

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

THURSDAY, JULY 5, 2007

SESSION OF 2007

191ST OF THE GENERAL ASSEMBLY

No. 66

HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING

PRAYER

The SPEAKER pro tempore. I have the honor of offering the prayer this afternoon.

HON. MATTHEW E. BAKER, member of the House of Representatives, offered the following prayer:

Let us pray together:

Almighty God, we pause to reflect on Your character as we seek wisdom for such a time as this. In these challenging days, You remain all powerful and able to protect. In these uncertain times, You remain all knowing, leading us aright. In the unprecedented events we are facing, You remain absolutely sovereign. Our times are in Your hands. Therefore, our dependence on You is total, not partial. May our need for Your forgiveness be constant; may our gratitude for Your grace be profound; may our love for You be deep.

We ask that You guard and guide our President, our Governor, members of Congress, and the Pennsylvania General Assembly and staff, our veterans, both in harm's way and as prior veterans now living peacefully, and all who serve the people of these United States and our Commonwealth. May uncompromising integrity mark our lives.

We also ask that You unite us as truly one nation under God. May genuine humility return to our ranks, and may that blend of integrity and humility heal our land.

In our Lord's name we pray. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, approval of the Journal of Wednesday, July 4, 2007, will be postponed until printed. The Chair hears no objection.

LEAVES OF ABSENCE

The SPEAKER pro tempore. Turning to leaves of absence, the Chair recognizes the majority whip, who requests a leave of absence for the gentleman, Mr. READSHAW from Allegheny County; the gentleman, Mr. PALLONE from Westmoreland County; the gentleman, Mr. DONATUCCI from Philadelphia County; and the gentleman, Mr. JAMES from Philadelphia County. Without objection, the leaves of absence are granted.

And the Chair recognizes the minority whip, who requests a leave of absence for the gentleman, Mr. HERSHEY from Chester County; the gentleman, Mr. SCHRODER from Chester County; and the gentleman, Mr. GODSHALL from Montgomery County. Without objection, the leaves of absence are granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—196

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—7

Donatucci	Hershey	Pallone	Schroder
Godshall	James	Readshaw	

LEAVES ADDED—2

Barrar	Hennessey
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LEAVES CANCELED—3

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

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

HB 921, PN 2229 (Amended) By Rep. ROEBUCK

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for retention bonuses for certain first-year teachers; and making an appropriation.

EDUCATION.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. KIRKLAND called up **HR 361, PN 2191**, entitled:

A Resolution recognizing the need to educate Pennsylvanians about mental illness; promoting early detection and proper treatment of psychiatric syndromes among incarcerated individuals; and acknowledging the vulnerabilities of persons with mental illness in this Commonwealth.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Donatucci	Hershey	Pallone	Schroder
Godshall	James	Readshaw	

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

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Mrs. GINGRICH called up **HR 365, PN 2193**, entitled:

A Resolution designating the week of July 7 through 15, 2007, as "Colonel Phillip Neuweiler Memorial Ranger Training School Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Donatucci	Hershey	Pallone	Schroder
Godshall	James	Readshaw	

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

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Mr. PAYTON called up **HR 366, PN 2194**, entitled:

A Resolution honoring Lewis Hamilton for winning the Canadian Grand Prix on June 10, 2007, and for becoming the first black driver to earn a victory in Formula One racing history.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

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

Fairchild	Mann	Roebuck	O'Brien, D.,
Fleck	Mantz	Rohrer	Speaker
Frankel	Markosek		

NAYS—0

NOT VOTING—0

EXCUSED—7

Donatucci	Hershey	Pallone	Schroder
Godshall	James	Readshaw	

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

RESOLUTIONS

Mr. WATERS called up **HR 94, PN 2100**, entitled:

A Resolution directing the Joint State Government Commission to establish a task force to investigate the effects of violent interactive video games in context with all other media forms children are exposed to in this Commonwealth.

On the question,
Will the House adopt the resolution?

The SPEAKER pro tempore. On the question, the gentlelady, Ms. Boback, is recognized.

Ms. BOBACK. Thank you, Mr. Speaker.

This resolution was amended in committee. My amendment expands Representative Waters' resolution from the effects of violent interactive video games to include "in context with all other media forms children are exposed to in this Commonwealth." The amendment was agreed to, and the resolution was voted out of Children and Youth unanimously. We ask the members for support of this resolution.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady and recognizes the sponsor of the resolution, Mr. Waters.

Mr. WATERS. Thank you, Mr. Speaker.

I stand up to ask for the support of this General Assembly for this resolution. As the lady stated, this is an agreed-to amendment. I believe it is helpful in expanding the study so that we can find out any negative influences that could be affecting the viewers.

So I do rise and thank the lady for her amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentlelady, Ms. Bishop.

Ms. BISHOP. Thank you, Mr. Speaker.

I rise to say thank you to Representative Waters for bringing this important resolution before us today and to thank all of the members of the Children and Youth Committee who voted overwhelmingly that it come to the floor. We refer this to the Joint State Government Commission, which will investigate the effects of violent video games, the effects that it has on all of our youth. The commission will present us with information regarding what options we have as State legislators, and I would like to thank the members of the Children and Youth

Committee, too, for their support and ask for the support of the entire body. Thank you.

The SPEAKER pro tempore. The Chair thanks the lady and recognizes the gentleman from Bucks County, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I, too, rise in support of HR 94, and I extend heartiest congratulations to the prime sponsor and to those who have submitted amendments to expand and to make this resolution more effective.

I would just urge that when Children and Youth are finished with their public hearings and they come together and they now have a format in which to take definitive action to deal with these violent videos and other types of items that cause or have an impact on violent crime, that they be, Mr. Speaker, that they be resolute in their hearts and their minds not to give in if for some reason they have a law and a group comes before them and says, we are going to throw this out because it violates First Amendment rights. We have had this happen on other occasions at the Federal and State levels where what we thought were good laws were thrown out by the courts because they were challenged on First Amendment rights, and I would just ask that the prime sponsor, as I mentioned, be very determined, dogged determination, that that is not going to happen with this House resolution, that whatever the proceedings and the results come up with and if it becomes law, that they stay affirmed to their commitment and to their mission.

Thank you, Mr. Speaker.

THE SPEAKER (DENNIS M. O'BRIEN) PRESIDING

The SPEAKER. Representative Waters.

Mr. WATERS. Thank you, Mr. Speaker.

I just wanted to rise and say that I could not hear everything that the gentleman from Bucks County just asked, but I heard some of the things he asked for and that was, the results of the study, we plan on sending the results of the study to places that children visit, like schools, day-care centers, churches, other religious institutions, so that everyone can be advised as to the results of the outcome.

So again, I want to thank you and I want to thank the gentlelady for her amendment, thank the gentleman from Bucks County. I want to ask for the support of the General Assembly on this resolution. Thank you.

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

The following roll call was recorded:

YEAS—196

Adolph	Freeman	Marshall	Ross
Argall	Gabig	Marsico	Rubley
Baker	Galloway	McCall	Sabatina
Barrar	Geist	McGeehan	Sainato
Bastian	George	McI. Smith	Samuelson
Bear	Gerber	McIlhattan	Santoni
Belfanti	Gergely	Melio	Saylor
Benninghoff	Gibbons	Mensch	Scavell
Bennington	Gillespie	Metcalfe	Seip
Beyer	Gingrich	Micozzie	Shapiro
Biancucci	Goodman	Millard	Shimkus
Bishop	Grell	Miller	Siproth

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Donatucci	Hershey	Pallone	Schroder
Godshall	James	Readshaw	

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

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Mr. DALEY called up **HR 216, PN 1838**, entitled:

A Concurrent Resolution memorializing Congress to designate September 11 as "National Emergency Responders' Day," declaring September 11 as "Pennsylvania Emergency Responders' Day" and recognizing emergency responders for their valuable service.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

Adolph	Freeman	Marshall	Ross
Argall	Gabig	Marsico	Rubley

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Donatucci	Hershey	Pallone	Schroder
Godshall	James	Readshaw	

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

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

* * *

Mr. COHEN called up **HR 362, PN 2166**, entitled:

A Resolution urging the Commonwealth and all of its departments, agencies, boards and commissions to procure and utilize, where possible, Pennsylvania remanufactured automobile parts and equipment to perform their designated functions.

On the question,
Will the House adopt the resolution?

The SPEAKER. Representative Steil.
Mr. STEIL. Thank you, Mr. Speaker.

I would like to ask the prime sponsor of this resolution a question, interrogation, please.

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

Mr. STEIL. Thank you, Mr. Speaker.

Nowhere in this resolution do I note that the request to use remanufactured parts is limited to parts remanufactured in the United States. There are significant amounts of remanufactured parts that come in from the Far East, China particularly, which are often well below standard. So it would seem to me that by passing this resolution, we are actually encouraging our remanufactured industry to move more jobs overseas.

Mr. COHEN. Mr. Speaker, that is certainly not the intent. The remanufactured industry is a major industry in Pennsylvania. There is a company that has plans in several districts in Philadelphia, including my district, that strongly favors that. They have no overseas facilities. I strongly believe that the internal pressure from this company and many other companies in Pennsylvania that make remanufactured parts will be to use Pennsylvania parts, not parts in China or elsewhere. Certainly China has had its problems in the media with the dangerous products that have come from there in recent months.

Mr. STEIL. Thank you, Mr. Speaker.

A comment on the resolution.

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

Mr. STEIL. Well, the interrogation has indicated that while it may not have been the intent, the purpose of the resolution is to simply acknowledge that remanufactured parts exist and to encourage their use. There is no stipulation that these parts be remanufactured in Pennsylvania, in Philadelphia, or even in the United States. So as a result of that, I think that this resolution is counterproductive in terms of what it is trying to accomplish, and I would recommend a "no" vote. Thank you.

The SPEAKER. Will the House adopt the resolution? On the question, those in favor of the resolution will vote "aye"; those opposed, "nay." Members—

Members will please take their seats. The noise level is entirely too loud. Conversations in the aisles will break up. Members will take their seats.

Representative Siptroth.

Mr. SIPTROTH. Thank you, Mr. Speaker.

Mr. Speaker, with your permission, I would like to go over this for just a moment while I review the bill. As you recall, I offered an amendment that passed unanimously on second reading, and apparently it does not show in the text on the screen.

RESOLUTION PASSED OVER TEMPORARILY

The SPEAKER. This resolution will go over temporarily.
Mr. SIPTROTH. Thank you very much, Mr. Speaker.

CONSIDERATION OF HR 362 CONTINUED

The SPEAKER. The Chair returns to page 9 of today's active calendar, HR 362.

The Chair recognizes Representative Siptroth.

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

Mr. Speaker, after conferring at the rostrum with your staff, it is understandable that the amendment has been passed and it will be included in the next printer's number. The amendment will be part of this piece of legislation.

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

(Members proceeded to vote.)

POINT OF ORDER

The SPEAKER. Representative Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

Which printer's number are we voting on? The one on the computer screen is PN 2166. Is that the latest printer's number?

The SPEAKER. In answer to the gentleman's question, we are voting on PN 2166, which is inclusive of the two amendments that were passed, and they will not show up in the actual context until the resolution is passed.

Mr. SAMUELSON. Thank you, Mr. Speaker.

When were the amendments adopted?

The SPEAKER. July 3.

Mr. SAMUELSON. Should not we have a more recent printer's number with the amendments incorporated in front of us?

The SPEAKER. The process, as I understand it, on the consideration of House resolutions is that we considered the House resolution on July 3. It was amended with the two amendments offered by Representative Siptroth — one amendment, I am sorry; one amendment by Representative Siptroth. The resolution went over for 24 hours so that the members could review it, and it is still under consideration from July 3. It will be reprinted and get a new printer's number after we pass the resolution, and that is when those amendments will show up in the context of that resolution.

Mr. SAMUELSON. Thank you, Mr. Speaker.

My understanding of the rules is that the 24 hours is enough time for the bill to be reprinted, and that has not happened yet, so I ask if this could go over temporarily for an hour or two until we could have the latest version in front of us.

The SPEAKER. Resolutions are treated under the rules differently than House bills or Senate bills. We traditionally do not have to hold them over for 24 hours, but we held it over for the members to consider the context of this amendment in the House resolution under PN 2166.

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

I support the intention of the gentleman, Mr. Siptroth—

The SPEAKER. But we could go over it temporarily if the gentleman so desires.

Mr. SAMUELSON. Thank you.

VOTE STRICKEN

The SPEAKER. The clerk will strike the vote.

RESOLUTION PASSED OVER TEMPORARILY

The SPEAKER. The resolution is over temporarily.

PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman, Representative Ross, rise?

Mr. ROSS. Mr. Speaker, a point of parliamentary inquiry.

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. ROSS. Is it correct for a colloquy to be occurring while the board is actually active, while we are taking a vote?

The SPEAKER. Will the gentleman state his— The House will come to order. The Chair cannot hear the gentleman's inquiry.

Mr. ROSS. Is it the ruling of the Chair that colloquies can be actively carried on while the board is, while we are actually voting?

The SPEAKER. No.

Mr. ROSS. I do not understand why the board was left open then.

The SPEAKER. The Chair recognized Representative Samuelson on a point of order, and the Chair was unable to hear the gentleman's point of order.

Mr. ROSS. Would it be the Chair's practice in the future to strike the board while those questions are being raised?

The SPEAKER. To be consistent with the gentleman's inquiry, there is nothing appropriate but the taking of the roll, and the Chair recognized Representative Samuelson under his point of order. While he was trying to ascertain what the gentleman's point of order was, he left the board open.

Mr. ROSS. But in the future, there will be a practice that we will not leave the board open in that situation?

The SPEAKER. That is not the Chair's intention, no.

DEMOCRATIC CAUCUS**APPROPRIATIONS AND RULES
COMMITTEE MEETINGS**

The SPEAKER. The Chair recognizes Representative Cohen for the purpose of an announcement.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, there will be an immediate meeting of the House Democratic Caucus, there will be an Appropriations meeting at 3 p.m. in the majority caucus room, and there will be a Rules Committee meeting at 3:15 in the majority caucus room, and we will be back on the floor at 3:30 p.m.

To repeat: an immediate Democratic caucus, Appropriations meeting at 3 p.m. in the majority caucus room, Rules Committee meeting at 3:15, and we are back on the floor at 3:30. Thank you.

REPUBLICAN CAUCUS

The SPEAKER. Representative Major.

Miss MAJOR. Thank you, Mr. Speaker.

I would like to call a meeting of the Republican Caucus immediately at the call of the recess. That is, Republicans will caucus immediately at the call of the recess. Thank you.

The SPEAKER. Other announcements?

RECESS

The SPEAKER. This House will stand in recess until 3:30 p.m.

RECESS EXTENDED

The time of recess was extended until 4 p.m.

AFTER RECESS

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

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair returns to requests for leaves of absence. The Chair recognizes the presence of Representative Pallone on the floor. His name will be added to the master roll.

LEAVE OF ABSENCE

The SPEAKER. Without objection, Representative BARRAR, from Delaware County, will be placed on leave for the remainder of the day. The Chair hears no objection. The leave will be granted.

**RESOLUTION REPORTED
FROM COMMITTEE**

HR 360, PN 2230 (Amended)

By Rep. HANNA

A Resolution expressing support for national dairy policy reform and urging policies advanced in HR 2462 and S 1721 in the 2007 Federal Farm Bill reauthorization.

AGRICULTURE AND RURAL AFFAIRS.

The SPEAKER. The resolution will be placed on the active calendar.

BILL REREPORTED FROM COMMITTEE

HB 1230, PN 2226

By Rep. D. EVANS

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for publication of delinquent support obligors and for identifying information in protection from abuse orders.

APPROPRIATIONS.

The SPEAKER. That bill will be placed on the supplemental calendar.

BILL REREPORTED FROM COMMITTEE

SB 455, PN 1243

By Rep. D. EVANS

An Act amending the act of May 1, 1933 (P.L.216, No.76), known as The Dental Law, further providing for the definitions of "dental hygienist" and "board"; providing for the definition of "public health dental hygiene practitioner"; further providing for the general powers

of the State Board of Dentistry and for radiologic procedures, education and training; and providing for the practice of public health dental hygiene practitioners.

APPROPRIATIONS.

The SPEAKER. The bill will be placed on the active calendar.

BILLS REREPORTED FROM COMMITTEE

HB 489, PN 1992 By Rep. DeWEESE

An Act amending the act of December 4, 1996 (P.L.893, No.141), entitled "An act providing for volunteer health services; limiting liability of a volunteer license holder; and requiring reports," further providing for license renewal, continuing education requirements and disciplinary and corrective measures.

RULES.

HB 1170, PN 1912 By Rep. DeWEESE

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.

RULES.

HB 1235, PN 2099 By Rep. DeWEESE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for challenge to criminal history records, for review of challenge and for appeals.

RULES.

HB 1329, PN 1672 By Rep. DeWEESE

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further providing for jurisdiction of the zoning hearing board and the court of common pleas in challenges to the validity of an ordinance for procedural defects in the process of enactment.

RULES.

HB 1330, PN 2148 By Rep. DeWEESE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for appeals generally and for appeals from ordinances, resolutions, maps, etc.

RULES.

HB 1487, PN 2189 By Rep. DeWEESE

An Act imposing limitations on the use of property in Horsham Township, Montgomery County, known as the Willow Grove Joint Interagency Installation in the event the Commonwealth acquires the property.

RULES.

HB 1614, PN 2067 By Rep. DeWEESE

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for additional investment authority for subsidiaries.

RULES.

HB 1624, PN 2077 By Rep. DeWEESE

An Act designating a bridge crossing the Catawissa Creek in Catawissa Borough, Columbia County, Pennsylvania, as the William F. Gittler, Sr. Memorial Bridge.

RULES.

HB 1644, PN 2119 By Rep. DeWEESE

An Act designating a portion of State Route 22/322 from the Mifflintown exit in Juniata County to the Juniata/Mifflin County line, as the Dr. L.G. Guiser Memorial Highway.

RULES.

The SPEAKER. These bills will be placed on the supplemental calendar.

BILL REREPORTED FROM COMMITTEE

HB 1649, PN 2124 By Rep. DeWEESE

An Act providing for fluoridation of public water.

RULES.

The SPEAKER. The bill will be placed on the active calendar.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair recognizes the presence of Representative Donatucci from Philadelphia. His name will be added to the master roll.

SUPPLEMENTAL CALENDAR C

BILL ON CONCURRENCE IN SENATE AMENDMENTS TO HOUSE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 796, PN 1052**, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of Attorney General.

On the question,

Will the House concur in Senate amendments to House amendments?

MOTION TO RECEDE FROM AMENDMENTS

The SPEAKER. On the question, the Chair recognizes the gentleman from Philadelphia County, Representative Evans, who moves that the House recede from its amendments to this bill which were nonconcurrent in by the Senate.

On the question,
Will the House recede from its amendments nonconcurrent in by the Senate?

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

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

We have had dialogue with the Consumer Advocate, and he and his office are accepting the changes made in the Senate. We will recede from our amendments and ask for a favorable vote and ask that this measure go directly to the Governor.

We are in agreement with our Republican Senate compatriots. Thank you.

PARLIAMENTARY INQUIRY

The SPEAKER. Representative Vitali.

Mr. VITALI. A parliamentary inquiry. This is such a rare motion.

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. VITALI. I am asking for an explanation of a motion to recede amendment, what its effect would be and how it would differ from a motion to revert to prior printer's number and whether this requires a suspension vote.

The SPEAKER. For the information of the gentleman, there are two options that the House has: one, to insist on its amendments or to recede from its amendments. The House amended the bill, sent it over to the Senate; they nonconcurrent. We are now receding to the form that the bill had when it was in the Senate prior to the House amendments.

Those voting to recede from the House amendments nonconcurrent in by the Senate will vote "aye"; those voting not to recede will vote "no."

On the question recurring,
Will the House recede from its amendments nonconcurrent in by the Senate?

The following roll call was recorded:

YEAS—197

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Barrar	Hershey	Readshaw	Schroder
Godshall	James		

The SPEAKER. The majority required by the Constitution having voted in the affirmative, the House has receded from its amendments nonconcurrent in by the Senate, and the clerk will return the bill to the Senate with the information that the House has passed the same without amendment.

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 842, PN 2169**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for transferred programs and classes and for program of continuing professional education and for educational assistance program; providing for distressed school districts and student attendance in other districts; in charter school provisions, further providing for enrollment; in education empowerment provisions, further providing for board of school directors; providing for superintendent power to recommend dismissal of certain management employees; and for public library funding; further providing for small district assistance; providing for basic education funding for 2006-2007 school year; and further providing for payments on account of limited English proficiency programs, for payments to intermediate units, for special education payments to school districts and for Pennsylvania accountability grants.

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

The SPEAKER. On the question, will the House concur in the amendments made by the Senate? Those voting to concur will vote "aye"— Representative Kirkland.

Mr. KIRKLAND. Thank you, Mr. Speaker.

Mr. Speaker, if I could have the attention of the membership.

The SPEAKER. The gentleman is in order. Members will take their seats. Conferences in the well of the House will break up. Members in the side and center aisles will please take their seats. Conversations in the center aisle will please break up.

Representative Kirkland.

Mr. KIRKLAND. Thank you, Mr. Speaker.

Mr. Speaker, I rise in asking my colleagues on both sides of the aisle to nonconcur on HB 842, and let me just give you a few reasons why, or one main reason why, Mr. Speaker.

Mr. Speaker, a while back we talked about education, especially education in my district, and currently, Mr. Speaker, we have in place a board of control, and we have in place a board of control, in my view, that cares about the education of kids, in particular, the children of Chester Upland School District, one that has removed a number of persons who were draining, political persons who were draining our school district dry, one that felt the need to cap the charters that are in my district.

Mr. Speaker, I represent four school districts and some of them partially, and only in Chester Upland are there three and possibly more charter schools. Now, Mr. Speaker, do not get me wrong. I support charters that work, and I believe that charters ought to be a helpmate to the school district, not a hindrance and not a drain, Mr. Speaker, and that is why recently the board of control in my district moved to cap charters – in other words, making sure that they only take a certain percentage of students from the public school system; a balance, if you will, Mr. Speaker. Mr. Speaker, without that balance, the charter school would drain all, not just the children but the resources, financial resources, technical resources, and educational resources, i.e., teachers, from my school district, which in turn would simply destroy and close down and bring to an end the Chester Upland School District, a public school system that needs to be in place because all of our children have a right to a real education.

Mr. Speaker, what is happening here in HB 842, the Senator from Chester and Delaware Counties is once again attacking the children of Chester Upland, once again trying to take away from them their right to a real education; once again, Mr. Speaker, he is more concerned about his pockets and his financial needs for political contributions rather than educational contributions to the young people in our district.

I know, Mr. Speaker.

The SPEAKER. The gentleman will confine his remarks to the issue before the House.

Mr. KIRKLAND. Thank you, Mr. Speaker, and I will.

And that is why I stand to ask for a nonconcurrency on HB 842.

Mr. Speaker, the Governor has now made it possible for funding to come and flow into the Chester Upland School District. He has now made it possible for the children of Chester Upland to receive the technical assistance, the educational assistance that they need. He is working with the community to make those things happen. If we concur today, Mr. Speaker, to this House bill, what it will do is effectively wipe out the Chester Upland School District, which is what the parents in my community and the people in my community do

not want to happen. So therefore, Mr. Speaker, I stand today asking for a nonconcurrency of HB 842.

Our young people are now beginning to get the opportunity to get educated. We are seeing a turnaround in the district, Mr. Speaker. This bill would hurt not only Chester Upland School District but other districts like mine, so I am asking for a nonconcurrency on HB 842.

Thank you, Mr. Speaker.

The SPEAKER. Representative Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, is there somebody that I could ask a quick question of on the legislation?

The SPEAKER. Representative Grucela will stand for interrogation.

Representative.

Mr. METCALFE. Thank you, Mr. Speaker.

Just a quick question to confirm one aspect of what is included in this legislation, and that is the component in this legislation that enables the funding formula to have part of it address what we refer to as a hold-harmless clause, whereas if a school district loses student population, they are still guaranteed to receive at least the same amount of money as they received the year before and not be penalized because they have lost student population. Is that in fact part of this legislation, Mr. Speaker?

Mr. GRUCELA. Mr. Speaker, if I may ask my friend to repeat the question.

In the meantime, if I may, this bill is the omnibus education bill. This is the bill that the Senate is asking us to concur, but also – I realize you have a specific question – this is also the bill that is very entailed because it is the omnibus education bill. It has a lot of good things in it.

For those of us in growth school districts, there is an increase in the amount of money that is given in the supplement for growing school districts. Some of my friends are going to speak about the Duquesne School District, which is part and parcel of what this bill has also included, things about that particular school district, but there are protections for teachers from the Duquesne School District in this bill. There are, however, some severe cuts in this bill that resulted from the Senate – cuts, for example, in the school lunch program, which, again, the school lunch program, the Senate cut, actually the Senate cut \$6 1/2 million, but because of the Federal match, it is really going to amount to \$23 1/2 million.

So that is basically some of the outline of the overall omnibus education bill. But again, if my friend would repeat the specific question, and I will get the answer.

Mr. METCALFE. I just wanted to confirm that component of this legislation that deals with what we refer to as a hold-harmless component of the education formula and if in fact this legislation does include, you know, a large sum of money that would make sure that school districts who are losing student population still receive as much as they did before and are not receiving anything less because they have lost student population.

Mr. GRUCELA. The short answer is yes. None of those districts, the smaller districts, will be hurt in any way, shape, or form.

Mr. METCALFE. Thank you, Mr. Speaker.

If I could just make a short comment on the bill, Mr. Speaker?

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

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, the legislation that we have before us, as the gentleman had stated, the sponsor of the legislation, contains many, many different aspects of legislation that is going to really affect the educational system in Pennsylvania. As he said, it is an omnibus bill. It contains many different provisions.

The educational funding formula has been a source of debate, a source of controversy across the Commonwealth for many, many years. As I have spoken with constituents in my district and taxpayers in my district and heard from school board members in my district, one very frustrating aspect of the funding formula that we use in Pennsylvania is the hold-harmless clause that continues to give school districts that are losing population the same amount of money and even more based on guaranteed minimum increases that they have received in the past.

Mr. Speaker, in most sectors of our economy, if you have a business, if you are providing a service and you have less people to serve than you did before, then you have to reduce your costs, and you have to deal with that change in population that you are serving. School districts across this Commonwealth for many, many years have been allowed to get away with maintaining the same and even increasing their costs even when they are losing student population, Mr. Speaker. Mr. Speaker, that lack of accountability in our funding formula has set us up into a position where those of us that represent growing school districts are not receiving those moneys that could be shifted because they are still being given to school districts where the students have left.

I know this cuts across party lines. It affects Republican and Democratic districts, as far as those who would be affected, by holding school districts accountable for the populations that they are serving, Mr. Speaker. But, Mr. Speaker, I think ultimately that is the most fair way to design a formula, is to ensure that it includes an accountability measure that requires that if you lose student population, then you should not be receiving the same amount or more money, that you actually should receive your funding proportionately according to the population that you are serving.

If that was the situation, if the hold-harmless clause was removed from this funding formula and we were actually able to drive a formula out that was more based on student population and the needs of individual students, Mr. Speaker, then we would see some of the funding problems in education resolved. I think part of our problem is this hold-harmless clause, that we continue to give money to school districts that are losing student population, allowing them to continue with the same level of bureaucracy within their school districts that has been created amongst the administration and allowing them to carry some of the same teachers that might not be needed any longer based on the loss of students, and we are also harming growth districts as we continue to allow this funding formula to go on with a hold-harmless clause, Mr. Speaker.

Mr. Speaker, I would ask for a nonconcurrency vote based on the hold-harmless clause that is still contained in this legislation. Thank you, Mr. Speaker.

The SPEAKER. Representative Beyer.

Mrs. BEYER. Thank you, Mr. Speaker.

I rise to join my good friend from Delaware County and urge a "no" vote on concurrence of this legislation.

What was originally a good bill has now become an omnibus bill from the Senate, and it does two things that I see are strikingly bad: One is that it urges the closing of Duquesne School District at a time when that should not happen, where teachers and students were not put on notice previously and they could have, and the second thing is, it does not allow any caps on charter or cyber charter schools, which the Auditor General clearly in an audit just a few weeks ago said that we are wasting hundreds of thousands of dollars of overpayments to charter and cyber charter schools.

On that note, Mr. Speaker, I urge my colleagues to a nonconcurrency vote. Thank you.

The SPEAKER. Representative McIlvaine Smith.

Ms. McILVAINE SMITH. Thank you, Mr. Speaker.

There is one thing I know to be true: Educational funding reform is needed in Pennsylvania.

I wish to share with you the words of one of Pennsylvania's most famous child advocates, Mister Fred Rogers. When he was accepted into the Television Hall of Fame in 1999, he said in his acceptance speech: "Please think of the children first. If you ever have anything to do with their entertainment, their food, their toys, their custody, their day or night care, their health care, their education – listen to the children, learn about them, learn from them. Think of the children first."

"Think of the children first" should be our mantra as we move forward to fix education funding in Pennsylvania. Our State Constitution affirms, "The General Assembly shall provide for the maintenance and support of a thorough and efficient system of public education to serve the needs of the Commonwealth." The challenge is just what does "thorough and efficient" mean and how much should it cost. The General Assembly is on its way to finding that out.

In the summer of 2006, the General Assembly appropriated \$650,000 to fund a comprehensive study of the educational resources and associated costs of providing each student an education that is in line with the State academic standards. This is the very first time in the history of the Commonwealth that we are actually conducting a statewide costing-out study for our system of public education. Through this study, we will learn what our children need to succeed. The report will address how student population growth and decline affect a district's bottom line. It will try to find out why some districts that are considered low-spending have achieved high-performing status. It will investigate additional funding that may be necessary to meet needs unique to schools and students – including poverty, limited English proficiency, and students with disabilities.

If we truly think of the children first, then we as a body will not allow the cuts imposed by the Senate Republicans on HB 842.

Consider the following Senate cuts in education programs: \$25 million cut in expansion of full-day kindergarten; \$75 million cut in pre-K from accountability block grants; \$70 million cut for Classrooms for the Future; \$15 million cut to "Science: It's Elementary." By cutting the \$15 million that previously was funded under "Science: It's Elementary" and adding it to the Accountability Block Grant Program, the \$25 million ABG increase really is only about \$10 million. Six point five million dollars in cuts, which was already brought up, was cut to the school lunch program, and this cut will result in the State losing out on \$23.6 million in additional Federal funding for school lunch and breakfast programs. It is a moral outrage.

When we educate people, we give them opportunities and skills. We help build their self-esteem, and we give them hope for the future. Every child, rich and poor, deserves that hope for the future. Solving the State's education funding problem will not be a simple task. It will take cooperation between Democrats and Republicans, and it will require some tough and perhaps unpopular choices be made. But it is an issue that is far too important to let fall by the wayside.

I challenge my fellow lawmakers to think of the children first and make education our top priority, our true priority, so that Pennsylvania's public schools can be the best funded and best performing schools in the nation.

I urge a vote to nonconcur. Thank you, Mr. Speaker.

LEAVE OF ABSENCE CANCELED

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

CONSIDERATION OF HB 842 CONTINUED

The SPEAKER. The Chair recognizes Representative Kortz. Mr. KORTZ. Thank you, Mr. Speaker.

Mr. Speaker, I rise to also ask for a nonconcurrency vote on HB 842. It cuts money from numerous programs. You have heard the previous speakers mention them, but just to touch on a couple: full-day kindergarten; school lunch program; shared services; technical college programs; dual enrollment funds; Classrooms for the Future; teacher professional studies; high school reform, which includes the Project 720 freshman academy. Think about that. We are going to cut money from education when these kids need it the most.

But, Mr. Speaker, this bill does much more than that. It also gives supreme authority to the Secretary of Education to come into a distressed school district and bulldoze that school district when he feels it is necessary and provides some shock and awe to the community itself, Duquesne – that is what I am talking about – not just the community of Duquesne but also the surrounding communities that have to absorb and educate these children. The time frame of 3 to 4 months is not enough time to plan and put into motion an integration, a merger, if you will, of these schools and help to educate these kids.

Part of this plan, Mr. Speaker, has a 3-mile radius designated in the language. We sat down to try to craft some of this language, and we were insisting on a 10-mile radius. Our thoughts and our words were not incorporated into this language, the people that are actually involved, my colleagues here with me today. Students may or may not choose which of the receiving schools they can go to. That could be a crapshoot.

Mr. Speaker, HB 842 calls for the tuitioning out of students but does not provide the actual costs of that. Transportation costs are also not realistically covered under this, Mr. Speaker. Mr. Speaker, HB 842, the Secretary does not have to engage with potential receiving districts and solicit plans to help mitigate these problems and bring together a collaboration of these school districts for a win-win situation.

HB 842 does give, and make no mistake, it gives unlimited executive power for the Secretary to come in a distressed school district and make necessary changes, and it is going to happen to all of us in this room. I want everybody to realize

that. It is coming. This is just the beginning of the mega school districts that they intend to put in place across this State.

Mr. Speaker—

The SPEAKER. The gentleman will pause for a moment.

The House is entirely too loud. Members will take their seats. The gentleman is entitled to be heard. Conferences in the side aisles will break up. Conferences will be taken to the anterooms. Members will take their seats.

The gentleman may proceed.

Mr. KORTZ. Thank you, Mr. Speaker.

Mr. Speaker, this bill creates chaos for students in a distressed school district as well as the surrounding communities. This bill is not designed to help students. This bill is not designed for the best interest of the children involved.

Mr. Speaker, this bill cannot become law as it is currently written, and if you care about the education of our children, I would ask all my colleagues to nonconcur on HB 842. Thank you, Mr. Speaker.

The SPEAKER. Representative Scavello.

Mr. SCAVELLO. Thank you, Mr. Speaker.

Just a couple of comments, and I want to echo the comments from Representative Metcalfe on the hold harmless and how it has affected the school districts in Monroe County.

Since 1991 the growing school districts in Monroe County have been paying much, much more share— A greater share of the education has come from local school property taxes because of that hold-harmless agreement, and this bill is almost \$1 billion of a hold harmless in here.

The other issues in the growing school districts: The tax effort, and it has been approximately \$12 million, \$12.5 for the last 4 years, and it is at \$8 million; the growth supplement, which is another way that we can fund our schools, is in for \$7.5, and I would like to see that back at \$12 million; and the English proficiency is at \$2.7, and that number was almost \$12 million last year as well.

So I urge the members to nonconcur on this legislation. Thank you.

The SPEAKER. Representative Gergely.

Mr. GERGELY. Thank you, Mr. Speaker.

As many have already spoken, I ask for a vote of nonconcurrency on HB 842, and in particular, I ask for the "no" vote— The issue of the Duquesne School District is very close to my heart. The Duquesne kids are a big part of my district, and the way that the prescriptive language is written in this bill does not solve the problems of providing for them an educational opportunity that they deserve. We need to nonconcur on this bill. We need to revisit the issue of school mergers across this State. What we do in Duquesne will set a precedent that will occur over and over again as schools lose population and get smaller and it gets more costly to run them.

A nonconcurrency vote puts on the table the opportunity that we can address if mergers do occur, that receiving schools and schools that have closure give opportunities for children. This is about children, this is about 200 students, and this is about pain in a community. We owe it to them to give them a nonconcurrency so that we can continue the discussions with the Governor, the Secretary of Education, and our colleagues in the Senate so we can move this bill forward. It is going to be a tough pill to swallow, but nonetheless, we have to make tough decisions. That is why we are in leadership.

Thank you very much.

The SPEAKER. Representative McIlhattan.

Mr. McILHATTAN. Thank you, Mr. Speaker.

Will the maker of the bill stand for a brief interrogation, please?

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

Mr. McILHATTAN. Thank you, Mr. Speaker.

Mr. Speaker, I noticed in the overview of this legislation it mentions a \$4 million supplemental appropriation for the Pittsburgh School District. Mr. Speaker, can you tell me what that extra \$4 million is for, please?

Mr. GRUCELA. It is my understanding, Mr. Speaker, that is not contained in HB 842. It is contained in the budget.

Mr. McILHATTAN. It is not in 842, but it is in the budget. Can you speak to that or would you rather not?

Mr. GRUCELA. I would love to speak to the budget, Mr. Speaker, but I cannot.

Mr. McILHATTAN. The \$4 million appropriation, you do not know what that is for?

Mr. GRUCELA. It is in the budget, and I think it will have to be answered by those that are in the budget negotiations.

Mr. McILHATTAN. Okay. Thank you, Mr. Speaker.

The SPEAKER. Representative Stairs.

Mr. STAIRS. Thank you, Mr. Speaker.

Before us is the School Code bill, which as most speakers prior to my speaking have been opposed to, and I suspect that as you look at this omnibus bill – it is very complex and it covers a lot of ground, so to speak – you are going to have people that like it and some people that do not like it. But there are a couple of things that do stick out, and maybe I could have a further explanation.

So would the sponsor of the legislation stand for a question or two on some things that are on my mind?

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

Mr. STAIRS. The first question, and a number of the members have spoken about the Duquesne School District, and maybe the sponsor of the bill can give us some details about whose idea is this to shift these students not maybe to one particular school but to schools in the neighborhood, so to speak, or a 3-mile radius. And I know there has been a lot of discussion on Duquesne. There is a lot of opposition. What brought this compromise around that we are doing what we are doing? Maybe they can give us some insight into this information.

Mr. GRUCELA. Mr. Speaker, that determination was made by the Secretary of Education and the board of control that governs Duquesne.

Mr. STAIRS. If you could further clarify. So in other words, the Secretary has taken it upon themselves and the board of control— I know a number of legislators have stood to express concern. What legislative input has there been on this issue to the Secretary, anything the Secretary is doing that would be certainly satisfactory to the legislators in the area, or particularly, this is the way it is going to be, we do not want any input?

Mr. GRUCELA. I am sorry, Mr. Speaker. I missed the question in all of that. Could you please repeat the question?

Mr. STAIRS. I will try.

My question is, as you indicated a moment ago that the Secretary of Education has played a dominant role to determine the worthy students from Duquesne will be going to school,

and my question, as you indicated that was your answer and I suspect that is very true, what input have the local legislators in the area who do represent neighboring school districts, what say have they had or what input have they had into this issue, or is this something that is 100 percent driven by the administration, and the legislative members in the area who probably represent the people as well as anybody, what has been their input?

Mr. GRUCELA. Mr. Speaker, at this time I will defer to my good friend and colleague who does represent the Duquesne School District, and I think he can tell you all the various input that he had into those decisions.

Mr. STAIRS. Thank you.

Mr. GRUCELA. I would ask Mr. Gergely, Representative Gergely, to answer your specific question.

The SPEAKER. The Chair defers to— Representative Gergely is in order and may respond.

Mr. GERGELY. Thank you, Mr. Speaker.

In answer to the chairman's question, we had numerous meetings with respect to the closure of the school, but I think more problematic than anything, this was within a 5-week time frame, and the board of control acted in early June because of a 60-day mandate on the layoff of the school employees and the closure of 9 through 12. So yes, we had input, but when the Senate amendment came in, that input was nil; zero; absolutely zero. What we had asked for was not put into the bill, and I think more than anything, as I said before, Mr. Speaker, you are asking us to vote for basically an unfunded State mandate. The tuition rates that are being offered to the receiving schools are far below the cost to educate these children. The transportation costs are not guaranteed. The athletics, how they are going to play in the PIAA, are not guaranteed in this bill. We need to revisit this in certain language that guarantees these rights for these children.

One thing that is very troubling for me, in Duquesne itself there is no language that guarantees the seventh and eighth grade students that will be going to these other high schools any more additional classes than they have already, and what is problematic about that is, you are saying, go to West Mifflin, East Allegheny, other schools, but we are not preparing you to go there. We are going to have skeletal classes offered and then expect you to succeed. That is why I am asking you to nonconcur. I am asking for that because I believe a merger will happen at some point. I understand that it is a tough decision to make. We cannot keep a school open that we are paying \$17,000 per child. At the same time, we have to have language that guarantees this transition is smooth and that we are addressing the issues for these kids.

Mr. STAIRS. Thank you. And as usually the case, the local legislators have a better handle on a local issue rather than a bureaucrat in Harrisburg or somebody out of town, and so, you know, my feeling is to go with the local legislators who know what is going on in the community, have a close rapport with the parents, the students, and the people interested.

So I certainly have a strong support for what you are saying, and on those grounds, I would say we should nonconcur, but then I do have mixed feelings because this bill has a lot of good things in it, and certainly some things that we have fought for over the years, you know, with the increased funding and particularly the one idea that I like, instead of earmarking funds to a particular program and creating a new program, with all the problems of doing that, we try to answer concerns of the

school districts and provide block grants and let them decide how they should spend the money rather than dictating to them how to spend it.

So in particularly, the early grades, with kindergarten and the first three or four grades of school, we have seen really great improvements being made by our students on testing because we provided funding to let the school districts spend it where they think they need it the most, where they can help their PSSA (Pennsylvania System of School Assessment) scores and bring up the achievement level of young children, and this bill has \$25 million more for early education than we had last year, and it is put in a block grant at the discretion of the school districts. They know where the problems are, and let them solve it.

So as we consider this bill to concur or nonconcur, I guess I am kind of at a point where I do not know what to do, and I guess I will take the advice of Yogi Berra: When you come to a crossroad in a road, you take it. But I will have to make a decision, though, as we discuss it. But I do favor the legislation. I think we should concur, although I am very sympathetic to some of my colleagues from the area and feel that we are trying to say, kind of ramrod this thing past them and not give them a say-so. But unfortunately, there have been some changes made to the bill with regard to cyber schools and to Duquesne that make otherwise a good bill less palatable. So I guess my message to my colleagues is to look at this closely, and I am not going to tell you how to vote, but certainly it shows you a good case where we take good legislation and mess it up.

Thank you, Mr. Speaker.

The SPEAKER. Representative Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, I rise to nonconcur on HB 842. I know there are a lot of reasons to nonconcur, and I am not going to go into all of them. I think we give a lot of power to the Secretary in the way HB 842 is currently written, and I am not so sure that is a good idea. As well-meaning as he is and as talented as he is, I think the General Assembly should be wary of giving away some of their power to one individual or one administration.

So I think besides all of the other things that were pointed out today, I also rise to urge a nonconcurrency on HB 842. Thank you, Mr. Speaker.

The SPEAKER. Representative Wheatley.

Mr. WHEATLEY. Thank you, Mr. Speaker.

Mr. Speaker, I rise with a heavy heart in a way because I am also going to ask for nonconcurrency on HB 842. But since there has been a lot of conversation around the Duquesne school situation, you know, I am encouraged in one sense because the issues that are impacting Duquesne right now that are garnering a little conversation on the House floor today are issues that have been around for several years that in my opinion the State has failed to act on, and now in the twelfth hour, and really in crisis mode, we are forced to act. And, you know, for me, Mr. Speaker, I think this is critical. What we do in this bill as it relates to the children and families in the Duquesne District and around the Duquesne District is absolutely paramount to the future not only of those children and their families but to the future of our region as well as this Commonwealth.

So, Mr. Speaker, when members are talking about what is happening in Duquesne, when members are referring to what we are going to do for the children of Duquesne, who have, by the way, I think been in State receivership for 7 or more years, when members are talking about what is happening in

Duquesne, we really should be paying attention to not only what is happening in the Duquesne School District but what are the possibilities of it happening in similar school districts like Duquesne across the Commonwealth.

Right now we are being reactive in trying to find a solution for Duquesne, but I think this can be the process by our being proactive to prevent other Duquesnes from happening or at least putting plans into place so that we are not operating on crises modes but operating in a way that is progressive and that can be done hand in hand with the local governments. Again, Mr. Speaker, I know that the hour is getting late and I know members are ready to adjourn, but I do think what we do with the school district of Duquesne has implications about what we will do with other future Duquesne situations.

And so, Mr. Speaker, again, I rise and say, I hope my colleagues on both sides of the aisle will nonconcur, and as we negotiate what the final solution will be, we keep our eye towards the future in making sure we are putting things into place that we can prevent other Duquesnes from getting to this crisis level.

So again, Mr. Speaker, I ask my colleagues to nonconcur on HB 842.

The SPEAKER. Representative Smith.

Mr. S. SMITH. Mr. Speaker, at the risk of mixing metaphors, this piece of legislation is kind of like a shoe that is made for a specific foot. For us to do anything other than to nonconcur just does not make sense, because the budget, what would be the foot, the budget that this bill goes with, is heading towards a conference committee. It was nonconcurrent in. So I do not know, if there is anybody out here who is planning on concurring, perhaps they could stand up and state their point or reason if they would like, but if we are going to continue to debate about nonconcurring, let us just vote it and be done with it.

And, Mr. Speaker, I am voting to nonconcur.

The SPEAKER. Representative Micozzie.

Mr. MICOZZIE. Thank you, Mr. Speaker. I rise to nonconcur.

Mr. Speaker, section 14, Article III – as a recent member mentioned – of the Constitution states that "the General Assembly shall provide for the maintenance and support of a thorough and efficient system of public education to serve the needs of the Commonwealth."

The current system of financing education provides inequitable learning opportunities for pupils, based largely upon the wealth of the communities in which those pupils reside and results in an education system that is neither efficient nor thorough. The current system of financing public education places an onerous local tax burden on the property owners but does not guarantee every pupil an adequate education and results in an education system that is neither efficient nor thorough. Some school districts are doing an excellent job of helping their pupils succeed and achieve the State's academic standards, but many other school districts are unable to do so. The result is an education system that is not efficient or thorough.

Funding levels for all pupils in the Commonwealth should reflect the funding levels in the school districts that meet the performance standards established by the No Child Left Behind Act of 2001 and by the department. In order to provide for the maintenance and support of a thorough and efficient system of public education to serve the needs of the Commonwealth and

to reduce inequities among school districts, this Commonwealth should pay the substantial majority of the total costs of public education, as occurs in the majority of other States.

Mr. Speaker, in order to ensure local control of and support for public schools, every school district should provide some of the funds to support its schools from local tax sources, but reliance upon these sources should be greatly reduced. The Commonwealth should provide relatively greater support to those school districts with the greatest needs and the least ability to raise revenues locally. In no case should any school district receive from the Commonwealth less financial support than the school district receives under the Article XXV funding system.

Mr. Speaker, I will vote to nonconcur on HB 842. Thank you.

The SPEAKER. Representative Grucela.

Mr. GRUCELA. Thank you, Mr. Speaker.

I could not agree more with the minority leader and ask for a nonconcurrency and to roll this bill as soon as possible, but there is one point in this discussion that I think should not be lost, and my friends and colleagues from Butler and Monroe have brought it up, and that is that at some point in time we do need to take a look at the way we finance public education in the State of Pennsylvania. We do need to take a look at that formula that drives the dollars to the school districts.

So I would ask for a nonconcurrency on this particular bill. Thank you, Mr. Speaker.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—0

NAYS—198

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

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

NOT VOTING—0

EXCUSED—5

Barrar	James	Readshaw	Schroder
Hershey			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR B

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1230, PN 2226**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for publication of delinquent support obligors and for identifying information in protection from abuse orders.

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?

The Chair recognizes Representative Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, a constituent of mine, Francis Ruzicka, received notice from the Schuylkill County Domestic Relations Office last September that her claim for unpaid child support against her ex-husband would be closed in 2 months. Eric P. Ruzicka had owed more than \$60,000 at the time, but the money could not be recovered since his whereabouts had been unknown by the Schuylkill County Domestic Relations

Office for many, many years. In fact, he left his wife in 1993, leaving behind Eric, age 7; Jamie, age 4; and 1-month-old Andrew.

Now, unfortunately, this is not an isolated case. However, this legislation is not designed to harass people who are having difficulties, as we expressed in the amendment that was adopted last Tuesday by a vote I believe of 199 to 0, and hopefully that amendment cleared up any concerns by members who voted against this bill in committee.

I would just like – and I am going to be very brief – to point out that Connecticut, Indiana, Illinois, Texas, Arizona, Kentucky, Washington, and New York have similar bills. And as an example of some of the successes, in Connecticut seven delinquents were posted on the Internet in a very small county, and these are people that owed a lot of money and could not be located. Once the seven photos were posted in October, one individual turned himself in and began paying his \$29,000 in delinquent moneys owed to his children. Four other individuals were found and arrested in December. Again, their photos appeared in October. Within 2 months, four of these people who were in contempt of court and, worse yet, letting their kids go hungry were arrested and put in custody.

In another small county in New York State, the use of the photographs on the Internet and in a newspaper resulted in locating four delinquent obligators who are now paying back a total of \$190,461 owed. In Georgia \$4,200 was spent by the local children and youth agency because of no law there, but they voluntarily spent \$4,200 to publish the photos of individuals who were well in arrears, and that \$4,000 investment yielded more than \$155,000 in delinquent payments.

As I said, Mr. Speaker, I was going to make my remarks short. There are approximately 33,995 bench warrants out for people that cannot be found and have made no effort for a minimum of 90 days and some for 5 or 6 or 10 years to contact their spouse or ex-spouse, the custodial parent of the children. That is out of a total, that is out of a total of about 400,000 people who are in arrears in some way or another in this country. Again, the bench warrants in Pennsylvania, if I can narrow it down in Pennsylvania, are 33,000 out of 436,000 people that are somehow in arrears.

So, Mr. Speaker, I would appreciate allowing the domestic relations departments and the custodial parent of children to have this tool to utilize to help locate scofflaws, and again, this is gender-neutral. I would hope that some of the media would not refer to this as a deadbeat dad law because many of these deadbeats are deadbeat moms, and I would appreciate your support on final passage of HB 1230.

Thank you.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

Adolph	Galloway	Marshall	Rohrer
Argall	Geist	Marsico	Ross
Baker	George	McCall	Rubley

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

NAYS—3

Bishop	Daley	Thomas
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NOT VOTING—0

EXCUSED—5

Barrar	James	Readshaw	Schroder
Hershey			

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.

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 83, PN 107**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, requiring the Department of Public Welfare to provide personal care home information on the department's Internet website.

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

Mr. **QUIGLEY** offered the following amendment No. **A02688**:

Amend Title, page 1, line 3, by inserting after "Commonwealth," "

providing for residency and county assistance offices; and

Amend Sec. 1, page 1, line 9, by striking out "a section" and inserting

sections

Amend Sec. 1, page 1, by inserting between lines 10 and 11

Section 432.23. Residency and County Assistance Offices.—The following shall apply to an applicant and a recipient of assistance:

(1) Subject to clause (2), for a county with only one county assistance office, an individual who is a resident of that county shall only apply to or receive assistance from that county assistance office.

(2) Notwithstanding the provisions of clause (1), an individual who lives in a county with only one county assistance office may apply for or receive assistance from a county assistance office which is located in a county contiguous to the individual's county of residence if the county assistance office in the contiguous county is closer to the residence of the individual, by the most direct travel route, than the county assistance office in the county in which the individual resides.

(3) For a county with more than one county assistance office, an individual who is a resident of the county shall only apply for or receive assistance from the county assistance office which is closest, by the most direct travel route, to the residence of the applicant.

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

The SPEAKER. The Chair recognizes the gentleman, Representative Turzai, on the amendment.

Mr. TURZAI. Mr. Speaker, that is, in fact, Representative Quigley's amendment, and Representative Quigley will be speaking on the amendment.

The SPEAKER. The Chair recognizes Representative Quigley on the amendment.

Mr. QUIGLEY. Thank you, Mr. Speaker.

Amendment 02688 is a residency requirement for county assistance offices. This amendment requires a person may only apply for welfare benefits at their nearest county assistance office in their county. If a person lives in a county where there is only one office, they may apply at that office in a neighboring county only if it is geographically closer to the office in that individual's county of residence. A person residing in a county with more than one office must apply at that office that is geographically closer to the individual's residence.

The SPEAKER. Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

I rise in support of amendment No. A2688.

The gentleman, Mr. Quigley, has made a good, reasonable recommendation, and this is supported by the Department of Public Welfare and the Rendell administration, and I would ask for support for the amendment.

The SPEAKER. Representative DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

As the prime sponsor of the legislation, I, too, ask for support for this Quigley amendment. Thank you.

The SPEAKER. Representative Rapp.

Ms. RAPP. Thank you, Mr. Speaker.

I rise to support this amendment.

We all know that assistance should be there for our most truly needy citizens in this Commonwealth, and I believe that this amendment will go a long way in making sure that those benefits are there for the truly needy and that this amendment will go a long way in helping to divert any type of fraud in the system.

I fully support this amendment and ask the same consideration from my colleagues.

Thank you, Mr. Speaker.

The SPEAKER. Representative Marsico.

Mr. MARSICO. Thank you, Mr. Speaker.

I also rise to support this amendment.

We have to tighten up the applications around the Commonwealth for these welfare assistance offices that result many times in backlog in paperwork. For example, a person may apply in many different county assistance offices and receive immediate assistance from each one. In one instance the Office of Inspector General found an individual with 93 different welfare cards. So obviously, we have got to tighten up the requirements, and I appreciate your support for this amendment.

The SPEAKER. Is there any member seeking recognition before the Chair recognizes the prime sponsor of the amendment?

Representative Quigley, on the amendment.

Mr. QUIGLEY. Thank you, Mr. Speaker.

Again, I appreciate the cooperation from the other side of the aisle on this amendment. The House Republican Policy Committee has been conducting hearings throughout the year, and this was one of the areas that we thought would help out with curtailing fraud. Certainly this position of the House Republican Policy Committee that welfare is a needed thing in our society, there are certainly individuals who need help, and by curtailing this fraud, we can direct the resources to the truly needy and end this practice that we have seen exhibited in our hearings.

So again, I thank the other side of the aisle for their consideration, and I thank everyone for their support on this amendment. Thank you.

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

The following roll call was recorded:

YEAS—198

Adolph
Argall

Freeman
Gabig

Markosek
Marshall

Rohrer
Ross

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Barrar	James	Readshaw	Schroder
Hershey			

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

On the question,

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

Mr. DENLINGER offered the following amendment No. A02253:

Amend Title, page 1, line 3, by inserting after "Commonwealth," "

providing for reporting requirements; and

Amend Sec. 1, page 1, line 9, by striking out "a section" and inserting

sections

Amend Sec. 1, page 1, by inserting between lines 10 and 11

Section 409.1. Documents submitted.—(a) No later than November 30 of each year the secretary shall submit to the State Treasurer, the officers of the General Assembly and the Inspector General a copy of the following documents which the department submits to the Federal Department of Health and Human Services under TANF for the Federal fiscal year ending September 30:

(1) Work verification plan.

(2) Quarterly reports submitted in accordance with 45 CFR 265.3 (relating to what reports must the State file on a quarterly basis?).

(3) Annual report.

(4) Any other documents submitted in accordance with 45 CFR Pt. 265 (relating to data collection and reporting requirements) which the Commonwealth submits to the Federal Department of Health and Human Services so that it can determine whether the Commonwealth has met the mandatory work participation requirements of TANF as set forth in 45 CFR 261.21 (relating to what overall work rate must a State meet?) and 261.23 (relating to what two-parent work rate must a State meet?).

(b) The secretary shall post a copy of the documents set forth under subsection (a) on the department's Internet website at the same time the secretary submits the documents to the State Treasurer, the officers of the General Assembly and the Inspector General.

(c) No later than September 30 of each year, the secretary shall submit to the State Treasurer, the officers of the General Assembly and the Inspector General information regarding caseloads and work-related activity with respect to general assistance for the fiscal year ending June 30. In addition, the department shall post on its Internet website the information regarding caseloads and work-related activity at the same time that the secretary submits this information to the State Treasurer, officers of the General Assembly and Inspector General. The information which shall be submitted and posted may be the type submitted by the department to the Federal Department of Health and Human Services pursuant to 45 CFR 260 (relating to general temporary assistance for needy families (TANF) provisions), 261 (relating to ensuring that recipients work), 262 (relating to accountability provisions general), 263 (relating to expenditures of State and Federal TANF funds), 264 (relating to other accountability provisions) and 265 (relating to data collection and reporting requirements).

(d) As used in this section:

"Annual report" means the report the Department of Public Welfare files with the Federal Department of Health and Human Services pursuant to 45 CFR 265.9 (relating to what information must the State file annually?).

"Officers of the General Assembly" means the President pro tempore of the Senate, the Majority Leader of the Senate, the Minority Leader of the Senate, the chairman of the Public Health and Welfare Committee of the Senate, the minority chairman of the Public Health and Welfare Committee of the Senate, the chairman of the Appropriations Committee of the Senate, the minority chairman of the Appropriations Committee of the Senate, the Speaker of the House of Representatives, the Majority Leader of the House of Representatives, the Minority Leader of the House of Representatives, the chairman of the Health and Human Services Committee of the House of Representatives, the minority chairman of the Health and Human Services Committee of the House of Representatives, the chairman of the Appropriations Committee of the House of

Representatives and the minority chairman of the Appropriations Committee of the House of Representatives.

"TANF" means as defined in 45 CFR 260.30 (relating to what definitions apply under the TANF regulations?).

"Work verification plan" means as set forth in 45 CFR 261.62(b) (relating to what must a State do to verify the accuracy of its work participation information?), the document the Department of Public Welfare must submit to the Federal Department of Health and Human Services to ensure accuracy in the reporting of work activities by individuals receiving TANF.

Amend Sec. 2, page 2, line 29, by striking out all of said line and inserting

Section 2. This act shall take effect as follows:

- (1) This section shall take effect immediately.
- (2) The addition of section 409.1 of the act shall take effect July 1, 2007, or immediately, whichever is later.
- (3) The remainder of this act shall take effect in 60 days.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes Representative Denlinger on the amendment.

Mr. DENLINGER. Thank you, Mr. Speaker.

Mr. Speaker, under this amendment, the Department of Public Welfare will be required to submit to the State Treasurer, the Inspector General, and officers of this General Assembly as well as post on the department's Web site information related to the PA work verification plan, quarterly reporting, annual reports, and any other report or document that is submitted to the Federal government regarding the State's TANF or Temporary Assistance for Needy Families Program.

The department will also be required to provide and post equivalent information regarding the State's general assistance program in regards to case load data and work-related activities. These documents and reports will have to be submitted no later than November 30 of each year.

Mr. Speaker, just as a further comment, generally each year the State government is required through the DPW to submit reporting to the Federal government on its work-to-welfare program. We in this General Assembly should also receive copies of that information, and that is the motive behind this amendment.

I ask for a positive vote.

The SPEAKER. Representative Pickett.

Ms. PICKETT. Thank you, Mr. Speaker.

I, too, rise to support amendment 2253, and in particular, I am concerned about recent news headlines that indicated misuse in LIHEAP (Low-Income Home Energy Assistance Program) funds for heating assistance. Auditor General Wagner reported serious deficiencies in the administration of these LIHEAP funds.

I represent three counties in the north, the beautiful endless mountains, where winters are often long and the temperatures are severe. My staff and I begin work with many, many constituents early in the winter, early in that season to help them get LIHEAP funds that often mean the difference between them being cold or warm. If these funds are administered fraudulently, it may well mean that there are no emergency funds for the second round of funding that is so vital to help these needy families.

It is July; it is warm and sunny, but home heating season, believe it or not, is only 10 or 12 weeks away. The

Auditor General recommended some 25 accountability changes. I, too, urge the passage of this amendment as one way to bring reporting in this State out in the light for examination and improvements in these vital programs.

Thank you, Mr. Speaker.

The SPEAKER. Representative Stevenson.

Mr. STEVENSON. Thank you, Mr. Speaker.

I, too, rise to support this amendment the gentleman has introduced to reform the way TANF is administered in Pennsylvania.

TANF stands for the Temporary Assistance for Needy Families. However, when TANF was being reauthorized recently, Pennsylvania needed to improve work participation by 220 percent in order to meet Federal standards, and this was the worst rating in the nation. Pennsylvania had the worst rating with regard to TANF administration in the nation, worse even than territories such as Puerto Rico and the Virgin Islands. So as has been said before, while we certainly do want to provide the assistance for families which truly need it, we need to reform how it is administered here in Pennsylvania.

And I would like to add my voice to those who have congratulated Chairman Turzai and the Republican Policy Committee for shining some light on what has been happening here in Pennsylvania in the last few years. I certainly congratulate them.

For in 2002-2003 total Medicaid spending in Pennsylvania was at \$10.8 billion. It has risen to \$14.6 billion in this current year's budget. Pennsylvania is going in the wrong direction and has been going in the wrong direction for the last 4 years. We need this sort of reform of the system, as evidenced in this amendment, to bring it back in line, and I would urge an affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER. Representative Hutchinson.

Mr. HUTCHINSON. Thank you, Mr. Speaker.

I, too, rise in favor of the Denlinger amendment.

Mr. Speaker, somewhere along the way our State seems to have lost track of the original purpose of welfare. Welfare from the beginning was meant to be a helping hand, not a way of life. It was meant to be a bridge to self-sufficiency and really only an offer of temporary help to those who needed it.

I think it is time for us as a State to return to the program of enablement, enabling people to help themselves, helping them get back onto the work rolls because there is an inherent dignity of holding a job. There is an inherent dignity of being independent, of taking care of yourself and your family, and we should be reflecting those values in our State government and in our welfare system, because any form of work that is honest and decent is meaningful work.

Mr. Speaker, the amendment before us is very important in this era of good, open government. We have heard a lot about open government in recent weeks and months. We have heard a lot about accountability, and this amendment is all about accountability and open government. We are talking about sharing information, information that is already gathered for other purposes, and sharing that with other officeholders, with the public, with the General Assembly.

And, Mr. Speaker, if we as a State have good news about moving people from dependency to the work rolls, then let us share that good news, but if we are falling short, if we are making people too dependent, not helping them get onto the

work rolls, it is time for all of us to know about that so that we can all help those folks get back onto the working rolls.

Mr. Speaker, this is a very important amendment. I commend those who put this together. I ask for your support in sharing this information, this vital information, so we know as a State where we should be moving. And as I said before, if we have good news, let us share that good news. If not, let us make the programs better to help people move towards self-sufficiency.

Thank you, Mr. Speaker.

The SPEAKER. Representative Perry.

Mr. PERRY. Thank you, Mr. Speaker.

I stand to support the Denlinger amendment and want to remind everyone in this hall that as we approach \$10 billion, \$10 billion in State spending, that we need to really make sure, that we make sure that the safety net for all those in Pennsylvania that are truly needy, that that is safeguarded for the future.

And I would like to commend those on the other side of the aisle that stand in support of this and know that they are, too, helping to safeguard the taxpayer who is helping to foot, not helping, but who is footing the bill for this \$10 billion in spending and make sure that they are doing it wisely and that every cent that they are spending is going to those who truly need it, and that those who would be unscrupulous and take advantage of those hardworking and willing taxpayers that are willing to help out their fellow citizens, that they are not taken advantage of any further. So I thank you for the support of the Denlinger amendment.

The SPEAKER. Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

I rise to support the gentleman's amendment with just a few small clarifications.

One, let me just be clear about the numbers of families who are on TANF today. Out of the 222,000 Pennsylvanians who receive some assistance generally, 87,546 families are currently receiving TANF cash assistance, and I want to let you just know that today Pennsylvania has the highest work participation rate at any point since TANF was enacted. This includes any time during the Ridge-Schweiker administration. And, for example, in FY 2001, 2003, the welfare participation rate was at 9.9 percent, whereas Pennsylvania's work participation rate currently stands today at 50 percent, which exceeds the Deficit Reduction Act at the Federal level.

So I just want to make sure that people also understand that people who get TANF are low-income children, families, disabled individuals, elderly, and the chronically ill adults in the Commonwealth.

So I just wanted to make some points of clarification and let the members know that the Secretary of Public Welfare as well as the Rendell administration support this amendment. Thank you.

The SPEAKER. Representative Turzai.

Mr. TURZAI. Thank you, Mr. Speaker.

Just briefly, I wanted to state that I want to thank all the members of our caucus who have been supportive of our endeavors to make positive changes.

I also want to thank Representative McCall and Representative Eachus, who have agreed, along with the administration, to put these amendments into law and have recognized that if you have a system that in fact weeds out welfare fraud, it benefits taxpayers and it benefits those who are

truly needy, and good government is always the policy that we should be pursuing.

And thanks to everybody on the Policy Committee and in our caucus for their hard work in moving this forward. Thanks very much.

The SPEAKER. Representative Preston.

Mr. PRESTON. Thank you, Mr. Speaker.

Will the maker of the amendment stand for short interrogation?

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

Mr. PRESTON. Thank you, Mr. Speaker.

I heard some comments and the previous speakers talk about the welfare budget being at \$10 billion. Can you tell me in your amendment, of that \$10 billion that is spent on welfare, what percentage or how much that equivocates to of the overall welfare budget?

Mr. DENLINGER. \$10 billion, given by the gentleman who was the previous speaker, was given as the total amount of the State's contribution. The Federal government also contributes, I understand, in the roughly \$11 1/2 billion range. So our total spending statewide, Federal and State combined, approaches \$22 billion.

Mr. PRESTON. Let me ask my question again a little bit slower and a little bit easier. Of the welfare budget, what percentage of the welfare budget is spent on cash assistance or TANF relative to your amendment?

Mr. DENLINGER. My amendment, sir, is strictly a reporting vehicle. All we are trying to do by this amendment is to get copies of that which our DPW sends to the Federal government and have those copies made available to the members of this General Assembly, the State Treasurer, and the Auditor General. This does not shift dollars in any way. It is strictly a reporting amendment.

Mr. PRESTON. Well, let me try this for the third time. Of the welfare budget, the numbers that are required that you are asking to be reported, those people who are receiving cash assistance in some form or another, what is the dollar amount or what is the percentage of the welfare budget? I have heard \$10 billion; you said \$20 billion, if you add it all up. What is the percentage of the dollars that go out under the Department of Welfare that is going to be for cash assistance or TANF or job assistance under your amendment? What is that going to cover?

Mr. DENLINGER. Sir, the fiscal note on this amendment is zero. There is no change in dollars sent. If you are asking me for a breakdown of what our State's welfare budget cash assistance, medical assistance, all of those other categories are, we can come up with that. I do not have that at hand.

Mr. PRESTON. I have heard it said, for an example, under the welfare budget somewhere around 70 or 75 percent of it is long-term care, for an example. Does your amendment affect those people who are in nursing homes who are receiving long-term care?

Mr. DENLINGER. It does not. Nothing in my amendment affects anybody as far as the amount of money they are receiving or the direction of dollars from the State government.

Mr. PRESTON. And I want the people to understand this. So if I just give a rough figure of saying 70 to 75 percent of the people who are under the welfare budget are receiving some form of long-term care, your amendment does not affect them. Right?

Mr. DENLINGER. It does not, sir.

Mr. PRESTON. So if I take, whether it is \$10 million or \$22 million, and I take 70 to 75 percent, we are not talking about \$10 million, \$10 billion, or \$20 billion. Am I saying that right, if I just go by simple math? We are maybe talking about \$4 billion or \$5 billion.

Mr. DENLINGER. This amendment, I think, sir, drives at something that you and I both want, and that is a better flow of information for both Democrats and Republicans to make policy decisions. Ultimately, we are looking for the best information that we can get so that members on both sides of the aisle here can come forward and can craft good-quality legislation.

Mr. PRESTON. I agree with your statement, but again my question was – and I gave an example, but you cannot seem to answer the question – what percentage of the dollar amount will be spent?

Mr. DENLINGER. The question, sir, is not germane to this amendment.

The SPEAKER. If the gentleman will cease.

Mr. PRESTON. Thank you.

Mr. Speaker, may I just make a statement then?

The SPEAKER. The gentleman is in order.

Mr. PRESTON. I only wanted to ask these questions, because unfortunately, and if I look at the State of Pennsylvania, now, to the best of my knowledge, Greene County and Fayette County, 25 percent of the people in those counties receive some form of assistance. I have heard members on this floor that seem to speak that \$10 billion to \$20 billion a year is going for welfare and there is so much fraud. My concern is that there are an awful lot of senior citizens that receive and they absorb – long-term care absorbs 70 to 75 percent of the welfare budget, and I do not want people and the general public and the members to sit down and think that those senior citizens that are part of the welfare budget are part of the fraudulent-type situation just as well. There is a small minority.

And I agree with you, we do need to be able to have stronger, more oversight over that, but all too often I have heard members say, \$10 billion and a whole lot of welfare fraud, and that is not the case. A lot of those people had several hundred thousand dollars. Now they are living in nursing homes that the State is picking up the tab for, \$5,000 to \$10,000 a month. They have worked hard and they have earned, and they are entitled to that respect.

But again, I just want the general public to understand, it is not Philadelphia, it is not Pittsburgh. The highest percentage of people on some form of public assistance per county ratio is Greene and Fayette Counties, and I am just hoping that we will continue to work with that.

I am going to support the amendment, Mr. Speaker, because we need accountability, but also we need to be accountable to ourselves and not mislead the people to think that we are out here saying that this \$10 billion State welfare budget is all cash assistance. I do not know, I have always heard numbers between 7 to 11 percent, and we need to be clear about that before members start making erroneous statements to think that this whole welfare budget is full of a whole lot of fraud and we are covering billions of dollars. It is so minimal, and we need to be accountable so those dollars, when we have welfare fraud, those people are sent to jail or arrested or cleaned up and paid for; but it is not \$10 billion.

I am going to support the amendment. Thank you.

The SPEAKER. Representative Turzai, for the second time.

Mr. TURZAI. Just a quick clarification.

Long-term care is not 70 to 75 percent of the total budget. This amendment or any of the amendments are designed to make sure— This one does deal with cash assistance, but other amendments deal with the entire welfare expenditures. They are all agreed-to amendments with leadership on both sides of the aisle. They are designed to root out welfare fraud and to make sure of two things: one, that those that are truly needy get the care that they deserve and that we are extending; two, that for those that can get back to work, that the goal is to get them into a dignified work position; and third, that we can return hard-earned money back to the taxpayers who have to foot welfare and many of the other programs that State government has.

I just want to be clear that long-term care is approximately about a quarter or less, actually, of the overall budget and that cash assistance is an important component of that, and we are glad to make sure that we are making strides to root out welfare fraud which does exist.

Thanks very much, Mr. Speaker.

The SPEAKER. Representative Pyle.

Mr. PYLE. Thank you, Mr. Speaker.

Will the maker please answer a question?

Sir, am I correct, this is just asking for a report of the spending. Correct?

Mr. DENLINGER. That is correct, Mr. Speaker.

Mr. PYLE. So a "yes" vote furnishes for all the members of the Assembly a report on DPW's spending?

Mr. DENLINGER. That would be a correct statement of the amendment.

Mr. PYLE. Thank you, Mr. Speaker.

The SPEAKER. Are there any other members seeking recognition before the Chair recognizes the prime sponsor of the amendment?

Representative Manderino.

Ms. MANDERINO. Thank you, Mr. Speaker.

I rise to support this amendment.

I think it is good that we are making sure that there is public posting of all of this information, because I think there has been a lot of misinformation being given out, and I think that it would be very beneficial. Most of the stuff or at least half of the stuff that is already being asked to be posted and made public in this amendment is public. So for those who are interested who may be listening to this debate, go to the State's Web site. Look at the Department of Public Welfare. You will see disclosure on that site. You will see how much our State spends on medical assistance. You would see how much our State spends on cash assistance. You will see how much our State spends on long-term care. You will see a lot of these reports, but I think to allow for further reporting and disclosure requirements is a good thing, because it will help put the myths to bed and let the light shine.

I ask for a "yes" vote.

The SPEAKER. Are there any other members seeking recognition?

Representative Denlinger.

Mr. DENLINGER. Thank you, Mr. Speaker.

I do want to thank all those who have spoken up in support of this effort.

Ultimately, I do believe that at the core of all that both Republicans and Democrats seek to do, it is in the interest of good government that we come here to this place and we work. This amendment will help to further that cause. The better quality information that we have, the better the quality of legislation that we will move forward and the better quality bills that can be placed on the Governor's desk.

The gentleman from Allegheny raised questions about the extent of fraud and there are different statements that are made – some outlandish, some concerning – about our State welfare system. Ultimately, the answers lie in information. They lie in what we need to do to ferret that out, to research it, and take corrective action, and I am confident that members on both sides of the aisle share that goal. Ultimately, we want those who have true need to receive that assistance. We want those who are cheating the system to be prosecuted.

So I do again ask for an affirmative vote, and I thank members on the other side of the aisle who stepped forward to support this as well. Thank you.

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

The following roll call was recorded:

YEAS—198

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

Evans, D.	Mackereth	Rapp	Wojnaroski
Evans, J.	Maher	Raymond	Yewcic
Everett	Mahoney	Reed	Youngblood
Fabrizio	Major	Reichley	Yudichak
Fairchild	Manderino	Roae	
Fleck	Mann	Rock	O'Brien, D.,
Frankel	Mantz	Roebuck	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Barrar	James	Readshaw	Schroder
Hershey			

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

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

Mrs. **GINGRICH** offered the following amendment No. **A02202**:

Amend Title, page 1, line 3, by inserting after "Commonwealth," "

providing for income eligibility verification system and for fraud detection system; and

Amend Sec. 1, page 1 line 9, by striking out "a section" and inserting

sections

Amend Sec. 1, page 1, by inserting between lines 10 and 11

Section 414.1. Income Eligibility Verification System.—(a) The department shall establish a computerized income eligibility verification system in order to eliminate duplication of assistance and deter fraud.

(b) The department shall require that as a condition of receiving assistance applicants and recipients supply their social security numbers. The department shall match the social security number of each applicant and recipient with the following:

(1) Unearned income information maintained by the Internal Revenue Service.

(2) Employer quarterly reports of income and unemployment insurance benefit payment information maintained by the State Wage Information Collection Agency.

(3) Earned income information maintained by the Social Security Administration.

(4) Immigration status information maintained by the Citizenship and Immigration Services.

(5) Death register information maintained by the Social Security Administration.

(6) Prisoner information maintained by the Social Security Administration.

(7) Public housing and section 8 payment information maintained by the Department of Housing and Urban Development.

(8) National fleeing felon information maintained by Federal Bureau of Investigation.

(9) Wage reporting and similar information maintained by states contiguous to this Commonwealth.

(10) Beneficiary Data Exchange (BENDEX) Title H database maintained by the Social Security Administration.

(11) Beneficiary Earnings Exchange Report (BEER) database maintained by the Social Security Administration.

(12) State New Hire database maintained by the Commonwealth.

(13) National New Hire database maintained by the Federal government.

(14) State Data Exchange (SDX) database maintained by the Social Security Administration.

(15) Veterans Benefits and Veterans Medical (PARIS) maintained by the Department of Veterans Affairs with coordination through the Department of Health and Human Services.

(16) Day care subsidy payments maintained by the Commonwealth.

(17) Low Income Home Energy Assistance Program reporting utility expenses maintained by the Commonwealth.

(18) A database which is substantially similar to or a successor of a database set forth in this subsection.

(19) The database of all persons who currently hold a license, permit or certificate from a Commonwealth agency the cost of which exceeds one thousand dollars (\$1,000).

(c) Notwithstanding any provision of law to the contrary, the income eligibility verification system shall be utilized for an applicant at the time of application for assistance and for a recipient on a quarterly basis.

(d) The department shall notify each applicant and recipient of the requirement of providing a social security number at the time of application for assistance and as otherwise required under the provisions of this section.

(e) If a significant discrepancy results between the applicant's or a recipient's social security number and one or more of the databases set forth in subsection (b), the department shall review the applicant's or recipient's case, as appropriate, and shall investigate the circumstances to confirm eligibility of the applicant or recipient utilizing the procedure set forth in subsection (f).

(f) The department shall institute the following procedure to investigate the circumstances of a significant discrepancy:

(1) If the information discovered under subsection (b) does not result in ineligibility or modification of the amount or type of assistance, the department shall take no further action.

(2) If paragraph (1) does not apply and a significant discrepancy results from the match between the applicant's or recipient's social security number and one or more of the databases in subsection (b), the applicant or the recipient, as appropriate, shall be given an opportunity to explain the discrepancy. The department shall provide written notice to the applicant or recipient which shall describe in sufficient detail the circumstances of the discrepancy, the opportunity to resolve it, the manner in which it may be resolved and the consequences of failing to take action. The explanation of the recipient or applicant may be given over the telephone, as set forth in subsection (i), in person or in writing. After receiving the explanation, the department may request additional documentation if it determines that there is a substantial risk of fraud.

(3) If the applicant or recipient, as appropriate, does not respond to the notice, the department may deny assistance for failure to cooperate, in which case the department shall provide notice of intent to discontinue assistance. Eligibility for assistance shall not be reestablished until the significant discrepancy has been resolved.

(4) If an applicant or recipient disagrees with the findings of the match between his or her social security number and one or more database, the department shall reinvestigate the matter, and if the department finds that there has been an error, the department shall take immediate action to correct it and no further action shall be taken. If, after investigation, the department determines that there is no error, the department shall determine the effect of the match on the applicant's or recipient's case and take appropriate action. Written notice of the department's action shall be given to the applicant or recipient.

(5) If the applicant or recipient agrees with the findings of the match between the applicant's or recipient's social security number and one or more database, the department shall determine the effect on the applicant's or recipient's case and take appropriate action. Written

notice of the department's action shall be given to the applicant or recipient.

(6) If the findings of a match between the applicant's or recipient's social security number and one or more database result in no change in eligibility or overpayment, the department shall take no further action.

(g) The department may review and investigate a case when there is a match between the social security number and one or more database which does not result in a significant discrepancy. In such a case, the department shall utilize the procedure in subsection (f).

(h) In no case shall the department discontinue or modify the amount or type of assistance solely as a result of a match between the applicant's or recipient's social security number and one or more database. Nothing in this subsection shall be construed to limit the right of appeal provided by law.

(i) The department shall establish a single Statewide toll-free telephone number and call center to be used by applicants and recipients in order to resolve discrepancies. The call center shall have sufficient capacity and staff to promptly handle incoming telephone calls and the department shall assign sufficient numbers of case workers to enable the department to make prompt eligibility determinations under this section.

(j) No later than one year after the effective date of this section and every year thereafter, the department shall provide a written report to the Governor, the General Assembly and the Inspector General detailing the results achieved under this section and the amount of case closures and savings that resulted.

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

"Significant discrepancy" means information regarding assets, income, resources or status of an applicant or recipient of assistance, derived from one or more of the databases in subsection (b), which gives the department grounds to suspect that either:

(i) an applicant or recipient is ineligible to receive assistance, under Federal or State law; or

(ii) the assets, income or resources of an applicant or recipient are at least, in terms of a dollar amount, twenty-five percent greater than the dollar amount reflected in the information the department possesses about the applicant or recipient with respect to the applicant's or recipient's assets, income or resources.

"Status" means the applicant or recipient is in the United States illegally, is no longer living, is an inmate in a prison or jail or is a fleeing felon.

Section 422.1. Fraud Detection System.—Within one year of the effective date of this section, each county shall establish procedures to identify, investigate and resolve potential cases of fraud, misrepresentation or inadequate documentation prior to determining an applicant's eligibility for assistance and submit to the department a plan describing its antifraud procedures. The plan shall ensure that every case is reviewed and include utilization of the income eligibility verification system established in section 414.1

On the question,

Will the House agree to the amendment?

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

Mrs. GINGRICH. Thank you, Mr. Speaker.

First of all, I would like to commend the maker of the bill to which these amendments are being added for his very good-faith effort in improving the reporting system with regard to care for our elderly in personal care homes. That is what this is all about.

What we are trying to do today is preserve a very important function of State government, and that is the funding into public assistance run through our Department of Welfare. The amendment that I would like to present to you today for

consideration is really what I look at as the foundation to begin to enhance the system we have in place. What my amendment does is create what we call an income eligibility verification system and one that is currently in place and in use by our Department of Welfare. What we are looking to do is to place this verification system in statute, use a computerized database that is accessible and affordable and efficient and will make the job so much more easy for the staff in the Department of Welfare in determining eligibility and status on a quarterly basis.

It also creates a call center, and we already have a call center in place for our food stamp program that works very efficiently. We could capitalize on that and expand its function. If we have a centralized call center, we can relieve the burden that is placed on our caseworkers in the various county level offices and put the responsibility back on and the burden back on the recipient. If there is a question about eligibility along the way, they will have an opportunity to clarify that, verify that, and they can stay in the system. Using it on the forefront is one way that we can do cost avoidance that is going to save us a lot of money later.

So from my perspective – and I know my colleagues on the other side of the aisle want this to work, this to be sustainable, and we want to help each other to do that – and in using this verification system, we will avoid the cost of investigation, we will avoid the cost of prosecution. So it is my hope that this will be an enhancement that we will all consider to put on this very fine bill today, and I thank you, Mr. Speaker.

The SPEAKER. Representative Harhart.

Before the lady speaks, the Chair will ask members to please hold their conversations to a minimum. The gentlelady is entitled to be heard.

Representative Harhart.

Mrs. HARHART. Thank you, Mr. Speaker.

I rise today to offer my support of amendment A01986, which seeks to establish the Commonwealth's income eligibility verification system.

As recent reports show, Mr. Speaker, the system is greatly needed if we are able—

The SPEAKER. The gentlelady is reminded that we are on A2202.

Mrs. HARHART. Oh, I am sorry. I have got the wrong amendment. I am sorry.

Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

I rise to support the gentlelady's amendment.

In conversations with the Department of Public Welfare, I want the public to be clear that there are a number of checks currently ongoing within the system that does a very extensive level of accountability, and what the gentlelady may know is that the department is currently reviewing further analysis very, very close to what she is offering today. So, you know, I always say on the golf course, I would rather be lucky than good, but the reality is that this trend was already beginning within the department. They were going to deploy an IEVS system (income eligibility verification system) next year anyway. So what she proposes today is concurred upon by the Department of Public Welfare and supported by the Rendell administration.

I ask members to support the amendment.

Representative Harhart.

Mrs. HARHART. Thank you, Mr. Speaker.

I am sorry. There has been a technical change with the amendment. I am speaking on amendment A2202.

As I said, I do rise in support of the Commonwealth's income eligibility verification system. I do believe that under the Ridge and Schweiker administration, we were on the right track by cracking down on fraud and by putting people back to work, but over the past 4 years, I have seen the welfare spending climb, and today, Mr. Speaker, I am sorry to report that welfare spending has surpassed spending on education throughout the Commonwealth. Much of these increases can be accredited to the drastic changes in policy of the Department of Welfare.

Mr. Speaker, with this amendment A02202, we have the opportunity to correct the mismanagement of these vital and important programs. I agree that we need to provide certain individuals with a hand up so that they are able to get back on their feet and contribute to our great Commonwealth.

In closing, I want to say that we need to oppose giving handouts to individuals who misuse our system and to give it to those who need it most and investigate and prosecute those who misuse and cheat the system.

Thank you, Mr. Speaker, and I ask for a positive vote on amendment A02202. Thank you.

The SPEAKER. Representative Eachus.

Mr. EACHUS. Mr. Speaker, I do not want to belabor this debate, but let me just be clear about the last speaker's facts. The fastest growing component of medical assistance is care for elderly Pennsylvanians. The growth that we see is not in cash assistance. That is actually stable and shrinking. The reality is that it is long-term care for senior citizens in nursing homes – your grandmother and mine, your mother and father and mine – not any variable of fraud.

So let me just be clear. I just want to make that very strong case that I support the gentlelady's income verification system as does the Department of Public Welfare. As I said, they were already implementing this effort and were going to have it ready by next year. So the gentlelady's amendment is timely.

But I just wanted to be clear that the growth here in medical assistance spending is not relating, in my strong opinion, to fraud. While we have to look after fraud and make sure that we are running a very clean system, we must make sure that we take care of our elderly and our poor children in Pennsylvania.

Thanks.

The SPEAKER. Are there any other members seeking recognition on the Gingrich amendment before the Chair recognizes the prime sponsor?

On the amendment, Representative Gingrich.

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

I would like to acknowledge the majority whip in his commentary about the importance and the incorporation of the verification system currently by our Department of Welfare. What this does is work with them to enhance the system they are using and take advantage of new technologies that are both efficient and very productive.

We know that we are facing harsh economic realities. That is why we are here now. We are still struggling through a budget. We all have a responsibility as citizens to secure the funding that we need to provide for our most vulnerable of all citizens, and I think what we are doing here today is monumental in making that effort together to enhance a good program and to

make a program like this sustainable, and I am counting on accomplishing all of that together today.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—197

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

NAYS—1

Brooks

NOT VOTING—0

EXCUSED—5

Barrar	James	Readshaw	Schroder
Hersey			

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

THE SPEAKER PRO TEMPORE (MICHAEL P. MCGEEHAN) PRESIDING

VOTE CORRECTION

The SPEAKER pro tempore. For what purpose does the gentledady, Representative Brooks, rise?

Mrs. BROOKS. Mr. Speaker, I was cast in the affirmative, and I looked up and it was in the negative as you were taking the vote. So my vote should be in the affirmative for the last amendment.

Thank you.

The SPEAKER pro tempore. The gentledady's remarks will be spread across the record. Thank you.

CONSIDERATION OF HB 83 CONTINUED

On the question recurring,

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

Mr. KAUFFMAN offered the following amendment No. A01991:

Amend Title, page 1, line 3, by inserting after "Commonwealth," "

further providing for the Assistance Recipient Identification Program and for local administration of assistance; and

Amend Bill, page 1, lines 8 through 10, by striking out all of said lines and inserting

Section 1. Section 414 of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, amended June 30, 1995 (P.L.129, No.20), is amended to read:

Section 414. Assistance Recipient Identification Program.—(a) The department is authorized to create, in geographic areas where the department determines it to be cost effective, a program to be known as the Assistance Recipient Identification Program.

(b) The purpose of the program is to eliminate duplication of assistance to recipients, to deter fraud and to assist law enforcement officials in their duties.

(d) A person currently receiving or applying for assistance shall participate in the program. The person shall be identified using available technological means that shall include placing a photograph upon each electronic benefits transfer card and any other benefit card and that may include, but are not limited to, two-digit fingerimaging.

(e) The department, wherever feasible, shall work with neighboring states to execute agreements between each of those states and the Commonwealth to implement compatible computer cross-matching identification systems.

(f) It is a violation for a person in the program to acquire or attempt to acquire duplication of assistance.

(g) Absent a court order, only the department, the Pennsylvania State Police and the Pennsylvania Board of Probation and Parole, the chief of a local municipal police department or his designee within the department, including the sheriff's office in counties of the second class, and the designated officials of neighboring states with whom the department executes agreements under subsection (e) shall have access to records under this program.

(h) The department shall make a report to the General Assembly no later than March 1, 1996, and every two years thereafter. Each report shall include:

(1) Caseload data before implementation of this section as well as after one year for comparison purposes to judge the program's effectiveness at fraud deterrence.

(2) Attempts at and instances of multiple enrollment by persons.

(3) Analysis of the cost-effectiveness of the project.

(4) Recommendations regarding whether the program should be discontinued, expanded or otherwise modified.

(i) As used in this section, the term "program" means the Assistance Recipient Identification Program.

Section 2. Section 419 of the act is amended to read:

Section 419. Administration of Assistance and Related Functions.—Each county board shall:

(1) Administer public assistance in the county, and determine the eligibility for assistance of applicants and continued eligibility for assistance of persons receiving the same in accordance with law and rules, regulations and standards established by the department. This paragraph includes requiring photographic identification under section 414(d) before providing any assistance.

(2) Take measures to promote the welfare and self-dependency of individuals and families eligible for assistance by helping them to secure rehabilitative, remedial or other constructive aid, through local community resources, or in the absence or inadequacy of such resources, through direct provision of such aid, in accordance with rules, regulations and standards adopted by the department.

(3) With the approval of the secretary, supervise the administration of and promote any other public function related to assistance, or the work of the department, or of the county board, which may be committed to the county board by a political subdivision of the Commonwealth.

Section 3. The act is amended by adding a section to read:

Amend Sec. 2, page 2, line 29, by striking out "2" and inserting

4

On the question,

Will the House agree to the amendment?

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

Mr. KAUFFMAN. Thank you, Mr. Speaker.

I rise today to offer amendment 01991 to HB 83, and I commend the maker of this bill and also the last three makers of the amendments. This is a package of amendments that will work together well to begin to address the issues of welfare fraud in this Commonwealth.

We know that most, most of those who are taking advantage of the welfare system genuinely need it and would not use it in a fraudulent manner, but this is directed at that small minority of folks who would choose to attempt to use welfare benefits in a fraudulent manner.

This amendment requires the Department of Public Welfare to place the photo ID of a welfare recipient on their electronic benefits transfer card, which is referred to as the EBT. EBT cards are used very similarly to ATM (automated teller machine) or medical benefits cards. Of course, if you place someone's photo on the card, it is going to make it a commodity that is not as high value. It is going to make it not a valuable resource to get out and sell or trade or do something illicit with, which I know all of us want to see happen here in this House. We want to see good commonsense measures to help to protect our welfare system from anyone who would attempt to use it fraudulently.

So that is the crux of my amendment, and I ask for an affirmative vote, and I thank you for your support.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Grell.

Mr. GRELL. Thank you, Mr. Speaker.

I rise briefly in support of this commonsense amendment.

As the gentleman from Franklin County said, this amendment would simply require that a photograph be placed on the EBT or the welfare benefits card. This is a problem that was brought to the attention of the Republican Policy Committee by several former or current employees of the Commonwealth who are involved in the welfare system, including several former employees of the Office of Inspector General, some of whom are from my county of Cumberland, and they are genuinely concerned about the integrity of this program.

As was explained, this will place a photograph on the card. We believe that this will provide another layer of security and a deterrent effect when the card is used, whether it is used at a point-of-service location, such as a grocery store, or at an emergency room or some other health-care facility.

Just as we put photographs on driver's licenses, the Commonwealth can very easily put photographs on these benefits cards to help protect the integrity of our welfare system, and I would encourage all the members to support the Kauffman amendment.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Reichley.

Mr. REICHLEY. Thank you, Mr. Speaker.

I am rising in support of the Kauffman amendment.

I think all of us are very familiar with situations in which, not only in the area of welfare fraud but in other courses of life in various transactions, a photographic identification is of great assistance, and I know when we were debating the gentleman from Northumberland's bill, Mr. Belfanti, there were concerns raised about being able to identify exactly which person we are talking about. Well, this amendment would do exactly that. It would provide verifiable means to anyone who is engaging in an electronic benefits transaction, that the individual presenting the identification is in fact that same named individual by benefit of the photographic identification.

This will be useful in ATM transactions, at grocery stores, with medical benefit providers, and in addition, provides the additional incentive, for those of us here tonight who are in support of this amendment, that the mere presence of a photograph on the means of identification would serve as a criminal deterrent to those who would attempt to perpetuate welfare fraud.

We already have within our Crimes Code various provisions which would make it a felony for utilizing counterfeit or fraudulent means of identification if anyone attempted to put another individual's photograph on top of the ID, and under section 4117 for insurance fraud, it already is a crime as a felony of the third degree to use another person's financial responsibility or insurance identification information.

So I think, as with the other three amendments we have debated earlier here this evening, I think this would make a substantial step forward in reassuring all Pennsylvania taxpayers that only those individuals who are rightfully entitled

to be receiving public assistance benefits are in fact the recipient of those, and I urge an affirmative vote on the Kauffman amendment.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Mr. REED. Thank you, Mr. Speaker.

I rise in support of this amendment.

I think this amendment has a very simple purpose, and actually, its purpose is twofold. Number one, we want to deter people from committing welfare fraud in the State of Pennsylvania. We want to eliminate welfare fraud from happening within the State of Pennsylvania. And secondly and I think probably most importantly, what we want to do is take the dollars away from those committing welfare fraud against the Commonwealth of Pennsylvania, redirect those dollars to those who need it the most, especially our young children, our senior citizens, and our physically and mentally disabled individuals across the Commonwealth.

Mr. Speaker, this amendment is particularly important because it can be used as a tool to help prevent the buying and selling of EBT cards through the underground economy throughout the Commonwealth of Pennsylvania. All too often these transactions are used to acquire illegal drugs. So this particular amendment not only represents an amendment geared towards bringing it into welfare fraud but also helping to control the drug trafficking occurring especially in our cities across the Commonwealth as well as our rural communities.

Mr. Speaker, this amendment, by placing a recipient's photo on their benefits card, is particularly important overall because it is going to seek to ensure something that this body wants to ensure with every single dollar it appropriates to help the truly needy, that those benefits are only used by the individuals who are intended to receive those benefits.

Mr. Speaker, overall, this particular amendment represents one of the foundations of an effective welfare system, a system that puts integrity first.

I would encourage an affirmative vote on this amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman, Representative Turzai.

Mr. TURZAI. Mr. Speaker, thank you.

Everybody here seems to agree on the measures that are in place, and I certainly respect my colleague who holds the policy position for the Democratic Caucus on the background. I do think it is important that we set the record straight with respect to the background. We have some disagreement on that, although there is an agreement that the measure is important. But I want to make clear that long-term-care funding with respect to seniors is well below 20 percent in terms of total State dollars with respect to welfare and in particular welfare medical assistance. In fact, long-term care has essentially flatlined with only minor increases since 1995-1996 through 2006-2007. Long-term care represents about \$1 billion of approximately almost \$11 billion that is spent of State dollars for welfare. The argument that costs are rising as a result of long-term care is just not accurate. There are a lot of factors that are in play, and clearly, from our perspective, welfare fraud is one of those.

That is not to say that the gentleman and I, while we disagree on the background facts, that we disagree on measures going forward.

With respect to the photo ID, I do want to cite some testimony of some individuals that worked in the Office of Inspector General, and it is in response to some questions in particular from a colleague of mine from Adams County, who I thought was getting right to the heart of the issue, and he had said, what would be essentially the best recommendation that we could do to prevent fraud? And their response was to use a photo ID and that the Inspector General's Office, under Democratic administrations and Republican administrations, Governor Casey and Governor Ridge, has been suggesting it. It just had never gotten done, and here we are, we are going to get it done, and I applaud everybody for taking that important step on both sides of the aisle. And their testimony was, look – they gave an example – even on the medical assistance, it is a biggy because we know that people are loaning their cards out. We know this for a fact. And the person also testified that not only would it help as far as multiple applications or multiple identity cases but you would clarify the parameters.

In the past IDs have been used, IDs that you could not even tell who was using it, because they would show up and you had no way to identify who they were. From a deterrent standpoint, it would be useful to require photo ID cards, and we have been fooling around with this for 20-plus years. It is time that we do it.

I applaud Representative Kauffman for this outstanding amendment and his hard work as well as Representatives Gingrich, Denlinger, and Quigley for their very tangible, discrete amendments to Representative DeLuca's bill, and I would appreciate that everybody vote in favor. What it ultimately does is to the extent that people have been using their benefits cards as currency, oftentimes for drug transactions – that is oftentimes where it has happened – by having a photo ID, it will eliminate or diminish significantly the ability to use it as currency out on the underground economy.

Thank you very, very much, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Philadelphia, Representative Roebuck.

Mr. ROEBUCK. Thank you, Mr. Speaker.

I wonder if the maker of the amendment would stand for brief interrogation?

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

Mr. ROEBUCK. Mr. Speaker, I am generally in support of this amendment, but I wonder why, when you talk about putting pictures on ATM cards, you do not propose to put them on all ATM cards? Why only welfare cards?

Mr. KAUFFMAN. Actually, Mr. Speaker, we are not in control of all ATM cards in this House, but I do know that there are many credit card companies and banks who are now making that available so that folks can put their photo on their credit card to, once again, prevent fraud. Their understanding is that this is a good fraud-prevention measure. So if we were in control of all ATM cards and credit cards, that would be a great idea, but since this is under our control, this is all we have done in this particular amendment.

Mr. ROEBUCK. Well, I am certainly familiar, Mr. Speaker, that if I take out my ATM card and go to a bank to use it,

if I produce a valid ID, a driver's license with my photo on it, I can use my card, but we are proposing not to allow those who, for whatever reasons, are dependent upon welfare to have that option, and I am wondering why we are doing that. It is as if we are assuming that all who are on welfare are fundamentally dishonest.

Mr. KAUFFMAN. If one wants to produce a driver's license for a secondary ID, I do not think that is a problem. I know when I go to my bank, I have to provide ID to take my money out of the bank or to adjust my funds, and I think it is only proper that those who are accessing public funds be allowed to use photo ID on that card, so when they are accessing public moneys, they can also use that photo ID on their actual card. It is a fraud-prevention measure.

Mr. ROEBUCK. So when I go to cash my paycheck from the Commonwealth of Pennsylvania, which is public money, and I do not have to produce a photo ID with a card, an ATM with a photo on it, what is the difference, Mr. Speaker?

Mr. KAUFFMAN. I am not sure, I do not use an ATM to cash my check; I go into the bank and I produce my driver's license. So I am not certain, you know, the process that you are thinking and how it is working.

Mr. ROEBUCK. Well, I guess the difference, Mr. Speaker, is that you can produce a driver's license with a photo on it to cash your Commonwealth check, but you cannot use a driver's license with a photo on it to access your welfare benefits under your amendment. That is the fundamental difference.

Mr. KAUFFMAN. Did you ask a question or—

Mr. ROEBUCK. Yes. You asked me the question; I responded to you.

Mr. KAUFFMAN. Okay.

Mr. ROEBUCK. But the question is, what is the difference of cashing a Commonwealth check with a photo ID, a driver's license, versus a welfare benefit with a required photo ID card? What is the difference?

Mr. KAUFFMAN. I thank the gentleman. I think it is also valuable to point out that not all citizens of this Commonwealth or folks who access a welfare benefit, I do not know that they all have a driver's license and drive. You know, there are probably quite a few who use public transportation in one way or another and do not need to have a driver's license or maybe do not have a photo ID. I know there are folks in my district who do not have photo identification. So I think this is something that would give greater ease rather than then telling them they need to go out to the driver exam center and get a photo ID or a driver's license. It is a way to do it right there. It is a one-stop shop, and they can get their photo ID on that card, which does not require them to have a driver's license.

Mr. ROEBUCK. Thank you, Mr. Speaker.

On the amendment.

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

Mr. ROEBUCK. Mr. Speaker, I do not assume that everyone who, for whatever reason, accesses welfare benefits is somehow intrinsically dishonest. I do not assume, Mr. Speaker, that because I have particular distress, that somehow I should be put into a different category, which is what we are in fact doing with this proposal. I know that if I go to a financial institution and want to access the services of that institution, I produce ID and I have to substantiate who I am. So, too, should someone who has to access welfare benefits be able to determine or to

substantiate their ID with a driver's license or other valid ID, whatever it is, and be able to access those benefits.

Somehow when we begin to get into this situation of putting people's photos on cards and suggesting that puts them in a different category and we treat them differently, there is something wrong with that, Mr. Speaker. And I understand the need to be concerned about it, but we ought to be concerned about fraud in any situation, even when it is not welfare fraud, and we ought to be about trying to certainly not put those who, for whatever reasons, need welfare benefits in some kind of special category and suggest that they somehow set certain characteristics that makes them intrinsically, those who would use these cards for drugs or whatever we said they used them for this evening. We ought to be very careful, Mr. Speaker, in how we do this, and we ought to certainly treat all the citizens of the Commonwealth fairly and on an even plane.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the Kauffman amendment, the Chair recognizes the gentleman, Representative Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Kauffman amendment, and I have supported all the amendments that have run tonight that have been agreed to. But of all the amendments, I think this one is the best, because we know that time after time, election after election, people have been turned away from the polling places because they do not have a valid photo ID, and this will ensure that every person that collects a welfare benefit in the State of Pennsylvania will be able to go to the voting place and cast their vote on election day. And so more than any of the other amendments, I support this Kauffman amendment as empowering people to vote in addition to empowering them to get the welfare benefits that they deserve.

Beyond that, though, I have been concerned about some of the comments that have been made tonight about welfare fraud, because welfare fraud is one of those things that you only know how much is going on by those that you catch, and so if we are catching them, then we know that there is some going on but we are catching them, and the rest is pure speculation about something that might be going on.

I heard one speaker talk about drug transactions occurring with these cards. I am hoping that we are catching those people if we know that that is going on. If we are not catching those people, I guess my question would be why? I had a constituent that called me several months ago and said they were sure there was welfare fraud going on somewhere, they just did not know where or who it was or how it was going on, but they were sure it was going on, and I explained to them that we have a hotline, and if anybody knows of any welfare fraud going on and they report it, we will go prosecute it. So my assumption is that it is probably less than about 1 percent, but even so, let us go get that.

The one thing we do know, however, is that 70 percent of the corporations, the C corporations in the State of Pennsylvania, pay no taxes at all. Now, we do not know how many of those are legitimately not paying taxes and how many of those are avoiding those taxes fraudulently. So I would hope that when we get through with this debate, that my colleagues on the other side would join us as Democrats in rooting out the fraud of those people that do not pay any taxes in the State of Pennsylvania, those 70 percent of the corporations. But

I strongly support the Kauffman amendment here today and hope that we can get this passed and move on. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question, the Chair recognizes the lady from Philadelphia, Representative Parker.

Miss PARKER. Thank you, Mr. Speaker.

Will the gentleman stand for brief interrogation?

The SPEAKER pro tempore. The gentleman indicates that he will. The gentlelady is in order.

Miss PARKER. Thank you, Mr. Speaker.

Mr. Speaker, could you hypothetically tell me whether or not a mother of, let us say, five children who is in a work-training program during the day, but let us say one of the children is 16 and the rest are younger – let us say, you know, 10 and under – if the mother with her photo identification wanted to send the 16-year-old to the supermarket, would the 16-year-old be able to use his or her mother's card to buy milk and bread at the supermarket since the photo has the mother's ID on it – the ID has the mother's photo on it?

Mr. KAUFFMAN. I believe that when someone applies for welfare benefits, they are designated to that person, the person who is the applicant, which would be the mother, and so indeed I believe that would be used by the mother. She would be the one who has access to those benefits on that card, so she would be the one designated to use the card. So no, I do not believe that the daughter would be able to use that card.

Miss PARKER. So, Mr. Speaker, just for the record, because I think the intention of the amendment, I commend the gentleman for the intention of the amendment, but, Mr. Speaker, I am really thinking about the unintended consequences. So again for the record, a mother is not allowed to send her child, who again, 15, 16 years old, she is caring for other smaller children at home, she cannot leave the house but realizes she is ready to make something and she needs milk and bread, the 16-year-old is not allowed to use the identification with their mother's photo on it at the supermarket.

Mr. KAUFFMAN. I do believe that this does not change the law at all. Currently she would be committing welfare fraud by allowing the young lady to use the card, because it is only designed for the person who applied for those welfare benefits. So I believe this does not change law at all; it simply puts a photo ID. It protects the integrity of the welfare system, it protects the integrity of that card, by placing a photo ID on it.

Miss PARKER. A final question, Mr. Speaker: What if the mother is not receiving any assistance for herself, is not cash assistance, but it is cash assistance, let us say, you know, for the 16-year-old and it is for, again, smaller children. The child is still not allowed to use that card at the supermarket?

Mr. KAUFFMAN. I believe those benefits are received by that mother for use for the benefit of those young children under her care, so she would still be the recipient, I believe.

Miss PARKER. Thank you, Mr. Speaker.

On the amendment.

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

Miss PARKER. Mr. Speaker, on the four amendments that we heard from our leadership today, which were agreed-upon amendments, and we had members on both sides of the aisle who were going to support them all, I support the effort, I support the intent, but because I am thinking about the

unintended consequences of the Kauffman amendment, I will be voting "no."

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady.

On the amendment, the Chair recognizes the gentlelady from Philadelphia, Representative Bishop.

Ms. BISHOP. Mr. Speaker, will the maker of the amendment allow us to interrogate him?

The SPEAKER pro tempore. The gentleman indicates that he will, and the lady is in order.

Ms. BISHOP. Thank you.

I am concerned that the recipient of welfare may be incapacitated, may be in the hospital, may be ill in some way or another for a period of time, and does have children at home who have to be fed. How would she benefit? How would she feed the children? Suppose she is having another baby.

Mr. KAUFFMAN. I think this goes back to what the other gentlelady just spoke to.

Ms. BISHOP. Exactly.

Mr. KAUFFMAN. This does not change current law, so currently if that was the case, whatever current law is, which I believe would probably indicate that anyone using that card other than the actual recipient would be committing welfare fraud. This only requires a photo to be placed on that card. This is the only thing. It does not change current law; it just provides for a photo on that card.

Ms. BISHOP. So you are saying that if she is in the hospital, she cannot send a social worker, she cannot send an eligible child to the store to do shopping for other children that are home?

Mr. KAUFFMAN. I believe that, you know, if this is her caseworker or social worker, she probably could get those benefits. But the bottom line is, this does not change it. Whoever you are indicating, whatever the current law is now would be what would be in effect after this amendment is passed and placed into law, because it does not change that. It simply places the photo on the card.

Ms. BISHOP. Placing the photo on the card— Okay.

May I speak on the amendment, Mr. Speaker?

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

Ms. BISHOP. Thank you.

Mr. Speaker, there are many instances, while I support welfare and while I am certainly against welfare fraud as much as anyone, I certainly do not support people getting something that they are not entitled to. But I think we know that in many instances, when welfare recipients are incapacitated, that some social worker or some elder child make arrangements to do the shopping for them. And for the fact that I do not want to be one who prevents small children from eating, just as I do not want to be the one to see anything taken away from anyone that they do not deserve, I cannot support this amendment based on the fact that some child has to wait until arrangements have been made for them to be fed while the mother is possibly in the hospital or in bed sick.

I cannot support the amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentlelady.

The Chair recognizes the gentleman, Representative Gabig.

Mr. GABIG. Thank you, Mr. Speaker.

I want to commend the maker of the amendment, Representative Kauffman from Franklin County, and the

welfare task force of the Republican Policy Committee that worked so hard, chaired by our policy chair, Mike Turzai. What this particular amendment would do, contrary to some of the last few speakers, it would actually protect a woman in that position. It would protect her from being abused by others, bullied by others, somebody stealing her card, taking her card, taking her benefits. It will make sure that those benefits go to the person that deserves it, not a criminal that is going to steal or threaten or intimidate her in some manner. This is designed to protect the person that rightfully deserves those and is eligible for those benefits under our law.

So I want to really commend Representative Kauffman for his hard work on this amendment. Thank you very much, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman, Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

Let me just sort out a few issues that were addressed, and maybe this can give some clarification to Democratic members. Eighty-five percent of electronic benefits transfer cards currently used under TANF are used in ATMs. So that would not prohibit a mom, for example, who was sick in bed to send John to the ATM. Those rules will not change, so you can still get the cash you need to run the family budget. But as a matter of security, much of the lost cards that have been lost by recipients end up being used and utilized by others, and that is not fair to the individual who is on public assistance either.

So as I said earlier, we have discussed these issues with the Secretary of Public Welfare. She supports the implementation of this photo ID on the EBT cards. And we also end up with a system where the recipient, when they get the card, can get the photo at the same time. So the service will be provided in an easy fashion, and especially for those who might be elderly and disabled, the ability to get the cards will be made easy by the Department of Public Welfare.

Once again, this is an agreed-to amendment, and I ask members to support amendment 1991. Thanks.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes, on the amendment, the gentleman from Butler, Representative Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I would like to commend the maker of the amendment on this legislation. Since I have been working on making contacts around the State and hearing from people around the country on the issue of illegal immigration, you know, I had somebody right here in Pennsylvania that worked for a doctor's office that sent me an e-mail, and I plan on having further conversations with her, regarding suspected illegal aliens that are visiting their doctor's practice and fraudulently using other people's medical assistance cards to try and attain benefits.

Mr. Speaker, the issue of illegal immigration, the illegal alien invasion that we are dealing with in our nation, in our State, is a serious issue, and this legislation will go a long way to ensuring that the person who is presenting the card for the welfare services is actually the person that it has been given to and is actually somebody who legitimately is supposed to be receiving those benefits and not somebody who is here illegally, Mr. Speaker.

So thank you, Mr. Speaker, and to the sponsor of the amendment, I look forward to casting an affirmative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman from Philadelphia, Representative Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I am a little confused in terms of just what is going on. I know that the basic issue is whether or not there should be a photo on the – what are they? ABT cards? ABT? – EBT cards. But, Mr. Speaker, I guess what I am concerned about, and maybe the speaker will agree to interrogation—

The SPEAKER pro tempore. The gentleman indicates that he will. The gentleman may proceed.

Mr. THOMAS. I guess what I am concerned about is that at no time have I heard or been educated to the fact that you cannot just take these cards around and use them without a PIN number (personal identification number), that there are built-in security systems with respect to these – what did you say? EBT cards? – EBT cards. Is that correct?

Mr. KAUFFMAN. I believe that this is more than just an ATM card. Things such as health-care benefits are also on that card. There have been situations where we took testimony in the House Republican Policy Committee where that card was given to a friend and/or relative to access health-care benefits through that card. So if you are talking about an ATM machine, you may be correct, but if you are talking about using it in person at another facility, retailer, or at a medical office, I do not know that that PIN number provision would be a proper safeguard.

Mr. THOMAS. Well, I thought access was dependent upon the assignment of PIN numbers and that only with those PIN numbers can you access the benefits on those cards. I mean, I do not know how, especially on the cash transaction side. I mean, I cannot take a card and just walk into a bank and say, give me some money. There is some verification process that takes place.

Mr. KAUFFMAN. I will accept your word as being correct, but even so, I think there is room for further safeguard, because if someone is using it fraudulently, if someone decides – oh, I know that this is not the commonplace – but of the small minority of folks who may use that as a commodity – sell the card, give it to someone else – they can also give them their PIN number. You know, a four-digit PIN number is not that difficult to remember. So that can be fraudulently used, just like a card, but if one's picture is on that card, that creates an additional level of security and an additional measure that that cannot be used fraudulently then.

Mr. THOMAS. But, Mr. Speaker, I guess the first question I was asking, in light of the fact that you do know that there are PIN numbers assigned to these cards, you will agree that this door of alleged fraud is really not that wide.

Mr. KAUFFMAN. I would not necessarily agree that it is not that wide. We had great testimony in the House Republican Policy Committee on ways in which they have been fraudulently used frequently.

Mr. THOMAS. But it would be no more than— You have a bank card, correct?

Mr. KAUFFMAN. I have a bank card, yes.

Mr. THOMAS. Do you have a bank card?

Mr. KAUFFMAN. Yes.

Mr. THOMAS. You have a PIN number assigned to that bank card, correct?

Mr. KAUFFMAN. Certainly.

Mr. THOMAS. I cannot access that bank card unless I get close enough to you that you give me the PIN number, correct?

Mr. KAUFFMAN. Or I would intentionally give that to someone else.

Mr. THOMAS. You would have to share that information.

Mr. KAUFFMAN. Absolutely. The point here is not that it is a widespread, you know, 25 percent of folks are using it fraudulently, but do you not want to make sure that those who are using it fraudulently are stopped? Do you not want to make sure that the people who are supposed to receive those benefits are the ones actually using those benefits? I think we as public officials, that is what we want to make sure of, is that the folks who need the benefits are getting the benefits. They are not in some kind of situation where they are selling the benefits or are being intimidated out of those benefits, are being made to give those benefits to someone else unwillingly.

Mr. THOMAS. No more than I would want to make sure that somebody does not use my Visa card. The only way I can access it, similar to these EBT cards, is that there is a PIN number, and only through some inside trading of information or through negligence on my part in sharing that PIN number with someone are you able to access that. But let me move to the second point.

My second point is, your amendment requires this photograph. Does your amendment provide for ways in which the photograph can make it to the card in the absence of physical appearance? In situations where people's health or other circumstances does not allow them to get there and have that photo taken, then they will have to do without the card until the photo can make it to the card. Correct?

Mr. KAUFFMAN. First of all, before the EBT card, there were photo IDs on recipients' cards. Only in recent years had that been taken off. Second of all, this is an amendment that actually Secretary Richman and the Department of Public Welfare has agreed to and has agreed to administer. So it would be up to them how they administer it for those who cannot show up for a photo. How they do that would be up to them, as they are the administering folks of this program.

Mr. THOMAS. Thank you, Mr. Speaker.

What I was thinking about is both your party, Democrats, the Secretary of Transportation, have offered some very credible reasons why we should not implement the REAL ID Act of 2005. Part of the problem is the need for people to physically appear so that information can go on that driver's license or that nondriver's ID, like I believe Representative Rohrer raised some very serious questions about the use of photo identification in reaching this point of veracity as it relates to certain types of ID.

So to that end, I am just curious, what would be the costs associated with implementation of this program as articulated in your amendment?

Mr. KAUFFMAN. The House Democrat Appropriations Committee has estimated the cost to be \$2.1 million, which—

Mr. THOMAS. Pardon me?

Mr. KAUFFMAN. \$2.1 million.

Mr. THOMAS. \$2.1 million?

Mr. KAUFFMAN. \$2.1 million, which I think would probably be dwarfed by the amount that is saved, because the savings in preventing fraud is not included in this estimate. So that \$2.1 million would not include savings from the actual amendment in the program resulting from the amendment.

Mr. THOMAS. And that \$2.1 million is the cost if there are no internal barriers or no internal problems?

Mr. KAUFFMAN. I do not know. Maybe the Democrat Appropriations chair could answer what is included in that estimate.

Mr. THOMAS. Okay. But you have estimated that it would cost \$2.1 million just for implementation on its face?

Mr. KAUFFMAN. I have not estimated anything. I am using the estimate that comes from your Democratic Appropriations chairman. So—

Mr. THOMAS. You did not check with your chairman?

Mr. KAUFFMAN. No, I did not, because the letter came from your chairman.

Mr. THOMAS. Thank you, Mr. Speaker. I am finished with the interrogation.

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

Mr. THOMAS. Mr. Speaker, you know, I was not going to get involved in this debate, but after listening to some very credible questions raised by the last two speakers, and one of those questions is, the author of the amendment, his compassion, his interest is praiseworthy, but the compassion and interest can be outweighed by the unintended consequences about things that were not taken into consideration at the time that the amendment was drafted. Number one, it is clear the author did not know that there are PIN numbers and other tools that are currently being used to minimize, if not eliminate, the fraud associated with utilization of the EBT card. He did not know that.

Secondly, Mr. Speaker, the amendment does not take into consideration that TANF benefits and general assistance are designed to provide support to children, designed to provide support to families who are in need, and more often than not, and the last time I looked at it, if you are between the ages of 18 and 65 or 62, you are not entitled to general assistance in the Commonwealth of Pennsylvania, and TANF benefits are only available where there is family and children, where there are children's lives at stake. And so to that end, to draft an amendment that does not take into consideration a real fact as it relates to the utilization of this card, and I thought that the maker of the amendment was going to come back and say, well, let me pull my amendment back and make sure that the names of the children are included on the card; they are beneficiaries. In fact, they are the beneficiaries, and by including the names of the children on the card, then you could address a situation where mama is sick in the hospital and the babies still need to eat and one of the children would be able to use that card, knowing that they cannot use the card without the PIN number and without certain other information that you need in using the card.

So number one, no consideration of built-in security measures which currently exist, which might even make the need for the amendment moot. Secondly, a lack of willingness to step back a little bit and make sure that I am not doing anything that jeopardizes the lives of those who need to be able to access benefits in an expeditious amount of time.

But, Mr. Speaker, last but not least, no one has made the case that there is so much rampant fraud out there that it requires the intervention of the General Assembly. No one has made that case. Yes, there is fraud, but there is fraud in almost everything that we do, and being the good men and women that we are, we are always going to be passionate about minimizing if not

eliminating fraud wherever it exists. But the case has not been made that the General Assembly of this House needs to step up to the plate and act now in rooting out this alleged fraud associated with – what was it? – the EBT cards. There are some things that we need to deal with.

Now, I was looking at the papers today, and 206 people, 206 families in Philadelphia County, are without a son, a daughter, or a husband because of blatant violence off the radar screen, but I did not want to get up and get into that. But my point is, number one, I would like – and that is why I backed up, because yes, that would be relevant but not germane; you are right – but I wanted to say to the young gentleman, and I guess he is new to the process— Oh, he is not new? Well, how are you doing? What I would like to say to you, what I would like to say to you is in light of the new information that you have received this evening, would you be willing to hold your amendment over until you have made – wait a minute; wait a minute – until you have made sure that, one, we are not creating difficult if not impossible situations for the real beneficiaries of TANF, which are the children—

The SPEAKER pro tempore. Will the gentleman suspend.

The gentleman will confine his remarks to the contents of the amendment. If he has a separate motion, he may make it at any time.

Mr. THOMAS. Mr. Speaker, I thank you for that, and no, I do not have a motion, because I think the best person in a position to make the motion is the author of the amendment, since he now knows some things now that he did not know when he drafted the amendment.

And so, Mr. Speaker, in the absence of taking those things into consideration – one, a real case, some substantive facts which give rise to fraud that requires the immediate attention of this august body in the absence of showing how this photo ID is going to enhance the security of the EBT cards, even with the PIN numbers, these secret numbers; and in the absence of making sure that either the application or enforcement of this amendment will not represent unintended consequences for the beneficiaries of general assistance or of TANF – we have no other choice than to nonconcur on the amendment 1991 to HB 83.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman from Philadelphia, Representative Williams.

Mr. WILLIAMS. Mr. Speaker, will the gentleman stand for interrogation?

The SPEAKER pro tempore. The gentleman indicates that he will, and the gentleman is in order and may proceed.

Mr. WILLIAMS. Mr. Speaker, if a person uses an EBT card or ACCESS card, if a 16-year-old uses that card because mother is home sick or maybe mother was in a car accident and now the 16-year-old is taking care of the other siblings, would the teenager or the person who is using that card, would they be considered to be fraudulent?

Mr. KAUFFMAN. I believe under current law they probably would, but I believe they can also go to the ATM machine and they could receive benefits out of that as well.

Mr. WILLIAMS. Okay, Mr. Speaker.

Now, if the store or the MAC machine or the ATM machine or the doctor's office, because someone mentioned benefits,

would allow those cards to be used, would they be committing a criminal act?

Mr. KAUFFMAN. I have to say I have never received a law degree. Maybe one of the attorneys in the room could tell you that.

Mr. WILLIAMS. Okay. I can wait to get an answer, if we have one, or do I need to repeat the question?

Mr. KAUFFMAN. No, I am not qualified to answer the question, a legal question. I am not an attorney. There are plenty in the room, though. Maybe you could direct it to one of them.

Mr. WILLIAMS. Okay. Well, can we get someone to answer the question, because in order to commit fraud, you have to have, I think in that instance you would have to have two parties, a participating party and a participant party.

Representative Pallone, are you available? A hundred bucks an hour? So do we have an answer? Because if not, I can move on.

Mr. KAUFFMAN. You can move on.

Mr. WILLIAMS. Oh.

The SPEAKER pro tempore. The gentleman indicates that he is not qualified to answer the question. If there is anyone who seeks recognition to answer a particular inquiry, they may be recognized. If not, well, we will move on.

Mr. WILLIAMS. Okay. Anybody else? Maybe Maher. Can we get Maher? He is a good one.

Okay. Mr. Speaker, am I allowed to interrogate myself?

The SPEAKER pro tempore. That is not in order.

Mr. WILLIAMS. Oh.

The SPEAKER pro tempore. Has the gentleman concluded his interrogation?

Mr. WILLIAMS. Okay; yes, on the amendment.

The SPEAKER pro tempore. The gentleman is recognized on the Kauffman amendment.

Mr. WILLIAMS. Mr. Speaker, it seems to me that we create laws, we create policies, and the policies that we create, these policies are one-sided. If you want to attack fraud, you have to attack it on both ends, particularly when you are dealing with the ACCESS card. I would suggest to you that if a picture is required, pretty soon it will probably be a color code for different counties, because to me, it seems as though it is a particular fraud they are looking to attack or a particular fraud which is trying to resolve the issue of making sure there is no fraud dealing with the EBT or ACCESS card.

Supermarkets, stores, doctor's offices all around Pennsylvania use these cards and they use the ACCESS cards. I believe if a teenager who is using their parent's EBT card or ACCESS card is committing fraud, then the MAC machine or the ATM machine is committing fraud. I would submit that if they use it in a supermarket or in a store, this teenager, this family member, then the store or the stores are committing fraud.

Mr. Speaker, I am going to be voting "no" until the policy is equal or until policies are changed where everybody is treated equal under the law. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman from Allegheny, Representative Preston.

Mr. PRESTON. Thank you, Mr. Speaker.

I guess on a personal level, I am going to vote "no" on this amendment just as well, and it is also against the process. But first, we are going to commit the State to spend a couple

million dollars where this process of dealing with photo ID is probably going to be outdated in the next 18 months with the onset of technology, and I go by that with following the State as they start looking at their security systems. But I guess I go back to this whole issue when we started dealing with the EBT cards under the Ridge administration, and I think as a personal shot that I thought, and I am still livid, that the card itself is still green, and I think it is an off shot that we should even think, and I do not think it was intentional, but I think that putting a photo ID on a card, a green card, which denotes an awful lot of negative opinions, in my thoughts, is offensive against the whole process, and I am hoping that whether it is this Governor, somebody needs to change the color of it, because anybody from Hispanic or Asian descent or any other foreigner thinks that to be able to present a green card, now you have got to have your picture on it, denotes something that is very terrible here in America. But again, if the State wanted to do this, they could do it now even without this amendment. If you look at the current onslaught of technology in the next few years, it will be, whether it is a fingerprint or whether it is a match on the eye, which is a much better security system, picture IDs will basically be so outdated, because in other countries already, picture IDs are outdated and America is so far behind.

So personally, I just feel that this is only adding fodder on. Instead of now just a green card, now we are going to have people with pictures on a green card, which, to me, degrades an awful lot of people, and I think it is unfair. I think it is also, and eventually we are going to spend \$2 million, and in another year and a half we are going to be instituting something now when the new technology comes out, which gives a sure, a much surer situation in dealing with fingerprint and eye matchup. It is going to be in all the systems and will fit for everyone, whether you are working or not working, whether you are a senior citizen, whether you are a young child. This is just singling out a certain amount of people, and I am not going to vote for the green card in this amendment.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman from Centre, Representative Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

Very briefly, I just wanted to ask the maker a question and just make a brief comment, if I might.

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

Mr. BENNINGHOFF. Thank you, Mr. Speaker, and I thank the maker of the amendment.

There has been a lot of discussion on the use of these cards. Currently there is no photo on there, and I am curious, if I am a merchant, do I have the ability to deny someone the use of that card if I am not sure of their current identification?

Mr. KAUFFMAN. Absolutely; absolutely. I think it would behoove the merchant to do so, because as a taxpaying citizen, they do not want someone fraudulently using the card.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

I think there have been some legitimate questions raised and they are worth having the dialogue on, and I suspect that that scenario with a photo would be a little less of a problem. Currently a child of someone who owns one of these cards could theoretically want to go in the store and try to use it.

The SPEAKER pro tempore. The gentleman will suspend.

Are you completing your interrogation?

Mr. BENNINGHOFF. On the questioning of the maker of the amendment, I am done. If I could speak on the amendment itself.

The SPEAKER pro tempore. The gentleman is in order and may proceed, on the amendment.

Mr. BENNINGHOFF. I apologize. Thank you.

Very briefly, I think we need to take into consideration that someone could currently go in and try to utilize that card as a relative or a representative of the current cardholder and currently be denied. I think it is important that we have this identification.

I just want to commend the maker of this amendment. For those that may not know Representative Kauffman, there is probably not a more sincere individual around, and I know he, along with the task force, has put a lot of time and energy into this proposal.

I think it is also important to remember that this welfare task force has conducted over 10 hearings statewide. I do not know of very many initiatives on this floor, including this amendment, that have had 10 statewide hearings and have been elaborated on to this extent. I think a lot of information has been shared and a lot of dialogue.

Most importantly, I think we also need to clear up one last comment, and that is that, or concern, there are people who receive TANF assistance as well as other welfare benefits who are employees; they are also paying taxes, and so we are trying to help preserve their own tax dollars that they pay that help to help fund these systems.

I rise, in conclusion, to support the Kauffman amendment, commend the task force and Chairman Turzai. This is really about preserving a system that has been there for a long time. We are always going to have people who are going to need some help throughout time. If the system fails, the system crashes, and there is not enough funding because we are not monitoring and making the welfare system an efficient system, who loses? Everyone loses – all the participants, all the future participants. We never know when somebody may need a hand up and a helping hand, as welfare tries to provide. This amendment is to try to secure that and preserve this for future generations, for those who truly need it, and I ask the members to support it.

Representative Kauffman, congratulations on your hard work.

The SPEAKER pro tempore. The Chair thanks the gentleman.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Philadelphia, Representative Cruz.

Mr. CRUZ. A personal privilege, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his point of personal privilege.

Mr. CRUZ. Clarification on the amendment we are speaking about, Mr. Speaker.

The SPEAKER pro tempore. Are you stating a parliamentary inquiry or a personal privilege?

Mr. CRUZ. Yes, Mr. Speaker.

The SPEAKER pro tempore. Which one, Representative?

Mr. CRUZ. Parliamentary.

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

Mr. CRUZ. Mr. Speaker, listening to the maker of this amendment sounded real good, and I was supportive of it in the beginning, but we raised a lot of questions on this amendment, one being that the medical assistance is not covered by the ACCESS card or EBT. They are two different categories, and because of the way we are handling this, it is not real clear of what the amendment is going to do. I am asking, Mr. Speaker, if we can put a motion to table this amendment until we can get better clarification on it?

The SPEAKER pro tempore. The gentleman is in order to make a motion to table the amendment, and the gentleman is in order.

MOTION TO TABLE

The SPEAKER pro tempore. Does the gentleman move that the amendment and the bill be tabled?

Mr. CRUZ. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Philadelphia, Representative Cruz, moves that amendment 1991 to HB 83 be tabled. He moves that amendment 1991 and the bill be tabled.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. On the motion, the Chair recognizes the gentleman, Representative Cruz.

Mr. CRUZ. Mr. Speaker, could we have a time frame? Maybe we can work this out and not bring this amendment up for a vote again until tomorrow maybe?

The SPEAKER pro tempore. The gentleman has made a motion to table the bill and the amendment. Does the gentleman now retract that motion?

MOTION WITHDRAWN

Mr. CRUZ. Yes, Mr. Speaker. I want to take this amendment and work on the wording on it, and then we can vote it again tomorrow, if possible, Mr. Speaker.

The SPEAKER pro tempore. It is the Chair's understanding that the gentleman has withdrawn his motion.

Mr. CRUZ. Yes, sir.

MOTION TO POSTPONE

The SPEAKER pro tempore. Are you now moving that we postpone until tomorrow a vote on this amendment and the bill?

Mr. CRUZ. Yes, sir.

The SPEAKER pro tempore. The gentleman then moves that amendment 1991 to HB 83 be postponed.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. On the question, the Chair recognizes the gentleman from Philadelphia, Representative Cruz.

Mr. CRUZ. Mr. Speaker, I am asking, just for clarification so we can get clear on some of the wording and the language on this amendment, I am asking to postpone it.

The SPEAKER pro tempore. On that motion to postpone, the Chair recognizes the gentleman, Representative Eachus.

Mr. EACHUS. Mr. Speaker, as I said earlier in the discussion, this has been caucused on today. There were no real questions in the Democratic Caucus on this. I had put forward these discussions there today, and this has been an agreed-to amendment, not only by the Democratic leadership and the gentleman, Mr. Turzai, but also by the Secretary of Public Welfare, Estelle Richman, and the Governor's chief administrative folks in the legislative affairs office. So I would ask that the Democratic Caucus not support a motion to postpone and we move on with the debate today. If we have a substantive disagreement today and you have to vote against this, vote your heart.

The SPEAKER pro tempore. The Chair recognizes the Republican whip, Representative Argall.

Mr. ARGALL. Thank you, Mr. Speaker.

Mr. Speaker, the gentleman from Greater Hazleton has never been more eloquent. I am not going to repeat his argument, just to ask all members to vote in the negative. I do believe it is time to move this issue forward.

The SPEAKER pro tempore. On the question, those in favor of postponement will vote "yes"; those opposed, "no."

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—30

Bishop	Josephs	Oliver	Sabatina
Blackwell	Keller, W.	Pallone	Tangretti
Cohen	Kenney	Parker	Thomas
Costa	Kotik	Payton	Williams
Cruz	Leach	Petrarca	Yewcic
DePasquale	Maher	Preston	Youngblood
Donatucci	McGeehan	Roebuck	Yudichak
Evans, D.	Melio		

NAYS—167

Adolph	Gabig	Mantz	Ross
Argall	Galloway	Markosek	Rubley
Baker	Geist	Marshall	Sainato
Bastian	George	Marsico	Samuelson
Bear	Gerber	McCall	Santoni
Belfanti	Gergely	McI. Smith	Saylor
Benninghoff	Gibbons	McIlhatten	Scavello
Bennington	Gillespie	Mensch	Seip
Beyer	Gingrich	Metcalfe	Shapiro
Biancucci	Godshall	Micozzie	Shimkus
Boback	Goodman	Millard	Siptroth
Boyd	Grell	Miller	Smith, K.
Brennan	Gruclera	Milne	Smith, M.
Brooks	Haluska	Moul	Smith, S.
Buxton	Hanna	Moyer	Solobay
Caltagirone	Harhai	Mundy	Sonney
Cappelli	Harhart	Murt	Staback
Carroll	Harkins	Mustio	Stairs
Casorio	Harper	Nailor	Steil

Causer	Harris	Nickol	Stern
Civera	Helm	O'Brien, M.	Stevenson
Clymer	Hennessey	O'Neill	Sturla
Conklin	Hess	Pashinski	Surra
Cox	Hickernell	Payne	Swanger
Creighton	Hornaman	Peifer	Taylor, J.
Curry	Hutchinson	Perry	Taylor, R.
Cutler	Kauffman	Perzel	True
Daley	Keller, M.	Petri	Turzai
Dally	Kessler	Petrone	Vereb
DeLuca	Killion	Phillips	Vitali
Denlinger	King	Pickett	Vulakovich
Dermody	Kirkland	Pyle	Wagner
DeWeese	Kortz	Quigley	Walko
DiGirolamo	Kula	Quinn	Wansacz
Eachus	Lentz	Ramaley	Waters
Ellis	Levdansky	Rapp	Watson
Evans, J.	Longietti	Raymond	Wheatley
Everett	Mackereth	Reed	White
Fabrizio	Mahoney	Reichley	Wojnarowski
Fairchild	Major	Roae	
Fleck	Manderino	Rock	O'Brien, D.,
Frankel	Mann	Rohrer	Speaker
Freeman			

NOT VOTING—1

Myers

EXCUSED—5

Barrar	James	Readshaw	Schroder
Hershey			

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

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

The SPEAKER pro tempore. The House returns to the question, the passage of amendment A01991. Will the House agree to the amendment?

On the Kauffman amendment, on that question, for the second time the Chair recognizes the gentleman from Allegheny, Representative Preston.

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

As I said when I first spoke, this was a personal situation with me. And it is unfortunate, and I can understand that there are a lot of people who really do not understand and in some ways have no clue what this is all about. But when I look at, as I mentioned about, this is going to be outdated anyway, and then there is another thing to look at if we do this after we spend \$2 million. All of us know that almost every supermarket, every drugstore, and every gas station you go to, photo ID does not mean anything. It is outdated. It is already outdated. You do not need it through self-service, whether you go to Home Depot, Kohl's, or any other department store. You just swipe your card through; you just swipe the debit card through. So we are asking the State to spend \$2 million and some change for something that is already outdated and that we are going to be replacing anyway. That is what we are doing, and yet in a sense, classwise and in some ways ethicwise we are going to insult an awful lot of people.

It is outdated. All of us know that. All the stores you go to now, you just swipe the thing through, through self-service and everything else. But this makes people feel good, because maybe the people that we are talking to were not up to date on modern techniques. It is our responsibility to change things, to make things more secure, as already mentioned, whether it is fingerprinting or whether it is dealing with the eye. It is outdated, and it is also offensive.

Thank you very much. I am going to still be voting "no."

The SPEAKER pro tempore. Are there any other members seeking recognition other than the prime sponsor of the amendment? I think I got my answer.

On the amendment, the Chair recognizes the gentleman, Representative Kauffman.

Mr. KAUFFMAN. I do appreciate all of the comments and constructive criticism on this agreed-to amendment. I appreciate the gentleman from Philadelphia, whom I have listened to for the past 2 1/2 years thinking I am a freshman. That was very nice. I have the gray hairs that I have acquired while I have listened to your speeches, so I do appreciate that. If you want to check them out in person, I will be happy to shake your hand in a moment.

But anyway, I do thank the members of this great House for their indulgence and for your affirmative vote this evening. I think this is a good step, a necessary step. The administration has recognized this is a necessary step. The Democrat leadership here in the House has also recognized this is a necessary step, and I think this is moving in the right direction to do what we want for Pennsylvania, to make sure that our welfare system is secure for future generations who must depend upon it and also getting rid of fraud in the current welfare system.

So I thank you for your support this evening.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—173

Adolph	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubleby
Bastian	Geist	Marsico	Sabatina
Bear	George	McCall	Sainato
Belfanti	Gerber	McGeehan	Samuelson
Benninghoff	Gergely	McI. Smith	Santoni
Bennington	Gibbons	McIlhatten	Saylor
Beyer	Gillespie	Melio	Scavello
Biancucci	Gingrich	Mensch	Seip
Boback	Godshall	Metcalfe	Shapiro
Boyd	Goodman	Micozzie	Sipthoth
Brennan	Grell	Millard	Smith, K.
Brooks	Grucela	Miller	Smith, M.
Buxton	Haluska	Milne	Smith, S.
Caltagirone	Hanna	Moul	Solobay
Cappelli	Harhai	Moyer	Sonney
Carroll	Harhart	Mundy	Staback
Casorio	Harkins	Murt	Stairs
Causer	Harper	Mustio	Steil
Civera	Harris	Nailor	Stern
Clymer	Helm	Nickol	Stevenson
Conklin	Hennessey	O'Neill	Sturla

Costa	Hess	Oliver	Surra
Cox	Hickernell	Pashinski	Swanger
Creighton	Hutchinson	Payne	Taylor, J.
Curry	Kauffman	Peifer	Taylor, R.
Cutler	Keller, M.	Perry	True
Dally	Keller, W.	Perzel	Turzai
DeLuca	Kenney	Petrarca	Vereb
Denlinger	Kessler	Petri	Vulakovich
DePasquale	Killion	Petrone	Wagner
Dermody	King	Phillips	Walko
DeWeese	Kortz	Pickett	Wansacz
DiGirolamo	Kotik	Pyle	Watson
Donatucci	Kula	Quigley	Wheatley
Eachus	Lentz	Quinn	White
Ellis	Levdansky	Ramaley	Wojnaroski
Evans, J.	Longietti	Rapp	Yewcic
Everett	Mackereth	Raymond	Yudichak
Fabrizio	Maher	Reed	
Fairchild	Mahoney	Reichley	O'Brien, D.,
Fleck	Major	Roae	Speaker
Frankel	Mann	Rock	

NAYS—25

Bishop	Josephs	Pallone	Tangretti
Blackwell	Kirkland	Parker	Thomas
Cohen	Leach	Payton	Vitali
Cruz	Manderino	Preston	Waters
Daley	Myers	Roebuck	Williams
Evans, D.	O'Brien, M.	Shimkus	Youngblood
Hornaman			

NOT VOTING—0

EXCUSED—5

Barrar	James	Readshaw	Schroder
Hershey			

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

On the question recurring,

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

AMENDMENT A02202 RECONSIDERED

The SPEAKER pro tempore. For the membership, the Chair is in receipt of a reconsideration vote. It is moved by the gentlelady, Mrs. Brooks, that the vote by which amendment 2202 was passed to HB 83, PN 107, on the 5th day of July be reconsidered.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. The reconsideration motion was signed by Representative Brooks and Representative Argall.

On the motion, the Chair recognizes the gentleman, Representative Turzai.

Mr. TURZAI. Our colleague, her switch malfunctioned and everybody had voted in the affirmative on this particular amendment, but it was marked for hers in the negative. This is an opportunity that our Republican whip and our leadership

team wanted to just make sure that the record accurately reflected what our colleague from Mercer County, in fact, wanted to vote. We would appreciate a quick motion to reconsider. We will put up the amendment quickly so that everybody can vote in the affirmative again, including this Representative.

Thank you.

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

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—195

Adolph	Gabig	Marshall	Ross
Argall	Geist	Marsico	Rubley
Baker	George	McCall	Sabatina
Bastian	Gerber	McGeehan	Sainato
Bear	Gergely	McI. Smith	Samuelson
Belfanti	Gibbons	McIlhattan	Santoni
Benninghoff	Gillespie	Melio	Saylor
Bennington	Gingrich	Mensch	Scavello
Beyer	Godshall	Metcalfe	Seip
Biancucci	Goodman	Micozzie	Shapiro
Bishop	Grell	Millard	Shimkus
Blackwell	Grucela	Miller	Sipthoth
Boback	Haluska	Milne	Smith, K.
Boyd	Hanna	Moul	Smith, M.
Brennan	Harhai	Moyer	Smith, S.
Brooks	Harhart	Mundy	Solobay
Buxton	Harkins	Murt	Sonney
Caltagirone	Harper	Mustio	Staback
Cappelli	Harris	Myers	Stairs
Carroll	Helm	Nailor	Steil
Causar	Hennessey	Nickol	Stern
Civera	Hess	O'Brien, M.	Stevenson
Clymer	Hickernell	O'Neill	Sturla
Cohen	Hornaman	Oliver	Surra
Conklin	Hutchinson	Pallone	Swanger
Costa	Josephs	Parker	Tangretti
Cox	Kauffman	Payne	Taylor, J.
Creighton	Keller, M.	Payton	Taylor, R.
Cruz	Keller, W.	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
Donatucci	Levdansky	Quinn	Wheatley
Eachus	Longietti	Ramaley	White
Ellis	Mackereth	Rapp	Williams
Evans, D.	Maher	Raymond	Wojnaroski
Evans, J.	Mahoney	Reed	Yewcic
Everett	Major	Reichley	Youngblood
Fabrizio	Manderino	Roae	Yudichak
Fairchild	Mann	Rock	
Fleck	Mantz	Roebuck	O'Brien, D.,
Frankel	Markosek	Rohrer	Speaker
Freeman			

NAYS—3

Casorio	Galloway	Pashinski
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NOT VOTING—0

EXCUSED—5

Barrar
Hershey

James

Readshaw

Schroder

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

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

The clerk read the following amendment No. **A02202**:

Amend Title, page 1, line 3, by inserting after "Commonwealth," "

providing for income eligibility verification system and for fraud detection system; and

Amend Sec. 1, page 1 line 9, by striking out "a section" and inserting

sections

Amend Sec. 1, page 1, by inserting between lines 10 and 11

Section 414.1. Income Eligibility Verification System.—(a) The department shall establish a computerized income eligibility verification system in order to eliminate duplication of assistance and deter fraud.

(b) The department shall require that as a condition of receiving assistance applicants and recipients supply their social security numbers. The department shall match the social security number of each applicant and recipient with the following:

(1) Unearned income information maintained by the Internal Revenue Service.

(2) Employer quarterly reports of income and unemployment insurance benefit payment information maintained by the State Wage Information Collection Agency.

(3) Earned income information maintained by the Social Security Administration.

(4) Immigration status information maintained by the Citizenship and Immigration Services.

(5) Death register information maintained by the Social Security Administration.

(6) Prisoner information maintained by the Social Security Administration.

(7) Public housing and section 8 payment information maintained by the Department of Housing and Urban Development.

(8) National fleeing felon information maintained by Federal Bureau of Investigation.

(9) Wage reporting and similar information maintained by states contiguous to this Commonwealth.

(10) Beneficiary Data Exchange (BENDEX) Title H database maintained by the Social Security Administration.

(11) Beneficiary Earnings Exchange Report (BEER) database maintained by the Social Security Administration.

(12) State New Hire database maintained by the Commonwealth.

(13) National New Hire database maintained by the Federal government.

(14) State Data Exchange (SDX) database maintained by the Social Security Administration.

(15) Veterans Benefits and Veterans Medical (PARIS) maintained by the Department of Veterans Affairs with coordination through the Department of Health and Human Services.

(16) Day care subsidy payments maintained by the Commonwealth.

(17) Low Income Home Energy Assistance Program reporting utility expenses maintained by the Commonwealth.

(18) A database which is substantially similar to or a successor of a database set forth in this subsection.

(19) The database of all persons who currently hold a license, permit or certificate from a Commonwealth agency the cost of which exceeds one thousand dollars (\$1,000).

(c) Notwithstanding any provision of law to the contrary, the income eligibility verification system shall be utilized for an applicant at the time of application for assistance and for a recipient on a quarterly basis.

(d) The department shall notify each applicant and recipient of the requirement of providing a social security number at the time of application for assistance and as otherwise required under the provisions of this section.

(e) If a significant discrepancy results between the applicant's or a recipient's social security number and one or more of the databases set forth in subsection (b), the department shall review the applicant's or recipient's case, as appropriate, and shall investigate the circumstances to confirm eligibility of the applicant or recipient utilizing the procedure set forth in subsection (f).

(f) The department shall institute the following procedure to investigate the circumstances of a significant discrepancy:

(1) If the information discovered under subsection (b) does not result in ineligibility or modification of the amount or type of assistance, the department shall take no further action.

(2) If paragraph (1) does not apply and a significant discrepancy results from the match between the applicant's or recipient's social security number and one or more of the databases in subsection (b), the applicant or the recipient, as appropriate, shall be given an opportunity to explain the discrepancy. The department shall provide written notice to the applicant or recipient which shall describe in sufficient detail the circumstances of the discrepancy, the opportunity to resolve it, the manner in which it may be resolved and the consequences of failing to take action. The explanation of the recipient or applicant may be given over the telephone, as set forth in subsection (i), in person or in writing. After receiving the explanation, the department may request additional documentation if it determines that there is a substantial risk of fraud.

(3) If the applicant or recipient, as appropriate, does not respond to the notice, the department may deny assistance for failure to cooperate, in which case the department shall provide notice of intent to discontinue assistance. Eligibility for assistance shall not be reestablished until the significant discrepancy has been resolved.

(4) If an applicant or recipient disagrees with the findings of the match between his or her social security number and one or more database, the department shall reinvestigate the matter, and if the department finds that there has been an error, the department shall take immediate action to correct it and no further action shall be taken. If, after investigation, the department determines that there is no error, the department shall determine the effect of the match on the applicant's or recipient's case and take appropriate action. Written notice of the department's action shall be given to the applicant or recipient.

(5) If the applicant or recipient agrees with the findings of the match between the applicant's or recipient's social security number and one or more database, the department shall determine the effect on the applicant's or recipient's case and take appropriate action. Written notice of the department's action shall be given to the applicant or recipient.

(6) If the findings of a match between the applicant's or recipient's social security number and one or more database result in no change in eligibility or overpayment, the department shall take no further action.

(g) The department may review and investigate a case when there is a match between the social security number and one or more database which does not result in a significant discrepancy. In such a case, the department shall utilize the procedure in subsection (f).

(h) In no case shall the department discontinue or modify the amount or type of assistance solely as a result of a match between the

applicant's or recipient's social security number and one or more database. Nothing in this subsection shall be construed to limit the right of appeal provided by law.

(i) The department shall establish a single Statewide toll-free telephone number and call center to be used by applicants and recipients in order to resolve discrepancies. The call center shall have sufficient capacity and staff to promptly handle incoming telephone calls and the department shall assign sufficient numbers of case workers to enable the department to make prompt eligibility determinations under this section.

(j) No later than one year after the effective date of this section and every year thereafter, the department shall provide a written report to the Governor, the General Assembly and the Inspector General detailing the results achieved under this section and the amount of case closures and savings that resulted.

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

"Significant discrepancy" means information regarding assets, income, resources or status of an applicant or recipient of assistance, derived from one or more of the databases in subsection (b), which gives the department grounds to suspect that either:

(i) an applicant or recipient is ineligible to receive assistance, under Federal or State law; or

(ii) the assets, income or resources of an applicant or recipient are at least, in terms of a dollar amount, twenty-five percent greater than the dollar amount reflected in the information the department possesses about the applicant or recipient with respect to the applicant's or recipient's assets, income or resources.

"Status" means the applicant or recipient is in the United States illegally, is no longer living, is an inmate in a prison or jail or is a fleeing felon.

Section 422.1. Fraud Detection System.—Within one year of the effective date of this section, each county shall establish procedures to identify, investigate and resolve potential cases of fraud, misrepresentation or inadequate documentation prior to determining an applicant's eligibility for assistance and submit to the department a plan describing its antifraud procedures. The plan shall ensure that every case is reviewed and include utilization of the income eligibility verification system established in section 414.1

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Barrar	James	Readshaw	Schroder
Hershey			

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

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

The SPEAKER pro tempore. The Chair understands there are no further amendments to this bill.

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 **SB 704, PN 1272**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for State plan for regulating and licensing personal care homes, for Intra-Governmental Council on Long-Term Care and for rules and regulations for personal care homes and assisted living residences.

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

The SPEAKER pro tempore. It is the Chair's understanding that all the amendments to this bill have been withdrawn.

Is any member who had an amendment to this bill prepared to present it at this time?

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

SUPPLEMENTAL CALENDAR A

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 489, PN 1992**, entitled:

An Act amending the act of December 4, 1996 (P.L.893, No.141), entitled "An act providing for volunteer health services; limiting liability of a volunteer license holder; and requiring reports," further providing for license renewal, continuing education requirements and disciplinary and corrective measures.

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

* * *

The House proceeded to second consideration of **HB 1170, PN 1912**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for attendance in other school districts and for attendance of nonresident pupils.

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

* * *

The House proceeded to second consideration of **HB 1235, PN 2099**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for challenge to criminal history records, for review of challenge and for appeals.

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

Mr. **REICHLEY** offered the following amendment No. **A02309**:

Amend Title, page 1, line 2, by inserting after "providing"
for exceptions to the prohibition of interception
and disclosure of certain communications,

Amend Bill, page 1, lines 8 through 10, by striking out all of said lines and inserting

Section 1. Section 5704 of Title 18 of the Pennsylvania Consolidated Statutes is amended by adding a paragraph to read:

§ 5704. Exceptions to prohibition of interception and disclosure of communications.

It shall not be unlawful and no prior court approval shall be required under this chapter for:

* * *

(17) A person who is a consumer to electronically record a telephone call from a debt collector so defined under the act of March 28, 2000 (P.L.23, No.7), known as the Fair Credit Extension Uniformity Act, without the consent or knowledge of the debt collector.

Section 2. Sections 6111.1(e) and 9152(d) and (e) of Title 18 are amended to read:

Amend Sec. 2, page 5, line 2, by striking out "2" and inserting
3

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

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

Mr. **REICHLEY**. Thank you, Mr. Speaker.

Amendment A02309 amends this legislation by clarifying that it would not be unlawful and that no prior court approval would be required for a consumer to electronically record a telephone call from a debt collector without the consent of the debt collector. This would bring us into compliance with State legislation in at least seven other States in which consumers who are already engaged in bankruptcy proceedings who receive harassing phone calls from debt collectors can use that evidence—

The SPEAKER pro tempore. Will the gentleman suspend.

The House will come to order.

The gentleman, Mr. Reichley.

Mr. **REICHLEY**. Thank you, Mr. Speaker.

As I said, the amendment would bring us into compliance with seven other States that allow for consumers to record harassing phone calls from debt collectors, especially when they have engaged in bankruptcy proceedings, which would attempt to forestall any collection or foreclosure proceedings, and I believe the House Judiciary chairman will make comments about the agreement of the other side of the hall to this amendment.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the Reichley amendment, the Chair recognizes the gentleman, Representative Caltagirone.

Mr. **CALTAGIRONE**. Thank you, Mr. Speaker.

This is an agreed-to amendment, and I would ask the members on both sides of the aisle to support it.

The SPEAKER pro tempore. The Chair thanks the gentleman.

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the minority whip, who asks that the gentleman, Representative HENNESSEY, be placed on leave for the remainder of the day. Without objection, the gentleman is placed on leave.

CONSIDERATION OF HB 1235 CONTINUED

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

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Barrar	Hershey	Readshaw	Schroder
Hennessey	James		

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

On the question,

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

The SPEAKER pro tempore. It is the Chair's understanding that Representative Reichley has two other amendments that he seeks to withdraw? The Chair thanks the gentleman.

It is the Chair's understanding that Representative Creighton has an amendment that he seeks to withdraw. Is that correct? The Chair thanks the gentleman.

On the question recurring,

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

Mrs. **BEYER** offered the following amendment No. **A02310**:

Amend Title, page 1, line 2, by inserting after "providing"
for grading the offense of impersonating a public servant,

Amend Sec. 1, page 1, line 8, by inserting after "Sections"
4912,

Amend Sec. 1, page 1, by inserting between lines 10 and 11
§ 4912. Impersonating a public servant.

(a) Offenses defined.—A person commits [a misdemeanor of the second degree if he] the offense of impersonating a public servant if:

(1) The person falsely pretends to hold a position in the public service with intent to induce another to submit to such pretended official authority or otherwise to act in reliance upon that pretense [to his prejudice].

(2) The person falsely pretends to be a member of law enforcement with intent to induce another to submit to such pretended official authority or otherwise act in reliance upon that pretense.

(b) Grading.—An offense under subsection (a)(1) is a misdemeanor of the second degree. An offense under subsection (a)(2) is a felony of the third degree.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Representative Reichley.

Mr. REICHLEY. I am standing in for my fair-haired colleague from Northampton County, Mr. Speaker, right now who apparently is a little indisposed. Her amendment would amend the Crimes Code section 4912 relating to impersonating a public servant to increase the penalty for this offense as it relates to those who would impersonate a member of law enforcement. This would become a felony of the third degree. The current grading is a misdemeanor of the second degree. This has been an issue in some areas where individuals portraying themselves as police officers pull over unknowing motorists and perpetrate further crimes.

I appreciate an affirmative vote from the members of the House.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman from Berks, Representative Caltagirone.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

Again, the amendment has been agreed to, and I would ask for support on both sides of the aisle.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentlelady, Representative Beyer.

Mrs. BEYER. Thank you, Mr. Speaker.

I just wanted to say briefly that this amendment came about due to my brother, Will, who happens to be a Westmoreland County detective for the D.A.'s office, and he talked to me about a series of incidents that were occurring in the western part of the State where someone was going around with their car painted like a police officer, using lights, and pulling women over with the intent to victimize them. So what we did is we put together this amendment so that we could take seriously this idea of impersonating a police officer.

So I thank you, and I ask for an affirmative vote.

The SPEAKER pro tempore. The Chair thanks the gentlelady.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Barrar
Hennessey

Hershey
James

Readshaw

Schroder

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

On the question recurring,

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

The SPEAKER pro tempore. It is the Chair's understanding there are no further amendments to HB 1235.

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 1487, PN 2189**, entitled:

An Act imposing limitations on the use of property in Horsham Township, Montgomery County, known as the Willow Grove Joint Interagency Installation in the event the Commonwealth acquires the property.

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

* * *

The House proceeded to second consideration of **HB 1614, PN 2067**, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for additional investment authority for subsidiaries.

On the question,

Will the House agree to the bill on second consideration?

Mr. **GODSHALL** offered the following amendment No. **A02674**:

Amend Bill, page 4, by inserting between lines 8 and 9

Section 2. Section 519.1(c)(1) of the act, amended February 17, 1994 (P.L.92, No.9), is amended to read:

Section 519.1. Additional Investment Authority for Subsidiaries.—* * *

(c) (1) At no time shall a domestic stock fire, stock marine or stock fire and marine insurance company make an investment in any subsidiary which will bring the aggregate value of its investments,

as determined for annual statement purposes but not in excess of cost, in all subsidiaries under this subsection to an amount in excess of ten per centum (10%) of its total admitted assets as of the immediately preceding thirty-first day of December. In determining the amount of investments of any domestic stock fire, stock marine or stock fire and marine insurance company in subsidiaries for purposes of this subsection, there shall be included investments made directly by such insurance company and, if such investment is made by another subsidiary, then to the extent that funds for such investments are provided by the insurance company for such purpose. A domestic stock fire, stock marine or stock fire and marine insurance company may increase the aggregate value of its investments, as determined for annual statement purposes but not in excess of cost, in all subsidiaries in excess of ten per centum (10%) but at no time in excess of fifteen per centum (15%) of its total admitted assets as of the immediately preceding thirty-first day of December if the increase has been approved in writing by the Insurance Department prior to making the investment. If the Insurance Department does not approve or disapprove the increased investment limit within thirty (30) days of receipt of a request for approval, the increased investment shall be deemed approved.

Amend Sec. 2, page 4, line 9, by striking out "2" and inserting
3

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

AMENDMENT PASSED OVER TEMPORARILY

The SPEAKER pro tempore. The Chair will go over this amendment temporarily.

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

Mr. J. EVANS offered the following amendment No. **A02675**:

Amend Title, page 1, line 12, by removing the period after "subsidiaries" and inserting
and for real estate which may be acquired, held
and conveyed.

Amend Bill, page 4, by inserting between lines 8 and 9

Section 2. Section 519(e) of the act, amended December 18, 1992 (P.L.1519, No.178), is amended to read:

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

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

whose voting securities are owned directly or indirectly through one or more intermediaries, shall not exceed twenty-five per centum (25%) of the company's admitted assets.

Amend Sec. 2, page 4, line 9, by striking out "2" and inserting
3

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

AMENDMENT WITHDRAWN

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

Mr. J. EVANS. Thank you, Mr. Speaker.

That amendment has been withdrawn.

The SPEAKER pro tempore. The Chair thanks the gentleman.

BILL PASSED OVER TEMPORARILY

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

The House proceeded to second consideration of **HB 1624, PN 2077**, entitled:

An Act designating a bridge crossing the Catawissa Creek in Catawissa Borough, Columbia County, Pennsylvania, as the William F. Gittler, Sr. Memorial Bridge.

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

CONSIDERATION OF HB 1614 CONTINUED

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

The clerk read the following amendment No. **A02674**:

Amend Bill, page 4, by inserting between lines 8 and 9

Section 2. Section 519.1(c)(1) of the act, amended February 17, 1994 (P.L.92, No.9), is amended to read:

Section 519.1. Additional Investment Authority for Subsidiaries.—***

(c) (1) At no time shall a domestic stock fire, stock marine or stock fire and marine insurance company make an investment in any subsidiary which will bring the aggregate value of its investments, as determined for annual statement purposes but not in excess of cost, in all subsidiaries under this subsection to an amount in excess of ten per centum (10%) of its total admitted assets as of the immediately preceding thirty-first day of December. In determining the amount of investments of any domestic stock fire, stock marine or stock fire and marine insurance company in subsidiaries for purposes of this subsection, there shall be included investments made directly by such insurance company and, if such investment is made by another subsidiary, then to the extent that funds for such investments are provided by the insurance company for such purpose. A domestic stock fire, stock marine or stock fire and marine insurance company may increase the aggregate value of its investments, as determined for annual statement purposes but not in excess of cost, in all subsidiaries in excess of ten per centum (10%) but at no time in excess of

fifteen per centum (15%) of its total admitted assets as of the immediately preceding thirty-first day of December if the increase has been approved in writing by the Insurance Department prior to making the investment. If the Insurance Department does not approve or disapprove the increased investment limit within thirty (30) days of receipt of a request for approval, the increased investment shall be deemed approved.

* * *

Amend Sec. 2, page 4, line 9, by striking out "2" and inserting
3

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

AMENDMENT WITHDRAWN

Mr. GODSHALL. Thank you, Mr. Speaker.

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

Mr. GODSHALL. I am going to be withdrawing 2674, and I understand the content of 2674 is in amendment 2676, which I would like to have called up, and Representative Evans will be speaking on that for me; 2676.

The SPEAKER pro tempore. It is the Chair's understanding the gentleman is offering amendment A02676.

Mr. GODSHALL. 2676, that is exactly right, Mr. Speaker, and Representative Evans will be speaking on that for me. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman. The board reflects that.

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

Mr. **GODSHALL** offered the following amendment No. **A02676**:

Amend Title, page 1, line 12, by removing the period after "subsidiaries" and inserting

and for real estate which may be acquired, held and conveyed.

Amend Bill, page 4, by inserting between lines 8 and 9

Section 2. Section 519(e) of the act, amended December 18, 1992 (P.L.1519, No.178), is amended to read:

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

* * *

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

whose voting securities are owned directly or indirectly through one or more intermediaries, shall not exceed twenty-five per centum (25%) of the company's admitted assets.

Section 3. Section 519.1(c)(1) of the act, amended February 17, 1994 (P.L.92, No.9), is amended to read:

Section 519.1. Additional Investment Authority for Subsidiaries.—* * *

(c) (1) At no time shall a domestic stock fire, stock marine or stock fire and marine insurance company make an investment in any subsidiary which will bring the aggregate value of its investments, as determined for annual statement purposes but not in excess of cost, in all subsidiaries under this subsection to an amount in excess of ten per centum (10%) of its total admitted assets as of the immediately preceding thirty-first day of December. In determining the amount of investments of any domestic stock fire, stock marine or stock fire and marine insurance company in subsidiaries for purposes of this subsection, there shall be included investments made directly by such insurance company and, if such investment is made by another subsidiary, then to the extent that funds for such investments are provided by the insurance company for such purpose. A domestic stock fire, stock marine or stock fire and marine insurance company may increase the aggregate value of its investments, as determined for annual statement purposes but not in excess of cost, in all subsidiaries in excess of ten per centum (10%) but at no time in excess of fifteen per centum(15%) of its total admitted assets as of the immediately preceding thirty-first day of December if the increase has been approved in writing by the Insurance Department prior to making the investment. If the Insurance Department does not approve or disapprove the increased investment limit within thirty (30) days of receipt of a request for approval, the increased investment shall be deemed approved.

* * *

Amend Sec. 2, page 4, line 9, by striking out "2" and inserting
4

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

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

Mr. J. EVANS. Mr. Speaker, I believe we have an understanding that this is an agreed-to amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Will the gentleman please give a brief description of what this amendment does.

Mr. J. EVANS. Thank you, Mr. Speaker.

This amendment raises the amount a property casualty insurance can invest in a noninsurance subsidiary from 10 to 15 percent, with the increase subject to prior approval by the Insurance Department, and it also allows property casualty insurers to invest up to 25 percent of their admitted assets in real estate limited partnerships.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman, Representative DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

This is an agreed-to amendment. I want to commend Representative Evans on this amendment. It certainly puts it in line with other parts of the insurance business.

So I ask for an affirmative vote for Representative Evans.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Barrar	Hershey	Readshaw	Schroder
Hennessey	James		

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

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

The SPEAKER pro tempore. It is the Chair's understanding there are no further amendments to this bill.

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 1644, PN 2119**, entitled:

An Act designating a portion of State Route 22/322 from the Mifflintown exit in Juniata County to the Juniata/Mifflin County line, as the Dr. L.G. Guiser Memorial Highway.

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 1656, PN 2136**, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Department of Conservation and Natural Resources and the Governor, to grant and convey to Skippack Township certain lands situate in Skippack Township, Montgomery County, in exchange for Skippack Township granting and conveying certain lands to the Commonwealth to be added to those existing lands at Evansburg State Park.

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 466, PN 1226**, entitled:

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, further providing for application and for exemptions.

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

Mr. **DePASQUALE** offered the following amendment No. **A02634**:

Amend Title, page 1, line 6, by inserting after "application"
, for changes in the Uniform Construction Code

Amend Sec. 1, page 1, line 12, by striking out "a paragraph" and inserting

paragraphs

Amend Sec. 1 (Sec. 104), page 2, lines 13 through 21, by striking out all of said lines and inserting

(8) temporary structures erected for less than 180 continuous days, except as might be required by ordinances in effect under section 303(b)(1) or adopted under section 503;

(9) temporary structures which:

(i) are less than 1,600 square feet in size;

(ii) are erected for a period of less than 30 continuous days for:

(A) the purpose of participation in a fair, flea market or arts and crafts festival; or

(B) other public or private use; and

(iii) are subject to section 503(a)(2); and

(10) construction job trailers until the completion of the construction project.

Amend Bill, page 2, by inserting between lines 22 and 23

Section 1.1. Section 503(a) of the act, amended July 15, 2004 (P.L.748, No.92), is amended to read:

Section 503. Changes in Uniform Construction Code.

(a) Administration.—

(1) Municipalities may enact ordinances which equal or exceed the minimum requirements of Chapter 1 of the 1999 BOCA National Building Code, Fourteenth Edition, or successor codes, relating to administration consistent with the provisions of section 501(c).

(2) An ordinance under this subsection applicable to the exception under section 104(b)(9) may require compliance with any of the following standards:

(i) Flame propagation criteria of the applicable edition of the National Fire Protection Association's Life Safety Code, NFPA No. 701.

(ii) The ICC Electrical Code.

(iii) International Fire Code criteria as to number of portable fire extinguishers.

* * *

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from York, Representative DePasquale.

Mr. DePASQUALE. Thank you, Mr. Speaker.

This is an amendment that I have worked hard with Representative Ron Miller on in crafting. SB 466, which seeks to make some exemptions to the UCC (Uniform Construction Code), we had felt that the merits of that bill, we certainly agreed with it. It was an attempt to really protect county fairs and ethnic festivals all over Pennsylvania because of some actions that had taken place in some municipalities. We did think that it was a bit far reaching, though. So this amendment is to try to narrow the scope of those exemptions to make sure that fairs, carnivals, and the like are still exempted when they are a temporary structure of 30 days or less but also making sure that the necessary public safety protections are still there, and I do ask for an affirmative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Barrar	Hershey	Readshaw	Schroder
Hennessey	James		

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

On the question,

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

The SPEAKER pro tempore. It is the Chair's understanding that the gentleman from York, Representative DePasquale, is withdrawing amendment 02578? It is the Chair's understanding you are withdrawing your other amendment? The Chair thanks the gentleman.

Are there any further amendments on this bill?

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.)

INSURANCE COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman, Representative DeLuca, for a committee announcement.

Mr. DeLUCA. Thank you, Mr. Speaker.

The Insurance Committee will meet immediately upon the declaration of recess at 205, the Ryan Building, for a couple pieces of legislation. We appreciate everybody's attendance.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Insurance Committee will be meeting in the Ryan Office Building, room 205, at the recess.

TRANSPORTATION COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman, Representative Markosek, for a committee announcement.

Mr. MARKOSEK. Thank you, Mr. Speaker.

The Transportation Committee will meet 15 minutes after the call of the recess in room G-50, Irvis Office Building, and we are going to consider HR 637. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Transportation Committee is meeting 15 minutes after the call of recess in room G-50 of the Irvis Building.

DEMOCRATIC CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentleman, Representative Cohen, for an announcement.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, there will be a Democratic caucus tomorrow morning at 10 a.m., and we will go in on the House floor at 11 a.m.

The SPEAKER pro tempore. Will the gentleman repeat that again.

Mr. COHEN. Democratic caucus tomorrow, 10 a.m. We go in on the House floor tomorrow, 11 a.m.

The SPEAKER pro tempore. The Chair thanks the gentleman.

STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentlelady from Philadelphia, Representative Josephs, for a committee announcement.

Ms. JOSEPHS. Thank you, Mr. Speaker.

Tomorrow at 10 the House State Government Committee will meet in 60E.

The SPEAKER pro tempore. The Chair thanks the gentlelady.

The State Government Committee will meet tomorrow at 10 a.m. in room 60E.

REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentlelady, Representative Major, for an announcement.

Miss MAJOR. Thank you, Mr. Speaker.

The Republicans will also caucus tomorrow morning at 10 a.m.; that is, Republicans will caucus at 10 a.m. tomorrow morning. Thank you.

The SPEAKER pro tempore. The Chair thanks the lady.

Are there any other announcements?

For the information of the members, there will be no further votes.

BILLS RECOMMITTED

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

HB 83;
HB 489;
HB 1170;
HB 1235;
HB 1487;
HB 1614;
HB 1624;
HB 1644;
HB 1656;
SB 466; and
SB 704.

On the question,

Will the House agree to the motion?

Motion was agreed to.

RESOLUTIONS PURSUANT TO RULE 35

Mr. DeWEESE called up **HR 109, PN 1530**, entitled:

A Resolution establishing and directing a select committee to examine matters relating to the shortage of health care professionals in this Commonwealth.

On the question,

Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HR 109 be placed on the table.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HR 109 be removed from the table.

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

* * *

Mr. DeWEESE called up **HR 112, PN 817**, entitled:

A Resolution directing the Department of Environmental Protection to identify and implement policies which encourage the use of current electronic waste recycling programs and expand existing programs.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HR 112 be placed on the table.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HR 112 be removed from the table.

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

* * *

Mr. DeWEESE called up **HR 268, PN 1523**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to contract for an independent study of the Pennsylvania Game Commission's forestry and mineral development policies.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HR 268 be placed on the table.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HR 268 be removed from the table.

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

**HOUSE RESOLUTION
INTRODUCED AND REFERRED**

No. 369 By Representatives GEORGE, COHEN, DeWEESE, McCALL, BELFANTI, CALTAGIRONE, CARROLL, EACHUS, GEIST, GOODMAN, GRUCELA, HANNA, HARKINS, HERSHEY, HORNAMAN, JAMES, JOSEPHS, KING, KULA, LEACH, LEVDANSKY, MANDERINO, McGEEHAN, MELIO, MUNDY, MYERS, M. O'BRIEN, PETRARCA, PRESTON, READSHAW, RUBLEY, SAINATO, SHIMKUS, SOLOBAY, SWANGER, TANGRETTI, J. TAYLOR, THOMAS, WALKO, WANSACZ, WOJNAROSKI, YOUNGBLOOD and YUDICHAK

A Resolution requesting the Pennsylvania Public Utility Commission (PUC) to identify possible solutions for the impending electric rate crisis.

Referred to Committee on CONSUMER AFFAIRS, July 5, 2007.

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

The House will come to order.

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

HB 1150, PN 2237 (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, in health and accident insurance, for autism spectrum disorders coverage and for treatment of autism spectrum disorders; and further providing for quality health care procedures.

INSURANCE.

**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND TABLED****SB 968, PN 1281** (Amended)

By Rep. DeLUCA

An Act amending the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, providing for reduction and prevention of health care-associated infection.

INSURANCE.

BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that the following bill be taken from the table and placed on the active calendar: SB 968.

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

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 the gentleman, Representative Roae from Crawford County, who moves that this House now adjourn until Friday, July 6, 2007, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 8:38 p.m., e.d.t., the House adjourned.