolution hearing will not be required to have received formal assignment by the Workers' Compensation Bureau of the compromise and release petition prior to conducting the resolution hearing. At the time of hearing, the parties shall submit proof of filing a petition to the workers' compensation judge hearing the compromise and release matter. A workers' compensation judge shall render a decision within five (5) business days of the hearing.

Amend Sec. 4 (Sec. 401.2), page 8, line 18, by striking out "Initiate appropriate" and inserting

Refer to the Secretary of Labor and Industry

Amend Sec. 4 (Sec. 401.2), page 8, line 30, by striking out "secretary" and inserting

Secretary of Labor and Industry

Amend Sec. 5 (Sec. 414), page 10, line 2, by striking out "OF THE RESOLUTION COURT," and inserting

for resolution hearings.

Amend Sec. 8 (Sec. 1401), page 12, lines 13 through 16, by striking out "A workers" in line 13 and all of lines 14 through 16

Amend Sec. 9 (Sec. 1602), page 14, line 2, by striking out all of said line and inserting

(1) Assessments provided for under section 1607.

Amend Sec. 9 (Sec. 1602), page 14, lines 5 through 11, by striking out all of said lines and inserting

(c) Use.—The administrator shall establish and maintain the fund for the exclusive purpose of paying to any claimant or his dependents workers' compensation benefits due and payable under this act and the Occupational Disease Act and any costs specifically associated therewith where the employer liable for the payments failed to carry workers' compensation insurance coverage at the time the injuries took place.

Amend Sec. 9, page 16, line 26, by striking out all of said line and inserting

Section 1607. Assessments.

For the purpose of establishing and maintaining the fund, on the effective date of this section, and on or before January 31 of each year thereafter, the department shall calculate the amount necessary to maintain the fund and shall assess insurers and self-insured employers as, in the discretion of the department, is necessary to provide an amount sufficient to pay outstanding and anticipated claims in a timely manner and meet the costs of the department to administer the fund. Assessments to maintain the fund shall be imposed, collected and remitted in the same manner as administration fund assessments under section 446, and the regulations promulgated thereunder.

Section 1608. Regulations.

Amend Sec. 10, page 16, lines 29 and 30; page 17, lines 1 and 2, by striking out all of said lines on said pages

Amend Sec. 11, page 17, line 3, by striking out "11" and inserting

10

Amend Sec. 12, page 17, line 10, by striking out "12" and inserting

11

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the gentleman, Mr. Eachus, is recognized.

Mr. EACHUS. Thank you, Mr. Speaker.

I am standing to ask the House for support of amendment A8546.

Mr. Speaker, can I suspend for one moment, please?

The SPEAKER pro tempore. Yes.

Will the gentleman clarify for me? We have you listed as offering amendment 8443. The board has 8443, but you gave us a different number. Could you come to the Speaker's desk for a minute, please.

(Conference held at Speaker's podium.)

#### AMENDMENT WITHDRAWN

The SPEAKER pro tempore. Amendment A08443 is withdrawn.

On the question recurring,

Will the House agree to the bill on third consideration?

The SPEAKER pro tempore. The clerk will read amendment 8546 in place of the one that is currently on the board.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. EACHUS offered the following amendment No. **A08546:**

Amend Sec. 2 (Sec. 401), page 3, lines 27 through 30, by striking out all of said lines and inserting

The term "resolution hearing," when used in this article, shall mean a procedure established by the Office of Adjudication with the sole purpose of providing a venue to present a compromise and release to a judge in an expedited fashion.

Amend Sec. 3 (Sec. 401.1), page 5, line 11, by striking out "on" and inserting

of

Amend Sec. 3 (Sec. 401.1), page 5, lines 13 through 26, by striking out "In the" in line 13 and all of lines 14 through 26 and inserting

Within one hundred twenty (120) days of the effective date of this paragraph, the Office of Adjudication shall create a resolution hearing procedure to hear compromise and release agreements in an expedited manner. The hearing shall be held within fourteen (14) business days of notice of a commutation or compromise and release.

The worker's compensation judge conducting a resolution hearing will not be required to have received formal assignment by the Workers' Compensation Bureau of the compromise and release petition prior to conducting the resolution hearing. At the time of hearing, the parties shall submit proof of filing a petition to the workers' compensation judge hearing the compromise and release matter. A workers' compensation judge shall render a decision within five (5) business days of the hearing.

Amend Sec. 4 (Sec. 401.2), page 8, line 18, by striking out "Initiate appropriate" and inserting

Refer to the Secretary of Labor and Industry

Amend Sec. 4 (Sec. 401.2), page 8, line 30, by striking out "secretary" and inserting

Secretary of Labor and Industry

Amend Sec. 5 (Sec. 414), page 10, line 2, by striking out "OF THE RESOLUTION COURT," and inserting

for resolution hearings.

Amend Sec. 8 (Sec. 1401), page 12, lines 13 through 16, by striking out "A workers" in line 13 and all of lines 14 through 16

Amend Sec. 9 (Sec. 1602), page 14, line 2, by striking out all of said line and inserting

(1) Assessments provided for under section 1607.

Amend Sec. 9 (Sec. 1602), page 14, lines 5 through 11, by striking out all of said lines and inserting

(c) Use.—The administrator shall establish and maintain the fund for the exclusive purpose of paying to any claimant or his dependents workers' compensation benefits due and payable under this act and the Occupational Disease Act and any costs specifically associated therewith where the employer liable for the payments failed to carry workers' compensation insurance coverage at the time the injuries took place.

Amend Sec. 9, page 16, line 26, by striking out all of said line and inserting

Section 1607. Assessments.

For the purpose of establishing and maintaining the fund, on the effective date of this section, and on or before January 31 of each year thereafter, the department shall calculate the amount necessary to maintain the fund and shall assess insurers and self-insured employers as, in the discretion of the department, is necessary to provide an amount sufficient to pay outstanding and anticipated claims in a timely manner and meet the costs of the department to administer the fund. Assessments to maintain the fund shall be imposed, collected and remitted in the same manner as administration fund assessments under section 446, and the regulations promulgated thereunder.

Section 1608. Regulations.

Amend Sec. 10, page 16, lines 29 and 30; page 17, lines 1 and 2, by striking out all of said lines on said pages



Amend Sec. 11, page 17, line 3, by striking out “11” and inserting

10

Amend Sec. 12, page 17, line 10, by striking out all of said line and inserting

Section 11. This act shall take effect as follows:

(1) The amendment of section 401.1 of the act shall take effect immediately.

(2) This section shall take effect immediately.

(3) The remainder of this act shall take effect in 60 days.

On the question,

Will the House agree to the amendment?

### HARRISBURG LEGISLATIVE LEAVE

The SPEAKER pro tempore. The Chair returns to leaves of absence and recognizes the gentleman, Mr. Argall.

Mr. ARGALL. Thank you, Mr. Speaker.

Please add Representative MACKERETH from York County to the Capitol leave list.

The SPEAKER pro tempore. Without objection, the leave is granted.

### CONSIDERATION OF HB 2738 CONTINUED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Eachus.

Mr. Eachus, would you hold off for just a minute until we get some order.

Members, please take your seats. We are now on the calendar, voting substantive issues which will require your attention. Conversations on the sides and in the aisles, please break up. Members, take your seats. Members, take your seats.

Mr. Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

Mr. Speaker, I rise to ask the chamber for support on amendment No. 8546. This amendment is the culmination of bipartisan negotiations that have taken nearly a year on workmen’s compensation reform.

The amendment deals with three substantive areas of workmen’s compensation reform. It creates a resolution court which helps to expedite hearing processes. It gives an Office of Adjudication and sets a \$120 timeline for implementation of the changes we make today by the Department of Labor, and it provides for funding of an Uninsured Employers Guaranty Fund, which in essence covers the worker in Pennsylvania who is injured on the job whose employer cheats the system. If you work for an employer in Pennsylvania today and you are injured on the job and your employer does not pay workmen’s compensation insurance, you have to pay for your own health care. That is not fair. This addresses that section with a fair assessment of a very marginal amount of money on rates to those who are insurers who provide insurance policies.

That is what the amendment does, Mr. Speaker, and I ask for the chamber’s support.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Allen.

Mr. ALLEN. Thank you, Mr. Speaker.

I urge concurrence in the amendment, the Eachus-Allen amendment. It is a bipartisan amendment.

Thank you.

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

The following roll call was recorded:

#### YEAS—197

Adolph	Fairchild	Mackereth	Ross
Allen	Feese	Maher	Ruffing
Argall	Fichter	Maitland	Sabatina
Armstrong	Flaherty	Major	Sainato
Baker	Fleagle	Manderino	Samuelson
Baldwin	Flick	Mann	Santoni
Barrar	Forcier	Markosek	Sather
Bastian	Frankel	Marsico	Saylor
Bebko-Jones	Freeman	McCall	Scavello
Belardi	Gabig	McGeehan	Schroder
Belfanti	Gannon	McGill	Semmel
Benninghoff	Geist	McIlhattan	Shaner
Beyer	George	McIlhinney	Shapiro
Biancucci	Gerber	McNaughton	Siptroth
Birmelin	Gergely	Melio	Smith, B.
Bishop	Gillespie	Metcalfe	Smith, S. H.
Blackwell	Gingrich	Micozzie	Solobay
Blaum	Godshall	Millard	Sonney
Boyd	Good	Miller, R.	Staback
Bunt	Goodman	Miller, S.	Stairs
Buxton	Grell	Mundy	Stern
Caltagirone	Grucela	Mustio	Stetler
Cappelli	Gruitza	Myers	Stevenson, R.
Casorio	Haluska	Nailor	Stevenson, T.
Causer	Hanna	Nickol	Sturla
Cawley	Harhai	O’Brien	Surra
Civera	Harhart	Oliver	Tangretti
Clymer	Harper	O’Neill	Taylor, J.
Cohen	Harris	Pallone	Thomas
Cornell	Hasay	Parker	Tigue
Corrigan	Hennessey	Payne	True
Costa	Herman	Petrarca	Turzai
Crahalla	Hershey	Petri	Veon
Creighton	Hess	Petrone	Vitali
Cruz	Hickernell	Phillips	Walko
Curry	Hutchinson	Pickett	Wansacz
Daley	James	Pistella	Waters
Dally	Josephs	Preston	Watson
DeLuca	Kauffman	Pyle	Wheatley
Derlinger	Keller, M.	Quigley	Williams
Demody	Keller, W.	Ramaley	Wojnaroski
DeWeese	Kenney	Rapp	Wright
DiGirolamo	Killion	Raymond	Yewcic
Diven	Kirkland	Readshaw	Youngblood
Donatucci	Kotik	Reed	Yudichak
Eachus	LaGrotta	Reichley	Zug
Ellis	Leach	Roberts	
Evans, D.	Lederer	Roebuck	
Evans, J.	Leh	Rohrer	Perzel,
Fabrizio	Lescovitz	Rooney	Speaker

#### NAYS—0

#### NOT VOTING—0

#### EXCUSED—6

Levdansky	Rubley	Taylor, E. Z.	Wilt
Rieger	Steil		

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

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

Bill as amended was agreed to.

The SPEAKER pro tempore. 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 the final passage, the Chair recognizes the gentleman from Lancaster, Mr. Boyd.

Mr. BOYD. Thank you, Mr. Speaker.

I was wondering if the sponsor would stand for a real brief interrogation, please.

The SPEAKER pro tempore. The gentleman, Mr. Allen, agrees to consent to interrogation. You may begin.

Mr. BOYD. Thank you, Mr. Speaker.

Mr. Speaker, I understand that this has been a negotiated piece of legislation, significant reform. Just out of curiosity's sake, can you tell me the interest groups that are supporting this piece of legislation in its current form?

Mr. ALLEN. Yes. The Pennsylvania Trial Lawyers, the Pennsylvania Bar Association, the Pennsylvania Chamber of Commerce, and NFIB (National Federation of Independent Business). The AFL-CIO has no position on the bill.

Mr. BOYD. Okay. Thank you, Mr. Speaker. That is all.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. George.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, I stand before you today strongly supporting this bill because it includes language that I had originally proposed in a separate bill, HB 2192.

The language in this bill guarantees workmen's compensation payments to those workers who have been injured on the job even though their employers were not covered with compensation. Over the years, Mr. Speaker, we had initiated in this General Assembly the State Workmen's Insurance Fund program so that we could make employers justifiably buy this insurance through a rate they could afford. Yet last year I had a constituent injured working for a contractor who supposedly insisted he did not own the company and therefore he did not have insurance. So there we had a worker injured and no one to pay. So, Mr. Speaker, no employee who sustains a workplace injury should be denied help because their employer is not paying the premium on time.

I am proud to stand here with my colleagues today in support of our hardworking Pennsylvanians, and I thank my colleagues and the gentleman, Mr. Allen, for his work on this bill.

Thank you very much.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

I also rise in support of HB 2738.

I would like to compliment the staffs – my staff and Representative Allen's staff; my vice chairman, Todd Eachus – for doing some of the technical legwork on this.

But briefly put, this legislation was the brainchild that started out about 9 months ago with negotiations directly between the Pennsylvania Trial Lawyers and the Chamber of Commerce, and for those two organizations to come up with a piece of legislation that both of them could agree upon is about the same

as myself cosponsoring Representative Metcalfe's legislation on illegal immigrants, but they did it, and other interest groups were then brought into the picture. Some got some things in they wanted, some did not get all the things in they wanted, including the Department of Labor and Industry.

But this bill is designed to lower premiums for employers. That was the main crux of what the chamber wanted. It is going to lower premiums by streamlining the appeals process to a great degree, also requiring more work out of our workers' compensation judges. It also caps attorney fees at 20 percent. It ends the gouging that took place by some attorneys in cases where 20 percent is enough.

Now, I tried to get an amendment in to put some exceptions in for that and it failed, but I am still standing here in support of this legislation. I think we can fix some of the shortcomings in the session when we return or perhaps the Senate will fix a few of them, but for now this is a good piece. It is going to lower premiums, and for a change, it is not going to hurt injured workers as some of the other workers' compensation bills have done over the course of the past decade here in the House.

So I am asking all members to support the bill.

## LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair returns to leaves of absence and recognizes the majority whip, who asks that the gentleman, Mr. McGILL, from Montgomery County be put on leave. Without objection, the leave is granted.

## CONSIDERATION OF HB 2738 CONTINUED

On the question recurring,  
Shall the bill pass finally?

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

The following roll call was recorded:

### YEAS—196

Adolph	Fairchild	Mackereth	Ross
Allen	Feese	Maher	Ruffing
Argall	Fichter	Maitland	Sabatina
Armstrong	Flaherty	Major	Sainato
Baker	Fleagle	Manderino	Samuelson
Baldwin	Flick	Mann	Santoni
Barrar	Forcier	Markosek	Sather
Bastian	Frankel	Marsico	Saylor
Bebko-Jones	Freeman	McCall	Scavello
Belardi	Gabig	McGeehan	Schroder
Belfanti	Gannon	McIlhattan	Semmel
Benninghoff	Geist	McIlhinney	Shaner
Beyer	George	McNaughton	Shapiro
Biancucci	Gerber	Melio	Siptroth
Birmelin	Gergely	Metcalfe	Smith, B.
Bishop	Gillespie	Micozzie	Smith, S. H.
Blackwell	Gingrich	Millard	Solobay
Blaum	Godshall	Miller, R.	Sonney
Boyd	Good	Miller, S.	Staback
Bunt	Goodman	Mundy	Stairs
Buxton	Grell	Mustio	Stern
Caltagirone	Grucela	Myers	Stetler
Cappelli	Gruitza	Nailor	Stevenson, R.
Casorio	Haluska	Nickol	Stevenson, T.
Causar	Hanna	O'Brien	Sturla
Cawley	Harhai	Oliver	Surra
Civera	Harhart	O'Neill	Tangretti

Clymer	Harper	Pallone	Taylor, J.
Cohen	Harris	Parker	Thomas
Cornell	Hasay	Payne	Tigue
Corrigan	Hennessey	Petrarca	True
Costa	Herman	Petri	Turzai
Crahalla	Hershey	Petrone	Veon
Creighton	Hess	Phillips	Vitali
Cruz	Hickernell	Pickett	Walko
Curry	Hutchinson	Pistella	Wansacz
Daley	James	Preston	Waters
Dally	Josephs	Pyle	Watson
DeLuca	Kauffman	Quigley	Wheatley
Denlinger	Keller, M.	Ramaley	Williams
Dermody	Keller, W.	Rapp	Wojnarowski
DeWeese	Kenney	Raymond	Wright
DiGirolamo	Killion	Readshaw	Yewcic
Diven	Kirkland	Reed	Youngblood
Donatucci	Kotik	Reichley	Yudichak
Eachus	LaGrotta	Roberts	Zug
Ellis	Leach	Roebuck	
Evans, D.	Lederer	Rohrer	
Evans, J.	Leh	Rooney	Perzel,
Fabrizio	Lescovitz		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—7

Levdansky	Rieger	Steil	Wilt
McGill	Rubley	Taylor, E. Z.	

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.

### STATEMENT BY MR. ALLEN

The SPEAKER pro tempore. The gentleman, Mr. Allen. For what purpose does he rise?

Mr. ALLEN. I am sorry, Mr. Speaker. I could not hear what you said.

The SPEAKER pro tempore. For what purpose did the gentleman rise?

Mr. ALLEN. Just for 30 seconds of personal privilege to address the Assembly.

The SPEAKER pro tempore. Under unanimous consent?

Mr. ALLEN. Under unanimous consent.

The SPEAKER pro tempore. Seeing no objections, the gentleman is in order and may begin.

Mr. ALLEN. Mr. Speaker, I would like to personally thank Representative Eachus, the vice chairman of the committee; our staffs on both sides; and Chairman Belfanti for the hard work that was done in negotiations on this bill. I would also like to thank all the interested parties that spent a lot of time on this bill trying to get it to the floor and the success of the bill today.

Thank you very much, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

### HARRISBURG LEGISLATIVE LEAVE

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Argall, who asks for a Capitol leave to be extended to the gentleman from Allegheny County, Mr. MAHER. Without objection, the leave is granted.

### BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 93, PN 87**, entitled:

An Act establishing the Long-Term Care Partnership Program; and conferring powers and duties on the Insurance Department, the Department of Aging and the Department of Public Welfare.

On the question,

Will the House agree to the bill on third consideration?

Mr. **SATHER** offered the following amendment No. **A08086**:

Amend Sec. 2, page 1, lines 13 through 16; page 2, lines 1 through 23, by striking out all of said lines on said pages and inserting "Asset disregard." With respect to qualification for State Medicaid benefits, the disregard of any assets or resources in an amount equal to the insurance benefit payments that are made to or on behalf of an individual who is a beneficiary under a qualified long-term care insurance partnership policy.

Amend Sec. 2, page 2, line 26, by striking out "the Insurance Department"

Amend Sec. 2, page 3, lines 5 through 30; page 4, lines 1 through 24, by striking out all of said lines on said pages and inserting "Program." The Long-Term Care Partnership Program established in section 5.

"Qualified long-term care insurance partnership policy." A policy that:

(1) Covers an insured who was a resident of Pennsylvania when coverage first became effective under the policy.

(2) Is a qualified long-term care insurance policy as defined in section 7702B(b) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 1 et seq.) issued not earlier than the effective date of the State plan amendment.

(3) Meets the model regulations and requirements of the National Association of Insurance Commissioners model specified in section 6021 of the Deficit Reduction Act of 2005 (Public Law 109-171, 120 Stat. 4) and the State Insurance Commissioner certifies that the policy meets these requirements.

(4) Is sold to an individual who:

(i) has not attained 61 years of age as of the date of purchase and the policy provides compound annual inflation protection;

(ii) has attained 61 years of age, but who has not attained 76 years of age as of the date of purchase and the policy provides some level of inflation protection; or

(iii) has attained 76 years of age as of the date of purchase and the policy may, but is not required, to provide some level of inflation protection.

"State plan amendment." A State Medicaid plan amendment made to the Department of Health and Human Services that provides for the disregard of any assets or resources in an amount equal to the insurance benefit payments that are made to or on behalf of an individual who is a beneficiary under a qualified long-term care insurance partnership policy.

Amend Sec. 3, page 4, lines 29 and 30; page 5, lines 1 through 30; page 6, lines 1 through 19, by striking out all of said lines on said pages and inserting

(b) Regulations.—The department, the Insurance Department and the Department of Aging may promulgate regulations to implement the provisions of this act and may adopt rules for its administration.

(c) Compliance with Federal law.—The department, the Insurance Department and the Department of Aging shall comply with all Federal rules developed pursuant to section 6021 of the Deficit Reduction Act of 2005 (Public Law 109-171, 120 Stat 4), regarding data reporting, reciprocity with other states that develop long-term care partnership programs and any other matters and may promulgate regulations relative to the provisions of any such Federal rules and their administration.

(d) Department of Public Welfare.—The department:

(1) Shall, within 180 days of the effective date of this section, make application to the Department of Health and Human Services for a State plan amendment to establish that the assets an individual owns and may retain under Medicaid and still qualify for benefits under Medicaid at the time the individual applies for benefits, if the individual is a beneficiary of a qualified long-term care insurance partnership policy, are increased by \$1 for each \$1 of benefit paid out under the individual's long-term care insurance policy if the individual purchased the policy through the Long-Term Care Partnership Program established by this act.

(2) Shall provide information and technical assistance to the Insurance Department on the Insurance Department's role in assuring that any individual who sells a qualified long-term care insurance partnership policy receives training and demonstrates evidence of an understanding of such policies and how they relate to other public and private coverage of long-term care.

(e) Insurance Department.—The Insurance Department:

(1) May not impose any requirement affecting the terms or benefits of qualified long-term care insurance partnership policies, unless the requirement is imposed on all long-term care policies sold in this Commonwealth without regard to whether the policy is covered under the program or is offered in connection with the program.

(2) Shall file an annual report with the General Assembly on the following:

- (i) The success in implementing the program.
- (ii) The number of qualified long-term care insurance partnership policies.
- (iii) The number of individuals seeking consumer information services relating to qualified long-term care insurance partnership programs.
- (iv) The extent and type of benefits paid under qualified long-term care insurance partnership policies that are capable of being counted toward asset disregard.
- (v) Estimates of impact on present and future asset disregard.
- (vi) Cost-effectiveness of the program.
- (vii) The number of partnership subscribers who used public assistance long-term care benefits.

(3) Shall develop the necessary requirements to ensure that any individual who sells a qualified long-term care insurance partnership policy receives training and demonstrates evidence of an understanding of qualified long-term care insurance partnership policies and how the policies relate to other public and private coverage of long-term care.

(f) Department of Aging.—The Department of Aging or a contracting agency shall:

- (1) Provide counseling services under the program.
- (2) Make available to individuals interested in participating in the program information on Medicaid, the program, long-term care insurance policies, Medicare supplemental policies, Parts A and B of the Medicare premium

under Title XVIII of the Social Security Act (49 Stat. 620, 42 U.S.C. § 1395 et seq.) and health maintenance organizations that are contracted with Medicare.

Section 4. Responsibilities of issuers of qualified long-term care insurance partnership policies.

An issuer of qualified long-term care insurance partnership policies in this Commonwealth shall provide regular reports to the Secretary of Health and Human Services in accordance with Federal regulation, as well as to the department and the Insurance Department that include:

- (1) Notification specifying when benefits provided under the policy have been paid and the amount of such benefits paid.
- (2) Notification regarding when the policy otherwise terminates.
- (3) Such other information that may be appropriate to the administration of the partnership program, as determined by the recipients of the reports.

Section 5. Long-Term Care Partnership Program.

The Long-Term Care Partnership Program is established and shall be administered by the department, the Insurance Department and the Department of Aging. The program shall:

Amend Sec. 4, page 7, lines 1 through 30; page 8, lines 1 through 17, by striking out all of said lines on said pages

Amend Sec. 6, page 8, line 19, by inserting after "A"

qualified

Amend Sec. 6, page 8, line 19, by inserting after "insurance" partnership

Amend Sec. 6, page 8, line 25, by removing the period after "Commissioner" and inserting

, in cooperation with the department and the Department of Aging.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. Members need to be quieter. Please take your seats. Members, please take your seats. Let us quiet down. You need to be quieter. Please, members, let us hush the conversations. Take your seats.

AMENDMENT WITHDRAWN

The SPEAKER pro tempore. Mr. Sather.

Mr. SATHER. Thank you, Mr. Speaker.

We will be withdrawing that amendment and offering A08474.

The SPEAKER pro tempore. Mr. Sather, the Parliamentarian tells me that you need to suspend the rules in order to offer this amendment.

Mr. SATHER. Mr. Speaker, not hearing you entirely, are you saying it was not submitted on time?

The SPEAKER pro tempore. That is correct. The amendment number that you just read off, 8474—

Mr. SATHER. 8474.

The SPEAKER pro tempore. —has to have the rules suspended to be offered.

Mr. SATHER. All right. We thought we had it on time.

**RULES SUSPENDED**

Mr. SATHER. I would ask for a motion to suspend the rules to offer that amendment.

The SPEAKER pro tempore. The gentleman, Mr. Sather, makes a motion that we suspend the rules for the offering of this amendment, 8474.

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

Mr. SATHER. Mr. Speaker?

The SPEAKER pro tempore. Mr. Sather, in your motion would you please give a brief explanation of the amendment.

Mr. SATHER. This motion really is just to the bill right now. We had to amend the bill that we had on file for so many months. After the Federal government had enacted legislation that we have been waiting on for years, they finally did move it, and there could be very little variance in the amendment that we offer. So this amendment brings it into compliance with the Federal standards for the model that you have to offer on the Long-Term Care Partnership Program Act.

The SPEAKER pro tempore. The Chair thanks the gentleman for that explanation.

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

The following roll call was recorded:

YEAS—196

Adolph	Fairchild	Mackereth	Ross
Allen	Feese	Maher	Ruffing
Argall	Fichter	Maitland	Sabatina
Armstrong	Flaherty	Major	Sainato
Baker	Fleagle	Manderino	Samuelson
Baldwin	Flick	Mann	Santoni
Barrar	Forcier	Markosek	Sather
Bastian	Frankel	Marsico	Saylor
Bebko-Jones	Freeman	McCall	Scavello
Belardi	Gabig	McGeehan	Schroder
Belfanti	Gannon	McIlhattan	Semmel
Benninghoff	Geist	McIlhinney	Shaner
Beyer	George	McNaughton	Shapiro
Biancucci	Gerber	Melio	Siptroth
Birmelin	Gergely	Metcalfe	Smith, B.
Bishop	Gillespie	Micozzie	Smith, S. H.
Blackwell	Gingrich	Millard	Solobay
Blaum	Godshall	Miller, R.	Sonney
Boyd	Good	Miller, S.	Staback
Bunt	Goodman	Mundy	Stairs
Buxton	Grell	Mustio	Stern
Caltagirone	Grucela	Myers	Stetler
Cappelli	Gruitza	Nailor	Stevenson, R.
Casorio	Haluska	Nickol	Stevenson, T.
Causar	Hanna	O'Brien	Sturla
Cawley	Harhai	Oliver	Surra
Civera	Harhart	O'Neill	Tangretti
Clymer	Harper	Pallone	Taylor, J.
Cohen	Harris	Parker	Thomas
Cornell	Hasay	Payne	Tigue
Corrigan	Hennessey	Petrarca	True
Costa	Herman	Petri	Turzai
Crahalla	Hershey	Petrone	Veon
Creighton	Hess	Phillips	Vitali
Cruz	Hickernell	Pickett	Walko
Curry	Hutchinson	Pistella	Wansacz
Daley	James	Preston	Waters
Dally	Josephs	Pyle	Watson
DeLuca	Kauffman	Quigley	Wheatley
Denlinger	Keller, M.	Ramaley	Williams
Dermody	Keller, W.	Rapp	Wojnaroski
DeWeese	Kenney	Raymond	Wright

DiGirolamo	Killion	Readshaw	Yewcic
Diven	Kirkland	Reed	Youngblood
Donatucci	Kotik	Reichley	Yudichak
Eachus	LaGrotta	Roberts	Zug
Ellis	Leach	Roebuck	
Evans, D.	Lederer	Rohrer	
Evans, J.	Leh	Rooney	Perzel,
Fabrizio	Lescovitz		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—7

Levdansky	Rieger	Steil	Wilt
McGill	Rubley	Taylor, E. Z.	

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

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

Mr. SATHER offered the following amendment No. **A08474**:

Amend Sec. 2, page 1, lines 13 through 16; page 2, lines 1 through 23, by striking out all of said lines on said pages and inserting "Asset disregard." With respect to qualification for State Medicaid benefits, the disregard of any assets or resources in an amount equal to the insurance benefit payments that are made to or on behalf of an individual who is a beneficiary under a qualified long-term care insurance partnership policy.

Amend Sec. 2, page 2, line 26, by striking out "the Insurance Department"

Amend Sec. 2, page 3, lines 5 through 30; page 4, lines 1 through 24, by striking out all of said lines on said pages and inserting "Program." The Long-Term Care Partnership Program established in section 3.

"Qualified long-term care insurance partnership policy." A policy that:

(1) Covers an insured who was a resident of Pennsylvania when coverage first became effective under the policy.

(2) Is a qualified long-term care insurance policy as defined in section 7702B(b) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 1 et seq.) issued not earlier than the effective date of the State plan amendment.

(3) Meets the requirements of section 6021 of the Deficit Reduction Act of 2005 (Public Law 109-171, 120 Stat. 4), and the State Insurance Commissioner approves the policy as meeting these requirements.

(4) Is sold to an individual who:

(i) has not attained 61 years of age as of the date of purchase and the policy provides compound annual inflation protection;

(ii) has attained 61 years of age, but who has not attained 76 years of age as of the date of purchase and the policy provides some level of inflation protection; or

(iii) has attained 76 years of age as of the date of purchase and the policy may, but is not required, to provide some level of inflation protection.

"State plan amendment." A State Medicaid plan amendment made to the Department of Health and Human Services that provides for asset disregard.

## Section 3. Long-Term Care Partnership Program.

The Long-Term Care Partnership Program is established and shall be administered by the department, the Insurance Department and the Department of Aging. The program shall:

- (1) Provide incentives for individuals to insure against the costs of providing for their long-term care needs.
- (2) Provide a mechanism for individuals to qualify for coverage of the cost of their long-term care needs under Medicaid without first being required to substantially exhaust their resources.
- (3) Provide counseling services to individuals planning for their long-term care needs.
- (4) Alleviate the financial burden on the State's medical assistance program by encouraging the pursuit of private initiatives.

Amend Bill, page 4, lines 25 through 30; pages 5 through 7, lines 1 through 30; page 8, lines 1 through 17, by striking out all of said lines on said pages and inserting

## Section 4. Administration.

(a) General rule.—This act shall be administered by the department, the Insurance Department and the Department of Aging.

(b) Uniformity of terms and benefits.—No requirement shall be imposed affecting the terms or benefits of qualified long-term care insurance partnership policies, unless the requirement is imposed on all long-term care policies sold in this Commonwealth without regard to whether the policy is covered under the program or is offered in connection with the program.

(c) Compliance with Federal law.—The department, the Insurance Department and the Department of Aging shall comply with all Federal rules developed pursuant to section 6021 of the Deficit Reduction Act of 2005 (Public Law 109-171, 120 Stat 4), regarding data reporting, reciprocity with other states that develop long-term care partnership programs and any other matters.

(d) Department of Public Welfare.—The department shall within 60 days of the effective date of this section, make application to the Department of Health and Human Services for a State plan amendment to establish that the assets an individual owns and may retain under Medicaid and still qualify for benefits under Medicaid at the time the individual applies for benefits, if the individual is a beneficiary of a qualified long-term care insurance partnership policy, are increased by \$1 for each \$1 of benefit paid out under the individual's long-term care insurance policy if the individual purchased the policy through the Long-Term Care Partnership Program established by this act.

(e) Department of Aging.—The Department of Aging or a contracting agency shall:

- (1) Provide counseling services under the program.
- (2) Make available to individuals interested in participating in the program information on Medicaid, the program, long-term care insurance policies, Medicare supplemental policies, Parts A and B of the Medicare premium under Title XVIII of the Social Security Act (49 Stat. 620, 42 U.S.C. § 1395 et seq.) and health maintenance organizations that are contracted with Medicare.

## Section 5. Responsibilities of issuers of qualified long-term care insurance partnership policies.

(a) Reports.—An issuer of qualified long-term care insurance partnership policies in this Commonwealth shall provide regular reports to the Secretary of Health and Human Services in accordance with Federal regulation, and shall file copies of the reports with the department and the Insurance Department. The reports shall include:

- (1) Notification specifying when benefits provided under the policy have been paid and the amount of such benefits paid.
- (2) Notification regarding when the policy otherwise terminates.
- (3) Such other information that may be appropriate to the administration of the partnership program, as determined by the recipients of the reports.

(b) Annual summary to General Assembly.—The Insurance Department shall prepare and file an annual summary with the General Assembly based on information it receives from the reports filed under subsection (a).

Amend Sec. 6, page 8, line 19, by inserting after "A" qualified

Amend Sec. 6, page 8, line 19, by inserting after "insurance" partnership

Amend Sec. 6, page 8, line 21, by striking out "detailing in plain language" and inserting of

Amend Sec. 6, page 8, line 25, by removing the period after "Commissioner" and inserting

, in cooperation with the department and the Department of Aging.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. Mr. Sather, if you would, a brief explanation again for the members.

Mr. SATHER. Yes. As I said, this is the meat and potatoes. This is the model legislation that the Federal government requires with very little derivation or change in the structure of it, if you will. And what it does is it brings the bill into compliance with the Federal legislation, and now the only thing that can be offered is a dollar-for-dollar State set-aside policy.

**HARRISBURG LEGISLATIVE LEAVE**

The SPEAKER pro tempore. Is the gentleman, Mr. Blaum, seeking recognition?

Mr. BLAUM. Thank you, Mr. Speaker. Just a Capitol leave.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. BLAUM. Request Capitol leave for the gentleman, Mr. GERGELY.

The SPEAKER pro tempore. Without objection, the leave is granted.

**CONSIDERATION OF HB 93 CONTINUED**

The SPEAKER pro tempore. Are there any members wishing to speak on the amendment? Seeing none, the question recurs, will the House agree to the amendment?

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

**YEAS—196**

Adolph	Fairchild	Mackereth	Ross
Allen	Feese	Maher	Ruffing
Argall	Fichter	Maitland	Sabatina
Armstrong	Flaherty	Major	Sainato
Baker	Fleagle	Manderino	Samuelson
Baldwin	Flick	Mann	Santoni
Barrar	Forcier	Markosek	Sather
Bastian	Frankel	Marsico	Saylor
Bebko-Jones	Freeman	McCall	Scavello
Belardi	Gabig	McGeehan	Schroder
Belfanti	Gannon	McIlhattan	Semmel
Benninghoff	Geist	McIlhinney	Shaner
Beyer	George	McNaughton	Shapiro

Biancucci	Gerber	Melio	Siptroth
Birmelin	Gergely	Metcalfe	Smith, B.
Bishop	Gillespie	Micozzie	Smith, S. H.
Blackwell	Gingrich	Millard	Solobay
Blaum	Godshall	Miller, R.	Sonney
Boyd	Good	Miller, S.	Staback
Bunt	Goodman	Mundy	Stairs
Buxton	Grell	Mustio	Stern
Caltagirone	Grucela	Myers	Stetler
Cappelli	Gruitza	Nailor	Stevenson, R.
Casorio	Haluska	Nickol	Stevenson, T.
Causar	Hanna	O'Brien	Sturla
Cawley	Harhai	Oliver	Surra
Civera	Harhart	O'Neill	Tangretti
Clymer	Harper	Pallone	Taylor, J.
Cohen	Harris	Parker	Thomas
Cornell	Hasay	Payne	Tigue
Corrigan	Hennessey	Petrarca	True
Costa	Herman	Petri	Turzai
Crahalla	Hershey	Petrone	Veon
Creighton	Hess	Phillips	Vitali
Cruz	Hickernell	Pickett	Walko
Curry	Hutchinson	Pistella	Wansacz
Daley	James	Preston	Waters
Dally	Josephs	Pyle	Watson
DeLuca	Kauffman	Quigley	Wheatley
Denlinger	Keller, M.	Ramaley	Williams
Dermody	Keller, W.	Rapp	Wojnarowski
DeWeese	Kenney	Raymond	Wright
DiGirolamo	Killion	Readshaw	Yewcic
Diven	Kirkland	Reed	Youngblood
Donatucci	Kotik	Reichley	Yudichak
Eachus	LaGrotta	Roberts	Zug
Ellis	Leach	Roebuck	
Evans, D.	Lederer	Rohrer	
Evans, J.	Leh	Rooney	Perzel,
Fabrizio	Lescovitz		Speaker

## NAYS-0

## NOT VOTING-0

## EXCUSED-7

Levdansky	Rieger	Steil	Wilt
McGill	Rubley	Taylor, E. Z.	

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

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

The SPEAKER pro tempore. The gentleman, Mr. George. Does the gentleman wish to offer amendment 7580?

Mr. GEORGE. Mr. Speaker, if you will allow me some latitude, please.

The SPEAKER pro tempore. May I ask what the latitude is concerning?

Mr. GEORGE. So that I could talk to the sponsor. This amendment, Mr. Speaker, establishes a long-term-care insurance—

The SPEAKER pro tempore. Mr. George, the first thing we need to do is decide whether or not you are offering an amendment. Are you?

Mr. GEORGE. Sir, if I could interrogate the sponsor, I would find out in that he had insisted that it was being redundant. Are we running short on time, Mr. Speaker—

The SPEAKER pro tempore. No.

Mr. GEORGE. —because I am going to be here all darn week.

The SPEAKER pro tempore. No. Mr. George, if you were going to offer the amendment, we would have to have the clerk read it first. If you wish to speak to the prime sponsor of the legislation as a form of interrogation, you are willing to do so and he is apparently agreeing to listen to your interrogation. You may begin.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, this amendment establishes a long-term-care insurance center within the Insurance Department that will provide consumer education and accept insurance complaints. Now, it has only been a couple of months that there is not a legislator here that did not get calls and letters and e-mails from their constituency trying to understand what had happened in Social Security, what had happened in Medicare, and whether they should change or not change, and now I am being told that we have someone over in the Insurance Department that does this. They must have been on vacation. But I am asking you, Mr. Speaker, is this amendment redundant? Will we no longer have to put our constituents through what they went through if I do not offer this amendment?

Mr. SATHER. Mr. Speaker, it would be my hope that it would not ever be needed to be brought up again, because the Insurance Department assures us that they have people in place at the present time, and they have a consumer hotline that is doing the very thing that we are talking about, and the Federal legislation even goes into this very issue. In Washington, DC, the model already has us in, too. But I think it is more important for us that the State Insurance Department has satisfied me that it is redundant.

Mr. GEORGE. Well, Mr. Speaker, I want them to satisfy me and the rest of the legislators. If you feel that way, then, Mr. Speaker, I apologize, and I will remove this amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair would make note that the Pistella amendment No. 7584 is now out of order as a result of the adoption of the Sather amendment.

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

The SPEAKER pro tempore. 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—196

Adolph	Fairchild	Mackereth	Ross
Allen	Feese	Maher	Ruffing
Argall	Fichter	Maitland	Sabatina
Armstrong	Flaherty	Major	Sainato
Baker	Fleagle	Manderino	Samuelson
Baldwin	Flick	Mann	Santoni
Barrar	Forcier	Markosek	Sather
Bastian	Frankel	Marsico	Saylor
Bebko-Jones	Freeman	McCall	Scavello
Belardi	Gabig	McGeehan	Schroder
Belfanti	Gannon	McLhattan	Semmel
Benninghoff	Geist	McLhinney	Shaner
Beyer	George	McNaughton	Shapiro
Biancucci	Gerber	Melio	Siptroth
Birmelin	Gergely	Metcalfe	Smith, B.
Bishop	Gillespie	Micozzie	Smith, S. H.
Blackwell	Gingrich	Millard	Solobay
Blaum	Godshall	Miller, R.	Sonney
Boyd	Good	Miller, S.	Staback
Bunt	Goodman	Mundy	Stairs
Buxton	Grell	Mustio	Stern
Caltagirone	Grucela	Myers	Stetler
Cappelli	Gruitza	Nailor	Stevenson, R.
Casorio	Haluska	Nickol	Stevenson, T.
Causer	Hanna	O'Brien	Sturla
Cawley	Harhai	Oliver	Surra
Civera	Harhart	O'Neill	Tangretti
Clymer	Harper	Pallone	Taylor, J.
Cohen	Harris	Parker	Thomas
Cornell	Hasay	Payne	Tigue
Corrigan	Hennessey	Petrarca	True
Costa	Herman	Petri	Turzai
Crahalla	Hershey	Petrone	Veon
Creighton	Hess	Phillips	Vitali
Cruz	Hickernell	Pickett	Walko
Curry	Hutchinson	Pistella	Wansacz
Daley	James	Preston	Waters
Dally	Josephs	Pyle	Watson
DeLuca	Kauffman	Quigley	Wheatley
Denlinger	Keller, M.	Ramaley	Williams
Dermody	Keller, W.	Rapp	Wojnaroski
DeWeese	Kenney	Raymond	Wright
DiGirolamo	Killion	Readshaw	Yewcic
Diven	Kirkland	Reed	Youngblood
Donatucci	Kotik	Reichley	Yudichak
Eachus	LaGrotta	Roberts	Zug
Ellis	Leach	Roebuck	
Evans, D.	Lederer	Rohrer	
Evans, J.	Leh	Rooney	Perzel,
Fabrizio	Lescovitz		Speaker

## NAYS—0

## NOT VOTING—0

## EXCUSED—7

Levdansky	Rieger	Steil	Wilt
McGill	Rubley	Taylor, E. Z.	

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

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

### BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 1637, PN 4229**, entitled:

An Act amending the act of August 24, 1963 (P.L.1175, No.497), known as the Mechanics' Lien Law of 1963, further providing for definitions, for waiver of liens, for effect of waiver of liens, for rescission of contracts between contractors and subcontractors, for notices by subcontractors as condition precedent, for filing and notice of filing of claim and for priority of liens.

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

## YEAS—196

Adolph	Fairchild	Mackereth	Ross
Allen	Feese	Maher	Ruffing
Argall	Fichter	Maitland	Sabatina
Armstrong	Flaherty	Major	Sainato
Baker	Fleagle	Manderino	Samuelson
Baldwin	Flick	Mann	Santoni
Barrar	Forcier	Markosek	Sather
Bastian	Frankel	Marsico	Saylor
Bebko-Jones	Freeman	McCall	Scavello
Belardi	Gabig	McGeehan	Schroder
Belfanti	Gannon	McLhattan	Semmel
Benninghoff	Geist	McLhinney	Shaner
Beyer	George	McNaughton	Shapiro
Biancucci	Gerber	Melio	Siptroth
Birmelin	Gergely	Metcalfe	Smith, B.
Bishop	Gillespie	Micozzie	Smith, S. H.
Blackwell	Gingrich	Millard	Solobay
Blaum	Godshall	Miller, R.	Sonney
Boyd	Good	Miller, S.	Staback
Bunt	Goodman	Mundy	Stairs
Buxton	Grell	Mustio	Stern
Caltagirone	Grucela	Myers	Stetler
Cappelli	Gruitza	Nailor	Stevenson, R.
Casorio	Haluska	Nickol	Stevenson, T.
Causer	Hanna	O'Brien	Sturla
Cawley	Harhai	Oliver	Surra
Civera	Harhart	O'Neill	Tangretti
Clymer	Harper	Pallone	Taylor, J.
Cohen	Harris	Parker	Thomas
Cornell	Hasay	Payne	Tigue
Corrigan	Hennessey	Petrarca	True
Costa	Herman	Petri	Turzai
Crahalla	Hershey	Petrone	Veon
Creighton	Hess	Phillips	Vitali
Cruz	Hickernell	Pickett	Walko
Curry	Hutchinson	Pistella	Wansacz
Daley	James	Preston	Waters
Dally	Josephs	Pyle	Watson
DeLuca	Kauffman	Quigley	Wheatley
Denlinger	Keller, M.	Ramaley	Williams
Dermody	Keller, W.	Rapp	Wojnaroski
DeWeese	Kenney	Raymond	Wright
DiGirolamo	Killion	Readshaw	Yewcic
Diven	Kirkland	Reed	Youngblood
Donatucci	Kotik	Reichley	Yudichak
Eachus	LaGrotta	Roberts	Zug
Ellis	Leach	Roebuck	
Evans, D.	Lederer	Rohrer	
Evans, J.	Leh	Rooney	Perzel,
Fabrizio	Lescovitz		Speaker



NAYS—0

NOT VOTING—0

EXCUSED—7

Levdansky	Rieger	Steil	Wilt
McGill	Rubley	Taylor, E. Z.	

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.

**SUPPLEMENTAL CALENDAR C**

**RULES SUSPENDED**

The SPEAKER pro tempore. The Chair turns to House supplemental C calendar and recognizes the gentleman, Mr. Herman.

Mr. HERMAN. Mr. Speaker, I call for a suspension of rules for the offering of HB 2397.

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

The following roll call was recorded:

YEAS—196

Adolph	Fairchild	Mackereth	Ross
Allen	Feese	Maher	Ruffing
Argall	Fichter	Maitland	Sabatina
Armstrong	Flaherty	Major	Sainato
Baker	Fleagle	Manderino	Samuelson
Baldwin	Flick	Mann	Santoni
Barrar	Forcier	Markosek	Sather
Bastian	Frankel	Marsico	Saylor
Bebko-Jones	Freeman	McCall	Scavello
Belardi	Gabig	McGeehan	Schroder
Belfanti	Gannon	McIlhattan	Semmel
Benninghoff	Geist	McIlhinney	Shaner
Beyer	George	McNaughton	Shapiro
Biancucci	Gerber	Melio	Siptroth
Birmelin	Gergely	Metcalfe	Smith, B.
Bishop	Gillespie	Micozzie	Smith, S. H.
Blackwell	Gingrich	Millard	Solobay
Blaum	Godshall	Miller, R.	Sonney
Boyd	Good	Miller, S.	Staback
Bunt	Goodman	Mundy	Stairs
Buxton	Grell	Mustio	Stern
Caltagirone	Grucela	Myers	Stetler
Cappelli	Gruitza	Nailor	Stevenson, R.
Casorio	Haluska	Nickol	Stevenson, T.
Causar	Hanna	O'Brien	Sturla
Cawley	Harhai	Oliver	Surra
Civera	Harhart	O'Neill	Tangretti
Clymer	Harper	Pallone	Taylor, J.
Cohen	Harris	Parker	Thomas
Cornell	Hasay	Payne	Tigue
Corrigan	Hennessey	Petrarca	True
Costa	Herman	Petri	Turzai
Crahalla	Hershey	Petrone	Veon
Creighton	Hess	Phillips	Vitali
Cruz	Hickernell	Pickett	Walko
Curry	Hutchinson	Pistella	Wansacz
Daley	James	Preston	Waters

Dally	Josephs	Pyle	Watson
DeLuca	Kauffman	Quigley	Wheatley
Denlinger	Keller, M.	Ramaley	Williams
Dermody	Keller, W.	Rapp	Wojnaroski
DeWeese	Kenney	Raymond	Wright
DiGirolamo	Killion	Readshaw	Yewcic
Diven	Kirkland	Reed	Youngblood
Donatucci	Kotik	Reichley	Yudichak
Eachus	LaGrotta	Roberts	Zug
Ellis	Leach	Roebuck	
Evans, D.	Lederer	Rohrer	
Evans, J.	Leh	Rooney	Perzel,
Fabrizio	Lescovitz		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—7

Levdansky	Rieger	Steil	Wilt
McGill	Rubley	Taylor, E. Z.	

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 ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 2397, PN 4351**, entitled:

An Act amending the act of January 25, 1966 (1965 P.L.1546, No.541), referred to as the Higher Education Scholarship Law, further providing for the length of scholarships.

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

The SPEAKER pro tempore. 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?

The Chair recognizes the gentleman from Delaware, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.  
Will the maker of the bill stand for brief interrogation?

The SPEAKER pro tempore. Mr. Herman? He agrees to be interrogated, and as soon as he is situated, you may begin.

Mr. VITALI. Could we start out, Mr. Speaker, with a brief explanation of the bill.

Mr. HERMAN. Yes. What this bill would do is provide for an additional fifth year of eligibility for financially eligible students through the PHEAA (Pennsylvania Higher Education Assistance Agency) program. However, while this bill is in the Appropriations Committee, what this bill will do as amended by the Appropriations Committee will set up a separate line item for fifth-year PHEAA eligibility recipients, and if the State budget does not provide for that appropriation, then there will be no appropriation made, and the reason for that, Mr. Speaker, is to protect the integrity of the 4-year-program students.

Mr. VITALI. Have any of the groups who might have an interest in this, and I am thinking of PHEAA itself or any of the college associations who would be recipients of the PHEAA money, expressed a position on this bill?

Mr. HERMAN. Mr. Speaker, throughout many years I have drafted this legislation and it has been addressed and approved by the Education Committee, and throughout that time I have been, and have been most recently, working with PHEAA, who helped to draft the amendments that I spoke of earlier that were passed by the Appropriations Committee.

Mr. VITALI. Let me ask you this: Did PHEAA support this bill unamended?

Mr. HERMAN. I think the best way to answer that, Mr. Speaker, is that they really do not have an official position one way or the other. So I can say they are not opposed to it as long as a separate appropriation is made, and the reason for that is, like I said earlier, to protect the integrity of those 4-year students, that no money is taken away from the financial eligibility of those 4-year students.

Mr. VITALI. And what about the various college groups, you know, the Penn States of the world, the State schools, the State-related schools, the private colleges in Pennsylvania. What about those groups? Have any of them taken a position on the bill itself as amended or unamended?

Mr. HERMAN. No, I really cannot say, but I think that all those groups, I have spoken with them about this bill and they expressed the same consideration. In fact, the student groups that I worked with at Penn State University expressed the opinion as I have just related to you, that they want to make sure that no moneys are taken away from the program that affect currently 4-year students, and for that reason that is why this bill is drafted in a way that provides for a separate line-item appropriation for in particular fifth-year students.

I might add, Mr. Speaker, that the reason for this, the purpose and the reason for this legislation is that those students who are graduating in the traditional 4 years has been declining sharply over the past 20 years. For example, the State System of Higher Education right now, only 25 percent of their students graduate in the typical 4 years. Only 30 percent of State-related university students graduate in a traditional 4-year program. And there are a lot of reasons for this. It might be because of transferring credits, it might be because of the changing of majors, a student goes abroad and studies, but most importantly, Mr. Speaker, this matter was brought to my attention some years ago by a Penn State University veterans organization who explained to me that they entered at Penn State University and used up 1 year, maybe 2 years of their financial eligibility for PHEAA, then took a hiatus to serve their country in the military. Upon coming back, they found that their credits were no longer applicable to that particular major, or they wanted to switch majors because of their—

Mr. VITALI. Excuse me again. I think the question I asked was, did these schools support it? That is really all I was asking.

Mr. HERMAN. They had no official position.

Mr. VITALI. Thank you.

The SPEAKER pro tempore. The question recurs, will the House agree to the bill? On that, the gentleman, Mr. Tigie, is recognized.

Mr. TIGUE. Thank you, Mr. Speaker.

Mr. Speaker, this is an issue that has been brought up in past sessions and it sounds good, and I think, I know, it passed before in the House. Unfortunately, it has not become law.

What we have is a problem. This bill as amended is much better than it was because we are not taking any money from the current PHEAA funding. However, to implement this bill, we have to have a separate line item, as the previous speaker said. If we can afford— And the estimated cost, I guess, is \$15 million for the fifth-year students. If we can afford an additional \$15 million, we should use that money to either expand the grant program so that students receive more per grant or we get more students under the umbrella.

I think that the school should be held responsible for much of this fifth-year syndrome. The numbers show that 30 percent, as was pointed out, graduate in 4 years, and I think we should say shame on whoever is having these problems. Students who have 4-year courses should be provided the incentives, the funding, and the money to graduate in 4 years, not 5 years, because we will take what limited resources there are and we will again punish those 30 percent who do the right thing.

I always find it interesting that students never go below 12 credits. Why is that? Because we know that the 12 credits is a full-time equivalency. If we made 15 credits, I guarantee you, 15 credits they would take every semester. Many schools, many counselors, encourage kids to take 12 credits when they are freshmen, and they know, once they do that, they cannot graduate in 4 years unless they take additional credits somewhere else or midsemester or in between semesters in the summer.

I suggest that we do not pass this, and I would ask that you oppose this. Let us try to encourage kids who go to school, students who attend school, to graduate in 4-year programs within the 4-year limit.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I rise to interrogate the prime sponsor.

The SPEAKER pro tempore. The gentleman indicates he is willing to do so. You may proceed.

Mr. SAMUELSON. Thank you.

My question is on the amendment that was inserted in the Appropriations Committee today, and if I look down on page 2, the first, second, and third lines, the new version of the bill says, "Each...scholarship is renewable until the program of study is completed, but not to exceed an additional three academic years beyond the first year..." So did not the Appropriations Committee revert to the language of the existing law, and even if this bill has language about extra funds being available for a fourth year, does not page 2, line 3, preclude any additional scholarship beyond the first year and 3 additional years, the 4-year period we originally had?

Mr. HERMAN. From my understanding, Mr. Speaker, the Appropriations Committee did in fact revert to the previous language of the bill. However, in doing so, with the assistance of PHEAA's staff who helped to draft this amendment, they put in a separate provision of which I have just spoken of.

Mr. SAMUELSON. But would not that first provision saying the maximum is 3 academic years beyond, would not that preclude any additional funding in a fourth additional year? But your original bill had 4 years; they struck that out and put it back down to 3 years. Does that not preclude additional funding?

Mr. HERMAN. Mr. Speaker, when you read the legislation, even under current law it is kind of confusing, because instead

of establishing that a student will be eligible for 4 years, they say 1 year, then an additional 3, okay? I do not know why that is. Obviously, it was crafted before I became a lawmaker. But in doing so, you have to understand that the way the Appropriations Committee drafted this legislation and amended it is that it is set up almost like a two-tier program. One, for the 4-year students, traditional 4-year students, which is what you just referenced, 1 additional year then 3 additional years, and also separately for that fifth-year student. Now, I have to say one more thing, Mr. Speaker, and that is that this does not imperil or affect any college program that is a fifth-year program at any of the colleges and universities.

Mr. SAMUELSON. Thank you, Mr. Speaker.

The SPEAKER pro tempore. Are there any other members seeking recognition? If not, then the question is, shall the bill pass finally?

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

#### YEAS—193

Adolph	Fairchild	Lescovitz	Ross
Allen	Feese	Mackereth	Ruffing
Argall	Fichter	Maher	Sabatina
Armstrong	Flaherty	Maitland	Sainato
Baker	Fleagle	Major	Samuelson
Baldwin	Flick	Manderino	Santoni
Barrar	Forcier	Mann	Sather
Bastian	Frankel	Markosek	Saylor
Bebko-Jones	Freeman	Marsico	Scavello
Belardi	Gabig	McCall	Schroder
Belfanti	Gannon	McGeehan	Semmel
Benninghoff	Geist	McIlhatten	Shaner
Beyer	George	McIlhinney	Shapiro
Biancucci	Gerber	McNaughton	Siptroth
Birmelin	Gergely	Melio	Smith, B.
Bishop	Gillespie	Metcalfe	Smith, S. H.
Blackwell	Gingrich	Micozzie	Solobay
Blaum	Godshall	Millard	Sonney
Boyd	Good	Miller, R.	Staback
Bunt	Goodman	Miller, S.	Stairs
Buxton	Grell	Mustio	Stern
Caltagirone	Grucela	Myers	Stetler
Cappelli	Gruitza	Nailor	Stevenson, R.
Casorio	Haluska	Nickol	Stevenson, T.
Causar	Hanna	O'Brien	Sturla
Cawley	Harhai	Oliver	Surra
Civera	Harhart	O'Neill	Tangretti
Clymer	Harper	Pallone	Taylor, J.
Cohen	Harris	Parker	Thomas
Cornell	Hasay	Payne	True
Costa	Hennessey	Petrarca	Turzai
Crahalla	Herman	Petri	Veon
Creighton	Hershey	Petrone	Vitali
Cruz	Hess	Phillips	Walko
Curry	Hickernell	Pickett	Wansacz
Daley	Hutchinson	Pistella	Waters
Dally	James	Preston	Watson
DeLuca	Josephs	Pyle	Wheatley
Denlinger	Kauffman	Quigley	Williams
Dermody	Keller, M.	Ramaley	Wojnaroski
DeWeese	Keller, W.	Rapp	Wright
DiGirolamo	Kennedy	Raymond	Yewcic
Diven	Killion	Readshaw	Youngblood
Donatucci	Kirkland	Reed	Yudichak
Eachus	Kotik	Reichley	Zug

Ellis	LaGrotta	Roberts	
Evans, D.	Leach	Roebuck	
Evans, J.	Lederer	Rohrer	Perzel,
Fabrizio	Leh	Rooney	Speaker

NAYS—3

Corrigan	Mundy	Tigue
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NOT VOTING—0

EXCUSED—7

Levdansky	Rieger	Steil	Wilt
McGill	Rubley	Taylor, E. Z.	

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

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

### SUPPLEMENTAL CALENDAR B

#### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2597**, **PN 3915**, entitled:

An Act amending the act of April 13, 1988 (P.L.349, No.51), entitled, "An act designating a section of Traffic Route 63 in Philadelphia County, Pennsylvania, as the Veterans Memorial Road," further providing for designation; and providing for signs.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

The SPEAKER pro tempore. 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—196

Adolph	Fairchild	Mackereth	Ross
Allen	Feese	Maher	Ruffing
Argall	Fichter	Maitland	Sabatina
Armstrong	Flaherty	Major	Sainato
Baker	Fleagle	Manderino	Samuelson
Baldwin	Flick	Mann	Santoni
Barrar	Forcier	Markosek	Sather
Bastian	Frankel	Marsico	Saylor
Bebko-Jones	Freeman	McCall	Scavello
Belardi	Gabig	McGeehan	Schroder
Belfanti	Gannon	McIlhatten	Semmel
Benninghoff	Geist	McIlhinney	Shaner
Beyer	George	McNaughton	Shapiro
Biancucci	Gerber	Melio	Siptroth
Birmelin	Gergely	Metcalfe	Smith, B.
Bishop	Gillespie	Micozzie	Smith, S. H.
Blackwell	Gingrich	Millard	Solobay

Blaum	Godshall	Miller, R.	Sonney
Boyd	Good	Miller, S.	Staback
Bunt	Goodman	Mundy	Stairs
Buxton	Grell	Mustio	Stern
Caltagirone	Grucela	Myers	Stetler
Cappelli	Gruitza	Nailor	Stevenson, R.
Casorio	Haluska	Nickol	Stevenson, T.
Causser	Hanna	O'Brien	Sturla
Cawley	Harhai	Oliver	Surra
Civera	Harhart	O'Neill	Tangretti
Clymer	Harper	Pallone	Taylor, J.
Cohen	Harris	Parker	Thomas
Cornell	Hasay	Payne	Tigue
Corrigan	Hennessey	Petrarca	True
Costa	Herman	Petri	Turzai
Crahalla	Hershey	Petrone	Veon
Creighton	Hess	Phillips	Vitali
Cruz	Hickernell	Pickett	Walko
Curry	Hutchinson	Pistella	Wansacz
Daley	James	Preston	Waters
Dally	Josephs	Pyle	Watson
DeLuca	Kauffman	Quigley	Wheatley
Denlinger	Keller, M.	Ramaley	Williams
Dermody	Keller, W.	Rapp	Wojnaroski
DeWeese	Kenney	Raymond	Wright
DiGirolamo	Killion	Readshaw	Yewcic
Diven	Kirkland	Reed	Youngblood
Donatucci	Kotik	Reichley	Yudichak
Eachus	LaGrotta	Roberts	Zug
Ellis	Leach	Roebuck	
Evans, D.	Lederer	Rohrer	
Evans, J.	Leh	Rooney	Perzel,
Fabrizio	Lescovitz		Speaker

NAYS-0

NOT VOTING-0

EXCUSED-7

Levdansky	Rieger	Steil	Wilt
McGill	Rubley	Taylor, E. Z.	

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 2699, PN 4132**, entitled:

An Act authorizing and directing the Department of Public Welfare to establish and maintain a managed health care program for medical assistance recipients; requiring actuarially sound rates for certain managed care organizations; providing for the right of appeal and approval by the General Assembly of changes to the Commonwealth medical assistance plan and associated waivers; and repealing inconsistent portions of other acts.

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

The SPEAKER pro tempore. 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?

Are there any members seeking recognition on this bill? The Chair recognizes the gentleman, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

Could we have a brief explanation of this bill? This has some controversy to it, I believe.

The SPEAKER pro tempore. The gentleman, Mr. Kenney, prime sponsor of the bill, agrees to give a brief explanation.

Mr. KENNEY. Thank you, Mr. Speaker.

Mr. Speaker, this bill, HB 2699, would expand the HealthChoices Program within the Department of Welfare. As you know, the HealthChoices Program is the managed-care program which covers about two-thirds of our Medicaid recipients today, and this would ask that the department continue to roll that program out across the State.

I believe there— Mr. Speaker, is there an amendment to this bill? Okay. Sorry, Mr. Speaker.

Mr. VITALI. So in general terms, again, as a layman and not really knowing this stuff too much, this program—

The SPEAKER pro tempore. Would you just hold off for a second. Mr. Kenney had asked a question of the Chair right after you had asked your first question, and the answer to your question, Mr. Kenney, is, yes, there is an amendment by Representative George, amendment 8447.

So, Mr. Vitali, let me come back to you. Apparently we missed out on this amendment.

DECISION OF CHAIR RESCINDED

The SPEAKER pro tempore. Without objection, the Chair rescinds its announcement that the bill has been agreed to for the third time.

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

The SPEAKER pro tempore. I apologize to the gentleman, Mr. George, but at this moment we will ask the gentleman, Mr. George, to offer up the amendment that he has, amendment No. 8447, which the clerk will read.

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

Mr. **GEORGE** offered the following amendment No. **A08447**:

- Amend Sec. 5, page 8, line 11, by striking out “act” and inserting section
- Amend Sec. 5, page 8, line 16, by striking out “act” and inserting section
- Amend Sec. 6, page 9, line 15, by striking out “act” and inserting section
- Amend Sec. 6, page 10, line 26, by striking out “act” and inserting section
- Amend Sec. 12, page 15, line 10, by striking out all of said line and inserting

(a) Officials to receive report.—Within 12 months following the effective date of this section,

Amend Sec. 12, page 16, by inserting between lines 2 and 3

(b) Content of report.—This report shall include:

(1) The number of applicants per service per county, separated by those served and those denied.

(2) The total cost or savings to the Commonwealth by contractors, itemized by county per service provided.

(3) The number of doctors in each county, separated by those who accept medical assistance and those who do not accept medical assistance.

(4) The percentage change of each of the categories above since the implementation of the act.

(5) Policy recommendations.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. George, with apologies for having made that mistake.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, we are told that this plan will create better medical services for our constituents while at the same time saving the Commonwealth money. We have been here, especially myself, a long time, and I do not believe everything that I am told. My amendment ensures that next year at this time we will have hard, cold data to review and tell us whether or not this program has lived up to its promises that were made. I have not yet decided if I will support the bill even with my amendment, but I know for certain I cannot support this legislation without it.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Eachus.

Mr. EACHUS. Mr. Speaker, I respectfully rise to oppose amendment No. 8447. The issue of the gentleman from Philadelphia's amendment is that it is the timing, part of it is the timing of this issue and this bill and this day. I think that there are significant and substantive revenue impacts by this bill, and it deals with the issue relating to the deployment of a statewide managed-care network.

As you may know, Mr. Speaker, we have two different systems in Pennsylvania, one system of managed-care organizations in our biggest urban centers of Philadelphia and the surrounding region, Pittsburgh and the surrounding region, and Allentown and the surrounding region. Those organizations have managed-care organizations within those. Secondly, we also have the rest of the State, my region and the northeast included, which is called ACCESS Plus, which we passed last year. What I am concerned about in the end is that consumers who have been recently deployed in managed care have the ability – this is the ACCESS Plus program – in the 42 counties surrounding our urban areas, that those consumers do not have a negative impact at this time. We have only begun this process, and I am hopeful that we can oppose the George amendment.

Mr. GEORGE. Mr. Speaker?

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. GEORGE. I think the gentleman has been speaking on the bill and not the merit of the amendment. I think he has been 12 or 15 feet off of dead center. If he does not want the bill,

that is his business, but let us talk about the amendment. Do you or do you not want the amendment?

Mr. EACHUS. Mr. Speaker, I respectfully defer to the gentleman, and at this moment in time, I have no problem with the gentleman's amendment. Forgive me. I will be up on final passage.

The SPEAKER pro tempore. Did the gentleman, Mr. George, seek further recognition?

Mr. GEORGE. I believe that I have said it all, Mr. Speaker. Please run the amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Kenney.

Mr. KENNEY. Mr. Speaker, this amendment makes a good bill better, and I do support the amendment and ask for its adoption. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

#### YEAS—197

Adolph	Fairchild	Mackereth	Ruffing
Allen	Feese	Maher	Sabatina
Argall	Fichter	Maitland	Sainato
Armstrong	Flaherty	Major	Samuelson
Baker	Fleagle	Manderino	Santoni
Baldwin	Flick	Mann	Sather
Barrar	Forcier	Markosek	Saylor
Bastian	Frankel	Marsico	Scavello
Bebko-Jones	Freeman	McCall	Schroder
Belardi	Gabig	McGeehan	Semmel
Belfanti	Gannon	McIlhattan	Shaner
Benninghoff	Geist	McIlhinney	Shapiro
Beyer	George	McNaughton	Siproth
Biancucci	Gerber	Melio	Smith, B.
Birmelin	Gergely	Metcalfe	Smith, S. H.
Bishop	Gillespie	Micozzie	Solobay
Blackwell	Gingrich	Millard	Sonney
Blaum	Godshall	Miller, R.	Staback
Boyd	Good	Miller, S.	Stairs
Bunt	Goodman	Mundy	Steil
Buxton	Grell	Mustio	Stern
Caltagirone	Grucela	Myers	Stetler
Cappelli	Gruitza	Nailor	Stevenson, R.
Casorio	Haluska	Nickol	Stevenson, T.
Causer	Hanna	O'Brien	Sturla
Cawley	Harhai	Oliver	Surra
Civera	Harhart	O'Neill	Tangretti
Clymer	Harper	Pallone	Taylor, J.
Cohen	Harris	Parker	Thomas
Cornell	Hasay	Payne	Tigue
Corrigan	Hennessey	Petrarca	True
Costa	Herman	Petri	Turzai
Crahalla	Hershey	Petrone	Veon
Creighton	Hess	Phillips	Vitali
Cruz	Hickernell	Pickett	Walko
Curry	Hutchinson	Pistella	Wansacz
Daley	James	Preston	Waters
Dally	Josephs	Pyle	Watson
DeLuca	Kauffman	Quigley	Wheatley
Denlinger	Keller, M.	Ramaley	Williams
Dermody	Keller, W.	Rapp	Wojnaroski
DeWeese	Kenney	Raymond	Wright
DiGirolamo	Killion	Readshaw	Yewcic
Diven	Kirkland	Reed	Youngblood
Donatucci	Kotik	Reichley	Yudichak
Eachus	LaGrotta	Roberts	Zug
Ellis	Leach	Roebuck	
Evans, D.	Lederer	Rohrer	

Evans, J. Fabrizio	Leh Lescovitz	Rooney Ross	Perzel, Speaker
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NAYS—0

NOT VOTING—0

EXCUSED—6

Levdansky McGill	Rieger Rubley	Taylor, E. Z.	Wilt
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question,

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

Bill as amended was agreed to.

The SPEAKER pro tempore. 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?

The gentleman, Mr. Eachus, is recognized.

Mr. EACHUS. Mr. Speaker and the chamber, thank you for the redo.

I rise to oppose HB 2699, once again because of its timing and revenue impact. As I began to explain earlier, there are two systems in Pennsylvania today, one for our urban centers and one for the rest of the Commonwealth. The deployment of the new ACCESS Plus program last year was a dynamic attempt to try to manage care for those who have ACCESS cards under the welfare program. Those consumers would go out before ACCESS Plus and wander through the State and not have anyone, no gatekeeper looking after their care.

The focus of this bill, HB 2699, asks for the deployment of a managed-care health system, much like our urban centers, to the rest of the Commonwealth. It has been estimated that over the last 4 years there has been a \$186 million impact to the Commonwealth due to managed care in our cities, and we are trying to manage our ability to control costs. As we all know, our Federal partners, our United States government partners in Washington, continue to walk away from their commitment to human services funding, passing the responsibility to the State. This bill at this time, at this moment, I believe, has significant revenue impact.

The second issue major is really it garners the authority of the administration to manage the care. It has components within it which take away the Department of Public Welfare's authority and the Governor's Office's authority, the administration, whatever administration this might be, either Democrat or Republican, to adjust costs. You know, I really think that the bill is well intended, but for those of us who just recently got done explaining to our consumers across northeastern Pennsylvania and across the areas where there is ACCESS Plus, we just got done explaining to our consumers how to utilize the ACCESS Plus system. If we have to pull the card back, change it, and redeploy a new system, I really believe

that it will create consumer confusion in a dynamic way for populations who can least afford it.

You might remember the controversy over Alzheimer's – I am sorry – over children with other special-needs problems. Many of those children could be impacted by this proposal from a consumer perspective. So I am asking for a negative vote on HB 2699.

### LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair returns to leaves of absence and noted but not put on the record that the gentleman, Mr. Steil, is on the floor and he was here for the last vote.

### CONSIDERATION OF HB 2699 CONTINUED

The SPEAKER pro tempore. At this time the Chair recognizes the gentleman, Mr. Vitali. The gentleman waives off.

The Chair recognizes the gentleman, Mr. Kenney. Mr. Kenney?

Let us quiet down, people. Members, please take your seats.

Mr. Kenney, you have been recognized. Do you waive off?

The Chair recognizes the gentleman, Mr. Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

To interrogate the prime sponsor of the bill.

The SPEAKER pro tempore. The gentleman, Mr. Kenney, agrees to be interrogated. You may begin.

Mr. SAMUELSON. And my question concerns public input and input from the Department of Public Welfare on this bill. I note that this legislation has existed for 20 days. It was introduced on June 6. It spent 7 days in the Health and Human Services Committee, was reported out; spent 1 day in the Rules Committee, was reported out; and just recently spent 12 days in the Appropriations Committee and was reported out. My question is, did any of those three committees – the Health and Human Services Committee, the Rules Committee, or the Appropriations Committee – have public hearings on this legislation seeking input from the citizens around the State that this would affect?

Mr. KENNEY. Thank you, Mr. Speaker.

Let me say the 28 members of the Health and Human Services Committee represent every portion of the State, number one, so they were sent here to do the people's business. And number two, more importantly, we have 9 years of experience of seeing managed care operate with our Medicaid population. So since 1997 we have been moving our Medicaid clients into managed care – very successful, saved over \$2 billion – and we just thought on the committee that it was important to continue to roll this out.

If you look at the timetable, this does not roll out for several years. So it is not as if, I heard some members talk about a budget implication, it would implicate so many millions of dollars necessary. This will really take some time to roll out, but we are encouraging the department to move forward in managed care. It has been successful. It has provided access for our fellow consumers across the Commonwealth, and we want to keep that moving forward.

Mr. SAMUELSON. If this does not take effect for several years, why would it not make sense to have some public hearings? I take it that none of the three committees actually had public hearings. Why not have some public hearings,

if there is no immediate budget impact on June 30, have some public hearings, invite the counties to submit testimony, invite the citizens affected by this to submit testimony, and invite the Department of Public Welfare. Has the Department of Public Welfare had any input on this legislation?

Mr. KENNEY. Mr. Speaker, if you would not mind, I would defer to Representative Civera, the policy chairman of the House Republican Caucus, who may want to comment on what you have just addressed.

The SPEAKER pro tempore. All right. Mr. Samuelson, if that is all right with you, I will have Mr. Civera give you a response to your question. Mr. Civera.

Mr. CIVERA. Thank you, Mr. Speaker.

Mr. Speaker, about 2 years ago the Republican Policy Committee had hearings, and as a matter of fact, when we did some of the hearings on the Medicaid and the special care that you are referring to, we had the Department of Health there; we had three public hearings on this issue. What was basically testified at those hearings on this program that we are discussing now was, and we had the administration there from the department, and it appeared that what they wanted to do and where they were heading with this was to do away with the managed-care program in Pennsylvania because of the prescription drugs and some of the things that were involved with that, and the department would take over what managed care, basically what we want to do here. What our concern with that was that when you start to do that, and some of these individual private companies that were running the managed care that the State was brought into, was that your constituent, my constituent, people in the rural areas, would not be able to benefit by just the department overall taking over the program. There must have been – I have testimony if you want to see it – at least three public hearings. Thank you, Mr. Speaker.

Mr. SAMUELSON. And thank you. I just might add, though, that if those hearings took place 2 years ago and this bill was not written until 3 weeks ago, on June 6 of 2006, how could the people at those hearings, how could the county officials at those hearings, how could the administration officials at those hearings comment on this legislation if it did not even exist until June of 2006?

Mr. CIVERA. Let me go over carefully. The entire Medicaid program at that point in time, because it was a budgetary item that we were facing, both with the Rendell administration and what was brought out in appropriations, that is what those hearings were based on. This happened to come out as far as the managed-care programs in Pennsylvania, and the reason it came out is because we questioned whether they were going to be in existence any longer. Was the funding going to be there to take care of those programs, and the response was, maybe, maybe not, or the administration would take it over. I have the testimony to give to you. I have the document, the testimony, when they testified to that. I would be more than happy to go back and show it to you.

Mr. SAMUELSON. Okay. Final question. I notice the fiscal note on this bill was created today, June 26, and it says the fiscal impact for the current year is zero – of course, the current year ends in 4 days – but the fiscal impact for next year is \$13 million. Is the \$13 million consistent with the testimony that you received 2 years ago? Is that an accurate figure for what the fiscal impact of this is?

Mr. CIVERA. Mr. Speaker, I am going to be honest with you. I cannot answer yes or no to that. I would have to go back

and look, to be perfectly honest with you. But maybe Representative Kenney can answer that. I am not going to answer that because I do not know.

Mr. SAMUELSON. Okay. Well, thank you, Mr. Speaker.

My point is that we apparently have no deadline on this. If this is not going to be effective for a year and a half, as the previous speaker said, why not refer this back to a committee and have some public hearings, inviting input from around the State and also from the counties and also from the department.

Thank you, Mr. Speaker.

### THE SPEAKER (JOHN M. PERZEL) PRESIDING

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Chester, Mr. Ross.

Mr. ROSS. Thank you, Mr. Speaker.

And I would like to shed some light on the previous interrogation from my colleague from Northampton, I believe it is. We did in fact discuss this quite recently in the Health and Human Services Committee. We had the managed-care organizations in. We also had the administration in to discuss the whole subject of what we do with the Medicaid population, how we address this issue. We discussed ACCESS Plus. We also discussed the whole subject of managed care and HealthChoices. So this was in fact recently discussed in a public hearing, and we do not have the need to reconvene that, because the matter was fully gone over at that time.

I think there is a lot of confusion on this issue, and I would like to just say a couple of brief words. First of all, the managed-care organizations have done a good job delivering services and bringing people to the health-care profession successfully. We heard a lot of testimony recently that people were satisfied with the system as it currently worked in the areas where HealthChoices was being presented, and what we are really suggesting here is that a system that is working well and is helping to save the Commonwealth money be expanded further in other areas of the State where it is not currently present. The alternative is to develop an alternative system which would be managed here in Harrisburg, and I have every reason to believe would not be as successful in controlling costs and delivering the services. Why do we go away from a system that is working well to a system that we have not really got a good track record on?

There is discussion that there may be some short-term savings, but I believe that those savings are just that, short-term and one-time, and they basically rely entirely on the shifting of a capitated system to a fee-for-service system. Those are not the kinds of long-term savings that you can count on, and that is not the right way for us to go about our budgeting practices here in Pennsylvania.

So based on all these reasons, I think that this piece of legislation is wise and timely. It does start us down the road and expand a system that is working well, and I urge the members to cast a “yes” vote for it.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lehigh, Mr. Reichley.

Mr. REICHLEY. Thank you, Mr. Speaker.

Very briefly upon this bill, I want the members to understand that the department, although perhaps voicing some opposition

in the line of what Representative Samuelson was expressing, has already begun the process of rolling this out in the behavioral health-care field. All this is doing is putting in place this kind of managed-care philosophy for every medical assistance recipient throughout the State, and in a time when our budgetary situation is growing increasingly difficult and the main cost driver in the State budget is for medical assistance and welfare payments, this is an opportunity for us to bring some cost-control measures to this very expensive part of our budget. This is not going to have immediate impacts but starts the process of allowing us to examine very carefully how to best manage this increasingly inordinate burden on our State budget, and I would urge the members to vote in favor of this bill.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The gentleman from Lancaster, Mr. Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I would encourage members to look hard and long at this before they put up a “yes” vote, and the analogy I will make here is mass transit. You know, mass transit works pretty well in Philadelphia and Pittsburgh. Does that mean that we should roll out a mass transit system all across the State? Well, we do it differently at some points in time. You know, there are some places that have different forms of that mass transit. Sometimes it is in the form of, you know, the senior calls and gets the bus to come to their house instead of them getting out to the bus stop because there is not that concentration of people. The same thing is true here, and while there are people that have argued that managed care has worked well in Philadelphia and Pittsburgh and some other parts of the State, that does not necessarily mean it is going to work well in every part of the State, and particularly in some of the rural parts of the State.

So I would ask members to proceed with caution and understand the impacts that this might have. We have not had the hearings that we need on this. We have not looked at the impact of what the ACCESS Plus program has had and whether it is working or not, and so we have decided that we will buy a system that may or may not work in Philadelphia, depending upon whom you talk to, and we are going to try and make it work in Pike County, or we are going to try and make it work in Lycoming County, or we are going to try and make it work somewhere else in this State.

So I think members should not adopt this at this point in time, not force this down the throat of the administration, not say there is one way to do it and it is the way that we did it in Philly or the way we did it in Pittsburgh, but to look at the various options. And it may be that we want to roll out a plan at some point in time statewide, but it does not mean that one size fits all and we make that decision based on the fact that we are here today and we have a bill in front of us.

So I guess I would encourage members to vote “no” on this, give us a chance to revisit this issue, give us a chance to look at what the options are, what the costs are, the impact that it is going to have, look at what else this bill does in terms of pharmacy carve-out, in terms of what it forces the Department of Welfare to do with the programs that we currently have rolled out, and we can come back and visit this. There is no rush to get this done. There is no drop-dead date, nothing that is going to happen if this does not happen today. So I would ask you to look at the side of caution as opposed to rushing headlong into this.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman from Philadelphia, Mr. Kenney.

Mr. KENNEY. Thank you, Mr. Speaker.

Just to answer the previous speaker. Managed care and our medical assistance population exists today in 53 counties, 53 out of 67. So we have been moving this process forward over the past 9 years. It is not a rush to judgment. Consumers are benefiting, and that is the important thing, and that is something that we on the Health and Human Services Committee has always been our priority, the quality of care received by our consumers throughout Pennsylvania.

And for the information of the members, it may have been mentioned that the department is already moving behavioral health managed care to this clientele statewide. So we are looking for continuity. We want behavioral and physical to move together. We think it not only helps consumers and provides a quality product, but in the end it also saves taxpayer dollars. So I ask for an affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise to concur with the previous speaker and other speakers who have made it very clear that, one, this is not overnight and it is not quick fix. This is something that has been subjected to long deliberation; it is something that has been subjected to broad, diverse input; it is something that has been subjected to strong, prudent analysis; and, Mr. Speaker, at the end of the day, it really comes down to an understanding that if it has been working in 50 counties, why should it not work throughout the Commonwealth of Pennsylvania?

Mr. Speaker, this is an area that we have been debating, debating, and debating, and I think that the proposal contained in HB 2699 gets us closer, closer to becoming the one State in the United States that is moving toward making sure that our residents have access to quality, affordable health care. So, Mr. Speaker, I urge my colleagues from both sides of the aisle to support HB 2699.

The SPEAKER. The Chair thanks the gentleman.

The gentlelady, Ms. Mundy.

Ms. MUNDY. Mr. Speaker, I rise in opposition to HB 2699, although I concur that over the long term, rolling out HealthChoices is probably a good thing for our constituents. I would suggest that if we are going to do this, we all better be prepared to pay for it in the budget, because you are taking away the ability of the Department of Public Welfare and the Rendell administration to manage this year’s budget.

I did not know there were so many votes for taxes on the Republican side. You cannot talk about capping State spending, cutting business taxes, and spending hundreds of millions of dollars this year for this bill. You just cannot have it that way, it does not work that way, and you all know it. So as much as we would love to do the HealthChoices rollout immediately, I would suggest that we allow the department to roll it out in a managed way, to control the costs, and control the managed-care organizations in how they spend money as well.

So I would hope that we would do the responsible thing here and vote in opposition to HB 2699. Thank you.

The SPEAKER. The Chair thanks the gentlelady.



**HARRISBURG LEGISLATIVE LEAVE**

The SPEAKER. The Chair recognizes the majority whip, who moves for a Capitol leave for the gentleman, Mr. GANNON. Without objection, that Capitol leave will be granted.

**CONSIDERATION OF HB 2699 CONTINUED**

The SPEAKER. The gentleman, Mr. Scavello.

Mr. SCAVELLO. Mr. Speaker, I rise in support of HealthChoices, especially for Monroe County. It is a growing county. We are constantly growing and we are not getting the funding. HealthChoices will give us that option and the option to better serve the mental health population within my county.

So I rise in support. Hopefully the members will support it as well. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Blackwell.

Mr. BLACKWELL. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of HB 2699. I come from an area where some people have been left out of the health-care industry for whatever reason. Anything that will bring— I have gotten many calls to ask me to support this bill, not only from the health-care industry but from constituents. This is one bill that hits close to home for me because of what I see every day. The comparison between this bill and mass transit in Philadelphia does not compare, does not compare, because as we would like to think that mass transit is this rosy industry in Philadelphia, it is not what it appears to be. But in terms of HB 2699, I think it is needed.

Now, I was not here when the debate first started on managed health care, and as a former labor leader, a lot of times I have been afraid of managed health care, but going through this process with my membership, you have your good and you have your bad in everything that we do. Until I see something better that includes everyone, I would encourage my colleagues on both sides of the aisle to support this bill. If you have a better plan, I suggest that you come up with it today, because I think to continue to wait only hurts people more.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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—161**

Adolph	Feese	Maitland	Sainato
Allen	Fichter	Major	Santoni
Argall	Flaherty	Mann	Sather
Baldwin	Flick	Markosek	Saylor
Barrar	Gabig	Marsico	Scavello
Bastian	Gannon	McCall	Schroder
Bebko-Jones	Geist	McGeehan	Semmel
Belardi	George	McIlhattan	Shaner
Belfanti	Gerber	McIlhinney	Shapiro
Benninghoff	Gergely	McNaughton	Siptroth
Beyer	Gillespie	Metcalfe	Smith, B.

Birmelin	Gingrich	Micozzie	Smith, S. H.
Bishop	Godshall	Millard	Solobay
Blackwell	Good	Miller, R.	Sonney
Blaum	Goodman	Mustio	Staback
Boyd	Grell	Myers	Stairs
Bunt	Haluska	Nailor	Steil
Buxton	Hanna	Nickol	Stern
Caltagirone	Harhai	O'Brien	Stevenson, R.
Cappelli	Harhart	Oliver	Stevenson, T.
Cawley	Harper	O'Neill	Taylor, J.
Civera	Harris	Parker	Thomas
Clymer	Hasay	Payne	Tigue
Cornell	Hennessey	Petri	True
Corrigan	Herman	Phillips	Turzai
Costa	Hershey	Pickett	Vitali
Crahalla	Hess	Pistella	Wansacz
Creighton	Hickernell	Preston	Waters
Cruz	Hutchinson	Pyle	Watson
Daley	James	Quigley	Wheatley
Dally	Keller, W.	Rapp	Williams
DeLuca	Kenney	Raymond	Wojnaroski
Denlinger	Killion	Readshaw	Wright
Dermody	Kirkland	Reed	Yewcic
DiGirolamo	Kotik	Reichley	Youngblood
Diven	LaGrotta	Roberts	Yudichak
Donatucci	Lederer	Rohrer	Zug
Ellis	Leh	Rooney	
Evans, J.	Lescovitz	Ross	
Fabrizio	Mackereth	Ruffing	Perzel,
Fairchild	Maher	Sabatina	Speaker

**NAYS—35**

Baker	Fleagle	Leach	Roebuck
Bianucci	Forcier	Manderino	Samuelson
Casorio	Frankel	Melio	Stetler
Causar	Freeman	Miller, S.	Sturla
Cohen	Grucela	Mundy	Surra
Curry	Gruitza	Pallone	Tangretti
DeWeese	Josephs	Petrarca	Veon
Eachus	Kauffman	Petrone	Walko
Evans, D.	Keller, M.	Ramaley	

**NOT VOTING—0****EXCUSED—7**

Armstrong	McGill	Rubley	Wilt
Levdansky	Rieger	Taylor, E. Z.	

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.

**GUEST INTRODUCED**

The SPEAKER. The Chair would like to welcome a guest to the hall of the House, Lisa Lin. She is Representative Rosita Youngblood's summer intern. Would she please rise and be recognized.

## CALENDAR CONTINUED

## BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1479, PN 1797**, entitled:

An Act relating to the delivery of services and programs to persons with disabilities; conferring powers and duties on the Office of the Governor; and creating the Office for People with Disabilities and providing for its powers, duties and funding.

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

Mr. **PISTELLA** offered the following amendment No. **A07270**:

Amend Table of Contents, page 1, line 14, by striking out all of said line

Amend Sec. 103, page 3, lines 26 through 30; page 4, lines 1 and 2, by striking out all of said lines on said pages

Amend Sec. 103, page 4, line 4, by striking out “adults or children” and inserting

persons

Amend Sec. 103, page 4, line 18, by striking out all of said line

Amend Sec. 302, page 5, lines 9 through 21, by striking out all of said lines

Amend Sec. 302, page 5, line 22, by striking out “(4)” and inserting

(2)

Amend Sec. 302, page 5, line 23, by striking out “in collaboration with the council”

Amend Sec. 302, page 5, line 26, by striking out “(5)” and inserting

(3)

Amend Sec. 302, page 5, line 29, by striking out “(6)” and inserting

(4)

Amend Sec. 302, page 6, line 2, by striking out “(7)” and inserting

(5)

Amend Sec. 302, page 6, line 3, by striking out “in collaboration with the council”

Amend Sec. 302, page 6, line 4, by striking out “(8)” and inserting

(6)

Amend Sec. 302, page 6, lines 6 through 8, by striking out all of said lines

Amend Sec. 302, page 6, line 9, by striking out “(10)” and inserting

(7)

Amend Sec. 302, page 6, line 11, by striking out “(11)” and inserting

(8)

Amend Sec. 302, page 6, line 14, by striking out “(12)” and inserting

(9)

Amend Sec. 302, page 6, lines 17 through 30; page 7, lines 1 through 6, by striking out all of said lines on said pages

Amend Sec. 302, page 7, line 7, by striking out “(18)” and inserting

(10)

Amend Sec. 302, page 7, line 13, by striking out “(19)” and inserting

(11)

Amend Sec. 302, page 7, line 16, by striking out “(20)” and inserting

(12)

Amend Sec. 303, page 7, lines 19 through 30; page 8, lines 1 through 5, by striking out all of said lines on said pages

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

The **SPEAKER**. On that question, the Chair recognizes the gentleman, Mr. Pistella.

Mr. **PISTELLA**. Thank you, Mr. Speaker.

Mr. Speaker, this amendment will remove the powers and duties of the Statewide Independent Living Council information and referral services and the ability of the office to enter into interagency agreements. The amendment, in addition, makes some minor technical changes.

I would ask the adoption of the amendment by the members. Thank you.

The **SPEAKER**. The Chair thanks the gentleman.

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

The following roll call was recorded:

## YEAS—195

Adolph	Feese	Mackereth	Ruffing
Allen	Fichter	Maher	Sabatina
Argall	Flaherty	Maitland	Sainato
Baker	Fleagle	Major	Samuelson
Baldwin	Flick	Manderino	Santoni
Barrar	Forcier	Mann	Sather
Bastian	Frankel	Markosek	Saylor
Bebko-Jones	Freeman	Marsico	Scavello
Belardi	Gabig	McCall	Schroder
Belfanti	Gannon	McGeehan	Semmel
Benninghoff	Geist	McIlhattan	Shaner
Beyer	George	McIlhinney	Shapiro
Biancucci	Gerber	McNaughton	Siproth
Birmelin	Gergely	Melio	Smith, B.
Bishop	Gillespie	Metcalf	Smith, S. H.
Blackwell	Gingrich	Micozzie	Solobay
Blaum	Godshall	Millard	Sonney
Boyd	Good	Miller, R.	Staback
Bunt	Goodman	Miller, S.	Stairs
Buxton	Grell	Mundy	Steil
Caltagirone	Grucela	Mustio	Stern
Cappelli	Gruitza	Myers	Stetler
Casorio	Haluska	Nailor	Stevenson, R.
Causar	Hanna	Nickol	Stevenson, T.
Cawley	Harhai	O'Brien	Sturla
Civera	Harhart	Oliver	Surra
Clymer	Harper	O'Neill	Tangretti
Cohen	Harris	Pallone	Taylor, J.
Cornell	Hasay	Parker	Thomas
Corrigan	Hennessey	Payne	Tigue
Costa	Herman	Petrarca	True
Crahalla	Hershey	Petri	Turzai
Creighton	Hess	Petrone	Veon
Cruz	Hickernell	Phillips	Vitali
Curry	Hutchinson	Pickett	Walko
Daley	James	Pistella	Wansacz
Dally	Josephs	Preston	Waters
DeLuca	Kauffman	Pyle	Watson
Denlinger	Keller, M.	Quigley	Wheatley
Dermody	Keller, W.	Ramaley	Williams
DeWeese	Kenney	Rapp	Wojnarowski
DiGirolamo	Killion	Raymond	Wright
Diven	Kirkland	Readshaw	Yewcic

Donatucci	Kotik	Reed	Youngblood
Eachus	LaGrotta	Reichley	Yudichak
Ellis	Leach	Roberts	Zug
Evans, D.	Lederer	Rohrer	
Evans, J.	Leh	Rooney	Perzel,
Fabrizio	Lescovitz	Ross	Speaker
Fairchild			

NAYS-1

Roebuck

NOT VOTING-0

EXCUSED-7

Armstrong	McGill	Rubley	Wilt
Levdansky	Rieger	Taylor, E. Z.	

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

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.  
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-196

Adolph	Feese	Maher	Ruffing
Allen	Fichter	Maitland	Sabatina
Argall	Flaherty	Major	Sainato
Baker	Fleagle	Manderino	Samuelson
Baldwin	Flick	Mann	Santoni
Barrar	Forcier	Markosek	Sather
Bastian	Frankel	Marsico	Saylor
Bebko-Jones	Freeman	McCall	Scavello
Belardi	Gabig	McGeehan	Schroder
Belfanti	Gannon	McIlhattan	Semmel
Benninghoff	Geist	McIlhinney	Shaner
Beyer	George	McNaughton	Shapiro
Biancucci	Gerber	Melio	Siptroth
Birmelin	Gergely	Metcalfe	Smith, B.
Bishop	Gillespie	Micozzie	Smith, S. H.
Blackwell	Gingrich	Millard	Solobay
Blaum	Godshall	Miller, R.	Sonney
Boyd	Good	Miller, S.	Staback
Bunt	Goodman	Mundy	Stairs
Buxton	Grell	Mustio	Steil
Caltagirone	Grucela	Myers	Stern
Cappelli	Gruitza	Nailor	Stetler
Casorio	Haluska	Nickol	Stevenson, R.
Causer	Hanna	O'Brien	Stevenson, T.
Cawley	Harhai	Oliver	Sturla
Civera	Harhart	O'Neill	Surra
Clymer	Harper	Pallone	Tangretti
Cohen	Harris	Parker	Taylor, J.
Cornell	Hasay	Payne	Thomas
Corrigan	Hennessey	Petrarca	Tigue
Costa	Herman	Petri	True
Crahalla	Hershey	Petrone	Turzai

Creighton	Hess	Phillips	Veon
Cruz	Hickernell	Pickett	Vitali
Curry	Hutchinson	Pistella	Walko
Daley	James	Preston	Wansacz
Dally	Josephs	Pyle	Waters
DeLuca	Kauffman	Quigley	Watson
Denlinger	Keller, M.	Ramaley	Wheatley
Dermody	Keller, W.	Rapp	Williams
DeWeese	Kenney	Raymond	Wojnaroski
DiGirolamo	Killion	Readshaw	Wright
Diven	Kirkland	Reed	Yewcic
Donatucci	Kotik	Reichley	Youngblood
Eachus	LaGrotta	Roberts	Yudichak
Ellis	Leach	Roebuck	Zug
Evans, D.	Lederer	Rohrer	
Evans, J.	Leh	Rooney	
Fabrizio	Lescovitz	Ross	Perzel,
Fairchild	Mackereth		Speaker

NAYS-0

NOT VOTING-0

EXCUSED-7

Armstrong	McGill	Rubley	Wilt
Levdansky	Rieger	Taylor, E. Z.	

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 2545, PN 3751**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing, in parking authorities, for purposes and powers and for competition in award of contracts.

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

Mr. **GRUCELA** offered the following amendment No. **A08268**:

Amend Title, page 1, line 2, by inserting after "Statutes," further providing, in municipal police education and training, for definitions, for police training, for automatic certification and for reimbursement of expenses; and

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

Section 1. The definition of "police officer" in section 2162 of Title 53 of the Pennsylvania Consolidated Statutes is amended and the section is amended by adding a definition to read:

§ 2162. Definitions.

The following words and phrases when used in this subchapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

\* \* \*

“Police officer.” Any of the following:

(1) A full-time or part-time employee assigned to criminal or traffic law enforcement duties of any of the following:

- (i) A police department of a county, city, borough, town or township.
- (ii) Any railroad or street railway police.
- (iii) Any campus or university police department.
- (iv) The Capitol Police.
- (v) The Harrisburg International Airport Police.
- (vi) An airport authority police department.

(2) A deputy sheriff of a county of the second class.

(3) A security officer of a first class city housing authority or a police officer of a second class city housing authority.

(4) A school police officer.

The term excludes persons employed to check parking meters or to perform only administrative duties and auxiliary and fire police.

\*\*\*

“School police officer.” An officer employed by a school district who has been granted powers under section 778(c)(2) or (3) of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, or who has been authorized to carry a firearm, or any combination thereof.

\*\*\*

Section 2. Sections 2167 and 2168 of Title 53 are amended by adding subsections to read:

§ 2167. Police training.

\*\*\*

(a.1) School police officers.—All school districts of this Commonwealth shall be required to train their school police officers pursuant to this subchapter prior to their enforcing criminal laws or enforcing moving traffic violations under 75 Pa.C.S. (relating to vehicles).

\*\*\*

§ 2168. Automatic certification.

\*\*\*

(e) School police officers.—Any school police officer who, as of the effective date of this subsection, has successfully completed a basic training course similar to that required under this subchapter shall, after review by the commission, be certified as having met the basic training requirements of this subchapter. Any school police officer who, as of the effective date of this subsection, has not successfully completed a basic training course similar to that required under this subchapter which qualifies the police officer for certification shall be able to perform the duties of a school police officer until certified by the commission, but no longer than two years from the effective date of this subsection.

Section 3. Sections 2170(a), (c) and (d), 5505(d)(23) and 5511(i) of Title 53 are amended to read:

§ 2170. Reimbursement of expenses.

(a) General rule.—The commission shall provide for reimbursement to each municipality and school district of the entire amount of the allowable tuition and the ordinary and necessary living and travel expenses incurred by their police officers while attending certified municipal police basic training schools if the municipality [adheres] and school district adhere to the training standards established by the commission. The regular salary of police officers while attending approved schools shall be paid by the employing municipality or school district, as applicable. The commission shall reimburse the employing municipality or school district for 60% of the regular salaries of police officers while attending schools approved under this subchapter. The commission shall require written documentation of all expenses incurred by municipalities or school districts relating to the training of [municipal] police officers for the purposes of reimbursement by the commission. All municipalities and school districts shall annually audit these funds as part of their

annual audit and submit a copy of the audit to the commission. Failure to perform the audit and submit a copy of it to the commission shall render the municipality or school district in violation of this subchapter.

\*\*\*

(c) Application for funding.—All municipalities and school districts of this Commonwealth or groups of municipalities and school districts acting in concert may make application to the commission for funding pursuant to the provisions of this subchapter. The application shall be accompanied by a certified copy of a resolution adopted by its governing body. The resolution shall provide that, while receiving any State funds pursuant to this subchapter, the municipality or school district agrees to adhere to the standards for training established by the commission. The application shall contain any information that the commission requests.

(d) Subsequent employment with another municipality or school district.—If a police officer, within two years following certification, terminates his employment with the municipality or school district by which the officer was employed at the time he was certified as having met the commission’s requirement and subsequently obtains employment as a police officer with another municipality or school district, the municipality or school district which employs the previously certified police officer shall reimburse the municipality or school district which formerly employed the police officer for the nonreimbursable portion of the salary paid to the police officer while complying with the provisions of this subchapter.

\*\*\*

Amend Sec. 2, page 3, line 3, by striking out all of said line and inserting

Section 4. This act shall take effect as follows:

(1) The following provisions shall take effect in 60 days:

(i) This section.

(ii) The amendment of 53 Pa.C.S. §§ 5505(d)(23) and 5511(i).

(2) The remainder of this act shall take effect in one year.

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—192

Adolph	Feese	Maher	Sabatina
Allen	Fichter	Maitland	Sainato
Argall	Flaherty	Major	Samuelson
Baker	Fleagle	Manderino	Santoni
Baldwin	Flick	Mann	Sather
Barrar	Forcier	Markosek	Saylor
Bastian	Frankel	Marsico	Scavello
Bebko-Jones	Freeman	McCall	Schroder
Belardi	Gabig	McGeehan	Semmel
Belfanti	Gannon	McLhattan	Shaner
Benninghoff	Geist	McIlhinney	Shapiro
Beyer	George	McNaughton	Siptroth
Biancucci	Gerber	Melio	Smith, B.
Birmelin	Gergely	Metcalfe	Smith, S. H.
Bishop	Gillespie	Micozzie	Solobay
Blackwell	Gingrich	Millard	Sonney
Blaum	Godshall	Miller, R.	Staback
Boyd	Good	Miller, S.	Stairs
Bunt	Goodman	Mundy	Steil
Buxton	Grell	Mustio	Stern
Caltagirone	Grucela	Myers	Stetler
Cappelli	Gruitza	Nailor	Stevenson, R.
Causer	Haluska	Nickol	Stevenson, T.
Cawley	Hanna	O’Brien	Sturla
Civera	Harhai	Oliver	Surra
Clymer	Harhart	O’Neill	Tangretti
Cohen	Harper	Parker	Taylor, J.

Cornell	Harris	Payne	Thomas
Corrigan	Hasay	Petri	Tigue
Costa	Hennessey	Petrone	True
Crahalla	Herman	Phillips	Turzai
Creighton	Hershey	Pickett	Veon
Cruz	Hess	Pistella	Vitali
Curry	Hickernell	Preston	Walko
Daley	Hutchinson	Pyle	Wansacz
Dally	James	Quigley	Waters
DeLuca	Josephs	Ramaley	Watson
Denlinger	Kauffman	Rapp	Wheatley
Dermody	Keller, M.	Raymond	Williams
DeWeese	Keller, W.	Readshaw	Wojnaroski
DiGirolamo	Kenney	Reed	Wright
Diven	Killion	Reichley	Yewcic
Donatucci	Kirkland	Roberts	Youngblood
Eachus	LaGrotta	Roebuck	Yudichak
Ellis	Leach	Rohrer	Zug
Evans, D.	Lederer	Rooney	
Evans, J.	Leh	Ross	
Fabrizio	Lescovitz	Ruffing	Perzel,
Fairchild	Mackereth		Speaker

NAYS-4

Casorio	Kotik	Pallone	Petrarca
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NOT VOTING-0

EXCUSED-7

Armstrong	McGill	Rubley	Wilt
Levdansky	Rieger	Taylor, E. Z.	

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

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

Mr. **PALLONE** offered the following amendment No. **A08283**:

Amend Title, page 1, line 2, by inserting after "providing," in municipal police education and training, for definitions and,

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

Section 1. The definitions of "police department" and "police officer" in section 2162 of Title 53 of the Pennsylvania Consolidated Statutes are amended to read:

§ 2162. Definitions.

The following words and phrases when used in this subchapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

\* \* \*

"Police department." Any of the following:

(1) A public agency of a political subdivision having general police powers and charged with making arrests in connection with the enforcement of the criminal or traffic laws. This paragraph includes the sheriff's office in a county of the second class.

(2) A campus police or university police department, as used in section 2416 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, certified by the Office of Attorney General as a criminal justice agency

under the definition of "criminal justice agency" in 18 Pa.C.S. § 9102 (relating to definitions). This paragraph does not include a campus police or university police department of the State System of Higher Education and its member institutions.

(3) A railroad or street railway police department formed with officers commissioned under 22 Pa.C.S. Ch. 33 (relating to railroad and street railway police) or any prior statute providing for such commissioning.

(4) The Capitol Police.

(5) The Harrisburg International Airport Police.

(6) An airport authority police department.

(7) A county park police department.

"Police officer." Any of the following:

(1) A full-time or part-time employee assigned to criminal or traffic law enforcement duties of any of the following:

(i) A police department of a county, city, borough, town or township.

(ii) Any railroad or street railway police.

(iii) Any campus or university police department.

(iv) The Capitol Police.

(v) The Harrisburg International Airport Police.

(vi) An airport authority police department.

(2) A deputy sheriff of a county of the second class.

(3) A security officer of a first class city housing authority or a police officer of a second class city housing authority.

(4) A county park police officer.

The term excludes persons employed to check parking meters or to perform only administrative duties and auxiliary and fire police.

\* \* \*

Section 2. Sections 5505(d)(23) and 5511(i) of Title 53 are amended to read:

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

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

The following roll call was recorded:

YEAS-195

Adolph	Feese	Maher	Ruffing
Allen	Fichter	Maitland	Sabatina
Argall	Flaherty	Major	Sainato
Baker	Fleagle	Manderino	Samuelson
Baldwin	Flick	Mann	Santoni
Barrar	Forcier	Markosek	Sather
Bastian	Frankel	Marsico	Saylor
Bebko-Jones	Freeman	McCall	Scavello
Belardi	Gabig	McGeehan	Schroder
Belfanti	Gannon	McLhattan	Sammel
Benninghoff	Geist	McLhinney	Shaner
Beyer	George	McNaughton	Shapiro
Biancucci	Gerber	Melio	Siptroth
Birmelin	Gergely	Metcalfe	Smith, B.
Bishop	Gillespie	Micozzie	Smith, S. H.
Blackwell	Gingrich	Millard	Solobay
Blaum	Godshall	Miller, R.	Sonney
Boyd	Good	Miller, S.	Staback
Bunt	Goodman	Mundy	Stairs
Buxton	Grell	Mustio	Steil
Caltagirone	Gruitza	Myers	Stern
Cappelli	Haluska	Nailor	Stetler
Casorio	Hanna	Nickol	Stevenson, R.
Causer	Harhai	O'Brien	Stevenson, T.
Cawley	Harhart	Oliver	Sturla
Civera	Harper	O'Neill	Surra
Clymer	Harris	Pallone	Tangretti

Cohen	Hasay	Parker	Taylor, J.
Cornell	Hennessey	Payne	Thomas
Corrigan	Herman	Petrarca	Tigue
Costa	Hershey	Petri	True
Crahalla	Hess	Petrone	Turzai
Creighton	Hickernell	Phillips	Veon
Cruz	Hutchinson	Pickett	Vitali
Curry	James	Pistella	Walko
Daley	Josephs	Preston	Wansacz
Dally	Kauffman	Pyle	Waters
DeLuca	Keller, M.	Quigley	Watson
Denlinger	Keller, W.	Ramaley	Wheatley
Dermody	Kenney	Rapp	Williams
DeWeese	Killion	Raymond	Wojnaroski
DiGiroloamo	Kirkland	Readshaw	Wright
Diven	Kotik	Reed	Yewcic
Donatucci	LaGrotta	Reichley	Youngblood
Eachus	Leach	Roberts	Yudichak
Ellis	Lederer	Roebuck	Zug
Evans, D.	Leh	Rohrer	
Evans, J.	Lescovitz	Rooney	Perzel,
Fabrizio	Mackereth	Ross	Speaker
Fairchild			

## NAYS-1

Grucela

## NOT VOTING-0

## EXCUSED-7

Armstrong	McGill	Rubley	Wilt
Levdansky	Rieger	Taylor, E. Z.	

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

On the question recurring,

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

**MOTION TO SUSPEND RULES**

The SPEAKER. The Chair recognizes the gentledady, Ms. Mundy.

Ms. MUNDY. Mr. Speaker, I move for an immediate suspension of the rules for amendment A8547.

On the question,

Will the House agree to the motion?

The SPEAKER. On that question, the Chair recognizes the gentledady for a brief explanation.

Ms. MUNDY. Thank you, Mr. Speaker.

This amendment would take the remote carriers, who live as far away as Wilkes-Barre and surrounding towns, out of the authority, of the Philadelphia Parking Authority, and send it back to the PUC (Public Utility Commission). It is a brief explanation. If you have a limo carrier who is now paying what I think are exorbitant fees to the Philadelphia Parking Authority for the privilege of dropping off and picking up passengers at the Philadelphia Airport, you might be interested in this.

The SPEAKER. If the gentledady would suspend. Is the gentledady on the amendment?

Ms. MUNDY. I am.

The SPEAKER. Mr. Smith, on suspension.

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

I would simply urge the members to vote against the suspension of the rules. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. DeWeese, yields to the gentledady, Ms. Mundy.

Ms. MUNDY. Mr. Speaker, this amendment corrects the situation that has been developing for some time. I did not realize that I had a problem like this until late last week when I had some limo companies call me from my district to complain about the goings-on at the Philadelphia Parking Authority and the onerous requirements that were being placed on them for the privilege, again, of dropping off and picking up people at the Philadelphia Airport. So the only way we will get this done is if we suspend the rules. So I would appreciate your support.

The SPEAKER. The Chair thanks the gentledady.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

## YEAS-96

Bebko-Jones	Eachus	Leach	Ruffing
Belardi	Evans, D.	Lescovitz	Samuelson
Belfanti	Fabrizio	Maher	Santoni
Biancucci	Fairchild	Manderino	Shaner
Birmelin	Fichter	Mann	Shapiro
Bishop	Flaherty	McCall	Siptroth
Blackwell	Frankel	McGeehan	Solobay
Blaum	Freeman	McIlhinney	Staback
Boyd	Gannon	McNaughton	Stetler
Bunt	George	Melio	Sturla
Buxton	Gerber	Miller, S.	Surra
Caltagirone	Gergely	Mundy	Tangretti
Casorio	Goodman	Mustio	Thomas
Cawley	Grucela	Pallone	Tigue
Cohen	Gruitza	Parker	Veon
Corrigan	Haluska	Petrarca	Vitali
Costa	Hanna	Petrone	Walko
Crahalla	Harhai	Pistella	Wansacz
Curry	Hennessey	Preston	Wheatley
Daley	Herman	Ramaley	Williams
DeLuca	Hershey	Reed	Wojnaroski
Dermody	Josephs	Roberts	Wright
DeWeese	Kotik	Roebuck	Yewcic
Diven	LaGrotta	Rooney	Yudichak

## NAYS-100

Adolph	Gabig	Markosek	Sabatina
Allen	Geist	Marsico	Sainato
Argall	Gillespie	McIlhattan	Sather
Baker	Gingrich	Metcalfe	Saylor
Baldwin	Godshall	Micozzie	Scavello
Barrar	Good	Millard	Schroder
Bastian	Grell	Miller, R.	Semmel
Benninghoff	Harhart	Myers	Smith, B.
Beyer	Harper	Nailor	Smith, S. H.
Cappelli	Harris	Nickol	Sonney
Causer	Hasay	O'Brien	Stairs
Civera	Hess	Oliver	Steil
Clymer	Hickernell	O'Neill	Stern
Cornell	Hutchinson	Payne	Stevenson, R.
Creighton	James	Petri	Stevenson, T.
Cruz	Kauffman	Phillips	Taylor, J.
Dally	Keller, M.	Pickett	True

Denlinger	Keller, W.	Pyle	Turzai
DiGirolamo	Kenney	Quigley	Waters
Donatucci	Killion	Rapp	Watson
Ellis	Kirkland	Raymond	Youngblood
Evans, J.	Lederer	Readshaw	Zug
Feese	Leh	Reichley	
Fleagle	Mackereth	Rohrer	
Flick	Maitland	Ross	Perzel,
Forcier	Major		Speaker

NOT VOTING—0

EXCUSED—7

Armstrong	McGill	Rubley	Wilt
Levdansky	Rieger	Taylor, E. Z.	

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

On the question recurring,

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

The SPEAKER. The Chair recognizes the gentleman, Mr. Evans, who moves for an immediate suspension of the rules for amendment No. A8— The gentleman waives off.

On the question recurring,

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

### MOTION TO SUSPEND RULES

The SPEAKER. The Chair recognizes the gentleman, Mr. Wright.

Mr. WRIGHT. Mr. Speaker, I move for an immediate suspension of the rules for amendment No. A8611.

On the question,

Will the House agree to the motion?

### MOTION WITHDRAWN

The SPEAKER. On that question, the gentleman, Mr. Wright. The gentleman waives off.

On the question recurring,

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

### MOTION TO SUSPEND RULES

The SPEAKER. The Chair recognizes the gentleman, Mr. McGeehan.

Mr. McGEEHAN. Mr. Speaker, I call for an immediate suspension of the rules for amendment No. A8610.

On the question,

Will the House agree to the motion?

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. McGeehan.

Mr. McGEEHAN. Thank you, Mr. Speaker.

Mr. Speaker, I would ask for an immediate suspension of the rules for amendment 8610.

Mr. Speaker, this amendment would reiterate the antimacing language in Pennsylvania statute and also disallow, Mr. Speaker, any board member, official, or employee of that authority from engaging in political activity.

The SPEAKER. The gentleman, Mr. Smith.

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

I would simply ask the members to oppose the motion to suspend the rules.

The SPEAKER. On the question, the gentleman, Mr. DeWeese, defers to the gentleman, Mr. McGeehan.

Mr. McGEEHAN. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is vital for the continuing operation of the Parking Authority. Mr. Speaker, as you and other Pennsylvanians, particularly Philadelphians, are aware of the macing scandal that had happened at the Parking Authority and some maintain is still happening, and also obviously the good work that some say the Parking Authority is doing, removing any cloud, any hint of political activity on behalf of the employees or any board members or other officials of the Parking Authority, I think, Mr. Speaker, is vital to the respect and the authority, whatever they have in Philadelphia, that it is maintained, and I think it is vital and I ask for a positive vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

### YEAS—89

Bebko-Jones	Flaherty	Manderino	Ruffing
Belardi	Frankel	Mann	Samuelson
Belfanti	Freeman	Markosek	Santoni
Biancucci	Gabig	McCall	Schroder
Bishop	Gannon	McGeehan	Shaner
Blaum	George	McIlhinney	Shapiro
Buxton	Gerber	McNaughton	Sipthoth
Caltagirone	Gergely	Melio	Solobay
Casorio	Goodman	Miller, S.	Staback
Cawley	Grucela	Mundy	Stetler
Cohen	Gruitza	Mustio	Sturla
Corrigan	Haluska	Nailor	Surra
Costa	Hanna	Pallone	Tangretti
Curry	Harhai	Petrarca	Tigue
Daley	Hennessey	Petrone	Veon
DeLuca	Josephs	Pistella	Vitali
Dermody	Kauffman	Preston	Walko
DeWeese	Kotik	Ramaley	Wansacz
Diven	LaGrotta	Readshaw	Wheatley
Eachus	Leach	Roberts	Wojnaroski
Evans, D.	Lescovitz	Roebuck	Yewcic
Fabrizio	Maher	Rooney	Yudichak
Feese			

### NAYS—99

Adolph	Fairchild	Kirkland	Sabatina
Allen	Fichter	Lederer	Sainato
Argall	Fleagle	Leh	Sather
Baker	Flick	Mackereth	Saylor
Baldwin	Forcier	Maitland	Scavello

Barrar	Geist	Major	Smith, B.
Bastian	Gillespie	McIlhattan	Smith, S. H.
Benninghoff	Gingrich	Millard	Sonney
Beyer	Godshall	Miller, R.	Stairs
Birmelin	Good	Myers	Steil
Blackwell	Grell	O'Brien	Stern
Boyd	Harhart	Oliver	Stevenson, R.
Bunt	Harper	O'Neill	Stevenson, T.
Cappelli	Harris	Payne	Taylor, J.
Causar	Hasay	Petri	True
Civera	Herman	Phillips	Turzai
Clymer	Hershey	Pickett	Waters
Cornell	Hess	Pyle	Watson
Creighton	Hickernell	Quigley	Williams
Cruz	Hutchinson	Rapp	Wright
Dally	James	Raymond	Youngblood
Denlinger	Keller, M.	Reed	Zug
DiGirolamo	Keller, W.	Reichley	
Donatucci	Kenney	Rohrer	Perzel,
Ellis	Killion	Ross	Speaker
Evans, J.			

NOT VOTING—8

Crahalla	Metcalfe	Nickol	Semmel
Marsico	Micozzie	Parker	Thomas

EXCUSED—7

Armstrong	McGill	Rubley	Wilt
Levdansky	Rieger	Taylor, E. Z.	

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—192

Allen	Feese	Mackereth	Ruffing
Argall	Fichter	Maher	Sabatina
Baker	Flaherty	Maitland	Sainato
Baldwin	Fleagle	Major	Samuelson
Barrar	Flick	Manderino	Santoni
Bastian	Forcier	Mann	Sather
Bebko-Jones	Frankel	Markosek	Saylor
Belardi	Freeman	Marsico	Scavello
Belfanti	Gabig	McCall	Schroder
Benninghoff	Gannon	McGeehan	Semmel
Beyer	Geist	McIlhattan	Shaner
Biancucci	George	McNaughton	Shapiro
Birmelin	Gerber	Melio	Siptroth
Bishop	Gergely	Metcalfe	Smith, B.
Blackwell	Gillespie	Millard	Smith, S. H.
Blaum	Gingrich	Miller, R.	Solobay
Boyd	Godshall	Miller, S.	Sonney
Bunt	Good	Mundy	Staback
Buxton	Goodman	Mustio	Stairs

Caltagirone	Grell	Myers	Steil
Cappelli	Grucela	Nailor	Stern
Casorio	Gruitza	Nickol	Stetler
Causar	Haluska	O'Brien	Stevenson, R.
Cawley	Hanna	Oliver	Stevenson, T.
Civera	Harhai	O'Neill	Sturla
Clymer	Harhart	Pallone	Surra
Cohen	Harper	Parker	Tangretti
Cornell	Harris	Payne	Taylor, J.
Corrigan	Hasay	Petrarca	Thomas
Costa	Hennessey	Petri	Tigue
Crahalla	Herman	Petrone	True
Creighton	Hershey	Phillips	Turzai
Cruz	Hess	Pickett	Veon
Curry	Hickernell	Pistella	Vitali
Daley	Hutchinson	Preston	Walko
Dally	James	Pyle	Wansacz
DeLuca	Josephs	Quigley	Waters
Denlinger	Kauffman	Ramaley	Watson
Dermody	Keller, M.	Rapp	Wheatley
DeWeese	Keller, W.	Raymond	Williams
DiGirolamo	Kenney	Readshaw	Wojnaroski
Diven	Killion	Reed	Yewcic
Donatucci	Kirkland	Reichley	Youngblood
Eachus	Kotik	Roberts	Yudichak
Ellis	LaGrotta	Roebuck	Zug
Evans, D.	Leach	Rohrer	
Evans, J.	Lederer	Rooney	
Fabrizio	Leh	Ross	Perzel,
Fairchild	Lescovitz		Speaker

NAYS—4

Adolph	McIlhinney	Micozzie	Wright
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NOT VOTING—0

EXCUSED—7

Armstrong	McGill	Rubley	Wilt
Levdansky	Rieger	Taylor, E. Z.	

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

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

\* \* \*

The House proceeded to third consideration of **SB 1043, PN 1621**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for tuition costs and fees for children and spouses of deceased soldiers.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER. The gentleman, Mr. Tangretti, offers the following amendment— The Chair rescinds.

BILL PASSED OVER TEMPORARILY

The SPEAKER. The bill will be over temporarily.



**SUPPLEMENTAL CALENDAR A**

**RESOLUTION**

Mr. METCALFE called up **HR 799, PN 4249**, entitled:

A Concurrent Resolution memorializing the President of the United States and the United States Congress to secure all borders of this nation to protect American citizens from the dangers of unlawful invasion and illegal immigration.

On the question,  
Will the House adopt the resolution?

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I am standing to ask for support for this concurrent resolution today, HR 799, that will send a loud and clear message to the President of the United States and Congress that we, the Pennsylvania legislature, would like to have our borders secured.

Mr. Speaker, I served in the military during the cold war and I served on foreign soil securing a foreign border. Mr. Speaker, I think that it is well time that the border of the United States is secured, both from the south and from the north and from the seas, that our citizens expect our borders to be secured, that our Federal government has a responsibility to do so per our U.S. Constitution, and I would ask for an affirmative vote on HR 799.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

**YEAS—195**

Adolph	Feese	Mackereth	Ross
Allen	Fichter	Maher	Ruffing
Argall	Flaherty	Maitland	Sabatina
Baker	Fleagle	Major	Sainato
Baldwin	Flick	Manderino	Samuelson
Barrar	Forcier	Mann	Santoni
Bastian	Frankel	Markosek	Sather
Bebko-Jones	Freeman	Marsico	Saylor
Belardi	Gabig	McCall	Scavello
Belfanti	Gannon	McGeehan	Schroder
Benninghoff	Geist	McIlhattan	Semmel
Beyer	George	McIlhinney	Shaner
Bianucci	Gerber	McNaughton	Shapiro
Birmelin	Gergely	Melio	Siptroth
Bishop	Gillespie	Metcalfe	Smith, B.
Blackwell	Gingrich	Micozzie	Smith, S. H.
Blaum	Godshall	Millard	Solobay
Boyd	Good	Miller, R.	Sonney
Bunt	Goodman	Miller, S.	Staback
Buxton	Grell	Mundy	Stairs
Caltagirone	Grucela	Mustio	Steil
Cappelli	Gruitza	Myers	Stern
Casorio	Haluska	Nailor	Stetler
Causar	Hanna	Nickol	Stevenson, R.
Cawley	Harhai	O'Brien	Stevenson, T.
Civera	Harhart	Oliver	Sturla
Clymer	Harper	O'Neill	Surra

Cohen	Harris	Pallone	Tangretti
Cornell	Hasay	Parker	Taylor, J.
Corrigan	Hennessey	Payne	Tigue
Costa	Herman	Petrarca	True
Crahalla	Hershey	Petri	Turzai
Creighton	Hess	Petrone	Veon
Cruz	Hickernell	Phillips	Vitali
Curry	Hutchinson	Pickett	Walko
Daley	James	Pistella	Wansacz
Dally	Josephs	Preston	Waters
DeLuca	Kauffman	Pyle	Watson
Denlinger	Keller, M.	Quigley	Wheatley
Dermody	Keller, W.	Ramaley	Williams
DeWeese	Kenney	Rapp	Wojnaroski
DiGirolamo	Killion	Raymond	Wright
Diven	Kirkland	Readshaw	Yewcic
Donatucci	Kotik	Reed	Youngblood
Eachus	LaGrotta	Reichley	Yudichak
Ellis	Leach	Roberts	Zug
Evans, D.	Lederer	Roebuck	
Evans, J.	Leh	Rohrer	Perzel,
Fabrizio	Lescovitz	Rooney	Speaker
Fairchild			

**NAYS—0**

**NOT VOTING—1**

Thomas

**EXCUSED—7**

Armstrong	McGill	Rubley	Wilt
Levdansky	Rieger	Taylor, E. Z.	

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

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

**VOTE CORRECTIONS**

The SPEAKER. The Chair recognizes the gentleman, Mr. Metcalfe, for a correction.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, on HB 2545 I was not registered as voting, and I would like to be registered as an affirmative vote on amendment 8610 for HB 2545.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. SAYLOR. I rise, Mr. Speaker, to correct the record.

The SPEAKER. The gentleman is in order.

Mr. SAYLOR. Mr. Speaker, on Wednesday, June 21, I was recorded on HB 2563 in the negative. I would like to be recorded in the affirmative.

The SPEAKER. The Chair thanks the gentleman. The gentleman's remarks will be spread across the record.

The gentleman, Mr. Roebuck.

Mr. ROEBUCK. Thank you, Mr. Speaker. I rise to correct the record.

On HB 1429, amendment 7270, I was recorded in the negative. I wish to be recorded in the affirmative.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Birmelin.

Mr. BIRMELIN. Thank you, Mr. Speaker.

On HB 2563, last week on the 21st, I was recorded as a “no” vote and would like to change that to a “yes” vote.

The SPEAKER. The Chair thanks the gentleman. The gentleman’s remarks will be spread across the record.

## CALENDAR CONTINUED

### CONSIDERATION OF SB 1043 CONTINUED

The SPEAKER. The Chair returns back to SB 1043, PN 1621.

On the question recurring,

Will the House agree to the bill on third consideration?

The SPEAKER. The gentleman, Mr. Tangretti, offers the following amendment, which the clerk will read. Mr. Tangretti, we have two amendments. Are you offering both amendments?

Mr. TANGRETTI. No, Mr. Speaker. I am going to offer 8344 only.

The SPEAKER. The clerk will read.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. TANGRETTI offered the following amendment No. **A08344**:

Amend Title, page 1, line 2, by inserting after “for”  
association group life insurance for Pennsylvania  
National Guard, for

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

Section 1. Sections 3105 and 3503 of Title 51 of the Pennsylvania Consolidated Statutes are amended to read:

§ 3105. Association group life insurance for Pennsylvania National Guard.

(a) Voluntary participation for group life insurance.—The Adjutant General may approve issuance of group life insurance to nonprofit membership associations for members of the Pennsylvania National Guard, subject to the following requirements:

(1) The members eligible for insurance under the policy shall all be members of the Pennsylvania National Guard or their spouses or dependents. A member of the Pennsylvania National Guard who becomes insured under this program while a member may continue the insurance, including group term life insurance, after discharge or retirement from the Pennsylvania National Guard.

(2) The premium for the policy shall be paid by the individual members of the Pennsylvania National Guard or their spouses or dependents who elect to participate in the insurance plan either by direct payment or by allotment from military pay. An individual family member may insure his spouse or dependent without their signature or approval.

(3) The policy must cover at least 25 members of the Pennsylvania National Guard at the time of issue.

(4) The amounts of insurance under the policy must not exceed [\$100,000] \$400,000 per individual insured member and [\$25,000] \$100,000 per insured spouse or dependent.

(5) Participation in the insurance plan must be voluntary.

(6) Except as otherwise provided by this section, the policy or policies must comply with the provisions of the act of May 11, 1949 (P.L.1210, No.367), referred to as the Group Life

Insurance Policy Law, and be approved by the Insurance Commissioner and the Adjutant General.

(7) The same policy can be made available to any Pennsylvania resident who is a member of a reserve component of the armed forces.

(b) Group life insurance for eligible members.—The Adjutant General shall approve issuance of group life insurance to nonprofit membership associations for eligible members of the Pennsylvania National Guard, subject to the following:

(1) For eligible members of the Pennsylvania National Guard, the Commonwealth shall pay premiums not otherwise paid by the Federal Government so that eligible members have life insurance coverage equal to the maximum available Servicemembers’ Group Life Insurance coverage. Premium payments may take one of the following forms:

(i) Purchase of coverage under subsection (a) in an amount equal to the difference between:

(A) the maximum coverage under the Federal Servicemembers’ Group Life Insurance program; and

(B) the amount of Servicemembers’ Group Life Insurance coverage paid by the Federal Government.

(ii) Payment or reimbursement of the difference in premiums to the eligible members of the Pennsylvania National Guard.

(2) In the case of an eligible member of the Pennsylvania National Guard who was killed in the line of duty after September 11, 2001, and before the effective date of this subsection, the Commonwealth shall pay the designated beneficiary of the member or, if none, the member’s next of kin, an amount equal to the greater of the premiums paid for Servicemembers’ Group Life Insurance coverage for the period the eligible member was deployed or, if the member did not elect the maximum coverage, the difference between the maximum coverage in effect at the time the eligible member was killed and the amount of coverage elected by the member.

(3) The department shall promulgate regulations for the administration of this subsection.

(c) Definition.—As used in this section, the term “eligible member of the Pennsylvania National Guard” shall mean:

(1) members of the Pennsylvania National Guard ordered to active Federal service for a period of 30 or more consecutive days while preparing to deploy, deployed and demobilizing from deployment, to areas or operations designated by the Secretary of Defense as “zones of combat” or “combat operations”; and

(2) members of the Pennsylvania National Guard ordered to active State duty for emergencies under section 508 (relating to active duty for emergency) or 35 Pa.C.S. § 7601 (relating to compact enacted) for a period of 30 or more consecutive days.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. Tangretti.

Mr. TANGRETTI. Thank you, Mr. Speaker.

Mr. Speaker, on more than one occasion, this House has sent to the Senate a bill that would provide life insurance premium payments for the coverage of up to \$400,000 for the men and women who are serving in Iraq, and regrettably, the Senate has failed to act on that legislation. It is sitting in the Senate Appropriations Committee. I am hopeful they are going to move it. They have not done so up to this point. As a result, I have offered this amendment to— SB 1043 deals with the same

subject matter, and I would hope we would get the Senate's attention with this.

So I would ask for an affirmative vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On that question, the Chair recognizes the gentleman, Mr. Pyle.

Mr. PYLE. Thank you, Mr. Speaker.

I rise to speak against A8344, Mr. Speaker. It does not carry the same intent as the original construction of the bill. The original construction of the bill, if I am not mistaken, pays for tuition for soldiers killed in the line of duty. It does not establish a statewide group insurance program.

Again, I would urge a negative vote.

The SPEAKER. The gentleman, Mr. Casorio.

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Tangretti amendment, 08344. It is not often that we have a chance to directly impact the lives of the families of the men and women serving overseas, defending our freedoms, some not coming back to this great land. Mr. Speaker, I think it is the least that we can do and support the Tangretti amendment by providing group life insurance for these eligible members. These are Pennsylvanians that are going overseas, Mr. Speaker. They are fighting, and they are coming back, some of them. We need to support the Tangretti amendment for the premiums to be paid for the eligible members under the Pennsylvania National Guard.

Again, Mr. Tangretti has been championing this issue for several years. It is unfortunate that we have to address it in an amendment form, but that is the case today. It is certainly germane to this bill, Mr. Speaker, and for the sake of our fighting men and women, I would ask for an affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I also rise to support the Tangretti amendment. It has been almost 20 years since we established the existing limit of \$100,000. Obviously, there has been a lot of inflation in the last generation. Also, there has been a lot of increase in danger that our men and women in the National Guard have to face. A \$400,000 insurance policy is certainly reasonable, given the level of danger and the level of inflation that has occurred over the years. It is something that would demonstrate our commitment to the soldiers that we send abroad and to dangerous duties within Pennsylvania.

I believe Mr. Tangretti's amendment is extremely meritorious, and I urge support for it.

The SPEAKER. Mr. Tangretti?

The gentleman, Mr. Pallone.

Mr. PALLONE. Thank you, Mr. Speaker.

I would yield my time to Mr. Tangretti or to go ask— Thank you, Mr. Speaker.

Again, I rise in support of the Tangretti amendment as well. Again, we have an opportunity before us to help the men and women who are defending our country and our rights and our freedoms. This is something that is important to those families. It is something that we should do for them, give them thanks for what they do for us and for what they are doing now. This is just another, a small token of our appreciation for the military and the folks who are serving in our military and armed services. It is something that we need to do and something

we should do, and not only is it something that we should do, but I also commend Representative Tangretti for taking the lead on this charge, because it is something important to us at home to know that those families have this protection.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Semmel.

Mr. SEMMEL. Thank you, Mr. Speaker.

I, too, support this particular amendment and will work with the Senate in its adoption.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

#### YEAS—196

Adolph	Feese	Maher	Ruffing
Allen	Fichter	Maitland	Sabatina
Argall	Flaherty	Major	Sainato
Baker	Fleagle	Manderino	Samuelson
Baldwin	Flick	Mann	Santoni
Barrar	Forcier	Markosek	Sather
Bastian	Frankel	Marsico	Saylor
Bebko-Jones	Freeman	McCall	Scavello
Belardi	Gabig	McGeehan	Schroder
Belfanti	Gannon	McIlhattan	Semmel
Benninghoff	Geist	McIlhinney	Shaner
Beyer	George	McNaughton	Shapiro
Biancucci	Gerber	Melio	Siptroth
Birmelin	Gergely	Metcalfe	Smith, B.
Bishop	Gillespie	Micozzie	Smith, S. H.
Blackwell	Gingrich	Millard	Solobay
Blaum	Godshall	Miller, R.	Sonney
Boyd	Good	Miller, S.	Staback
Bunt	Goodman	Mundy	Stairs
Buxton	Grell	Mustio	Steil
Caltagirone	Grucela	Myers	Stern
Cappelli	Gruitza	Nailor	Stetler
Casorio	Haluska	Nickol	Stevenson, R.
Causer	Hanna	O'Brien	Stevenson, T.
Cawley	Harhai	Oliver	Sturla
Civera	Harhart	O'Neill	Surra
Clymer	Harper	Pallone	Tangretti
Cohen	Harris	Parker	Taylor, J.
Cornell	Hasay	Payne	Thomas
Corrigan	Hennessey	Petrarca	Tigue
Costa	Herman	Petri	True
Crahalla	Hershey	Petrone	Turzai
Creighton	Hess	Phillips	Veon
Cruz	Hickernell	Pickett	Vitali
Curry	Hutchinson	Pistella	Walko
Daley	James	Preston	Wansacz
Dally	Josephs	Pyle	Waters
DeLuca	Kauffman	Quigley	Watson
Denlinger	Keller, M.	Ramaley	Wheatley
Dermody	Keller, W.	Rapp	Williams
DeWeese	Kenney	Raymond	Wojnaroski
DiGirolamo	Killion	Readshaw	Wright
Diven	Kirkland	Reed	Yewcic
Donatucci	Kotik	Reichley	Youngblood
Eachus	LaGrotta	Roberts	Yudichak
Ellis	Leach	Roebuck	Zug
Evans, D.	Lederer	Rohrer	
Evans, J.	Leh	Rooney	
Fabrizio	Lescovitz	Ross	Perzel,
Fairchild	Mackereth		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—7

Armstrong	McGill	Rubley	Wilt
Levdansky	Rieger	Taylor, E. Z.	

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

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.  
The question is, shall the bill pass finally?  
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

(Members proceeded to vote.)

**HARRISBURG LEGISLATIVE LEAVE  
CANCELED**

The SPEAKER. The Chair notes the presence on the floor of the House of the gentleman, Mr. Maher, back from Capitol leave.

**CONSIDERATION OF SB 1043 CONTINUED**

On the question recurring,  
Shall the bill pass finally?

The following roll call was recorded:

YEAS—196

Adolph	Feese	Maher	Ruffing
Allen	Fichter	Maitland	Sabatina
Argall	Flaherty	Major	Sainato
Baker	Fleagle	Manderino	Samuelson
Baldwin	Flick	Mann	Santoni
Barrar	Forcier	Markosek	Sather
Bastian	Frankel	Marsico	Saylor
Bebko-Jones	Freeman	McCall	Scavello
Belardi	Gabig	McGeehan	Schroder
Belfanti	Gannon	McIlhattan	Semmel
Benninghoff	Geist	McIlhinney	Shaner
Beyer	George	McNaughton	Shapiro
Bianucci	Gerber	Melio	Siproth
Birmelin	Gergely	Metcalfe	Smith, B.
Bishop	Gillespie	Micozzie	Smith, S. H.
Blackwell	Gingrich	Millard	Solobay
Blaum	Godshall	Miller, R.	Sonney
Boyd	Good	Miller, S.	Staback
Bunt	Goodman	Mundy	Stairs
Buxton	Grell	Mustio	Steil
Caltagirone	Grucela	Myers	Stern
Cappelli	Gruitza	Nailor	Stetler
Casorio	Haluska	Nickol	Stevenson, R.
Causar	Hanna	O'Brien	Stevenson, T.
Cawley	Harhai	Oliver	Sturla
Civera	Harhart	O'Neill	Surra

Clymer	Harper	Pallone	Tangretti
Cohen	Harris	Parker	Taylor, J.
Cornell	Hasay	Payne	Thomas
Corrigan	Hennessey	Petrarca	Tigue
Costa	Herman	Petri	True
Crahalla	Hershey	Petrone	Turzai
Creighton	Hess	Phillips	Veon
Cruz	Hickernell	Pickett	Vitali
Curry	Hutchinson	Pistella	Walko
Daley	James	Preston	Wansacz
Dally	Josephs	Pyle	Waters
DeLuca	Kauffman	Quigley	Watson
Denlinger	Keller, M.	Ramaley	Wheatley
Dermody	Keller, W.	Rapp	Williams
DeWeese	Kenney	Raymond	Wojnaroski
DiGirolamo	Killion	Readshaw	Wright
Diven	Kirkland	Reed	Yewcic
Donatucci	Kotik	Reichley	Youngblood
Eachus	LaGrotta	Roberts	Yudichak
Ellis	Leach	Roebuck	Zug
Evans, D.	Lederer	Rohrer	
Evans, J.	Leh	Rooney	
Fabrizio	Lescovitz	Ross	Perzel,
Fairchild	Mackereth		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—7

Armstrong	McGill	Rubley	Wilt
Levdansky	Rieger	Taylor, E. Z.	

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.

**TRANSPORTATION COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentleman, Mr. Geist.

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

I would like to call a meeting of the Transportation Committee tomorrow morning, 15 minutes before the House convenes in the back of the House; Transportation Committee tomorrow morning, 15 minutes before the gavel comes down.

Thank you, Mr. Speaker.

The SPEAKER. That would be 10:45 or quarter to 11.

The Transportation Committee will meet 15 minutes before the House convenes tomorrow morning in the back of the House.

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

**HB 2551, PN 4363 (Amended)** By Rep. HERMAN

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for meetings of auditors and for audit of accounts by auditors and financial report to Department of Community Affairs.

LOCAL GOVERNMENT.

The SPEAKER. There will be no further votes on the floor.

### **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 1637, PN 4229**

An Act amending the act of August 24, 1963 (P.L.1175, No.497), known as the Mechanics' Lien Law of 1963, further providing for definitions, for waiver of liens, for effect of waiver of liens, for rescission of contracts between contractors and subcontractors, for notices by subcontractors as condition precedent, for filing and notice of filing of claim and for priority of liens.

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

### **RECESS**

The SPEAKER. This House stands in recess to the call of the Chair.

### **AFTER RECESS**

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

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

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

### **RECESS**

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Sabatina.

Mr. SABATINA. Mr. Speaker, I move that this House do now recess until Tuesday, June 27, 2006, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 10:59 a.m., e.d.t., Tuesday, June 27, 2006, the House recessed.