

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, APRIL 18, 2007

SESSION OF 2007

191ST OF THE GENERAL ASSEMBLY

No. 29

HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (MICHAEL P. McGEEHAN) PRESIDING

ANNOUNCEMENT BY SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The House notes that both caucuses, Republicans and Democrats, are conducting a caucus. It is anticipated that the caucuses will be some time.

RECESS

The SPEAKER pro tempore. Seeing that, the House will stand in recess until the call of the Chair.

AFTER RECESS

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

PRAYER

HON. FRANK SHIMKUS, member of the House of Representatives, offered the following prayer:

Thank you.

Let us gather our hearts and our spirits in prayer:

Heavenly Father, we ask for Your blessing today as we gather to do the work that You called us to. I pray that we may each strive to show respect for each other and for the purpose for which we gather today.

We stand together with those grieving in Virginia, and we ask for Your comfort for those who suffered such a heartbreaking loss. Please grant us today Your guidance and Your wisdom.

Please bless and protect us, protect our Commonwealth and our nation, and help us always to be sensitive to the needs of the most vulnerable, the weak, and the needy. Bless the leaders of our nation and of Pennsylvania and those who lead this great Assembly.

Grant Your blessing of protection on our troops protecting our freedom now, and help us to honor You in all that we do and say.

In Your name we pray. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, approval of the Journal of Tuesday, April 17, 2007, will be postponed until printed. The Chair hears no objections.

LEAVES OF ABSENCE

The SPEAKER pro tempore. Turning to leaves of absence, the Chair recognizes the majority whip. The majority whip requests that the gentleman from Philadelphia, Representative Dwight EVANS, and the gentleman from Allegheny, Representative WHEATLEY, are on leave today.

Turning to the minority, the gentelady from Lancaster, Representative TRUE, and the gentleman from Montgomery, Mr. MENSCH, will be excused for the day.

MASTER ROLL CALL

The SPEAKER pro tempore. The Chair is about to take the master roll. Members will proceed to vote.

The following roll call was recorded:

PRESENT—196

Adolph	Freeman	Mantz	Roebuck
Argall	Gabig	Markosek	Rohrer
Baker	Galloway	Marshall	Ross
Barrar	Geist	Marsico	Rubleby
Bastian	George	McCall	Sabatina
Bear	Gerber	McGeehan	Sainato
Belfanti	Gergely	McIlhattan	Samuelson
Benninghoff	Gibbons	Melio	Santoni
Bennington	Gillespie	Metcalf	Saylor
Beyer	Gingrich	Micozzie	Scavello
Biancucci	Godshall	Millard	Schroder
Bishop	Goodman	Miller	Seip
Blackwell	Grell	Milne	Shapiro
Boback	Grucela	Moul	Shimkus
Boyd	Haluska	Moyer	Siptroth
Brennan	Hanna	Mundy	Smith, K.
Brooks	Harhai	Murt	Smith, M.
Buxton	Harhart	Mustio	Smith, S.
Caltagirone	Harkins	Myers	Solobay
Cappelli	Harper	Nailor	Sonney
Carroll	Harris	Nickol	Staback
Casorio	Helm	O'Brien, M.	Stairs
Causar	Hennessey	O'Neill	Steil

Civera	Hershey	Oliver	Stern
Clymer	Hess	Pallone	Stevenson
Cohen	Hickernell	Parker	Sturla
Conklin	Hornaman	Pashinski	Surra
Costa	Hutchinson	Payne	Swanger
Cox	James	Payton	Tangretti
Creighton	Josephs	Peifer	Taylor, J.
Cruz	Kauffman	Perry	Taylor, R.
Curry	Keller, M.	Perzel	Thomas
Cutler	Keller, W.	Petrarca	Turzai
Daley	Kenney	Petri	Vereb
Dally	Kessler	Petrone	Vitali
DeLuca	Killion	Phillips	Vulakovich
Denlinger	King	Pickett	Wagner
DePasquale	Kirkland	Preston	Walko
Dermody	Kortz	Pyle	Wansacz
DeWeese	Kotik	Quigley	Waters
DiGirolamo	Kula	Quinn	Watson
Donatucci	Leach	Ramaley	White
Eachus	Lentz	Rapp	Williams
Ellis	Levdansky	Raymond	Yewcic
Evans, J.	Longietti	Readshaw	Youngblood
Everett	Mackereth	Reed	Yudichak
Fabrizio	Maher	Reichley	
Fairchild	Major	Roae	O'Brien, D.,
Fleck	Manderino	Rock	Speaker
Frankel	Mann		

ADDITIONS—0

NOT VOTING—0

EXCUSED—7

Evans, D.	McI. Smith	True	Wojnaroski
Mahoney	Mensch	Wheatley	

LEAVES ADDED—5

Conklin	Frankel	Petrone	Vereb
Donatucci			

LEAVES CANCELED—3

Conklin	True	Wheatley
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The SPEAKER pro tempore. A quorum being present, the House will proceed to conduct business.

RESOLUTION REPORTED FROM COMMITTEE

HR 164, PN 1068

By Rep. TANGRETTI

A Resolution directing the Tourism and Recreational Development Committee to study, evaluate and make recommendations regarding the establishment of overnight facilities and associated amenities on Commonwealth-owned lands.

TOURISM AND RECREATIONAL DEVELOPMENT.

BILL REPORTED FROM COMMITTEE

SB 86, PN 750

By Rep. STURLA

An Act amending the act of May 2, 1947 (P.L.143, No.62), entitled "An act regulating the sale and resale for profit and the carrying on of the business of selling or reselling tickets or other

devices for admission to places of amusement; providing for the licensing of persons reselling such tickets for profit; providing for the suspension and revocation of such licenses; imposing duties on licensees and owners or operators of places of amusement; imposing powers and duties on the Department of Revenue, county treasurers, district attorneys, and the receiver of taxes, and city solicitors in cities of the first class; making disposition of moneys collected and providing penalties," further providing for reselling of tickets and for printing prices on tickets.

PROFESSIONAL LICENSURE.

BILL REREFERRED

The SPEAKER pro tempore. The Chair moves, at the request of the majority leader, that SB 86 be rereferred to the Committee on Consumer Affairs.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILLS REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that the following bills be taken from the table and placed on the active calendar: remove HB 834 from the table, and remove HB 896 from the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 331, PN 381**, entitled:

An Act amending the act of December 18, 2001 (P.L.949, No.114), known as the Workforce Development Act, providing for preference for training programs.

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMITTED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 331 be rereferred to the House Appropriations Committee.

On the question,

Will the House agree to the motion?

Motion was agreed to.

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The House proceeded to third consideration of **HB 503**, **PN 558**, entitled:

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 eligibility and incompatible offices for school directors.

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

BILL RECOMMITTED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 503 be rereferred to the House Appropriations Committee.

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

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The House proceeded to third consideration of **HB 688**, **PN 774**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for exemptions from jury duty.

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

BILL RECOMMITTED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 688 be rereferred to the House Appropriations Committee.

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

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The House proceeded to third consideration of **HB 60**, **PN 85**, entitled:

An Act authorizing the release of Project 70 restrictions on certain lands owned by the Township of Harrison, Allegheny County, being conveyed by the township in return for the imposition of Project 70 restrictions on certain lands being conveyed to the township.

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

BILL RECOMMITTED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 60 be rereferred to the House Appropriations Committee.

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

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 216 By Representatives DALEY, SOLOBAY, DeWEESE, BAKER, BEAR, BELFANTI, BRENNAN, CALTAGIRONE, CAUSER, CLYMER, CONKLIN, CUTLER, DENLINGER, DONATUCCI, FAIRCHILD, FREEMAN, GALLOWAY, GEIST, GEORGE, GERBER, GIBBONS, GRUCELA, HARHART, HARPER, HESS, KILLION, KORTZ, KULA, MAHONEY, MANTZ, MARKOSEK, MARSHALL, MELIO, MENSCH, MILLARD, MUSTIO, MYERS, M. O'BRIEN, O'NEILL, PALLONE, PARKER, PAYNE, PICKETT, RAMALEY, REICHLEY, ROAE, ROSS, SAINATO, SANTONI, SAYLOR, SIPTROTH, McILVAINE SMITH, K. SMITH, SONNEY, STABACK, R. STEVENSON, VULAKOVICH, WATSON, J. WHITE, WOJNAROSKI, YOUNGBLOOD and LONGIETTI

A Concurrent Resolution memorializing Congress to designate September 11 as "National Emergency Responders' Day."

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, April 18, 2007.

No. 226 By Representatives COHEN, SURRA, LEVDANSKY, JOSEPHS, BELFANTI, BLACKWELL, BOYD, CALTAGIRONE, CASORIO, GIBBONS, HENNESSEY, HORNAMAN, JAMES, KIRKLAND, KORTZ, KULA, MURT, MYERS, PALLONE, PETRONE, READSHAW, SIPTROTH, K. SMITH and YOUNGBLOOD

A Resolution establishing a Select Committee on Trade Policy; providing for a report; and requesting that the Governor provide copies of all international trade agreement proposals.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, April 18, 2007.

HOUSE BILLS INTRODUCED AND REFERRED

No. 188 By Representatives METCALFE, ROCK, QUIGLEY, ARGALL, CREIGHTON, EVERETT, GABIG, HUTCHINSON, KIRKLAND, MUSTIO, PYLE, SCHRODER, ROAE and TURZAI

An Act imposing limitations on political subdivisions relating to the increase of real property taxes.

Referred to Committee on FINANCE, April 18, 2007.

No. 1025 By Representatives CASORIO, COHEN, BAKER, BELFANTI, BIANCUCCI, CAPPELLI, CARROLL, DePASQUALE, EVERETT, FABRIZIO, GEORGE, GIBBONS, GOODMAN, HARHAI, HESS, HUTCHINSON, JAMES, KORTZ, KOTIK, McGEEHAN, McILHATTAN, R. MILLER, MURT, M. O'BRIEN, PETRONE, REICHLEY, STABACK, SURRA, VULAKOVICH, WOJNAROSKI,

YOUNGBLOOD, SCAVELLO, WALKO, PETRARCA, JOSEPHS, SOLOBAY and KIRKLAND

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further defining "occupational disease."

Referred to Committee on LABOR RELATIONS, April 18, 2007.

No. 1054 By Representatives ROSS, BASTIAN, BENNINGHOFF, BOYD, CALTAGIRONE, CLYMER, COX, CREIGHTON, CUTLER, DENLINGER, EVERETT, FAIRCHILD, GILLESPIE, GINGRICH, GRELL, HARPER, HENNESSEY, HERSHEY, HICKERNELL, KAUFFMAN, M. KELLER, MAJOR, METCALFE, R. MILLER, NAILOR, PEIFER, PHILLIPS, PICKETT, QUINN, REICHLEY, ROHRER, RUBLEY, SAYLOR, SCAVELLO, SCHRODER, STEIL, STERN, R. STEVENSON, SWANGER and WATSON

An Act amending the act of August 15, 1961 (P.L.987, No.442), known as the Pennsylvania Prevailing Wage Act, further providing for definitions; and providing for school district options.

Referred to Committee on LABOR RELATIONS, April 18, 2007.

No. 1055 By Representatives MANN, BEYER, BRENNAN and SAMUELSON

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing, in provisions relating to safe schools, for definitions, for the Office for Safe Schools and for reporting by school entities.

Referred to Committee on EDUCATION, April 18, 2007.

No. 1056 By Representatives MARSHALL, STERN, GIBBONS, VULAKOVICH, YOUNGBLOOD, CALTAGIRONE, CAPPELLI, EVERETT, GINGRICH, HENNESSEY, JAMES, MILLARD, NAILOR, PALLONE, PETRARCA, RAPP, REICHLEY, SAINATO, SIPTROTH and SONNEY

An Act amending the act of July 10, 1981 (P.L.214, No.67), known as the Bingo Law, further providing for rules for licensing and operation.

Referred to Committee on GAMING OVERSIGHT, April 18, 2007.

No. 1057 By Representatives KING, CONKLIN, BIANCUCCI, BARRAR, BELFANTI, COSTA, CURRY, DePASQUALE, DALEY, CALTAGIRONE, FABRIZIO, FRANKEL, FREEMAN, GEORGE, GERBER, JAMES, KORTZ, KULA, LEACH, McCALL, SANTONI, BRENNAN, STABACK, R. TAYLOR, GIBBONS, MANDERINO, MANN, MUNDY, MYERS, SAYLOR, SCAVELLO, SHAPIRO, SHIMKUS, SIPTROTH, McILVAINE SMITH, SOLOBAY, STURLA, SURRA, THOMAS, WALKO, WANSACZ, YOUNGBLOOD, YUDICHAK, HENNESSEY, GERGELY and JOSEPHS

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 the use of Pennsylvania accountability grants.

Referred to Committee on EDUCATION, April 18, 2007.

No. 1058 By Representatives KENNEY, CAPPELLI, WATSON, MARSICO, GINGRICH, CREIGHTON, HERSHEY, KIRKLAND, RUBLEY, HENNESSEY, MYERS, W. KELLER, BOYD, HESS, YOUNGBLOOD, DeLUCA, THOMAS, BEYER and HARPER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for definitions, for commission, for composition of commission and for powers and duties; providing for adoption of guidelines for bail; further providing for publication of guidelines for sentencing; and providing for bail generally.

Referred to Committee on JUDICIARY, April 18, 2007.

No. 1059 By Representatives TANGRETTI, BAKER, BARRAR, CAPPELLI, COHEN, DeLUCA, FABRIZIO, GEIST, GIBBONS, GOODMAN, GRUCELA, HARHAI, HENNESSEY, HERSHEY, HESS, KENNEY, KILLION, KOTIK, KULA, LEACH, MAHONEY, McGEEHAN, McILHATTAN, MUNDY, NAILOR, PARKER, PYLE, READSHAW, SCAVELLO, STABACK, R. STEVENSON, VULAKOVICH, WALKO, WOJNAROSKI, RUBLEY, KORTZ and YOUNGBLOOD

An Act amending the act of April 6, 1951 (P.L.69, No.20), known as The Landlord and Tenant Act of 1951, providing for disclosure of prior use for the manufacture of certain controlled substances.

Referred to Committee on CONSUMER AFFAIRS, April 18, 2007.

No. 1060 By Representatives TANGRETTI, BAKER, BARRAR, BELFANTI, BIANCUCCI, BOYD, CALTAGIRONE, CAPPELLI, CLYMER, COHEN, COX, DeLUCA, DePASQUALE, DeWEESE, FABRIZIO, FREEMAN, GEIST, GEORGE, GIBBONS, GODSHALL, GOODMAN, GRUCELA, HALUSKA, HARHAI, HARRIS, HENNESSEY, HORNAMAN, JOSEPHS, W. KELLER, KILLION, KIRKLAND, KOTIK, KULA, LEACH, MACKERETH, MAHER, MAHONEY, MANDERINO, MANN, MILLARD, R. MILLER, MUNDY, MURT, O'NEILL, PETRARCA, PETRONE, PICKETT, PRESTON, PYLE, RAMALEY, RAYMOND, READSHAW, RUBLEY, SANTONI, SAYLOR, SCAVELLO, SOLOBAY, SONNEY, STABACK, STURLA, THOMAS, VEREB, WALKO, WOJNAROSKI, YOUNGBLOOD, YUDICHAK, CONKLIN, K. SMITH and KORTZ

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for identity theft; and imposing powers and duties on the Bureau of Consumer Protection.

Referred to Committee on CONSUMER AFFAIRS, April 18, 2007.

No. 1061 By Representatives TANGRETTI, BARRAR, BIANCUCCI, CALTAGIRONE, CARROLL, COHEN, DePASQUALE, DeWEESE, FABRIZIO, FREEMAN, GIBBONS, GINGRICH, GODSHALL, GRUCELA, HARHAI, HARHART, HENNESSEY, JAMES, W. KELLER, KILLION, KING, KOTIK, KULA, LEACH, MAHER, MAHONEY,

MANN, McILVAINE SMITH, MICOZZIE, MUNDY, M. O'BRIEN, PAYNE, PETRARCA, PETRONE, RAYMOND, READSHAW, SCAVELLO, SOLOBAY, STURLA, SURRA, WALKO, WOJNAROSKI, YUDICHAK, CAUSER, CONKLIN and K. SMITH

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, providing for a loan program for local police agencies and emergency medical services organizations funded by a bond issuance and for the responsibilities of the Governor's Center for Local Government Services within the Department of Community and Economic Development; establishing the Police Agency Loan Fund; and conferring powers and duties on the Secretary of the Commonwealth and the Legislative Reference Bureau.

Referred to Committee on STATE GOVERNMENT, April 18, 2007.

No. 1062 By Representatives COHEN, DeWEESE, D. EVANS, BELFANTI, CALTAGIRONE, BIANCUCCI, BOYD, CARROLL, CASORIO, COSTA, COX, FRANKEL, GEIST, GEORGE, GIBBONS, GOODMAN, GRUCELA, HERSHEY, HORNAMAN, HUTCHINSON, JAMES, JOSEPHS, W. KELLER, KORTZ, KULA, McCALL, McILHATTAN, MOYER, MUNDY, MURT, MYERS, NICKOL, PALLONE, PAYNE, PETRONE, PICKETT, PRESTON, RAPP, READSHAW, REICHLEY, SABATINA, SAYLOR, SCHRODER, K. SMITH, SOLOBAY, STABACK, WALKO, WOJNAROSKI, YOUNGBLOOD and CONKLIN

An Act amending the act of July 3, 1985 (P.L.164, No.45), known as the Emergency Medical Services Act, further providing for emergency medical services personnel.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, April 18, 2007.

No. 1063 By Representatives KENNEY, M. O'BRIEN, MANDERINO, QUIGLEY, NICKOL, HENNESSEY, SAYLOR, MUSTIO, BEYER and SIPTROTH

An Act amending the act of June 27, 1939 (P.L.1199, No.404), entitled "An act relating to the assessment of real and personal property and other subjects of taxation in counties of the first class; providing for the appointment of members of the board of revision of taxes by the judges of the courts of common pleas; providing for the appointment, by the board, of personal property assessors, real estate assessors and assistant real estate assessors, clerks and other employees; fixing the salaries of members of the board, assessors and assistant assessors, and providing for the payment of salaries and expenses from the county treasury; prescribing the powers and duties of the board and of the assessors, the time and manner of making assessments, of the revision and notice of assessments and of appeals therefrom; prescribing the records of assessments; and repealing existing laws," establishing a revenue-neutral tax rate after a countywide revision of real property assessment.

Referred to Committee on FINANCE, April 18, 2007.

No. 1064 By Representatives MOYER, MURT, BAKER, BEYER, CIVERA, CLYMER, CONKLIN, COX, EVERETT, GEIST, GEORGE, GILLESPIE, GINGRICH, GOODMAN, HARRIS, HORNAMAN, M. KELLER, KENNEY, KILLION, KIRKLAND, KORTZ, MANN, McILHATTAN, PAYNE, ROAE, SCAVELLO, SCHRODER, McILVAINE SMITH, STERN, TURZAI, WANSACZ and YOUNGBLOOD

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for child protective zone; and imposing a penalty.

Referred to Committee on JUDICIARY, April 18, 2007.

No. 1065 By Representatives SCAVELLO, BRENNAN, BUXTON, CARROLL, CASORIO, DePASQUALE, FABRIZIO, GOODMAN, HARHAI, HENNESSEY, JOSEPHS, W. KELLER, KENNEY, LEACH, MACKERETH, MOYER, MURT, O'NEILL, READSHAW, REICHLEY, SCHRODER, TRUE, WATSON, YOUNGBLOOD, FRANKEL, FREEMAN, GRUCELA, BENNINGTON and TANGRETTI

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of cruelty to animals.

Referred to Committee on JUDICIARY, April 18, 2007.

No. 1066 By Representatives HARHAI, GRUCELA, KOTIK, MAHONEY, MOUL, MURT, SIPTROTH, SOLOBAY and KORTZ

An Act amending the act of November 24, 1976 (P.L.1176, No.261), known as the Mobile Home Park Rights Act, further providing for evictions; providing for extended periods of nonpayment of rent; and further providing for park rules and regulations.

Referred to Committee on CONSUMER AFFAIRS, April 18, 2007.

No. 1067 By Representatives MANN, BEYER, BRENNAN and SAMUELSON

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 transfer of records.

Referred to Committee on EDUCATION, April 18, 2007.

No. 1068 By Representatives KENNEY, MANN, CAPPELLI, SCAVELLO, READSHAW, SABATINA, KOTIK, REICHLEY, ROSS, SONNEY, GEIST, HENNESSEY, KORTZ, BOYD, JOSEPHS, JAMES, EVERETT, MICOZZIE, MURT, MYERS, FREEMAN, GINGRICH, KIRKLAND and BEYER

An Act amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, providing for Supplement Safe Neighborhoods Program and for powers and duties of Pennsylvania Commission on Crime and Delinquency; establishing the Supplement Safe Neighborhoods Fund; and making an appropriation.

Referred to Committee on JUDICIARY, April 18, 2007.

No. 1069 By Representatives STURLA, SOLOBAY, HUTCHINSON, MELIO, BIANCUCCI, BISHOP, BOYD, BUXTON, CALTAGIRONE, CARROLL, CASORIO, CAUSER, COSTA, CURRY, DALEY, DePASQUALE, DeWEESE, J. EVANS, FABRIZIO, FRANKEL, FREEMAN, GALLOWAY, GEIST and CONKLIN

An Act establishing a grant program for municipal fire and emergency services organizations; and providing for grant funding.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, April 18, 2007.

No. 1071 By Representatives MUNDY, CALTAGIRONE, COHEN, CURRY, DeLUCA, EACHUS, FABRIZIO, FREEMAN, GEORGE, GIBBONS, GOODMAN, GRUCELA, JAMES, KULA, LEACH, MAHONEY, MANN, MARKOSEK, MELIO, M. O'BRIEN, PETRONE, READSHAW, SAINATO, SIPTROTH, McILVAINE SMITH, SOLOBAY, STABACK, WATERS, WHEATLEY, YOUNGBLOOD, RUBLEY, SANTONI, SURRA, WALKO, WOJNAROSKI, JOSEPHS, PETRARCA, KORTZ, BELFANTI, K. SMITH, YUDICHAK and REICHLEY

An Act providing for the establishment of a Senior Care and Services Study Commission.

Referred to Committee on AGING AND OLDER ADULT SERVICES, April 18, 2007.

No. 1072 By Representatives SOLOBAY, BARRAR, BENNINGHOFF, BENNINGTON, CALTAGIRONE, CARROLL, CURRY, FABRIZIO, FREEMAN, GEORGE, GIBBONS, HENNESSEY, HERSHEY, JAMES, KOTIK, LEACH, MAHONEY, MANDERINO, MANN, MUNDY, MURT, MYERS, M. O'BRIEN, PAYNE, PETRARCA, QUINN, RUBLEY, SANTONI, SCHRODER, K. SMITH, SURRA, J. WHITE, YOUNGBLOOD, CONKLIN and KORTZ

An Act protecting the right of a mother to nurse her child in public; prohibiting a unit of local government from adopting an ordinance prohibiting breastfeeding in public; and providing that breastfeeding may not be considered a nuisance, indecent exposure, sexual conduct or obscenity.

Referred to Committee on CHILDREN AND YOUTH, April 18, 2007.

No. 1073 By Representatives SOLOBAY, BARRAR, BENNINGHOFF, BENNINGTON, CALTAGIRONE, CARROLL, CURRY, FABRIZIO, FREEMAN, GEORGE, GIBBONS, HENNESSEY, HERSHEY, JAMES, KOTIK, LEACH, MAHONEY, MANDERINO, MANN, MUNDY, MURT, MYERS, M. O'BRIEN, PAYNE, PETRARCA, QUINN, RUBLEY, SANTONI, K. SMITH, SURRA, J. WHITE, YOUNGBLOOD, CONKLIN and KORTZ

An Act amending the act of October 27, 1955 (P.L.744, No.222), known as the Pennsylvania Human Relations Act, defining "breastfeeding"; further providing for unlawful discriminatory practices; and providing for breastfeeding by employees.

Referred to Committee on CHILDREN AND YOUTH, April 18, 2007.

No. 1074 By Representatives BOYD, BAKER, BARRAR, BELFANTI, CLYMER, EVERETT, FREEMAN, GEIST, GIBBONS, GILLESPIE, GINGRICH, GOODMAN, HENNESSEY, HERSHEY, HICKERNELL, KAUFFMAN, KORTZ, MAJOR, McILHATTAN, MOYER, MURT, O'NEILL, PICKETT, SCAVELLO, SONNEY, BENNINGHOFF and YOUNGBLOOD

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for exclusions from sales and use tax.

Referred to Committee on FINANCE, April 18, 2007.

No. 1076 By Representatives HICKERNELL, GEIST, HERSHEY, BASTIAN, BOYD, CAPPELLI, COX, CUTLER, EVERETT, GOODMAN, GRELL, GRUCELA, HESS, KAUFFMAN, M. KELLER, McILHATTAN, MILLARD, MOUL, PAYNE, SAYLOR, SOLOBAY, STERN, TRUE, YOUNGBLOOD, BELFANTI, REICHLEY, CLYMER, GINGRICH and HARRIS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for vehicles exempt from registration, for use of farm vehicle plates, for general lighting requirements, for requirement for periodic inspection of vehicles, for operation of vehicle without official certificate of inspection, for securing loads in vehicles, for safety requirements for towed vehicles and for width of vehicles.

Referred to Committee on TRANSPORTATION, April 18, 2007.

No. 1077 By Representatives BEYER, MANN, DALLY, SIPTROTH, CONKLIN, KENNEY, MENSCH, M. O'BRIEN, J. TAYLOR, SAMUELSON, CIVERA, YOUNGBLOOD and KIRKLAND

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for safe schools advocates in certain school districts and for the Safe Schools Advocate Grant Program; and making an appropriation.

Referred to Committee on EDUCATION, April 18, 2007.

No. 1078 By Representatives HANNA, CALTAGIRONE, CONKLIN, DALEY, FABRIZIO, GODSHALL, HERSHEY, LEVDANSKY, MAHONEY, McCALL, PETRONE, SIPTROTH, SOLOBAY, STABACK, SURRA and WALKO

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for deterrent fences for deer, bear and elk and the payment of claims for damages by certain elk; imposing duties on the Department of Agriculture; providing for the establishment of the Elk Damage Fund; and making an appropriation.

Referred to Committee on GAME AND FISHERIES, April 18, 2007.

No. 1079 By Representatives SIPTROTH, DALEY, COHEN, GEORGE, JAMES, McGEEHAN, SANTONI, SCAVELLO, YEWIC, WALKO, D. EVANS, THOMAS, MAHONEY and PARKER

An Act amending the act of December 22, 1989 (P.L.687, No.90), known as the Mortgage Bankers and Brokers and Consumer Equity Protection Act, further providing for definitions, for license requirements and exemptions, for application for license, for annual license fee, for issuance of license, for license duration, for licensee requirements, for licensee limitations, for authority of department or commission, for fees, for suspension, revocation or refusal, for penalties, for referral fees and for Real Estate Recovery Fund.

Referred to Committee on COMMERCE, April 18, 2007.

No. 1080 By Representatives THOMAS, DALEY, BELFANTI, BRENNAN, BUXTON, CARROLL, CLYMER, COHEN, D. EVANS, GEORGE, HERSHEY, JOSEPHS, KIRKLAND, LEACH, McGEEHAN, MYERS, SCAVELLO, SIPTROTH, WALKO, SOLOBAY, PARKER, CONKLIN and GINGRICH

An Act amending the act of December 12, 1980 (P.L.1179, No.219), known as the Secondary Mortgage Loan Act, further providing for definitions, for license requirements and exemptions, for application for license, for annual license fee, for issuance of license, for license duration, for transfer of license, for powers conferred on licensees, for licensee requirements, for licensee limitations, for prepayment, for open-end loans, for authority of Secretary of Banking, for surrender of license, for suspension, for scope of act, for foreclosure, for penalties, for preservation of existing powers and for exclusions from act.

Referred to Committee on COMMERCE, April 18, 2007.

No. 1081 By Representatives LONGIETTI, DALEY, SIPTROTH, BRENNAN, SCAVELLO, McGEEHAN, CALTAGIRONE, HELM, KULA, KOTIK, JAMES, GIBBONS, DeLUCA, YOUNGBLOOD, HARKINS, HENNESSEY and KORTZ

An Act amending the act of July 10, 1990 (P.L.404, No.98), known as the Real Estate Appraisers Certification Act, further providing for State Board of Certified Real Estate Appraisers, for disciplinary and corrective measures and for penalties.

Referred to Committee on COMMERCE, April 18, 2007.

No. 1082 By Representatives McGEEHAN, DALEY, D. EVANS, BOYD, BRENNAN, DePASQUALE, GALLOWAY, GEORGE, GIBBONS, HALUSKA, HERSHEY, KENNEY, MANDERINO, MELIO, PALLONE, PASHINSKI, ROEBUCK, SCAVELLO, SIPTROTH, SOLOBAY, STABACK, SURRA, THOMAS and WALKO

An Act amending the act of May 15, 1933 (P.L.565, No.111), known as the Department of Banking Code, further prohibiting disclosure of certain information.

Referred to Committee on COMMERCE, April 18, 2007.

No. 1083 By Representatives J. WHITE, DALEY, PAYTON, KORTZ, CALTAGIRONE, GEORGE, GERGELY, GIBBONS, HELM, JAMES, KULA, LEACH, LEVDANSKY, MANDERINO, MANN, McGEEHAN, PALLONE, M. O'BRIEN, SCAVELLO, MAHONEY, SIPTROTH, THOMAS, KOTIK, D. EVANS, JOSEPHS, HENNESSEY and BELFANTI

An Act amending the act of December 3, 1959 (P.L.1688, No.621), known as the Housing Finance Agency Law, further providing for the Homeowner's Emergency Assistance Program, for notice and institution of foreclosure proceedings, for notice requirements, for assistance payments and for repayment; and providing for an ongoing foreclosure study.

Referred to Committee on COMMERCE, April 18, 2007.

No. 1084 By Representatives M. SMITH, DALEY, BRENNAN, CONKLIN, FABRIZIO, GEORGE, KORTZ, KULA, MAHONEY, MANN, McCALL, McGEEHAN,

SIPTROTH, THOMAS, WALKO, D. EVANS, JOSEPHS and PARKER

An Act amending the act of January 30, 1974 (P.L.13, No.6), referred to as the Loan Interest and Protection Law, defining "department"; and further providing for the definition of "residential mortgage" and for the duties of the Department of Banking.

Referred to Committee on COMMERCE, April 18, 2007.

No. 1088 By Representatives KENNEY, YOUNGBLOOD, M. O'BRIEN, HENNESSEY and BEYER

An Act amending the act of June 5, 1991 (P.L.9, No.6), known as the Pennsylvania Intergovernmental Cooperation Authority Act for Cities of the First Class, further providing for financial plan of an assisted city; and making editorial changes.

Referred to Committee on URBAN AFFAIRS, April 18, 2007.

No. 1089 By Representatives EVERETT, D. O'BRIEN, BISHOP, CAPPELLI, CURRY, GEIST, GINGRICH, HENNESSEY, LEACH, MANN, MURT, MUSTIO, MYERS, PALLONE, READSHAW, STERN, R. STEVENSON, THOMAS, WALKO, YOUNGBLOOD, J. TAYLOR and KORTZ

An Act amending the act of May 23, 1945 (P.L.926, No.369), referred to as the Public Eating and Drinking Place Law, further providing for requirements of public eating and drinking places.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, April 18, 2007.

No. 1090 By Representatives NAILOR, VEREB, KILLION, CALTAGIRONE, BASTIAN, BENNINGHOFF, CLYMER, COX, CREIGHTON, FABRIZIO, FAIRCHILD, GINGRICH, HENNESSEY, HERSHEY, M. KELLER, KOTIK, MARSICO, McILHATTAN, PALLONE, PYLE, REICHLEY, SAINATO, SOLOBAY, SWANGER, THOMAS and YOUNGBLOOD

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for powers and duties of Municipal Police Officers' Education and Training Commission.

Referred to Committee on JUDICIARY, April 18, 2007.

No. 1091 By Representatives NAILOR, BENNINGHOFF, STABACK, GEORGE, BASTIAN, BELFANTI, BOYD, CREIGHTON, CURRY, DeLUCA, DePASQUALE, FABRIZIO, FAIRCHILD, FLECK, FREEMAN, GABIG, GEIST, GOODMAN, GRUCELA, HALUSKA, HARHAI, HARPER, HENNESSEY, HERSHEY, HESS, HORNAMAN, HUTCHINSON, JOSEPHS, KAUFFMAN, M. KELLER, KOTIK, LEACH, LEVDANSKY, MACKERETH, MAHONEY, MARSICO, MILLARD, MUNDY, MURT, NICKOL, O'NEILL, PAYTON, PHILLIPS, PICKETT, READSHAW, REED, ROAE, RUBLEY, SCAVELLO, SCHRODER, SIPTROTH, STAIRS, TANGRETTI, J. TAYLOR, THOMAS, TRUE, VEREB, VITALI, WANSACZ and WATSON

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, providing for persuasive polls.

Referred to Committee on STATE GOVERNMENT, April 18, 2007.

No. 1093 By Representatives SHAPIRO, BAKER, BELFANTI, BIANCUCCI, BISHOP, CUTLER, DePASQUALE, FABRIZIO, GEORGE, GOODMAN, HELM, HENNESSEY, JAMES, LEACH, MARKOSEK, McILHATTAN, MOYER, MUSTIO, NAILOR, PETRONE, REED, STABACK, WHEATLEY, MAHONEY, SCAVELLO, MURT, SOLOBAY, WALKO, BOYD, GERGELY, KORTZ, M. SMITH, SURRA, GINGRICH and YOUNGBLOOD

An Act establishing the Physician Retention Loan Forgiveness Program in the Pennsylvania Higher Education Assistance Agency; and providing for powers and duties of the Pennsylvania Higher Education Assistance Agency.

Referred to Committee on HEALTH AND HUMAN SERVICES, April 18, 2007.

No. 1094 By Representatives SHIMKUS, BAKER, SIPTROTH, BELFANTI, BENNINGTON, BISHOP, BRENNAN, CALTAGIRONE, CONKLIN, CUTLER, DeLUCA, DONATUCCI, FABRIZIO, GALLOWAY, GEIST, GEORGE, GIBBONS, GOODMAN, GRUCELA, HARHART, HERSHEY, HESS, HORNAMAN, KENNEY, KORTZ, KULA, LEACH, MAHONEY, MANN, MANTZ, MARKOSEK, McCALL, McGEEHAN, McILHATTAN, MICOZZIE, MILLARD, MUNDY, MURT, M. O'BRIEN, PALLONE, PAYNE, PETRONE, PHILLIPS, PRESTON, QUINN, RAPP, READSHAW, RUBLEY, SAINATO, SANTONI, SAYLOR, SCAVELLO, K. SMITH, SOLOBAY, VULAKOVICH, WOJNAROSKI, YOUNGBLOOD, YUDICHAK, MELIO, FRANKEL, RAMALEY and J. WHITE

An Act designating March 19 of each year as "Pennsylvania Military Heroes Day."

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, April 18, 2007.

No. 1095 By Representatives FABRIZIO, DERMODY, DeLUCA, FRANKEL, CALTAGIRONE, GEORGE, GOODMAN, GRUCELA, KIRKLAND, KORTZ, KOTIK, MANDERINO, PALLONE, PARKER, PASHINSKI, PETRONE, SANTONI, SIPTROTH, K. SMITH, SOLOBAY, SONNEY, STURLA, THOMAS, WOJNAROSKI, YOUNGBLOOD and YUDICHAK

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, providing for development of regulations for subsidized child day-care providers.

Referred to Committee on CHILDREN AND YOUTH, April 18, 2007.

No. 1096 By Representatives BUXTON, ARGALL, BELFANTI, BIANCUCCI, CALTAGIRONE, CAPPELLI, CARROLL, CLYMER, FABRIZIO, FAIRCHILD, GEORGE, GERGELY, GIBBONS, HALUSKA, HENNESSEY, HUTCHINSON, JAMES, KORTZ, KOTIK, MARKOSEK, McILHATTAN, M. O'BRIEN, SCAVELLO, SONNEY, TRUE, EVERETT, LONGIETTI, COX, GINGRICH and STURLA

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, and making repeals, defining "council"; and establishing the Uniform Construction Code Advisory Council.

Referred to Committee on LABOR RELATIONS, April 18, 2007.

No. 1097 By Representatives BUXTON, BELFANTI, CALTAGIRONE, CAPPELLI, CARROLL, FABRIZIO, GEORGE, GIBBONS, GOODMAN, GRELL, GRUCELA, HARHAI, HENNESSEY, W. KELLER, KORTZ, KOTIK, KULA, LEVDANSKY, MANDERINO, MANN, MYERS, M. O'BRIEN, PETRONE, PHILLIPS, PICKETT, K. SMITH, STABACK, WANSACZ and WOJNAROSKI

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for taxation, attachment and assignment of funds.

Referred to Committee on FINANCE, April 18, 2007.

No. 1098 By Representatives SAYLOR, FAIRCHILD, NAILOR, SOLOBAY, BAKER, BELFANTI, BOYD, BROOKS, CALTAGIRONE, CAPPELLI, COX, DALLY, DeLUCA, DENLINGER, DePASQUALE, DeWEESE, J. EVANS, EVERETT, FABRIZIO, GEIST, GEORGE, GIBBONS, GOODMAN, HARRIS, HELM, HENNESSEY, HERSHEY, HESS, HUTCHINSON, JAMES, KAUFFMAN, M. KELLER, KOTIK, KULA, MANN, McILHATTAN, R. MILLER, MOYER, MURT, M. O'BRIEN, PAYNE, PETRARCA, PHILLIPS, RAPP, READSHAW, REICHLEY, RUBLEY, SCAVELLO, SEIP, STERN, SURRA, J. TAYLOR, WATSON, WOJNAROSKI, GINGRICH, MILLARD, HARKINS, HARHART, J. WHITE, K. SMITH, PYLE and CAUSER

An Act excluding veterans' service-connected disability payments as income for certain purposes.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, April 18, 2007.

No. 1099 By Representatives SAYLOR, CALTAGIRONE, HENNESSEY, KENNEY, BELFANTI, BENNINGHOFF, BOYD, CREIGHTON, DENLINGER, FLECK, GEIST, GILLESPIE, GINGRICH, GRELL, HERSHEY, KAUFFMAN, M. KELLER, KIRKLAND, KORTZ, MACKERETH, MARSHALL, McILHATTAN, MILLARD, R. MILLER, MURT, SCAVELLO, SCHRODER, TRUE and WOJNAROSKI

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for persons qualified to solemnize marriages.

Referred to Committee on JUDICIARY, April 18, 2007.

No. 1101 By Representatives READSHAW, BRENNAN, BUXTON, COSTA, FABRIZIO, FRANKEL, GINGRICH, GRUCELA, HARKINS, HELM, HERSHEY, HESS, KORTZ, MAHONEY, McCALL, NAILOR, M. O'BRIEN, O'NEILL, PAYNE, PETRONE, PHILLIPS, PYLE, RUBLEY, SHAPIRO, STERN, STURLA, WALKO, WOJNAROSKI and RAMALEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for penalties involving alteration of physician statements regarding application for special disability plate or parking placard and for penalties regarding violations of handicapped persons and disabled veterans parking places.

Referred to Committee on TRANSPORTATION, April 18, 2007.

No. 1102 By Representatives GRUCELA, DERMODY, FREEMAN, FABRIZIO, COX, DALLY, DENLINGER, CAPPELLI, CLYMER, HARRIS, HENNESSEY, JAMES, JOSEPHS, W. KELLER, KORTZ, R. MILLER, MURT, PARKER, PETRI, PETRONE, SCAVELLO, SOLOBAY, STERN, WOJNAROSKI, YOUNGBLOOD and K. SMITH

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for contents of petitions for adoption; and providing for adoption statistics.

Referred to Committee on JUDICIARY, April 18, 2007.

No. 1103 By Representatives MANN, BEYER, BAKER, BARRAR, BELFANTI, BIANCUCCI, BUXTON, CALTAGIRONE, COHEN, CREIGHTON, DALLY, EVERETT, FABRIZIO, FAIRCHILD, FRANKEL, GEIST, GEORGE, GIBBONS, GINGRICH, GOODMAN, HENNESSEY, HERSHEY, HESS, HORNAMAN, JAMES, W. KELLER, KILLION, KING, KIRKLAND, KORTZ, KOTIK, KULA, LEACH, MARKOSEK, McILHATTAN, McILVAINE SMITH, MURT, MYERS, NAILOR, M. O'BRIEN, PAYNE, PETRARCA, PHILLIPS, PYLE, RAPP, READSHAW, REICHLEY, SAYLOR, SCAVELLO, SOLOBAY, SURRA, THOMAS, VULAKOVICH, WANSACZ, YOUNGBLOOD and YUDICHAK

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for creditable nonschool service, for contributions for purchase of credit for creditable nonschool service, for creditable nonstate service and for contributions for the purchase of credit for creditable nonstate service.

Referred to Committee on FINANCE, April 18, 2007.

No. 1104 By Representative J. TAYLOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for notice of election of tort options and for definitions.

Referred to Committee on JUDICIARY, April 18, 2007.

No. 1105 By Representatives CURRY, DeLUCA, DeWEESE, ARGALL, BARRAR, BELFANTI, BIANCUCCI, BISHOP, BRENNAN, BUXTON, CALTAGIRONE, CAPPELLI, CLYMER, COHEN, COSTA, CREIGHTON, DALLY, DERMODY, FABRIZIO, FRANKEL, FREEMAN, GEIST, GEORGE, GERBER, GIBBONS, GINGRICH, GOODMAN, GRUCELA, HENNESSEY, HESS, JAMES, JOSEPHS, KENNEY, KORTZ, LEACH, MAHONEY, MANN, MARKOSEK, MARSICO, McCALL, MELIO, MILNE, MOYER, MUNDY, MURT, MYERS, NAILOR, PARKER, PETRONE, REICHLEY, ROSS, SAMUELSON, SCAVELLO, SCHRODER, SHAPIRO, SIPTROTH, SOLOBAY, SURRA, TANGRETTI, J. TAYLOR, THOMAS, WALKO, WANSACZ,

YOUNGBLOOD, R. TAYLOR, WILLIAMS, SANTONI, DONATUCCI, DiGIROLAMO, PHILLIPS, RAYMOND, HARHAI, GERGELY, KIRKLAND and R. STEVENSON

An Act providing a standard of care for the treatment of persons with bleeding disorders.

Referred to Committee on HEALTH AND HUMAN SERVICES, April 18, 2007.

No. 1107 By Representatives D. EVANS, BUXTON, DALEY, GALLOWAY, GEORGE, W. KELLER, KILLION, LEVDANSKY, MANDERINO, MELIO, OLIVER, SIPTROTH, WAGNER, WALKO, WILLIAMS, YOUNGBLOOD and BRENNAN

An Act providing for the licensure of credit counseling agencies and for the powers and duties of the Department of Banking; requiring surety bonds; prohibiting certain fees and costs; providing for debt management plans; and prohibiting certain acts by credit counseling agencies.

Referred to Committee on COMMERCE, April 18, 2007.

No. 1108 By Representatives BISHOP, COHEN, CREIGHTON, CURRY, D. EVANS, FREEMAN, HALUSKA, HORNAMAN, JAMES, KIRKLAND, LEACH, MANN, MYERS, PARKER, YOUNGBLOOD and SIPTROTH

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, requiring restaurants to display dietary information.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, April 18, 2007.

No. 1109 By Representatives STABACK, BELFANTI, CALTAGIRONE, DeLUCA, FABRIZIO, GERGELY, HALUSKA, HERSHEY, HESS, JAMES, KORTZ, KOTIK, McGEEHAN, PETRONE and REICHLEY

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing, in fishing licenses, for nonresident and tourist licenses, for one-day resident fishing licenses, for issuing agents and for license, permit and issuing agent fees.

Referred to Committee on GAME AND FISHERIES, April 18, 2007.

No. 1110 By Representatives STERN, BAKER, GEORGE, LENTZ, TURZAI, METCALFE, JAMES, CAPPELLI, HERSHEY, TRUE, PYLE, R. STEVENSON, MILLARD, FLECK, WOJNAROSKI, CARROLL, CREIGHTON, WATSON, SURRA, DePASQUALE, J. TAYLOR, KAUFFMAN, FAIRCHILD, HARHAI, EVERETT, McILHATTAN, SWANGER, PETRONE, PHILLIPS, DeWEESE, O'NEILL, BELFANTI, CLYMER, KOTIK, BENNINGHOFF, GRELL, HUTCHINSON, SCAVELLO, READSHAW, CUTLER, YUDICHAK, PETRARCA, HESS, REICHLEY, GINGRICH, RUBLEY, HARRIS, SOLOBAY, M. SMITH, DALLY, MANN, KILLION, FREEMAN, HORNAMAN, VULAKOVICH, RAPP, CAUSER, BASTIAN, GABIG, FABRIZIO, M. KELLER, GIBBONS, MOYER, GOODMAN, MURT, GEIST, SCHRODER, SIPTROTH, THOMAS, PAYTON, McGEEHAN, HARPER and HELM

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for loan interest forgiveness for certain active duty military personnel.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, April 18, 2007.

No. 1111 By Representatives STERN, CAPPELLI, MUSTIO, SCAVELLO, SONNEY, R. STEVENSON, MICOZZIE, KENNEY, ARGALL, PICKETT, ROHRER, McILHATTAN, HENNESSEY, METCALFE, PAYNE, DePASQUALE, GEORGE, O'NEILL, RAYMOND, FAIRCHILD, REICHLEY, DALLY, KIRKLAND, HERSHEY, FLECK, TRUE, KAUFFMAN, R. MILLER, MOUL, KILLION, CREIGHTON, MYERS, BAKER, PEIFER, MILLARD, ROAE, NAILOR, CLYMER, EVERETT, GINGRICH, BENNINGHOFF, BELFANTI, CUTLER, PYLE, HARHART, BOYD, VEREB, STABACK, COHEN, HESS, RAPP, SOLOBAY, GABIG, HARRIS, M. KELLER, HORNAMAN, PETRARCA, MOYER, KOTIK, BASTIAN, YOUNGBLOOD, GILLESPIE, GOODMAN, MURT, GEIST, BARRAR, SCHRODER, KORTZ and SAYLOR

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of harassment of soldier or veteran.

Referred to Committee on JUDICIARY, April 18, 2007.

No. 1112 By Representatives STERN, FLECK, SAYLOR, R. STEVENSON, CALTAGIRONE, PAYNE, TRUE, HORNAMAN, BELFANTI, YOUNGBLOOD, SOLOBAY, CLYMER, R. MILLER, MAHONEY, GEORGE, CREIGHTON, MARSHALL, GEIST, HENNESSEY, KILLION, GOODMAN, JAMES, QUINN, KORTZ, EVERETT, MURT, ROHRER, HESS, MYERS, MOYER, GINGRICH, GILLESPIE, VULAKOVICH, HARHART and MILNE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, defining "incident," "incident area" and "incident clearance"; and providing for duties of drivers approaching accident or incident scene.

Referred to Committee on TRANSPORTATION, April 18, 2007.

No. 1113 By Representatives GABIG, NAILOR, BENNINGHOFF, CREIGHTON, DALEY, DePASQUALE, GERGELY, GRELL, HENNESSEY, KAUFFMAN, LEACH, MANN, SIPTROTH, SONNEY and WALKO

An Act providing for idling restrictions on commercial diesel vehicles; and imposing a penalty.

Referred to Committee on TRANSPORTATION, April 18, 2007.

No. 1114 By Representatives PARKER, STURLA, WHEATLEY, JAMES, ROEBUCK, BUXTON, BELFANTI, BISHOP, BLACKWELL, CREIGHTON, CRUZ, FABRIZIO, FRANKEL, GIBBONS, HENNESSEY, JOSEPHS, W. KELLER, KIRKLAND, KORTZ, McILHATTAN, M. O'BRIEN, OLIVER, PAYTON, SCAVELLO, SIPTROTH, THOMAS, WILLIAMS and YOUNGBLOOD

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 job creation tax credit for ex-offenders.

Referred to Committee on FINANCE, April 18, 2007.

No. 1115 By Representatives MUSTIO, METCALFE, J. EVANS, EVERETT, GEIST, GIBBONS, GOODMAN, HENNESSEY, HERSHEY, KOTIK, O'NEILL, SCAVELLO, SONNEY, R. STEVENSON, GINGRICH, KILLION, COX, KORTZ and HARRIS

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for the functions of the Secretary of the Commonwealth, for the functions of county boards of elections, for the functions of district election boards, for qualifications of electors at primaries, for the place and time of filing nomination papers, for objections to nomination petitions; providing for list of all nominated candidates to the public; further providing for requirements of electronic voting systems, for instruction cards and supplies, for official absentee ballot applications, for approval of absentee ballot applications, for absentee elector files, for delivering ballots, for absentee voting, for canvassing official absentee ballots, for public records, for computation of returns and for reporting; and providing for misleading mailings and for unlawful interference with voter registration.

Referred to Committee on STATE GOVERNMENT, April 18, 2007.

No. 1116 By Representatives KORTZ, BRENNAN, CALTAGIRONE, CLYMER, CONKLIN, EVERETT, FABRIZIO, FAIRCHILD, GEIST, GEORGE, GERGELY, GIBBONS, GOODMAN, HARHAI, HERSHEY, JAMES, KOTIK, KULA, MAHONEY, McILHATTAN, MOUL, MURT, PEIFER, READSHAW, ROAE, SAINATO, SCAVELLO, SIPTROTH, SOLOBAY, STABACK, STURLA, SURRA, VULAKOVICH, WALKO, J. WHITE and YOUNGBLOOD

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, providing for vouchers for licenses.

Referred to Committee on GAME AND FISHERIES, April 18, 2007.

No. 1117 By Representatives KORTZ, BELFANTI, BOYD, FABRIZIO, GEIST, GIBBONS, GOODMAN, W. KELLER, KOTIK, MAHONEY, MURT, PETRONE, READSHAW, SIPTROTH, SURRA, SWANGER, VULAKOVICH, WHEATLEY and YOUNGBLOOD

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, prohibiting the publication of arrest and search warrants on the Internet under certain circumstances.

Referred to Committee on JUDICIARY, April 18, 2007.

No. 1118 By Representatives SAYLOR, CLYMER, CREIGHTON, GRELL, ARGALL, BOYD, CAPPELLI, DALLY, EVERETT, GABIG, GEIST, GILLESPIE, HARRIS, HENNESSEY, KENNEY, KILLION, METCALFE, R. MILLER, MOUL, PEIFER, PICKETT, PYLE, ROAE, SCAVELLO, SCHRODER, SONNEY, STERN, R. STEVENSON and VULAKOVICH

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for voting.

Referred to Committee on STATE GOVERNMENT,
April 18, 2007.

No. 1119 By Representatives SAYLOR, CLYMER, KORTZ, GINGRICH, CREIGHTON, WALKO, BAKER, BOYD, BROOKS, COX, CUTLER, FAIRCHILD, GEIST, GILLESPIE, HENNESSEY, MARSICO, R. MILLER, MOUL, MUSTIO, PICKETT, PYLE, SCHRODER, SONNEY, SWANGER and VULAKOVICH

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, providing for elections in the event of catastrophic loss.

Referred to Committee on STATE GOVERNMENT,
April 18, 2007.

SENATE BILL FOR CONCURRENCE

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

SB 397, PN 749

Referred to Committee on JUDICIARY, April 18, 2007.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 65, PN 1351 (Amended) By Rep. ROEBUCK

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.

EDUCATION.

HB 842, PN 957 By Rep. ROEBUCK

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 program of continuing professional development.

EDUCATION.

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair notes the presence of the gentleman from Allegheny, Representative Wheatley, on the floor and asks the clerk to have him added to the master roll.

SENATE MESSAGE

RECESS RESOLUTION FOR CONCURRENCE

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

In the Senate,
April 17, 2007

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, April 23, 2007, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, April 23, 2007, unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

BILLS ON SECOND CONSIDERATION

BILLS ON THIRD CONSIDERATION

BILLS PASSED OVER TEMPORARILY

The SPEAKER pro tempore. Returning to today's calendar, all the bills on pages 1 through 3 are temporarily postponed and over temporarily.

RESOLUTIONS PURSUANT TO RULE 35

RESOLUTIONS PASSED OVER TEMPORARILY

The SPEAKER pro tempore. The resolutions on pages 4 through 7 are over temporarily.

* * *

Mr. CALTAGIRONE called up **HR 202, PN 1245**, entitled:

A Resolution recognizing the many Freemasons resident throughout this Commonwealth and honoring them for their many contributions to the nation and this Commonwealth.

On the question,

Will the House adopt the resolution?

The SPEAKER pro tempore. The Chair requests some order for a presentation from the gentleman from Berks, Representative Caltagirone. The Chair recognizes the gentleman, Representative Caltagirone.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

If I could just have a little bit of order.

The SPEAKER pro tempore. The gentleman requests some order for a presentation.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

The SPEAKER pro tempore. Mr. Caltagirone.

Mr. CALTAGIRONE. Freemasonry is the oldest and the largest masonry with roots going back to the Middle Ages and the pyramids in Egypt. It is universal in nature, with lodges located in almost every free country in the world.

Historically, leading figures working toward the basic concept of freedom have included Washington in America,

Lafayette in France, Garibaldi in Italy, Bolivar in South America. Masonic presidents have included Washington, Andrew Jackson, Teddy Roosevelt, Franklin Roosevelt, Harry Truman, and Gerald Ford. Prominent Pennsylvania Masons have included Ben Franklin and many Governors, businessmen, and other leading citizens.

Currently there are over 120,000 members in Pennsylvania with approximately 500 lodges scattered throughout the Commonwealth. One aspect of Masonry is benevolence, and it is estimated that all Masonic bodies throughout the United States contribute over \$2 million a day toward the various charitable projects. The Masons also contribute to the 22 Shrine Hospitals nationwide, at a cost of \$625 million a year. To use a cliché, the main purpose of Masonry is to make good men better.

GUESTS INTRODUCED

Mr. CALTAGIRONE. Today I would like to recognize, as guests of the majority leader, Bill DeWeese, and Representatives Caltagirone, Readshaw, and all the other Masonic brothers in this body, our Right Worshipful Grand Master, Ronald A. Aungst, Sr., if he would please stand; the Right Worshipful Junior Warden, Jay Smith; and the Past Potentate of the Rajah Temple in Reading, Frank Caltagirone. If we could have a round of applause.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

Adolph	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubley
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gerber	McGeehan	Samuelson
Belfanti	Gergely	McIlhatten	Santoni
Benninghoff	Gibbons	Melio	Saylor
Bennington	Gillespie	Metcalfe	Scavello
Beyer	Gingrich	Micozzie	Schroder
Biancucci	Godshall	Millard	Seip
Bishop	Goodman	Miller	Shapiro
Blackwell	Grell	Milne	Shimkus
Boback	Grucela	Moul	Siptroth
Boyd	Haluska	Moyer	Smith, K.
Brennan	Hanna	Mundy	Smith, M.
Brooks	Harhai	Murt	Smith, S.
Buxton	Harhart	Mustio	Solobay
Caltagirone	Harkins	Myers	Sonney
Cappelli	Harper	Nailor	Staback
Carroll	Harris	Nickol	Stairs
Casorio	Helm	O'Brien, M.	Steil
Causar	Hennessey	O'Neill	Stern
Civera	Hershey	Oliver	Stevenson
Clymer	Hess	Pallone	Sturla
Cohen	Hickernell	Parker	Surra
Conklin	Hornaman	Pashinski	Swanger
Costa	Hutchinson	Payne	Tangretti
Cox	James	Payton	Taylor, J.
Creighton	Josephs	Peifer	Taylor, R.
Cruz	Kauffman	Perry	Thomas

Curry	Keller, M.	Perzel	Turzai
Cutler	Keller, W.	Petrarca	Vereb
Daley	Kenney	Petri	Vitali
Dally	Kessler	Petrone	Vulakovich
DeLuca	Killion	Phillips	Wagner
Denlinger	King	Pickett	Walko
DePasquale	Kirkland	Preston	Wansacz
Dermody	Kortz	Pyle	Waters
DeWeese	Kotik	Quigley	Watson
DiGirolamo	Kula	Quinn	Wheatley
Donatucci	Leach	Ramaley	White
Eachus	Lentz	Rapp	Williams
Ellis	Levdansky	Raymond	Yewcic
Evans, J.	Longietti	Readshaw	Youngblood
Everett	Mackereth	Reed	Yudichak
Fabrizio	Maher	Reichley	
Fairchild	Major	Roae	O'Brien, D., Speaker
Fleck	Manderino	Rock	
Frankel	Mann	Roebuck	

NAYS—0

NOT VOTING—0

EXCUSED—6

Evans, D.	McI. Smith	True	Wojnaroski
Mahoney	Mensch		

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

GUESTS INTRODUCED

The SPEAKER pro tempore. We have several visitors with us today, and the Chair welcomes Kyle Rutter. He is the guest page of Representative Keith Gillespie, and he is located in front of the Speaker. Please stand and be recognized.

The Chair also wishes to welcome David Truk – he is a Holocaust survivor – and the Temple Shalom seniors and members. They are the guests of Representative Melio and Senator Tomlinson, and they are located in the balcony. Would you please rise and be recognized by the House.

ARCHIVAL INTERNS AND HARRISBURG INTERNSHIP SEMESTER INTERNS INTRODUCED

The SPEAKER pro tempore. Here with us today we have a group of ambitious, smart, and determined young people.

With us today we have 15 extraordinary young men and women, many of whom left the comforts of home, school, friends, and family to be part of our important institution. It is my pleasure to welcome to the House archival interns and the Harrisburg Internship Semester interns to the House floor this morning. We commend you on your service to the Commonwealth and your dedication to excellence, both in your universities and here at the Capitol. We will hold our applause until the last intern is introduced, and I ask that each member stand when their name is called.

First I am happy to introduce BMC (Bipartisan Management Committee) archival interns Amy Koltonuk and Heather Beaver. Amy is a senior at Elizabethtown College; Heather is a senior at Messiah College.

The Harrisburg Internship Semester is a program sponsored by the Pennsylvania State System of Higher Education. One or two students are selected from each of the 14 State universities to spend a semester in Harrisburg learning about the policy and government processes, all while helping advance the goals of the agencies in which they have been placed.

The Spring 2007 T.H.I.S. (The Harrisburg Internship Semester) interns include Tori Bayliff, a senior special education major from East Stroudsburg University. Tori is interning at the Pennsylvania Association of Resources for people with autism and other intellectual disabilities and has accepted a full-time position at PAR.

Kathleen Brundage is a senior from Clarion University, majoring in accounting. She is working in the Governor's Office of the Budget.

Iryna Deyneha is a senior mathematics major from Lock Haven University. She is also interning at the Governor's Office of the Budget.

Laura Dubin is a senior from Bloomsburg University and a political science major with an emphasis on environmental issues. She is working at the Department of Conservation and Natural Resources this semester.

Patricia Grieggs, a senior at Millersville University, is interning in the Governor's Office of Policy. She is majoring in economics and government and political affairs.

Anna Johnson is interning with the Governor's Commission on Women. She is a senior political science major from Indiana University of Pennsylvania.

Trisha Jorda is a senior political science major from Shippensburg University and is working with the Senate Judiciary Committee.

Michael Kerr is a senior from California University of Pennsylvania. As a psychology major, he is interning at the Center for Rural Pennsylvania.

Nikki Lazarz is a senior sports nutrition and dietetics major from Mansfield University. She is working for the Pennsylvania Advocates for Nutrition and Activity.

Isaac Moore is interning this semester with the Pennsylvania Legislative Black Caucus. Isaac is a senior at Cheyney University with a major in business administration and a concentration in marketing.

Elyse Sacchetti is a senior communication studies major from East Stroudsburg University. She is interning in the Office of the Lieutenant Governor.

Andrea Smith works in the Legislative Office of the Department of Health. She is a senior health and business administration major from Slippery Rock University.

And finally, Courtney Fobes is interning in the Speaker's Office. Courtney is a senior journalism major from Edinboro University of Pennsylvania and lives in Erie County.

T.H.I.S. interns are advised by Dr. Wade Seibert, the resident faculty director of the program and a professor of social work at Lock Haven University.

On behalf of my colleagues in the House, I thank you all for coming. I hope you are enjoying growing and learning from your internships, and I wish you success and prosperity in all your future endeavors.

Thank you and good luck, and I now ask the House to join me in welcoming the interns to the House and applauding the fine work that they do.

RESOLUTION

RESOLUTION PASSED OVER

The SPEAKER pro tempore. The resolution on page 3 is over for today.

RESOLUTIONS PURSUANT TO RULE 35

Mr. LEACH called up **HR 25, PN 27**, entitled:

A Resolution designating April 24, 2007, as "Pennsylvania's Day of Remembrance of the Armenian Genocide of 1915-1923."

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

Adolph	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubley
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gerber	McGeehan	Samuelson
Belfanti	Gergely	McIlhattan	Santoni
Benninghoff	Gibbons	Melio	Saylor
Bennington	Gillespie	Metcalfe	Scavello
Beyer	Gingrich	Micozzie	Schroder
Biancucci	Godshall	Millard	Seip
Bishop	Goodman	Miller	Shapiro
Blackwell	Grell	Milne	Shimkus
Boback	Grucela	Moul	Siptroth
Boyd	Haluska	Moyer	Smith, K.
Brennan	Hanna	Mundy	Smith, M.
Brooks	Harhai	Murt	Smith, S.
Buxton	Harhart	Mustio	Solobay
Caltagirone	Harkins	Myers	Sonney
Cappelli	Harper	Nailor	Staback
Carroll	Harris	Nickol	Stairs
Casorio	Helm	O'Brien, M.	Steil
Causer	Hennessey	O'Neill	Stern
Civera	Hershey	Oliver	Stevenson
Clymer	Hess	Pallone	Sturla
Cohen	Hickernell	Parker	Surra
Conklin	Hornaman	Pashinski	Swanger
Costa	Hutchinson	Payne	Tangretti
Cox	James	Payton	Taylor, J.
Creighton	Josephs	Peifer	Taylor, R.
Cruz	Kauffman	Perry	Thomas
Curry	Keller, M.	Perzel	Turzai
Cutler	Keller, W.	Petrarca	Vereb
Daley	Kenney	Petri	Vitali
Dally	Kessler	Petrone	Vulakovich
DeLuca	Killion	Phillips	Wagner
Denlinger	King	Pickett	Walko
DePasquale	Kirkland	Preston	Wansacz
Dermody	Kortz	Pyle	Waters
DeWeese	Kotik	Quigley	Watson
DiGirolamo	Kula	Quinn	Wheatley
Donatucci	Leach	Ramaley	White
Eachus	Lentz	Rapp	Williams
Ellis	Levdansky	Raymond	Yewcic
Evans, J.	Longietti	Readshaw	Youngblood
Everett	Mackereth	Reed	Yudichak
Fabrizio	Maher	Reichley	
Fairchild	Major	Roae	O'Brien, D.,
Fleck	Manderino	Rock	Speaker
Frankel	Mann	Roebuck	

NAYS—0

NOT VOTING—0

EXCUSED—6

Evans, D.	McI. Smith	True	Wojnaroski
Mahoney	Mensch		

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

* * *

RESOLUTION PASSED OVER

The SPEAKER pro tempore. Page 4. HR 27 is over for the day.

* * *

Mr. M. O'BRIEN called up **HR 39, PN 141**, entitled:

A Resolution observing April 20 through 22, 2007, as "Youth Service Days" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

Adolph	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubley
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gerber	McGeehan	Samuelson
Belfanti	Gergely	McIlhattan	Santoni
Benninghoff	Gibbons	Melio	Saylor
Bennington	Gillespie	Metcalfe	Scavello
Beyer	Gingrich	Micozzie	Schroder
Biancucci	Godshall	Millard	Seip
Bishop	Goodman	Miller	Shapiro
Blackwell	Grell	Milne	Shimkus
Boback	Grucela	Moul	Siptroth
Boyd	Haluska	Moyer	Smith, K.
Brennan	Hanna	Mundy	Smith, M.
Brooks	Harhai	Murt	Smith, S.
Buxton	Harhart	Mustio	Solobay
Caltagirone	Harkins	Myers	Sonney
Cappelli	Harper	Nailor	Staback
Carroll	Harris	Nickol	Stairs
Casorio	Helm	O'Brien, M.	Steil
Causar	Hennessey	O'Neill	Stern
Civera	Hershey	Oliver	Stevenson
Clymer	Hess	Pallone	Sturla
Cohen	Hickernell	Parker	Surra
Conklin	Hornaman	Pashinski	Swanger
Costa	Hutchinson	Payne	Tangretti
Cox	James	Payton	Taylor, J.
Creighton	Josephs	Peifer	Taylor, R.
Cruz	Kauffman	Perry	Thomas
Curry	Keller, M.	Perzel	Turzai
Cutler	Keller, W.	Petrarca	Veréb
Daley	Kenney	Petri	Vitali
Dally	Kessler	Petrone	Vulakovich

DeLuca	Killion	Phillips	Wagner
Denlinger	King	Pickett	Walko
DePasquale	Kirkland	Preston	Wansacz
Dermody	Kortz	Pyle	Waters
DeWeese	Kotik	Quigley	Watson
DiGirolamo	Kula	Quinn	Wheatley
Donatucci	Leach	Ramaley	White
Eachus	Lentz	Rapp	Williams
Ellis	Levdansky	Raymond	Yewcic
Evans, J.	Longietti	Readshaw	Youngblood
Everett	Mackereth	Reed	Yudichak
Fabrizio	Maher	Reichley	
Fairchild	Major	Roae	O'Brien, D.,
Fleck	Manderino	Rock	Speaker
Frankel	Mann	Roebuck	

NAYS—0

NOT VOTING—0

EXCUSED—6

Evans, D.	McI. Smith	True	Wojnaroski
Mahoney	Mensch		

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

* * *

RESOLUTIONS PASSED OVER

The SPEAKER pro tempore. The remainder of the resolutions on page 4 are over for the day.

* * *

Mr. ROHRER called up **HR 113, PN 818**, entitled:

A Resolution declaring the week of April 23 through 27, 2007, as "Pennsylvania Academic Competition Week" in Pennsylvania; and urging the Department of Education, local school districts and intermediate units to participate in the 16th annual Statewide Pennsylvania Academic Competition on April 27, 2007.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

Adolph	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubley
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gerber	McGeehan	Samuelson
Belfanti	Gergely	McIlhattan	Santoni
Benninghoff	Gibbons	Melio	Saylor
Bennington	Gillespie	Metcalfe	Scavello
Beyer	Gingrich	Micozzie	Schroder
Biancucci	Godshall	Millard	Seip
Bishop	Goodman	Miller	Shapiro
Blackwell	Grell	Milne	Shimkus
Boback	Grucela	Moul	Siptroth
Boyd	Haluska	Moyer	Smith, K.
Brennan	Hanna	Mundy	Smith, M.

Brooks	Harhai	Murt	Smith, S.
Buxton	Harhart	Mustio	Solobay
Caltagirone	Harkins	Myers	Sonney
Cappelli	Harper	Nailor	Staback
Carroll	Harris	Nickol	Stairs
Casorio	Helm	O'Brien, M.	Steil
Causer	Hennessey	O'Neill	Stern
Civera	Hershey	Oliver	Stevenson
Clymer	Hess	Pallone	Sturla
Cohen	Hickernell	Parker	Surra
Conklin	Hornaman	Pashinski	Swanger
Costa	Hutchinson	Payne	Tangretti
Cox	James	Payton	Taylor, J.
Creighton	Josephs	Peifer	Taylor, R.
Cruz	Kauffman	Perry	Thomas
Curry	Keller, M.	Perzel	Turzai
Cutler	Keller, W.	Petrarca	Vereb
Daley	Kenney	Petri	Vitali
Dally	Kessler	Petrone	Vulakovich
DeLuca	Killion	Phillips	Wagner
Denlinger	King	Pickett	Walko
DePasquale	Kirkland	Preston	Wansacz
Dermody	Kortz	Pyle	Waters
DeWeese	Kotik	Quigley	Watson
DiGirolamo	Kula	Quinn	Wheatley
Donatucci	Leach	Ramaley	White
Eachus	Lentz	Rapp	Williams
Ellis	Levdansky	Raymond	Yewcic
Evans, J.	Longietti	Readshaw	Youngblood
Everett	Mackereth	Reed	Yudichak
Fabrizio	Maher	Reichley	
Fairchild	Major	Roae	O'Brien, D., Speaker
Fleck	Manderino	Rock	
Frankel	Mann	Roebuck	

NAYS-0

NOT VOTING-0

EXCUSED-6

Evans, D.	McI. Smith	True	Wojnaroski
Mahoney	Mensch		

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

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair asks you to welcome the guests of Representative Scavello and Representative Siptroth: the fourth graders from Stroudsburg Elementary in Monroe County. They are joined with their parents and teachers, and they are seated in the gallery.

RESOLUTIONS PURSUANT TO RULE 35

Mr. SHAPIRO called up **HR 129, PN 829**, entitled:

A Resolution designating the month of May 2007 as "Macular Degeneration Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

Adolph	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubley
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gerber	McGeehan	Samuelson
Belfanti	Gergely	McIlhattan	Santoni
Benninghoff	Gibbons	Melio	Saylor
Bennington	Gillespie	Metcalfe	Scavello
Beyer	Gingrich	Micozzie	Schroder
Biancucci	Godshall	Millard	Seip
Bishop	Goodman	Miller	Shapiro
Blackwell	Grell	Milne	Shimkus
Boback	Grucela	Moul	Siptroth
Boyd	Haluska	Moyer	Smith, K.
Brennan	Hanna	Mundy	Smith, M.
Brooks	Harhai	Murt	Smith, S.
Buxton	Harhart	Mustio	Solobay
Caltagirone	Harkins	Myers	Sonney
Cappelli	Harper	Nailor	Staback
Carroll	Harris	Nickol	Stairs
Casorio	Helm	O'Brien, M.	Steil
Causer	Hennessey	O'Neill	Stern
Civera	Hershey	Oliver	Stevenson
Clymer	Hess	Pallone	Sturla
Cohen	Hickernell	Parker	Surra
Conklin	Hornaman	Pashinski	Swanger
Costa	Hutchinson	Payne	Tangretti
Cox	James	Payton	Taylor, J.
Creighton	Josephs	Peifer	Taylor, R.
Cruz	Kauffman	Perry	Thomas
Curry	Keller, M.	Perzel	Turzai
Cutler	Keller, W.	Petrarca	Vereb
Daley	Kenney	Petri	Vitali
Dally	Kessler	Petrone	Vulakovich
DeLuca	Killion	Phillips	Wagner
Denlinger	King	Pickett	Walko
DePasquale	Kirkland	Preston	Wansacz
Dermody	Kortz	Pyle	Waters
DeWeese	Kotik	Quigley	Watson
DiGirolamo	Kula	Quinn	Wheatley
Donatucci	Leach	Ramaley	White
Eachus	Lentz	Rapp	Williams
Ellis	Levdansky	Raymond	Yewcic
Evans, J.	Longietti	Readshaw	Youngblood
Everett	Mackereth	Reed	Yudichak
Fabrizio	Maher	Reichley	
Fairchild	Major	Roae	O'Brien, D., Speaker
Fleck	Manderino	Rock	
Frankel	Mann	Roebuck	

NAYS-0

NOT VOTING-0

EXCUSED-6

Evans, D.	McI. Smith	True	Wojnaroski
Mahoney	Mensch		

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

* * *

RESOLUTION PASSED OVER

The SPEAKER pro tempore. HR 117 is over for the day.

* * *

The SPEAKER pro tempore. Members will take their seats. We are about to take up a condolence resolution. I ask the members to take their seats.

Mr. CUTLER called up **HR 194, PN 1237**, entitled:

A Resolution honoring the life and extending condolences for the supreme sacrifice of United States Army Specialist James R. S. Geiter, who tragically lost his life in service to our country in Regensburg, Germany, on January 5, 2007.

On the question,
Will the House adopt the resolution?

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

Mr. CUTLER. Thank you, Mr. Speaker and fellow colleagues.

I stand here today to request your support and an affirmative vote on HR 194. I had hoped that I would never have to sponsor a condolence resolution because of what it means. It means that an individual and their family from the district that I am privileged to serve have made the supreme sacrifice in service to our country.

During the global war on terror, Spc. James R. S. Geiter courageously served our nation in the United States Army for 4 years as a light-wheeled-vehicle mechanic until he tragically lost his life on January 5 of this year in Regensburg, Germany.

GUESTS INTRODUCED

Mr. CUTLER. His wife, McKenna Geiter, and his mother, Sherrie Wiley, are here with us today. Not here but just as important is his young daughter, Bianca Geiter. I ask them now to stand so that they can be honored and thanked for their sacrifices, and again ask for you to properly honor them and vote "yes" on HR 194.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—197

Adolph	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubley
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gerber	McGeehan	Samuelson
Belfanti	Gergely	McIlhatten	Santoni
Benninghoff	Gibbons	Melio	Saylor
Bennington	Gillespie	Metcalfe	Scavello
Beyer	Gingrich	Micozzie	Schroder
Biancucci	Godshall	Millard	Seip
Bishop	Goodman	Miller	Shapiro
Blackwell	Grell	Milne	Shimkus
Boback	Grucela	Moul	Siptroth
Boyd	Haluska	Moyer	Smith, K.

Brennan	Hanna	Mundy	Smith, M.
Brooks	Harhai	Murt	Smith, S.
Buxton	Harhart	Mustio	Solobay
Caltagirone	Harkins	Myers	Sonney
Cappelli	Harper	Nailor	Staback
Carroll	Harris	Nickol	Stairs
Casorio	Helm	O'Brien, M.	Steil
Causser	Hennessey	O'Neill	Stern
Civera	Hershey	Oliver	Stevenson
Clymer	Hess	Pallone	Sturla
Cohen	Hickernell	Parker	Surra
Conklin	Hornaman	Pashinski	Swanger
Costa	Hutchinson	Payne	Tangretti
Cox	James	Payton	Taylor, J.
Creighton	Josephs	Peifer	Taylor, R.
Cruz	Kauffman	Perry	Thomas
Curry	Keller, M.	Perzel	Turzai
Cutler	Keller, W.	Petrarca	Vereb
Daley	Kenney	Petri	Vitali
Dally	Kessler	Petrone	Vulakovich
DeLuca	Killion	Phillips	Wagner
Denlinger	King	Pickett	Walko
DePasquale	Kirkland	Preston	Wansacz
Dermody	Kortz	Pyle	Waters
DeWeese	Kotik	Quigley	Watson
DiGirolamo	Kula	Quinn	Wheatley
Donatucci	Leach	Ramaley	White
Eachus	Lentz	Rapp	Williams
Ellis	Levdansky	Raymond	Yewcic
Evans, J.	Longietti	Readshaw	Youngblood
Everett	Mackereth	Reed	Yudichak
Fabrizio	Maher	Reichley	
Fairchild	Major	Roae	O'Brien, D., Speaker
Fleck	Manderino	Rock	
Frankel	Mann	Roebuck	

NAYS—0

NOT VOTING—0

EXCUSED—6

Evans, D.	McI. Smith	True	Wojnaroski
Mahoney	Mensch		

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

SUPPLEMENTAL CALENDAR B

RESOLUTION PURSUANT TO RULE 35

Mr. CONKLIN called up **HR 231, PN 1350**, entitled:

A Resolution offering heartfelt condolences to the victims, family and friends involved in the terrible tragedy at Virginia Tech and recognizing the university for its proud tradition of academic excellence and strong sense of community.

On the question,
Will the House adopt the resolution?

The SPEAKER pro tempore. The Chair recognizes the gentleman, Representative Conklin.

Mr. CONKLIN. Thank you, Mr. Speaker, and I would like to thank the other members of this House.

As most of you know, I, too, wished I would never have to do a resolution of this type. This is a resolution to send our

condolences on behalf of this House and the citizens of Pennsylvania to those families that lost their children recently at the university. I know myself, with a 19-year-old son that attends Lock Haven University, the first thing that I did was pick up the phone to make sure that my own son was safe, and just as families across the United States today are mourning the loss of other individuals' children such as we are, I am asking for you all to vote for this resolution, sending our condolences from the State of Pennsylvania and its citizens and this House chamber to all those families that have suffered that loss.

And, Mr. Speaker, I am also asking, if you could, to send a copy to every family that has lost a loved one in that incident. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—197

Adolph	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubley
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gerber	McGeehan	Samuelson
Belfanti	Gergely	McIlhattan	Santoni
Benninghoff	Gibbons	Melio	Saylor
Bennington	Gillespie	Metcalfe	Scavello
Beyer	Gingrich	Micozzie	Schroder
Bianucci	Godshall	Millard	Seip
Bishop	Goodman	Miller	Shapiro
Blackwell	Grell	Milne	Shimkus
Boback	Grucela	Moul	Siptroth
Boyd	Haluska	Moyer	Smith, K.
Brennan	Hanna	Mundy	Smith, M.
Brooks	Harhai	Murt	Smith, S.
Buxton	Harhart	Mustio	Solobay
Caltagirone	Harkins	Myers	Sonney
Cappelli	Harper	Nailor	Staback
Carroll	Harris	Nickol	Stairs
Casorio	Helm	O'Brien, M.	Steil
Causar	Hennessey	O'Neill	Stern
Civera	Hershey	Oliver	Stevenson
Clymer	Hess	Pallone	Sturla
Cohen	Hickernell	Parker	Surra
Conklin	Hornaman	Pashinski	Swanger
Costa	Hutchinson	Payne	Tangretti
Cox	James	Payton	Taylor, J.
Creighton	Josephs	Peifer	Taylor, R.
Cruz	Kauffman	Perry	Thomas
Curry	Keller, M.	Perzel	Turzai
Cutler	Keller, W.	Petrarca	Vereb
Daley	Kenney	Petri	Vitali
Dally	Kessler	Petrone	Vulakovich
DeLuca	Killion	Phillips	Wagner
Denlinger	King	Pickett	Walko
DePasquale	Kirkland	Preston	Wansacz
Dermody	Kortz	Pyle	Waters
DeWeese	Kotik	Quigley	Watson
DiGirolamo	Kula	Quinn	Wheatley
Donatucci	Leach	Ramaley	White
Eachus	Lentz	Rapp	Williams
Ellis	Levdansky	Raymond	Yewcic
Evans, J.	Longietti	Readshaw	Youngblood
Everett	Mackereth	Reed	Yudichak
Fabrizio	Maher	Reichley	

Fairchild
Fleck
Frankel

Major
Manderino
Mann

Roae
Rock
Roebuck

O'Brien, D.,
Speaker

NAYS—0

NOT VOTING—0

EXCUSED—6

Evans, D.
Mahoney

McI. Smith
Mensch

True

Wojnaroski

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

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 642, PN 703**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of neglect of care-dependent person.

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

The SPEAKER pro tempore. The Chair recognizes the gentlelady, Representative Gingrich, who offers amendment—Representative Gingrich, you have amendments, and my understanding is that some of them will be withdrawn? Which amendment would you like considered?

The Chair recognizes the gentlelady, Representative Gingrich.

Mrs. GINGRICH. Thank you, Mr. Speaker.

We are looking at amendment A00432. Thank you.

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

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the majority whip, who requests that the gentleman from Allegheny, Representative PETRONE, be placed on leave for the remainder of the day.

CONSIDERATION OF HB 642 CONTINUED

The SPEAKER pro tempore. The Chair recognizes the gentlelady, Representative Gingrich.

Mrs. GINGRICH. Thank you, Mr. Speaker.

At this point I would like to yield the floor to Representative Walko.

The SPEAKER pro tempore. The Chair thanks the gentlelady.

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

Mr. **WALKO** offered the following amendment No. **A00329**:

Amend Sec. 1 (Sec. 2713), page 1, line 15, by striking out "or knowingly" and inserting
knowingly or recklessly

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

The **SPEAKER** pro tempore. On the amendment, the Chair recognizes Representative Walko.

Mr. **WALKO**. Thank you, Mr. Speaker.

The underlying legislation that we are looking at would clarify the crime of neglect of care-dependent person, it would add culpability for endangering welfare, and very importantly, it would include small private-care residences of three or less people in the arena of care, neglect of care-dependent persons. This legislation would simply add "recklessly" to the definition of "neglect of care-dependent person," and that is making it consistent with existing law, the existing statute, with regard to culpability, and I would deeply appreciate a positive vote.

The **SPEAKER** pro tempore. 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	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubley
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gerber	McGeehan	Samuelson
Belfanti	Gergely	McIlhattan	Santoni
Benninghoff	Gibbons	Melio	Saylor
Bennington	Gillespie	Metcalfe	Scavello
Beyer	Gingrich	Micozzie	Schroder
Biancucci	Godshall	Millard	Seip
Bishop	Goodman	Miller	Shapiro
Blackwell	Grell	Milne	Shimkus
Boback	Grucela	Moul	Siptroth
Boyd	Haluska	Moyer	Smith, K.
Brennan	Hanna	Mundy	Smith, M.
Brooks	Harhai	Murt	Smith, S.
Buxton	Harhart	Mustio	Solobay
Caltagirone	Harkins	Myers	Sonney
Cappelli	Harper	Nailor	Staback
Carroll	Harris	Nickol	Stairs
Casorio	Helm	O'Brien, M.	Steil
Causser	Hennessey	O'Neill	Stern
Civera	Hershey	Oliver	Stevenson
Clymer	Hess	Pallone	Sturla
Cohen	Hickernell	Parker	Surra
Conklin	Hornaman	Pashinski	Swanger
Costa	Hutchinson	Payne	Tangretti
Cox	James	Payton	Taylor, J.
Creighton	Josephs	Peifer	Taylor, R.
Cruz	Kauffman	Perry	Thomas
Curry	Keller, M.	Perzel	Turzai
Cutler	Keller, W.	Petrarca	Vereb
Daley	Kenney	Petri	Vitali
Dally	Kessler	Phillips	Vulakovich
DeLuca	Killion	Pickett	Wagner
Denlinger	King	Preston	Walko

DePasquale	Kirkland	Pyle	Wansacz
Dermody	Kortz	Quigley	Waters
DeWeese	Kotik	Quinn	Watson
DiGirolamo	Kula	Ramaley	Wheatley
Donatucci	Leach	Rapp	White
Eachus	Lentz	Raymond	Williams
Ellis	Levdansky	Readshaw	Yewcic
Evans, J.	Longietti	Reed	Youngblood
Everett	Mackereth	Reichley	Yudichak
Fabrizio	Maher	Roae	
Fairchild	Major	Rock	O'Brien, D.,
Fleck	Manderino	Roebuck	Speaker
Frankel	Mann		

NAYS—0

NOT VOTING—0

EXCUSED—7

Evans, D.	McI. Smith	Petrone	Wojnarowski
Mahoney	Mensch	True	

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

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

Mr. **WALKO** offered the following amendment No. **A00381**:

Amend Sec. 1, page 1, lines 6 through 10, by striking out all of said lines and inserting

Section 1. Section 2713(a) of Title 18 of the Pennsylvania Consolidated Statutes is amended, subsection (b) is amended by adding paragraphs, paragraph (1) of the definition of "caretaker" in subsection (f) is amended and subsection (f) is amended by adding definitions to read:

Amend Sec. 1 (Sec. 2713), page 1, line 14, by striking out all of said line and inserting

(1) Intentionally, knowingly or recklessly causes bodily injury or serious bodily injury by failing to provide treatment, care, goods or services necessary to preserve the health, safety or welfare of a care-dependent person for whom he is responsible to provide care.

(2) Intentionally [or], knowingly or recklessly uses a physical restraint or chemical restraint or medication on a care-dependent person, or isolates a care-dependent person contrary to law or regulation, such that bodily injury or serious bodily injury results.

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

The **SPEAKER** pro tempore. On the amendment, the Chair recognizes Representative Walko.

Mr. **WALKO**. Thank you, Mr. Speaker.

Again, in the existing law related to neglect of care-dependent persons, there is a provision which is in relation to the use of physical or chemical restraints, medication, or isolation of that person. This simply, again, would conform the culpability by adding "recklessly" to "intentionally or

knowingly," and therefore, I would respectfully request a positive vote.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. 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	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubley
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gerber	McGeehan	Samuelson
Belfanti	Gergely	McIlhatten	Santoni
Benninghoff	Gibbons	Melio	Saylor
Bennington	Gillespie	Metcalfe	Scavello
Beyer	Gingrich	Micozzie	Schroder
Biancucci	Godshall	Millard	Seip
Bishop	Goodman	Miller	Shapiro
Blackwell	Grell	Milne	Shimkus
Boback	Grucela	Moul	Siptroth
Boyd	Haluska	Moyer	Smith, K.
Brennan	Hanna	Mundy	Smith, M.
Brooks	Harhai	Murt	Smith, S.
Buxton	Harhart	Mustio	Solobay
Caltagirone	Harkins	Myers	Sonney
Cappelli	Harper	Nailor	Staback
Carroll	Harris	Nickol	Stairs
Casorio	Helm	O'Brien, M.	Steil
Causar	Hennessey	O'Neill	Stern
Civera	Hershey	Oliver	Stevenson
Clymer	Hess	Pallone	Sturla
Cohen	Hickernell	Parker	Surra
Conklin	Hornaman	Pashinski	Swanger
Costa	Hutchinson	Payne	Tangretti
Cox	James	Payton	Taylor, J.
Creighton	Josephs	Peifer	Taylor, R.
Cruz	Kauffman	Perry	Thomas
Curry	Keller, M.	Perzel	Turza
Cutler	Keller, W.	Petrarca	Vereb
Daley	Kenney	Petri	Vitali
Dally	Kessler	Phillips	Vulakovich
DeLuca	Killion	Pickett	Wagner
Denlinger	King	Preston	Walko
DePasquale	Kirkland	Pyle	Wansacz
Dermody	Kortz	Quigley	Waters
DeWeese	Kotik	Quinn	Watson
DiGirolamo	Kula	Ramaley	Wheatley
Donatucci	Leach	Rapp	White
Eachus	Lentz	Raymond	Williams
Ellis	Levdansky	Readshaw	Yewcic
Evans, J.	Longietti	Reed	Youngblood
Everett	Mackereth	Reichley	Yudichak
Fabrizio	Maher	Roae	
Fairchild	Major	Rock	O'Brien, D.,
Fleck	Manderino	Roebuck	Speaker
Frankel	Mann		

NAYS—0

NOT VOTING—0

EXCUSED—7

Evans, D.	McI. Smith	Petrone	Wojnaroski
Mahoney	Mensch	True	

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

On the question recurring,

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

Mr. WALKO offered the following amendment No. **A00394**:

Amend Sec. 1, page 1, lines 6 through 10, by striking out all of said lines and inserting

Section 1. Section 2713(a) of Title 18 of the Pennsylvania Consolidated Statutes is amended, subsection (b) is amended by adding paragraphs, subsection (c) is amended, paragraph (1) of the definition of "caretaker" in subsection (f) is amended and subsection (f) is amended by adding definitions to read:

Amend Sec. 1 (Sec. 2713), page 2, by inserting between lines 11 and 12

(c) Report during investigation.—When in the course of conducting any regulatory or investigative responsibility, the Department of Aging, the Department of Health or the Department of Public Welfare has a reasonable cause to believe that a [care-dependent person or care-dependent persons residing in a facility have suffered bodily injury or been unlawfully restrained in] violation of subsection (a)[(1) or (2)] has occurred, a report shall be made immediately to the local law enforcement agency or to the Office of Attorney General.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman, Mr. Walko.

Mr. WALKO. Thank you, Mr. Speaker.

This again relates to the three components of the crime of neglect of care-dependent person. The one which my underlying legislation would add – again, endangering welfare, et cetera, of a care-dependent person – did not include a mandatory report to law enforcement officials as do the other components of the crime of neglect of care-dependent person.

I would respectfully request a "yes" vote on the amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. 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	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubley
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gerber	McGeehan	Samuelson
Belfanti	Gergely	McIlhatten	Santoni
Benninghoff	Gibbons	Melio	Saylor
Bennington	Gillespie	Metcalfe	Scavello
Beyer	Gingrich	Micozzie	Schroder
Biancucci	Godshall	Millard	Seip
Bishop	Goodman	Miller	Shapiro

Blackwell	Grell	Milne	Shimkus
Boback	Grucela	Moul	Siptroth
Boyd	Haluska	Moyer	Smith, K.
Brennan	Hanna	Mundy	Smith, M.
Brooks	Harhai	Murt	Smith, S.
Buxton	Harhart	Mustio	Solobay
Caltagirone	Harkins	Myers	Sonney
Cappelli	Harper	Nailor	Staback
Carroll	Harris	Nickol	Stairs
Casorio	Helm	O'Brien, M.	Steil
Causar	Hennessey	O'Neill	Stern
Civera	Hershey	Oliver	Stevenson
Clymer	Hess	Pallone	Sturla
Cohen	Hickernell	Parker	Surra
Conklin	Hornaman	Pashinski	Swanger
Costa	Hutchinson	Payne	Tangretti
Cox	James	Payton	Taylor, J.
Creighton	Josephs	Peifer	Taylor, R.
Cruz	Kauffman	Perry	Thomas
Curry	Keller, M.	Perzel	Turzai
Cutler	Keller, W.	Petrarca	Vereb
Daley	Kenney	Petri	Vitali
Dally	Kessler	Phillips	Vulakovich
DeLuca	Killion	Pickett	Wagner
Denlinger	King	Preston	Walko
DePasquale	Kirkland	Pyle	Wansacz
Dermody	Kortz	Quigley	Waters
DeWeese	Kotik	Quinn	Watson
DiGirolamo	Kula	Ramaley	Wheatley
Donatucci	Leach	Rapp	White
Eachus	Lentz	Raymond	Williams
Ellis	Levdansky	Readshaw	Yewcic
Evans, J.	Longietti	Reed	Youngblood
Everett	Mackereth	Reichley	Yudichak
Fabrizio	Maher	Roae	
Fairchild	Major	Rock	O'Brien, D.,
Fleck	Manderino	Roebuck	Speaker
Frankel	Mann		

NAYS—0

NOT VOTING—0

EXCUSED—7

Evans, D.	McI. Smith	Petrone	Wojnaroski
Mahoney	Mensch	True	

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

On the question recurring,

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

Mrs. **GINGRICH** offered the following amendment No. **A00432**:

Amend Title, page 1, line 3, by removing the period after "person" and inserting

; and providing for the offense of harassment or stalking of care-dependent person.

Amend Bill, page 3, by inserting between lines 15 and 16

Section 2. Title 18 is amended by adding a section to read:

§ 2713.1. Harassment or stalking of care-dependent person.

(a) Offense defined.—A caretaker is guilty of harassment or stalking of a care-dependent person if he:

(1) With the intent to harass, annoy or alarm a care-dependent person he:

(i) strikes, shoves, kicks or otherwise subjects or attempts to subject a care-dependent person to or threatens a care-dependent person with physical contact;

(ii) engages in a course of conduct or repeatedly commits acts which serve no legitimate purposes;

(iii) communicates to a care-dependent person any lewd, lascivious, threatening or obscene words, language, drawings or caricatures; or

(iv) communicates repeatedly with the care-dependent person at extremely inconvenient hours.

(2) Commits an offense under section 2709.1 (relating to stalking) against a care-dependent person.

(b) Penalty.—

(1) A violation of subsection (a)(1) constitutes a misdemeanor of the first degree.

(2) A violation of subsection (a)(2) constitutes a felony of the third degree.

(c) Report during investigation.—When in the course of conducting any regulatory or investigative responsibility, the Department of Aging, the Department of Health or the Department of Public Welfare has reasonable cause to believe that a caretaker has engaged in conduct in violation of this section, a report shall be made immediately to the local law enforcement agency or to the Office of Attorney General.

(d) Enforcement.—

(1) The district attorneys of the several counties shall have authority to investigate and to institute criminal proceedings for any violations of this section.

(2) In addition to the authority conferred upon the Attorney General under the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act, the Attorney General shall have the authority to investigate and institute criminal proceedings for any violation of this section. A person charged with a violation of this section by the Attorney General shall not have standing to challenge the authority of the Attorney General to investigate or prosecute the case, and, if any such challenge is made, the challenge shall be dismissed and no relief shall be available in the courts of this Commonwealth to the person making the challenge.

(e) Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Care-dependent person." An adult who, due to physical or cognitive disability or impairment, requires assistance to meet the adult's needs for food, shelter, clothing, personal care or health care.

"Caretaker." This term shall have the same meaning given to it under section 2713 (relating to neglect of care-dependent person).

"Person." A natural person, corporation, partnership, unincorporated association or other business entity.

Amend Sec. 2, page 3, line 16, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentlelady, Representative Gingrich.

Mrs. GINGRICH. Thank you again, Mr. Speaker.

I am pleased for the opportunity to introduce this amendment to a very important bill. This amendment will add a section to the bill that addresses harassment and stalking of care-dependent persons. I say the amendment is important and is as important as the bill in light of much of what we have seen in egregious treatment to some of our seniors in various living accommodations.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentlelady.

Will the House agree to the amendment? On that question, the Chair recognizes the gentleman from Delaware, Representative Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

Will the gentlelady stand for interrogation?

The SPEAKER pro tempore. The lady indicates she will. You may proceed.

Mr. VITALI. I am trying to get my head around the need for this, given the crimes of harassment and stalking already in our Pennsylvania Crimes Code. Could you give me like a scenario you are trying to get at with this, because I sort of picture this sort of enfeebled person in need of care, and the idea of someone stalking that person is not kind of striking me as a— Tell me what you are trying to get at here.

Mrs. GINGRICH. Thank you, Mr. Speaker. I am happy to do that.

I can give you not just an analogy but an absolute example or two if you need so. In a care home in my district – and mine was not alone; I truly understand – in a personal-care home and in a waiver-program home, we have had criminally investigated and charged intimidation, harassment, physical kicking, pushing, and that type of abuse to individuals living in the residences, and that is exactly what we are trying to get at here. Current law allows us only to provide action in a case where people have already been egregiously hurt or injured.

Mr. VITALI. Okay. Now we have, like when I think of, like, physical harm, I am thinking of maybe assault, if you are in a situation like that, maybe an assault, a simple assault, maybe an aggravated assault, but I am still not quite understanding, like, stalking. I am trying to picture, how would a caregiver stalk a care-dependent person, and what is the need for the stalking part? And deal with the harassment, first, as assault and the stalking part.

Mrs. GINGRICH. Well, the language, Mr. Speaker, to my colleague is to mirror what language we have in statute as best we can, and when I am talking about issues of intimidation, harassment, and stalking, another example, real-life example, is the caregiver, individual owner, cleaning his gun in front of the residents, walking through the accommodation spinning the gun over his head on a daily or every other daily basis. So the language is designed to mirror the bill, the statute in place, using that, and that is where the stalking comes from in addition to harassment.

Mr. VITALI. Well, that, I mean, in all due respect, that is really not stalking, is it? I mean, I envision stalking is you continually follow a person around in public places and you hunt them down. I mean, you are not really describing stalking, are you?

Mrs. GINGRICH. Mr. Speaker, I understand the confusion, but that is the description in the law. The term "stalking" is used in this capacity. However, I agree with you, you have another vision of it, but in the statute language, that is how it is defined.

Mr. VITALI. Okay. Now, I understand sort of the fact that there are caregivers who commit crimes on care-dependent people, but we have, you know, simple assault, aggravated assault, stalking, terroristic threats, and so forth already in the Crimes Code. Could you tell me why we are making a specific crime? Are not the current crimes working?

Mrs. GINGRICH. I understand your legal question. We are talking about a particularly vulnerable population; we are not talking about the population in general, and I am sure

Representative Walko will agree with me on our efforts to put forth, you know, a structure and a quality of life and security for our elder population, and that is where this particular addendum comes from.

Mr. VITALI. Right. But, I mean, maybe my point is, I mean, do not the current Crimes Code statutes we have talked about deal with that class of people? I mean, every category is the victim of crime, be it children, be it seniors, be it sick people, be it women. I mean, the Crimes Code is designed to act as a deterrent to crimes against all sorts of vulnerable people, because vulnerable people typically are the victims of crimes because they are less defensive. Why are we creating a specific set of crimes for care-dependent people? Tell me why our current Crimes Code crimes of assault, simple aggravated, terroristic threats, you know, all the rest, are not working here?

Mrs. GINGRICH. Mr. Speaker, my colleague, I am sure, is aware that we do have additional protections in place for our children, and I know that Representative Walko would agree with me when I say that some of our most vulnerable older Pennsylvanians, on the heels of so many circumstances that we have all seen, deserve this level of attention and intimidation, harassment, and as the law says, stalking.

Mr. VITALI. Okay. Now, it is my understanding that some of the penalties for this crime are higher than the comparable Crimes Code statutes? I am referring— Okay. It is my understanding that, for example, stalking a care-dependent person is a felony of the third degree – am I correct in that? – carrying a 7-year prison term, up to 7 years?

Mrs. GINGRICH. Mr. Speaker, you are correct, sir.

Mr. VITALI. Okay. That concludes my interrogation.

Mrs. GINGRICH. Thank you for your questions.

Mr. VITALI. Okay. My only concern here, if I could just speak on the amendment—

The SPEAKER pro tempore. The gentleman is in order.

Mr. VITALI. I certainly understand this lady's motives, and she is probably going to get 202 votes right now, but I just have a real concern about these sorts of specialty Crimes Code sections when the normal Crimes Code sections work fine. I am particularly concerned with making stalking a felony of the third degree. I guess we are talking about, you know, the term "sentencing creep" is starting to come into us, this sort of continually upping the ante of what we charge here.

Now, you are kind of making stalking, which is just following someone around in a public place, you are kind of giving that now the same penalty as rape, and I am just not sure that that is appropriate. So I just have some concerns here. I understand the way this place works, but I just have some concerns. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

For what purpose does the gentleman from Philadelphia, Representative Williams, rise?

Mr. WILLIAMS. Can I interrogate the maker?

The SPEAKER pro tempore. The lady indicates that she will. You may proceed.

Mr. WILLIAMS. Thank you.

With this bill, if a person gets arrested for assaulting, a caretaker assaulting an elderly person, will they have a record and that record will state, after they get charged, that they were charged for harassment or assaulting a patient as a caretaker?

Mrs. GINGRICH. Mr. Speaker, thank you.

Yes. Under whatever title they are charged, that would appear, and you do recognize the specificity of this and the circumstances and the locations where this would take place.

Mr. WILLIAMS. Okay. Normally if a person gets arrested for aggravated or simple assault, would it say that I was arrested for simple assault or aggravated assault? Does it say on an elderly person as the criminal charge, when you look at their background?

Mrs. GINGRICH. Correct. Mr. Speaker, it would be under care-dependent person. You are saying older person, but the language of the law is "care-dependent" person. Correct.

Mr. WILLIAMS. Thank you, Mr. Speaker.

Can I speak on the bill?

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

Mr. WILLIAMS. Mr. Speaker, I have a mother in a nursing home, and I understand and I recognize where the gentledady is going, along with Representative Walko, with this bill. A person could possibly, without this bill, get a job as a caretaker after they were charged for a simple assault or aggravated assault or stalking on a charge from a crime they committed before. This bill, Mr. Speaker, will stop a person from getting a job as a caretaker after they have been arrested for committing a crime against an elderly person as a caretaker.

So, Mr. Speaker, for many of us who have elderly people in our family who depend on caretakers and depend on nursing homes, I urge a strong vote that we take care of the most precious people that we have in Pennsylvania, and that is our elderly people, and that is to make sure they get all the protection that they can get. If it means we have to change the grade level, if it means we have to change the subtitle, so be it. Those golden-year people who have spent time in this State and this country making this country great deserve to have protection.

I urge a positive vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair recognizes the presence of the gentledady from Lancaster, Representative True, on the floor and directs the clerk to add her to the master roll.

CONSIDERATION OF HB 642 CONTINUED

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

Mr. WALKO. Thank you, Mr. Speaker.

I commend the gentlewoman from Lebanon County, and I support her amendment. First of all, there have been some misstatements here. I believe the Supreme Court of Pennsylvania overturned the law which banned the permanent lifetime ban on employment for these kinds of offenses. So that is one thing. I think that is no longer a concern.

Secondly, the crime of stalking is not just following somebody around in a public place. Allow me to quote; the offense defined could be this: engaging in a course of conduct or repeatedly communicating to another person under circumstances which demonstrate or communicate either an

intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to that person, and I believe in Lebanon County that was happening, and I know in Allegheny County that was happening. And it is very appropriate to fine-tune and define those, because this kind of situation for care-dependent persons and the instances of the crime of neglect of care-dependent persons is happening in settings that are not really public places; it is happening in settings where more and more of our older Pennsylvanians are getting care and delaying going to nursing homes.

So I believe that it is altogether appropriate to focus a crime for this kind of conduct against a dependent person, against a person who is frail, against a person who is in a setting that is not exactly public where you must trust the caregiver, and therefore, I support the Gingrich amendment.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. 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	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubley
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gerber	McGeehan	Samuelson
Belfanti	Gergely	McIlhattan	Santoni
Benninghoff	Gibbons	Melio	Saylor
Bennington	Gillespie	Metcalfe	Scavello
Beyer	Gingrich	Micozzie	Schroder
Biancucci	Godshall	Millard	Seip
Bishop	Goodman	Miller	Shapiro
Blackwell	Grell	Milne	Shimkus
Boback	Grucela	Moul	Siptroth
Boyd	Haluska	Moyer	Smith, K.
Brennan	Hanna	Mundy	Smith, M.
Brooks	Harhai	Murt	Smith, S.
Buxton	Harhart	Mustio	Solobay
Caltagirone	Harkins	Myers	Sonney
Cappelli	Harper	Nailor	Staback
Carroll	Harris	Nickol	Stairs
Casorio	Helm	O'Brien, M.	Steil
Causer	Hennessey	O'Neill	Stern
Civera	Hershey	Oliver	Stevenson
Clymer	Hess	Pallone	Sturla
Cohen	Hickernell	Parker	Surra
Conklin	Hornaman	Pashinski	Swanger
Costa	Hutchinson	Payne	Tangretti
Cox	James	Payton	Taylor, J.
Creighton	Josephs	Peifer	Taylor, R.
Cruz	Kauffman	Perry	Thomas
Curry	Keller, M.	Perzel	True
Cutler	Keller, W.	Petrarca	Turzai
Daley	Kenney	Petri	Vereb
Dally	Kessler	Phillips	Vulakovich
DeLuca	Killion	Pickett	Wagner
Denlinger	King	Preston	Walko
DePasquale	Kirkland	Pyle	Wansacz
Dermody	Kortz	Quigley	Waters
DeWeese	Kotik	Quinn	Watson
DiGirolamo	Kula	Ramaley	Wheatley
Donatucci	Leach	Rapp	White
Eachus	Lentz	Raymond	Williams
Ellis	Levdansky	Readshaw	Yewcic
Evans, J.	Longiotti	Reed	Youngblood

Everett	Mackereth	Reichley	Yudichak
Fabrizio	Maher	Roae	
Fairchild	Major	Rock	O'Brien, D.,
Fleck	Manderino	Roebuck	Speaker
Frankel	Mann		

NAYS—1

Vitali

NOT VOTING—0

EXCUSED—6

Evans, D.	McI. Smith	Petrone	Wojnaroski
Mahoney	Mensch		

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

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

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

* * *

The House proceeded to second consideration of **HB 112, PN 413**, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing, in insurance holding companies, for definitions, for acquisition of control of or merger with domestic insurer and for acquisitions involving insurers not otherwise covered; and making an inconsistent repeal.

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

Mr. **DeLUCA** offered the following amendment No. **A00400**:

Amend Title, page 1, line 11, inserting after "providing"
for effect of act on existing laws and

Amend Bill, page 1, lines 18 through 22, by striking out all of said lines and inserting

Section 1. Section 108 of the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, is amended to read:

Section 108. Effect of Act on Existing Laws.—The provisions of this act, so far as they are the same as those of existing laws, shall be construed as a continuation of such laws and not as new enactments. The repeal by this act of any provision of law shall not revive any law heretofore repealed or superseded, nor shall such repeal affect any act done, liability incurred, or any right accrued or vested, or any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of the repealed laws. The provisions of this act shall not limit the jurisdiction and authority of the Office of Attorney General, including, but not limited to, the jurisdiction and authority granted pursuant to the act of October 15,

1980 (P.L.950, No.164), known as the "Commonwealth Attorneys Act."

Section 2. The definitions of "insurer" and "person" in section 1401 of the act, amended December 20, 2000 (P.L.967, No.132), are amended and the section is amended by adding a definition to read:

Amend Sec. 2, page 3, line 27, by striking out "2" and inserting
3

Amend Sec. 2 (Sec. 1402), page 12, by inserting between lines 7 and 8

(i) The department shall, within seventy-two hours of receiving a statement filed under this section, provide notification to the Office of Attorney General that the filing was received.

Amend Sec. 3, page 12, line 8, by striking out "3" and inserting
4

Amend Sec. 4, page 17, line 23, by striking out "4" and inserting
5

Amend Sec. 5, page 17, line 26, by striking out "5" and inserting
6

Amend Sec. 6, page 17, line 30, by striking out "6" and inserting
7

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

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman, Representative DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is supported by the Attorney General, and what it does is it preserves the authority currently provided by the Commonwealth Attorneys Act, which includes oversight over charitable organizations and justifications to enforce antitrust laws.

Now, if HB 112 were enacted in its current form, the action could be interpreted to be giving the Insurance Department exclusive authority to review consolidations of entities such as Highmark and IBC (Independence Blue Cross) Blues, invalidating the Attorney General's authority to take action to protect the interests of the public out there.

So I would respectfully ask the body of the House here to vote in favor of this amendment. It was requested by the Attorney General to protect the public, and certainly it is something that we need in this HB 112.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman, Mr. Baker.

Mr. BAKER. Thank you, Mr. Speaker.

Mr. Speaker, this is an agreed-to amendment. This side of the aisle supports this legislation wholeheartedly, and the Attorney General, I know, will be very grateful to get this legislation as part of the overall package of legislation to HB 112.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—197

Adolph	Freeman	Mantz	Ross
Argall	Gabig	Markosek	Rubley
Baker	Galloway	Marshall	Sabatina
Barrar	Geist	Marsico	Sainato
Bastian	George	McCall	Samuelson
Bear	Gerber	McGeehan	Santoni
Belfanti	Gergely	McIlhatten	Saylor
Benninghoff	Gibbons	Melio	Scavello
Bennington	Gillespie	Metcalfe	Schroder
Beyer	Gingrich	Micozzie	Seip
Biancucci	Godshall	Millard	Shapiro
Bishop	Goodman	Miller	Shimkus
Blackwell	Grell	Milne	Siptroth
Boback	Grucela	Moul	Smith, K.
Boyd	Haluska	Moyer	Smith, M.
Brennan	Hanna	Mundy	Smith, S.
Brooks	Harhai	Murt	Solobay
Buxton	Harhart	Mustio	Sonney
Caltagirone	Harkins	Myers	Staback
Cappelli	Harper	Nailor	Stairs
Carroll	Harris	Nickol	Steil
Casorio	Helm	O'Brien, M.	Stern
Causar	Hennessey	O'Neill	Stevenson
Civera	Hershey	Oliver	Sturla
Clymer	Hess	Pallone	Surra
Cohen	Hickernell	Parker	Swanger
Conklin	Hornaman	Pashinski	Tangretti
Costa	Hutchinson	Payne	Taylor, J.
Cox	James	Payton	Taylor, R.
Creighton	Josephs	Peifer	Thomas
Cruz	Kauffman	Perry	True
Curry	Keller, M.	Perzel	Turzai
Cutler	Keller, W.	Petrarca	Vereb
Daley	Kenney	Petri	Vitali
Dally	Kessler	Phillips	Vulakovich
DeLuca	Killion	Pickett	Wagner
Denlinger	King	Preston	Walko
DePasquale	Kirkland	Pyle	Wansacz
Dermody	Kortz	Quigley	Waters
DeWeese	Kotik	Quinn	Watson
DiGirolamo	Kula	Ramaley	Wheatley
Donatucci	Leach	Rapp	White
Eachus	Lentz	Raymond	Williams
Ellis	Levdansky	Readshaw	Yewcic
Evans, J.	Longietti	Reed	Youngblood
Everett	Mackereth	Reichley	Yudichak
Fabrizio	Maher	Roae	O'Brien, D., Speaker
Fairchild	Major	Rock	
Fleck	Manderino	Roebuck	
Frankel	Mann	Rohrer	

NAYS—0

NOT VOTING—0

EXCUSED—6

Evans, D.	McI. Smith	Petrone	Wojnaroski
Mahoney	Mensch		

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

On the question,

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

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

Mr. BAKER. Thank you, Mr. Speaker.

Because this amendment was passed and my two amendments were duplicative in nature, I would like to withdraw my two amendments. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Maher. The Chair sees the gentleman has filed two amendments. Does he wish to proceed with both amendments?

Mr. MAHER. That is a very good question, Mr. Speaker. Could we be at ease for a minute?

The SPEAKER pro tempore. The House is at ease.

THE SPEAKER (DENNIS M. O'BRIEN) PRESIDING

The SPEAKER. The Chair recognizes Representative Maher. Mr. MAHER. Thank you, Mr. Speaker.

I rise for the purpose of offering amendment A00416.

On the question recurring,

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

Mr. MAHER offered the following amendment No. A00416:

Amend Sec. 2 (Sec. 1402), page 10, by inserting between lines 9 and 10

(viii) The acquisition, merger, consolidation or other transaction involves one or more insurers subject to section 833 of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 833) and, as an immediate result of the acquisition, merger, consolidation or other transaction, the combined market share of the involved insurers exceeds fifty per centum (50%) of the total market in this Commonwealth of hospital plan corporations or professional health services plan corporations.

Amend Sec. 3 (Sec. 1403), page 17, by inserting between lines 21 and 22

(4) An order must be entered under subsection (e)(1) if the acquisition, merger, consolidation or other transaction involves one or more insurers subject to section 833 of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 833) and, as an immediate result of the acquisition, merger, consolidation or other transaction, the combined market share of the involved insurers exceeds fifty per centum (50%) of the total market in this Commonwealth of hospital plan corporations or professional health services plan corporations.

Amend Sec. 5, page 17, lines 26 through 29, by striking out all of said lines

Amend Sec. 6, page 17, line 30, by striking out "6" and inserting
5

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, the Chair recognizes Representative Maher.

Mr. MAHER. Thank you, Mr. Speaker.

One of the critical elements for health-care costs to be contained is to have sufficient competition in the marketplace, and whether it is health care, which I know many in this chamber feel very strongly about trying to help families be able to afford health care, to help businesses be able to afford to insure their employees, to help doctors, dentists, therapists, and

all health professionals be able to earn a living attractive enough to practice in Pennsylvania, I believe these are all goals that we share, and an element to that is to ensure that the marketplace has sufficient conditions of competition. Now, this is not a new idea in Pennsylvania. In fact, existing statute establishes thresholds where there is a prima facie expectation that the insurance industry is acting in an anticompetitive fashion.

Mr. Speaker? Mr. Speaker, might you ask that the conferences in the aisles could conclude.

The SPEAKER. The gentleman is correct. Members will please clear the aisles. Members will hold their conversations to a minimum noise level, please.

Mr. MAHER. Thank you, Mr. Speaker.

The SPEAKER. The gentleman may continue.

Mr. MAHER. If the members would scroll to page 15 of the bill that is before us, HB 112, you will see that existing law already provides that the Insurance Department can evaluate potential mergers for their competitiveness or lack thereof. Those thresholds are rather modest. Between 10 and 20 percent of a market is deemed to be prima facie evidence of an anticompetitive merger proposal. At some point that decision then is made as to whether or not the other conditions involved with the merger are sufficient to sustain such an impact on the marketplace, but it is discretionary. I believe at some point it becomes obvious that a market is noncompetitive. Consequently, I have offered this amendment which would recognize that if any insurer were to reach the point where it would control more than half, more than half of the entire State's market for insurance, for health, for families, that it would be de facto anticompetitive and could not be a merger which is approved.

Our families depend upon us to look out for them. We know, the Governor understands, and I think most of the members of this House understand that health insurance needs to be affordable. We cannot expect affordable health insurance absent the appropriate market condition, and consequently, Mr. Speaker, I ask for the members to join me in helping to allow a competitive market to price insurance products so that our families can afford them, so that our employers across the State can afford to offer insurance to their employees.

It is a noble mission, and I hope I can count on your support. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman, Representative DeLuca.

Mr. DeLUCA. Would the gentleman from Allegheny stand for an interrogation, please?

The SPEAKER. The gentleman indicates he will. The gentleman may proceed.

Mr. DeLUCA. I keep hearing you say competition, and what you are trying to do, from what I understand reading your amendment, is to try to really stop this merger legislatively before, unless you have some evidence that this is bad for the consumers, which I understand myself and your Republican chairman on your side of the Insurance Committee and the Republican chairman on the other side are going to be having hearings on this merger to see whether it is beneficial for the public or not, but I keep hearing you say competition.

Now, you come from the west, and what competition do we have out there right now, because I do not want to fool the people watching this program out here. Highmark has 75 percent of the business in the west. So tell me where this competition is that you want to do for the citizens of

Pennsylvania. Where is the competition at, besides this merger, that you want to create out in the State?

Mr. MAHER. The gentleman raises an excellent point. The market is starved enough already for competition, and I would point to the gentleman that existing law provides that it is a prima facie conclusion – those are the words from the law – that an anticompetitive result would arise from a merger if it even crosses the 10-percent or 20-percent thresholds of marketplace competition, and I would agree with the gentleman, it is important to have competition. We should not be acting in ways to reduce competition, and under the existing law, this could be evaluated at the 10-percent level or 20-percent level.

My view is, it gets to a point where it is obviously a monopolistic exercise, and I believe that more than 50 percent of the entire State's market allows such pricing power to drive out competition that ultimately makes insurance less affordable for families, allows such muscle in working with the health-care community to drive out providers of health care, to allow insurers to effectively dictate which hospitals will deliver babies and which ones will not, to dictate who will have an x-ray machine and who will not, et cetera, et cetera, et cetera. I want, at a very minimum, to allow competition to grow. I certainly do not want to allow competition to be extinguished altogether.

Mr. DeLUCA. Mr. Speaker, let me understand your bill. You say 50 percent of the market. Am I correct?

Mr. MAHER. That is correct.

Mr. DeLUCA. Is that what your bill says?

Now, what would stop them from asking the insurer of last resort to dump the business that they are not making any money on and get under the 50-percent threshold, and what does it do for the individuals out there in the Commonwealth if they do that? To get under the threshold, they get rid of their unprofitable stuff because they are the insurers of last resort. So what happens there, Mr. Speaker? Are you going to insure these individuals?

Mr. MAHER. You raise an excellent point, and I share your concern, and I would point the gentleman to the existing procedures for contemplating the approval of mergers of health insurers, which one of the important reasons that they exist at all is to safeguard the public, to safeguard consumers for the sorts of examples that you have just enumerated, and that is an excellent example. If a merger is going to result in someone having a monopoly, then they would not be able to move forward. If they are going to come forward with a merger proposal that would involve less than a monopoly, those very factors that you are speaking of would be part of the consideration that the Insurance Commissioner would attach to deciding whether or not to approve the merger.

Mr. DeLUCA. That concludes my interrogation, Mr. Speaker. I would like to make a statement.

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

Mr. DeLUCA. Mr. Speaker, I am going to oppose the Maher amendment because the fact is, I think we need to be very careful in this type of legislation. We certainly could create a problem out there for some of our individuals who depend on some of the insurance that we provide them as an insurer of last resort, but more importantly, we should find out regardless— You know, I understand about mergers. I understand about other things. We have done that many a times, and I would be the last one to say I am for bigger is better, but I think in this situation, we need to investigate to find out whether this merger would benefit the consumers, the health-care consumers of the

Commonwealth of Pennsylvania. To arbitrarily defeat it legislatively right now, what the gentleman from Allegheny is trying to do, I believe would be a mistake.

So therefore, I am asking for a "no" vote on this side of the aisle. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman, Representative Micozzie.

Mr. MICOZZIE. Thank you, Mr. Speaker.

Mr. Speaker, may I have some quiet?

The SPEAKER. The gentleman is correct. I will ask the members again to cease conversation and clear the aisles. The gentleman may proceed.

Mr. MICOZZIE. Thank you, Mr. Speaker.

First of all, the merger and all the complications that are involved in this merger is a very important issue, and my colleague, Representative DeLuca, and I were planning to have extensive hearings on the merger. We just had about six hearings on HB 700, and in that discussion and dialogue, this issue came up.

One of my concerns about the Maher amendment is what my good friend, Representative DeLuca, alluded to. What happens if the Blues, after the merger, decide to stop adultBasic or stop the CHIP program (Children's Health Insurance Program) or cut back on that or any other program that they are involved in that brings them back down below the 50-percent? My concern there is that our constituents, which he alludes to that we should make sure that we represent them, are going to be, not better off, but have problems trying to get more insurance.

So I ask my colleagues, especially those on the Insurance Committee and all my colleagues on both sides of the aisle, to defeat this amendment. Thank you.

The SPEAKER. The Chair recognizes Representative Boyd.

Mr. BOYD. Thank you, Mr. Speaker.

I rise to support my colleague from, I believe it is Allegheny County, Mr. Maher, and his amendment. I have been privileged to be on the Insurance Committee this year and have attended a number of these hearings, and this issue of this merger has come up at just about every one of these hearings, and I do not know that I have heard a whole lot of testimony from anybody who has been really positive on what the net impact of this merger would be. I wonder how we would feel if we had two auto insurance companies that were going to merge and control 53 percent of the auto insurance. I wonder how we would feel if we were going to have one company control 53 percent of the workers' compensation insurance policies in the State and what we would be concerned about with our rates on those issues.

I am a fundamental believer that competition does, in fact, drive costs down. Supply and demand does work, and I believe that it would be important that we make certain that we do everything we can with the rising cost of health care to not move in a direction that would reduce competition. So I am going to vote for this amendment. I believe it is a good step in making certain that we retain as much competition in the industry as we can.

Thank you, Mr. Speaker.

The SPEAKER. Does anyone else seek recognition on this amendment?

The Chair recognizes Representative Harper.

Ms. HARPER. Thank you, Mr. Speaker.

I also rise to urge a "yes" vote on this amendment. Although the bill is very complicated and the amendment itself is a bit of a chore to get through, back home what my constituents worry

about is that the merger of the two very large health insurance companies in Pennsylvania will not result in better health care for Pennsylvanians. The Maher amendment gives us a chance to slow the merger down, take a look at it, see whether it is, in fact, good for the people that we represent, and that would include not just the patients but also the employers who pay the premiums and the doctors who render the services and are reimbursed for those services by the Blues. I do not know whether the merger is a good idea or not. I can tell you if it does not concern you from a consumer point of view that one company will control more than 50 percent of the market in Pennsylvania, it should.

I am planning to vote "yes" on the Maher amendment, and I would urge my colleagues to do the same. Thank you very much, Mr. Speaker.

The SPEAKER. The Chair recognizes Representative Maher.

Mr. MAHER. Thank you, Mr. Speaker.

I just wanted to clarify a couple of points that were touched on in other comments.

AdultBasic and CHIP have nothing to do with this amendment. AdultBasic and CHIP are not the sorts of insurance that would be curtailed or subject to the 50-percent measure. So if that is a concern to you, you can set that aside.

The dumping concerns, that is already illegal; it is illegal, and certainly if it was being brought forward as part of a proposal for a merger, I would expect the Insurance Commissioner to do their job and point out that it is illegal and will not be approved.

And the question about where does healthy competition exist, my friend from Allegheny County recognizes the starvation for competition that may be there, but if you look in other parts of the State, you will see healthy competition between multiple players, but none of them control more than 50 percent of the marketplace where that is true.

So I would ask your help to protect the families across Pennsylvania who are working so hard to afford health insurance and join me in prohibiting the advancement of an ultimate monopoly. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman, Representative Vitali.

Mr. VITALI. And I apologize. I was not going to get up until a question was raised by the lady from Montgomery County. I did not want to show the discourtesy of not letting the speaker get his last shot.

As I was understanding this, this would prohibit a merger if that resulted in an insurance company having more than 50 percent of the market share, and I am supportive of that concept. I am ready to vote on it. Now, what confused me was the lady from Montgomery County said it would slow the process down and let us take a look at it, so it just sort of raises a question in my mind, maybe I understood wrong what this did. Could you clarify that?

The SPEAKER. Does the gentleman ask Representative Maher to stand for interrogation? Is that the purpose?

Mr. VITALI. Yes; I apologize.

The SPEAKER. Will the gentleman stand for interrogation? The gentleman indicates he will. The gentleman may proceed.

Mr. MAHER. The gentleman is exactly correct that any merger of a health insurer that would result at the end of that merger with any company controlling more than half of the entire marketplace in the entire State with health insurance our families depend on would be prohibited, period.

Mr. VITALI. Thank you.

Mr. MAHER. Thank you.

The SPEAKER. The Chair recognizes Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose amendment 416 offered by the gentleman from Allegheny. I have to tell you why.

I spent years on the Insurance Committee, and I have to tell you that what has been made, the case that has been made today about this protecting consumers, I really believe runs counter, is a counterargument that runs right parallel with this, and that is the one that was made by Chairman Micozzie and Chairman DeLuca on the Insurance Committee.

The issue is, what lines of insurance will get dropped should this amendment pass? Now, I am no supporter of one monster Blue managing the entire Commonwealth, but I believe that the concepts in the bill will allow for a review of those issues. This amendment, the result of this amendment will be that charity-care programs, the ones that we have fought in this legislature for that cover children, that cover adults, adultBasic and CHIP, will be severely damaged should those companies drop those lines.

Second, there is a second line of insurance that gets subsidized in here, and it is called special care. The Blues provide a very low-cost alternative for those who cannot afford insurance. So the poor and the indigent are the ones who are going to take the hit if the Maher amendment passes.

Now, I have to tell you, you know, I have heard the intellectual argument that the gentleman makes, and I have no reason to believe that he is not genuine in his arguments. I just do not think that the byproducts, the unintended consequences, have been well thought out in this amendment. The amendment was never vetted before any Insurance Committee in this body. This is the kind of a bill, the kind of a concept which should be well vetted within the concepts and the confines of a committee.

I respect the work that happens in the Insurance Committee, but the law of unintended consequences is what I am deeply concerned about in this bill. It will impact, it will shift insurance companies, lines of insurance, to the more profitable lines and shift them away from the charity lines that are so important to the working families who lose insurance in this Commonwealth.

I ask today that this amendment be opposed.

The SPEAKER. Representative Killion.

Mr. KILLION. Thank you, Mr. Speaker.

I rise in opposition to the Maher amendment. I am hearing a lot of conversation about competition, and I also believe in competition in the marketplace and so I understand the concerns about a monopoly, but I think you need to understand how the insurance marketplace works with medical insurance. It is regional. It is not statewide. If this merger should occur, it is a merger of two entities in two different parts of the State.

When you talk about competition, if you look at IBC in the east, where they have a large market share, they are dealing with doctors and hospitals in that region only. If you look out west with Highmark, they are dealing with doctors and hospitals in that area. So because the marketplace is different, it is really not anticompetitive because they are operating at different areas. You need to understand that the insurance market operates quite differently than many other markets, so that is why I am opposed to the Maher amendment and encourage my colleagues to vote "no."

The SPEAKER. Representative Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

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

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

Mr. GODSHALL. We have heard from just the second to the last speaker how this amendment was going to affect the kids, the poor, and the indigent. You know, what effect will this amendment and why would this amendment affect that class of people?

Mr. MAHER. Mr. Speaker, when it comes to folks enrolled in adultBasic or children enrolled in CHIP, they are completely unaffected by this amendment. This amendment does not gauge market share based upon enrolling those populations, serving those families. It is really completely unrelated, and I have got a great deal of respect for the gentleman who offered this concern, but perhaps we can set his mind at ease that this is unrelated to adultBasic or CHIP.

And as to the indigent, that is what this is all about; not just those who are indigent but every family. Insurance is expensive. Insurance is so very expensive, and I want our families across this State to have their very best prospect of being able to afford insurance, and that certainly is not by surrendering more than 50 percent, perhaps close to 60 percent of the marketplace, which will expunge, and I appreciate another gentleman's comments about regionalism, but what a large entity can do is it can shift its muscle from its left foot to its right foot as it straddles the State and fill in the middle, and it has the pricing power because of its bulk to suffocate competition until it is extinguished and then have free rein in the market.

Mr. GODSHALL. So there really would be, in your opinion, no effect on—

Mr. MAHER. No adverse effect, absolutely. In fact, it is quite the opposite. Without this amendment, you can expect that your families will be asked to pay ever higher rates to acquire insurance and that any options they may have will one by one be smothered.

Mr. GODSHALL. Thank you, Mr. Speaker. That concludes my interrogation. I would like to make a comment on the amendment.

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

Mr. GODSHALL. The same speaker who had mentioned the fact that this would have an effect, he had also brought up an interesting point as he said this amendment was never discussed in a committee, which is correct, it was not, but at the same time, when we brought this bill out of the Insurance Committee, I asked for a hearing. I asked for a meeting on this bill. This bill moved out in about 5 minutes with no discussion, and it was moved out, and as I said, I asked for a hearing. I asked for at least a meeting, and that was not granted. Maybe if we would have done our job, you know, on that committee on what was in this bill and everything and all the intricacies that are involved in the bill, we would not be here today debating what we are debating.

So I wish we could have spent more time in committee on the bill and discussed the bill in its entirety. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Representative Gabig. The gentleman waives off.

Is there anyone else seeking recognition?

Representative Micozzie.

Mr. MICOZZIE. Mr. Speaker, whenever two large corporations merge – and this merger has been talked about for years – whenever there is a merger like of this magnitude, there have to be efficiencies in operations and savings of money. What we should be concerned about, what is going to happen to the savings that are going to be made by this merger. Now, we are not talking about hundreds of thousands of dollars. We are talking about probably \$1 billion or \$1 1/2 billion. What we ought to be concerned about is, are those savings going to go back to our consumers, and if there are that kind of savings, I think it would be an injustice in supporting this amendment.

So I again caution my colleagues and ask them to defeat the Maher amendment. Thank you.

The SPEAKER. The Chair recognizes Representative Nickol.

Mr. NICKOL. Would the sponsor of this amendment kindly consent to interrogation?

The SPEAKER. Representative Maher indicates that he will. The gentleman may proceed.

Mr. NICKOL. Mr. Speaker, I made the mistake perhaps of reading the amendment, and as I understood Representative Maher's explanation, he was talking about if this merger caused the combined market share involved by these insurers to exceed 50 percent of the total market in the Commonwealth. As I read the amendment, it does not stop right there. It is the combined market in the Commonwealth of hospital plan corporations or professional services plan corporations. So it appears to me that the trigger is much, much lower. It is not the total market of the Commonwealth. The commercial insurers are not included, and it is not even the combined market of professional health and service plans and hospital insurance plans. It is an either-or. Is my understanding of the gentleman's amendment correct?

Mr. MAHER. I do not believe so, but I thank you.

Mr. NICKOL. Second question— On the first, I would just urge members to actually read the language. On the second question, I am curious if the gentleman could tell me if Highmark and Independence Blue Cross are currently in competition in southeastern Pennsylvania?

Mr. MAHER. Mr. Speaker, I cannot really address the southeastern marketplace. I will trust those who reside in that area to judge if they think competition is currently sufficient, but I think it is pretty darn clear that when you have one company that is going to be approaching 60 percent of the commercial insurance market, that they will be able to have their way and bully anyone else out of the marketplace, wherever they are in this State.

So it is an issue that should concern every family in this State, every House district, simply because you can expect the bullying monopoly behavior, which is why 100 years ago our great President Roosevelt sought to bust trusts, and our nation flourished as a result of those antitrust measures, and this is to afford that same protection to the families in Pennsylvania, as is enjoyed in some other States.

Mr. NICKOL. Mr. Speaker, I have completed my interrogation. I would like to extend my comments.

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

Mr. NICKOL. Currently Highmark and IBC in the southeast are not in competition, Mr. Speaker. They actually have an operating agreement where Highmark provides one level of insurance covering the basic-care providers and IBC provides the coverage that has the contracts with the hospitals. They actually operate in concert, so if there were to be a merger,

we are not limiting any competition that currently exists in the marketplace in southeastern Pennsylvania.

Mr. Speaker, I just wanted to point out, number one, the problem with the amendment itself and the way it is drafted in that it does not cover the entire total insurance market, and number two, that this amendment in discussing competition, it really does not touch the heart of the problems with the merger because IBC and Highmark are not in competition.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Representative Gabig.

Mr. GABIG. Thank you, Mr. Speaker.

I am sorry that I waived off before. I know we have changed a lot of the rules in the House, Mr. Speaker, and it is a big reform year, and it is a new day, and we are in springtime. I guess we will get some weather here that will remind us of that. But there was a tradition here when I first got here that the maker of the amendment or the bill got to speak last, and we seemed to have gotten away from that on this. I am not exactly sure why, and that occasionally happens. I am sure it was inadvertent. But in order to try to rectify that, I would like to take my opportunity to ask the maker of the amendment if he would stand for interrogation in order to respond to some of the arguments that have been made against his proposal after he has already spoken for the second time.

I am asking for interrogation, Mr. Speaker.

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

Mr. GABIG. Thank you, Mr. Speaker.

I would ask the gentleman regarding the remarks of the last speaker regarding collusion versus monopoly or competition versus lack of competition in the southeast, does the gentleman from Allegheny County in fact concede that point?

Mr. MAHER. Thank you, Mr. Speaker.

You may be surprised to learn that I do not. I completely accept the description of what the marketplace is in the southeast, and I have a great deal of respect for the gentleman who offered that information to this chamber, but a key part of that description is, you have two entities who are contracting with one another. They are on opposite sides of a contract. To that extent, the contract process inspires folks to be acting in each party's own best interest, as opposed to when they are both on the same side of the table, it will be collusive. It will be a collusion between these parties, which would be very different from the state of affairs that exist now. It would go from contracting where there are competitive forces, because perhaps someone else could contract to take up that slack, to going to a collusion that will be a de facto monopoly. Market forces cannot be expected to be helpful, and we can expect that our families in the southeast part of the State that are subject to those sorts of arrangements should expect to pay more for their health insurance, and fewer families will be able to afford health insurance, fewer businesses will be able to afford health insurance, and the heavy weight of a monopolistic pricing pattern will come to bear.

Mr. GABIG. Mr. Speaker, I thank the gentleman for his responses, and that would conclude my remarks.

The SPEAKER. Is there anyone else that seeks recognition on the Maher amendment?

Seeing none, 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—73

Baker	Fleck	Major	Reed
Barrar	Gabig	Mantz	Reichley
Bastian	Geist	Marshall	Roae
Bear	Gillespie	Marsico	Rock
Benninghoff	Gingrich	Metcalfe	Rohrer
Beyer	Godshall	Millard	Rubley
Boback	Harhart	Moyer	Saylor
Boyd	Harper	Murt	Sonney
Brooks	Harris	Mustio	Stairs
Cappelli	Helm	Nailor	Steil
Causar	Hershey	O'Neill	Stevenson
Clymer	Hess	Payne	Swanger
Cox	Hickernell	Peifer	True
Creighton	Hutchinson	Perry	Vereb
Cutler	Kauffman	Phillips	Vitali
Denlinger	Keller, M.	Pickett	Vulakovich
Ellis	Mackereth	Quinn	Watson
Everett	Maher	Rapp	Yewcic
Fairchild			

NAYS—124

Adolph	George	McGeehan	Scavello
Argall	Gerber	McIlhattan	Schroder
Belfanti	Gergely	Melio	Seip
Bennington	Gibbons	Micozzie	Shapiro
Bianucci	Goodman	Miller	Shimkus
Bishop	Grell	Milne	Siptroth
Blackwell	Grucela	Moul	Smith, K.
Brennan	Haluska	Mundy	Smith, M.
Buxton	Hanna	Myers	Smith, S.
Caltagirone	Harhai	Nickol	Solobay
Carroll	Harkins	O'Brien, M.	Staback
Casorio	Hennessey	Oliver	Stern
Civera	Hornaman	Pallone	Sturla
Cohen	James	Parker	Surra
Conklin	Josephs	Pashinski	Tangretti
Costa	Keller, W.	Payton	Taylor, J.
Cruz	Kenney	Perzel	Taylor, R.
Curry	Kessler	Petrarca	Thomas
Daley	Killion	Petri	Turzai
Dally	King	Preston	Wagner
DeLuca	Kirkland	Pyle	Walko
DePasquale	Kortz	Quigley	Wansacz
Dermody	Kotik	Ramaley	Waters
DeWeese	Kula	Raymond	Wheatley
DiGirolamo	Leach	Readshaw	White
Donatucci	Lentz	Roebuck	Williams
Eachus	Levdansky	Ross	Youngblood
Evans, J.	Longietti	Sabatina	Yudichak
Fabrizio	Manderino	Sainato	
Frankel	Mann	Samuelson	O'Brien, D.,
Freeman	Markosek	Santoni	Speaker
Galloway	McCall		

NOT VOTING—0

EXCUSED—6

Evans, D.	McI. Smith	Petrone	Wojnaroski
Mahoney	Mensch		

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

On the question recurring,

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

THE SPEAKER PRO TEMPORE (CAMILLE GEORGE) PRESIDING

The SPEAKER pro tempore. The first thing that this pro tem is going to ask you to do is to take your seats.

And the Chair recognizes the gentleman from Philadelphia, Representative O'Brien, the Speaker.

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

Today we had Autism Awareness Day, and I want to thank the members for joining the Autism Caucus. It was an overwhelming sign of support for the autistic families in Pennsylvania. We also had a press conference today announcing the rollout of the autism insurance bill, which everyone in this chamber knows I feel very, very passionate about.

It was my intention to offer an amendment today to this bill for that autism insurance coverage. In conversations with Senator Orie, Senator White, and Senator Scarnati, they prevailed upon me to withdraw my amendment to this bill so that this bill could go forward and that they would seriously take up HB 1150, as in 1 and 150, as soon as it gets over to the Senate. I am also asking Senator White to report Senator Orie's bill out in good faith. I am not really concerned about whose name is on the bill. I think the people of Pennsylvania who support autism would welcome any change in insurance reform that supports the families of this great Commonwealth.

So I am withdrawing amendment A00347 as well as amendment A00349, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Do we agree to the amendment? The Chair is corrected. The gentleman withdrew his amendments.

THE SPEAKER (DENNIS M. O'BRIEN) PRESIDING

The SPEAKER. The Chair thanks the gentleman, Representative George.

On the question recurring,

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

Mr. NICKOL offered the following amendment No. **A00066**:

Amend Title, page 1, line 11, by inserting after "providing," in life insurance, for additional investment authority for subsidiaries,

Amend Bill, page 1, lines 18 through 22, by striking out all of said lines and inserting

Section 1. Section 405.2(c)(1) of the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, amended December 21, 1995 (P.L.714, No.79), is amended to read:

Section 405.2. Additional Investment Authority for Subsidiaries.—* * *

(c) (1) At no time shall a domestic life insurance company make an investment in any subsidiary which will bring the aggregate value of its investments, as determined for annual statement purposes but not in

excess of cost, in all subsidiaries under this subsection to an amount in excess of [ten per centum (10%)] fifteen per centum (15%) of its total admitted assets as of the immediately preceding thirty-first day of December. For any investment between ten per centum (10%) and fifteen per centum (15%), the prior approval of the department must be obtained. In determining the amount of investments of any domestic life insurance company in subsidiaries for purposes of this subsection, there shall be included investments made directly by such insurance company and, if such investment is made by another subsidiary, then to the extent that funds for such investments are provided by the insurance company for such purpose.

Section 2. The definitions of "insurer" and "person" in section 1401 of the act, amended December 20, 2000 (P.L.967, No.132), are amended and the section is amended by adding a definition to read:

Amend Sec. 2, page 3, line 27, by striking out "2" and inserting
3

Amend Sec. 3, page 12, line 8, by striking out "3" and inserting
4

Amend Sec. 4, page 17, line 23, by striking out "4" and inserting
5

Amend Sec. 5, page 17, line 26, by striking out "5" and inserting
6

Amend Sec. 6, page 17, line 30, by striking out "6" and inserting
7

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. The gentleman withdraws the amendment.

On the question recurring,

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

The SPEAKER. Does the gentleman intend to offer any other amendments, and if he will inform the Chair as to what number.

Mr. NICKOL. Amendments 417 and 441. All the rest have been withdrawn.

On the question recurring,

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

Mr. NICKOL offered the following amendment No. A00417:

Amend Title, page 1, line 11, by inserting after "providing,"
in fire and marine insurance, for real estate which
may be acquired, held and conveyed and,

Amend Bill, page 1, lines 18 through 22, by striking out all of said lines and inserting

Section 1. Section 519 of the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, amended December 22, 1989 (P.L.755, No.106) and December 18, 1992 (P.L.1519, No.178), is amended to read:

Section 519. Real Estate Which May Be Acquired, Held, and Conveyed.—A domestic stock fire, stock marine, or stock fire and marine insurance company may, directly or indirectly, alone or in combination with one or more other persons or entities (except that no domestic stock fire, stock marine, or stock fire and marine insurance company may participate in a general partnership), acquire by purchase, lease or otherwise or receive, hold, or convey real estate, or any interest therein:

(a) Required for its convenient accommodation in the transaction of its business, including residential real estate purchased from employees transferred or about to be transferred to new places of employment with such company.

(b) Conveyed to it in satisfaction of debts previously contracted in the course of its dealing.

(c) Purchased at sales upon judgments, decrees, or mortgages, obtained or made for debts due the company, or for debts due other persons where said company may have liens or encumbrances on the same, and the purchase is deemed necessary to save the company from loss.

(d) Reasonably necessary for the purpose of maintaining or enhancing the sale value of real property previously acquired or held by it under subsection (a), (b), (c) or (e).

(e) As an investment for the production of income or capital appreciation, or so acquired for development, improvement, maintenance or construction and maintenance for such investment purposes, provided that the aggregate cost of investments in unimproved real estate under this subsection shall not exceed the lesser of ten per centum (10%) of the company's admitted assets or forty-five per centum (45%) of its capital and surplus. Investments under this subsection, including investments in limited partnership interests or other entities where said entities are engaged primarily in holding real estate or interests therein under this subsection and corporations that are engaged primarily in holding real estate or interests therein as defined in this subsection and the majority of whose voting securities are owned directly or indirectly through one or more intermediaries, shall not exceed twenty per centum (20%) of such company's admitted assets.

Section 1.1. The definitions of "insurer" and "person" in section 1401 of the act, amended December 20, 2000 (P.L.967, No.132), are amended and the section is amended by adding a definition to read:

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, the Chair recognizes Representative Nickol.

Mr. NICKOL. Thank you, Mr. Speaker.

Years ago both in the world of pensions – and as many of you know, I am a member of a pension board – and in the world of insurance, the way the State regulated both pensions and insurance to protect the financial solvency was to require all investments to be placed separately in different baskets, so if an insurance company or pension fund tripped and, you know, one basket dropped and the egg in that basket broke, they still had all their other baskets and all the other eggs. And so if you looked at pension law or insurance law at that time, they created all these little niche categories and limited insurers as to how much they can put into each basket. Well, those kinds of caps are now quite outdated.

Since those laws were adopted back before 1990, we have made a number of substantial changes in the way we regulate insurance, and parallel to that, the pensions. For example, the GAA act (General Acquisitions Act) of 1990 was passed, the insurance company holding law was passed in the midnineties, and risk-based capital standards are now implied to protect the solvency of insurance companies. However, somewhat anachronistically, we still have all those caps that appear in insurance law. They are outdated ever since these other standards have been adopted. However, insurers come and bump up against them occasionally, and they have to be adjusted.

This particular amendment, 417, raises the investment cap for property and casualty insurance companies in limited partnership real estate investments from 10 to 20 percent. This mirrors the current law for life insurance companies and health insurance companies. Limited partnerships, requiring investment through limited partnerships actually means less exposure for an insurer, and as I said, these current caps are outdated, and this does not – and I cleared that with the Insurance Department – this does not cause any problem at all with regard to our accreditation with the National Association of Insurance Commissioners.

I would ask for the members' support of the amendment. Thank you.

The SPEAKER. The Chair recognizes Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

I rise to oppose amendment 417. I rise to oppose it on the grounds that there is no guarantee that the extra resources that would go to these Blue Cross and Blue Shield companies would be guaranteed to stay inside Pennsylvania. Right now for-profit entities around the Commonwealth that are Blues do business in New Jersey and other places. These resources that will be raised by the increase in the percentage to 15 percent in the gentleman's amendment will allow for additional resources to flow to northeast Blue Cross and companies like it that are small enough size but with no certain guarantee that those stay in to grow jobs and lines of health business inside the Commonwealth.

Now, do I think, knowing my own region of northeastern Pennsylvania like I do, that northeast, predominantly large business in northeastern Pennsylvania would not be where most of the investment would go? You can make that argument, but I am very worried that what this allows these companies to do is to take their assets and move for-profit lines of business into New York State and perhaps the western edge of New Jersey and take the money from ratepayers in this Commonwealth and transfer it to for-profit lines outside of our purview, creating jobs not for us, but for those in other States.

I rise to oppose this amendment. I have the greatest respect for the gentleman. I think he has good intentions, but I do think that this has the net effect of not allowing us to control the resources that will be raised by this transaction here in raising this percentage.

I ask the members to oppose the amendment. Thank you.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip, who requests that Representatives FRANKEL and DONATUCCI be placed on leave for the remainder of the day. Without objection, the gentlemen will be put on leave.

CONSIDERATION OF HB 112 CONTINUED

The SPEAKER. The Chair recognizes Representative Killion.

Mr. KILLION. Thank you, Mr. Speaker.

I rise in support of the Nickol amendment. I understand the previous speaker's concerns about some of these funds possibly being invested in areas outside Pennsylvania, but I also think this is a case where we need to look at all the good and maybe

there might be a little bit of bad. We currently spend millions and millions of dollars to attract businesses into Pennsylvania or to keep businesses in Pennsylvania through KOZs (keystone opportunity zones) and KOIZs (keystone opportunity improvement zones), and I believe we get a good return on that money. We create jobs for the residents of Pennsylvania. But what this amendment does is allow with no tax dollars an ability for current Pennsylvania companies to create more jobs mostly in Pennsylvania.

I think that is why we should vote "yes" on the Nickol amendment, and I ask my colleagues to join me. Thank you.

The SPEAKER. The Chair recognizes Representative Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I stand with Representative Eachus in opposing this amendment, and, Mr. Speaker, I oppose the amendment for three reasons.

Number one, it is arguable that if more money is available for investments, there is going to be less money available for health-care insurance. Right now the Blues Highmark contribute a sizable amount of money to the Commonwealth of Pennsylvania which helps with our commitment to universal care with children, helps with our commitment to provide quality basic health-care insurance to adults, and makes it possible for us to provide excellent care to those under the CHIP program, and so if we open this door and allow for greater investments that might not bring the kind of return that these entities would be expected, and let us face it, the market is very fluid right now, and so to that end, Mr. Speaker, it is arguable that if this amendment goes forward, then it will minimize or diminish the availability of support that these companies are currently providing to the Commonwealth of Pennsylvania.

Secondly, Mr. Speaker, I think that it is more arguable that these investments will go outside of Pennsylvania than it is that they will stay in Pennsylvania. If you read the language of this amendment, you need almost four degrees to understand what is going on, and I know the author of the amendment has said that it raises the investment cap from 10 percent to 20 percent, but in the amendment it talks about these real estate stockholding companies and it talks about all of these other entities, which makes you wonder who is it that we are really talking about. So the amendment, Mr. Speaker, is confusing and does not provide the kind of clarification that I think members need to make an intelligent decision.

And last but not least, Mr. Speaker, on this question of jobs, the last speaker indicated that these kinds of decisions result in job creation. Mr. Speaker, I have been here 18 years, and I have yet, I have yet to receive any definitive information as it relates to the creation of real jobs for real people as a result of these kinds of decisions. In fact, what I see, Mr. Speaker, is that in every part of Pennsylvania, there are pockets of unemployment that have doubled the State average, and, Mr. Speaker, when you put it next to the billions that we have invested in businesses who arguably were going to provide jobs, there is very little relationship.

So, Mr. Speaker, I find the amendment to be praiseworthy, and I understand where the maker wants to go, but, Mr. Speaker, within the context of this bill, HB 112, it will have a regressive effect rather than a progressive effect when you consider what is currently taking place in Pennsylvania between

the Commonwealth and Independence Blue Cross, Highmark, and the other companies involved.

So, Mr. Speaker, I urge a "no" vote on HB 112, on the amendment to HB 112.

The SPEAKER. The Chair recognizes Representative Maher.

Mr. MAHER. Thank you, Mr. Speaker.

Would the gentleman offering the amendment receive some questions?

The SPEAKER. The gentleman indicates he will stand for interrogation. The gentleman is in order and may proceed.

Mr. MAHER. Thank you, Mr. Speaker.

I just want to make sure I understand, under your proposal, insurers in Pennsylvania, they could invest in real estate in Pennsylvania, correct?

Mr. NICKOL. Yes, currently insurers can invest in real estate.

Mr. MAHER. And with this proposal, they could invest in North Carolina or South Carolina or Florida or New Mexico or—

Mr. NICKOL. Yes; Mr. Speaker, there is no restriction with regard to where the real estate investment might be.

Mr. MAHER. So they could buy land, they could buy real estate in China?

Mr. NICKOL. I would suppose so, Mr. Speaker, if they were interested in doing that.

Mr. MAHER. Thank you, Mr. Speaker. That concludes my interrogation. If I might offer some quick remarks?

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

Mr. MAHER. Thank you, Mr. Speaker.

I think the health insurers who enjoy a quasi-nonprofit status in Pennsylvania need to get focused on what their mission is. I suppose one could argue that there is job creation involved here, but it sounds to me like those jobs are going to be in New Mexico and South Carolina, Florida, and maybe even China. There are no boundaries. It seems to me that instead of investing in real estate in far-flung markets, perhaps the insurer in question should focus on what its charitable mission is and invest in communities, invest in health-care providers, invest in the business of health care in Pennsylvania.

With this amendment, I am in complete agreement with my friend, Mr. Eachus, that the result of this amendment would be to pull premiums from the pockets of Pennsylvanians and invest those funds outside of Pennsylvania. I do not see how at the end of the day that improves our State. I do not understand how at the end of the day that serves their supposed charitable mission, and I will be voting against this amendment.

The SPEAKER. The Chair recognizes Representative Mundy.

Ms. MUNDY. Thank you, Mr. Speaker.

I also rise in opposition to the Nickol amendment.

Fifteen or 20 percent of the value of these companies after a merger is an enormous number, in the billions, perhaps, and I am very concerned about the investment in real estate. We have all seen that the real estate market has its ups and downs. How can we be sure what the real estate holdings would be worth?

There is a question in the Insurance Department as to whether this number would meet accreditation with the NAIC (National Association of Insurance Commissioners), again, because of the risk involved in real estate holdings, and would the Blues be risking solvency and hurt ratepayers?

So there are numerous questions and problems with this amendment that I think need to be answered before we would move forward with such a risky proposition, and I would urge defeat of the Nickol amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Representative Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

Would the maker of the amendment stand for brief interrogation?

The SPEAKER. The gentleman indicates he will. The gentleman is in order and may proceed.

Mr. VITALI. I apologize. I am just totally lost. I have been trying to follow the debate. I have been reading through them. I have been losing concentration midway through.

So this deals with where an insurance company, a limitation on insurance companies investing assets, and it talks about investments in real estate and there is a 20-percent limit. Is this saying that a health insurance company is limited to 20 percent of its assets in real estate and it changes that 20 percent from a lower limit? Is that what is happening here?

Mr. NICKOL. Mr. Speaker, I can understand the members' confusion because all the previous speakers were speaking to my other amendment, not to this amendment. This has nothing to do with health insurance companies or the Blues or the Blues' merger or anything of that nature. This is providing equity for property and casualty insurance companies. The health and life insurance companies can currently invest I believe it is up to 25 percent of their assets in real estate. This is only dealing with property and casualty insurance companies. When that limit was increased for the other insurance companies back in I think 1995 or thereabout, for some reason we never increased the limit for the property and casualty insurance companies. So this is taking the property and casualty companies from 10 to 20 percent. This has no effect with regard to the Blues. This does not give them any authority to invest anywhere else.

Mr. VITALI. So property and casualty companies currently can invest 10 percent of their assets in real estate. With your amendment, they could invest 20 percent.

Mr. NICKOL. Correct.

Mr. VITALI. Is that essentially it?

Mr. NICKOL. That is it.

Mr. VITALI. Now, under current law, there is no limit as to where the real estate has to be located, be it Pennsylvania, North Carolina, China. I mean, under current law, there is no limitation, and under your amendment, there is no limitation.

Mr. NICKOL. Specifically, under my amendment, there is no limitation. However, practically speaking, due to the risk-based capital requirements imposed by insurers, the Insurance Department does have some say over the assets and where they are invested. If you invest in a risky market, that is taken into account by the Insurance Commissioner under those standards.

Mr. VITALI. Do you know of any entity out there that has voiced opposition to increasing this real estate holding for property and casualty companies from 10 to 20 percent, any group who says this is a bad idea?

Mr. NICKOL. I have had people comment that they are opposed to my other amendment, but I have had no group who has expressed opposition to this specific amendment; no.

Mr. VITALI. And tell me again how this is in conformance with other areas. Say that one more time.

Mr. NICKOL. In other areas of the existing law, in the Insurance Company Law of 1921, which this amends, life and health companies, the health companies are under the life provisions of the law. They are allowed currently to invest up to I believe it is 25 percent of their admitted assets in real estate investments.

With regard to the question as to what other States do, this does not take us to any point where it brings into question the NAIC accreditation, which one of the previous speakers had mentioned. Because we currently allow it for life and health, it is obvious it is not a problem in terms of accreditation to allow an insurer to invest up to 20 percent, especially when you are dealing with limited partnerships where their liability is limited in terms of entering such an investment. They are much less risky than direct investments.

Mr. VITALI. So you are saying this involves property and casualty insurance, raising it up to 20 percent, but the life insurance people can already go up to 25 percent of investment in real estate. Is that what you are saying?

Mr. NICKOL. That is my understanding.

Mr. VITALI. Okay. Thank you. I do not have any other questions.

The SPEAKER. Does anyone else seek recognition on the Nickol amendment?

Seeing none, 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—90

Adolph	Fairchild	McIlhattan	Reichley
Argall	Fleck	Metcalfe	Roae
Baker	Gabig	Micozzie	Rock
Barrar	Gillespie	Millard	Rohrer
Bastian	Gingrich	Miller	Ross
Bear	Grell	Milne	Rubley
Benninghoff	Harhart	Moul	Saylor
Boback	Harris	Mustio	Schroder
Boyd	Helm	Nailor	Smith, S.
Brooks	Hennessey	Nickol	Sonney
Buxton	Hershey	O'Neill	Stairs
Cappelli	Hess	Payne	Steil
Causar	Hickernell	Peifer	Stern
Civera	Hutchinson	Perry	Stevenson
Clymer	Kauffman	Perzel	Swanger
Cox	Keller, M.	Petri	Taylor, J.
Creighton	Kenney	Pickett	True
Cutler	Killion	Pyle	Turzai
Dally	Mackereth	Quinn	Vereb
DiGirolamo	Major	Rapp	Vitali
Ellis	Mantz	Raymond	Vulakovich
Evans, J.	Marshall	Reed	Watson
Everett	Marsico		

NAYS—105

Belfanti	Gerber	Mann	Seip
Bennington	Gergely	Markosek	Shapiro
Beyer	Gibbons	McCall	Shimkus
Biancucci	Godshall	McGeehan	Siptroth
Bishop	Goodman	Melio	Smith, K.
Blackwell	Grucela	Moyer	Smith, M.
Brennan	Haluska	Mundy	Solobay
Caltagirone	Hanna	Murt	Staback
Carroll	Harhai	Myers	Sturla

Casorio	Harkins	O'Brien, M.	Surra
Cohen	Harper	Oliver	Tangretti
Conklin	Hornaman	Pallone	Taylor, R.
Costa	James	Parker	Thomas
Cruz	Josephs	Pashinski	Wagner
Curry	Keller, W.	Payton	Walko
Daley	Kessler	Petrarca	Wansacz
DeLuca	King	Phillips	Waters
Denlinger	Kirkland	Preston	Wheatley
DePasquale	Kortz	Quigley	White
Dermody	Kotik	Ramaley	Williams
DeWeese	Kula	Readshaw	Yewcic
Eachus	Leach	Roebuck	Youngblood
Fabrizio	Lentz	Sabatina	Yudichak
Freeman	Levdansky	Sainato	
Galloway	Longietti	Samuelson	O'Brien, D., Speaker
Geist	Maher	Santoni	
George	Manderino	Scavello	

NOT VOTING—0

EXCUSED—8

Donatucci	Frankel	McI. Smith	Petrone
Evans, D.	Mahoney	Mensch	Wojnaroski

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

On the question recurring,

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

Ms. **MUNDY** offered the following amendment No. **A00324**:

Amend Sec. 4, page 17, line 23, by striking out all of said line and inserting

Section 4. Repeals are as follows:

(1) The act of December 19, 1990 (P.L.834, No.198),

Amend Sec. 4, page 17, by inserting between lines 25 and 26

(2) The following provisions are repealed absolutely:

(i) 40 Pa.C.S. § 6103(b).

(ii) 40 Pa.C.S. § 6307(b).

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes Representative Mundy.

Ms. MUNDY. Thank you, Mr. Speaker.

This amendment effectively takes the tax exemption that the Blues currently enjoy away from them. The tax exemption for their nonprofits was originally given many years ago to help them get started. This allowed them to compete with established and financially stronger for-profit insurance companies. That dynamic no longer exists. The Blues dominate the health insurance market, effectively reducing competition in the marketplace. The recent announcement of the consolidation of Highmark and IBC effectively demonstrates that.

This amendment would attempt to level the playing field by treating all insurance companies the same from a tax perspective. This would allow more companies to directly compete with the Blues now that they do not have that built-in price advantage.

One of the questions I had as I was looking at this amendment and drafting it was, what effect would this amendment have on the Community Health Reinvestment Act, which, as you know, currently funds adultBasic, and the answer was that this tax exemption would be worth about \$146 million in '07-'08, \$153 million in '08-'09, \$161 million in '09-'10. Currently the Blues contribute about \$70 million to the adultBasic program, and if they pay more taxes, the tax credit they get on the community health reinvestment would jump, but do not forget that the community health reinvestment agreement expires in 2010. This would mean that money from the taxation of the Blues could go into the General Fund and be used on an ongoing basis for whatever we needed to address the health insurance problems – accessibility and affordability for all Pennsylvanians.

I would ask for your support of this amendment.

The SPEAKER. The Chair recognizes the minority leader, Representative Smith.

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

Mr. Speaker, I rise in opposition to this amendment.

A little while ago, Mr. Speaker, in response to an amendment by the gentleman from Allegheny County, the Democratic chair of the Policy Committee argued that if his amendment passed, that programs such as CHIP and adultBasic would be put in jeopardy by the Blues, that they would pull back certain lines of business and that they would quit funding or they would not have the money to operate those programs. And while, Mr. Speaker, I am not thrilled that these agencies are throwing things out there in a veiled threat form, I would tell you, Mr. Speaker, that perhaps if the gentleman from Allegheny County's amendment had passed, it may have placed those programs in jeopardy, financially speaking. One thing is clear: If this amendment is passed, it absolutely will eliminate those programs from being funded via the Blues.

I think it is very important for the members to recognize that. That is not speculation; that is an absolute, and I would urge the members to oppose this amendment.

The SPEAKER. The Chair recognizes Representative Maher.

Mr. MAHER. Mr. Speaker, while open-minded to the subject matter, when I look at the amendment itself, it contains just three or four sentences, and it says that this shall be repealed, that shall be repealed, another thing shall be repealed. It is my understanding that the Supreme Court has concluded with some clarity that in order for a repeal to meet constitutional standards, the repeal must recite in its entirety the language in statute which is to be repealed. Therefore, Mr. Speaker, I am asking that this amendment be ruled out of order because it does not meet that threshold requirement.

The SPEAKER. Will the gentleman clarify that point of order.

Mr. MAHER. The Supreme Court has enunciated clearly that in order for a repeal legislation to be effective, the entirety of the statutory language that is being repealed must be presented in the language that seeks to accomplish that repeal.

The SPEAKER. Is the gentleman seeking to raise the question of constitutionality?

Mr. MAHER. I was hoping to shortcut it and seek you just to rule it out of order, but if you would prefer or think it is more appropriate, Mr. Speaker— Can we be at ease for just a moment? Mr. Speaker, can we be at ease just for a moment?

The SPEAKER. The House will be at ease.

The Chair recognizes Representative Maher.

Mr. MAHER. Mr. Speaker, if it is all right, I will yield momentarily, with the Speaker's permission, to the gentleman, Mr. Eachus, or to the maker of the amendment, because I understand they have an announcement.

The SPEAKER. The Chair recognizes Representative Eachus.

Mr. EACHUS. Mr. Speaker, I would like to just make a note that our counsel also found some anomalies in the drafting on this amendment, and I would courteously like to make a request to the lady to see if she might withdraw this amendment because of the drafting error and we might be able to reconsider it at another time.

AMENDMENT WITHDRAWN

The SPEAKER. The Chair recognizes Representative Mundy.

Ms. MUNDY. Mr. Speaker, I reluctantly withdraw this amendment.

The SPEAKER. The Chair thanks the lady.

On the question recurring,

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

Mr. DiGIROLAMO offered the following amendment No. **A00366**:

Amend Sec. 2 (Sec. 1402), page 7, by inserting between lines 23 and 24

(12) A detailed description of the steps that each insurer involved in the merger, consolidation or other acquisition of control will take to monitor and ensure that it and its direct and indirect subsidiaries, and the behavioral health subcontractors of each such insurer and subsidiary, are and remain in compliance with all applicable laws and department orders, notices and regulations. For purposes of this paragraph, the term "insurer" shall mean an insurer subject to section 602-A.

(13) A detailed description of the steps that each insurer involved in the merger, consolidation or other acquisition of control, its direct and indirect subsidiaries and the behavioral health subcontractors of each such insurer and subsidiary, will establish to monitor and address underutilization of addiction treatment services among its insured. For purposes of this paragraph, the term "insurer" shall mean an insurer subject to section 602-A.

(14) A detailed report from each insurer involved in the merger, consolidation or other acquisition of control, from each of the insurer's direct and indirect subsidiaries and from each behavioral health subcontractor of each such insurer and subsidiary, setting forth the following information for the preceding fiscal year:

(i) the number of subscribers who received insurance-funded nonhospital residential rehabilitation, inpatient detoxification, outpatient and partial hospitalization for addiction treatment;

(ii) the aggregate and average number of insurance-funded days for nonhospital residential rehabilitation for addiction treatment;

(iii) the aggregate and average number of insurance-funded days for inpatient detoxification; and

(iv) the aggregate and average number of insurance-funded sessions for outpatient and partial hospitalization addiction treatment.

Upon submission of this information to the department, a copy of all information submitted shall be provided to the recipients of the annual report each insurer will provide pursuant to paragraph (15). For purposes of this paragraph, the term "insurer" shall mean an insurer subject to section 602-A.

(15) A clear and unequivocal agreement from each insurer involved in the merger, consolidation or other acquisition of control that the insurer will annually provide a report setting forth the information referred to in paragraph (14) to the department, the Office of Attorney General, the Bureau of Drug and Alcohol Programs, the Senate Banking and Insurance Committee, the Senate Public Health and Welfare Committee, the House of Representatives Insurance Committee and the House of Representatives Health and Human Services Committee. For purposes of this paragraph, the term "insurer" shall mean an insurer subject to section 602-A.

Amend Sec. 2 (Sec. 1402), page 7, line 24 by inserting brackets before and after "(12)" and inserting immediately thereafter

(16)

Amend Sec. 2 (Sec. 1402), page 9, line 9, by inserting after "insurance"

or any category of benefits, or in the purchase of health care services or any category of health care services,

Amend Sec. 2 (Sec. 1402), page 9, line 14, by inserting after "(B)"

except as provided in subparagraph (viii).

Amend Sec. 2 (Sec. 1402), page 10, by inserting between lines 9 and 10

(viii) Any of the parties to the merger, consolidation or other acquisition of control have failed to provide the information required to be provided under subsection (b)(12) through (15).

Amend Sec. 2 (Sec. 1402), page 12, by inserting between lines 7 and 8

(i) If the department approves a merger, consolidation or other acquisition of control, the department shall, in addition to any other conditions imposed, require each insurer involved in the merger, consolidation or other acquisition of control, each direct and indirect subsidiary of each such insurer, each behavioral health subcontractor of each such insurer and subsidiary, and all successors, to annually provide a report containing the information set forth in subsection (b)(14) to the department, the Office of Attorney General, the Bureau of Drug and Alcohol Programs, the Senate Banking and Insurance Committee, the Senate Public Health and Welfare Committee, the House of Representatives Banking and Insurance Committee and the House of Representatives Health and Human Services Committee.

Amend Sec. 3, page 12, line 9, by inserting after "amended" and the section is amended by adding a subsection

Amend Sec. 3 (Sec. 1403), page 14, line 23, by inserting after "insurance"

or any category of benefits, or in the purchase of health care services or any category of health care services,

Amend Sec. 3 (Sec. 1403), page 17, line 17, by inserting brackets before and after "or"

Amend Sec. 3 (Sec. 1403), page 17, line 21, by inserting brackets before and after the period and inserting immediately thereafter

; or

Amend Sec. 3 (sec. 1403), page 17, by inserting between lines 21 and 22

(iii) this paragraph shall not apply if any party involved in the acquisition has failed to comply with subsection (d)(4).

(4) Every insurer involved in an acquisition covered by this section shall, no later than thirty (30) days prior to the effective date of the acquisition, provide to the department all information, documents, agreements and other items required to be provided under section 1402(b)(12) through (15). A copy of the information required to be provided under section 1402(b)(14) shall also be provided to the Office of Attorney General, the Bureau of Drug and Alcohol Programs, the Senate Banking and Insurance Committee, the Senate Public Health and Welfare Committee, the House of Representatives Insurance Committee and the House of Representatives Health and

Human Services Committee. If an involved insurer fails to comply with this paragraph, the department may enter an order under subsection (e)(1).

Amend Sec. 3 (Sec. 1403), page 17, by inserting between lines 22 and 23

(f) If the department approves an acquisition under this section, the department shall, in addition to any other conditions imposed, require each insurer involved in the acquisition, each direct and indirect subsidiary of each such insurer, each behavioral health subcontractor of each such insurer and subsidiary, and all successors, to annually provide a report containing the information set forth in section 1402(b)(14) to the department, the Office of Attorney General, the Bureau of Drug and Alcohol Programs, the Senate Banking and Insurance Committee, the Senate Public Health and Welfare Committee, the House of Representatives Insurance Committee and the House or Representatives Health and Human Services Committee.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman, Representative DiGirolamo.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

Today I have four amendments to HB 112 requiring Highmark and Independence Blue Cross to file reports and to assure us of compliance with Act 106, our State drug and alcohol insurance law.

My amendment is about two things: number one, accountability to the law, and number two, about transparency. My amendment will require the two insurers to file with the department, one, a detailed plan for how they will monitor with compliance on Act 106 under their new structure; number two, a detailed plan on how they will monitor and address underutilization of the Act 106 treatment; number three, report on the provisions of addiction treatment services in the preceding 5 years and a statement of agreement to file an annual report moving forward if the merger or acquisition is approved. Reports are to be filed with the department and other agencies involved with oversight of this issue, including the Attorney General's Office, the Bureau of Drug and Alcohol Programs in the Department of Health, and in addition, reports will go to the House and Senate committees of jurisdiction.

Let me just give you a little bit of background on Act 106. Act 106 of 1989, originally Act 64 of 1986, was enacted with the strong bipartisan leadership of recently retired Representative Pete Wambach of Harrisburg and the late Representative Mary Ann Arty of Delaware County, who I believe was in Bill Adolph's seat. These two leaders got the law enacted and reauthorized in 1989. Every year over 13,000 Pennsylvanians in all of our districts are saved and get the lifesaving treatment that they need for drug and alcohol addiction under Act 106.

Under the law, treatment is accessed when a physician or a psychologist certifies to the needs and refers to treatment. That is very important. In the early nineties insurers subcontracted to managed-care firms, and managed care quickly built obstacles and began to interfere and deny treatment. Now the suffering families had to fight their way through managed care to get the help for their loved ones. Many members here who have been here for a while know what happened next, about the repeated hearings in the House Health and Human Services Committee on violations of the law and the outrage that was expressed across the State. How many hearings were held? How many

hearings did Representative Kenney hold? Three hearings. I believe Representative Mackereth held two hearings on the same issue, and one of these hearings was just on TV nationally on HBO (Home Box Office).

For this reason I commend Representative George Kenney, Representative Frank Oliver, and Representative Mackereth for their courage and leadership on this issue.

With this in mind, I also commend Attorney General Mike Fisher and Jerry Pappert and Attorney General Tom Corbett for moving forward on enforcement of this issue through the health-care unit and in court, and I commend Gov. Ed Rendell for his leadership on this action, with the Insurance Department on the issue as well. The Insurance Department issued a policy statement in 2003 reaffirming – and the word, I think the key word is "reaffirming" – the original work of the bill.

Members here know all about the hearings, the outrage, and you know about the cost shifting to public funds, to counties after the insurers deny care, and believe me, they are denying care.

AMENDMENT WITHDRAWN

Mr. DiGIROLAMO. But at this time, Mr. Speaker, I would like to withdraw all four of my amendments at this time, and it is my intent to put them in the original – into one freestanding bill and introduce it for cosponsorship in the very near future.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

Mrs. **RUBLEY** offered the following amendment No. **A00377**:

Amend Bill, page 1, lines 18 through 22, by striking out all of said lines and inserting

Section 1. Section 635.1(c) and (d) of the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, added December 21, 1998 (P.L.1108, No.150), are amended to read:

Section 635.1. Mental Illness Coverage.—* * *

(c) Health insurance policies covered under this section shall provide coverage for serious mental illnesses that meet at a minimum the following standards:

(1) coverage for serious mental illnesses shall include at least thirty (30) inpatient and sixty (60) outpatient days annually;

(2) a person covered under such policies shall be able to convert coverage of inpatient days to outpatient days on a one-for-two basis;

(3) there shall be no difference in either the annual or lifetime dollar limits in coverage for serious mental illnesses and any other illnesses;

(3.1) an insurer may not count toward the number of outpatient visits required to be covered under this subsection an outpatient visit for the purpose of medication management and shall cover that outpatient visit under the same terms and conditions as it covers outpatient visits for treatment of physical illness;

(4) cost-sharing arrangements, including, but not limited to, deductibles and copayments for coverage of serious mental illnesses, shall not prohibit access to care. The department shall set up a method to determine whether any cost-sharing arrangements violate this subsection.

[(d) The Legislative Budget and Finance Committee shall undertake a study of the cost and benefits of this section eighteen (18) months after the effective date of this section. The committee shall prepare a report of its study for the General Assembly on or before June 30, 2001, and every two years thereafter. Such study and report shall include, but not be limited to, an analysis of the following: the effect on policy premiums; the cost benefit of extending this act to all group health insurance policies offered in this Commonwealth; the cost benefit of this enhanced level of coverage for mental illness and the cost benefit to those employers who offer policies with more liberal benefits; the identity of employers who, after the effective date of this section, provide reduced mental health insurance benefits to employees and who provided more liberal mental health insurance benefits than provided in this act; an analysis of any mental illnesses enumerated under axis 1 of the Current Diagnostic and Statistical Manual of Mental Disorders not covered under this section, with specific consideration of whether any of them should be included in the definition of serious mental illness; actions taken by the department to assure health insurance policies are in compliance with this section and that quality and access to treatment for mental health conditions are not compromised by providing coverage under this section; identify any segments of this Commonwealth's population that may be excluded from access to treatment for mental health conditions; and an analysis of the use of medical services resulting from the provision of access to mental health treatment as provided by this section.

(1) The department shall fully cooperate and provide all nonconfidential data, records, reports and information that the committee may request in connection with this study.

(2) The study and report authorized in paragraph (1) must be actuarially sound and subject to peer review by the American Academy of Actuaries. Any assumptions upon which the study and the report are based must be common to the current health insurance market in Pennsylvania.]

Section 2. The definitions of "insurer" and "person" in section 1401 of the act, amended December 20, 2000 (P.L.967, No.132), are amended and the section is amended by adding a definition to read:

Amend Sec. 2, page 3, line 27, by striking out "2" and inserting
3

Amend Sec. 3, page 12, line 8, by striking out "3" and inserting
4

Amend Sec. 4, page 17, line 23, by striking out "4" and inserting
5

Amend Sec. 5, page 17, line 26, by striking out "5" and inserting
6

Amend Sec. 6, page 17, line 30, by striking out "6" and inserting
7

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. The Chair recognizes the lady, Representative Rubley.

Mrs. RUBLEY. Thank you, Mr. Speaker.

I am withdrawing that amendment to be considered at another time.

The SPEAKER. The Chair thanks the lady.

On the question recurring,

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

The SPEAKER. The Chair recognizes Representative O'Neill, who offers amendment A00385. The gentleman withdraws the amendment. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Representative Phillips, who offers amendment A00386. The gentleman withdraws the amendment. The Chair thanks the gentleman.

The Chair recognizes Representative McIlhatten, who offers amendment A00387. The gentleman withdraws the amendment. The Chair thanks the gentleman.

The Chair recognizes Representative Everett, who offers amendment A00388. The gentleman indicates that he is withdrawing the amendment. The Chair thanks the gentleman.

On the question recurring,

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

Mr. COHEN offered the following amendment No. **A00389**:

Amend Sec. 2 (Sec. 1402), page 10, by inserting between lines 9 and 10

(viii) The effect of the merger, consolidation or other acquisition of control would not affirmatively produce substantial community and public benefits for premium payers and the uninsured in this Commonwealth.

Amend Sec. 2 (Sec. 1402), page 11, line 15, by inserting after "determine."

The department shall also hold a hearing before making the determination required by this subsection if a nonprofit community organization or association makes a written request to the department for the holding of such hearing.

Amend Sec. 2 (Sec. 1402), page 11, by inserting between lines 20 and 21

(4) For each merger, consolidation or other acquisition of control filing, the department shall appoint an independent Insurance Public Advocate funded by the applicant company to represent the public, including ratepayers and the uninsured, in the proceeding with all rights and powers of other parties to the proceeding.

(5) (i) Any person may initiate or intervene in any proceeding permitted or established pursuant to this article, challenge any action of the department under this article and enforce any provision of this article.

(ii) The department or a court shall award reasonable advocacy and witness fees and expenses to any person who demonstrates that the person represents the interests of consumers and that the person has made a substantial contribution to the adoption of any order, regulation or decision by the commissioner or a court. Where such advocacy occurs in response to a merger, consolidation or acquisition application, the award shall be paid by the applicant.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes Representative Cohen. Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I believe that there are additional procedural safeguards that are needed. This amendment provides for a standard that has to be met; there has to be substantial community and public benefits for premium payers and the uninsured in the Commonwealth. It provides there shall be a hearing. It provides there will be an independent insurance public advocate for each proceeding. It specifically allows others to intervene, and it provides for the awarding of costs.

I believe these are very meritorious suggestions. They have been drafted by people who are very, very familiar with the utility regulation process and the insurance regulating process.

AMENDMENT WITHDRAWN

Mr. COHEN. I am withdrawing these amendments in order to allow this bill to go forth unchanged, but I believe that these amendments are vital for improving the process, and I will be pursuing these changes in other venues.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

The SPEAKER. The Chair recognizes Representative DeLuca, who offers amendment A00400. The gentleman indicates that amendment is withdrawn.

The Chair recognizes Representative DeLuca, who offers amendment A00403. The gentleman withdraws. The Chair thanks the gentleman.

The Chair recognizes Representative Baker, who offers amendment A00404. The gentleman withdraws the amendment. The Chair thanks the gentleman.

The Chair recognizes Representative Phillips, who withdraws the amendment. The Chair thanks the gentleman.

On the question recurring,

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

The SPEAKER. The Chair recognizes the gentleman, Representative Maher, who offers amendment A00415. The amendment will be over temporarily.

On the question recurring,

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

Mrs. WATSON offered the following amendment No. **A00395**:

Amend Title, page 1, line 11, by inserting after "laws," "
establishing the Long-Term Care Partnership
Program;

Amend Bill, page 1, lines 18 through 22, by striking out all of said lines and inserting

Section 1. The act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, is amended by adding an article to read:

ARTICLE XI-A LONG-TERM CARE INSURANCE PARTNERSHIP PROGRAM

Section 1101-A. Definitions.

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

"Long-term care insurance." As defined in section 1103.

"Medicaid." The Federal medical assistance program established under Title XIX of the Social Security Act (49 Stat. 620, 42 U.S.C. § 1396 et seq.).

Section 1102-A. Long-Term Care Partnership Program.

(a) Establishment.—There is hereby established the Long-Term Care Partnership Program, to be administered by the Department of Public Welfare, in consultation with the Insurance Department, in accordance with the requirements for qualified State long-term care insurance partnerships. The purpose of this program is to reduce future Medicaid costs for long-term care by delaying or eliminating dependence on Medicaid by providing incentives for individuals to insure against the potentially substantial costs that arise upon the need for long-term care.

(b) Operation.—In order to implement the program, the Department of Public Welfare, in consultation with the Insurance Department, shall file a State plan amendment with Centers for Medicare and Medicaid Services of the United States Department of Health and Human Services. The program, including the treatment of assets for Medicaid eligibility and estate recovery, shall be structured and administered by the Department of Public Welfare in accordance with Federal law and applicable Federal guidelines for qualified State long-term care partnerships.

Section 2. The definitions of "insurer" and "person" in section 1401 of the act, amended December 20, 2000 (P.L.967, No.132), are amended and the section is amended by adding a definition to read:

Amend Sec. 2, page 3, line 27, by striking out "2" and inserting
3

Amend Sec. 3, page 12, line 8, by striking out "3" and inserting
4

Amend Sec. 4, page 17, line 23, by striking out "4" and inserting
5

Amend Sec. 5, page 17, line 26, by striking out "5" and inserting
6

Amend Sec. 6, page 17, line 30, by striking out "6" and inserting
7

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

The SPEAKER. On the amendment, the Chair recognizes Representative Watson.

Mrs. WATSON. Thank you, Mr. Speaker.

This amendment establishes the Long-Term Care Partnership Program in order to further reduce costs for long-term-care services under the Medicaid program. And certainly it has nothing to do, in a certain sense, with the merger, but I think it is terribly important, because in a time when we have such difficulty in DPW (Department of Public Welfare) finding money to take care of our frail and elderly, this will do that, and again, it reminds those of us who can to buy long-term-care insurance. It is necessary because, as you well know, Mr. Speaker, the Federal law changed, and in 2006 we would be able to do this. So I think its time has come and it is important.

Thank you.

The SPEAKER. Does anyone seek recognition on the Watson amendment? Does anyone seek recognition on the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. The Chair recognizes Representative Watson.

Mrs. WATSON. Thank you, Mr. Speaker.

Careful consideration and in listening to those that I trust implicitly, I will withdraw this, reserving my time for a future time because this is an important issue.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

On the question recurring,

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

The SPEAKER. The Chair recognizes Representative Maher, who offers amendment A00415. The Chair thanks the gentleman. He is withdrawing the amendment.

The House will be at ease for a moment.

On the question recurring,

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

Mr. **KENNEY** offered the following amendment No. **A00344**:

Amend Title, page 1, line 12, by removing the comma after "definitions" and inserting

; providing for the Insurance Restructuring Executive Board and for Insurance Restructuring Executive Board approval; further providing

Amend Bill, page 12, by inserting between lines 7 and 8

Section 2.1. The act is amended by adding sections to read:

Section 1402.1. Insurance Restructuring Executive Board.—(a) The Insurance Restructuring Executive Board is established and shall be composed of the following members:

(1) The Attorney General or a designee.

(2) The Governor or a designee.

(3) The Secretary of Health or a designee.

(4) The Secretary of Public Welfare or a designee.

(5) The Majority Leader of the Senate or a designee.

(6) The Minority Leader of the Senate or a designee.

(7) The Majority Leader of the House of Representatives or a designee.

(8) The Minority Leader of the House of Representatives or a designee.

(b) The members shall select from among themselves a chairperson and such officers as they shall determine.

(c) The board shall meet at the call of the chairperson.

(d) Three quarters of the members of the board shall constitute a quorum. All business of the board shall be conducted by a quorum of the board, except as provided under subsection (g)(2).

(e) The members of the board shall be entitled to no compensation for their services as members of the board but shall be entitled to reimbursement for all necessary and reasonable expenses incurred in connection with the performance of their duties as members of the board.

(f) The members of the board shall stand in a fiduciary relationship with the Commonwealth.

(g) The board shall have the following powers and duties:

(1) To hold at least one public hearing on the merger, consolidation or other acquisition of control of a hospital plan corporation or professional health services plan corporation at which the commissioner shall present the commissioner's findings concerning the merger, consolidation or other acquisition of control to the executive board.

(2) To make written recommendations to the commissioner. Recommendations under this paragraph shall be approved by at least six members of the board.

Section 1402.2. Insurance Restructuring Executive Board Approval.—(a) On or after the effective date of this section, the commissioner shall, prior to approving the merger, consolidation or other acquisition of control of a hospital plan corporation or professional health services plan corporation, present findings and

recommendations on the merger, consolidation or other acquisition of control to the Insurance Restructuring Executive Board.

(b) The commissioner shall not approve the merger, consolidation or other acquisition of control of a hospital plan corporation or professional health services plan corporation without a prior written recommendation of the board authorizing approval by the commissioner.

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

The SPEAKER. On the amendment, the Chair recognizes Representative Kenney.

Mr. KENNEY. Thank you, Mr. Speaker.

Mr. Speaker, I ask the House to join me in supporting amendment 00344.

What this amendment would do would create the Insurance Restructuring Executive Board. Mr. Speaker, in this age of openness and transparency, I believe we in the legislative body should join with the Governor and the Attorney General and oversee any consolidation or merger that may occur in the future.

We have an obligation and a responsibility to play a role in any process where we have a merger of any health-care plans and to ensure that consumers are protected, and I think this executive board will be an eight-member board made up of the Attorney General; the Governor; the Secretaries of Health, of Public Welfare; and each caucus will have a representative on this board. They will share their ideas and recommendations with the Insurance Commissioner. The Insurance Commissioner will share their ideas with the board, and together they should approve a product or a merger, if they see fit, that is in the best interests of Pennsylvania's citizens and consumers.

And I ask that the House join me in supporting this legislation.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman, Representative Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I join my colleague from Philadelphia in support of his amendment.

If we look at the responses we get from our constituents, one of the major issues is this health-care issue. If we talk to our small businesses, they tell us health care, an important issue, helping them to be competitive in a very demanding world trade market. If we talk to our chambers of commerce, again it is the top priority.

We know that the payments from these health-care providers to our hospitals and doctors are not at the level they should be. They are being underpaid. Check it out with your local hospital, with your doctor organizations, and you will understand that.

Mr. Speaker, there has been criticism over the past of some of the Blues having large surpluses; that the moneys that they have put away, squirreled away, they save for a rainy day, we say that that has been excessive. And when you have a merger of the two Blues, is that going to grow larger or smaller? I do not think we have an answer, and that is why I am supporting this amendment.

Mr. Speaker, I would think that we would get strong support from our colleagues on the other side of the aisle. I know that Democrats have always been involved with supporting the consumers. They have advocated often for agencies to protect

the consumers. This will provide, this amendment will provide all of us here in the House that oversight, and it will fulfill—I think one of the missions that our friends on the other side of the aisle have always asked and that is to have consumer protection, to watch over this large behemoth that is going to be created, and I say that kindly, not in a harsh term. So we need this oversight.

If I was a legislator from Philadelphia – and I think this is where, in some regards, Representative Kenney is coming from – we have one of the medical jewels in the United States in the city of Philadelphia, and if those physicians are being underpaid and if those hospitals are not getting the money that they need – and I have heard nothing to the contrary to say that they are getting paid more than what they should or even at a level playing field – I would think of the unintended consequences that this union could bring about, this merger between the two Blues. I would be concerned.

And so, Mr. Speaker, it makes sense that we support what Representative Kenney has brought before us, and that is to establish an eight-member executive board. Let us have the oversight; let us have the transparency. Let us make sure that health care for our citizens is being protected, and one of the ways we can do that is by supporting this amendment and creating this board.

Thank you, Mr. Speaker.

LEAVE OF ABSENCE

The SPEAKER. The majority leader requests that Representative CONKLIN be placed on leave. Without objection, that leave will be granted.

CONSIDERATION OF HB 112 CONTINUED

The SPEAKER. The Chair recognizes Representative Schroder.

Mr. SCHRODER. Thank you, Mr. Speaker.

Mr. Speaker, while it somewhat pains me to disagree with the fellow speaker, Representative Clymer, I am afraid I must.

Mr. Speaker, I oppose this amendment. I think this amendment takes us exactly in the wrong direction, exactly in the direction we should not be going, because by putting all of these political appointees and inserting them into the process, this will do nothing but in fact politicize the process of this merger. In other words, the outcome of this merger will depend more upon the politics of the situation than upon any of the merits of the situation.

Mr. Speaker, I actually like the idea that was almost put forth by Representative Cohen, which would have treated this more like a Public Utility Commission type of review. In my mind, that is the way we should be going in looking at this very, very serious and weighty matter. But, Mr. Speaker, to have appointments by the Governor, Attorney General, political leadership in both chambers, I just feel we run the risk of setting up the situation like we have, say, on the Gaming Control Board, which I do not believe that particular board is operating to the optimal extent that they can, and I just am afraid that this political process that we would be inserting here would be very detrimental and we would end up having, in order to get approval, some applicant feeling like they have to make a \$17 million settlement at the behalf of a powerful politician in

order to get their way. So we do not want to invite that type of activity in this already big-bucks contest here, this big-dollar extravaganza.

So, Mr. Speaker, I ask that we really think twice and take a hard look at this amendment. This amendment will allow eight people, many of which are appointed by the General Assembly, to make, in essence, a political decision as to whether or not this merger goes forward. In this new era of reform and openness and trying to change the way we make decisions and go about our government work, this is not the direction that we want to go.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Representative Eachus.

Mr. EACHUS. Mr. Speaker, I rise as a matter of a technical issue regarding this. May I state it?

The SPEAKER. The gentleman may state his inquiry.

Mr. EACHUS. On this amendment, on section 1402.1, line 1, it asks that the Attorney General serve on this commission. I have to tell you that the Attorney General has direct purview and oversight over this transaction as the chief law enforcement officer and agent of this Commonwealth. I believe that he will have to recuse himself from the agreement to be able to serve on this, and for that technical error, I think that this matter— I am asking for the individual who drafted this to withdraw, because I believe that legally the Attorney General would not be allowed to serve on this commission, and I would be happy to suspend for a minute and call the Attorney General's Office and ask for a legal opinion, because I do not believe we have done that. We have given the Attorney General in the DeLuca amendment today the opportunity to have additional oversight that he felt would allow him to protect consumers.

In this amendment I can tell you clearly that we believe, our legal counsel believes that he would have to recuse himself from this board. For that I am asking for a withdrawal of this amendment and consideration for that from the gentleman from Philadelphia.

The SPEAKER. The Chair recognizes Representative Kenney.

Mr. KENNEY. Mr. Speaker, I just want to respond. I think having the Attorney General on this executive board ensures that the consumers and the citizens of Pennsylvania are protected. We want his expertise. We want to know what he knows before any proposal that impacts our constituents is made.

So I do not think having the Attorney General on this board creates any problem.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair recognizes the presence of Representative Conklin on the floor. His name will be added to the master roll.

CONSIDERATION OF HB 112 CONTINUED

The SPEAKER. Has the gentleman concluded his remarks? Has Representative Kenney concluded his remarks? Have you concluded your remarks?

Mr. KENNEY. Mr. Speaker, just to add, if you read the language, or the Attorney General's designee. So it does address the gentleman, Mr. Eachus' concern.

I will give you another one. Mr. Speaker, as you know, if you read the amendment, six votes are needed and the Attorney General could actually not be voting and still business could be done by this executive board. So, I mean, I think all the areas are covered and Pennsylvania's consumers will be protected.

The SPEAKER. The Chair recognizes Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

In response to the gentleman, I respect his answer, and in lieu of that, I have no opposition to voting this amendment.

The SPEAKER. The Chair recognizes Representative Maher.

Mr. MAHER. Mr. Speaker, it may also help the gentleman raising the concern about the Attorney General's participation to reflect on the recently enacted lobbying law, which provided that the Attorney General or his designee not only serve on the body which is drafting the regulations but actually chairs that body. And quite clearly, the Attorney General will ultimately have enforcement responsibilities under the lobbying law, and in recognizing that example, I think members should feel comfortable embracing this approach as well.

Thank you, Mr. Speaker.

The SPEAKER. Is there any member that seeks recognition?

The Chair recognizes the minority leader, Representative Smith.

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

Mr. Speaker, I also rise in support of this amendment.

I wanted to point out that one of the thoughts behind this amendment is, as this merger was in the works, we were being told that we were welcome to be a party to the discussions, that we would be involved in the details that would evolve in the merger so that we would as legislators have an understanding of what the impact might be and how this would be done in a way that would be beneficial to the people of Pennsylvania, both in terms of the health-care providers or in terms of the businesses that pay the insurance premiums or in terms of the actual individuals who receive the insurance services that are provided in this way.

In looking at the way the bill had initially been crafted, it certainly was a plus to bring the Insurance Commissioner into that direct mix, but I think it is important that we additionally have at least some legislative review, and I say review because I think that is an important word. It is not a matter of controlling it; it is not a matter of politicizing it. In fact, I would be more afraid, Mr. Speaker, that if this bill does not pass, and more importantly, if this bill does not pass, without the Kenney amendment – we need the Kenney amendment – that this would become a behind-the-scenes highly politicized event.

The fact is, the Kenney amendment will bring this entire process out into full public view. Part of this minicommission's responsibilities or authority will be to hold hearings on it, to review this in a public venue, and make sure that we all have an understanding of what is taking place.

I think, Mr. Speaker, that for us as a legislative body when we are looking at a merger of this magnitude – and I would tell you, Mr. Speaker, this would be, if this merger proceeds, it would be the third largest merger in the United States of companies of this kind, the third largest, so this is not any small potatoes; this is a major issue – and that for us to sit back and

not pay attention to what is going on directly through some form of a commission, some form of legislative oversight, would be a mistake on our part.

One other point, Mr. Speaker, relative to how this amendment is crafted. Normally when the administration puts forth regulations relative to any existing law, the independent regulatory review process has a mechanism where those amendments come to the committees. The committees review them; the public comment periods exist; that is reported back to that particular State agency; they respond to those. The proposed regulations come back to the committee for their review and approval or disapproval. That IRRC (Independent Regulatory Review Commission) process is something that provides a balance between the administrative and the legislative branches of government when it comes to those types of regulatory affairs. This amendment and this commission are being designed a little bit with that in mind, where an agency that is made up of both administrative and legislative members would have some review similar to how the IRRC process works, and I think that that is important that we understand what that role is, not to have absolute control but to have some legislative overview, review of what is going on, similar, in a very less complicated way than the independent regulatory review process works, but similar to that, and I think that is where the merits of this amendment— I think that is the most meritorious part of what this amendment seeks to do, and I would urge the members to support the Kenney amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Representative DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, I also rise to support the Kenney amendment. I think the minority leader has made an excellent case for all of us to support this amendment, and I would ask my side of the aisle to vote "yes" on the Kenney amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Representative Schroder.

Mr. SCHRODER. Thank you, Mr. Speaker.

Mr. Speaker, I was not going to get back up again, but I just wanted to make one clarification.

With all due respect to our Republican leader, if all this amendment did was provide for legislative review and if all this amendment did was allow the appointments to make up this committee to just review the process, I would have absolutely no problem with that, but if you read the final lines of this amendment, in my mind, it clearly says, "The commissioner shall not approve the merger,..." jumping down a couple more lines, "...without a prior written recommendation of the board authorizing approval by the commissioner." In other words, Mr. Speaker, I read this, is that this board that is being set up can approve or disapprove and in the end is really holding all the power in this particular situation.

So in other words, we are taking it out of, the decision, in essence, of the Attorney General, the Insurance Commissioner, and putting it somewhere where it should not be, in my opinion, and we are putting it in the political arena, and, Mr. Speaker, I will just say again I think that is dangerous. I think that is exactly the type of thing that in the reform efforts that we have been working on, we have been trying to move away from, and I just think this takes a step in the wrong direction.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Representative Micozzie.

Mr. MICOZZIE. Thank you, Mr. Speaker.

At first when I reviewed the structure that was put together, I had some questions, serious questions about it. One thing I mentioned before is an awful lot of money that is going to be reaped is with this merger, and I think it is very important that the legislative, the structure that we put together ensures that they have dialogue and discussion not only about the merger but also about the funds that are coming in and not let just the executive arm use their power to do what they will with the surplus. We recognize about the surplus that the Blues had where the Governor, not only this Governor or the next Governor, would take the surplus and use it for some other program or one of his programs.

And I think this oversight structure is good, although I disagree how it was put together as far as I think more legislators should be on it, and I disagree with my colleague about the politics and all that. I think the members of the General Assembly are honorable people and will do the right thing.

Thank you, and I support the amendment.

The SPEAKER. Is there any other member that seeks recognition?

The Chair recognizes Representative Kenney.

Mr. KENNEY. Thank you, Mr. Speaker.

Mr. Speaker, in response to my colleague from Chester County, for us to sit here and believe we do not have a responsibility to be involved in the insurance coverage potentially of 7 million Pennsylvanians is bizarre. He wants you to believe that this Governor appointing an Insurance Commissioner, who is appointed, well, they are political in nature. We elect our Governor; he appoints the Insurance Commissioner, and I believe – you know, I am an elected State Rep – I believe we do have a role to play. I think this is such a big issue that we, working with the Governor, working with the Attorney General together, produce a product that is in the best interests of our citizens, and I ask for an affirmative vote.

Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—189

Adolph	Gabig	Mann	Roae
Argall	Galloway	Mantz	Rock
Baker	Geist	Markosek	Roebuck
Barrar	George	Marshall	Rohrer
Bastian	Gerber	Marsico	Ross
Bear	Gergely	McCall	Rublely
Belfanti	Gibbons	McGeehan	Sabatina
Benninghoff	Gillespie	McIlhatten	Sainato
Bennington	Gingrich	Melio	Santoni
Beyer	Godshall	Metcalfe	Saylor
Biancucci	Goodman	Micozzie	Scavello
Bishop	Grell	Millard	Seip
Blackwell	Gruclera	Miller	Shapiro
Boback	Haluska	Milne	Shimkus
Boyd	Hanna	Moul	Siptroth
Brennan	Harhai	Moyer	Smith, K.
Brooks	Harhart	Mundy	Smith, M.
Buxton	Harkins	Murt	Smith, S.

Caltagirone	Harper	Mustio	Solobay
Cappelli	Harris	Myers	Sonney
Carroll	Helm	Nailor	Staback
Casorio	Hennessey	Nickol	Stairs
Causer	Hershey	O'Brien, M.	Steil
Civera	Hess	O'Neill	Stern
Clymer	Hickernell	Oliver	Stevenson
Cohen	Hutchinson	Pallone	Sturla
Conklin	James	Parker	Surra
Costa	Josephs	Pashinski	Swanger
Cox	Kauffman	Payne	Tangretti
Creighton	Keller, M.	Payton	Taylor, J.
Cruz	Keller, W.	Peifer	Thomas
Curry	Kenney	Perry	True
Cutler	Kessler	Perzel	Turzai
Daley	Killion	Petrarca	Vereb
Dally	King	Petri	Vitali
DeLuca	Kirkland	Phillips	Vulakovich
Denlinger	Kortz	Pickett	Wagner
DePasquale	Kotik	Preston	Walko
Dermody	Kula	Pyle	Wansacz
DeWeese	Leach	Quigley	Waters
DiGirolamo	Lentz	Quinn	Watson
Eachus	Levdansky	Ramaley	Wheatley
Ellis	Longietti	Rapp	White
Evans, J.	Mackereth	Raymond	Williams
Everett	Maher	Readshaw	Yewcic
Fabrizio	Major	Reed	Youngblood
Fairchild	Manderino	Reichley	Yudichak
Fleck			

NAYS—6

Freeman	Samuelson	Taylor, R.	O'Brien, D.,
Hornaman	Schroder		Speaker

NOT VOTING—0

EXCUSED—8

Donatucci	Frankel	McI. Smith	Petrone
Evans, D.	Mahoney	Mensch	Wojnaroski

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

The SPEAKER. Are there any other amendments?

On the question recurring,

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

RESOLUTIONS PURSUANT TO RULE 35

Mr. PRESTON called up **HR 145, PN 986**, entitled:

A Resolution designating the week of April 22 through 28, 2007, as "Pennsylvania One Call System Week."

On the question,

Will the House adopt the resolution?

The SPEAKER. The Chair recognizes Representative Preston.

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

Every once in a while we get a chance to honor those people from an awful lot of walks of life. This one is something where business along with labor, along with small businesses, along with the people for the last 35 years have saved us hundreds of millions of dollars as far as the One Call System, and we honor these.

From a safety standpoint as well as a cost standpoint with municipalities as well as homeowners, people have been protected because of this system, and it has really worked and it continues to work, and very soon finally we will be able to have an 811 for people as far as one number all across this State.

I look forward to be able to see this happen, and I encourage the members to support this resolution in honor of the One Call System.

LEAVE OF ABSENCE

The SPEAKER. The Chair recognizes the minority leader, who requests that Representative VEREB be put on leave for the remainder of the day. The Chair hears no objection.

CONSIDERATION OF HR 145 CONTINUED

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

Adolph	Gabig	Mantz	Rohrer
Argall	Galloway	Markosek	Ross
Baker	Geist	Marshall	Rubley
Barrar	George	Marsico	Sabatina
Bastian	Gerber	McCall	Sainato
Bear	Gergely	McGeehan	Samuelson
Belfanti	Gibbons	McIlhattan	Santoni
Benninghoff	Gillespie	Melio	Saylor
Bennington	Gingrich	Metcalfe	Scavello
Beyer	Godshall	Micozzie	Schroder
Biancucci	Goodman	Millard	Seip
Bishop	Grell	Miller	Shapiro
Blackwell	Grucela	Milne	Shimkus
Boback	Haluska	Moul	Sipthoth
Boyd	Hanna	Moyer	Smith, K.
Brennan	Harhai	Mundy	Smith, M.
Brooks	Harhart	Murt	Smith, S.
Buxton	Harkins	Mustio	Solobay
Caltagirone	Harper	Myers	Sonney
Cappelli	Harris	Nailor	Staback
Carroll	Helm	Nickol	Stairs
Casorio	Hennessey	O'Brien, M.	Steil
Causer	Hershey	O'Neill	Stern
Civera	Hess	Oliver	Stevenson
Clymer	Hickernell	Pallone	Sturla
Cohen	Hornaman	Parker	Surra
Conklin	Hutchinson	Pashinski	Swanger
Costa	James	Payne	Tangretti
Cox	Josephs	Payton	Taylor, J.
Creighton	Kauffman	Peifer	Taylor, R.
Cruz	Keller, M.	Perry	Thomas
Curry	Keller, W.	Perzel	True
Cutler	Kenney	Petrarca	Turzai
Daley	Kessler	Petri	Vitali
Dally	Killion	Phillips	Vulakovich
DeLuca	King	Pickett	Wagner
Denlinger	Kirkland	Preston	Walko
DePasquale	Kortz	Pyle	Wansacz

Dermody	Kotik	Quigley	Waters
DeWeese	Kula	Quinn	Watson
DiGirolamo	Leach	Ramaley	Wheatley
Eachus	Lentz	Rapp	White
Ellis	Levdansky	Raymond	Williams
Evans, J.	Longietti	Readshaw	Yewcic
Everett	Mackereth	Reed	Youngblood
Fabrizio	Maher	Reichley	Yudichak
Fairchild	Major	Roae	
Fleck	Manderino	Rock	O'Brien, D.,
Freeman	Mann	Roebuck	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—9

Donatucci	Mahoney	Mensch	Vereb
Evans, D.	McI. Smith	Petrone	Wojnaroski
Frankel			

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

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RESOLUTION PASSED OVER

The SPEAKER. HR 146 is over.

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Mr. KAUFFMAN called up **HR 147, PN 988**, entitled:

A Resolution recognizing the week of April 23 through 30, 2007, as "Pennsylvania Small Business Development Centers' Entrepreneurs Week."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

Adolph	Gabig	Mantz	Rohrer
Argall	Galloway	Markosek	Ross
Baker	Geist	Marshall	Rubley
Barrar	George	Marsico	Sabatina
Bastian	Gerber	McCall	Sainato
Bear	Gergely	McGeehan	Samuelson
Belfanti	Gibbons	McIlhatten	Santoni
Benninghoff	Gillespie	Melio	Saylor
Bennington	Gingrich	Metcalfe	Scavello
Beyer	Godshall	Micozzie	Schroder
Biancucci	Goodman	Millard	Seip
Bishop	Grell	Miller	Shapiro
Blackwell	Grucela	Milne	Shimkus
Boback	Haluska	Moul	Siptroth
Boyd	Hanna	Moyer	Smith, K.
Brennan	Harhai	Mundy	Smith, M.
Brooks	Harhart	Murt	Smith, S.
Buxton	Harkins	Mustio	Solobay
Caltagirone	Harper	Myers	Sonney
Cappelli	Harris	Nailor	Staback
Carroll	Helm	Nickol	Stairs
Casorio	Hennessey	O'Brien, M.	Steil

Causar	Hershey	O'Neill	Stern
Civera	Hess	Oliver	Stevenson
Clymer	Hickernell	Pallone	Sturla
Cohen	Hornaman	Parker	Surra
Conklin	Hutchinson	Pashinski	Swanger
Costa	James	Payne	Tangretti
Cox	Josephs	Payton	Taylor, J.
Creighton	Kauffman	Peifer	Taylor, R.
Cruz	Keller, M.	Perry	Thomas
Curry	Keller, W.	Perzel	True
Cutler	Kenney	Petrarca	Turzai
Daley	Kessler	Petri	Vitali
Dally	Killion	Phillips	Vulakovich
DeLuca	King	Pickett	Wagner
Denlinger	Kirkland	Preston	Walko
DePasquale	Kortz	Pyle	Wansacz
Dermody	Kotik	Quigley	Waters
DeWeese	Kula	Quinn	Watson
DiGirolamo	Leach	Ramaley	Wheatley
Eachus	Lentz	Rapp	White
Ellis	Levdansky	Raymond	Williams
Evans, J.	Longietti	Readshaw	Yewcic
Everett	Mackereth	Reed	Youngblood
Fabrizio	Maher	Reichley	Yudichak
Fairchild	Major	Roae	
Fleck	Manderino	Rock	O'Brien, D.,
Freeman	Mann	Roebuck	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—9

Donatucci	Mahoney	Mensch	Vereb
Evans, D.	McI. Smith	Petrone	Wojnaroski
Frankel			

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

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RESOLUTIONS PASSED OVER

The SPEAKER. HR 150 is over.

HR 160 is over.

HR 161 is over.

HR 163 is over.

* * *

Mrs. BEYER called up **HR 165, PN 1071**, entitled:

A Resolution acknowledging and commending the University of Pittsburgh's student organization known as "Keep It Real" (KIR) for improving the lives of Somali refugees in the Greater Pittsburgh area.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

Adolph	Gabig	Mantz	Rohrer
Argall	Galloway	Markosek	Ross

Baker	Geist	Marshall	Rubley
Barrar	George	Marsico	Sabatina
Bastian	Gerber	McCall	Sainato
Bear	Gergely	McGeehan	Samuelson
Belfanti	Gibbons	McIlhatten	Santoni
Benninghoff	Gillespie	Melio	Saylor
Bennington	Gingrich	Metcalfe	Scavello
Beyer	Godshall	Micozzie	Schroder
Biancucci	Goodman	Millard	Seip
Bishop	Grell	Miller	Shapiro
Blackwell	Grucela	Milne	Shimkus
Boback	Haluska	Moul	Siptroth
Boyd	Hanna	Moyer	Smith, K.
Brennan	Harhai	Mundy	Smith, M.
Brooks	Harhart	Murt	Smith, S.
Buxton	Harkins	Mustio	Solobay
Caltagirone	Harper	Myers	Sonney
Cappelli	Harris	Nailor	Staback
Carroll	Helm	Nickol	Stairs
Casorio	Hennessey	O'Brien, M.	Steil
Causar	Hershey	O'Neill	Stern
Civera	Hess	Oliver	Stevenson
Clymer	Hickernell	Pallone	Sturla
Cohen	Hornaman	Parker	Surra
Conklin	Hutchinson	Pashinski	Swanger
Costa	James	Payne	Tangretti
Cox	Josephs	Payton	Taylor, J.
Creighton	Kauffman	Peifer	Taylor, R.
Cruz	Keller, M.	Perry	Thomas
Curry	Keller, W.	Perzel	True
Cutler	Kenney	Petrarca	Turzai
Daley	Kessler	Petri	Vitali
Dally	Killion	Phillips	Vulakovich
DeLuca	King	Pickett	Wagner
Denlinger	Kirkland	Preston	Walko
DePasquale	Kortz	Pyle	Wansacz
Dermody	Kotik	Quigley	Waters
DeWeese	Kula	Quinn	Watson
DiGirolamo	Leach	Ramaley	Wheatley
Eachus	Lentz	Rapp	White
Ellis	Levdansky	Raymond	Williams
Evans, J.	Longietti	Readshaw	Yewcic
Everett	Mackereth	Reed	Youngblood
Fabrizio	Maher	Reichley	Yudichak
Fairchild	Major	Roae	
Fleck	Manderino	Rock	O'Brien, D.,
Freeman	Mann	Roebuck	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-9

Donatucci	Mahoney	Mensch	Vereb
Evans, D.	McI. Smith	Petrone	Wojnaroski
Frankel			

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

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Mr. R. TAYLOR called up **HR 168, PN 1074**, entitled:

A Resolution recognizing President Franklin Delano Roosevelt for his strength, courage and determination through a time of national crisis and war in remembrance of the occasion of his death.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-194

Adolph	Gabig	Mantz	Rohrer
Argall	Galloway	Markosek	Ross
Baker	Geist	Marshall	Rubley
Barrar	George	Marsico	Sabatina
Bastian	Gerber	McCall	Sainato
Bear	Gergely	McGeehan	Samuelson
Belfanti	Gibbons	McIlhatten	Santoni
Benninghoff	Gillespie	Melio	Saylor
Bennington	Gingrich	Metcalfe	Scavello
Beyer	Godshall	Micozzie	Schroder
Biancucci	Goodman	Millard	Seip
Bishop	Grell	Miller	Shapiro
Blackwell	Grucela	Milne	Shimkus
Boback	Haluska	Moul	Siptroth
Boyd	Hanna	Moyer	Smith, K.
Brennan	Harhai	Mundy	Smith, M.
Brooks	Harhart	Murt	Smith, S.
Buxton	Harkins	Mustio	Solobay
Caltagirone	Harper	Myers	Sonney
Cappelli	Harris	Nailor	Staback
Carroll	Helm	Nickol	Stairs
Casorio	Hennessey	O'Brien, M.	Steil
Causar	Hershey	O'Neill	Stern
Civera	Hess	Oliver	Stevenson
Clymer	Hickernell	Pallone	Sturla
Cohen	Hornaman	Parker	Surra
Conklin	Hutchinson	Pashinski	Swanger
Costa	James	Payne	Tangretti
Cox	Josephs	Payton	Taylor, J.
Creighton	Kauffman	Peifer	Taylor, R.
Cruz	Keller, M.	Perry	Thomas
Curry	Keller, W.	Perzel	True
Cutler	Kenney	Petrarca	Turzai
Daley	Kessler	Petri	Vitali
Dally	Killion	Phillips	Vulakovich
DeLuca	King	Pickett	Wagner
Denlinger	Kirkland	Preston	Walko
DePasquale	Kortz	Pyle	Wansacz
Dermody	Kotik	Quigley	Waters
DeWeese	Kula	Quinn	Watson
DiGirolamo	Leach	Ramaley	Wheatley
Eachus	Lentz	Rapp	White
Ellis	Levdansky	Raymond	Williams
Evans, J.	Longietti	Readshaw	Yewcic
Everett	Mackereth	Reed	Youngblood
Fabrizio	Maher	Reichley	Yudichak
Fairchild	Major	Roae	
Fleck	Manderino	Rock	O'Brien, D.,
Freeman	Mann	Roebuck	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-9

Donatucci	Mahoney	Mensch	Vereb
Evans, D.	McI. Smith	Petrone	Wojnaroski
Frankel			

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

* * *

RESOLUTIONS PASSED OVER

The SPEAKER. HR 171 is over.
 HR 173 is over.
 HR 177 is over.

* * *

Mr. HARKINS called up **HR 181, PN 1170**, entitled:

A Resolution observing the week of April 22 through 28, 2007,
 as "Crime Victims' Rights Week" in Pennsylvania.

On the question,
 Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

Adolph	Gabig	Mantz	Rohrer
Argall	Galloway	Markosek	Ross
Baker	Geist	Marshall	Rubley
Barrar	George	Marsico	Sabatina
Bastian	Gerber	McCall	Sainato
Bear	Gergely	McGeehan	Samuelson
Belfanti	Gibbons	McIlhatten	Santoni
Benninghoff	Gillespie	Melio	Saylor
Bennington	Gingrich	Metcalfe	Scavello
Beyer	Godshall	Micozzie	Schroder
Biancucci	Goodman	Millard	Seip
Bishop	Grell	Miller	Shapiro
Blackwell	Grucela	Milne	Shimkus
Boback	Haluska	Moul	Siptroth
Boyd	Hanna	Moyer	Smith, K.
Brennan	Harhai	Mundy	Smith, M.
Brooks	Harhart	Murt	Smith, S.
Buxton	Harkins	Mustio	Solobay
Caltagirone	Harper	Myers	Sonney
Cappelli	Harris	Nailor	Staback
Carroll	Helm	Nickol	Stairs
Casorio	Hennessey	O'Brien, M.	Steil
Causar	Hershey	O'Neill	Stern
Civera	Hess	Oliver	Stevenson
Clymer	Hickernell	Pallone	Sturla
Cohen	Hornaman	Parker	Surra
Conklin	Hutchinson	Pashinski	Swanger
Costa	James	Payne	Tangretti
Cox	Josephs	Payton	Taylor, J.
Creighton	Kauffman	Peifer	Taylor, R.
Cruz	Keller, M.	Perry	Thomas
Curry	Keller, W.	Perzel	True
Cutler	Kenney	Petrarca	Turzai
Daley	Kessler	Petri	Vitali
Dally	Killion	Phillips	Vulakovich
DeLuca	King	Pickett	Wagner
Denlinger	Kirkland	Preston	Walko
DePasquale	Kortz	Pyle	Wansacz
Dermody	Kotik	Quigley	Waters
DeWeese	Kula	Quinn	Watson
DiGirolamo	Leach	Ramaley	Wheatley
Eachus	Lentz	Rapp	White
Ellis	Levdansky	Raymond	Williams
Evans, J.	Longietti	Readshaw	Yewcic
Everett	Mackereth	Reed	Youngblood
Fabrizio	Maher	Reichley	Yudichak
Fairchild	Major	Roae	
Fleck	Manderino	Rock	O'Brien, D.,
Freeman	Mann	Roebuck	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—9

Donatucci	Mahoney	Mensch	Vereb
Evans, D.	McI. Smith	Petrone	Wojnaroski
Frankel			

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

* * *

Mr. ARGALL called up **HR 182, PN 1189**, entitled:

A Resolution honoring the Knights of Columbus on the occasion
 of the 125th anniversary of its founding.

On the question,
 Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

Adolph	Gabig	Mantz	Rohrer
Argall	Galloway	Markosek	Ross
Baker	Geist	Marshall	Rubley
Barrar	George	Marsico	Sabatina
Bastian	Gerber	McCall	Sainato
Bear	Gergely	McGeehan	Samuelson
Belfanti	Gibbons	McIlhatten	Santoni
Benninghoff	Gillespie	Melio	Saylor
Bennington	Gingrich	Metcalfe	Scavello
Beyer	Godshall	Micozzie	Schroder
Biancucci	Goodman	Millard	Seip
Bishop	Grell	Miller	Shapiro
Blackwell	Grucela	Milne	Shimkus
Boback	Haluska	Moul	Siptroth
Boyd	Hanna	Moyer	Smith, K.
Brennan	Harhai	Mundy	Smith, M.
Brooks	Harhart	Murt	Smith, S.
Buxton	Harkins	Mustio	Solobay
Caltagirone	Harper	Myers	Sonney
Cappelli	Harris	Nailor	Staback
Carroll	Helm	Nickol	Stairs
Casorio	Hennessey	O'Brien, M.	Steil
Causar	Hershey	O'Neill	Stern
Civera	Hess	Oliver	Stevenson
Clymer	Hickernell	Pallone	Sturla
Cohen	Hornaman	Parker	Surra
Conklin	Hutchinson	Pashinski	Swanger
Costa	James	Payne	Tangretti
Cox	Josephs	Payton	Taylor, J.
Creighton	Kauffman	Peifer	Taylor, R.
Cruz	Keller, M.	Perry	Thomas
Curry	Keller, W.	Perzel	True
Cutler	Kenney	Petrarca	Turzai
Daley	Kessler	Petri	Vitali
Dally	Killion	Phillips	Vulakovich
DeLuca	King	Pickett	Wagner
Denlinger	Kirkland	Preston	Walko
DePasquale	Kortz	Pyle	Wansacz
Dermody	Kotik	Quigley	Waters
DeWeese	Kula	Quinn	Watson
DiGirolamo	Leach	Ramaley	Wheatley
Eachus	Lentz	Rapp	White
Ellis	Levdansky	Raymond	Williams

Evans, J.	Longietti	Readshaw	Yewcic
Everett	Mackereth	Reed	Youngblood
Fabrizio	Maher	Reichley	Yudichak
Fairchild	Major	Roae	
Fleck	Manderino	Rock	O'Brien, D.,
Freeman	Mann	Roebuck	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—9

Donatucci	Mahoney	Mensch	Vereb
Evans, D.	McI. Smith	Petrone	Wojnaroski
Frankel			

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

* * *

RESOLUTIONS PASSED OVER

The SPEAKER. HR 183 is over.
HR 184 is over.
HR 189 is over.

* * *

Mr. MARSICO called up **HR 190, PN 1233**, entitled:

A Resolution designating April 26, 2007, as "Parent to Parent Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

Adolph	Gabig	Mantz	Rohrer
Argall	Galloway	Markosek	Ross
Baker	Geist	Marshall	Rubley
Barrar	George	Marsico	Sabatina
Bastian	Gerber	McCall	Sainato
Bear	Gergely	McGeehan	Samuelson
Belfanti	Gibbons	McIlhattan	Santoni
Benninghoff	Gillespie	Melio	Saylor
Bennington	Gingrich	Metcalfe	Scavello
Beyer	Godshall	Micozzie	Schroder
Biancucci	Goodman	Millard	Seip
Bishop	Grell	Miller	Shapiro
Blackwell	Grucela	Milne	Shimkus
Boback	Haluska	Moul	Siptroth
Boyd	Hanna	Moyer	Smith, K.
Brennan	Harhai	Mundy	Smith, M.
Brooks	Harhart	Murt	Smith, S.
Buxton	Harkins	Mustio	Solobay
Caltagirone	Harper	Myers	Sonney
Cappelli	Harris	Nailor	Staback
Carroll	Helm	Nickol	Stairs
Casorio	Hennessey	O'Brien, M.	Steil
Causar	Hershey	O'Neill	Stern
Civera	Hess	Oliver	Stevenson
Clymer	Hickernell	Pallone	Sturla
Cohen	Hornaman	Parker	Surra

Conklin	Hutchinson	Pashinski	Swanger
Costa	James	Payne	Tangretti
Cox	Josephs	Payton	Taylor, J.
Creighton	Kauffman	Peifer	Taylor, R.
Cruz	Keller, M.	Perry	Thomas
Curry	Keller, W.	Perzel	True
Cutler	Kenney	Petrarca	Turzai
Daley	Kessler	Petri	Vitali
Dally	Killion	Phillips	Vulakovich
DeLuca	King	Pickett	Wagner
Denlinger	Kirkland	Preston	Walko
DePasquale	Kortz	Pyle	Wansacz
Dermody	Kotik	Quigley	Waters
DeWeese	Kula	Quinn	Watson
DiGirolamo	Leach	Ramaley	Wheatley
Eachus	Lentz	Rapp	White
Ellis	Levdansky	Raymond	Williams
Evans, J.	Longietti	Readshaw	Yewcic
Everett	Mackereth	Reed	Youngblood
Fabrizio	Maher	Reichley	Yudichak
Fairchild	Major	Roae	
Fleck	Manderino	Rock	O'Brien, D.,
Freeman	Mann	Roebuck	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—9

Donatucci	Mahoney	Mensch	Vereb
Evans, D.	McI. Smith	Petrone	Wojnaroski
Frankel			

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

* * *

RESOLUTIONS PASSED OVER

The SPEAKER. The remainder of the resolutions on pages 7 and 8 are over for today.

SUPPLEMENTAL CALENDAR A

RESOLUTION

Mr. HALUSKA called up **HR 164, PN 1068**, entitled:

A Resolution directing the Tourism and Recreational Development Committee to study, evaluate and make recommendations regarding the establishment of overnight facilities and associated amenities on Commonwealth-owned lands.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

Adolph	Gabig	Mantz	Rohrer
Argall	Galloway	Markosek	Ross
Baker	Geist	Marshall	Rubley
Barrar	George	Marsico	Sabatina
Bastian	Gerber	McCall	Sainato

Bear	Gergely	McGeehan	Samuelson
Belfanti	Gibbons	McIlhattan	Santoni
Benninghoff	Gillespie	Melio	Saylor
Bennington	Gingrich	Metcalfe	Scavello
Beyer	Godshall	Micozzie	Schroder
Biancucci	Goodman	Millard	Seip
Bishop	Grell	Miller	Shapiro
Blackwell	Grucela	Milne	Shimkus
Boback	Haluska	Moul	Siptroth
Boyd	Hanna	Moyer	Smith, K.
Brennan	Harhai	Mundy	Smith, M.
Brooks	Harhart	Murt	Smith, S.
Buxton	Harkins	Mustio	Solobay
Caltagirone	Harper	Myers	Sonney
Cappelli	Harris	Nailor	Staback
Carroll	Helm	Nickol	Stairs
Casorio	Hennessey	O'Brien, M.	Steil
Causar	Hershey	O'Neill	Stern
Civera	Hess	Oliver	Stevenson
Clymer	Hickernell	Pallone	Sturla
Cohen	Hornaman	Parker	Surra
Conklin	Hutchinson	Pashinski	Swanger
Costa	James	Payne	Tangretti
Cox	Josephs	Payton	Taylor, J.
Creighton	Kauffman	Peifer	Taylor, R.
Cruz	Keller, M.	Perry	Thomas
Curry	Keller, W.	Perzel	True
Cutler	Kenney	Petrarca	Turzai
Daley	Kessler	Petri	Vitali
Dally	Killion	Phillips	Vulakovich
DeLuca	King	Pickett	Wagner
Denlinger	Kirkland	Preston	Walko
DePasquale	Kortz	Pyle	Wansacz
Dermody	Kotik	Quigley	Waters
DeWeese	Kula	Quinn	Watson
DiGirolamo	Leach	Ramaley	Wheatley
Eachus	Lentz	Rapp	White
Ellis	Levdansky	Raymond	Williams
Evans, J.	Longietti	Readshaw	Yewcic
Everett	Mackereth	Reed	Youngblood
Fabrizio	Maher	Reichley	Yudichak
Fairchild	Major	Roae	
Fleck	Manderino	Rock	O'Brien, D.,
Freeman	Mann	Roebuck	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—9

Donatucci	Mahoney	Mensch	Vereb
Evans, D.	McI. Smith	Petrone	Wojnaroski
Frankel			

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

ANNOUNCEMENTS BY SPEAKER

The SPEAKER. Before we recognize members by unanimous consent, I would like to recognize the majority leader, who is celebrating his birthday today. Do we want to guess how many that is, Representative DeWeese? I think there are 57 varieties of Representative DeWeese at least that we have witnessed in this House, perhaps more. We wish you a very happy birthday.

The Chair recognizes the minority leader, Representative Smith.

Mr. S. SMITH. Mr. Speaker, is this under unanimous consent? We are pretty much done with voting and we are—

The SPEAKER. Yes, but the gentleman, before members leave, I am not suggesting that they will leave because you are requesting unanimous consent, but can I recognize that Representative Oliver celebrated his 85th birthday yesterday. A very, very happy birthday to our colleague and friend, Representative Oliver.

Representative Smith, we will give a couple minutes for the congratulatory wishes to be extended to Representative Oliver.

Representative Smith.

Jake Wheatley is also celebrating his birthday today.

Mr. DeWEESE. No, not Wheatley – Quigley.

The SPEAKER. Oh, Quigley. I cannot hear; I am from Philadelphia. Representative Quigley, a very happy birthday.

I am sorry; it was that Greene County accent. I misunderstood.

Mr. QUIGLEY. Mr. Speaker, if I could just rise to say that I am honored to be sharing this day with my good colleague from Greene County, although I add for the record that he is a good 13 years ahead of me in the calendar, so— Although he does not look it.

STATEMENT BY MINORITY LEADER

The SPEAKER. Representative Smith.

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

Mr. Speaker, I just wanted to rise to ask a couple rhetorical questions. Obviously, if the majority leader chooses to respond, it is more than within his prerogative. But given where we are at this time of year, April 18, I am getting a little bit concerned to where our priorities are in terms of moving the budgetary process forward, and I am curious, Mr. Speaker, as to when we might expect that the majority is going to introduce the Governor's budget so that we can start to move forward with the direct deliberations and negotiations on that. And just as a point of history, Mr. Speaker, I would note that over the last 10 years, generally speaking, the appropriations bills have been introduced going back, like I said, going back over the last 10 years, March 12, March 5, March 22, March 26, April 19, March 3, April 14, March 14, March 13, and in most of those cases, Mr. Speaker, through those same corresponding years, not only was it introduced in the March or mid-April period, quite frequently the appropriations bill has been considered by the House in March, a few times in May, but always in April and May we have been able to move an appropriations bill forward to the Senate to allow that process going forward.

Mr. Speaker, what I am saying is that I think we all recognize that the appropriations bill, the general budget of the Commonwealth, is the single biggest and most important thing that we do each year relative to our responsibilities, and I think it would behoove us to allow that process to move forward, and I kind of wanted to put that on the record, Mr. Speaker, that it is time we move forward with not only bringing an appropriations bill out with our new rules, Mr. Speaker, but in the spirit of the reforms, the process, I think we are going to find it takes a little longer. That is part of what the reforms were about, keeping that process more open, and I think we are going to have a time

challenge on our hands, Mr. Speaker, if we are going to complete our work by the end of June, and I simply wanted to put that on the record, Mr. Speaker, that it is high time that we get an appropriations bill before this House and allow us to begin our direct deliberations and considerations of that legislation.

Thank you, Mr. Speaker.

STATEMENT BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader, Representative DeWeese.

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

I think it is helpful that my good friend from Jefferson County, the Republican leader, Mr. Smith, allows us to focus momentarily on the budget. I want to announce what some know and others would speculate and I think all would be pleased to be aware of, and that is that the Appropriations staff teams and the House Democrats, the House Republicans, the Senate Democrats and the Senate Republicans have been meeting.

And number two, I think that everyone is committed to finding an amicable and substantive solution to what all would agree are very serious revenue challenges. The budget is going to be more difficult this year. Seven hundred billion, seven hundred billion fewer dollars are cascading into the State Capitols around America, whether it is Sacramento or Albany or Tallahassee or Charleston, West Virginia, Harrisburg, Pennsylvania – 700 billion fewer dollars, which makes it somewhat problematic relative to other years – but with our Appropriations Committee staff teams meeting, a mutual commitment to get the job done by June 30. The Senate Republican majority leader, Dominic Pileggi, and I were privileged to address the chamber of commerce earlier this week with Governor Rendell, and I am confident that the Senate Republican leadership team also wants to get this job done. So I am glad that Mr. Smith allowed us to focus upon it.

The third and final point I would make is that the biggest, biggest month for revenues, as we all know, because we are all taxpayers, is April, and at the end of April we will have a much better idea on what revenue is available for our State, and I think that will impact directly and heavily our deliberations in May and in June.

But again, to summarize, I believe that the month of April will give us a clearer picture, the staff teams of the Appropriations Committees are meeting, and I am confident that our respectful adversaries in the Senate are committed, as we are, to getting the job done by June 30.

Thank you very much, Mr. Speaker.

INTERROGATION

The SPEAKER. The Chair recognizes Representative Civera.

Mr. CIVERA. Thank you, Mr. Speaker.

Mr. Speaker, if I could ask the majority leader, when can we expect to deliberate the budget, because we are at the end of April, we are going to come back in the first week of May, and we are in recess for 2 weeks. So when could we, the House Republicans, get prepared so we can deliberate the budget? We have gotten over the Appropriations hearings. April 15 they

certified the numbers. Mr. Speaker, we are ready to go, so could you give us an idea?

Mr. DeWEESE. Well, my honorable colleague, the panjandrum of the Appropriations Committee and a loyal GOP stalwart and longtime friend of Bill DeWeese, I want to reiterate that our deliberations will be more profound and more keen in May. I think we need to know or at least I think most of us on our side of the aisle want to know what the revenues are going to be for April. We can project, but this is a very sensitive budget endeavor, and we want to make certain that when we come back in May and June, that we cross the t's and dot the i's.

And relative to my tenure in this building, other than 1977 and 1991, I think this is the most daunting of all documents. The budget that was presented by His Excellency, Governor Rendell, is a very challenging budget. But we will have May and June; we will have 8 weeks, and I think that we are making some progress right now. We are starting to vote substantive measures. I have high confidence that Dominic Pileggi and his team and Robert Mellow and his team along with our team will be able to do a lot of substantive work in May and June. I do not think that this year we will have that in April as we have in the past, but I think the dynamics are a little bit different.

The SPEAKER. Representative Civera.

Mr. CIVERA. Thank you, Mr. Speaker.

It is our agenda on the Republican side that we complete the people's business by June 30. I think that if we delay and go into the month of July or August, the people of Pennsylvania will be very disappointed in the process that the General Assembly perceives. So it is my take, Mr. Speaker, that we, as we come back in, say, the third week in May, that we will have a budget that we will deliberate and we will go forward.

Thank you, Mr. Speaker.

Mr. DeWEESE. I do not want to give my honorable friend the needle, but I am going to do it anyway. The last 4 years in a row when the Republicans ran the show, we were late in getting a budget on June 30 midnight. I would like to think that somehow, someway we can work together and get it done. That is our objective. That is our unswerving and unalloyed objective, to get the job done. And the bottom line is, we have got a great Appropriations chairman on the Democratic side and the Republican side. It is a new paradigm, and I am very confident in the abilities and enthusiasms of my colleague, Mr. Civera.

Mr. CIVERA. Mr. Speaker, if I may.

If we go back over the last 4 years or 5 years, the first budget under the Rendell administration was March 20, which was then, you know exactly what happened on March 20 that the Republican legislature passed. The next three items were July 4, July 7, and July 2. So I think when you look at that track record, that is not too bad. But based upon what you had suggested to the General Assembly and what are our charges of this year, we need to do this in a fashion that we can be done by June 30.

Thank you, Mr. Speaker.

STATEMENT BY MR. CLYMER

The SPEAKER. Under unanimous consent, the Chair recognizes Representative Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, many of us recognize the serious injury that was incurred by our neighboring Governor, Jon Corzine, very

life threatening, but thank God he is going to survive. But I think it would be a nice gesture if you, Mr. Speaker, on behalf of the General Assembly would send him a note, a card, a planter, whatever, and just let him know that he is in our thoughts and prayers. He has a long time for rehabilitation, and I think that would be an encouragement to him.

Thank you.

The SPEAKER. The Chair thanks the gentleman for his suggestion, and the Speaker will do that in due course.

INTERROGATION

Mr. S. SMITH. Mr. Speaker, Mr. Speaker, one last—

The SPEAKER. Mr. Smith.

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

Mr. Speaker, one last question, since the majority leader was willing to respond in that fashion.

So I take it, Mr. Speaker, then that given that you want to see a little better what the revenues are through the month of April, do I understand, Mr. Speaker, then that it is your intention to introduce a budget but you do not intend to start with the Governor's proposal that he gave to this legislature back in February?

Mr. DeWEESE. Well, you know I am very fond of His Excellency, but I do not want to make a commitment today until our four Appropriations staff teams have met. I would like to think that most of what Governor Rendell is pursuing will be embraced by our caucus and hopefully by many members of the Republican side of the aisle. But it would be premature for me to make that declaration today, notwithstanding my enduring affection for the Governor.

Mr. S. SMITH. Mr. Speaker, I take that as a no and that that affection was in your usual wholesome and manly way, Mr. Speaker?

Mr. Speaker, we recognize that there are many things that were proposed that are attractive. We also recognize that the tax increases that go hand in hand with the gubernatorially proposed budget are not so attractive. Clearly, we are looking for alternatives to resolve those major issues, whether it is health-care issues or energy issues or whatever they may be that lie within the context of the budget and those peripheral items. We will continue to look at those alternatives even if we do not have a budget proposal in front of us, but we do appreciate your response, Mr. Speaker, and happy birthday.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. For the information of the members, there will be no more votes today. Tomorrow will be a token session.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 682, PN 1352 (Amended) By Rep. LEVDANSKY

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for mandatory and optional membership, for retention and reinstatement of service credits, for transfer of accumulated deductions, for maximum single life annuity, for rights and duties of State employees and members, for members' savings accounts and for approval of domestic relations orders.

FINANCE.

HB 708, PN 793

By Rep. LEVDANSKY

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further providing for ranking of local government capital project loan applications.

FINANCE.

HB 882, PN 1036

By Rep. LEVDANSKY

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, further defining "income" for pharmaceutical assistance for the elderly.

FINANCE.

BILL REPORTED FROM COMMITTEE

HB 902, PN 1054

By Rep. LEVDANSKY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for applicability and uniformity of law and for disposition and use of liquid fuels and fuels tax.

FINANCE.

BILL REREFERRED

The SPEAKER. The Chair moves, at the request of the majority leader, that HB 902 be rereferred to the Committee on Transportation.

On the question,

Will the House agree to the motion?

Motion was agreed to.

RESOLUTION REPORTED FROM COMMITTEE

HR 115, PN 819

By Rep. LEVDANSKY

A Resolution directing the Legislative Budget and Finance Committee to determine the effectiveness of keystone opportunity zones, keystone opportunity expansion zones and keystone opportunity improvement zones.

FINANCE.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves the following bills be taken from the table and placed on the active calendar:

HB 17;
HB 202;
HB 272;
HB 347;
HB 825;
HB 840;
HB 906;

SB 437;
HB 118; and
HB 634.

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

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that the following bills be rereferred to the Appropriations Committee:

HB 111;
HB 120;
HB 642; and
HB 675.

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

The SPEAKER. Are there any announcements? Any further business?

ADJOURNMENT

The SPEAKER. The Chair recognizes Representative Helm from Dauphin County, who moves that this House do now adjourn until Thursday, April 19, 2007, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 5:56 p.m., e.d.t., the House adjourned.