

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, JUNE 13, 2007

SESSION OF 2007

191ST OF THE GENERAL ASSEMBLY

No. 48

HOUSE OF REPRESENTATIVES

The House convened at 10 a.m., e.d.t.

THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING

PRAYER

The SPEAKER pro tempore. The prayer will be offered by the Reverend Carl Shankweiler, the guest of Representative Seip.

REV. CARL D. SHANKWEILER, Guest Chaplain of the House of Representatives, offered the following prayer:

Let us pray:

Gracious and Almighty God, our Commonwealth's founder, William Penn, acknowledged You as the "great God" who wrote Your, quote, "law in our hearts, by which we are taught and commanded to love, and help, and do good to one another."

We pray this morning for the members of this House of Representatives, who, three centuries after William Penn, are entrusted with a key role in making the specific laws that guide our modern Commonwealth. Give all members the wisdom to recognize what giving help and providing justice require in our often confusing and complex age, the courage to act on sound convictions, the strength and grace to deal with conflicting pressures, and the satisfaction of knowing that they are contributing to the well-being of all citizens.

Bless, too, the many other people who serve in this historic building in whatever capacity. May their journeys to work be safe and uneventful, may their patience and kindness in dealing with each other and with the public never flag, and may their awareness of the importance of their work inspire them even in the midst of routine tasks.

We pray likewise for the members' families and the families of all those others who come here to serve our Commonwealth, often at great distance from their homes. Strengthen family ties in spite of frequent absences, and keep all family members safe and strongly united in bonds of mutual love and respect.

We also bring before You in prayer the more than 12 million people of this great Commonwealth, whose lives are affected by the decisions made in this Capitol. May all of Pennsylvania's residents bear willingly their own responsibilities as citizens of a free land, and may their lives prosper in all aspects – spiritually, emotionally, and physically as well as materially – as they live and work together in our common society.

Thank You, "great God," maker of "the world and all things therein," for hearing our prayerful concerns as this day's business begins. May we be as worthy as humanly possible of Your continued blessings on our Commonwealth and on our nation, blessings that are always more richly bestowed than we can ever deserve.

We pray all these things in Your holy name. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Tuesday, June 12, 2007, will be postponed until printed. The Chair hears no objection.

GUESTS INTRODUCED

The SPEAKER pro tempore. Seated in the gallery, as the guests of Representative Steve Cappelli, are Jessica and Lee Fenstamaker. Jessica attends Lycoming Valley Middle School, and Lee attends Hepburn Lycoming Elementary School. They are the children of Rick and Kathy Fenstamaker and reside in Williamsport. Please welcome them. Please rise and be recognized.

FILMING PERMISSION

The SPEAKER pro tempore. The Chair wishes to advise the members that he has given permission to Larry Kesterson of the Philadelphia Inquirer to take still photographs for a period of 10 minutes.

LEAVES OF ABSENCE

The SPEAKER pro tempore. Turning to leaves of absence, the Chair recognizes the majority whip. Are there any leaves of absence? The majority whip requests a leave of absence for the gentleman, Mr. SAMUELSON, from Northampton County; the gentleman from Luzerne County, Mr. YUDICHAK; and the gentleman from Philadelphia County, Mr. Bill KELLER. Without objection, the leaves of absence are granted.

And the Chair is in no receipt of requests for leaves of absence from the minority whip.

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

HB 966, PN 1908 (Amended) By Rep. DeLUCA

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for scope of article, for the definition of "long-term care insurance," for the Long-Term Care Partnership Program, for authority to promulgate regulations, for marketing and advertising prohibited and for penalties; and further providing for coverage and limitations.

INSURANCE.

HB 1167, PN 1431 By Rep. DeLUCA

An Act amending the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921, further defining "company action level event" for purposes of risk-based capital reporting requirements.

INSURANCE.

HB 1200, PN 1661 By Rep. GEORGE

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for the powers of the Pennsylvania Energy Development Authority.

ENVIRONMENTAL RESOURCES AND ENERGY.

HB 1202, PN 1667 By Rep. GEORGE

An Act providing for the sale of transportation fuels containing clean, renewable or alternative fuel content.

ENVIRONMENTAL RESOURCES AND ENERGY.

HB 1203, PN 1668 By Rep. GEORGE

An Act amending the act of November 30, 2004 (P.L.1672, No.213), known as the Alternative Energy Portfolio Standards Act, further providing for the definition of "force majeure," for alternative energy portfolio standards, for portfolio requirements in other states and for interconnection standards for customer-generator facilities.

ENVIRONMENTAL RESOURCES AND ENERGY.

GUEST INTRODUCED

The SPEAKER pro tempore. Here today visiting with us is Griffin Caruso, who is the guest of Representative Mike Turzai. He is a 13-year-old who recently completed seventh grade at Marshall Middle School, and he has won the Martin Luther King award for writing a piece on how to build a community through nonviolent actions, and he has had several other awards and distinctions. We welcome him as a guest page. Please rise and be recognized.

FINANCE COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Levdansky, for a committee announcement.

Mr. LEVDANSKY. Thank you, Mr. Speaker.
Mr. Speaker, I just want to inform all the members—
Mr. Speaker, I just want to make it clear—
The SPEAKER pro tempore. The gentleman will suspend.
Members, kindly take your seats.
The gentleman may proceed.

Mr. LEVDANSKY. Thank you, Mr. Speaker.
Mr. Speaker, I just want to make sure the members of the House Finance Committee are aware that we are going to have a meeting of the House Finance Committee that was originally scheduled for 10 o'clock this morning. We rescheduled it for after the conclusion of session today. Assuming that session will be completed by 11:30, the Finance Committee will meet at 11:30 in 302 Ryan Office Building. If session goes beyond 11:30, then immediately following session we will convene over in the Ryan Office Building at the immediate conclusion of session, whichever comes later – when session finishes or 11:30, whichever comes later. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Finance Committee will meet either at 11:30 or when session finishes.

COMMITTEE MEETING CANCELED

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

Mr. MELIO. Thank you, Mr. Speaker.

The Veterans Affairs and Emergency Preparedness meeting scheduled for today has been canceled. We will reschedule this meeting at a later date.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair returns to the gentleman, Mr. Levdansky.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, I said it was 302 Ryan Office Building. I am incorrect. It is 205 Ryan Office Building. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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—200

Adolph	Freeman	Markosek	Roebuck
Argall	Gabig	Marshall	Rohrer
Baker	Galloway	Marsico	Ross
Barrar	Geist	McCall	Rublely
Bastian	George	McGeehan	Sabatina
Bear	Gerber	McI. Smith	Sainato
Belfanti	Gergely	McIlhattan	Santoni
Benninghoff	Gibbons	Melio	Saylor
Bennington	Gillespie	Mensch	Scavello
Beyer	Gingrich	Metcalfe	Schroder
Biancucci	Godshall	Micozzie	Seip
Bishop	Goodman	Millard	Shapiro
Blackwell	Grell	Miller	Shimkus

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—3

Keller, W. Samuelson Yudichak

LEAVES ADDED—2

Donatucci Moyer

LEAVES CANCELED—1

Moyer

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

SENATE MESSAGE

HOUSE BILL
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 876, PN 1446**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

HOUSE AMENDMENTS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 218, PN 1056**.

BILLS SIGNED BY
SPEAKER PRO TEMPORE

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

HB 876, PN 1446

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for the employer contribution rate.

SB 218, PN 1056

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, providing for local services taxes; repealing provisions relating to emergency and municipal services taxes and to continuation of occupational privilege taxes; and making editorial changes.

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

HOUSE RESOLUTIONS
INTRODUCED AND REFERRED

No. 324 By Representatives PYLE, BAKER, BELFANTI, BOYD, BROOKS, CALTAGIRONE, CAPPELLI, COHEN, CREIGHTON, CUTLER, FLECK, GEIST, HARPER, HENNESSEY, HORNAMAN, JAMES, KAUFFMAN, M. KELLER, KIRKLAND, KORTZ, R. MILLER, MYERS, PICKETT, QUINN, REED, REICHLEY, SAYLOR, SCAVELLO, K. SMITH, SOLOBAY, SONNEY, R. STEVENSON, THOMAS, VEREB and VULAKOVICH

A Resolution memorializing the Congress of the United States to take appropriate action to establish a national baseline standard for the disclosure of security breaches.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, June 13, 2007.

No. 327 By Representatives DENLINGER, BOYD, CLYMER, CREIGHTON, FAIRCHILD, GINGRICH, HENNESSEY, HERSHEY, HESS, MAHONEY, R. MILLER, MOUL, MOYER, MUSTIO, NICKOL, PEIFER, PICKETT, RAPP, REICHLEY, ROHRER, STABACK, TURZAI and YOUNGBLOOD

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

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, June 13, 2007.

No. 328 By Representatives YOUNGBLOOD, CRUZ, THOMAS, PARKER, SAINATO, BLACKWELL, BOYD, HORNAMAN, METCALFE, MUSTIO, PALLONE, REICHLEY, SCAVELLO, SIPTROTH, ARGALL, WATSON, HARPER, W. KELLER, D. EVANS, MARSHALL, M. O'BRIEN, READSHAW, McGEEHAN, BISHOP, CALTAGIRONE, OLIVER, COHEN, PAYNE, VULAKOVICH, ROEBUCK, MILLARD, PYLE, REED, RAPP, GOODMAN, S. H. SMITH, KIRKLAND, MURT and HERSHEY

A Resolution urging mass transit agencies throughout this Commonwealth to consider the possibilities of leasing the naming rights of transit stations and other transit-owned property to private corporations and organizations in order to help defray the costs of the financial challenges that mass transit agencies face.

Referred to Committee on TRANSPORTATION, June 13, 2007.

No. 329 By Representatives BAKER, PICKETT, CAUSER, DIGIROLAMO, ADOLPH, BASTIAN, BELFANTI, BENNINGTON, BEYER, BIANCUCCI, BOBACK, BOYD, CAPPELLI, CLYMER, COX, CREIGHTON, CUTLER, DeWEESE, DONATUCCI, J. EVANS, FAIRCHILD, FLECK, GABIG, GEIST, GEORGE, GIBBONS, GILLESPIE, GINGRICH, GOODMAN, GRELL, GRUCELA, HARPER, HARRIS, HENNESSEY, HESS, HORNAMAN, HUTCHINSON, JAMES, KAUFFMAN, M. KELLER, KENNEY, KILLION, KIRKLAND, KORTZ, KOTIK, KULA, MAJOR, MANTZ, MARKOSEK, MARSHALL, MARSICO, MENSCH, MILLARD, MURT, MUSTIO, NAILOR, PALLONE, PAYNE, PERRY, PERZEL, PHILLIPS, PYLE, QUINN, RAPP, READSHAW, REICHLEY, ROAE, ROHRER, RUBLEY, SAINATO, SANTONI, SCAVELLO, SCHRODER, SIPTROTH, S. H. SMITH, SOLOBAY, SONNEY, STABACK, STEIL, STERN, R. STEVENSON, J. TAYLOR, THOMAS, TRUE, TURZAI, VEREB, VULAKOVICH and YOUNGBLOOD

A Resolution declaring support for our troops and their mission in Iraq and Afghanistan.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 13, 2007.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1500 By Representatives BENNINGTON, McCALL, BELFANTI, BLACKWELL, BRENNAN, BUXTON, DeWEESE, EACHUS, FABRIZIO, FRANKEL, FREEMAN, GEORGE, GIBBONS, GOODMAN, GRUCELA, HARKINS, JAMES, JOSEPHS, KIRKLAND, KORTZ, KULA, MAHONEY, MARKOSEK, MELIO, MOUL, MUNDY, MYERS, M. O'BRIEN, PASHINSKI, PETRONE, SANTONI, SEIP, SIPTROTH, K. SMITH, SOLOBAY, SURRA, THOMAS, WALKO and YUDICHAK

An Act providing for maintenance of wage standards in privatization of public service contracts.

Referred to Committee on LABOR RELATIONS, June 13, 2007.

No. 1501 By Representatives M. O'BRIEN, McCALL, BELFANTI, BENNINGTON, BLACKWELL, BRENNAN, BUXTON, DeWEESE, EACHUS, FABRIZIO, FRANKEL, FREEMAN, GEORGE, GIBBONS, GOODMAN, GRUCELA, HARKINS, JAMES, JOSEPHS, KIRKLAND, KORTZ, KULA, MAHONEY, MARKOSEK, MELIO, MOUL, MUNDY, MYERS, PASHINSKI, PETRONE, SANTONI, SEIP, SIPTROTH, K. SMITH, SOLOBAY, SURRA, THOMAS, WALKO and YUDICHAK

An Act providing for disclosure and monitoring of public service contracts.

Referred to Committee on LABOR RELATIONS, June 13, 2007.

No. 1502 By Representatives PASHINSKI, McCALL, BELFANTI, BENNINGTON, BLACKWELL, BRENNAN, BUXTON, DeWEESE, EACHUS, FABRIZIO, FRANKEL, FREEMAN, GEORGE, GIBBONS, GOODMAN, GRUCELA, HARKINS, JAMES, JOSEPHS, KIRKLAND, KORTZ, KULA, MAHONEY, MARKOSEK, MELIO, MOUL, MUNDY, MYERS, M. O'BRIEN, PETRONE, SANTONI, SEIP, SIPTROTH, K. SMITH, SOLOBAY, SURRA, THOMAS, WALKO and YUDICHAK

An Act providing for contractor cost provisions of public service contracts; and imposing penalties.

Referred to Committee on LABOR RELATIONS, June 13, 2007.

No. 1503 By Representatives MAHONEY, McCALL, BELFANTI, BENNINGTON, BLACKWELL, BRENNAN, BUXTON, DeWEESE, EACHUS, FABRIZIO, FRANKEL, FREEMAN, GEORGE, GIBBONS, GOODMAN, GRUCELA, HARKINS, JAMES, JOSEPHS, KIRKLAND, KORTZ, KULA, MARKOSEK, MELIO, MOUL, MUNDY, MYERS, M. O'BRIEN, PASHINSKI, PETRONE, SANTONI, SEIP, SIPTROTH, K. SMITH, SOLOBAY, SURRA, THOMAS, WALKO and YUDICHAK

An Act providing for public oversight and accountability of privatization contracts; and imposing penalties.

Referred to Committee on LABOR RELATIONS, June 13, 2007.

No. 1504 By Representatives KORTZ, McCALL, BELFANTI, BENNINGTON, BLACKWELL, BRENNAN, BUXTON, DeWEESE, EACHUS, FABRIZIO, FRANKEL, FREEMAN, GEORGE, GIBBONS, GOODMAN, GRUCELA, HARKINS, JAMES, JOSEPHS, KIRKLAND, KULA, MAHONEY, MARKOSEK, MELIO, MOUL, MUNDY, MYERS, M. O'BRIEN, PASHINSKI, PETRONE, SANTONI, SEIP, SIPTROTH, K. SMITH, SOLOBAY, SURRA, THOMAS, WALKO and YUDICHAK

An Act providing for public records in privatization of public service contracts; and imposing penalties.

Referred to Committee on LABOR RELATIONS, June 13, 2007.

No. 1505 By Representatives McCALL, BELFANTI, BENNINGTON, BLACKWELL, BRENNAN, BUXTON, DeWEESE, EACHUS, FABRIZIO, FRANKEL, FREEMAN, GEORGE, GIBBONS, GOODMAN, GRUCELA, HARKINS, JAMES, JOSEPHS, KIRKLAND, KORTZ, KULA, MAHONEY, MARKOSEK, MELIO, MOUL, MUNDY, MYERS, M. O'BRIEN, PASHINSKI, PETRONE, SANTONI, SEIP, SIPTROTH, K. SMITH, SOLOBAY, SURRA, THOMAS, WALKO and YUDICHAK

An Act providing for whistleblower protection in privatization of public service contracts; and imposing penalties.

Referred to Committee on LABOR RELATIONS, June 13, 2007.

No. 1521 By Representatives MARSHALL, MUSTIO, VULAKOVICH, BENNINGHOFF, MOUL, BOYD, DENLINGER, HENNESSEY, HUTCHINSON, KIRKLAND, MURT, PYLE, REICHLEY, ROAE and SCHRODER

An Act amending the act of January 10, 1968 (1967 P.L.925, No.417), referred to as the Legislative Officers and Employees Law, further providing for rules and regulations of the Bi-partisan Management Committee.

Referred to Committee on RULES, June 13, 2007.

No. 1522 By Representatives MARSHALL, SAINATO, TURZAI, GIBBONS, BAKER, BELFANTI, BOYD, CALTAGIRONE, CLYMER, DALLY, DENLINGER, EVERETT, FAIRCHILD, GRELL, HENNESSEY, HUTCHINSON, MUSTIO, NICKOL, PYLE, RAPP, REED, REICHLEY, ROAE, SCHRODER, SWANGER and THOMAS

An Act amending the act of July 10, 1968 (P.L.316, No.154), known as the Legislative Code of Ethics, further providing for definitions and for prohibitions.

Referred to Committee on RULES, June 13, 2007.

No. 1523 By Representatives GERBER, KENNEY, BELFANTI, CARROLL, DONATUCCI, FAIRCHILD, FRANKEL, GALLOWAY, GEORGE, GINGRICH, JOSEPHS, KILLION, KORTZ, LEACH, LENTZ, LONGIETTI, MANDERINO, MANN, McCALL, MENSCH, MICOZZIE, R. MILLER, M. O'BRIEN, PALLONE, PASHINSKI, REICHLEY, SANTONI, SAYLOR, SURRA, WALKO, J. WHITE, YOUNGBLOOD, YUDICHAK, HARPER, MOYER, FREEMAN, CURRY and MURT

An Act providing for liability for false claims, for treble damages, costs and civil penalties, for powers of the Attorney General, for qui tam actions and for adoption of legislative history of the Federal False Claims Act.

Referred to Committee on HEALTH AND HUMAN SERVICES, June 13, 2007.

No. 1524 By Representatives HANNA, BELFANTI, CURRY, FABRIZIO, HORNAMAN, JAMES, KORTZ, LEVDANSKY and PRESTON

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for Sunday hunting.

Referred to Committee on GAME AND FISHERIES, June 13, 2007.

No. 1552 By Representatives DeLUCA, MICOZZIE, SHIMKUS, THOMAS, DeWEESE, EACHUS, KENNEY, BELFANTI, BIANCUCCI, BLACKWELL, CALTAGIRONE, CREIGHTON, FABRIZIO, FRANKEL, FREEMAN, GIBBONS, GRUCELA, GOODMAN, HALUSKA, JOSEPHS, KORTZ, KOTIK, KULA, LENTZ, MAHONEY, MANDERINO, MARKOSEK, McILVAINE SMITH, MUNDY, MYERS, SAYLOR, SOLOBAY, TANGRETTI, J. TAYLOR, R. TAYLOR, WALKO and YUDICHAK

An Act establishing the Pennsylvania Infection Control Advisory Committee; providing for duties of the committee, the Department of Health, the Pennsylvania Health Care Cost Containment Council and the Patient Safety Authority; requiring health care facilities to develop and implement infection control plans; and imposing penalties.

Referred to Committee on INSURANCE, June 13, 2007.

PARLIAMENTARY INQUIRY

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

Mr. SCHRODER. A point of parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. SCHRODER. Mr. Speaker, in the report—

The SPEAKER pro tempore. Will the gentleman suspend.

THE SPEAKER (DENNIS M. O'BRIEN) PRESIDING

The SPEAKER. The Chair recognizes Representative Schroder for his point of parliamentary inquiry.

Mr. SCHRODER. Thank you, Mr. Speaker.

Mr. Speaker, in the report of committees that was just read—

The SPEAKER. Will the gentleman cease for one moment.

Members will please break up their conferences. Sergeants at Arms will clear the aisles. The gentleman's point of parliamentary inquiry is about to be stated. He is entitled to be heard. Conferences will break up.

The gentleman is in order and may proceed.

Mr. SCHRODER. Mr. Speaker, in the report of the committees that was just read across the desk, I was questioning whether HB 684, which was passed on a party-line vote in Appropriations yesterday afternoon, was that bill reported to the floor?

The SPEAKER. The Appropriations report has not been, that report has not been taken up by the Chair at this point. It is my understanding that the bill that the gentleman is inquiring about will not be read across the desk until Monday, and the gentleman will have an opportunity to ask his point of parliamentary inquiry at that time.

Mr. SCHRODER. Well, Mr. Speaker, I appreciate that information. I would certainly reserve my right to make an objection to the report of that bill on Monday before it is read.

STATEMENT BY MR. SCHRODER

Mr. SCHRODER. And, Mr. Speaker, I would like to request unanimous consent for a few moments.

The SPEAKER. The gentleman is in order to proceed to make his statement. Without objection, the gentleman is in order and may proceed. The Chair sees no objection.

Mr. SCHRODER. Thank you, Mr. Speaker.

Mr. Speaker, yesterday the House Appropriations Committee took up HB 684. Mr. Speaker, as I was ambling through the hallway after we were done session yesterday, I decided to pop into the majority caucus room and just see what was on the agenda of the House Appropriations Committee. So I sat there and watched the meeting and witnessed one of the more egregious violations of House rules that I have seen in quite some time.

Mr. Speaker, you will recall that on March 12 when we debated the report of the Reform Commission and adopted House rules, the Chair of the House Appropriations Committee offered an amendment which struck out a very important provision, and that important provision was a change to rule 45 that prevented the Appropriations Committee from making substantive amendments to House bills.

Mr. Speaker, the reasons given that night during lengthy debate over that was that it was not necessary; it was not needed. It is already covered under rule 14(b), and, Mr. Speaker, rule 14(b), if you give me a moment here – make that 19(b), I apologize – rule 19(b) specifically states that "The Appropriations Committee shall be limited in its consideration of any such bill to the fiscal aspects of the bill and shall not consider the substantive merits...." Mr. Speaker, the amendment that was voted on by a straight party-line vote yesterday, while there is a small portion of the amendment under section (b) that does deal with appropriations and was certainly, that part was proper to be before the committee, the rest of the amendment offered definitions to be added to the bill and also placed in the bill restricted accounts and funding for those restricted accounts, and, Mr. Speaker, that part of the bill should have been done in the committee from whence the bill came, which was the Transportation Committee, or, Mr. Speaker, the fact that the bill is coming to the House on Monday for second consideration, that amendment could have easily been offered here on the floor of the House for all members to vote on.

Now, Mr. Speaker, it only took 92 days from March 12, 92 days before the chair of the House Appropriations Committee violated the statements that he gave on the night of March 12 here on the floor. On that night he said that that provision was not needed. He said at least four times that those provisions that were in the rule were not needed. He got up there and he did his smiley, happy routine – you all know how he does that – and had everyone convinced that he was going to do the right thing and that Appropriations would operate differently now, not the way it had in the past. It was a new day, according to the chair, and I can tell you he is going to do that happy, smiley thing with us here in a few minutes. He is gearing up for it. He almost had me convinced that night, he was so good, Mr. Speaker, and he did convince about 150 of the members to in fact take out that provision. Well, Mr. Speaker, we see that it really is not a new day, I guess, with regard to following the express rules under 19(b), which the gentleman agreed that night—

Mr. DeWEESE. Mr. Speaker? Mr. Speaker?

Mr. SCHRODER. —precluded—

Mr. DeWEESE. Mr. Speaker?

Mr. SCHRODER. Mr. Speaker, I have not yielded the floor. I am under parliamentary inquiry.

PARLIAMENTARY INQUIRY

Mr. DeWEESE. Mr. Speaker, a parliamentary inquiry.

Mr. SCHRODER. Mr. Speaker, I object to being interrupted.

Mr. DeWEESE. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentlemen will cease.

For what purpose does—

Mr. SCHRODER. I have unanimous consent; right.

Mr. DeWEESE. A parliamentary inquiry.

The SPEAKER. The gentlemen will cease.

For what purpose does the gentleman— The Chair requests order in the House. For what purpose does the majority leader rise?

Mr. DeWEESE. My very good friend from Chester, I believe – and it is okay with me if he continues – I believe he is speaking under unanimous consent.

The SPEAKER. That is correct.

Mr. DeWEESE. And my consent remains, notwithstanding the fact that I would politely suggest an admonition, and that if he is going to infer that there is a smiley, happy presence with at least a tincture of irony, he is maybe going to upset one of my colleagues and they will not give him unanimous consent. I want to talk about the substance of the issue. It is very, very good for our debate, but under unanimous consent, there is no use trying to perturb my honorable colleague.

Thank you, Mr. Speaker.

The SPEAKER. The Chair will advise the gentleman to contain his remarks to his point of parliamentary inquiry.

PARLIAMENTARY INQUIRY

Mr. SCHRODER. Would I have greater leeway under personal privilege, Mr. Speaker? I guess that was a parliamentary inquiry, too.

The SPEAKER. A point of personal privilege applies to the rights, privileges, and reputations of the individual members. That does not apply.

Mr. SCHRODER. All right, Mr. Speaker. I appreciate that.

I think my point has been made here. We all remember the debate that took place on the night of March 12. We all remember the assurances that were given, and yesterday we saw that it only took 92 days to go back to the old ways and the ways that we were trying to correct and amend for a new day here in the House. So, Mr. Speaker, I will look forward to properly raising the objection on Monday.

STATEMENT BY MR. D. EVANS

The SPEAKER. Representative Evans.

Mr. D. EVANS. The one with the happy, smiley face?

Mr. Speaker, I appreciate this opportunity. You know, Mr. Speaker, I have tried in the time that I have been chairman to continue to be open and to have things be transparent, and the chairman on that side of the aisle will tell you that may it be

budget hearings, may it be subcommittee hearings, may it be any members who have met with me individually or talked to me, I have always tried to make sure that that happens. The gentleman in the statements he made is, in my view, a different point of view. I do not share that gentleman's point of view, and that is my right. I read the rules like he read the rules. I abided by the rules. I have said it before, I say it to you now, I abided by the rules. I disagree with his interpretation of the rules.

So to question because I smile, a happy-go-lucky face, I do not think that has anything to do with it. I smile at everybody. I think it is important to smile at people. I do not think we do enough smiling. I think we get too personal about this. Now, you all have known me a long time. You may agree to disagree with me, but I like to smile, so can we all smile together? If we all smile together, we can have a better world, a better place to live, a better community that gets along with each other. So should we do it? I am going to do 1, 2, 3, and let us all smile together: 1, 2, 3, let us all smile. Right? There is nothing wrong with smiling. There is nothing wrong— I enjoy smiling. Life should be about smiling.

So, Mr. Speaker, I know in the spirit of the gentleman and the statements that he just said, I know he does not mean that. I know he does not mean when he says 92 days, because you know me, Mr. Speaker, you know me very well. You and I smile a lot. We smile a lot. We think that is important, that people smile. So I take no animosity in anything the gentleman said. I want to let him know he is my friend. Where is he anyway? I cannot find him. Where he is? He is up on the aisle. He can wave at me; I am waving at him.

Thank you, Mr. Speaker.

INTERROGATION

Mr. S. SMITH. Mr. Speaker? Mr. Speaker?

The SPEAKER. Representative Smith.

Mr. S. SMITH. Following those two comments – I assume they were both under unanimous consent – I believe I am probably out of order in the timing of things in that I would have normally done this at the end of session, but given that we are here and that there is a little bit of dialogue about procedure, would there be a possibility, Mr. Speaker, that I could interrogate the majority Appropriations chairman about some of the procedures of the House in terms of the budget negotiations? Would that be appropriate, Mr. Speaker?

The SPEAKER. The Chair will state to the gentleman, it is not the time to do that. But it is the custom of the House, there is nothing before the House, so if the gentleman would like to make his inquiry, he is in order.

Mr. DeWEESE. Mr. Speaker?

The SPEAKER. There is nothing before the House. But it would be a preferable time to do it later.

Mr. DeWEESE. Mr. Speaker, prospectively – and this is because we are a debating room; the essence of our mission is to debate the issues of the day – I would ask that the gentleman be given maximum flexibility. I have said it many times over the years. The British Parliament has fewer constraints, and although typically this might not be the exact moment, I would think that if the gentleman wants to discuss issues on the budget with our Appropriations chairman or any of us, so be it, and I would ask that the gentleman be given maximum leverage, maximum flexibility within this process, and that going forward

we lean more toward the British parliamentary way and let things rip right here on the floor on a regular basis. Thank you.

The SPEAKER. Representative Smith is in order and may proceed.

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

Then I would like to ask the majority Appropriations chairman if he would stand for interrogation about budget procedures?

Mr. Speaker, I noted that we had a meeting scheduled this morning to discuss the budget with the Senate Republicans, the Senate Democrats, and we were all sitting around that table smiling, but there was one smiling face and a couple of sidekicks who were not there, and I am curious, Mr. Speaker, as to why your smiling face was not inclined to attend this morning's budget negotiation discussion at 9:30 this morning?

Mr. D. EVANS. Mr. Speaker, I know my good friend from Punxsutawney and I know him well. If he knows, we had relayed that we have caucuses today. We have budget caucuses today; we have internal discussion to take place within our own caucus. I know that Miriam Fox spoke to your staff person on that side, indicated that we have caucuses, we have discussions. So, Mr. Speaker, I know the gentleman knows over there, like, you know, I get elected by the members over here like you get elected by the members over there, and I have to come give a report to these members. So before I can have discussions with you or Senate Republicans, I need to report to the 102 members over here. So when I report to them, then I can come report to you.

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

It was my understanding that that caucus was yesterday to discuss the budget. You scheduled a budget caucus this morning at 9:30?

Mr. D. EVANS. Yes, Mr. Speaker.

Mr. S. SMITH. Okay. Then I would accept that if that is what was— My guess then, Mr. Speaker—

Mr. D. EVANS. Mr. Speaker?

The SPEAKER. Representative Evans.

Mr. D. EVANS. I am happy that the Republican leader is going to accept my explanation.

Mr. S. SMITH. I did not say I necessarily believed it; I just said I am going to accept it.

Mr. D. EVANS. Okay. I am just real happy that you accept it.

The SPEAKER. If I can ask the gentlemen to cease again, and this is for the information of the members. We have closed captioning, and it is very difficult for the hearing-impaired to read the closed captioning if you are talking over each other.

Mr. S. SMITH. Mr. Speaker, if I could follow up with another question.

Given, Mr. Speaker, that you had a conflict this morning, then, I mean, I am more than willing to call the Senate up and see if they are willing to try to meet this afternoon, maybe 3 or 4 o'clock in the afternoon or something like that, perhaps tomorrow morning – I do not know what the Senate's schedule is – and at the very latest, next Monday morning. Are you planning on attending future budget negotiations?

Mr. D. EVANS. Mr. Speaker, let me just say a couple things to you.

First, we have to have our caucus. Secondly, Mr. Speaker, we did pass a budget. We passed a budget a week before Memorial Day. There is a document in the Senate's possession.

Now, may they agree or disagree with that document, they have not taken any kind of action on that document.

So, Mr. Speaker, I want to be clear. You know, I am really smiling and letting you know, I do have to talk to this caucus, and with all due respect, if you want to come, you are welcome to come over to this caucus. I am just sharing that with you; you are welcome to come over, but we do have some internal discussion to have.

Secondly, Mr. Speaker, we have a budget document over there in the Senate right now.

Mr. S. SMITH. Are you saying your work is done then?

Mr. D. EVANS. Mr. Speaker, we passed a budget document that is over in the Senate. That was a printout that we passed to them. Now, I am saying to you there are many other issues on the agenda. There is the RCAP (Redevelopment Assistance Capital Program) issue, as we have discussed, Mr. Speaker. There is Jonas Salk, on that issue. There is the energy issue. Mr. Speaker, there are a number of other issues that we are now trying to deal with, and they are taking place in all the various committees.

Mr. S. SMITH. So your inclination is that you have no further discussions with the Senate relative to the general appropriations bill until such time as the Senate sends an appropriations bill back here? You do not think there is any need for us to continue to try to negotiate when it is June 13?

Mr. D. EVANS. Mr. Speaker, as I said to you before, we have a caucus here to have a discussion about the discussions we have been having, first. Secondly, I repeat again to you, Mr. Speaker, we must have a caucus and discussion on this side like you have to have a discussion on your side. What the Senate does is up to the Senate, Mr. Speaker.

Mr. S. SMITH. Mr. Speaker, with all due respect, you know – you have been here a long time – you know that the procedure is that while the bill moves, the four caucuses typically negotiate and try to come to some agreement, and then subsequent to some level of understanding there, you know, the Governor's Office is involved. At this juncture, we got a letter back from the Governor last night, I believe, basically saying that, you know, they were not even going to engage the four caucuses in the negotiation. You do not show up at a meeting this morning, which normally budget meetings historically have preempted almost anything else that goes on in this building, and my concern, Mr. Speaker, is that we, the House Republicans, certainly are at the table, the Senate Republicans, the Senate Democrats were there, and that the House Democrats are absent.

Mr. D. EVANS. Mr. Speaker, I disagree with your description that the House Democrats are absent, because it is clear to me that we have expressed our feeling to you, to the Senate Democrats, and to the Senate Republicans, and basically what we have, Mr. Speaker – and I do think this is a great thing to have this discussion – we disagree, Mr. Speaker, with the Senate Republicans and the House Republicans when you specifically try to tell us what is acceptable on the table and what is not acceptable. Now, we agree to disagree. What we said to you, Mr. Speaker, what we said to you specifically is that we have passed a document over there to the Senate which is a base-line discussion. We start, Mr. Speaker, with that being our negotiating point. That is where we start at.

Now, what I am saying to you publicly, Mr. Speaker, I have said to you privately, so please do not try to paint the picture that we are not engaged – let us be clear – do not try to paint the

picture that we are not engaged. Do not try to paint the picture that we have not been in those discussions. We have been in those discussions. We have expressed to you very clearly that we have got to do something about transit, roads, bridges. We have told you what the agenda is, Mr. Speaker. You know what the agenda is. So you need to lay it all out what we have told you. We have told you everything, but the point of it, Mr. Speaker, it is about negotiating. The view I get from your particular side, Mr. Speaker, is that you all have drawn the line in the sand and it is not give-and-take.

Mr. S. SMITH. Mr. Speaker, I am only observing what I can see. There was hopefully going to be a meeting this past Monday to which the administration and the House Democrats pretty much said we do not want any part of this. That was in the Governor's letter that was subsequently sent to us last evening, basically saying, if you read between the lines, basically saying, we do not like this starting point so we are not even going to talk. There was a budget meeting scheduled for this morning, and you all were not there, so I can only observe that your position is that you are not going to negotiate further with the Senate or with the House Republicans. We are standing ready, trying to move forward in this process, and because you do not like where the three caucuses, the other three caucuses gravitated to or were standing, you are basically saying you are not going to negotiate. That is the only observation I can draw from the actions. Regardless of what words you say, your actions said you are not negotiating, and I am just asking now, at what point in time are you going to reengage and negotiate a budget?

Mr. D. EVANS. First, Mr. Speaker, let me be clear. You have not heard from any of the leaders at all that we are not going to negotiate. Let us be clear. You have not heard that, first. Secondly, Mr. Speaker, let us make it very clear, we said, even with the document that you sent over to the Governor, that we did not agree on the basis that you did not want to send all the items to the Governor that were in the parking lot. That is what we said.

Now, Mr. Speaker, you want to cut education; you want to cut economic—

Mr. S. SMITH. That is not true, Mr. Speaker.

Mr. D. EVANS. Wait, Mr. Speaker; wait a minute. I listened to you.

Mr. S. SMITH. That is not true.

Mr. D. EVANS. Mr. Speaker, Mr. Speaker, Mr. Speaker, wait a minute. Mr. Speaker? Mr. Speaker, the happy, smiley one. Now, I did not interrupt him. I did not interrupt—

The SPEAKER. The Chair will ask the members again to please be considerate of the hearing-impaired. It is very difficult for them to follow the debate. I will ask all members of the House to please ask a question and wait for the person who is standing for interrogation to respond and vice versa. Thank you.

Mr. D. EVANS. And this is what I want to lay out. Since the gentleman wants to go around this way, I want to be clear. Mr. Speaker, in the document that the gentleman provided to the Governor, they cut education; they cut corrections; they cut economic development; they cut workforce development; they cut corrections. They cut all of those things, Mr. Speaker. Now, do not take my word for it, Mr. Speaker; it came out in the press. Mr. Speaker, it came out in the press. You cut education.

Now, Mr. Speaker, a proposal that was made by the Governor, a proposal that was made by the Governor, you submitted a document that reduced education. So no,

Mr. Speaker, we are not going to sign on to any document that cuts education. We are not going to sign on to any document that takes money out of investing in kids in this State. So, Mr. Speaker, you are correct. If you think we are going to embrace a document that reduces education, which in return, Mr. Speaker, we talk about reducing property taxes, Mr. Speaker, this is not the party that is going around reducing money from education. This is not the party that reduces money from corrections. This is not the party that reduces money from economic development.

So, Mr. Speaker, you – you, Mr. Speaker – passed a document on to the Governor that reduces the proposals that are invested in the people of this State. So no, we are not going to sign on to that. And I do not mind, you know, now we should have this caucus publicly. With nothing on health care, that document you put in. So you did not do anything that dealt with people of this State. So no – you got it correct – no, the House Democrats are not going to be a part of anything that reduces money to people. We are not going to do that, Mr. Speaker. Now, we passed a budget that was balanced. We used the surplus, Mr. Speaker, that was there. We are going to invest in the people of Pennsylvania. That is the difference between us and you. You do not understand that this money belongs to the people of the Commonwealth of Pennsylvania, and we are not, Mr. Speaker, going to pass a budget that does not invest in people.

So I want you to understand something. So if you say that we did not want to negotiate on that, you got that absolutely right. We want to invest in the people, Mr. Speaker, and that is what we are going to do. So you passed that document over to the Governor. Yes, the House Democrats did abstain. We are not going to be a part of it. We are not going to let our members and the things I have heard from my members about the importance of reinvesting in the people of this State, no, Mr. Speaker, we are not doing that. I am going to tell you that now; we are not going to do that, Mr. Speaker. So because you want to take, because you want to take the laptop off the desks of kids in this State, we are going to stop you. We are not going to let you, Mr. Speaker, get away with taking laptops and technology away from the kids in this State. Now, if that is what you want to do, we want the people of Pennsylvania to know the difference between the Democrats and the Republicans. We are going to stand up for the kids in this State. We are going to stand up for economic development. We are going to stand up for health care. Those are the things we are going to stand up for. We are going to stand up for Jonas Salk, and we are going to stand up for energy, Mr. Speaker. We are not going to accept you taking, taking the education from the kids of this State. So this party is about education, and it is about the future.

So yes, we are prepared to stand up, and we are going to make sure transportation, roads, and bridges are fixed, too. We are not going to let you, when you had it during your watch, you did not do anything about transportation, roads, and bridges. We are going to stand up for that. We are not going to let you get away with it, because enough is enough. The people of this State need to know the difference between the Democrats and the Republicans, and we are not going to take that, Mr. Speaker.

So I am going to let you know, since you wanted to ask all these questions about the negotiations, you need to understand we are not going to be supportive of it. So the answer is correct. We said no to cutting education, no to cutting health care, no to cutting economic development. We want to make an investment

in economic development. So you are correct, Mr. Speaker, we did say no to you. We are not going to continue to let you fund your friends, your CEOs (chief executive officers) of these large companies, and not stand up for the people of this State. We are going to be about protecting the people of this State.

So we want you to understand that if the House Democrats have to stand between you and taking care of the large CEOs, we are going to say no to you. So we are going to say that now publicly. We are not going to let you get away with taking education away from our kids in this State. We want you to understand that now. I am saying that publicly. I am telling you right now, Mr. Speaker. And we are going to make sure health care is provided. We want you to understand, it is going to be health care for all. We are not going to let you get away with that, Mr. Speaker.

Mr. S. SMITH. Are you still running for mayor?

The SPEAKER. The Chair will remind—

Mr. D. EVANS. See, Mr. Speaker. See, Mr. Speaker. See, Mr. Speaker, I did not say any— See, I am just having a nice conversation. He started it.

Mr. S. SMITH. No, Mr. Speaker, you were not having a conversation; you were preaching. We were going to have a dialogue. Now, you went into like a half-hour speech, and I have been waiting patiently, but I think the time has come for me to respond.

The SPEAKER. The gentleman will suspend; the gentleman will suspend.

The Chair will remind both leaders that we are conducting business under the provision of unanimous consent. The Chair suspended business of the House so that we could have this discussion, which normally takes place at the end of session. So the Chair will caution the gentlemen that we have to get back to the business of the House. You are entitled to make the remarks, but the Chair will implore the gentlemen to be judicious in their comments.

Mr. D. EVANS. Thank you, Mr. Speaker.

Mr. Speaker, the Republican leader asked to question me, just to give a little history. Now, he asked to question me about the process. Now, Mr. Speaker, I started off just talking about smiles; he now wants to get into budget negotiations. So since he wants to get into budget negotiations, Mr. Speaker, and I am trying to respect the process, I did not go down this path. He went down this path, and since he has gone down this path, I want everybody to know in open and transparency, I want everybody to know, I want them to know what is going on. So since he started this, Mr. Speaker, I did not start this, he wanted to question about us being at the table. He opened up this can of worms. Now, if he wants to understand it, I want him to know the difference between what we are advocating and what he is advocating. I did not go down this way.

So, Mr. Speaker, I do respect the process. I thank you, and from my perspective, I will discontinue my having this conversation and get to the business of the House.

The SPEAKER. Representative Smith.

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

Just to translate the last 20 minutes or so, the answer was no. My question was, are you going to negotiate? The gentleman basically said, no, we are not going to negotiate because we do not like where things stand right now. They have refused, your leaders have refused to come to the negotiating table today. They were AWOL (absent without leave) last Monday. I asked

when they would like to meet again, and I got no response to that question earlier.

Mr. Speaker, let me correct a couple of things, too, that the gentleman just said that are just factually incorrect. Either he is poorly informed or he is trying to mislead people. The budget amendment that we had proposed on the floor a couple weeks ago, that was defeated on pretty much a straight party-line vote, and the working document that three of the four caucuses in this building agreed to send forward with full knowledge of House Democratic leadership, did not cut education. It did not cut education, Mr. Speaker. There is an increase in education, there is an increase in most of those lines, from this current year's spending.

Now, the gentleman wants to tell you the same thing that people have been trying to do around Washington, DC, and places like Harrisburg for years. If I come out and propose a \$100 million increase for education over last year's spending and you come back to me and say, let us only do a \$75 million increase, did you just cut education, Mr. Speaker? No; that is not a cut. There is nothing in the law that is in the current budget that spends any more. The fact is, Mr. Speaker, the bill, the working document that was sent to the Governor's Office last week, did not propose to spend as much on education perhaps as the gentleman from Philadelphia, but you cannot say that we cut education. We did not propose a cut, and we did not cut education. So that is just factually incorrect.

Now, I guess the other question here, Mr. Speaker, is, if you are not going to come and negotiate the budget, if you are not going to come and talk to the other three caucuses, and you can state all those things you just stated a little bit ago, you can state those in those rooms, in that room, and you can put things on the table, and at some point in time some majority level has to agree to say, yes, we are going to go further with this or we are not.

The bottom line is, Mr. Speaker, we need to be negotiating a budget. It is the middle of June. It would be easier to negotiate it if all four caucuses were in the room working on this. House Democrats refused to negotiate today. I told you earlier I accepted his answer about why you were not there, but I do not know that I really believe that that is the truth, because we have always historically made budget negotiations the number one priority over anything. We can come back and report to our caucuses later this afternoon if we need to, and he knows that and everybody in this room knows that.

The only thing I can draw, Mr. Speaker, the only conclusion I can draw is that if the House Democrat position is you want to take all of the Governor's spending that was proposed and somehow try to add back some of the other legislative items that the Governor doublespeaks about, by the way, in the letter he sent to us, he accused us, the three caucuses, of sending him a budget proposal that cut, and he enumerated five or six or eight things in there. They were things that he cut in his budget, too, and he is criticizing us for cutting them. That is getting to downright hypocrisy, Mr. Speaker, and it is not being talked about.

Look at the facts, Mr. Speaker; just look at the facts. The only conclusion that I can draw from the position that the House Democrats are taking is that you are going to push forward with the Governor's proposal plus whatever additional spending for the programs that are of favor to the legislative branch of the government as opposed to the Governor's world. You are looking at a 7- or 8-percent increase in spending in the budget

and a tax increase. Now, if that is the direction you are going to go, Mr. Speaker, then I think you ought to get the Tax Code bill out on the floor and find out how many votes you have to raise taxes, because if that is what it is going to take, then you better get your tax votes lined up because there is no way you can pass a budget that does not increase taxes with the amount of spending that you are actually advocating. There is no way.

It is there, Mr. Speaker, and if that is what you want to do, then bring that to the negotiating table, bring the tax increase to the negotiating table, and it can be discussed by the three other caucuses and the administration, and we will be prepared, we will be there at the table waiting for you, whenever that is. I can be there this afternoon. I can be there tomorrow morning. I can be there Thursday afternoon. Friday afternoon I have a special occasion, a family commitment. I would have to call off on that one. I can be there Saturday morning. I can be there Saturday night. I can be there Sunday morning. I can be there Sunday night. I can be there Monday morning, Mr. Speaker. Name it; I am there. Do you want to negotiate or not? The answer apparently is no.

The SPEAKER. The Chair recognizes the majority leader, Representative DeWeese.

Mr. DeWEESE. The answer is not no. We all met with the Governor at the Mansion in March, the folks who are privileged momentarily to lead our Appropriations Committees and our senior leadership team – House Republicans, House Democrats, Senate Republicans, Senate Democrats. We have been in constant dialogue with the Governor's Office – Mr. Crawford, Mr. Fajt, et al. We have met as recently as 2 weeks ago with the Governor and last week with Mr. Fajt and Mr. Crawford of the Governor's senior staff. We met with Mr. Pileggi and his top leadership team – Mr. Scarnati, et al., Republican Senate; our colleagues – Mr. Smith, the Speaker Emeritus, the chairman of the Appropriations Committee on the Republican side. So my honorable colleague's inference that there is a disinclination to engage is off target. We have engaged.

Now, yesterday from this podium and from that podium, Mr. Speaker, it was announced that we would have en masse a 102-member Democratic caucus today to discuss the budget. We politely chatted with our adversaries across the way in the Senate and indicated to them that we would not be able to attend a 9:30 meeting. It would be premature because we were going to have our caucus at lunchtime today. So we did miss this morning, but it was not as if it was a startling revelation. We politely informed everyone that we would not be able to be there. So we have engaged at least two or three times with the Governor, three or four times with House Democrats, House Republicans, Senate Democrats, Senate Republicans, and again, I do not want to be smug – should not ever be smug on this floor, because it will come back to haunt all of us – but you folks, God bless you, ran the show for the first 4 years of the Rendell administration. You had the House, you had the Senate, and you never, never delivered a budget on time. Those budgets went into July 1, 2, 3, 4 every single year.

So the fact that the honorable gentleman from Jefferson County is somewhat exasperated and focused on the necessity of immediate negotiations here in the middle of the month is interesting, to say the least. We were not invited this early in the process last year or the year before or the year before that or the year before that. So we are going to invite you, Mr. Speaker, to send your leadership team to the House Democratic setting, our conference room next week, if not sooner, and we will

aggressively reengage, but we cannot, in all fairness, engage without talking to our membership. Mr. McCall, Mr. Evans, and myself are privileged to have a first-rate leadership team, a 90-plus rank and file and committee chair, and we are going to ask them for their input today. We are going to have a caucus today. It is only June the 13th, and I am not overconfident. We do have some serious, serious challenges.

The education dollars – and then I will relinquish the microphone – but the education dollars that we included in our budget that we sent to the Senate were seriously molested by the document that went back to the Governor for his overview a couple of days ago. It was a completely and radically altered document. So for the gentleman to not embrace the fact that they, they being the Republican Party, are willing to take not the physician's scalpel but the meat cleaver to Governor Rendell's education budget is disingenuous, to use a word that my friend from Jefferson County trundles out with great regularity; it is disingenuous as can be.

The Republicans so far early or in the middle of our deliberations are willing to cut education seriously. We are not; we are not. It does not mean that the request that the Governor offered will not be pared down some, but it is a negotiation, and we have been negotiating again and again and again and again, at least a half a dozen times, and we have all been at the table. I apologize for any inconvenience, if the honorable gentleman had other things to do at 9:30 a.m., but we had indicated we would not be there until we had had our caucus. So there is not a reason for great exasperation. We are making slow and steady progress toward the ultimate goal of delivering a budget by June the 30th, and God willing, that will be the result.

I yield to my dapper companion from Delaware.

The SPEAKER. The Chair recognizes Representative Civera.

Mr. CIVERA. Thank you, Mr. Speaker.

Mr. Speaker, what we are trying to do here today is this, and let us just put it out, basic common sense, to tell the people, the viewers, the constituency of Pennsylvania, June the 30th is the deadline. July the 1st, everything stops. That is what we do not want to happen. We do not want to shut State government down, and by not coming— We were there from the beginning meetings, as the majority leader said, but last week and today were crucial days, and the document that was sent over to the Governor was a preliminary document that the three caucuses and I thought at that point the four caucuses had agreed. When I had said the three caucuses, I was corrected. Oh, no, the four caucuses.

Now, when we talk about education, you had an opportunity to vote on the Civera amendment. That amendment restored the \$545 million worth of cuts that were made by Governor Rendell in his proposed budget. What you passed in the House was a \$947 million increase over last year's budget. When you talk about education, and now let us not mix words here, let us not mix words, that money that was put in for education under the Civera amendment did not cut education; it did not cut education.

What was told to the members of the General Assembly, we need to pass the Governor's budget to get the process moving. Now, my interpretation of getting the process to move is that you sit at the table, because that is part of the process. Now, you can mix words and we can do all different types of fancy talking and we can say that the Republicans are out to cut education. That is not the case. Look at the amendment. Members of the

Democratic Caucus looked at that amendment. They had questions about that amendment. Some liked it; some did not. But do not stand here today and say the Republican Party wants to cut education when in fact that is not true.

Now, your words "to move the process," that is exactly what you said to us, vote "no" for the Civera amendment because we have "to move the process," and you very cleverly convinced the members of your caucus to do that, okay, very cleverly convinced. The process has started. The train is starting to move, and all of a sudden the process has stopped. That is not my fault; that is not my fault. Now, if you are serious about what you said, then be at the table next week or this week or whenever, what the minority leader said, and let us get on, because June the 30th, June the 30th; remember that. We have been here a long, long time, some of us, and we know what it is to spend July and August and have the constituents of Pennsylvania look at the General Assembly.

We are not trying to stop this process. We are moving forward. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

BILLS REREPORTED FROM COMMITTEE

HB 69, PN 93

By Rep. D. EVANS

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, defining "mounted specimen"; and further providing for buying and selling game.

APPROPRIATIONS.

SB 318, PN 1094

By Rep. D. EVANS

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for the Pennsylvania State Police; and making a repeal.

APPROPRIATIONS.

The SPEAKER. Without objection, these bills will be reported to the supplemental calendar.

BILLS REREPORTED FROM COMMITTEE

HB 441, PN 1755

By Rep. D. EVANS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of unlawful capture and electronic transmission of identifying information.

APPROPRIATIONS.

HB 496, PN 1906 (Amended)

By Rep. D. EVANS

An Act amending the act of July 10, 1984 (P.L.688, No.147), known as the Radiation Protection Act, further providing for definitions, for powers of Environmental Quality Board, for nuclear facility and transport fees, for creation of special funds, for response program and for transportation of radioactive materials; and making repeals.

APPROPRIATIONS.

The SPEAKER. Without objection, these bills will be referred to the active calendar.

CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. MYERS called up **HR 323, PN 1850**, entitled:

A Resolution designating the third Saturday of June 2007 as "Juneteenth National Freedom Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

LEAVES OF ABSENCE

The SPEAKER. Without objection, Representative MOYER and Representative DONATUCCI will be placed on leave for the remainder of the day. The Chair sees no objection. The leaves will be granted.

CONSIDERATION OF HR 323 CONTINUED

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

The following roll call was recorded:

YEAS—198

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

Eachus	Lentz	Quinn	Wheatley
Ellis	Levdansky	Ramaley	White
Evans, D.	Longietti	Rapp	Williams
Evans, J.	Mackereth	Raymond	Wojnarowski
Everett	Maher	Readshaw	Yewcic
Fabrizio	Mahoney	Reed	Youngblood
Fairchild	Major	Reichley	
Fleck	Manderino	Roae	O'Brien, D., Speaker
Frankel	Mann	Rock	

NAYS—0

NOT VOTING—0

EXCUSED—5

Donatucci	Moyer	Samuelson	Yudichak
Keller, W.			

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

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 500, PN 1845**, entitled:

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, providing for perfusionist licensing, qualifications, supervision and scope of practice, regulations and exemptions.

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

Mr. **ADOLPH** offered the following amendment No. **A01476**:

Amend Sec. 3 (Sec. 13.3), page 3, line 6, by striking out "Eighteen months" and inserting
Two years

Amend Sec. 3 (Sec. 13.3), page 7, by inserting between lines 19 and 20

(j) Temporary emergency exemption.—

(1) An individual who holds a current license as a perfusionist in another state, the District of Columbia or a territory of the United States or has obtained national certification may provide a one-time emergency perfusionist service in this Commonwealth without first obtaining a license from the board if:

(i) Prior to the out-of-State perfusionist performing the emergency perfusionist services in this Commonwealth, the out-of-State perfusionist submits by electronic means and on forms approved by the board, notification of emergency practice which shall include an acknowledgment that the out-of-State perfusionist is subject to the jurisdiction of the board in the same manner as if the out-of-State perfusionist were licensed by the board.

(ii) The health care facility licensed by the Department of Health certifies to the board, by electronic means and on forms approved by the board, prior to the out-of-state perfusionist performing the emergency perfusionist services in this Commonwealth that all of the following apply:

(A) The emergency perfusionist services were provided for a patient of the health care facility.

(B) The perfusionist licensed by the board and retained by the health care facility that would normally perform the emergency perfusionist services was not available or incapable of providing the perfusionist services.

(C) No other perfusionist licensed by the board was available to provide or capable of providing the emergency perfusion service.

(D) The out-of-State perfusionist provided only the emergency perfusionist services for the patient of the health care facility and no other perfusionist services at the health care facility.

(2) The out-of-State perfusionist shall obtain a license from the board if a health care facility licensed by the Department of Health retains the perfusionist or if the perfusionist provides any future perfusionist services.

(3) The out-of-State perfusionist shall not perform any other perfusionist services other than the emergency perfusionist services.

Amend Sec. 3 (Sec. 13.3), page 7, line 20, by striking out "(J)" and inserting

(k)

Amend Sec. 3 (Sec. 13.3), page 8, line 10, by striking out "(K)" and inserting

(l)

Amend Sec. 3 (Sec. 13.3), page 8, line 12, by striking out "(L)" and inserting

(m)

Amend Sec. 3 (Sec. 13.3), page 8, line 18, by striking out "(M)" and inserting

(n)

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

The SPEAKER. The Chair recognizes the gentleman from Delaware County, Representative Adolph.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, this amendment adds a new subsection to allow a temporary emergency exemption from the license requirement. A hospital may hire a perfusionist who is not licensed in Pennsylvania on a one-procedure emergency basis provided that the perfusionist is licensed in another State or is certified by the American Board of Cardiovascular Perfusion. The perfusionist must obtain a PA license for any future service in the Commonwealth.

Mr. Speaker, the reason why this amendment is necessary is because with only 200 or so perfusionists in the Commonwealth, it is necessary at times for our hospitals to schedule emergency operations, whether it be a heart transplant or whether it be a bypass operation. Sometimes our hospitals who hire perfusionists, the perfusionist is also unable to perform that service. This will give the hospitals a one-time exemption on this emergency treatment.

I believe this is an agreed-to amendment. I want to thank both the Republican staff and the Democratic staff for working on this legislation and this amendment, and I want to thank Chairman Sturla for his patience in working out this agreement.

Thank you.

The SPEAKER. Representative Santoni.

Mr. SANTONI. Thank you, Mr. Speaker.

I want to thank Chairman Adolph and Chairman Sturla for their help with this legislation and with this amendment, and it is agreed to. Thank you.

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

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Donatucci	Moyer	Samuelson	Yudichak
Keller, W.			

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. The Chair is of the understanding all the other amendments to this bill are withdrawn.

On the question recurring,

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

SUPPLEMENTAL CALENDAR A

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 69**, **PN 93**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, defining "mounted specimen"; and further providing for buying and selling game.

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 501**, **PN 1846**, entitled:

An Act amending the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act, providing for perfusionist licensing, qualifications, supervision and scope of practice, regulations and exemptions.

On the question,

Will the House agree to the bill on second consideration?

Mr. **ADOLPH** offered the following amendment No. **A01475**:

Amend Sec. 3 (Sec. 13.3), page 7, by inserting between lines 24 and 25

(j) (1) An individual who holds a current license as a perfusionist in another state, the District of Columbia or a territory of the United States or has obtained national certification may provide a one-time emergency perfusionist service in this Commonwealth without first obtaining a license from the board if:

(i) Prior to the out-of-State perfusionist performing the emergency perfusionist services in this Commonwealth, the out-of-State perfusionist submits by electronic means and on forms approved by the board,

notification of emergency practice which shall include an acknowledgment that the out-of-State perfusionist is subject to the jurisdiction of the board in the same manner as if the out-of-State perfusionist were licensed by the board.

(ii) The health care facility licensed by the Department of Health certifies to the board, by electronic means and on forms approved by the board, prior to the out-of-State perfusionist performing the emergency perfusionist services in this Commonwealth that all of the following apply:

(A) The emergency perfusionist services were provided for a patient of the health care facility.

(B) The perfusionist licensed by the board and retained by the health care facility that would normally perform the emergency perfusionist services was not available or incapable of providing the perfusionist services.

(C) No other perfusionist licensed by the board was available to provide or capable of providing the emergency perfusion service.

(D) The out-of-State perfusionist provided only the emergency perfusionist services for the patient of the health care facility and no other perfusionist services at the health care facility.

(2) The out-of-State perfusionist shall obtain a license from the board if a health care facility licensed by the Department of Health retains the perfusionist or if the perfusionist provides any future perfusionist services.

(3) The out-of-State perfusionist shall not perform any other perfusionist services other than the emergency perfusionist services.

Amend Sec. 3 (Sec. 13.3), page 7, line 25, by striking out "(J)" and inserting

(k)

Amend Sec. 3 (Sec. 13.3), page 8, line 14, by striking out "(K)" and inserting

(l)

Amend Sec. 3 (Sec. 13.3), page 8, line 16, by striking out "(L)" and inserting

(m)

Amend Sec. 3 (Sec. 13.3), page 8, line 21, by striking out "(M)" and inserting

(n)

On the question,

Will the House agree to the amendment?

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

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, because of the two different acts, this is the exact same language which was in HB 500, and I also believe this is an agreed-to amendment. Thank you.

The SPEAKER. Representative Santoni.

Mr. SANTONI. Thank you, Mr. Speaker.

Yes; that is correct. This amendment is agreed to.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Donatucci	Moyer	Samuelson	Yudichak
Keller, W.			

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. The Chair has been informed that all other amendments on this bill have been withdrawn.

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

* * *

The House proceeded to second consideration of **HB 708, PN 793**, entitled:

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.

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

* * *

The House proceeded to second consideration of **SB 233, PN 759**, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Somerset County certain lands situate in Somerset Township, Somerset County.

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

The SPEAKER. The Chair is of the understanding amendments to this bill have been withdrawn.

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

SUPPLEMENTAL CALENDAR A CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 318, PN 1094**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for the Pennsylvania State Police; and making a repeal.

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

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 795, PN 887**, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission.

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

* * *

The House proceeded to second consideration of **SB 798, PN 1153**, entitled:

An Act providing for the capital budget for the fiscal year 2007-2008.

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 635, PN 720**, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for meetings of auditors and for audit of accounts by auditors and financial report to Department of Community and Economic Development.

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

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

(Bill analysis was read.)

LEAVE OF ABSENCE CANCELED

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

CONSIDERATION OF HB 635 CONTINUED

The SPEAKER. The question is, shall the bill pass finally? Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Donatucci	Keller, W.	Samuelson	Yudichak
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

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

* * *

The House proceeded to third consideration of **HB 872, PN 1027**, entitled:

An Act designating the bridge carrying State Route 15, known as Lycoming Creek Road, over Bottle Run, Old Lycoming Township, Lycoming County, as the John Gross Memorial Bridge.

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

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

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—199

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

Everett	Mahoney	Readshaw	Yewcic
Fabrizio	Major	Reed	Youngblood
Fairchild	Manderino	Reichley	
Fleck	Mann	Roae	O'Brien, D.,
Frankel	Mantz	Rock	Speaker
Freeman			

NAYS—0

NOT VOTING—0

EXCUSED—4

Donatucci	Keller, W.	Samuelson	Yudichak
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

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

* * *

The House proceeded to third consideration of **HB 1367, PN 1632**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for medical assistance payments for institutional care, for definitions, for authorization, for amount, for repayment, for regulations and for time periods; and providing for the Senior Care and Services Study Commission.

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

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

(Bill analysis was read.)

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

Representative Vitali.

Mr. VITALI. Thank you. I would like someone to stand for interrogation here. I have some technical questions about this bill. I do not know who is appropriate.

The SPEAKER. The gentlelady, Representative Mundy, will stand for interrogation. The gentleman is in order and may proceed.

Mr. VITALI. I mean, I have one main concern with this bill. Maybe you can help me. Maybe, oh, 3 years ago a nursing home in my district, Bryn Mawr Terrace, sat down with me and talked to me about how a change in legislation will result in their being required to pay several hundred thousand, perhaps \$600,000, in additional fees because all of their beds were privately paid for. I think that is the key thing. They are a nursing home whom all of their beds are privately paid for. And I am sort of having déjà vu as I read this language, and as I pursue this further, I am learning that this might be the same issue.

What I do not want to do is vote for a bill that is going to either continue to cause a nursing home in my district to pay a

significantly, continue to pay a significantly large amount of money. So could you tell me how this impacts nursing homes who have exclusively private beds?

Ms. MUNDY. It is my understanding that Federal law precludes us from assessing nursing homes with MA (medical assistance) beds differently from those we would assess for non-MA beds, and that is why all nursing homes in the Commonwealth are subject to this assessment.

Mr. VITALI. Okay. So would this bill require— I am trying to get at whether this would require Bryn Mawr Terrace to continue to pay \$400,000, \$500,000, \$600,000 in additional fees.

Ms. MUNDY. I do not have the printout with me. That printout is available, if you would like to look at it.

Mr. VITALI. And I kind of remember generally maybe 3, 4 years ago, when this issue first surfaced, sort of discussing this with Secretary Richman, and the discussion centered around negotiations, and that led me to believe that it was not an ironclad yes-or-no issue but there was some flexibility in there.

Okay. I am sensing then based on your answers, that this is going to cause my nursing home or continue to cause my nursing homes to pay money. Okay. I know what I need to do. Thank you.

The SPEAKER. Representative Boyd.

Mr. BOYD. Thank you, Mr. Speaker.

I am going to rise to speak against this piece of legislation, and for some of the newer members, I want to give a little historical context, if I may, to this, Mr. Speaker, and I will try and be really brief. But this concept of what was dubiously termed the "granny tax" was initiated in 2003, and what this was all about was a nursing home assessment on skilled-care beds, and at the time it was developed by the administration when Governor Rendell came to town. It was his first budget. What was done was, there was an assessment placed on skilled-care beds. The money would actually then leverage Federal MA dollars, and the money that was picked up from the Feds would be delivered back to those beds that were taxed, those homes that were taxed.

When this was developed, we were basically told it was a way of getting Federal dollars and nobody was going to get hurt. Well, once the whole thing, those that remember the budget of 2003, the infamous two-part budget that was passed in 9 days and then ultimately not settled until December, once that was all resolved, it was not that everybody was not hurt. In fact, some facilities were assessed a bed tax and there was no money that came back to them, and I happen to represent one of those facilities. But the point behind this is, is that this bill when it was done in 2003 was a tax increase. It was conceived of to develop revenue that would free up other revenue in the Department of Welfare to be used for other programs and in effect then leverage Federal dollars.

Ultimately, what proponents of this bill will tell you is, well, there are 80 percent of the facilities that are winners and 20 percent that are losers, and that is a true statement. Well, I have got to tell you, if you represent one of those 20 percent that is a loser, you are a real loser. Ultimately what ends up happening is, if you have a program that there are 50 percent winners and 50 percent losers, some win a little and some lose a little, but when it is 80 percent of the facilities that get more money back from the assessment and 20 percent that lose, what is happening is, some facilities are getting hit very, very hard with this tax.

That was passed in 2003. We are reauthorizing that tax. We are extending it now I believe to the year 2012, if I read the legislation correctly. This was a bad tax in 2003. It is a worse tax in 2007. I am asking my colleagues, those of us who are against increasing taxes, I am asking you to consider, this is a tax vote. I am asking you to consider to not support this piece of legislation, and again, proponents are going to say, well, if we do not vote for this, we are sacrificing \$150 million in Federal dollars. We are not sacrificing \$150 million in Federal dollars. All the Department of Welfare has to do is in that \$11 billion-plus budget find \$150 million to show the Feds it is for MA beds, and then they will be able to draw that money down.

So I am asking my colleagues to please consider their vote on this. There are winners and losers, and I am asking them to consider voting against HB 1367. Thank you, Mr. Speaker.

The SPEAKER. Representative Eachus. The gentleman defers to Representative Mundy.

Ms. MUNDY. Thank you, Mr. Speaker.

There is no question that some nursing homes make out better in this initiative than others, but I would point out to you that without HB 1367 and the carefully arrived-at negotiations process that took place to get us to this point, there would be a \$145 million hole in our budget. I do not see anybody standing up to want to plug that hole with additional taxes.

Hopefully this bill is an incentive to those nursing homes who do not and will not accept Medicaid patients to take some, and then they would not be losers. They might even be winners. So I would suggest, I would suggest that this is a necessary part of the budget process. It plugs a \$145 million hole in our State budget with Federal dollars. We need to do this.

Thank you, Mr. Speaker.

The SPEAKER. Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

I rise to support HB 1367. This bill is an essential component of how we not only fund our nursing home system today but how we advance care for the poor here in the Commonwealth tomorrow. We all know that the cost of long-term care is a serious long-term issue. As a member of the White House Conference on Aging and the appointment by Governor Rendell, I was at the Conference on Aging and we have a demographic tsunami coming at us of senior citizens that we have to take responsibility for their care.

It is essential that we create an opportunity to have this bill pass today. It has been 2 years in the works. We have listened to many, many stakeholders, whether you are a private nursing home or a nonprofit nursing home or you are a labor union organizer in one of these facilities whose employees, one of your members works there. This is essential to advancing the cause of stabilizing funding for long-term care. As Representative Mundy said, this is a \$145 million budget impact in this year if we do not do it, and if we were not to do it, it would have significant downstream impacts on budgets to come.

I stand today to ask that we support this to advance the cause of stabilizing funding for long-term care and protecting the ability for senior citizens who are not advantaged by wealth to have care in our nursing home facilities, that put them in a place that is safe, sound, and financially stable.

Thank you, Mr. Speaker.

The SPEAKER. Representative Kula.

Mrs. KULA. Thank you, Mr. Speaker.

Mr. Speaker, I stand today to show my support for this legislation, and frankly, I am just a bit unsure as to why this has become such a debated measure.

The legislation before us would extend the sunset date on the nursing home provider assessment, allowing our State's nursing homes to function and provide the necessary long-term-care services to more than 74,000 Pennsylvanians age 60 and over. If we fail to pass this measure and fail to extend the nursing home assessment, we will be denying necessary additional revenues used by our nursing homes, including millions of dollars in Federal matching funds, and forcing our nursing homes to stop providing long-term care to medical assistance recipients.

I strongly urge support of this bill so that we can allow our nursing homes to continue to provide quality service to our State's seniors. Thank you, Mr. Speaker.

The SPEAKER. Representative Maher.

Mr. MAHER. Mr. Speaker, would the maker of the proposal stand for interrogation?

The SPEAKER. Is the Chair asking that Representative Mundy stand for— Representative Eachus will stand for interrogation.

Mr. MAHER. Thank you, Mr. Speaker.

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

Mr. MAHER. How much is the so-called assessment currently on a per-patient basis; per patient per day, per month?

Mr. EACHUS. I am sorry, Mr. Speaker.

Mr. MAHER. How much is the assessment per patient day currently? It is levied on a per-patient-day basis, as I understand it.

Mr. EACHUS. I just want to be accurate with the numbers, Mr. Speaker—

Mr. MAHER. Thank you.

Mr. EACHUS. —and here they are. It is \$1.54 per non-Medicare resident day and \$15.95 for non-Medicare resident day for those private facilities. So for the small facilities, it is \$1.54 and \$15.95 for the private facilities, Mr. Speaker.

Mr. MAHER. So \$15.95, round to \$16; 30 days in a month; \$480 a month; round numbers, about \$6,000 a year per patient. Is that correct?

Mr. EACHUS. Can you restate that, Mr. Speaker? I am having a hard time hearing, Mr. Speaker.

Mr. MAHER. I have concluded my interrogation, Mr. Speaker. If I might speak on the bill.

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

Mr. MAHER. It certainly seems to ease consciences for those who seek to tax by calling taxes things other than taxes, but if you just listen to the rate here, you will understand that families who have loved ones requiring nursing home care are now being asked to spend and pay an extra \$6,000 a year to put their loved one in a nursing home. This would renew the Governor's practice of taxing people for requiring nursing home care. Now, I certainly support Pennsylvania maximizing its ability to magnetize Federal dollars that go towards long-term care, but the solution of taxing families in nursing homes \$6,000 a year to be in a nursing home is cruel.

Perhaps, perhaps this Governor, who claims to want to reduce the cost of health care, can explain to those families who are struggling to pay nursing home bills why they get taxed \$6,000 a year under his proposal to be in a nursing home. It is just wrong. Being in a nursing home involves no discretion.

It is not a choice people welcome. It is not a lifestyle people seek. It is a burden on the individual, it is a burden on the families, and to tax those individuals and their families, it is just unconscionable. If there was a proposal to tax emergency room visits, I suspect most of you would oppose it. If there was a tax in going to a doctor, I suspect most of you would oppose it. But when it comes to taxing those who are least likely to organize and march on Harrisburg because they are confined to a nursing home, somehow or another some of you feel like you can pat yourselves on the back and say you are doing a good thing. Well, it is not a good thing, and I hope that you will reject this legislation and find another way to attract dollars from the Democratic Congress.

Thank you, Mr. Speaker.

The SPEAKER. Representative Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I am glad that some of my colleagues have risen today to call this what it is, which is a tax increase, and a lot of times when we see bills perceived through this Assembly, we see things like the tipping fee that are increased for waste. We call that a tipping fee increase when actually it is a garbage tax increase. When they get ready to tax cigarettes and raise the tax on tobacco, they actually come out and call that a tobacco tax increase, because they feel it only hurts a small minority of the population, so they can get away with calling it a tax increase on something that many people believe is bad, as I do, but I think it is your own choice whether or not you are going to use that and do not think you should be taxed more just because you do. And once again here today, because it would not be good to say that you are going to tax the elderly, those who are in need of nursing home care, we call it an assessment.

Well, Mr. Speaker, when this legislation was first introduced a few years back, it was a tax increase then, and it is a tax increase now, and I would urge a "no" vote against this legislation. Thank you, Mr. Speaker.

The SPEAKER. Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

I would like to respond to both of the gentlemen who spoke last in sequence. Number one, 80 percent of the nursing homes in the Commonwealth of Pennsylvania care for medical assistance seniors, which means that those are the individuals in the Commonwealth who spent down all their assets. They basically have given everything up in their lives to make sure that they are guaranteed a safety net of long-term care. The facilities, the 80 percent of those facilities – and I was not really able to hear the questioning from the gentleman, but I want to be able to respond to the way the reimbursement works – for the 80 percent of the facilities who care about the social mission of caring for our indigent elderly, they get three different reimbursements: One, an MA reimbursement, an MA reimbursement based on rates; they get a supplemental payment; and they get a reimbursement of the Medicaid allowable portion of the assessment cost. They get three different payments, and of the 80 percent of the facilities in Pennsylvania who care for the elderly poor, they make out better in this equation.

The industry individuals, the 20 percent who make the decision not to have a social mission and care for Pennsylvania's elderly, less advantaged, do not get those three reimbursements. That is what seemed fair, and it was also deemed fair by the organizations who represent nursing homes in this Commonwealth. The for-profit nursing home industry, the

not-for-profit nursing home industry endorsed this plan. This has been a plan that has been 2 years in the making, has been negotiated by the stakeholders and individuals who own and operate nursing homes. This is not an arbitrary decision. It is not being made today, and it is being characterized as a tax. This is the nursing home assessment bill.

This is a complex labyrinth of reimbursement that guarantees care for our elderly in Pennsylvania. It is costly. The fastest growing component, one of the fastest growing components in this budget this year, next year, the year after that, the year after that, and the year after that is the decision we are going to make about how we care for our elderly. And let me say this: that we on our side, in the majority, are committed to working in a bipartisan way, as we have, with you all in the minority to guarantee that that social safety net be made and guaranteed to stabilize the industry so that we keep our nursing homes in place to care for the elderly who live in Pennsylvania and care for the elderly to come, for years to come.

So I do not want this to bog down along partisan lines. This is not some arbitrary decision. It is a well-negotiated, bipartisan, well-discussed issue and needs to be addressed today. It does have, once again, to repeat my statements earlier, a \$145 million budget impact this year and the downstream effects of Federal guaranteed reimbursements. If we do not do it, those will be damaged and hurt our negotiations for the future, for the care of our senior citizens in Pennsylvania.

So let us be clear, the last two folks characterized this in one way. I believe, as members of my caucus do, that this is a guarantee to stabilize and ensure the financial stability of our nursing home industry and protect senior citizens and their care inside Pennsylvania.

The SPEAKER. Representative Reichley. The gentleman waives off.

Representative Blackwell.

Mr. BLACKWELL. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of HB 1367 simply because I believe that a nation is judged by how it takes care of its elderly and infirm, and I believe for the goodwill that I believe members on both sides of the aisle want to do here for our people, this, Mr. Speaker, I think is what we should be about, giving a better quality of life to people, most especially our elderly. Our elderly people have given quite a lot for us to be able to be in a position such as we are, and I think it is only fair that we in turn try our best to take care of them.

So for that reason, Mr. Speaker, to assure continuity of a good quality of life, I think that this proposal should be voted up. I believe that with the good intentions that it has, that it is only fair that we support this bill, because as I say, you know, one day, Mr. Speaker, I may live enough to be called a senior citizen where I may have to go into a nursing home. You never know what is in store for you. I may not have the ability to pay for it myself, and I may need help. I see nothing wrong with helping our elderly and people who are in nursing homes to have a better quality of life, Mr. Speaker.

So having said that, I would implore my colleagues to support this bill. Thank you very much.

The SPEAKER. Representative Surra.

Mr. SURRA. Thank you, Mr. Speaker.

Mr. Speaker, I rise and ask for the members' support of HB 1367, and I would hope that some common sense would come over this chamber. While I certainly appreciate and support the right of some members to stand up and pontificate

on this issue and talk about how it is a tax increase and how this is bad for Pennsylvania, the fact of the matter is, we have a serious problem. We have a serious problem with some of the poorest people in Pennsylvania. They are in all of our districts, Mr. Speaker. They are all of our constituents, and we have to take care of this problem.

This legislation passed out of the Aging and Youth Committee by a unanimous vote. Not one member of that committee dissented or voted "no." To call this a tax increase, Mr. Speaker, is a stretch. It is the reauthorization of an existing fee, and it is a fee that takes care of the most vulnerable citizens of this Commonwealth. All the stakeholders are on board – the nursing home associations, SEIU (Service Employees International Union). All the interest groups support this legislation. And the bottom line is, if you do not support this legislation, I want to know how you are going to fill the \$145 million hole this blows in the side of our budget.

We have to be responsible, Mr. Speaker. Sometimes we have to make difficult decisions, but this one is not that hard. Frankly, I did not come to Harrisburg to take those people that have spent their life's assets and who now reside in a nursing home and give them a sleeping bag and say, sorry, ma'am, you have got to get out. We should not throw those people out in the street. We have to be responsible, and this is responsible. It will take care of this problem hopefully for years into the future.

So for those reasons, Mr. Speaker, I am encouraging both sides of the aisle to support HB 1367.

The SPEAKER. Representative Maher, for the second time.

Mr. MAHER. I am disappointed by the confusion that is being expressed. I think everybody in this chamber would agree that providing care for our neediest Pennsylvanians is a worthy endeavor and deserves to be supported. The question is, who pays for it? Under this proposal, who pays for it are those folks who need nursing care and are paying for the nursing care out of their own checkbook. The burden of all Pennsylvanians is being placed on that small handful who are paying for care out of their own pocket.

When the gentleman says that all stakeholders agree, he is mistaken. Those individuals who have no choice but to be in a nursing home and are spending their life savings to support themselves in a nursing home are not represented in this. Of course, they are the least likely to have a lobbyist. They are the least likely to be able to get on a bus and come down here, because if they could, they would not be in a nursing home.

This proposal exploits the very unfortunate condition of those individuals whose health-care needs are critically profound. There are other ways to pay for health care other than to tax \$6,000 a year on the families who are struggling to care for their loved one and to pay for that care, and it is a sin to tax those who have no voice and have no ability to come forward and stand up. To pick their pockets because you can is just wrong. All stakeholders do not agree. When this law was first passed 4 years ago, the Governor promised us that private individuals would not be this affected. He promised us. He was wrong.

Now, why it turns out that such an important promise was mistaken, I do not know, but I do not think that now that the cat is out of the bag and we find out that that 20 percent of the families who are paying for nursing care out of their own pockets are being asked to pay a \$6,000-a-year tax to be in a nursing home, now we know that is a fact, and I really encourage you to find that there is another way to pay for

Medicaid other than to tax families who have loved ones in nursing homes.

Thank you.

The SPEAKER. Representative Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

I did not intend to rise and speak on this issue, but the previous speaker, the immediate previous speaker, continues to refer to this as a tax increase. I think in his previous debate remarks, he made some innuendo about it being a mechanism to raise money for a campaign committee.

Again, let us talk straight. This issue was negotiated. The stakeholders are—I will yield.

The SPEAKER. For what purpose does the gentleman rise?

Mr. MAHER. A point of personal privilege, Mr. Speaker.

The gentleman is speaking about campaign committees. I do not remember that coming into this conversation whatsoever, and if he wants to talk about campaign committees, we could talk about the SEIU, but I am not bringing that up.

The SPEAKER. It is not a point of personal privilege, but the Chair will admonish all members and remind them to keep their remarks to the amendment at hand.

Mr. BELFANTI. Thank you, Mr. Speaker.

I think the point here is, our medical assistance in this State is hurting primarily as a result of Federal cuts in Medicaid – a half a billion dollars, I believe, 2 years ago; \$400 million last year. I do not know what it will be next year. We have a \$135 million hole that needs to be plugged. We did not cause the hole. The hole was caused by Washington. The hole was caused by the Bush administration's decision to cut Medicaid for all 50 States while spending more and more money on foreign policy and aid to countries other than ourselves, other than our own sick and indigent.

And make no mistake, the people in the nursing homes today who have run out of their own money are indigent-care patients, and someone has to pay for that. The taxpayers have to pay for that or we need to close the nursing homes and go back 100 years where you and I and our sons and daughters took care of their elderly who required care 24 hours a day. Well, that is just not the 21st century, Mr. Speaker. While it is ideal, today's economy requires that households, most households in this State, in this country, both husband and wife are working. That is unfortunate, but that is the way it is, and that is why we have four times as many nursing homes as we did 50 years ago, and that is not going to change very soon.

So, Mr. Speaker, please do not look at the red-herring issues that are being promoted by the opponents of this bill. This is good legislation. It is a continuation of something that has been negotiated by all the stakeholders, and I would appreciate a "yes" vote on HB 1367.

The SPEAKER. Representative Conklin.

Mr. CONKLIN. Thank you, Mr. Speaker.

As we sit and listen to the debate, it is a very good debate when this House and this chamber have the opportunity to talk about the future of our parents and our grandparents.

I was very fortunate before I came to this wonderful chamber to be a county commissioner, and, Mr. Speaker, as we talk about increased costs and family and money, the county homes are the ones that take your poorest and your frailest individuals.

Today across this State you are going to hear, whether it is Cambria County, whether it is Centre County, wherever that county may be, Mr. Speaker, county nursing homes are talking about selling their nursing homes. They are not selling them

because the county does not believe in good care for every one of our parents, Mr. Speaker. They are doing it because the millions of dollars have increased to that county budget. So when we talk about tax increases and costing people money, Mr. Speaker, if we do not pick up and step to the plate at this time and help out our counties, we are going to be raising taxes on our county residents, not just a few, but those elderly who cannot afford to pay property taxes today.

So, Mr. Speaker, as we go down this line and we talk about taking care of our most frail citizens, remember this is a good bill. With over 90 percent of the individuals in a county nursing home on assistance, that county needs that money to be able to stay open and take care of our parents.

So, Mr. Speaker, please, I am asking for these members to stop property tax increases in counties, to keep a handle on those budgets, and help out those frail and indigent that cannot take care of themselves.

Thank you, Mr. Speaker.

The SPEAKER. Representative Reichley.

Mr. REICHLEY. Thank you, Mr. Speaker.

This is a difficult fiscal situation, just picking up on the comments from the gentleman from Centre County.

As I understand the numbers that have been provided to us by the Appropriations staff, this assessment seeks to raise \$317 million in order to draw down a total figure of \$375 million. That is the hard number in the end. But the presentation of the bill as it is right now implies that that would only be upon private facilities. I think the members should understand that based upon an as unyet specified agreement between the department and the counties, that this assessment would get extended to county-run facilities. Now, obviously the assessment cannot be placed upon the residents in the county-run nursing homes. Where is that money going to come from for those county facilities? From the taxpayers, from the residents of those counties.

So picking up on the comment from the gentleman from Allegheny County, this is not just a matter of stakeholders who run the facilities being in the room negotiating this. This impacts the residents of the private-run facilities and taxpayers in each and every one of our counties whose tax dollars to those counties are going to have to be forwarded over in order to be able to draw down funds. It is going to be a decision from the department to specify which facilities ultimately get the assessment placed upon it, and because that is so vague, I think the members need to fully understand that their residents in the counties are the ones who may necessarily have to put up extra tax dollars in order to be able to have those county facilities that meet the needs of the assessment placed upon that facility.

This was truly an options choice. I understand that we need to accumulate roughly \$691 million to fill a budget hole ultimately, and that is a good estimate in terms of where we would be getting the funds, from both local assessment funds and Federal funds, but one should not think this is just going to be placed upon residents of private nursing homes who theoretically can somehow afford this assessment. This is also going to be placed upon county facilities, potentially forcing up local tax payments.

Thank you, Mr. Speaker.

The SPEAKER. Representative Gingrich.

Mrs. GINGRICH. Thank you, Mr. Speaker.

I stand and rise to address the bill from maybe a little bit of a different perspective.

We are facing a very difficult situation here, and the input and the perspective of my colleagues on both sides of the aisle are truly on target. This ranks among some of the toughest budget decisions we have to make in this session. The struggle that we went through in the original assessment took a great deal of work on the part of the government and on the part of the facilities that deal with our escalating number of older Pennsylvanians.

The challenge is great. We need to count on the partnership, the funding partnership with the Federal government, and as much as we do not like it, often we have got to find that money somewhere else to fill gaping holes to provide services to our most vulnerable.

I worked in the industry for many years and have now personally gone through the experience with our own family members. It is critical that we have the facilities available. It is critical that we help them operationally make some decisions that are going to keep them there, sustainable for our people.

At this point in time, while I agree with my colleagues who would like to find the financing for that partnership somewhere else, we do not have it in front of us right now. We struggled through this assessment formula the first time. We have worked together from all sides of the tables. Unfortunately, it is impossible and difficult for my recently deceased mother-in-law or many who have family loved ones in long-term care to be at the table with us. We have to make those tough and intelligent decisions for them.

So today I see this as one of our tough and intelligent decisions. This is an opportunity for us to reauthorize the assessment while at the same time we look at better ways to do this, but right now with the facilities providing the service and us as partners with the Federal government to fund them, keep them open, keep them quality, providing services, we have very few choices today.

So I would recommend as a professional in the field, as someone who truly does care about serving our seniors, as I know most of you do, please give due consideration to passing this bill today and continuing to work on better ways to do these formulas and funding.

Thank you, Mr. Speaker.

The SPEAKER. Representative Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, my comments are almost unnecessary in light of the last speaker's comments.

Mr. Speaker, a very good case has been made. We are facing a real crossroads with respect to long-term care. It is not something that we can put off tomorrow, next week, or next year. It is a crisis that requires our attention today and requires the attention of this august body.

Mr. Speaker, I am moved to react to HB 1367 for a number of reasons: Number one, Pennsylvania has the second largest elderly population in the country; number two, there are counties in Pennsylvania that have the largest population in the country of people 65 and over; and number three, Mr. Speaker, the last time I checked the record— Mr. Speaker, may I have my colleagues' attention?

The SPEAKER. Members will please cease all conversations. The gentleman is entitled to be heard.

Mr. THOMAS. Mr. Speaker, as I was saying, I am moved by a number of things: Number one, Pennsylvania has the second highest population of elderly people than anywhere else in the country; number two, there are counties in Pennsylvania where

the population of people 65 and over is the largest in the United States; number three, Mr. Speaker, the last time I checked the record, a large population of people right in the Pennsylvania General Assembly, House and Senate, in less than a decade might be looking at long-term care. Mr. Speaker, while we like to think that there is some predictability, there is no predictability as to what the circumstances will be today and the time that there is a need for long-term care.

So, Mr. Speaker, when you put those three factors together, it becomes imperative that we act today, not tomorrow. The time is now to address this issue, and when you consider who will benefit, yes, there is pain, but there is always some pain when you attempt to move forward good public policy.

Mr. Speaker, when I look at the benefit side of this equation, the benefit side clearly outweighs the people who will be adversely affected by this proposal.

Mr. Speaker, at the end of the day, whether you come from southeastern Pennsylvania or come from western Pennsylvania, every 203 members, members of this august body, their vote, their vote will have something to say about what the future looks like on the issue of long-term care.

Mr. Speaker, I have faith in all 203 members of this august body, because I do not think that there is anybody in this House that does not have a loved one or a friend that has a loved one that is standing at the twilight of life. Mr. Speaker, I do not think that there is anybody in here that does not recognize the importance of preparing for tomorrow today, not next year. So, Mr. Speaker, this is the time, this is the time.

You know, it is sometimes said that man's outcome will not be measured by where he or she stands at the time of comfort and convenience but where he or she stands at the time of crisis and controversy. Mr. Speaker, this is a crisis that we are facing. We must stand up today and deal with it. We might not like the methodology, but in the end the benefit clearly is going to outweigh the methodology. And so to that end, Mr. Speaker, I ask my colleagues on both sides of the aisle, push that green button for HB 1367 and do something about what happens to Pennsylvanians tomorrow. For tomorrow, do it today. Do it today to help shape what tomorrow will look like for Pennsylvanians.

Thank you, Mr. Speaker.

THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING

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

Mr. Turzai waives off.

The Chair recognizes the gentleman, Mr. Killion.

Mr. KILLION. Thank you, Mr. Speaker.

I will be fairly brief.

Before coming to the Pennsylvania House of Representatives, I served on the Delaware County Council, and Delaware County has a wonderful nursing facility, Fair Acres, where we care for 911 of our most needy residents. I remember when I was first on council and they presented this whole idea of how we can draw down these Federal funds, I, too, like some of the folks I am hearing about who are concerned about this process and whether or not it is a tax, was concerned. It sounded like a big shell game to me, and I said, this does not seem to make sense. It was probably the first eye opener for me of how

government sometimes works, but the fact of the matter is, it is necessary. It is kind of a shell game, but we need to draw down these Federal dollars. I know in Delaware County it was about 2 million a year. That could make the difference of whether or not we keep our nursing homes open and take care of those 911 needy residents.

As much as I have misgivings as well, I urge a "yes" vote on HB 1367.

Thank you, Mr. Speaker.

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

Mr. WANSACZ. Thank you, Mr. Speaker.

I would just like to rise and talk about the support of this. This is about taking care of our elderly. This is about taking care of those who most need it.

I had the opportunity the last couple of years to go out and visit my nursing homes, to talk to those, some of the people who have mentioned their concerns.

One thing that assured me in this bill that needs to be done is the fact that there is a commission set up, a commission that is going to report back to this General Assembly about the way we should be moving forward, and this commission is being addressed with people that live with this issue every single day. You are going to have actual people that are in nursing homes; you are going to have physicians; you are going to have unions represented; you are going to have people that take care of these patients. This is the thing that really has intrigued me and it brought my support on to this, because when they get done, not only are we going to have funding available this year but we are going to have a commission report back to us that tells us where we need to go with long-term care in the future.

Trust me, Mr. Speaker, this is a growing problem. We need this commission and we need this money this year, and we are going to need to take care of our seniors going forward. So we are going to have more information available for us next year, and I urge my colleagues' support.

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

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, very briefly. The question before the House is whether or not we should pass HB 1367, and certainly you have heard all the arguments about the impact that not passing this bill will have on our budget, and believe me, it will have a significant impact on our budget, but every now and then I think you have to remember one thing, that it is not about numbers. What we are doing here today is about people, about taking care of people and making sure that the infrastructure in place within our nursing home community stays in place and that we can serve those people in this Commonwealth.

We spend \$14 billion, \$14,000 million a year in our MA budget every year, which encompasses about 1.9 million people. Under long-term care, we spend \$4.5 billion to take care of 120,000 people in long-term care. So understand the magnitude of the problem, understand the people whom we are taking care of, the intense services that these people require and need.

Twenty percent of the people in these nursing facilities are under the age of 60. They may have problems with cystic fibrosis or brain trauma. So it is not just the elderly that we are taking care of in these facilities with this program and with this assessment. We are reauthorizing an assessment, and I think we all know about the impact that the loss of Federal dollars and

the loss that we knew about in the intergovernmental transfer and other Federal dollars. We need to come up with ways to fill in those holes, and one of those ways is this nursing home assessment.

The \$145 million of the \$320 million that we garner for this brings back significant amount of matching dollars to our nursing facilities – \$145 million goes directly to those nursing homes in direct reimbursement, and we get an additional \$171 million in Federal reimbursement by virtue of those dollars – and then we have another pot of money that provides \$172 million for other payments to those nursing facilities. That \$172 million gets another \$202 million back into our budget or at least back into those nursing facilities, which takes a significant amount of burden off our budget.

If we do not pass this, if we do not pass this, believe me, we will be looking at taxes in our General Fund budget. Right now we do not want to do taxes in our General Fund budget. If we do not pass this, we more than likely will have to do that, pass some type of tax increase to fund this program. It will have a direct impact on our budget, and let us not kid anybody about that.

Mr. Speaker, I would like to just read the list of supporters. This was not something that we just came up with. There have been a number of stakeholders that came to the table on these assessments, worked with us understanding the importance to maintain the Federal dollars and maximize the reimbursement for our institutions, but the Hospital and Healthsystem Association of Pennsylvania wholeheartedly supports this legislation; the Pennsylvania Health Care Association supports this legislation; the Pennsylvania Association of Non-Profit Homes for the Aging supports this legislation; the Pennsylvania Association of County Affiliated Homes supports this legislation; Pennsylvania's Health Care Union supports this legislation; the County Commissioners Association of Pennsylvania supports this legislation. We are not aware of anybody who is against it other than the people in this room that are debating it, and I would just simply ask that you remember one thing: It is not about the numbers; it is about the people.

I would ask you to vote in support of HB 1367.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Turzai, on unanimous consent.

Waives off. Thank you, Mr. Turzai.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—179

Adolph	Galloway	Markosek	Rubley
Argall	Geist	Marshall	Sabatina
Baker	George	Marsico	Sainato
Barrar	Gerber	McCall	Santoni
Bastian	Gergely	McGeehan	Saylor
Bear	Gibbons	McI. Smith	Scavello
Belfanti	Gingrich	McIlhattan	Schroder
Bennington	Godshall	Melio	Seip
Beyer	Goodman	Mensch	Shapiro
Biancucci	Grell	Micozzie	Shimkus
Bishop	Grucela	Millard	Siptroth

Blackwell	Haluska	Miller	Smith, K.
Boback	Hanna	Moul	Smith, M.
Brennan	Harhai	Moyer	Smith, S.
Brooks	Harkins	Mundy	Solobay
Buxton	Harper	Murt	Sonney
Caltagirone	Harris	Myers	Staback
Cappelli	Helm	Nailor	Stairs
Carroll	Hennessey	Nickol	Steil
Casorio	Hershey	O'Brien, M.	Stern
Causar	Hess	O'Neill	Sturla
Civera	Hickernell	Oliver	Surra
Clymer	Hornaman	Pallone	Swanger
Cohen	James	Parker	Tangretti
Conklin	Josephs	Pashinski	Taylor, J.
Costa	Kauffman	Payne	Taylor, R.
Cruz	Keller, M.	Payton	Thomas
Curry	Kenney	Peifer	True
Cutler	Kessler	Perzel	Verbe
Daley	Killion	Petrarca	Vitali
Dally	King	Petri	Vulakovich
DeLuca	Kirkland	Petrone	Wagner
DePasquale	Kortz	Phillips	Walko
Dermody	Kotik	Pickett	Wansacz
DeWeese	Kula	Preston	Waters
DiGirolamo	Leach	Pyle	Watson
Eachus	Lentz	Quigley	Wheatley
Evans, D.	Levdansky	Quinn	White
Evans, J.	Longietti	Ramaley	Williams
Everett	Mackereth	Rapp	Wojnarowski
Fabrizio	Mahoney	Raymond	Yewcic
Fairchild	Major	Readshaw	Youngblood
Fleck	Manderino	Rock	
Frankel	Mann	Roebuck	O'Brien, D., Speaker
Freeman	Mantz	Ross	
Gabig			

NAYS—20

Benninghoff	Ellis	Metcalfe	Reichley
Boyd	Gillespie	Milne	Roae
Cox	Harhart	Mustio	Rohrer
Creighton	Hutchinson	Perry	Stevenson
Denlinger	Maher	Reed	Turzai

NOT VOTING—0

EXCUSED—4

Donatucci	Keller, W.	Samuelson	Yudichak
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

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

ANNOUNCEMENT BY MS. JOSEPHS

The SPEAKER pro tempore. For what purpose does the gentlelady, Ms. Josephs, rise?

Ms. JOSEPHS. Mr. Speaker, at the appropriate time I would just like to make an announcement.

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

Ms. JOSEPHS. Thank you, Mr. Speaker.

I want to remind the members of the State Government Committee and indeed all the members of the House, tomorrow between 10 and 2 we are having a hearing on changing the date, possibly changing the date of the Pennsylvania Presidential

primary in Ryan Office Building, room 205. Please join us. I think it will be very interesting.

The SPEAKER pro tempore. The Chair thanks the lady.

ANNOUNCEMENT BY MR. PYLE

The SPEAKER pro tempore. The gentleman, Mr. Pyle, is recognized.

Mr. PYLE. Thank you, Mr. Speaker.

Just a reminder to everybody in this chamber and also all the Pennsylvanians across this Commonwealth, tomorrow, June 14, is Flag Day, and I hope everybody remembers that it is more than just patriotism in the wake of 9/11. Flag Day is something you do every year.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

HEALTH AND HUMAN SERVICES
COMMITTEE MEETING

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

Mr. OLIVER. Mr. Speaker, the Health and Human Services Committee will meet immediately upon the break in room 60E.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Health and Human Services Committee will meet at the break in room 60E.

DEMOCRATIC CAUCUS

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, there will be a Democratic caucus at 1 p.m.; 1 p.m., to give the other committees time to meet. Democratic caucus at 1 p.m.

VOTE CORRECTIONS

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

Mr. MOYER. Thank you, Mr. Speaker.

Due to a prearranged conflict, I was unable to vote "yes" on HR 323; "yes" on HB 500, amendment A1476; and "yes" on HB 501, amendment A1475, and I would respectfully request that the record so reflect, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman, and his remarks will be spread upon the record.

ANNOUNCEMENT BY
SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Just as a reminder, it is a nonvoting session tomorrow.

Mr. Turzai, are you seeking recognition at this time? No. Thank you, sir.

BILLS RECOMMITTED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves the following bills be recommitted to the Committee on Appropriations:

HB 500;
HB 501;
SB 233;
SB 795;
SB 798;
HB 708; and
SB 318.

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

BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that SB 72 be removed from the tabled calendar and placed on the active calendar.

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

RECESS

The SPEAKER pro tempore. The House is now in recess until the call of the Chair.

AFTER RECESS

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

**THE SPEAKER PRO TEMPORE
(RONALD I. BUXTON) PRESIDING**

The SPEAKER pro tempore. Any committees that are currently meeting may continue to meet at this time.

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

HB 614, PN 680 By Rep. OLIVER

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, establishing the Department of Drug and Alcohol Programs; repealing related provisions of the Pennsylvania Drug and Alcohol Abuse and Control Act; and making editorial changes.

HEALTH AND HUMAN SERVICES.

HB 795, PN 914

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 a board of control.

EDUCATION.

HB 1067, PN 1911 (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, further providing for transfer of records.

EDUCATION.

HB 1142, PN 1913 (Amended) By Rep. OLIVER

An Act amending the act of June 26, 2001 (P.L.755, No.77), known as the Tobacco Settlement Act, further providing for definitions, for investment of fund and accounts, for use of Tobacco Settlement Fund, for health research program, for department responsibilities, for National Institutes of Health funding formula and for regional biotechnology research centers; establishing the Jonas Salk Legacy Fund Program, the Jonas Salk Legacy Fund Board and the Jonas Salk Legacy Fund; and providing for the sale or assignment of Commonwealth Universal Research Enhancement Program receipts and for the issuance of Commonwealth Universal Research Enhancement Program bond.

HEALTH AND HUMAN SERVICES.

HB 1170, PN 1912 (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, further providing for attendance in other school districts and for attendance of nonresident pupils.

EDUCATION.

BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER pro tempore. Without objection, any remaining bills and resolutions on today's calendar will be passed over. The Chair hears no objection.

ADJOURNMENT

The SPEAKER pro tempore. The Chair recognizes Representative Murt from Montgomery County, who moves that the House do now adjourn until Thursday, June 14, 2007, at 11 a.m., e.d.t., or sooner recalled by the Speaker.

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

Motion was agreed to, and at 2:53 p.m., e.d.t., the House adjourned.